

September 9, 2021

www.aer.ca

By Email Only

Melvin Derksen

Statement of Concern No. 31814
Canadian Natural Resources Limited (CNRL)
Application No. 30786716
Location: 09-05-082-10W6M

Dear Sir:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 30786716. 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 August 28, 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 reclamation assessor on July 20, 2021, wherein AER staff determined that the soils and landscape was comparable on and off site.
- 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 AER acknowledges your concerns around soil erosion and drainage, however evidence of such was not present within the DSA or during the site visit by AER staff.

- 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.

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.

Sincerely,

<Original Signed by>

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

cc: Clayton Dubyk, CNRL
Leah Timmons, NorthWind Land Resources Inc.
SOC Inbox, AER
Drew Lockwood, Reclamation Assessor, AER
Field Operations Northwest, AER