

Vocal on behalf of rural landowners.
Independent of politics and profit.
Advice landowners can use.



Farmers' Advocacy Office

Independent Land Information & Advocacy Office - Dawson Creek, British Columbia

Quarterly Report
February 2012

Aspen Grove
Property Services



New Harvest Media Inc.

Farmers' Advocacy Office
Progress Report 5 – October 15, 2011 to February 29, 2012

A. Public Presentations, Meetings & Events: 2

Date	Location	Event
Dec 3, 2011	FAO	Farmington Landowners Group
Jan 16, 2011	FAO	Group of neighbours re location of Murphy pipeline

B. Board Room Use: 52

Group Meetings	Mediation or Meetings w/o FA	Meeting with Land Agents With FA Advisor	Surface Rights Board Mediation or Arbitration In person or client in room, conference call w/SRB	Other, e.g. MLA & client, Lawyer & client, OGC & client, visit from politician, Hydro re DCAT, Min of Transp & client
7	1	11	26	7

C. Field Inspections: 2

Location	Issue
North of Rose Prairie towards Blueberry	Contamination, garbage left on site, unauthorized road use, unresolved tenure issues
Rural Dawson Creek	Trespass and damage on and off right of way

D. Agency Liaison: 4 + 2 industry reps

Date	Agency	Summary of Discussions
October 19, 2011	National Energy Board, Calgary	Elvin Gowman participated in Interim Steering Committee Meeting for on-going Land Matters Group
Dec. 11, 2011	Canadian Centre for Policy Alternatives	Looking for information about health issues in industry
Feb 22, 2012	Fraser River Basin Council	Discussions with David Marshall, doing a study on Landowner Health Concerns
Feb 27, 2012	National Energy Board, Calgary	Elvin Gowman participated as member of Land Matters Group
Feb 24, 2012	Shell Canada	Carson Newby, Community Affairs Advisor re

		compensation, land prices, issues
Oct 20, 2011	Murphy Oil	Ron Todruzny, Community Affairs, re building relationships, problem solving – seeking info on specific problems

E. Clientele by Location: Progress Report 4: 120

North Peace	South Peace	West Peace	Alberta	Other
28	88	0	4	0

F. Clients Served by Issue Type (includes single client/multiple issues):

Concern or Issue by Type	Number of Clients	Background Info & Services Provided
Stakeholder Objections	7	Assist in completing forms, e-mailing it to company/OGC; one company stated they did not have to respond because the OGC form was used!
Appeals to Oil and Gas Appeal Tribunal	5	Company refusal to provide environment assessment; stay of proceedings; extension of time;
Document Review and Correspondence Assistance	14	Assist LO in setting out issues in e-mail to company; review lease and RW documents and maps; review SRB reconsideration applications; review OGAT applications, assist clients with written submissions; explanation of Invitation to Consult and deadlines, review OGC paper sent to client; organizing and diarizing leases and rent renewal dates; wording of letter to MOT re flooding issue;
Survey Concerns	4	Whether allowing survey means committing to location, adding conditions to survey authorization form to protect trees, fences, compensation for entry
Compensation for Landowners' Time	3	Quantifying rates and following up on non-payment
Surface Lease Negotiations	9	Meet with Land Owner & Land Agents, use visual aids, gave advice on lease rental & compensation rates and terms.
Surface Lease Rent Reviews	16	Rental review negotiations, providing lease info and participating in

		negotiations at Land Owners' request; helping Land Owners location SRB forms and complete them at several stages; providing land agents with lease rates on request; extension of leases where certificate of restoration not in place. Compensation for lapsed leases.
Company Non-Compliance with Lease Terms or Legislation	7	Infractions, flora/fauna contamination, pipeline and water source well – unresolved tenure; damage to land off r/w, client commencing litigation against company and OGC, company making ½ lease payment to former spouse of previous owner 2 titles back; did not provide compensation in kind as agreed; compensation for back rent when site not cleaned up; demand for non-payment or lease cancellation, OGC non enforcement.
Unauthorized Road Usage	3	Companies entering into road use agreement with another company w/o land owner consent, or simple unauthorized use; Well site access rd. vs. public road;
Multi Pad Lease Renegotiations (Incremental Multi-Pad)	4	Provide lease rental rates for additional wells and help identify issues of increased traffic, noise, flaring, etc.
Pipeline R/W Negotiations	23	Location and/or compensation issues. Some success in relocation. In some cases permits not present – checked OGC.
Trespass	4	Pipeline trespass; construction trespass with contamination;
Surface Rights Board Preparation	6	Review documents, assist in submission.
Surface Rights Board Mediation	15	Participation at clients request; advice prior to mediation
Impact on Land Value	4	Impact on subdivided land – where subdivision plan in place; impact on land off r/w; exposed pipeline on owner's land; right of way slope failure, excessive flaring; uncontrolled weeds; failure to remediate;
Nuisance	1	Negotiated compensation
Compensation for Access Road	2	
Expropriation	1	Referred client to lawyer, reviewed lawyer's advice with client.
BC Hydro DCAT line – compensation, relocation issues	6	Met with Hydro, land agents & clients, review offers and assist with acreage sales information, relocation options.
Highway widening, related to Oil & Gas activities	2	Assisted client with document review, and putting concerns to paper, advice on expropriation process.
Flooding	1	Road built by company in public r/w

