



Title:	Public Lands Administration Regulation (PLAR) Authorization Information Letter
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Introduction

Alberta Environment and Parks (AEP) and Alberta Energy Regulator (AER) are responsible for managing and regulating Alberta’s public lands. The Public Lands Act amendments that came into force on April 1, 2010 and the Public Lands Administration Regulation (PLAR) that came into force on Sept 12, 2011 redefined some of the ways public land administration is carried out, including the issuance and maintenance of public land dispositions.

This document describes the operational policy and procedures for the administration of authorizations as defined in PLAR.

Background

Sections 15 and 20 of the Public Lands Act empower the director to authorize dispositions on public land. A disposition is an instrument that conveys an interest, right or privilege in respect of public land. There are three classes of dispositions defined in PLAR:

1. Formal Disposition
2. Authorization
3. Approval

These three classes of dispositions are distinguished by:

- The degree of rights conveyed by the disposition (e.g., whether the disposition conveys an interest in public land or merely a right or privilege)
- The obligations of the disposition holder
- Application and issuance requirements, timelines, and process

More information regarding formal dispositions and approvals can be found in the Formal Dispositions Information Letter and the Approvals Information Letter

Throughout this document, reference is made to the “regulatory body”. This term is used to describe the government department or delegated authority that may apply the Public Lands Act. The term “regulatory body” applies to Alberta Environment and Parks (AEP), and the Alberta Energy Regulator (AER).

Description

An authorization issued under PLAR has three unique identifiers. They are used in the digital tracking systems managed by the regulatory bodies. The three identifiers are:

1. **Disposition Type:** Defines the tenure, maximum term length, general purpose, fees, and general application requirements of a certain formal disposition. The disposition type is represented by a three letter identifier and is used to administer that disposition. For example a Surface Material Licence (SMC) or a Temporary Field Authorization (TFA).
2. **Purpose:** The purpose defines the general purpose of the disposition in organized categories (e.g., Storage). The purpose links to approval standards or conditions.
3. **Activity:** Further defines the purpose and provides a greater level of detail. For example, Commercial or Industrial which are both allowable activities under the purpose of Storage.

Some authorization types do not have an associated purpose and/or activity because they are self-explanatory (e.g., Grazing Permits (GRPs) have no purpose or activity).
 Authorization Types

The following table 1 lists all of the authorizations issued under PLAR, and the corresponding three letter identifier:

Table 1 Authorizations under PLAR			
Authorization Type	Definition	Three Letter Identifier	Regulatory Body
Access Permit	An authorization issued under section. 37 of PLAR allowing for temporary entry and occupation of vacant public land for recreational or commercial purposes.	TFA	AEP
Grazing Permit	An authorization issued on an annual basis for the exclusive grazing of livestock on a parcel of vacant public land.	GRP	AEP

Table 1 Authorizations under PLAR

Authorization Type	Definition	Three Letter Identifier	Regulatory Body
Head Tax Permit	<p>An authorization issued on an annual basis for the non-exclusive right to graze livestock on a parcel of vacant public land. The permits are commonly used to authorize patrons within a Provincial Grazing Reserve to graze their share of the forage on the reserve.</p> <p>Head Tax White (HTW) in the White area Head Tax Green (HTG) in the green area</p>	HTW HTG	AEP
Hay Authorization	An authorization issued on an annual basis to authorize the cutting of hay on vacant public land.	HAY	AEP
Surface Material Licence	An authorization for the removal of surface materials where the applicant will be removing the material in a short time.	SMC	AEP
Surface Materials Exploration	An authorization granted for the exploration of surface materials on vacant public land in a short time.	SME	AEP
Public Pit Licence	An authorization granted for small volume removals of surface materials from an established or known extraction site for a short time.	PPL	AEP
Coal Exploration Program	An authorization granted for the exploration of coal resources in the subsurface area of vacant public land for a short time.	CEP	AER
Oilsands Exploration Program	An authorization granted for the exploration of oilsands resources in the subsurface area of vacant public land for a short time.	OSE	AER

Table 1 Authorizations under PLAR

Authorization Type	Definition	Three Letter Identifier	Regulatory Body
Wild Rice Operations	An authorization issued on public land bed and shore of waterbodies for the purpose of growing wild rice.	WRO	AEP
Temporary Field Authorization	An authorization issued to grant authority to enter on and occupy parcels of public land for a defined purpose for a short time.	TFA	AEP/AER

Licence

A licence is a statutory instrument that grants the right to use public land for a specified purpose and/or activity but does not grant exclusivity and is issued for a specified period of time. Two licences which are also authorizations are Surface Material Licence (SMC) and Public Pit Licence (PPL).

Permit

A permit is a statutory instrument that grants the right to use public land for a specified activity for a short period of time. Grazing Permits (GRPs), Head Tax Permits (HTPs) and Access Permits are considered authorizations.

