

The Recorder

IN THE COMMUNITY, ABOUT THE COMMUNITY, SINCE 1877.

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Concerns about pipeline strong

Nearly 100 gather to share info about Dominion plan

BY ANNE ADAMS • STAFF WRITER



Nearly 100 people from at least four counties attended the HRD meeting Tuesday.

MONTEREY — There was fear twitching in their voices. And overwhelming frustration.

Residents and landowners who potentially or almost certainly could have their properties torn up and taken by Dominion Resources were in Monterey Tuesday night — mostly from Highland, but also from surrounding counties.

These are folks living a quiet, country life, who now find themselves confronting a powerful utility company with a federal project for a 42-inch gas pipeline that would, at least for a while, bring blasting, dust, erosion, and make part of their land unusable — not to mention adding an expensive, legal headache borne from the bureaucracy of a federal process.

They felt powerless, many of them. But there was a collective hope in the room. They were serious about finding out more about something that could permanently alter their quality of life. They came with lists of questions in hand.

It was a town hall gathering in The Highland Center sponsored by Highlanders for Responsible Development, a grassroots group formed about nine years ago to protect the integrity of this county's natural resources.

HRD hosted the evening to give citizens an opportunity to share information and ask questions about the 450-mile, three-state pipeline proposed by Dominion Resources, which would carry

gas from shale in West Virginia to facilities in North Carolina, including a spur to the Hampton Roads area on Virginia's coast.

Attendees included the Monterey mayor and at least once council member, plus all three county supervisors.

"I've gotten the letters," said Highland resident Karen Ancarrow, referring to requests to survey her land. "I responded, but I have a lot of concerns. I just cannot imagine this construction ... all the blasting." It's hard enough to put in a garden with all the rock in the ground, she said, wondering how a pipeline could be buried in such terrain. Plus, if your parcel is small, "they'll be taking a good chunk of your property," she said.

HRD president Lew Freeman had welcomed the 93 people attending, giving a brief background about the group. Following presentations by Southern Environmental Law Center attorney Greg Buppert, and University of Virginia senior scientist Rick Webb, Freeman opened the floor to questions. About a dozen hands shot up immediately.

Water issues

Citizens wondered how Dominion would handle everything from stream crossings to erosion, to getting enough water to pressure-test the line.

Would Dominion bridge any streams? No one knows, Webb said. "Dominion said it would work with the Department of Environmental Quality."

While there's a trench to bury the line, what stops that trench from becoming a river? Or the bottom from becoming a flood zone? The answer is, likely nothing will stop the water from filling the trenches, Webb said. "We will see, in the erosion and sediment control plan, what Dominion plans to do."

Freeman noted Dominion did not adequately address that question in its most recent meetings with county supervisors. "There are a lot of unknowns," he said.

"Won't the pipeline just float to the surface?" wondered Ann Wefer.

Williamsville resident Nelson Hoy said not only is that possible, but it's likely a trench could hold water for the next 100 years.

"The topography here makes this different from other places," added Buppert, noting the striking difference in Highland's terrain, where the pipeline would have to traverse so many ridges at elevations of 3,000 feet and higher.

Another wondered where Dominion would get the enormous amount of water needed to pressure-test the line. "They'll need gallons and gallons of water," Freeman said. "They pressure test in sections, is my understanding, but they'll take the water from local sources, and dispose of it in an environmentally acceptable manner."

Iris Hooke was concerned that even if the pipeline did not cross her property, its construction could affect her water. “If they go above me, they could change the river,” she said. “Then, it’s impacting me. Does it do me any good to say anything?”

Freeman assured her she should express her concerns, and noted the Federal Energy Regulatory Commission’s process allows for comments. “Yes, you do have a voice,” he said.

Hooke wondered how far away construction could impact water supplies. “There’s no limit to the distance,” Webb said. “It could have an effect 12-13 miles away. We can’t say any distance is reasonably safe.”

Surveying

Nancy Witschey of Blue Grass wanted to know what percentage of survey requests have been declined.

Buppert said he did not know for sure. “FERC approves a lot of these pipelines,” he said, “although there are instances where pipelines don’t make it through the process.”

