Alberta Geophysical Exploration Canadian Association of Geophysical Contractors

Regulatory Framework Updates & Land Use Reservation Program

Alberta Environment and Parks & Alberta Energy Regulator September 27, 2022



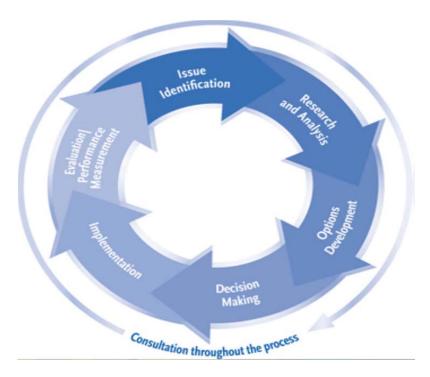


- 1. Policy Process and Exploration Directive Updates *Alberta Environment and Parks – Dianne Gorday*
- 2. Alberta Energy Regulator Update Alberta Energy Regulator – Melanie Savoy, Brittany McKay and Katie Kienlen
- 3. Land Use Reservation Program Alberta Environment and Parks – Nikki Zwaga

4. Questions



Policy Process



A policy proposal typically takes between 18-24 months from start to finish.

Administrative Changes - No policy shift - Changes such as correcting spelling errors; aligning to current operations, etc.

Estimate 4 months.

Policy Shifts

 Changes from current state – either new policy or changes to how policy will be implemented/applied

Estimate 18-24 months.*

* There may be exceptions

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Review- Exploration Regulation Updates

- In January of 2021, amendments to the Exploration Regulation completed
- Updates included:
 - Transfer technical, operational and procedural requirements to the Directive
 - Enabling senior officials within the department to approve Directive changes
 - Consolidated the 26 directives into one streamlined Exploration Directive
- These changes were made to allow for flexibility to respond to innovation and new technologies in a timely manner.



Exploration Directive- April 2022

• Available on Open government

PUBLICATIONS

Exploration directive

9	Summary	Detailed I	nformation	Related (2	24)					
		accordance		· · ·	oration and mor and Minerals A	0		hen conducting geop erta.	physical exploration	ı
	TAGS									
	Mines and M	/inerals Act	geophysical exp	lorations	geophysical surve	ys minerals	mines	seismic explorations		



Directive Section	Updates
1.0 Introduction	 Removed the process for how the directive will be updated. Clarified that issues or updates needed to this directive are to be referred to AEP for action. Changes can now be made at the Senior Official level (ED, ADM or DM). Contact AEP Lands Policy for issues/needed changes to requirements. Clarified questions related to requirements of the directive can be referred to AER.
3.0 Review of Program Approvals and Conditions	 Simplified language for ease of understanding requirements in this section Added reference to the GoA's <i>Master Schedule of Standards and Conditions</i> and all operating condition requirements Added reference to the <i>Policy and Procedures Document for Submitting the Geophysical Field Report Form (GFR) and operating conditions requirements</i>



Directive Section Updates

5.0 Application for License, Permit and UIN

- Transferred unique identification numbers (UIN) application requirements to this section (originally located in section 13)
- Clarified permit and UIN requirements (an operator can hold either a permit or UIN, not both)
- Added clarification for third party payor's that security deposits will be held in the name of and, refunded to the applicant and not to the third-party payor.
- Added clarification that application fees are non-refundable.



Directive Section Updates

7.0 Geophysical Amendments and Temporary Field Authorizations (TFA)

- Simplified language and format for ease of understanding requirements
- Terms aligned with Public Lands Act definitions for consistency
 - i.e. "Push Outs"- an area taken to facilitate equipment passing along one way access routes or turnarounds.
- Public Lands TFA table criteria was updated to align and merge current details with the <u>PLAR Approvals and Authorizations Administrative</u> <u>Procedures Table D: Geophysical Authorizations</u>.
- AER removed an inspector's ability to authorize any TFA's under this section. All TFAs are to be approved by a Land Use Officer.
- Added process information on how and what to submit with a TFA application to the AER.
- Added requirement to submit a copy of the TFA form with all final plan submissions.
- AER made changes to their TFA and Final Plan forms to align with changes
- AEP will be removing Geophysical TFA guidelines from Table D of the PLAR Approvals and Authorizations Administrative Procedures (Table D) as it now resides in the Directive.



