



# Partnership With an Energy Transport Company: A Life-Changing Relationship

Let CAEPLA help get your 'marriage' off to a good start

“Only cooperation with your neighbours and a voluntary, free-market approach founded on property rights can protect your farm, family and prosperity.”

**F**rom the moment you find out you are in the path of a proposed energy transport project, your life changes.

You can receive notice through the mail with an invitation to an information meet-

ing, or you might hear about it when a smooth-talkin', good-lookin' land agent knocks on your door with a sales pitch you can't refuse.

Suddenly there is a lot of anxiety — and understandably so.

Many landowners who already have pipelines on their property understand how they can interfere with their farm production.

Some remember the times they have felt disrespected because of the threat of expropriation when presented with papers to sign. Landowners who have never had a pipeline and don't know what's involved feel the stress of navigating an unfamiliar process.

So where do you turn for help? After all, the land agent works for the company, not for you.

When landowners need advice about their taxes or other bookkeeping matters they talk to an accountant. If they need advice on soil fertility, they see an agrologist. If they have questions about chemicals for their crops they see a specialist at their ag chemical dealer.

But where can landowners go for

proven expertise and assistance when they find themselves in the path of a pipe or power line?

Who can help you, the landowner, navigate the maze of regulations, cooperate with your neighbours, shed light on the situation, provide specialized legal services and negotiating expertise?

The Canadian Association of Energy and Pipeline Landowner Associations (CAEPLA) can.

CAEPLA is the only national grassroots property rights organization that works with all landowners, from farmers and ranchers to woodlot and acreage owners.

We even provide advice to the growing number of urban residents concerned with pipeline safety.

CAEPLA is not only an advocate for your rights, but a negotiator of “win-win” business agreements on linear projects.

CAEPLA is pro-energy and pro-energy transport. We understand how essential abundant cheap energy is to the ag sector and urban residents alike.

Ultimately, we are all pipeline landowners, whether we run a family farm business or rely on natural gas for our homes.

Energy is essential for farmers and ranchers to provide our society with food security.

The team members at CAEPLA come from farm backgrounds and the organization grew out of the pipeline landowners movement of the post-war era.

From long experience, our landowners have learned that government and regulations cannot be relied upon to protect our rights. Agencies like the National Energy Board (NEB) are not there for you — heck, they aren't even any good for industry.

CAEPLA came to be out of the realization that only cooperation with your neighbours and a voluntary, free-market approach founded on property rights can protect your farm, family and prosperity.

Expropriation by definition is a violation of your property rights and a threat to your prosperity.

Yes, some landowners who are new to this think that negotiating an easement agreement with a pipeline or power-line company is virtually the same as negotiating for a combine or other piece of farm equipment, buying a piece of property or most other business transactions they conduct.

What they soon come to realize is that they are not negotiating on a level playing field. The pipeline company can always ask the regulator to expropriate your property for its project if you don't agree to the terms it puts in front of you.

It becomes a “take it or leave it” proposition.

But getting a pipeline or power line doesn't have to be an all-or-nothing scenario for you.

Quite the opposite: by coming together with your neighbours and consulting CAEPLA, we can quickly broker winning



agreements that work for the landowner and the company.

We've been doing it for decades now.

Construction methods, liability issues, bio-security protocols, ingress/egress rights, landowner construction monitors, soil mitigation procedures and proper compensation are just some of the things that belong in a good business agreement.

In fact, CAEPLA negotiated a settlement for directly affected landowners on the then-proposed Keystone XL pipeline back in 2008. That agreement with its precedent-setting safety, environmental and stewardship standards convinced the NEB to approve the project in Canada.

Landowners in Saskatchewan and Alberta came together with CAEPLA to negotiate and work with TransCanada to set the bar higher than the NEB could even dream of — the same as we had done a year earlier with Enbridge on the Alberta Clipper and the Southern Lights projects.

With U.S. President Donald Trump recently giving the thumbs-up to Keystone XL south of the border, CAEPLA hopes to help broker the same win-win relationships in the U.S. as we have done in Canada.

A partnership is the best way for the relationship between a landowner and energy transport company to begin, because it's a relationship that can last for generations.

As one pipeline CEO puts it, the relationship is a lot like a marriage. ●

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*Annette Schinborn is COO and Director of Landowner Relations at CAEPLA. Before joining the team at CAEPLA, Annette worked with grassroots nonprofits including the Canadian Taxpayers Federation, the Prairie Centre and the Western Canadian Wheat Growers Association. She has worked closely with farmers, ranchers and other landowners on issues such as tax and agricultural policy and now energy transport and property rights.*

# Case Study: A win-win agreement

'Working with CAEPLA removed the stress'

*The following testimony is from Doug, a landowner living alongside a pipeline project. I recently asked Doug to share his experience:*

**My** grandparents owned the land when the first pipeline came through. The land was sold to my aunt and uncle, and later, my parents and I purchased it.

We didn't have any trouble with the pipe. It was out of sight, out of mind. It wasn't until a couple years ago that we had the first maintenance dig. The land agents told us what needed to be done and what they could pay us. We didn't have any experience with this so we accepted what they told us.

They did a nice job, I can't complain, but I really should have been asking more questions. There were issues, like tree removal, that should have been addressed as well as the costs of rehabilitating the soil.

But I wasn't knowledgeable about any of this.

When I found out we were getting another pipeline, I signed to allow access for archaeological surveys. They offered me money to allow them access to my land and I didn't understand what they were going to do or how it might affect my property. I didn't think it was a big deal.

I have learned since that we should have a Settlement Agreement with terms of what they are going to do on our land before we agree to let them on.

When I first heard of a group of landowners working together, I didn't think anything could be done as I had already signed the Access Agreement for surveying

and was aware that the company could expropriate.

I did go to an information meeting and was overwhelmed by what I learned. I realized how little I knew about what should go into an agreement on a pipeline project.

I'm a pro-gas person like my neighbours, and I learned what could be accomplished by working with your neighbours and CAEPLA to negotiate an agreement that will protect my property. As it became clear to me, I told them they could count me in 110 per cent.

And I would sign up again on the spot. My experience with working with CAEPLA has been priceless. I have gone from zero to 100 in what I have learned about what should be in an agreement with a pipeline company.

You know, finding out you're getting a pipeline can be stressful. Working with CAEPLA removed the stress. It was the best investment I could have made. I would recommend CAEPLA to anyone. Actually, I told many of my neighbours about CAEPLA and they joined as well and I have received many thanks for calling them to invite them to join the group.

It was reassuring knowing that CAEPLA was taking care of the negotiation details, and it has removed the anxiety knowing that the business agreement CAEPLA helped us negotiate protects my property.

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*Do you have a story about your experiences with CAEPLA or energy transport companies you would like to share? We'd love to hear from you. Contact us at [admin@caepla.org](mailto:admin@caepla.org) or by calling 306-522-5000.*