

## Crockett, Janine EMLI:EX

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**From:** Mah-Paulson, May EMLI:EX  
**Sent:** November 26, 2020 4:56 PM  
**To:** Mihlar, Fazil EMLI:EX; Ethier, Tom AFF:EX  
**Cc:** McGuire, Jennifer AFF:EX; Jang, Monica EMLI:EX  
**Subject:** Final Draft - Background Report: Agriculture and Oil and Gas in NE BC  
**Attachments:** 20201125 Agriculture Oil and Gas Background Report FINAL DRAFT.docx

**Importance:** High

Hi Fazil and Tom,

Further to our discussion last week, attached is the final draft of the Background Report.

Our next steps are to:

- Convene the Executive Committee (ADM level reps from AGRI, EMPR, OGC and ALC) to discuss and resolve any outstanding questions on the final draft
- Provide an update to ADMCNR on Dec 10 and receive any advice/comments on the final draft
- Convene the DM Task Force to present the final draft
- Provide an update to DMCNR (Dec 21, or in January)

For context, this link provides access to the Report entitled "Revitalizing the Agricultural Land Reserve and the Agricultural Land Commission" as well as the Terms of Reference for the DM Task Force:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/agricultural-land-reserve/the-agricultural-land-reserve>

Thanks,

May

**May Mah-Paulson, P.Eng.**

Assistant Deputy Minister | Oil and Gas Division  
Ministry of Energy, Mines and Petroleum Resources  
(P) 778.698.9691  
(C) 250.361.6589

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Withheld pursuant to/removed as

s.13

## Crockett, Janine EMLI:EX

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**From:** Leinweber, Rachelle R EMLI:EX  
**Sent:** December 4, 2020 3:07 PM  
**To:** Schwabe, Michelle EMLI:EX  
**Subject:** RE: ADMCNR Agenda - December 10, 2020  
**Attachments:** 3.0 ADMCNR\_Info\_DM Task Force Agri and O and G in NEBC Dec 03, 2020.pdf; 3.1 20201125 Agriculture Oil and Gas Background Report FINAL DRAFT.pdf; 4.0 Draft ADMCNR Presentation - DRIPA Implementation Nov 9.pdf; 4.1 Draft NRS Principles Nov 9 2020.pdf

Hi Michelle,

Please find the attached materials you requested.

Thanks,

*Rachelle Leinweber  
Executive Assistant  
Oil and Gas Division  
Ministry of Energy, Mines and Low Carbon Innovation  
Phone: 778 974 2137 email: [rachelle.leinweber@gov.bc.ca](mailto:rachelle.leinweber@gov.bc.ca)*

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**From:** Schwabe, Michelle EMPR:EX <Michelle.Schwabe@gov.bc.ca>  
**Sent:** December 4, 2020 2:55 PM  
**To:** Leinweber, Rachelle R EMPR:EX <Rachelle.Leinweber@gov.bc.ca>  
**Subject:** RE: ADMCNR Agenda - December 10, 2020

Yes, please 3 and 4.

Michelle

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**From:** Leinweber, Rachelle R EMPR:EX <[Rachelle.Leinweber@gov.bc.ca](mailto:Rachelle.Leinweber@gov.bc.ca)>  
**Sent:** December 4, 2020 9:57 AM  
**To:** Turner, Geoff J EMPR:EX <[Geoff.Turner@gov.bc.ca](mailto:Geoff.Turner@gov.bc.ca)>; Chace, Julie EMPR:EX <[Julie.Chace@gov.bc.ca](mailto:Julie.Chace@gov.bc.ca)>; Schwabe, Michelle EMPR:EX <[Michelle.Schwabe@gov.bc.ca](mailto:Michelle.Schwabe@gov.bc.ca)>; Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>  
**Cc:** Mah-Paulson, May EMPR:EX <[May.Mah-Paulson@gov.bc.ca](mailto:May.Mah-Paulson@gov.bc.ca)>  
**Subject:** ADMCNR Agenda - December 10, 2020

Good morning,

Please review the attached ADMCNR agenda and advise me of any items you would like to see the materials.

