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By email only

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Mr. Phillip Meintzer  
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**Alberta Wilderness Association’s review of Suncor’s McClelland Lake Wetland Complex (MLWC)  
Operational Plan for the Fort Hills Oil Sands Project**

Dear Mr. Meintzer:

The Alberta Energy Regulator (AER) has reviewed the Alberta Wilderness Association’s (AWA) report titled “A Review of Suncor’s McClelland Lake Wetland Complex Operational Plan for the Fort Hills Oil Sands Project March 2023”, provided by AWA to AER on March 31, 2023.

On October 22, 2002, the Alberta Energy and Utilities Board (the Board) carefully considered all evidence pertaining to the Application No. 1096587 submitted by TrueNorth Energy Corporation for approval to construct and operate the Fort Hills Oil Sands Project (the project). The Board found the project to be in the public interest and approved Application No. 1096587, with conditions (Hearing Decision 2002-089).

The AER regulates the operation of the project via approvals and authorizations under the applicable Energy Resource and Specified Enactments. The specific conditions regarding the McClelland Lake Wetland Complex are outlined under *Oil Sands Conservation Act (OSCA)* Approval No. 9241 as amended, and *Water Act (WA)* Approval No. 00151636-01-00 as amended. Other conditions are outlined in *Environmental Protection and Enhancement Act (EPEA)* Approval No. 151469-01-00 as amended.

Specific conditions related to the development of Suncor’s McClelland Lake Wetland Complex Operational Plan for the Fort Hills Oil Sands Project (the Operational Plan) are presented in *WA* Approval No. 00151636-01-00 (conditions 3.11, 3.12, 3.13, and 3.14), which has been in force since December 30, 2002. Significant effort has been undertaken in the development of the Operational Plan,

with the Approval Holder engaging the MLWC Sustainability Committee since 2006. The development of the Operational Plan has incorporated the advice of technical specialists, scientists, and traditional knowledge holders.

On December 15, 2021, Fort Hills Energy Corporation (Fort Hills) submitted the Operational Plan in accordance with the *OSCA* and *WA* approval conditions, requesting authorization for the Operational Plan. Fort Hills provided a response to a request for supplemental information on May 31, 2022.

Following the review of the Operational Plan and the corresponding supplemental information, the AER authorized the Operational Plan with conditions on September 9, 2022.

AER's decision to authorize the Operational Plan is not the end of the regulatory oversight, of the project or the MLWC, and does not preclude changes to the Operational Plan or modifications to the conditions regulating the project. The commitments made by Fort Hills in the Operational Plan and the supplemental information response are considered to be conditions under the *WA* Approval, as outlined in AER's letter of authorization.

Fort Hills is required to conduct further monitoring, modelling, and engineering studies, with performance reports submitted to the AER for review. AER subject matter experts will continue to be involved in the review of the performance of the project and Operational Plan and have the mandate to enforce the conditions of the authorizations. The design of specific water management structures related to the project are also required to be submitted to AER for review and authorization prior to the start of construction.

We note that you have requested a reconsideration. This request will be processed through the AER's reconsideration process.

Please reach out via email at [bola.talabi@aer.ca](mailto:bola.talabi@aer.ca) if you have additional questions.

Sincerely,



Bola Talabi, MSc., P.Eng.  
Vice President Regulatory Applications  
Alberta Energy Regulator

BT/cla

cc: Deborah Donnelly, AWA  
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