

# What to do when the oilpatch comes knocking

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*Oilpatch in your backyard: Part 1 of 4 in a series*

By Mary Griffiths



When a permit agent or land agent comes to your door to discuss seismic operations or the location of a well or pipeline on your land, do you know what to ask? Do you have to let a company on your land?

First, it is important to make the distinction between a permit agent, who seeks permission for seismic operations, and a land agent, who negotiates with the respect to wells, pipelines, and other oil and gas facilities.

Did you know that you don't have to allow seismic activity on your land? A landowner or occupant has the right to refuse access for seismic exploration. In the case of rented land, the permit agent must obtain the permission from both the landowner and the occupant, as the seismic activity might cause impacts that last beyond the lease period. There is one exception — holders of grazing leases on public land are not allowed to refuse access. However, the company must inform the leaseholder at least five days before carrying out any activities and if the leaseholder has any concerns related to access, he or she should contact the local public lands staff.

Even if you have no objection to seismic activity on your land, it is a good idea to ask for your water well to be tested for quality and flow rates before operations start. Keep the results so that you have baseline information in case there is a problem later with your well. You may want to discuss the route of the seismic line in order to keep it well away not only from water wells but from any septic tanks. Discuss the protection of any trees because a company can offset the line around trees and other sensitive areas, such as wetlands. And, of course, you will need to discuss compensation.

If you do not allow the seismic crew on your land, they will probably locate their line in the adjacent road allowance. However, a company can still return later to put a well on your land.

The first sign that a company wants to drill might be a visit from a surveyor. A registered land surveyor must be allowed to enter and conduct surveys on private land, but the surveyor or the company that engages the surveyor is liable for any damage that the survey team may cause.

Later the land agent may arrive on your doorstep, asking for access to drill a well or to lay a pipeline across your land. The company has to listen to any concerns you might have and try to negotiate with you. If you refuse permission, the company has to file a non-routine application, stating that you have unresolved concerns, with the Alberta Energy and Utilities Board.

There are many things to know about negotiating with a company. Doing your homework can save you time and money and help you protect your land.

*Dr. Mary Griffiths is a senior policy analyst with the Pembina Institute. Her book, When the Oilpatch Comes to Your Backyard: A Citizens' Guide, is a complete guide to interacting with oil companies and is available from the Pembina Institute ([www.pembina.org](http://www.pembina.org)) or by calling their Drayton Valley office at 780.542.6272.*