



Oil and Gas Activities Act Prescribed Roads Regulation Amendments to the Consultation and Notification Regulation

TO: Industry Clients

EFFECTIVE DATES: Prescribed Roads Regulation - Immediate
Consultation and Notification Regulation Amendments - Feb. 28, 2011

BACKGROUND:

On Jan. 21, 2011 the Board of Directors of the BC Oil and Gas Commission (Commission), under the Oil and Gas Activities Act (Act):

- Enacted a Prescribed Road Regulation.
- Amended the Consultation and Notification Regulation.

The Prescribed Road Regulation specifies that roads located on land (other than Crown land) that provide access to the site of an oil and gas activity, are prescribed roads for the purposes of paragraph (f) of the definition of “oil and gas activity” in section 1 (2) of the Act. This specification makes the construction, use, or operation of these roads an “oil and gas activity” under the Act, and confirms the jurisdiction of the Surface Rights Board in respect of these prescribed roads. The Prescribed Road Regulation takes effect immediately.

The amendments to the Consultation and Notification Regulation are mostly of a technical nature and do not represent a material change in policy:

- The definition of ‘rights holders’ has been changed to refer to the appropriate agreements, licences and certificates issued under the Forest Act and the Wildlife Act.
- The 21-day time period within which a person receiving a notice or invitation to consult must respond has been clarified.
- The amendments clarify that the notification and consultation distance provisions apply to facilities, wells and pipelines that handle, produce or transport water in relation to the carrying out of an oil and gas activity.
- The basis for determining the consultation and notification distances in respect of well applications has been clarified.

The amendments enable an applicant to submit an application should all parties provide written responses of 'no objection', but do not reduce the 21-day time period within which a person may make a written response to a notification or invitation to consult. The amendments to the Consultation and Notification Regulation will take effect on Feb. 28, 2011.

Any affected Commission forms, manuals, and guidelines will be revised and posted on the Commission's website by February 15, 2011 to reflect these regulatory enactments and amendments.

Copies of the Prescribed Roads Regulation and the amendments to the Consultation and Notification Regulation may be obtained by contacting the Queen's Printer:

Queen's Printer

General Enquiries: 250-387-3309

Website: <http://pss.gov.bc.ca/qp>

Should you have any questions regarding the Prescribed Roads Regulation or amendments to the Consultation and Notification Regulation, please contact:

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