

MACKENZIE COUNTY

# COMMITTEE OF THE WHOLE MEETING

**JULY 23, 2019  
10:00 AM**

**FORT VERMILION COUNCIL  
CHAMBERS**

 780.927.3718

 [www.mackenziecounty.com](http://www.mackenziecounty.com)

 4511-46 Avenue, Fort Vermilion

 [office@mackenziecounty.com](mailto:office@mackenziecounty.com)



**Mackenzie County**



**MACKENZIE COUNTY  
COMMITTEE OF THE WHOLE MEETING**

**Tuesday, July 23, 2019  
10:00 a.m.**

**Fort Vermilion Council Chambers  
Fort Vermilion, Alberta**

**AGENDA**

- |    |  |    |
|----|--|----|
| 1. | Gravel Pits  | 5  |
| 2. | Public Consumption of Cannabis Survey – Condensed Version<br>Draft | 87 |
| 3. |  |    |
| 4. |  |    |
| 5. | Next Meeting – August 27, 2019                                     |    |





**Mackenzie County**

# REQUEST FOR DIRECTION

<b>Meeting:</b>	<b>Committee of the Whole Meeting</b>
<b>Meeting Date:</b>	<b>July 23, 2019</b>
<b>Presented By:</b>	<b>David Fehr, Director of Operations</b>
<b>Title:</b>	<b>Gravel Pits</b>

**BACKGROUND / PROPOSAL:**

Administration compiled information on Meander Pit, Fidler Pit and Tompkins Pit. The information includes the challenges faced to legally operate the gravel pits.

**OPTIONS & BENEFITS:**

For discussion and information.

**COSTS & SOURCE OF FUNDING:**

**SUSTAINABILITY PLAN:**

**COMMUNICATION/PUBLIC PARTICIPATION:**

**POLICY REFERENCES:**

**RECOMMENDED ACTION:**

For discussion.

**Author:** S Wheeler      **Reviewed by:** Dave Fehr      **CAO:** \_\_\_\_\_



**From:** Marcus Ruehl [Marcus.Ruehl@gov.ab.ca]  
**Sent:** Friday, August 16, 2013 1:25 PM  
**To:** Mark Schonken  
**Cc:** Ron Pelensky; Bill Kostiw; Gail Tucker; Brenda Huxley; Michael Kozij  
**Subject:** RE: ESRD Public Pits in Mackenzie County  
**Attachments:** ESRD Public Pits in Mackenzie County

Hi Mark,

ESRD is willing to allow Mackenzie County to take over the two public pits in the Meander area (Meander North DRS 780149 and Meander South DRS 834). The Atlas Landing pit (DRS 830255) is still regularly used as a public pit and will be kept as such.

Mackenzie County will need to apply for SML's to overlap the current dispositions (DRS's). When the SML's are ready to be approved the DRS's will be cancelled. Please be aware that the County will assume all reclamation responsibility for the pits it takes over.

If you need to know any more information please let me know.

Thank you,

**Marcus Ruehl** RPFT  
Operations Section Head  
Peace Region  
Alberta Environment and Sustainable Resource Development-Operations  
Office: 780-926-7006  
Cell: 780-926-9622  
Fax: 780-926-4224

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**From:** Mark Schonken [<mailto:mschonken@mackenziecounty.com>]  
**Sent:** Tuesday, July 30, 2013 8:28 AM  
**To:** Marcus Ruehl  
**Cc:** Ron Pelensky; Bill Kostiw  
**Subject:** RE: ESRD Public Pits in Mackenzie County

Thank you,

Mark

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**From:** Marcus Ruehl [<mailto:Marcus.Ruehl@gov.ab.ca>]  
**Sent:** Tuesday, July 23, 2013 10:51 AM  
**To:** Mark Schonken  
**Subject:** RE: ESRD Public Pits in Mackenzie County

Hi Mark,

I just wanted to let you know that I'm looking into the recent use of the Public Pits and whether or not we would want to transfer them to the County.

I will update you when I have more information.

Thank you,

**Marcus Ruehl** RPFT  
Operations Section Head  
Peace Region  
Alberta Environment and Sustainable Resource Development-Operations  
Office: 780-926-7006  
Cell: 780-926-9622  
Fax: 780-926-4224

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**From:** Mark Schonken [<mailto:mschonken@mackenziecounty.com>]  
**Sent:** Friday, July 12, 2013 10:57 AM  
**To:** Marcus Ruehl  
**Cc:** Ron Pelensky  
**Subject:** RE: ESRD Public Pits in Mackenzie County

Hi Marcus,

Thank you for the information. Mackenzie County is interested in taking over the Meander gravel pits and possibly the Atlas Landing pit.  
Will you please advise what ESRD would require from Mackenzie County to take over these pits?

Regards,

Mark Schonken

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**From:** Marcus Ruehl [<mailto:Marcus.Ruehl@gov.ab.ca>]  
**Sent:** Wednesday, July 10, 2013 2:51 PM  
**To:** Mark Schonken  
**Cc:** Michael Kozij; Gail Tucker  
**Subject:** ESRD Public Pits in Mackenzie County

Hi Mark,

I am sending you maps of the four public pits that ESRD owns within Mackenzie County. A public pit licence (PPL) is required to remove any material. PPL's are issued by local ESRD offices such as High Level and Fort Vermilion.

If the County is interested in taking over these pits altogether we would need to take a closer look at the details.

Please let me know what the County would like to do or contact me if you have any questions.

Thanks,

**Marcus Ruehl** RPFT  
Operations Section Head  
Peace Region  
Alberta Environment and Sustainable Resource Development-Operations



Dene Tha First Nation  
PO Box 120  
Chateh, Alberta  
T0H 0S0



Telephone:  
(780) 321-3774  
(780) 321-3775  
(780) 321-3842

Fax:  
(780) 321-3886

November 5, 2015

VIA EMAIL – [april.connelly@gov.ab.ca](mailto:april.connelly@gov.ab.ca)

Aboriginal Relations  
8th fl 108 Street Building  
9942 - 108 Street  
Edmonton, AB  
T5K 2J5

**Attention: April Connelly**  
First Nations Consultation Approvals Specialist, Lower Athabasca Region

Dear Sirs/Mesdames:

**Re: Proposed Conversion of High Level Office of Sustainable Resource Development Disposition Reservation ("DRS") No.'s 834 and 780149 to Mackenzie County held Surface Materials Lease ("SML") No.'s 38261 and 38242 (the "Applications") and Aboriginal Consultation Office ("ACO") First Nation Consultation No.'s 201509017 and 201508293**

We write on behalf of the Dene Tha' First Nation (the "DTFN") to express concerns and to provide some initial comments and information requests regarding the above noted Applications. We acknowledge receipt of Mackenzie County's First Nation Consultation ("FNC") referral no.'s: 201508293 (Meander South – DRS 834), via-email on September 14, 2015 from Michelle Smith, Land Administrator, Scott Land and Lease; and 201509017 (Meander North - DRS 780149), via-email on September 29, 2015 also from Michelle Smith, to which we replied via-email on October 1, 2015 with an introductory meeting request to discuss the nature of the Surface Mineral Lease ("SML") applications (the "Applications") and FNC referrals.

As you may be aware, Dene Tha' has constitutionally-protected rights and its members exercise these rights in and about the proposed gravel pit conversion areas that are the subject of the Applications. We are gravely concerned with the adverse impacts that would certainly result to our community, livelihood, Treaty rights and band members from the proposed Applications and resultant authorized gravel pit activities. The proposed activities would take place right on the doorstep of the community of Meander River, which is one of Dene Tha's communities – less than 1.7 kilometers away. These activities cause us the gravest of concerns. Our community members

are worried about the serious impacts the proposed activities will have on their daily lives, including their enjoyment of their reserve community as well as harvesting activities in the area.

Over the last number of years, Dene Tha's ability to exercise its Treaty 8 rights has been significantly eroded. With each new development that takes place, whether it be gravel pits, oil or gas projects, logging, dams or some other type of development, more and more lands are taken up, leaving fewer and fewer areas for Dene Tha' to practice its Treaty rights. Our Traditional Territory contains thousands of miles of roads, pipelines, seismic lines and other linear corridors, and numerous well sites, processing plants, power plants, cut blocks and other development. Dene Tha' has been seriously affected by this development, and its Treaty rights compromised.

Cumulative effects of all of this development threaten not only our ability to continue to exercise our Treaty 8 rights, but also our cultural existence as Dene Tha' people. Being Dene Tha', we are intimately connected to the lands, waters and resources in our Traditional Territory and we have stewardship responsibilities to take care of them. We teach our children our cultural and harvesting practices and language, and what it means to be Dene Tha', by being out on the lands with them in our Territory. We continue to be sustained by the wildlife, birds, fish, plants and medicines that we harvest out on the land. We prefer our traditional diet over store-bought products, and it is critically important to us to be able to continue to rely on resources in our Traditional Territory to feed our community into the future. Especially important are those few remaining areas near our communities where members, without access to motorized transport, can harvest close to home – including the areas of the Applications.

Development needs to be proactively and carefully managed to ensure that sufficient wild places and suitable areas to harvest remain to support a meaningful ability to successfully hunt, trap, fish, and gather the many species of animals, fish, birds, plants and medicines upon which our culture and traditional livelihoods rely.

We are deeply dismayed and troubled that neither our neighbors at Mackenzie County nor the High Level Office of Sustainable Resource Development chose to discuss either of these gravel pit conversions with our Nation during the planning stages and prior to the Applications being submitted. Worse yet, it appears that these Applications were only referred to DTFN at all, at the eleventh hour, at ACO's direction. We are also concerned that attempts are being made to limit the discussion with us to only site-specific concerns overlapping the footprint areas of the Applications. Please be aware that Dene Tha' has serious concerns about the approach to consultation taken by the ACO. In our view, the ACO's Consultation Policy and Guidelines do not meet the common law requirements of the Crown's consultation obligations. As a result, reliance on these documents will not suffice to meet the duty to consult with Dene Tha' in relation to these Applications. The Crown has obligations to consider any potential impact to DTFN's Treaty rights reasonably resulting from subsequent authorized activities relating to these Applications, including, but not restricted to, site-specific impacts.

The Dene Tha' have high expectations of Alberta, in its decision making processes, that it will honor the current NDP government's 2015 campaign promises to all Albertans (including First Nations peoples and the Dene Tha') that are relevant to these SML applications, including:

(5.12) We will strengthen environmental standards, inspection, monitoring and enforcement to protect Alberta's water, land and air. We will build standards based on independent science and international best practices, designed transparently in careful consultation with Albertans.

(5.21) We will implement the 2007 United Nations Declaration on the Rights of Indigenous Peoples, and build it into provincial law.

(5.23) We will work with Alberta Indigenous Peoples to build a relationship of trust and ensure respectful consultation.

(5.26) We will work with the federal government to ensure Indigenous communities have reliable access to clean and safe drinking water.<sup>1</sup>

Dene Tha' is very interested in discussing with the current NDP government how its Ministries and Agents will honor the above-noted promises for these Applications within the contemporary framework of Alberta's decision making processes including the concepts of Free, Prior and Informed Consent<sup>2</sup> and in a manner consistent with the common law and the UN's *Declaration on the Rights of Indigenous Peoples*.

Maps and supporting information representing some of our documented traditional land use information denoting areas where various Treaty and Aboriginal rights-based activities currently occur within the areas subject to the Applications have been submitted to the ACO's office on other occasions. However, your FNC referral letters did not indicate any information provided by the Government of Alberta regarding any of DTFN's uses and interests in the area nor any information from Mackenzie County regarding how the Applications and potentially SML authorized activities may impact DTFN's Treaty rights and traditional uses.

Many of the rights-based activity area polygons as illustrated on the enclosed TUS maps and summary reports, associated with the activities of hunting, fishing, and gathering, also include site specific elements necessary for the meaningful exercise of Treaty rights. These elements include: access routes; portages; scouting lookouts; staging locations; resource harvesting areas; processing stations; temporary and well-established camps; culturally significant areas; culturally significant watercourses and waterbodies; landmarks for orientation; important wildlife habitat; and many others.

We are concerned that our ability to exercise our Treaty rights site-specifically within the Application areas and adjacent areas, and cumulatively across the region, will be compromised to the extent that our members will be forced to go elsewhere to exercise our section 35 rights and to

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<sup>1</sup> NPD, 2015, *Election Platform 2015*, [available from: [http://d3n8a8pro7vhmx.cloudfront.net/themes/5538f80701925b5033000001/attachments/original/1431112969/Alberta\\_NDP\\_Platform\\_2015.pdf?1431112969](http://d3n8a8pro7vhmx.cloudfront.net/themes/5538f80701925b5033000001/attachments/original/1431112969/Alberta_NDP_Platform_2015.pdf?1431112969)] [accessed: Oct 31, 2015]

<sup>2</sup> United Nations, 2007, *United Nations Declaration on the Rights of Indigenous Peoples*, G.A. Res. 61/295, U.N. Doc. A/RES/61/295 (Sept. 13, 2007), 46 I.L.M. 1013 (2007) [Available from: [http://www.un.org/esa/socdev/unpfi/documents/DRIP5\\_en.pdf](http://www.un.org/esa/socdev/unpfi/documents/DRIP5_en.pdf)]. [accessed: Oct 31, 2015]

support their own individual and communal expressions of meeting household and communal needs with traditional knowledge in practice. Many of these concerns are in relation to biophysical abundance and health values associated with potential impacts from the proposed Applications including to: moose; elk; beaver; muskrat; bear; otter; fish; geese; ducks; berries; caribou; medicinal plants, animals and minerals; and others. In addition, we are also very concerned with potential Application impacts to the two Registered Fur Management Areas (RFMAs) and critical harvesting areas overlapping the DRS 780149 Application areas, including RFMA No.'s 185 and 1366 - both registered to DFTN band members.

We do not fully understand the potential adverse effects of the activities proposed under the Applications. The FNC referrals did not provide sufficient information to determine what impacts could potentially arise from these proposed conversions. We would like to understand more about the nature of the proposed Activities to be undertaken pursuant to the Applications, including information about the nature of potential impacts that may result such as:

- a description of the proposed licence, permissible licence activities and any other application, permit, approval or authorization that would be required to operate an aggregate operation, in conjunction with an SML
- Information on other available aggregate sites in the region
- an analysis of the need for the activity including the site selection procedure and how these proposed sites were chosen in consideration of the many other suitable aggregate sites in the region
- identification of existing baseline environmental conditions and areas of major concern that should be considered in the decision making process
- a description of potential environmental, social, economic and cultural impacts of the proposed Application activities including cumulative, regional, temporal and spatial considerations – with an analysis of the significance of the potential impacts noted above
- plans that have been developed to mitigate, avoid, or accommodate potential adverse effects
- identification of issues related to human health that should be considered given the proximity of the adjacent Meander River settlement and harvesting areas
- identification of issues related the impacts of noise, dust and increased traffic on the quality of life of community members residing in the Meander River settlement, harvesting camps and on harvesting activities of DFTN's members and on wildlife and birds in the area
- a consideration of the alternatives to the application activities including the alternative of not proceeding with either or both SML conversions
- plans that have been developed for conservation and reclamation including for environmentally sensitive areas like Devil's Lake and its connected wetland areas
- plans that have been developed to monitor environmental impacts that are predicted to occur and the plans that have been developed to monitor proposed mitigation measures
- contingency plans that have been developed in order to respond to unpredicted negative impacts

- plans that have been developed for waste reduction and recycling
- the manner in which the County plans to implement public consultation Dene Tha' community members with respect to the undertaking of the proposed Application activities
- plans that have been developed to minimize the production or the release into the environment of substances or physical occurrences that may have an adversely affect the environment or the exercise of Dene Tha's Treaty rights
- plans that have been developed to protect the water including the lake and adjacent wetlands immediately to the east of DRS 780149, known to us through oral history as "Devil's Lake" - as an important cultural and harvesting area
- Alberta's plans to replace these two public DRS sand and aggregate locations elsewhere within DTFN's Traditional Territory – given that these Applications propose to convert the only two DRS locations managed by High Level Office of Sustainable Resource Development into non-public SML dispositions
- an analysis of historic sand and aggregate volumes and amounts permitted by Alberta on DRS 7801409 by year, in comparison to proposed volumes and amounts by year and for the duration of the proposed SML Application and activities
- an analysis of the hydro-geologic characteristics of the Application areas including of the underlying subsurface materials of the physical Aquifer
- proposed SML conditions including environmental conditions

We note that there are many potential alternatives to the selection of these Application sites elsewhere in Mackenzie County that would satisfy the applicant's needs as stated in both of the FNC referral letters. For your consideration of alternatives to these Applications, please follow the link noted-below to the Alberta Geological Survey's website of Sand and Gravel Publications, which contains a compilation of all AGS maps and reports produced between 1976 and 2006, including GIS data and polygon features for the "Alberta Sand and Gravel Deposits with Aggregate Potential"<sup>3</sup> within Alberta and Mackenzie County.

Please find attached enclosed maps denoting some DTFN TUS information within the Application areas and a report containing attributes of the DTFN TUS data records shown spatially on the enclosed maps. You will note that there are many traditional uses overlying the Application areas including those related to; hunting, trapping, fishing, gathering, campsites, meat processing camps, meat/hide processing sites, spirit beings, oral history, key wildlife habitat, sacred, cultural and ceremonial sites. These areas are important s.35 use areas to the DTFN, given their proximity to Meander and the many severe impacts that would be likely to result from these Applications.

Moose and small fur bearer populations will undoubtedly be significantly reduced from increasing fatalities and displacements caused by traffic, noise, and increased human presence. Further loss of habitat and migration of these animals to other habitats away from the application areas will result in reduced quantity and quality of species available to be harvested in these Application areas and

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<sup>3</sup> Alberta Geological Survey, 2015 , *Alberta Sand and Gravel Deposits with Aggregate Potential*, Sand and Gravel Publications,[available from: <http://www.ags.gov.ab.ca/mapserver/agg/aggpubs.html>], [accessed: Oct 31, 2015]



Aboriginal Relations

Aboriginal Consultation Office  
Operations  
Fort Vermilion Ranger Stn.  
5001-46<sup>th</sup> Ave Box 520  
Fort Vermilion, AB T0H 1N0  
Telephone: 780-927-8208  
[jeff.d.anderson@gov.ab.ca](mailto:jeff.d.anderson@gov.ab.ca)

December 3, 2015

Baptiste Metchooyeah  
Director of Land Department  
Dene Tha' First Nation  
PO Box 120  
Chateh, Alberta  
T0H 0S0

Via email: [Baptiste.Metchooyeah@denetha.ca](mailto:Baptiste.Metchooyeah@denetha.ca) (hard copy not to follow)

**RE: Proposed Conversions of Disposition Reservation ('DRS') #834 and DRS #780149 to a Surface Materials Lease ('SML') under the Public Land Act . Aboriginal Consultation Office ('ACO') First Nation Consultation No.'s 201508293 and 201509017**

Dear Mr. Metchooyeah:

The Aboriginal Consultation Office (ACO) is in receipt of the letter written by Dene Tha' First Nation ('DTFN') and submitted by yourself dated November 5, 2015 regarding consultation on Alberta Environment and Park's DRS 834 and DRS 780149 proposed administrative conversions to the Mackenzie County as SML's as per the Public Lands Act.

We would first like to assure you that Alberta recognizes and respects DTFN's Treaty Rights and traditional uses. Alberta respects that First Nations' Treaty Rights are protected by section 35 of the Constitution Act, 1982, and understands the important role these rights have in maintaining First Nations' cultures and traditions. Alberta also recognizes that First Nations may engage in customs or practices on the land that are not existing section 35 Treaty Rights but are nonetheless important to First Nations. Through the Government of Alberta's First Nations Consultation Policy on Land Management and Resource Development, 2005 and its associated 2007 Guidelines, along with the subsequent Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management, 2013 and associated 2014 Guidelines (collectively the "Policy and Guidelines"), Alberta will seek to reconcile First Nations' Treaty Rights and First Nations' traditional uses with Alberta's mandate to manage provincial Crown land and resources.

ACO's review revealed that the ACO will not be directing the proponent to change the level of consultation. The decision is based on the considerations at the Pre-Consultation Assessment stage, the process outlined within the 2014 Guidelines and the information submitted by DTFN. DTFN's submission does demonstrate that there may be site specific concerns DTFN have with the proposed conversions,

however, the ACO is confident that DTFN and the Mackenzie County will be able to consult with one another amicably and openly with DTFN raising their site specific concerns to the proponent as demonstrated thus far. At the time of the Pre Consultation Assessment the ACO acknowledged that each of the proposed conversions are in close proximity to DTFN's Upper Hay River IR#212 'Meander River'. Further, ACO acknowledged the Mackenzie County's intent as per their assessment request, which is to take over the administrative control of the existing DRS dispositions. Which in accordance to the 2014 Guidelines could be viewed as 'No Consultation Required' for what is being contemplated is only 'Effecting a change in Ownership'. Hence, new lands or novel impacts should not occur. However, at the time of assessment, the ACO understood that a DRS disposition type is not a formal disposition and an SML disposition is, so it also wanted to better understand the potential impacts this type of conversion may have on DTFN. Hence, the ACO set the level of consultation required at *Level 2: Standard Consultation* and continues to believe that this level of consultation is sufficient in allowing the DTFN to articulate their site specific concerns.

Thank you for sharing your concerns with the ACO. We hope this letter has provided you with clarity around ACO's approach in determining levels of adequacy on these two proposed projects. Thank you for your continued engagement with the Mackenzie County in this process and please contact me at 780-927-8208 or [jeff.d.anderson@gov.ab.ca](mailto:jeff.d.anderson@gov.ab.ca) if you have any further questions.

Sincerely,



Jeff Anderson

Consultation Advisor – Lower Peace Region

cc: Joe Pastion, Chief, DTFN  
Mike Maximchuk, Region Lead, ACO  
April Connolly, Approval Specialist, ACO  
Ron Pelensky, Director of Operations, Mackenzie County

## Adequacy Assessment

File Number for Consultation:  Date of Submission:

Client Project Name:

The Aboriginal Consultation Office has reviewed the consultation records regarding the proposed projects provided by

In accordance with Alberta's First Nations and Metis Settlements policies and guidelines (<http://indigenous.alberta.ca/1.cfm>), the Aboriginal Consultation Office has determined adequacy for each activity number. The proponent may proceed with their regulatory applications for those activities deemed Adequate.

Be advised that this notice does not grant the client any authority to make application for any use of land not identified within this notification.

