

# **OneStop**

## **Public Lands Application Manual**

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**Alberta Energy Regulator**

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# 1 Introduction

This manual outlines what to consider when preparing public lands disposition applications, submissions, and notifications for the OneStop system. Instructions on completing OneStop screens or sections are also available in associated quick reference guides (QRGs) found on the AER website (OneStop Help page).

This document only applies to dispositions issued by the Alberta Energy Regulator (AER) under the *Public Lands Act (PLA)* and the *Public Lands Administration Regulation (PLAR)*, including formal dispositions and most authorizations and approvals.

The manual covers the following disposition types:

- Licence of occupation (LOC)
- Mineral surface lease (MSL)
- Miscellaneous lease (MLL)
- Pipeline agreement (PLA)
- Pipeline installation lease (PIL)
- Regulator surface materials exploration (RME)
- Regulator surface materials lease (RML)
- Regulator surface materials licence (RSC)
- Regulator temporary field authorization/approval (RTF)
- Vegetation control easement (VCE)

The manual does not cover:

- Oilsands exploration (OSE) programs
- Coal exploration programs (CEP)
- Private surface agreements (PSA)
- Conditional surrender of lease (CSL)
- Geophysical (GEO) programs
- Temporary field authorizations related to Geophysical activities (GEO-TFA)
- Disposition assignments

Following the guidance in this document does not mean that the applicant has complied with the relevant municipal, provincial, or federal legislation. It is the applicant's responsibility to be aware of all regulatory and policy requirements that could affect an application.

For public land related definitions, refer to the sourced document if applicable. Applicants can also refer to the *Alberta Public Land Glossary of Terms* to find common public lands terminology and definitions.

The applicant is responsible for ensuring all information submitted is current, complete, and accurate. Pursuant to section 56(1)(c) of the *PLA*, it is an offence to willfully provide false or misleading information to the AER and doing so may result in AER enforcement action against the applicant.

## 2 Planning

### 2.1 Energy Development Planning Tool

The AER's Energy Development Planning Tool (EDPT) allows applicants to apply a spatial intersection to a proposed area to identify site sensitivities and constraints.

The tool provides spatial analysis in a report called the *Energy Development Planning Analysis (EDPA)*. This report is intended for planning purposes only and does not need to be included with the application.

#### 2.1.1 Energy Development Planning Analysis (EDPA)

The EDPA identifies known registered interests on the land based on spatial data. It also provides specific geographic information and sensitivities, and a list of operating standards and conditions from the *Master Schedule of Standard and Conditions (MSSC)*. These standards and conditions are applied based on the spatial intersection with the proposed activity. The *Alberta Public Lands Glossary of Terms* defines some terminology used in the *MSSC. Pre-Application Requirements for Formal Dispositions*, available on the Government of Alberta (GoA) website, details best management practices for activities on public lands.

The EDPA is a snapshot in time and only includes information from the spatial data submitted. Results from the EDPA, including the standards and conditions from the *MSSC*, are subject to change at the time of actual application submission.

All standards and conditions listed in the EDPA reflect the current standards and conditions in OneStop for specific activities in the analysis, regardless of any unpublished changes. If published standards and conditions conflict with those in an authorization document, the authorization document prevails to the extent necessary to resolve any conflict. It is the disposition holder's responsibility to review the authorization and ensure that the activity is conducted in accordance with the authorization document.

## 3 New Application

The new application function is used to initiate new dispositions on public lands, including authorizations and approvals. Refer to *Completing OneStop Application Overview Screen QRG* for instructions on initiating the public land portion of the application.

### 3.1 Application Overview

#### 3.1.1 Shapefile

A shapefile is required to begin the public lands portion of the application; it describes the extent of each public land activity being applied for. OneStop will complete a spatial analysis of the shapefile and auto-populate information in the application where possible.

For best results, the shapefile's boundary polygon should be referenced to the Alberta Township Survey (ATS) 4.1 polygon spatial data, or to the Digital Integrated Dispositions (DIDs) data.



Inaccurate information within a shapefile may cause errors and block uploading or provide incorrect results within the application. Refer to *Import Digital Spatial Data – Public Lands QRG* for instructions on submitting shapefiles for public land applications.

### 3.1.2 Disposition Type, Purpose Type, and Activity Type

New disposition applications must specify a purpose and activity type consistent with the current version of *Public Lands Administration Regulation (PLAR) Table A2: Alberta Energy Regulator PLAR Dispositions (PLAR Table A2)*.

The purpose type identifies a disposition's primary use. The activity type identifies detailed activities that are allowed under a purpose. Public land dispositions that do not fit within an acceptable purpose and activity described under *PLAR Table A2*, will not be available for selection in OneStop.

The purpose and activity for each proposed disposition may be manually selected or auto-populated from the information included in the shapefile.

### 3.1.3 Plan

Formal disposition applications must meet plan requirements set out in *PLAR Table A2* and detailed in the following sources:

- *Public Lands Survey Manual*
- *Content Requirements for Survey Plans and Sketches for Dispositions on Crown Lands*
- *Plan Confirmation Service Plan Submission User Guide*

Applicants must provide the plan type, geo-reference type, and combined scale factor for each plan that is attached to a formal disposition.

#### 3.1.3.1 Associated Activities

Only certain activities can be associated by plan. These include lease, access, and related incidental activities if they are applied for simultaneously, using the same plan. Refer to *Associated Disposition, Access Roads, Temporary Incidental Activities* for more information.

### 3.1.4 CAD File

The application must include the appropriate land survey or sketch, associated CAD (Computer Aided Drafting) file, and CAD file projection as defined by the GoA. A CAD file is not required for RTFs. Refer to the following sources:

- *Public Lands Survey Manual*
- *Content Requirements for Survey Plans and Sketches for Dispositions on Crown Lands*

- *Plan Confirmation Service Plan Submission User Guide*

### 3.1.5 Borrow Pit - Point of Use

For RSCs and RMLs, applicants are encouraged to relate their proposed activity to the disposition where the borrow materials will be used, if known. Only one point of use can be selected. For more than one point of use, indicate the one where most of the material will be used.

### 3.1.6 Regulator Temporary Field Authorizations and Approvals (RTF)

“RTF” is the disposition code for temporary field authorizations and approvals issued in OneStop.

#### 3.1.6.1 RTF Stand-Alone Dispositions

Stand-alone RTFs may be used in cases where the proposed activity is linked to multiple dispositions, or where there is no known disposition to relate it to. If a specific formal parent disposition is involved, the RTF should be related (linked) as an incidental activity.

#### 3.1.6.2 Waivers

Waivers are operational approvals which allow disposition holders to deviate from their current formal dispositions, such as relaxing a specific requirement. Waiver submissions address unforeseen or extenuating circumstances that occur after the disposition has been approved. A waiver may be requested for a condition or to modify construction techniques. Waivers should not significantly change the purpose or management of the disposition. If there is a notable change to the activity, or if information is missing or omitted from the original application, the waiver may be returned. When a waiver is returned, an amendment to the disposition may be required. Waiver requests will be subject to a merit review and then either accepted or returned.

Waivers can be initiated in OneStop as a submission. All PLA waiver submissions undergo additional review. Refer to the *Submitting Public Lands Act (PLA) Waivers QRG* for more information on waiver submissions.

Four types of waivers are available under *PLAR Table A2*:

- Waiver-Activity Timing Conditions
- Waiver-Alternative Construction Technique
- Waiver-Alternative Uses of Disposition
- Waiver-Other Conditions

Refer to *PLAR Table A2* for more information on waivers.

Applicants should use the *Temporary Field Authorization* form (found on the AER website) for waivers with purposes and activities that are not available as submissions in OneStop (e.g., geophysical activities). Applicants can email the form and any supporting documentation to [AERAuth.OilGas@aer.ca](mailto:AERAuth.OilGas@aer.ca).

### 3.1.6.3 RTF Incidental Activities

Incidental activities support the construction, development, or operation of their parent formal disposition. Applicants can apply for an RTF with the parent disposition or within the period of a parent disposition's issue date and expiry date. In exceptional circumstances, such as reclamation, an RTF may be allowed past a parent's expiration date. RTFs must be related to a parent within the same application or a previously approved parent disposition. An incidental RTF may only be related to one parent.

### 3.1.6.4 RTF Applicable Incidental Activities

Applicable incidentals do not require a separate RTF application and are approved as per the parent formal disposition.

To be considered an applicable incidental, the activities must be included in the parent application, associated by plan, assigned an allowable purpose and activity, and meet the size parameters and specific criteria. Refer to *Associated Dispositions*, *Access Roads*, *Temporary Incidental Activities* and *PLAR Approvals & Authorizations Administrative Procedures*.

Applicable incidentals include the following:

- Borrow pit
  - Equal to or less than 0.4 ha
  - Average 800 m apart
  - Adjoining associated disposition
  - Not located in any of the following natural subregions: Mixed Grass, Dry Mixed Grass, Foothills Fescue, Northern Fescue, Foothills Parkland, Central Parkland
- Log decks
  - Equal to or less than 0.18 ha
  - Average 400 m apart
  - Adjoining associated disposition
- Temporary workspace
  - Equal to or less than 0.04 ha per instance
  - Adjoining associated disposition

- Push out
  - Equal to or less than 0.04 ha per instance
  - Average 800 m apart
  - Adjoining associated disposition
- Bank stabilization
  - Equal to or less than 0.04 ha per instance
  - Related to hill cuts during construction
  - Adjoining associated disposition

An RTF is not required when a proposed temporary workspace (TWS) is completely within an existing disposition and the proposed usage is consistent with the existing disposition's purpose and activity. If a different company holds the current disposition, the holder's consent is required before using TWS.

#### 3.1.6.5 RTF Sketch Plans

Unless otherwise directed the RTF sketch plan should be clearly drawn, accurate and created to scale. The sketch plan should contain a title block or heading that includes:

- Purpose and activity as per *Public Lands Administration Regulation (PLAR) Table A2*
- Applicant/company name
- Legal description (township, range, meridian, section and/or plan, block, lot text) and Global Positioning System (GPS) coordinates in Universal Transverse Mercator (UTM) format
- Description of symbology used
- Full legal name of the municipality where the activity occurs

The sketch plan should be submitted at 1:5000 scale if it involves land within a ¼ section or at 1:10000 scale if it involves land over a ¼ section.

