



# GRADING THE 2024 AER LIABILITY MANAGEMENT PERFORMANCE REPORT

CANADIAN ASSOCIATION OF LAND AND  
ENERGY PROFESSIONALS

# THE NEGOTIATOR

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# SURFACE RIGHTS & REGULATORY REVIEW

*Jayce Eadie, Daron Naffin, and Tim Myers – Bennett Jones LLP*

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Land and Property Rights Tribunal Clarifies Applicability of Rate of Return Approach in Loss of Development Claims

Decisions: 2476806 *Alberta Ltd v MAGA Energy Ltd*, [2026 ABLPRT 55](#); 2624594 *Alberta Ltd v Sinopec Canada Energy Ltd*, [2026 ABLPRT 88](#)

Dates: January 23, 2026 & February 6, 2026

In two decisions issued in early 2026, the Land and Property Rights Tribunal ("Tribunal") considered several applications under section 27 of the Act for increases in the rate of annual compensation payable in respect of leases located just west of the City of Edmonton ("Edmonton") based on a "rate of return" approach (also known as a "return on investment" approach) to determining annual compensation. At a high level, this approach assumes that the subject lands could be developed if the surface leases were not in place and determines compensation for the economic losses incurred based on the developed use. As explained by the Tribunal, this approach requires estimating the value of the lands "but for" the subject sites and then multiplying this number by the acreage of the sites and applying an appropriate yield rate. In

each decision, discussed in turn below, the Tribunal concluded that a rate of return approach was inappropriate in the circumstances and rejected the requested increases in compensation.

In *2476806 Alberta Ltd v MAGA Energy Ltd* ("**MAGA**"), the applicant filed three applications with the Tribunal requesting a review of the rate of annual compensation payable under three surface leases comprising a total area of 7.075 acres. The leased area was located on a parcel of land within the eastern portion of Parkland County, immediately south of Highway 16 and adjacent to the western boundary of Edmonton. The leased area was located on the west end of the parcel, and the balance of the parcel was vacant holding lands with the exception of two industrial businesses operating at the east end of the parcel. The parcel was zoned as "BI - Business Industrial District" under the Parkland County Land Use Bylaw No. 2017-18 and designated for commercial/light industrial purposes under the Acheson Industrial Area Structure Plan. The parcel was also located within the Acheson Zone 2 Conceptual Scheme; it was not subdivided or serviced.

The applicant sought an increase in the total annual compensation payable under the surface leases from \$36,000.00 to \$87,340.93 based on a rate of return approach. The applicant argued that the eastern portion of the parcel was currently being used for industrial purposes, and the balance of the parcel was immediately developable. The operator sought a decrease in annual compensation payable under the surface leases based on a pattern of dealings approach, which utilized comparable leases, and an empirical approach, which assessed the actual losses and impacts experienced by the applicant based on a highest and best use of interim agricultural (pasture) use. The operator argued that the rate of return approach was inappropriate given that the development of the parcel was speculative and would not occur within the current review period.

The Tribunal found that to base compensation on a rate of return approach, it must have persuasive evidence on a balance of probability that "but for" the site, the leased areas would be earning a return that supports the requested rate of annual compensation or would have been sold as a parcel developed or ready for development. The Tribunal was not satisfied that the rate of return approach was appropriate in the circumstances for several reasons, including that: (i) the Tribunal typically awards compensation where the loss is actual or reasonably probable; (ii) the Tribunal was not convinced that the applicant would have fully developed, serviced lots available for sale or rent within the current review period, particularly in light of several outstanding constraints to development; and (iii) the actual loss or reasonably probable loss is primarily associated with vacant "holding property", based on current municipal zoning, bylaws, and the conceptual plan.

The Tribunal further found that an empirical approach was inappropriate given that the parcel was not actually used for agricultural purposes during the current review period. The Tribunal also declined to determine compensation based on the comparable agreements presented by the operator, given the

variability and range in values within those comparables. The Tribunal concluded that the best evidence of the appropriate rate of annual compensation was the existing surface leases and, therefore, ordered that the compensation remain unchanged.

In *2624594 Alberta Ltd v Sinopec Canada Energy Ltd* ("Sinopec"), the Tribunal considered an application requesting a review of the rate of annual compensation payable under a surface lease comprising a total area of 1.58 acres. The subject site had been abandoned and was in the process of being reclaimed. The leased area was located on a parcel of land near the north-western boundary of the City of Edmonton, adjacent to the municipalities of Sturgeon County and the City of St. Albert. The parcel was zoned as "AG – Agriculture" under Edmonton's Land Use Bylaw 20001, and the leased area was designated as "Future Residential and Associated Uses" under the Trumpeter Neighbourhood Structure Plan ("NSP"). The lands immediately south of the subject parcel had been developed under the Trumpeter NSP, and the applicant indicated he had filed a zoning application. The majority of the parcel was being rented out for annual cultivation.

The applicant sought an increase in the total annual compensation payable under the surface lease from \$3,500.00 to \$14,600.00 based on a rate of return approach. The applicant argued that the parcel was eminently developable, and the surface lease was preventing or delaying developers from further developing the parcel. The operator sought a decrease in annual compensation payable under the surface lease based on a pattern of dealings approach, assessing comparable leases, and an empirical approach based on the highest and best interim pasture or cultivated land use. As in *MAGA*, the operator argued that the rate of return approach was inappropriate given that the development of the parcel was speculative and would not occur within the current review period.

The Tribunal found that the applicant failed to establish that the leased area was causing the applicant to suffer a loss by preventing it from developing the lands. First, the applicant had based its requested increase on the market value of the parcel without providing evidence on how the market value should be utilized in determining appropriate annual compensation. The Tribunal noted that market value measures capital loss rather than the ongoing detrimental impacts that annual compensation is intended to address. Second, the Tribunal was not persuaded that the parcel's highest and best use was imminent residential development. It found that it would need more evidence to substantiate that residential use will be the best use of the land, that development is imminent, and the interplay between the leased area and the development. Third, the Tribunal found the applicant had failed to substantiate how the specific requested annual rate of \$14,600.00 was calculated.

The Tribunal concluded that the comparables provided by the operator provided the best evidence for establishing the appropriate rate of annual compensation. While the Tribunal found that the negotiated agreements did not establish a clear discernible pattern as a whole, it found that certain sites had sufficiently similar attributes. The Tribunal reduced the rate of compensation to \$3,150.00 per year, being the median rate for the selected comparables.

MAGA and Sinopec provide guidance on the applicability of the rate of return approach, where landowners seek increased compensation based on loss of development claims. In particular, these decisions demonstrate that claims based on the rate of return approach must be supported by clear, non-speculative evidence that development is imminent or would have occurred but for the subject lease(s). These cases also create some uncertainty given the Tribunal's inconsistent treatment of comparable agreements in each decision – the Tribunal declined to award compensation based on comparables in MAGA but did so in Sinopec.

### **Land and Property Rights Tribunal Rejects Claim for Off-Lease Flooding and Departs from Undisputed Expert Evidence on Loss of Use**

**Decision: Smith v Canadian Natural Resources Limited, 2026 ABLPRT 57**

**Date: January 23, 2026**

The landowners filed an application under section 27 of the Act requesting a review of the rate of annual compensation payable under a surface lease located in Saddle Hills County having an effective date of June 8, 2024. The lease totaled 6.42 acres in size, including a 3.43-acre access road and a 2.99-acre well site accommodating a suspended natural gas well.

The landowners initially sought an increase to the total annual compensation payable under the surface lease from \$3,900.00 to \$7,600.00, but subsequently reduced their request to \$6,700.00 to align with their expert report shortly before the hearing. The landowners' requested compensation was based on: (i) a rate of \$412.00 per acre for loss of use (fescue production); (ii) a rate of \$2,500.00 per year for adverse effect (based on the adverse effect component of compensation under purportedly comparable agreements that were not included in evidence); and (iii) a rate of \$1,463.00 per year in respect of a 3.55 acre off-lease "flooded area" north of the access road that was allegedly caused by the construction of the site (the requested compensation was based on the loss of use rate of \$412.00 per acre multiplied by the 3.55 acres estimated by the landowners' legal counsel).

The operator's expert evidence agreed with the landowners' loss of use rate of \$412.00 per acre, such that all experts at the hearing agreed on that rate. The operator argued that the appropriate rate of annual compensation for adverse effect was \$2,180.00 (\$1,780.00 for tangible adverse effect and

\$400.00 for intangible adverse effect. Finally, the operator argued that no additional compensation should be awarded for the alleged flooded area on the basis that it was not attributable to the site (as demonstrated by the operator's evidence, including historical aerial photos and the original lease survey), among several other reasons.

In assessing adverse effect, the Tribunal afforded "little weight" to the landowners' estimate of \$2,500.00 on the basis that it was unsupported by evidence. The Tribunal accepted the operator's proposed rate of tangible adverse effect compensation of \$1,780.00, but increased the intangible adverse effect compensation from \$400.00 to \$600.00 on the basis that the access road "essentially severs the quarter section, resulting in greater nuisance and inconvenience".

In assessing the alleged flooded area, the Tribunal was not persuaded that the construction of the site resulted in the obvious increase in the alleged flooded area north of the access road over the years, and declined to award additional compensation for the same.

Finally, in assessing loss of use, the Tribunal departed from the rate of \$412.00 per acre (which rate was agreed to by the parties' experts) and awarded a rate of \$632.00 per acre based on the landowners' testimony regarding their "expectations" for future yields and prices. Notwithstanding that the landowner testified he did not produce any fescue in 2024 (the first year of the review period), his fescue yield was 592 lbs per acre in 2025 (the second year of the review period), and he sold his 2025 fescue seed for \$0.85 per lb, the Tribunal found that reasonable yields and prices for the period from 2026 to 2029 would be 800 lbs per acre and \$1.00 per lb, respectively. The Tribunal found it "curious" that none of the parties' experts recognized that the 2025 fescue yield was drought-influenced and "did not use a yield closer to typical". Importantly, however, the only evidence on

the record of the proceeding that the prolonged multi-year drought in the area would not continue beyond 2025 was the landowner's testimony at the hearing that they had experienced a higher than usual snowpack as of mid-December 2025, and on that basis alone expected yields to significantly increase in 2026 and beyond.

**Land and Property Rights Tribunal finds Proximity Criterion "Not Significant" for Riser Sites**

**Decision: Turner v BTG Energy Corporation, 2026 ABLPRT 112**

**Date: February 18, 2026**

In Turner v BTG Energy Corporation ("Turner"), the Tribunal considered two applications under section 27 of the Act requesting a review of the rate of annual compensation payable under two surface leases hosting riser sites located near Eckville, Alberta. The landowners sought increases to the total annual compensation payable under the surface leases from \$1,500.00 to \$2,500.00 and from \$1,000.00 to \$2,500.00, respectively, based on purportedly comparable riser rights located near Grande Prairie (over 400 km away from the subject sites). The operator's pattern evidence, which considered only local riser sites, supported rates of annual compensation in the amount of \$1,500.00 for both sites.

One key issue at the hearing was the importance of the proximity criterion in assessing comparable leases. The landowners argued that proximity is largely irrelevant for riser sites, and it is appropriate to base compensation on comparable sites located over 400 km away. The operator argued that the proximity criterion incorporates a host of important considerations recognized by the Alberta courts and the Tribunal, such as locality-specific "economic, soil and weather conditions", "negotiating

circumstances", the "relative bargaining power of the operators and land agents", "social relations and conventions", and "incomes and expenses", in addition to common farming practices, and it was therefore inappropriate to disregard the proximity criterion.

Surprisingly, the Tribunal declined to grapple with any of the cases referenced by the operator and instead found that "the references in the Operator's disclosure to distance from the subject site, are in the context of a PoD, and the application of proximity is not a dominant factor when considering negotiated settlements...[i]n this case, because riser sites are unusual in that the loss of use is of low significance and it is the activity that seems to warrant to higher rents, the lack of proximity is not significant." This finding creates considerable uncertainty regarding the appropriate criteria to assess negotiated agreements where no formal pattern of dealings is established.

The Tribunal ultimately considered certain of the operator's and landowners' comparable agreements and awarded rates of annual compensation in the amount of \$1,520.00 and \$1,900.00 per year (as compared to the operator's position of \$1,500.00 for both sites and the landowners' position of \$2,500.00 for both sites).



Bennett Jones



# FROM MINERAL TENURES TO NUCLEAR PROJECTS: THE EVOLVING ROLE OF UNDRIP IN CANADIAN DOMESTIC LAW

*Chris Roine | Rick Williams | Jessica Hennings | Claudia Wheler | Roark Lewis*  
*BLG - Canada's Law Firm*

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**January 22, 2026**

In 2025, both the B.C. Court of Appeal and the Federal Court of Canada issued significant decisions that speak to the role of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in interpreting and applying provincial and federal laws. Although subject to appeal, the decisions have immediate and far-reaching consequences for Indigenous peoples, project proponents, and governments.

