



Agricultural Land Commission
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February 12, 2013

ALC File: #52947

Nick Gautreau
Sharp Environmental (2000) Ltd.
10543 – 100th St.
Fort St John, BC
V1J 2T9

Dear Sir:

Re: Application for a Non-Farm Use on Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #162/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #162/2012
Sketch Plan, Schedule B

cc: Peace River Regional District (File: #202/2012)

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PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on December 7, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 52947

Applicant: Orefyn Energy
Agent: SHARP Environmental (2000) Ltd.

Proposal: To develop a water disposal facility on an existing 1.37 ha gas well site. The dimensions on the existing access road are 20 meters wide by 523 meters long (1 ha). The conversion will require the addition of six additional tanks and a small office building and pump building within a 30 meter by 40 meter area. The remainder of the lease site will be farmed, as will most of the road access corridor.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

Legal: The well site straddles two ¼ sections (65 ha each) – the NE ¼ of Section 24 and the SE ¼ of Section 24, Twp. 78, R. 17, W6M, PRD.
PID 014-561-336 - Wolsley
PID 014-645-700 – Peace Hutterian Church

Location: Progress, north of Highway #97

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 14

Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #14 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- The disposal facility and service road be constructed in substantial compliance with the plans submitted with the application;
- Reclamation of the disposal facility and service road on decommissioning to the same or better agricultural standard as prior to development. The Reclamation must meet the

standards set out in the Schedule B (attached) and a report based on the Schedule B must be submitted to the Commission following reclamation; and

- The approval for the non-farm use is granted for the sole benefit of the applicant and is non-transferable.

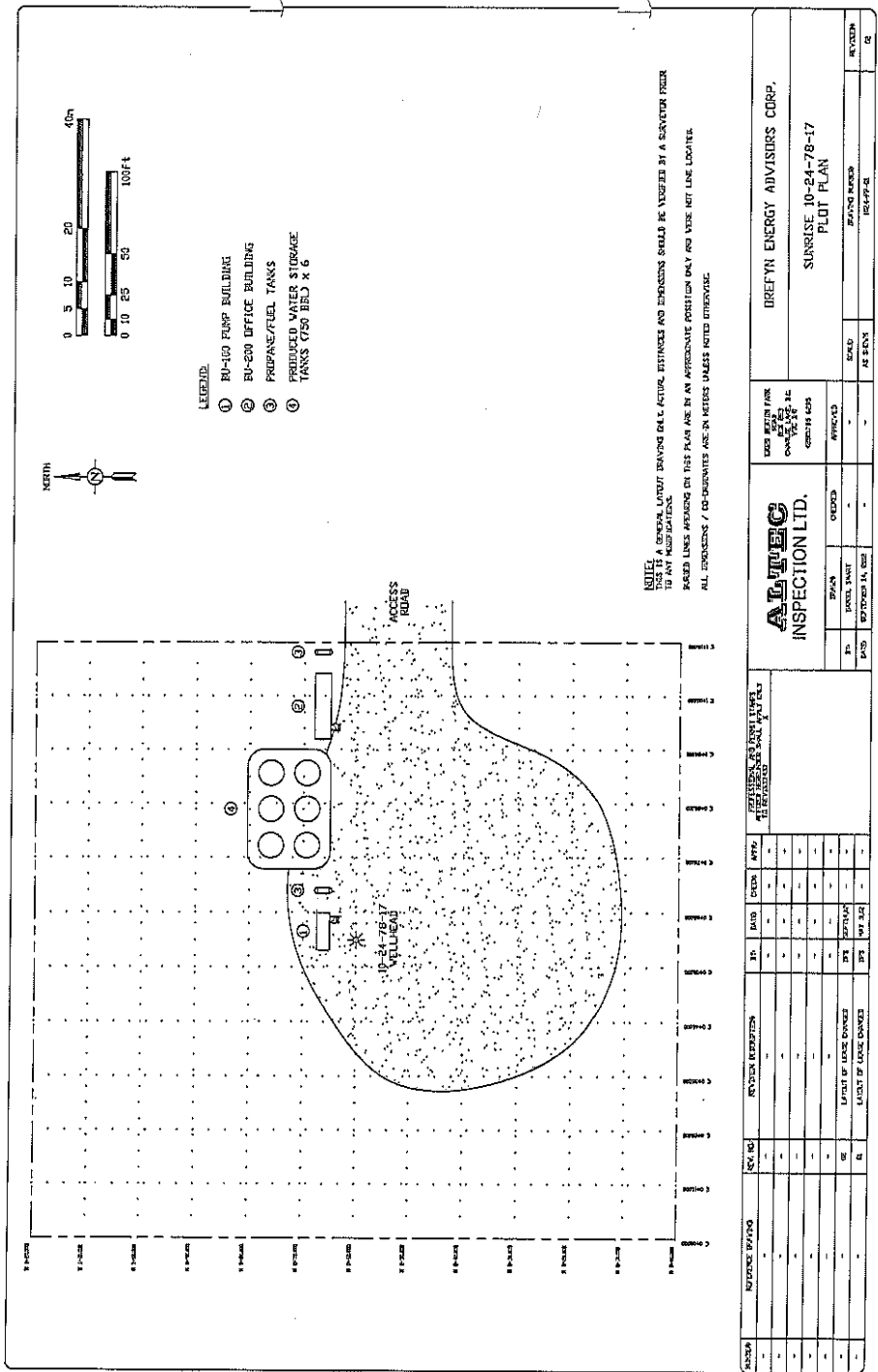
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

RESOLUTION # 162/2012

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in black ink, appearing to read 'R. Bullock', written over a horizontal line.