Reviewed by:  Date of Review:

Should you have any questions, please contact the reviewer at:

Phone Number:  Email Address:

Supporting Comments/Direction:

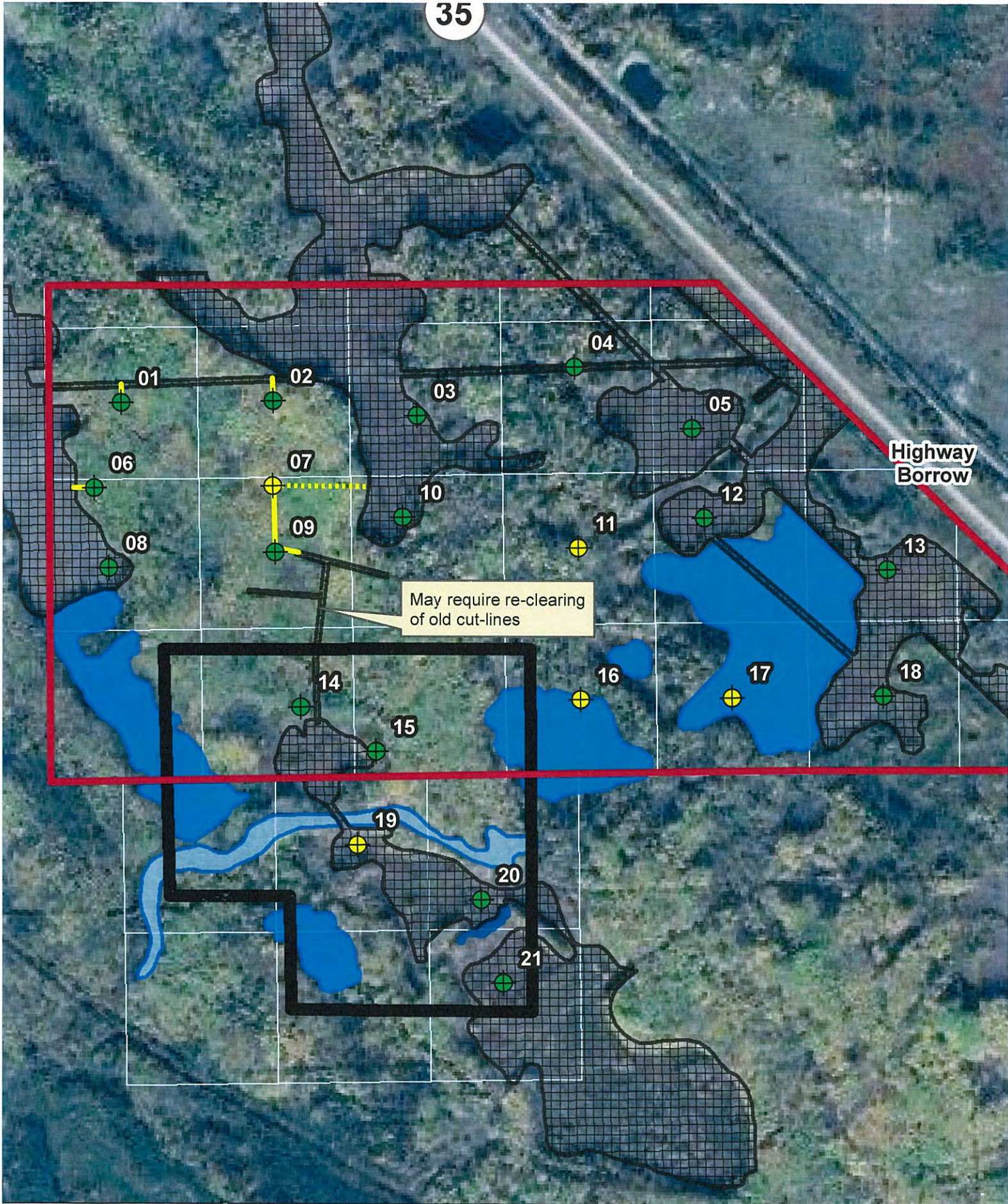
Please provide the times of the year the pit will be utilized to the Dene Tha' First Nation so that information can be passed on to the Meander community members so they can continue to use the area when the pit is not in use.

Personal information is collected in accordance with Section 33(c) of the Freedom of Information and Protection of Privacy Act. The personal information collected within this form will be used to administer the First Nations/Metis Settlements consultation process. If you have any questions about the collection or use of this information, you can contact the Director, FOIP Services, Indigenous Relations and International and Intergovernmental Relations (780)427-9658.



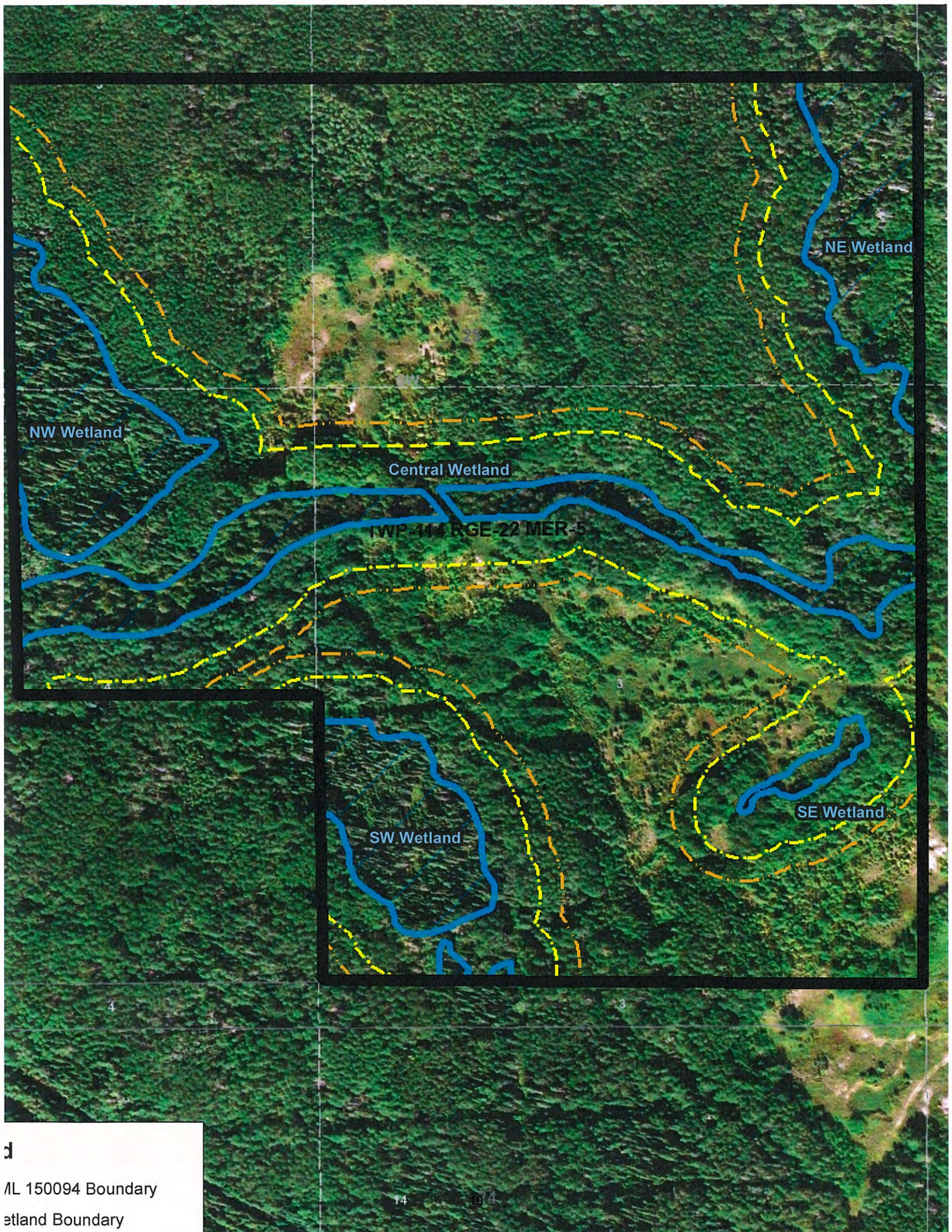
Adequacy Assessment

Activity Number	Disp Type	Program Type	Source Line Spacing	Regulator	Purpose Type	Activity Area/Distance	Land Use Area
FNC201508293-001	SML			AEP	Surface Materials - Sand and Gravel	31.83 HA	Peace Region
	ATS Legal - From		ATS Legal - To		First Nation(s) / Metis Settlement(s)	Dene Tha' First Nation	
	SW 25 114 22 5		SW 25 114 22 5				
Action Required	Level 2: Standard Consultation						
Adequacy	Adequate						
Activity Number	Disp Type	Program Type	Source Line Spacing	Regulator	Purpose Type	Activity Area/Distance	Land Use Area
	ATS Legal - From		ATS Legal - To		First Nation(s) / Metis Settlement(s)		
Action Required							
Adequacy							
Activity Number	Disp Type	Program Type	Source Line Spacing	Regulator	Purpose Type	Activity Area/Distance	Land Use Area
	ATS Legal - From		ATS Legal - To		First Nation(s) / Metis Settlement(s)		
Action Required							
Adequacy							



nd


Existing SML Boundary    Existing Clearing    Potential Test Pit Location    Aquatic Feature




d  
IL 150094 Boundary  
Wetland Boundary



Legend

 SML 150094 Boundary

 6m Peatland Setback

**Aquatic Feature**

 Drainage

DRAFT FOR REVIEW

SML 150094 - WETLAND REPLACEMENT PRELIMINARY COST OVERVIEW

Wetland ID (Figure 1)	Wetland Area Lost (ha)	Estimated Value of Wetland Area Lost	Wetland Replacement Matrix (Ha Replaced: Ha Lost)	RWAUV *See Note	Rate per Ha (Public Land [in the Green Area])	Replacement Cost Per Wetland
W1	1.434023	D	1:1	6	10,300 \$	14,770.44
W2	0.932933	D	1:1	6	10,300 \$	9,609.21
W3	0.788067	D	1:1	6	10,300 \$	8,117.09
W3	0.829458	D	1:1	6	10,300 \$	8,543.42
W4	1.065611	D	1:1	6	10,300 \$	10,975.79
W5	0.136033	D	1:1	6	10,300 \$	1,401.14
<b>Total Replacement Cost</b>						<b>\$ 52,015.95</b>

Wetland ID (Figure 1)	Wetland Area Lost (ha)	Estimated Value of Wetland Area Lost	Wetland Replacement Matrix	RWAUV	Rate per Ha (Public Land [in the Green Area])	Replacement Cost Per Wetland
W1	1.434023	C	2:1	6	10,300 \$	29,540.87
W2	0.932933	C	2:1	6	10,300 \$	19,218.42
W3	0.788067	C	2:1	6	10,300 \$	16,234.18
W3	0.829458	C	2:1	6	10,300 \$	17,086.83
W4	1.065611	C	2:1	6	10,300 \$	21,951.59
W5	0.136033	C	2:1	6	10,300 \$	2,802.28
<b>Total Replacement Cost</b>						<b>\$ 82,080.31</b>

Wetland ID (Figure 1)	Wetland Area Lost (ha)	Estimated Value of Wetland Area Lost	Wetland Replacement Matrix	RWAUV	Rate per Ha (Public Land [in the Green Area])	Replacement Cost Per Wetland
W1	1.434023	B	4:1	6	10,300 \$	59,081.75
W2	0.932933	B	4:1	6	10,300 \$	38,436.84
W3	0.788067	B	4:1	6	10,300 \$	32,468.36
W3	0.829458	B	4:1	6	10,300 \$	34,173.67
W4	1.065611	B	4:1	6	10,300 \$	43,903.17
W5	0.136033	B	4:1	6	10,300 \$	5,604.56
<b>Total Replacement Cost</b>						<b>\$ 164,160.62</b>

Note: the Regional abundance modifiers for Relative Wetland Value Assessment Unit (RWVAV) #6, is -1 for the Green Area. Therefore Wood does not expect any A-value wetlands (replacement matrix of 8 ha replaced: 1 ha lost)

# Landscape Analysis Tool (LAT) Report

Surface Material Lease

0000054AAA

Page 1 of 16

<b>LAT Number:</b>	0000054AAA	<b>LAT Date:</b>	2018-12-10	08:42:26
<b>Project Name:</b>	SML 150094			
<b>Project Description:</b>				
<b>Disposition Type:</b>	SML	Surface Material Lease		
<b>Purpose Type:</b>	SRMT	Surface Materials		
<b>Activity Type:</b>	SRMT02SMLP	Gravel		

## Responsibility of Applicants:

It is the applicant's responsibility to conduct a full review of the generated LAT Report, ensuring that you are aware and have a full understanding of the identified standards and conditions, and any additional limitations that may also be imposed by an approved higher level plan, reservation or notation or any other law or Order of the Province or the Government of Canada that may impact the placement, construction or operation of the proposed disposition, purpose and activity.

The applicant must assess if the proposed disposition, purpose and activity can meet the applicable standards, conditions and any limitations which will subsequently determine if the application can be submitted to the regulatory body. Applicants should complete a thorough review of regulatory and application processes including supporting procedural documents and the generated LAT Reports prior to making this determination.

Where the applicant chooses not to meet, or is not able to meet, one or more Approval Standards or higher level plans within the generated LAT Report as submitted as part of the application, or any affected reservations as identified within the land status report, the applicant is required to complete the appropriate mitigation as part of their supplement submission that addresses individually each of the items not being met.

The information provided within the LAT Tool is a spatial representation of features provided to the applicant for activity and land use planning. The accuracy of these layers varies depending on the resource value being represented. The regulatory body insists that site visits, wildlife surveys and groundtruthing efforts are completed to ensure that you, the applicant can meet the procedures detailed within the *Pre-Application Requirements for Formal Dispositions*, the identified approval standards, operating conditions and *Best Management Practices* as represented within the *Master Schedule of Standards and Conditions*.

## Proximity to Watercourse/Waterbodies:

Applicants will ensure that standards or conditions for Watercourse/Waterbody features as identified within the generated LAT Report are followed. It is the responsibility of the applicant to ensure the identified setbacks and buffers are properly established through a pre-site assessment and maintained.

**NOTE:** Be aware that the submission of a LAT Report as part of an application submission does not imply approval of the activity. The standards and conditions identified within the LAT Report may be subject to change based on regulatory review.

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<b>Base Features</b>	
Green/White Area	Green Area
Municipality	
FMA	Tolko Industries Ltd., Norbord Inc. and La Crete Sawmills Ltd.
FMU	F26
Provincial Grazing Reserve	
Rocky Mountain Forest Reserve	
PLUZ Areas	

<b>Provincial Sanctuaries</b>	
Wildlife Corridors	
Restricted Area	
Game Bird	Zone 2
Seasonal	

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<b>Higher Level Plans</b>	
Integrated Resource Plan (Local)	
Integrated Resource Plan (Subregional)	
Access Management Plan	
Landscape Management Plan	



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## Additional Application Requirements

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Wildlife Survey		DND Area	
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## Historical Resources

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HRV Rating	Category
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**Historic Resources Application Required: Yes**

The proposed activity is in an area identified as having historic resource concerns; therefore, approval under the *Historic Resources Act* is required prior to the initiation of any land surface disturbance activities. The applicant must submit a Historic Resources Application through the Online Permitting and Clearance (OPaC) system ([www.opac.alberta.ca](http://www.opac.alberta.ca)).

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<b>Sensitive Features</b>			
<b>Wildlife and Other Sensitive Species</b>			
	<b>Intersected</b>		<b>Intersected</b>
Burrowing Owl Range		Ord's Kangaroo Rat Key Habitat Area	
Caribou Range		Other Sensitive and Endangered Species	
Colonial Nesting Birds		Piping Plover Waterbodies	
Endangered and Threatened Plants Ranges		Sensitive Amphibian Ranges	
Federal Aquatic Critical Habitat		Sensitive Raptor Range	
Greater Short-horned Lizard Habitat		Sensitive Snake Species Range	
Greater Short-horned Lizard Range		Sharp-tailed Grouse Leks and Buffer	
Greater Sage Grouse Range		Sharp-tailed Grouse Survey	
Greater Sage Grouse Leks and Buffer		Special Access Area	
Grizzly Bear Zone		Swift Fox Range	
Key Wildlife and Biodiversity Areas		Trumpeter Swan Buffer	
Mountain Goat and Sheep Areas		Trumpeter Swan Waterbodies/Watercourse	
Ord's Kangaroo Rat Range			
<b>Federal Orders:</b>			
	<b>Intersected</b>		
Greater Sage Grouse			
<b>Grassland and Natural Regions:</b>			
	<b>Intersected</b>		<b>Intersected</b>
Central Parkland		Mixed Grass Sub-region layer	
Central Parkland and Northern Fescue		Montane	
Chinook Grasslands		Northern Fescue	
Dry Mixed Grass		Peace River Parkland	
Foothills Fescue		Permafrost	
Foothills Parkland Grasslands		Rough Fescue PNT	
Grassland and Parkland Natural Region		Subalpine or Alpine	

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## Alberta Township System (ATS) Land List

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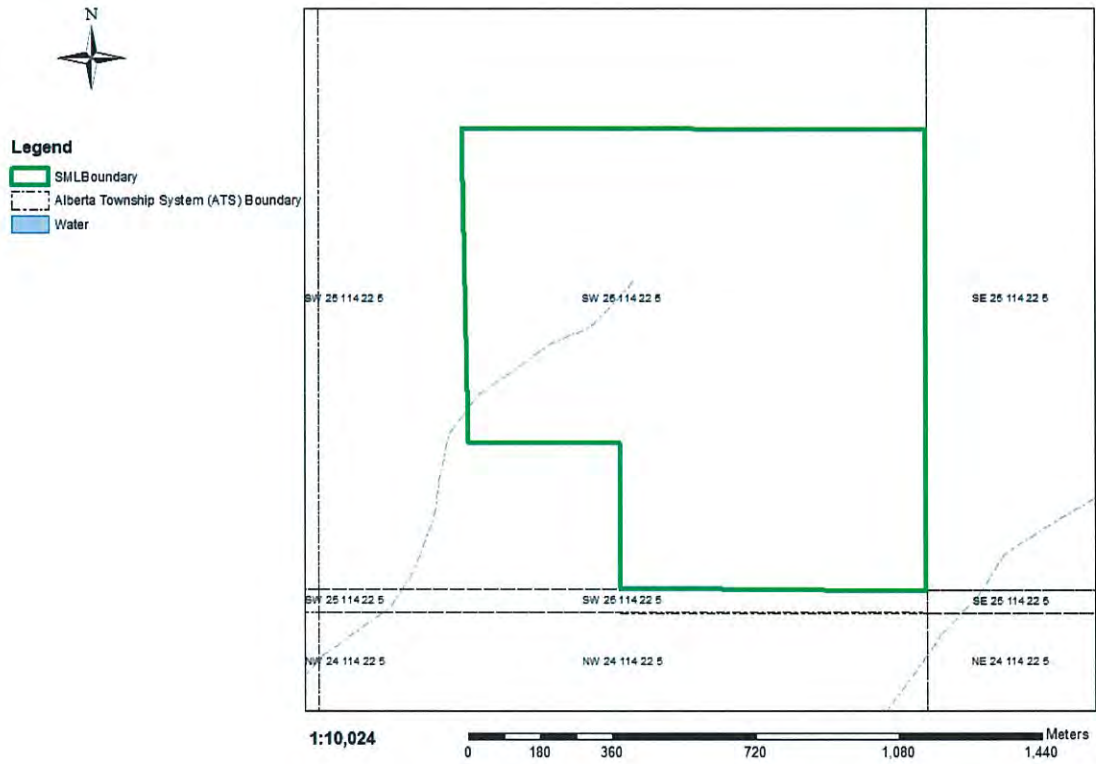
Quarter	Section	Township	Range	Meridian	Road Allow.	Sensitive Features Identified
SW	25	114	22	5		Green / White Area
SW	25	114	22	5	RS	Green / White Area

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## Land Management

Report ID	Approval	Condition
1	1032-AS	Incidental Activities* as referenced on the associated supplement that fall within the sizing parameters, as defined within the PLAR Approvals and Authorizations Administrative Procedure's as amended, identified at the time of application are subject to the conditions of the associated Disposition and available for use for a term of four years from date of Disposition approval.
2	1035-AS	Where an Integrated Resource Plan or a Reservation/Protective Notation identifies a greater set back, the greater set back will prevail.
3	1036-AS	The Disposition Holder must not submit additional applications for access dispositions if access under disposition already exists.
4	1037-AS	Where a Higher Level Plan* exists, the Disposition Holder must follow any direction provided within that plan.
5	1046	The Disposition Holder must repair or replace any identified improvements (e.g., fences, water control structures, and signage) that were damaged as a result of industry activities on the land to pre-existing condition within 30 days of entry or immediately if occupied by livestock.
6	1047	The Disposition Holder must maintain all activities for proper drainage of surface water.
7	1049	For activities that occur on Canadian Forces Bases, the Disposition Holder must coordinate all activities through Energy Industry Control at (780) 842-5850 for activity on Canadian Forces Base/Area Support Unit, Wainwright, and (780) 573-7206 for activity on Canadian Forces Base/Area Support Unit, Cold Lake.
8	1051	The Disposition Holder must comply with all requirements and direction as defined within the Pre-Application Requirements for Formal Dispositions as amended from time to time.
9	1053-AS	The Disposition Holder must not locate activities within 45 meters from the top of any coulees* with the exception of activities such as; access, pipelines and linear easements crossing those features.
10	1058	The Disposition Holder must remove all garbage and waste material from this site to the satisfaction of the Regulatory Body, in its sole discretion.
11	1062	The Disposition Holder must not enter the boundaries of any research or sample plot.

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12	1063	<p>When proposed activities cross designated or recreation trail(s)* or when operations encroach on those trail(s)*, the Disposition Holder must ensure that:</p> <ul style="list-style-type: none"> <li>• Activities crossing trails* are constructed in a manner that will not remove snow from the trail(s)*, produce ruts in the trail(s)*, or otherwise adversely affect travel.</li> <li>• No mechanical equipment is permitted to travel along the trail(s)*, unless approved in writing by the Regulatory Body.</li> <li>• Warning signs are posted along trail(s)* during construction and reclamation activities advising trail* users of the upcoming crossing location.</li> <li>• Any recording devices or equipment laid along the trail(s)* are placed off of the travel portion so that the geophones do not interfere with travel.</li> </ul>
13	1071	<p>Where a Wildfire Prevention Plan or FireSmart Plan is reviewed and approved by the Wildfire Management Branch, the Disposition Holder must ensure any proposed clearing on public land has been authorized by the Regulatory Body.</p>

## Vegetation

Report ID	Approval	Condition
14	1200	The Disposition Holder must manage all weeds as per the Weed Control Act.
15	1204	The Disposition Holder must ensure the chemical application for the purpose of vegetation control occurs in accordance with the Pesticide Regulation and Environmental Code of Practice for Pesticides.
16	1205	The Disposition Holder must salvage all merchantable timber and haul to the location of end use unless a request for waiver is approved under the Forests Act.
17	1206	The Disposition Holder must salvage merchantable timber according to the utilization standards for the overlapping timber disposition(s) (i.e., FMA, CTL, DTL) or, where no overlapping timber disposition exists, as per the approved forest management plan.
18	1207	The Disposition Holder must slash, limb and buck flat to the ground all woody debris* and leaning trees created by the activity to a length that must not exceed 2.4 metres.
19	1208	On forested lands, the Disposition Holder must dispose of excess coarse woody debris* remaining after rollback* or stockpiling for interim reclamation* and final reclamation*.
20	1209	The Disposition Holder must dispose of coarse woody debris* within FireSmart Community Zones* by burning unless a Debris Management Plan has been approved under the Forest and Prairie Protection Act.
21	1211	The Disposition Holder must not allow timber storage piles or windrows to encroach into standing timber.

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## Soil

Report ID	Approval	Condition
22	1256	The Disposition Holder must not conduct any activities during adverse ground conditions*.
23	1257	The Disposition Holder must conduct all activity to prevent and control erosion* and sedimentation on or adjacent* to the Lands.
24	1258	The Disposition Holder must install and maintain erosion control* measures.
25	1259-AS	The Disposition Holder must not transport from the Lands topsoil* or subsoil* unless authorized in writing by the Regulatory Body.
26	1260	Where activities have occurred on the Lands that do not involve minimal disturbance* construction, the Disposition Holder must salvage topsoil* for land reclamation as follows: a. Salvage all topsoil* from: i. Mineral soils ii. Shallow organic soils* iii. Reclaimed soils b. Where the depth of the topsoil* is less than 15 cm, the topsoil* and part of the subsoil* to a total depth of 15 centimetres must be salvaged, unless the upper subsoil* is considered chemically unsuitable*.
27	1261	The Disposition Holder must salvage subsoil* separate from the topsoil* and to a minimum depth of 30 cm unless approved in writing by the Regulatory Body.
28	1263	All reclamation material* must be considered suitable as defined in the May 2001 Salt Contamination Assessment Guidelines and meet the February 2016 Alberta Tier 1 Soil and Groundwater Remediation Guidelines, as amended or replaced from time to time.
29	1264	The Disposition Holder must store reclamation material* in accordance with all of the following: a. reclamation material* must not be placed beneath the ground surface or buried in any way; b. coarse woody debris* stored for greater than 12 months must be stored with the topsoil*; c. topsoil* and subsoil* must be stored separately and a minimum distance of three (3) meters from each other, unless otherwise approved in writing by the Regulatory Body; d. storage areas for topsoil* and subsoil* must be marked with permanent signage within 3 months of stockpile establishment; and e. permanent sign posts for storage areas for topsoil* and subsoil* must be maintained until all reclamation material* has been replaced on the disturbed area.
30	1267	The Disposition Holder must not mix wood chips with any reclamation material*.
31	1268	The Disposition Holder must not apply wood chips to the lands at a depth greater than five (5) centimeters.

