

Dec 24, 1991

Legal questions delay Buffalo Lake review

By **ANDREA MAYNARD**
of The Advocate

Legal questions are helping delay the federal review of the Buffalo Lake water stabilization plan.

The Department of Fisheries and Oceans has already spent six months judging whether the \$13-million plan to raise the level of the lake needs a full environmental assessment.

It is unusual for the process to take so long and no one knows how much longer it could last, said Jeff Stein, director of the resource impact section of Fisheries and Oceans.

"We're looking at it from a legal perspective now. There are some problems with it," he said.

What jurisdiction the federal government has over provincial projects is one legal issue, Mr. Stein acknowledged.

The Alberta government took

the federal government to the Supreme Court of Canada to challenge the federal environmental review process in the Oldman River Dam case.

The case was heard on Feb. 19 and 20. No decision has been released.

Alberta Environment spokesman Lee Funke says the project is continuing despite the federal screening.

About 20 km of channels have been dug in Parlbay Creek to carry water from the Red Deer River to the lake.

Mr. Funke said the province is supplying the federal government with requested information.

The final phase of the project still requires provincial licences under the Water Resources Act.

The stabilization plan will raise the level of Buffalo Lake in Premier Don Getty's riding by about half a metre.