Thanks,

*Rachelle Leinweber  
Executive Assistant  
Oil and Gas Division  
Ministry of Energy, Mines and Low Carbon Innovation  
Phone: 778 974 2137 email: [rachelle.leinweber@gov.bc.ca](mailto:rachelle.leinweber@gov.bc.ca)*

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**From:** Tripp, Allison FLNR:EX <[Allison.Tripp@gov.bc.ca](mailto:Allison.Tripp@gov.bc.ca)>

**Sent:** December 4, 2020 9:23 AM

**To:** FLNR ADM Committee Natural Resources <[ADMCOMNR@Victoria1.gov.bc.ca](mailto:ADMCOMNR@Victoria1.gov.bc.ca)>

**Cc:** NRS ADM Committee Natural Resources Assistants <[COMNATRA@Victoria1.gov.bc.ca](mailto:COMNATRA@Victoria1.gov.bc.ca)>; 'Sean.Curry@BCOGC.ca' <[Sean.Curry@BCOGC.ca](mailto:Sean.Curry@BCOGC.ca)>; Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>; O'Hanley, James G OGC:IN <[James.O'Hanley@BCOGC.ca](mailto:James.O'Hanley@BCOGC.ca)>; Travia, David V AGRI:EX <[David.Travia@gov.bc.ca](mailto:David.Travia@gov.bc.ca)>; Avila, Amy EAO:EX <[Amy.Avila@gov.bc.ca](mailto:Amy.Avila@gov.bc.ca)>; Perrins, Greg EMPR:EX <[Greg.Perrins@gov.bc.ca](mailto:Greg.Perrins@gov.bc.ca)>; NRS ADM Committee Natural Resources Associates <[COMNRAS@Victoria1.gov.bc.ca](mailto:COMNRAS@Victoria1.gov.bc.ca)>; Wood, Jessica IRR:EX <[Jessica.D.Wood@gov.bc.ca](mailto:Jessica.D.Wood@gov.bc.ca)>

**Subject:** ADMCNR Agenda - December 10, 2020

Good morning

The ADMCNR agenda package for Thursday, December 10<sup>th</sup> is now available on the [sharepoint site](#).



*Allison Tripp*

Manager, Executive Issues

Deputy Ministers Office

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Desk: 778-974-5876 Cell: 778-584-5091

## Crockett, Janine EMLI:EX

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**From:** Mah-Paulson, May EMLI:EX  
**Sent:** December 14, 2020 6:01 PM  
**To:** Mihlar, Fazil EMLI:EX; Ethier, Tom AFF:EX; Jeakins, Paul OGC:IN; Grout, Kim ALC:EX  
**Cc:** O'Hanley, James G; Jang, Monica EMLI:EX; Collins, Martin J ALC:EX; McGuire, Jennifer AFF:EX; O'Hanley, James G OGC:IN; McCann, Meghan JERI:EX  
**Subject:** RE: CALL: Fazil, Tom, May, Paul, James, Kim, Jen, Martin, and Monica  
**Attachments:** 20201209 Agriculture Oil and Gas Background Report FINAL DRAFT dec 14 version SC.docx; ToR - DM Task Force.pdf

Hi Fazil, Tom, Paul and Kim,

For the DM Task Force Meeting tomorrow morning:

### Proposed Agenda

1. Purpose of meeting / Review of agenda
2. Proposed next steps in responding to Report Recommendation 25
  - a. Draft report – approval and publication
  - b. Communication plan – timing
3. Task Force Direction / Next Steps

### Materials (attached)

- “Agriculture and Oil & Gas in Northeast British Columbia – Background Report” – Final Draft, last updated Dec 14, 2020
- Terms of Reference – Deputy Minister Task Force

Thanks,

May

**May Mah-Paulson, P.Eng.**

Assistant Deputy Minister | Oil and Gas Division  
Ministry of Energy, Mines and Low Carbon Innovation  
(P) 778.698.9691  
(C) 250.361.6589

-----Original Appointment-----

**From:** Mihlar, Fazil EMPR:EX <Fazil.Mihlar@gov.bc.ca>

**Sent:** December 4, 2020 10:16 AM

**To:** Mihlar, Fazil EMPR:EX; Jang, Monica EMPR:EX; Mah-Paulson, May EMPR:EX; Ethier, Tom AGRI:EX; McGuire, Jennifer AGRI:EX; Jeakins, Paul OGC:IN; O'Hanley, James G OGC:IN; Grout, Kim ALC:EX; Collins, Martin J ALC:EX

**Cc:** O'Hanley, James G

**Subject:** CALL: Fazil, Tom, May, Paul, James, Kim, Jen, Martin, and Monica

**When:** December 15, 2020 8:30 AM-9:30 AM (UTC-08:00) Pacific Time (US & Canada).

**Where:** 1-877-353-9184, Participant: s.15 (Fazil to Moderate)

DM Task Force on ALR and O&G in NEBC

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**Terms of Reference  
Deputy Minister Task Force  
Agriculture and Oil & Gas in Northeast British Columbia**

