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| A picture containing logo  Description automatically generated | **Blueberry River First Nations** **Sensitive Planning Areas Form** 6534 100th Ave,Fort St. John, B.C. V1J 8C5Phone: (250) 794-5200 |  |

This FORM and its attachments are mandatory attachments to be uploaded in AMS, under the First Nations tab, within the BRFN section as an “Other” attachment. DO NOT CHANGE FORM TEXT OR FORMAT.

THIS IS AN AUDITABLE DOCUMENT.

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| **ADMINISTRATION** | **A** |
| Applicant Name: Date (MMDDYYYY): | Application (AA) Number:For amendments, provide the AD Number: |
| 1. Is the application located within the HV1A, HV1B, or HV1C Sensitive Planning areas?

HV1A [ ]  HV1B [ ]  HV1C [ ]  |
| 1. Application Category: 1 [ ]  2 [ ]  3 [ ]
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| **PROTECTION AND DEVELOPMENT ZONES** | **B** |
| 1. Does the application occur in the Protection, Current Industry Maintenance Zone, non-PNG Disturbance, and/or the Development Zone? Select all that apply.

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| --- | --- | --- | --- |
|   | Zone (yes or no) | How many hectares (ha) of New Disturbance? | How many metres (m) of New Linear Disturbance |
| Protection Zone |   | 0.00 | 0.00 |
| Current Industry Maintenance Zone |   | 0.00 | 0.00 |
| Non-PNG Disturbance |   | 0.00 | 0.00 |
| Development Zone |   | 0.00 | 0.00 |

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| **GENERAL APPLICATION INFORMATION REQUIREMENTS** | **C** |
| 1. Applicants must provide General Application Information Requirements in the form of a Qualified Professional (QP) / Qualified Environmental (QEP) Assessment Report. If a document has been attached to the application, provide the document name and date.
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| 1. Applicants must provide a statement from QP/QEPs that the Conditions for Development are met. Using the template located here: ([Resources | BC Energy Regulator (BCER) (bc-er.ca)](https://www.bc-er.ca/how-we-regulate/engage-with-indigenous-communities/indigenous-forms-resources/)), has a document been included with the application that describes the QP/QEPs name(s), credentials, years experience in the field specific to the discipline, and a statement that the Conditions for Development have been met?

Yes [ ]  No [ ]   |
| 1. If a statement has not been included, please provide a rationale. If feedback has been received from Blueberry River First Nations explain and summarise.
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| **ENVIRONMENTAL MANAGEMENT PLAN** | **D** |
| 1. Applicants must prepare and provide an Environmental Management Plan (EMP); this can be in the form of a General EMP and/or Site-Specific Mitigation Strategy.

The General EMP is reviewed by BCER and BRFN for compliance with the Conditions for Development outlined in the development plan (for example the HV1-C Gundy Complex Plan), and subsequently accepted. The accepted General EMP may then be kept on file with the BCER and used for applications that satisfy all Conditions for Development, subject to the findings of the QP/QEP Assessment Report and mitigation measures that may be required. Where a General EMP will not be considered sufficient to adequately address impacts to Values or the proponent has elected not to prepare a General EMP, a Site-Specific Mitigation Strategy will be prepared and attached with the application.Does this application reference a General EMP or Site-Specific Mitigation Strategy? General EMP [ ]  Site-Specific Mitigation Strategy [ ]  An EMP has not been included [ ]  1. Include the document name, and date. If EMP has not been included, please provide rationale.
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| **OFFSITE ENVIRONMENTAL MITIGATION (OFFSETTING; only applicable for HV1C)** | **E** |
| 1. Environmental offsetting will be required, in addition to site-specific mitigation measures, to address the following impacts: New Disturbance within Riparian Reserve Zones (as defined in the HV1-C Gundy Complex Plan), and to Old Forest.
2. After attempting all options to avoid, reduce and mitigate does this application result in an impact to:

Riparian Reserve Zones [ ]  Old Forest [ ]  Other (describe below) [ ]  Impacts are not anticipated |
| 1. If impacts are expected, has a QP/QEP(s) prepared an offsetting plan to compensate for the proposed impact and attached it with the application? If yes, provide the document name, date, page number and/or section number.

Yes [ ]  No [ ]   |

Definitions

Key defined terms from the Sensitive and Planning Areas Form (above) are listed below. In addition to these definitions, any other term defined in the Blueberry River First Nations Implementation Agreement (BRFN IA), or the development plans (for example the HV1-C Gundy Complex Plan) is applicable to this document.

**Application Category:** The intent of these development categories is to set common expectations for industry, BCER and BRFN in the scope of assessment and guide the depth of detailed review and consultation for individual applications. They are:

* Category 1 Developments where no site-specific mitigation triggers or offsets apply. These applications will include a QP/QEP Assessment Report and reference a General EMP.
* Category 2 Developments where site-specific mitigations are required to address impacts to Values, but no offsets apply. These applications will include a QP/QEP Assessment Report, and Site-Specific Mitigation Strategy. and,
* Category 3 Developments where impacts requiring offsetting cannot be avoided and therefore require both site-specific mitigations and offsetting to manage impacts. These applications will include a QP/QEP Assessment Report, Site-Specific Mitigation Strategy, and Offsetting Plan.

