

# Consultation and Notification

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**Presented by:**

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BC Oil and Gas Commission,  
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# Agenda

## Item 1

- RCNR, Rights Holder Engagement

## Item 2

- Overview of C&N changes

## Item 3

- Letter Content

## Item 4

- Responding to Notification, Consultation, Engagement

## Item 5

- Community Relations Process and Appeals

## Item 6

- Water Sustainability Act Notification

# Requirements for Consultation and Notification Regulation

*Applied to these activities defined in OGAA:*

- *Geophysical exploration*
- *Wells*
- *Pipelines*
- *Facilities, including refineries*
- *Roads*

# Rights Holder Engagement

*Related Activities under specified enactments:*

- *Associated Oil and Gas Activities*
  - *Decking site, campsite, workspace*
- *CER*
- *Water Use Activities as per the Water Sustainability Act*



# Key Regulation Changes

- Repealed and replaced to be the Requirements For Consultation And Notification Regulation (RCNR).
- **Who to notify**
  - New rights holders (RCNR s.1):
    - OGAA permit holders.
    - First Nations woodland licences and timber licences under the *Forest Act*.
    - Holders of a permit, lease, or well authorization under the *Geothermal Resources Act*.
    - If a community watershed under OGAA is within the notification distance (RCNR s.11(2)):
      - A *Water Sustainability Act* licensee.
      - A construction or operating permittee under the *Drinking Water Protection Act*.
- **Who not to Notify**
  - Local authorities if:
    - Watersheds are within notification distances.
    - Official Community Plan Map designations are within Notification distances.
    - If a pressure regulating station is located on the companies own land.



# Key Regulation Changes (Continued)

- **What requires Consultation and Notification**
  - Revisions to add various equipment
  - Revisions to add capacity or change class of a facility
  - Revisions to add sour pipelines
  - Water Pipelines in Highway Corridors
  - Revisions including a water well
- **“Major Amendment” Definition not carried over**
  - Located in the Fee, Levy and Security Regulation with a streamlined definition
- **Requirements for Information in C&N letters has been updated**
  - Need to include a description of reasonably foreseeable light
  - Revised written response statement
  - Timeline now 30 days
- **Service Regulation**
  - Mail service period is 14 days



# Key Regulation Changes - References

- The Supporting Documents section in Chapter 6 of the [Oil and Gas Activity Applications Manual](#) includes the old and new versions of recipient types and feature types.
- [The Consultation & Notification](#) page of the Commission's website contains:
  - Regulatory Changes Presentation
  - Table of Concordance

The screenshot displays the AMS website interface. On the left, a document preview for 'Chapter 6 Requirements for Engagement and Completing Application Information Details' is visible. On the right, a navigation menu for 'Chapter 6 - Requirements for Engagement' is shown, listing several links with their publication dates and 'Details >' options.

**Chapter 6 - Requirements for Engagement**

Consultation and engagement with land owners, rights holders and First Nations are a few of the Application Information tabs in AMS. Chapter 6 provides detailed instructions on completing the engagement requirements and the associated AMS tabs.

- [Chapter 6 \(All sections\) \(v1.42\)](#) Date Published: Nov. 17, 2021 [Details >](#)
- [6.1 Consultation & Notification \(v1.42\)](#) Date Published: Nov. 17, 2021 [Details >](#)
- [6.2 Rights Holder Engagement \(v1.42\)](#) Date Published: Nov. 17, 2021 [Details >](#)
- [6.3 First Nations \(v1.42\)](#) Date Published: Nov. 17, 2021 [Details >](#)

[Supporting Documents](#) [>](#)

# Letter Content

## Consultation

- *RCNR section 19 & 20*

## Notification

- *RCNR section 19*

## Amendments

- *OGAA section 31 and Application Manual section 6.1*

## Revisions

- *RCNR section 19 or 19 and 20*

## Rights Holder Engagement

- *Application Manual section 6.2*

## WSA Notification

- *WSA section 13(2) and Application Manual section 6.2*



**CLICK THIS ICON FOR LETTER EXAMPLES**



# Letter Content Highlights: RCNR Consultation and Notification (including revisions)

## Consultation and Notification

- Statement that the recipient may provide a written response within 30 days that indicates any concerns and reasons for those concerns.
- Statement that the recipient has the option to make a submission to the BC Oil and Gas Commission (Commission).

