

BY E-MAIL ONLY

May 31, 2016

**O’Chiese First Nation**

**Attention: Andrew Scott, Consultation Coordinator**

**APPLICATION NO. LOC151944 from SHELL CANADA LIMITED  
STATEMENT OF CONCERN NO. 30090**

Dear Mr. Scott:

You are receiving this letter because you filed a statement of concern about Application No. LOC151944 on behalf of the O’Chiese First Nation (OCFN). The Alberta Energy Regulator (AER) has reviewed OCFN’s statement of concern (SOC), along with the application, the applicable requirements, and other filed submissions or information about the application, and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in the OCFN’s statement of concern.

In its review of OCFN’s concerns, the AER considered the following:

- OCFN’s nearest reserve boundary is located approximately 159 km from the proposed LOC151944.
- LOC151944 will include an already constructed road and no additional disturbance is proposed.
- Whether a decision of the AER may directly and adversely affect a party such as OCFN is to be considered by the AER in light of the evidence before it. The mere fact that LOC151944 would be located within an area claimed by OCFN as part of its traditional territory, does not, in and of itself, mean that the AER’s decision on the application directly and adversely affects OCFN.
- The concerns raised by OCFN in its SOC are of a general nature and no information outlining specific locations where OCFN members conduct activities in relation to the proposed LOC151944 was provided. The information submitted by OCFN does not establish a sufficient degree of location or connection between the application and the potential interference or impacts on its asserted Treaty and Aboriginal rights.

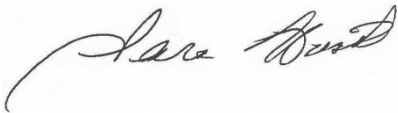
- Accordingly, OCFN has not demonstrated that it may be directly and adversely affected by the application.

The AER has issued the applied for approval and this is your notice of that decision. A copy of the approval is attached. Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Energy Development Act General Regulation*. If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website [www.aer.ca](http://www.aer.ca) under Applications & Notices: Appeals.

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

If you have any questions, contact Greg Thompson.

Sincerely,



Tara Hosick  
Land Use Director

cc: Molly Minuk, Shell Canada Limited  
Authorizations Branch Support  
AER Drayton Valley Field Centre  
AER Aboriginal Relations  
Aboriginal Consultation Office