



PUBLIC LANDS ACT

BEING CHAPTER P-40, RSA 2000 ("the Act")

ORDER TO VACATE NO. OV-2019/01-PR

To: Leo Meyer
RR 1
Woking, Alberta
T0H 3V0

WHEREAS on April 1, 2015, Alberta Environment and Parks ("AEP") approved the assignment of Grazing Lease 39154 ("GRL39154") from Leo Meyer Grain Production Ltd. to MM Corp. Leo Meyer was one of the directors of Leo Meyer Grain Production Ltd.;

WHEREAS the lands subject to GRL39154 ("Lands") are public land as defined in the *Public Lands Act*;

WHEREAS GRL39154 was issued by AEP for the purpose of grazing livestock and AEP has at no time issued an approval for the growing of a cereal crop on the Lands to Leo Meyer or any other person;

WHEREAS on August 17, 2015, AEP inspected the Lands and observed a cereal crop growing in an open field located at NW-18-077-06-W6M (the "Cultivated Area") on the Lands;

WHEREAS on November 6, 2015, AEP contacted MM Corp about the unauthorized cereal crop observed on the Lands. During this conversation, a representative of MM Corp admitted to AEP that Leo Meyer conducted the unauthorized growing of the cereal crop on the Cultivated Area in 2015;

WHEREAS on July 24, 2018, AEP inspected the Lands and observed that a cereal crop had been planted on the Cultivated Area, which was measured to be 29.26 hectares, shown in schedule A;

WHEREAS on August 20, August 27, 2018 and again on August 29, 2018, Leo Meyer admitted to AEP that he planted triticale, a cereal crop, on the Cultivated Area in the spring of 2018;

WHEREAS section 20 of the *Public Lands Act* states that no person shall enter on to and occupy public land for any purpose unless authorized by AEP;

WHEREAS AEP has at no time after April 1, 2015, authorized Leo Meyer to enter on and occupy the Lands for any purpose;

WHEREAS section 47(1) of the *Public Lands Act* states that a person who occupies public land and is not the holder of a disposition authorizing the person to do so, or is not otherwise authorized to do so, is deemed a trespasser;

WHEREAS Leo Meyer is unlawfully occupying the Lands and is a trespasser;

WHEREAS section 47.1 of the *Public Lands Act* provides that where a person unlawfully occupies public land, the director may order the person to vacate the public land;

WHEREAS Owen Cook, Regional Compliance Manager, Peace Region, Alberta Environment and Parks, has been designated as a director under the *Public Lands Act* for the purposes of issuing orders to vacate (the "Director");

THEREFORE, I, Owen Cook, Director, pursuant to section 47.1 of the *Public Lands Act*, DO HEREBY ORDER THAT:

1. Leo Meyer shall immediately cease seeding, clipping and harvesting activities on the Lands;
2. Leo Meyer shall not, at any time, conduct any clipping or harvesting activities on the Lands;
3. Leo Meyer shall by no later than May 31, 2019:
 - a. plow down the cereal crop located on the Lands;
 - b. provide date-stamped photograph evidence of the work completed under clause 3 a to the Director; and
4. By no later than June 7, 2019, Leo Meyer shall submit to the Director for the Director's approval, a written remedial plan to remediate the Cultivated Lands that were planted with a cereal crop and at a minimum identify:
 - a. the Cultivated Area that was planted with a cereal crop ;
 - b. the land preparation treatments necessary to seed the Cultivated Lands to a tame pasture; and
 - c. a certified Canada No. 1 tame pasture seed mixture to use to seed the Cultivated Lands to a tame pasture;
5. Leo Meyer shall not commence the work in clause 4 until he receives written approval for the remediation plan from the Director;
6. By no later than June 30, 2019, Leo Meyer shall complete the work in the remediation plan approved by the Director;
7. Leo Meyer shall monitor and control or destroy noxious weeds in the areas seeded in this Order until September 30, 2019.
8. After September 30, 2019, Leo Meyer shall not enter on or occupy the Lands for any purpose unless authorized in writing by AEP;

DATED at the Town of Peace River in the Province of Alberta, this 23rd day of January, 2019.



Owen Cook
Regional Compliance Manager
Designated Director under the Act

TAKE NOTICE that failure to comply with this Order may result in the following without further notice:

- **Further enforcement action, including but not limited to, prosecution under the *Public Lands Act*, its regulations and any other legislation.**

TAKE FURTHER NOTICE that this Order does not in any way prejudice the Director's authority to take further enforcement action under the *Public Lands Act* and/or its regulations, or any other legislation.