**Preamble:** In January 2018, the Minister of Agriculture tasked an Independent Revitalization Committee to revitalize the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC) by leading a province-wide engagement process and providing strategic advice through recommendations for consideration by Government. The Revitalization Committee submitted final recommendations for the Minister's consideration including Recommendation 25<sup>1</sup> specific to the interaction of oil and gas development and agricultural land use in Northeast BC (NEBC). From the Revitalization Committee's report:

*Immediately work to address the imbalance between oil and gas development and agriculture in BC's Northeast ALR:*

1. *Form a Deputy Minister-level, multi-agency, multi-jurisdictional Task Force to develop a Northeast ALR Strategy; and,*
2. *Establish an increased ALC presence to support farmers and ranchers in BC's Northeast ALR.*

**Committee:** A Deputy Minister/Commissioner level Task Force (Task Force) is established to consider Recommendation 25 from the Revitalization Report. The DM Task Force is comprised of:

- Deputy Minister of Agriculture;
- Deputy Minister of Energy, Mines and Petroleum Resources;
- Chief Executive Officer, Agricultural Land Commission; and
- Commissioner and Chief Executive Officer, BC Oil and Gas Commission.

**Accountability:** The Task Force will examine the findings and recommendations from the Revitalization Report and, where and if appropriate, develop recommendations and initiate actions as may be necessary in providing Government's response to the Report.

The Task Force will begin its work by developing a comprehensive and factual public facing report which will provide:

- the history and current context in NEBC with respect to oil and gas and agricultural land use; and
- an examination of the existing policy and regulatory frameworks for both sectors.

The report will guide additional work as identified by the Task Force including:

- Determination of any regulatory or legislative enhancements which may be warranted;

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<sup>1</sup> See Appendix 1 for the full recommendation

- Consideration of all available information the Task Force deems appropriate including information from the recent Farmington Landowners Group trials and the Peace River Regional District, local Farmers/Ranchers; and
- Consultation as appropriate and/or as required with Indigenous Communities, landowners, local governments, industry and others.

**Support:** To support the work of the Task Force, an Executive Committee is formed comprised of:

- Assistant Deputy Minister, Ministry of Agriculture
- Assistant Deputy Minister, Oil and Gas Division, Ministry of Energy, Mines and Petroleum Resources
- Director, Agricultural Land Commission; and
- Executive Vice President/Chief Operating Officer, BC Oil and Gas Commission.

**Roles:** The Task Force will:

- Adopt these Terms of Reference;
- Meet as required to provide direction on analysis, reporting and other work to be done by the Executive Committee;
- Provide the appropriate linkage between Ministries and Cabinet/ELUC;
- Manage any concerns or disputes arising from the work; and
- Ensure the work of the Member Ministries and Commissions is aligned and coordinated.

The Executive Committee will:

- Review the recommendations and actions as outlined in the Revitalization Committee final report related to oil and gas and agriculture interactions and provide the outcome of the review and any further considerations to the Task Force, including:
  - Developing a public facing comprehensive report on Agricultural and Oil and Gas land use within the ALR in NEBC;
  - Responding to direction from the Task Force;
  - Identifying challenges and opportunities to be addressed;
  - Undertaking a review of the existing data/information available to assist in informing the Task Force; and
  - Making recommendations on next steps.

**Relationships:** The Task Force will provide any findings or recommendations arising from their work to the Deputy Minister Committee for Natural Resources (DMCNR) for review and discussion prior to advancing any recommendations to Government. Any such recommendations should be advanced utilizing the existing committee structures provided by the Assistant Deputy Minister Committee on Natural Resources (ADMCNR) and the DMCNR.



- Principles: The Task Force and the Executive Committee will:
- Develop fact based information and background on all matters before the Task Force;
  - Provide a balanced and reasoned approach, mindful of divergent views, and supported by staff and subject matter experts; and
  - Seek consensus directions and recommendations, or where consensus is not possible, document the reasons for lack of consensus and possible paths forward.
- Expenses: Individual Ministries and Commissions are responsible for their respective travel costs, subject to government travel guidelines and requirements.

