

WATER ACT

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

ENFORCEMENT ORDER NO. EO – WA – 38019

Amendment No. 1

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 April 29, 2022, the Parties submitted to Alberta Environment and Parks ["AEP"] a document titled "Heritage Ranch Storm Water Mgmt Plan Dec 16, 2019" [the "Draft Erosion and Sedimentation Control Plan"];

WHEREAS an AEP Compliance Assurance Lead reviewed the Draft Erosion and Sedimentation Control Plan, and noted the following deficiencies;

- The Plan failed to identify the sources of sediment as required by Section 3 (a) of the Order.
- A lack of information regarding the processes and methods that will be used to prevent erosion was provided as required by Section 3 (b) of the Order.
- The plan included areas outside the scope of work as required by the Order. Areas outside the scope of work under the Order were included in the Draft Erosion and Sedimentation Control Plan.
- A lack of information on the processes and methods that will be used to prevent sediments from reaching the waterbody was provided as required by Section 3 (c) the Order.
- The plan did not include a schedule for the maintenance and monitoring of all implemented erosion and sediment controls as required by section 3 (d) of the Order.

WHEREAS on May 4, 2022, the deficiencies in the Draft Erosion and Sedimentation Control Plan were communicated to the Parties by AEP via email;

WHEREAS on May 10, 2022, the Parties contacted AEP and advised they are working to obtain a new consultant to complete the requirements of the Order;

WHEREAS on May 13, 2022, AEP met with the Parties, at which time the Parties requested an extension of the timelines for the submission of the Erosion and Sedimentation Control Plan and the Remedial Plan, with the extension request being May 23rd, 2022;

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. In Clause 2 of the Order, deleting the words "April 29th, 2022" and replacing them with "May 23rd, 2022".
2. In Clause 3 (e) of the Order, deleting the words "May 13th, 2022" and replacing them with "June 6th, 2022".
3. In Clause 5 of the Order, deleting the words "May 6th, 2022" and replacing them with "May 23rd, 2022".
4. In Clause 6 (e) of the Order, deleting the words "May 20th, 2022" and replacing them with "June 6th, 2022".

DATED at the City of Lethbridge in the Province of Alberta, this __20__ day of May, 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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