

February 8, 2016

**APPLICATION No. 1842480 from BENGA MINING LTD.  
DEEP DRILL PERMIT in the GRASSY MOUNTAIN AREA  
STATEMENT OF CONCERN NO. 30083**

Dear Fran Gilmar:

You are receiving this letter because you filed a statement of concern about Application No. 1842480. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the application, the applicable requirements, and other submissions or information about the application 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 your concerns, the AER considered the following:

- Your concerns regarding environment and water impacts are addressed by regulatory requirements, including the Code of Practice for Exploration Operations, or Benga's proposed mitigations.
- Your concerns regarding private easement access and liability fall outside the scope of the AER's jurisdiction.
- You have not demonstrated that you may be directly and adversely impacted by approval of the Application.

The AER has issued the applied-for approval and this is your notice of that decision. A copy of the approval is 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](http://www.aer.ca) under Applications & Notices: Appeals.

If you have any questions, contact Nadia Haider at 403-297-6844 or e-mail [nadia.haider@aer.ca](mailto:nadia.haider@aer.ca).

Sincerely,

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

Richard Chabaylo  
Director, Mining Authorizations