## **Appendix 1**

### **From the Revitalization Report Recommendation 25 and Associated Actions: Need for a Deputy-Minister Task Force and Strategy**

#### *Actions:*

1. *Establish a Deputy Minister- level task force with internal and external agriculture partners and stakeholders from the natural resource sector. Direct the Task Force to:*
  - *Develop a strategy to address the significant resource extraction issues impacting the ALR and its farmers and ranchers in BC's Peace River Region*
  - *Review, among other considerations, the following issues and take actions as required:*
    - *How to balance surface rights of the farmer/rancher with sub-surface rights of the extractor*
    - *How the farmer/rancher will be given authority to influence negotiations on the farm and location of oil and gas facilities and infrastructure.*
    - *How the comments made to the task force by the farmers/ranchers will be accommodated in the balance process*
    - *Whether the delegation agreement between the ALC and the BC Oil and Gas Commission is the correct approach or if there is an alternative approach that would better protect the agricultural interest and restore confidence in the regulatory system over the long term*
    - *Complete a fulsome impact assessment of oil and gas activity with the ALR*
    - *Determine how farmers can access ongoing professional independent support*
2. *Build a memorandum of understanding and operational agreement between the ALC and the BC Oil and Gas Commission for sharing impact assessments and other information so they can work more effectively together.*
3. *Consider whether/what portion of royalties from oil and gas development in the ALR should be directed to a regional agriculture development fund.*

#### **Need for Increased ALC and Ministry Presence**

#### *Actions:*

1. *The Committee recommends the Ministry of Agriculture work with other natural resource ministries to ensure the ALC and the Ministry are sufficiently resourced to increase presence and support for the ALR protection and for farmers and ranchers in BC's Northeast ALR.*

**From:** [Mah-Paulson, May EMLI:EX](#)  
**To:** [McCann, Meghan JERI:EX](#)  
**Subject:** RE: DMCNR - Dec 21  
**Date:** December 17, 2020 4:45:55 PM

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Thank you!

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**From:** McCann, Meghan EMPR:EX <Meghan.McCann@gov.bc.ca>  
**Sent:** December 17, 2020 4:20 PM  
**To:** Mah-Paulson, May EMPR:EX <May.Mah-Paulson@gov.bc.ca>  
**Subject:** RE: DMCNR - Dec 21

Hi May, see attached as requested – thanks!

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**From:** Mah-Paulson, May EMPR:EX <May.Mah-Paulson@gov.bc.ca>  
**Sent:** December 17, 2020 4:14 PM  
**To:** McCann, Meghan EMPR:EX <Meghan.McCann@gov.bc.ca>  
**Subject:** DMCNR - Dec 21

Hi Meghan – could you please forward me the meeting materials for the item on the ALR revitalization?

I'm joining AFF for this, along with colleagues from the OGC (so I will want to share the ppt with them as well).

Thanks,

May

**May Mah-Paulson, P.Eng.**  
Assistant Deputy Minister | Oil and Gas Division  
Ministry of Energy, Mines and Low Carbon Innovation  
(P) 778.698.9691  
(C) 250.361.6589

## Crockett, Janine EMLI:EX

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**From:** Travia, David V AGRI:EX  
**Sent:** January 6, 2021 2:17 PM  
**To:** Pasztor, Chris EMPR:EX  
**Subject:** RE: ADMCNR O&G Background Report  
**Attachments:** 193448\_IBN\_Joint MIN AFF EMPR\_ALR O&G.docx

Hi Chris, and Happy New Year to you!

Attached is the latest draft of the BN we started for the joint minister's meeting on this topic. Looks like that is scheduled for January 12. I confirmed with Jennifer today that she wants this to be a joint note. Hoping this can assist you with your request below, but also hoping you can review the note for the meeting to ensure it's balanced, reflective of EMLI perspective etc. The options you'll see were suggested to me by Jennifer, but again, this is draft at this stage. We'll need to move relatively quick on this with the meeting coming up.

Thanks!

### David Travia

Executive Director

Corporate Governance, Policy and Legislation Branch | Ministry of Agriculture, Food and Fisheries

Ph: 778 974-3764

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**From:** Pasztor, Chris EMPR:EX  
**Sent:** January 5, 2021 7:42 PM  
**To:** Travia, David V AGRI:EX  
**Subject:** RE: ADMCNR O&G Background Report

Hi David – Happy New Year!

Do you have any BN's that you can share regarding the background report? I have an internal briefing next week and need to prep some material so looking to save some time and build off of something that's already completed.

Let me know.

Thx,  
Chris



### Chris Pasztor

Executive Director | Tenure and Geoscience Branch  
Oil and Gas Division | Ministry of Energy, Mines and Low Carbon Innovation  
D. 778.698.3691 | M. 250.213.8440 | [Chris.pasztor@gov.bc.ca](mailto:Chris.pasztor@gov.bc.ca)

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**From:** Travia, David V AGRI:EX <[David.Travia@gov.bc.ca](mailto:David.Travia@gov.bc.ca)>  
**Sent:** December 18, 2020 2:34 PM  
**To:** Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>  
**Subject:** RE: ADMCNR O&G Background Report

Thanks Chris – I was just informed that DMCNR was cancelled for Monday and will be postponed until later in January. Happy Holidays!

