

PUBLIC LANDS ACT

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

ENFORCEMENT ORDER NO. EO-PLA-31399

To: Jacob Wiens
Box 715
La Crete, Alberta TOH 2HO

WHEREAS the lands legally described as Southeast Section 16, Township 106, Range 11, West of the 5th Meridian, Northwest Section 15, Township 106, Range 11, West of the 5th Meridian, Southwest Section 15, Township 106, Range 11, West of the 5th Meridian, and Northeast Section 15, Township 106, Range 11, West of the 5th Meridian in Mackenzie County in the Province of Alberta contain "public lands" within the meaning of section 1(p) of the *Public Lands Act*, R.S.A. 2000 Chapter P-40 (the "Act");

WHEREAS the public lands within these legal land descriptions are depicted in Schedule 1 (the "Lands");

WHEREAS in October 2017, an Alberta Environment and Parks (AEP) inspector inspected the Lands and observed that the Lands had been cleared of forested vegetation;

WHEREAS the Lands are approximately 22.4 hectares as depicted in the "Trespass Area" in Schedule 1;

WHEREAS on April 16, 2018, it was discovered Jacob Wiens had cleared the Lands;

WHEREAS section 20 of the Act states that no person shall enter on and occupy public land for any purpose unless authorized;

WHEREAS at no time prior to October 2017, did AEP authorize Jacob Wiens to enter on and occupy the Lands for any purpose;

WHEREAS section 56(1)(d) of the Act states that it is an offense to occupy public land without being the holder of a disposition or authorization under section 20 and is not otherwise authorized to do so under the Act or regulations;

WHEREAS section 59.1(1) of the Act states that where the director is of the opinion that a person has contravened a section of the Act or regulations, the director may issue an enforcement order to a person responsible;

WHEREAS Jacob Wiens is a person responsible under section 1(o.1)(iii) of the Act;

WHEREAS section 59.1(3) of the Act provides that in the enforcement order, the director may require the person to whom the order is directed to carry out any of the measures contained in that section, including but not limited to remedying the effects of the contravention and suspending activities on or the use of the land;

WHEREAS reclamation work is required to restore the disturbed areas on the public lands to pre-disturbance conditions;

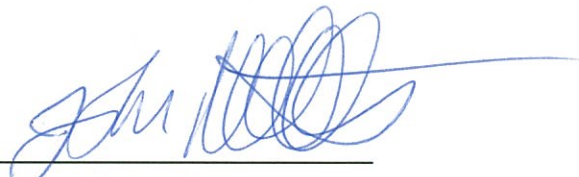
WHEREAS Jack McNaughton, Compliance Manager, Alberta Environment and Parks, has been designated as a director under the Act for the purposes of issuing enforcement orders (the "Director");

WHEREAS the Director is of the opinion that Jacob Wiens has contravened section 20 of the Act by occupying the Lands without lawful authority, which is an offense under section 56(1)(d) of the Act.

THEREFORE, I, Jack McNaughton, Director, pursuant to section 59.1 of the *Public Lands Act*, DO HEREBY ORDER THAT:

1. Jacob Wiens shall not enter on or occupy the Lands, except to undertake the work that is required pursuant to this Order.
2. Jacob Wiens shall monitor, control, and destroy noxious and prohibited weeds as defined by the *Weed Control Act* on the Lands.
3. The application of pesticide to control Scentsless Chamomile (*Tripleurospermum inodorum*) shall occur by June 15, 2021 and the use of pesticide shall adhere to the manufacturer's specifications and the *Pesticide Ministerial Regulation* (Alberta Regulation 24/97).
4. The application of pesticide to control Canada Thistle (*Cirsium arvense*) shall occur between June 16 and September 15, 2021 and the use of pesticide shall adhere to the manufacturer's specifications and the *Pesticide Ministerial Regulation* (Alberta Regulation 24/97).
5. Jacob Wiens shall provide the Director with 3 days' notice either by phone or by email prior to commencing the work specified in clause 3 and 4 this Order.
6. Within 5 business days of completing the requirements of this Order, Jacob Wiens shall notify the Director of the work undertaken to comply with this Order.

DATED at the Town of Peace River in the Province of Alberta, this 31 day of May, 2021.



Jack McNaughton
Compliance Manager, Alberta Environment and Parks

Notwithstanding the above requirements, the Parties shall obtain all other necessary approvals from any regulatory agency (provincial or federal) in complying with this order.

