

**Terms of Reference**  
**Deputy Minister Task Force**  
**Agriculture and Oil & Gas in Northeast British Columbia**

**Preamble:** In January 2018, the Minister of Agriculture tasked an Independent Revitalization Committee to revitalize the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC) by leading a province-wide engagement process and providing strategic advice through recommendations for consideration by Government. The Revitalization Committee submitted final recommendations for the Minister's consideration including Recommendation 25<sup>1</sup> specific to the interaction of oil and gas development and agricultural land use in Northeast BC (NEBC). From the Revitalization Committee's report:

*Immediately work to address the imbalance between oil and gas development and agriculture in BC's Northeast ALR:*

1. *Form a Deputy Minister-level, multi-agency, multi-jurisdictional Task Force to develop a Northeast ALR Strategy; and,*
2. *Establish an increased ALC presence to support farmers and ranchers in BC's Northeast ALR.*

**Committee:** A Deputy Minister/Commissioner level Task Force (Task Force) is established to consider Recommendation 25 from the Revitalization Report. The DM Task Force is comprised of:

- Deputy Minister of Agriculture;
- Deputy Minister of Energy, Mines and Petroleum Resources;
- Chief Executive Officer, Agricultural Land Commission; and
- Commissioner and Chief Executive Officer, BC Oil and Gas Commission.

**Accountability:** The Task Force will examine the findings and recommendations from the Revitalization Report and, where and if appropriate, develop recommendations and initiate actions as may be necessary in providing Government's response to the Report.

The Task Force will begin its work by developing a comprehensive and factual public facing report which will provide:

- the history and current context in NEBC with respect to oil and gas and agricultural land use; and
- an examination of the existing policy and regulatory frameworks for both sectors.

The report will guide additional work as identified by the Task Force including:

- Determination of any regulatory or legislative enhancements which may be warranted;

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<sup>1</sup> See Appendix 1 for the full recommendation

- Consideration of all available information the Task Force deems appropriate including information from the recent Farmington Landowners Group trials and the Peace River Regional District, local Farmers/Ranchers; and
- Consultation as appropriate and/or as required with Indigenous Communities, landowners, local governments, industry and others.

Support: To support the work of the Task Force, an Executive Committee is formed comprised of:

- Assistant Deputy Minister, Ministry of Agriculture
- Assistant Deputy Minister, Oil and Gas Division, Ministry of Energy, Mines and Petroleum Resources
- Director, Agricultural Land Commission; and
- Executive Vice President/Chief Operating Officer, BC Oil and Gas Commission.

Roles: The Task Force will:

- Adopt these Terms of Reference;
- Meet as required to provide direction on analysis, reporting and other work to be done by the Executive Committee;
- Provide the appropriate linkage between Ministries and Cabinet/ELUC;
- Manage any concerns or disputes arising from the work; and
- Ensure the work of the Member Ministries and Commissions is aligned and coordinated.

The Executive Committee will:

- Review the recommendations and actions as outlined in the Revitalization Committee final report related to oil and gas and agriculture interactions and provide the outcome of the review and any further considerations to the Task Force, including:
  - Developing a public facing comprehensive report on Agricultural and Oil and Gas land use within the ALR in NEBC;
  - Responding to direction from the Task Force;
  - Identifying challenges and opportunities to be addressed;
  - Undertaking a review of the existing data/information available to assist in informing the Task Force; and
  - Making recommendations on next steps.

Relationships: The Task Force will provide any findings or recommendations arising from their work to the Deputy Minister Committee for Natural Resources (DMCNR) for review and discussion prior to advancing any recommendations to Government. Any such recommendations should be advanced utilizing the existing committee structures provided by the Assistant Deputy Minister Committee on Natural Resources (ADMCCR) and the DMCNR.

- Principles: The Task Force and the Executive Committee will:
- Develop fact based information and background on all matters before the Task Force;
  - Provide a balanced and reasoned approach, mindful of divergent views, and supported by staff and subject matter experts; and
  - Seek consensus directions and recommendations, or where consensus is not possible, document the reasons for lack of consensus and possible paths forward.
- Expenses: Individual Ministries and Commissions are responsible for their respective travel costs, subject to government travel guidelines and requirements.

## Appendix 1

### From the Revitalization Report Recommendation 25 and Associated Actions: Need for a Deputy-Minister Task Force and Strategy

#### *Actions:*

1. *Establish a Deputy Minister- level task force with internal and external agriculture partners and stakeholders from the natural resource sector. Direct the Task Force to:*
  - *Develop a strategy to address the significant resource extraction issues impacting the ALR and its farmers and ranchers in BC's Peace River Region*
  - *Review, among other considerations, the following issues and take actions as required:*
    - *How to balance surface rights of the farmer/rancher with sub-surface rights of the extractor*
    - *How the farmer/rancher will be given authority to influence negotiations on the farm and location of oil and gas facilities and infrastructure.*
    - *How the comments made to the task force by the farmers/ranchers will be accommodated in the balance process*
    - *Whether the delegation agreement between the ALC and the BC Oil and Gas Commission is the correct approach or if there is an alternative approach that would better protect the agricultural interest and restore confidence in the regulatory system over the long term*
    - *Complete a fulsome impact assessment of oil and gas activity with the ALR*
    - *Determine how farmers can access ongoing professional independent support*
2. *Build a memorandum of understanding and operational agreement between the ALC and the BC Oil and Gas Commission for sharing impact assessments and other information so they can work more effectively together.*
3. *Consider whether/what portion of royalties from oil and gas development in the ALR should be directed to a regional agriculture development fund.*

#### **Need for Increased ALC and Ministry Presence**

#### *Actions:*

1. *The Committee recommends the Ministry of Agriculture work with other natural resource ministries to ensure the ALC and the Ministry are sufficiently resourced to increase presence and support for the ALR protection and for farmers and ranchers in BC's Northeast ALR.*