Directive Section	Updates			
10.0 Notice to Relevant Department Authority <i>(AER)</i> for Commencement, Temporary Cessation and Completion	 Simplified language for ease of understanding requirements Updated title to align with other section language "Notice to Relevant Department Authority" Clarified which types of activities will trigger a program commencement notification to the AER (surface disturbance occurs) and which activities do not, for both public and private lands. Removed redundant/detailed information on what to include with notification as this is detailed within the AER notification forms. Clarified when a temporary cessation notification is required to AER by adding a 30-day timeframe 			

- Added microseismic temporary cessation requirements
- Clarified failure of resumption notice requirements
- Clarified completion notification to AER for 4D and microseismic programs
- Removed phone notification processes to AER. All notification is to be completed by email only.
- AER commencement and completion forms updated to align with changes

Directive Section	Updates			
11.0 Notice to Relevant Department Authority for Commencement, Temporary Cessation and Completion	 Updated Alberta Transportation Ministries information Clarified who the Relevant Land Authorities includes and, who to send notifications to for this section. Added clarification on temporary cessation requirements for all Relevant Land Authorities including FMA's and Timber Licensees. AER Notice of Intent form updated to align with changes and clarify Alberta Transportation is a relevant authority for notice 			
12.0 Change in Program Permittee	 Simplified language for ease of understanding requirements in this section. Added requirement that the new permittee must hold a valid permit. Removed redundant permit number identification requirements from this section Removed change of permittee requirements before a shot hole is drilled Clarified no fees are required to change a program permittee Clarified permit numbers are non-transferable between companies. 			



Directive Section Updates 13.0 Simplified language for ease of understanding requirements. ۲ **Operation of** UIN application information transferred to section 5. ۲ **Exploration** Reduced vehicle identification requirements and provided exclusions. ۲ Equipment Program tag information now needs to clearly identity the following: ۲ Program number GEO: 1234567 Line Number LN: 123 Shot Number SP: 123 Time Lapse programs will only be required to place up tags once to identify the program ۲ number for that program's term. Program tag identification were reduced for non-explosive sources only. Added flexibility by allowing exemptions to program tag requirements on a case-by-case ۲ basis when justified by the applicant and approved by the AER. Examples of tag waivers that *may* be considered: Low impact technologies use which causes little to no surface disturbance Highly dense source points Landscape issues or private landowner requests Any requests for waivers to the AER must be received at the time of application

Directive Section	Updates
14.0 Authorization for Testing & Use of Products in Exploration	 Approved products list (Appendices 1,2,3 & 4) removed and replaced with criteria which each product must now meet. Products not listed may now be applied for and approved as part of an exploration program application Authorization for research and testing and continuous use of products process was removed. The GFR form and application cover form were updated to now include this information.



Exploration Directive Review - Updates

Directive Section	Updates
15.0 Distance Requirements	 The existing distance table was split into two separate tables: explosive and non-explosive Non-explosives were updated to include different source categories and distances for each source Clarified electromagnetic sources are excluded from explosive table. Explosive charge sizes table has been extended down to include 2 kg charge sizes down to 0.125 kg charge sizes using scaled distances of 45 m, 22.6 m and 15 m consistent with the current directive scaled distances. Setback distances may be further reduced with the consent of the owner (excluding Dams). Structures have been grouped by distance requirements into categories A, B, C, D and E.



Exploration Directive Review - Updates

Directive Section	Updates
15.0 Distance Requirements <i>Continued</i>	 Best practices were added to limit vibration intensities to 50 mm/s for category A and B structures, 80 mm/s for category C structures and 125 mm/s for category D structures. Dams distance requirements increased to a 200 m setback for all explosive energy sources regardless of charge size. Flexibility added to allow exceptions to distance requirement tables upon written request, mitigation measures and approval by the AER. Geotechnical instruments, energy resource activity structures, and abandoned wells were added to the list of structures. Survey monuments were removed from the list of structures. Structure definitions were updated to align with in force legislation, policy documents and project objectives.

