

May 18, 2023

To: Mayor, council and administration Sturgeon County

Re: Public Hearing Tuesday May 23, 2023

1. Bylaw 1621/23 – Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of **N-28-54-27-W4** from AG Agriculture District to RE – Resources Extraction
2. Bylaw 1622/23 – Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of **N-27-54-27-W4** from AG Agriculture District to RE – Resources Extraction

Proximity to a Residence - Setback

In 1996 the Alberta Government identified in the Environmental Reference Manual for the Review of Subdivisions - Standards and Guidelines Branch, Alberta Environmental Protection, Chapter 5 - Potential Land Use Conflicts - Nearby Developments the Resource Extraction Projects (i.e. gravel pits) within 800 meters - 0.5 mile can have Public Health, Safety or Quality of Life Concerns implies universal truth.

It has been clearly identified that resource extraction activities have the following problems:

- Contamination air, water or soil;
- Nuisance (Dust, foul odor, negative visual impact, noise, traffic);
- Adverse changes to water bodies, water tables and aquifersGroundwater is an essential resource.

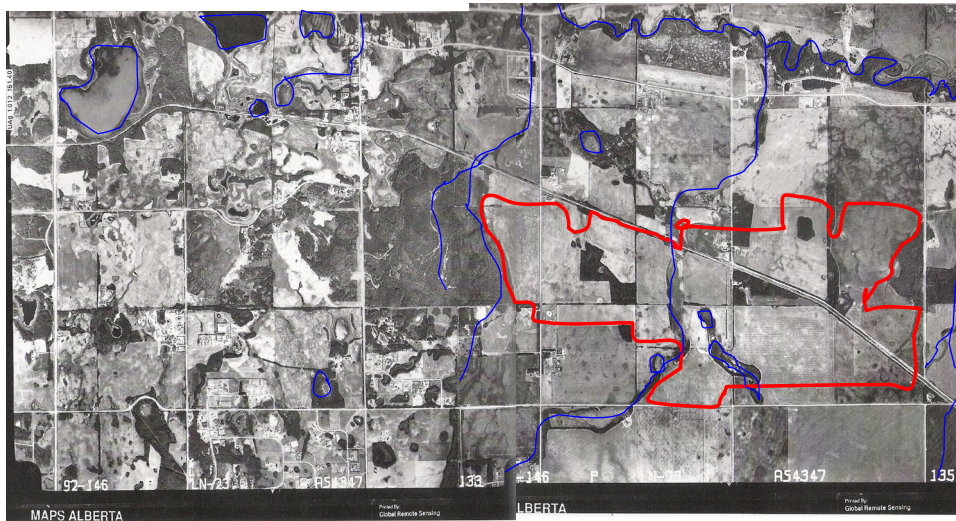
Groundwater aquifers are just as important as rivers, streams, watercourses, lakes and wetlands. All levels of government in Canada must stop ignoring the necessary actions (laws) imperative to protect groundwater.

<https://www.canada.ca/en/environment-climate-change/services/water-overview/sources/groundwater.html>

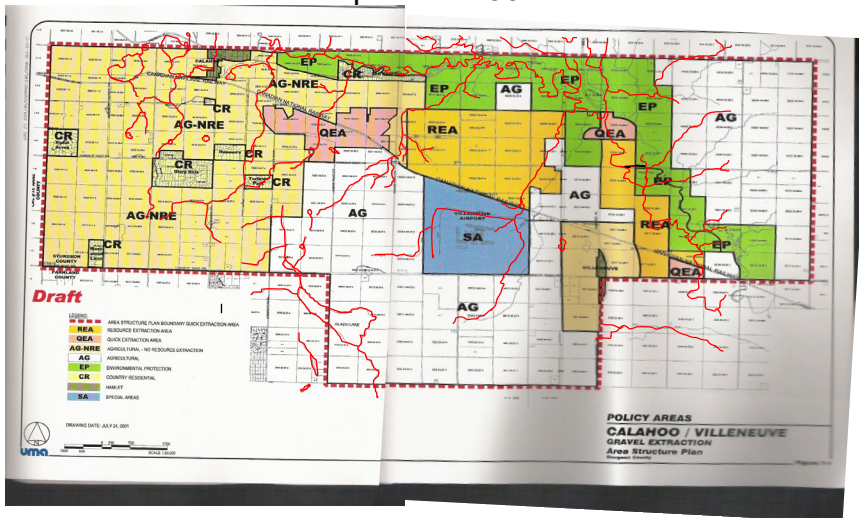
Any setback closer than 800 meters must not be approved.

Mining below the ground water table and or aquifer must not be approved.

“ecocide the unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts”



Calahoo Villeneuve Sand and Gravel Area Structure Plan
Map dated 2001



On the previous page identified in Blue on the top map and RED on the bottom map are the Sturgeon River and its tributaries:

1. How many of these tributaries have Sturgeon County Council approved for strip mining?
2. How much of the area on the bottom map identified as Environmental Protection has been strip mined and/or has been approved by Sturgeon County for strip mining?

Hydrogeological Map - Edmonton (northwest segment)



Identified the above Hydrogeological Map – Edmonton NW segment the black rectangle is the Calahoo Villeneuve ASP area.

Redistrict Land

The applicant has identified that mining would mostly all occur below the water table, within an aquifer with a high AVI.

Why isn't there a requirement for this supposed land use change for strip mining to be reviewed by a registered hydrogeologist and made available to the public prior to any consideration of a land use change?

