

September 9, 2021

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By Email Only

Erik Compton, on behalf of Ronald and Diane Nordhagen  
KMSC Law LLP**Statement of Concern No. 31960**  
**Canadian Natural Resources Limited (CNRL)**  
**Application No. 30785542**  
**Location: 08-14-075-10W6M**

Dear Sir:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 30785542. 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:

- A Detailed Site Assessment (DSA) was conducted on September 02, 2020, which showed that the conditions of the vegetation, landscape and soil were comparable both onsite and offsite. The DSA indicated that all parameters of the *2010 Reclamation criteria for Wellsites and Cultivated Lands* (Reclamation Criteria) were met.
- A site visit was conducted by AER the reclamation assessor on July 20, 2021, wherein AER staff determined that the soils and landscape was comparable on and off site.
- Regarding your concerns around notification, CNRL must abide by *Specified Enactment Direction 002: Application Submission Requirements and Guidance for Reclamation Certificates for Well Sites and Associated Facilities* in addition to *Bulletin 2018-17: Change to the Reclamation Application Presubmission Requirements*. The AER is satisfied CNRL has met the notification requirements as per the above requirements.

- The AER acknowledges your concerns around crop yield and notes that the vegetation both on and offsite are comparable. It should be noted that yield data cannot be relied upon, as the reclamation criteria does not include these measurements when determining whether satisfactory reclamation has been achieved.
- The reclamation criteria require an evaluation of whether “a site has met equivalent land capability.” Given the findings made in the DSA and during the AER staff site visit, the AER is satisfied that the site has met equivalent land capability and that your concerns have been addressed.
- Your concerns related to salinity and road use have been addressed as per the correspondence from KMSC Law LLP on June 30, 2021, in which it states that you are accepting of the confirmation that the salinity issues were inherent in the soil and not due to contamination as well as, the explanation and depth of gravel on the approach and over the culverts.

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 reclamation certificate, and this is your notice of that decision. A copy of the reclamation certificate is 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 regulatory appeal on the AER’s decision to issue the reclamation certificate 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>

Andrew MacPherson  
Director, In Situ  
Regulatory Applications  
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Attachment (1): Reclamation Certificate

cc: Clayton Dubyk, CNRL  
Ronald and Diane Nordhagen  
Madalyn McClelland, NorthWind Land Resources Inc.  
SOC Inbox, AER  
Drew Lockwood, Reclamation Assessor, AER  
Field Operations Northwest, AER