

LANDOWNER AND COMMUNITY INVOLVEMENT

Introduction

The exploration, development and production of British Columbia's natural gas and oil resources may involve many activities such as:

- geophysical surveys
- construction of access roads, well site leases and pipeline right-of-ways
- establishment of production facilities.

In some instances, these activities may occur on privately owned lands.

Seismic Operations and the Land Owner

Landowners have rights associated with seismic operations. A seismic operator may not enter onto property without first obtaining the approval of the landowner. It is up to the landowner and operator to negotiate the terms of entry and enter into an access agreement or contract. Seismic project operators are required to follow legislation and regulations under the Petroleum and Natural Gas Act, as well as guidelines under the Oil and Gas Commission Act.

Well Sites and the Land Owner

Land owners in B.C. generally do not own the rights to oil or gas that may be found in or under their land. Most of the petroleum and natural gas rights in B.C. are owned by the Crown on behalf of the citizens of the province.

The Ministry of Energy, Mines and Petroleum Resources, issues tenures for provincially owned petroleum and natural gas rights. The tenure gives the company the right to explore for and produce oil and gas.



Before the company begins construction of an access road and well site on private land, it must have a permit from the Oil and Gas Commission (OGC) and a surface lease agreement from the land owner. Well site projects and related pipelines are regulated by the OGC under the *Petroleum and Natural Gas Act* and the *Pipeline Act*. Other regulatory requirements under the *Land Act*, *Heritage Conservation Act*, *Forest Act*, *Forest Practices Code of BC Act*, *Waste Management Act* and *Water Act* may also apply. Drilling and production activities must be conducted in a way that protects public and worker safety, while minimizing disturbances to the environment and land.



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Agricultural Land Reserve

The Provincial Agricultural Land Commission and the Oil and Gas Commission (OGC) entered into a delegation agreement allowing the OGC authority to make decisions on specified oil and gas related non-farm use applications on the Agricultural Land Reserve. The authority is specific to the Peace River Regional District and Northern Rockies Regional District area. The Oil and Gas Commission has the authority to decide applications submitted under section 20(3) of the Agricultural Land Commission Act.

The Provincial Agricultural Land Commission (ALC) is an independent Crown agency. The Commission's mission is to preserve agricultural land and encourage and enable farm businesses throughout British Columbia

Community Engagement

OGC Community Awareness Meetings The OGC holds community awareness meetings in communities where oil and gas activities are occurring. These meetings bring together OGC staff and community members to share information and learn from each other.

Proponent Community Meetings Proponents also hold community meetings to share information on proposed projects situated in the vicinity of a community.

Northeast Energy and Mines Advisory Committee Community engagement in northeastern B.C. is occurring on a number of fronts. The Ministry of Energy, Mines and Petroleum Resources has been leading community discussions on oil and gas issues in the northeast through the Northeast Energy Management Advisory Committee. This committee has representation from a broad range of interests and sectors including: First Nations, industry, agriculture, ranching, land owner advocacy, tourism, wilderness associations, local government and environmental organizations.

Mediation and Arbitration Board

Once a company has acquired the rights to petroleum or natural gas resources, they may need to enter private land to access those resources. Companies will generally employ a land agent to contact the landowner and provide the owner with details of the company's work plan. It is up to the landowner and operator to negotiate the terms of entry and enter into an access agreement or contract. If an agreement is reached, the parties sign a standard surface lease form and Land Title Act documents, allowing the company to register the lease. However, the landowner may refuse any offer of compensation. Either party may apply to the Mediation and Arbitration Board for assistance in resolving the dispute. The Board may also grant a Right-of-Entry Order granting access while compensation is resolved.

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The OGC Land Owner Inspector

The Landowner Liaison Inspector's role is to help landowners understand the practical aspects of oil and gas activities on matters relating to the rights and terms of entry on both private and agricultural leased lands. The Inspector also ensures that oil and gas activities are conducted in accordance with regulations, standards and wise management practices to minimize impacts on landowners. The Inspector has the legal authorities to order remedial work or to shut down non-conforming activities.



Web Page

To assist landowners in gaining a better understanding of the oil and gas industry, the role of the Oil and Gas Commission and the role of many other government agencies, the OGC has established a web page dedicated to landowner information. <https://www.ogc.gov.bc.ca/landowners.asp>

Reporting Concerns

The Oil and Gas Commission has a 24-hour phone number for the public to report any possible concerns such as odour or noise relating to the oil and gas industry. An Inspector from the Compliance and Enforcement Branch will respond to all calls within 24 hours.

24 HOUR PUBLIC PHONE NUMBER for Odours, Spills, Noise (250) 261-5700

Information:

OGC Landowner Information on the topics below can be found at the following link:
<https://www.ogc.gov.bc.ca/landpubs.asp>

- OGC-ALC Delegation Agreement
- OGC ALC Application
- Guide to Public Engagement and Appropriate Dispute Resolution
- Notice of Unresolved Concern
- Consultation
- Surface Rights in BC: A guide to the legislation and regulations for the oil and gas industry
- Seismic Operations and the Landowner
- Well Site Operations and the Landowner
- MOU with Agricultural Land Commission
- Coalbed Gas – Energy for Our Future
- Mitigative Measures