

Land & Stakeholder Engagement

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CLARITY. CONTRIBUTE. PROSPER.

Acquiring surface land is no longer a transactional approach. Successful projects require organizations to be prepared for **effective** and **authentic engagement**. Land and stakeholder engagement are no longer separate silos.

Intro to Land

'Land' in terms of energy development refers to the process of gaining access to land through negotiation, agreements, consents and engagement with landowners and stakeholders.

Surface Rights vs. Mineral Rights – Surface Rights means the right to possess and cultivate the surface and air space (within reason) above the land. Surface rights may be **owned** privately by individuals, corporations, the government of Alberta (Crown), Reserves, or designated Municipal Districts. Mineral Rights are the oil, natural gas, other minerals below the surface.

- Land ownership in Alberta is never absolute, except by the crown. The greatest interest individuals can have in land is fee simple – 'Freehold Land'
- Fee simple can be sole ownership, joint tenancy or tenant-in-common

Land Agents are licensed and regulated under the *Land Agents Licensing Act*, and the *Land Agents Licensing Regulation*. A 'Land Agent' is a person who negotiates for or acquires an interest in land on behalf of the person's employer, as an agent on behalf of another person, or on the person's own behalf.

Directive 056 (D056) identifies requirements and procedures for filing a license application to construct or operate any petroleum industry energy development that includes facilities, pipelines or wells. It serves as an extensive reference document about rules that govern energy development in Alberta.

Third Parties Consents are requested agreements or notifications prepared once a survey plan is received for a specific project. The requests made are dependent on the type of activity, pertinent regulations, and industry standards. Third party consents are imperative for Operators to access sites, move equipment, allow them to construct, install, and maintain.

What makes a successful surface land project?

- ✓ Pre-plan: consider impacts from topography, land ownership, access, seasonal restrictions, environmental, approvals required
- ✓ Kick off meeting with all departments and consultants
- ✓ Anticipating future associated projects and infrastructure
- ✓ Define scheduling and priorities
- ✓ Inventory of back up projects
- ✓ Constant review and check in on timing and schedules
- ✓ Up front or prior engagement with stakeholders
- ✓ Scouting and/or ground truth of potential areas/locations
- ✓ Construction and land present with surveyors for survey
- ✓ Engage Surface Land professionals

Barriers to success:

- X Surface land is brought in too late; not part of pre-planning
- X Little or no stakeholder/community engagement
- X Budget unknown
- X Timing unknown
- X Lack of understanding around timelines or regulatory requirements
- X Silos between departments and/or consultants

Stakeholder Engagement

Stakeholder engagement is an art, not a science. It involves people who may be affected or influence the implementation of a decision. It helps to build trust, find common ground, is part of the decision-making process, assists in gaining a clear definition of the problem/opportunity, and builds social capital. Stakeholder engagement can be done at various level of involvement.



The International Association of Public Participation (IAP2) spectrum is for engagement is;

Inform > Consult > Involve > Collaborate > Empower

Participant Involvement for Oil & Gas in Western Canada is regulated by Provincial (ie: AER, OGC) and Federal (NEB) jurisdictions where minimum requirements are laid out. These minimum requirements are necessary to submit an application, however are not designed to build trust. It is up to organizations to go beyond the minimum and genuinely engage with stakeholders. Anticipated changes to the policies and guidelines could mean requirements for stakeholder engagement will increase.

Why do it?

This stakeholder engagement thing seems like a lot of work... Is it really worth it? Yes, because;

- Oil & Gas has become a contentious issue
- People are involved and aware; everything plays out on a public stage
- Overabundance of information, truth or not
- Spending the effort upfront reduces timelines and costs down the road
- It is now an expectation of organizations by stakeholders/communities
- Regulatory requirements
- Building & maintaining social capital

Keys to Effective Engagement

- Active Listening
- Authenticity, be legitimately curious
- Dealing with Emotions: outrage, fear, anger
- Manage the physical space
- Attitude is everything
- Manage yourself, know your triggers in conflict situations
- Pre-engagement; do it before you have to
- Define short term and long term goals - *developing relationships is a long-term investment*
- Reporting and responding back

- Be clear on the 'givens', what is and is not open for input
- Moving people from Positions to Interests, shared interests help build relationships

Golden Rule(s) for Engagement

1. Consult early and often
2. Plan
3. Communicate
4. Remember they are only human
5. Relationships are key
6. Simple, but not easy

Understand what motivates people. PESTEL is a tool to think about key areas:

P olitical
E conomic
S ocial
T echnical
E nvironmental
L egal



Techniques for Engagement

Social Media
 Press Releases
 Public Information Materials
 Comment Forms

Face to face Meetings
 Focused Conversations
 Open Houses
 Tours and Field Trips

Task Force Committee
 Workshop
 Website Information
 Key-person interviews

Surface Land Acquisition Road Map