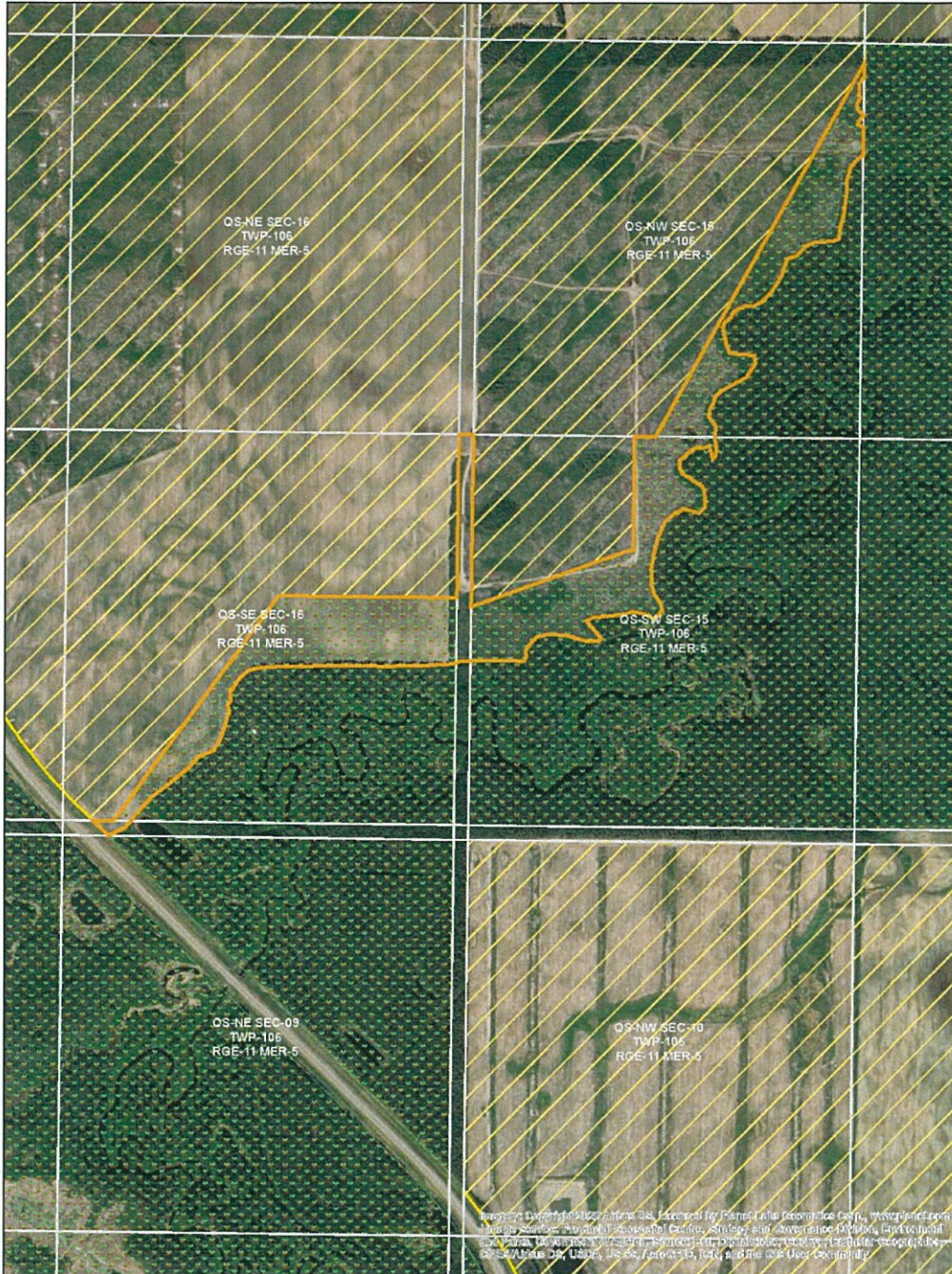
Take notice that this enforcement order is a remedial tool only, and in no way precludes any enforcement proceedings being taken regarding this matter under this Act or any other legislation. Failure to comply with this order may result in further enforcement proceedings.

Section 211 of the *Public Lands Administration Regulation* may provide a right of appeal against this decision to the Public Lands Appeal Board. There may be a strict time limit for filing such an appeal.

For further information, please contact the Board at:

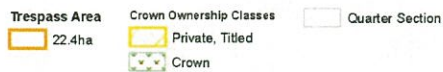
**Public Lands Appeal Board
306 Peace Hills Trust Tower
10011 - 109 Street
Edmonton, Alberta T5J 3S8
Telephone (780) 427-6207**

Schedule 1

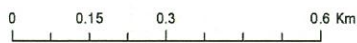


Investigation 31399

Date: 5/8/2020



Note: Boundary of Trespass has been derived from 2019 Imagery



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