The sketch should contain the following:

- A north arrow and scale bar
- Area(s) of activity being applied for clearly outlined and distinct from surrounding activities
- Area of activity in hectares with dimensions clearly indicated on the sketch plan (length and width in meters)
- Water bodies/watercourses in proximity ( $\leq 100$  m) to proposed activity and distances to the water body/watercourse identified

- Existing dispositions (including authorizations, approvals, and formal dispositions) adjacent to (within 250 m) and/or through the activity being applied for
- The plan can be submitted with an aerial imagery background, provided the activity being applied for is easily identifiable

## 3.2 Site Details

Refer to *Completing OneStop Site Details Screen QRG* for instructions on completing this section of the application.

### 3.2.1 General Information

Applicants can provide general details about the proposed project, application, or activity in the general information section through comments in the text box or by including attachments. Specific information should be provided in the appropriate sections in Onestop.

### 3.2.2 Legal Land Description

The Legal Land Description (LLD) auto-populates the section based on the proposed disposition's shapefile intersection. The land description must match or contain the land covered by the "To" and "From" fields legal land location as per *The Government of Alberta's Proponent Guide to First Nations and Metis Settlements Consultation Procedures* and the "From" and "To" fields ATS locations.

The auto-populated land list should be verified against the application plan to ensure alignment. Do not submit if a discrepancy exists between the lands in the application and the lands in the plan. This will need to be resolved in advance of making the application. Land descriptions in this section will appear in the public registry for the disposition application and any subsequent approved dispositions.

### 3.2.3 Plan, Block, Lot

Where lands are Plan Block Lot (PBL), the number needs to be manually added.

### 3.2.4 Dimensions

Three options are available for describing a disposition's shape:

- Regular – square or rectangle
- Irregular – not regular
  - Use this option only when neither the regular nor variable width applies.
- Variable width – the disposition's width changes over the length.
  - Use this option for linear activities where the linear activity width varies in uniform segments.

Length and width should be reported in metres for regular and variable width dispositions.

The total area, new cut area, existing cut area, area outside an existing disposition, and area within an existing disposition, should be reported in hectares. Refer to *Completing OneStop Site Details Screen QRG*.

A differentiation of new cut and existing cut is also required. Refer to the *Alberta Public Lands Glossary of Terms* for new cut disturbance and existing disturbance definitions.

As an optional feature, the total area may auto-populate if included in the shapefile's activity attributes. Once the total area is auto-populated from the shapefile, the size cannot be adjusted afterwards in the application.

### 3.2.5 Jurisdiction Non-Spatial

The following activity types require more detail to confirm they fall under AER jurisdiction, as per the *Specified Enactments (Jurisdiction) Regulation*. Refer to *Completing OneStop Site Details Screen QRG* for specifics based on the scenario.

- Pipelines
- Industrial work camps
- Borrow pits (Refer to the *Borrow Pits on Public Lands Operational Guidance Fact Sheet* for more information).
- Waste management facilities
- Transport facilities

## 3.3 Indigenous Consultation

Consultation may be triggered when the GoA makes a decision about land and natural resource management that may adversely affect First Nations treaty rights or traditional uses or Métis settlement members' harvesting or traditional-use activities.

The Aboriginal Consultation Office (ACO) and the AER have developed joint operating procedures that outline the roles and responsibilities of the AER and ACO. Refer to *Joint Operating Procedures for First Nations Consultation on Energy Resource Activities* and *Joint Operating Procedures for Métis Settlements Consultation on Energy Resource Activities*. More information about consultation requirements and process can be found on the ACO's website, on the AER's website, and in *PLAR Table A2*.

Consultation is not required for activities and applications listed in appendix C of the *Government of Alberta's Guidelines on Consultation with First Nations on Land and Natural Resource Management and/or Guidelines on Consultation with Metis Settlements on Land and Natural Resource Management* (referred to as the Guidelines). Applications for these activities will not require a File Number for Consultation (FNC).

If the activity or application is not listed in appendix C, the applicant must provide an FNC as part of the application. When an FNC is required, the ACO must complete a pre-consultation assessment before the applicant can submit the application in OneStop. For standalone RTF applications needing consultation, an Adequacy Assessment Decision (AD) is required from the ACO prior to submitting the application. Refer to *PLAR Table A2*.

If the applicant receives an FNC for an activity or application that was listed in appendix C, the applicant should enter the FNC in OneStop; OneStop will use the number to auto-populate the relevant information into the application.

Refer to *Completing OneStop Indigenous Consultation Screen QRG* for instructions on completing the indigenous consultation portion of the application. The applicant should complete the following checks to ensure FNC information is consistent with the proposed activity in the application:

- Activity or application meets the requirements outlined in appendix C.
- FNC is in the correct format.
- FNC has not been used in the current application (formal dispositions only).
- FNC has not been used in an application under review (formal dispositions only).
- FNC number has not been used in an approved application (formal dispositions only).
- Applicant company is the same as the proponent company.
- Can submit with the current FNC process status/decision type.
- ACO decision has been issued within the last two years.
- Purpose and activity identified within the application matches what was specified in the consultation records.
- Activity location identified in the FNC is contained within the activity location for the application.

### 3.3.1 File Number for Consultation (FNC) Re-Use

Applicants can only re-use FNCs for another application if the initial application has been denied, closed, or withdrawn. If re-use is permitted, the FNC used in a previously approved application can be entered in the initial FNC Consultation Decision field in OneStop.

## 3.4 Land

Refer to *Completing OneStop Land Screen QRG* for instructions on completing the land portion of the application.

### 3.4.1 Public Land Standing Report

Public land standing reports (PLSRs) identify land ownership, geo-administrative areas, registered interests, and applications on proposed lands.

When an application is created, OneStop will automatically populate known registered interests contained in the system data. Applicants should generate a PLSR and review it before starting an application for a formal disposition. Refer to the *Pre-Application Requirements for Formal Dispositions*. It is the applicant's responsibility to ensure all registered interests are identified. If an interest is identified in the PLSR but not automatically populated, it should be manually added to the registered interests. A PLSR is not required to be submitted at the time of application. However, a copy should be kept in case this information is requested during an audit or investigation.

At minimum, the applicant is required to generate and review a PLSR seven days before formally submitting an application. This will determine if any high-level plans, dispositions, or affected interests conflict with the proposed activity on the same land base.

For RTFs, a PLSR is to be generated within two weeks of application as per the *PLAR Approvals & Authorizations Administrative Procedures*.

### 3.4.2 General Land Information

The general land information section auto-populates areas of importance as intersected with the activity shapefile. These include general geographic or geo-administrative areas as well as areas of focus or non-AER jurisdiction the application may be overlapping.

#### 3.4.2.1 Area of Focus

Intersections between activities and areas of focus are considered in the application process and may be referred to external agencies.

Surface dispositions may not be permitted in some cases, which may include the following:

- Parks and protected areas under *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act (WAERNAHR)*:
  - Natural area
  - Wilderness area
  - Ecological reserve



- Heritage rangeland

Refer to *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands (WAERNAHR) Act Disposition Application Process*.

- Other public land areas of focus include the following:
  - Public Land Use Zone
  - Burnstick Lake Management Plan
  - Cold Lake Air Weapons Range

#### 3.4.2.2 Spatial Jurisdiction

The AER can only consider applications on public lands within its specified jurisdiction as per the *Specified Enactments (Jurisdiction) Regulation*. If the application does not fall under AER jurisdiction, it will be blocked from submission or closed after submission.

### 3.4.3 Environmental Protection and Enhancement Act (EPEA) Approval

Dispositions which may be related to an in-situ project or development will be required to indicate if an *EPEA* approval is in place. If so, the applicant will need to provide the approval number, specify if over a production rate of 2000 m<sup>3</sup> per day and confirm if an authorized wildlife mitigation monitoring program is in place.

### 3.4.4 Higher-Level Plan

If the proposed activity falls within one or more higher-level plan areas, it is the applicant's responsibility to review the higher-level plan to ensure the activity is compatible and is in accordance with the plan. The plans will provide guidance on management intent, potential restrictions, or direction on the type and level of development permitted. Any considerations or conflict between the plan and the activity must be addressed in the application.

In OneStop, where higher-level plan information is spatially available, the section auto-populates based on spatial intersection with the proposed activity. If a higher-level plan is not spatially available, the applicant needs to manually enter the higher-level plan(s) as noted on the PLSR. Higher-level plans may also be identified as regional plans. If so, plan information will be captured under the Higher-Level Plan and Regional Plan sections of the application.

In most cases, contacting the regulatory body to interpret a higher-level plan is not mandatory. However, the applicant must ensure the proposed activity complies with management plans enacted by the GoA. If the applicant has questions about the plan's specifics or objectives and cannot identify the owner or is unsure how the plan will affect the activity, they should contact the reviewing regulatory body (AER).

The applicant should retain communication records for the life of the disposition. The AER may ask for these records at any time to support compliance and assurance processes.

Examples of higher-level plan types:

- LUF: Land Use Framework Regional and Sub-Regional Plan
- IRP: Integrated Resource Plan (Regional and Sub-Regional)
- RID: Regional Integrated Decision
- PLUZ: Public Land Use Zone
- AMP: Access Management Plan
- CRP: Caribou Range Plan
- LMP: Landscape Management Plan

Standards within the *MSSC* refer to higher-level plans and include direction on following the plan. If the applicant is not following the plan, they must identify the variance and address the standard with sufficient rationale and mitigation to justify why the plan cannot be met.

Some higher-level plans such as IRP and RID may lack current land management strategies or methods. In this case, IRPs and RIDs remain in effect.

They are being reviewed for relevance and may be incorporated into the LUF regional plans. As such, contact with the responsible regulatory body may result in limited feedback due to the age and relevance of the plans.

### 3.4.5 Reservations

Reservations are placed on public lands to identify areas of concern, special management intent, or GoA infrastructure. The applicant is responsible for reviewing all reservations identified in the location of a proposed activity to ensure the activity meets all reservation requirements. Applicants can generate reservation reports based on a location (ATS) or based on a specific reservation number. Refer to the “Land Use Reservation Program” on the GoA website.

The reservation table auto-populates based on spatial intersection derived from the activity shapefile. Each Crown Land Reservation (CLR) will be identified by a unique reservation identification number. Each number will begin with the prefix CLR followed by two digits representing the year the reservation was applied for followed by a unique four-digit administrative number.

