

Water Act

Being Chapter W-3 R.S.A. 2000 (the "Act")

WATER MANAGEMENT ORDER NO. WMO-WA-33961

Darcy Dwayne Hommy
Box 460
Grande Prairie, AB T8V 3A7

WHEREAS on June 3, 2020, members of the public reported to Alberta Environment and Parks ("AEP") that an activity was undertaken within NE-01-070-12-W6M (the "property"), causing a wetland (the "wetland") to drain by means of vehicle tracks created through the wetland and through the property;

WHEREAS on June 3, 2020, Allen Sawchuk owned the property;

WHEREAS on June 4, 2020, an AEP Environmental Protection Officer inspected the property and observed the following:

- Ruts that were created by a large piece of equipment, thus connecting several low areas on the property (hereinafter referred to as the "activity");
- Water was actively flowing through the ruts that had been created;
- Water was flowing towards the adjacent property in SE-12-070-12-W6M (the "adjacent property");

WHEREAS during the June 4, 2020 inspection, Allen Sawchuk stated the following:

- The intention of the activity was to move standing water out of the low spots on the property;
- He did not believe the activity was an issue as the flow was following the natural direction of water across his property to the North;

WHEREAS the activity has altered the surface water flow, resulting in flooding to the adjacent property;

WHEREAS on October 15, 2020, Darcy Dwayne Hommy purchased the property;

WHEREAS on February 17, 2021, an AEP Wetland Specialist determined that a wetland was impacted by the activity;

WHEREAS Collin Dyck, an Environmental Protection Officer, North Region, has been appointed an Inspector ("Inspector") under the *Act* for the purpose of issuing Water Management Orders pursuant to section 97 of the *Act*;

WHEREAS the Inspector is of the opinion that the activity has caused an adverse effect to the adjacent property and increased or on-going impacts are likely to occur;

THEREFORE I, Collin Dyck, Inspector, pursuant to section 97(1)(h) of the *Water Act*, DO HEREBY ORDER THAT:

1. Darcy Dwayne Hommy shall take the following measures:
 - a) Fill and level any vehicle tracks and/or ruts leading from the wetland in NE-01-070-12-W6M to the boundary of the adjacent property;
 - b) Ensure that the soils impacted by the activity are contoured to be contiguous with the surrounding landscape;
 - c) Implement all necessary measures to prevent soil and sediment from entering the wetland;
 - d) Implement all necessary measures to prevent the erosion of surface soils;
 - e) Notify the Inspector in writing once the work has been completed.
2. The measures in Clause 1 are to be taken in order to maintain water levels in the wetland and reduce the increased overland flow that resulted from the activity.
3. This order is in effect for a period of up to four days from the date issued.

DATED at the town of Peace River in the Province of Alberta, this 18 day of March, 2021.



Collin Dyck
Environmental Protection Officer (Inspector)
North Region

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 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 115 of the *Water Act* may provide a right of appeal against this decision to the Alberta Environmental Appeals Board. There may be a strict time limit for filing such an appeal. For further information, please contact the Board Secretary at:

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