

me-di-a-tion [mee-dee-ey-shuhn]

noun

1. A process in which a third-party neutral, whether one mediator or more, acts as a facilitator to assist in resolving a dispute between two or more parties. It is a non-adversarial approach to conflict resolution, where the parties generally communicate directly; the role of the mediator is to facilitate communication between the parties, assist them in focusing on the real issues of the dispute, and generate options for settlement.

Origin: 1350–1400; ME < M; mediation- (s. of mediatio).

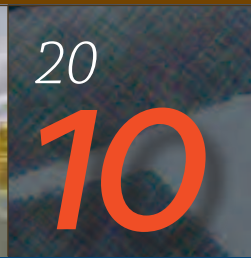
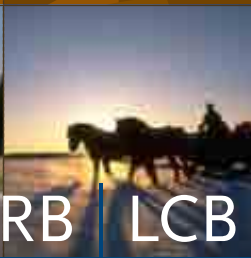
See mediator.

com-pen-sa-tion [kämpən'sá SH ən]

noun

1. Pre-hearing Dispute Resolution Conferences (PDRC) are used by the Land Compensation Board to assist in managing and resolving an application. A PDRC is the first step in an application (unless the parties request that their matter go directly to mediation).

Origin: 1350–1400; ME < via Old French from Latin *compensatio(n)-*, from the verb *comensare* 'weigh against' (see COMPENSATE).



SRB | LCB
Surface Rights Board
Land Compensation Board



SRB | LCB

Surface Rights Board

Land Compensation Board

Note to Readers:

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Table of Contents

Surface Rights Board 2010 Report	2-5
Message from the Chair	2-3
Highlights and Achievements for 2010	4-5
Land Compensation Board 2010 Report	6-7
Message from the Chair	6
Applications Filed with the Land Compensation Board for 2010	7
Organization (Surface Rights Board & Land Compensation Board)	8
Dispute Resolution Process (Surface Rights Board & Land Compensation Board)	9

Message from the Chair *of the Surface Rights Board*



I am pleased to present the 2010 annual report of the Surface Rights Board. The following pages provide an overview of the activities of the Board for 2010, including a review of the applications received and how they were resolved.

BUSIEST YEAR EVER

In 2010 the Board received the highest number of applications in its history (1,242 compared to 1,045 in 2009) and held the highest number of proceedings in its history to resolve those applications (761 compared to 577 in 2009).

In October, relocation of Board offices interrupted our activities and contributed to slowing of work. Staff shortages were up to 40% of the normal full-time employee allotment, contributing to slowing of Board work flow.

The Board successfully managed these challenges and resolved a total of 882 applications. This achievement illustrates a continuing improvement in service to Albertans over the past five years and compares favourably to the 117 applications resolved in 2005.

Our 2010 results represent greater than 800% increase in productivity over 2005. These results were achieved without increased cost.

NEW EASY ACCESS OFFICE LOCATION

In October 2010, the Board moved to a location in the south Edmonton 'Summerside' area, which is more suitable and accessible for our stakeholders, with access from both Queen Elizabeth 2 Highway/Gateway Boulevard and Anthony Henday Drive.

In addition to a modern hearing room, the new Board office now includes mediation rooms and breakout rooms to accommodate our recently implemented dispute resolution process. Parking is no longer an issue for stakeholders as the office is equipped with free, designated parking for stakeholders.

NEW RULES IMPLEMENTED

Newly modified Rules of the Surface Rights Board came into effect December 1, 2010. These new Rules ensure that applications filed with the Board are resolved through a fair and independent process and in a timely and cost effective manner.

The Rules have been simplified and clarified. The Rules are posted on the Board website for easy review.

IMPROVED WEBSITE, PUBLIC EDUCATION AND SIMPLIFIED APPLICATIONS

The Board continues to update its website for ease of use and availability of information, as part of the ongoing plan to improve the public education program.

The Board created simplified Applications, available on its website and from the Board office. Enhanced instructions regarding claims for damages, objection to rights of entry and amendment of existing Board Orders were also placed on the website and are available from the office.

Presentations on Board process and improvements were made to associations for both land owners and operators throughout the year.

