

PEACE RIVER REGIONAL DISTRICT REPORT



TO: Directors of the Peace River Regional District

FROM: Director Wayne Hiebert, Chair - Agriculture Advisory Committee

DATE: October 23, 2009

RE: Agriculture Advisory Committee Meeting recommendations

The following are recommendations arising from the October 20, 2009 Agriculture Advisory Committee Meeting for the Regional Board's consideration and approval. For your information the minutes are on the Consent Calendar.

ALC / OGC Delegation Agreement

that the Agriculture Advisory Committee recommend to the Regional Board:

- a) that the Minister of Energy, Mines and Petroleum Resources; and the Minister of Agriculture and Lands be invited to attend a Regional Board meeting to discuss the agriculture industry's difficulties as a result of the Agricultural Land Commission's Delegation Agreement with the Oil and Gas Commission, after a list of the issues has been developed; and
- b) that the following list of issues and concerns (listed in order of importance) identified by Committee members be discussed with the Ministers:
 1. There is a big question as to whether the ALC should be delegating their authority over agricultural lands to any other body or organization. The OGC has a mandate to expedite oil and gas activity in the area. This often conflicts with the needs and concerns of surface landowners – particularly those concerned about the future use of our agricultural lands for farm purposes.
 2. Many ranchers expressed concern that, with the constant staff changes within the OGC, and the limited agricultural knowledge and experience of most of that staff, the implementation of the Delegation Agreement has been inconsistent. Also that the OGC staff often use the Delegation Agreement to treat agricultural lands not included in the ALR differently than that within the ALR boundaries; sometimes to the point of steering the oil and gas industry to the "other side of the field" where it is outside the ALR.
 3. If another Agreement is drafted it must include clauses that emphasize respectful / reasonable **negotiation** with the landowner, all references to "notification" must be removed. Notification is insufficient in that it gives the OGC and industry an excuse to by-pass negotiation.

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Dept Head: _____

Bruce Simard

CAO: _____

John Boulton

Nov 12 2009

ALC / OGC Delegation Agreement (continued)

4. If the decision is made to continue with an Agreement it is important that it be made clear that any amendment(s) concerning the use of agricultural lands be forwarded to stakeholders with ample time allowed for public input prior to enactment.
5. Other concerns expressed were related to the Appendices in the Delegation Agreement:
 - i) is industry considering the agricultural concerns as expressed in Appendix II of Agreement. There is a need to show proof. A checklist should be used to check off items in Appendix II;
 - ii) the performance of the ALC when dealing with agricultural land being considered for development by the oil and gas industry, the acres per ¼ section legislated for industrial development, and allowing industry to exceed those acreages;
 - iii) the placement of oil and gas developments on a given land base, often resulting in unnecessary alienation of a piece of the parcel.

Oil and Gas Activities within the ALR: an Audit

that the Agriculture Advisory Committee recommend to the Regional Board that the following recommendations contained in the Final Report for OGC/ALC Delegation Agreement Audit be endorsed using stronger language:

1. that the OGC develop a process to track whether owners of pipelines are reclaiming the disturbed areas and submitting a Schedule B report within 24 months as required under the Delegation Agreement.
2. that the OGC and ALC develop best management practices to guide operators in the stripping and stockpiling of soil for well sites, facility sites, and associated roads.
3. that the OGC and ALC review their processes for assessing proposals for facilities associated with oil and gas development.

Appendix 1 – ALC / OGC Delegation Agreement

that the Agriculture Advisory Committee recommend to the Regional Board that Appendix 1, page 1 in the ALC and OGC Delegation Agreement be updated to include and consider new technologies being used by the oil and gas industry, i.e. multiple pad well sites.

Nuisance Wildlife

that the Agricultural Advisory Committee recommend to the Regional Board that a letter be forwarded to Alberta Environment, Northern Region requesting information on why nuisance wildlife of any kind are being transplanted into Northern BC/Alberta.

Landowner's Advocate Office

that the Agriculture Advisory Committee recommend to the Regional Board:

- a) that a letter be forwarded to the Minister of Energy, Mines and Petroleum Resources stating that the direction the Ministry is pursuing for the establishment of a Landowners office by implementing a Board consisting of 3 government representatives is unacceptable; and
- b) recommend that all three members of the Landowner Advocate Board should come from northeast BC with no government affiliations.