**Baseline Information Requirements:** To support robust and efficient consideration of new Oil and Gas Activities within Sensitive and Planning Areas during early pre-engagement and in application materials, proponents will be expected to provide the following information as early as possible in discussions, to the extent that it is known or can be estimated:

1. An explanation of the necessity of the proposed activity, and the proponent’s self- assessment of development category.
2. An estimate of expected temporary and permanent changes to the landscape and Values as a result of proposed activities. To comply with this condition, the EMP should include a high-level summary of:
	1. All the activities proposed, including temporary and permanent activities;
	2. Proposed construction start date(s) and duration, with consideration of how the proposed timing has been influence by, and overlaps with, environmental timing windows;
	3. A high-level overview of the equipment and personnel that will be mobilized.
3. The proximity of the proposed development to known Values including known occurrences of valued components and cultural, ecological and wildlife habitat features.
4. For activities that will involve New Disturbance, a summary of temporary and long-term changes to the landscape and surroundings including, but not limited to any infrastructure that will be installed, vegetation removal, water use, soil disturbance, changes to viewsheds or soundscapes, and any anticipated changes to access to the local area by land users.
5. Identification, rationale, and status of ecological recovery (if applicable) for the Zone of Influence associated with the proposed activity.
6. Additional information that proponents will need to support pre-engagement discussions as well as application preparation are:
	* Any proximate occurrences of identified or known Values.
	* Any proximate known occurrences of species or ecosystems at risk.
	* Any proximate known ecological, wildlife habitat or cultural features.
	* Photographs, as applicable and particularly where physical site conditions differ from expected.
7. Names and scope of practice relevant to the proposal of any QEP/QP (i.e. which QEP/QPs assessed or are expected to assess which elements of the development proposal).
8. Timing and considerations for restoration of temporary disturbances at end of use.

**Conditions for Development:** Conditions that must be considered by petroleum and natural gas industry for any proposed Oil and Gas Activity within the Sensitive and Planning Areas.  These conditions apply in addition to provisions of the BRFN IA and any other requirements applying to new Oil and Gas Activity applications.

**Current Industry Maintenance Zone (CIMZ):** The intention of the CIMZ is to recognize that there are existing industry operations occurring within areas that have been identified as having high ecological and cultural values and that these operations will likely be wound down and incorporated into the Protection Zone over time as they reach the end of their useful life. Existing infrastructure and wells may continue to operate and produce until they are depleted, and expansions of existing infrastructure may be considered where this is proposed as an alternative to development outside the Protection Zone that would result in less optimal cumulative effects management outcomes (such as the activities outlined in section 7.3 of the BRFN IA).

**Development Zone:** Area(s) located outside the Protection Zone and is the area within which New Disturbance can occur subject to the Conditions for Development.

**Non-PNG Disturbance:** Existing hard surface that is not reflected within the CIMZ and is permitted under a statute other than the Energy Resource Activity Act.

**Old Forest:** Pursuant to Regional Strategic Environmental Assessment (RSEA), Old Forest includes stands greater than 140 years old.

**Protection Zone:** The Protection Zone is designed to meet the 60% protection target within each of the three HV1C areas, and are areas where no New Disturbance is permitted, and are intended to recover the ecological and cultural Values. Activities allowed within the Protection Zone include activities associated with the practice of Treaty Rights, restoration activities and the continuation of existing Oil and Gas Activities.

**Qualified Environmental Professional (QEP)**: Individuals who are registered members and in good standing with of one of the regulatory bodies regulated under the [*Professional Governance Act*](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/18047#Schedule1)*.* All work submitted by QEPs must be within their scope of practice as regulated under the *Professional Governance Act* and consistent with the codes, standards and practices of their Professional Organization.

**Qualified Professional (QP):** A professional who has training, experience and expertise in a discipline relevant to the field of practice, when that field does not have a regulatory college which certifies Qualified Professionals.

**Sensitive and Planning Area:** Areas where the BCER and BRFN has identified that enhanced management or an enhanced review process is required. These areas include the three High Value Areas (HV1A, HV1B, and HV1C) identified on Schedule “B” of the BRFN IA.

**Site-Specific Mitigation Triggers:** Site-specific assessment and mitigation measures are required for proposed Oil and Gas Activities where a General EMP is not expected to sufficiently avoid or mitigate impacts to key Values. These triggers are described in Section 7.6 of the Gundy Complex HV1-c Plan. A site-specific supplemental mitigation strategy, prepared with applicable QP/QEP oversight will be required to articulate additional considerations and/or mitigation measures.

**Zone of Influence:** The area potentially affected by a proposed Oil and Gas Activity, including the direct footprint, as well as areas outside the direct footprint affected by air contaminants, noise, light, and wastes. The Zone of Influence must be justified by the QEP and cannot be less than a 250 m buffer surrounding the proposed footprint.