A Waynesboro landowner asked whether it would be appropriate for property owners to evaluate special assets on their land, and Buppert agreed that was a good idea.

An Augusta resident wondered whether there was any good strategy for stopping surveyors from entering private property.

In Highland County, about eight miles have been surveyed so far, and 46 percent of residents contacted have given surveyors permission to enter their land, Freeman noted.

But only 25 percent of Nelson County residents have done so.

“We’d like only 5 percent in Augusta,” added Nancy Sorrels, an Augusta resident and former county supervisor.

Buppert noted Virginia law stipulates that as long as Dominion complies with providing proper notice, the company can enter to survey even if landowners do not grant permission. “Nelson landowners have challenged this,” he added.

Sorrels said in Augusta, Dominion mailed survey requests in June, then completely changed the route, and sent out new letters. The alliance in that county has recommended landowners simply write “no” on the requests for surveying. By declining permission, surveyors are then required to enter only on foot, and use only hand equipment for their work. She stressed that people who don’t allow surveying can still list areas that should be avoided on their land.

“Don’t confront Doyle Land Services,” she added. “They’re just doing their job.”

Highland attorney Melissa Dowd noted the statute giving Dominion authority to survey specifically says the surveyors will not be considered “trespassing” if they enter land without permission. “But if you do a criminal act, you will be prosecuted,” she said.

Pen Goodall, who lives in the Laurel Fork area, said he has been continually pressured by surveyors to allow access to his property. “Now, they’re going to get a court order to come across,” he said.

Mike Hughes, who owns property in Hightown, said after a conversation with a surveyor, he granted permission only under the conditions they agreed to by phone, and he asked the surveyor to put those in writing. “That was six weeks ago, and I have not received written confirmation of that phone conversation,” he said. “I signed under duress, subject to what we agreed to. But they’re going to do what they want to do.”

Cultural resources

Winifred Stephenson, who plans to move to Highland soon, asked about archaeological sites.

Webb said no one knew yet how many could be affected. He noted the route had been changed to avoid most of the core McDowell Battlefield area, however.

Sorrels, a member of the Shenandoah Valley Battlefields Foundation, said the new path crosses near the breastworks, and the U.S. Forest Service has a lot of archaeological sites on record.

Eminent domain

Buppert explained that during the FERC review process, economic impacts will be weighed against the impacts of using eminent domain.

Do you have to spend your own money to fight an eminent domain threat? “Yes,” Buppert said. “You have to hire your own lawyer, pay your own experts, and pay to try your case.”

Realtor and Bolar resident Ryan Hodges asked whether it made a difference if everyone refused to negotiate with Dominion. “Is that valued differently?” he asked.

Buppert explained FERC will consider how much eminent domain authority Dominion would have to use, but is 50 percent of those refusing enough to affect the FERC decision? No one knows. Dominion said it typically negotiates successfully with 90 percent of landowners affected by a project, he said. How would things change if eminent domain had to be used on 100 percent of landowners? No one knows. FERC has said that use of eminent domain is considered an adverse impact, Buppert said, but the question is how much it outweighs a public benefit.

Annette Naber wondered whether it was possible for landowners to join forces in some kind of class action suit.

Buppert said the question was complicated. “Typically, class action is used when large groups show an injury,” he said.

Sorrels added Dominion has stated it will negotiate with landowners up to the last minute before asserting eminent domain authority.

Hazards

One citizen noted surveyors have already been on the historic Hevener Farm in Hightown, and asked about the impacts of blasting and road structure.

Freeman noted Augusta officials also asked about blasting, but Dominion's response was not specific. "They were kind of saying, 'Trust us,'" he said.

Another asked about the potential for gas leaks.

Webb said Dominion describes a potential impact zone of 1,100 feet in all directions.

FERC must consider safety issues, Buppert added. "But FERC often references the great safety record of the natural gas industry." Wintergreen

A real danger, Webb said, was the karst topography and the risk of a collapse under the pipe.

Dan Kauffman said he searched pipeline explosions on Google and got 46,000 "hits" online. "These things are blowing up all the time," he said.

Has Dominion ever built a 42-inch pipeline over mountains?

