

6. Road Activity

The road activity section of this manual provides operating guidelines for regulatory requirements throughout the operations life cycle of the permitted activity. Construction activities are discussed in Section 4 of this manual. Associated oil and gas activities, if required in addition to the oil and gas activity permit, are touched on in Section 3.1 of this manual.

Please Note:

This manual is written as a whole and provided to industry in sections to allow permit holders to access activity chapters. It is prudent of the permit holder to review the manual in its entirety and be aware of the content in other sections of the manual

6.1 Road Permitted Activity

All permit holders are ultimately responsible for ensuring they understand and meet all legal and regulatory requirements of the permit, including all conditions attached to the permit. If an exemption is requested from regulatory requirements, an exemption must be prepared at the time of application. Permit holders must contact the Commission prior to commencing construction or operations if the adherence to the permitted activity cannot be met. The Commission may be able to provide further guidance and clarification.

6.1.1 Roads Defined

Oil and gas roads are prescribed as an oil and gas activity in OGAA and are defined within the [Oil and Gas Road Regulation](#) (OGRR) as:

- (a) A road or portion of a road that:
- Is constructed or maintained to facilitate the carrying out of a primary activity,
 - Has not been deactivated, and
 - Subject to paragraph (b), is not required to be maintained under another enactment or authorization;
- (b) A road or portion of a road that, before the coming into force of [the Oil and Gas Road Regulation], was constructed under an authorization under the Land Act or the Petroleum and Natural Gas Act and is used to carry out a primary activity.

Approved oil and gas road applications receive a permit under Section 25 of OGAA to construct and maintain the road. The road permit expires where construction activities have not started within two (2) years of permit issuance. Unless expired, the road permit remains active until cancelled, suspended or declared spent, according to the provisions of OGAA.

The OGRR prescribes the rights and obligations of permit holders related to construction, maintenance, use and deactivation of oil and gas roads.

6.1.2 Regulatory Requirements

Roads must meet the design and operational requirements outlined in the [Oil and Gas Activities Act](#) (OGAA), the [Oil and Gas Road Regulation](#) (OGRR) and the [Environmental Protection and Management Regulation](#) (EPMR).

Part 3 of OGRR outlines requirements related to:

- Road construction, including clearing widths, bridges and culverts, record keeping requirements, hazard warnings and post-construction reporting.

Permit holders must include stream crossing requirements in the application to make changes in or about a stream. OGRR is the regulation allowing bridges and/or culverts to be placed on a road to facilitate the crossing. Permit holders must be aware of and

abide by Canadian Standard Association and Canadian Highway Bridge design codes for bridges or culverts.

6.1.3 Guidance Requirements

Roads should meet guidance recommendations in the following documents:

- [Environmental Protection and Management Guideline](#).
- [Motor Vehicle Prohibition Regulation](#).

6.2 Roads Operational Requirements

6.2.1 Road Use Requirements Applicable to all Oil and Gas Permit Holders

Permit holders must review and comply with OGRR:

- Part 4: outlines requirements related to road maintenance including: general and technical road maintenance, bridge maintenance, and limited maintenance related to temporary stoppage in road use.
- Part 5: sets out provisions and requirements including: right of access, limited application of the Motor Vehicle Act to oil and gas roads, speed restrictions, use and requirements related to traffic control devices, temporary closures, temporary restriction of access, removal of objects, and the use of oil and gas roads maintained by a road permit holder.
- Part 6: prescribes requirements for road permit holders in relation to road deactivation.

Road permit holders are required to maintain oil and gas roads until they are deactivated, or they are relieved from deactivation.

Where in stream works are required for maintenance activities, such as bridge or culvert maintenance, the road permit holder must have or obtain a new Section 11 [Water Sustainability Act](#) authorization for changes in and about a stream from the Commission prior to carrying out the activities.

6.2.2 Notice of Road Usage

As outlined in section 21 of the Oil and Gas Road Regulation (OGRR), oil and gas activity permit holders intending to use an oil and gas road must provide notice of the intended use to the road permit holder at least 14 days before the intended use will begin.

Upon receiving a notice of intended road use the road permit holder must provide to the permit holder providing the notice, an estimate of costs along with supporting data and records in relation to maintenance or any modifications necessary to accommodate the intended use of the permit holder, or to repair any damage caused by the user.

6.2.3 Forest Service Roads

If the proposed road enters or affects a Forest Service Road right-of-way, or Ministry of Transportation and Infrastructure (MOTI) right-of-way, consent to carry out the approved activities must be obtained from the applicable agency before the project begins.

A road use permit (RUP) is required to use Forest Service Roads to carry out oil and gas activities. Where an RUP is not already held, one can be obtained by submitting a completed [RUP application form](#) via email to RoadUsePermits@bcogc.ca. For additional information on road use permit administration, please refer to the [road use permit tenure administration guidance document for oil and gas](#).

6.3 Roads Use Status Changes and Closures Requiring Commission Notice

Roads must be operated and maintained with the intent of remaining open and operational. When this is not the case, notification must be provided where applicable and as required in the following scenarios:

- Periods of Limited Maintenance.

- Temporary road closures or restrictions.
- Road use resumption.

6.3.1 Periods of Limited Maintenance

Under Section 15 of the OGRR, a road permit holder who stops using an oil and gas road for a period of more than six months to carry out a primary activity, may transition the road to a status of limited maintenance by submitting a notice to the Commission.