**David Travia**

Executive Director

Corporate Governance, Policy and Legislation Branch | Ministry of Agriculture, Food and Fisheries

Ph: 778 974-3764

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**From:** Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>

**Sent:** December 18, 2020 1:07 PM

**To:** Travia, David V AGRI:EX <[David.Travia@gov.bc.ca](mailto:David.Travia@gov.bc.ca)>

**Subject:** RE: ADMCNR O&G Background Report

Hi David – I didn't see the final. It should be with DMCNR. Do you have the material that went to DMCNR?

Chris

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**From:** Travia, David V AGRI:EX <[David.Travia@gov.bc.ca](mailto:David.Travia@gov.bc.ca)>

**Sent:** December 18, 2020 12:27 PM

**To:** Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>

**Subject:** RE: ADMCNR O&G Background Report

Hi Chris,

Hope you're well. Jennifer mentioned there was some final touches on the background report – possibly a bit of detail being added to a summary section on an assessment phase etc.

Hoping you can send us the final when it's ready. I need to do some minor updates to my speaking points for DMCNR on Monday.

Thanks,  
David

**David Travia**

Executive Director

Corporate Governance, Policy and Legislation Branch | Ministry of Agriculture, Food and Fisheries

Ph: 778 974-3764

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**From:** Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>

**Sent:** December 9, 2020 7:37 AM

**To:** Travia, David V AGRI:EX <[David.Travia@gov.bc.ca](mailto:David.Travia@gov.bc.ca)>

**Subject:** RE: ADMCNR O&G Background Report

Hi David – I'm doing well. No problem in supporting you at ADMCNR. I'm free at 11:30 this morning and then at 1 this afternoon if you would like to discuss further.

Yes the report is still being revised. The OGC has to update some maps and charts based on the discussion we had with executive on Monday. Current version attached which is going to ADMCNR.

Regards,  
Chris

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**From:** Travia, David V AGRI:EX <[David.Travia@gov.bc.ca](mailto:David.Travia@gov.bc.ca)>  
**Sent:** December 8, 2020 8:54 PM  
**To:** Pasztor, Chris EMPR:EX <[Chris.Pasztor@gov.bc.ca](mailto:Chris.Pasztor@gov.bc.ca)>  
**Subject:** ADMCNR O&G Background Report

Hi Chris, hope you're doing well.

With ADMCNR coming up on Thursday, wondering if we need to connect prior. I'm planning on running through the deck pretty quick (aiming for 5 minutes max). We've only got a 20 minute time slot and it's a pretty straightforward item. I delegated this to Anna and she's moved on now so I'd be happy for any support you can offer for any questions that come up.

I'm checking in with Jennifer to see if I can get the final version of the background report. Her and May were working on it so I'm not sure if they've concluded that process. Far as I know, the PPT is unchanged – we accepted all the EMLI and OGC edits.

Thanks and talk soon,  
David

**David Travia**

Executive Director

Corporate Governance, Policy and Legislation Branch | Ministry of Agriculture, Food and Fisheries

Ph: 778 974-3764

**Ministry of Agriculture, Food and Fisheries**  
**BRIEFING NOTE FOR MINISTER FOR INFORMATION**

Ref: 193448

Date: January 5, 202

**Title:** Deputy Minister (DM) Agriculture and Oil and Gas Task Force Background Report

**Issue:** DM Task Force has requested Minister decision as to whether the Background Report is complete and should be released to the public.

**Background:**

In 2018, the Ministry of Agriculture, Food and Fisheries (AFF) was mandated with revitalizing the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC), and the Minister of AFF established an independent Advisory Committee to engage with stakeholders and the general public to provide Government with advice and guidance to support regulatory and administrative improvement. The independent Advisory Committee provided strategic advice and policy guidance to the minister based on the outcome of a broad engagement process with stakeholders across the province. The result was a final report (Revitalization Report) with 32 Recommendations.

