

**WATER ACT**

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

**Amendment No. 2 to****ENFORCEMENT ORDER NO. EO-WA-28619**

Municipal District of Bonnyville No. 87  
4905 50 Avenue  
Bag 1010  
Bonnyville, AB  
T9N 2J7

[“the Municipality”]

**WHEREAS** Enforcement Order No. EO-WA-28619 [the “EO”] was issued to the Municipality on May 12, 2021 to remediate an unauthorized drainage ditch [the “Ditch”] to Palm Creek located on the lands legally described as NW 15-63-2-W4M [the “Lands”] in the Municipal District of Bonnyville No. 87, in the province of Alberta;

**WHEREAS** Amendment #1 to the EO was issued to the Municipality on October 26, 2021.

**WHEREAS** on August 8, 2023, the Environmental Protection Officer (the “EPO”) received communication from Conrad Shipclark, with the Municipality, requesting the final report be completed by a qualified professional employed by the Municipality instead of Barr Engineering (“Barr”) as required by clause 8 of the EO;

**WHEREAS** on August 15, 2023, the EPO spoke to Mr. Shipclark and stated the Municipality must provide documentation signed by Barr confirming the remedial work and construction was completed as per the approved “Country Lane & Country Side Estates Stormwater Drainage Project 2019” [the “Plan”];

**WHEREAS** on February 9, 2024, the EPO received a document called, “Work Completion\_Enforcement Order No\_EO-WA-28619” signed by Barr stating that all work set out in Clause 1 of the EO had been by completed September 28, 2022. The document also stated that the Monitoring Plan is being performed by the Municipality with the final report anticipated for October 2024.

**WHEREAS** I, Heather Dent, the Director, has been designated as a Director for the purpose of issuing and amending enforcement orders under the *Water Act*;

**WHEREAS** the Director is of the opinion that the EO must be amended to remove the requirement of Barr to prepare and sign the final monitoring report;

**THEREFORE**, I, Heather Dent, Director, pursuant to section 137(1)(a) of the *Water Act* **DO HEREBY AMEND** the EO, and ORDER:

**Monitoring Plan**

1. In Clause 8 of the EO, “**Barr**” is deleted and replaced with “**an approved Qualified Professional**”.

DATED at the City of Edmonton in the Province of Alberta, this 6<sup>th</sup> day of March , 2024.

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Heather Dent  
Compliance Manager  
Boreal District – East 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:**

**#306 Peace Hills Trust Tower,  
10011 – 109th Street  
Edmonton, Alberta, T5J 3S8  
Telephone: (780) 427-6207  
Fax: (780) 427-4693**