"No," said Webb. "As far as I can tell, Dominion has never built a 42-inch pipeline on any terrain."

Intervenors

Buppert, in his presentation (see sidebar) explained the process of registering as an intervenor once Dominion officially applies for a certificate from FERC. Becoming an intervenor allows one to have access to all the studies and documents generated in the case.

Prompted by a question from Dowd, Buppert clarified that becoming an intervenor does not automatically give a person standing to sue in court. However, if one did not register as an intervenor, then he or she cannot bring suit later.

Freeman stressed that anyone can file comments with FERC, even if they have not become intervenors.

Environmental concerns

An Allegheny Mountain School resident asked whether anyone had successfully fought a pipeline project due to threats to endangered species, such as protected bat species in this area.

Webb said he did not know, but that typically, companies with projects threatening protected species file for a federal Incidental Take Permit, which includes generating a Habitat Conservation Plan. That would allow limited damage to protected species without prosecution.

Laurel Fork landowner Lucile Miller asked whether Dominion would use herbicides to keep the pipeline area cleared of growth.

Sorrels noted Dominion has said it would not use herbicides, but rather keep the easement areas cleared with bush hogs. “It has to be permanently cleared,” she said.

Pocahontas

Tuesday, Dominion representatives met with Pocahontas County Commissioners at the same time HRD hosted its meeting in Monterey. One person, who attended both, reported the Pocahontas meeting was equally well attended, and most were overwhelmingly opposed to the pipeline proposal.

He said the most interesting part of the meeting was when a reporter asked if Dominion would promise the gas was not for export. The audience broke into spontaneous applause, he said.

Another attending noted Dominion had established a 400-foot corridor, but had not completed studies on the Monongahela National Forest, or even applied for a special use permit to survey on the forest. “People are receiving their letters requesting permission to do surveys, and they are really wanting to know where it’s going to go,” she said.

At the HRD meeting, Webb said, “This project cannot be fought on any one issue. It must be fought cumulatively, a fight on every front.”

Sorrels agreed. “This needs to be a death by 1,000 cuts,” she said. “We need to stop them at every point, make it so miserable and costly that they go away.”

What the attorney presented ...

BY ANNE ADAMS • STAFF WRITER

MONTEREY — About 4-6 weeks ago, Dominion’s pipeline proposal became the No. 1 project for Greg Buppert.

Buppert is a staff attorney with the Southern Environmental Law Center in Charlottesville, with a master’s degree in environmental science from Duke University and a law degree from George Washington.

He made a presentation to nearly 100 gathered in the town hall meeting hosted by Highlanders for Responsible Development Tuesday, about Dominion’s pipeline and the process underway.

Buppert explained the federal Natural Gas Act of 1938, which is designed to encourage gas as a resource and protect consumers, and is implemented and overseen by the Federal Energy Regulatory Commission.

Dominion, in order to proceed with its project, will need a Certificate of Public Convenience and Necessity, he said. That certificate is intended to balance the public benefits of big projects against adverse impacts.

FERC approves certificates when the public benefits outweigh those impacts, Buppert said.

The public benefits FERC weighs include: Fulfilling an unserved demand; eliminating bottlenecks; providing access to new energy supplies; lowering costs for consumers; improving the grid; increasing reliability; advancing clean air objectives; and providing a competitive field of alternatives.

Adverse impacts FERC would consider include: Use of eminent domain; effect on property values; impact on agriculture; road damage; and the risk to water supplies.

While some have suggested environmental impacts weigh heavily, Buppert said FERC approaches such projects weighing economic impacts. He suggested those describing the potential adverse effects should describe them in economic terms.

FERC issues certificates with conditions, he added.

He explained the National Environmental Policy Act and its role as procedural, but not substantive. “It imposes requirements but doesn’t affect outcome,” Buppert said.

During a NEPA review, which will be required during Dominion’s application for a FERC certificate, an Environmental Impact Statement will be required — a document that outlines every potential resource and the project’s impacts in what could be hundreds or even thousands of pages. “FERC must look at all the impacts, and consider alternatives,” he said.

