



Engineering Department

2014 October 20

Sheri Young  
Board Secretary  
National Energy Board  
517 10th. Avenue, SW  
Calgary, Alberta  
T2R 0A8

Dear Ms. Young:

**SUBJECT: PROPOSED AMENDMENTS TO NEB REGULATIONS FOR PIPELINE DAMAGE PREVENTION  
(FILE # AD-GA-ACTSLEG-FED-NEBA-RRG-DPR 02 01)**

Please find below City's comments on the proposed amendments to the NEB Regulations for Pipeline Damage prevention.

REGULATIONS AMENDING THE NATIONAL ENERGY BOARD PIPELINE CROSSING REGULATIONS, PART I

Proposed Amendment	Comment
<b>10. Section 9 of the Regulations is replaced by the following:</b> TEMPORARY PROHIBITION ON EXCAVATION 9. When a pipeline company receives a locate request, the pipeline company may designate an area situated in the vicinity of the proposed facility or excavation, which may extend beyond 30 m from the pipeline, as a restricted area in which excavation is not to be performed until the pipeline is located and marked by the pipeline company or the expiry of three working days after the date of the request, whichever occurs first, unless the pipeline company and the facility owner or excavator making the locate request have agreed on an extension of time for the pipeline company to locate and mark the pipeline.	<i>While the intent of establishing a restricted area to locate the pipeline is reasonable, there should be a maximum limit set for the establishment of the restricted area.</i>
<b>9. The Regulations are amended by adding the</b>	

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**following after section 7:**  
CONDITIONS AND CIRCUMSTANCES UNDER  
WHICH LEAVE OF THE PIPELINE COMPANY IS  
NOT REQUIRED FOR AGRICULTURAL  
ACTIVITIES

7.1 (1) In this section "agricultural activity" means the work of producing crops and raising livestock and includes tillage, plowing, disking, harrowing, pasturing, mushroom growing, nursery and sod operations and installation of conservation measures, but does not include construction of new buildings or impervious areas or placement of footings, foundations, pilings or fence posts.

*Clarification is required as to what is meant by "installation of conservation measures".*

*Provision of sufficient crossings, such that the pipeline does not create a restriction to the adjacent land use and ease of circumnavigation.*

Yours truly,



Leon A. Gous, P. Eng., MBA  
Director Engineering

DD: