

BY E-MAIL ONLY

October 20, 2015

Melody Lepine
Mikisew Cree First Nation

**APPLICATIONS NO. 1830281, 1830284, 1830285, 1830287, 1830288, 1830289,
1830290, 1830291, 1832083, 1832084, OSE150003 AND OSE150004
(APPLICATIONS)
TECK RESOURCES LIMITED (TECK)
STATEMENT OF CONCERNS NO. 29767 AND 29833**

Dear Ms. Lepine:

You are receiving this letter because you filed a statement of concern on behalf of Mikisew Cree First Nation (MCFN) about the Applications. The Alberta Energy Regulator (AER) has reviewed your statements of concern, along with the application, the applicable requirements, and other 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 your statements of concern.

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

- The application area is within the boundary of the Lower Athabasca Regional Plan (LARP), which addresses acceptable land disturbance standards in relation to wildlife and management of cumulative impacts on a regional basis. The subject exploration activities are permitted under LARP.
- The Applications are within the traditional lands identified by the MCFN where its members conduct traditional activities.
- The AER is satisfied that proper and responsible completion of Teck's oil sands exploration program, including the construction, operation and abandonment of infrastructure associated with the current applications, will result in minimal lasting disturbance or impact on the environment and natural resources, and is not expected to contribute to cumulative effects.
- MCFN has provided no "hard information" about locations where land within or affected by the OSE programs is used by MCFN or how its members may be

affected.¹ The information provided is more general in nature and does not indicate if or how MCFN members may be directly and adversely affected by the application.

- Many of MCFN's concerns were addressed in decision 2013 ABAER 017 on Teck's 2013 winter drilling program.
- The ACO advised on January 1, 2015, that Teck's consultation with ACFN was adequate.

Based on the above and having regard for all of the information before the AER, you have not demonstrated that MCFN may be directly and adversely affected by the application.

The AER has issued the applied-for authorization and licences and this is your notice of that decision. Copies of the authorizations are attached. You can view copies of the licences at the links listed below:

- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830281>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830284>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830285>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830287>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830288>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830289>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830290>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1830291>
- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1832083>

¹ *Dene Tha' First Nation v Alberta (Energy and Utilities Board)*, 2005 ABCA 68 at para 18.

- <http://portal.aer.ca/portal/site/pnod/menuitem.1d70a9f25e6fab1163d3a372222a10a0/?decision=1832084>

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

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 under Applications & Notices: Appeals.

If you have any questions regarding the land use applications, contact Ashley Blackwood at 780-743-7280 or e-mail ashley.blackwood@alberta.ca.

If you have any questions regarding the infrastructure applications, contact Rachel Ruddell at 403-297-8557 or e-mail rachel.ruddell@alberta.ca.

Sincerely,

<original signed by>

Elizabeth Grilo
Director, Land Use Authorizations

<original signed by>

Shelley Youens
Director, Infrastructure Authorizations
(Oil and Gas)

EG/SY/ab/rr

Attachments (139): 137 well licences and Notice of Decision OSE150003 and OSE150004

cc: Shelia Risbud, Teck Resources Limited
Authorizations Branch Support
AER Bonnyville Field Centre
AER Land Use Northeast Region
AER Aboriginal Relations
Aboriginal Consultation Office