

Regulatory Details Plan

Excerpt from the South Athabasca Sub-regional Plan

Part 9: South Athabasca Sub-regional Plan Regulatory Details

Application of part

1 This Part applies to the subregional plan area, as defined in section 1(j).

Definitions

2 In this Part,

- (a) “active well” means a well that is producing oil or gas, injecting fluids, or disposing of waste;
- (b) “annual operating plan” means a plan prepared and submitted by the timber disposition holder each year to the Department administered by the Designated Minister referred to in section 5, which when approved, provides the authorization to harvest;
- (c) “conservation area” means the lands identified as a conservation area in Map 1 that are intended to be designated under the *Provincial Parks Act*;
- (d) “critical sour well” means a well designated by the Regulator as a well for drilling purposes with an H₂S release rate greater than or equal to 2.0 m³/second or other wells with a lesser H₂S release rate in close proximity to an urban centre;
- (e) “decision-maker” means a decision-maker as defined under the *Alberta Land Stewardship Act*;
- (f) “Department” means the department administered by the Designated Minister referred to in the applicable section;
- (a) “disposition” means a disposition as defined under the *Public Lands Act*;
- (b) “exploration approval” mean an exploration approval as defined under the *Mines and Minerals Act*;
- (c) “formal disposition” means a formal disposition as defined under the *Public Lands Administration Regulation*;
- (d) “inactive well site” means land that contains one or more inactive wells that have been inactive for five years or more and no active wells;
- (e) “inactive well” means

- (i) for critical sour wells (perforated or not) that have not reported any type of volumetric activity (production, injection, or disposal) for six consecutive months, and
 - (ii) for all other wells that have not reported any type of volumetric activity (production, injection, or disposal) for 12 consecutive months, but does not include observation wells, water source wells and any other wells authorized for another purpose by the regulator;
- (f) “in situ project area” means the boundaries within which bitumen recovery may occur over the life of an in situ project, including any changes to the boundaries over time, approved under the *Oil Sands Conservation Act*;
- (g) “operator” means an operator as defined in the *Oil Sands Conservation Act*;
- (h) “regulator” means the Regulator as defined in the *Responsible Energy Development Act*;
- (i) “step in the progression” includes
 - 1) dismantling the surface infrastructure,
 - 2) decontamination of the surface and subsurface,
 - 3) completing all remaining activities to meet level 2 restoration of the land, including landform construction and recontouring, clean material placement (as required), reclamation material placement, and revegetation,
 - 4) application for reclamation certificate, and
 - 5) issuance of reclamation certificate;
- (j) “sub-regional plan area” means the geographical area identified in Map 2 and described in Appendix X;
- (k) “well” means an orifice in the ground completed or being drilled for the production of oil or gas, for injection to an underground formation, or as an evaluation well or test hole;

Designated Minister for public lands

3 For the purposes of section 14 of this Part in respect of off-highway vehicles, the Minister designated under section 16 of the *Government Organization Act* as the Minister responsible for the *Public Lands Act* is the Designated Minister.

Designated Minister for conservation areas

4 For the purposes of sections 15 and 16 of this Part in respect of conservation areas, the Minister designated under section 16 of the *Government Organization Act* as the Minister responsible for the *Provincial Parks Act* is the Designated Minister.

Designated Minister for forestry

5 For the purposes of sections 2(b) of this Part in respect of forestry, the Minister designated under section 16 of the *Government Organization Act* responsible for the *Forests Act* and the *Forest and Prairie Protection Act*, as applicable.

Energy

For the purpose of sections 6 to 7

- (a) “licensee” means a licensee as defined under the *Oil and Gas Conservation Act*; and
- (b) “holder” of a disposition means the current and any former holder of the disposition.

Targets to reduce area of inactive well sites

6 No later than 6 months after the coming into force of this Part, the regulator shall publish the area (hectares) occupied by inactive well sites in each zone within the sub-region.

- (a) All reporting by disposition holders shall use existing reporting mechanisms.