Richard Bullock, Chief Executive Officer



ALC APPLICATION #52947
 RESOLUTION #162/2012
 APPROVED WATER DISPOSAL WELL

SCHEDULE B

SITE RECLAMATION REQUIREMENTS:

This report is used to assess if the development site has been appropriately reclaimed and meets the criteria that demonstrate that reclamation is complete prior to a Certificate of Restoration being obtained for a well site or other oil and gas activity and within 24 months of installation and reclamation of a pipeline.

All sites constructed since 1995 must meet the following criteria. Sites that were developed prior to 1995 must also submit a Schedule B report containing the same information but will not be as rigorously reviewed.

The purpose of the following requirements is to ensure that the soil, topography, and vegetation of surface leases and pipelines are restored to an equivalent condition and capability after wells have been decommissioned and pipelines have been installed. Surface lease means all leases, easements, and rights-of-way that may be required for a well site, access road, pipeline, camp, workspace, sump, borrow pit and/or any other area related to oil and gas production. The requirements do not address site contamination and the disposal of wastes as these matters are the responsibility of other government agencies.

These reclamation requirements are intended to provide the flexibility to respond to practical realities of differing site characteristics and soils. There is room for interpretation of the Schedule B assessment criteria based on site specific issues and the professional judgement of the specialist hired to carry out the assessment.

Schedule A reports will be used as part of this review process as a baseline for pre-development information.

A report which documents that the following minimum requirements (in bold) have been met must be filed with the Oil and Gas Commission and the surface landowner prior to a Certificate of Restoration or approval to abandon is issued by the Oil and Gas Commission, or within 24 months of installing a pipeline:

NOTE: site development should NOT occur when the soil is extremely wet

Site Information:

- well name/legal and well site approval number or pipeline location (well to well)
- date of construction
- petroleum company name contact information
- location and legal description of property(s)
- name and contact information of surface landowner or specify if Crown land
- date of site inspection
- name and address of person conducting the site assessment

Definition of Surface Soil:

For the purposes of Schedule B, surface soil means the soil that has been salvaged, amended, and replaced onto the surface lease.

The description of each sample must include its texture class, based on the Canadian System of Soil Classification, Third Edition 1998.

Soil Reclamation Requirements:

The following minimum reclamation standards must be met:

a. Depth of Surface Soil

- the required replacement depth (RRD) of surface soil is 80% of the depth of the average A horizon on the adjacent undisturbed ground.
- the average replacement depth (ARD) is the average depth of all the surface soil samples. The ARD must be equivalent to or greater than the RRD.
- the minimum replacement depth (MRD) is 80% of the RRD. **All surface soil samples must be \geq the MRD, except for surface leases which were originally covered by native trees or shrubs or where the average A horizon depth on the undisturbed ground is <10 cm,**
 - Sites which were covered by trees or shrubs may have three surface soil samples, which are not adjacent, that are \geq 40% of the RRD.
 - The MRD requirement does not apply where the average A horizon depth on the undisturbed ground is <10 cm, but the available surface soil must be replaced as evenly as possible across the entire surface lease.

b. Mixing of Soil Horizons

- **the average admixing of all the surface soil samples must not be greater than 30%.** That is, the average of the samples must be composed of less than 30% of non-surface soil (B horizon).

c. Soil Structure

- **the average aggregate class of the surface soil samples must be the same as the average aggregate class of the samples from the undisturbed ground.**
- the bulk density of the subsoil of the disturbed ground for each sampling location must not be more than 120% of the average bulk density of the subsoil of the undisturbed ground.

Topographic Requirements:

The topography of the surface lease must be restored to its original or better condition. The reclamation of the surface lease is to be assessed by comparing the reclaimed site, as a whole, with adjacent undisturbed ground. The following requirements must be met:

Criteria:	Requirement:
Drainage	<ul style="list-style-type: none"> • Surface drainage must be consistent with the original natural drainage patterns, directions, and capacity, or be compatible with the surrounding landscape. • Facilities and structures left in place must not impede natural surface drainage and water flow.
Erosion	<ul style="list-style-type: none"> • The frequency and extent of erosion features must be similar to adjacent undisturbed land.
Contour	<ul style="list-style-type: none"> • The contour of the surface lease must conform to adjacent land or be consistent with present or intended land uses.

Photographs must be taken which show the condition of the surface lease, associated developments and pipelines after reclamation. Each photograph should have noted with it the location, direction and any comments.

Overall Summary:

A short summary statement suggesting a pass or fail, comments on where criteria have not been met and if this will have a negative impact on the use of the land for agriculture and/or what should be done to remedy the problem areas. Any landowner/occupant comments or requests should be noted.

Report author sign off/signature and date.