

# Chapter 4.5 Completing Road Activity Details

## 4.5 Road Activity Tab

Applicants applying for an oil and gas road permit must complete the road application tab in the Application Management System. The road tab is made up of three components: road overview, road details, and road land details.

This section includes an overview of road permitting, guidance regarding road planning and design, details related to road-specific application requirements and detailed instructions for completing the data fields within the road tab.

### **Please Note:**

This manual is written as a whole and available to industry in sections to allow permit holders to access activity chapters. It is prudent of the permit holder to review the manual in its entirety and be aware of the content in other sections of the manual.

### 4.5.1 Roads Defined

Oil and gas roads are prescribed as an oil and gas activity in OGAA and are defined within the Oil and Gas Road Regulation (OGRR) as:

- (a) A road or portion of a road that:
- Is constructed or maintained to facilitate the carrying out of a primary activity,
  - Has not been deactivated, and

- Subject to paragraph (b), is not required to be maintained under another enactment or authorization;
- (b) A road or portion of a road that, before the coming into force of [the Oil and Gas Road Regulation], was constructed under an authorization under the Land Act or the Petroleum and Natural Gas Act, or as a Petroleum Development Road, and is used to carry out a primary activity.

Approved oil and gas applications receive a permit under Section 25 of OGAA to carry out construction and operations pertinent to the activity. The permit expires where construction activities have not started within two (2) years of permit issuance. Unless expired, the permit remains active until cancelled, suspended or declared spent, according to the provisions of OGAA.

The OGRR prescribes the rights and obligations of permit holders related to construction, maintenance, use and deactivation of oil and gas roads.

## Road Types

Applicants must apply for a specific type of oil and gas road. The appropriate road type must be selected in the road details component of the road tab in the Application Management System. Road types are defined further in the data field tables and in the Commission glossary and include:

- Long-term, all-weather road is a roadbed surfaced with gravel.
- Short-term, low-grade road is constructed during non-frozen ground conditions with a minimal grade and adequate drainage control. Low-grade access may be constructed during frozen ground conditions.
- Snow and/or ice road is construction and suspension activities carried out during frozen ground conditions with minimal soil disturbance.
- Existing traditional winter access is construction and suspension activities carried out during frozen ground conditions with minimal soil disturbance.

## 4.5.2 Creating a New Road Application

### New Road Application

A new oil and gas road permit is required for any new road to be constructed and operated, for a non-status road to be maintained or modified by an oil and gas operator, or to acquire an oil and gas road permit for a road currently regulated under another statutory authority (Transfer of Jurisdiction).

Roads can be applied for individually or with other oil and gas activities as part of a multi-activity project application. The system generates data input requirements for additional activities specified within the spatial data upload.

### Road Amendment

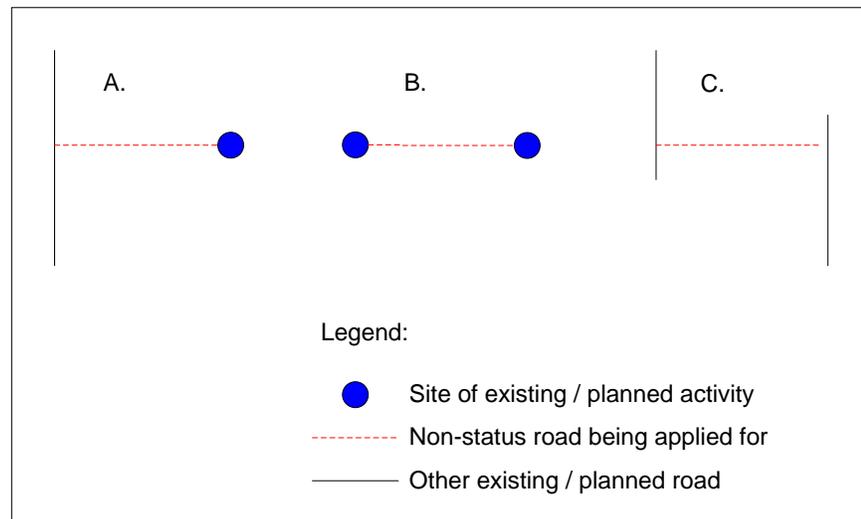
A road permit amendment is required to:

- Carry out activities not authorized by, or which are alterations to the original permit.
- Modify an OGAA permitted road, except modifications allowed under the terms of the permit or the Oil and Gas Road Regulation.