## Consultation

- Information on reasonably foreseeable noise, dust, light, odours and mitigation of these items.
- Statement that the recipient has the option to request a meeting.





# Letter Content Highlights: Rights Holder Engagement

## Similar to RCNR requirements

- Applicant name and contact information.
- Description of the location of proposed activity, and associated activities.
- Activity specifics including any significant structures and equipment to be added.
- Any roads that will be used to carry out the proposed activities.
- Approximate timing schedule of project where applicable.
- Map that shows the proposed activities in relation to rights holder's area of interest.
- Options for recipients to respond directly to applicant or provide a Written Submission to the Commission prior to an application decision.



# Letter Content Highlights: OGAA Amendments

## To the landowner only:

- A description of the proposed amendment.
- Statement that they may send a Written Submission (within 15 days of receiving the notice) to the Commission.



# Letter Content Highlights: WSA

## Includes WSA required information

- The name of the decision maker (BC Oil and Gas Commission).
- The Commission's Fort St. John mailing address to which objections (submissions) can be sent.
- The applicant name and contact information.
- A map indicating the POD location/s and/or the proposed works in relation to the rights holders, riparian owners or landowner's area of interest.
- A description of the proposed timing and extent of works.
- A statement advising the rights holder, riparian owner or landowner that they may object to the proposed water withdrawals via Written Submission to the Commission within 30 days of receiving the notice.



# Written Response, Written Reply, Written Submission: RCNR Consultation and Notification

	Written Response	Written Reply	Written Submission
Sent from	Recipient	Applicant	Recipient
Sent to	Applicant	Recipient	BCOGC

# Responses to OGAA New Applications (including revisions)



## Written Replies Need to Include:

- A summary of a meeting if applicable.
- Any revisions made to the project based on the concerns.
- A statement that the response and reply will be included in the application to the Commission.
- A statement that they can make a written submission to the Commission.

	Written Response	Written Reply
Sent from	Recipient	Applicant
Sent to	Applicant	Recipient

# Responses to OGAA Amendments



Applicant to document their notification process and include it with the application submission.

\*formal RCNR regulation statements not applicable



# Responses to Rights Holder Engagement



The Commission requires the applicant to document their completed rights holder engagement process and include it with the application submission.