The Board continues to use publicly stated guidelines, outlining the approach the Board will normally take in determining matters that often come before the Board.

DISPUTE RESOLUTION CONFERENCES IN FULL USE

The Board's dispute resolution program, implemented in October 2009, continued into its first year of full use. All matters were scheduled for a pre-hearing Dispute Resolution Conference as the first step towards resolution. In addition, parties may request confidential mediation with a Board Member. The program has proven to be effective and well received by stakeholders.

Stakeholder access to a Board hearing is always an option and no one is forced to give up any rights. The Dispute Resolution Conference assists all parties to conduct an effective hearing when required.

CHALLENGES FOR THE FUTURE

Prompt access to effective Board Members is a primary responsibility of the Board.

Current Board Members were selected through an open and transparent recruitment process to ensure that they possess the appropriate skills, knowledge and training to be effective and objective.

This recruitment process should be maintained in future to position the Board for continued success.

STAFF AND BOARD MEMBER APPRECIATION

I extend my appreciation and thanks to the staff and Members of the Surface Rights Board. Their hard work makes the Board's success possible.

[Original signed by Brian G. Gifford]

Brian G. Gifford

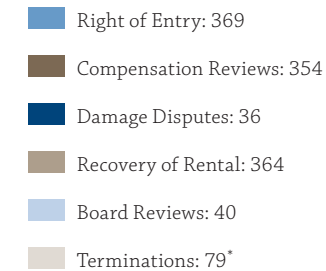
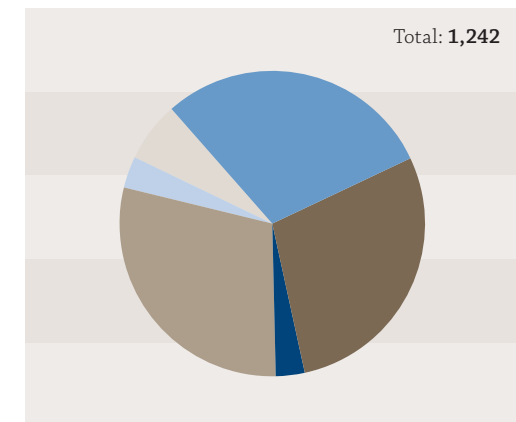
Chair and Chief Executive Officer
Surface Rights Board

Highlights & Achievements for 2010 OF THE SURFACE RIGHTS BOARD

Board Orders and Decisions Issued in 2010

Notice of Decisions	609
Decisions (Regular)	86
Decisions (Settlement of Compensation)	160
Right of Entry Orders	259
Compensation Orders	44
Full Termination Orders	77
Rescinding Orders	14
Amending Orders	484
Orders Determining Costs	4
Partial Termination Orders	3
Varying Orders	114
Varying and Amending Orders	40
Settlement Compensation Orders	162
Orders Confirming Compensation and Determining Costs	0
Damage Compensation Orders	3
Compensation Review Orders	30
Recovery of Rental Suspension Orders	47
Recovery of Rental Termination Orders	35
Total	2,171

Applications Received in 2010 by the Surface Rights Board

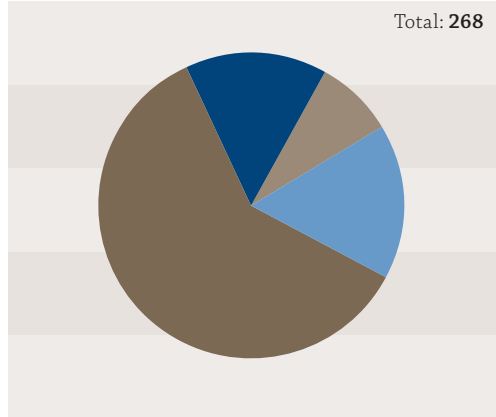


*Terminations were not in our 2009 Annual Report

HIGHLIGHTS & ACHIEVEMENTS FOR 2010 OF THE SURFACE RIGHTS BOARD (CONTINUED)