### Please Note:

An OGAA road permit is required prior to carrying out maintenance activities on non-status roads. Several non-status roads can be included in one road permit application by identifying each road as a separate segment in the application. Permit holders will be required to submit a Historical submission for existing permitted roads that have not been transitioned to an OGAA road permit or have not been reconciled prior to submitting an amendment.

## Figure 4-A: Examples of Whole Non-status Road or Road Segments



## Transfer of Jurisdiction

Applications for a “transfer of jurisdiction” of an existing road authorized by the Ministry of Forests, Lands and Natural Resource Operations & Rural Development (FLNRORD) must be submitted as a new road application. The Commission will not transfer a road issued by FLNRORD to an oil and gas operator; but will work with FLNRORD to enable the issuance of an OGAA road permit.

To apply for an OGAA road permit on an existing road authorized by FLNRORD, applicants should include the following additional attachments:

- Documentation indicating the current road tenure holders’ willingness to relinquish the road in favour of an oil and gas operator.
- Confirmation from FLNRORD of willingness to close the road permit upon the Commission’s approval of an oil and gas road permit.

The Commission forwards a copy of the permit to FLNRORD in order to terminate the FLNRORD road permit. During this interim period, there may be spatial overlap of the FNRORD permit and OGAA permit while the digital inventory gets updated.

## Historical Submission: Road

The historical road submission is intended to define the process to transition existing permitted oil and gas roads to an OGAA road permit and to collect or update missing information required for road reconciliation.

The historical road submission is selected from the create “application type” menu as “historical submission”. Scenarios where a historical road submission is appropriate are:

- When an existing permitted road has not been transitioned to an OGAA road permit.
- The road information has not been reconciled.
- The road information is inaccurate or missing segment data and/or stream crossing information.

An existing permitted road must be reconciled and hold a valid OGAA road permit before the permit holder may apply to amend or modify the road.

### Please Note:

If a permit holder wishes to submit a historical submission for a road that has been reconciled and holds a valid OGAA road permit, the applicant must provide a rationale explaining why the submission is required.

## 4.5.3 Road Planning & Design

This section provides typical planning and design requirements, guidelines and considerations when planning and designing a road for an oil and gas activity application. The standards and guidelines presented here form a substantial basis for assembling an application. The Commission reviews the road application relative to the engineering and technical information provided in the Application Management System; therefore, applicants should review this section for an indication of any application requirements or attachments required in relation to the required components.

## Regulatory Requirements

Roads must meet the design and operational requirements outlined in the [Oil and Gas Activities Act](#) (OGAA), the [Oil and Gas Road Regulation](#) (OGRR), the [Pipeline Crossings Regulation](#) (PCR), and the [Environmental Protection and Management Regulation](#) (EPMR).

Part 3 of OGRR outlines requirements related to:

- Road construction, including clearing widths, bridges and culverts, record keeping requirements, hazard warnings and post-construction reporting.

The Water Sustainability Act gives the permit holder authorization to make changes in or about a stream. OGRR is the regulation allowing bridges and/or culverts to be placed on a road to facilitate the crossing. Permit holders must be aware of and abide by Canadian Standard Association and Canadian Highway Bridge design codes for bridges or culverts.

If an exemption is requested from regulatory requirements, an exemption request must be prepared at the time of application and include:

- Specific regulatory provision requiring an exemption.
- Rationale for exemption (explanation of why an exemption is required).
- Proposed plan showing mitigation strategies to reduce impacts.

If exemptions are approved prior to the application, this approval must be attached to the application.

## Guidance Requirements

In addition to this Oil and Gas Activity Application Manual, roads should meet guidance recommendations in the following Commission documents:

- [Oil and Gas Activity Operations Manual](#).
- [Environmental Protection and Management Guideline](#).

## Planning Road Rights-of-Way

Provide a rationale for the proposed right-of-way location chosen and overall details for the road including to and from locations, right-of-way length and maximum width. Proposed road rights-of-way must also be identified on the project construction plan. Space is provided in the application for the rationale.

## Planning Construction Corridors

Provide an additional mapped area around the proposed road right-of-way providing for construction corridor. Construction corridors allow the flexibility to adjust the proposed road or related activities.

## Planning for Stream Crossings

Stream crossings required for road construction can be applied for as part of a road permit application and approved under OGAA.

