



PIPELINE EXPROPRIATION

FREQUENTLY ASKED QUESTIONS



What is expropriation in pipeline projects?

Expropriation of right of way (or easement) for pipelines is the legal process that allows a pipeline company (with approval of the court system) to acquire the access and rights needed to build and operate a pipeline on private property.



What is pipeline easement?

- A pipeline easement is a legal right that allows a pipeline company to use part of a property to install and maintain a pipeline.
- The landowner still owns the land, but the company has permission to use a defined corridor or "right-of-way"



What is the difference between a pipeline easement and expropriation?

- **Expropriation** – Used when the landowner refuses to sell or grant access and the pipeline company meets certain legal requirements. Compensation to the landowner is required.
- **Easement** – Is the legal right given to the pipeline company to install and maintain a pipeline. Usually created through voluntary agreement, but it can also result from expropriation.



Does a pipeline easement mean the company owns my land?

No. With an easement, underlying ownership of the land stays with the landowner. However, there may be restrictions on activities impacting pipeline use and safety.



How do pipeline companies usually obtain easements?

Most pipeline companies try to negotiate voluntarily with landowners first. This usually involves signing an easement agreement and paying compensation for the use of the land.



When does expropriation for pipelines happen?

- Expropriation usually occurs only if negotiations fail. If the landowner refuses to grant an easement, the courts may allow the pipeline company to legally obtain the land rights, while still requiring compensation, if the proposed use meets the associated legal definitions.
- The pipeline must serve a public need, as defined by law, and companies must first obtain a certificate of "public convenience and necessity" from C&E to be authorized to seek expropriation through the courts.



Can landowners still use their land after a pipeline is installed?

Yes. Landowners can generally continue using their surface property for farming, forestry or other normal activities, as long as they do not threaten the pipeline's use and safety.