

To: All First Nation Applicants
From: J. Gilmour, Chair, LARP Review Panel
Re: Information Request No. 14
Date: January 12, 2015

RE: LEGAL MEANING - "QUIET ENJOYMENT OF PROPERTY"

In accordance with Rule 28 of the *Rules of Practice for Conducting Reviews of Regional Plans*, the Lower Athabasca Regional Plan (LARP) Review Panel is seeking clarifying information related to the LARP which came into effect September 1, 2012.

Section 36 of the ALSA Rules requires that the Panel provide advice on whether "... the applicant is directly and adversely affected ... by a specific provision or provisions in a regional plan." Paragraph 5(1)(c) of the ALSR defines "directly and adversely affected". That definition includes reference to "quiet enjoyment of property" as one of the protected matters which should be no more than minimally harmed by a regional plan.

The Review Panel has received evidence and written argument from several Applicants that suggest that "quiet enjoyment" of Traditional Land Use (TLU) areas will be adversely affected by the LARP.

In order to fully and satisfactorily understand these submissions, Review Panel requests that interested First Nations Applicants submit a legal brief by setting out their views on the relationship between "quiet enjoyment of property" and the alleged effects of LARP on TLU areas.

The Review Panel encourages Counsel for Alberta to respond to any submissions received in accordance with Rule 32.

Requested Dates for delivery to the LARP Review Panel: January 23, 2015, for the information and use by the Review Panel.

In accordance with Rule 32 of the *Rules of Practice for Conducting Reviews of Regional Plans* should the Government of Alberta wish to respond to this Information Request, they are asked to do so by January 30, 2015.

cc: GOA