7 The regulator shall publish the information by June 30 of each year for each zone within the sub-region

- (a) a list of all formal dispositions that have an inactive well site on the land covered by the formal disposition and the associated licensee(s),
- (b) the area covered by each formal disposition that has an inactive well site on the land covered by the formal disposition,
- (c) for each formal disposition that has an inactive well site on the land covered by the formal disposition, each step in the progression to level 2 restoration required to be completed in the previous calendar year,
- (d) the total area (hectares) of formal dispositions that have an inactive well site on the land covered by the formal disposition, and
- (e) the total area in each step in the progression to level 2 restoration required to be completed in the previous calendar year across all formal dispositions.

For the purpose of sections 8 to 11

- (a) “future primary road” means a road requiring a formal disposition;
- (b) “project area” means the boundaries within which bitumen recovery may occur over the life of an in situ project, including any changes to the boundaries over time, approved under the *Oil Sands Conservation Act* or the boundaries within which mineral recovery may occur over the life of hard-rock/mineral project, including any changes to the boundaries over time, approved under the *Mineral Resource Development Act*.

Prohibition of surface access for new mineral lease agreements - applicants

8 No person shall apply for a disposition or for an amendment for a disposition to permit any surface disturbance in relation to any petroleum and natural gas agreement, metallic and industrial mineral agreement, or an oil sands agreement granted under the *Mines and Minerals Act* within the White Muskeg and in caribou ranges outlined on Map 3.

Exceptions to prohibitions

9 Despite section 3, an applicant may apply for a disposition or for an amendment to a disposition for

- (a) a surface disturbance within an approved project area;
- (b) a water outfall structure;
- (c) a water intake structure; or
- (d) a future primary road to provide access to the approved project area.

Prohibition of surface access for new mineral lease agreements – decision-makers

10 A decision-maker shall not issue a disposition or an amendment for a disposition to permit any surface disturbance in relation to any petroleum and natural gas agreement, metallic and industrial mineral agreement, or an oil sands agreement granted under the *Mines and Minerals Act* within the White Muskeg and in caribou ranges outlined on Map 3.

Exceptions to prohibitions

11 Despite section 10, a decision-maker may approve a disposition or for an amendment to a disposition for

- (a) A surface disturbance within an approved project area;
- (b) a water outfall structure;
- (c) a water intake structure; or
- (d) a future primary road to provide access to the approved project area.

Conservation Areas

Prohibitions on surface disturbances

12 Subject to section 13, in a conservation area, a decision-maker shall not issue, approve, or renew

- (a) a disposition or an amendment to a disposition to permit any surface disturbance for any purpose,
- (b) an annual operating plan authorizing the harvesting of timber,
- (c) an exploration approval, or

- (d) a lease or an amendment to a lease issued under the *Public Lands Act* for tourism and commercial recreation purposes as described in the *Public Lands Administration Regulation*.

Exceptions to prohibitions

13 Despite section 12, a decision-maker may

- (a) Issue, renew or amend a disposition to permit any surface disturbance in relation to any petroleum and natural gas lease agreement, mineral agreement, or oil sands agreement granted under the *Mines and Minerals Act*.
- (b) approve a timber permit authorizing the harvesting of timber for the purpose of wildfire management.

14 No person is permitted to use an off-highway vehicle as defined in the *Traffic Safety Act* in a conservation area unless

- (a) The area has been identified as permitting off-highway vehicle use on a map published by the Department administered by the Designated Minister referred to in section 3.

Conservation objectives

15 The Designated Minister referred to in section 3 may take whatever steps that in the opinion of the Designated Minister referred to in section 3 are desirable for achieving the conservation objectives of this Part.

Programs to manage objectives

16 In respect of the land use in a conservation area, the Designated Minister referred to in section 3 shall establish and maintain programs evaluating the effectiveness of the conservation area in meeting the relevant conservation objectives in this Part.

Multiuse Corridor

Prohibitions on surface disturbances - applicants

17 Subject to section 18, no person shall apply for a disposition, for any purpose, if the lands identified in the application for the disposition are within a multi-use corridor identified in Map 4.

Exceptions to prohibitions

18 Section 17, does not apply if the disposition applied for

- (a) is for the purposes of planning, constructing, operating, maintaining, or reclaiming a transmission line, pipeline, telecommunications or underground fibre-optic cable, or a public highway.

