

BY EMAIL ONLY

August 13, 2019

Meghan Dalrymple

Athabasca Chipewyan First Nation (ACFN) Industry Relations Corporation (IRC)

SYNCRUDE CANADA LTD. (SYNCRUDE)

APPLICATIONS NO. 1905189, 0045-00000026, 011-00251073, 011-00048398, MSL973220

STATEMENT OF CONCERN NO. 31227

Dear Meghan Dalrymple:

You are receiving this letter because you filed a statement of concern about Applications No. 1905189, 0045-00000026, 011-00251073, 011-00048398, and MSL973220. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the company's application, and all applicable requirements and other submissions or information about the applications. The AER has decided that a hearing is not required to consider the concerns outlined in your statement of concern.

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

- ACFN's concerns regarding the location of the project being in a proximate use zone, and traditional land use site does not provide sufficient detail on how the applications may directly and adversely affect the members of ACFN.
- In regards to ACFN's concerns around wildlife, Syncrude has committed to perform a wildlife sweep of the immediate area, plus a 100 metre buffer, prior to entry and construction. Furthermore, Syncrude has a wildlife mitigation plan, to mitigate for wildlife during construction and operation.
- The Area 2 footprint is not located inside or adjacent to the Caribou Range as mapped by Alberta Environment and Parks.
- In regards to ACFN's concerns around inadequate consultation, the AER has no jurisdiction to assess the adequacy of Crown consultation associated with the rights of aboriginal peoples;

the Aboriginal Consultation Office (ACO) determines if consultation is required and adequate.

- ACFN's concerns have been address by Syncrude to the satisfaction of the AER.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the applications. The AER has issued the applied-for approvals and licences and this is your notice of that decision. A copy of the approvals and licences are 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 request for regulatory appeal on the AER's decision to issue the approvals and licences if you meet the criteria within section 36 of the *Responsible Energy Development Act*. Filing instructions and forms are on our website under Regulatory Appeal Process.

If you have any questions, contact Megan Carfantan at Megan.Carfantan@aer.ca.

Sincerely,

<Original signed by>

Lane Peterson

Director, Oil and Gas Surface

Enclosure (5): **Licences/Approvals**

cc: Sylvia Skinner, Syncrude Canada Ltd.
AER SOC Assessor
AER Edmonton Field Centre
AER Indigenous Relations
Aboriginal Consultation Office