Exploration Directive Review - Updates

Directive Section Updates

18.0 & 19.0 "Temporary" and "Permanent" Abandonment of Shot Holes and Test Holes	 Requirement for hole plug number stamping changed from permittee to licensee. The continued use of hole plugs stamped by permittees is allowed for another term (to April 30, 2023) to accommodate existing supply to be used up for the next two years of operations. Simplified language for ease of understanding requirements in this section.
22.0 Request for Transfer of Program Licence	 Clarified this section is for the transfer of an exploration program between licensees and not the transfer of license identification numbers between companies. Clarified the responsibilities and liabilities for new program licensees. Clarified programs may be transferred at any time (both active and inactive programs).





Remaining industry concerns will need to be re-assessed





Alberta Energy Regulator Updates



AER Geophysical Authorization Update



Geophysical team and contacts



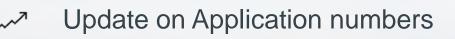
New AER web content



Updated AER forms



Updated approval conditions





Compliance & Enforcement numbers



AER Geophysical Team contact: Exploration@aer.ca

Authorizations Team

- Manager, Land Use Marcus Ruehl
- Land Analysts Brittany McKay, Stephanie Chin, Tessa Hudgeon
- Land Use Officers Colin Bentley, Mike Taylor

Geophysical Field Inspectors

- Northeast Rafael Doria
- Central & Northwest Katie Kienlen, Craig Bylsma
- East Patrick Traudt, Lawrence Newby,
- West Jeremy Young, Kevin Tetz, Daniel Hartley
- South Brian Edey

*In attendance



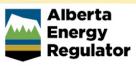


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Alberta Energy Regulator			Systems and Tools	L Careers Contact Us Search
1111		PROTECTING	HAT MATTERS REGULATING DEVE	LOPMENT PROVIDING INFORMATION
PROJECT APPLICATION		COMPLIANCE	PROJECT CLOSURE	RULES AND DIRECTIVES
Application Processes	>	Compliance Assurance Program	Liability Management Programs	Acts, Regulations, and Rules
Integrated Decision Approach	Ŷ	Inspections and Audits	and Processes	Bulletins 🖌
Application Legislation	\mathbf{i}	Compliance and Enforcement Tools 🛩	Suspension and Abandonment	Directives
Notices	\mathbf{i}	Release Reporting	Remediation	Specified Enactment Directions
Hearings	\rightarrow	Orders 🖌	Reclamation	Manuals
Decisions	\rightarrow	Compliance Dashboard		Subsurface Orders
Regulatory Appeal Process	\rightarrow			Regulatory Change Report
OneStop	\rightarrow			Informational Letters
				AER Forms

 New forms can be accessed using the "Forms" icon on the top toolbar ->
 Go to <u>"Mines and Minerals Act"</u> Forms for GEO, and "<u>Public Lands Act"</u> forms for TFA form

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Information on application processes can be found on <u>aer.ca</u> under → Regulating Development
 → Application Processes → Surface → Geophysical (Seismic) Exploration Programs



New AER Web Content

www.aer.ca

Alberta

Energy Regulator

In Situ	
Infrastructure	
Mining	
Subsurface	
Surface	
Coal Exploration Program	
Environmental Impact Assessment Reports	
Environmental Protection Enhancement Act and Water Act Application Projects	
Formal Disposition Renewal and Amendment/Renewal	
Geophysical (Seismic) Exploration Programs	
Oil Sands Exploration	
Right-of-Entry Order Replacements on Public Lands Process	
Sublease Consent	
Temporary Field Authorizations	
Water Act Temporary Diversion Licence	
Alphabetical	

Listening to Concerns

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If someone believes that they will be directly or adversely affected by a proposed project, they have a right to be heard by the AER. We share project applications on our Public Notice of Application page for 30 days (unless otherwise specified), which helps anyone

Geophysical (Seismic) Exploration Programs

🕋 👔 Regulating Development | Project Application | Application Process | Geophysical (Seismic) Exploration Programs



Project Application

Application Processes

Integrated Decision Approach

Application Legislation

Notices

Hearings

Decisions

Regulatory Appeal Process

OneStop

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Timeline

Our estimated processing time for this application is 10 business days. Refer to section 24 of the *Exploration Regulation*, "Notification of Decision."