The applicant will be provided with the following reservation information:

- Reservation number (e.g., CLR220000)
- Reservation holder – GoA ministry, departmental agency, or other holder
- Purpose – Defines reservation category (e.g., land management, resource potential)
- Reason – Describes specific reason for the reservation
- Management intent – Provides detailed context to expected resource or land management outcomes
- Actions – Defines specific requirement(s) related to the reservation (e.g., clearance, site assessment)
- Sector – Defines which regulated sectors (e.g., mines, forestry) the specified actions apply to when making an application for land use or holding a disposition on public land

Supporting documentation is mandatory for certain actions (e.g., clearance, site assessment, notification). Depending on the reservation, the applicant may be required to contact the holder before applying. Contact information will be populated in the reservation table. Supporting documents should clearly identify the project/activity so it can be tied directly to the associated application.

If contact is required, the applicant needs to provide the following:

- Applicant's name and contact information
- Start date and duration
- Date of contact
- Plan (survey or sketch) showing location
- Activity type and description

For reservations with actions that require communicating with the reservation holder (including notification), the applicant must prove when the information was submitted and received by the reservation holder (e.g., emailed confirmation of receipt or email receipt, and receipt of registered mail delivery).

For actions requiring a response, the reservation holder is responsible for reviewing the proposed disposition application against the reservation and replying to the applicant within 15 business days (inclusive) of receiving the information. The reservation holder may request an extension if additional engagement is required. If the applicant does not receive a response within 15 business days, they may proceed with the application. For RTFs it is six business days. When a response is required from the reservation holder, an application should not be submitted unless the response period has expired (15 or 6 days plus extension), a response has been received, clearance has been provided, or a variance to the reservation has been requested.

If the holder responds with concerns, the applicant is responsible for collaborating with the holder to address and mitigate any concerns before applying.

If the concerns cannot be resolved, the applicant can choose to exclude those lands in the application, or a variance may be required. The applicant must provide mitigation for the variance and include any correspondence from the reservation holder (see section 3.11.2).

Applications may undergo additional review for activities that intersect reservations and require the applicant to contact the reservation holder (e.g., clearance), but the holder does not respond. If an applicant's response to an action cannot be verified (e.g., clearance provided), a variance is required. A variance is required if an applicant cannot carry out the measures outlined in the CLR. No variance is required if an applicant satisfies the CLR requirement (e.g., notification) with verification and if the applicant adheres to the requirements outlined in the CLR.

### 3.4.6 Registered Interests

OneStop auto-populates most affected dispositions that conflict with the proposed activity, based on the spatial intersection. It is the applicant's responsibility to verify these dispositions against the current PLSR and manually enter any additional dispositions that may be in conflict. These include all dispositions other than cancelled dispositions.

It is imperative that the applicant ensure all conflicts are resolved or addressed as best as possible. For each overlapping disposition, the applicant must select the action taken to reach resolution:

- Consent
  - Consent in its various forms is required for a disposition being made over another active disposition.
- Crossing Agreement
  - A form of agreement normally used when crossing a pipeline or easement with the proposed disposition.
- Notification
  - Adequate notification is to be used for registered traplines (TPAs).
- Consultation
  - Consultation may be used in some cases to resolve conflict with overlapping dispositions or applications but does not negate the need for consent where required.
- Conflict Unresolved
  - Only after all possible attempts have been made to resolve the conflict with the holder should an application be submitted in this state.

- It is recognized that TFAs and RTFs are not currently auto cancelled when expired and no longer operational. This option may be used when consents cannot easily be obtained for expired authorizations under RTF/TFA which still show as active or issued.
- Confirmed No Overlap
  - This option applies when plans verify that a proposed disposition is not overlapping another, even though the spatial analysis triggers a conflict. Tolerances have been applied on the intersection for the overlap so this should not be a common event.
- N/A Company Held
  - This will default when the disposition application overlaps its own company's disposition (other than borrow types).

#### 3.4.6.1 Attaching Consents

Consents need to be attached where conflict has been identified. These can be uploaded in bulk as one file per activity, or individually per registered interest identified. All other documentation such as crossing agreements, notifications, or other types do not need to be attached but must be made available upon request. Refer to *Pre-Application Requirements for Formal Dispositions*, section 2.2 for formal dispositions and *PLAR Approvals & Authorizations Administrative Procedures*, section 1.1.1 for RTFs.

#### 3.4.7 Site Assessment

Site assessments completed by qualified personnel can confirm or align information provided in an application. The applicant may choose to include information of any relevant site assessment (e.g., pre-disturbance site assessments, conservation and reclamation plans, or any other site assessment that may support the application).

Wildlife-related assessments (e.g., sweeps and surveys) should not be attached in this section but in the Wildlife section of the application. The site assessment can be included as an attachment.

#### 3.4.8 Alberta Land Stewardship Act Regional and Subregional Plan

The AER is obligated to ensure that all activities occurring within the boundaries of an approved regional plan or sub-regional plan under the *Alberta Land Stewardship Act (ALSA)* comply with that plan. The AER does not have authority to allow a variance to a regional or sub-regional plan requirement. Applicants are responsible for reviewing relevant plans to ensure the proposed activity is in accordance with the plans. For more information on application requirements refer to *AER Bulletin 2014-28 Application Requirements for Activities within the Boundary of a Regional Plan*.

#### 3.4.8.1 Approved Regional Plan

The application auto-populates intersected regional (e.g., *Lower Athabasca Regional Plan*) and sub-regional plans (e.g., *Cold Lake Sub-Regional Plan*) based on the activity shapefile submitted.

For auto-populated results, the applicant must confirm the following:

- The activity is consistent with land uses, outcomes, and strategies in the plan.
- The activity is consistent with triggers or limits set out in the plan.

OneStop provides the option to attach supporting documentation.

#### 3.4.8.2 Conservation and Tourism Recreation Area

The Conservation and Tourism Recreation Area (CTRA) section auto-populates the designation and area name fields based on the spatial intersection with the activity shapefile. The applicant is expected to ensure the proposed activity aligns with the requirements of the CTRA.

### 3.5 Vegetation

Refer to *Completing OneStop Vegetation Screen QRG* for instructions on completing the vegetation portion of the application.

#### 3.5.1 Natural Region and Sub-Region

OneStop auto-populates the natural regions and sub-regions spatially intersected by the proposed activity. This information should be incorporated into the planning process to ensure best management practices are followed during site preparation, clearing, construction activities, and throughout the life cycle of the activity through to interim, progressive, and final reclamation requirements. The applicant should be aware of any specific approval standards or operating conditions that relate to the natural region or sub-region that the proposed activity is situated in as per the *MSSC*.

#### 3.5.2 Endangered and Threatened Plants

The applicant should know the approval standards and operating conditions for the endangered and threatened plant ranges as per the *MSSC*. The application will spatially populate if the proposed activity intersects an endangered or threatened plant range.

Applications located within an endangered or threatened plant range will require a rare plant survey as outlined in the *Sensitive Species Inventory Guidelines (SSIG)*.

The plant survey will likely include species and location-specific information which is considered restricted information. The attached plant survey will not be publicly available with the application and will be shown as a confidential document once submitted.

### 3.5.3 Additional Vegetation Information

This section allows the applicant to provide additional vegetation details about the site and how these relate to specific clearing, construction, development, operational, and reclamation requirements.

The applicant can also address any constraints or limitations that apply to vegetation removal or management. Rare plant or other sensitive information should not be included here.

Details provided in this section should not conflict with the approval standards or operating conditions for the proposed activity as per the *MSSC*. Common standards and conditions relating to the vegetation component of an application are usually found under the Vegetation, Grassland Parkland Natural Region and Reclamation sections of the *MSSC*.

### 3.5.4 Additional Borrow Information

For borrow disposition types, applicants will need to identify the common vegetation cover. Additionally, for RSCs and RMLs an Alberta Conservation Information Management System (ACIMS) check is required to determine if rare plant species or communities are listed. If so, further information needs to be provided.

## 3.6 Wildlife

Refer to *Completing OneStop Wildlife Screen QRG* for instructions on navigating through the wildlife sections of the application.

### 3.6.1 Wildlife Sensitivities

OneStop auto-populates the provincial zones and ranges of sensitive wildlife species based on the spatial intersection with the proposed activity. Multiple zones and ranges may be identified based on the location of the activity. The zones and ranges identified correspond to applicable approval standards and operating conditions as per the *MSSC*.

Applicants can use EDPT in advance to help identify the applicable approval standards and operating conditions for sensitive species in their zones or ranges throughout the province. Information on variance to wildlife-related standards should be provided in the Variance section of the application.

Applicants must contact Alberta Fish and Wildlife for detailed information on specific Sharp-Tailed Grouse Lek and buffer layers identified through spatial intersection analysis.

### 3.6.2 Federal Orders – Species at Risk

OneStop spatially identifies applications within areas under federal orders. There are currently three in OneStop:

- *Emergency Order for the Protection of the Greater Sage Grouse (SOR/2013-202)*

- *Critical Habitat of the West Slope Cutthroat Trout (Oncorhynchus clarkii lewisi) Alberta Population Order (SOR/2015-241)*
- *Critical Habitat of the Rocky Mountain Sculpin (Cottus sp.) Eastslope Populations Order (SOR/2017-267)*

### 3.6.3 Pre-Development Wildlife Sweeps and Surveys

The wildlife sweep and wildlife survey are tools that determine the potential impact on sensitive species within the vicinity of the proposed application. The applicant should know and understand the requirements regarding wildlife sweeps and wildlife surveys for the application as stated in the *Wildlife Sweep Protocols* and *SSIG*. The applicant should also be familiar with the approval standards and operating conditions for sweep and survey evaluations.

A wildlife sweep is different from a wildlife survey. Applicants should consult the *MSSC*, *Wildlife Sweep Protocols*, and *SSIG* to determine when a sweep or survey is required. Completing a wildlife sweep does not replace the requirement for a wildlife survey and vice versa.

A qualified person should complete the sweep and survey as described in the *Wildlife Sweep Protocols* and *SSIG* and conduct the activity at the appropriate time of year to ensure the particular species is adequately assessed.