Recommendation 25 was to:

*Immediately work to address the imbalance between oil and gas development and agriculture in B.C.'s Northeast ALR.*

- 1) Form a Deputy Minister-level, multi-agency, multi-jurisdictional Task Force to develop a Northeast ALR strategy; and*
- 2) Establish an increased ALR presence to support farmers and ranchers in B.C.'s Northeast ALR.*

Further, Recommendation 25 suggests that the DM Task Force develop a strategy to address the significant resource extraction issues impacting the ALR and its farmers and ranchers in B.C.'s Peace River region, and that the following actions be considered:

- How to balance surface rights of the farmers/ranchers with sub-surface rights of the extractors;
- How the farmers/ranchers will be given authority to influence negotiations on the farm and location of oil and gas facilities and infrastructure;
- How the comments made to this Task Force by the farmers/ranchers will be accommodated in a balanced process;
- Whether the delegation agreement between the ALC and the B.C. Oil and Gas Commission (OGC) is the correct approach or if there is an alternative approach that would better protect agricultural interests and restore confidence in the regulatory system over the long term;
- Complete a fulsome impact assessment of oil and gas activity within the ALR; and
- Determine how farmers can access ongoing professional, independent support.

In November 2019, a DM Task Force was established comprising the Deputy Minister of AFF, the Deputy Minister of Energy, Mines and Low Carbon Innovation (EMLI), the Chief Executive Officer of the ALC, and the Commissioner and Chief Executive Officer of the OGC.

In December 2019, the DM Task Force was formed. The DM Task Force accountability, as outlined in its Terms of Reference (ToR, Appendix A) is to examine the findings and recommendations from the Revitalization Report and, where and if appropriate, develop recommendations and initiate actions as may be necessary in providing government's response to the Report.

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**CONFIDENTIAL**

The ToR states that the DM Task Force will begin its work by developing a public facing Background Report. The Background Report is a first step, meant to be used as a common information base to guide additional work undertaken by the DM Task Force. Information about the DM Task Force, including its ToR and the commitment to publish the Background Report, is on the Ministry's website.

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EMPR is responsible for managing subsurface tenures. In general, subsurface tenures remain in place after land is transferred to FN. In the case that land is transferred to federal reserve, the subsurface tenure will be transferred to the federal government as well. On occasion, subsurface tenures may become part of the negotiation of land transfer. OGC is responsible for managing surface tenures. Land selected for transfer to FN that has existing surface tenures would need to be managed at the TLE table and become part of the negotiation process.

For FN land that is Federal Indian Reserve, the federal government is responsible for issuing permits. There may be situations where the province is involved and/or negotiates with the federal government for surface access. Land that is held by First Nations in fee simple, would be treated the same as private landowners as per the Consultation and Notification Regulation.

#### **Discussion:**

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#### **Options:**

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Contact: David Travia, Executive Director, 778-974-3764

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ADM

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DM

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**CONFIDENTIAL**

**Crockett, Janine EMLI:EX**

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**From:** Mah-Paulson, May EMLI:EX  
**Sent:** January 15, 2021 10:18 AM  
**To:** Pasztor, Chris EMLI:EX; 'Curry, Sean'  
**Cc:** O'Hanley, James G OGC:IN  
**Subject:** DMCNR - Mon, Jan 18  
**Attachments:** DMCNR - Mon, Dec 21; 1.0 DMCNR Agenda Jan18.21.pdf

Hi – we are confirmed for DMCNR on Mon, Jan 18 (see the attached agenda, and materials that we previously provided to DMCNR when we were originally scheduled for Dec 21) to provide the same presentation that was given to ADMCNR on 'Background report on Agriculture and Oil & Gas in NE BC'. Jennifer will present, and we can help answer questions that come up. An invitation to DMCNR should be coming our way later today.

Thanks,

May

**May Mah-Paulson, P.Eng.**

Assistant Deputy Minister | Oil and Gas Division  
Ministry of Energy, Mines and Low Carbon Innovation  
(P) 778.698.9691  
(C) 250.361.6589

**Crockett, Janine EMLI:EX**

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**From:** Mah-Paulson, May EMPR:EX  
**Sent:** December 17, 2020 4:45 PM  
**To:** Paulson, Ken OGC:IN; 'O'Hanley, James G'; Curry, Sean; Pasztor, Chris EMPR:EX  
**Cc:** Leinweber, Rachelle R EMPR:EX  
**Subject:** DMCNR - Mon, Dec 21  
**Attachments:** 4.1 Agriculture Oil and Gas Background Report FINAL DRAFT dec 14 version SC.pdf; 4.2 tor\_dm\_task\_force.pdf; 4.0 DMCNR\_Info\_DM Task Force AFF and Oil and Gas in NEBC.pdf; 1.0 DMCNR Agenda Dec 21 .20.pdf

Hi – for your info, here are the materials for DMCNR on Monday.

