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**ORDER TO VACATE**

**Pursuant to Section 47.1 of the *Public Lands Act*  
*RSA 2000, c. P-40, as amended***

**No. OV-2020/18-NR**

TO: WOLF, Daniel Kirk  
313-133 Jarvis St.  
Hinton, Alberta  
T7V 1R9

WHEREAS the land described as Legal Subdivision 16 within the North East Quarter of Section 31, Township 51, Range 24, West of the 5<sup>th</sup> Meridian near the Town of Hinton, in the Province of Alberta, (the "Lands") are "public lands" within the meaning of section 1(p) of the *Public Lands Act*, and are represented in Appendix A of this Order;

WHEREAS section 20 of the *Public Lands Act* states that no person shall enter on and occupy any public land for any purpose unless authorized by Alberta Environment and Parks ("AEP");

WHEREAS AEP has never authorized Daniel Kirk Wolf (herein referred to as "WOLF") to enter on and occupy the Lands for any purpose;

WHEREAS on October 5, 2020, an AEP Conservation Officer on a routine patrol observed the Lands described with no occupant on site. The Conservation Officer photographed and noted the following:

- A Green Camouflage Trailer displaying the Alberta License Plate BYN-5397;
- Tarps covering the roof of the trailer and a tarp extended over the entrance side of the trailer being held up as an awning by dimensional lumber;
- Dimensional lumber with a tarp fashioned as a windbreak or privacy wall extending off the rear entrance corner of the trailer;
- A frame structure being built sitting in front of the trailer;
- A lift of dimensional lumber piled at the back of the trailer;
- Two timber slabs behind trailer;
- Various stumps and bolts of timber cut and piled;
- Various camp supplies (i.e., generator, chainsaw, gas can, water jug, cooler);
- Accumulation of other debris.

WHEREAS on October 19, 2020, an AEP Environmental Protection Officer ("EPO") and two Conservation Officers (herein collectively referred to as the "AEP Officers") attended the Lands and observed the following;

- An additional enclosure had been constructed with dimensional lumber and tarps off the door side of the trailer;
- Trailer had a heavier blue tarp covering the top and back of trailer;
- A frame structure built from dimensional lumber and timber bolts, at the front of the trailer;
- A Cow Moose was observed hanging from frame not affixed with a green hunting tag.

WHEREAS on October 19, 2020, WOLF advised the AEP Officers to of the following:

- WOLF wondered when the Officers would talk to him and that he knew he had 14 days to move;
- He had cut wood for his personal use at the Lands and did not obtain a permit;
- He was trying to keep warm;
- He hoped to vacate the Lands sometime prior but that issues with family members were preventing him from doing so;
- He would have everything cleaned up and would vacate the Lands in seven days; The Cow Moose was not his and was a treaty harvest by a friend that hung it there for the time being.

WHEREAS as during the October 19, 2020 encounter the EPO advised WOLF of the following:

- Albertans can camp and recreate on Public Land for up to a maximum of fourteen days straight but that in this instance, the EPO identified that WOLF was occupying and not recreating;
- The differences between recreating and occupancy on Public Lands and that because WOLF was not authorized to occupy, he needed to vacate the lands forthwith as his occupancy was in contravention of the *Public Lands Act*;
- Failing to comply would likely result in the issuance of an Order to Vacate to him;
- That the amount of wood being harvested for personal use would need to be permitted as what was observed was beyond what recreational collection would be;

WHEREAS during the October 19, 2020 encounter, a Conservation Officer confirmed with Alberta Recreational License Management ("RELM"), that WOLF did not hold any valid hunting license for the 2020 season;

WHEREAS on November 9, 2020, AEP Conservation Officers returned to the Lands and identified that that WOLF was still in occupancy with no efforts made towards vacating the lands. In addition, the Conservation Officers observed the following:

- Additional accumulation of debris including a stack of tires was located near the back corner of the trailer;
- Timber logs had been cut into slabs and the saw dust consolidated into piles where it appeared to be burnt;
- WHEREAS post the November 9, 2020 observations of the Lands, WOLF advised the Conservation Officers that he was waiting on a borrowed vehicle to pull his trailer with so he could move; as a tree had fallen on his vehicle.

WHEREAS on November 24, 2020, while accompanying an Alberta Sheriff's Department Fish and Wildlife Officer during the service of orders under the *Wildlife Act / Regulations* a Conservation Officer observed that WOLF remained occupying the Lands.

WHEREAS Daniel Kirk Wolf is unlawfully occupying the Lands and is a Trespasser;

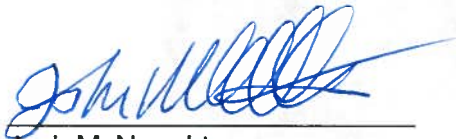
WHEREAS section 47.1 of the *Public Lands Act* provides that where a person unlawfully occupies public land, the director may order the person to vacate the public land;

WHEREAS Jack McNaughton, Compliance Manager, Boreal Northwest Region, Alberta Environment and Parks, has been designated as a director under the *Public Lands Act* for the purposes of issuing orders to vacate (the "Director");

THEREFORE, I, Jack McNaughton, the Director, pursuant to section 47.1 of the *Public Lands Act*, DO HEREBY ORDER THAT:

1. Daniel Kirk Wolf shall forthwith vacate the Lands;
2. Prior to vacating, Daniel Kirk Wolf shall immediately remove from the Lands:
  - a) all improvements, structures, personal property, chattels, including but not limited to any material piles on or under the Lands;
  - b) All waste and debris
3. On or before December 21<sup>st</sup>, 2020 Daniel Kirk Wolf shall provide notice to AEP of the completion of the removal required by paragraph 2 above. Verbal Notice shall be provided to the Director via telephone at 780-624-6551.

DATED at the Town of Peace River, in the Province of Alberta, this 16<sup>th</sup> day of December, 2020.



Jack McNaughton  
Compliance Manager  
Boreal Northwest Region

**TAKE NOTICE that failure to comply with this Order may result in any or all of the following without further notice:**

- further enforcement action, including but not limited to, prosecution under the *Public Lands Act*, its regulations and any other legislation.
- the confiscation, forfeiture, demolition, removal, sale or other disposal of any and all chattels, buildings and other improvements on the Lands.

**TAKE FURTHER NOTICE that this Order does not in any way prejudice the Director's authority to take further enforcement action under the *Public Lands Act* and/or its regulations, or any other legislation.**

APPENDIX A / LSD-16-NE-31-51-24-W5M

