

Bulletin 2015-02

January 12, 2015

Consent Submissions for Public Lands Disposition Applications

This bulletin outlines the Alberta Energy Regulator's (AER's) procedures for consent submissions related to applications for formal dispositions under the *Public Lands Act (PLA)*. These procedures apply to new applications and to applications to amend approved dispositions. This bulletin clarifies the administrative completeness requirements for *PLA* applications related to consents provided via e-mail to EDS users May 20, 2014, and outlined in *AER Bulletin 2014-25: Timelines for Processing Public Lands Act Applications*.

The *Public Lands Administration Regulation*, section 9(e), requires that applications for formal dispositions include consent of the existing disposition holders in the application area. Formal dispositions include the following:

- mineral surface lease (MSL)
- miscellaneous lease (MLL)
- pipeline installation lease (PIL)
- pipeline agreement (PLA)
- licence of occupation (LOC)
- regulator vegetation control easement (RVC)

When a new application or amendment application is submitted to the AER, the applicant must include copies of the consents from the following disposition holders:

- timber dispositions
 - forest management agreement area (FMA)
 - deciduous timber licence (DTL)
 - coniferous timber licence (CTL)
 - deciduous timber permit (DTP)
 - coniferous timber permit (CTP)

- agricultural dispositions
 - grazing lease (GRL)
 - grazing permit (GRP)
 - forest grazing licence (FGL)
- sample plots dispositions
 - industrial sample plot (ISP)
 - disposition reservation (DRS)

Consents from all other existing disposition holders within the application area must be obtained by the applicant prior to any activity being conducted on the land. This includes crossing agreements between companies for a linear disposition that is crossing another linear disposition (i.e., LOC or PLA). At any time during the life of the disposition, the AER may request copies of these consents.

Consents are not required for applications to renew a formal disposition; however, those applications are required to meet all other application requirements of section 9 of the *Public Lands Administration Regulation*. If there were any changes to the disposition or the disposition plan, an amendment application must be submitted, including the submission of applicable consents.

Effective February 1, 2015, the AER will no longer accept submissions of consents at AERLandConsents@aer.ca. Applications that do not include the required consent information will be considered incomplete and will be rejected, as per *AER Bulletin 2014-25*.

Consent Form Details

Consents from the Grazing Disposition Holders

- MSL or PIL applications must use consent form B
www.areps.ca/3325j.asp?p=PAS&id=402
- PLA applications must use consent form C
www.areps.ca/3325j.asp?p=PAS&id=403

Consents from Timber and Other Existing Disposition Holders

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

At a minimum, consent documentation for all formal disposition applications must contain the following information:

- consenting disposition number (i.e., FMA number, CTL/DTL);
- date of consent;
- consenting disposition holder's name;
- applicant's name;
- legal land description, LAT report number (EAP disposition), or other distinguishing identifier that the AER can verify (i.e., FNC number); and
- authorized signature of the consenting disposition holder.

Changes to Consent Documents

Any changes made to the consent document after execution must be initialed by both the applicant and the consenting disposition holder.

LAT Report Numbers and Non-EAP Applications

The consenting disposition holder may choose to include the LAT report number in their consent as a method of tracking consent requests for both EAP and non-EAP applications. However, because non-EAP applications do not require a LAT report, there is no way for the AER to determine if the LAT report number referenced in the consent corresponds with the application being submitted. If the AER cannot tie the consent to the specific application, the consent documentation will not be accepted.

Once a disposition has been approved, it is expected that future consents will reference the assigned disposition number.

Contact Information

General inquiries about this bulletin should be directed to inquiries@aer.ca or 1-855-297-8311.

Technical questions about application requirements should be submitted to AERSurfaceActivityApplication@aer.ca.

<original signed by>

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