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32	1269	The Disposition Holder must manage wood chips in accordance with the directive ID 2009-01 Management of Wood Chips on Public Land as amended from time to time.
33	1270	The Disposition Holder must not store piles or windrows of reclamation material* that encroach into standing timber.
34	1271	The Disposition Holder must not use soil sterilants for any activities on the Lands.

### Watercourse / Waterbody

Report ID	Approval	Condition
35	1300-AS	The Disposition Holder is prohibited from conducting activities on islands and the bed and shore* of waterbodies and watercourses*.
36	1301-AS	The Disposition Holder must not interrupt natural drainage (including ephemeral and fens*), block water flow or alter the water table.
37	1303-AS	The Disposition Holder must construct activities outside the appropriate watercourse* setbacks, except for vehicle or pipeline crossings: a) Intermittent watercourses* and springs must have a setback of at least 45 metres from the top of the break. b) Small Permanent watercourses* must have a setback of at least 45 metres from the top of the break. c) Large Permanent watercourses* must have a setback of at least 100 metres from the top of the break.
38	1304-AS	The Disposition Holder must maintain the following waterbody* setbacks from the disposition edge for all site activities, or paralleling linear dispositions, or pipeline bore site: a) A minimum setback of 45 metres of undisturbed vegetation must be maintained from non-permanent seasonal wetlands*. b) A minimum setback of 100 metres from the bed and shore* of semi-permanent and permanent ponds, wetlands*, shallow open water ponds and lakes.
39	1310	The Disposition Holder must not deposit or place debris*, soil or other deleterious materials* into or through any watercourse* and/or waterbody*, or on the ice of any watercourse* and/or waterbody*.
40	1315	The Disposition Holder must acquire an authorization for access (off-disposition) for water withdrawal activities.
41	1317	Where surface disturbance* will occur and a risk of surface erosion* exists, the Disposition Holder must install and maintain sediment* control structures to dissipate the flow of water and capture sediment* prior to it entering a watercourse* or waterbody*.
42	1325	The Disposition Holder must not remove or use water from dugouts, surface ponds, springs, or water wells within the grazing disposition unless an authorization is issued from the Environment and Parks (GoA) agrologist.



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43	1327	<p>All licences, authorizations and approvals issued under the Alberta Environmental Protection and Enhancement Act, Water Act or Public Lands Act should not be taken to mean the Disposition Holder has complied with federal legislation. The Disposition Holder should contact Habitat Management, Fisheries and Oceans in relation to the application of federal laws relating to the Fisheries Act (Canada).</p> <p>Fisheries Protection Program, Fisheries and Oceans Canada 867 Lakeshore Road, Burlington, Ontario, L7R 4A6 Telephone: 1-855-852-8320 Email: Fisheriesprotection@dfo-mpo.gc.ca Web address: www.dfo-mpo.gc.ca</p> <p>The Disposition Holder should also contact the Navigation Protection Program, Canadian Coast Guard, 4253-97 Street, Edmonton, Alberta, T6E 5Y7, phone: (780) 495-4220, relating to the Navigation Protection Act.</p>
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## Reclamation

Report ID	Approval	Condition
44	1353	The Disposition Holder must complete temporary reclamation* on the Lands within 1 growing season of construction phase* for all topsoil* and subsoil* stockpiles required for final reclamation*.
45	1354	<p>The Disposition Holder must prior to seeding herbaceous seed in forested* or peatlands* submit a Request for Seeding in writing to the Regulatory Body that contains all of the following:</p> <ul style="list-style-type: none"> <li>a. rationale for conducting seeding of herbaceous species*;</li> <li>b. a description of the proposed site for seeding including information with respect to the following: <ul style="list-style-type: none"> <li>i. Whether the Lands are subject to high erosion*</li> <li>ii. Whether the Lands are prone to invasion from agronomic or weed species</li> </ul> </li> <li>c. a proposed seed mix composition for re-vegetation of the Lands in accordance with the Native Plant Revegetation Guidelines for Alberta, 2001 as amended or replaced from time to time or a rationale for alternate species;</li> <li>d. provide a seed certificate in accordance with the Seed Act for the seed mixed to be used for re-vegetation*; and</li> <li>e. any other information requested by the Regulatory Body.</li> </ul>
46	1355	The Disposition Holder must only conduct seeding in accordance with the written request for seeding as approved by the Regulatory Body.
47	1356	The Disposition Holder must when seeding cultivated lands*, use agronomic or forage seed that meets or exceeds Certified #1 as outlined in the Seeds Act and Seeds Regulations. Seed mixes are to be free of species listed in the Weed Control Act. A seed certificate (must be provided to the Regulatory Body within 30 days upon request.
48	1357	The Disposition Holder must re-vegetate the Lands with trees or shrubs within the Green Area* that meet the requirements of the December 2016 Alberta Forest Genetic Resource Management and Conservation Standards document, as amended or replaced from time to time.

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49	1359	The Disposition Holder must not have slash and rollback* accumulations within five (5) meters of the perimeter of the disposition boundary, greater than the percent ground cover on the surrounding undisturbed forest floor.
50	1363	For final reclamation*, the Disposition Holder must complete all of the following: a) contour the disturbed land to the pre-disturbance landform or to the landform approved by the Regulatory body; b) replace all stockpiled subsoil*, then replace all stockpiled topsoil*; c) spread all coarse woody debris* on forested lands*; and d) reclamation materials* must be replaced over the entire area from which they were removed unless otherwise approved in writing by the Regulatory Body.
51	1364	The Disposition Holder must reclaim the Lands to the pre-disturbance land use* type (forested*, grassland*, cultivated*, mineral wetland* and peatlands*) unless otherwise authorized in writing by the Regulatory Body.

## Wildlife

Report ID	Approval	Condition
52	1500	The Disposition Holder must conduct a complete and immediate Wildlife Sweep* of the Lands (plus 100 metre buffer*) subject to the disposition prior to any activity.
53	1501	The Disposition Holder must submit results from a Wildlife Sweep* to the Fisheries and Wildlife Management Information System (FWMIS) and notify the issuing Regulatory Body in writing upon request that the Wildlife Sweep* was completed.
54	1502-AS	The Disposition Holder must incorporate a buffer* zone of a minimum width of 100m undisturbed vegetation, where an established buffer* does not already exist (e.g. Species at Risk) for any and all key habitat features including, but not limited to leks*, nests, dens and houses identified in the Wildlife Sweep*.
55	1503	When Wildlife Surveys* are required, the Disposition Holder must submit results from the Wildlife Survey* to the Fisheries and Wildlife Management Information System (FWMIS).
56	1509	The Disposition Holder must incorporate buffers*, setbacks and activity timing restrictions for any and all key habitat features including, but not limited to leks*, nests, dens and houses identified in the wildlife survey*.

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57	1510	<p>The Disposition Holder is responsible for compliance with federal laws and should contact Environment and Climate Change Canada in relation to the application of federal laws relating to the Migratory Birds Convention Act and the Species at Risk Act.</p> <p>Canadian Wildlife Service Prairie Region Environment and Climate Change Canada Eastgate Offices 9250 – 49th Street Edmonton, Alberta T6B 1K5 Telephone: 1-855-245-0331 (toll free) Email: ec.leprpn-sarapnr.ec@canada.ca Web address: sararegistry.gc.ca</p>
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### Surface Materials

Report ID	Approval	Condition
58	3020	Before commencing any work on the land, the Disposition Holder must submit a detailed operating plan for the Director's approval and must pay the security deposit.
59	3021	The Disposition Holder must pay the royalties, specified by the Regulation in force at the time the surface materials are removed, taxes and other charges that may be assessed against the land.
60	3022	The Disposition Holder must keep and maintain complete and accurate books and records of a type and form satisfactory to the director showing the quantity of surface materials removed from the land.
61	3023	The Disposition Holder must file a return with the Department within thirty days of the end of each twelve month period of the term and at any other time as the Director may request in writing.
62	3024	The Disposition Holder must submit his books and records for audit, pursuant to Section 118 of the Regulation, to an Officer of the Department identified by the Director.
63	3025	In the course of carrying on the operations on the land, the Disposition Holder must keep and preserve the pits and works from all avoidable environmental damage and must at the cancellation or termination of the disposition, deliver possession of the land to the Department in a satisfactory condition.
64	3026	The Minister may, by order, authorize the Minister of Infrastructure, the Minister of Transportation or any other person to enter the land under a disposition and remove surface material required for the construction or maintenance of public roads or other public works
65	3027	The Disposition Holder must submit an annual return that must report the quantity and kind of surface material removed during the preceding twelve-month period. The quantity of peat removed must be expressed as the cubic content of the compressed product prepared for market.

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66	3028	The Disposition Holder must submit to the Regulatory Body a security deposit and timber damage charges as assessed prior to any disturbance or operations occurring on the lands in accordance with the approved conservation and reclamation plans*.
67	3029	Provided that the Disposition Holder establishes to the satisfaction of the Regulatory Body that the surface materials removed under this Disposition were supplied free of charge and used by the Government of Alberta or used in the construction or maintenance of a public work owned by the province or a municipality in Alberta, no royalty is payable. To qualify for royalty exemption, the Disposition Holder must provide documented proof that the surface materials were used for construction and maintenance of a public work.
68	3032	The Disposition Holder must submit to the Regulatory Body a Surface Material Lease Annual Operating Report on or before December 31 of each year.
69	3035	The Disposition Holder must maintain all records on pre-numbered invoices, bills of lading, truckers tickets or other documents, which accurately show the name and address of the receiver of the materials removed (clay, marl, sand, gravel, topsoil* or peat), the number of cubic yards or cubic metres removed or being hauled and the legal description of the pit from which the material was removed.
70	3037	Where a subdivision is being constructed and the developer who is constructing the subdivision is not a municipality or the Crown, and the developer is required by agreement with the Municipal Authority to provide roads at their expense, such projects do not qualify for waiver of royalty as a public work. However, royalty would be waived in instances where the municipality or the Crown is the developer or for materials utilized for maintenance of roads after they are turned over to the municipality.
71	3038	The Disposition Holder must provide to the Regulatory Body an updated conservation and reclamation plans* within 6 months of Disposition renewal and prior to the approval of any additional operating area.
72	3039	The Disposition Holder must conduct its operations or activities and reclaim any disturbed land in accordance with the most recent approved conservation, operation and reclamation plans* that forms part of this Disposition.
73	3040	The Disposition Holder must commence operations on the site within three years of the date of the most recent approved conservation, operation and reclamation plans*. Failure to develop this activity within the specified time frame will result in cancellation of the Disposition.
74	3041	This Disposition is subject to cancellation or withdrawal of portions of land if development and production are not in accordance with the most recent approved conservation, operation and reclamation plans*.
75	3042	At any time during the term of the lease, and/or at assignment, cancellation or expiry of the lease, the Regulatory Body may require that a volumetric survey of the lease site be completed by the Disposition Holder in accordance with Regulatory Body standards for audit or assessment purposes. The cost of the survey is the sole responsibility of the Disposition Holder.

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76	3044	The Disposition Holder must contact and advise the Regulatory Body at the completion of operations, and upon abandonment of this activity.
77	3045	The Disposition Holder must not use the lands for any permanent, home or non-essential residence. Residency is restricted to the use of facilities supplied or developed for staff deemed to be essential for the management, operation and/or maintenance of the activity granted by the Disposition.

**Mackenzie County CRBP – SML 1500094 located at SW2S-114-22 W5M (High Level, AB)**

The following questions and information needs to be considered and/or discussed with David Fehr and other Mackenzie County representatives (where applicable) prior to submission of the CRBP of SML 1500094 – Gravel pit. Some of these questions may remain unknown, however we need to provide information where possible or provide alternative solutions. Please review this list and information and provide clarification where available. A discussion with Wood is encouraged. Please contact Atty Bressler or Nolan Del Fabbro at 780-436-2152 at your earliest convenience.

**Questions**

1. *Does the County have additional historical background information of this site – previous site use, site inspection, drilling info, FMA holder, historical forest fires, what are the disturbance areas, was any previous extraction of gravel or sand completed?*
2. *For how many years was the pit left undisturbed?*
3. *Confirm if any excavation of the gravel pit has been completed? If so when and how much? Type?*
4. *Will FMA holder (Tolko Industries Ltd. and Footner Forest Products Ltd.) be notified for potential timber salvage? Is there any significant timber salvage? How will timber salvage be managed – full clearing of pit or phased approach? What about buffer areas. Which timber is of interest? Deciduous vs coniferous only?*
5. *How is woody debris being handled: burning, mulching, rollback, total/partial disposal? Are any fire control measures in place? What type?*
6. *Any other environmental regional studies completed? EIAs, regional air quality studies, fire studies other?*
7. *According to the SML application: Ron Pelenski and Mark Schonken did the site visit in 2013. Any site data available from this 2013 site visit?*
8. *First Nation and Public Consultation (date of completion, groups involved, stakeholder feedback/issues of concern? First Nations Consultations (both “Required” and “Not Required” checked for Application for Surface Disposition) If required, with whom: FNC201508293 – Level 2 – Dene Tha’FN – Application for Surface Disposition*
9. *The application indicates an PNT 010229 and that it was expired, however, it appears the PNT is not expired, still active?*
10. *Do we have any air photos available for this pit/ area? (various years, incl 2, 5, 10, 20-50 yrs. back?) Any knowledge/records on when/what year the area experienced: Wet years, dry years, fires, forest diseases?*
11. *Do we have any Lidar, AVI or other GIS data available for the area?*
12. *a What is the anticipated capacity for gravel/sand extraction?*
  - o *Do we know the depth of overburden? If any?*
  - o *Please confirm that the size of the lease 78.65 acres*
  - o *Please confirm the following yellow text as derived from SML application:*  
*A backhoe was used as method of testing. There are not proficient numbers of test holes to characterize the extent of the deposit for the proposed area. It is an existing gravel pit and an estimate was made based on sampling testing. Depth of Deposit: 3 m. Total Volume of deposit estimated in the License: 200,000m<sup>3</sup>. Maximum depth of excavation: 6m.*

- b. Do we know/anticipate what grade the gravel material consists of?*
- ~~13. Original filing for SML was completed on 7-2015-09-14~~
14. *What is the projected timing/schedule for gravel extraction? Clearing construction, operation, reclamation phases? (Note bird nest restriction time is late April to end of August), E.g. Q4 2020?*
15. *What potential timelines are anticipated with each phase of this pit?*
16. *Aggregate Extraction and Processing Plan: please provide details on the materials profile, depth, area, and volume of extracted material, extraction sequence, excavation methods, phase development areas, aggregate processing and handling;*
17. *Other than gravel (and sand?), any other material extraction anticipated? Clay?*
18. *What is the purpose for this gravel pit/project need? Maintenance of roadways throughout county?*
19. *A minimum 30 m setback distance is required between those lands delineated water bodies (wetlands or watercourse) and any aggregate extraction activities, as presented in Figure 1. Please note wetland delineation boundary is preliminary at this time, and historic air photos will be required to confirm each wetland boundary and delineation. The 30 m setback is based on the Alberta Environment (2004b) Guide to Code of Practice for Pits, Section 6.2.1 Undisturbed Buffer Zones Adjacent to Rivers and Water Bodies. The Landscape Analysis Tool recommends 45 m (also shown in Figure 1) for SML dispositions. Will water body setbacks be implemented in design and operation of the pit?*
20. *Which wetlands may be directly impacted by the Pit? (i.e., NW corner, NE corner, SE corner, SW, or central drainage)?*
21. *Where implementation of setbacks is not feasible, please justify why (i.e., for access to gravel resources)? Pit design must demonstrate an effort to avoid wetland impacts, for example discuss: options considered for relocating the activity or modifications considered to the proposed activity? Additional information regarding the wetland regulatory permitting is presented at the end of this letter.*
22. *What is the anticipated gravel quality (grades?) and quantity before extraction is exhausted?*
23. *Will extraction be completed below the ground water level? Do we know ground water levels? (Some water was observed in depressions and wetlands (fen and swamp) ranging between 0-85 cm).*
24. *What is the extraction sequence?*
25. *What excavation methods will be used?*
26. *Will there be a phased approach in terms of opening up this pit? It is anticipated that the site will be developed in a single stage/ two stage phase??, beginning in Q2 of 2021.*
27. *How will dewatering be managed, Will an Water Act approval be obtained?*
28. *What are the anticipated site operations and associated facilities?*
29. *Will there be a (permanent) scale present? Where will this be located?*
30. *Will there be a crusher present – where will this be located?*
31. *What other (permanent/temporary) facilities will be established.*
32. *Where is topsoil being stored? Where is subsoil being stored?*
33. *If salvaging topsoil from wetlands/watercourses, will this be stored separately? If so where?*
34. *Where will extraction material storage be located?*

35. *Other facilities/areas of operation, do they include the following: asphalt, cold mix sites, salt mix sites, truck box spraying, others? Where will the bulk fuel storage site be located?*  
**Note topsoil and upper subsoil will need to be removed from all these areas, and an appropriate (clay) layer or liners are installed in these areas to prevent leaching and contamination of above facilities.**
36. *What potential hazardous materials will be used, or waste will be generated, and how is this handled (e.g. salt, fuel, de-icing materials, asphalt products, diesel, paints, waste, sewage? etc.?*  
 o *Where will this storage be located?*
37. *Site access: ~~is an approval in place to utilize this access road~~/who own's this access road. What are the access requirements for construction, development and maintenance? Will winter access be required?*
38. *will the existing access road be upgraded, widened, maintained by whom? Any culverts? How wide is the access road going to be? Who will be maintaining this road?*  
 o *Main Access Road: An all-season access road will be constructed as a single lane, 8 m drivable width with a xx m road allowance (right-of-way), connected to an unnamed road from Highway 35. Site access will be controlled and monitored by the construction supervisor. Access to the proposed gravel pit will be approximately xxx m in length. Vegetation clearing of an additional xx m along access will be required. Topsoil salvage along the access road will consist of approximately xx cm mineral topsoil. Typical traffic will include heavy earthworks machinery, dump trucks and commercial pick-up trucks. The access road will be reclaimed following completion of the extraction of gravel pit materials.*
39. *Will the main access road remain in place following closure?*
40. *What about onsite pit access? Crossing of depressions/drainage/watercourse? Will a designated access road/grid system be established within the pit? If so how wide? How will sensitive areas be protected? Will a culvert be installed to maintain natural water drainage? Instream works will require Water Act Approval?*
41. *The SML Application indicates pit dewatering likely not to occur. If needed, how will this be done? How will drainage be managed during active extraction sites? Will there be installation of drainage features: Surface water management and off-site drained will be controlled through construction of diversion ditches and containment structures.*
42. *What about dewatering if required (e.g. wet pit excavation)? How will this be managed? Where will a settling pond/sump be located/considered/off site drainage? How is release of pit water managed/monitored, timing, volumes, etc.?*
43. *What buffer zones will be established onsite? (See map) – buffers surrounding wetlands, watercourse/rare plant habitat (Site 5), wildlife corridors, unstable areas buffers, buffers for hazardous materials, garbage, comps, fueling areas, extraction setbacks*
44. *What are the site management considerations (i.e. hazardous material, fire, weed control, and safety considerations);*
45. *Please provide a (rough) diagram indicating proposed locations of facilities, onsite access routes, stockpiles, log decks, material stockpiles, temp. workspaces, buffers, and phased usage?*  
 CONFIRM: The proposed gravel pit will not contain any secondary facilities at the Project site



46. *Post-development conditions of the site (incl. post-disturbance contour and cross-sections in at least two directions across the site); what is the anticipated recontoured site going to look like? Where there be variable contours to be considered/ Will there be any water bodies created (what is the reclamation soil&revegetation plan for surrounding riparian zone?)? Will this be targeted as a wetland? If so what type? Will there be access for recreational use?*
47. *What is the overall end land use? (forested, recreation, other?). Is there any (future) land zoning to be considered?*
48. *Will the site be planted? Note seeding grass mix tends to inhibit tree growth, however soil stockpiles can be seeded to (native?) grasses or legumes, or cereal crops? Which mixes are preferred?*
49. *Will natural regeneration be considered? What about the (currently) disturbed areas (no trees), will these be planted?*
50. *Has ASRD/AEP/field officers or others indicated any preference to reforestation strategies in NE Alberta/High Level? Species selection, planting densities etc.?*
51. *What interim revegetation strategies are being considered?*
52. *When will topsoil be replaced? Will direct placement of topsoil be considered? E.g. place topsoil from new opened up area directly on area where extraction is finalized?*
53. *How is erosion control managed during operations? What about when the site is not in use?*
54. *How is weed control being managed?*
55. *How is dust control managed during operations?*
56. *Is there an onsite water source that will be used (water withdrawal)? (>5000 m3) If so what type and volumes*
57. *How is air quality and noise management addressed during operations?*
58. *Please clarify the reclamation plan and phases?*
  - *What are the reclamation objectives, sequence and methods for progressive reclamation?*
  - *Final reclamation illustration – figure – vegetation types, drainage, wetlands, contours etc.*
  - *Targeted land use/ land uses?*
  - *Any areas with buried (course) materials*
  - *What is the end pit design?*
  - *Any alternative reclamation materials / improvement materials?*
  - *What if there is no/limited overburden material present*
  - *Seed and planting strategies? Vs natural regeneration?*
  - *Reclamation closure plan needs to be provided*
59. *Annual Operating Report (for inclusion of Site Management Plan);*
60. *What is the plan of inactive pit? Do we anticipate an inactive pit period? What monitoring would be used?*

**Confirm or provide alternative approach:**

- The volume and management plan of suitable and unsuitable materials will be determined during final design.
- Hours of operations will be primarily during daylight hours.
- A construction manager will be responsible for site management and control of excavation operations.

**Aquatic Regulatory Review: *Water Act* Approvals**

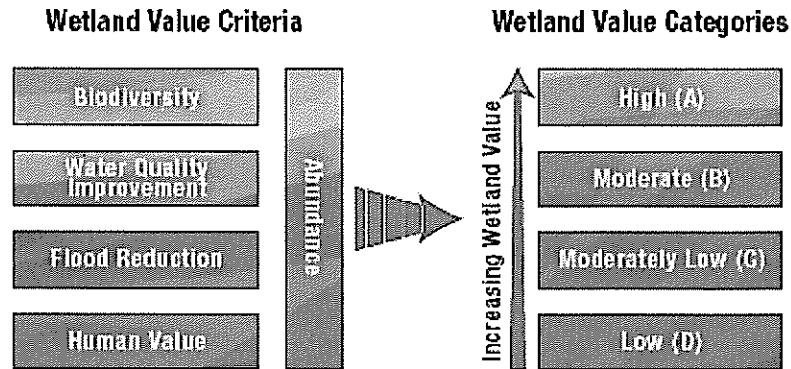
- All water in Alberta, whether on public or private land, is the property of the crown under the *Water Act*.
- The *Water Act* supports and promotes the conservation and management of water in Alberta and Alberta Environment and Parks (AEP) is responsible for regulating the groundwater and surface water requirements for pit operations. The *Water Act* requires an approval and or license be obtained before undertaking a pit or borrow 'activity' such as dewatering, alteration of surface drainage, construction of an end pit lake, disturbance of wetlands or groundwater and any use of water.
- Applicants proposing an activity that will impact a wetland must submit a *Wetland Assessment Impact Report* to AEP with their application and all other required plans.
- Where pits will be excavated to or below groundwater, the applicant will require a *Water Act* Approval for groundwater 'diversion' and the subsequent discharge of pumped groundwater. If groundwater pumping is required, annual hydrogeology reviews will likely be required as part of the *Water Act* Approval. Additional documentation will be required by AEP regarding the dewatering (i.e., groundwater pumping rate and volume of water that would be required to dewater) and reclamation plans for the Pit may also be required.