Applicants should retain documentation from wildlife sweeps and surveys and submit gathered data as per the established guidelines in *Wildlife Sweep Protocols* and *Sensitive Species Inventory Guidelines*. Wildlife species and “Key Wildlife Features” (as defined in the *Public Lands Glossary of Terms*) detected during a sweep or survey must be mitigated as per the *MSSC*.

#### 3.6.3.1 Wildlife Sweep

If a wildlife sweep is conducted as part of the site assessment, the report should be attached to the application in the Wildlife Sweep section. Conducting an optional preliminary sweep does not alleviate requirements for a pre-construction mandatory sweep.

Refer to *Wildlife sweep conditions in the Master Schedule of Standards and Conditions: Facts about wildlife sweep conditions for public lands dispositions* and *Wildlife Sweep Protocols: Sensitive Species Inventory Guidelines* for more information on sweep requirements.

#### 3.6.3.2 Wildlife Survey

When wildlife surveys are required as per the *MSSC*, the survey must be completed before the application, and the applicant must provide the wildlife survey report to support the application. The wildlife survey is confidential and not available in a public search of the application because of sensitive information within the report.



Applications submitted with expired or inadequate surveys may result in compliance enforcement. Survey results are valid for two years from the date of the survey, except for winter surveys, which are not considered valid beyond the season they are conducted in.

### 3.6.3.3 Bear-Human Conflict

The *MSSC* references the *Bear-Human Conflict Management Plan for Camps*, which applies to work camp applications and must be implemented for any camp operating within bear habitat between April 1 to November 30. The plan works in conjunction with the *Alberta Bear Smart - Bears and Industrial Workers* program produced by the GoA. It provides guidelines and best management practices to avoid human-bear conflicts on industrial sites or activities.

## 3.7 Water

When planning activities, applicants should avoid impacts to water bodies, watercourses, and wetlands. It is crucial to apply the appropriate setbacks. Refer to *Pre-Application Requirements for Formal Dispositions Table 1: Provincial Watercourse Descriptions and Setbacks* and *Table 2: Provincial Waterbody Descriptions and Setbacks*.

When planning an activity where a water body, watercourse, or wetland is impacted, the applicant must determine permanency. Section 3 of the *Publics Lands Act* states that the bed and shore of all permanent and naturally occurring bodies of water in Alberta are owned by the Crown.

Refer to the following sources:

- *Pre-Application Requirements for Formal Dispositions, Table 3: Crown Ownership Claims Related to Wetland Classes* and *Table 4: Crown Ownership Claims Related to Marshes and Shallow Open Water Wetland Types*
- *Alberta Wetland Classification System*
- *Completing OneStop Water Screen QRG* for instructions on completing the water sections of the application.

### 3.7.1 Water Body Crossings

When crossing a water body with vehicles or equipment, the applicant must identify all linear crossings (i.e., linear type dispositions), including those subject to and exempt from the *Water Act Code of Practice for Watercourse Crossings*. New and existing crossings on all watercourse and water bodies, including wetlands, must be included in the table.

The crossing number, a unique identifier chosen by the applicant, corresponds to the application plan. If the crossing is not shown on the plan (e.g., existing legacy plan), the applicant can enter “NOP” (Not on Plan) in OneStop for the crossing number or otherwise provide a text description.

Where updated plans are required, crossings must be shown (refer to “Content Requirements for Survey Plans and Sketches” on the GoA website). Initial and final cross methods apply to scenarios where the crossing method may be different during construction and operation phases. If the crossing is the same, the applicant can select the same method for both. If not applicable, entries for Class of Waterbody from Code of Practice (COP) and Restricted Activity Period (RAP) in OneStop are not required. Wetland Sub Type, if unknown, is also optional.

### 3.7.2 Water Body Pipeline Crossings

This section displays for pipeline purpose and activity types under PLA and LOC dispositions as well as RTFs and MSL Wellsite/OS – Enhanced Recovery. When crossing a water body by pipeline, the applicant must identify all crossings, including those subject to and exempt from the *Water Act Code of Practice for Pipeline Crossings*. New and existing crossings on all watercourse and water bodies, including wetlands, must be included in the table.

The crossing number, a unique identifier chosen by the applicant, corresponds to the application plan. The applicant can select a primary and secondary method. Methods must meet the *Water Act Code of Practice* requirements and the associate approval standards unless a variance is requested.

If not applicable, entries for Class of Waterbody from COP and Restricted Activity Period (RAP) are not required. Wetland Sub Type, if unknown, is also optional.

The applicant is responsible for ensuring that requirements under the *Water Act* are met. Refer to “Water Codes of Practice” on the GoA website.

### 3.7.3 Reservoirs

This section displays reservoir purpose and activity under LOC dispositions. When applying for a reservoir activity, the applicant must select how it will be assessed under the *Water Act*.

OneStop selections are as follows:

- Existing Application – for an existing application submitted through OneStop.
- Existing Authorization – for an existing authorization through OneStop or legacy systems.
- Existing Excavation – for a *Water Act* approval not issued after an "activity" has occurred.
  - For modifications to an existing excavation that requires a *Water Act* approval select "New Activity." If there are no modifications, select "Existing Excavation".
- New Activity – for a new water (reservoir) activity created within the current application.

### 3.7.4 Wetlands

If the proposed activity impacts wetlands, the applicant should determine the requirements under the *Alberta Wetland Policy*. Refer to “Policy Scope” of the *Alberta Wetland Mitigation Directive*, *AER Bulletin 2017-19*, and table 2 of the *Alberta Wetland Assessment and Impact Form* for further details on policy scope and assessment requirements. For more detailed information, refer to “Alberta Wetland Policy Implementation” on the GoA website.

Regardless of a disposition’s application type (e.g., new applications, or amended dispositions) the questions in the Wetlands section will be the same. Answers to questions will vary depending on whether the application is new or amended, if the activity is subject to the *Alberta Wetland Policy*, and the type of *Water Act* or wetland policy instrument required. Wetlands are considered impacted when they are proposed to be impacted, regardless of whether they are subject to *Alberta Wetland Policy* or not.

If wetlands are impacted, the applicant must indicate the required instrument under the *Water Act* or *Alberta Wetland Policy*. For wetland impacts requiring approval, the *Wetland Assessment, and Impact Form (WAIF)* or *Wetland Assessment and Impact Report (WAIR)* needs to be completed before or completed concurrently because applications are interdependent on one another.

OneStop selections are outlined below:

- No WAIR or WAIF Requirements: This applies if the activity is not subject to the *Alberta Wetland Policy* (e.g., purpose and activity was deemed as having no *WAIR* or *WAIF* requirements under table 2 of the *Alberta Assessment and Impact Form*). See the reference material listed above on policy scope and assessment requirements for additional information.
- Water Approval for Wetlands:
  - Existing Application – for an existing application submitted through OneStop.
  - Existing Authorization – for an existing authorization, through OneStop or legacy systems.
  - Existing Activity – for a water approval activity that has already been created within the application.
  - New Activity – for a new water (wetland) activity.
- *Water Act Code of Practice* Notification:
- For activities regulated by a *Water Act Code of Practice*, such as where the *WAIF* is submitted with the notification.

### 3.7.5 Surface Material Impacts

For RSC and RML applications, the applicant must indicate if groundwater was encountered during testing. If surface or groundwater will be diverted, the necessary licence under the *Water Act* will be required.

If water is being impounded the applicant will need to supply or apply for the appropriate authorization(s) under the *Water Act* in conjunction with the disposition application. If water is not being impounded, such as for self-draining or landscape borrows, rationale is requested.

For more information regarding the applicable requirements under the *Water Act*, refer to the *Guide to Water Act Authorizations Required for Excavations (Dugouts, Borrow Pits and other types of Pits/Excavations)*.

## 3.8 Construction and Development

Applicants can provide details on how the proposed activity will be constructed and developed. It is important to review the EDPA to ensure the information provided within the Construction and Development section does not contradict with any applicable approval standards or operating conditions outlined in the *MSSC*. If a pertinent construction or development standard will not be met, a variance must be requested. The footprint of the activity should be minimized as best as possible to accommodate the activity without utilizing unnecessary areas. Where the application is impacting an existing disposition and additional construction is not required, the original method of construction should be indicated. Refer to *Completing OneStop Construction and Development Screen QRG* for instructions on completing this portion of the application.

### 3.8.1 General Construction Information (Non-Pipeline)

This section will need to be completed for all non-pipeline purpose and activity types.

#### 3.8.1.1 Brush Disposal

The applicant can choose one or more brush disposal options that relate to the site preparation of the proposed activity. Brush (debris) disposal is considered the total or partial disposal of unsalvageable woody debris.

- Spread
- Rollback
- Pile and burn
- Mulch
- Not applicable
- Other

When selecting “Other” option, the applicant will be asked to provide further explanation.

### 3.8.1.2 Predominant Method of Construction

The predominant method of construction refers to the primary construction method that will be used to develop the site for the proposed activity. The applicant should select the main method of construction and provide additional details in the text box.

Six methods of construction are available to choose from:

- Minimal disturbance
- Cut and fill
- Strip and pad
- No strip and pad
- Excavation
- Other

If minimal disturbance is chosen, the applicant needs to ensure that soil conditions at the time of proposed construction and topsoil stripping and handling meet the minimal disturbance requirements as per the *MSSC*. Minimal disturbance definitions for forested/peatland sites and grassland sites can be found in the *Alberta Public Lands Glossary of Terms*.

If the methods listed do not apply, the applicant can select “Other” and provide sufficient detail to support why the site does not meet a common method of construction.

### 3.8.1.3 Soil Conditions at Time of Proposed Construction

Four options for soil conditions are available at the time of proposed construction:

- Frozen
- Dry
- Dry or Frozen
- Other

If the “Other” option is chosen, the applicant can include information about the anticipated soil condition at the time of proposed construction. Mitigating measures should be included to ensure adverse impacts to the soil do not occur during construction.

The activity cannot be conducted under adverse ground conditions as per the *MSSC*. A definition of adverse ground conditions is provided in the *Alberta Public Lands Glossary of Terms*.

#### 3.8.1.4 Topsoil Stripping and Handling

This section refers to how the topsoil will be managed during construction of the site and stripped by soil horizon.

Four options for topsoil stripping and handling are available to choose from:

- No stripping
- Single lift
- Two lift
- Other

If topsoil stripping and handling will not be done under one of the more common methods, further detail can be provided using the “Other” option. The construction method should align with the soil handling option selected (e.g., minimal disturbance, no stripping).