## **Key takeaways**

- UNDRIP is now part of Canadian law as an interpretive tool: Both the B.C. Court of Appeal and the Federal Court confirmed that UNDRIP must inform the interpretation of statutes and constitutional obligations, though it does not create new standalone rights.
- Legal and policy implications are significant: Inconsistencies between domestic laws and UNDRIP are justiciable, and regulatory bodies may consider UNDRIP when assessing Crown decision-making.

- Consultation standards are evolving: Canada and British Columbia's legislation to embrace UNDRIP as a framework for reconciliation raised the standard for consultation beyond what the common law would otherwise have required.
- British Columbia may amend its UNDRIP legislation in response to these decisions. If so, what will that look like, and will the federal government follow suit?

## **Background**

UNDRIP is a declaration adopted by the United Nations General Assembly in 2007, outlining the rights of Indigenous peoples. It emphasizes the need to respect and promote their inherent rights, setting minimum standards for the survival, dignity, and well-being of indigenous people. UNDRIP affirms rights such as self-determination, self-government, and control over traditional lands and resources. A key aspect is the requirement for states to seek free, prior, and informed consent (often contracted to

FPIC) from Indigenous peoples before approving projects that affect Indigenous people's lands or resources, in an effort to ensure meaningful participation and agreement.

In 2019, the British Columbia government enacted the Declaration on the Rights of Indigenous Peoples Act, S.B.C. 2019, c. 44 (the B.C. Declaration Act), making it the first Canadian jurisdiction to embrace UNDRIP as a framework for reconciliation. The B.C. Declaration Act aims to align B.C. laws with UNDRIP's standards, contributing to its implementation and advancing reconciliation efforts. Among other things, it mandates the Province to take all measures necessary to ensure the laws of B.C. are consistent with UNDRIP, in consultation and cooperation with the Indigenous peoples in B.C.

In adopting UNDRIP, the provincial government asserted that its intent was not to give UNDRIP itself "legal force and effect" but, at the same time, the Province was going to "bring these internationally recognized standards into provincial law" and that UNDRIP could be used "as an interpretative aid<sup>1</sup>"

In 2021, the Province amended the Interpretation Act, R.S.B.C. 1996, c. 238, to add a requirement that every Act and regulation in British Columbia must be "construed as being consistent with the (B.C. Declaration Act)."

In the legislature, the opposition questioned the effect this amendment to the Interpretation Act would have on provincial decision-making, but the government did not fully respond. During the committee stage, M. De Jong posed a hypothetical to the Hon. D. Eby (Attorney General at the time): when the Province is considering a disposition of land, would the Province have to consider the provisions of UNDRIP that spoke to the right of Indigenous peoples to "determine and develop priorities and strategies for the development or use of their lands or territories and other resources" (article 2 of UNDRIP) or that states must consult Indigenous peoples "in order to obtain their free and informed consent prior to the approval of any project

affecting their lands or territories..." (article 32 of UNDRIP)? Instead of responding, the Attorney General ended the debate and brought the amendments forward for decision, with third reading and Royal Assent soon after.<sup>2</sup> Recent decisions of Canadian courts (discussed below) have answered that question with a clear "yes."

In 2021, the Canadian federal government enacted the *United Nations Declaration on the Rights of Indigenous Peoples Act*, S.C. 2021, c. 14 (the *Federal Declaration Act*). The *Federal Declaration Act* expresses a commitment to "fully adopt and implement the Declaration as the framework for reconciliation" and affirms UNDRIP as "a source for the interpretation of Canadian law". Section 4 of the *Federal Declaration Act* states that its purposes are to "affirm the Declaration as a universal international human rights instrument with application in Canadian law; and provide a framework for the Government of Canada's implementation of the Declaration".

In *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, 2024 SCC 5, the Supreme Court of Canada held that the *Federal Declaration Act* incorporated UNDRIP into the country's positive law.

As discussed below, this year, the decisions in *Gitxaala v. British Columbia (Chief Gold Commissioner)*, 2025 B.C.C.A 430, and *Kebaowek First Nation v. Canadian Nuclear Laboratories*, 2025 FC 319, have provided further analysis on the effect of UNDRIP in Canada.

### **Gitxaala v. British Columbia (Chief Gold Commissioner)**

British Columbia Supreme Court (2023 BCSC 1680)

In 2023, Gitxaala Nation and Ehattasahet First Nation challenged the operation of B.C.'s automated online mineral tenure registry system, which allowed "free miners" to register mineral claims on Crown land without prior consultation with affected First Nations.

The petitioners argued that the system breached their rights under s. 35 of the Constitution Act, 1982, the honour of the Crown, s. 3 of the B.C. Declaration Act, and UNDRIP.

On September 26, 2023, the B.C. Supreme Court found that granting mineral claims under the Mineral Tenure Act triggered a duty to consult and held that the absence of a system for pre-registration consultation breached that duty. However, in doing so, the Court did not accept that the B.C. Declaration Act implemented UNDRIP into B.C. law and concluded that UNDRIP “remains a non-binding international instrument”. The judge stated that:

“A correct, purposive interpretation of DRIPA does not lead to the conclusion that DRIPA ‘implemented’ UNDRIP into domestic law. Instead, DRIPA contemplates a process wherein the province, ‘in consultation and cooperation with the Indigenous peoples in British Columbia’ will prepare, and then carry out, an action plan to address the objectives of UNDRIP” (para. 466).

The Court declined to determine the question of whether the mineral claims regime was consistent with UNDRIP, finding that the question was beyond the proper role of the court.

The Court suspended its declaration - that the mineral claims system under the Mineral Tenure Act triggered a duty to consult - for 18 months to allow the government to “consult and design a regime that allows for consultation”.<sup>3</sup> Following this decision, the government has released its [Mineral Claims Consultation Framework \(MCCF\)](#), which now includes a consultation process for mineral claim applications that may impact First Nations.

See BLG’s earlier analysis of the [B.C. Supreme Court decision here](#).

British Columbia Court of Appeal (2025 BCCA 430)  
The Gitxaala and Ehattesaht First Nations appealed the B.C. Supreme Court’s refusal to adjudicate

whether the B.C. mineral claims regime was consistent with UNDRIP. On appeal, the First Nations sought declarations that the mineral claims regime was inconsistent with UNDRIP.

On December 5, 2025, a majority of the B.C. Court of Appeal allowed the First Nations’ appeals. In doing so, the Court undertook a detailed analysis of UNDRIP’s role in provincial law, focusing on B.C. Declaration Act and B.C.’s Interpretation Act.

Writing for the majority, Justice Dickson (with Justice Iyer concurring) made several key findings:

- “Properly interpreted, the [B.C. Declaration Act] incorporates UNDRIP into the positive law of British Columbia with immediate legal effect. This does not mean that s. 2(a) of the [B.C. Declaration Act] creates or confers new substantive legal rights or obligations arising from UNDRIP.”<sup>4</sup>
- Section 8.1(3) of the Interpretation Act “imposes a statutory rebuttable presumption of consistency between British Columbia enactments and UNDRIP, which is functionally akin to the presumption of conformity.”<sup>5</sup>
- “UNDRIP should be applied as a weighty source for the interpretation of Canadian law in accordance with the presumption of conformity”, and “should not be treated as a mere ‘non-binding international instrument’ to which modest, moderate, or significant weight, or no weight at all, may be optionally ascribed in the interpretive exercise.”<sup>6</sup>
- “A matter is not rendered non-justiciable simply because it raises complex or controversial issues with social or political dimensions.”<sup>7</sup>
- “Properly interpreted, s. 3 [of the B.C. Declaration Act] does not preclude judicial adjudication of whether a British Columbia law is consistent with UNDRIP or oust the courts’ jurisdiction to do so when asked by an Indigenous litigant to resolve a

a dispute with the Crown on an allegedly duty-triggering inconsistency.”<sup>8</sup>

Writing in dissent, Justice Riley agreed with the majority’s conclusion on the status of UNDRIP under British Columbia law, but disagreed on the justiciability of questions arising from the *B.C. Declaration Act*. Justice Riley concluded that the *B.C. The Declaration Act* guided the government’s statutory obligations with respect to consultation, but it was not the role of the courts to resolve inconsistencies between British Columbia’s laws and UNDRIP.

Both the majority and dissent agreed that UNDRIP is no longer merely aspirational or “soft law” in British Columbia. It is part of the province’s legal architecture as an interpretive tool, and the B.C. government is under a statutory duty to align provincial laws with UNDRIP – though its substantive effect depends on the enabling statutes and the nature of the specific UNDRIP provisions.

Applying this interpretive lens, the majority found that the mineral grant regime under the *Mineral Tenure Act* “is manifestly inconsistent” with UNDRIP and declared that the Crown’s “conduct in establishing an online system allowing for automatic registration of mineral claims without requiring prior consultation and cooperation of affected Indigenous peoples is inconsistent with article 32(2) of [UNDRIP].”<sup>9</sup> As the Gitxaala only appealed on the lower Court’s refusal to award declaratory relief, the Court did not determine whether the *Mineral Tenure Act* is invalid or make directions to amend the legislation in a manner consistent with UNDRIP.

On February 3, 2026, B.C. applied for leave to appeal the decision to the Supreme Court of Canada. Premier David Eby stated that the decision and recent events have “created confusion and concern about the intent of [the *B.C. Declaration Act*] and reconciliation work generally. We are seeking to appeal that decision at the Supreme Court, while we work with First Nation partners on amendments to get back to the original intention of the [B.C. Declaration Act].” The Gitxaala

First Nation stated that it is confident “justice will prevail” and urged B.C. to focus on implementing *B.C. The Declaration Act* rather than fighting in court. We will advise on any further updates on the appeal when available.

Premier David Eby has indicated that the B.C. government may introduce amendments to the *B.C. The Declaration Act* and the *Interpretation Act* were passed to counter the effect of the decision in *Gitxaala*, but they have not explained what those amendments might be.

### **Kebaowek First Nation v. Canadian Nuclear Laboratories, 2025 FC 319**

At the federal level, there is also recent caselaw that UNDRIP may be used to assess the sufficiency of consultation by the federal government.

On February 19, 2025, the Federal Court in *Kebaowek First Nation v. Canadian Nuclear Laboratories* held that the Canadian Nuclear Safety Commission’s (CNSC) failure to apply UNDRIP as an interpretive lens when assessing whether the Crown fulfilled its duty to consult and accommodate constituted an error of law.

The applicant, *Kebaowek First Nation*, sought judicial review of the CNSC’s January 8, 2024, decision granting *Canadian Nuclear Laboratories Ltd.* an amendment to its Nuclear Research and Test Establishment Operating Licence for the Chalk River Laboratories site, authorizing construction of a Near Surface Disposal Facility.

The Court determined that UNDRIP has been incorporated into Canada’s positive law and must therefore inform the interpretation of Canadian statutes and constitutional obligations, including the duty to consult and accommodate. Citing recent Supreme Court of Canada authority and the preamble to the *Federal Declaration Act*, the Court confirmed that UNDRIP is not an independent source of enforceable rights, but rather establishes minimum

standards and a framework that constrains and guides the interpretation of Canadian legal obligations.

Key findings include:

- “The jurisprudence supports the conclusion that the UNDRIP is clearly an interpretive lens to be applied [by administrative and judicial decision-makers, including tribunals such as the CNSC] in the analysis of section 35 rights.”<sup>10</sup>
- “The [CNSC’s] Decision that it did not have the jurisdiction to determine and apply the UNDRIP is an error of law and is misaligned with the presumption of conformity.”<sup>11</sup>
- “[T]he UNDRIP [free, prior, and informed consent] standard requires a process that places a heightened emphasis on the need for a deep level of consultation and negotiations geared toward a mutually accepted arrangement.”<sup>12</sup>
- “FPIC is a right to a robust process...it is not a veto or a right to a particular outcome.”<sup>13</sup>

Canadian Nuclear Laboratories Ltd. appealed the Federal Court’s decision in *Kebaowek*. The Federal Court of Appeal heard the appeal in October 2025, but it has not yet released a decision.

## Implications

Together, these decisions signal a significant shift toward embedding international Indigenous rights standards within Canadian legal frameworks. They affirm the justiciability of inconsistencies between domestic laws and UNDRIP and mandate that the Crown address these inconsistencies in its consultative processes. However, significant questions remain:

- How will UNDRIP and the B.C. and Federal Declaration Acts expand the scope of other existing legislation? Will courts import the principle that governments must seek “free, prior and informed consent” – or other principles of UNDRIP – where that is not explicitly contemplated in the enactment?
- How will Canada and British Columbia’s duty to

consult be interpreted in other contexts? At present, the common law contemplates a range in scope of consultation, depending on the strength of a claim to Aboriginal rights and the severity of the potential adverse impact on the right to inform the depth of the duty to consult. Will courts increasingly and consistently require that Canada and British Columbia seek the free, prior, and informed consent of Indigenous peoples contemplated by UNDRIP at every level of consultation efforts, or will that only apply where a strong claim of Aboriginal rights faces a severe potential adverse impact?

