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## ACO Hearing Report

November 26, 2018

Tara Wheaton, Hearing Coordinator  
Alberta Energy Regulator  
Suite 1000, 250 – 5 Street SW  
Calgary, Alberta T2P 0R4  
Sent via Email: <email address removed>  
No original to follow

Becky Kostka  
Lands & Resources Manager  
Smith's Landing First Nation  
<contact information removed>

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No original to follow

Dear Ms. Wheaton and Ms. Kostka:

**RE: Joint Review Panel Hearing for Teck Resource Limited Proposed  
Frontier Oil Sands Mine Project Environmental Enhancement Protection  
Act Application File No. 001-00247548 and Water Act File No. 00303079**

### Background

This ACO Hearing Report was prepared in accordance with the Aboriginal Consultation Office's (ACO) role at Joint Review Panel (JRP) Hearing established through *Energy Ministerial Order 105/2014*, *Environment and Sustainable Resource Development Ministerial Order 53/2014* (October 31, 2014), and the *Joint Operating Procedures for First Nations Consultation on Energy Resource Activities* (June 10, 2015).

In the September 19, 2018 letter, the ACO informed the Joint Review Panel that although the ACO does not currently require consultation with Smith's Landing First Nation (SLFN) on the proposed Teck Resource Limited Frontier Oil Sands Mine Project (The Project), the ACO would attend the hearing of SLFN evidence.

The purpose of the ACO's attendance was to observe the hearing, consider all relevant evidence submitted during the hearing, and address adequacy of consultation and whether actions may be required to address potential adverse impacts on Treaty rights and traditional uses from the Project associated with Environmental Enhancement Protection Act (EPEA) File No. 001-00247548 and Water Act (WA) File No. 00303079.

### **First Nation Consultation**

The ACO attended the Hearing, heard the evidence and notes that during the hearing SLFN identified downstream cumulative impacts in Wood Buffalo Park and the Slave River area as a concern. However, SLFN did not identify any specific sites requiring mitigation and/or avoidance with reference to the Project.

Further to the ACO's letter to the Panel of September 19, 2018, the ACO advises the Alberta Energy Regulator that consultation is not currently required with Smith's Landing First Nation or if it was required, the consultation is adequate.

This ACO Hearing Report concludes the ACO's involvement with proposed Project EPEA Application No. 001-00247548 and WA File No. 00303079. As per the Alberta consultation policy, guidelines and procedures, Alberta relies on project proponents and regulatory tribunals to assist in meeting consultation obligations should they arise.

Sincerely,

<Original signed by>

Vince Biamonte  
Aboriginal Consultation Office

Cc: Yvonne Walsh, Teck Resources Ltd  
Alex Bolton, Joint Review Panel  
Sarabpreet Singh, ACO  
Robert Kopecky, ACO  
Charlene Richards, ACO