*Wetland Policy:*

- 30 m water body setbacks and buffers should be established through a pre-site assessment and maintained to avoid requirements for *Water Act* permitting and requirements for Wetland Replacement or Reclamation. The Landscape Analysis Tool (No. 0000054AAA - attached), recommends minimum setback of 45 metres of undisturbed vegetation from wetlands.
- For activities that may impact a wetland, a qualified professional or team must prepare a *Wetland Assessment and Impact Report* supported by desktop and field delineation of wetland areas and completion of the *Alberta Wetland Rapid Evaluation Tool* (standardized method for assessing the function of wetlands to determine wetland values).
- When an applicant is planning an activity that may impact a wetland, applicants must demonstrate they have made a concerted effort to avoid wetland impacts. Evidence of this must be provided in the *Wetland Assessment and Impact Report*, for example: options considered for relocating the activity or modifications considered to the proposed activity.

Wetland Replacement Requirements:

- Wetland replacement is required when wetland impacts that cannot be avoided and will result in permanent loss of wetland area. Options for wetland replacement include:
  - i. pay Wetland Replacement Fee to AEP. The Project is located in *Relative Wetland Value Assessment Unit # 6*, where wetland replacement fees are \$18,200 per ha. Based on the results of *Alberta Wetland Rapid Evaluation Tool* for Wetland Value, wetlands replacement ratios range from 1 (ha replaced): 1(ha lost) for losses of 'D' or low value wetlands to 8:1 for losses of 'A' or high value wetlands.

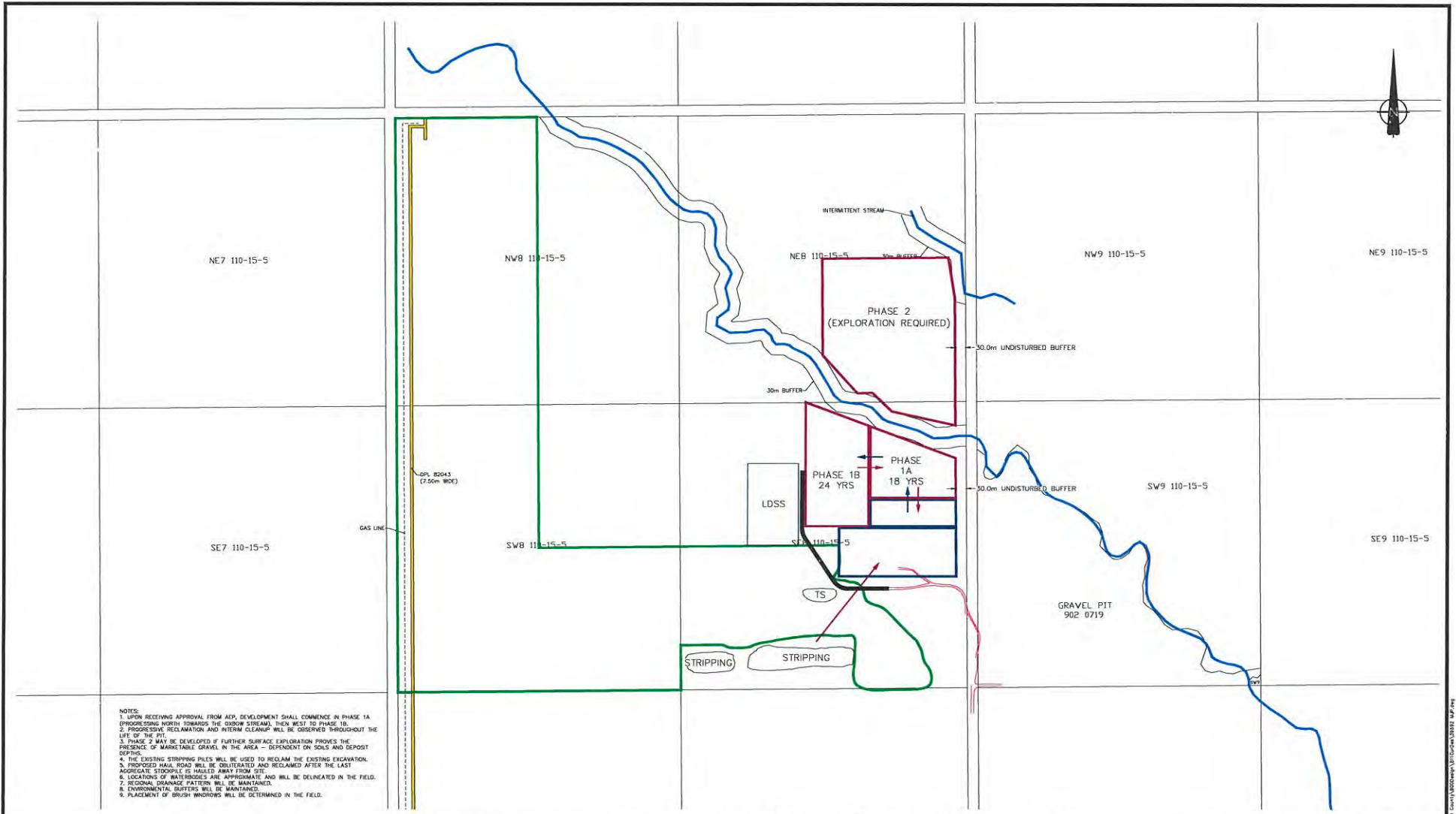


- ii. undertake permittee-responsible construction or restoration. Permittee-responsible construction or restoration includes design, construction, commissioning, monitoring and maintenance of new wetland areas.

Wetland Reclamation Requirements:

- Where an authorized activity has an explicit requirement to reclaim the impacted wetland area back to wetland, the applicant is not subject to wetland replacement requirements.
- A reclamation commitment and proposal to return the land back to wetland using appropriate and best available reclamation techniques. Refer to a Reclamation Plan under *EPEA* where available. Include the following:
  - i. An explicit commitment to the total area of wetland reclamation
  - ii. A comparison between pre-disturbance and post-reclamation characteristics, including wetland area, class, vegetation, soils, hydrology and habitat
  - iii. Specific, measurable, attainable, realistic and time-bound wetland reclamation objectives and outcomes.
  - iv. A discussion of the projected impacts to the wetlands, technical feasibility of the reclamation plan to return the land to wetland, and the intent to apply appropriate and best available mitigation measures and reclamation techniques





NOTES:  
 1. WORK RECEIVING APPROVAL FROM ADP. DEVELOPMENT SHALL COMMENCE IN PHASE 1A (PROGRESSING NORTH TOWARDS THE QUODW STREAM), THEN WEST TO PHASE 1B.  
 2. PROGRESSIVE RECLAMATION AND INTERIM CLEANUP WILL BE OBSERVED THROUGHOUT THE LIFE OF THE PIT.  
 3. PHASE 2 MAY BE DEVELOPED IF FURTHER SURFACE EXPLORATION PROVES THE PRESENCE OF MARKETABLE GRAVEL IN THE AREA - DEPENDENT ON SOILS AND DEPOSIT DEPTH.  
 4. THE EXISTING STRIPPING PILES WILL BE USED TO RECLAIM THE EXISTING EXCAVATION.  
 5. PROPOSED HAUL ROAD WILL BE COLLECTED AND RECLAIMED AFTER THE LAST AGGREGATE STOCKPILE IS HAULED AWAY FROM SITE.  
 6. LOCATIONS OF WATERBODIES ARE APPROXIMATE AND WILL BE DELINEATED IN THE FIELD.  
 7. REGIONAL DRAINAGE PATTERN WILL BE MAINTAINED.  
 8. ENVIRONMENTAL BUFFERS WILL BE MAINTAINED.  
 9. PLACEMENT OF BRUSH WINDROWS WILL BE DETERMINED IN THE FIELD.

NOTES	No.	REVISIONS	DATE	BY	CHK'D	APP'D	DESIGNER	CHECKER	ENGINEERING RECORD			CONSULTANT	MACKENZIE COUNTY FILLER PIT PROPOSED DEVELOPMENT SEQUENCE PLAN
									DESCRIPTION	INITIALS	DATE		
									SURVEYED			<b>OPUS STEWART WEIR</b> PERMIT TO PRACTICE PERMIT NUMBER P 292 The Association of Professional Engineers and Geoscientists of Alberta SCALE: 1:5000	SEC.B 110-15-W5M DWG. No.: SP 3959255.A1 004 REV A
									DESIGNED				
									DRAWN	MJP	2017-08-24		
									CHECKED				
									ISSUED FOR APPROVAL				
									ISSUED FOR TENDER				
									ISSUED FOR CONSTRUCTION				

DATE: SEP 28, 2017



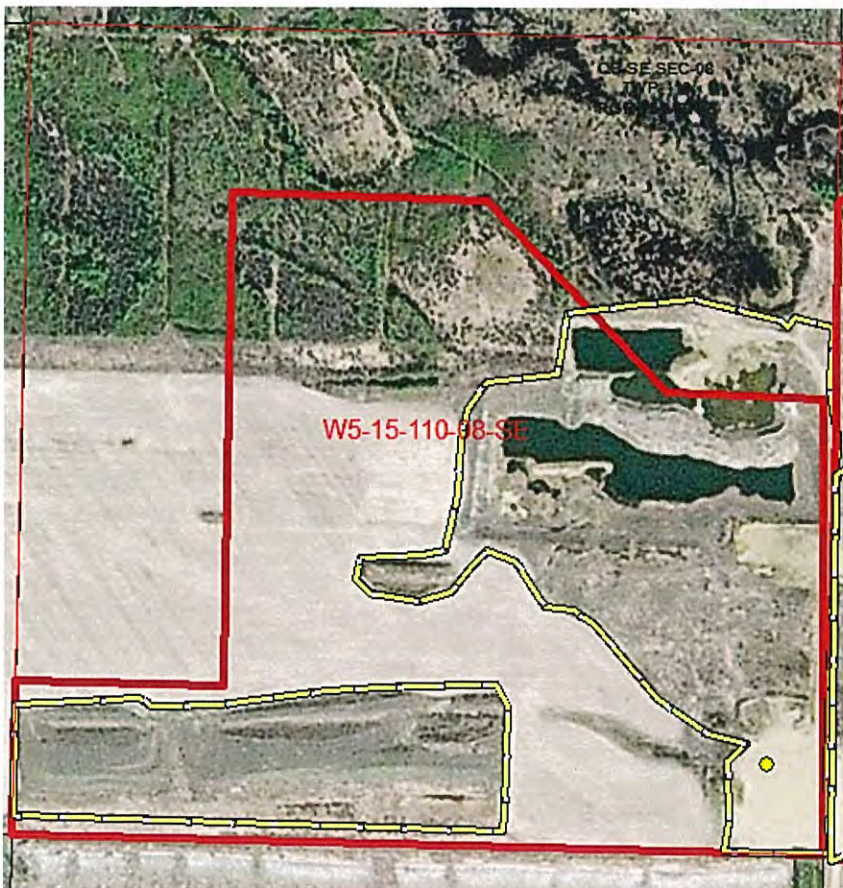
## David Fehr

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**From:** Tammy Sargeant <Tammy.Sargeant@gov.ab.ca>  
**Sent:** November-05-18 11:12 AM  
**To:** David Fehr  
**Subject:** FW: 00016612 - Mackenzie County's Filtler Pit - Clarification/ Update  
**Attachments:** Five Year Report Form.doc

Hi David,

I am following up on this updated application that was submitted in 2017 again. Based on your email below, you will no longer require an updated activities plan, and you will (if you have not already) apply under the *Water Act* to continue to develop the end pit lake. However when I review the aerial photography for 2017, it appears as though the excavation has gone beyond the boundary (see below, the thick red line is the approved boundary and the yellow line is the disturbed area).



If the approved boundary does not look accurate, then provide information to show otherwise. If this is accurate, then the pit is considered non-compliant and an updated activities plan is needed to include this area. The area outside of the approved boundary would need to be reflected in your diagrams and operation/ reclamation, which was not provided in the submitted report. We can move forward on this in one of two ways, (both options require the same amount of information to be submitted).

1. Provide the necessary information to include this disturbed area in your footprint which will form part of the current application that is in; or
2. Ask for the current application to be return and submit an updated activities plan and necessary information to include this disturbed area in your footprint. The main benefit of this option is to provide less

confusion for your operators at the pit and our department (for future inspections) when reviewing/ implementing the current approved activities plan.

In addition to including this area in your approved footprint and submitting an application under the *Water Act*, the five year report has not been submitted in either 2010 or 2015, which is outstanding. Please complete this one page form, attach a site plan and submit to Regulatory Approval Centre at [AEP.EPEAAPPLICATIONS@gov.ab.ca](mailto:AEP.EPEAAPPLICATIONS@gov.ab.ca) as your Five Year Report.

If you have any questions or require some clarification to what is stated above, please contact me by email or phone. I will wait your response as to how to proceed with the current updated activities plan that is open in our system.

***Tammy Sargeant, R.T(Ag)***  
***780.833.4774***

**From:** Tammy Sargeant  
**Sent:** Wednesday, August 22, 2018 2:26 PM  
**To:** 'David Fehr' <[dfehr@mackenziecounty.com](mailto:dfehr@mackenziecounty.com)>  
**Subject:** RE: 00016612 - Mackenzie County's Filtler Pit SIR #2

Ok sounds good. If you could fill in the attached form and return it to me. Do not worry about a new drawing, I will use the one from the report submitted in 2017. Basically just need to state the total approved area of the operation, the area that is active and the area (if any) that has been reclaimed. Feel free to do it by hand as minimal detail is required.

If you have any questions, let me know.

***Tammy Sargeant, R.T(Ag)***  
***780.833.4774***

**From:** David Fehr <[dfehr@mackenziecounty.com](mailto:dfehr@mackenziecounty.com)>  
**Sent:** Wednesday, August 22, 2018 10:45 AM  
**To:** Tammy Sargeant <[Tammy.Sargeant@gov.ab.ca](mailto:Tammy.Sargeant@gov.ab.ca)>  
**Subject:** RE: 00016612 - Mackenzie County's Filtler Pit SIR #2

Hello Tammy,

It has been a long time and I should have gotten back to you earlier but as always it is very busy. So as to the CRBP for Filtler pit we will not be changing the pit plan other than to apply for the end pit lake.

**David Fehr** | Director of Operations | Mackenzie County  
PO Box 640, 4511-46 Ave. | Fort Vermilion | AB | T0H 1N0  
La Crete Office: 780.928.3983 ext. 7101 | Fax: 780.928.3636  
Toll Free: 1.877.927.0677 | Cell: 780.841.1628  
[www.mackenziecounty.com](http://www.mackenziecounty.com)

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**From:** Tammy Sargeant [<mailto:Tammy.Sargeant@gov.ab.ca>]  
**Sent:** August-22-18 9:10 AM  
**To:** David Fehr  
**Subject:** RE: 00016612 - Mackenzie County's Filtler Pit SIR #2



Hi Dave,

I am following up on the emails below to determine how to proceed on this pit. Feel free to call me or respond to this email to determine the next step.

***Tammy Sargeant, R.T(Ag)***  
**780.833.4774**

**From:** Tammy Sargeant  
**Sent:** Wednesday, May 23, 2018 9:45 AM  
**To:** 'David Fehr' <[dfehr@mackenziecounty.com](mailto:dfehr@mackenziecounty.com)>  
**Subject:** RE: 00016612 - Mackenzie County's Filtler Pit SIR #2

Hi Dave, just following up with the last email below as to how you want to proceed with the updated activities plan, do you want to withdraw the application or is there a change to the approved activities plan? Also has a Water Act application been submitted for the end pit lake?

***Tammy Sargeant, R.T(Ag)***  
**780.833.4774**

**From:** Tammy Sargeant  
**Sent:** Wednesday, January 31, 2018 8:24 AM  
**To:** 'David Fehr' <[dfehr@mackenziecounty.com](mailto:dfehr@mackenziecounty.com)>  
**Subject:** RE: 00016612 - Mackenzie County's Filtler Pit SIR #2

Sorry here is the attachment.

***Tammy Sargeant, R.T(Ag)***  
**780.833.4774**

**From:** Tammy Sargeant  
**Sent:** Wednesday, January 31, 2018 8:23 AM  
**To:** 'David Fehr' <[dfehr@mackenziecounty.com](mailto:dfehr@mackenziecounty.com)>  
**Subject:** RE: 00016612 - Mackenzie County's Filtler Pit SIR #2

Hello Dave,

It was good to talk to you yesterday. I looked into your file and the end pit lake and wet pit mining were previously approved under your existing Registration. So if there is no change to the operation as was approved then an updated Activities Plan is not required. However a Five Year Report is required every five years from when the Registration was issued (as attached), which is outstanding.

If there is a change to the Activities Plan then only Schedule 2 in the Code of Practice for Pits needs to be updated. Based on this information, let me know if you would like to withdraw your application or continue with an

updated Activities Plan. If you want to continue, as mentioned on the phone today, you can send me a letter or email responding to the questions attached to the Oct 2017 Report and any additional changes or updates.

In addition to the existing Registration under the Environmental Protection and Enhancement Act (EPEA), a *Water Act* Approval is required for the construction of the end pit lake and wet pit extraction. However, given legacy considerations, an hydrogeological assessment to accompany the *Water Act* application would not be required, as would be required for any new similar activities. The following link will take you to the *Water Act* Forms: <http://aep.alberta.ca/water/forms-applications/water-act-forms.aspx>

Should you require further clarification, please do not hesitate to call or email.

***Tammy Sargeant, R.T(Ag)***  
**780.833.4774**

**From:** Tammy Sargeant  
**Sent:** Friday, December 15, 2017 2:22 PM  
**To:** 'greg.plewis@opusw.com' <[greg.plewis@opusw.com](mailto:greg.plewis@opusw.com)>  
**Cc:** 'David Fehr' <[dfehr@mackenziecounty.com](mailto:dfehr@mackenziecounty.com)>  
**Subject:** FW: 00016612 - Mackenzie County's Filtler Pit SIR #2

Hi Greg, I have received my questions back from the subject matter experts, so in addition to the question that were sent in SIR #1 on Nov 30, 2017, please respond to the following questions (SIR #2). In order to answer these questions a hydrogeological assessment will need to be completed and a Water Act application.

- 1) The static water level and the direction of groundwater flow within the sand and gravel aquifer is not clear based on the information presented. Additional assessment should be completed to determine this prior to the start of operations.
- 2) The hydraulic connection to the sand and gravel aquifer and the adjacent wetland and streams is not completely understood. Given that groundwater will be diverted during pit operations a better understanding of this relationship should be assessed prior to the start of operations. The additional assessment should include monitoring points in the adjacent wetland deposit and streams.
- 3) A Water Act Approval for the planned dewatering activities should be submitted prior to the start of operations. It should be noted that there is an Alberta Transportation pit located adjacent to the propose Mackenzie County pit that also plans on dewatering during operations and reclaiming the pit as an end pit lake. The cumulative affects to groundwater quality and quantity of these activities should be assessed in the application submitted.
- 4) Any water planned to be discharged to the environment during planned dewatering activities should be tested prior to discharge to confirm that its quality meets applicable water quality guidelines.
- 5) Provide details on the size and location of the end pit lake at the end of mining. The report mainly identifies that the end pit lake will be mainly filled by the groundwater recharge not the surface runoff, however, it doesn't describe how much is the recharge rate and how long would it take to fill in.
- 6) Wetlands have not been indicated in the report, are there any wetlands that will be directly or indirectly impacted by the pit operations?

***Tammy Sargeant, R.T(Ag)***

## David Fehr

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**From:** Tammy Sargeant <Tammy.Sargeant@gov.ab.ca>  
**Sent:** April-11-19 11:46 AM  
**To:** David Fehr  
**Subject:** 00016612 Follow up

Hi David, my apologies for the delay in me getting back to you. Thank you for meeting me last week and discussing this pit and how to move forward, below is a summary of what we discussed:

- On October 24, 2005 Registration was signed, authorizing a pit up to 35.7 ha with the construction of a “pond” ~8.29 ha 8 to 11 m in depth.
- On October 25, 2017 – Updated Activities Plan received
  - In reference to the Updated Activities Plan, it has been unclear what has changed at the pit that this report was submitted.
  - It was discussed in our meeting on April 3, 2019, the operations had previously gone outside of their boundary.
  - I would advise to either withdraw this application as it is no longer current and re-apply updating the pit boundary and any other changes or revising this application and resubmitting.
- A Five Year report should have been submitted every five years after the Registration was issued and has not been received, please submit your Five Year Report as soon as possible.
- A *Water Act* application for the construction of an end pit lake will need to be applied for. As this was historically authorized under EPEA, we will not require a complete hydrogeological assessment as would be required for a new pit. Please provide at minimum the following information:
  - Meet the requirements of Schedule 1 2(p) of the *Water Act* for dewatering. Which includes showing that there would be no adverse effect to the aquatic environment, a household/traditional agriculture groundwater user or any parcel of land.
  - Will need to demonstrate that the sand and gravel unit is hydraulically connected to the stream/wetland and that they will be discharging the water back in a manner that does not result in an adverse effect the aquatic environment (i.e. no degradation to surface water quality or the aquatic habitat).
  - Water management plan – how will water be managed/ moved on site
  - Proposed monitoring plan
  - Etc.

***Tammy Sargeant, R.T(Ag)***

Water Act Acting Team Lead &  
Reclamation Approvals Coordinator, Peace Region  
Alberta Environment and Parks  
Box 8, Provincial Building, Room 2201  
10320- 99 Street, Grande Prairie AB, T8V 6J4  
Phone: 780-833-4774  
Email: [tammy.sargeant@gov.ab.ca](mailto:tammy.sargeant@gov.ab.ca)

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## Historical Resources Act Requirements

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Proponent: Mackenzie County  
Box 640, 4511-46 Avenue, Fort Vermilion, AB T0H 1N0

Contact: David Fehr

Agent: WSP Canada Inc.

Contact: Tina Mews

**Project Name:** Tompkins Landing Pit

Project Components: Sand / Gravel Extraction

Application Purpose: Requesting HRA Approval / Requirements

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Pursuant to Section 37(2) of the *Historical Resources Act*, a Historic Resources Impact Assessment is required for all or portions of those activities described in this application and its attached plan(s)/sketch(es). The Historic Resources Impact Assessment is to be conducted in accordance with the instructions outlined in the following schedule.



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David Link  
Assistant Deputy Minister

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### SCHEDULE OF REQUIREMENTS

#### ARCHAEOLOGICAL RESOURCES

Pursuant to Section 37(2) of the *Historical Resources Act*, a Historic Resources Impact Assessment for archaeological resources is to be conducted on behalf of the proponent by an archaeologist qualified to hold an archaeological research permit within the Province of Alberta. A permit must be issued by Alberta Culture and Tourism prior to the initiation of any archaeological field investigations. Please allow ten working days for the permit application to be processed.