- If British Columbia does amend its Declaration Act, what will those amendments look like? Will it also amend the related provisions of the Interpretation Act? Will the federal government also revisit the Federal Declaration Act, given an apparent shift in focus by Prime Minister Carney? More broadly, if UNDRIP is not the proper framework for reconciliation, what should replace it?

From an immediate and practical perspective:

- Federal and British Columbia officials will need to reassess their consultation processes to ensure they reflect UNDRIP principles. This likely includes making serious efforts to obtain the free, prior, and informed consent of Indigenous groups as part of consultation, at least where the duty to consult is at the “high” end of the scale.
- For industry proponents, the decisions underscore the importance of robust, transparent, and early engagement with Indigenous communities to gain their support. Building trust and fostering genuine collaboration will help mitigate legal risk and enhance project certainty. In practice, this means moving beyond minimum compliance with common law standards of consultation and toward proactive strategies that address broader Indigenous interests, concerns, and expectations.

Ultimately, these decisions reinforce that UNDRIP is no longer aspirational – it is a binding interpretive tool shaping federal and British Columbia law. Future projects and regulatory decisions made by the federal and British Columbia governments, regulators, or agencies will need to account for this evolving legal landscape.

BLG regularly advises clients on matters involving Indigenous rights and their interaction with regulatory frameworks and project development. If you have questions about the implications of UNDRIP, the B.C. Declaration Act, the Federal Declaration Act, or the recent decisions in Gitxaala and Kebaowek for your projects or

operations, please contact the authors, any of the key contacts listed below, or a member of BLG's Indigenous Law Group.

**UNDRIP and Indigenous rights in Canadian law**  
**BLG**





# GRADING THE 2024 AER LIABILITY MANAGEMENT PERFORMANCE REPORT

*Drew Yewchuk | Shaun Fluker*

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Report Commented On: [2024 AER Liability Management Performance Report](#)

In November 2025, the Alberta Energy Regulator (AER) published the [2024 Liability Management Performance Report](#) (2024 Report). This is the third AER Liability Management Performance Report to the public on progress to reduce Alberta's massive unfunded closure liability in the conventional (non-oil sands mine) oil and gas sector. We discussed the [2022 report here](#) and the [2023 report here](#). In a positive change from earlier years, the AER has kept the 2022 and 2023 reports up on its website. While this allows the public to compare information in the current report with past years, it is noteworthy that the AER itself does not use the previous years to evaluate performance, and the 2024 Report provides almost no discussion or analysis of the data set out in the report. This is one of the reasons why the 2024 Report receives an F grade.

## **An Overview of the Closure Liability Problem and the Liability Management Framework**

Closure liability refers to the cost of abandonment (increasingly being referred to as decommissioning), remediation, and reclamation of oil and gas wells,

pipelines, and other facilities on public and private lands in Alberta. Policy and regulatory failure over the last forty years allowed the problem to grow into a massive environmental and financial crisis. This policy failure includes the absence of a credible estimate of total closure liability. Despite updating the well decommissioning cost estimates [in June 2024](#), the AER has still not updated the reclamation cost estimates, even though the Regulator acknowledges those estimates are too low, meaning that the AER is deliberately producing an official conventional closure liability estimate (\$36.6 billion) that is inaccurately low.

As we and others (most notably Alberta's Auditor General) have observed repeatedly, one of the most significant policy failures in the Alberta oil and gas sector is the absence of a credible official estimate of total closure liability. The AER formerly produced a calculation of the total deemed liabilities every month as part of the Liability Management Rating (LMR) Results Report (the final LLR deemed liability was [\\$36 billion in July 2024](#)), but those estimates were calculated using average liability cost estimates set by [Directive 011](#) that are known to be inaccurate (Directive 011 was recently updated but only in

relation to decommissioning (that is, abandonment or plugging) costs, whereas remediation and reclamation costs appear to be the most underestimated. The AER official estimates hovered in the low to mid \$30 billion dollar range since 2015, an estimate that always excluded any and all pipeline segments. The AER has acknowledged the errors in these estimates, and the **Auditor General has described many of them**, but the public continues to receive conflicting and inconsistent estimates of total closure liability (see Waiting for a Credible Cost Estimate of Oil and Gas Closure Liabilities and the Problem with CARL for more details on this, posted by one of us in May 2024). In 2018, a leaked internal AER presentation blew the roof off of published AER estimates. That presentation suggested that conventional liabilities are probably closer to \$100 billion, pipeline liabilities are around \$30 billion (based primarily on estimates of federally regulated pipeline liability), and \$130 billion for oil sands liabilities, bringing the total to an eye-watering \$260 billion.

Closure liability policy in Alberta was significantly transformed in 2020 when the federal government provided Alberta \$1 billion to distribute to oil and gas companies for closure work (although \$137 million of that money was returned unspent). In exchange for that funding, the Alberta government announced a new policy direction for the regulation of conventional oil and gas closure liability in the form of the Liability Management Framework. The Liability Management Framework has four components: (1) reduce the number of inactive sites with closure work; (2) assess applicants and existing licensees to ensure their solvency and operational record demonstrates an ability to meet closure and other regulatory obligations; (3) expand the mandate of Alberta's Orphan Well Association to enhance its ability to undertake closure work for sites without a solvent owner; and (4) develop a regulatory program to address closure liability associated with legacy and post-closure sites for which there is no responsible owner.

For the most part, the AER is responsible for

implementing and administering the Liability Management Framework. The Responsible Energy Development Act, SA 2012, c R-17.3, gives the AER its overall mandate, authority, and power to regulate the development of oil and gas resources and closure work. More specific powers and legal obligations are set out in various other enactments. For example, with respect to pipelines, these enactments include the Pipeline Act, RSA 2000, c P-15, and Pipeline Rules, Alta Reg 125/2023. These enactments also provide the AER with the power to make rules with respect to liability management. Those rules are found primarily in two directives: AER Directive 067 – Eligibility Requirements for Acquiring and Holding Energy Licences and Approvals and AER Directive 088 – Licensee Life-Cycle Management. AER Manual 023 sets out and explains specific procedures used by the AER to assess the liability risk of applicants and licensees, as well as implement minimum mandatory closure spending requirements on inactive sites.

The AER website is a labyrinth in terms of explaining how the regulator administers and implements liability management, with many pages conveying information in a manner that is duplicative, convoluted, and confusing (see e.g. here, here, here, here, here, and here). Perhaps the best place to start is the Liability Management page, which provides a very cursory description of the components of the 2020 Liability Management Framework. This page mentions that legislative amendments were required to implement the Liability Management Framework, including amendments to AER Directive 067 and the enactment of Directive 088, and provides links to other pages that give some explanation of specific aspects of liability management: holistic assessment and licensee capability assessment, licensee management program, inventory reduction program, and the license transfer process. All of these pages are also linked to the Liability Management Programs and Processes page, along with additional pages such as the Orphan Well Association, liability

management rating and reporting, mine financial security program, and insolvency. The AER website provides very little information on security deposits and legacy and post-closure sites, located on the General Liability Management page.

Collectively, the purported purpose of these requirements is to reduce unfunded closure liability in Alberta. To accomplish this, the requirements mandate an annual amount of spending by the industry on closure work. They also provide the AER with the power to holistically scrutinize the financial and operational capacity of applicants for new licenses and existing licensees to perform closure work, and to control those risks by refusing to grant or transfer licenses or imposing conditions such as security deposits. The AER describes the licensee capacity assessment as the ‘backbone’ of the holistic approach:

The licensee capability assessment (LCA) is the backbone of our holistic assessment of companies throughout the energy development life cycle in the oil and gas sector. Introduced through Directive 088: Licensee Life-Cycle Management, the LCA considers a variety of factors to help us evaluate a company, including its financial and liability risk, its performance compared with similar companies, and other operations, closure, and administrative factors, with compliance history being considered throughout.

The information that feeds into the LCA comes from several sources, including financial information that companies are required to provide us through Directive 067.

(AER, “Holistic assessment and Licensee Capability Assessment”)

The AER has been gradually developing and implementing the Liability Management Framework since 2020, but there are still large gaps in the framework. The AER continues to make incremental changes that do not address the substantive causes of the unfunded liability problem or reduce liability.

As it has developed, the key parts of the framework are the holistic assessment and licensee capability

assessment, the closure spend quotas (which are set without sufficient planning to be effective), the closure nomination program, and an expanded role for the Orphan Well Association. Major parts of the framework are still missing, and key elements remain severely underdeveloped. The AER has not developed any approach for legacy and post-closure sites. The AER has not developed the ‘licensee special action’ component described in the 2020 government policy announcement.

Perhaps the most significant undeveloped component of the framework is that the AER has still not established an overall regulatory approach for collecting security. The collection of security for closure (both the decision on whether to require a security deposit and what the amount of that security is) continues to be entirely at the discretion of the AER (which, as repeatedly demonstrated, is captured by industry). It remains impossible for the public to know exactly when and under what circumstances the AER requires security deposits from industry to meet closure liabilities and whether those security amounts are enough to ensure the regulatory framework avoids socializing the losses to the public.

When companies apply for new licenses or to transfer existing licenses, the AER also collects information on unpaid municipal taxes. This requirement was initially imposed on the AER in 2023 by the Minister of Energy in Ministerial Order 043/2023, wherein the Minister also directed the AER to require companies to reduce taxes payable below the threshold amount of \$20,000 or give evidence of repayment arrangements with the municipality. Questions have arisen on the extent to which the AER follows this Ministerial direction. In December 2025, the Narwhal published an investigation (see here) that revealed that in September 2024, the AER approved the transfer of licenses to a transferee that owed more than \$200,000 in unpaid municipal taxes. In addition, exceptions to the unpaid taxes requirement were added following Ministerial direction in October 2024 (discussed in detail here).

Most significant here is that the AER may approve transfers of oil and gas licenses out of the inventories of bankrupt companies so long as the transferee owes less than \$20,000 in municipal taxes. Accordingly, unpaid municipal taxes are not a roadblock to the strategy of new oil and gas corporations being created specifically to absorb particular assets from bankrupt oil and gas corporations (as occurred with Manitoak).

We remind readers that the AER's performance on implementing the Liability Management Framework was the subject of a [report](#) by the Alberta Auditor General in March 2023. ABlawg commented on this report [here](#) and [here](#). One key finding of this report is the absence of meaningful transparency from the AER. This problem manifested in two ways: (1) a lack of external performance measures on closure work, and (2) failure to report meaningful information to people in Alberta. The absence of transparency makes it difficult for the public to assess the AER's performance and to hold the AER accountable for its regulatory functions in this area. The amount of effort put by the Narwhal into the 2025 investigation on unpaid municipal taxes (discussed above) is [a revealing illustration of how elusive transparency is at the AER](#).

Specific deficiencies noted by the Auditor General in how the AER reports its performance to Albertans include the following:

Specific goals to ensure accountability for results as it changes key parts of its liability management system, have not been established. For example, what AER views as a reasonable and sustainable level of inactive closure liabilities given the level of industry activity, economic factors, and other considerations? What is the current closure liability amount, and what is an acceptable level? What does AER define as the timely restoration of inactive sites, and what is the goal for timeliness?

The Ministry of Energy and AER annual reports contain data about the amount of closure activity and spending in Alberta. However, they do not report on the total number of inactive sites in Alberta, which makes it

difficult for Albertans to assess if net progress is being made to reduce inactive sites.

AER lacks external performance measures to demonstrate whether its liability management programs are working. The lack of public reporting on performance measures with targets also makes it difficult for Albertans to know if risks are being adequately managed and whether the cleanup being done is sufficient. Reporting on activity alone is not enough to effectively measure the performance and achievement, or lack thereof, of goals.

AER's most recent estimates, at the time of writing, for industry-wide (active and inactive) closure liabilities in Alberta range from \$30 billion for wells and facilities to \$60 billion if pipelines and more recent information are included. .... AER also has not defined what it considers to be an acceptable and sustainable level of closure liability.

An overall liability estimate includes both active and inactive sites, where active sites may not need closure work completed for years. Contrasted with inactive sites that may require closure work sooner. Also, the potential financial risk to the public depends on who is responsible for the liabilities.

[\("Liability Management of \(Non-Oil Sands\) Oil and Gas, Report of the Auditor General March 2023" at 22 – 23\)](#)(emphasis added)

As a final piece to this overview, we note that the Alberta government has commenced with potentially significant changes to the liability management framework, following recommendations made in the April 2025 [Mature Asset Strategy](#) - the product of a closed-to-the-public selection of stakeholder working group deliberations. In September 2025, we critically examined the Strategy and concluded it is largely a [smoke and mirrors](#) exercise on Alberta's unfunded closure liabilities problem, offering almost nothing substantive to address fundamental deficiencies in

The liability management framework: (1) a lack of transparency that impairs accountability and public scrutiny for closure liability decisions; (2) too much reliance on discretionary power to implement legal requirements that would mitigate and address closure liability (e.g., security requirements); and (3) too much industry influence in the design of a liability management regulatory framework. An implementation of the Strategy threatens to further entrench industry influence and socialize closure liabilities to taxpayers, as Bob Weber explained in [“Dirty Cleanup Scheme: The latest plan to dump industry’s mess onto taxpayers”](#).