Purpose of the Application

We regulate geophysical (seismic) exploration activities alongside Alberta Environment and Parks on both public and private lands under the following legislation:

- <u>Mines and Minerals Act</u> The act is jointly administered by Alberta Energy, Alberta Environment and Parks, and the AER. AER
 responsibilities are specific to energy resource exploration activities under Part 8 of the act.
- <u>Exploration Regulation</u> The AER authorizes geophysical (seismic) exploration programs under the regulation.
- <u>Exploration Directive</u> The directive forms part of the regulation and details rules for geophysical (seismic) exploration activities, operations, and submission processes.

Process Checklist

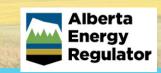
Before applying

In accordance with section 107(1) of the Mines and Minerals Act (MMA), before applying to conduct exploration activities in the province of Alberta, a company must first obtain an exploration licence. See section 5.0 of the directive and associated MMA forms for more details on how to obtain an exploration licence.

We recommend applicants read the Exploration Directive, which details our application requirements, processes, and timelines for geophysical exploration programs.

If applying for programs on public lands, we recommend applicants also read the <u>Policy and Procedures Document for Submitting</u> <u>the Geophysical Field Report Form</u>, which details environmental requirements on public lands for geophysical exploration program operations.

Some lands in Alberta have restrictions in place for geophysical (seismic) operations. A description of these areas can be found at the Government of Alberta's website, "Exploration Restricted Areas."



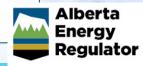
Changes to AER Application Forms

Mines and Minerals Act Forms

- Preliminary Geophysical Program Information Cover
- Notice of Intent for a Geophysical Program
- Geophysical Field Report (GFR) Form
- Commencement Notification to the AER
- Completion Notification to the AER
- Geophysical Interim Declaration
- Final/Interim Application Information Cover Form

Public Lands Act Forms

• Temporary Field Authorization (TFA)



Preliminary Geophysical Program Information Cover

- Clarified program terms and as well as energy source questions
- Added Indigenous Consultation (FNC) number information
- Added Historical Resource application information
- Added comments section to identify when new technology or products are being requested for use or when waivers are requested (program tags, setbacks etc.)
- Clarified Program Type/Line Type information required (removed information deemed redundant or no longer necessary)

Notice of Intent for a Geophysical Program

• Added Alberta Transportation relevant land authority to be notified when making a program application.



Geophysical Field Report (GFR) Form

- Added link to policy and procedures document and updated references throughout to align with Directive updates
- Updated information to reflect current day terms and policies (i.e. Areas of Special Concern)
- Removed outdated information or questions which were deemed no longer relevant to AER review and decision making (i.e. Appendix I Timber Salvage)
- Added amendment information and GFR date to first page
- Updated Program Evaluation section to align with current day processes and require that public land assessments be completed within seven days of making an application.
- Clarified and updated information required for:
 - Pre-consultation information,
 - Actions needed to resolve reservations,
 - Existing line information,
 - Water crossing information,
 - Operational Method and Line Construction information,
 - When consultation is required with Alberta Agriculture and Forestry for timber salvage.

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Commencement Notification to the AER

- Updated references to align with Directive updates
- Updated and clarified program commencement date information
- Clarified drill hole information needed (only when deeper than 30cm)
- Added section for AER to inform applicants on the confirmation number issued to them

Completion Notification to the AER

- Updated references to align with Directive updates
- Added section for AER to inform applicants on the confirmation number issued to them



Geophysical Interim Declaration

- Removed requirement for a commissioner of oaths to sign off on statutory declaration.
- Clarified information to be declared when no entry occurs for an operating term
- Added a comments field to provide any additional details (i.e. still recording)

Final/Interim Application Information Cover

- Added identification for interim plans
- Added TFA information

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 Updated and clarified program operation and line total information needed to inform final plans (updated to include microseismic and other types of operation information)



Temporary Field Authorization (TFA)

- Rebranded to an AER form
- Clarified which AER activities are to use this form (geophysical exploration, oilsands exploration or coal exploration activities not yet available in OneStop) all others submit as RTF in OneStop system.
- Updated reference to current guidance documents and policies (PLAR approvals procedures and Exploration Directive section 7.0)
- Updated table of location information and added specific geophysical exploration activity category to activities dropdown in table
- Added new relevant information (FNC) and removed questions which were no longer deemed necessary.
- Noted this form is used for not only geophysical activities and so terms used within it were updated to align with both PLA and MMA processes