#### 3.8.1.5 Comments on Construction, Soil Handling, and Soil Storage

Applicants can provide site-specific details about the construction, soil handling, and soil storage methods being used onsite. They may also include completion plans, site layout and design plans, plot plans, topsoil storage locations, or elevation mapping.

Applicants are encouraged to add any necessary attachments to support the information they have provided in the Construction and Development section. There is no need to upload any duplicate documentation such as the survey plan unless it has been mocked up to depict further information related to construction and development.

### 3.8.2 General Construction Information – Pipeline

General construction information displays slightly different information specific to pipelines under PLA and LOC.

#### 3.8.2.1 Brush Disposal

See section 3.8.1.1.

#### 3.8.2.2 Predominant Method of Construction

Five options are available for the predominant method of construction for all linear pipeline dispositions under the PLA, LOC, or RTF.

- Trench
- Plough
- Surface/Above ground

- Directional drill
- Other

Surface installation can be chosen for any permanent or temporary installation of pipelines under PLA, LOC, or RTF applications where the activity is completed with minimal surface and soil disturbance.

If the applicant is not using one of the above methods, the applicant can choose “Other” to describe how the pipeline will be constructed. The applicant should provide sufficient detail to support why the pipeline does not meet the standard method of construction.

### 3.8.2.3 Soil Conditions at Time of Proposed Construction

See section 3.8.1.3.

### 3.8.2.4 Topsoil Stripping and Handling

See section 3.8.1.4.

## 3.8.3 Additional Information – Pipeline

This section requests information specific to pipeline activity types.

### 3.8.3.1 Construction Direction

This section applies to applications for PLA pipelines and LOC pipelines. The construction direction provides the general bearing the pipeline construction will take from start point to end point.

### 3.8.3.2 Topsoil Stripping Affected Area

The section relates to the portion of right-of-way (ROW) where topsoil stripping will occur for the pipeline construction.

The following options apply to this section:

- Trench and Working Side Access
- Trench and Spoil
- Trench Only
- Entire ROW
- No Stripping
- Not Required – Directional Drill
- Not Required – No Soil Disturbance
- Not Required – Plough In

- Not Required – Straight Trench

### 3.8.4 Additional Information – Wellsite - Enhanced Recovery

This section requires information specific to enhanced recovery wellsites, including recovery method and associated infrastructure such as road access and powerlines.

Recovery method options include the following:

- Steam Assisted Gravity Drainage (SAGD)
- Cold Production
- Cyclic Steam
- Experimental
- Other (which can be described)

### 3.8.5 Additional Information – Construction and Development Plan

Certain projects and activities also require a supplemental construction and development plan based on the substantial nature of impact on the land.

- *Environmental Protection Enhancement Act (EPEA)* and above-ground pipelines
- Enhanced recovery wellsites
- Mines
- Facilities
- Water reservoirs
- Bed and shore activities

### 3.8.6 Construction and Development Plan

The construction and development plan should be site-specific for the proposed activity. It can include but is not limited to information such as construction timing and schedule, construction techniques, soil management, site layout plan diagrams, associated infrastructure, and linkages to related plans such as *Powerline Hazard Assessment Plans (PHAP)* or *Environmental Protection Plans (EPP)*.

### 3.8.7 Site Map

For RSC and RML disposition types, applicants need to upload a site map that contains, at minimum, the following information:

- Activity boundary
- Pit operation footprint



- Point of access
- Buffers
- Soil stockpile locations
- Current drainage
- Adjacent surface water bodies
- Sequencing of operations by block area

### 3.8.8 Additional Borrow Information

This section displays for RSC and RML disposition applications. It provides several mandatory questions regarding the construction and development of the proposed borrow pit. Applicants can also refer to the *Guidelines for Acquiring Surface Material Dispositions on Public Land*, where applicable.

The applicant must select which materials were encountered during testing:

- Peat
- Marl
- Manufacturing Clay
- Gravel
- N/A

These materials are outside of AER jurisdiction and regulated by the GoA. If the applicant has identified a total composition of 10% (or greater) of materials outside of AER jurisdiction, the application should be directed to the GoA as this is not deemed "incidental". Where the total composition includes less than 10% material outside of AER jurisdiction, this is considered incidental. However, GoA consent is still required before excavating or using this material. Unless not applicable, the applicant will be asked to provide an explanation.

The applicant can then choose what type of borrow construction will occur:

- Landscape
- Pit

Sensitive or problematic soil conditions identified during testing need to be indicated. If identified, further explanation is required. Soil depths also need to be provided. Refer to the definition of “Topsoil” and “Subsoil” in the *Alberta Public Lands Glossary of Terms* prior to determining soil depths. Mitigation will be necessary if there is less than 50 centimetres of suitable material to support reclamation.

The volume of materials to be excavated from the proposed borrow pit will need to be indicated. The site topography also needs to be selected:

- Level (0-2.5%)
- Gentle Slope (2.5%-10%)
- Moderate (10%-15%)
- Strong Slope (>15%)

The applicant can choose one or more of the seven options to indicate the pre-disturbance land type prior to construction.

- Previously Disturbed
- Peatlands
- Native Grasslands
- Mineral Wetlands
- Forested Lands
- Cultivated/Tame Pasture
- Other

Selection of “Native Grasslands” or “Forested Lands” will prompt the applicant to indicate the dominant vegetation cover or dominant forest cover respectively. If “Other” is selected the applicant will be asked to provide an explanation.

The applicant may enter more borrow details in the text box or by attaching relevant files. Information can include, but is not limited to, test hole data, cross-sectional diagrams, and soil analysis that support or may be required/requested for the application’s evaluation.

The applicant can indicate a planned change in end land use once reclamation is complete. If so, there are multiple options to choose from. The applicant can select one or more end land use and note what percentage of the site will be converted to that use (excluding shallow and deep open water). If the activity is within a higher-level plan area, the applicant should refer to the higher-level plan for additional information.

Change of end land use options include the following:

- Dugouts/Cultivated Lands
- Locally Common Native Complex (no end pit lake)
  - Forested Native Grasses

- Forested Woody Species
- Marsh Complex
- Native Grasslands
- Peatlands
- Wet Transitional Area
- Pre-disturbance Land Use (no end pit lake)
  - Peatlands
  - Native Grasslands
  - Mineral Wetlands
  - Marsh Complex
  - Forested Woody Species
  - Forested Native Grasses
  - Cultivated/Tame Pasture
  - Other
- End Pit Lake (Complex)
  - Cultivated/Tame Pasture
  - Deep Open Water
  - Forested Native Grasses
  - Forested Woody Species
  - Marsh Complex
  - Native Grasslands
  - Peatlands
  - Shallow Open Water
  - Wet Transitional Area
- Alternate End Land Use
  - Residential Use
  - Recreational Use
  - Municipal Use

- Industrial Use
- Alternate Native Plant Communities
- Other

The applicant will be asked to provide rationale and mitigation for the proposed end land use changes. Refer to *Specified Enactment Direction 002: Application Submission Requirements and Guidance for Reclamation Certificates*, section 7.2.

### 3.9 Waste

#### 3.9.1 Waste Management

For purpose and activity types that may involve drilling waste, the methods for handling drilling waste must be provided in accordance with *Directive 050: Drilling Waste Management*. The applicant is responsible for obtaining all associated approvals or authorizations, if applicable, for the methods selected. Refer to *Completing OneStop Waste Screen QRG* for instructions on completing this portion of the application.

The comments section should include the disposal location, any related dispositions numbers (e.g., MSL or RTF number of the remote sump), where applicable, or where “Other” is selected, a detailed description of the handling.

#### 3.9.2 Additional Information

The applicant can provide further details on general waste management to support the application.

### 3.10 Access

#### 3.10.1 Roads

An LOC for a road allows a licensee to enter and occupy vacant public land. Information about access is only required for disposition, purpose, and activity related to access. All access roads applied for under a public land disposition must be identified as one of the following road classes as per the *Pre-Application Requirements for Formal Dispositions, Table 1: Road Class Specification*:

- Class I: All-weather primary road, ROW width  $\leq 40$  m.
- Class II: All-weather or dry-weather secondary road that serves as a branch road from a primary road, ROW width  $\leq 30$  m.
- Class III:
  - All-weather or dry-weather tertiary road.
  - 15 m ROW where terrain or other conditions allow.
  - Up to 20 m width when constrained by the terrain, not to exceed 35% the length of the route.

- Site-specific cuts, fills, and widening may be required (bends, slope, etc.).
- Class IV:
  - Frozen or dry conditions can be constructed and used year-round when conditions are suitable.
  - $\leq 15$  m ROW width with variable allowance for terrain conditions.
  - Up to 20 m where required for watercourse approaches and side slopes, not to exceed 20% the length of the route.
  - Stripping topsoil permitted.
  - No ditch or grade development, except on a site-specific basis for drainage control and water management.
  - Grade and ditch development not to exceed 20% the length of the route.
  - If the route becomes impassable due to wet conditions, drainage problems, or rutting, site-specific improvements (e.g., matting, padding, culverts, etc.) to the problematic areas may be implemented.
  - Matting of the entire access route is only permitted while the pad is being developed, and the matting must be removed once the site has entered the production phase.
  - Access improvements required to support wellsite activity (e.g., wire line) should be temporary and must be removed after the activity is over.
  - Cuts and fills should be as few as possible.
- Class V:
  - Minimal disturbance frozen or equivalent to frozen can be constructed and used during favorable ground conditions.
  - Unfavorable ground conditions require either that use of the ROW be stopped or that mitigation measures (e.g., rig matting) be applied.
  - Allows for winter operations, extends the winter drilling season, or emulates frozen-ground access when frost conditions are not adequate or not present.
  - 10 m ROW width with variable allowance for terrain conditions.
  - Up to 20 m where required for watercourse approaches and side slopes, not to exceed 20% of the length of the route.
  - Gravel may be used in site-specific situations for safety or to protect water crossings, but use should be limited (e.g., two-track gravel trail in native prairie).

- Should a portion of the route become impassable due to wet conditions, drainage problems, or rutting, site specific improvements (e.g., matting, padding, culverts etc.) to the problematic area(s) may be implemented. Wholesale matting of the entire access route is only permitted during active pad development and must be removed after the site has entered the production phase.
- Class VI:
  - Minimal disturbance access in the prairie and parkland sub-region, dry or frozen is required.
  - $\leq 10$  m ROW width.
  - Existing linear disturbances to be used (modified to align with *PLAR Table A2* definition).

The ROW width should measure the minimum required to allow travel, while addressing safety and environmental concerns. Corner cuts are not considered in the road-class width calculation.

For applications on existing/historical access, constructed road surface along with the width of the current ROW and the original purpose should be considered when selecting the appropriate access road classification.

For information on temporary access under RTF, refer to *PLAR Approvals and Authorizations Administrative Procedures*.

### 3.10.2 Access Control and Methods

Information on access control can be provided in the application's access section that will display LOC access roads. Refer to *Completing OneStop Access Screen QRG*. Access control may be mandatory as per *MSSC* requirements or voluntarily requested as part of the application.

A road on public land held under an LOC is considered a vacant disposition area unless it is a closed road. Under section 54.01 of the *Public Lands Act*, a road can only be closed by an order of the director, or by a term or condition of the LOC.

An LOC holder cannot restrict public access on vacant disposition areas without being authorized or required to do so. Access restriction parameters will be defined in the individual disposition authorization (upon approval) or the director's order.

Reasons for closure may include the following:

- Safety of the public
- Environmental
- Wildlife/fisheries protection

An EDPA can help identify when access control is required as per the standards and conditions of the *MSSC*. The conditions are in place to align with desired resource management outcomes.

The areas that typically have access restrictions are key wildlife and biodiversity zones, caribou range, grizzly zone, trumpeter swan water bodies, special access zones, and mountain goat and sheep ranges. If the intent is to prevent adverse impact to wildlife or habitat, access could be restricted to a larger landscape area.

If the restriction is related to public safety, the restriction could be more localized.

If access control is required based on a standard, the applicant can request a variance to the standard (see section 3.12). If pre-existing access control is used, it must effectively control all access to the new road. The applicant must ensure all travel occurs through the pre-existing access control.

Where effective access controls already exist, additional access control is typically not required. If access control is not required through a condition in the approval or an order by the director, the applicant can still request to install access control.

### 3.11 Variance

Refer to *Completing OneStop Variance Screen QRG* for instructions on completing this portion of the application. A variance may be requested when an application will deviate from the norm. Three types of variances are available to public land applicants:

- Variance to Approval Standards
- Variance to Reservations
- Plan Variance (specific only to renewals – see section 7.5.6)

#### 3.11.1 Variance to Approval Standards

The GoA, in conjunction with the AER, has developed a set of standards and conditions contained in the *MSSC* that apply to public land dispositions. The standards, better known as approval standards, must be followed unless the applicant requests a variance to the approval standard.

Where a variance is requested, the applicant must explain why the standard cannot be met and include an alternate mitigation that addresses the intent of the approval standard and the associated desired outcomes for that approval standard in the *MSSC*. Mitigation should be specific to the application, measurable, and include appropriate timelines. It is important to note that once an application is submitted to the AER, the proposed rationale and mitigation cannot be revised.

Applicants may view the approval standards that apply to their proposed activity during the pre-planning stages by using EDPT. Approval standards may change between the pre-planning period to the time of the application.

During the application stage, applicants can view the applicable approval standards under the Variance screen in OneStop. Only approval standards will be displayed, not operating conditions. Applicable means standards applied to the disposition based on type, purpose and activity, spatial intersection, and other factors. The applicant will then identify any approval standards that they propose not to meet and will be prompted to insert rationale and mitigation for review.

There may be unique circumstances where mitigation may not be possible or where meeting one standard may impact the ability to meet another. This can be considered with appropriate supporting information.

Documents supporting a pre-application consultation with AER staff can be included to support the application variance. This can prove helpful as the rationale and mitigation may be reviewed by different AER staff that may be unfamiliar with the advance discussions.

Approved variances do not carry through on amendments and renewals. If needed, the applicant should request them again when updating the disposition approval.

Variances cannot be requested to an operating condition within the application. For unforeseen circumstances that occur after the disposition is approved, the applicant can request a waiver to an operating condition in a separate application (see section 3.1.6.2).

### 3.11.2 Variance to Reservation

Should the reservation table in the Lands screen trigger a “Yes” response based on the applicant’s entry, a Conflict with Reservation sub-section will appear in the Variance screen. The applicant will be required to propose mitigation regarding the conflict to the reservation

## 4 Site Entry Notification

Formal disposition holders must complete site entry notifications within 72 hours of beginning construction on a disposition. This notification is only required once for new dispositions. To provide site entry notification, the disposition must be active/issued. Refer to *Submitting a OneStop Site Entry Notification QRG*.

Failure to provide adequate site entry notification as required by approval conditions could affect the authorization holder’s ability to take additional action on the disposition, such as apply for renewal.

Site entry notification in OneStop is only required for the following dispositions: LOC, MLL, MSL, PIL, PLA, RSC, RME, RML, and RVC, and is optional for RTFs unless specified in the terms and conditions of the RTF approval.

The site entry notification date cannot be set in the future; however, it can be backdated for legacy dispositions that may not have one on record.



For replacement dispositions that require a site entry date, the date entered should correspond to the original site entry date. Where applicable, backdate the site entry to the original disposition's entry date. If an exact date is unknown, use the approximate date of entry including the year of the original disposition.

## 5 Plan Replacement Submission

In some instances, the disposition holder may update a plan without a formal amendment. If there is no change in the disposition area, location, or intended purpose, the applicant can replace a plan in OneStop.

Plan replacement types include the following:

- As-Built/Final Plan Submission
- PDF Plan Correction
- Plan Type Upgrade
- Disassociate

Refer to *Submitting a OneStop Plan Replacement QRG* for instructions on replacing plan submissions.

### 5.1 Plan Replacement

A plan replacement can only be initiated against one active disposition at a time. There can be no amendment or renewal pending on the same disposition.

### 5.2 Disposition Information

Disposition information auto-populates based on the disposition selected for plan replacement.

#### 5.2.1 Disposition Updating

If the purpose and activity is outdated, OneStop will prompt the applicant for an update. A review of the approved purpose/activity under the currently approved disposition should be completed. The update should be selected based on the current approved disturbance type and level of development.

For example, if the current purpose and activity is “Access” “Frozen Only” the equivalent updated purpose and activity should be “Access” “Class V – Frozen” as listed in *PLAR Table A2*.

If there are any questions or concerns regarding appropriate alignment with the current *PLAR Table A2* for the update, contact AER inquiries in advance of submission to speak with a land use officer.

### 5.3 Associated Disposition Information

If submitting a plan replacement to disassociate an associated disposition, the disassociated disposition will keep the existing active plan. The selected disposition will require a new plan.

## 5.4 Selected Plan Information

The current disposition plan information auto-populates based on the disposition selected for plan replacement.

### 5.4.1 Update Plan Type

If the active plan for the disposition is an “IHS Plan,” the plan type will need updating at time of replacement. The applicant will need to enter a classification of “sketch” or “survey.”

## 5.5 PDF Plan Replacement

The applicant will select from the plan replacement option types (can be more than one per submission):

- As-Built/Final Plan Submission
- PDF Plan Correction
- Plan Type Upgrade

A clean, unstamped plan must meet content requirements. If the plan was previously stamped, the stamp will need to be removed before the applicant can re-use it.

## 5.6 Area

The area for the disposition and associated disposition (if applicable) must be the same as the current area. Otherwise, an amendment is required.

## 5.7 Acceptance

When the applicant successfully replaces a plan, the status in OneStop will display as “accepted.” The plan will be stamped with the updated version date and become the active plan. The previous plan will be de-activated.

# 6 Amendment

## 6.1 Initiating an Amendment

Only one draft amendment per issued disposition can be initiated in OneStop. There can be no other plan replacement, amendment, or renewal in draft format or pending on the same disposition. Otherwise, the amendment will have to wait until the drafts are deleted or submissions and applications are processed.

The amendment must include its associated disposition (if applicable) unless the plan will be disassociated upon the amendment. Any related incidental activity should also be included. The existing active waivers or applicable incidentals will be cancelled as a result of the amendment. If these are still needed, the applicant will need to reapply for them.

General information on reasons or driver for amendment, can be supplied in the General Information section of the overview screen.

## 6.2 Disposition with Mortgage or Private Surface Agreement (Sublease)

Conditional surrender of lease (CSL) or private surface agreement (PSA) registered to the disposition should be reviewed and revised or discharged before applying for an amendment.

## 6.3 Lease with Access

If the disposition being amended is a lease that includes access over 200 metres, it will need to be amended to exclude the access. The access will need its own LOC. Refer to *Associated Disposition, Access Roads, Temporary Incidental Activities*.

## 6.4 Amendment Overview

It is important for applicants to carefully complete the amendment overview screen to proceed with the amendment application. Refer to *Completing OneStop Amendment Overview Screen QRG* for instructions on completing this screen. This is where the linkage is determined for associated dispositions or incidental activities that are being included as part of the amendment.

Shapefiles can be uploaded, and plan changes can be made on this screen. It is also where updates or amendments to disposition type, purpose or activity are completed.

### 6.4.1 Associated Disposition

A formal disposition that is associated to a disposition being amended, needs to be either amended itself or disassociated from the associated disposition.

Available options include the following:

- Amend: Amend the associated disposition at the same time and maintain the plan association.
- No Change: Submit a “no change” amendment on the associated disposition and maintain the plan association.
- Disassociate: Disassociate the associated disposition at time of amendment. The disposition being amended will have a separate plan if approved. Once disassociated, the dispositions cannot be re-associated.

## 6.5 Shapefile

The amendment shapefile must meet the same requirements for the shapefile as in the new disposition. However, integration parameters can only include activities related to the particular amendment application.

This is limited to the disposition being amended, the associated disposition if applicable (also being amended), and any incidental activities. Any previous applicable incidentals will be cancelled as a result of the amendment. Applicants need to include them if they are still required (see section 3.1.6.4).

## 6.6 Plan

It is recommended that in the early planning stages, the applicant check Onestop for the plan of record information specific to the disposition being amended. This will help determine what actions need to occur as part of the amendment for the plan(s) of record. This is especially important for associated disposition plans (see section 6.4.1) or instances of multiple active plans.

If assistance is needed to determine data accuracy or best course of action regarding plan at time of amendment, AER inquiries can be contacted in advance so a geomatics subject matter expert can advise.

The amendment plan needs to meet the content requirements as outlined in the *Content Requirements for Survey Plans and Sketches*.

Plan options include the following:

- Update: If the active plan for the disposition is an “IHS Plan,” data in the plan type will need updating at time of amendment.

The applicant will need to enter the correct classification of “sketch,” “survey,” or “Surveyor Sketch.” Updating the current plan, if applicable, is required before selecting the amended plan action.

- Replace: The applicant needs to upload an updated plan that replaces the active plan.
- Remove: If removing plans, one active plan of record must always remain. If all are removed, at least one must be added.
- Add: Sometimes, the extent of the disposition boundary can be described by more than one plan (referred to as itemized plans). If the disposition consists of more than one plan, another plan can be added.

### 6.6.1 Disposition Type, Purpose Type, and Activity Type

When amending a disposition, the applicant can change the current disposition type, purpose type, and activity type in addition to any land modifications being done.

#### 6.6.1.1 Disposition Type

To change a disposition type, the proposed amended disposition type must be provided in the shapefile attributes for the particular activity. If approved, changing the disposition type will essentially result in a new disposition with the old one being cancelled; however, they will be tracked together for historic record.

### 6.6.1.2 Purpose and Activity

Purpose, activity, or both may be amended by providing the updated values in the amendment shapefile or by manually entering them in the Overview screen.

If the purpose and activity simply require updating due to it being outdated, rather than an intentional amendment of purpose and activity type, see section 5.2.1.

## 6.7 Amendment Information

Refer to *Completing OneStop Amendment Information Screen QRG* for instructions on completing the amendment information sections of the application. If the size (net total area) or location of the disposition is changing as a result of the amendment, OneStop allows the applicant to select the change from the following options:

- Add Lands
- Delete Lands
- Realign/Shift/Move
- Add Lands + Realign/Shift/Move
- Delete Lands + Realign/Shift/Move

### 6.7.1 Add Lands

When adding lands, the applicant can select one of the following: Absorption of Disposition, Disposition Expansion, and Other.

### 6.7.2 Delete Lands

When deleting lands, the applicant can select one of the following explanations: Partial Reclamation Certificate, No Entry (partial), New Disposition, or Other. The total area cannot be greater than what was previously approved.

### 6.7.3 Realign/Shift/Move

This option should only be selected if unforeseen circumstances have arisen since the original disposition approval, causing a need to move all or a portion of the disposition.

This should only be considered if the portion or segment of the disposition being relocated has not been disturbed. Otherwise, a reclamation certificate would also be required to cover the deleted portion (see section 6.7.2).

Example:

A linear re-route is needed due to a wildlife feature being noted during the mandatory pre-construction wildlife sweep that was not present in the initial sweep.

#### 6.7.4 Watercourse and Pipeline Crossings

Watercourse and pipeline crossings that are still in use at the time of amendment or required throughout the disposition's term need to be re-added; they do not transfer over from the original application. Entry in OneStop is the same as a new application (see sections 3.7.1 and 3.7.2).

#### 6.7.5 Wetlands

If wetland impacts exist within the original disposition, and no additional wetland impacts are proposed in the amendment, wetlands are not considered impacted in the application (see section 3.7.3).

### 6.8 Access

If amending an access activity that was previously closed by condition or order, the applicant must identify the location and method of control. Access control required by a pre-existing condition or order cannot be removed using an amendment.

If a requirement for access control is introduced by an approval standard as part of the amendment application, the applicant can request a variance to the approval standard (see section 3.11.1).

### 6.9 Additional Amendment Screens

The following screens are the same for amendments as for new disposition applications. See section 3 for screen information:

- Section 3.2 – Site Details
- Section 3.3 – Indigenous Consultation
- Section 3.4 – Land
- Section 3.5 – Vegetation
- Section 3.6 – Wildlife
- Section 3.8 – Construction and Development
- Section 3.9 – Waste
- Section 3.11 – Variance

## 7 Renewal

General requirements on formal disposition renewals can be found in the GoA's *Formal Disposition Renewal* document. Refer to *Completing OneStop Renewal Overview Screen QRG* for instructions on completing the renewal section of the application.

## 7.1 Initiating Renewal or Term Conversion

Applicants can use the renewal feature to search and select a disposition for renewal. Only one disposition can be renewed at a time. Associated dispositions should be noted, and another renewal application completed for those dispositions.

A renewal cannot be initiated if there is a “draft” or “pending” plan replacement or amendment on the same disposition. Integrated amendments with renewals are no longer available.

## 7.2 Lease with Access

If a lease includes access over 200 metres, the access should be amended in an LOC before renewal.

The applicant may apply, by email, for an exception to leave the access in for renewal - [AERSurfaceActivityApplication@aer.ca](mailto:AERSurfaceActivityApplication@aer.ca). Exceptions will only be supported and approved if the site is in the reclamation stage and eligible for a seven-year renewal.

- If approved for exception, the applicant should keep the email on record and proceed with the renewal application.
- If not approved, the applicant should proceed with the amendment process by splitting the access into LOC and then renewing the lease disposition.

Refer to *Associated Disposition, Access Roads, Temporary Incidental Activities*.

## 7.3 Disposition with Mortgage or Private Surface Agreement (Sublease)

See section 6.2.

## 7.4 Renewal Eligibility

### 7.4.1 Renewal Timeframe

As per *PLAR*, section 18, a disposition renewal can be made after one-half of the disposition’s term and up to the disposition’s expiry date. This does not apply to short-term to long-term (full-term) conversions.

### 7.4.2 Site Entry

To apply for a renewal or term conversion, the disposition must have a record of site entry notification in OneStop. This can be verified in advance through a notification search by the authorization number (disposition number).

## 7.5 Renewal Application

### 7.5.1 Purpose and Activity Update

To renew a disposition, the purpose and activity must align with the current *PLAR Table A2*.

The previously assigned purpose and activity may need to be updated to the modern equivalent (see section 5.2.1 for information on updating an outdated purpose and activity at time of renewal). Updating an outdated purpose and activity does not replace the requirement for submitting an amendment application if required. The updated purpose and activity must reflect the current approved intended use and level of development for the disposition. If the intended use or level of development changes, an amendment is required.

Failure to select the proper purpose and activity or providing false or misleading information could result in compliance action.

### 7.5.2 Plan

Renewal applications or term conversions must include a plan that meets *PLAR Table A2* requirements. The applicant cannot update or replace a plan at the time of renewal.

This needs to be completed before using the plan replacement or amendment application features. The only exception is if a plan variance is requested with the renewal (see section 7.5.5).

### 7.5.3 Plan Type Update

If the active plan for the disposition is an “IHS Plan,” the data in the plan will need updating at time of renewal so that it can be verified for plan requirements. The applicant will need to enter the correct classification of “sketch” or “survey.”

### 7.5.4 Renewal Information

When renewing a disposition, the application must indicate if the disposition is active and in use, or if it is inactive due to activity suspension, temporary or permanent abandonment, discontinuation, and/or closure activities (remediation or reclamation) are occurring.

### 7.5.5 Additional Renewal Screens

The following screens are the same as for new applications (see section 3).

- Section 3.3 – Indigenous Consultation
- Section 3.11 – Variance (except for Plan Variance)

The following screen is the same for renewal as for amendment (see section 6).

- Section 6.8 – Access

### 7.5.6 Plan Variance

If the full-term disposition plan does not meet the required plan type as per *PLAR Table A2*, the applicant may apply for a plan variance if they meet the eligibility criteria set out in the *Legacy Public Lands Disposition Renewal Using Sketch* document.



The variance process will prompt the applicant to supply supporting rationale and mitigation. This option will only display for legacy dispositions (those that pre-date September 1, 2010).

#### 7.5.6.1 Legacy Public Lands Disposition Renewal or Re-Application Using Sketch

As per *Legacy Public Lands Disposition Renewal Using Sketch*, the following scenarios may present themselves:

- If both sketch and digital mapping file meet the minimum criteria, a renewal can be initiated.
- If the sketch requires updating, a plan replacement submission or amendment needs to be completed before initiating the renewal (see section 5 or section 6).
- If the digital mapping requires updating, an amendment needs to be completed before initiating the renewal (see section 6).
- If both sketch and digital mapping require updating, an amendment needs to be completed before initiating the renewal (see section 6).

Rationale and mitigation should describe if minimum criteria were met and if so, how it was assessed. If minimum criteria were not met, this should also be noted and information provided on which updated information (sketch, digital mapping, or both) was submitted to prepare for renewal.

## 8 Replacement

When a disposition expires without being renewed and the previous holder does not vacate the subject land, that holder is deemed to be an overholding tenant on a month-to-month basis. The regulator may issue a formal disposition in place of the expired disposition (replacement). Refer to *Completing OneStop Replacement Application QRG* for instructions on completing a replacement.

### 8.1 Lease with Access

If a lease includes access over 200 metres, the access should be amended in an LOC once the replacement has been approved (see section 7.2). If the replacement is being issued to reclaim the subject lands, an amendment may not be required. Email the AER at [AERAuth.OilGas@aer.ca](mailto:AERAuth.OilGas@aer.ca) for confirmation.

### 8.2 Replacement Eligibility

To apply for a replacement, the original disposition must have expired. The disposition cannot be cancelled or cancelled with outstanding obligations. Only formal dispositions can be replaced. The disposition must have a plan on file and cannot include a reclamation certificate issued against it.

### 8.3 Initiating Replacement

Applicants can use the replacement feature to search and select a disposition for replacement. Only one disposition can be replaced at a time.

## 8.4 Purpose and Activity Update

To replace a disposition, its purpose and activity must align with the current *PLAR Table A2*. The previously assigned purpose and activity may need to be updated to its modern equivalent (see section 5.2.1 for details on updating an old purpose and activity code). The modified purpose and activity must reflect the disposition's current approved intended use and level of development. If the intended use or level of development has changed from the original authorization, an amendment is required after the replacement is approved.

## 8.5 Plan

Replacement applications must have an active plan. The applicant cannot update or replace the current plan at the time of disposition replacement. This needs to be completed after the replacement using the plan replacement or amendment application features.