### **The 2024 Report on Liability Management**

The 2024 Report still does not provide the information called for by the Auditor General and fails to set out goals or targets to assess the effectiveness of AER policy design or implementation. As with the 2022 and 2023 reports, in too many places, the 2024 Report reads more like industry promotional material than a credible regulatory performance report.

Sections one and two of the 2024 Report follow nearly identical formatting to the 2023 report, but the AER changed the format of the remainder of the report. This inconsistency adversely impacts a comparative analysis – something that should be readily achievable in annual performance reports. This is why, for example, securities regulators insist on a standard and highly regimented format in the annual and ongoing public disclosure by reporting issuers.

The 2024 Report does not include a dedicated section on the Orphan Fund Levy (this was section three in the 2023 Report). Instead, the 2024 Report has mixed a small bit of OWA activity together with data on closure spending by industry. The 2023 report had a two-page section with four figures on the orphan program and the activities of the Orphan Well Association (OWA). Notably, the size of the OWA closure inventory by year and the OWA’s estimate of remaining closure costs are not included in the 2024 Report (this information was in the 2023 Report at 10-11). This information is available in the OWA’s Annual report ([which one of us summarized here](#)), but the removal in the 2024 Report

is suspicious, and the skeptical reader would speculate that this information was not included because the news is bad: the OWA’s inventory is now [at a record high](#), and the OWA’s estimate of remaining closure costs hit a record \$1.12 billion. Figure 10 (at 13) does show the OWA’s total closure spend fell again from \$180 million in 2022, to \$144 million in 2023, to \$119 million in 2024. The decrease was expected, given the OWA’s obligations to pay back government loans. The orphan program has more closure work than ever, and a declining yearly budget to address that work. The orphan program is obviously underfunded, and the absence of this information in the liability management performance report is a glaring deficiency.

### Section One: Conventional Oil and Gas Infrastructure

Section one provides data on the production status of wells, facilities, and pipelines. A new bar graph is added as Figure 3 in the 2024 Report showing decommissioned wells by age (at 4). Figure 3 shows two interesting things: (1) from 2000 to 2014, between 25% and 50% of wells decommissioned each year were less than a year old, suggesting industry was drilling and decommissioning significant numbers of dry wells each year, and (2) beginning in 2016 and accelerating since 2021, industry has been decommissioning more wells drilled more than 20 years ago.

The skeptical reader wonders if the AER added this graph (alongside the bar graph showing decommissioned wells by years inactive (at 4)) simply to highlight its statement that in 2024, the industry decommissioned more older wells and direct attention away from the more troublesome trend that the bar graphs in this section illustrate: the annual number of wells decommissioned has been falling since 2021. Almost 12,000 wells were decommissioned in 2021, and fewer than 6,000 wells were decommissioned in 2024. The text in section one makes no mention of this downtrend in decommissioned wells.

Figure 4 shows how long wells were inactive prior to decommissioning. The data in Figure 4 changed from 2023 to 2024 because the AER stopped including wells that were decommissioned before becoming officially ‘inactive’ (generally meaning they were decommissioned less than a year after final production). The 2023 report said that “Approximately 36 000 wells inactive for ten or more years remain.” (2023 report, page 4), this sentence was deleted from the 2024 report instead of being updated, but table 4 shows slightly more than 2,000 wells inactive for ten or more years were decommissioned in 2024, so Alberta had approximately 34,000 wells inactive for ten or more years at the end of 2024.

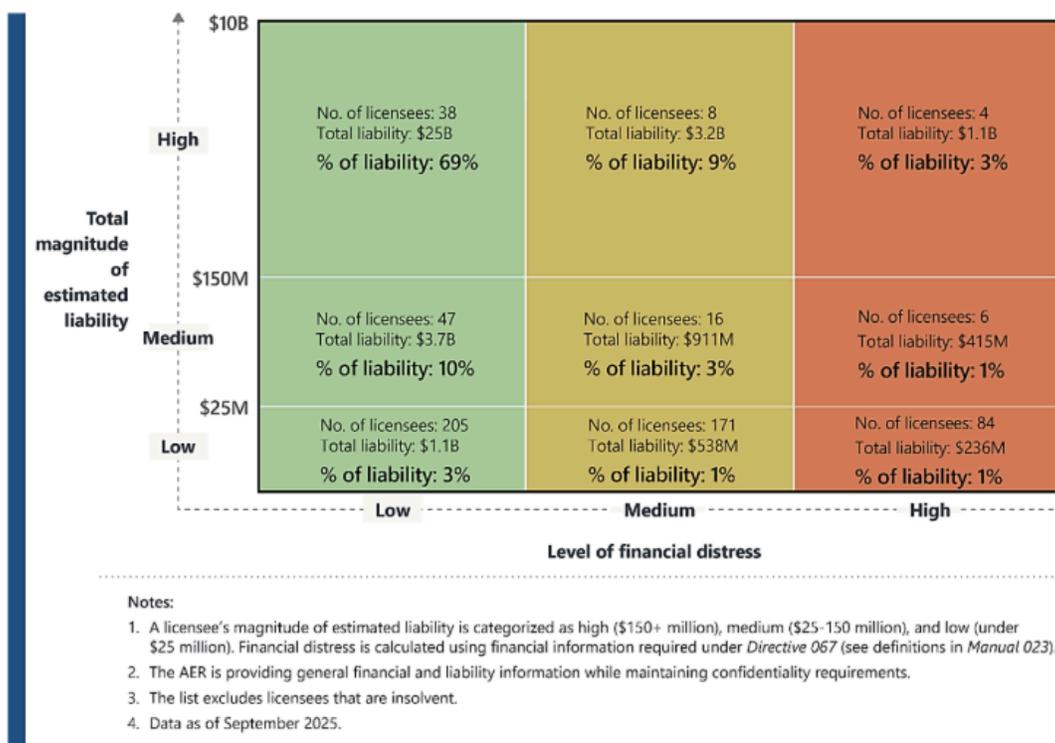
Section Two: Estimated Liability and Licensee Capability

Section two reports on estimated liability. As noted in our discussion of the 2022 and 2023 reports, we continue to emphasize that this is not a reliable estimate as the AER persistently uses inaccurate figures for estimating well reclamation costs, but the official estimate in the 2024 report is \$36.6 billion, consisting of \$23.4 billion for inactive sites and \$13.2 for active sites.

The 2024 Report provides an updated risk matrix table in Figure 9 (at 9) on closure liability in the same format as presented in the 2022 and 2023 reports.

The table in Figure 9 still has limited utility, since some numbers are rounded to the nearest billion dollars, other numbers are rounded to the nearest hundred million dollars, and all the numbers are calculated on the basis of underestimated reclamation liabilities.

The 2024 Report shows reductions in liability in the “high financial distress” column from the 2023 numbers, but this is misleading because the numbers do not reflect insolvencies (see the discussion of some recent major oil and gas insolvencies [here](#)). In our view, the companies in the “high financial distress” category are bound for bankruptcy proceedings, and most of the closure liabilities will end up with the OWA, which receives only a fraction of the funds needed in annual levies from industry to pay for their closure within a reasonable time.



**Figure 9. Licensee liability by magnitude of liability and level of financial distress**

The 2024 Report provides no information whatsoever on how the AER has used or considered this information in its licensee capacity assessments or company-specific closure work quota requirements. We made the same observations with the 2023 and 2022 reports, and curiously, the 2024 Report offers no comparison with data in the previous report.

The 2024 Report provides better data on license transfers compared to the 2023 Report (at 10). The data now shows year-to-year comparisons on transfers and security collection for 2022, 2023, and 2024. The data shows at least two major problems. First, the AER has failed to collect meaningful security when licenses are transferred to a licensee with less financial capability. Relative to the inactive liability transferred, the AER collected 7% in 2022, 2% in 2023, and 1% in 2024 (Table 1, at 10). These are the worst form of transfers, as the transfer from a more financially capable licensee to a less financially capable licensee leaves the public (and the OWA) at higher risk; this is the “liability dumping” problem. The report offers no explanation on why the AER collected only 1% of the estimated inactive liability. Second, all security collected as a percentage of liability is too low because it is calculated on the basis of (grossly) underestimated reclamation liability ([one of us described the problem in detail in a May 2024 post](#)), and because the AER is collecting security only relative to inactive liability and ignoring the liability of marginal assets, which the AER is aware do not produce enough to pay for their own closure.

In contrast to the collapse in security collection for transfers to less financially capable licensees, the AER has gradually been collecting more security when licenses are transferred to new licensees (9% in 2022, 18% in 2023, and 21% in 2024). Those percentages are still absurdly low, but the movement is in the correct direction. This positive trend makes the AER’s tiny security collection for transfers to less financially capable licensees even more baffling.

### Section Three: Closure Spend and Activity

Section three purports to provide some information on how the closure quotas are set: “Commodity prices are

a significant factor in determining the annual industry-wide closure requirements.” (at 11) The report notes that in 2024, oil prices were high compared to historical averages, and natural gas prices were low compared to historical averages. But this does not provide any real explanation for the amounts of the closure quotas, since the relationship between commodity prices and the closure quotas is not explained, and there is no obvious method for how the amount of closure work should be connected to high or low commodity prices. Is the AER basing the closure quota on the industry’s ability to pay, or on the level of risk to the public? Those approaches would give opposite answers for the relationship between commodity prices and closure quotas.

This section includes a paragraph on the closure nomination program. Two of us recently commented on the design and implementation of this program in [A Review of Closure Nomination for Inactive Oil and Gas Sites and AER Updates to Directive 088](#). The upshot of our assessment is that the effectiveness of the closure nomination program is uncertain thus far because of poor transparency and excessive AER discretion in determining whether a nominated well is eligible for mandated closure work. We did, however, provide some analysis of data, which is more than can be said for the two sentences provided by the AER in the 2024 Report: “In 2023, 62 sites were nominated under the closure nomination program, with a \$374 000 spend reported. In 2024, 48 sites were nominated for closure under the closure nomination program, with a \$1.46 million spend reported.” (at 11)

Industry spent \$900 million on closure work, which exceeded the \$700 million quota set by the AER. While the AER attempts to spin this into a positive outcome, it is important to remember three things: (1) the closure quota set by the AER is a meaningless benchmark because it is set without any transparent correlation to addressing the total closure liabilities; and (2) the trendline on closure work strongly suggests this amount of closure

without any transparent correlation to addressing the total closure liabilities; and (2) the trendline on closure work strongly suggests this amount of closure spend is merely holding the line and maybe preventing the closure liability problem from getting worse in the conventional sector; and (3) a report on industry-wide spend fails to provide useful information such as which parts of industry are exceeding their closure quotas and why are they doing so. Perhaps some financially strong licensees are exceeding their closure spend to attempt to reduce their total liabilities, and therefore their share of the annual orphan levy, or maybe cost overruns on closure projects are driving the closure spend up higher than what the industry is planning on at the beginning of the year. The reader is left to wonder. The 2024 Report does not contain an explanation.

Figure 12 (at 14) also shows that the closure spend has remained concentrated on decommissioning (57% of the closure spend) rather than the remediation or reclamation work needed to obtain a reclamation certificate. This trend is likely connected to the AER's underestimate of reclamation liability costs. Licensees obtain larger reductions in their estimated liability for decommissioning spending than for reclamation spending. The AER needs to fix its reclamation liability estimates to correct this distortionary effect.

The annual comparative data on decommissioning and reclamation work by industry shows that the overall number of sites decommissioned or certified as reclaimed has fallen successively in each of 2022, 2023, and 2024 (at 15 – 16). The Report provides no discussion of this troublesome trend, a glaring omission in a “performance report”.

#### Section Four: Impact on Liability Estimates

It is unclear to us why the AER separated this section from section three (unlike previous years when the two were combined), other than maybe to keep four sections in the Report and make up for the striking absence of the orphan well levy section? Odd.

Noteworthy information here includes the fact that the number of companies that fail to comply with the

mandatory spend requirement rose from 54 to 69, representing a drop from a 91% compliance rate to an 85% rate (however, the 2024 Report does not actually provide this comparative data – you have to read the 2023 Report (at 17) and compare that with the 2024 Report (at 18)). As well, 22 licensees failed to meet their closure quotas for 2022, 2023, and 2024 (see the list on page 19). The AER does not appear to have much of a strategy for dealing with these licensees.

#### **Conclusion**

Unlike in 2023 and 2022, the AER did not issue a news release about the 2024 Liability Management Report, but that may relate to AER staffing or resourcing. The AER has not issued any “news releases” since August 2025, and there are reports that the AER “laid off the majority of its communications staff – including media relations”.

