

ALBERTA SUSTAINABLE RESOURCE DEVELOPMENT

Public Lands Act

RSA 2000 c P-40
Sections 47, 47.1, 54.01(3) and 59.1

ENFORCEMENT ORDER
Enforcement Order Number 01/2012

[REDACTED]
Cowley AB
T0K 0P0

[REDACTED]
Bellevue AB
T0K 0C0

[REDACTED]
Lundbreck AB
T0K 1H0

"John Doe"
or such other parties to be determined

"Jane Doe"
or such other parties to be determined

(collectively, hereinafter the above are referred to as "the Parties")

WHEREAS Crownsnest Forest Products Ltd. is authorized under Coniferous Timber Licence CTLC050015 to undertake development on public lands located at 25-5-3-W5M (the "Lands") in the Province of Alberta.

WHEREAS development will occur within 90 days on a portion of the Lands (the "Development Area").

WHEREAS the Development Area is indicated on a map in the Notice of Development and is referred to as the "Safety Exclusion Buffer", which Notice is attached to this order and marked as Exhibit "A".

WHEREAS the development being undertaken by Crowsnest Forest Products Ltd. requires access to and use of a trail located within the Castle Special Management Area Public Land Use Zone at 25-5-3-W5M, which is marked on a map in Exhibit "A" as CTLC050015 Access (the "Trail").

WHEREAS by virtue of such development occurring, or being likely to occur, within 90 days pursuant to the timber disposition, the Development Area is not a vacant disposition area and is therefore not vacant public land under the *Public Lands Administration Regulation* (AR 187/2011).

WHEREAS on January 11, 2012, Sustainable Resource Development (SRD) staff attended at the Lands and observed a tent and various other chattels located within the Development Area.

WHEREAS on January 19, 2012, SRD staff posted a Notice of Development, which is attached to this order and marked as Exhibit "A", at the Development Area and provided copies of that written Notice to individuals present, advising that development would occur on the Development Area within 90 days of January 17, 2012 and that the Development Area is not vacant public land and therefore entry on and occupation of the Development Area by individuals not specifically authorized under the *Public Lands Act* is prohibited.

WHEREAS on January 23, 2012, pursuant to section 47 of the *Public Lands Act*, SRD staff posted a Trespasser Declaration at the Development Area, which is attached to this order and marked as Exhibit "B", providing notice that the various tents within the Development Area were deemed to be improvements created by trespassers and are deemed to be the property of the Crown.

WHEREAS on January 24, 2012, SRD staff attended at the Development Area and observed that one or more of the Parties were occupying the Development Area.

WHEREAS the Development Area is not vacant public land and no disposition exists authorizing any of the Parties to enter on or occupy the Development Area;

WHEREAS on January 24, 2012, SRD staff also observed that one or more of the Parties were hindering and interfering with free access to and use by Crowsnest Forest Products Ltd. of the Trail.

WHEREAS on January 24, 2012, SRD staff observed the hindrance and interference were caused by at least 3 individuals positioning themselves in front of the machinery operated by or on behalf of Crowsnest Forest Products Ltd. on the Development Area such that Crowsnest Forest Products Ltd. was unable to safely access the Trail.

WHEREAS the Parties are not authorized to hinder or interfere with free access to or use of the Trail or the areas immediately adjacent to the Trail;

WHEREAS section 47 of the *Public Lands Act* provides that persons who occupy public land and are not authorized to do so are deemed trespassers and any improvements created by

those persons are the property of the Crown.

WHEREAS section 56(1)(d) of the *Public Lands Act* states that a person who occupies public land and is not the holder of a disposition or an authorization under s.20 authorizing the person to do so and is not otherwise authorized to do so under this Act and the regulations, is guilty of an offence;

WHEREAS section 54.01(3) of the *Public Lands Act* provides:

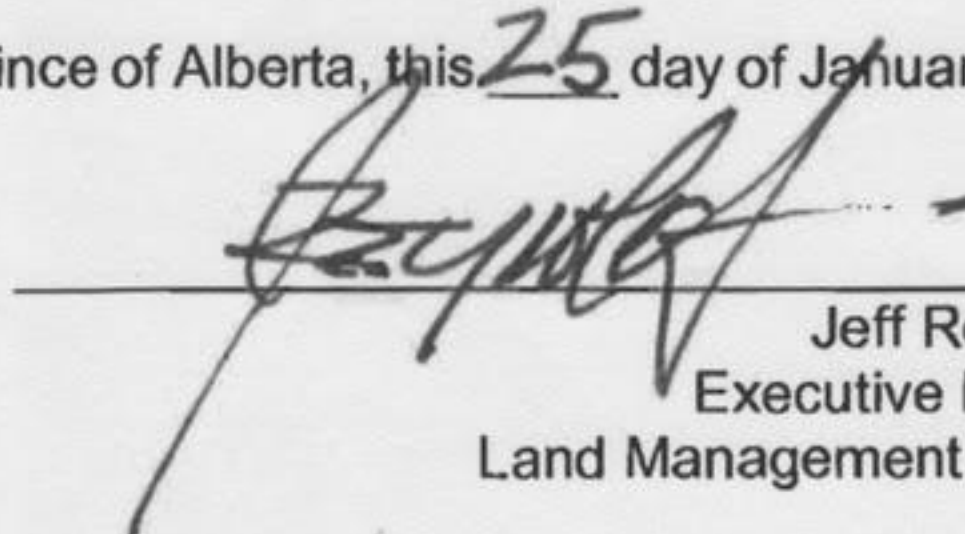
54.01(3) No person shall block, disrupt, hinder, impede, interfere with or otherwise obstruct free access to or passage on and over, or use by any other person of, a highway, road or trail located on public land unless that person is authorized to do so by the director or under this Act or the regulations;

WHEREAS section 56(1)(g) of the *Public Lands Act* states that a person who contravenes s.54.01(3) is guilty of an offence;

THEREFORE, I, Jeff Reynolds, Executive Director, Land Management Branch, Sustainable Resource Development, pursuant to sections 47, 47.1, 54.01(3) and 59.1 of the *Public Lands Act*, HEREBY ORDER THAT:

1. The Parties are deemed pursuant to s.47 of the *Public Lands Act* to be a trespasser(s).
2. The Parties shall immediately vacate the Development Area/Safety Exclusion Buffer as marked on the map in Exhibit "A", which includes but is not limited to, the Trail and the area immediately adjacent to the Trail.
3. The Parties shall immediately remove any and all vehicles and other personal property from the Development Area/Safety Exclusion Buffer as marked on the map in Exhibit "A", which includes but is not limited to, the Trail and the area immediately adjacent to the Trail.
4. The Parties shall not occupy or use any other public lands in the Province of Alberta unless otherwise authorized to do so.
5. The Parties shall not block, disrupt, hinder, impede, interfere with or otherwise obstruct free access to or use of any highway, road or trail located on public land in Alberta unless authorized.

DATED at the City of Edmonton, in the Province of Alberta, this 25 day of January 2012.



Jeff Reynolds
Executive Director
Land Management Branch