

Frequently Asked Questions

Directive 056—Participant Involvement

This document clarifies and supports some of the participant involvement requirements related to *Directive 056: Energy Development Applications and Schedules* applications. The questions below address common omissions or errors.

Coal/CBM

Q1. What are the licensing and participant involvement requirements for an applicant who intends to drill a well with the target substance being coalbed methane?

A1. The applicant must identify the substance name as coalbed methane in step 5 (Well Detail) of schedule 4 of *Directive 056*. Additionally, the applicant must meet the requirement outlined in section 2.2.2 (16)(f) by identifying the type of substance as coalbed methane in its project specific information letter. If during the processing or audit review of the application it is determined that the applicant has not met these requirements, it may be requested to renotify all parties and/or file a licence amendment application.

Q2. If a well application involves outstanding objections based on the right to produce CBM from split-title lands, what information does the AER require the applicant to file with its application?

A2. On March 28, 2007, the energy regulator issued *Decision 2007-024*, which considered the issue of legal entitlement to CBM being produced or intended to be produced from certain wells on split-title lands located in the Clive, Ewing Lake, Stettler, and Wimborne Fields.

On December 24, 2008, the regulator issued *Bulletin 2008-50*, which provided updated direction on expectations on this issue. In the bulletin, applicants are advised that as of January 1, 2009, they may file a routine application if they provide notification to the coal owner and any other potentially affected parties, provided that

- filers of CBM objections do not raise any new or unique concerns or claims that do not relate to CBM entitlement based on coal ownership and/or trespass or potential damage to the coal resulting from gas or CBM production, and
- no other parties object to the well.

Routine applications will need to be accompanied by a “*Bulletin 2008-50* cover letter” confirming that the requirements outlined in the bulletin have been met and no new or unique concerns were identified. A copy of that letter needs to be forwarded to the coal owner as well.

Applicants who do receive objections that have new or unique concerns will need to submit those applications as nonroutine. Application staff will review any objections received after January 1, 2009, and if there are no new or unique concerns raised, the objection will be returned to the objector.

CONFIRMATION OF NONOBJECTION

Q3. What are the Alberta Energy Regulator’s (AER’s) participant involvement requirements for well, facility, and pipeline developments on public lands that the AER administers?

A3. The following summarizes the requirements:

- 1) For energy-related developments proposed on Crown lands, applicants must obtain a letter of authorization (or disposition) from the AER. This letter of authorization from the AER confirms that the applicant has met the *Directive 056* requirement for confirmation of nonobjection.
- 2) For developments proposed next to Crown land or where Crown land is within either the setback distance or the notification radius prescribed in *Directive 056*, applicants are not required to consult with or notify the AER (or Alberta Environment and Parks [EP]) about the proposed development.
- 3) For developments proposed on Crown land with an existing disposition, the AER requires that applicants acquire an amended letter of authorization (or disposition) if the development needs land added to the existing disposition.

Unless requested, applicants are not required to provide the AER or EP with the information packages described in section 2.2.2 of *Directive 056*.

PUBLIC INFORMATION

Q4. I am a landowner in Alberta and would like more information regarding oil and gas development. Where will I find information pertaining to AER applications for wells, pipelines, and facilities?

A4. There are a number of publications developed by and available from the AER regarding well, pipeline, and facility applications. These publications form part of *Directive 056*. In particular, section 2, “Participant Involvement,” describes the minimum requirements a company must meet regarding public consultation and notification when submitting a well, pipeline, or facility application to the AER. In addition, the AER may be contacted directly at 403-297-4369 or via e-mail at Directive56.help@aer.ca with *Directive 056* inquiries. The following are brochures relating to and included in *Directive 056*:

- Understanding Oil and Gas Development in Alberta
- Letter from the Chairman of the ERCB

Additionally, a number of EnerFAQs about AER programs and services, as well as issues related to oil and gas development, are available on the AER website under About AER > EnerFAQs.

Specific applications can be queried through the Integrated Application Registry (IAR) system: https://dds.aer.ca/iar_query/FindApplications.aspx.

For general questions, the community and aboriginal relations advisor in the local AER field centre may be contacted. Field centre contact information is available on the AER website under About AER > Contact Us.

The following agencies provide additional information regarding oil and gas development in Alberta:

The Farmers' Advocate

For advice on resolving concerns of the Alberta agricultural community, which includes those pertaining to oil and gas activities, seismic activity, and mineral leasing, contact the Farmers' Advocate in Edmonton:

305, 7000 – 113 Street

Edmonton AB T6H 5T6

Phone: 780-310-3276 (toll free by first dialing 310-0000)

Fax: 780-427-3913

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/ofa2621](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/ofa2621)

Alberta Surface Rights Board

For information regarding entry or compensation related to oil and gas resource activity on privately owned or Crown-occupied lands, contact the SRB in Edmonton:

1229 – 91 Street SW

Edmonton AB T6X 1E9

Phone: 780-427-2444 (toll free by first dialing 310-0000)

Fax: 780-427-5798

<http://www.surfacerights.gov.ab.ca/home/default.aspx>

Alberta Environment and Parks

Alberta Environment and Parks (EP) leads resource planning and sustainable development on behalf of all Albertans. For information on province-wide strategies that integrate industry, government and public uses of Alberta's land and resources, please contact EP in Edmonton:

Alberta Environment and Parks

Main Floor, Petroleum Plaza South Tower

9915 – 108 Street

Edmonton AB T5K 2G8

Phone: 780-427-2700 (toll free by first dialing 310-0000)

Fax: 780-422-4086

<http://environment.alberta.ca/>

The Registrar of Land Agents

The Registrar may investigate any complaint with respect to any matter that pertains to the *Land Agents Licensing Act* or the *Land Agents Licensing Regulation*. If you have concerns regarding a land agent or require further information, contact the Registrar's office in Edmonton:

Land Agents Licensing

7th Floor, Labour Building

10808 – 99 Avenue

Edmonton AB T5K 0G5

Phone: 780-415-4600 (toll free by first dialing 310-0000)

Fax: 780-422-7173

<http://work.alberta.ca/labour/land-agents-licensing.html>

FIRST NATIONS CONSULTATION

Q5. Are the AER's First Nation consultation requirements different from those for Alberta Environment and Parks (EP)?

A5. Yes. The AER's First Nation consultation requirements exist within *Directive 056* and are separate and distinct from EP's consultation requirements for First Nations. If a concern or objection from a First Nation remains unresolved, applicants must submit the application as nonroutine.

SOUR GAS PLANNING AND PROLIFERATION REQUIREMENTS

Q6. Section 8.3.4 of *Directive 056* indicates that a routine application must be submitted along with a cover letter explaining that the planning and proliferation requirements were met and no concerns or objections were received. Is this cover letter still required?

A6. No cover letter is needed. Applicants must meet the requirements of section 8.3 whenever people reside within the emergency planning zone. If the requirements have been met without any objections, applicants can say "no" to question 2 in step 2 on schedules 2, 3, and 4 of the routine application. When the directive is next released, it will no longer require a cover letter.