

2020 Bill 31

Second Session, 30th Legislature, 69 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 31

ENVIRONMENTAL PROTECTION STATUTES AMENDMENT ACT, 2020

THE MINISTER OF ENVIRONMENT AND PARKS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 31

2020

ENVIRONMENTAL PROTECTION STATUTES AMENDMENT ACT, 2020

(Assented to _____, 2020)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Environmental Protection and Enhancement Act

Amends RSA 2000 cE-12

**1(1) The *Environmental Protection and Enhancement Act* is
amended by this section.**

(2) Section 1 is amended

(a) by repealing clause (II) and substituting the following:

- (II) “minerals” means all naturally occurring minerals, including, without limitation, gold, silver, uranium, platinum, pitchblende, radium, precious stones, copper, iron, tin, zinc, asbestos, salts, sulphur, petroleum, oil, asphalt, bituminous sands, oil sands, natural gas, coal, anhydrite, barite, bauxite, bentonite, diatomite, dolomite, epsomite, granite, gypsum, limestone, marble, mica, mirabilite, potash, quartz rock, rock phosphate, sandstone, serpentine, shale, slate, talc, thenardite, trona, volcanic ash, sand, gravel, clay and marl, but does not include

Explanatory Notes

Environmental Protection and Enhancement Act

1(1) Amends chapter E-12 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

1 In this Act,

(ll) *“minerals” means all naturally occurring minerals, including, without limitation, gold, silver, uranium, platinum, pitchblende, radium, precious stones, copper, iron, tin, zinc, asbestos, salts, sulphur, petroleum, oil, asphalt, bituminous sands, oil sands, natural gas, coal, anhydrite, barite, bauxite, bentonite, diatomite, dolomite, epsomite, granite, gypsum, limestone, marble, mica, mirabilite, potash, quartz rock, rock phosphate, sandstone, serpentine, shale, slate, talc, thenardite, trona and volcanic ash;*

(xx) *“pit” means any opening in, excavation in or working of the surface or subsurface made for the purpose of removing sand, gravel, clay or marl and includes any associated infrastructure, but does not include a mine or quarry;*

- (i) sand and gravel that belong to the owner of the surface of land under section 58 of the *Law of Property Act*, or
- (ii) clay and marl that belong to the owner of the surface of land under section 57 of the *Law of Property Act*;

(b) by repealing clause (xx) and substituting the following:

- (xx) “pit” means an operation on or excavation from the surface of the land, including by stripping off the overburden, for the purposes of removing, opening up or proving sand, gravel, clay or marl, and includes any associated infrastructure, but does not include a mine or a quarry;

Public Lands Act

Amends RSA 2000 cP-40

2(1) The *Public Lands Act* is amended by this section.

(2) Section 52(1) is amended by striking out “silica sand,”.

(3) Section 82(1)(a) is amended by striking out “silica sand,” wherever it occurs.

Public Lands Act

2(1) Amends chapter P-40 of the Revised Statutes of Alberta 2000.

(2) Section 52(1) presently reads:

52(1) When an officer believes on reasonable grounds that any clay, marl, sand, gravel, silica sand, topsoil or peat has been removed unlawfully from public land, the officer may seize it and any vehicle, tools or equipment used to remove or transport it.

(3) Section 82(1) presently reads in part:

82(1) Sixty days after the date on which the director mails a notice in writing to the last known address of the lessee, the director may cancel a lease or withdraw any part of the land contained in a lease

(a) when, except in the case of a lease conveying rights to sand, silica sand, topsoil, peat, gravel, clay or marl, the director is satisfied that the land contained in the lease or to be withdrawn from it contains sand, silica sand, topsoil, peat, gravel, clay or marl in commercial quantities,