In terms of data disclosure, the 2024 Report is similar to the 2023 report except for the omission of data on the orphan program. Once again, the report is hardly an assessment of “performance”. The report still does not contain any target levels or planned timelines for bringing unsecured active, marginal, and inactive closure liability down. This information is necessary to know what the current situation is, what the AER's strategy is, and to assess whether the AER's strategy is working. Without knowing what the goals of the liability management framework are, it is not possible to determine whether it is succeeding or failing, or if the framework has been rationally designed.

The 2024 Report fails to provide any meaningful analysis of comparative data across years. It also seems like the report selectively highlights information to give a positive spin on industry closure work, and chooses not to discuss information that would reflect poorly on industry or the AER itself.

In terms of the operation of the liability management system, the 2024 Report shows

problems (or, in the case of the orphan program, omits evidence of problems). The orphan inventory is larger than ever, and the (official) estimated total conventional closure liability is higher than ever. Closure spending peaked in 2022, fell in 2023, and fell again in 2024 (although it did not fall as much as we expected, because of industry overspending the closure quota). Reversing the trend would require higher orphan fund levies and higher mandatory spend quotas, which the AER has been reluctant to impose. The changes made to the liability management system since 2020 have only slowed down how quickly closure liabilities are accumulating. The closure problem is not fixed or is being fixed.

In 2023, we published a critical evaluation of the closure liability policy in “A Made-in-Alberta Failure: Unfunded Oil and Gas Closure Liability”. Our analysis was informed by a historical review of Alberta’s approach to managing closure liabilities over the past 40 years in order to assess whether the Liability Management Framework is properly designed to achieve its objective of getting closure work done and ensuring the polluter — not Alberta taxpayers — pays for it. The conclusion of the study is that three factors that have contributed to Alberta’s historical failure to effectively manage closure liabilities remain problematic today in the design of the Liability Management Framework and its current legal and policy framework: poor transparency, excessive discretionary power exercised by the AER on a case-by-case basis in place of fixed rules, and a regulator captured by industry interests. We maintain that these factors remain problematic with the AER and how it is administering the Liability Management Framework.

Last year, we identified what we view as the three most pressing closure liability management issues the AER needed to address in 2025. The AER has not taken action on any of these issues, and so our recommendations remain the same:

(1) The extremely long-running lack of transparency about the cost of oil and gas closure liabilities: The AER’s official liability estimate is too low, the AER knows it, and a sound liability management framework

cannot be built on an inaccurate liability estimate. Well reclamation cost estimates must be updated, and pipeline closure costs must be added to the total estimate. The AER must provide the public with a closure liability estimate based on the best available evidence.

(2) The lack of transparency on setting the mandatory closure spend and orphan fund levy: The AER must publicly set goals and timelines for addressing the closure liability problem so that the auditor general, the public, and the AER itself can assess whether the new framework is working as intended. The AER also continues to set the Orphan Well Levy in consultation with industry and out of public view.

(3) The excessively discretionary approach to financial security collection: The AER needs to select a fixed approach that collects more security during transfers and as assets age that aligns with publicly stated goals for closure liability management. The discretionary approach to financial security collection is problematic for a number of reasons, including that it leads to bizarre outcomes like the drop in security collection for transfers to less financially capable licensees that occurred in 2024.

The 2024 Report is a step backward from the 2023 Report. The decision to omit a dedicated section on the orphan well association closure activity is unexplained. The report reads even more like industry spin on closure work than in previous years. While more data is provided in 2024, there is almost no discussion or analysis of that data (particularly the data that would show existing or brewing problems with the liability management framework). As the Auditor General wrote in 2023: Reporting on activity alone is not a performance assessment. The inconsistencies in how data is reported between 2023 and 2024 significantly impair a comparative assessment, which is very problematic for a “performance” report.

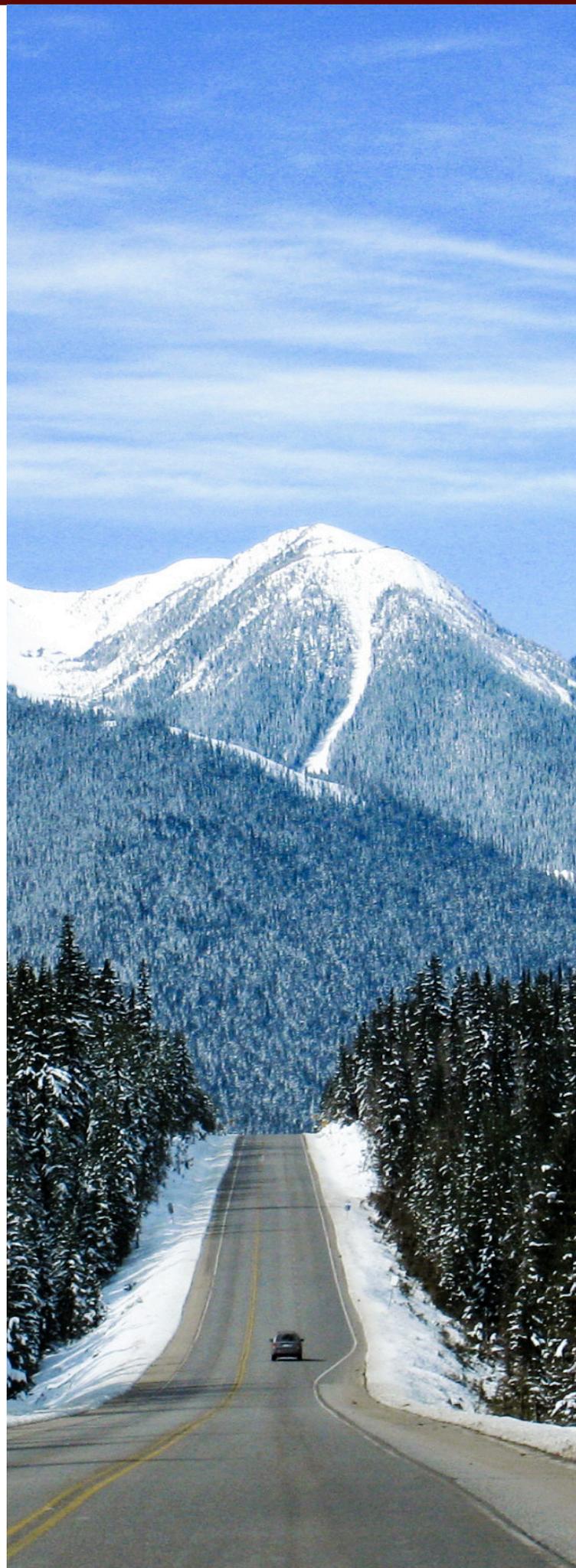
Lastly, the (unwarranted) positive spin on industry closure activity and AER performance on liability management contained in this 2024 Report leads us to wonder how this correlates with the 2025 Mature Asset Strategy, which (correctly – although without proper justification) asserts that there are significant problems with the implementation of the liability management framework. Which is it: is the liability management system effective and stable, or is the liability management system so ineffective that it needs to be replaced?

For all these reasons, we grade the 2024 AER Liability Management Performance Report as follows:

This article was previously published at <http://ablawg.ca>.



**UNIVERSITY OF CALGARY**  
FACULTY OF LAW



# MESSAGE FROM THE BOARD

*Lorinda Turner*  
*CALEP Director of Events*

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Hello CALEP Members,

My name is Lorinda Turner, and I am thrilled to serve as your CALEP Director of Events. As I approach the end of my second year on the board, I'm more energized than ever about the year ahead. Alongside being a wife, a mom to two busy young boys, and the Founder/President of Turner Land Ltd., I'm passionate about bringing our members together through memorable, meaningful, and fun events.

We already have an exciting lineup planned through the summer months, and we're actively brainstorming fresh ideas for fall. Last year's new events were incredibly well-received, and we want to keep that momentum going. Your input is vital—the best events are built with your ideas—so I encourage you to share any suggestions or requests you may have.

My goal with the Events portfolio is simple, but powerful: to create opportunities for CALEP members to meet new faces, strengthen existing connections, and build lasting relationships in a relaxed, social environment. In addition, we coordinate General Meetings as required by our bylaws. None of this would be possible without our dedicated committees and volunteers who pour countless hours into making each event successful.



*Lorinda Turner*  
*CALEP Director of Events*

We host these events for you, and your participation truly makes all the difference. The more members who come out, the more vibrant, valuable, and enjoyable each gathering becomes. Whether you are hoping to reconnect with longtime colleagues or expand your professional network, there is something for everyone. Looking ahead, my goals for the coming year are to grow attendance, introduce new networking opportunities, and continue shaping events that are engaging, relevant, and fun. We have an incredible group of members, and I want every event to celebrate that.

If anyone is interested in helping organize a 2026 Trap Shoot, please reach out! This is a personal favorite of mine, and I would love to bring it back with the help of enthusiastic volunteers.

We are always looking to welcome new committee members and volunteers. If you have creative ideas for new or returning events—or simply want to lend a hand—please connect with me. Your involvement makes our

community stronger.

#### Upcoming Events

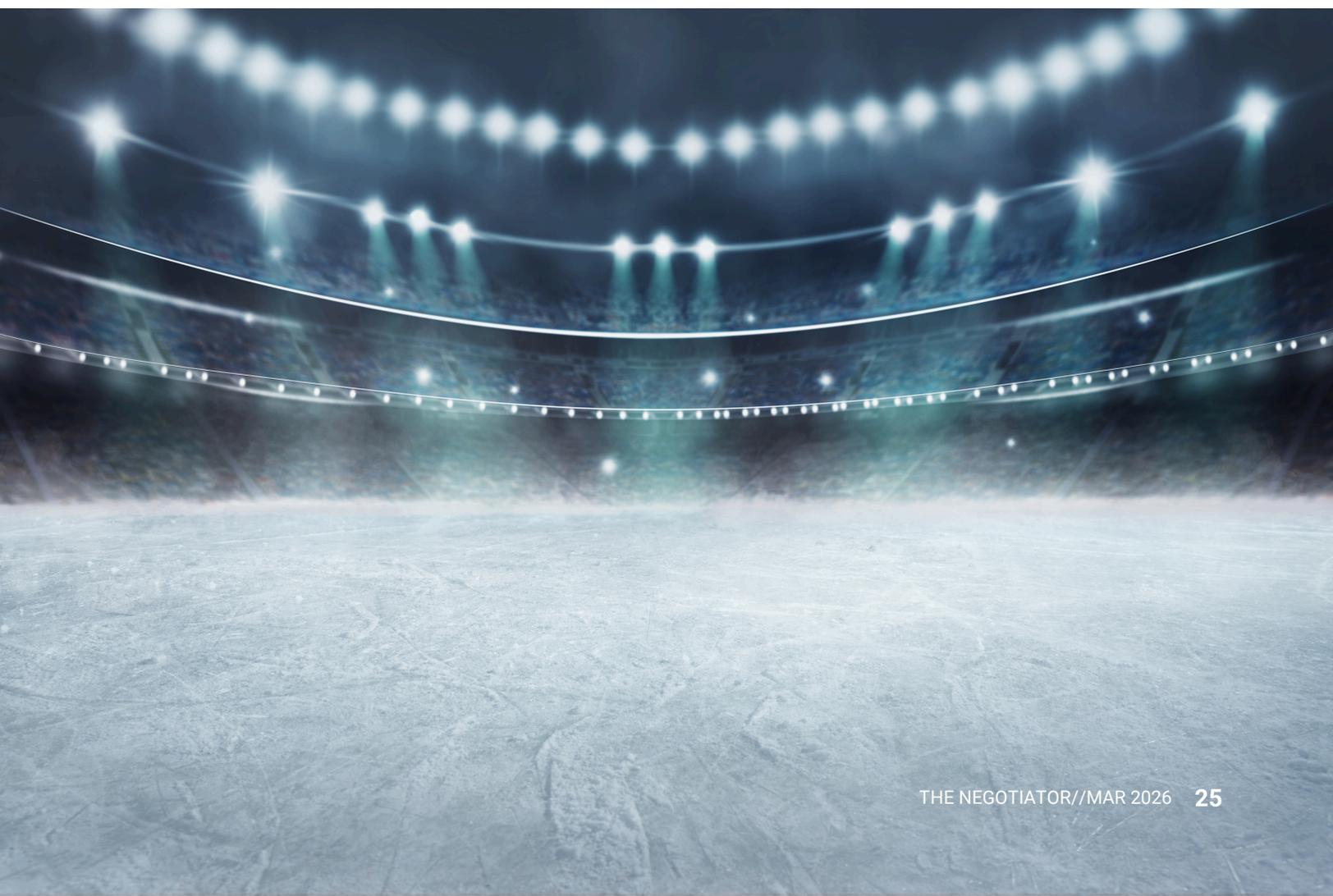
- Curling Bonspiel — April 9, 2026, at the Calgary Curling Club
- CALEP Hockey Tournament — April 16, 2026, at the Calgary Flames Arena

I can't wait to see you there!