Prohibitions on surface disturbances – decision-makers

19 Subject to section 20, a decision-maker shall not issue a disposition or an amendment for a disposition for any purpose, if the lands identified in the application for the disposition are within a multi-use corridor identified in Map 4.

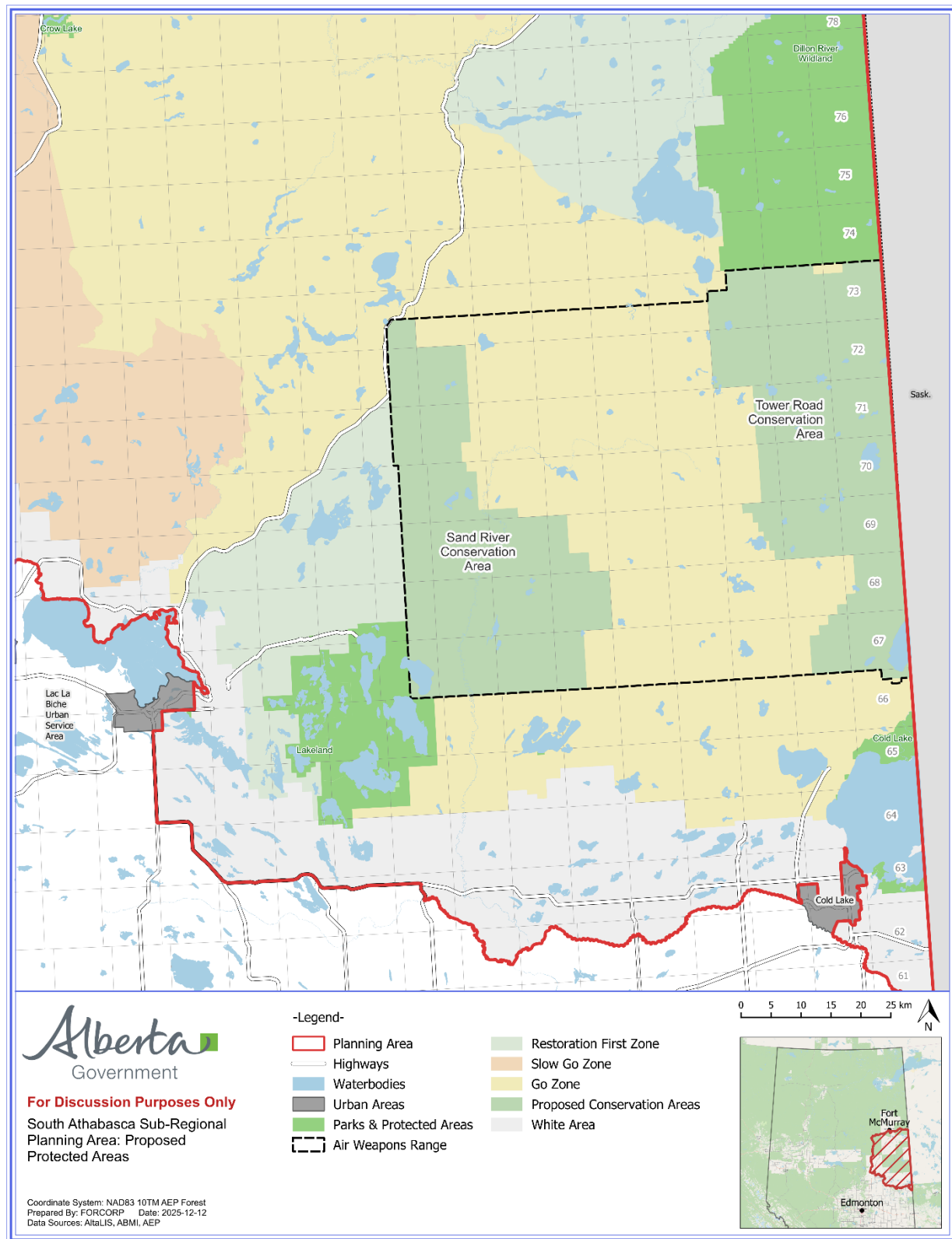
