

# Land Owners and Energy Resource Activities

## How Will I Be Notified About a Proposed Energy Resource Activity?

Companies intending to apply for an energy activity permit are required to complete a formal engagement process with land owners and rights holders who may be affected by the activity. The intent of this process is to promote communication between the company and those affected before an application is submitted.

## What is Consultation?

Consultation is the exchange of information regarding proposed energy activities between companies (applicants) and land owners (recipients) within the consultation distance. It begins when a recipient receives an Invitation to Consult from an applicant. Consultations may include in-person or virtual meetings, phone conversations, or other exchanges of information.

## What are the C&N Distances?

Not all energy activities have the same affect on quality-of-life matters such as Noise, Light, Dust, Traffic, and Odours. Distances from proposed activities are used to determine whether C&N is required and are measured from centre of road, pipeline, well site, or facility.

Consultation Distance	Energy Resource Activity	Notification Distance
3,300 m	LNG facility, petroleum refinery, or gas plant	3,300 m
1,300 m	Well site or other facility Measuring $\geq$ 5Ha	1,800 m
1,000 m	Well site or other facility Measuring $<$ 5Ha	1,500 m
200 m	Pipeline	200 m
n/a	Geophysical	400 m

## What is Notification?

Notification provides written information regarding proposed energy activities to recipients within the identified notification distance. Where consultation is conducted with recipients, notification is not required.



Individuals living outside of Consultation and Notification (C&N) zones are also entitled to voice their concerns regarding proposed activities at any time by way of a **Written Submission Form**.



Additional sources of information include the [Oil and Gas Activity Application Manual](#), Requirements for Consultation and Notification Regulation, the [Land Owner Resource web page](#) and the [Energy Resources Activity Act \(ERAA\)](#):

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

### Public Concerns and Complaints

Report concerns such as odours, spills or noise.

1-250-794-5200 (24-hour public number) or 1-877-500-BCER (2237) (24-hour toll free).

### Incident Reporting for Industry

1-800-663-3456 (24-hour emergency number). Report oil and gas related incidents.

## What Land Owners Should Know?

- All written responses sent by land owners to the company and responses the company has sent must be submitted for consideration with an energy activity application. This information, along with any written submissions received by the BCER, are part of the application review and decision process.
- Where necessary, the BCER may refuse to issue a permit, require the applicant to conduct further engagement on unresolved concerns, modify the application, add mitigation measures to proposed activities or attach terms or conditions if a permit is to be granted.
- If a company or person is entering land for a pipeline survey, two clear days notice must be given to land owners.
- If a land owner would like to respond to a BCER permit decision, they must use the appeal process. As per [Section 72\(7\) of ERAA](#), the land owner has 15 days to file a notice of appeal.
- If you are a land owner with a designated orphaned site on your property, more detailed information can be found on our website in the [Land Owners and Compensation section](#).
- The BCER's Mediation Service provides post-permit support in cases where land owners and industry are not able to agree on remedies for operational complaints and site restoration. More information can be found on our website under [Land owner Resources](#).

## How Do We Respect Land Owners Affected by Oil and Gas?

- We foster productive, respectful and long-term working relationships with land owners.
- We accept and consider written submissions from persons outside of the set radius for consultation/notification.
- We engage in discussion, and provide guidance specific to the interests in the written submissions.
- We offer assistance ranging from general inquiries, to in-depth assistance in facilitating conflict resolution between interested parties.



[Discover How We Help](#)

## What is the Consultation Process?

Land owners have a 30 day review period to respond to notifications or invitations to consult. The 30 day review period starts when Consultation and Notification are deemed received.

### 1

Company provides information including location, description of activity, schedule and Invite to Consult.

#### When is consultation and notification deemed received?

##### Leave a copy with an agent/person

Immediately



##### Send by mail

After 14 days



##### Send electronically or by fax

After 3 days



##### Leave copy in mailbox

After 3 days



##### Attach to door

After 3 days

### 2

#### 30 Day review period

Recipients with interests in or concerns about a company's proposed energy activity may submit a written response to the company within the 30 day review period and/or a written submission to the BCER at any time prior to a decision on the application. The response must be in writing and provide details about the objections, potential impacts and if possible, suggestions to address these issues.



### 3

Land owner responds within time frame with detailed concerns and discussion request (if desired).

### 4

Company replies to land owner with a response to concerns, discussion and/or reports if available.

### 5

Company submits application to the BCER.