

BY E-MAIL ONLY

May 31, 2018

**Métis Local #1949**

Jack Quintal

**PTTEP CANADA LTD.**

**MARIANA THORNBURY PROJECT**

**APPLICATIONS NO. 002-00353243 AND 1831433**

**STATEMENTS OF CONCERN NO. 29848 AND 29861**

Dear Jack Quintal:

You are receiving this letter because you filed statements of concern (SOCs) on behalf of Métis Local #1949 about *Environment Protection and Enhancement Act (EPEA)* Application No. 002-00353243 and *Oil Sands Conservation Act (OSCA)* Application No. 1831433. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the applications, the applicable requirements, and other submissions or information about the applications. The AER has decided that a hearing is not required under an enactment, or necessary to consider the concerns outlined in your statements of concern.

In its review of the concerns, the AER considered the following:

- Métis Local #1949 stated that its members' traditional harvesting area will be directly affected by the development of the Mariana Thornbury Project (project).
- Métis Local #1949 has not identified how the applications may directly and adversely affect its members nor has it said they may be directly and adversely affected by the applications.
- The *EPEA* amendment application is for a reconfiguration of the footprint of an approved project, not an application for a new project. There will be no increase in the size of disturbance area. Application No. 1831433 is the *OSCA* application associated with the project.
- The AER has no jurisdiction to assess the adequacy of Crown consultation associated with the rights of aboriginal peoples, and the Aboriginal Consultation Office determines if consultation is required.

- The project is located in a remote area, not currently serviced by all-weather vehicle access and it is characterized by large areas of muskeg and wetlands which restricts access, resulting in minimal effects on harvesting and hunting. It is approximately 118 km from Lac La Biche.
- PTTEP has proposed mitigations to minimize or eliminate environmental and socio-economic effects of the project.

inquiries 1-855-297-8311  
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Based on the above, it has not been demonstrated that the Metis Local #1949 may be directly and adversely affected by approval of the applications.

The AER has issued the applied-for approvals and this is your notice of that decision. Copies of the approvals are 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, <http://www.aer.ca/applications-and-notice/appeals>.

If you have any questions, contact Judith Zatzek at 403-297-6932 or e-mail [Judith.zatzek@er.ca](mailto:Judith.zatzek@er.ca).

Sincerely,

<Original signed by>

Helene de Beer  
Director, Authorizations In-Situ

Attachments (3): 2 Approvals and Disposition Letter

cc: Jeremy Hrdlicka, PTTEP Canada Ltd.  
AER Indigenous Relations  
Aboriginal Consultation Office  
AER SOC Coordinator