

PUBLIC LANDS ACT
BEING CHAPTER P-40, RSA 2000 ("the Act")
AMENDMENT No. 1
to
ENFORCEMENT ORDER NO. PLA-EO-2014/01-UAR

Mark Warner
Box 156
High Prairie, Alberta T0G 1E0

And

Eldon Warner
Box 413
Rainbow Lake, Alberta T0H 2H0

[hereinafter collectively referred to as "the Parties"]

WHEREAS Enforcement Order No. PLA-EO-2014/01-UAR (the "EO") was issued to the Parties on December 3, 2014.

WHEREAS since the EO was issued, the Director spoke with Mr. Mark Warner on December 3, 2014 and ESRD staff had further conversation with Mr. Mark Warner on May 13, 2015.

WHEREAS Faye Hutchings, Acting Regional Compliance Manager, Upper Athabasca Region, has been designated as a Director under the *Public Lands Act* for the purposes of issuing enforcement orders (the "Director");

THEREFORE, I, Faye Hutchings, the Director, pursuant to section 59.1 of the *Act*, DO HEREBY AMEND THE EO AND ORDER THAT:

1. Clause 3 (page 3) of the EO is repealed and replaced as follows:
 3. By **July 15, 2015** the Parties shall remove fencing and gate structures from the Lands, as follows:
 - a. Removal of gates and fencing gaps along the North Fenceline, identified in blue on Appendix A, and replacement of the gates and gaps with permanent fencing;
 - b. Remove the East Paddock Fence along the western boundary of the Lands parallel to Range Road 183; the East Paddock Fence is identified in yellow on the attached Appendix A.

DATED at the City of Spruce Grove in the Province of Alberta, this 8th day of June 2015.

Original Signed by:
Faye Hutchings
Acting Regional Compliance Manager
Upper Athabasca 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 211 of the *Public Lands Administration Regulation* may provide a right of appeal against this decision to the Public Lands Appeal Board. There may be a strict time limit for filing such an appeal. A copy of section 211 is provided below¹.

For further information, please contact the Board at:

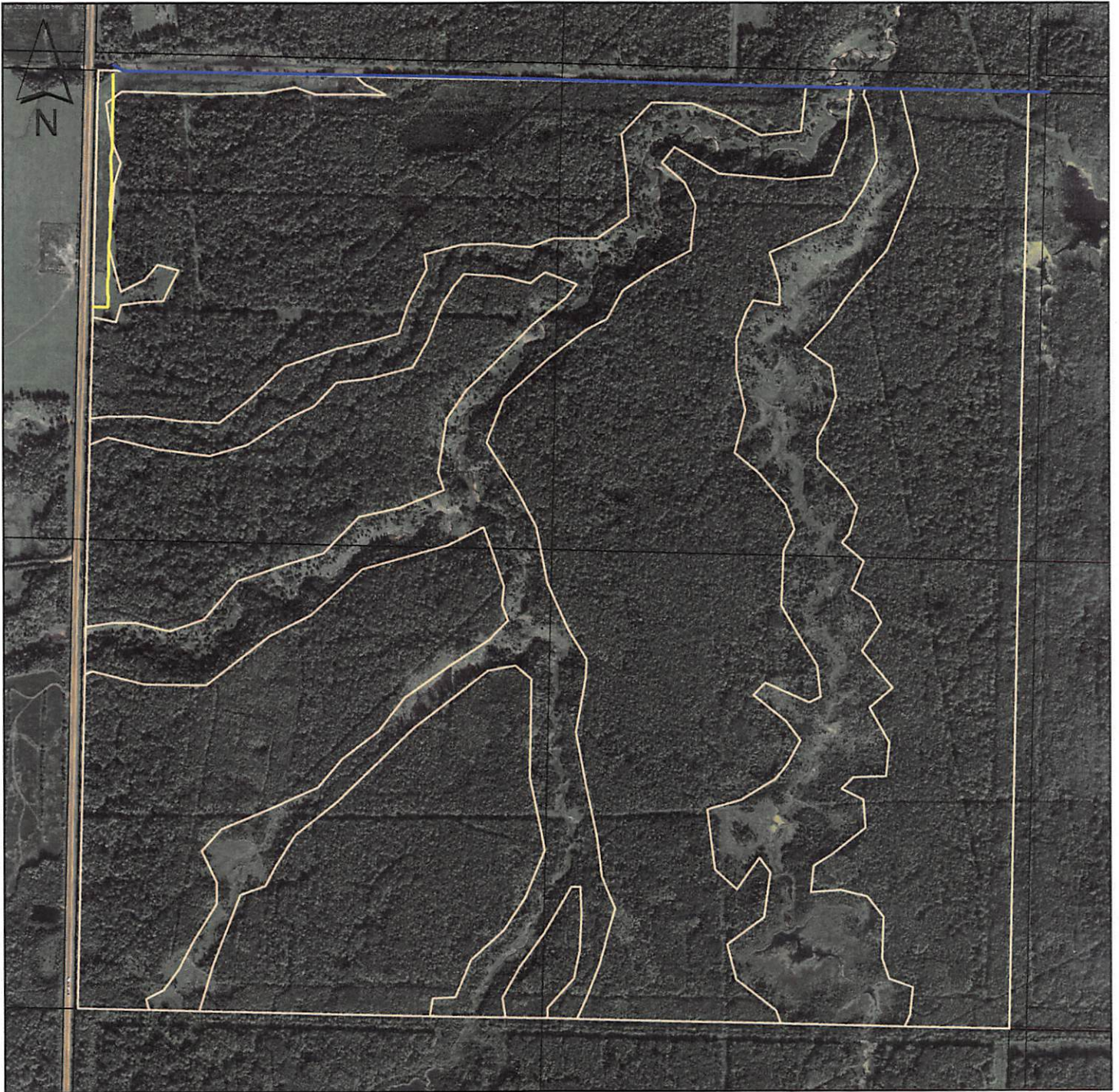
Public Lands Act Appeals Coordinator
9th Floor Petroleum Plaza South Tower,
9915-108 Street,
Edmonton, Alberta, T5K 2G8;
Telephone (780) 38-4189

¹ Public Lands Administration Regulation, AR 187/2011, s. 211
Decisions that can be appealed

- 211 The following decisions are prescribed as decisions from which an appeal is available:
- (a) the issuance, renewal, amendment or suspension of a disposition issued under the Act;
 - (b) the rejection of an application under the Act for a disposition,
 - (c) a refusal to issue a disposition or to renew or amend a disposition applied for under the Act;
 - (d) the imposition or variation under the Act of a term or condition of a disposition;
 - (e) a deemed rejection under section 15(1);
 - (f) an order under section 35(1) to vacate vacant public land;
 - (g) a refusal under section 43(1) of the Act;
 - (h) an enforcement order, a stop order or an administrative penalty;
 - (i) a removal under section 69(2)(f)(iii) of the Act;
 - (j) an order under section 182;
 - (k) a refusal to admit, or a requirement to remove, a pet animal under section 194(2);
 - (l) an order under section 201(b) to vacate a public land recreation area;
 - (m) an order under section 204(1) to vacate a campsite;
 - (n) an order under section 205.

Appendix A: Former GRL 790176 Map

Date: 6/5/2015
22-72-18-W5
M. WARNER



Legend

- North Fenceline
- East Paddock Fence
- Former GRL790176
- ATS

0 0.125 0.25 0.5 Kilometers

Coordinate System: NAD 1983 10TM AEP Forest
Projection: Transverse Mercator Datum: North American 1983

Alberta Environment and Parks

Produced by:
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