

September 25, 2020

By Email Only

Alex Beatty
Alberta Chapter of the Wildlife Society (ACWS)

Statement of Concern No. 31759
Cabin Ridge Project Limited
Application No. A10104523 (CEP 200001)

Dear Alex Beatty:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. A10104523 (CEP 200001). 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 CEP impacts are localized and temporary in nature. The letter of authority is issued for a five (5) year term; two (2) years for operations and three (3) years for reclamation.
- The CEP application is for exploration purposes only. Should Cabin Ridge Project Limited (Cabin Ridge) wish to proceed with mine development, it will need to submit a separate coal program application to the AER at a later date.
- With respect to your concerns about wildlife, Cabin Ridge will be required to adhere to all wildlife conditions and timing restrictions imposed in the Mountain Goat and Bighorn Sheep Zone, the Grizzly Bear Zone and the Key Wildlife Biodiversity Zones.
- With respect to concerns regarding impacts to water, the proposed core hole locations will have a buffer zone of undisturbed vegetation between any proposed activity and any watercourse or waterbody in accordance with standard conditions that apply to Coal Exploration Programs. Cabin Ridge has indicated that it recognizes the sensitivity of the Oldman Watershed and will not be utilizing this watershed to

conduct its operations; water will be hauled to the location specifically for the program.

- Your concerns regarding cumulative effects of land use and the Livingstone-Porcupine Hills Land Footprint Management Plan should be addressed to Alberta Environment and Parks (AEP). Cabin Ridge is required to follow all requirements set out in this management plan.
- The concerns you expressed are general and not supported by any evidence.

Based on the above, the AER has concluded you have not demonstrated that the members of ACWS may be directly and adversely affected by a decision on this application and it is not necessary to hold a hearing before making a decision on the application. The AER has issued the applied-for approval and this is your notice of that decision. A copy of the approval 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 approval 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>

Steve Van Lingen
Director, Oil Sand Mining and Coal
Regulatory Applications
/yc

Enclosure (1): Approval

cc: Darren Weaver, Cabin Ridge Project Limited
Chade Salame, Dahrogue Geological Consulting Ltd.
Jennifer Filax, AER
SOC Inbox, AER

Midnapore Field Centre, AER
Public Lands Regional Office, AER