

**LAC STE ANNE COUNTY MUNICIPAL BYLAW CHANGES ARE SET FOR FINAL READING AND ADOPTION ON APRIL 8TH, 2010.**

**Motion from March 12th:**

282-10 Mr. Giebelhaus – that Bylaw #4-2009 – Municipal Development Plan proposed  
Bylaw #04-2009 amendments and Bylaw #5-2009 – Land Use Bylaw proposed amendments  
MDP & Bylaw recommendations be accepted for information and further that the noted changes be  
#5-2009 LUB placed on the County website for public review and comments, as well as industry and  
- amendments Sand & Gravel Association review and comments, and further that Bylaw #04-2009  
and 05-2009 be presented to County Council for 2<sup>nd</sup> and 3<sup>rd</sup> reading on April 8<sup>th</sup>, 2010.

**\*Carried unanimously!**

**\* THEREFORE...THIS IS WHAT YOUR ELECTED REPRESENTATIVE HAS AGREED TO ON YOUR BEHALF:**

- IT IS OKAY THAT YOUR LETTERS, INFORMATION, EDUCATED OPINION AND RESPECTFUL REQUESTS WERE NOT TAKEN INTO CONSIDERATION.
- IT IS OKAY THAT HE MADE THESE GRAVEL BYLAW DECISIONS WHILE REFUSING TO DISCUSS GRAVEL ISSUES WITH YOU.
- IT IS OKAY THAT GRAVEL PITS WILL STILL BE ABLE TO EXCAVATE AS CLOSE AS 3 METERS (9.84 FT) FROM YOUR PROPERTY LINE.
- IT IS OKAY THAT, RATHER THAN DEFENDABLE BYLAWS, PAID COUNTY ADMINISTRATIVE STAFF WILL USE THEIR "DISCRETION" TO ADVISE HIM WHAT IS ACCEPTABLE FOR EACH GRAVEL PIT APPLICATION.
- IT IS OKAY THAT YOU WILL NOT BE NOTIFIED OF A GRAVEL PIT APPLICATION ON THE PROPERTY NEXT TO YOU, UNTIL AFTER IT HAS BEEN APPROVED.
- IT IS OKAY TO HAVE LOOSE BYLAWS WHICH SERVE GRAVEL INDUSTRY INTERESTS ; AND STRICT BYLAWS WHICH IMPOSE UPON THE HEALTH, WEALTH AND SAFETY OF RESIDENTIAL LAND OWNERS
- IT IS OKAY THAT THE GRAVEL INDUSTRY HAS PRIORITY OVER YOU AND ANY OTHERS REGARDING LAND USE CHANGES ON YOUR OWN PROPERTY.
- IT IS OKAY THAT THE COUNTY CONDUCTS ITSELF UNDER THE FALSE PRETENCE THAT "THE IMPACT ASSESSMENTS FOR MOST ASPECTS OF A GRAVEL OPERATION ARE GOVERNED BY THE PROVINCE NOT THE COUNTY". (as per Tanya Vanderwell, March 2010) **...PLEASE READ PS AT BOTTOM OF EMAIL...**
- IT IS OKAY THAT THERE WILL BE NO UNIFORM LAND USE BYLAWS THROUGHOUT THE COUNTY SPECIFICALLY IN RESPONSE TO THE SOCIAL/ECONOMIC ISSUES OF ALBERTA'S DRYER CLIMATE AND RAPIDLY DIMINISHING WATER RESOURCES.

**IF YOU ARE WONDERING WHO CAN MAKE A CHANGE IN THIS COUNTY - JUST LOOK IN THE MIRROR**

**YOU CAN PHONE YOUR COUNCILOR AND VOICE YOUR OPINION - ATTEND THE APRIL 8TH COUNCIL MEETING AND OBSERVE YOUR COUNCILOR IN ACTION - DECIDE IF YOUR COUNCILOR IS DOING WELL AT REPRESENTING YOUR INTERESTS.**

**DEMOCRACY ONLY WORKS WHEN THE PEOPLE DO ~ SO PLEASE USE YOUR PERSONAL POWER:**

**PARTICIPATE IN THE OCTOBER 2010 MUNICIPAL ELECTION - START LISTENING AND TALKING ABOUT THE ISSUES - ENCOURAGE AND SUPPORT NEW NOMINEES - - VOTE FOR A CHANGE! ... VOTE FOR GOOD GOVERNANCE!**