Stream crossing authorizations issued with a road permit are valid for the life of the road, except as otherwise limited in the permit or the Oil and Gas Road Regulation.

Road modifications requiring the installation or replacement of a bridge or major culvert associated with the road require an amendment to the road permit and an application for Changes In and About a Stream under Section 11 of OGAA and detailed in Section 4.8 of this manual.

## Planning for Borrow Pits

Borrow pits are applied for as part of an Associated Oil and Gas Activity application as detailed in Section 4.6 of this manual.

## 4.5.4 Road Specific Considerations for a Road Activity

### Forest Service Roads

If the proposed road enters or affects a Forest Service Road right-of-way, or Ministry of Transportation and Infrastructure (MOTI) right-of-way, consent to carry out the approved activities must be obtained from the applicable agency before the project begins.

A road use permit (RUP) is required to use Forest Service Roads to carry out oil and gas activities. Where an RUP is not already held, one can be obtained by submitting an [RUP application form](#) in addition to applying for a road permit. Submit completed RUP application forms to [RoadUsePermits@bcogc.ca](mailto:RoadUsePermits@bcogc.ca). For additional information on road use permit administration, please refer to the [road use permit tenure administration guidance document for oil and gas](#).

### Road Use Requirements Applicable to all Oil and Gas Permit Holders

Permit holders must review and comply with OGRR:

- Part 4: outlines requirements related to road maintenance including: general and technical road maintenance, bridge maintenance, and limited maintenance related to temporary stoppage in road use.
- Part 5: sets out provisions and requirements including: right of access, limited application of the Motor Vehicle Act to oil and gas roads, speed restrictions, use and requirements related to traffic control devices, temporary closures, temporary restriction of access, removal of objects, and the use of oil and gas roads maintained by a road permit holder.
- Part 6: prescribes requirements for road permit holders in relation to road deactivation.

## Use of Oil and Gas Roads Maintained by a Road Permit Holder

Section 21 of the OGRR establishes requirements related to use, notification and contribution to maintenance costs associated with using an oil and gas road maintained by a road permit holder:

- Providing Notice of Use to the road permit holder at least 14 days before the intended use will begin.

Upon receiving a notice of intended road use the road permit holder must provide to the permit holder providing the notice, an estimate of costs along with supporting data and records in relation to maintenance or any modifications necessary to accommodate the intended use of the permit holder, or to repair any damage caused by the user.

### 4.5.5 Road Activity Submission: Data Field Completion

Table 4-G below provides detailed instructions for each of the data fields requiring input (not auto populated) within the Application Management System.

**Table 4-G: Application Instruction Table for the Roads Tab**

Label	Instructions
Is the activity within a previously assessed construction corridor	Indicate if the proposed activity falls within a previously assessed review corridor or previously assessed construction corridor.
Select applicable road application	Select the type of road application: <ul style="list-style-type: none"> <li>• New Road</li> <li>• Transfer of Jurisdiction</li> <li>• Transition Existing Non-Status Road to Permit</li> <li>• Transition Existing Non-Status Road to Road Permit with Modifications</li> </ul>

<b>Label</b>	<b>Instructions</b>
Activity Description (Optional)	Provide a brief description of the project and any comments relevant to the road and/or application.
Maximum Right of Way Width (m)	Enter the maximum right of way width of the proposed road taking into consideration the width of any corner cuts.
Right-of-Way Rationale	Provide rationale explaining why the location for the chosen road right-of-way.
Select which surface access arrangement applies	For private land, indicate which surface access arrangements apply.
Rationale	Provide rationale explaining why the applicant is requesting a road permit over the road.
Have concerns been resolved with the other industrial maintainers of the road?	Indicate if concerns over the application brought forward by other industrial users of the road have been resolved.
<b>Road Segment Details</b>	
Road Width (m)	Enter the proposed road width in metres to be constructed within the right-of-way.
<b>Roads Exemption and Deviation Requests</b>	
Exemption from Oil and Gas Road Regulation:	Indicate if an exemption from the Oil and Gas Road Regulation is being requested.
Exemption From	Enter the section of the Regulation that is the subject of the exemption request.
Exemption Explanation	Provide a detailed explanation / rationale for the regulatory exemption request. Include statements indicating why the regulation cannot be followed, proposed alternate strategies and mitigation.