| Title: | Letter of Clearance |
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| Number: | ED2006-26 |
| Program Name: | Policy |
| Effective Date: | Nov 8, 2006 |
| This document was updated on: | Dec 1, 2013 |

Background

Pursuant to Section 58 of the Exploration Regulation (AR 284/2006), the program licensee as defined in Section (ee) of the Exploration Regulation must make an application to the Alberta Energy Regulator (AER) for a Letter of Clearance for programs of exploration conducted on public lands within 2 years of the date of program completion. Also in accordance with this section of the Exploration Regulation, the program licensee may make application to the AER for a Letter of Clearance for exploration conducted within a surveyed road allowance within two (2) years of program completion.

Requirements

Letter of Clearance for Programs Conducted on Public Lands

- Public lands as defined in Section 1(gg) of the Exploration Regulation means land that is owned by the Crown in the Right of Alberta, but does not include mines and minerals or land within a road allowance.
- Application for Letter of Clearance for programs conducted on public lands must be made within two (2) years of the date of program completion as defined in Section 1(h) of the Exploration Regulation.
- Application for letter of clearance for programs conducted on public lands must consist of a completed Geophysical Site Condition Report which can be viewed or downloaded from the AER website at aer.ca.
- If a program is conducted on public lands and a surveyed road allowance, the letter of clearance applied for will include both the public land portion as well as the surveyed road allowance.
- The completed Geophysical Site Condition Report must be emailed to exploration@aer.ca.
- The completed Geophysical Site Condition Report for Programs Conducted on Public Lands can either be signed electronically by importing a signature or be left unsigned but accompanied by a statement indicating the original report was signed and is available if required.
- If a signed copy is required, the program licensee as defined in Section 1(ee) of the Exploration Regulation will be contacted.

No Entry on Public Lands

If there was no commencement of an approved exploration program as defined in Section 1(g) of the Exploration Regulation, a letter must be submitted to the AER listed below within 30 days of the expiry date of the program approval (as per Section 34 of the Exploration Regulation) indicating "no entry" and the file will be closed.

Letter of Clearance for Program Conducted Within a Surveyed Road Allowance

- After completion of an exploration program on a surveyed road allowance, a company may submit a request for a Letter of Clearance by completing the Geophysical Site Condition Report for Programs Conducted within a Surveyed Road Allowance.
- This program must not contain public lands, as only one letter of clearance will be issued per program.

Extension request for a Letter of Clearance on Public Lands

- In some cases, a geophysical program may require additional time to meet the requirements for a Letter of Clearance. Where this occurs, a written request to AER to extend the requirement of applying for a Letter of Clearance must be submitted within 2 years of the date of program completion.
- Written request for an extension to a letter of clearance can be emailed to exploration@aer.ca.

Rejection of Application

In some cases, an application for a Letter of Clearance may be rejected by the AER. Where this occurs, the applicant will be advised in writing by the AER reason(s) for rejection, which may be one or more of the following:

- The application was incomplete or contained wrong information (i.e., wrong licensee name or number).
- Application was submitted on the wrong form.
- The site did not meet the reclamation criteria.
- The application was not submitted electronically.

Procedure

When a Letter of Clearance is applied for, the program licensee must have:

- 1. Submitted a final plan to the AER within 90 days from the date of program completion, as per Section 34 of the Exploration Regulation. The final plan is not to be submitted with the application for Letter of Clearance.
- 2. A fully completed Geophysical Site Condition Report for Programs Conducted on Public Lands or the Geophysical Site Condition Report for Programs Conducted within a Surveyed Road Allowance. These documents can either be signed electronically by importing a signature, or be left unsigned but accompanied by a statement saying the original report was signed and is available if required.

- 3. If a signed copy is required, the program licensee will be contacted.
- 4. The application is to be submitted by email to: exploration@aer.ca.
- 5. There is no fee associated with an application or letter requesting a Letter of Clearance.
- 6. The following items accompanying submissions are optional:
 - covering letter
 - photographs documenting reclamation of the site

Other

Note: Only one letter of clearance will be issued per program.

If a program is conducted on public lands and within a surveyed road allowance, the applicant must apply for a letter of clearance using the Geophysical Site Condition Report for Programs Conducted on public land.

If a program is conducted within a surveyed road allowance and does not include public lands, a letter of clearance may be requested for that part of the program that falls within the surveyed road allowance using the Geophysical Site Condition Report for Programs Conducted within a Surveyed Road Allowance.

Enforcement/Compliance

Enforcement policy and procedures are currently under review and this directive will be updated accordingly.

Contact Information:

Alberta Energy Regulator Twin Atria Bldg., 4th Floor 4999 – 98 Avenue Edmonton, Alberta T6B 2X3

Phone: 1-855-297-8311 E-mail: inquiries@aer.ca

Authorities Mines and Minerals Act (Part 8) and Exploration Regulation (AR 284/2006)

Approved <u>Original Signed by</u>

Kem Singh, Executive Director Land and Forestry Policy Branch

Environment and Sustainable Resource Development