Right of Entry Applications Resolved in 2010

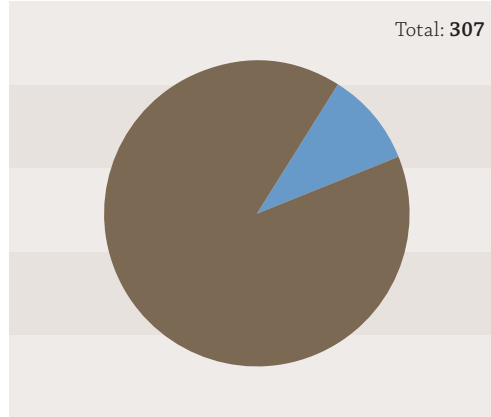
Total: 268



- Compensation Determined by Board: 44
- Settlement Compensation: 162
- Resolved Through Board (Right of Entry): 40
- Resolved Through Board (No Right of Entry): 22

Compensation Review Applications Resolved in 2010

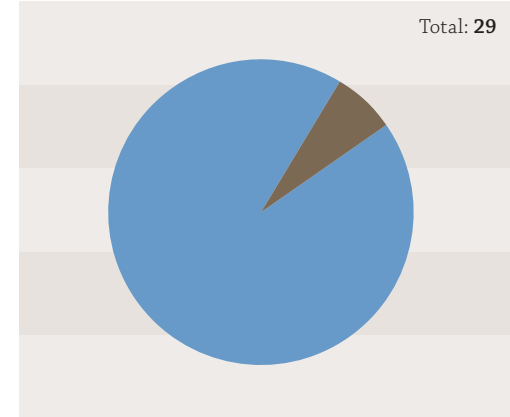
Total: 307



- Resolved Through Board Processes: 277
- Compensation Determined by Board: 30

Board Review Applications Resolved in 2010

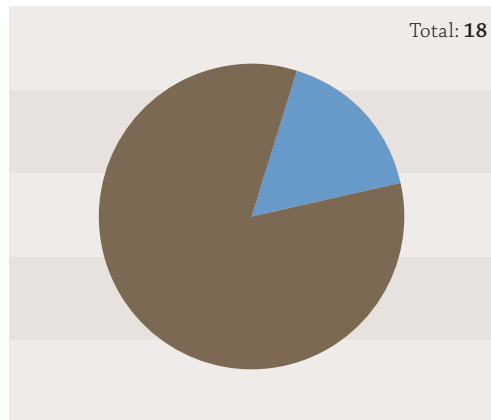
Total: 29



- Resolved Through Board: 2
- Determined by Board: 27

Damage Dispute Applications Resolved in 2010

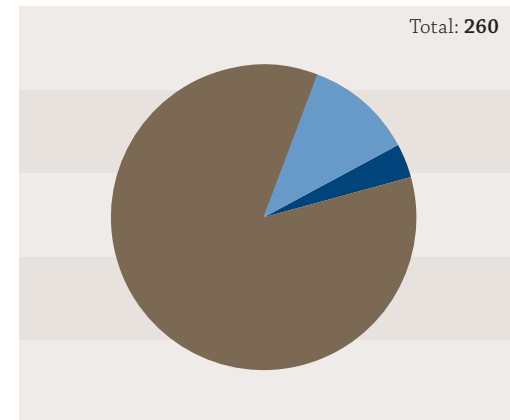
Total: 18



- Resolved Through Board: 15
- Compensation Determined by Board: 3

Recovery of Rental Applications Resolved in 2010

Total: 260



- Paid by Minister: 215
- Paid by Operator: 34
- Withdrawn: 11

“In 2010 the Board received the highest number of applications in its history (1,242 compared to 1,045 in 2009). . .”

— Brian Gifford B.A., M.S.W., J.D., LL.M. (Osgoode)

Message from the Chair *of the Land Compensation Board (LCB)*

I am pleased to present the 2010 annual report of the Land Compensation Board (LCB). The report provides an overview of applications received during the past calendar year and how they were resolved.

In 2010 we continued with the Dispute Resolution Conference (DRC) process implemented in October 2009. The purpose of the conference is to discuss the issues, evidence, and likelihood of resolution, then set the next steps.

Issues that come to the LCB are long standing, involve large sums and have not resolved from the many efforts expended on them by the parties prior to coming to the LCB. The DRC process is valuable to focus the hearing issues and maximize the use of Board resources.

