



*Celebrating 60 Years
1948 - 2008*

December 19, 2008

Honourable Ed Stelmach
Premier of Alberta
307 Legislature Building
10800 97 Avenue
Edmonton, AB
Canada T5K 2B6

Dear Premier Stelmach

RE: *Surface Rights Act*
November 17th 2008 - Motion 512 – Surface Rights Compensation Review

On November 17th, 2008, the Honourable Member for Olds-Didsbury-Three Hills, Mr. Richard Marz, introduced Motion 512 - Surface Rights Compensation Review as follows:

"Be it resolved that the Legislative Assembly urge the government to establish a committee consisting of representatives from the provincial government, landowners, and the energy industry to review surface rights compensation."

Should the Government of Alberta proceed with the establishment of a committee as proposed in Motion 512, the Canadian Association of Petroleum Landmen (CAPL) respectfully requests the opportunity to participate by nominating a representative to serve on the committee. The CAPL represents over 1,600 members who play a leading role in the acquisition, maintenance and disposition of both surface and mineral rights for the petroleum industry throughout Alberta and across Canada. Accordingly, we are well qualified to provide knowledgeable and up-to-date information regarding many facets of surface rights.

The last review of the *Surface Rights Act* was conducted in the period 1980 to 1983 by an Alberta Legislative Assembly "Select Committee on Surface Rights" which was established on May 23, 1980 and chaired by Mr. Ken Kowalski. This Committee also consisted of an additional eight (8) Members of the Legislative Assembly, which arranged a series of public hearings throughout Alberta, totaling 45 in all. The Committee also entertained 77 written and oral submissions from interested parties and had 21 meetings with various provincial and foreign authorities.

The CAPL participated in this review process, and provided valuable comments on the recommendations put forward by the Select Committee. The Select Committee presented its report to the Legislative Assembly in November of 1981, and Bill 60, the *Surface Rights Act*, was passed in the spring sitting of 1983.

In May of 2007, the CAPL received a letter from the Honorable Ted Morton, Minister of Sustainable Resource Development, requesting CAPL'S comments on a Report his office received from the Alberta Association of Municipal Districts & Counties (AAMD&C). The AAMD&C Report provided recommendations on changes to the *Surface Rights Act*. In a June 26, 2007 letter (copy attached) to the Hon. Ted Morton, the CAPL provided three documents as follows:

1. History of Surface Rights in Alberta
2. CAPL Comments on the AAMD&C discussion paper/report
3. CAPL recommendations for review of the *Surface Rights Act*

In recognition of the complex and substantive issues pertaining to surface rights and compensation along with the Land Use Framework Initiative strategy, the CAPL would be pleased to provide its expertise, and looks forward to being an active participant in the proposed legislative review of the *Surface Rights Act*.

Thank-you for your attention to this matter, and should you have any questions please contact either me (403-503-5265) or our Field Services Director, Noel Millions, at 403-645-2728.

Yours very truly,
Canadian Association of Petroleum Landmen



Robert Telford, AACI, P.App, P.Land
President

Enclosure

Cc: Hon Ted Morton – Minister of Sustainable Resource Development
Cc: Hon George Groeneveld – Minister of Agriculture
Cc: Noel Millions – CAPL, Director of Field Services
Cc: CAPP - David Collyer - President