

**Presentation
to
Synergy Alberta Conference**

**Amendments to the Subdivision &
Development Regulations**

**Abandoned Oil & Gas Wells
October 26th 2010**

Jurisdictions

- ERCB setback requirements control encroachment of oil and gas operations on existing surface development at time of approval until abandonment

 - O&G Conservation Reg 2.110, ID 81-3, ID 97-6, Directive 56

- Municipal Land-use Planning Legislation controls encroachment of surface development on existing oil and gas operations (except abandoned wells)

 - Municipal Government Act, Subdivision and Development Regulation Section 10 and 11

Managing Development Near Abandoned Wells

- ERCB requires wells to be abandoned to specified standards (Directive 020)
- Once abandoned and surface reclaimed Company discharges interest on surface title back to landowner
- No longer identified on title, not registered with Alberta One Call
- Abandoned wells are not visible on surface so difficult to know they exist

Managing Development Near Abandoned Wells

- Approximately 140 000 abandoned wells in Alberta – continually increasing
- Currently no specific setback requirements from abandoned wells exist – guideline only
- Currently no effective mechanism to notify landowners, developers, municipal approving authorities of abandoned well locations
- Information available in ERCB records upon request

Advisory Land-use Planning Notes on Abandoned Oil and Gas Wells

- Prepared jointly and distributed by ERCB and Municipal Affairs in 1996, 2001, and recently in August 2010 to address concerns over development near/on abandoned well sites
- Intent was to provide advice to land-use planning authorities, development industry and landowners on:
 - How/where to obtain abandoned well information
 - Explain risks of developing near or over abandoned wells
 - Provide recommendations on how to manage development proposed near abandoned wells including minimum separation distances

Availability of Abandoned Well Information

- Abandoned well information is available to anyone from the ERCB upon request
- Short-term (ERCB InfoServices) and long-term (proposed GIS-based Web browser) solutions to making information more accessible without causing delays in planning process
- Can provide information from ERCB records on all oil and gas facilities, abandoned wells and coal mines.

Proposed Amendments to the Subdivision & Development Regulation

- Municipal Affairs to Amend the Subdivision & Development Regulations of the *Municipal Government Act*
- Objective of amendments is to provide certainty to municipalities, builders, owners and occupiers of buildings and homes that abandoned wells have been identified and appropriate setbacks provided.
- Amendments are anticipated in early 2011

Key Components of Proposed Amendments

- Requirement for applicants to identify abandoned oil & gas well locations (ERCB InfoServices, ERCB Web browser) as part of a subdivision or development application.
- Suitable language developed to balance the need for certainty with the regulatory & administrative burden arising from this requirement
- Applicants will be required to provide for required setbacks and access provisions, as defined in ERCB Directive referenced in regulation, when abandoned oil or gas wells are identified.

Key Components of Proposed Amendments cont,

- Municipalities will be required to ensure applicants have provided evidence that they have identified abandoned well locations and consulted with the ERCB and licensee, and
- Municipalities will be required to ensure, where appropriate, applicants have applied the required setbacks and access provisions prior to application approval.

Summary

- Municipalities are responsible for approval of development under the *Municipal Government Act & Subdivision and Development Regulations*
- There is no visible identification of existence of abandoned wells on surface and effective mechanisms are being developed to provide information to those who need it
- There is no indication of abandoned wells on land titles or any other land-use instruments

Next Steps

- Setback requirements are being developed by the ERCB for abandoned wells to prevent unsafe encroachment by development
- ERCB is developing a Web-based GIS tool for easy identification of abandoned well locations
- Registration of abandoned well locations with Alberta One Call is being pursued
- Municipal Affairs is amending the Subdivision & Development Regulations to require identification of abandoned wells and application of setbacks and access provisions during subdivision and development approvals.
- Commit to on-going communication with municipal/industry associations

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