



WATER ACT

BEING CHAPTER W-3 R.S.A. 2000 (the "Water Act")

ENFORCEMENT ORDER NO. EO – WA – 38019

Amendment No. 3

1958612 Alberta Ltd.
150 - 4th Street South
Lethbridge, Alberta
T1J5G4
["1958612"]

And

Heritage Ranch Landowners Association
537 - 7th Street South
Lethbridge, Alberta
T1J2G8
["HRLO"]

[collectively, the "Parties"]

WHEREAS on April 14, 2022, the Director signed, and the Parties were served with an Enforcement Order (EO – WA – 38019) [the "Order"] setting out the requirements to respond to and prevent the further release of sediments to a waterbody;

WHEREAS on June 23, 2022, the Parties submitted to Alberta Environment and Parks ["AEP"] a document titled QAES_MEMO_Volker_22-490-Heritage_Road-20220602 [the "Remedial Plan"];

WHEREAS on June 29, 2022 and AEP Compliance Assurance Lead contacted a representative of the Parties in regards to the Remedial Plan, and confirmed in writing [the "Additional Correspondence"] that the Parties intend to utilize hand tools and a hydro vac to remove sand and sediment that is not embedded from the Adjacent Lands.

WHEREAS Coreen Bates, Director, has reviewed the Remedial Plan and determined that the contents, in conjunction with the June 29, 2022 Additional Correspondence, satisfy condition 6 (a) – (d) of Enforcement Order No. EO – WA – 38019.

THEREFORE, I, Coreen Bates, Director, pursuant to section 135 (1) and 136 (1) of the Water Act, DO HEREBY AMEND the Order as follows:

1. Adding Clauses 10, 11, 12, and 13 as follows:
 10. The Parties shall, by July 30, 2022, remove deposited sediments from the Adjacent Lands in accordance with the Remedial Plan and the Additional Correspondence;



11. The Parties shall refrain from conducting any work on the bed and below the banks of the Waterbody;
12. The Parties shall refrain from installing a berm or stilling basin as indicated in the Remedial Plan;
13. The Parties shall ensure any sediments removed from the Adjacent Lands are disposed of in a manner ensuring the sediments are not able to enter any waterbody;

DATED at the City of Lethbridge in the Province of Alberta, this __13th__ day of July 2022.

Coreen Bates
Compliance Manager
Southern 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 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 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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10011 – 109th Street
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