Warm regards,

CANADIAN ASSOCIATION OF LAND AND ENERGY PROFESSIONALS

Lorinda Turner  
Director, Events



# SPOTLIGHT SERIES

## **Blaine Ham**

*Sr. Surface Land Negotiator  
ARC Resources Ltd.*

*Interview by Wade McLeod  
Director of Communications, CALEP*



***Tell us about yourself, what inspired you to become a Surface Landman, and how you entered the profession?***

I'm a Senior Surface Landman based in Calgary, and I've been doing this for about 20 years. If I've learned anything, it's that the job itself matters less than the people you end up working beside. I was lucky early on to cross paths with some good people who knew more than I did and were willing to share it. That shaped a lot of what came after.

I didn't grow up dreaming of a career in Land. I kind of wandered into it in my late twenties. I met Brodie Allen at a point when he was just getting Evolve off the ground and needed a land agent. At the time, I was stuck in telecommunications and pretty miserable, so when the opportunity came up, I took a leap and

enrolled at Olds College. One decision led to another, and suddenly I had a new direction I was excited about.

It's a cliché for a reason, but in my case, "it's not what you know, it's who you know" turned out to be true. I showed up, learned as I went, made mistakes, and kept moving forward. The rest sort of unfolded from there.

***Looking back, have there been any mentors or role models throughout your career that you'd like to recognize and why?***

I need to mention Brodie again here, because the truth is he backed me early—before I really had any idea what I was doing. For reasons I didn't fully understand, he saw something there and gave me

space to figure it out.

Those first few years at Evolve were mostly spent in a truck heading to landowner meetings or sitting around the office late, talking through whatever problem was in front of us. We covered a lot of ground - work, life, music, sports - and most of the learning happened somewhere in between. I look back on those days with a lot of fond memories. It was a real opportunity, one I'm genuinely grateful for.

Further down the line, I was lucky to work with people like Dave Elmer. Dave was just a good dude you could trust. No speeches, no over-coaching. You knew where you stood with him, and if he said something, you listened. He set a standard without ever making a big deal of it, gave you room to do the work, and had your back when it mattered.

***What do you find most rewarding about being a Surface Landman?***

What I find most rewarding is earning trust in situations where there usually isn't much of it to start with. You're often walking onto someone else's land, into their livelihood, their history, and their concerns. If you do the job right, you leave with a handshake that actually (still) means something. At this stage, the reward comes from the judgment side of the job - drawing on experience to work through tight spots, balancing competing interests, keeping situations from unraveling, and finding a way through that feels fair and reasonable for everyone involved.

***How have you seen the role of Surface Landmen evolve over the past few years?***

The easy answer is more regulation and more involvement from First Nations, and that's all true. But the bigger shift has been how Surface Land fits into the life of a project.

For a long time, we were treated like a check box - someone you called once the real decisions were already made. I've had stretches in my career where I

felt undervalued and sidelined to the point you start internalizing it, wondering if what you do even matters.

And look, oil and gas is still a business built to make money. That hasn't changed. What has changed is the realization that projects live or die on the ground—on relationships, timing, and credibility. Surface Land isn't an afterthought anymore; it's part of the foundation. There's a growing understanding that if you don't get the land piece early on, nothing else downstream really works.

***What's one project or outcome you're most proud of and why?***

I'm most proud of the projects where nothing happened — no hearings, no construction delays, no landowner disputes, no last-minute changes because someone didn't think three steps ahead. If a drilling program moves forward quietly and on schedule, it usually means someone spent months in the background doing the hard pre-planning and locking down the scope of work early when it would have been easier to accept a quick "looks good" and move on.

That's the outcome I'm proud of — not because it was dramatic, but because it wasn't.

***What are some of the key challenges you faced during your career, and how did you overcome them?***

The biggest constant challenge has been the instability of the oil and gas industry itself - boom times followed by long, quiet stretches where projects disappear overnight and good people get laid off through no fault of their own. You learn early that nothing is guaranteed, so you adapt, keep your reputation clean, and make yourself useful in more ways than one. Over the years, I've learned that my drive comes more from life outside of work than from status or position. Because of that, I rely more on discipline than motivation. I show up, do what needs

to be done, and do it well — especially when it would be easier not to. Consistency matters more than intensity.

***What do you think are the key skills necessary for success in land in today's world?***

Land is still a people business — just moving faster and carrying more complexity than it used to. Being effective today requires solid regulatory awareness, the composure to stay calm under pressure, and the ability to build trust across the table without compromising your fiduciary responsibilities. At the same time, you need firm boundaries. A good landman can distinguish legitimate concerns from leverage tactics. Some objections are real and deserve your time and thoughtful solutions. Others are positioning. Knowing the difference — and not being bullied or baited — is critical. You can hold firm without coming across as combative or adversarial.

***What trends or challenges do you foresee working in Land for the future?***

One challenge that maybe doesn't get enough attention is the demographic reality of the profession itself. A large portion of experienced surface land professionals in Alberta and British Columbia are in their 40s and 50s. There isn't a deep bench coming in behind us. For a generation coming out of high school and university today, the narrative around energy has been dominated by climate change, volatility, and uncertainty. It's not surprising that fewer students are actively choosing a career path tied to oil and gas. Many are gravitating toward tech, finance, renewables, or industries perceived as more stable or progressive. The surface land profession remains largely under the radar. It doesn't carry the profile of engineering or geology, and aside from Olds College, there's no obvious pathway from the classroom into the field. I think CALEP is doing a great job at promoting education and training in land work, which directly supports building the profession. Building these mentor databases and networking opportunities that connect land professionals with students and early-career land agents is critical to preparing the next generation.

***What advice would you give to someone wanting to get into Land?***

If you want to get into land, first understand what you're signing up for. This isn't a job where you get to hide behind email. It's face-to-face, boots-on-ground, coffee-at-the-kitchen-table work. You're walking onto someone's property asking for access to something they care about. If you're uncomfortable with tension, silence, or the occasional blunt opinion about you or your industry, this may not be your calling.

Start with a land broker if you can. You'll work with a variety of clients and personalities, each with different expectations. The pace forces you to master time management and build resilience quickly. Just as importantly, it gives you the space to develop and sharpen your own approach as a land agent.

The job isn't glamorous. But it's honest. You're out on the ground, seeing firsthand the impact of the work — and that makes it tangible. And when it's done right, the project moves forward quietly. In this line of work, that's success.



# ASSET RATIONALIZATION: TIMELY LAND SUPPORT IN A&D TRANSACTIONS



*Cam Yamada, Sproule ERCE*

In today's evolving energy landscape, oil and gas companies operating in Western Canada are under steadfast pressure to do more with less. Capital discipline, operational efficiency, and shifting investor expectations have heightened the importance of owning the right assets—not simply more assets.

Asset rationalization has therefore become a core strategic exercise for upstream E&P companies. By actively evaluating, acquiring, and divesting oil and gas properties through well-executed acquisition and divestment (A&D) transactions, organizations can better align their portfolios with long-term business objectives while unlocking value and reducing risk.

## **Why Asset Rationalization Matters**

Asset rationalization is fundamentally about strategic alignment with your asset base. Over time, portfolios often become fragmented as companies grow, merge, or pursue opportunistic acquisitions. This can result in non-core assets in your portfolio, operational inefficiencies, or core properties that no longer align with a company's technical strengths and capital priorities.

Asset rationalization allows companies to:

- Focus capital and technical expertise on strategic core areas
- Improve operating efficiencies and reduce overhead
- High-grade portfolios by shifting to assets with stronger economics and lower decline rates
- Efficiently manage environmental, abandonment, and reclamation liabilities
- Respond quickly to regulatory, market, and commodity price changes
- Unlock value through divestment of non-core or stranded assets

A&D transactions are a primary tool for executing on this strategy—whether through targeted acquisitions that deepen a core position, or divestitures that simplify operations and strengthen balance sheets. When approached thoughtfully, asset rationalization is not a reactive process—it is a proactive strategy supported by disciplined A&D execution across the full transaction lifecycle. Central to that process is timely, efficient, and expert Land department support that enables successful execution and keeps A&D transactions on

## Western Canada Map



track in a deadline-driven environment.

### **The Full-Cycle A&D Process**

Oil and gas acquisitions and divestitures are complex, multi-phase transactions that are often executed under tight timelines and fixed deal milestones. Competitive sale processes, regulatory approval timelines, and financing or operational constraints frequently require buyers and sellers to make critical decisions within compressed timeframes.

In this environment, a disciplined, full-cycle approach to the A&D lifecycle is essential. Each phase—from portfolio strategy identification to post-closing integration—must be carefully managed to identify value, evaluate risk, and avoid costly unexpected outcomes. This is particularly true in Western Canada, where regulatory requirements, mineral title considerations, and regulatory asset

transfer restrictions can materially affect transaction timing and outcomes. The lifecycle below outlines the typical key stages of oil and gas A&D transactions and highlights the potential complexity and why coordinated execution is essential to support successful outcomes, even under accelerated timelines:

1. **Strategy & Opportunity Identification:** Identify core and non-core assets, capital allocation priorities, buy/sell decisions, and risk targeting.
2. **Market Preparation & Deal Structuring:** Sale process design, data room, counterparty identification and assessment, and transaction structure planning.
3. **Asset Evaluation & Valuation:** Technical, commercial, economic, operational, and liability assessments.
4. **Bid & Negotiation:** CAs, Offers to purchase, letters of intent, key commercial and regulatory terms.

## Full-Cycle A&D Process



### 5. Due Diligence:

- o Mineral & surface title review
- o Contract due diligence (JOAs, royalties, Unit and JV agreements)
- o Regulatory & compliance review
- o Environmental & abandonment liabilities
- o HSE and field operations assessment
- o Financial, tax, and accounting

### 6. Definitive Agreement & Conveyance Preparation

- o Purchase and Sale Agreements
- o ROFR notices, assignments, Crown transfers
- o AER licensee transfer eligibility
- o ISOA, closing adjustments, and post-closing procedures

### 7. Closing the Transaction

- o Regulatory approvals and licence transfer applications
- o Satisfaction of conditions precedent
- o Execution and delivery of transfer documents
- o Funds flow and closing adjustments (ISOA)

### 8. Post-Closing Integration and Management

- o Post-closing adjustments (FSOA) and reconciliation
- o Transfer of operatorship
- o Input & updates to Land databases and reporting systems
- o Ongoing management

### **The Critical Role of the Land Department in A&D Transaction Execution**

In Western Canada's competitive A&D market, transaction timelines are frequently driven by bid deadlines, exclusivity periods, financing conditions, and regulatory approval requirements. While A&D transactions are often viewed through a commercial or financial lens, a successful transaction depends heavily on the Land team's ability to deliver accurate and timely guidance and execution under compressed timelines.

Land professionals play a pivotal role in the success of A&D transactions by ensuring that land due diligence is conducted accurately to confirm value and reduce risk, all conveyance documentation is prepared, and all contractual and closing obligations are identified and adhered to. When Land teams are engaged early and resourced appropriately, they enable faster, more confident decisions and help ensure A&D transactions close on time and as strategically intended.

### How can Sproule ERCE help?

Do you have a pending A&D transaction that requires Land due diligence support with tight deadlines?

Did you just sign a sale agreement and find yourself scrambling to add additional Land resources to draft and coordinate stacks of conveyance documentation for closing?

Did you just close an acquisition and need help to integrate and update the Land records or cure any title deficiencies?

At Sproule ERCE, our Land team specializes in providing full-cycle A&D Land support tailored to Western Canada's regulatory and operational landscape. We work seamlessly with executive and management teams, Land, legal counsel, and technical advisors to deliver:

- Transaction-ready Land due diligence under tight timelines
- Clear identification of title, contractual, and regulatory risks
- Efficient preparation and management of conveyance and closing documentation
- Proactive support through regulatory approvals and post-closing transitions

Whether supporting a strategic divestment, a bolt-on acquisition, or a broader portfolio rationalization initiative, we bring the experience,

capacity, and execution focus required to keep A&D transactions moving forward.

If asset rationalization is on your agenda, early engagement with the right Land partner can make the difference between a costly, delayed closing and a successful outcome. We welcome the opportunity to support your next A&D transaction with timely, practical, and reliable Land expertise.

**Explore how Sproule ERCE supports successful A&D transactions with practical, full-cycle Land expertise in our latest case study.**

**Author: Cam Yamada, B. Comm., Head of Land, Asset Management**

*Cam has over 25 years of Land management, negotiations, and A&D experience in the oil and gas industry. Today, he is responsible for managing Sproule ERCE's Asset Management Land team, which provides every aspect of the Land department function, including A&D, mineral, surface, negotiations, contracts, joint ventures, and records management. Cam exemplifies the experience, entrepreneurial spirit, commitment, professionalism, and technical strengths that Sproule ERCE clients have come to expect.*



**Sproule  
ERCE**

# INDUSTRY EVENTS

## 2026

### Oil & Gas, Energy Infrastructure & Pipelines

#### **Arctic Energy & Resource Symposium**

March 25–26, 2026 — Calgary, AB Arctic Energy & Resource Symposium  
Arctic Energy & Resource Symposium  
Northern infrastructure, pipelines, resource development, and Indigenous issues.

