



Right-of-way easements: What you need to know

Typically, right-of-way (ROW) acquisition refers to negotiations for permanent easements to build, operate and maintain a pipeline.

Associated temporary workspace is also often necessary during construction.

Enbridge's right-of-way agents work closely with landowners and project personnel to ensure all activities—route selection, construction, restoration—minimize impacts to properties, communities and the environment.

This includes important right-of-way easement work, including notification, negotiation and acquisition.

Enbridge's Lands and Right-of-Way Department is responsible for developing and maintaining relationships with landowners near our pipeline facilities.

To help develop new projects, right-of-way agents:

- **Identify** landowners from local property records along the proposed corridor;
- **Notify** landowners of a proposed project;

- **Meet** with landowners to explain the details of the project, the process for acquiring rights-of-way and potential impacts along the proposed pipeline route;
- **Identify** specific concerns landowners may have with the proposed route and facilities;
- **Work** with landowners, project engineers and environmental specialists to address these concerns; and
- **Arrange** meetings to begin negotiations for the necessary rights-of-way (easements).

If any portion of the proposed permanent or temporary rights-of-way for a new pipeline is located on your property—or if your property abuts an existing compressor station with proposed new facilities—you will be notified by letter.

In the majority of cases, a right-of-way agent will meet with you personally to discuss the project and listen to your concerns.



Q: Who regulates natural gas pipelines?

A: The Federal Energy Regulatory Commission (FERC) and the U.S. Department of Transportation regulate interstate pipelines. FERC has jurisdiction over Enbridge’s interstate natural gas pipelines and authorizes the construction and operation of new facilities—but only after FERC has determined the project is necessary and in the public interest and, along with other regulatory agencies, has thoroughly reviewed potential impacts.

Q: What happens during the initial stages?

A: If your land is located within a proposed survey corridor, an Enbridge right-of-way agent will request permission to survey and stake the preliminary pipeline route for environmental, engineering and construction evaluations.

These surveys will be conducted only with permission from the landowner; our right-of-way agents will be available to meet with individual landowners while the surveys are taking place.

Q: How is compensation worked out?

A: Before negotiations start for new permanent easement rights, Enbridge retains the services of an independent real estate appraiser who’ll develop a market study of land values, based on recent sales in the communities where we propose a new or expanded pipeline route.

If permanent and/or temporary easement rights are necessary, an Enbridge right-of-way agent will review these values with the landowner to purchase the Grant of Easement and reach an agreement for compensation. Once the easement agreement is executed, a check is issued by the right-of-way agent to the landowner.

- **Easement Rights:** Enbridge will pay fair market value for the rights and interest being acquired as it crosses the landowner’s property—plus a rental value for any additional temporary land rights for use during construction.
- **Damages:** Enbridge will pay for damages to any structures, landscaping or decorative trees directly impacted by the construction of the facilities. We’ll repair items like drain tiles, fences, streets, roads and driveways, and we’ll restore the property as close as is practicable to pre-construction conditions.

Q: Who owns the land covered by an easement?

A: While a permanent easement agreement gives Enbridge certain rights to build, maintain and operate the pipeline, the landowner retains ownership—and, in most cases, use of the land within the easement agreement (with certain limitations). If the property is sold, the rights and responsibilities under the easement will stay with the property under the new owner.

Temporary easement rights typically will expire once the temporary workspace is re-established and stabilized—at which point the landowner resumes full use and ownership of the land.

Q: What is eminent domain?

A: We begin every easement negotiation expecting to reach a mutual agreement with a landowner. In the unlikely event that this doesn’t happen, we would pursue easement interests through the eminent domain process, with a court determining the appropriate compensation.

Please be assured that Enbridge does not and will not use the eminent domain authority as a negotiating tool. We would only exercise that right as a means of last resort.

Q: Will you let me know when construction will start?

A: We’ll notify the landowner and/or tenant about actual construction timing as far in advance as possible. Our early notification will include a general timeline and description of construction.

Our right-of-way agents also will be available throughout construction to immediately respond to any concerns a landowner may have during that phase.