



Regulatory Law Chambers (“RLC”) is a Calgary based boutique law firm, specializing in energy and utility regulated matters. RLC works at understanding clients’ business objectives and develops legal and business strategies with clients, consistent with the legislative scheme and public interest requirements. RLC follows a team approach, including when working with our clients and industry experts. [Visit our website to learn more about RLC.](#)

ALBERTA ENERGY REGULATOR

Pilot for Reclaiming Peatlands, AER Bulletin 2024-04

Oil and Gas – Land Reclamation

On December 14, 2023, Alberta Environment and Protected Areas (“AEPA”) released the *Interim directive: pilot for reclaiming peatlands - decision framework and support tools for reclaiming well sites and access roads on public lands (Land Policy, 2023, No.3)*, regarding a pilot program for reclaiming peatlands and a new process for approving changes in land use dispositions.

Under the AEPA’s current policy, the standard practice is to return oil and gas dispositions on public land to their pre-disturbance land use, which involves removing any imported materials from the site. In some cases, disposition holders may apply to AEPA for permission to leave the land in its current state and not require that it be returned to its pre-disturbance use. If approved, AEPA issues an approval for the imported materials to remain in place and provides it to the Alberta Energy

Regulator (“AER”) as part of the reclamation certificate application package.

This pilot streamlines the reclamation process by transferring regulatory authority to the AER to approve requests for land use changes for oil and gas dispositions.

The pilot only applies to oil and gas well sites, and access roads on public land that are:

- not associated with an *Environmental Protection and Enhancement Act* approval; and
- are entirely outside the boundary of a caribou range.

The AER will accept submissions for the pilot program until July 31, 2025, which can be submitted as a reclamation certificate variance through OneStop. The requests must be approved before a reclamation certificate application is submitted.