***Patricia Fish***

Patricia Fish - Chairperson  
Lac Ste Anne Community Group

*Preserving Life, Lifestyle & Livelihood in Lac Ste Anne County*

**p.s. RE: FALSE PRETENCE THE COUNTY WOULD LIKE YOU BELIEVE:**

It is simply not true that "THE IMPACT ASSESSMENTS FOR MOST ASPECTS OF A GRAVEL OPERATION ARE GOVERNED BY THE PROVINCE NOT THE COUNTY". (as per Tanya Vanderwell, March 2010)

**The opposite is true.**

**"THE IMPACT ASSESSMENTS FOR MOST ASPECTS OF A GRAVEL OPERATION ARE GOVERNED BY THE COUNTY NOT THE PROVINCE".**

**The County recommends, and the Councilors approve:** the **haul route** on the county roads; the **dust** mitigation strategies that must be used; the acceptable **noise** level; the **proximity** to your home and to the rivers, lakes and wetlands; the **days and hours of operations**; the need to determine **the water impact to your residential well**; the **monitoring** and **enforcement** of the mining activities...**Tell me....what "impact" to you does that leave out?**

Alberta Environment accepts gravel pit applications under the Code of Practice for Pits, which has reduced their involvement with gravel extraction to just a "registration procedure" for gravel pits. This Code of Practice DOES NOT govern dust, traffic, haul route, noise, hours, wildlife, landscape impacts for any pits and not even the WATER IMPACT for most pits.

Alberta Environment waits for an approval from the County before registering the pit. The County decides the conditions of the approval. AB Environment rubber stamps gravel pit applications, no questions asked; gross errors and omissions are excused. There is no enforcement. There is no portal for citizen involvement.

## There are PROVINCIAL LAWS which state:

- the County of Lac Ste Anne has complete control over the land and water bodies within its boundaries.

- NO PERSON SHALL do anything that would harm an aquifer\*\* or the watershed capacity of our land...

A Watershed is all the "land" around a river that would be "shedding" its water into that river. County landscapes distribute and purify water through both surface and underground watercourses and soils; and ultimately provide the clean drinking water we draw through our wells, and the flow back into the Sturgeon or Pembina River. (*pretty important, eh?*)

\*\*"Gravel aquifers" are the underground layers of gravel where water is present and/or water can flow. Aquifers are recognized in Federal and Provincial law as "water bodies" the same as lakes and rivers. Aquifers are recognized as public property - which are not owned by anyone.

There appears to be disregard to the water carrying capacities of gravel seams, and the critical role gravel aquifers play in maintaining a healthy ecosystem and the fresh water supply for our rural region. Alberta is in a water crisis. We must insist that Lac Ste Anne County adopt the directives of Alberta's Land Use Framework to ensure clean safe drinking water for our rural wells.

## References:

[Municipal Government Act, section 60](#), water bodies: "Subject to any other enactment, a municipality has the direction, control and management of the rivers, streams, watercourses, lakes and other natural bodies of water within the municipality, including the air space above and the ground below."

[Water Act, Definition](#), "water body" means any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to wetlands and aquifers.

[Environmental Protection and Enhancement Act, Definition](#) "watercourse" means (i) the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water, or (ii) a canal, ditch, reservoir or other artificial surface feature made by humans, whether it contains or conveys water continuously or intermittently.

The Alberta Public Lands Act states; title to beds and shores of all permanent and naturally occurring bodies of water, and all naturally occurring rivers, streams and watercourses and lakes is vested in the Crown in right of Alberta and a grant or certificate of title made or issued before, on or after May 31, 1984 does not convey title to those beds and shores.

A river, stream or watercourse does not cease to be naturally occurring by reason only that its water is diverted by human act.

No person may acquire by prescription an estate or interest in public land or, as against the Crown, in any other land..

It also states; **“No person shall cause, permit or suffer”**

the accumulation of waste material, debris, refuse or garbage on public land;

the creation of any condition on public land which is likely to result in soil erosion;

the existence on any public land of any excavation of any kind that is undesirable;

the existence on public land of any condition which may cause danger by fire to life, property or forest growth;

the doing of any act on public land that may injuriously affect watershed capacity; or

the disturbance of any public land in any manner that results or is likely to result in injury to the bed or shore of any river, stream, watercourse, lake or other body of water or land in the vicinity of that public land.