



MEG Energy Corp.

Determination of Standing of the
Métis Nation of Alberta Local No. 1935 and the
Métis Nation of Alberta Region One

Christina Lake Regional Project

September 16, 2008

ENERGY RESOURCES CONSERVATION BOARD

Decision 2008-086: MEG Energy Corp., Determination of Standing of the Métis Nation of Alberta
Local 1935 and Métis Nation of Alberta Region One, Christina Lake Regional Project

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ENERGY RESOURCES CONSERVATION BOARD

Calgary Alberta

**MEG ENERGY CORP.
DETERMINATION OF STANDING OF THE
MÉTIS NATION OF ALBERTA LOCAL
NO. 1935 AND THE MÉTIS NATION OF
ALBERTA REGION ONE
CHRISTINA LAKE REGIONAL PROJECT**

**Decision 2008-086
Applications No. 1520026 and 1521272**

1 DECISION

Having noted the receipt of confirmation of nonobjection from the intervening parties, the Energy Resources Conservation Board (ERCB/Board) has cancelled a hearing to determine whether the Métis Nation of Alberta Local No. 1935 and the Métis Nation of Alberta Region One have standing, pursuant to Section 26 of the *Energy Resources Conservation Act (ERCA)*, to intervene in the Applications No. 1520026 and 1521272 from MEG Energy Corp.

2 INTRODUCTION

2.1 Application

MEG Energy Corp. submitted Application No. 1520026, pursuant to Section 13 of the *Oil Sands Conservation Act*, to increase the bitumen production capacity from 4000 cubic metres per day (m^3/d) (25 000 barrels per day [bpd]) to 9540 m^3/d (60 000 bpd) for the combined Christina Lake Regional Project (CLRP) Phase 1 and Phase 2 facilities.

MEG Energy Corp. submitted Application No. 1521272, under Section 15.212 of the regulations under the *Oil and Gas Conservation Act*, to construct and operate an oilfield waste management storage facility located in the southeast quarter of Section 16-77-5-W4M within the footprint of the CLRP.

2.2 Interventions

The Métis Nation of Alberta Local No. 1935 (Métis Local 1935) objected to the applications for the proposed energy developments based on general concerns regarding their impact on its members' traditional and historical land use, including Métis hunting and fishing rights.

The Métis Nation of Alberta Region One (Métis Region One) objected to Application No. 1520026 based on consultation concerns, environmental concerns, and the socioeconomic impacts of the CLRP on the aboriginal rights of its members.

2.3 Hearing

The Board was scheduled to hold a public hearing in Lac La Biche, Alberta, on September 30, 2008, before Board Member M. J. Bruni, Q.C. (Presiding Member), Board Member J. D. E. Ebbels, LL.B., and Acting Board Member J. G. Gilmour, LL.B.

The Board, under Section 26(2) of the *ERCA*, was to consider whether Métis Local 1935 and Métis Region One were “persons” recognized in law as persons who have rights that may be directly and adversely affected by the Board’s decision on the applications.

3 DISCUSSION

By letter dated August 7, 2008, Métis Local 1935 advised the ERCB, through Board Counsel, that it was withdrawing its objection to the applications.

The Board received correspondence from Métis Region One dated August 28, 2008, advising that it was withdrawing its objection to the applications.

Dated in Calgary, Alberta, on September 16, 2008.

ENERGY RESOURCES CONSERVATION BOARD

M. J. Bruni, Q.C.
Presiding Member

J. D. E. Ebbels, LL.B.
Board Member

J. G. Gilmour, LL.B.
Acting Board Member