		causing flooding in owner's field;
Compensation for Loss of Gravel Income	2	Assisted client in Natural Resources Canada mediation with methods of quantifying compensation, have now referred client to a lawyer. Non-legal assistance to lawyer. Assisted client with gravel rates where pipeline going over gravel.
Supreme Court Document Preparation	1	Affidavits for Judicial Review
Pipeline v. Flow Line	4	Cases where jurisdiction was likely incorrectly taken by SRB
Impact on Farming or Ranching Operations	2	Poisoned cattle; contaminated land.
Complaints about land agents and negotiation process	4	3 serious cases of pressuring elderly people to sign – 1 lacked capacity; client signed on the basis of misrepresented information;
Unregistered r/w or lease – property changed ownership	6	Failure to register opens it for renegotiation with new owner
Miscellaneous	5	Major Noise Problem, exposed pipeline, compensation for borrow pit; water rates; assist clients in succinctly itemizing issues for meeting with MLA; riser site rent review; assist with correspondence; assisted client in locating ownership of telecommunication tenures; water wells going dry due to fracking; closed water well. Family made ill by H2S resulting from pipeline leak.
Total	161	

G. Virtual Office Update

The database of surface lease values has more than doubled in size since the last report, with 138 leases now plotted on the map. However, this valuable information service continues to be stifled by the absence of provincial regulation.

We believe that many more leases have yet to be filed with the Surface Rights Board, but companies lack the necessary motivation to file them, due to the lack of an administrative penalty regulation as required by the Oil and Gas Activities Act. The countup timer at FarmersAdvocate.ca reports that 520 days have now passed since the coming into force of OGAA.

Usage Statistics

Between October 1, 2011 and February 29, 2012, the site served:

- 1300 visits
- 5663 pageviews
- 4.36 average pageviews per visit

The ten most popular pages (with pageviews) were:

- Home page (1,331)
- Surface Lease Map (268)
- Compensation (218)
- Do Your Own Research (184)
- Know Your Property Rights – Well Sites (168)
- Know Your Property Rights (167)
- Understand the System – Infographic (158)
- Talk to Us (146)
- Dealing with Land Agents (144)
- Links (144)

H. Issues and Recommendations:

- Company tried to have FAO advisor barred from participation in RB mediation.
- Permitted and untenured pipelines OGC getting involved in situations that rightly belong in court.
- OGC may be exposed to litigation together with the company for failure to enforce.

Recommendations (continuing):

- Surface Lease Regulations – Admin Penalty & Disclosure of Information
Land Agent Training and Licensing

Cumulative Totals of Report Categories:

Public Meetings & Presentations: 34

Board Room Use: 127

Client Location: South 306 North 105 West 0 AB/other 15

Total Clients: 426

Total Issues: 582

Agency Liaison Meetings: 13

From: Frank Schlichting [<mailto:frankmcranch@xplornet.com>]

Sent: March-02-12 8:51 AM

To: Karen Goodings

Cc: Arthur Hadland; Farmers' Advocacy Office

Subject:

Dear Karen Goodings,

I am writing to you today after speaking with Arthur Hadland regarding the Farmer's Advocate office. I mentioned to him how helpful the office was in dealing with disputes I am having with energy companies. I am unable to get advice or questions answered at the OGC on many topics. They have a very limited scope that does not address many issues, including trespass by oil companies. The advice I am getting from Mr Gowan is both excellent and timely. The office has also provided me with title searches and background information that I am unable to get elsewhere.

Having this resource available to the layman make dealing with oil companies much easier. Dealing with oil companies can sometimes be extremely frustrating. I can't help thinking that this frustration combined with the arrogance sometimes shown by oil companies to landowners was behind the pipeline bombings a few years ago.

I hope the Farmers Advocate office is able to continue operating in the future so this most excellent service is there to serve landowners.

Sincerely, Frank Schlichting

Note: Customer Satisfaction Survey is included in final report.