

ENVIRONMENT AND SUSTAINABLE RESOURCE DEVELOPMENT

Alberta Land Stewardship Act
S.A. 2009, c. A-26.8, as amended

MINISTERIAL ORDER

40/2012

VARIANCE

PURSUANT TO section 15.1 of the *Alberta Land Stewardship Act*, S.A. 2009, c. A-26.8, as amended, (the "Act"), I, Diana McQueen, Minister of Environment and Sustainable Resource Development and Stewardship Minister responsible for the Act, have considered the application for a variance made by Cenovus FCCL Ltd. (the "Applicant") on November 16, 2012. The Applicant applied for a variance to the Lower Athabasca Regional Plan (Order in Council 268/2012) to complete additional wells, access roads, pipelines, and associated surface facilities related to a saline water disposal scheme at pad site RD2 at 13-34-76-03 W4M (MSL 083668) and well site RD3 at 13-03-77-03 W4M (MSL 083666) situated within the Dillon River Conservation Area, as established under the Lower Athabasca Regional Plan.

I am of the opinion that:

- a) the variance is consistent with the purposes of this Act;
- b) the variance is not likely to diminish the spirit and intent of the Lower Athabasca Regional Plan; and
- c) refusal to grant the variance would result in unreasonable hardship to the Applicant without an offsetting benefit to the overall public interest.

Therefore, pursuant to section 15.1 of the Act, I hereby issue a variance upon the terms and conditions attached as Schedule 1.

Dated at the City of Edmonton, in the Province of Alberta this 18th day of December, 2012.



Diana McQueen
Minister of Environment and
Sustainable Resource Development

SCHEDULE 1

TERMS AND CONDITIONS OF THE VARIANCE

The Applicant is hereby granted a variance under the Act to complete additional wells, access roads, pipelines, and associated surface facilities related to a saline water disposal scheme at pad site RD2 at 13-34-76-03 W4M (MSL 083668) and well site RD3 at 13-03-77-03 W4M (MSL 083666), subject to the following terms and conditions:

1. The Applicant is responsible for obtaining all necessary approvals from any other regulatory agency (federal or provincial) to construct and operate all facilities and infrastructure at or related to pad site RD2 at 13-34-76-03 W4M and well site RD3 at 13-03-77-03 W4M.
2. The Applicant acknowledges that its pad sites RD4 and RD5, also within the Dillon River Conservation Area, are no longer required and will not be developed. The Applicant will not seek nor be granted a variance under the Act with respect to RD4 and RD5.
3. This variance expires with the Applicant's Approval No. 48522-01-00, as amended, under the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended, for the Christina Lake Thermal Project Expansion Phases 1E, 1F & 1G.