

File No. 14707



Environment and Sustainable
Resource Development

WATER ACT

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

Amendment No. 3

to

ENFORCEMENT ORDER NO. WA-EO-2012/06-CR

Samco Developments Ltd.
c/o Registered Office
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(collectively "the Parties")

WHEREAS Enforcement Order No. WA-EO-2012/06-CR (the "EO") was issued to the Parties on October 17, 2012;

WHEREAS Amendment #1 to the EO was issued to the Parties on October 25, 2013 setting out various requirements, including the requirement to submit to the Director a Geotechnical Assessment, including a complete assessment of slope stability on the Lands;

WHEREAS on October 1, 2014, the Parties submitted to the Director a report prepared by their consultant and entitled, "Geotechnical Assessment Slope Stability Evaluation Wabamun Lake - Samco Lands 9/23/2014" [the "October 1 Report"];

WHEREAS on October 28, 2014, the Director sent a letter to the Parties advising that the October 1 Report was deficient and requested that the Parties correct the deficiencies and submit a revised Geotechnical Assessment by December 12, 2014;

WHEREAS on October 29, 2014, the Director issued to the Parties Amendment #2 to the EO, which extended the deadline for the Parties to submit a revised Geotechnical Assessment to December 12, 2014;

WHEREAS on December 19, 2014, the Director received from the Parties consultant a report entitled, "Geotechnical Assessment Slope Stability Evaluation Wabamun Lake – Samco Lands, 12/19/2-14" [the "revised Geotechnical Assessment"];

WHEREAS although the revised Geotechnical Assessment corrects some of the deficiencies noted in the Director's October 28, 2014 letter, is still deficient in that it lacks the following information:

- An assessment of the susceptibility of the surface material on the Lands to erosion and sediment transport;
- Pre- and Post-disturbance calculations using the Revised Universal Soil Loss Equation – For Application in Canada (RUSLE-FAC) for the Lands; and
- A more detailed assessment of the long-term potential success of the plant cover to control erosion and stability on the Lands.

WHEREAS this information is necessary to assess the adequacy of the steps taken by the Parties to prevent the further migration of any earthen material from the Lands into Wabamun Lake;

WHEREAS Jim Steele, Regional Compliance Manager, Upper Athabasca Region, has been appointed a Director for the purposes of issuing and amending enforcement orders under the *Act* (the "Director");

THEREFORE, I, Jim Steele, Director, pursuant to section 137 of the *Act*, DO HEREBY ORDER THAT:

1. The Parties shall, by **June 30, 2015**, submit to the Director a further revised Geotechnical Assessment, signed by:
 - (a) an independent third party qualified professional, excluding all employees of any corporation of which either or both of Mr. or Mrs. Dolanz is a director, who is currently registered with the Association of Professional Engineers and Geoscientists of Alberta (APEGA), and
 - (b) an independent third party qualified professional, excluding all employees of any corporation of which either or both of Mr. or Mrs. Dolanz is a director, who is currently designated as a Certified Professional in Erosion and Sediment Control (CPESC).
2. In the further revised Geotechnical Assessment, the Parties shall include at least all of the following:
 - a) A detailed assessment of the susceptibility of the surface earthen materials on the Lands to erosion and sediment transport;
 - b) Pre-disturbance calculations using the Revised Universal Soil Loss Equation – For Application in Canada (RUSLE-FAC) for the Lands;
 - c) Post-disturbance calculations using the RUSLE-FAC for the Lands;
 - d) A comparison of the results of the calculations carried out in accordance with Clause 2(b) and 2(c);
 - e) A detailed assessment of the long-term potential success of the plant cover to control erosion and stability on the Lands; and

- f) Recommendations regarding any erosion and sediment control actions necessary to prevent future erosion of the Lands.

DATED at the City of Spruce Grove, in the Province of Alberta, this 12th day of February 2015.

**Original Signed by: Jim Steele, Director
Regional Compliance Manager
Upper Athabasca Region**

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. A copy of section 115 is enclosed. For further information, please contact the Board Secretary at #306 Peace Hills Trust Tower, 10011 – 109 Street, Edmonton, Alberta, T5J 3S8; telephone (780) 427-6207; fax (780) 427-4693.

Notwithstanding the above requirements, the Party(ies) shall obtain all necessary approvals 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 or any other legislation.