

**Resolution 1-21: Weed Issues on Oil and Gas Sites in Rural Alberta**

Under the *Weed Control Act* (Agriculture and Forestry) the landowners and/or occupant are responsible to control noxious weeds and destroy prohibited noxious weeds. Weed control on oil and gas surface leases is typically the responsibility of the oil and gas company, as per the commitments made in a private surface lease agreement. The Alberta Energy Regulator (AER) will not review a weed control matter unless weeds impact the function of an oil and gas site, in which case it would become a matter of public safety.

A municipality may issue notice to an oil and gas company to control or destroy weeds on the lease site. However, the ultimate cost of weed control is the responsibility of the landowner. When a site is designated as “orphan”, it means the owner is no longer financially viable. Weed control for orphan sites falls under “care and custody” and will be taken care of by the Orphan Well Association (OWA). The Association, however, will not address weed control if the company is simply refusing to pay, is in receivership, or is in the midst of internal AER process of having Working Interest Participants identified.

Agriculture and Forestry (AF) understands that this can leave landowners in a difficult position and has instigated conversations with the AER to seek a viable solution to this issue. AF will update the Provincial ASB committee as discussions progress.