

JOINT NOTICE OF FILING

FORT MCMURRAY AREA

NRCB APPLICATION NO. 0401

ALBERTA ENVIRONMENT (AENV)
ENVIRONMENTAL IMPACT ASSESSMENT REPORT
ALBERTA ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT
APPLICATION NO. 001-189942
WATER ACT APPLICATION No. 001-207059
BIRCH MOUNTAIN RESOURCES LTD.
MUSKEG VALLEY QUARRY PROJECT

TAKE NOTICE that Birch Mountain Resources Ltd., has applied to the Natural Resources Conservation Board and Alberta Environment to obtain an approval in accordance with section 5 (1) of the *Natural Resources Conservation Board Act* for the construction of a limestone quarry project, approximately 60 kilometres north of Fort McMurray, Alberta, in Sections 27, 28, 29, 32, 33 and 34 in Township 94, Range 10, W4M in the Regional Municipality of Wood Buffalo. The proposed limestone quarry will be located on portions of Metallic and Industrial Mineral Leases 9494070001, 9494070002, 9499030555, 9400080004, 9400080005 and 9400080006. Maximum aggregate production may reach or exceed 7,000,000 tonnes in any single year. Within a local study area of 631 hectares, the project footprint will be approximately 255 ha. A quarry lake will form part of the reclaimed site.

The Natural Resources Conservation Board considers it appropriate that preliminary notice of the application be given to potentially interested persons even though the application is not a completed application until the material filed has been reviewed for deficiencies.

NATURE OF APPLICATION

In support of its proposal, Birch Mountain Resources Ltd. has prepared and submitted Application No. 001-189942 to AENV under the *Alberta Environmental Protection and Enhancement Act* (EPEA) for operation and reclamation of the Muskeg Valley Quarry Project and Application No. 001-207059 under the *Water Act* (WA) for the water management of the project. Birch Mountain Resources Ltd. has also prepared and submitted an Environmental Impact Assessment (EIA) report to AENV. The EIA report forms part of the application to the NRCB (No. 0401).

FURTHER TAKE NOTICE that under Section 73 of the EPEA, and Section 109 of the WA, any person directly affected by the application may submit a written statement of concern to:

Director, Northern Region
Alberta Environment, Regulatory Approvals Centre
Main Floor, 9820 – 106 Street, Edmonton, AB T5K 2J6
Telephone: (780) 427-6311 Fax: (780) 422-0154

Statements of concern under *EPEA* and the *WA* must be submitted on or before **May 12, 2004**. Failure to file a statement of concern may affect the right to file a Notice of Appeal with the Environmental Appeal Board. Please quote Application No. 001-189942 (EPEA) and Application No. 001-207059 (WA) when

submitting a statement of concern. If no statements of concern are received, the EPEA and WA applications may be approved without further notice. Note that any statements filed regarding the application are public records and therefore accessible by the public.

ADDITIONAL INFORMATION

To obtain additional information about the project or a copy of the EIA report/Application contact:

Mr. Don Dabbs, Vice President & Director
Birch Mountain Resources Ltd.
Suite 300, 250 – 6th Avenue, SW
Calgary, AB T2P 3H7
Telephone: (403) 262-1838 Fax: (403) 263-9888
E-mail: dabbsd@birchmountain.com
Website: birchmountain.com

Copies of the EIA report/Application are also available for viewing at the following locations:

Natural Resources Conservation Board
4th Floor, Sterling Place
9940 – 106 Street, Edmonton

Oil Sands Discovery Centre
515 MacKenzie Blvd.
Fort McMurray

Alberta Environment, Northern Region
Register of Environmental Assessment Information
Attention: Patti Humphrey
111, 4999 – 98 Avenue, Edmonton

Fort McMurray Public Library
9907 Franklin Avenue
Fort McMurray

THEREFORE TAKE NOTICE THAT:

1. The application is not a completed application;
2. Copies of the application including information and particulars filed in support thereof may be obtained by persons with an established interest in the matter (the Board will provide direction in the event there is a question as to whether a person has an established interest in the matter) from the applicant, Birch Mountain Resources Ltd. (address above).
3. Parties who have concerns or objections concerning the project are asked to register with the Natural Resources Conservation Board.

Individuals who have an interest and wish to receive ongoing notices respecting the application are asked to register with the NRCB by calling (780) 422-1977 (accessible through the Alberta Government RITE system, by first dialing 310-0000).

This NOTICE OF FILING is being distributed to advise interested persons that the applications and EIA report are available and that the NRCB, AENV and other Government Departments are now undertaking a review of the application.

Dated at Edmonton, Alberta, on 2 April 2004.

NATURAL RESOURCES CONSERVATION BOARD
Susan Schlemko, Manager, Board Reviews
4th Floor, 9940 – 106 Street
Edmonton, Alberta T5K 2N2
Telephone: (780) 422-1977