Other Authorizations

Several authorizations are classified neither as Lease, Licence, Permit or Agreement. These authorizations, which include Hay Authorizations (HYP), Surface Material Exploration (SME), Coal Exploration Program (CEP), Oilsands Exploration Program (OSE), Wild Rice Operations (WRO), and Temporary Field Authorizations (TFA), are simply “authorizations” under PLAR.

Issuance Considerations

Dispositions issuance is subject to, and must adhere to Land Use Framework Regional Plans, Integrated Resource Plans, and all applicable policy and legislation.

- In areas of public land where multiple uses are permitted, a certain type of use does not receive priority over another type of use unless otherwise specified in one or more of the following: approved land use plans, and/or policies, and/or public land reservation and notations, or in cases where an existing resource right has been allocated.
- An application for speculative purposes will be refused.

The issuance method for all authorizations is a Merit Decision.

Tenure

Tenure is the bundle of rights conveyed to a disposition holder for the disposition issued.

All authorizations convey a right to enter and occupy public land, but do not convey a right to exclusive occupancy or access of the public land in question.

Table 2 Authorization Tenure			
Disposition Type	Exclusivity	Vacant Public Land	Term Length
Access Permit	Non-exclusive rights.	Yes ¹	14 days maximum
Grazing Permit	Exclusive right to graze the area under permit, but non-exclusive occupation rights.	Yes ¹	Expires the Dec 31 that immediately follows date of issuance.
Head Tax Permit	Non-exclusive rights. Rights granted for certain amount of AUMs in a given area.	Yes ¹	1 year maximum within a single calendar year.
Hay Authorization	Non-exclusive occupation rights. Exclusive rights to harvest hay in an area.	Yes ¹	1 year maximum
Surface Material Licence	Non-exclusive occupation rights. Exclusive rights to extract surface materials in an area.	Yes ¹	1 year maximum
Surface Materials Exploration	Non-exclusive occupation rights. Exclusive rights to explore for surface materials within an area.	Yes ¹	180 days maximum in general 2 years for peat
Public Pit Licence	Non-exclusive occupation rights. Exclusive rights to certain volume of surface material from a public pit.	Yes ¹	1 year maximum
Coal Exploration Program	Non-exclusive occupation rights. Exclusive rights to explore for coal within an area.	Yes ¹	1 year maximum

Table 2 Authorization Tenure			
Disposition Type	Exclusivity	Vacant Public Land	Term Length
Oilsands Exploration Program	Non-exclusive occupation rights. Exclusive rights to explore for Oilsands within an area.	Yes ¹	1 year maximum
Wild Rice Operations	Non-exclusive occupation rights. Exclusive right to cultivate wild rice in an area of public bed and shore.	Yes ¹	Initial term of 1-2 years, and may be renewed for up to 5 years.
Temporary Field Authorization	Non-exclusive rights.	Yes ¹	Generally 1 year maximum
Notes: 1 only when no development is occurring or is likely to occur within 90 days			

Fees and Charges

Table 3 provides a brief description of the fees and charges that are applicable to authorizations as per section 11(1) of PLAR. The specific amounts of certain fees by disposition type, purpose and activity can be located in the Public Lands Rents and Other Amounts Payable Order, Ministerial Order 28/2015.

Table 3 Administrative Fees and Charges	
Fee or Charge	Notes
Application Fee	An application fee is non-refundable. An application fee does not apply to public land dispositions administered by the AER.
Mapping Fee	This amount is paid to map the plan for an approved new disposition or amended disposition. A mapping fee is non-refundable.
Amendment Application Fee	This amount is to be paid when an amendment is applied for on an existing disposition. An amendment fee is non-refundable. An amendment fee does not apply to public land dispositions administered by the AER.
Land Use Charges	Land Use charges are the rental or lump sum fees for public land. Rental fees are generally charged on an annual basis.
Royalties	Royalties are charges for some types of dispositions where a Crown resource is removed (e.g., surface material dispositions).
Timber Damage Assessment (TDA)	The timber damage assessment (TDA) is applied in forested areas (green area of the province only) to compensate Forest Management Agreement (FMA) holders, and the Crown for lost resource revenue as a result of loss of a timber resource and productive timber growing landbase.
Trapper's Compensation Program Levy	The trappers' compensation program levy generally applies to the following formal dispositions: MSL, DMS, LOC, DLO, PLA, DPL, PIL, EZE, VCE, RVC, and REA.
Security	Security is a deposit paid and kept in trust to ensure performance of certain disposition obligations and most particularly reclamation requirements.

Table 3 Administrative Fees and Charges	
Fee or Charge	Notes
Reclamation Certificate Application Fee	This fee applies to any application for reclamation certificate under the Environmental Protection and Enhancement Act (EPEA). A reclamation certificate is required for specified land.

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