1. The Historic Resources Impact Assessment is to be carried out prior to the initiation of any land surface disturbance activities under snow-free, unfrozen ground conditions. Should the project require field studies under winter conditions, directions in the [Archaeological Survey Information Bulletin: Winter Conditions](#) must be followed.
2. The Historic Resources Impact Assessment must address all areas of high archaeological potential within the project area.
3. Results of the Historic Resources Impact Assessment must be reported to Alberta Culture and Tourism and subsequent *Historical Resources Act* approval must be granted before development proceeds.

**SCHEDULE OF REQUIREMENTS (continued)****PALAEONTOLOGICAL RESOURCES**

Conditional *Historical Resources Act* approval is granted relative to palaeontological resources on the understanding that a targeted Historic Resources Impact Assessment will be conducted, as outlined below.

1. The Historic Resources Impact Assessment is to be carried out after the initiation of gravel pit operations. Given that Quaternary palaeontological resources from gravel deposits rarely are observed prior to construction or gravel extraction, a one-time, short-term, post-construction impact assessment is required that will permit the consultant to evaluate the presence or absence of Quaternary fossils in uncrushed gravels and unexcavated gravel faces.
2. The Historic Resources Impact Assessment for palaeontological resources is to be conducted on behalf of the proponent by a palaeontologist qualified to hold a palaeontological research permit within the Province of Alberta. A permit must be issued by Alberta Culture and Tourism prior to the initiation of any palaeontological field investigations. Please allow ten working days for the permit application to be processed.

**ABORIGINAL TRADITIONAL USE SITES**

There are no *Historical Resources Act* requirements associated with Aboriginal traditional use sites of a historic resource nature; however, the proponent must comply with [Standard Requirements under the Historical Resources Act: Reporting the Discovery of Historic Resources](#), which are applicable to all land surface disturbance activities in the Province.

**HISTORIC STRUCTURES**

There are no *Historical Resources Act* requirements associated with historic structures; however, the proponent must comply with [Standard Requirements under the Historical Resources Act: Reporting the Discovery of Historic Resources](#), which are applicable to all land surface disturbance activities in the Province.

**PROVINCIALY DESIGNATED HISTORIC RESOURCES**

There are no *Historical Resources Act* requirements associated with Provincially Designated Historic Resources; however, the proponent must comply with [Standard Requirements under the Historical Resources Act: Reporting the Discovery of Historic Resources](#), which are applicable to all land surface disturbance activities in the Province.

**ADDITIONAL COMMENTS**

1. To obtain contact information for consultants qualified to undertake the assessment work specified above, please consult the list of [Alberta Historic Resource Consultants](#).
2. In addition to any specific conditions detailed above, the proponent must abide by all [Standard Conditions under the Historical Resources Act](#).

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Lands Affected: All New Lands

Proposed Development Area:

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**SCHEDULE OF REQUIREMENTS (continued)**

MER	RGE	TWP	SEC	LSD List
5	18	105	3	12-13
5	18	105	4	9-16

Documents Attached:

Document Name	Document Type
Site Boundary	Illustrative Material







Environment and Parks

RECEIVED  
NOV 29 2016  
Disposition Services

Operations Division  
Provincial Programs Branch  
Provincial Approvals Section  
5<sup>th</sup> floor, South Petroleum Plaza  
9915 – 108 Street  
Edmonton, Alberta, T5K 2G8  
Fax: 780-427-1029  
[www.esrd.alberta.ca](http://www.esrd.alberta.ca)

File No: SML 950057

June 10, 2016

County of Mackenzie  
P.O. Box 640  
Fort Vermilion, Alberta, T0H 1N0

Dear Sir or Madam:

RECEIVED  
JUN 16 2016

**RE: Surface Materials Lease No. SML 950057  
NW 3, N ½ 4-105-18-W5M (342.00 acres)  
Department Licence of Occupation No. DLO 951512  
SE 4-105-18-W5M (4.01 acres)  
Purpose: Sand and Gravel/ Access Road**

**MACKENZIE COUNTY  
FORT VERMILION OFFICE**

A recent field report indicates that these dispositions are being managed satisfactorily and the department is prepared to renew your disposition, which expires November 16, 2015 upon receipt of the following items:

1. Confirmation of your intentions regarding the lease by completing the declaration at the end of this letter and returning it to this office.
2. SML and DLO a survey plan acceptable to the department along with the amendment forms. Both must be submitted digitally.
3. Conservation and Reclamation Business Plan. Attached is copy of the CRBP Summary Sheet to help with your plan. Do not file in the form.
4. Payment of:
 

2 Amended Mapping Fee at \$50.00 each .....	\$100.00
<b>Amount due .....</b>	<b><u>\$100.00</u></b>

A plan provides an accurate location of the site, allows the department to ensure sites are managed effectively, and protects the rights of the disposition holder by clearly identifying site boundaries. Information about plan requirements is available through the department website at: <http://aep.alberta.ca/lands-forests/land-management/disposition-plan-requirements.aspx>. All disposition holders must provide a digital plan that meets the department's Disposition Plan Requirements. The digital plan confirmation number must be noted on the completed amendment form and both must be submitted digitally to the department.

.../2

SML 950057  
DLO 951512

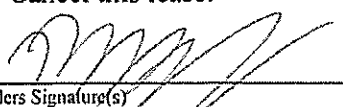

Please complete the declaration below and return it with these items within 90 days of the date of this letter. If you do not respond, it will be assumed that you are no longer interested in retaining the disposition, and the department will proceed with cancellation of the lease.

If you have any questions regarding this matter, please contact myself at 780-415-4664, in Edmonton.

Sincerely,



Brenda Huxley  
Approvals and Dispositions Services Unit  
cc: Land Use Fort Vermilion

<b>DECLARATION:</b>		
I/We wish to:		
<input checked="" type="checkbox"/> Retain this for another term.		
<input type="checkbox"/> Cancel this lease.		
 _____ Holders Signature(s)	 _____ Witness	0014, 2016 _____ Date

PREPARED BY:

POSCHNER ASSOCIATES  
AGGREGATE PROSPECTING  
8 SIMONETTE CRESCENT  
DEVON, AB. T9G 1Y5  
PH: 987-0045 FX: 987-0046  
e-mail: [prospectr@agt.net](mailto:prospectr@agt.net)

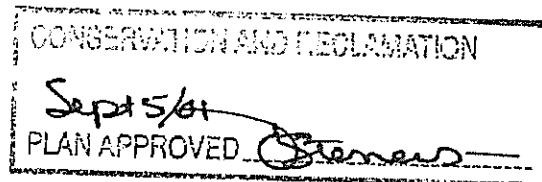
APPLICATION FOR  
CONSERVATION AND RECLAMATION  
APPROVAL

PREPARED FOR:

MUNICIPAL DISTRICT OF MACKENZIE  
BOX 640, FORT VERMILION, AB.  
T0H 1N0

SML 950057  
TOMPKINS LANDING PIT

NW-3-105-18-5  
NW-4-105-18-5  
NE-4-105-18-5



March 26, 2001



**APPLICATION FOR CONSERVATION AND RECLAMATION APPROVAL  
PART B1**

(Pursuant to the Public Lands Act)

Applicant Name: MD of MACKENZIE No.23 LFS File No.: SML/DRS SML 950057

The following pages are required information for the Conservation and Reclamation Plan for a pit on Public Land.

For an approval on private land: Use Form "Application for Conservation and Reclamation Approval - Part B".

For an approval on public land: This form is to be submitted within 180 days after leasing approval is granted and prior to commencement of any operations.

NOTE: It may be helpful to refer to a departmental officer or the publication, "A Guide to 'Surface Material' Resource Extraction on Public Lands" & "A User Guide To Pit and Quarry Reclamation in Alberta" - Alberta Environment.

x The question requires an x in any applicable box or written response.

# The question requires a numerical answer.

Failure to provide a response to any of the questions marked by x or # will be automatically rejected.

**SITE ASSESSMENT**

**1. Resource Demand**

x There is a need for the clay , manufacturing clay , sand X, silt , gravel X, marl , in this location  
 x for road construction/maintenance X, concrete production , asphalt production X, road sub base X,  
 other \_\_\_\_\_

**2. Existing land use**

x cultivation , grazing , native range or grassland , timber X, wildlife habitat X, fish habitat ,  
 industrial , recreation , other \_\_\_\_\_  
 x Site evidence found: motorized vehicle trails , camp fire site , evidence of livestock use , recreational  
 trails , excavation or extraction development X, other \_\_\_\_\_

**3. Existing Disturbances**

x Evidence of previous man-made alterations. Yes X, No , Unknown .  
 The site has been disturbed by vegetation removal 29.3 ha, topsoil removal 22.8 ha, overburden removal  
22.8 ha, surface material removal 18.5 ha (approx. 900,000 cu m have been removed).  
 The site contains fencing , gate/s X, storage tanks , storage shed , stock piles X,  
 other ACCESS ROAD – 0.2 Ha INCLUDED  
 x Remote sensing has been used to assess the site area. Yes X, No   
 The remote sensing dated JUNE 2000 documents the present ground condition. Yes X, No ,  
 Unknown .

**4. Topography** Indicate the slope class of the site land based on Canada Land Inventory (CLI) slope classes.

x	<u>CLI Class</u>	<u>Landscape</u>	<u>Slope Inclinations</u>	<u>CLI Class</u>	<u>Landscape</u>	<u>Slope Inclinations</u>
	1 <input type="checkbox"/>	level	0 - 0.5% (200:1)	5 <input type="checkbox"/>	moderate slopes	10 - 15% (6:1)
	2 <input type="checkbox"/>	nearly level	0.5 - 2.5% (50:1)	6 <input type="checkbox"/>	strong slopes	16 - 30% (3:1)
	3 <input type="checkbox"/>	very gentle slopes	3.5 - 5% (20:1)	7 <input type="checkbox"/>	very strong slopes	31 - 45% (2:1)
	4 X	gentle slopes	6 - 9% (10:1)			

x The site includes 65.4 ha upland X, \_\_\_\_\_ ha flood plain (1 to 100 year flood events) ,  
 \_\_\_\_\_ ha water body/watercourse areas . (area figures optional)

5. Vegetation types over development areas

# \_\_\_\_\_ ha no/sparingly vegetated, \_\_\_\_\_ ha aquatic, \_\_\_\_\_ ha peatland, \_\_\_\_\_ ha grasslands, \_\_\_\_\_ ha bush, 35.9 ha forest cover with tree diameters up to 50.0 cm.

The presence of noxious/restricted/ nuisance weeds has been detected on the site. Yes , No X

If Yes, state the name/s of the noxious/restricted/ nuisance weeds \_\_\_\_\_.

6. Soil

# Dominant Soil Profile: Horizons present – Organic (O) 3.0 cm, duff layer (L,F,H) 3.0 cm, A horizon 4.0 cm, B horizon 50.0 cm.

Topsoil

The dominant texture of topsoil materials of the site is/are:

x Heavy clay , clay , silty clay , silty clay loam , clay loam , sandy clay X, sandy clay loam , loam , silt loam , silt , sandy loam , loamy sand , sand , no topsoil

# Coarse fragment (particle size over 10 cm) composition within the topsoil <1% (estimate by volume)

# The average thickness of topsoil 10.0 cm

Subsoil

The dominant texture of subsoil materials is/are:

x Heavy clay , clay , silty clay , silty clay loam , clay loam , sandy clay X, sandy clay loam , loam , silt loam , silt , sandy loam , loamy sand , sand , gravel , no subsoil

# Coarse fragment (particle size over 10 cm) composition within the subsoil <1% (by volume)

# The average thickness of the subsoil 50.0 cm

7. Geology

If known, indicate the geological origin of the marketable surface materials (deposit): sand dune , lake deposit , active stream channel , ancient stream channel , river terrace X, outwash , kame , esker , drumlin , crevasse filling , preglacial , eolian , colluvial , residuum

x The surface materials are underlain by unconsolidated bedrock , consolidated bedrock , clay X, sand , other \_\_\_\_\_.

x The geological assessment has been made by subsurface probing: backhoe X, auger drill , hammer drill , geophysical survey , geological interpretation (river bank, adjoining pit, surficial feature) , other \_\_\_\_\_.

x A representative sample of the surface material has been laboratory analyzed. Yes X, No

If Yes, attach all assessment data, or provide an estimation of material size composition

The deposit's dominant composition is clay \_\_\_\_\_%, silt \_\_\_\_\_%, sand \_\_\_\_\_%, gravel \_\_\_\_\_% N/A

x The deposit contains coal , ironstone , other N/A \_\_\_\_\_.

# Estimated percentage of the deposit as reject material 20% Upper Terrace <10% Lower Terrace.

# Total Volume of deposit within the lease: 1,636,528 cu m. Total amount that will be used: 1,309,223 cu m

x Reason for any difference: buffers , sloping  reject material X, other \_\_\_\_\_.

The average thicknesses:

# Overburden 0.6 m. Surface material deposit 3.5+ m

8. Hydrogeology

Surface water

x Surface water runoff is generally confined to the site. Yes X, No

If No, provide a contour map of the area with site boundaries plotted or show the drainage pattern on a site map

x The extraction operation will be located within the 1:100 year flood plain. Yes , No X, Unknown

x The site contains or is adjacent to a:

- ephemeral draw [vegetative draw, no channel development]. Yes , No X

- intermittent waterbody [bed & shore development – width varies]. Yes , No X

- small permanent waterbody [bed & shore development - up to 5 m in width]. Yes , No X

- large permanent waterbody [bed & shore development – width greater than 5 m]. Yes , No X

If Yes, has a qualified professional assessed the site for operational design requirements. Yes , No

If Yes, to a permanent waterbody has federal authorization for the "harmful alteration, disruption or destruction of fish habitat" been applied for?

x Yes , No X

If No, has an assessment been done to evaluate the waterbody for fish habitat. Yes , No X, Not applicable

Special operating practices to control surface drainage consist of \_\_\_\_\_.

**Groundwater**

- # Water was encountered in 42 of 245 holes.
  - x# The water table depth has been established. Yes X, No  @ 4.0 m (average depth)
  - x The extraction operation will extend below the water table. Yes , No X
  - x Pit de-watering will likely occur. Yes , No X
- If Yes, show on the site plan the points of diversion and discharge.

If surface/groundwater is being used, diverted an approval under the Water Act may be required.

- x This Conservation & Reclamation Plan is to support the application under the Water Act. Yes , No X
- If Yes, form "Part C Application for Water Approval" is to be completed and the information is to be incorporated into the plan.

**9. Wildlife**

The following wildlife and signs were observed:

- x Game species or their signs UNGULATES AND UPLAND GAME
- x Other wildlife species or their signs UPLAND GAME BIRDS
- x Significant habitat features NO

**10. Historical Resources**

- x Was a Historical Resources Impact Assessment conducted on the site? Yes , No X
- If Yes, attach a copy of the assessment as part of the C&R plan.
- x Is there any evidence of historical resources? Yes , No X

**11. Other Interest Holders**

Identify all interests that are within or adjacent (e.g. private land, other surface material operations, pipelines, easements, roads, wellsites, etc.) Unless an agreement is obtained from an adjoining interest holder the regulation (pipeline, surface materials) buffer requirements are to be incorporated into the plan.

The boundary locations of these interests are to be shown and labelled on the Site Plan.

**SITE PREPARATION**

**12. Protection Measures for Other Interest Holders**

- x Road use agreements are being/have been negotiated. Yes X, No  ALBERTA TRANSPORTATION.
  - x An agreement has been made with the Forest Management Area Agreement holder SALV. AGREEMENT REQ'D
  - x Agreement/s have been made with the adjacent surface material operator/s to extract up to the common boundary. Yes X, No  ALBERTA TRANSPORTATION RESERVATION.
  - x If No, a minimum 3 metre buffer is required between the pit boundary and the lease boundary of any adjacent Surface Material Lease or private land.
- An "Encroachment Agreement " has been made with ALBERTA TRANSPORTATION for PIT BOUNDARY.  
 Buffers of 0.0 m between the operations and ALBERTA TRANSPORTATION RESERVATIONS will be maintained.  
 Operations will not occur from N/A to N/A (timing restraint condition).

**13. Lease Boundary & Development Identification**

The approved lease boundaries have been located by:

- x legal survey , existing survey markers X, other GPS ACCURACY +/- 3.0m
  - x The boundaries are marked by flagging , tree marking , other NOT MARKED TO DATE
  - x The buffers have been marked by flagging , tree marking , other NO BUFFERS
  - x Control points have been established for pit development monitoring. Yes , No X
- If Yes, show control point locations on Site Plan
- If No, explain how development is measured GPS OR TOTAL STATION - ANNUAL REPORT

**14. Security Deposit Assessment**

- # The total area that has been disturbed (still requires reclamation certification) or will be disturbed by the next phase (to be outlined as Phase 1 on the Site Plan) of operation is 29.3 ha.

**15. Timber and Woody Debris Disposal**

- # 0.0 ha of salvageable timber will be cleared for the first phase of operation
  - x An agreement to have the timber removed has been made. Yes , No X
  - # 0.0 ha of area will be cleared of vegetation are to be cut for the first phase of operation
- The unsalvageable vegetation will be burnt , piled for later use , other N/A

**16. Soil and Overburden Stripping**

- # 0.0 ha of topsoil are to be stripped for the first phase; 0.0 cu m are to be stockpiled (location as shown on Site plan)
- # 0.0 ha of subsoil are to be stripped for the first phase; 0.0 cu m are to be stockpiled (location as shown on Site plan)
- # The average depth of soil to be salvaged is 0.0 cm.
- # 0.0 ha of overburden are to be stripped for the first phase; 0.0 cu m are to be stockpiled (location as shown on Site plan)

**17. Improvements**

- x Fencing , a gate , storage tanks , storage shed , salt storage , other NONE will be constructed in accordance to the departmental standards and is/are shown on the site plan.

**RESOURCE EXTRACTION ACTIVITIES**

**18. Associated Activities**

asphalt production X, crushing X, screening X, sand and gravel washing , other STOCKPILE SITE

**19. Maximum Depth for Excavations**

- # including the removal of topsoil, subsoil, overburden and surface materials 7.0 metres

**20. Extraction Sequencing**

- # Extraction is proposed in 7 phase/s. The phase/s is/are indicated on the Conservation and Reclamation Plan.
- # (a) Maximum area of disturbance at any one time 52.0 ha
- # (b) Total area to be disturbed over the life of the operation 65.4 ha
- # (c) Anticipated annual volume removal rate 30.000 cu m
- # Expected Life of Operation of the surface material source is 50+ years, based on anticipated demand.

**21. Erosion Prevention Techniques**

- x roll back , berming , progressive reseeding X, ditching , progressive re-contouring X, other \_\_\_\_\_

**22. Weed Control**

- x Monitoring and control of weeds will be implemented. Yes X, No

**RECLAMATION**

**23. Progressive Reclamation**

The sequencing for reclaimed areas along with the anticipated dates is shown on an attached site plan.

**24. Proposed Land Use after final reclamation is**

- x cultivation , grazing , native range or grassland , forest X, wildlife habitat , fisheries habitat , proposed subdivision , recreation , other \_\_\_\_\_
- # A waterbody of 0.0 ha will be created upon reclamation (as shown on the reclamation plan)

**25. Reclaimed Topography slope classes**

x	CLI Class	Landscape	Reclaimed Slopes	CLI Class	Landscape	Reclaimed Slopes
	1 <input type="checkbox"/>	level	0 - 0.5% (200:1)	5 <input type="checkbox"/>	moderate slopes	10 - 15% (6:1)
	2 <input type="checkbox"/>	nearly level	0.5 - 2.5% (50:1)	6 X	strong slopes	16 - 30% (3:1)
	3 <input type="checkbox"/>	very gentle slopes	3.5 - 5% (20:1)	7 <input type="checkbox"/>	very strong slopes	31 - 45% (2:1)
	4 <input type="checkbox"/>	gentle slopes	6 - 9% (10:1)			

Indicate surface drainage directions on the reclamation plan

**26. Average Depth of Topsoil**

- # replaced topsoil averages 10.0 cm

27. Average Depth of Subsoil

# replaced subsoil averages 50.0 cm

28. Maximum Overburden Depth

# maximum replaced overburden depth 0.6 m

29. Revegetation

The following seed mixtures and/or other forms of revegetation have been determined in consultation with the Conservation and Reclamation Officer:

APPROVED SEED MIXTURE & FERTILIZER APPLIED AT APPROPRIATE RATES AT TIME OF RECLAMATION.

Establishment of vegetation will be aided by:

Fertilizing X, cultivating X, watering , weed control X, other \_\_\_\_\_

30. If the pit has periods of non-use, provide a description of any interim reclamation techniques.

SEEDING THE PIT FLOOR AND SLOPED FACES.

\_\_\_\_\_  
\_\_\_\_\_

CONSERVATION AND RECLAMATION PLANS

31. Provide site plan drawings depicting existing conditions, test pit locations, test hole data, pit operations, conservation and reclamation procedures, water management plans, and cross-sections. Please refer to the example in the sleeve at the back of the guide for the details to be included.

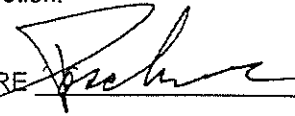
NOTE: The C&R plan must show the total lease (approved boundaries drawn to scale) development and reclamation sequencing.

The following qualified professional/s has/have been employed to design the water/physical/fish and wildlife protection measures based on the site-specific parameters NIL  
(name/s of P. Eng., P. Geol., P. Geop., P. Ag., P. Biol.)

The plan incorporates and conforms to the operating conditions of Schedule A of the lease agreement and all other required approvals.

*I certify that the information provided in this application is an accurate description of the site and of the operation and reclamation of the pit. I will conserve and reclaim the site as described in this application, follow the terms and conditions of the approval, and secure a Reclamation Certificate upon completion.*

NAME IUAN PERICH, P. ENG. For  
(please print)

SIGNATURE 

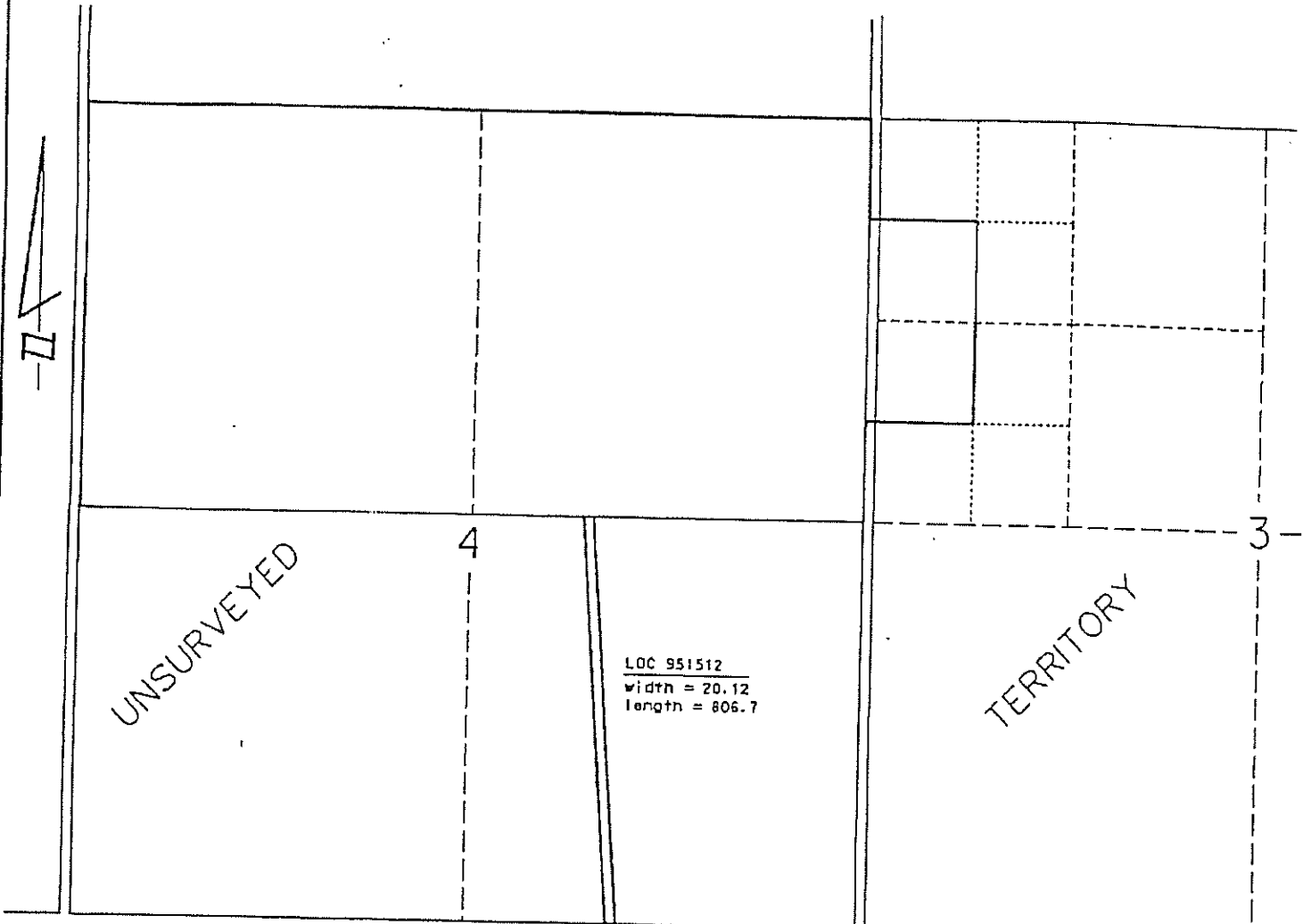
TITLE DIRECTOR OF OPERATIONS

APPLICATION DATE April 23, 2007

The information requested on this form will be used to authorize use of public land. This information is requested in accordance with the Public Lands Act and is protected by the provisions of the Freedom of Information and Protection of Privacy Act. For further information, contact the Land Administration Division at (780) 427-3570.



