

BY E-MAIL ONLY

September 28, 2016

Stefanie Clarke

**APPLICATIONS No. 1858838, 1858843, 1858844, 1858845, 1859621, 1859622, 1861781, 1861783, 1862566, PLA160274, AND PLA160331 from Blackbird Energy Inc.**

**STATEMENTS OF CONCERN NO. 30297 and 30298**

Dear Stefanie Clarke:

You are receiving this letter because you filed a statement of concern about the subject Applications. Please note that your statement of concern has been considered in relation to the entire project, which includes a battery, eight pipeline and two land use applications. The Alberta Energy Regulator (AER) has reviewed your statements 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 your concerns, the AER considered the following:

- You live about 4 kilometers (km) from the proposed battery.
- You own land located outside the Emergency Planning Zone for the proposed project.
- Concerns regarding traffic and road use are outside the AER's jurisdiction and should be directed to the MD of Greenview.
- With regards to concerns about flaring, the AER notes that Blackbird has not applied to continuously flare at the proposed battery and Blackbird is required to meet *Directive 060: Upstream Petroleum Industry Flaring, Incinerating, and Venting* requirements.

- A review of Blackbird's Noise Impact Assessment confirmed that it will meet all *Directive 038: Noise Control* requirements.
- You raised concerns with the proposed battery being located within a designated conservation area. The AER notes that Blackbird holds a valid mineral surface lease for the location of the proposed facility and has minimized surface disturbance by choosing existing disturbances for placement of its project.
- You have not demonstrated that you may be directly and adversely affected by a decision on the applications.

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

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

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

Sincerely,

<original signed by>

S. Youens

Director, Infrastructure Authorizations

<original signed by>

E. Grilo

Director, Land Use Authorizations

Enclosure (11): 1 facility licence  
8 pipeline licences  
2 land use approvals

cc: Josh Wylie, Blackbird Energy Inc.  
Authorizations Branch Support  
AER Grande Prairie Field Centre