Benefits to Albertans are seen in easier access to Board processes, speedier resolution of issues, greater stakeholder satisfaction and cost savings.

BUSIEST YEAR EVER

The Board received 54 applications, a new record creating the busiest year in the history of the Board. We believe that these applications represent increasing public confidence with the Board; including its new dispute resolution program.

We held 37 DRC's on these matters, 17 hearings and 1 mediation. This is our highest annual involvement in resolution of Applications to the Board.

NEW OFFICE

In October 2010, the Board moved to a location in the south Edmonton 'Summerside' area, which is more suitable and accessible for our stakeholders, with access from both Queen Elizabeth 2 Highway/Gateway Boulevard and Anthony Henday Drive.



In addition to a modern hearing room, the new Board office now includes mediation rooms and breakout rooms to accommodate our recently implemented dispute resolution process. Parking is no longer an issue for stakeholders as the office is equipped with free, designated parking for stakeholders.

CHALLENGES FOR THE FUTURE

Prompt access to effective Board Members is a primary responsibility of the Board.

Current Board Members were selected through an open and transparent recruitment process to ensure that they possess the appropriate skills, knowledge and training to be effective and objective.

This recruitment process should be maintained in future to position the Board for continued success.

STAFF AND BOARD MEMBER APPRECIATION

I extend my appreciation and thanks to the staff and Members of the Land Compensation Board. Their hard work makes the Board's success possible.

[Original signed by Brian G. Gifford]

Brian G. Gifford

Chair and Chief Executive Officer
Land Compensation Board

Applications Filed with the Land Compensation Board for 2010

APPLICATIONS

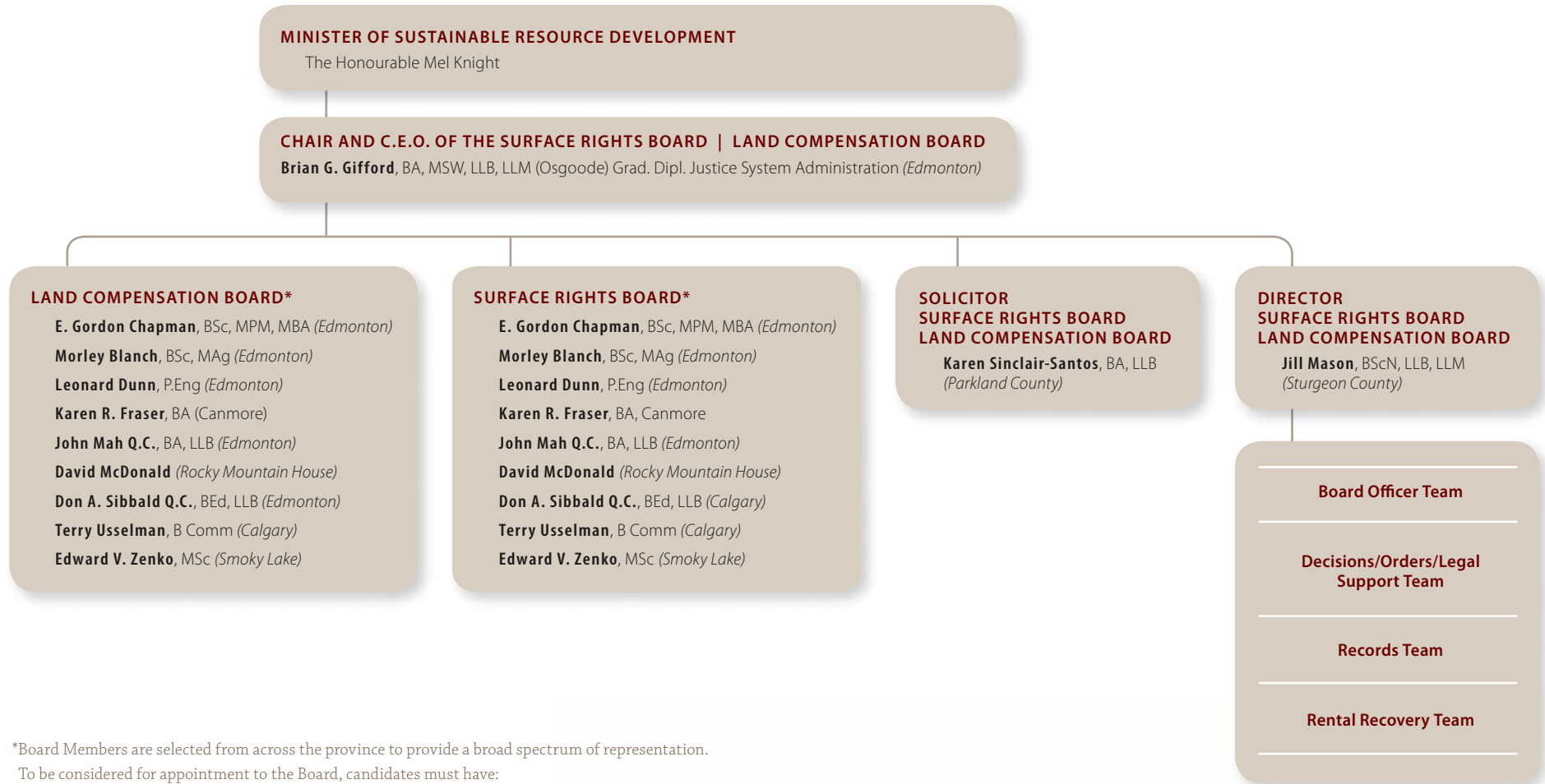
Applications for Determination of Compensation (ADC)	44
Notice of Motion	8
Other (Costs)	2
<hr/>	
Total	54

