

**ALBERTA
PUBLIC LANDS APPEAL BOARD**

Discontinuance of Proceeding

May 2, 2016

IN THE MATTER OF section 123(8) of the *Public Lands Act*
and section 211 and 216 of the Public Lands Administration
Regulation, A.R. 187/2011;

BETWEEN:

Vern McDonald on behalf of C5 Bar Ranch

Appellants

AND

Director, Alberta Environment and Parks

Respondent

Cite as: C5 Bar Ranch v. Alberta (Environment and Parks) 2016 ABPLAB 9

Facts

A Notice of Appeal was received by the Public Lands Appeal Board ("Board") on July 10, 2015. The appeal was with respect to Surface Materials Lease (SML) 120085. The Appellant alleged that the Director, in refusing to issue the disposition, erred in the determination of a material fact, did not comply with a regional plan approved under the *Alberta Land Stewardship Act*, and under section 15 of the Public Lands Administration Regulation, was untimely in making a decision.

Due to similarities in the files, appeals 15-0012 and 15-0013 were combined for the purposes of efficient administration into PLAB file 15-0012A.

The matter under appeal was the Director's decision to refuse to issue the disposition, citing ecological concerns, alleging a low likelihood of successful reclamation, and an immaturity of regeneration from past activities on the site proposed by the Appellant.

In consultation with the parties, a mediation was scheduled for November 25, 2015. The parties reached an agreement in mediation. The Appellant contacted the Board by e-mail on March 31, 2016 and advised that the Appellant wished to withdraw the appeals.

As this matter has been resolved between the parties and the appeals withdrawn, the Board discontinues its proceedings and closes its files in these matters.

Rationale for Discontinuance

As the Appellants have withdrawn their notices of appeal, and the Board is satisfied that all issues relating to the appeals have been resolved in accordance section 123(8) of the *Public Lands Act*, the Public Lands Appeal Board discontinues its proceedings and closes its file for PLAB 15-0012A.