



ALBERTA
ENVIRONMENTAL APPEALS BOARD

NOTICE OF APPEAL

Under the *Environmental Protection and Enhancement Act* (Section 91), under the *Water Act* (Section 115), under the *Emissions Management and Climate Resilience Act* (Section 42), and under the *Government Organization Act* (Schedule 5).

This form must be received by the Environmental Appeals Board within stringent time limits after you receive notice of the decision by Alberta Environment and Parks that you are appealing. These time limits are set out in section 91(4) of the *Environmental Protection and Enhancement Act*, section 116(1) of the *Water Act*, section 42(2) of the *Emissions Management and Climate Resilience Act*, and Schedule 5 of the *Government Organization Act*. **Please Note:** Those wishing to file a Notice of Appeal electronically, must also mail, fax or deliver their appeal with a signature to:

Environmental Appeals Board
306, 10011 – 109 Street
Edmonton, Alberta T5J 3S8
Fax: 780-427-4693
Phone: 780-427-6207 (Toll Free: 310-0000)
E-mail Notice of Appeal to: gilbert.vannes@gov.ab.ca
Website: www.eab.gov.ab.ca

You may wish to send your appeal to the Environmental Appeals Board by registered mail or courier, so that you know your appeal was received by the Board within the required time. It is your responsibility to ensure that your Notice of Appeal is received by the Board. If you do not have a copy of the *Environmental Protection and Enhancement Act* (Part 4), the *Water Act* (Part 9), the *Emissions Management and Climate Resilience Act* (section 42), the *Government Organization Act* (Schedule 5), the Environmental Appeal Board Regulation, or the Board's Rules of Practice, the Environmental Appeals Board will provide copies free of charge. Copies are also available for viewing on the Board's website.

TAKE NOTICE THAT

I, **Council of the Summer Village of Ghost Lake** (name)

of **Box 19554 RPO South Cranston Calgary AB T3M 0V4** (address)

Phone: 403-397-2804

Fax

E-Mail: policy@ghostlake.ca

consider myself affected by a decision made pursuant to the *Environmental Protection and Enhancement Act*, the *Water Act*, the *Emissions Management and Climate Resilience Act* or the *Government Organization Act* and hereby appeal to the Environmental Appeals Board.

The information collected on this form is necessary to allow the Environmental Appeals Board to perform its function.

The information is collected under the authority of the *Freedom of Information and Protection of Privacy Act*, section 33(c). Section 33(c) provides that personal information may only be collected if that information relates directly to and is necessary for the processing of your appeal. The information you provide will be considered a public record. If you have concerns with your information being part of the public record or if you have questions about how the Board deals with your information, please contact Gilbert Van Nes, General Counsel, Environmental Appeals Board.

If you are being represented, please supply the following information:

Hassan Saeed (name of person representing you)		
Box 19554 RPO South Cranston Calgary AB T3M 0V4 (address of person representing you)		
Phone: (403) 397-2804	Fax: ()	E-Mail: policy@ghostlake.ca

You must provide all the information requested. If you have any questions, please contact the Board. **The Board is separate and apart from Alberta Environment and Parks and therefore the Board has no information related to any matters until a Notice of Appeal is filed and the Board requests the information from Alberta Environment and Parks.** We do not have your Statement of Concern that you filed with Alberta Environment and Parks, and if you want the Board to consider the matters raised in your Statement of Concern, you should repeat those concerns in this Notice of Appeal.

1.	<p>I am appealing the decision of (name and title of person from Alberta Environment and Parks who made the decision): Craig Knaus, BSc Designated Director under the Act</p> <p>Dated (date of decision): 2022/11/04</p> <p>Issued to (name of company/person): Ian MacGregor / Carraig Ridge Development</p> <p>Location of operation or activity which is the subject of Alberta Environment and Parks' decision (municipality, county, etc.) (a) Production Well ID 1022302(WSW 7711) in NW 09-26-06-W5M (b) Water supply lines and infrastructure associated with the Production Well in SE 09-026-06-W5M, SW 09-026-06-W5M, NW 09-26-06-W5M, SW 16-26-06W5M, NW 16-26-06-W5M, SE 17-026-06-W5M, and NE 17-026-06-W5M.</p> <p>On what date and how did you receive notice of Alberta Environment and Parks' decision? 2022-11-08</p> <p>Please provide any further information you may have regarding the decision you are appealing. The information can be found on the decision or the notice of decision from Alberta Environment and Parks and will assist us in processing your appeal.</p> <p><i>Water Act</i> (file, application, licence, approval, enforcement action, or other numbers): Preliminary Certificate No. 00346962-00-00 File No. 00346962</p> <p><i>Environmental Protection and Enhancement Act</i> (file, application, approval, licence, enforcement action, or other numbers):</p> <p><i>Emissions Management and Climate Resilience Act</i> (file, compliance order, administrative penalty, or other numbers):</p> <p><i>Government Organization Act</i> (file, application, or other numbers):</p>
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2.	<p>Please select one of the following. The Notice of Appeal is submitted under the:</p> <p><i>Environmental Protection and Enhancement Act</i>, section 91</p> <p><i>Water Act</i>, section 115 Yes</p> <p><i>Emissions Management and Climate Resilience Act</i>, section 42</p> <p><i>Government Organization Act</i>, Schedule 5</p>
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Please ensure that you state all of your concerns, objections, and reasons in this Notice of Appeal as you may be prevented from raising them later in your appeal if you do not include them here. Please be specific and attach additional sheets if necessary.

