

Surveyors

Concerns

This practice is intended to address public concerns and questions regarding the activities, behaviors and processes involved during surveying operations. For this document, ‘Surveying’ refers to survey required to locate existing plans or evidence, and for the establishment of new Right-of-Ways, Riser Sites, Access Roads, Lease Sites, Power Lines and or other dispositions.

Background

In the process of performing surveys, Alberta Land Surveyors are often required to excavate the ground in order to find buried monuments. These survey monuments govern the property boundary between adjacent landowners and/or the municipality. Before a company decides exactly where to drill a well, or construct a pipeline, surveyors are utilized to find the best location for the well and access roads. The surveyor must attempt to give reasonable notice to the landowner/occupant that a survey is to be conducted. In the instance where the Surveyor has been unable to contact the landowner, the representative should at all times leave a notice [*While You Were Out*] for the landowner if they have entered or crossed their property. The notice should indicate the reason for entry and the name of the survey company and the oil company requesting the work.

The Surveys Act and the *Surface Rights Act* allow a registered land surveyor to enter and conduct surveys on private land. “A surveyor and the surveyor’s authorized assistants may, using reasonable care, pass over, measure along and ascertain the bearings of any line or boundary, and for those purposes may pass over and through the land of any person, but the surveyor is liable for any damage that the surveyor or the surveyor’s assistants may cause”. The landowner/occupant cannot refuse access for the purpose of survey.

The Alberta Land Surveyors' Association [ALSA] is a self-governing professional association legislated under the *Land Surveyors Act*. The Association regulates the practice of land surveying for the protection of the public and administration of the profession. All surveyors are bound by a “Code of Ethics” and “Standard Practices” as administered by the ALSA. Surveyors carry their own liability insurance and will have executed a “Master Service and Supply Agreement” with their client. Any person may make a complaint about the conduct of an Alberta Land Surveyor. The Association encourages you to speak with the Surveyor and or the oil company first before contacting the ALSA as many concerns are often resolved before a formal complaint needs to be filed.

Ultimately, including the landowner throughout the survey process is vital to everyone’s best interests, as all parties will benefit. A lack of communication usually results in re-work, delays and a poor start to on-going relationships.

Key Points

- Obtain a business card or contact information from the *Alberta Land Surveyor*.
- Ensure the surveyor documents any concerns or specific requests you may have.
- Determine where field access points are situated and restrictions of use if any.
- Discuss vehicular access requirements. [quads, snowmobiles, trucks, or foot only]

- Discuss whether staking should occur during survey or immediately prior to construction and that nothing is left behind that will cause damage to equipment or livestock.
- Discuss the location and proximity of livestock and whether moving the animals may be warranted.
- Discuss whether access is required on adjacent lands and offer to share contact information for neighboring lands.
- Share and discuss your knowledge of existing survey evidence in the vicinity.
- Advise and discuss the potential needs of other users if any. [occupants, renters]
- Advise as to locations of special interests that may not be readily visible. [springs, underground utilities, water lines, seasonal water courses, wildlife sensitivities]
- Discuss any seasonal agricultural requirements, activities and timing. [seeding, haying, fertilizing, rotational pasturing, herbicide/pesticide applications]
- Discuss common concerns with respect to the use of flagging/lath, filling postholes, counter sinking posts/spikes, visibility of stakes in crops, and cutting requirements in treed areas.

Practices

- Oil company representative will contact landowner and/or occupant to request permission to survey. Discussions should entail the scope and nature of proposed development and to arrange for a mutually convenient time frame in which to conduct the survey.
- Oil company representatives and the landowner are encouraged to be present and on site at the time of survey to discuss any specific requirements, issues, concerns or questions that may arise with respect to site selection / routing.
- C-MAG strongly encourages and stresses the importance of good communication between the oil company, the landowner and the survey crews throughout the survey process.
- Alberta Land Surveyors will act as good stewards of the land, and ensure that the lands are left in original condition as best as possible. This includes using the proper respect and care of the property that is entered upon and avoiding unnecessary damage in performing a survey.
- The surveyor shall leave notification and contact information with the landowner and/or adjacent landowners when entry was taken onto lands after reasonable attempts to contact landowner have been unsuccessful.
- Surveyors shall ensure that all gates and access points are maintained “as found, as left”.
- Surveyors shall ensure that all survey evidence is placed in such a manner as not to cause immediate or future harm to equipment and livestock.
- Where practical and feasible, all survey evidence [not required to be left in place by law] shall be cleared from the lands in a timely manner.

References

Land Surveyors Act Surveys Act Expropriation Act Surface Right Act
 Land Titles Act Alberta Land Surveyors Association [www.alsa.ab.ca]

When concerns arise:

- Landowners are encouraged to contact the appropriate company representatives any time they have a concern about the CMAG Oil and Gas Development Recommended Practices and whether or not those practices are being followed.
- Landowners should also contact CMAG representatives Wayne Notley at 556-2513 or Marlene Oliver at 507-8727.

CMAG