

Road Use Permit Tenure Administration related to Oil and Gas Activities

- Guidance -

for the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) “**District Manager**” and the BC Oil and Gas Commission “**Commission**” and its “**Oil and Gas Clients**”

1.0 Principles:

- 1.1** Legislation provides authority for FLNRORD District Manager and the Commission to issue Road Use Permits (“RUPs”),
- 1.2** the Commission is responsible for issuing RUPs to oil and gas clients,
- 1.3** the FLNRORD District Manager is responsible for:
 - a) designating maintenance responsibility on FSRs with holders of RUPs, and
 - b) issuance of Works Permits in FSR rights-of-ways,
- 1.4** information for the administration of RUPs to oil and gas clients shall be shared between the Commission, FLNRORD District Managers and Oil and Gas Clients, and
- 1.5** FLNRORD District Managers and BC Timber Sales Timber Sales Managers have authority to provide “consent to connects” to FSRs.

2.0 Roles

To assist in governance the following guidance is provided:

2.1 The Commission:

- a) Administration of all oil and gas clients’ RUPs including acceptance of client submissions, processing, issuance, and cancelation,
- b) Development and implementation of policies needed to inform proponents of the application process for oil and gas related RUPs,
- c) Inform the District manager of pending, amendments or cancellation of RUPs,
- d) obtain the following information from FLNRORD District Office(s):
 - i. confirmation of measure values along the tenured road, (km x.xxx **Km** to x.xxx **Km**. Note: Kilometer marker boards may or may not coincide with measure values,
 - ii. current FSR Maintenance Order with Designated Maintainer information,
 - iii. FLNRORD file reference number, and

- iv. any known information relating to road hazards, down-rated structures and defective infrastructure, and
- e) Issuance of RUP authorizations (i.e., Permit with schedules and associated amendments such as termination/closure, etc. per:
 - i. using Commission RUP naming and numbering convention and FLNRORD RUP file references, and
 - ii. providing a copy to the FLNRORD District and cc all affected RUP Holders.

2.2 Oil and Gas Clients:

- a) Pre-submission of applications for RUP authorization per determined requirements and process; and communicate with the Commission for information (Note: the Commission may refer clients to FLNRORD District Office) requirements pertaining to:
 - i. confirmation of FSR name; location map; road measure values for points of commencement and termination,
 - ii. known information relating to road hazards, down-rated structures, and defective infrastructure,
 - iii. “Designated Maintainer” contact information if a party has been named in responsibility to maintain the forest service road, or if the Oil and Gas Client will be assigned the responsibility to maintain the road per issuance of a Forest Service Road Maintenance Order,
- b) submit RUP application, amendments, (including request for termination to the Commission,
- c) make application for other FSR authorizations (e.g. Works Permit, Consent to Connect) to the FLNRORD District Manager, and
- d) provide the “Designated Maintainer” and the FLNRORD District Manager with a minimum of 6 days clear notice before commencement of road use.

2.3 District Manager:

- a) Track all RUPs and related FSR information,
- b) provide FLNRORD RUP file numbers to the Commission,
- c) disclosure of known information relating to road hazards, down-rated structures and defective infrastructure, and
- d) inform other RUP holders on new RUP holders,
- e) issuance, amendments, cancellation and tracking of all Forest Service Road Maintenance Orders:
 - i. assign a Road Use Permit Holder the responsibility to maintain all or part of the road “Designated Maintainer”,
 - ii. make contact information, (address, contact name, email and phone number)

- available to the Commission and the Oil and Gas Client, and
- iii. ensure the Commission the Oil and Gas Client and all affected RUP Holders are kept informed of the most current Forest Service Road Maintenance Order, and
 - f) for Works Permits in FSR rights of way: Receiving client applications and submissions; issuance of Permit and related administration (see appendix A), and
 - g) for consent to connect to a FSR: Receiving client applications and submissions; issuance of authorizations and related administration.

Appendix A:

Operational Phase:

- Road maintenance, as specified under Section 79 of the FPPR, is required if the RUP holder has been issued an order under section 79 (4) of the FPPR.
- Modifications to the road, such as significant realignments or reconstruction, for a vehicle transportation purpose can only be conducted by the Designated Maintainer.
- In accordance with Section 11 of the Forest Service Road Use Regulation under FRPA, a person must not construct works on any part of a FSR right-of-way for any purpose other than the passage of vehicular or pedestrian traffic, except under, and in accordance with, a permit issued by the District Manager. Any works within the road right-of-way that are not for a vehicle transportation purpose (e.g. burying of a pipeline) require a Works Permit issued by the District Manager. Section 28 of OGAA specifies that, where such works are associated with a pipeline permit, approval of the works permit must be granted, subject to any conditions the District Manager considers necessary for the safety and function of the FSR.
- Section 79 (7) of the FPPR requires the RUP holder (designated maintainer) to provide a District Manager with at least 30 days' notice before building a bridge, installing a major culvert or installing a culvert in a fish stream on a FSR.
- Section 79 (8) of the FPPR provides the ability for the District Manager to impose requirements for the bridge or culvert within 30 days of receipt of notice.
- Section 79 (9) allows the RUP holder to proceed according to the notice that they have provided if the District Manager does not respond within the 30 days of receipt of notice. The District Manager will typically issue a FS1229, District Manager Requirements - Building Forest Service Road Bridges by a Road Use Permit Holder.
- Section 23 of the FRPA requires that a proponent receive a "consent to connect" to an FSR from the District Manager (DM) or a BC Timber Sales Manager (TSM).

Appendix B – FLNRORD Area/District Map