3.	<p>What parts of Alberta Environment and Parks' decision do you not like? (Please refer to the section of the approval, licence, order, etc., issued by Alberta Environment and Parks.)</p> <p>- (References: Conditions, General, 1 – 6) We do not like the fact that the Carraig Ridge is allowed to go ahead with developing the infrastructure to divert water before the appeal process has been</p>
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completed

- **(References: Conditions, General, 3, 5, and 6)** We do not like the fact that there were no formal inspections conducted by a government body, and therefore object to whether this development will comply with what was authorized. We do not like the fact that Carraig Ridge only has to provide a photo of the flow meter gauge, “as-built” plans for the waterworks system and a certificate of completion before being granted a licence to divert water. This process seems inadequate and our concerns are reflected by many residents in our summer village
- **(References: Part 2 General: 2.0, 2.2, Part 3 – all sections, Part 4 – Monitoring and Reporting – all sections)** We believe that there should be regular inspections conducted by an independent agency or a government body. We do not agree with the decision to allow Carraig Ridge to self-monitor the development.

4. (a) What are your concerns with Alberta Environment and Parks' decision?

Upon reviewing AEP's SOC Decision, we believe that the concerns we stated before have not yet been properly addressed. The Council of the Summer Village of Ghost Lake is very concerned with the potential impact caused by AEP's plan to divert the water, and how it will impact the village's groundwater supply.

We feel that although residents of Ghost Lake Village were given a short time to submit their Statements of Concern in response to Carraig Ridge's application to divert water, there should be more time provided to identify the issues clearly and provide a more comprehensive Statement of Concern.

We also feel that our previously outline concerns were not fully addressed before AEP granted a Preliminary Certificate to Carraig Ridge. We observed that even the concerns of AEP hydrogeologist Dr. Wang were not satisfactorily addressed before the Certificate was issued. Between June 2019 and November 2022, Carraig Ridge hired Intrinsic Water Solutions (IWS) to re-interpret the existing well tests, but IWS did not perform the additional tests that Dr. Wang recommended.

We were also notified that several Ghost Lake Village residents who filed a Statement of Concern were missed in receiving notice of AEP's decision and the issuance of the Preliminary Certificate. This issue is concerning to us because we feel that some residents may not get to file an appeal due to the lack of notice.

Several knowledgeable residents of Ghost Lake Village have studied the publicly available documents related to the Carraig Ridge Application, and believe that the information does not show the whole picture, and definitely does not show that diverting water from the WSW 7711 well will not have a negative impact on the groundwater that supplies the wells in Ghost Lake Village.

4. (b) How is Alberta Environment and Park' decision affecting you?

This decision by AEP to divert the water and the issuance of the Preliminary Certificate is very concerning to us because it indicates that our previous Statement of Concern along with those of our residents have not been adequately addressed yet. We have yet to see studies or a report providing evidence that diverting water from the wells will not negatively impact our property owners in Ghost Lake Village, and cause a threat to our groundwater supply.

4. (c) Why do you not like the decision made by Alberta Environment and Parks?

We do not feel that voices of our residents and our Council's concerns were not properly addressed, and will cause significant stress and concern within villagers who feel that their wells may be impacted from AEP's decision. We do not think that sufficient care has been taken to address concerns which we outlined previously, and we are concerned that it will be very difficult to have our voices heard properly.

5. What would you like the Board to do to resolve the specific concerns you have noted above?

The Council of the Summer Village would like to ask the board to extend the appeal process so that all parties who filed a Statement of Concern have received their notice and have adequate time to file a proper appeal.

We would like the Carraig Ridge Developments to provide evidence that the drawdown of WSW 7711 will not, in any way, negatively impact the Arkayla Springs and the domestic water supply of the Summer Village of Ghost Lake.

Furthermore, the Council would like the additional testing (requested previously by Dr. Wang) to be conducted.

We would also like proper aquifer mapping (not the preliminary map from 2017) for the Summer Village of Ghost Lake in order to more completely understand the potential relationship between well 7711 and the

Village

Please feel free to attach copies of any additional documents that may be of assistance to the Board.

Signature:  John M. Walsh, Mayor SVGL

Dated at **Calgary**, Alberta, this **25th** day of **November**, 2022.

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March 2020