

Interim Directive

Pilot for Site Reductions on Well Sites

The following information is for environmental consultants, landowners and oil and gas operators regarding criteria for the pilot program.

Policy No.	EPA, Land Policy, 2023, No. 2
Effective Date:	December 14, 2023
Expiry Date:	September 18, 2025

Introduction

In 2001, Alberta stopped accepting reclamation certificate applications for well site reductions on private land as an operational measure to address the application backlog. This decision is contained in Alberta Environment and Protected Area's [Guide to Certification for Site Reductions, Additions, Overlaps, Multi-Well Facilities, and Forced Lease Boundary Changes](#).

Interim Directive and Pilot

This pilot enables the Alberta Energy Regulator (AER) to issue a reclamation certificate to eligible operators, certifying that the portion of a well site meets government reclamation standards.

The intent is to learn from the pilot, to inform a decision whether to make a policy change to accept reclamation certificate applications for reclaimed portions of well sites on private land.

Site reduction applications are permitted in legislation. This interim directive is released under the authority of Section 138(4) of the *Environmental Protection and Enhancement Act* (EPEA). Landowner for the purpose of this interim directive means "owner" as per EPEA.

The pilot program does not change the legal authority of surface lease agreements between landowners and operators under the *Surface Rights Act*.

The pilot also does not change the right of a person under the *Responsible Energy Development Act* to submit a written statement of concern about a reclamation certificate application.

The pilot does not change the deemed liability of a lease, per the AER's Directive 006 and Directive 088.

Eligibility Criteria for Sites within the Pilot

Sites must follow applicable policy and meet regulatory requirements that are in place when the pilot is launched, including but not limited to:

- Minimum disturbance well leases on private land only.
- Phase 1 Environmental Site Assessment (ESA) completed within the last 12 months of the application submission. The Phase 1 ESA must not trigger a Phase 2 ESA.
- 2010 Reclamation Criteria, in which the vegetation and landscape assessments were completed within the last 12 months and soils assessments completed within the last three years of the application submission.
- No variances within the application are allowed.
- No contamination or suspected contamination allowed, on or off the well lease.

For this interim directive and pilot, the term "site" refers to the surface lease (e.g., well site) associated with an active well license and does not include any of the associated infrastructure (e.g., access roads, pipelines).

The following are the parameters of the pilot program:

- Informed and willing landowner.
- One site reduction application allowed per surface lease.
- An updated legal survey plan must be completed for the surface lease. The updated survey plan must be included in the reclamation certificate application and outline the site reduction area and the remaining lease area.

Minimum Disturbance Lease

Minimum disturbance sites are sites where construction practices minimized the level of disturbance on the lease, resulting in two different management zones: undisturbed and disturbed. An example of a minimum disturbance site is outlined Figure 1.

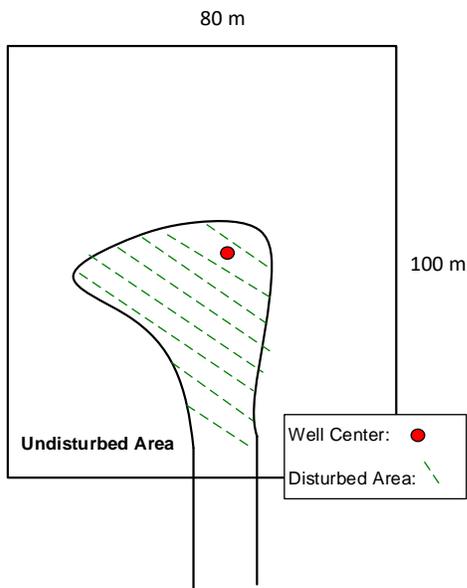


Figure 1. Example of the boundary of the disturbance within a minimum disturbance site.

Landowner Notification

Landowners must be notified in writing of the pilot, which includes providing this interim directive and fact sheet to landowners.

It is recommended that this notification take place when the landowner is contacted during the Phase 1 ESA, before any work takes place to prepare an application.

Proof of landowner consent must be provided when an operator submits a site reduction reclamation certificate application for the pilot program.

The landowner consent form will be posted, once available, on Government of Alberta's website.

The consent form must have the interim directive and fact sheet as attachments when signed.

Providing this written acceptance with the application is different than the statement of concern process, which is available to any person who believes they are directly and adversely affected by an application submitted to the AER.

Landowners should refer to their surface lease agreements when assessing if they would like to participate in the pilot program.

Well Site Reductions

The well site area may be reduced up to 60 per cent of the original surface lease, if the area of the new well site is large enough to allow for:

- A minimum 20 metre setback from any edge of the new lease boundary to the well head (see Figure 2);
- Well servicing, abandonment, and decommissioning activities to be completed within this reduced area with no additional temporary workspace required; and
- Applicable safety requirements are met at all times, e.g., Directive 071: Emergency Preparedness and Response; Occupational Health and Safety.

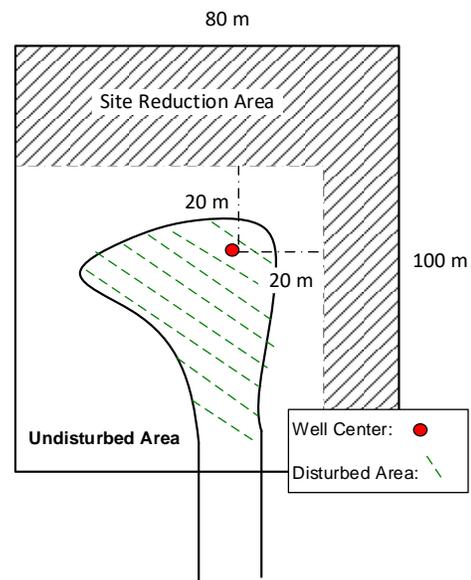


Figure 2. An example of partial reclamation that occurred on a minimum disturbance well lease.

Application Process

The AER will accept up to 100 applications for the well site reduction pilot, beginning on March 20, 2024. The pilot will end on September 18, 2025.

Site reduction applications must be submitted following application processes outlined on the AER's website.

Any comments or questions regarding the content of this document may be directed to:

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