While the NEPA review does not require FERC to choose the least damaging alternative, it does require considering alternatives, including “no action,” which means examining the impacts if the project were not built.

Buppert also explained the process for getting a FERC certificate, noting Dominion is early in the process, and still assessing the market and its potential customers. Then, it can pre-file for a certificate from FERC, before formally applying for it.

Dominion has stated it expects to pre-file this fall.

Should it proceed, there will be open houses and a scoping period initiated by FERC, which will seek public comment and hold public meetings.

Then, eventually, Dominion would file for its certificate, and the process from there is a formal proceeding before FERC.

Buppert explained anyone who wished to participate in the formal process, and get copies and notifications of everything filed, must register as an “intervener” with FERC. “You have to participate as an intervener if you might file legal action later,” he said.

Registering as an intervenor does not necessarily mean one will have standing to file suit later, but without registering as such, one cannot file suit.

Also, Buppert advised, “It’s unwise to assume FERC knows what you’re concerned about.” He stressed citizens must express their concerns during the process — whether or not they register as intervenors, their input is useful during comment periods and public meetings. “It’s like a trial,” he said, urging people to submit their evidence and make a case.

Other agencies are also involved in the process, Buppert said, including the National Park Service, U.S. Forest Service, U.S. Fish and Wildlife Service, and the Army Corps of Engineers.

Buppert also addressed eminent domain — the right, in this case, Dominion holds to seize property from landowners who refuse the utility an easement for the pipeline to cross their tract. “If there are ‘hold-out’ landowners,” he said, “once Dominion has the certificate, it has eminent domain power.”

Dominion would file in a federal district court, a judge would order the easement, and a trial on the value of the property would follow. “The landowner has the burden of showing what they should receive (for the easement),” he said, and the court would consider the actual value of the easement area plus a severance value — how the remaining property might be diminished.

One point Buppert drove home is that if Dominion does not have enough “willing sellers,” that gets described in the process as a negative impact, in economic terms.

What the scientist presented ...

BY ANNE ADAMS • STAFF WRITER

MONTEREY — The sheer size of the project leaves plenty of room for water quality issues. That’s what University of Virginia senior scientist Rick Webb explained Tuesday, at the Highlanders for Responsible Development gathering on Dominion’s pipeline proposal.

Webb, who earned his master’s degree in environmental sciences from U.Va., is a consultant and nationally known expert on preserving ecosystems in the Appalachian region. A longtime Highland resident, Webb also serves as an HRD board member.

The pipeline proposed by Dominion Resources could cross 25-30 miles of Highland, Webb said. Right upfront, Webb told the nearly 100 attending that he is opposed to the project, noting Dominion’s board of directors is likely uninformed about its potential impacts through not just Highland County, but two national forests, karst topography, and steep mountain ranges.



Webb also showed this photo depicting the construction of a 42-inch gas pipeline in Nebraska, the same size as the one proposed by Dominion Resources. (Source: www.pricegregory.com).

Dominion’s board might be persuaded to look elsewhere to meet its needs, he said, “once the Dominion board understands what its dealing with here.”

Webb showed Dominion’s depictions of a pipeline easement, with elk grazing nearby. “This is what they (Dominion) showed at meetings,” Webb said. “Sort of a nicely mowed city park.”

Then he proceeded to show examples of pipelines under construction — lines smaller than the one Dominion proposes.

Dominion, he noted, has never constructed a 42-inch pipeline, and to his knowledge, none that size has ever been built in mountainous terrain like the Allegheny Highlands.

Webb pointed out the obstacles, such as habitat fragmented by the line through interior forests. He showed a map created by the Virginia Natural Heritage program that showed high ecological integrity areas; 10 miles of Dominion’s proposed pipeline would cross those in Highland, resulting in a loss of 2-4 acres of interior forest.

He pointed to the loss of habitat for independent bird species, and the potential result including more predation and increased parasites. Clearings and roads, Webb said, are barriers to movement for all species. And protected species, particularly sensitive amphibians like the endangered red back and Cow Knob salamanders, both of which are found in Highland, would be disrupted.

Webb also mentioned that invasive species would be an issue in the cleared areas. As an example, he showed a photo of an invasive plant that has displaced native species in Shenandoah National Park where a transmission line exists.

