

February 6, 2023

[www.aer.ca](http://www.aer.ca)

By Email Only

Deb Farstad and Janet Duffy

**Statement of Concern No. 32158  
Clear North Energy Corp. (CNE)  
Application No. 1941400**

Dear Deb Farstad and Janet Duffy:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1941400. 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:

- The AER acknowledges the concerns regarding trucking operations, road use and traffic; however, they are outside of the AER's jurisdiction and should be directed and addressed by the appropriate Provincial or Municipal authority (Alberta Transportation or County).
- Furthermore, CNE will comply with all applicable regulations for road use on the road allowance used to access the proposed facility. CNE also commits to performing maintenance and repairs required because of CNE use of the access road.
- The AER acknowledges the concerns related to future development and the impacts on your mental health; however, you have not provided the AER with sufficient information detailing how this Application will contribute to these concerns and the extent to which you may be impacted. In addition, these concerns are based on future activities, which are beyond the scope of the current application. CNE is required to submit additional applications under *Directive 056: Energy Development Applications and Schedules* to get authorization for further infrastructure development. You will have the opportunity to submit a statement of concern at the time of any future applications.

- The AER acknowledges the concerns regarding noise. This concern is general in nature, and there is insufficient information to determine that you would be negatively affected by the proposed project. CNE relocated the pad site from its originally proposed location to be 0.475 km away from your residence to address the concerns. CNE is required to follow section 1.2.4 of AER Noise Control Directive 038 (D038) and incorporate best practices to mitigate noise and the impact it may have on the surrounding area or dwellings. The application meets the AER D038 requirements.
- The AER acknowledges the concerns regarding property value. This concern is outside the AER's jurisdiction and should be addressed by the Land and Property Rights Tribunal.
- The AER acknowledges the concerns regarding the impact on wildlife. CNE will complete a pre-construction wildlife sweep to identify any sensitive wildlife species or features that may be impacted by project construction and, if required, appropriate mitigation measures would be developed with the assistance of a qualified biologist.
- The objections raised in the statement of concern have been addressed to AER's satisfaction.

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 licence and this is your notice of that decision. A copy of the licence is enclosed.

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 licence 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](mailto:SOC@aer.ca).

Sincerely,

<Original Signed By>

Lane Peterson  
Director, Oil & Gas Surface  
Regulatory Applications

/bg

Attachment (1): Licence

cc: Melissa Sandbeck, Clear North Energy Corp.

Kael Bunda, AER

SOC Inbox, AER

Field Ops East, AER