## 8.6 Plan Type Update

If the disposition's active plan is an "IHS Plan," the plan's data will need to be updated at the time of replacement (see section 7.5.3).

## 8.7 Additional Replacement Screens

The following screens are the same as for new applications (see section 3).

- Section 3.3 – Indigenous Consultation
- Section 3.11 – Variance (except for Plan Variance)
- Section 6.8 – Access

# 9 Review

The AER uses the Integrated Decision Approach (IDA) to consider applications. This information is available on the AER website.

## 9.1 Public Notice of Application

All applications are publicly posted through a Public Notice of Application (PNoA) on the AER website. Should statements of concern (SOCs) be received or issues arise, the AER may require additional review for the application. Information on this can be found under "Notices" on the AER website.

## 9.2 Expedited Applications

Section 5.2(2)(b) of the *Alberta Energy Regulator Rules of Practice* allows the AER to make decisions on certain types of applications before the period for filing an SOC has elapsed, provided the application has gone through the AER's review process.

These are called expedited applications. Otherwise, the AER cannot decide on an application until the SOC period is closed. These are referred to as non-expedited applications.

Refer to *Manual 22: Expedited Decisions* for a complete list of disposition purpose and activity types that can be expedited.

### 9.3 Holds

Applications may be held for a variety of reasons. The following status will show if the application is on hold pending a decision:

- **Awaiting Info:** There are referrals to external or internal agencies, or there is an outstanding supplemental information request (SIR) related to the application.
- **Awaiting Decision:** A decision is pending. The application may be on hold due to an outstanding decision from the ACO on consultation, or because the application is before a hearing panel.
- **Awaiting PNoA Expiry:** The PNoA period has not lapsed.
- **On Hold – SOC Filed:** An SOC has been filed against the application and needs resolution.
- **On Hold:** There is no specific hold reason available, such as when there are additional regulatory requirements (e.g., application may be related to an associated application where a decision must be made concurrently).
- **Technical Review:** The application triggered specific rules or validations resulting in a review by AER staff.

## 10 Supplemental Information Request (SIR)

On any application awaiting a decision, the AER may request further information from the applicant. Applicants will be informed of SIRs on the main content area of their applicant workspace under Requests from the AER.

Section 9(2)(b) of *PLAR* requires applicants to submit any relevant information the AER requests within 30 days of the AER serving notice of the request to the applicant.

Applicants must view and respond to all SIRs and attach any supporting documentation through OneStop.

## 11 Withdrawal

An applicant may choose to withdraw their application for a variety of reasons. Common reasons for withdrawal include outstanding concerns that cannot be addressed in the current application, a change to project scope, a decision to cancel the project, or withdrawing an application that was submitted in error.

If the application has not been approved, the applicant may request to withdraw the application in OneStop. This is done by searching for the pending application, then using the Withdraw Notification function. The applicant will receive a confirmation upon processing of the notification.

For integrated applications involving multiple enactments or activities, the entire integrated application will be withdrawn even if only one portion is no longer needed.

Once an application decision has been issued, the applicant cannot submit a withdrawal notification. After a decision, a cancellation would be the only option available to close any subsequent authorizations (see section 12).

## **12 Decision**

A decision can be made on the application provided there are no remaining holds and no SOC's are pending.

Decision results will be one of the following:

- Issued: The application is approved.
- Denied: The application is refused based on its merit.
- Closed: The application is rejected due to incomplete information.
- Withdrawn: The applicant withdrew the application prior to decision.

It is important to note that the decision is based on the integrated application which may contain multiple activities for one or more enactments. The decision is made at the application level so that should be considered when integrating activities (e.g., If one activity in the application is denied, all activities in the application will receive the same decision).

### **12.1 Operating Conditions and Standards**

Operating conditions and standards required by the *MSSC* will be applied and form part of the disposition approval.

There may be additional or different standards or conditions applied that were not listed in the original EDPA. If variances to approval standards were requested and approved, they will also form part of the approval.

With amendment and renewal approvals, the standards and conditions will be brought to current standards and will include any identified variances.

### 12.1.1 Stage Gates

Operating conditions may include the setting of various time sensitive stage gates. These requirements need to be met during a disposition's term to remain in compliance with the disposition approval and maintain the disposition. Common stage gates involve five and 10-year intervals, but they can vary. Specific requirements for each disposition are to be confirmed by operating conditions within the approval document. It is important to be aware of them to allow adequate time to meet them. Failure to meet the stage gate requirements may result in a disposition cancellation.

#### 12.1.1.1 Current Stage Gates:

- Site Entry
- Site entry notification needs to be completed by a certain period.
- Final Plan Submission
- Final plan submission needs to be completed by a certain period.

## 12.2 Plan Stamping (Formal Dispositions)

Upon approval, the application plan or plans will be stamped around the edges denoting it as the approved plan of record for the disposition. Each approved plan will be provided a plan number and will show the version date and disposition number. If the plan has an associated disposition, that information will also be reflected in the plan stamp.

### 12.2.1 Amendment

#### 12.2.1.1 Plan Removal

Removed plans will become deactivated upon amendment approval.

#### 12.2.1.2 Plan Replacement

If the amendment is approved and a plan is replaced, the amended plan becomes the active plan and the old plan will be de-activated. The plan replacement will be stamped with the latest version date. If it was disassociated, it would also receive a new plan number.

#### 12.2.1.3 Plan Addition

If a plan was added and the amendment approved, the additional plan will be activated and stamped with a new plan number and version date. More than one active plan will represent the extent of the disposition.

## 12.3 Term

### 12.3.1 New Disposition Application

New dispositions will normally be issued for the following terms:

- PLA – indefinite term
- MSL, LOC, PIL, MLL, RVC – 25 years
- RML – 10 years
- RSC – One year
- RME – 180 days
- RTF with parent formal disposition (incidental activity):
  - Five years if applied for and approved in conjunction with parent
  - One year if applied for after parent disposition issuance
  - Case-by-case can be provided a term up to expiry of parent
  - In certain circumstances can be provided past parent expiry
  - RTF stand-alone – One year
  - RTFs are not renewable

### 12.3.2 Amendment

An amendment will not affect the term of an existing disposition.

### 12.3.3 Renewal

Active dispositions being used as intended will be renewed to full-term status provided all eligibility requirements are met. If the disposition was entered but is inactive or being reclaimed, it can still be renewed, but a reduced term will be applied.

The term will vary depending on the application selection:

- 25 years for active dispositions
- Seven years for inactive dispositions, to allow for final reclamation

## 12.4 Publication of Decision

All application decisions are published on the AER's website under "Decisions." Decisions are searchable under the "Publication of Decision" tool at <https://webapps.aer.ca/pod>.

## 13 Cancellation

### 13.1 Disposition Holder Initiated Cancellation

A disposition holder can initiate cancellation of an approved disposition. Only dispositions held by the holder may be cancelled. Disposition holders may cancel their dispositions for the following reasons:

- No Entry
  - If the disposition is not entered or constructed, the disposition holder may apply for a cancellation notification.
- Reclamation Certification
  - If a reclamation certificate, which covers the disposition area, has been issued and the disposition was not cancelled at the same time, a cancellation notification can be initiated.

#### 13.1.1 Halting a Cancellation Notification Initiated in Error

A cancellation notification submitted in error cannot be reversed. If this occurs, an objection to the notice of intent to cancel must be filed (see section 13.1.3).

#### 13.1.2 Cancellation Administration

Requestors should note any associated dispositions for cancellation in conjunction with the particular cancellation notification. These can only be cancelled on an individual basis.

Disposition cancellation cannot be initiated if there is a private surface agreement (sublease) or mortgage registered against it, until the encumbrance has been discharged. Disposition cancellations in parks and protected areas may undergo a different process as the AER handles those for administrative reasons only.

#### 13.1.3 Objection to Notice of Intent to Cancel

For disposition holder-initiated cancellations the holder will receive a notice of intent to cancel their disposition, offering a 30-day period to object to the cancellation. The process requires the holder to file a letter objecting to the cancellation and submit it through the Surface Activity Application mailbox: [AERSurfaceActivityApplication@aer.ca](mailto:AERSurfaceActivityApplication@aer.ca). The letter should include as much pertinent information as possible such as:

- Disposition holder/company name
- Disposition number or OneStop notification ID OneStop notification date
- Reason for objection
- Further explanation to support the objection

The objection will be reviewed and considered based on its merit. A decision will be made resulting in halting or processing the cancellation. Even if the cancellation is halted based on an objection, it cannot stop the disposition from expiring at term end.

## 13.2 Regulator-Initiated Cancellation

The regulator can initiate cancellation of a disposition manually or it can be system generated. System-generated cancellations include the following:

- Reclamation Certificate
- Site Entry stage gate

### 13.2.1 Cancellation Notification (Notice of Proposed Action)

The holder of a disposition that the regulator intends to cancel will receive a Notice of Proposed Action. The notice will identify which disposition the AER intends to cancel and the reason for the cancellation. Related dispositions will also be identified.

### 13.2.2 Objection to Notice of Proposed Action

The holder can object to the cancellation. A submission outlining the reason(s) for objecting is available under “Submissions” in OneStop. The holder has 60 days from the date of the Notice of Proposed Action to submit an objection. Refer to *Submitting an Objection to a Cancellations QRG*.

The objection will be reviewed and considered based on its merits. A decision will be made resulting in halting or processing the cancellation. Even if the cancellation is halted based on an objection, it cannot stop the disposition from expiring at term end.

Where the regulator-initiated cancellation is a result of the disposition being expired and an objection to the cancellation is accepted, a replacement disposition may be issued at the discretion of the regulator.

## 14 Audit

Application audits are used for the following:

- Identifying regulatory noncompliance
- Providing industry with feedback about compliant applications and areas for future improvement
- Measuring the effectiveness of the application process and providing benchmarks for future improvements
- Aiding regulatory reform and the determination of requirements



An application may be randomly selected or selected based on factors such as type, purpose, activity, risk, location, or applicant compliance history. The applicant should retain copies of all applications and support documentation in the event of an audit.

The applicant should submit the required documentation within five business days of a request or as otherwise directed. Where the AER considers it appropriate, an extension may be granted. Audit results will be based on application information, supporting documentation, and any additional information submitted.

Information on audits can be found under “Inspections and Audits” on the AER’s website. Audit program information is referenced in *Manual 013: Compliance and Enforcement Program*.