

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
September 2016

Aspen Grove
Property Services



New Harvest Media Inc.

**Farmers' Advocacy Office Progress Report
1Q2016 (July 1 - September 30, 2016)**

A. PUBLIC PRESENTATIONS, MEETINGS & EVENTS

Date	Location	Event
13-Jul	FAO	Elvin participated in NEB Land Matters Group - Steering Committee teleconference
19-Jul	PRRD	FAO Quarterly Report & meeting with Management Board
8-Aug	FAO	Landowner meeting with Elvin and oil and gas company representatives regarding OGC regulated pipeline
8-Aug	FAO	Landowner and Elvin participated in SRB mediation teleconference
11-Aug	FAO	Meeting with Norm Letnick (Minister of Agriculture) and MLA Mike Bernier (Minister of Education)
31-Aug	FAO	Elvin & Judi participated in NEB Land Matters Group - Subcommittee on Landowner Guidance teleconference
7-Sep	FAO	Landowner meeting with Elvin and representative from MOTI regarding issues with NEB pipeline
22-Sep	FAO	Landowners meet with 2 NEB staff members re: NEB outreach initiative. The NEB staff members made presentation to PRRD board later in the day
28-Sep	FAO	Landowner and Elvin participated in teleconference with industry representative re: trespass issues
28-Sep	Dawson Creek	Attended Chamber of Commerce luncheon - speaker from Canadian Association of Petroleum Producers

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B. CLIENTS BY LOCATION (New and Return)

		Electoral Area 'B'	Electoral Area 'C'	Electoral Area 'D'	Electoral Area 'E'	Other	Total
Q1	New	6	0	14	1	0	21
	Return	49	0	123	17	5	194
Q2	New	10	2	20	3	0	35
	Return	29	4	115	5	8	161
Q3	New	7	2	19	8	1	37
	Return	47	3	115	12	8	185
Q4	New	5	0	23	5	1	34
	Return	37	2	109	12	3	163
							830

C. CLIENTS SERVED BY ACTIVITY TYPE

- 1 Information Only.** *Information only involves providing background information, assisting in filling out forms, explaining rights. Typically no further action is required.*

Q1	Q2	Q3	Q4	Total
58	53	51	54	216

Summary of Discussions (Key Themes):

Brochures & information given out to first time visitors to the FAO, or landowners dealing with Oil & Gas Companies for the first time. "Landowner Information Guide", "In-Brief: Landowners" and "Understanding the System" are most often given out.

Explained rights and gave out information about pipelines/flow lines and NEB pipelines - jurisdiction, compensation & rights pertaining to abandonment.

Explained rights to landowners who have received correspondence from companies seeking permission to survey or to conduct geophysical activity on their land.

Explained rights to landowners who have received notification that oil & gas activity is planned on adjacent property.

Discussed remedies with landowner who have not received lease rent payments from Oil and Gas Company when due. Also assisted landowners who received overdue notices and/or demand letters from The Surveyor of Taxes advising that property tax was overdue on oil and gas company leases on their land.

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C. CLIENTS SERVED BY ACTIVITY TYPE

- 2 Support Landowners in Negotiations.** *Supporting Landowners in negotiations involves engagement with the industry prior to a lease being signed.*

Q1	Q2	Q3	Q4	Total
35	38	32	34	139

Summary of Discussions (Key Themes):

Provided comparative information to clients to assist them in determining value of ROW and/or land for leases. There has been an increase in NEB regulated pipeline activity, and a corresponding increase in visitors requesting information & assistance.

Assisted clients in negotiating monetary compensation and terms of leases as well as nuisance, trespass and disturbance claims consistent with the Petroleum & Natural Gas Act.

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C. CLIENTS SERVED BY ACTIVITY TYPE

3 **Implementation.** *Implementation means that a lease is in place. Activities involve addressing concerns over fulfilling the terms of the lease and negotiation of subsequent leases.*

Q1	Q2	Q3	Q4	Total
122	105	139	109	475

Summary of Discussions (Key Themes):

Assisted clients in negotiating with industry regarding:

- rent reviews
- non-compliance issues (such as noise, contamination, leakage & weed control)
- trespass and damage to property
- road access & use (often multiple users)
- actual crop loss
- validity of leases
- non-payment of rents & property taxes
- assignment of rents
- abandonment of well sites and pipelines
- change of use issues
- expansion of well sites, creating multi well pads
- NEB/OGC jurisdictional issues

Assisted clients in determining status of leases, by researching titles and Crown Grants.
Untenured oil & gas activity flowing from administrative oversight at Crown Grant.

Continued to be engaged with Land Matters Group Steering Committee at the National Energy Board dealing with a wide array of client issues. Also involved in the NEB Land Matters Group - Subcommittee on Landowner Guidance.

