

In Brief: Landowners

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The Consultation and Notification regulations are important to landowners, and you should be aware of the regulatory changes and timelines under OGAA.

Who is consulted?

- Land owners as defined in OGAA
- Local authorities with structures
- Government of Canada with structures
- Indian Reserves
- Other land owners with residence, livestock structure or school
- Persons with an agreement to rent or lease, with a residence or livestock structure
- Tenure areas for holders that are directly and adversely affected

Who is notified?

- Land owners as defined in OGAA
- Local authorities with structures or areas identified in the OCP or a community watershed
- Government of Canada with structures
- Indian Reserves
- Other adjacent land owners
- Tenure areas for holders other than forest tenures, Tree Farm License, Master License to Cut

Building a Better, Stronger Regulator

The Oil and Gas Activities Act (OGAA) reflects a shift toward the future of oil and gas activity in British Columbia. Increased social and environmental expectations, along with advances in technology, have created a new culture around responsible oil and gas development. In response, the provincial government developed a new regulatory framework.

Landowners played an integral role in the development of the OGAA, and their voices are reflected in the new regulations. A process that started with extensive consultations with communities, landowners, First Nations, environmental groups and industry ended with streamlined, enhanced legislation reflecting the needs of the people, environment, industry and government.

Find it in the Act:

OGAA Sections 22 (Consultation and Notification) • **24** (Application for Permit and Authorization) • **31** (Amendment of Permit) • **32** (Expiration of Permit and Authorization) • **107** (Consultations and Notifications) • **112** (General)

Respecting Quality of Life

Increases in safety, and decreases in noise, odour, dust and traffic. These were the key points brought up by landowners during the consultations that went into developing the OGAA framework. OGAA is not simply new legislation that governs oil and gas activity in British Columbia, it is a product of eight years of consultation and planning.

Oil and Gas Activity	Notification Distance	Oil and Gas Activity	Consultation Distance
<ul style="list-style-type: none"> • Processing plant or compressor/pump station • Facility with area < 5 ha • Facility with area ≥ 5 ha • Facility > 2 or area ≥ 5 ha • Wells < 9 and pad < 5 ha • Wells ≥ 9 or pad ≥ 5 ha • Pipeline • Road • Geophysical 	<ul style="list-style-type: none"> • 3,300 m or greater of EPZ • 1,500 or greater of EPZ • 1,800 or greater of EPZ • 1,800 or greater of EPZ • 1,500 or greater of EPZ • 1,800 or greater of EPZ • 200 or greater of EPZ • 200 • 400 	<ul style="list-style-type: none"> • Processing plant, compressor station or pump station • Facility area < 5 ha • Facility with area ≥ 5 ha • Facility > 2 or area ≥ 5 ha • Wells < 9 and pad < 5 ha • Wells ≥ 9 or pad ≥ 5 ha • Pipeline • Road 	<ul style="list-style-type: none"> • 3,300 m or greater of EPZ • 1,000 or greater of EPZ • 1,300 or greater of EPZ • 1,300 or greater of EPZ • 1,000 or greater of EPZ • 1,300 or greater of EPZ • 200 or greater of EPZ • 200

measured from centre of well pad ← → **measured from centre line of pipeline or road**

When is consultation and notification deemed received?	<ul style="list-style-type: none"> • leave a copy with an agent/person • send by mail • send by e-mail • leave copy in mailbox • attach to door 	immediately after 5 days after 3 days after 3 days after 3 days
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What you should know...

- If there is incomplete consultation or notification the OGC may refuse to issue a permit or may require further consultation or notification.
- If there exists an inadequate analysis of responses received, the landowner on whose land the activity is proposed may appeal the permit decision, the OGC may refuse to issue the permit, or the OGC may attach conditions to the permit.
- Two clear days notice must be given to landowners by a person entering land for a pipeline survey.
- Applicants that wish to amend a permit must notify landowners before submission and conduct notification or consultation activities if it's a major amendment. A major amendment is defined as increasing the area by greater than one hectare, shifting the location by greater than 100 metres or proposing an oil or gas well, facility or pipeline.
- A landowner's avenue to respond to an OGC permit decision is through the appeal process. As per section 72(7) of OGAA, the landowner has 15 days to file a notice of appeal.



For more information:

www.bcogc.ca

250-794-5200

To report an incident:

1-800-663-3456 (24 hours)

Consultation Process

- 1** Applicant provides invite
 - Location
 - Description
 - Schedule
 - Invite consult
- 2** Affected person responds
 - Reply in timeframe
 - Describe concern
 - Request discussion
- 3** Applicant replies
 - Respond
 - Discuss
 - Provide report

21 Days

... is the amount of time landowners and other affected persons have to provide a written response to a permit applicant or the OGC (or until the permit is issued if providing written response to OGC). The response must be in writing and must describe the nature and extent of any objections, information on potential impacts to affected persons, proposals for mitigation and request for discussion with the applicant.