

## **BRFN Exemption Application Process: Guide for Proponent Requirements**

### **Introduction**

This guide is intended to help proponents understand the BRFN exemption review process and to outline BRFN's requirements to make that review process more efficient.

The Implementation Agreement between BC and BRFN establishes disturbance caps and other rules for oil-and-gas activities.

When a proponent seeks an exemption from those disturbance caps or other rules for an oil-and-gas activity, BRFN evaluates that request according to the process and criteria set out in BRFN's Exemptions and Amendments Policy (the "Policy"). For each exemption request, the BRFN Lands Department ("BRFN Lands") reviews the relevant information and prepares a report for BRFN Council to consider, and BRFN Council decides whether to approve the request.

### **Exemption Application and Review Process**

The BRFN exemption review process proceeds as follows:

1. Before making an application to the BCER, the proponent makes a request to BRFN Lands ([kdecaux@blueberryfn.ca](mailto:kdecaux@blueberryfn.ca)\*) that provides the following information:
  - a. A clear request for an exemption, including the type of exemption requested (e.g. New Disturbance Cap, other rules for oil and gas activity etc.);
  - b. Shapefiles and maps of the proposed project location;
  - c. The duration for which the exemption is required;
  - d. The type of project proposed, including the amount and type of disturbance required;
  - e. If and how the project is related to existing or future projects, noting that BRFN and BCER expect related project applications to be bundled;
  - f. If and how the proponent has engaged with trapline holders;
  - g. If a project application has been submitted to BCER;
  - h. The economic benefits that the proponent will provide to BRFN, or the economic benefits the proponent is willing to consider regarding the project;

- i. Ongoing or proposed restoration initiatives related to the project (e.g. offsets);
- j. An explanation of why the project is required and why existing disturbance or alternative locations are not possible for this project;
- k. Any additional information BRFN requests.

\*Please check BRFN website/office at the time of making the application for any updated/additional contact information for BRFN Lands.

2. When BRFN Lands is satisfied it has received all necessary information, BRFN Lands will review the exemption request against the Policy and the Implementation Agreement and prepare a report in which it will make recommendations to BRFN Council on the exemption request (the “Lands Report”).
3. Council will review the Lands Report and details of the proposed project, then make the decision on the exemption request.

### **Council Decision on Exemption Request**

4. If Council approves the exemption request, BRFN Lands will provide the proponent and BCER with confirmation of its approval with a BCR, including any conditions BRFN Council would like applied to the project. The typical permitting process, including application to BCER and BRFN review, will proceed from this stage. If Council denies the exemption request, BRFN Lands will advise the BCER and the proponent that the exemption request has not been approved.

### **Additional Guidance**

For efficiency of coordination, the proponent should pursue its permitting application process with the BCER alongside its application to BRFN so that BCER can undertake its own review and, as per BCER policy, post on its FTP site for BRFN Lands access.

Proponents should contact BRFN Lands directly before seeking to make any changes to an exemption request, as changes to the request or the information provided may cause delays or require BRFN Lands to re-start the review process.



### Exemption Application Process Steps