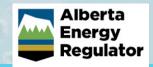
Approval Conditions Update

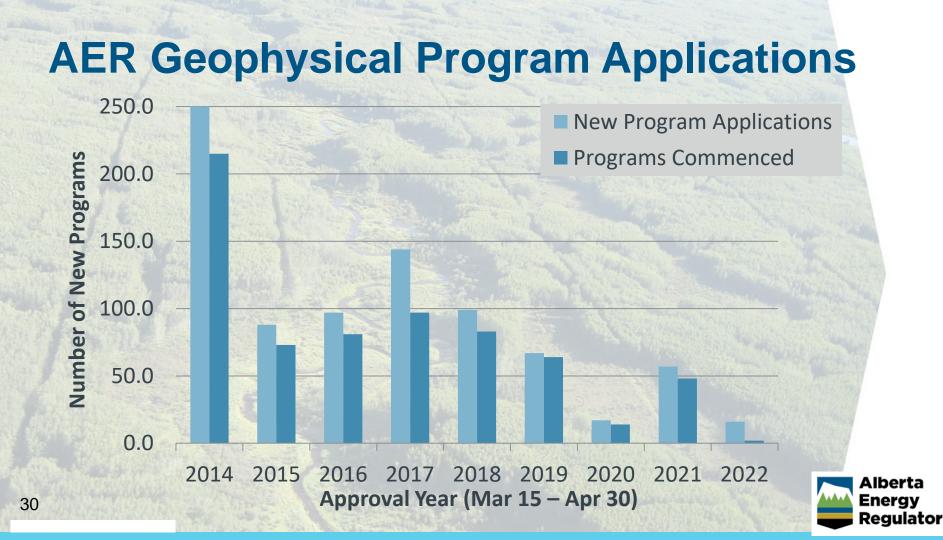
• At the request of Alberta Transportation, AER will be adding the following "ad hoc" condition to all program approvals going forward:

"The holder must notify Alberta Transportation when operating within 100 meters of a bridge structure owned by Alberta Transportation regardless of energy source being used. This notification must be made not less than 2 business days nor more than 15 business days prior to commencement of seismic operations. The notification must contain the name of the holder complete with the phone number and a description of the energy source being used."

 The "Alberta Transportation Schedule of Operating Conditions" was also updated.

Condition updates will be brought forward to the MSSC committee for the next GoA MSSC update (anticipated for fall of 2022).





AER Compliance & Enforcement Update



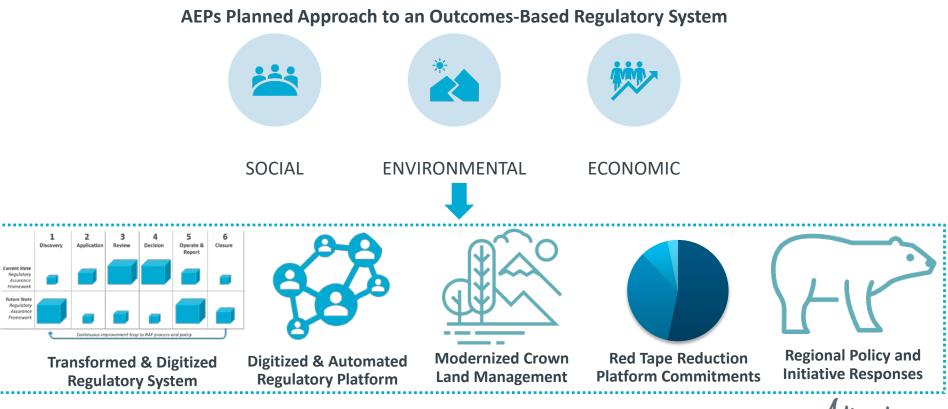
Regulator

Land Use Reservation Program





Becoming a Modern Regulator – Requires a Systems Approach







What is a Reservation?

Reservations are a <u>tool</u> to convey GoA policies that impact Public Land, that are approved and supported by programs in Government departments through established policy process

Public Lands Act, section 18(c):

The Minister of Environment and Parks may "reserve public land for any reason, for any period...by any department of the Government or by any person, without executing a disposition for it."