HEARINGS, DISPUTE RESOLUTION CONFERENCES AND MEDIATIONS

Hearing	17
Dispute Resolution Conferences	37
Mediations	1
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Total	55

Organization

of the Surface Rights Board | Land Compensation Board



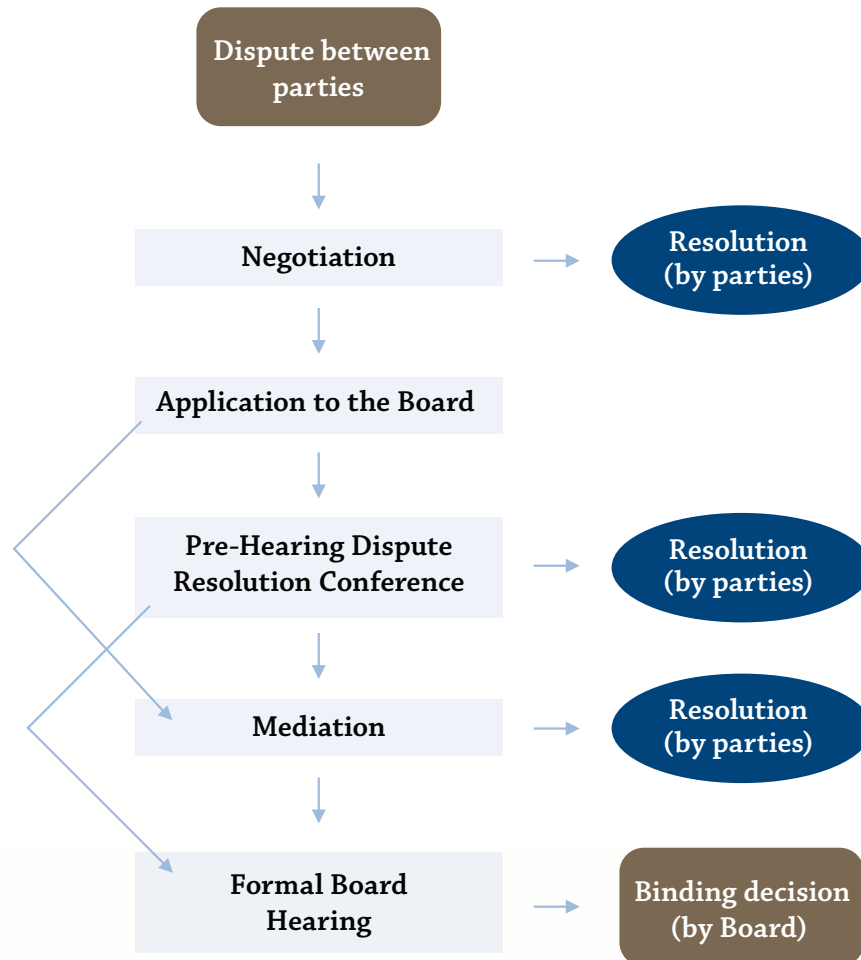
*Board Members are selected from across the province to provide a broad spectrum of representation.