Maintenance obligations under the status of limited maintenance:

- The permit holder must ensure the structural integrity of the road prism and clearing widths are stable,
- The road drainage systems remain functional to the extent necessary to ensure there is no material adverse effect on fish, fish habitat, water quality or quantity, wildlife or wildlife habitat, and
- Maintain all bridges as per Section 14 of the OGRR (Bridge maintenance)

In order to transition a road to limited maintenance, the following must be true:

- the permit holder is not using the road,
- there are no other active road users known to the permit holder, and,
- the road is not closed to use.

The Notice of Temporary Stoppage of Road Use must be submitted to the Commission within 30 days of stoppage in use. Submit by email to OGC.ExternalNotifications@bcogc.ca using the Road Notification Form.

For information regarding resumption of use, refer to Section 6.3.3 of this manual.

6.3.2 Temporary Road Closure or Restriction

Under Section 20 of the OGRR a permit holder may temporarily close or restrict access if the action is necessary to address an existing or imminent threat to the environment or human life.

Under such circumstances, the Permit Holder must promptly notify the Commission. The notices must be submitted to the Commission by email to OGC.ExternalNotifications@bcogc.ca using the [Road Notification Form](#).

For clarity, the use of Section 20 should be viewed as distinct and independent of the actions/authorities outlined in Section 19 of the OGRR. Section 19 provides the necessary authority for permit holders to install traffic control devices without the need to notify the Commission when conducting road operations.

For example, a hole in bridge decking requires the road before the bridge to be closed under Section 20 of the OGRR, as the use of the bridge is not safe. The duration of the closure is limited to the time required to organize materials, equipment, contractors, etc. to fix the issue.

Please refer to Section 20 of the OGRR to understand the full scope of requirements imposed on Permit Holders when closing or restricting access.

6.3.3 Road Use Resumption

The Notice of Road Use Resumption informs the Commission when a temporary stoppage of road use ends and the road use will resume.

The Notice of Road Resumption must be submitted to the Commission upon restarting use of the road. Submit by email to OGC.ExternalNotifications@bcogc.ca using the [Road Notification Form](#).

The Commission recommends permit holders also notify land owners, rights holders and First Nations who may be affected by the change in road status.

6.4 Road Amendments and/or Transitions

The transition of roads from non-status to oil and gas road permits is carried out to ensure all existing roads currently used or proposed for imminent use for oil and gas activities are under a valid road permit. Applications to transition existing non-status roads to oil and gas road permits must follow the non-status road transition application process as outlined in the [Oil and Gas Activity Application Manual](#).

Non-status roads include, but are not limited to, non-tenured roads built by other resource sectors or roads originally constructed under Section 7 or 138 of the [Petroleum and Natural Gas Act](#) where there is no clear single OGAA permit holder for the road or the oil and gas infrastructure accessed by the road.

6.5 Road Deactivation Requirements

Permit holders must comply with the requirements related to oil and gas road deactivation, including: timing of deactivation, notice of intent, maintenance and hazard warnings during deactivation, restoration and declaration of completed deactivation where applicable and as detailed in this section.

6.5.1 Timing of Deactivation

A road permit holder may deactivate a permitted road at any time, except where prohibited from carrying out deactivation by the Commission. However, roads or portions of roads providing access to a well, pipeline or facility must be deactivated within two years of abandonment of the well or pipeline, or the removal of the facility.

6.5.2 Notice of Intent to Deactivate a Road

The Notice of Intent to Deactivate a Road informs the Commission, known users of the road (known to the permit holder) and any applicable land owners and First Nations of the permit holder's intent to deactivate a road.

The Notice of Intent to Deactivate a Road must be submitted to the Commission, as per Section 23(1) of the OGRR, permit holders must notify all known road users, First Nations, and applicable land owners of the deactivation at least 14 days prior to deactivating the road.

The submission must include:

- Road Notice of Intent to Deactivate Form
- Map

Submit to the Commission by email to OGC.ExternalNotifications@bcogc.ca using the [Road Notice of Intent to Deactivate Form](#).

The Commission reviews the Notice of Intent to Deactivate a Road with consideration to current and potential road users. As a result, the Commission may:

- Extend the 14 day notification period.
- Prohibit deactivation activities.
- Relieve the permit holder from the obligation to deactivate.

Deactivation activities cannot begin until at least 14 days have passed after providing the notice.

6.5.3 Restoration and Declaration of Road Deactivation

Restoration should include as a minimum, re-vegetation with local native seeds. Roads within the Agriculture Land Reserve must also meet the reclamation standards of Schedule B of the ALC-OGC Delegation Agreement. Requirements for deactivation and restoration on private land are subject to land owner or surface lease agreements.

Work in a stream requiring the removal of bridges or culverts during road deactivation activities do not require a new Section 11 Water Sustainability Act authorization.

The Declaration of Deactivation is a written statement affirming compliance with the road deactivation requirements set out in Section 24 of OGRR, including restoration as per Section 19 of the Environmental Protection and Management Regulation, as applicable.

The Declaration of Deactivation must be submitted to the Commission within 30 days of completing deactivation. Submit by email to OGC.ExternalNotifications@bcogc.ca, using the [Declaration of Road Deactivation Form](#).