TOWNSHIP 105, RANGE 18, WEST 5 MERIDIAN



LOC AREA = 1.623 HA (4.01 AC)

SML AREA = 138.402 HA (342.00 AC)

PLAN NO. 873 SG

PURPOSE : SAND & GRAVEL SITE AND ACCESS ROAD  
 PLAN PREPARED FOR : M.D. of MACKENZIE 23

DEPARTMENT OF ENVIRONMENTAL PROTECTION		
Land Administration Division		Technical Services
Graphic File SM.7-26	Plan Showing Location of SML 950057 & LOC 951512	Scale 1 : 10000
DISTANCES ARE IN METRES AND DECIMALS THEREOF	PORTIONS REFERRED TO BOUNDED THUS .....	Date 1995-11-02
	Remarks	Drawn By R. EDMONDS
		Chk By

# M.D. of MACKENZIE No. 23

LOCATION NW SEC. 4 TP. 105 RGE. 18 W. 5 M.

NAME TOMPKINS LANDING (SML 950057)

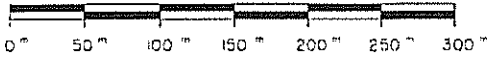
TESTED BY POSCHNER DATE MARCH 19 81  
 BY POSCHNER ASSOCIATES/WEBB DATE JULY 20 00  
 BY POSCHNER ASSOCIATES/WEBB DATE OCT. 20 00

AMENDMENTS:

DATE	INITIALS	NATURE
06/09/00	PAAP/JEFF	DIGRIZE/CP'S UPDATE NEW TESTING
10/19/00	PAAP/JEFF	UPDATE / NEW TESTING

DATE	INITIALS	NATURE

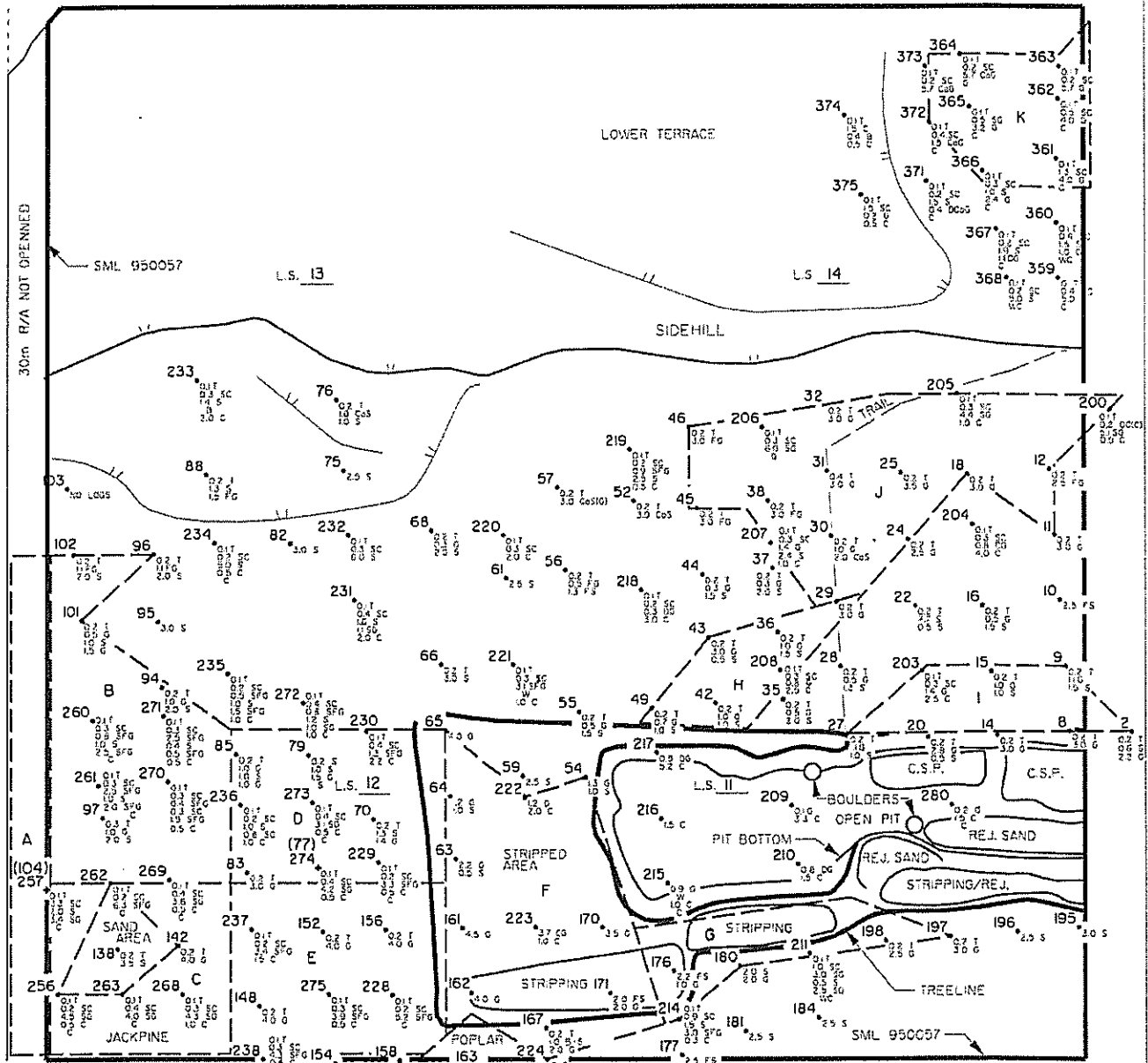
## AGGREGATES TESTING



LEGEND

- |                   |                  |                |              |                  |
|-------------------|------------------|----------------|--------------|------------------|
| F FINE            | Ss SANDSTONE     | -X- FENCE      | AT RESV. BOT | BOUNDARY OF      |
| Co COARSE         | Sh SHALE         | MP MUSKIE      |              | RESERVATION AREA |
| D DRY             | B-R BEDROCK      | S.P. STOCKPILE | AT AER. BCT. | BOUNDARY OF      |
| T ORGANIC TOPSOIL | B BOULDERS       | C.S.P. CRUSHED |              | MOVEMENT AREA    |
| C CLAY            | L LAYER          | STOCKPILE      | HNT/ANW      | HIGHWAY RIGHT    |
| S. S&T            | W WATER LEVEL AT | STR. STRIPPING |              | OF WAY           |
| S SAND            | TIME OF TESTING  | DM. DEAD HAUL  | CULT.        | CULTIVATED AREA  |
| G GRAVEL          | TEST HOLE        | OP. OPEN PIT   | CF           | CANAL FACE       |
| Pz PER GRAVEL     | 2 X 2            | DMZ DEPLETED   | ST           | SAND FACE        |

TOPOGRAPHICAL FEATURES INDICATED IN WORDS



**PIT LOCATION**

NW 1/4 SECTION 4 TOWNSHIP 105 RANGE 18 W 5 MERIDIAN

PIT NAME: TOMPKINS LANDING (SML 950057)

TESTED BY: PAAP / EARL WEBB DATE JULY 20 00

CALCULATED BY: PAAP / JEFF POSCHNER DATE SEPT. 20 00

**GRAVEL TESTING  
QUANTITY CALCULATIONS**

AVG. OVERBURDEN 0.6 m(0.1m)

AVG. AGGREGATE 2.9 m(0.1m)

AREA	LENGTH(m) (USE FORMULA)	WIDTH(m) (USE FORMULA)	SQ. METRES	DEPTH(0.1m)	CUBIC METERS
A	_____	x _____	11,421	x 3.3	= 37,688
B	_____	x _____	25,309	x 2.6	= 65,803
C	_____	x _____	13,714	x 4.3	= 58,971
D	_____	x _____	19,153	x 2.3	= 44,052
E	_____	x _____	21,320	x 3.8	= 81,016
F	_____	x _____	28,051	x 2.7	= 75,739
G	_____	x _____	9,411	x 2.8	= 26,349
H	_____	x _____	7,465	x 1.6	= 11,944
I	_____	x _____	8,189	x 2.0	= 16,378
J	_____	x _____	29,861	x 3.2	= 95,556
K	_____	x _____	11,682	x 3.8	= 44,393
L	_____	x _____		x	=
M	_____	x _____		x	=
N	_____	x _____		x	=
O	_____	x _____		x	=
P	_____	x _____		x	=
Q	_____	x _____		x	=
R	_____	x _____		x	=
S	_____	x _____		x	=
T	_____	x _____		x	=
U	_____	x _____		x	=
V	_____	x _____		x	=
W	_____	x _____		x	=
X	_____	x _____		x	=
Y	_____	x _____		x	=
Z	_____	x _____		x	=

TOTAL CUBIC METRES 557,889

LESS 20% 111,578

583,718 CU.YDS.

ESTIMATED QUANTITY AVAILABLE CUBIC METRES 446,312

ESTIMATED QUANTITY AVAILABLE - TONNES 728,380  
X 1.632

**PIT LOCATION**

NW 1/4 SECTION 4 TOWNSHIP 105 RANGE 18 W 5 MERIDIAN

PIT NAME: TOMPKINS LANDING (SML 950057)

TESTED BY: PAAP / EARL WEBB DATE JULY 20 00

CALCULATED BY: PAAP / JEFF POSCHNER DATE SEPT. 20 00

**OVERBURDEN**

**QUANTITY CALCULATIONS**

AVG. OVERBURDEN 0.6 m(0.1m)

AVG. AGGREGATE 2.9 m(0.1m)

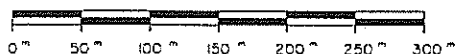
AREA	LENGTH(m) (USE FORMULA)	WIDTH(m) (USE FORMULA)	SQ. METRES	DEPTH(0.1m)	CUBIC METERS
A		X	11,421	X 0.3	= 3,426
B		X	25,309	X 0.5	= 12,654
C		X	13,714	X 0.6	= 8,229
D		X	19,153	X 0.5	= 9,577
E		X	21,320	X 0.4	= 8,528
F		X STRIPPED AREA	28,051	X	=
G		X	9,411	X 1.4	= 13,175
H		X	7,465	X 0.2	= 1,493
I		X	8,189	X 0.2	= 1,638
J		X	29,861	X 0.3	= 8,958
K		X	11,682	X 0.7	= 8,178
L		X		X	=
M		X		X	=
N		X		X	=
O		X		X	=
P		X		X	=
Q		X		X	=
R		X		X	=
S		X		X	=
T		X		X	=
U		X		X	=
V		X		X	=
W		X		X	=
X		X		X	=
Y		X		X	=
Z		X		X	=
<b>TOTAL CUBIC METRES</b>					<b>75,855</b>

# M.D. of MACKENZIE No. 23

## PIT PLAN

REQUIRED PROCEDURE FOR OPERATIONS IN THE TOMPKINS LANDING (SML 950057) PIT

NW 1/4 SEC. 4 TP. 105 RGE. 18 W. 5 M.

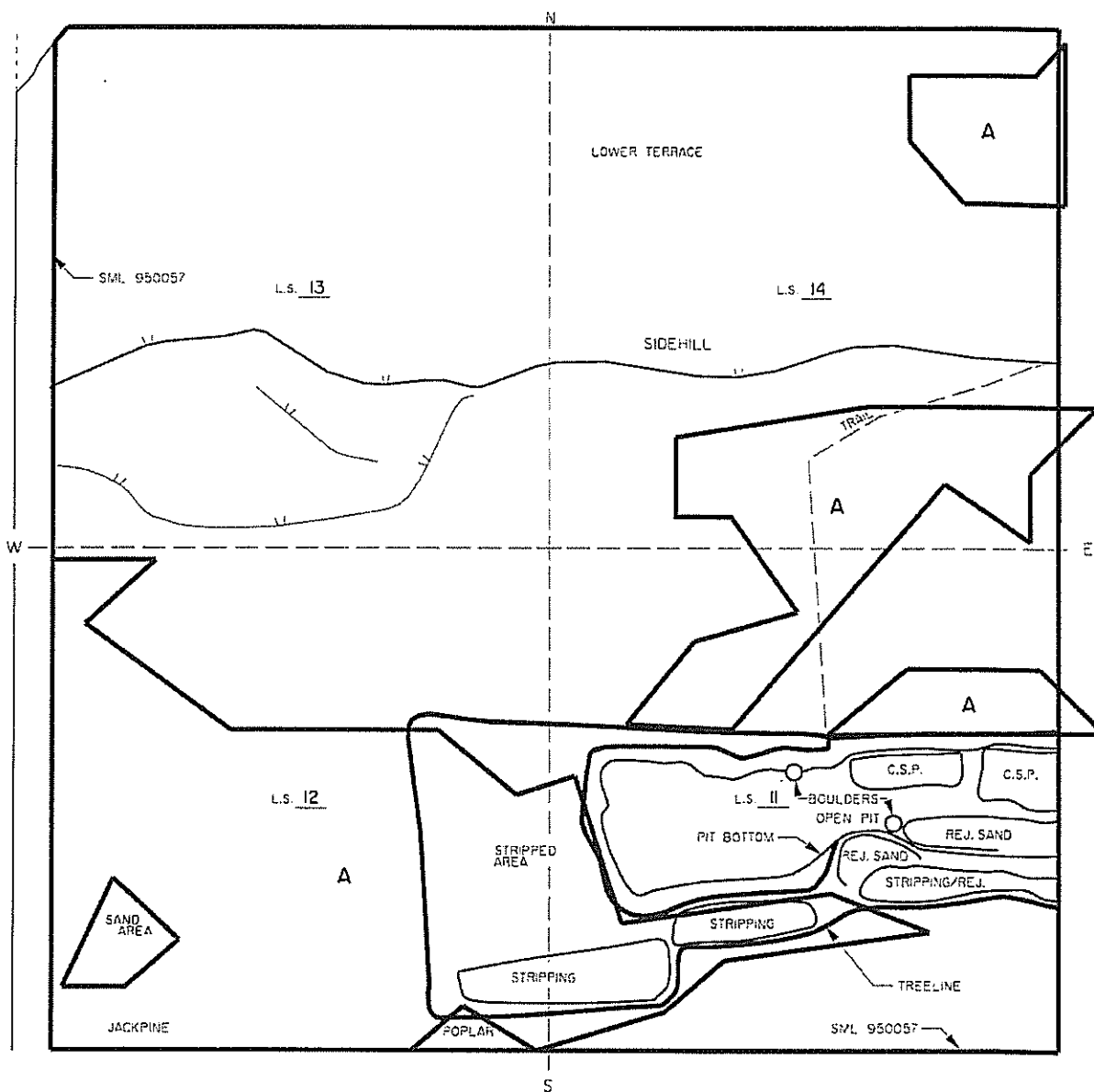


**NOTE:**

- BEGIN AGGREGATE EXCAVATION IN AREA "B" OUTLINED WITH A DASHED LINE
- BEGIN AGGREGATE EXCAVATION IN AREA DESIGNATED BY THE ENGINEER
- PLACE OVERBURDEN IN AREA "P" OUTLINED WITH A DASHED LINE
- PLACE OVERBURDEN IN AREA DESIGNATED BY THE ENGINEER
- PLACE REJECT OR UNSUITABLE MATERIAL IN AREA DESIGNATED BY THE ENGINEER

**LEGEND:**

- |      |                |                     |                              |
|------|----------------|---------------------|------------------------------|
| OP   | OPEN PIT       | SP.                 | STOCKPILE                    |
| A    | AGGREGATE AREA | C.S.P.              | CRUSH STOCKPILE              |
| D    | DEPLETED AREA  | A.T. & U. RES. BDY. | BOUNDARY OF RESERVATION AREA |
| STR. | STRIPPING      | A.T. & U. AGR. BDY. | BOUNDARY OF AGREEMENT AREA   |
| T    | TOPSOIL        | HWY. R/W.           | HIGHWAY RIGHT OF WAY         |
| GF   | GRAVEL FACE    | - X -               | FENCE LINE                   |
| SF   | SAND FACE      | SK                  | MUSKEG                       |



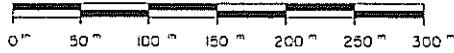
DATE \_\_\_\_\_ 20 \_\_\_\_\_

# M.D. of MACKENZIE No. 23

## PIT SEQUENCE PLAN

REQUIRED PROCEDURE FOR OPERATIONS IN THE TOMPKINS LANDING (SML 950057) PIT

NW 1/4 SEC. 4 TP. 105 RGE. 18 W. 5 M.

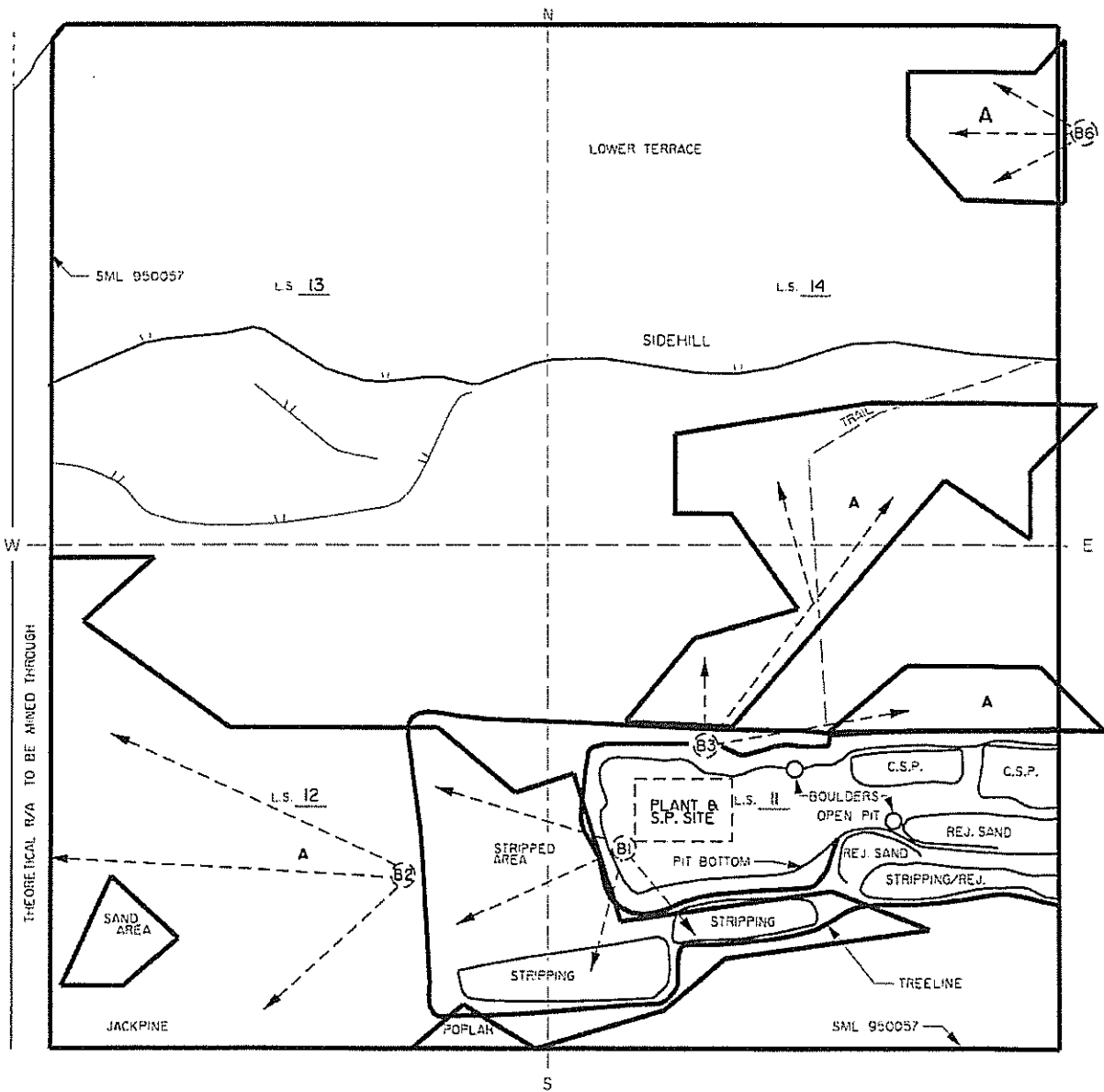


**NOTE:**

- X BEGIN AGGREGATE EXCAVATION IN AREA 'B' OUTLINED WITH A DASHED LINE
- BEGIN AGGREGATE EXCAVATION IN AREA DESIGNATED BY THE ENGINEER
- PLACE OVERBURDEN IN AREA 'P' OUTLINED WITH A DASHED LINE
- PLACE OVERBURDEN IN AREA DESIGNATED BY THE ENGINEER
- PLACE REJECT OR UNSUITABLE MATERIAL IN AREA DESIGNATED BY THE ENGINEER

**LEGEND:**

- |      |                |                      |                              |
|------|----------------|----------------------|------------------------------|
| OP   | OPEN PIT       | SP.                  | STOCKPILE                    |
| A    | AGGREGATE AREA | C.S.P.               | CRUSH STOCKPILE              |
| D    | DEPLETED AREA  | A.T. B. U. RES. BDY. | BOUNDARY OF RESERVATION AREA |
| STR. | STRIPPING      | A.T. B. U. AGR. BDY. | BOUNDARY OF AGREEMENT AREA   |
| T    | TOPSOIL        | HWY. R/W.            | HIGHWAY RIGHT OF WAY         |
| GF   | GRAVEL FACE    | - X -                | FENCE LINE                   |
| SF   | SAND FACE      | ☞                    | MUSKEG                       |



DATE \_\_\_\_\_ 20 \_\_\_\_\_

# M.D. of MACKENZIE No. 23

LOCATION NE SEC. 4 TP. 105 RGE. 18 W. 5 M.