The Indian bat is a protected, endangered species in this area. In fact, Webb said, some 29 caves where they make their home are located within a 50-mile radius of the proposed pipeline route.

Webb also pointed to the streams and rivers subject to the pipeline's impacts. "This would cross most of the major rivers in Highland County," he explained. "Some of these are native brook trout streams." These would include Laurel Fork, Back Creek, South Branch of the Potomac, Jackson River, Crab Run, Bullpasture River, Cowpasture River, and Shaws Fork, and their tributaries. The Laurel Fork watershed is also at risk, he said. "This is the wildest area of the wildest county in Virginia," he noted, adding it's the only stream considered "an exceptional water" by the state Department of Environmental Quality. Laurel Fork is the state's only substantial example of an Alleghenian ecosystem, with 90 known state rare species, he added.

Webb explained there are four ways Dominion's line could cross the waterways along the route, noting the most likely method used would be horizontal drilling under a stream. This, he said, could not be done where slopes come steeply to a stream, and an extraordinary amount of excavating and drilling will be required at each crossing.

Webb said erosion and sediment control requirements "cannot reliably prevent sediment-laden runoff from this type of construction in this type of landscape."



Rick Webb's presentation included this photo of a large pipeline under construction in flat terrain from "Pipelines in Pennsylvania: A Case Study of Lycoming County, 2012, League of Women Voters of Pennsylvania."

State and local governments do not have the resources to oversee a project of this magnitude, Webb asserted.

Making matters worse, he said, Virginia law allows temporary degradation of stream water quality due to construction activity.

For stormwater management, he said, the good news is that laws require protecting water quality and quantity, and stream integrity, during and after construction projects. The bad news is, pipeline projects are exempt from those stormwater management requirements.

The pipeline would cross eight Highland mountain ridges at elevations of 3,000 to 4,200 feet, Webb said. They include Tamarack Ridge, Red Oak Knob, Lantz Mountain, Monterey Mountain, Jack Mountain, Doe Hill, Bullpasture Mountain, and Shenandoah Mountain.

Webb concluded by noting what he believes sets this proposed route apart from others:

- That it would cross about 50 miles of national forest and other protected lands set aside for conservation;
- That it would cross much of the best remaining wild landscape in Virginia and the eastern U.S.;
- That it would affect multiple high quality streams and complex karst hydrology; and
- That it would affect multiple protected species and ongoing ecological restoration efforts.

Alliance forms to share pipeline resources

BY ANNE ADAMS • STAFF WRITER

MONTEREY — A regional alliance of groups in Virginia and West Virginia concerned about Dominion’s pipeline proposal is forming, to provide a central place for information.

In early July, several organizations from West Virginia to Nelson County began forming the Allegheny Blue Ridge Alliance. It is accepting applications from any group that wants to participate.

The purpose is to facilitate the gathering and dissemination of information and share strategies about the pipeline project among alliance members.

The alliance will not adopt positions on the project, nor will it raise or spend money except as needed to hire support.

Any organization concerned about the pipeline project can become a member of the alliance subject to the approval of its steering committee. Organizations must designate one voting representative who can speak for the group. There is no financial commitment.

The alliance will be governed by a nine member steering committee, chaired by Lew Freeman, president of Highlanders for Responsible Development.

Organizations wishing to join the alliance should contact Freeman at (540) 468-2769 or email lewfreeman@gmail.com.

A formal announcement about the alliance will be made after Labor Day.

Opinions & Commentary

Precious territory

After hearing two outstanding presentations about Dominion's proposed gas pipeline this week, citizens are poised to have a much better picture about how the project could affect them.

And it's not a pretty picture.

At Tuesday's town hall meeting, hosted by Highlanders for Responsible Development, we learned just how disruptive the construction of the pipeline would be on our environment, our water, our roads, and our quality of life.

We learned that Dominion has never built a pipeline this size before, and certainly not in the kind of mountainous terrain over karst topography that exists in the Highlands.

That, however, won't be a sticking point.