#### **Global Energy Show Canada**

June 9–11, 2026 — Calgary, AB  
<https://www.globalenergyshow.com>  
Major North American oil, gas, LNG, and energy transition expo.

#### **Digitalization & AI in Energy Canada Conference**

April 22–23, 2026 — Calgary, AB  
<https://digitalizationoilandgas-canada.energyconferencenetwork.com>  
AI, digital tools, and data-driven technologies for oil & gas.

#### **SPE Canadian Energy Technology Conference & Exhibition (2026 dates TBA)**

Calgary, AB  
<https://www.spe-events.org/canadianenergytechnology>  
Upstream, midstream & E&P technology, operations, and innovation.

#### **Data Driven Oil & Gas USA 2026**

2026 — USA (City TBA)  
<https://events.reutersevents.com/oilandgas/data-driven-usa>  
Performance optimization, analytics, and digital transformation in O&G.

#### **SPE Annual Technical Conference & Exhibition (ATCE 2026)**

October 21–23, 2026 — Houston, TX  
<https://www.atce.org>  
One of the world's largest oil & gas technical conferences.

#### **Offshore Technology Conference (OTC 2026)**

May 2026 — Houston, TX  
<https://www.otcnet.org>  
Leading offshore oil & gas, LNG, subsea, and offshore engineering event.

### **Energy LIVE Conference & Exhibition 2026**

2026 — Houston, TX

Oil, gas, utilities, and power sector leadership event.

### **Global Conference on Oil, Gas & Petroleum Engineering (GCOGPE 2026)**

Date TBA — Vancouver, BC

<https://globalconference.ca/conference/26th-global-conference-on-oil-gas-and-petroleum-engineering>

Global petroleum engineering & resource development forum.

## **Renewables, Clean Energy & Transition**

### **CanREA Spring Operations Summit 2026**

<https://renewablesassociation.ca>

(Spring 2026 — TBA; wind, solar, storage operations & regulatory updates)

### **CanREA National Renewable Energy Conference 2026**

<https://renewablesassociation.ca>

(Fall 2026 — TBA; national conference for wind, solar, and storage)

### **CLEANPOWER 2026 (ACP)**

<https://cleanpower.org>

(May 2026 — Minneapolis; North America's largest renewables expo)

### **VERGE 26 Climate Tech Conference**

<https://www.greenbiz.com/events/verge>

(October 2026 — San Jose; clean energy innovation, microgrids, hydrogen)

### **International Renewable Energy Conference (IREC 2026)**

<https://www.ren21.net/irec>

(Global venue for 2026 TBA; renewable markets & policy)

### **Solar Canada 2026**

<https://renewablesassociation.ca>

(June 2026 — Calgary/Toronto TBA; Canadian solar industry event)

### **Wind Energy Conference Canada 2026**

<https://renewablesassociation.ca>

(2026 TBA; onshore & offshore wind development)

### **Hydrogen Canada Conference & Expo 2026**

## **Electricity Transformation Canada 2026**

(Fall 2026 — Montreal, grid modernization & energy storage)

## **Indigenous Partnerships, Consultation & Community Development**

### **FNMPC Conference – The Next Seven Generations: Our Shared Future**

April 29 – May 1, 2026 — Toronto [FNMPC - Stronger Together](#)

### **Indigenous Resource Opportunities Conference (IROC)**

June 3–5, 2026 — Nanaimo, BC [Indigenous Resource Opportunities Conference — C3Alliance](#)

### **NCC Energy & Natural Resource Summit**

September 17–18, 2026 — Calgary, AB [2025 NCC Energy and Natural Resource Summit - National Coalition of Chiefs](#)

### **Indigenous Women in Industry Summit (IWIS)**

September 28–30, 2026 — Vancouver [Uniting Indigenous Women in Industry: Global Summit to Take Place in Vancouver in September 2026 - NACCA National Aboriginal Capital Corporations Association](#)

## **Public Policy, Governance & National Dialogue**

### **Public Policy Forum – Canada Growth Summit**

May 7, 2026 — Toronto, [Canada Growth Summit 2026 - Public Policy Forum](#)

### **Global Gathering: VivaTech 2026**

June 17–20, 2026 — Paris [2026 Edition | Viva Technology](#)

(Tech + innovation; relevant for energy, land data, AI in resource management.)

## **Infrastructure, Construction, Land Use & Planning**

### **NeoCon 2026**

June 8–10, 2026 — Chicago [NeoCon](#)

(If your members deal with office space, facilities, or corporate planning.)

### **Canadian Trail Summit**

June 16–19, 2026 — Winnipeg Canadian Trail Summit | June 16–19, Winnipeg, Manitoba

(Parks, land use, Indigenous co-stewardship, recreation.)

## Municipal & County Conventions (AB, SK, BC)

### Alberta

#### **RMA – Rural Municipalities of Alberta Fall Convention & Tradeshow**

November (annual) — Edmonton, AB

<https://rmaalberta.com>

Largest gathering of Alberta reeves, mayors, CAOs, and county leadership.

#### **RMA – Spring Convention & Tradeshow**

March (annual) — Edmonton, AB

<https://rmaalberta.com>

Policy, infrastructure, land-use planning, energy, and municipal governance.

#### **AUMA / Alberta Municipalities Convention & Tradeshow**

September (annual) — rotating locations

<https://www.abmunis.ca>

Cities, towns, villages — municipal leadership, land use, energy, planning.

#### **Alberta Planning Conference (APPI)**

October 2025/2026 (annual) — Alberta

<https://www.albertaplanners.com>

Land-use planning, community development, zoning, policy.

### Saskatchewan

#### **SARM – Saskatchewan Association of Rural Municipalities Annual Convention**

March (annual) — Regina, SK

<https://sarm.ca>

Key event for rural development, land use, infrastructure, agriculture, and energy.

#### **SARM Midterm Convention**

November (annual) — Saskatoon/Regina

<https://sarm.ca>

Policy updates, landowner issues, rural governance.

#### **SUMA – Saskatchewan Urban Municipalities Association Convention** (now “Municipalities of Saskatchewan”)

February (annual) — Regina, SK

Covers cities, towns, and villages. Municipal governance & community development.

### **Saskatchewan Professional Planners Institute (SPPI) Conference**

Fall (annual) — Saskatchewan

<https://sppi.ca>

Land planning, zoning, municipal land use, and environmental review.

## **British Columbia**

### **UBCM – Union of BC Municipalities Convention**

September (annual) — Vancouver / Victoria / rotating BC

<https://www.ubcm.ca>

BC's largest municipal policy event. Heavy focus on land use, Crown/First Nation relations, and development approvals.

### **LGMA – Local Government Management Association of BC Annual Conference**

June (annual) — BC (rotating locations)

<https://www.lgma.ca>

Professional development for municipal CAOs, planners, and governance staff.

## **Agriculture & Farm Shows (Saskatchewan & Alberta)**

### **Alberta**

#### **AgSmart – Olds College**

July/August (annual TBD) — Olds, AB

<https://agsmartolds.ca>

Digital agriculture, drones, precision ag, soil & crop technology.

#### **Agri-Trade**

November 11 -13<sup>th</sup>, 2026 – Red Deer, AB

[Home - Agri-Trade](#)

Saskatchewan

#### **Ag in Motion Outdoor Farm Expo**

July 21-23, 2026 — Saskatoon, SK

<https://www.aginmotion.ca>

Outdoor demos, equipment, innovation, test plots — “Prairie farm show in a field.”

#### **Canadian Western Agribition (CWA)**

November 23 -29, 2026 — Regina, SK

<https://www.agribition.com>

The largest livestock show in Canada; ag business, trade, and rural events.

# REWIND AND RELIVE

From friendly competition to great conversations, our **Crib Tournament Night** was a fantastic success!

Held at the Calgary Petroleum Club, the evening brought together members from across the industry for fast-paced rounds, plenty of laughs, and some impressive crib skills on display. Whether competing in singles or pairs, it was great to see both seasoned players and first-timers come together, making it a truly engaging and inclusive event.

A big thank you to everyone who joined us and contributed to such an enjoyable evening, and to our sponsors and volunteers who made it all possible.



# AGM & MERIT AWARDS 2026



**April 23, 2026 | Calgary Petroleum Club - Devonian Room | 16:30 - 21:00**

## **Purpose of the AGM Meeting:**

- To receive and consider the financial statements and reports of the auditors for the year ending 2025.
- To appoint auditors for 2026
- To announce election results
- To receive an update on the general business of CALEP from the President, Sandra Dixon
- Recognition of outgoing and incoming Board Members

**CALEP Merit Awards:** We're excited to once again host our annual CALEP Merit Awards — a time to recognize the individuals and companies within our community who have made a meaningful contribution to the lifeblood of CALEP. The Merit Awards are presented to both individuals and corporations.

***For more details and registration, please visit the CALEP website, and keep an eye on your inbox for upcoming updates.***

*Help us celebrate excellence within the CALEP community!*

# ON THE HORIZON

## UPCOMING EVENTS : SAVE THE DATES!

*Please visit CALEP's Event Page for the Registration Links and watch your inbox for updates*



### CALEP CURLING



*April 9, Thursday*

*12:30 PM - 08:30 PM*



*Calgary Curling Club*



### CALEP HOCKEY TOURNAMENT



*April 16, Thursday*

*09:00 AM - 05:00 PM*



*Flames Community Arenas*

# Strengthening Surface Land Leadership: The Role of SLAC in a Changing Industry

The **Surface Land Advisory Committee (SLAC)** plays a vital role within CALEP by representing and advancing the interests of members engaged in surface land work. From land access and stakeholder relations to regulatory processes, emerging land uses, and the evolving demands of the energy sector, SLAC ensures that surface land professionals remain informed, connected, and supported.

## **Navigating Growing Complexity in Surface Land Work**

Land management considerations are becoming increasingly complex. Competing land uses, new development pressures, technological innovation, and rising public expectations are reshaping the landscape in which surface land professionals operate. In this dynamic environment, adaptability and continuous learning are no longer optional—they are essential.

SLAC exists to help members navigate this complexity.

## **SLAC's Commitment to Members**

SLAC's mandate is grounded in delivering tangible value to CALEP members. The committee works to:

- Ensure surface land perspectives are recognised, understood, and valued across the energy industry
- Provide relevant guidance and explore emerging technologies shaping the land profession
- Create meaningful opportunities for knowledge sharing and professional dialogue
- Support members as their responsibilities expand beyond traditional energy developments
- Assist CALEP members in maintaining the required hours for Land Agent Licensing

Our mission extends beyond information sharing. We are committed to delivering measurable value that strengthens your professional practice and enhances your CALEP membership.

## **Your Voice Matters**

SLAC is strongest when it is shaped by its members.

If you are currently part of SLAC—or interested in becoming more involved—we want to hear from you. Your insights help ensure we are addressing real challenges and delivering meaningful support.

We invite you to share:

- Skills or knowledge gaps you are experiencing
- Topics you would like to explore more deeply
- Challenges specific to your sector or region
- Emerging surface-related opportunities you are observing in the industry

Your feedback will directly shape SLAC's priorities, programming, and initiatives moving forward.

### Looking Ahead: Future Topics & Speakers

As we plan future meetings, panels, and learning sessions, we welcome your ideas for topics and speakers.

Areas of interest include:

- Data centre development and associated surface land considerations
- Geothermal projects and alternative energy uses
- Carbon capture, hydrogen, and other surface-intensive industries
- Municipal, landowner, Indigenous, or regulator perspectives
- Best practices in stakeholder engagement and surface access negotiation

If there is a speaker, organization, project type, or industry trend you believe would benefit CALEP members, we encourage you to share your suggestions.

### Help Shape the Conversation

SLAC is here for you—and we believe the strongest outcomes come from member-driven collaboration.

Please send your feedback, ideas, or questions to: [SLAC@CALEP.ca](mailto:SLAC@CALEP.ca)

Together, we can continue strengthening surface land knowledge, professional connections, and leadership within CALEP.

## SURFACE LAND ADVISORY COMMITTEE (SLAC) MEETINGS



CALEP Office



Apr 16, Thursday  
12:00 PM - 01:00 PM



May 21, Thursday  
12:00 PM - 01:00 PM



Jun 18, Thursday  
12:00 PM - 01:00 PM

# GET SMART

For registration, please visit [www.calep.ca](http://www.calep.ca)



## COURSE

## DATE

## TIME

## LOCATION

Project Management Foundations

April 30, 2026  
(Thursday)

9:00am - 4:00pm

CALEP Office

Negotiation Excellence  
½ day in person

May 21, 2026  
(Thursday)

8:30 am - 12:30 pm

CALEP Office

Freehold Mineral Lease

November 5, 2026  
(Thursday)

9:00 am - 4:00 pm

CALEP Office

***Save \$50 when you register at least 3 weeks in advance! Prices will increase 3 weeks prior to the course.***

For more information, or to register, please see the CALEP course schedule in its entirety [here](#).

