

September 11, 2014

Mr. Robert Brochu  
Reeve and ASB Chairman  
M.D. of Smoky River  
Falher, AB T0H 1M0

Dear Mr. Brochu:

Thank you for your August 14, 2014, letter regarding third-party access to Alberta Justice's legal opinions, and CN's access policies. I appreciate the opportunity to respond to your comments.

An Agriculture and Rural Development (ARD) request for legal opinion from Alberta Justice is analogous to a private citizen retaining the services of a lawyer, in that the opinion is confidential under the client relationship that is created. I would encourage municipal authorities seeking clarity on issues relating to the Alberta *Weed Control Act* (WCA) and how it is interpreted in specific cases to also seek legal advice.

Regardless, legal opinions are considered along with all available research and input when ARD provides guidance to delegated authorities on issues related to enforcement policies and processes. With respect to access onto CN property, municipalities are required to follow guidelines set by the railway companies, mainly due to safety issues. As mentioned in my August 1, 2014 letter, CN has demonstrated a willingness to discuss specific weed issues. It would be beneficial if Agricultural Fieldmen would document specific cases where weed control along rail lines is an issue that can be addressed. ARD is willing to meet with the railway companies and Agricultural Fieldmen to assist in resolving these issues.

I appreciate the continued support municipalities provide to enforce the WCA, and to keep weeds from spreading in the province.

Sincerely,



Jason Krips  
Deputy Minister

cc:  Norm Boulet, Agricultural Fieldman, M.D. of Smoky River  
 David Feindel, Director, Agriculture and Rural Development