

June 19, 2024

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By Email Only

Charlotte Collington
Fort McKay Métis Nation (FMMN)**Statement of Concern No. 32455**
Wolf NGL Inc. (Wolf)
Applications No. *Public Lands Act* (PLA) 32557349, 32557465, 32554632,
***Water Act* (WA) 32554220**
FNC202252791

Dear Charlotte Collington:

You are receiving this letter because you filed a statement of concern (SOC) about Applications No. 32557349, 32557465, 32554632 and 32554220. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the applications, 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 SOC.

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

- FMMN states that the proposed applications are located within FMMN's traditional territory and, if approved, will impact FMMN members' ability to exercise their Aboriginal rights and traditional land use activities, including hunting, gathering, trapping, and fishing in the proposed area. However, the SOC does not, without further factual connection, establish that FMMN may be directly and adversely impacted by the applications. Additional information is required to establish a sufficient degree of location or connection between the amendment applications and the potential interference or impacts on the rights asserted.
- Regarding FMMN's concerns about geotechnical stability; water retention; ecological health; environmental impacts; aquatic health; vegetation; access to its cabin and access trail; air quality; noise; and dust. However, the information provided is general in nature and lacks sufficient detail on how the proposed applications may directly affect FMMN.

- Regarding 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 when consultation is required and adequate. Additionally, the ACO issued an Adequacy Decision on FNC202252791-001 on January 19, 2024, and deemed consultation adequate.
- The AER acknowledges FMMN's concerns regarding potential pipeline leaks or ruptures. However, these concerns are general and appear operational in nature. You may contact the AER Energy and Environmental Emergency 24-Hour Response Line 1-800-222-6514 to file any operational complaints. Wolf is required to address all complaints if any arise.

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 this is your notice of that decision. A copy of the approvals 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 approvals 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>

Lane Peterson
Director, Oil & Gas Surface
Regulatory Applications
/ma

Attachments (4): Approvals

cc: Jamie Peters, Wolf NGL Inc.
David Moores, AER
Sharda De Boer, AER
SOC Inbox, AER
Field Operations East, AER
Public Lands Regional Office, AER
Environmental Protection & Enhancement and Water, AER
Aboriginal Consultation Office – FNC202252791