

BY E-MAIL ONLY

October 5, 2015

Priscilla Kennedy
DLA Piper (Canada) LLP

**APPLICATIONS NO. 1834657 AND 1834661 FROM BRION ENERGY
CORPORATION**

STATEMENT OF CONCERN NO. 29889

Dear Priscilla Kennedy:

You are receiving this letter because you filed a statement of concern on behalf of Gary Pliska about Applications No. 1834657 and 1834661. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the applications, the applicable requirements, and other submissions or information about the applications and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in your statement of concern.

In its review of Mr. Pliska's concerns, the AER considered the following:

- Mr. Pliska is the registered disposition holder of trap line Registered Fur Management Agreement (RFMA) 2676; however, this does not provide him with exclusive use of these lands.
- Mr. Pliska's cabin is located about 15 km east of the proposed wells. No information has been provided demonstrating how the cabin or Mr. Pliska's use of the cabin may be directly and adversely affected by these applications
- Environmental impacts from these applications will be minimal. Brion intends to construct during frozen conditions which will minimize environmental impacts. Additionally, Brion stated that it will not be disturbing soils during construction which will preserve marsh lands.
- While Mr. Pliska asserts some habitat of some species will be lost, no information is provided demonstrating that the project will cause the abundance and distribution of

fur-bearing animals to change in a way that might directly and adversely affect Mr. Pliska and his use of the RFMA. The fact the project is partially located on the same lands as the RFMA is by itself insufficient to demonstrate possible direct and adverse harm to Mr. Pliska.

- Mr. Pliska has not demonstrated that he may be directly and adversely impacted by the Applications.
- Concerns regarding other projects and cumulative effects from those are beyond the scope of this application and relate to broader government policy matters dealt with by instruments such as the *Alberta Land Stewardship Act*.
- The Trappers Compensation Board is the appropriate venue for Mr. Pliska to request compensation due to losses related to industrial activity in this area.

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

The AER has issued the applied-for licences and this is your notice of that decision. Copies of the licences are attached. Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Energy Development Act General Regulation*. If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website www.aer.ca under Applications & Notices: Appeals.

If you have any questions, contact Rachel Ruddell at _____ or e-mail _____.

Sincerely,

<original signed by>

Shelley Youens

Director, Infrastructure Authorizations (Oil and Gas)

Enclosure 2: well licences

cc: Devin Newman, Brion Energy Corporation
Authorizations Branch Support
AER Bonnyville Field Centre