

Via Email

May 18, 2022

Calgary Head Office
Suite 1000, 250 – 5 Street SW
Calgary, Alberta T2P 0R4
Canada

Stephen Bertschy

Canadian Natural Resources Limited

www.aer.ca

Attention: Arly Castillo

Dear Sir and Madam:

**RE: Request for Regulatory Appeal by Stephen Bertschy (the Request)
Canadian Natural Resources Limited (Canadian Natural)
Reclamation Certificate No. 146265
Location: 8-3-19-20-W4M
Request for Regulatory Appeal No. 1913544**

The Alberta Energy Regulator (AER) has considered the submissions filed in relation to the above captioned matter and has determined that a hearing into the Regulatory Appeal will be held as the legislative tests have been met. In his request for regulatory appeal, Mr. Bertschy raises concerns with the uneven soil surfaces, unsatisfactory crop production, and the issuance of the reclamation certificate.

By operation of sections 91(1)(i) of the *Environmental Protection and Enhancement Act (EPEA)* and section 36 of the *Responsible Energy Development Act (REDA)*, the tests for appealable decision and eligible person have been met in this case. Further, the AER has determined there is no justification to dismiss the regulatory appeal request at this stage under section 39(4) of the *REDA*. In short, *EPEA* grants the owner of lands subject to a reclamation certificate that is in receipt of a copy of the reclamation certificate the right of regulatory appeal barring extraordinary and obvious circumstances militating against that right. The AER found that no such circumstances exist in this case.

Given the above, the AER will be asking that the Chief Hearing Commissioner appoint a panel of hearing commissioners to conduct a hearing of the Regulatory Appeal.

Sincerely,

<Original signed by>

Charlene Graham
Executive Vice President, Law and General Counsel

cc: William McClary, Counsel for AER Enterprise Reclamation Group