NAME **TOMPKINS LANDING (SML 950057)**

TESTED BY POSCHNER DATE MARCH 19 81

BY POSCHNER ASSOCIATES/AWEBB DATE JULY 20 00

BY PAAP / JEFF POSCHNER DATE OCT. 20 00

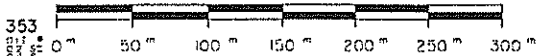
## AMENDMENTS:

DATE	INITIALS	NATURE
18/06/81	L.T.	DRAWN
04/09/91	R.H.	UPDATED
13/05/93	R.H.	UPDATED
23/02/93	H.S.	UPDATED
30/03/00	PAAP/JEFF	GPS UPDATE/NEW TESTING

## METRIC

DATE	INITIALS	NATURE
05/09/00	PAAP/JEFF	ADJUST NEW TESTING
10/03/00	PAAP/JEFF	NEW TESTING

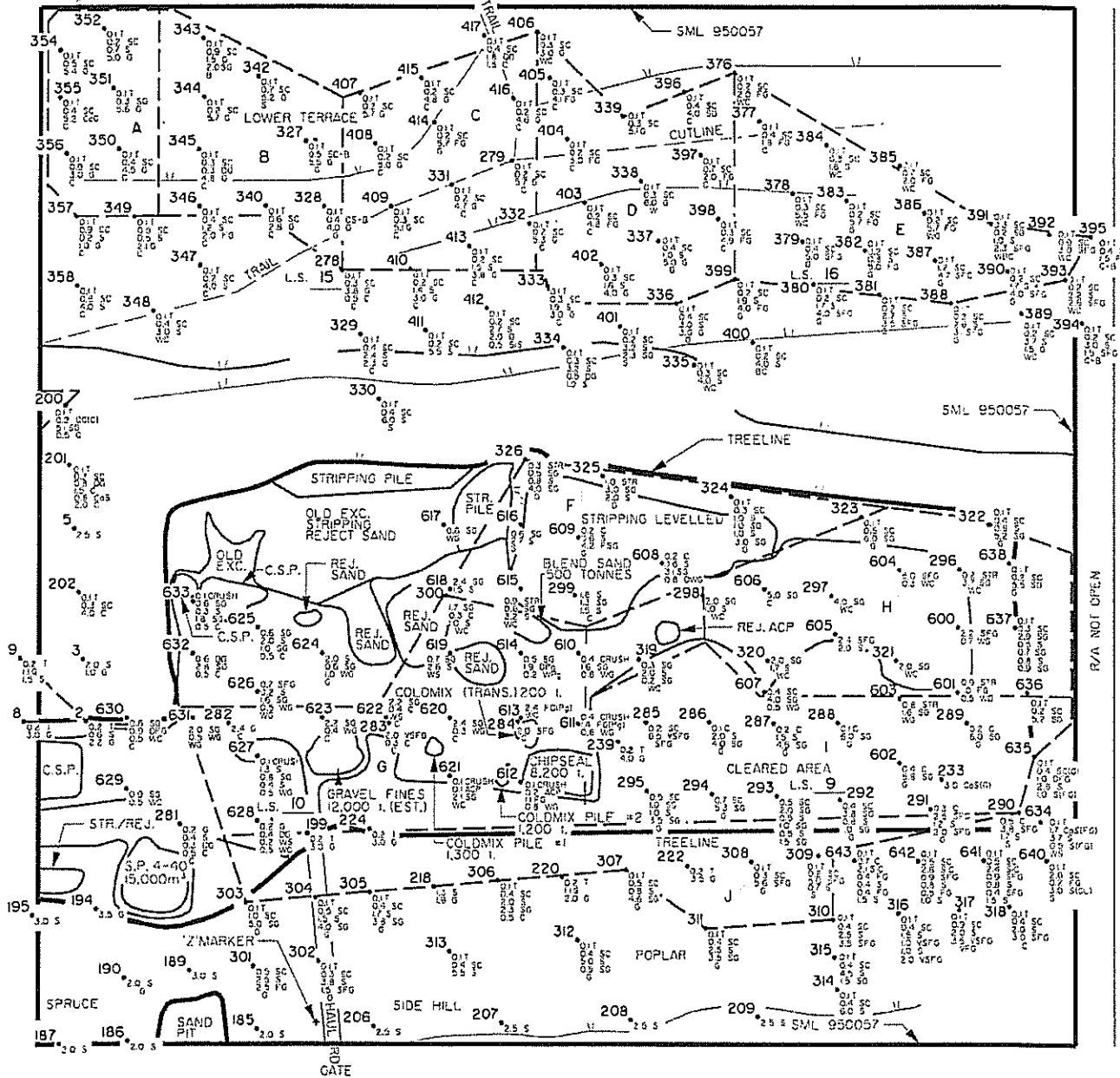
# AGGREGATES TESTING



### LEGEND

F FINE	Ss SANDSTONE	-X- FENCE	A* RESV BOT	BOUNDARY OF RESERVATION AREA
Co COARSE	Sh SHALE	M MUSKIEG	A* AGG. BDP	BOUNDARY OF AGREEMENT AREA
D DRIFT	B-R Boulders	S.P. STOCKPILE	H/W/H/W	HIGHWAY RIGHT OF WAY
T ORGANIC TOPSOIL	B BOULGERS	C.S.P. CRUSHED	CULT	CULTIVATED AREA
C CLAY	L LAYER	STR. STRIPFACE	O.P.	OPEN PIT
S SILT	W WATER LEVEL AT TIME OF TESTING	OH DEAD HULL	DEP	DEPLETED
G GRAVEL	TEST HOLE	+	2 X 2	
Pg PEA GRAVEL				

TOPOGRAPHICAL FEATURES INDICATED IN WORDS



**PIT LOCATION**

NE 1/4-SECTION 4 TOWNSHIP 105 RANGE 18 W 5 MERIDIAN

PIT NAME: TOMPKINS LANDING (SML 950057)

TESTED BY: PAAP / EARL WEBB DATE OCT 20 00

CALCULATED BY: PAAP / JEFF POSCHNER DATE NOV 20 00

**GRAVEL TESTING  
QUANTITY CALCULATIONS**

AVG. OVERBURDEN 0.8 m(0.1m)

AVG. AGGREGATE 4.0 m(0.1m)

AREA	LENGTH(m) (USE FORMULA)	WIDTH(m) (USE FORMULA)	SQ. METRES	DEPTH(0.1m)	CUBIC METERS
A	X	X	13,182	X 4.0	= 52,726
B	X	X	19,547	X 4.2	= 82,096
C	X	X	24,176	X 4.3	= 103,956
D	X	X	25,716	X 4.1	= 105,434
E	X	X	25,273	X 3.6	= 90,982
F	X	X	24,133	X 2.7	= 65,160
G	X	X	39,058	X 1.9	= 74,211
H	X	X	34,965	X 3.7	= 129,371
I	X	X	36,570	X 4.3	= 157,249
J	X	X	26,862	X 3.9	= 104,762
K	X	X		X	=
L	X	X		X	=
M	X	X		X	=
N	X	X		X	=
O	X	X		X	=
P	X	X		X	=
Q	X	X		X	=
R	X	X		X	=
S	X	X		X	=
T	X	X		X	=
U	X	X		X	=
V	X	X		X	=
W	X	X		X	=
X	X	X		X	=
Y	X	X		X	=
Z	X	X		X	=

TOTAL CUBIC METRES 965,948

LESS 20% 193,190

1,010,188 CU.YDS. ESTIMATED QUANTITY AVAILABLE CUBIC METRES 772,758

ESTIMATED QUANTITY AVAILABLE - TONNES 1,261,141

X 1.632



# PIT LOCATION

NE 1/4 SECTION 4 TOWNSHIP 105 RANGE 18 W 5 MERIDIAN

PIT NAME: TOMPKINS LANDING (SML 950057)

TESTED BY: PAAP / EARL WEBB DATE OCT 20 00

CALCULATED BY: PAAP / JEFF POSCHNER DATE NOV 20 00

## OVERBURDEN

### QUANTITY CALCULATIONS

AVG. OVERBURDEN 0.8 m(0.1m)

AVG. AGGREGATE 4.0 m(0.1m)

AREA	LENGTH(m) (USE FORMULA)	WIDTH(m) (USE FORMULA)	SQ. METRES	DEPTH(0.1m)	CUBIC METERS
A			13,182	0.8	10,545
B			19,547	0.7	13,683
C			24,176	0.6	14,506
D			25,716	0.7	18,001
E			25,273	1.1	27,800
F			24,133	0.8	19,307
G		OPEN PIT	39,058		
H		OPEN PIT	34,965		
I			36,570	0.5	18,285
J			26,862	1.2	32,235
K					
L					
M					
N					
O					
P					
Q					
R					
S					
T					
U					
V					
W					
X					
Y					
Z					
<b>TOTAL CUBIC METRES</b>					<b>154,360</b>

# M.D. of MACKENZIE No. 23

## PIT PLAN

REQUIRED PROCEDURE FOR OPERATIONS IN THE TOMPKINS LANDING (SML 950057) PIT

NE 1/4 SEC. 4 TP. 105 RGE. 18 W. 5 M.

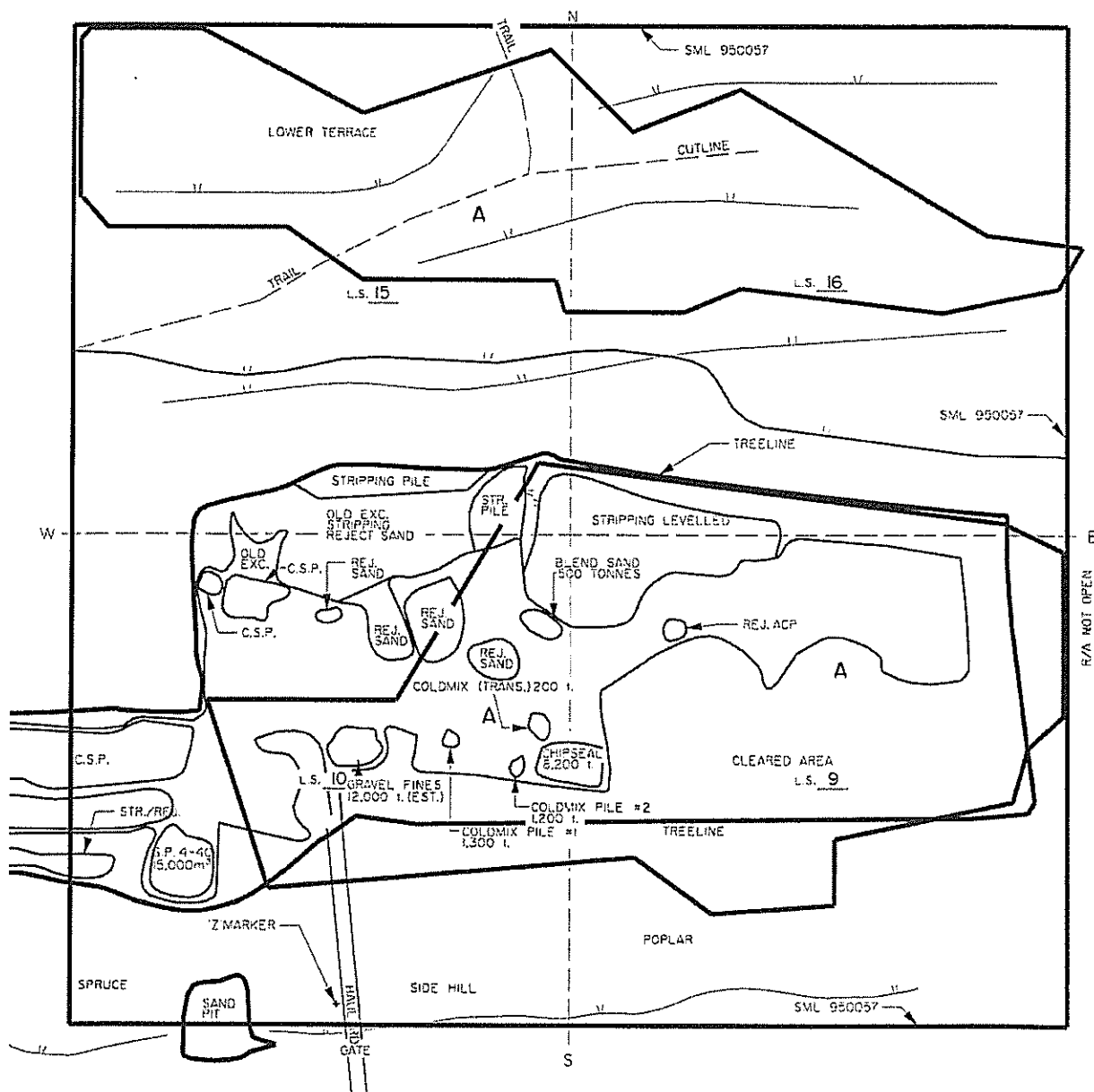


**NOTE:**

- BEGIN AGGREGATE EXCAVATION IN AREA "B" OUTLINED WITH A DASHED LINE
- BEGIN AGGREGATE EXCAVATION IN AREA DESIGNATED BY THE ENGINEER
- PLACE OVERBURDEN IN AREA "M" OUTLINED WITH A DASHED LINE
- PLACE OVERBURDEN IN AREA DESIGNATED BY THE ENGINEER
- PLACE REJECT OR UNSUITABLE MATERIAL IN AREA DESIGNATED BY THE ENGINEER

**LEGEND:**

- |      |                |                     |                              |
|------|----------------|---------------------|------------------------------|
| OP   | OPEN PIT       | SP.                 | STOCKPILE                    |
| A    | AGGREGATE AREA | C.S.P.              | CRUSH STOCKPILE              |
| D    | DEPLETED AREA  | A.T. & U. RES. BOD. | BOUNDARY OF RESERVATION AREA |
| STR. | STRIPPING      | A.T. & U. AGR. BOD. | BOUNDARY OF AGREEMENT AREA   |
| T    | TOPSOIL        | H.W.F. FLW.         | HIGHWAY RIGHT OF WAY         |
| GF   | GRAVEL FACE    | - X -               | FENCE LINE                   |
| SF   | SAND FACE      | ⊗                   | MUSKIEG                      |



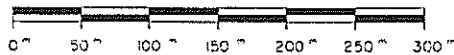
DATE \_\_\_\_\_ 20 \_\_\_\_\_

# M.D. of MACKENZIE No. 23

## PIT SEQUENCE PLAN

REQUIRED PROCEDURE FOR OPERATIONS IN THE TOMPKINS LANDING (SML 950057) PIT

NE 1/4 SEC. 4 TP. 105 RGE. 18 W. 5 M.

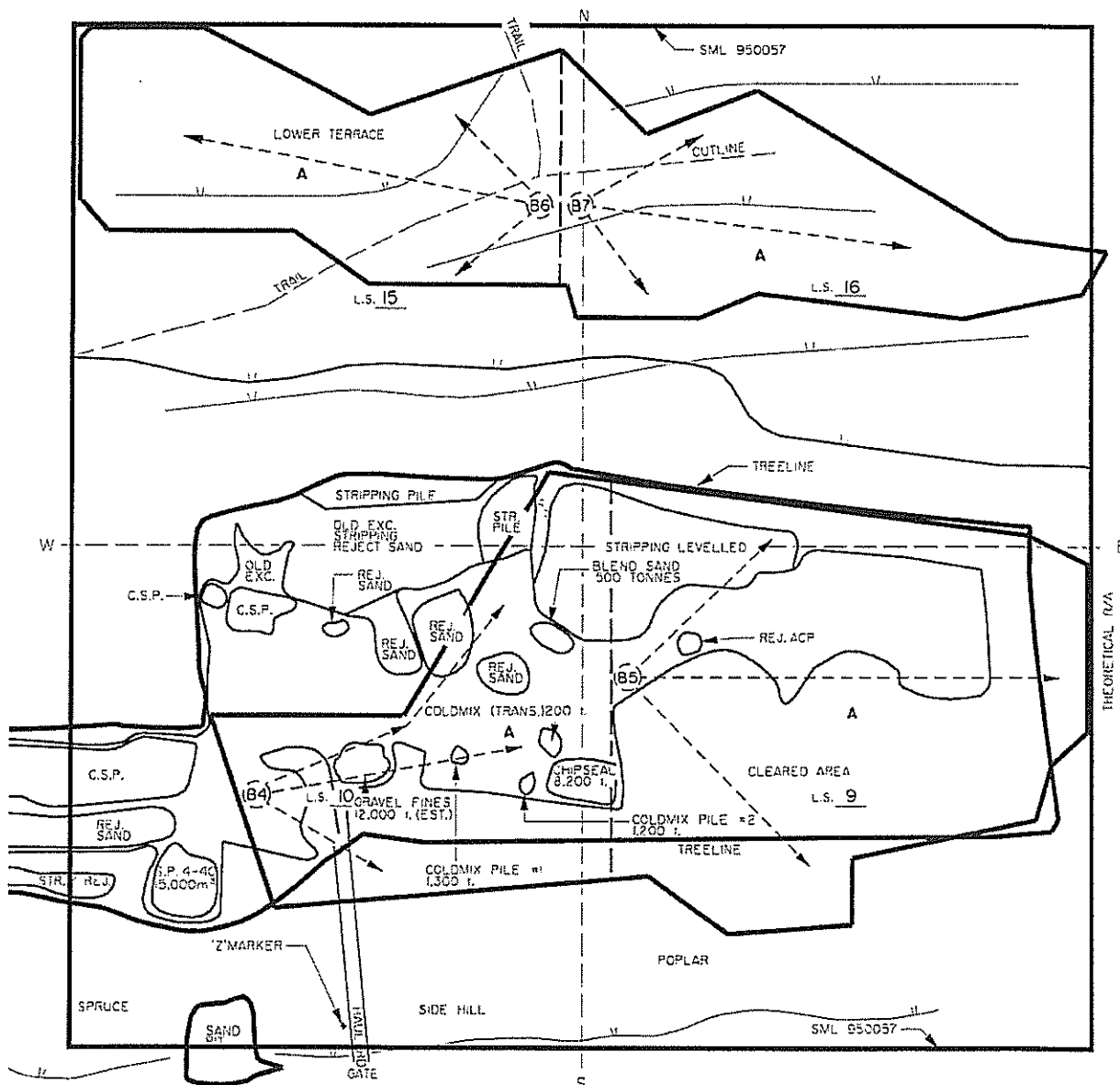


**NOTE:**

- X BEGIN AGGREGATE EXCAVATION IN AREA 'D' OUTLINED WITH A DASHED LINE
- BEGIN AGGREGATE EXCAVATION IN AREA DESIGNATED BY THE ENGINEER
- PLACE OVERBURDEN IN AREA 'P' OUTLINED WITH A DASHED LINE
- PLACE OVERBURDEN IN AREA DESIGNATED BY THE ENGINEER
- PLACE REJECT OR UNSUITABLE MATERIAL IN AREA DESIGNATED BY THE ENGINEER

**LEGEND:**

- |      |                |                     |                              |
|------|----------------|---------------------|------------------------------|
| OP   | OPEN PIT       | SP                  | STACKPILE                    |
| A    | AGGREGATE AREA | C.S.P.              | CRUSH STOCKPILE              |
| D    | DEPLETED AREA  | A.T. & U. RES. BDY. | BOUNDARY OF RESERVATION AREA |
| STR. | STRIPPING      | A.T. & U. AGR. BDY. | BOUNDARY OF AGREEMENT AREA   |
| T    | TOPSOIL        | H.W.Y. R.O.W.       | HIGHWAY RIGHT OF WAY         |
| GF   | GRAVEL FACE    | - X -               | FENCE LINE                   |
| SF   | SAND FACE      | ~                   | MUSKEG                       |



DATE \_\_\_\_\_ 20 \_\_\_\_\_

LOCATION NW SEC. 3 TP. 105 RGE. 18 W. 5 M.

NAME TOMPKINS LANDING (SML 950057)

TESTED BY POSCHNER DATE MARCH 9 81  
 BY POSCHNER ASSOCIATES/WEBB DATE JULY 20 00  
 BY PAAP / JEFF POSCHNER DATE OCT. 20 00

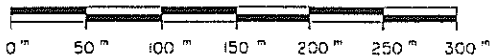
AMENDMENTS:

DATE	INITIALS	NATURE
06/29/00	PAAP/JEFF	EDITING/CMPS UPDATE
		NEW TESTING
10/2/00	PAAP/JEFF	UPDATE / NEW TESTING

**METRIC**

DATE	INITIALS	NATURE

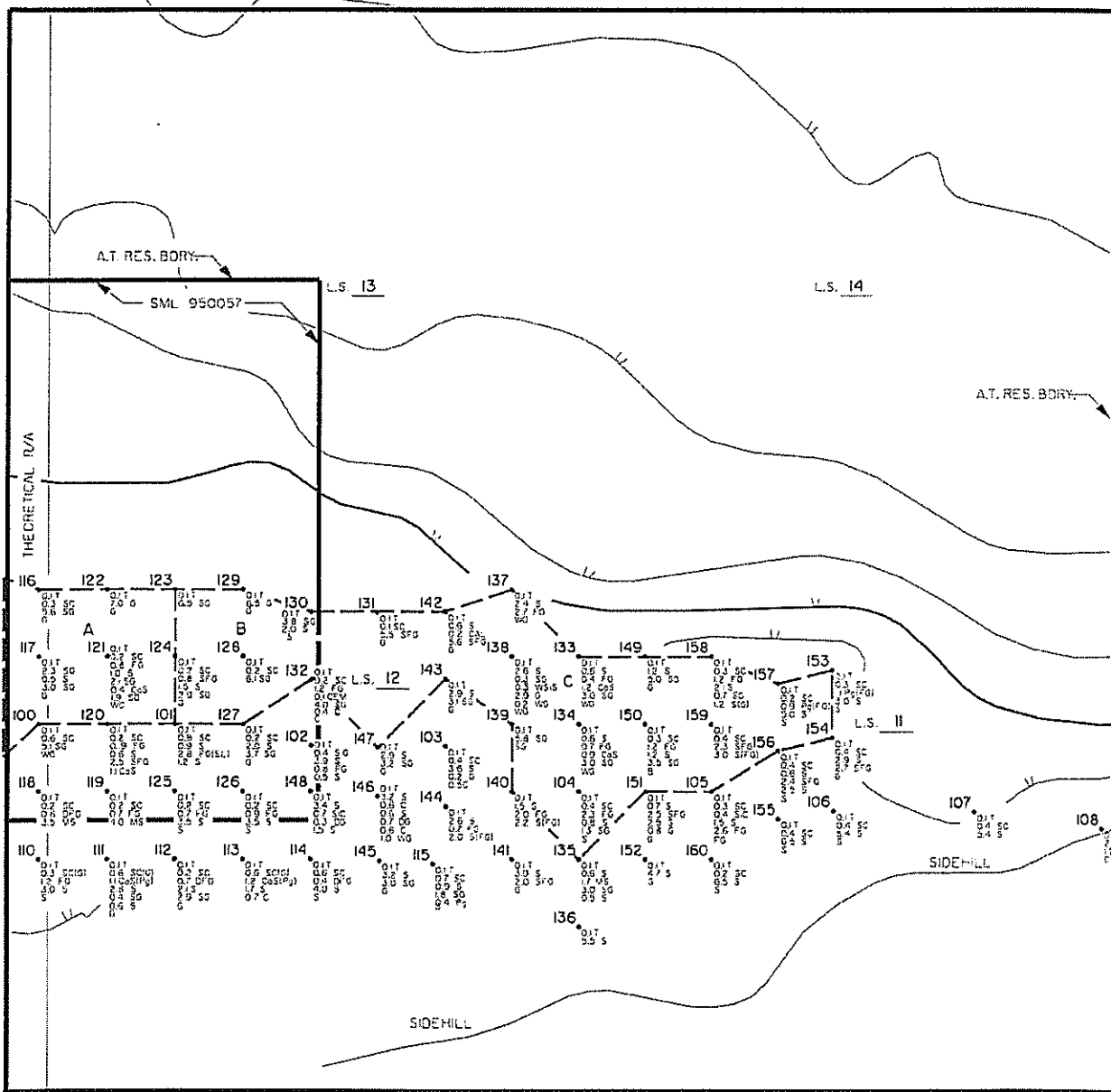
# AGGREGATES TESTING



**LEGEND**

- |                   |                                  |                         |                 |                              |
|-------------------|----------------------------------|-------------------------|-----------------|------------------------------|
| F FINE            | Ss SANDSTONE                     | -X- FENCE               | A.T. RESV. BDR. | BOUNDARY OF RESERVATION AREA |
| Ca COAL/SEE       | Sh SHALE                         | * MUCKES                | A.T. ASIR. BDR. | BOUNDARY OF AGREEMENT AREA   |
| D DIRT            | B-R BEMROCK                      | S/P STOCKPILE           | HWY/R/W         | HIGHWAY RIGHT OF WAY         |
| T CRICAL. TOPSOIL | B BOULDERS                       | C.S.# CRUSHED STOCKPILE | GULT            | CULTIVATED AREA              |
| C CLAY            | L LAYER                          | STR. STRIPPING          | OP              | GRAVEL FACE                  |
| S SILT            | W WATER LEVEL AT TIME OF TESTING | D.H. DEAD HALL          | DEP.            | DEPLETED                     |
| S SAND            | o TEST HOLE                      |                         | SF              | SAND FACE                    |
| G GRAVEL          | + 2 X 2                          |                         |                 |                              |
| Pg PEA GRAVEL     |                                  |                         |                 |                              |

TOPOGRAPHICAL FEATURES INDICATED BY WORDS





Public Lands and Forests

THIS AGREEMENT made in duplicate on July 12, 2005.