The Strategic Alignment Checklist for Bylaw 1621/23 – Amendment to Land Use Bylaw 1385/17 – Redistricting of a Portion of N-27-54-27-W4 from AG Agriculture District to RE – Resources Extraction District identifies:

- Thriving Communities - as N/A not applicable;
- Environmental Stewardship - conservation of natural areas and agricultural lands,, enhanced greening and biodiversity, safekeeping ecosystems as Not Consistent; and
- Environmental Stewardship – sustainable development – as N/A not applicable.

Bylaw 1385/17 – Redistricting of a Portion of N-27-54-27-W4 from AG Agriculture District to RE – Resources Extraction

- Thriving Communities - as N/A not applicable;
- Environmental Stewardship - conservation of natural areas and agricultural lands,, enhanced greening and biodiversity, safekeeping ecosystems as Not Consistent;
- Environmental Stewardship – sustainable development – as N/A not applicable; and
- Collaborative Governance – meaningful connection with indigenous communities as N/A not applicable.

The Code of Practice for Pits identifies under the Alberta Water Act aquifers are considered bodies of water and identifies strip mining activities can affect the aquifer, such as hydraulic characteristics and water availability of the groundwater aquifer. Determine if the pit is on a known aquifer, pit registration holders must take extra precautions where activities impact groundwater and/or an aquifer quality and quantity. The Code of Practice for Pits does not apply to public lands and/or public bodies of water and adjacent land.

In the 2008, 2014, and 2019 Alberta Auditor General of Alberta Report for Alberta Environment and Parks (AEP) Management of Sand and Gravel Pits identify:

- reclamation, inspection, enforcement processes and security remain inadequate,
- no enforcement actions taken;
- reclamation inspections inefficient;
- reclamation not actively monitored and/or proven to function naturally; and
- no evaluation of reclamation and a lack of data.

In conclusion, AEP did not implement their own recommendations to improve processes regarding inspecting of sand and gravel strip mines on public land (bodies of water) and to enforce and/or improve reclamation requirements.

Reclamation is unproven and only takes into account the top vegetative layer (approx. 30 cm) and does not include reclamation to similar land capability for hydrology prior to strip mining.

Why hasn't reclamation for the natural functions of the groundwater and/or aquifer been proven by a registered hydrogeologist within the Sturgeon River Watershed?

The process for this land use change implies that it does not integrate environmental protection and/or conservation at the earliest stage of land use planning and development ignores the purpose of the Alberta Municipal Government Act, Water Act and Environmental Protection and Enhancement Act. Discretion should be used to promote the policies and object of the constituting statute. Conversely, discretion must not be used to frustrate or thwart the intent of the Act, or to achieve a purpose not contemplated by the Act. A decision maker must not act on "extraneous, irrelevant and collateral considerations"; it must consider all relevant factors as mandated by the enabling statute to fulfill its statutory duties'.

To not integrate the 'direction, control and management' of public lands and/or public water bodies', pursuant to s. 60 of the Alberta Municipal Government Act and other enactments at the earliest stage of land use planning for Bylaws 1621/23 and 1622/23 implies willful ignorance undermining Alberta's water law designed to ensure our water resources are safe, healthy and well-managed for current and future generations.

Public trust is the principle that natural resources are maintained and preserved for the common good identifies public ownership of the water, surface and ground water, waterbodies. This 'natural capital' must be safeguarded and well managed for current and future generations. The concept of public trust includes the belief; all individuals in society must hold the interests of society above their own.

Sturgeon County council and administration must not allow strip mining activities below the groundwater table that negatively impact public surface and ground bodies of water natural functions of an identified groundwater aquifer that supports the Sturgeon River, its tributaries, agricultural and household users.

The precautionary principle must be applied in these matters

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and should be denied.

Thank you,

Ian and Terri Skinner

From: [Martyn Bell](#)
To: [Rebecca Schapansky](#); [Jonathan Heemsker](#)
Subject: FW: Bylaw
Date: Monday, May 1, 2023 9:11:35 AM
Attachments: [image001.png](#)

FYI

From: Dianne Mason <dmason@sturgeoncounty.ca>
Sent: Friday, April 28, 2023 8:23 PM
To: Martyn Bell <mbell@sturgeoncounty.ca>; Bonnie McInnis <bmcinnis@sturgeoncounty.ca>
Cc: Melodie Steele <msteele@sturgeoncounty.ca>
Subject: FW: Bylaw

Hi,

Here is a written submission we received with regard to Bylaws 1621 and 1622.

Thanks

Dianne Mason

Legislative Officer

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9613 100 Street, Morinville, AB T8R 1L9



From: sabrina talon <perlesab@hotmail.com>
Sent: Friday, April 28, 2023 1:48 PM
To: Legislative Services <legislativeservices@sturgeoncounty.ca>
Subject: Bylaw

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Bylaw 1621/23 and. bylaw 1622/23

Sabrina Talon 10423 97 street Morinville T8R0B8.

Opposed to both proposed bylaw.1621/23 and 1622/23.

AG land should stay AG land .

Agriculture is important, no Agriculture land no food . A lot of Agriculture land around st albert have been replaced by new houses, condo ,townhouse... there's a shortage of food around the planet

,food is getting Alberta can be more self sufficient ,starting by keeping AG land and use those land to produce our food with a sustainable Agriculture, greenhouse and biological culture. Alberta depends on oil and gas ,but you don't feed anyone with oil and gas . Agriculture, this is how you feed people.

I'm from a different country, we grow apple, raspberry, blueberries, strawberry, corn, potatoes, zucchini, beans , lettuce etc, when there was the lettuce shortages last winter, they were able to get lettuce from a local farm. Alberta can do way more and that starts by keeping AG land.

Thank you.

Sabrina Talon

Obtenir [Outlook pour Android](#)