Exceptions to prohibitions

20 Section 19, does not apply if the disposition applied for

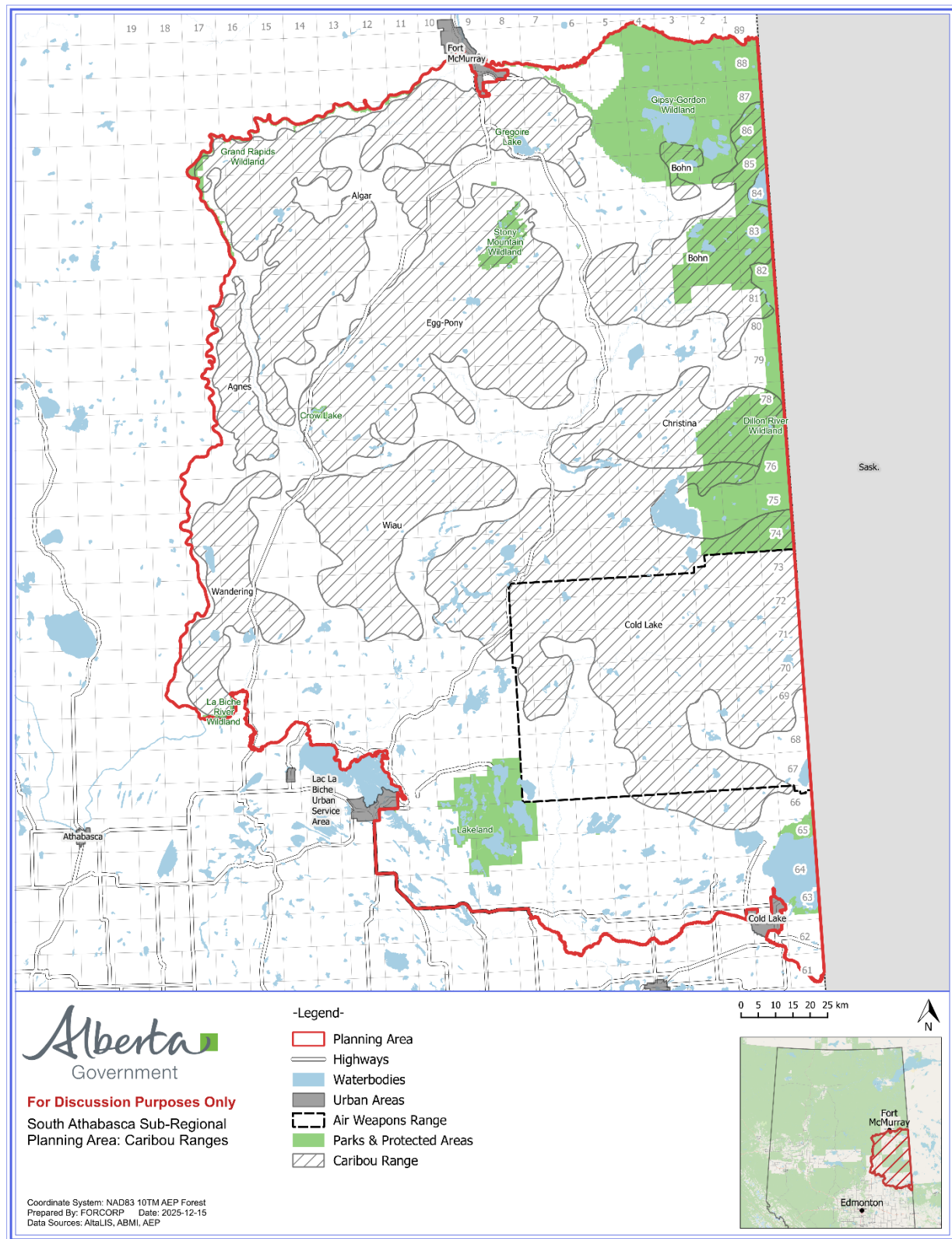
- (b) is for the purposes of planning, constructing, operating, maintaining, or reclaiming a transmission line, pipeline, telecommunications or underground fibre-optic cable, or a public highway.