Holder: M.D. of Mackenzie 23

This Surface Materials Lease No. SML 950057 is renewed for a term of 10 years effective November 17, 2005 and expires on November 16, 2015, subject to all the terms and conditions of the previous approval(s) and the following additional condition(s):

1. 154 The holder shall contact and advise the departmental officer of its intentions:
  - prior to entry upon the lands.
  - prior to any additional construction during the term of this authority.
  - at the completion of operations, and
  - upon abandonment of this activity or cancellation of this authority.

Fort Vermilion, Alberta, Telephone: (780) 927-3235.
  
2. 026 The annual rental is payable yearly in advance. Unless this disposition is amended, the rate will remain in effect for a period of 5 years after which the Minister may change it for each 5-year period, according to the rate established by the department for the purpose for which this disposition is granted.

All licences, authorizations and approvals issued by Alberta Sustainable Resource Development under the *Public Lands Act* and *Forests Act*, and Alberta Environment under the *Environmental Protection and Enhancement Act* and *Water Act* should not be taken to mean the proponent (applicant) has complied with federal legislation. Proponents should contact *Fisheries and Oceans Canada* in one of the following locations nearest to them (Peace River, Edmonton, Calgary, Lethbridge) in relation to the application of federal laws, including but not limited to the *Navigable Water Protection Act* and the *Fisheries Act (Canada)*.

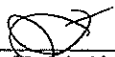
**Fisheries and Oceans Canada Offices:**

<p><b>Calgary Office</b> 7646 8th Street N E Calgary, AB T2E 8X4 General Inquiries: (403) 292-5160 Fax: (403) 292-5173</p>	<p><b>Edmonton Office</b> Whitemud Business Park 4253-97th Street Edmonton, AB T6E 5Y7 General Inquiries: (780) 495-4220 Fax: (780) 495-8606</p>	<p><b>Lethbridge Office</b> J.D. Higenbotham Building Suite 204, 704 - 4th Ave. Lethbridge, AB T1 J 0N8 General Inquiries: (403) 394-2920 Fax: (403) 394-2917</p>	<p><b>Peace River Office</b> 9001-94 Street Peace River, AB T8S 1 G9 General Inquiries: (780) 618-3220 Fax: (780) 618-3235</p>
--	--	---	--

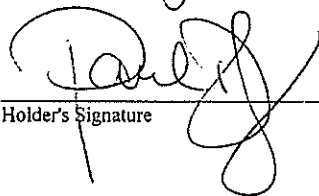
IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on July 12/05 (date).

SIGNED, SEALED AND DELIVERED by the parties hereto in the presence of:

  
\_\_\_\_\_  
Witness to the signature for the Minister

  
\_\_\_\_\_  
For the Minister of Sustainable Resource Development

\_\_\_\_\_  
Witness to the signature for the Holder

  
\_\_\_\_\_  
Holder's Signature



**SURFACE MATERIALS LEASE**

Lease No. SML 950057

THIS INDENTURE made in triplicate on November 17, 1995.

**BETWEEN:** HER MAJESTY THE QUEEN, in the right of the Province of Alberta, represented herein by the Minister of Environmental Protection, (hereinafter called the "Minister"),

**OF THE FIRST PART**

**AND:** M. D. of MacKenzie 23 (hereinafter called the "Operator"),

**OF THE SECOND PART**

WHEREAS the lands hereinafter described are "public lands" within the meaning of the Public Lands Act; and

WHEREAS pursuant to the Surface Materials Regulations established under the Public Lands Act, the Minister may grant a lease of public land for removal of clay, marl, sand, gravel, silica sand, topsoil and peat.

THEREFORE THE PARTIES HERETO AGREE EACH WITH THE OTHER AS FOLLOWS:

1. The Minister hereby leases unto the Operator the land described in the attached Appendix A (hereinafter called the "land"), for a term of 10 years commencing on November 17, 1995, and ending on November 16, 2005, with the right to work and remove out of the surface thereof Sand and Gravel, in accordance with the Public Lands Act and the Surface Materials Regulations.
2. The Operator shall not use the land for any purpose other than to take and remove the authorized surface materials.
3. Before commencing any work on the land, the Operator shall submit a detailed operating plan for the Assistant Deputy Minister's approval and shall pay the security deposit.
4. The Operator shall comply with all the relevant provisions designated as Schedule "A" hereto attached.
5. The Operator shall pay the first year's rental on the execution of this lease and each year's rental thereafter on or before the anniversary date of this lease, calculated at the rates specified by the Surface Materials Regulations in force at the time payment becomes due.
6. The Operator shall pay the royalties, specified by the Surface Materials Regulations in force at the time the surface materials are removed, taxes and other charges that may be assessed against the land.
7. The Operator shall keep and maintain complete and accurate books and records of a type and form prescribed by the Minister showing the quantity of surface materials removed from the land.
8. The Operator shall file a return with the Assistant Deputy Minister within thirty days of the end of each twelve-month period of the term and at any other time as the Assistant Deputy Minister may request in writing.
9. The Operator shall pay a penalty of \$25.00 for neglecting to file a return on time in accordance with this lease, in addition to all other payments he is obliged to make under the terms hereof or under the Surface Materials Regulations.

- 10. The return shall report the quantity and kind of surface materials removed during the preceding twelve-month period. The quantity of peat removed shall be expressed as the cubic content of the compressed product prepared for market.
- 11. The Operator shall submit his books and records for audit, pursuant to Section 27 of the Surface Materials Regulations, to the Surface Materials Auditor as the Minister's representative.
- 12. In the course of carrying on the operations on the land, the Operator shall keep and preserve the pits and works from all avoidable environmental damage and shall, at the cancellation or termination of the lease, deliver possession of the land to the Minister in a satisfactory condition.
- 13. The Operator shall reclaim the surface of the land in a manner satisfactory to the Minister.
- 14. In the event that the Operator defaults for a period exceeding thirty days by failing to pay any money owing to the Minister on any account whatsoever, the Minister may distrain the Operator's goods and chattels found upon the land and sell same to recover the money owing and costs and expenses incidental to the distress process.
- 15. When the Operator defaults in respect of this lease in any manner whatsoever, the Minister may cancel this lease upon the expiration of thirty days after the Minister has mailed to the Operator's last known address (according to the records of the Department), a notice that the lease will be cancelled and the reason for the impending cancellation.
- 16. Service of a notice upon the Operator may be effected by ordinary mail addressed to the Operator at the last known address, (according to the records of the Department) and the Operator will be deemed to have received same in the ordinary course of mail delivery at that address.
- 17. A waiver on behalf of the Minister of any breach or of any proviso, condition, restriction or stipulation herein contained (negative or positive in form) shall not be binding upon the Minister unless the same is expressed in writing under the authority of the Minister, and any waiver so expressed shall not limit or affect the Minister's rights with respect to any other or future breach.
- 18. The Operator will keep the Minister indemnified against all actions, claims and demands that may be lawfully brought or made against the Minister by reason of anything done by the Operator in the exercise or purported exercise of the rights, powers and liberties granted by this lease.
- 19. The Operator shall not sublet, transfer or assign the land or any part thereof without the written consent of the Minister.

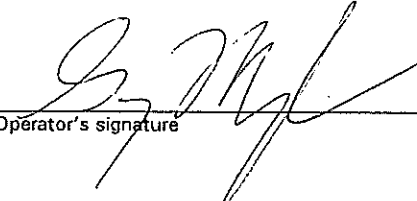
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on Nov 17/95 (date).

SIGNED, SEALED AND DELIVERED by the parties hereto in the presence of:

  
 \_\_\_\_\_  
 Witness to the signature for the Minister

  
 \_\_\_\_\_  
 For the Minister of Environmental Protection

  
 \_\_\_\_\_  
 Witness to the signature for the Operator

  
 \_\_\_\_\_  
 Operator's signature

SML 950057

**Schedule A ( Amended )  
September 5, 2001**

1. 013 This is an amended authorization. All previous terms and conditions of approval dated November 27, 1995 apply and the following additional condition(s):
2. 154 The holder shall contact and advise the departmental officer of its intentions:
  - prior to entry upon the lands.
  - prior to any additional construction during the term of this authority.
  - at the completion of operations, and
  - upon abandonment of this activity or cancellation of this authority.Fort Vermilion Office  
Box 130, Fort Vermilion, Alberta  
Telephone : (780) 927-3235
3. 086 The holder shall conduct its operations or activities and reclaim any disturbed land in accordance with the approved Conservation and Reclamation Plan which forms part of this authority. (C&R Plan dated: September 5, 2001).
4. 127 The holder shall submit an Annual Report (Part B) form in conjunction with the Surface Materials Operating Annual Return (Part A) form.
5. 136 The lease is approved/operated without the requirement of a security deposit for reclamation on condition that the lessee will not sell material from the pit in competition with the private sector. The lessee will complete any prescribed reclamation.
6. 140 At any time during the term of the lease, and/or at assignment, cancellation or expiry of the lease, the department may require that a volumetric survey of the lease site be completed in accordance with department standards for audit or assessment purposes. The cost of the survey is the sole responsibility of the operator.

All licences, authorizations and approvals issued under the *Alberta Environmental Protection and Enhancement Act*, *Water Act* or *Public Lands Act* should not be taken to mean the proponent (applicant) has complied with federal legislation. Proponents should contact Habitat Management, Central and Arctic Region, Fisheries and Oceans, 501 University Crescent, Winnipeg, Manitoba, R3T 2N6, phone: (204) 984-2505 in relation to the application of federal laws relating to the *Fisheries Act (Canada)* and the Navigation Protection Program, Canadian Coast Guard, 9021 – 46<sup>th</sup> Street, Edmonton, Alberta, phone: (780) 495-3701 relating to the *Navigable Waters Protection Act*.

/mgm



APPENDIX A  
LEGAL DESCRIPTION  
FOR  
SML 950057

EP PLAN NO: 873 SG  
PURPOSE: SAND AND GRAVEL

AFFECTED LANDS(MERIDIAN-RANGE-TOWNSHIP-SECTION-1/4SECTION-LEGAL SUBDIVISION  
-QUADRANT-QUARTER QUADRANT)  
-HECTARES-- ---ACRES-- -----DETAILS-----  
5-18-105-03-12 NW INCLUDING ROAD ALLCE.  
03-13 SW INCLUDING ROAD ALLCE.  
04-NW  
04-NE

AREA SUMMARY  
=====

THE TOTAL LANDS HEREIN DESCRIBED CONTAIN 138.402 HA ( 342.00 ACRES)  
MORE OR LESS

SUBJECT TO:  
=====

THE AUTHORIZATIONS AND DISPOSITIONS LISTED ON THE ATTACHED "SCHEDULE B", IF ANY, HAVE BEEN ISSUED ON THE QUARTER SECTIONS OF LAND ON WHICH YOUR DISPOSITION HAS BEEN ISSUED AND MAY BE PRIOR AND SUBSISTING AUTHORIZATIONS AND DISPOSITIONS TO YOUR DISPOSITION AND MAY RELATE TO AND AFFECT YOUR DISPOSITION AND THE LANDS ON WHICH YOUR DISPOSITION HAS BEEN ISSUED.

\*SUPPLEMENTARY INFORMATION\*

(LTO) - LAND TITLES OFFICE  
(EP) - ENVIRONMENTAL PROTECTION/LAND ADMINISTRATION DIVISION  
(ATS) - ALBERTA TOWNSHIP SURVEY  
(HA) - HECTARES  
1 HECTARE = 2.471054 ACRES

1995/11/02  
16:39:36  
SUBMITTED BY LSLCI15

(CONDITIONS) SCHEDULE A

SML 950057

1. 001 IN THIS DOCUMENT, unless the context indicates otherwise:

"approval (of a departmental officer)" whenever required, must be in writing.

"authority" means: this document or the right to occupy public land granted by this document.

"department" means: Department of Environmental Protection  
Land and Forest Service  
Land Administration Division  
Petroleum Plaza, South Tower  
3rd Floor, 9915 - 108 Street  
Edmonton, Alberta  
T5K 2G8  
Telephone: (403) 427-3570

"departmental officer" means: an employee of the Alberta Environmental Protection, Land and Forest Service; or Alberta Agriculture, Food and Rural Development, Public Lands Branch responsible for the management of surface activity on the land including specifically:

Forest Officer  
Fort Vermilion, Alberta  
Telephone: 927-3238

"holder" means: the recipient of the right to occupy public land granted by this document.

"land(s)" means: the specific land which the holder is authorized to occupy by this document.

"minister" means: the Minister of Environmental Protection.

payments required by this document are to be made payable to "The Provincial Treasurer" and may be delivered to the nearest Public Lands Branch or Land and Forest Service office, or mailed to:

Alberta Environmental Protection  
Land and Forest Service  
Main Floor, Petroleum Plaza, North Tower  
9945 - 108 Street  
Edmonton, Alberta  
T5K 2G6

- a) The holder shall comply with all relevant statutory provisions.
- b) A copy of this authority shall be retained on the job site during all phases of your activity, including, if applicable, preparation, construction, development, maintenance and abandonment.

.../2

- c) Schedule "B", attached lists any prior and subsisting authorizations and dispositions (prior rights) issued on the quarter sections included in this authority. The holder shall not conduct any activity on the land where prior rights have been issued without the consent of the holder of these prior rights.

Additional information or copies of surface rights plot sheets showing the existing dispositions listed on Schedule "B" may be obtained from the Surface Rights Unit, Technical Services Branch, Floor 2, Petroleum Plaza, South Tower, 9915 - 108 Street, Edmonton, Alberta, T5K 2G8, Telephone: 427-3541.

- d) If a trapping area (TPA) is listed in Schedule "B", the holder shall contact the registered trapper at least FIVE DAYS PRIOR TO COMMENCING ANY ACTIVITY. This must be done by registered mail and we recommend personal communication follow-up. The trapper's name and address may be obtained from the Department of Energy, Calgary Information Centre (Telephone: 297-6324). For other information concerning registered traplines, contact the Licencing Section, Fish and Wildlife Services, Department of Environmental Protection, Edmonton, Alberta (Telephone: 427-6729 upon receipt of this approval. The holder may be responsible for any damage to traps, snares or other improvements.
- e) For oil and gas activity on land classified as being in the Green Area of the Province (identified on Schedule "B"), the department may, in addition to any other charges, assess a further charge of 25 cents per acre (62 cents per hectare) on every acre or part acre in this authority to fund the Trapper's Compensation Program.
- f) The holder shall contact and advise the departmental officer of its intentions:
- prior to entry upon the lands,
  - prior to any additional construction during the term of this authority,
  - at the completion of operations, and
  - upon abandonment of this activity or cancellation of this authority.

2. 117 Prior to commencement of construction, the holder shall obtain authority under the Water Resources Act from Water Resources Services of Alberta Environmental Protection at Peace River, Alberta, (Telephone: 624-6167).
3. 161 The holder shall leave a buffer zone of undisturbed vegetation of a minimum width as indicated between these lands and the following:  
Development and the banks or breaks of the Peace River.  
Minimum width: 100 metres.
4. Leave a buffer zone of undisturbed vegetation of a minimum width of 100 metres between the operation and top of south bank of the Peace River in NW 4-105-18-5.
5. 168 The holder shall not conduct any activity on any of the lands included in this authority (unless otherwise indicated) between the dates specified:  
Dates: From December 1 to May 1.
6. Backslope all cuts and fills to a slope ratio of not less than 2:1 or as directed in writing by an Officer of the Minister.

.../3

7. 204 The holder shall reclaim all disturbed areas immediately after operations.
8. 205 The holder shall reclaim all disturbed land surfaces within one full growing season. This reclamation includes the cleanup of site, slope stabilization, recontouring, replacement of topsoil, revegetation, etc., as well as the immediate cleanup of debris.
9. 212 The holder shall maintain the land in a neat and clean condition acceptable to a departmental officer.
10. 250 The holder shall strip and pile the topsoil separately from any woody material and subsoil in such a manner that it can be distributed evenly over the disturbed area when operations have been completed.
11. Reclaim the excavated area to the satisfaction of an Officer of the Minister.
12. Not wash gravel without prior approval in writing from both Alberta Environment in Peace River at 624-6167.
13. Maximum 4 hectare open area at any one time.
14. No stockpiling of sand or gravel in valley within 100 M of river breaks.
15. 064 Consent to assign or sublet any land in this authority will not be considered until the land and improvements have been developed in accordance with the terms and conditions of this authority.
16. 350 All records must be maintained on pre-numbered invoices, bills of lading, truckers tickets or other documents, which must accurately show the name and address of the receiver of the materials removed (clay, marl, sand, gravel, topsoil or peat), the number of cubic yards or cubic metres removed or being hauled and the legal description of the pit from which the material was removed.
17. 353 Where a subdivision is being constructed and the developer who is constructing the subdivision is not a municipality or the Crown, and the developer is required by agreement with the Municipal Authority to provide roads at his expense, such projects do not qualify for waiver of royalty as a public work. However, royalty would be waived in instances where the municipality or the Crown is the developer or for materials utilized for maintenance of roads after they are turned over to the municipality.
18. 354 Provided that the holder establishes to the satisfaction of the department that the surface materials removed under this authority were supplied free of charge and used by the Government of Alberta or used in the construction or maintenance of a public work owned by the province or a municipality in Alberta, no royalty is payable. To qualify for royalty exemption, it is the responsibility of the holder to provide documented proof that the surface materials were used for construction and maintenance of a public work.

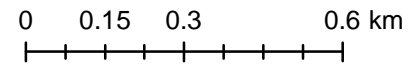
DF/tc

# Tompkins Landing Pit Site Boundary



Friday, March 1, 2019

1:14,317







Mackenzie County

# REQUEST FOR DIRECTION

<b>Meeting:</b>	<b>Committee of the Whole Meeting</b>
<b>Meeting Date:</b>	<b>July 23, 2019</b>
<b>Presented By:</b>	<b>Carol Gabriel, Director of Legislative &amp; Support Services</b>
<b>Title:</b>	<b>Public Consumption of Cannabis Survey – Condensed Version Draft</b>

**BACKGROUND / PROPOSAL:**

On November 13, 2018 Council gave first reading to Bylaw 1124-18 being the Cannabis Consumption Bylaw for Mackenzie County.

Open houses were held in La Crete and Fort Vermilion on January 14<sup>th</sup> and 15<sup>th</sup> respectively as requested by Council to seek public input on the proposed Bylaw. As per Mackenzie County’s Public Participation Policy, consultation is necessary when a decision will affect the lifestyle of citizens. To allow for ratepayers’ input regarding the public consumption of cannabis, it was recommended that an online survey be made available prior to second reading of the Bylaw.

A draft survey was presented to Council on January 16, 2019 at which time Council requested that administration redraft the survey into a condensed format. A copy of the redrafted survey is attached for Council review and comments.

**OPTIONS & BENEFITS:**

Online surveys allow for anonymity and therefore a likely higher chance of participation and honesty.

**COSTS & SOURCE OF FUNDING:**

Costs associated with public participation will be funded through the operating budget.

Author: C. Gabriel Reviewed by: \_\_\_\_\_ CAO: \_\_\_\_\_

**SUSTAINABILITY PLAN:**

Public participation is not specifically mentioned in the Sustainability Plan; however, the overall focus of the Plan is to develop strategies to strengthen relations between communities that will strengthen the County’s capacity to make its decisions and to move forward with its initiatives.

**COMMUNICATION / PUBLIC PARTICIPATION:**

As per the Public Participation Policy, open houses and surveys are tools of consultation with the public.

The survey could be made available at the upcoming Ratepayer Meetings.

**POLICY REFERENCES:**

Policy ADM056 Public Participation

**RECOMMENDED ACTION:**

- Simple Majority       Requires 2/3       Requires Unanimous

For review and discussion.

Author: C. Gabriel      Reviewed by: \_\_\_\_\_      CAO: \_\_\_\_\_



Mackenzie County

**Public Consumption of Cannabis Survey**

Mackenzie County would like to understand your opinion on the public smoking and/or vaping of cannabis to help identify future needs for information and services.

The Government of Canada legalized cannabis on October 17, 2018. Alberta’s system for legalized cannabis provides adults access to legal cannabis while protecting Alberta’s youth and public health and promoting safety on roads, in the workplace, and public spaces.

Alberta’s legislation on public smoking/vaping of cannabis already includes the following restrictions:

- Must be 18 years of age to buy or consume cannabis.
- Albertans are allowed to smoke or vape cannabis in their homes and in some public places.
- Albertans are not allowed to smoke or vape cannabis in any motor vehicle (except those being used as temporary residences like a parked RV) or anywhere smoking is already prohibited.
- Albertans are not allowed to smoke in specific areas frequented by children (i.e., schools, hospitals, skate parks, splash parks, playgrounds, etc.).

Mackenzie County is seeking your input as to whether additional restrictions should be implemented for the public consumption of cannabis.

**1. Should smoking/vaping medical cannabis be restricted the same as smoking/vaping recreational cannabis in public?**

- Yes, smoking/vaping medical cannabis should be restricted the same.
- No, smoking/vaping medical cannabis should not be restricted the same. (Please specify):

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**2. Should smoking/vaping cannabis in public be restricted the same in all areas of the County, or should there be exceptions? (ie. hamlets, campgrounds, agricultural land, rural areas, rural halls/agricultural societies, etc.)**

- Yes, smoking/vaping cannabis should be restricted the same in all areas of the County.
- No, smoking/vaping cannabis should be not be restricted the same in all areas of the County and there should be exceptions. (Please specify):

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**3. Should smoking/vaping cannabis be restricted any further than provincial legislation?**

- No, the restrictions under provincial legislation are sufficient.
- Yes, smoking/vaping cannabis in public should be restricted further. (Please specify):

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**4. Do you have any final comments, suggestions, or concerns for Mackenzie County regarding the topic in this survey? If so, please specify:**

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*Thank you for taking the time to participate in this survey.*

DRAFT