# Membership Portal Update

*Now LIVE on GlueUp*

We've upgraded to a new platform, GlueUp, to provide a smoother, smarter, and more connected membership experience.

You should have received an email from GlueUp with a link to your Membership Portal, where you can activate your account and update your member profile. Once your setup is complete, you'll have access to all your membership records in one place.

## **Didn't receive the email?**

Please email Spryng at [reception@calep.ca](mailto:reception@calep.ca), and she will resend the invite to you.

## **Quick Tips for Navigating the New Site**

**Logging In** - Your Login is your Email address and password you set up above- *IT IS NOT YOUR OLD USERNAME!*

You can log in from:

- The top-right corner of the website, or
- The Member Roster box located midway down the homepage

## **Member Roster**

Once logged in, click the Roster button to view the member directory.

## **Business Forms**

Business forms are located under Business Development and are visible only when you are logged in.

## **Password Reset**

If you're having trouble logging in:

- Sign in using your email address
- If needed, request a password reset using the password reset link
- Enter your email address to receive a reset link by email

# ROSTER UPDATES

## ***NEW MEMBERS***

### **Active Members:**

#### **Kateryna Tsukanova: Imperial Oil Limited**

##### Sponsors:

- Cindy Cameron
- Jenny Hay
- Robert Friz

### **Associate Members:**

#### **Tai Tieu: Vermilion Energy Inc.**

##### Sponsors:

- Mike Twomey
- Madison Gee
- Christopher Collins



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or  
[reception@calep.ca](mailto:reception@calep.ca)

# ROSTER UPDATES

## *ON THE MOVE*

- **Lee Ann East** : Independent to Cedar Creek Production Services
- **Kari Webb**: Trans Globe Energy Corporation to VAALCO Energy Canada Inc.
- **Doug Kay**: Intrepid Resources to Freehold Royalties Ltd.
- **Ken Woronuk**: Roy Northern Land Services to AiM Land Services Ltd.
- **Todd Meulenbeld**: Independent to ATCO Gas & Pipelines
- **Richard Fulton**: Independent to Alberta Energy Solutions
- **Katie Patterson**: Canadian Natural Resources Limited to Millennium Land Ltd.  
(Calgary - Surface Land Services)
- **Ashlin Ray**: Independent to Tytan Land
- **Kurt Poelzer**: Independent to ConocoPhillips
- **Brandi Mercer**: Secure Waste Infrastructure Corp. to Independent





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# CALEP SPONSORSHIP PACKAGES

*Partner with CALEP and gain year-round visibility through our sponsorship tiers. Each package offers unique benefits designed to maximize your engagement with our network.*

## **Friend of CALEP – \$500**

Gain year-round exposure through CALEP's Public Service Provider Directory. Open to non-members and organizations seeking land services, this searchable directory highlights trusted service companies and makes it easy for clients to find you. Friend of CALEP Sponsorship ensures your company is featured with full contact details, expanding your reach and driving new business opportunities.

## **Bronze Sponsor – \$3,000**

The Bronze Sponsorship is the ideal entry point for companies looking to increase visibility and engage directly with the CALEP community. This package delivers meaningful exposure across CALEP's digital platforms, publications, and events—at an accessible investment level.

- Logo on the Main Page of the CALEP Website – linked to your website.
- Listed in CALEP Public Directory.
- Choice of sponsorship at one independent CALEP event, which will also include four complimentary tickets. Note: This sponsorship excludes the Triple Round Up, Trifecta, and any other joint Industry events, as they are not deemed to be independent CALEP events
- Additional event tickets, at member rate, can be purchased for any event you are sponsoring above.
- A ½ page ad in the Negotiator. Your choice of edition within the same year of sponsorship.

## **Silver Sponsor – \$5,000**

The Silver Sponsorship builds on the strong foundation of Bronze, offering enhanced visibility and direct engagement opportunities. This package is ideal for companies ready to elevate their presence, strengthen brand recognition, and connect more frequently with CALEP members.

- Includes all Bronze benefits.
- Golf Hole Sponsorship.
- An additional ½ page ad in the Negotiator edition of your choice within the year of sponsorship. Total ads showcased will equal two.
- CALEP will distribute two annual email communications to our members on your behalf, promoting upcoming events or company highlights you would like to promote.
- One annual Negotiator Spotlight Feature on your company or project you are involved with.

### **Gold Sponsor – \$8,000**

Step into the spotlight with Gold Sponsorship—enhanced promotions, stronger conference visibility, broader advertising, and official CALEP recognition that positions your company as a top supporter in the industry.

- Includes all Silver benefits.
- Choice of a Conference Sponsorship item up to \$2,500.00. Full list of opportunities provided each year prior to the conference.
- Two additional ½ page ads in the Negotiator, edition of your choice, within the year of sponsorship. Total adds to four.
- Two additional annual email blasts promoting upcoming events or company highlights you would like to promote. Total adds showcased equal four.
- Annual Recognition as a “Top Supporting Sponsor,” including a commemorative plaque presented by CALEP at the Merit Awards ceremony.

### **Platinum – \$10,000**

Platinum Sponsorship delivers the best overall value—bundling everything in Gold with the highest level of year-round visibility. With expanded advertising, additional member outreach, and included course and conference registration, Platinum is the ultimate package for companies that want maximum exposure and impact.

- Includes all Gold benefits plus premium visibility opportunities.
- Six - ½ page ads in the Negotiator, edition of your choice, within the year of sponsorship.
- Two additional annual email blasts highlighting your upcoming events. Total of six
- CALEP Course Registration – valid for one registration within the year of sponsorship for a CALEP-operated course.
- One Conference Registration – valid within the year of sponsorship for registration only and does not include activities, Sunday school or accommodations.

**Additional Event Sponsorships are available at a 10% discount. Applies to CALEP-only operated events and excludes Triple Round Up, Trifecta, and any joint events.**

<b>Benefit</b>	<b>Value</b>	<b>Friend Of CALEP</b>	<b>Bronze</b>	<b>Silver</b>	<b>Gold</b>	<b>Platinum</b>
CALEP Directory for Public	\$500.00					
CALEP Directory for Public	\$4000 annually					
Event Sponsorship*	Up to \$2,000.00*		1	1	1	1
Golf Hole Sponsorship***	\$1500**					
Negotiator Ads (total) Per year	\$600 per issue		1	2	4	6
Conference Sponsorship***	\$2,500				\$2,500	
Course Registration	Course Dependent, \$325-\$500					1
Conference Registration	Current year's conf fee					1
Negotiator Spotlight	\$1,100			1		
Annual Email Blasts (total)	\$200 per blast			2	4	6
<b>Total Value</b>		<b>\$500</b>	<b>\$6,600</b>	<b>\$10,200</b>	<b>\$13,200</b>	<b>\$16,600</b>

# IN MEMORIAM

## Warren Kenneth Blair- Landman

**November 12, 1951 – January 6, 2026**

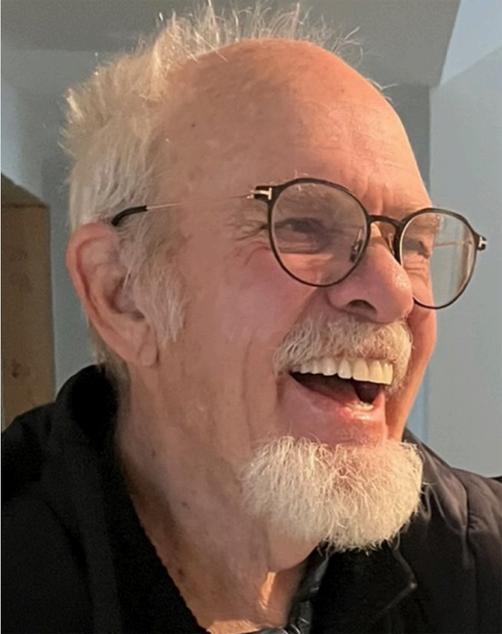
Calgary, Alberta

*Warren was born in Calgary, AB, in 1951. After a two-year struggle – and triumph – with brain cancer, he died at home in Calgary on Tuesday, January 6, 2026, surrounded by his family. Warren was a gentle, steady, deeply loving man who lived a good life and met death with the same quiet courage and faith that shaped how he lived. He was boldly himself, with an opinion and a sense of humour, until his last breath. He is survived by his wife, children, grandchildren, siblings, and a wide circle of family and friends. He was predeceased by his parents, Norma and Norman Blair.*

*Warren proudly followed in the footsteps of his father, Norman Blair, building a long and meaningful career as a landman in Calgary. For Warren, land work was never just about transactions – it was about people. He took great pride in building relationships grounded in mutual respect, trust, and benefit, and he was known for his integrity, fairness, and genuine care for landowners and colleagues alike. Over the years, he formed lasting friendships through his work, valuing conversation, understanding, and collaboration above all else.*

*Much of Warren's work unfolded on the roads and back highways of Alberta. He spent countless hours driving to visit landowners, often turning workdays into small adventures. He would occasionally bring his wife and children along, sharing prairie landscapes, kitchen-table meals, and stories with families across the province. These trips were as much about connection as they were about land, and they shaped how he understood both his work and the world.*

*Warren had a certification in mediation and took on the role of mediator as a landman. He took deliberate steps to learn, apply, and refine approaches that sought genuine mutual benefit – not only for company outcomes, but for landowners and all parties involved. He believed strongly that long-term success in the industry depended on trust, fairness, and respect, and he worked hard to model that belief in practice.*



*Warren had a deep curiosity about his profession and a desire to see it evolve. He looked for thoughtful, innovative ways to improve relationships, efficiency, and practices within the industry, and he was part of the first wave of landmen to bring computers into everyday professional use — a change he embraced with optimism and interest, if not always technical ease.*

*Beyond his work, Warren was gentle, principled, and kind — adventurous without bravado, faithful without dogma, and endlessly curious. He held a deep reverence for God, nature, and creation, believing that some of life's best lessons were learned outdoors, under open skies. He was a teacher by example, encouraging others to think critically, ask questions, and learn through experience.*

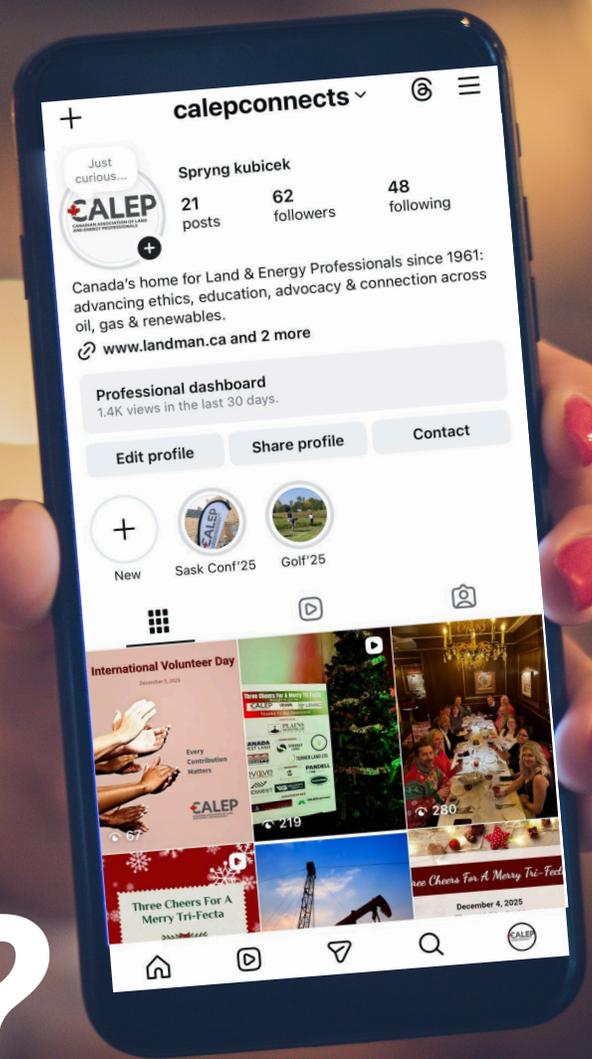
*Warren loved his family fiercely and faithfully, and he lived with gratitude for a life in which he felt richly blessed. He leaves behind stories, laughter, wisdom, and a legacy of respect — for people, for the land, and for the relationships that bind them together.*

*He was deeply loved.*

*And he knew it, too.*



# DID YOU KNOW?



**We are now on Instagram!**

Follow us for the latest updates, current and upcoming events, course opportunities, and more!