May

**May Mah-Paulson, P.Eng.**

Assistant Deputy Minister | Oil and Gas Division  
Ministry of Energy, Mines and Low Carbon Innovation  
(P) 778.698.9691  
(C) 250.361.6589

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**Terms of Reference**  
**Deputy Minister Task Force**  
**Agriculture and Oil & Gas in Northeast British Columbia**

**Preamble:** In January 2018, the Minister of Agriculture tasked an Independent Revitalization Committee to revitalize the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC) by leading a province-wide engagement process and providing strategic advice through recommendations for consideration by Government. The Revitalization Committee submitted final recommendations for the Minister's consideration including Recommendation 25<sup>1</sup> specific to the interaction of oil and gas development and agricultural land use in Northeast BC (NEBC). From the Revitalization Committee's report:

*Immediately work to address the imbalance between oil and gas development and agriculture in BC's Northeast ALR:*

1. *Form a Deputy Minister-level, multi-agency, multi-jurisdictional Task Force to develop a Northeast ALR Strategy; and,*
2. *Establish an increased ALC presence to support farmers and ranchers in BC's Northeast ALR.*

**Committee:** A Deputy Minister/Commissioner level Task Force (Task Force) is established to consider Recommendation 25 from the Revitalization Report. The DM Task Force is comprised of:

- Deputy Minister of Agriculture;
- Deputy Minister of Energy, Mines and Petroleum Resources;
- Chief Executive Officer, Agricultural Land Commission; and
- Commissioner and Chief Executive Officer, BC Oil and Gas Commission.

**Accountability:** The Task Force will examine the findings and recommendations from the Revitalization Report and, where and if appropriate, develop recommendations and initiate actions as may be necessary in providing Government's response to the Report.

The Task Force will begin its work by developing a comprehensive and factual public facing report which will provide:

- the history and current context in NEBC with respect to oil and gas and agricultural land use; and
- an examination of the existing policy and regulatory frameworks for both sectors.

The report will guide additional work as identified by the Task Force including:

- Determination of any regulatory or legislative enhancements which may be warranted;

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<sup>1</sup> See Appendix 1 for the full recommendation

- Consideration of all available information the Task Force deems appropriate including information from the recent Farmington Landowners Group trials and the Peace River Regional District, local Farmers/Ranchers; and
- Consultation as appropriate and/or as required with Indigenous Communities, landowners, local governments, industry and others.

**Support:** To support the work of the Task Force, an Executive Committee is formed comprised of:

- Assistant Deputy Minister, Ministry of Agriculture
- Assistant Deputy Minister, Oil and Gas Division, Ministry of Energy, Mines and Petroleum Resources
- Director, Agricultural Land Commission; and
- Executive Vice President/Chief Operating Officer, BC Oil and Gas Commission.

**Roles:** The Task Force will:

- Adopt these Terms of Reference;
- Meet as required to provide direction on analysis, reporting and other work to be done by the Executive Committee;
- Provide the appropriate linkage between Ministries and Cabinet/ELUC;
- Manage any concerns or disputes arising from the work; and
- Ensure the work of the Member Ministries and Commissions is aligned and coordinated.

The Executive Committee will:

- Review the recommendations and actions as outlined in the Revitalization Committee final report related to oil and gas and agriculture interactions and provide the outcome of the review and any further considerations to the Task Force, including:
  - Developing a public facing comprehensive report on Agricultural and Oil and Gas land use within the ALR in NEBC;
  - Responding to direction from the Task Force;
  - Identifying challenges and opportunities to be addressed;
  - Undertaking a review of the existing data/information available to assist in informing the Task Force; and
  - Making recommendations on next steps.

**Relationships:** The Task Force will provide any findings or recommendations arising from their work to the Deputy Minister Committee for Natural Resources (DMCNR) for review and discussion prior to advancing any recommendations to Government. Any such recommendations should be advanced utilizing the existing committee structures provided by the Assistant Deputy Minister Committee on Natural Resources (ADMCNR) and the DMCNR.

- Principles: The Task Force and the Executive Committee will:
- Develop fact based information and background on all matters before the Task Force;
  - Provide a balanced and reasoned approach, mindful of divergent views, and supported by staff and subject matter experts; and
  - Seek consensus directions and recommendations, or where consensus is not possible, document the reasons for lack of consensus and possible paths forward.
- Expenses: Individual Ministries and Commissions are responsible for their respective travel costs, subject to government travel guidelines and requirements.

