

November 20, 2020

By Email Only

Wade and Terrie Barkshire

Statement of Concern No. 31737
Ember Resources Inc.
Application No. 1806826
Location: 05-28-038-23W4M

Dear Wade and Terrie Barkshire:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1806862. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the application, and all applicable requirements and other submissions or information about the application. The AER has decided that a hearing is not required to consider the concerns outlined in your SOC.

In our review of your concerns, we considered the following:

- A Detailed Site Assessment (DSA) was conducted on: July 31, 2018 for the landscape and soil; and on August 27, 2018 and July 24, 2019 for the vegetation. The DSA showed that the conditions of the vegetation, landscape and soil were comparable both onsite and offsite. The DSA indicated that all parameters of the *2010 Reclamation criteria for Wellsites and Associated Facilities for Cultivated Lands (Reclamation Criteria)* were met.
- A site visit was conducted on June 10, 2020 and August 11, 2020 wherein AER staff determined that the vegetation, soils and landscape were comparable on and off site. Regarding your concerns around toadflax, AER staff found no proof the toadflax originated on-site.
- Regarding your concerns around communication, Ember Resources Inc. (Ember) has met the requirements set out in *Bulletin 2018-17: Changes to the Reclamation Application Presubmission Requirements*. In addition, Terrene Environmental Consulting Ltd., on behalf of Ember, provided sufficient information detaining the record of communication as noted in correspondence dated April 22, 2020.
- Regarding your concerns around removal of the fence line around the lease, Ember agreed to remove the fence when field conditions allow, as noted in correspondence dated April 22, 2020. Furthermore, on June 10, 2020, AER staff observed the south and west sides of the fence had

been removed. As it appears the remaining portion of the fence is part of landowner operations, this concern has been adequately addressed.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the application. The AER has issued the applied-for Reclamation Certificate and this is your notice of that decision. A copy of the Reclamation Certificate is attached.

All AER-regulated parties must comply not only with the conditions of their authorizations, but with all of the AER's regulatory requirements. To ensure industry compliance the AER has developed its *Integrated Compliance Assurance Framework*, which embodies the three main components of all effective compliance assurance programs, those being education, prevention, and enforcement. You can find out more about how the AER verifies industry compliance and responds to noncompliance here: <https://aer.ca/regulating-development/compliance/compliance-assurance-program>.

You may file a regulatory appeal on the AER's decision to issue the Reclamation Certificate if you meet the criteria within section 36 of the *Responsible Energy Development Act*. Filing instructions and forms are located here: <https://www.aer.ca/regulating-development/project-application/regulatory-appeal-process>.

If you have any questions please contact SOC@aer.ca.

Sincerely,

<Original Signed>

Andrew MacPherson
Director, In Situ
Regulator Applications
/as

Attachment (1): Reclamation Certificate

cc: Terry Yanke, Ember Resources Inc.
SOC Inbox, AER
Drew Lockwood, Reclamation Assessor, AER
Red Deer Field Centre, AER