To be considered for appointment to the Board, candidates must have:

- an understanding of the essential elements for conducting a fair and objective hearing,
- excellent analytical, communication and interpersonal skills,
- a proven ability to work well in group settings, and
- the ability to read and understand government legislation

Dispute Resolution Process

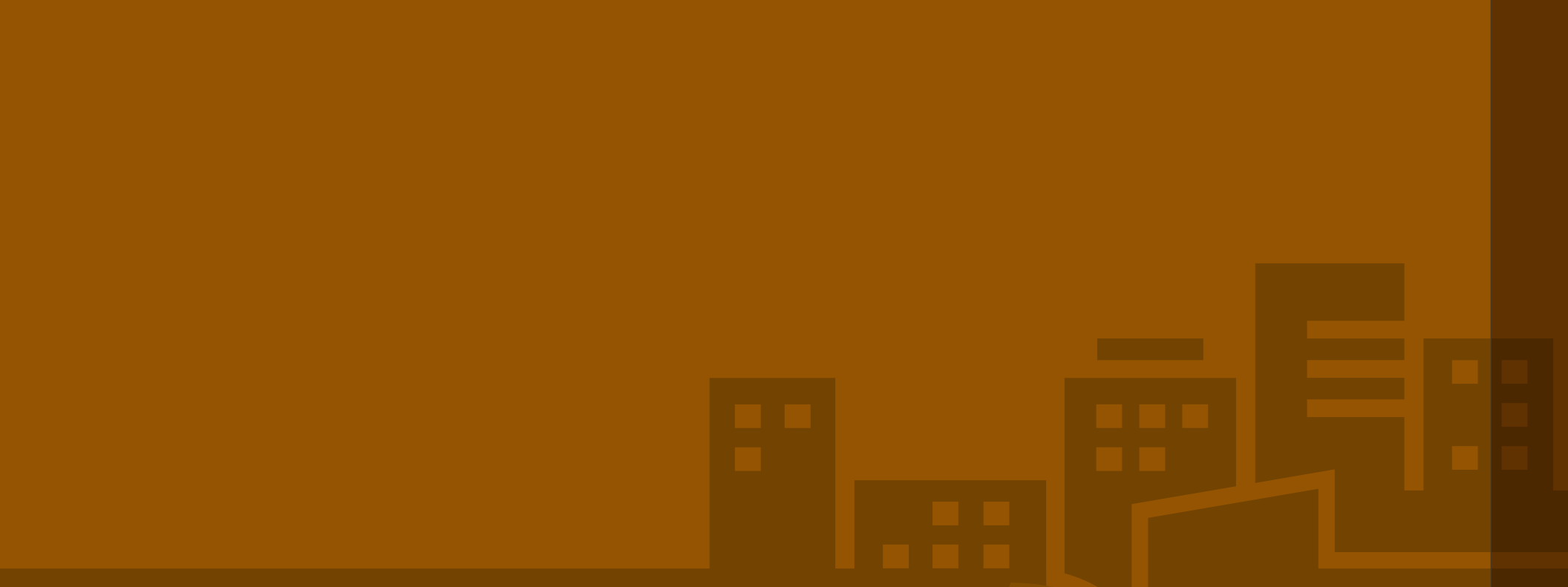
of the Surface Rights Board | Land Compensation Board



Parties are encouraged to use mediation as the primary way to resolve disputes that come before the Board. Unlike a formal hearing, the parties have control over the outcome and are more likely to be satisfied with mediated results than with decisions imposed by the Board.

“The Dispute Resolution Conference process is valuable to focus the hearing issues and maximize the use of Board resources.”

— Brian Gifford B.A., M.S.W., J.D., LL.M. (Osgoode)



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