Outcomes of Reservations:

- Hold land for policy program and planning
- Bar land from being leased
- Set terms for dispositions
- Document land use planning intent
- Tailor or add detail to other land management tools

Land Use Reservation Program





What This Means For Stakeholders:



- Remaining reservations are defensible, policy-supported
- ✓ Contain relevant data with clear intent
 - Integration with regulatory processes and systems



- ✓ Increased confidence in quality and reliability of LURP data
- Reduced occurrence of conflicts on the land base

GoA Ministries



- One-window, digital portal to reservations
- Consistent, transparent decision-making
- Responsible management and maintenance of Alberta's Public Lands

Conversion Breakdown:

- Based on input by holders and agencies, AEP reviewed existing Reservations and made updates to;
 - the Purpose/Reason to align with new LURP formats,
 - the Action to replace past coding,
 - the Sectors as associated to an Action
- Reservations were given a CLR # based on the original year of creation,
- Historical Reservation #'s and Remarks were retained for reference,
- ✓ Some DRS's were converted to CLRs and vice versa,
- ✓ DRSs will continue to exist, but as GoA dispositions,
- CLRs will form a new Reservation Layer, where DRSs will remain within the DiDs layer,

Classification: Protected A

Land Use Reservation Program

Deliverables to Date:

Policy Directive & Procedures Development Completed - June 2022

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Policy and Procedure guidance available on AEPs website.

- LURP procedures are informed by Policy and provide direction and instruction for application as well as Roles and Responsibilities of multiple parties.
- SDM roles are established and have begun review of new or amended reservation applications.

CLR Data Conversion, DRAS Integration & Go-Live Completed July 2022



- *GLIMPS data* was reviewed by reservation holders, converted and moved into new DMP database.
 - **DRAS process** for New, Amendment and Cancellation of a reservation released.
 - *DRAS training* is being made available for applicants and reservation holders to navigate new systems.

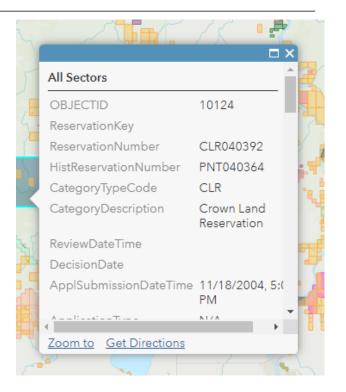


What does this mean for you?

- Although converted reservation information will no longer be kept in GLIMPS and identified in a Land Standing Report, any applicant can access the Crown land reservation layer via:
 - OneStop Map Viewer
 - Landscape Analysis Tool
 - Alberta GeoDiscover
 - Other ArcGIS viewers

CLR Numbers

- Reservations fall under one type, being a Crown Land Reservation (CLR),
- When a new application is submitted a CLR number is generated,
- For converted reservations, a CLR # was generated for future reference and utilization in new systems, however legacy reservation numbers are retained within reservation attributes for ongoing reference (when required),







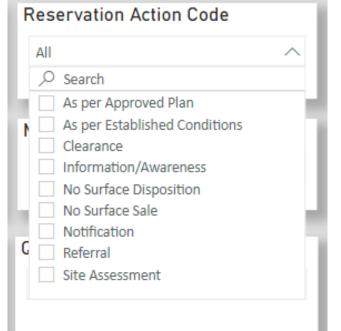
LURP Attributes – Purpose and Reasons

- There are new updated categories
- For each Purpose, there are specific Reasons associated to each
- LURP Procedures Guide has the complete listing and definitions

All Search	^
Fish and Wildlife Resource Forest Management Forest Reserve Historical Resource Signif Land Management Land Use Plans	
Linear Corridor Park or Protected Area Potential Land Transfer	All ^ Search ^ Day Use ^ Development ^ Diversion ^ Ecological Reserve ^ Ecologically Significant Area ^ Experimental ^ Facilities and/or Structures ^
	Facility Buffer Federal Buffer 2022

LURP Attributes – Actions

- Reservation Actions inform regulatory processes.
- A Reservation must have at least 1 Action identified, however there are situations where multiple Actions may be required.
- Multiple Actions cannot conflict.
- Actions were designed to be specific on the application's requirements.