\*formal RCNR regulation statements not applicable



# Responses to WSA



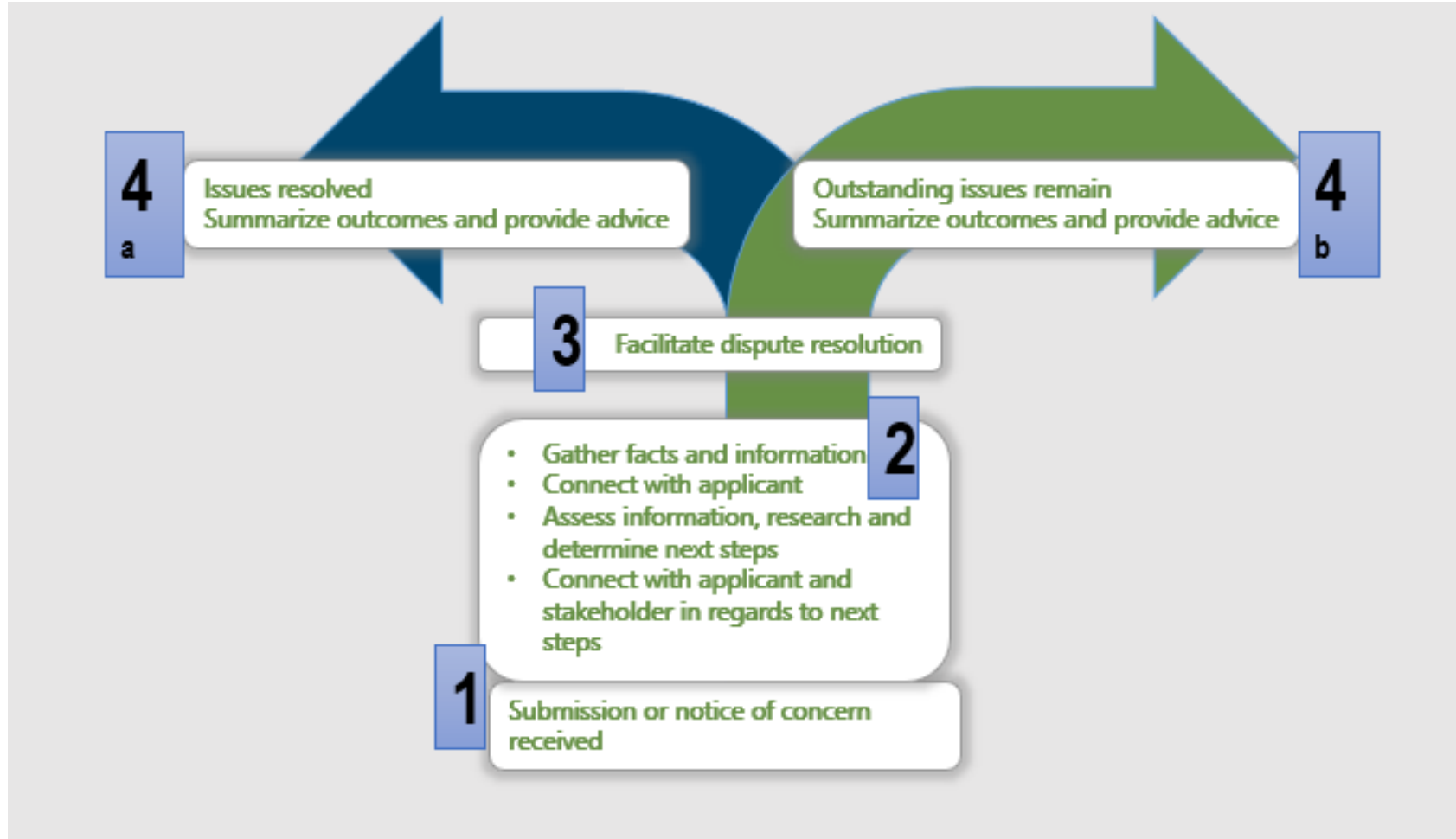
Applicants must notify and engage with rights holders, riparian owners and landowners and provide a summary of that engagement with their application

\*formal RCNR regulation statements not applicable





# Community Relations Dispute Facilitation Process



# Appealing a Decision

1. Commission notifies landowner of decision.
2. Landowner contacts Oil and Gas Appeal Tribunal (OGAT).
3. OGAT hears appeal and makes decision.



# Water Sustainability Act Notification

## Sent to:

Those that would be affected such as authorization holders, change approval holders, applicants for an authorization or change, riparian owners, landowners whose land would likely be physically affected.



## OGAA C&N



- Consultation or notification
- Deemed received via mail after 14 days
- 30-day timeframe for written responses to the applicant, and written reply requirement
- Option to make a submission to the Commission prior to a decision
- Notice of decision is required to the landowner
- Landowner can appeal through OGAT

## WSA Notification



- Notification only
- Deemed received via mail after 14 days, or actual receipt date (whichever is earlier)
- No specified requirements for written response and written reply
- 30 day timeframe to send objections to the Commission
- Notice of authorization is required to anyone who sent an objection
- Decision maker can hold a hearing and rights holders can appeal through the Environmental Appeal Board

## Need more assistance?

If you need more assistance, please submit a request via e-mail to [servicedesk@bcogc.ca](mailto:servicedesk@bcogc.ca).

**Contact:**

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# QUESTIONS?



FACEBOOK



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