Assisted clients with submissions to OGC, OGAT, NEB & SRB

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D. RESULTS OF INTERACTIONS WITH OIL & GAS INDUSTRY AND THEIR AGENTS

Results of support to farmers, ranchers or rural residents in their interactions with the oil and gas industry and their agents

Number of Successful Interactions. *(ie. Issue or conflict resolved, no further action or escalation,*

Q1	Q2	Q3	Q4	Total
8	11	5	20	44

Number of Interactions in Progress. *(ie. Issue is still being discussed, no resolve or escalation at this time)*

Q1	Q2	Q3	Q4	Total
71	86	74	53	284

Number of Escalated Interactions. *(ie. conflict not resolved or escalated to mediation, arbitration, or Surface Rights Board)*

Q1	Q2	Q3	Q4	Total
7	13	6	6	32

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E. WEBSITE USAGE

**Virtual Office Update
Usage Statistics**

	Jul - Sept 2016	Oct - Dec 2015	Jan - Mar 2016	Apr -Jun 2016
Sessions	616	589	564	761
Users	508	417	459	629
Pageviews	1,410	1,196	1,273	1,651
Average Pages/Session	2.29	2.03	2.26	2.17

Google Analytics Terminology

Sessions:

https://support.google.com/analytics/answer/2731565?hl=en&ref_topic=1012046

Users:

https://support.google.com/analytics/answer/2992042?hl=en&ref_topic=1012046

Most Popular Pages (July - September 2016)

The ten most popular pages (by pageviews) were:

1. Home page (565)
2. Lease Values - Database Map (103)
3. Land Sales - Database Map (68)
4. Leases & Sales (48)
5. Know Your Property Rights (47)
6. Talk to Us (46)
7. Understanding the System (40)
8. Compensation (39)
9. Do Your Own Research (37)
10. Get Help (31)

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F. RECOMMENDATIONS FOR IMPROVEMENTS TO THE PROGRAM

Section F is a separate document provided to the Management Committee at the option of the Service Provider and is not required as part of the Quarterly Report.

During this reporting period 35 ROW, 2 Riser Site, 1 Access Road and 2 Wellsite Lease documents were downloaded from the SRB.

With the decline in gas and oil prices, several oil and gas companies have gone into receivership. A growing number of landowners have to deal with oil and gas facilities on their property, for which they are now not receiving compensation, plus overgrown and unmaintained well sites and subsidence in pipeline rights of way. Landowners, who have multiple well sites and/or pipelines on their land, are expressing that the administrative burden is getting to be very heavy, and when they are not being paid the rent they are due, feel adamant that they cannot afford to have oil and gas activity on their land going forward. There has been little intervention from government and the situation does not appear to have triggered the Orphan Site Fund to date.

Many rural landowners are confused by notices for delinquent property taxes on oil and gas wells on their property. Collection letters are being sent out to some landowners, causing them to be fearful that their land is in jeopardy of going into forfeiture. Some landowners have paid these delinquent taxes, and we recommend measures be initiated by the Ministry of Finance to repay the landowners who have made these payments in error.

Another result of the economic downturn is that some landowners have found out, when applying for a loan, that liens have been put on their property from oilfield service firms that have not been paid by the oil company. We recommend that the Registrar should not accept liens unless they are very clear and specific about what legal interest in the land the lien is against. Also, if the subject of the lien is not registered on title then the company should be barred from filing the lien.

OVERVIEW OF MEDIATIONS & ARBITRATIONS

SRB MEDIATIONS:

- The FAO has been involved in 7 mediations during this reporting period, and 2 of these have been settled. Links to “Right of Entry” orders:

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201906-1.pdf>

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201900-1901-1.pdf>

Link to “Amended Board Order” where the FAO provided intermittent assistance:

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201903-1amd.pdf>

SRB ARBITRATIONS:

- The FAO attended no arbitration hearings during this reporting period.

NEB ARBITRATIONS (Natural Resources Canada):

- The FAO continues to assist landowners who have retained legal counsel to resolve a dispute over compensation for a NEB pipeline on his property. The negotiations are continuing.
Landowner is from Area D

NOTES:

- The FAO continues to assist landowner re: appeal of SRB Arbitration decision. The court date of July 22 was adjourned and is now set for December 16, 2016.
Landowner is from Area D
- Judi attended 1 OGAT hearing as an observer only. There has been no decision published yet.
- Links to SRB decisions rendered in previous 2 quarters, where the FAO had some interaction with landowner:

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201881-1.pdf>

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201887-1.pdf>

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201885-1.pdf>

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201885-2.pdf>

<http://www.surfacerightsboard.bc.ca/Documents/OilAndGasOrders/Order%201885-2amd.pdf>