



August 5, 2016

Legislature Office
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Attention:

The Honourable Shannon Phillips,
Minister of Environment and Parks
and Minister Responsible for the
Status of Women.

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Attention:

The Honourable Margaret McCuaig-Boyd,
Minister of Energy

The Canadian Association of Petroleum Landmen (“CAPL”) is a national organization of negotiating Landmen who manage surface and mineral land transactions in the energy industry. The association, which formed in 1948, now counts 1800 members comprised of professional Landmen, managers, administrators and lawyers who work for small O&G ventures to large international corporations. CAPL is dedicated to ensuring a high standard of conduct within the energy industry providing education, mentorship, developing legal documents and speaking for its members on matters of policy that affect the industry.

CAPL has been advised by members of concerns about the draft proposal for caribou recovery in the province; particularly the draft plan for the Little Smoky and A La Peche regions.

It is clear that woodland caribou is a threatened species in both the boreal and mountain ranges and that natural and anthropogenic activity are the factors. The past government created a situation which the current government, in the words of the Minister for Environment and Parks, “...inherited a policy logjam and a looming federal deadline to file our plan to recover the caribou and manage critical habitat for caribou throughout the province.” Completion of this plan is a large undertaking given looming deadlines! We doubt the province or engaged stakeholders wish to see a repeat of the federal government taking action as happened in the case of the sage grouse in south eastern Alberta and south western Saskatchewan. While the caribou is threatened nationally, the province should be the administrator of a provincial recovery program. The draft plan, should it work successfully, could become the template for management plans in other regions, some currently under new plans such as the Lower Athabasca Regional Plan, a known caribou habitat. CAPL, and our members, many of whom are stakeholders in the area, wish to see a successful recovery of the caribou. This is important, not just for



continuing the existence of a natural species, but also to demonstrate to other stakeholders and jurisdictions that Alberta is a leader in developing an equitable balance of conservation and commercial development.

Naturally, as outlined succinctly in the draft plan, there will be changes to industrial access and development to resources within the Little Smoky and A La Peche. This access will be spatial as well as temporal. Currently O&G activity operates under strict, but fair, regulations through the AEP process. Further restrictions will impact development. The amount remains to be seen and is therefore naturally of concern.

The plan lays out future restrictions for the disposition of timber and forestry rights, coal, peat and gravel rights. Oil and gas dispositions will continue, which seems positive. There will be restrictions on recreational activity including hunting with some consideration for control of predators and competing prey. The government “Will work with oil and gas companies to reschedule and provide voluntary extensions for developments, with increased flexibility in the tenure system to contribute to achievement of caribou goals and objectives.”

We have addressed this letter to the Minister of Energy as well as MEP since oil and gas surface access agreements: MSLs, LOCs, PLAs, PILs; are dependent on mineral tenure. Will there be corresponding extensions from Alberta Energy for mineral leases corresponding to surface dispositions? We only ask this since the press release of June 8th did not include a comment from the Ministry of Energy.

Some curious parts of the draft have caught our eye. The restoration of legacy seismic lines is an excellent start to help control predation. Has the government given consideration to how this will be funded? As pointed out in the draft most legacy seismic lines have no owners.

A caribou rearing facility is an excellent idea. This strategy has aided other species with their recovery. With monitoring, their introduction into the wild will likely show positive results. CAPL does not typically have access to the environmental expertise the government does, as demonstrated in the draft. However, it is interesting and worth asking the question: does removing other prey such as moose, elk and deer improve chances for caribou or does it negatively impact their survival? It would seem a simple matter for wolves, the main predator, to stay with a diet of caribou they are used to, especially in the absence of other species. We understand there will be a program for wolf control but short of massive culls, wouldn't that perpetuate a precarious balance? Considering that caribou is an easier prey, wouldn't there be a corresponding increase in wolf populations? In the past we have seen well intentioned and unplanned programs develop that have unpredictable side effects. Take for instance the unfortunate illegal introduction of lake trout into Yellowstone Lake. This has had a dramatic effect, not only on crippling cutthroat trout populations but also on elk calves now being taken by bears



that used to feed practically exclusively on the cutthroat. See a report from the Proceedings of the Royal Society of B in May 2013.

<http://rspb.royalsocietypublishing.org/content/280/1762/20130870>

The plan is creative but realistic in consideration that recovery will take decades. Annual and five year reports are also in the interest of all involved as it will provide the inventory and stock taking necessary to evaluate its success. CAPL sees this as an ambitious plan that is under a very tight window for its introduction. This could create some logjams within industry as they struggle to respond to a plan that is currently in its draft stage. Given the impending deadline of October 2017, industry is looking to government for certainty of access within already tight existing timelines for activity in caribou areas.

Given the fluctuation of exploration budgets in this uncertain economic time, could the government provide more detail on what additional restrictions will be invoked by the Alberta Energy Regulator? Recently the AER proposed new requirements in it's LLR program that caught industry quite off guard. CAPL is more comfortable with the approach taken to introduce this program and the planned consultation and comment period. But having said that, industry would rest easier knowing more details about 'new requirements' for access and timing. And speaking of timing, it would make sense that, if this program is to be introduced, it occurs well in advance of the 2017 winter season. This would provide time to adjust exploration and development programs. If somehow the government were to rush this draft into an active program this fall, the winter drilling season could be in greater jeopardy than it already is. Any timing delays have serious impacts on winter projects in caribou habitat that already must be concluded by mid-February.

Thank you kindly for the opportunity to present this opinion.

**Yours very truly,
CANADIAN ASSOCIATION OF PETROLEUM LANDMEN**

**Larry B. Buzan, P.Land
President**

**Paul Mandry, PSL
Vice President**



[Proceedings of the Royal Society B.pdf](#)
[..\Environment\Lake Trout Impact Elk Calves may 2013 \(3\).pdf](#)

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