DRAFT

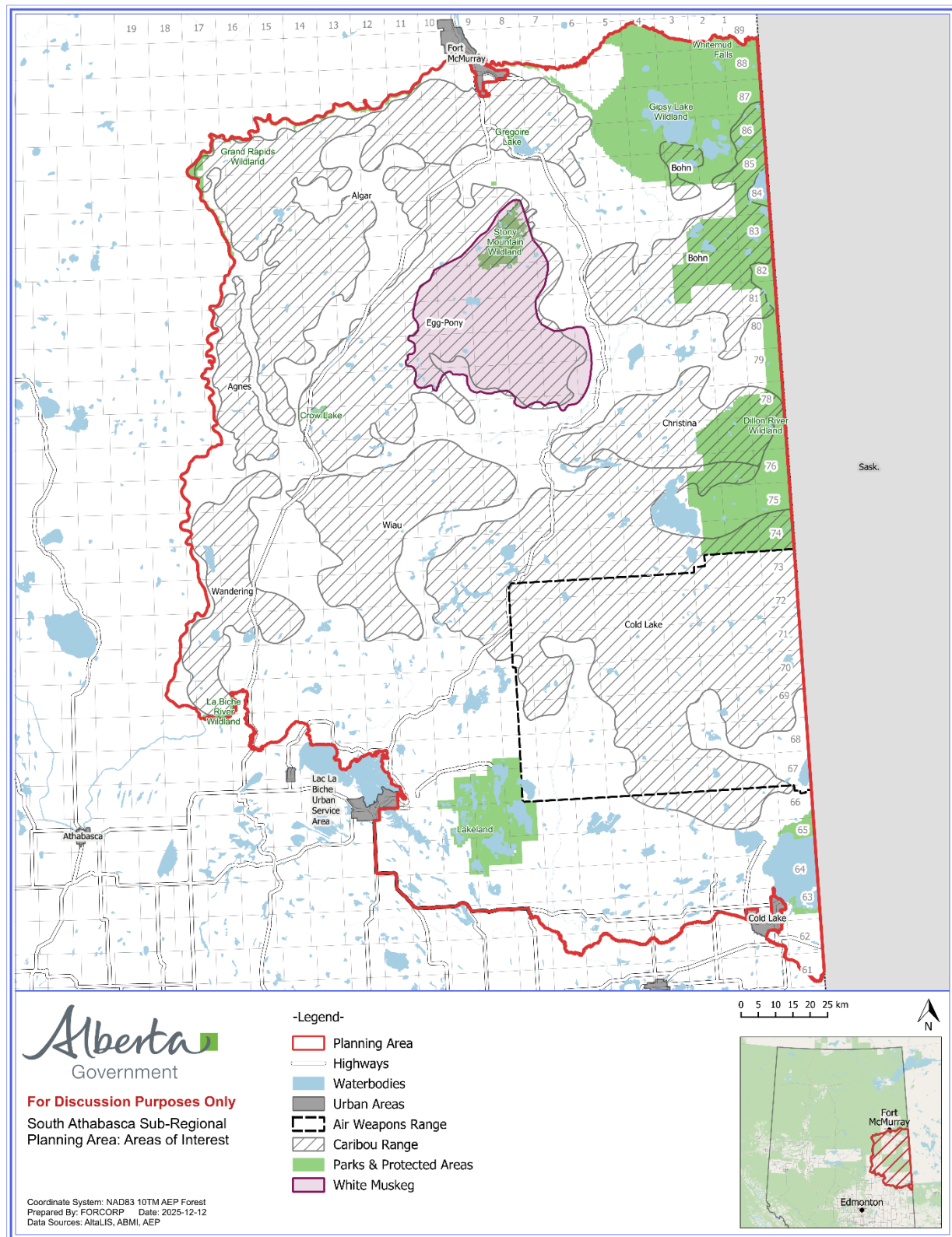
Map 1: Location of conservation areas within the Cold Lake Air Weapons Range



Map 2: South Athabasca sub-regional planning area



Map 3: Location of areas where new surface disturbance is not permitted.



Map 4: Location of the multiuse corridor