## **Appendix 1**

### **From the Revitalization Report Recommendation 25 and Associated Actions: Need for a Deputy-Minister Task Force and Strategy**

#### *Actions:*

1. *Establish a Deputy Minister- level task force with internal and external agriculture partners and stakeholders from the natural resource sector. Direct the Task Force to:*
  - *Develop a strategy to address the significant resource extraction issues impacting the ALR and its farmers and ranchers in BC's Peace River Region*
  - *Review, among other considerations, the following issues and take actions as required:*
    - *How to balance surface rights of the farmer/rancher with sub-surface rights of the extractor*
    - *How the farmer/rancher will be given authority to influence negotiations on the farm and location of oil and gas facilities and infrastructure.*
    - *How the comments made to the task force by the farmers/ranchers will be accommodated in the balance process*
    - *Whether the delegation agreement between the ALC and the BC Oil and Gas Commission is the correct approach or if there is an alternative approach that would better protect the agricultural interest and restore confidence in the regulatory system over the long term*
    - *Complete a fulsome impact assessment of oil and gas activity with the ALR*
    - *Determine how farmers can access ongoing professional independent support*
2. *Build a memorandum of understanding and operational agreement between the ALC and the BC Oil and Gas Commission for sharing impact assessments and other information so they can work more effectively together.*
3. *Consider whether/what portion of royalties from oil and gas development in the ALR should be directed to a regional agriculture development fund.*

#### **Need for Increased ALC and Ministry Presence**

#### *Actions:*

1. *The Committee recommends the Ministry of Agriculture work with other natural resource ministries to ensure the ALC and the Ministry are sufficiently resourced to increase presence and support for the ALR protection and for farmers and ranchers in BC's Northeast ALR.*



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Withheld pursuant to/removed as

s.12 ; s.13



## DEPUTY MINISTERS' COMMITTEE ON NATURAL RESOURCES MEETING AGENDA

Dec 21<sup>st</sup>, 2020 2:00 pm

This will be a virtual MS Teams meeting only. [Click here to join the meeting](#)

Standing Committee Business					
	Item	Information/Decision	Outcome	Lead	Time
1.	Agenda and Minutes and 2021 schedule*	Decision	DMCNR approved DMCNR agenda and minutes and reviewed 2021 schedule	Meeting Chair	2:00
2.	Forward Looking Agenda*	Information	DMCNR reviewed and confirmed of forward-looking agenda for both DMCNR and ADMCNR	Meeting Chair	2:05
Consent Agenda					
			N/A		
Discussion Agenda					
	Item	Information/Decision	Outcome	Lead	Time
3.	Impacts to Agriculture in the Northeast*	Information	DMCNR received update on the impacts to Agriculture in Northeast BC. ADMCNR received similar presentation Dec 10 <sup>th</sup>	AGRI/EMPR	2:20
4.	s.12; s.13			ENV	2:40

\* Materials attached / \*\* Materials walked in / \*\*\* Verbal, no material



## DEPUTY MINISTERS' COMMITTEE ON NATURAL RESOURCES MEETING AGENDA

Jan 18<sup>th</sup>, 2021 2:00 pm

This will be a virtual MS Teams meeting only. [Click here to join the meeting](#)

Standing Committee Business					
	Item	Information/D ecision	Outcome	Lead	Time
1.	Agenda and Minutes and 2021 schedule*	Decision	DMCNR approved DMCNR agenda and 2021 schedule	Meeting Chair	2:00
2.	Cabinet Committee Schedule ( <i>will circulate just prior to the call starting</i> )	Information	DMCNR reviewed and confirmed Cabinet Committee schedule	Meeting Chair	2:05
3.	Forward Looking Agenda*	Information	DMCNR reviewed and confirmed of forward-looking agenda for both DMCNR and ADMCNR	Meeting Chair	2:10
4.	Lands and Natural Resource Secretariat***	Information	DM Halls provided update on Secretariat	DM Halls	2:15
Consent Agenda					
			N/A		
Discussion Agenda					
	Item	Information/ Decision	Outcome	Lead	Time

5.	Background report on Agriculture and Oil & Gas in NE BC*	Information	DMCNR received background report on Agriculture and Oil & Gas in Northeast BC. ADMCNR received similar presentation Dec 10 <sup>th</sup>	AGRI/EMPR	2:25
6.	s.12; s.13			ENV	2:45
7.	Geopolitics and the BC Economy: New US Administration, global growth, trade and clean prosperity in a post-COVID world *	Information	DMCNR received presentation on Geopolitics and the BC Economy: New US Administration, global growth, trade and clean prosperity in a post-COVID world	EMPR	3:00

\* Materials attached / \*\* Materials walked in / \*\*\* Verbal, no material

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Withheld pursuant to/removed as

s.12 ; s.13