

April 25, 2024

Enforcement File: 2017-121FSJ

**Issued to:**

Petronas Energy Canada Ltd.  
1600, 215-2nd Street SW  
Calgary, Alberta T2P 1M4

**Attention:** Mr. Christopher Morrison

**Re: ALCA Order 2017-035**

Dear Mr. Morrison:

Please be advised that pursuant to section 51 of the Agricultural Land Commission Act, ALCA Order 2017-035 issued by the BC Oil and Gas Commission, now the BC Energy Regulator (the Regulator) on June 7, 2017, is hereby rescinded.

The Regulator is satisfied with the Schedule B reports submitted as required by ALCA Order 2017-035.

If you have any questions or concerns, please do not hesitate to contact the Regulator.

Sincerely,



Dax Bourke  
Executive Director, Compliance & Enforcement  
BC Energy Regulator

## **Order 2017-035**

Agricultural Land Commission Act Section 50

### **Issued to:**

Progress Energy Canada Ltd.  
Bow Valley 2  
1200, 205-5th Ave SW  
Calgary, Alberta, T2P 2V7

### **RE: Stop Work Order: Section 50 Agricultural Land Commission Act**

#### **Unauthorized Non-Farm Use of Land in The Agricultural Land Reserve**

Based on the reasons set out below, I consider that Progress Energy Canada Ltd. (Progress) is contravening provisions of the *Agricultural Land Commission Act*, therefore as an official under Section 50 of the *Agricultural Land Commission Act*, I hereby order Progress to cease the contravention by:

- i. On or before July 14, 2017, completing and submitting to the satisfaction of the Oil and Gas Commission (the OGC) a plan (the Plan) setting out how Progress will carry out the reclamation of any area of land disturbed by the construction of the pipelines listed in attached Schedule 1 (the Pipelines). Reclamation set out in the Plan must be in accordance with any recommendations contained in the Schedule A Reports prepared in relation to the Pipelines and the requirements set out in Schedule B of the Agreement between the Agricultural Land Commission and the OGC (the Agreement). The Plan must include timeframes for completion of the reclamation work as soon as practicable. The Plan must be submitted to the OGC electronically at [C&E@bcogc.ca](mailto:C&E@bcogc.ca).
- ii. Completing the reclamation of any area of land disturbed by the construction of the Pipelines as soon as practicable and in accordance with the Plan.
- iii. Submitting a completed Schedule B Report for each of the Pipelines to the satisfaction of the OGC no later than December 31st of the calendar year following completion of the reclamation work. The Schedule B Reports must be submitted to the OGC electronically at [C&E@bcogc.ca](mailto:C&E@bcogc.ca).

## Order 2017-035

### Reasons:

I make this Order for the following reasons:

- 1) Progress is the permit holder of the Pipelines.
- 2) The Pipelines are located within the Agricultural Land Reserve.
- 3) At the time that Progress was issued the permits for the Pipelines, Progress was exempted from the requirement to apply for a non-farm use permission under the Agricultural Land Commission Act so long as, among other things, Progress:
  - a. Conducted reclamation of any area of land disturbed by the non-farm use in accordance with any recommendations contained in the Schedule A Report and the requirements set out in Schedule B of the Agreement or in accordance with such alternate requirements identified by a Qualified Specialist and agreed to by the OGC within 24 months of the date of pipeline installation; and
  - b. Immediately following the completion of the reclamation set out above, submitted a Schedule B Report to the OGC and, if the non-farm use has occurred on land other than Crown land, to the landowner(s) of the land on which the non-farm use has occurred.
- 4) I have determined the following:
  - a) The Pipelines were installed more than 24 months before the date of this Order; and
  - b) Schedule B Reports for the Pipelines have either not been received or are not to the satisfaction of the OGC.

### Appeal:

Section 55 of the *Agricultural Land Commission Act* provides Progress with the ability to appeal this order.



Jacques Corstanje, RPF  
Director, Compliance and Enforcement  
Oil and Gas Commission

Dated at Fort St. John, in the Province of British Columbia, this 7<sup>th</sup> day of June, 2017.

Attachments: Schedule 1

**ALCA Order 2017-035 Schedule 1**

<b>Operator</b>	<b>OGC#</b>	<b>Project #</b>	<b>Leave to Open Date</b>
Progress Energy	9612402	11681	9-Jun-04
Progress Energy	9618061	13753	29-Mar-05
Progress Energy	9620134	15014	9-Dec-05
Progress Energy	9624041	17838	8-Dec-06
Progress Energy	9624629	18320	24-Aug-06
Progress Energy	9623297	17174	21-Jul-06
Progress Energy	9700389	259	28-Feb-08
Progress Energy	9701204	20917	10-Apr-08
Progress Energy	9706882	22893	26-Feb-13