

February 9, 2024

By Mail

Garth George
Aviator Farms Ltd.
Box 153
Marwayne AB, T0B 2X0

Statement of Concern No. 32155
Cenovus Energy Inc.
Application No. 31984946
Land Location: 09-15-052-02W4M

Dear Garth George:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 31984946. 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 3, 2022, for the vegetation, landscape and soil. The DSA 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 Associated Facilities for Cultivated Lands (Reclamation Criteria) were met.
- A site visit was conducted on August 22, 2023, with Mr. George and Mr. Plandowski in attendance, wherein AER staff determined that the vegetation, landscape, and soil were comparable on and off site. In addition, AER staff confirmed that concerns regarding soil stability and a soft spot are related to a different site and are outside the scope of this application.
- The Reclamation Criteria requires 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 the filers 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
Regulator Applications
/as

Attachment (1): Reclamation Certificate

cc: Stephanie Lindsay, Cenovus Energy Inc.
Tricia Newport, Agri-Energy Partners Ltd.
SOC Inbox, AER
Drew Lockwood, AER Reclamation Assessor
Field Operations East, AER