



January 7, 2004

NOTICE TO LANDOWNERS

PIPELINES AND RIGHT OF WAYS: PUBLIC AND ENVIRONMENTAL SAFETY

It has been brought to the attention of the Petroleum Branch that some landowners are carrying out activities on pipeline right of ways that could damage the pipeline or restrict company access to the pipeline for repairs, inspection and maintenance, and response in the event of emergencies. Examples include but are not limited to the placing of fences, buildings, and the planting of trees on designated pipeline right of ways. A pipeline right of way is the surface land acquired by the pipeline operator for access to the pipeline. Typically, the pipeline right of way is 15 m wide with the pipeline located within but not necessarily in the centre of the right of way.

Pipelines carry high-pressure petroleum products, which are both explosive and flammable. Activities on a pipeline right of way can expose the public to health and safety and environmental hazards. Pipelines are regulated under The Oil and Gas Act (The Act) and activities on the pipeline right of ways can only take place with the written consent of pipeline operators.

Section 157 of The Oil and Gas Act provides as follows:

157(1) Surface Improvement or Work on Right of Way

No person shall place or construct an improvement or work, other than an improvement or work that is ancillary to the pipeline or flow line, on the right of way of a pipeline or flow line, whether on the surface or underground, without the prior written consent of the licensee or permittee.

If a pipeline right of way runs through your property it is important to contact the pipeline operators prior to carrying out any activity on the pipeline right of way. If you need to know where the pipeline right of way is located on your lands, please contact your pipeline operators. It is important that pipeline operators and landowners work together to ensure the safe operation of pipelines.

Landowners should be advised that the pipeline operator may request under The Act that improvements or work on the right of way carried out without the pipeline operator's written consent be removed or modified, in accordance with subsection 157(3) of The Act which reads:

157 (3) Order to Remove or Modify Improvement or Work

Where an improvement or work is placed or constructed on or under the right of way of a pipeline or flow line in contravention of this section, the minister may by order direct the removal or a modification of the improvement or work at the expense of the owner of the improvement or work.

The best way to handle pipeline right of way matters is for the landowner to contact the pipeline operator. If you have any questions about this notice please call your local Petroleum Branch.

Manitoba Petroleum Branch Offices:

Winnipeg: 204-945-6577
Virden: 204-748-4260
Waskada: 204-673-2472

A handwritten signature in black ink, appearing to read 'John N. Fox', written in a cursive style.

John N. Fox, P.Eng.
A/Director