LURP Attributes – Sectors

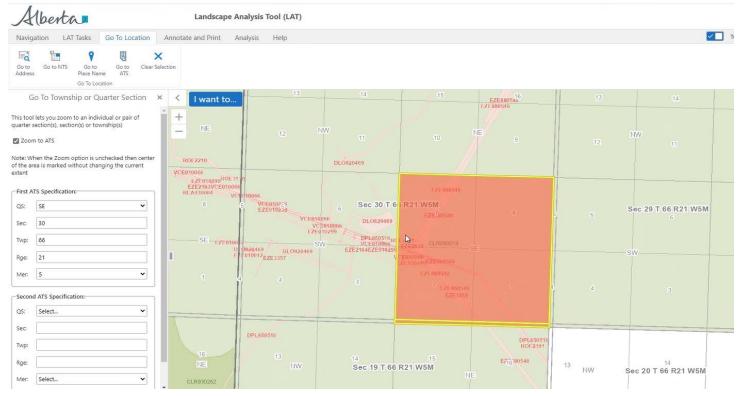
Sector
All
Search
Search
All Sectors
All Sectors
Geophysical
Industrial
Minerals
Mines
Renewables
Conformation

- Sectors are associated with disposition/allocation types (e.g. Geophysical) and indicate a responsibility for the Applicant to carry out the Action stated in the Reservation.
- When **All Sectors** is identified, this means all Sectors are required to meet the Action.
- Clearance, Notification or Site Assessments are required at time of application, prior to any regulatory decision is granted.

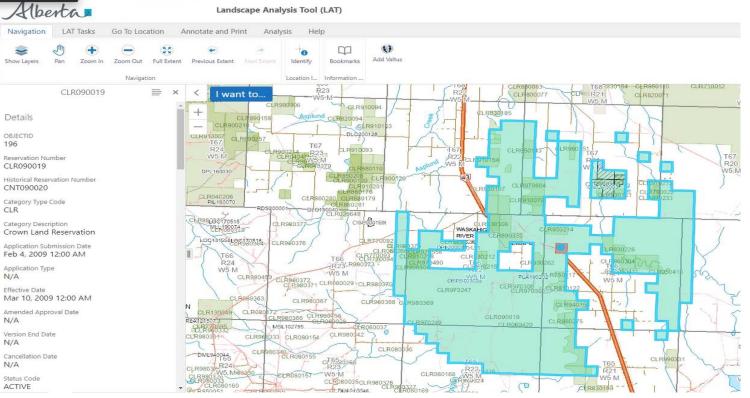
Contacts

- **Reservation Contact**, **Remarks**, or **Client Name** fields will identify contact information.
- Reservation holders should reply within 15 business days.
- Applicant must work with the reservation holder to address and mitigate any concerns before submitting an application.
- If concerns cannot be resolved, the applicant can choose to exclude those lands in the application, or a variance may be required.
- If no response is received, provide documented attempts in your application submission.
- Ongoing efforts by reservation holders to update contact information is being promoted.

Example of Crown Land Reservation



Example of Crown Land Reservation



Albertan

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Available LURP Resources

- Land User Reservation Program webpage
- Land Use Reservation Program Directive
- Land Use Reservation Program Procedures Guide
- Knowledge Articles (as shown via DRAS)

		reservation	٩
All I	Search results for 'reservation'		
DRAS To dos	What Are a Reservation Holder's Roles and Responsibilities? Introduction: A reservation holder means the person(s) who applied for the reservation and is identified in the public land registry if the reservation is created by the minister. This person may by Article: KB0024504 · Published: 22d age		
DRAS Case			
Legacy Applications			
DRAS Project	How to Apply for a Reservation Amendment Introduction: The purpose of this article is to provide the steps required to amend a reservation the service catalogue by selecting Submit an Application. Select Land Use Reservation, Sele		
Applications			
Authorizations			
Cases	Article: KB0024497 · Published: 22d ago		
Knowledge Bases	How to Apply for a Reservation Cancellation		
LURP Reservation	Introduction: The purpose of this article is to provide the steps required to cancel a reservation the service catalog by selecting: Submit an Application. Select Land Use Reservation. Select		
	Select Land Use Heservation. Select Article: KB0024490 - Published: 22d ago		

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Questions?