Don't forget: this is the same utility company that managed to construct the world's largest pumped storage station in Bath County — tunneling huge diameters inside a mountain, in the middle of harsh and rugged landscape, over the course of decades. We don't doubt that if Dominion sets out to build this pipeline, it has the engineering wherewithal to complete it even here, where the valleys and ridges are steeply separated by thousands of feet.

But that station was a very, very different kind of project. It created hundreds and hundreds of high paying jobs, launching careers along the way. Since the station began operating in 1985, it has generated electric power for nearly 30 years, creating a source of power that "fills in" during peaks of high demand. It has generated millions in revenue for Bath County over that time. Today, after replacing some turbines a few years ago, the station operates effectively still, and could easily last another 30-40 years. And it provides local jobs — good ones.

From the 1970s until its completion, the station overcame numerous hurdles. Though the safety record was considered top-notch, workers were hurt, some were killed, in its construction. Farming families, homes, graves, and archaeological sites were displaced. Traffic on the roads was a nightmare for a long time. Crime was up, but so was local business. There were numerous layoffs, fits and starts. If a project like that were proposed again in this area, residents would likely be strongly opposed to it, but even then, citizens could see clear, tangible economic benefits.

This pipeline, however, is another story.

So far, those clear, tangible economic benefits are hard to see. We know our roads would get a little more crammed and damaged. We'd have more people in the area, and thus, as our sheriff said, an increase in crime and accidents accordingly. Local businesses could see a bump in sales, too, while workers are here. There would be an increase in tax revenue for the county, but we don't know how much. Certainly it would not be the millions over decades Bath County has enjoyed. We know landowners could see compensation for easements, but only in a one-time

chunk. We also know a few local jobs could be created, but not by the hundreds, and not likely the kind that launch careers.

There are no dollar figures to measure at this point.

What are we measuring against? Loss of peace and quiet? Loss of tourist visitors to the county and through the national forests? Loss of protected habitat and species? Degraded streams, wells and springs? Loss of property values?

A key point made this week by Southern Environmental Law Center staff attorney Greg Buppert was: the Federal Energy Regulatory Commission will weigh the pipeline project in economic terms. The environmental impacts will be reviewed, but this is about money — whether the line will reduce consumer energy costs in the south Atlantic region (not here in Highland), and create a regional competitive atmosphere that could bring power prices down (elsewhere, not here in Highland).

So, how do we put a price tag on the quality of our environment and the quality of life here in the Alleghenies? You can't. It's impossible to measure not because it has no value but because it's priceless.

As the last remaining area on the East Coast that has not seen the kind of debilitating industrial development as many of our Appalachian neighbors, this area of Virginia and West Virginia has an immeasurable value. If it's destroyed by blasting, the gallons of water taken from these streams and the sediment added to them, fragmented wild habitat — there is no way to replace the loss. It will never be the same again. Ever.

Sadly, it appears FERC doesn't see it that way. Neither does Dominion, which has repeatedly said it will put disturbed land back to the way it was after construction. Many believe that's impossible.

Without evidence this pipeline is worth ruining one of the last, best, most unindustrialized, undeveloped areas on the East Coast, it's not worth it. Move the pipeline route around this region. Look for a route that won't destroy a way of life that exists nowhere else. This area cannot tolerate such an upheaval. Neither can its rivers and streams. Nor its wildlife. Nor most of its landowners.

If residents of the Highlands want to continue protecting their own land, and the public lands at risk, they will have to make their case in solidarity. Fortunately, that solidarity is growing — with alliances, friends' groups, and more. Let's keep up the momentum, and have faith FERC — and Dominion decision-makers — can come to understand what they propose to put at such risk.

Can it be built? Yes. Should it be built here? No.

Letters

Landowner shares his struggles with Dominion

Editor's note: The following letters were written to Dominion by Russell E. Holland of Powhatan, following Dominion's request to survey his land in Brunswick County for a gas pipeline, and shared with The Recorder. The first was written to Russell Johnson of Dominion Transmissions Inc. in Clarksburg, W.Va., on June 5, after Mr. Holland received the initial request for surveying in May. Dear Mr. Johnson,

Your request to conduct surveys on Brunswick County, Virginia, Tax Parcel ID 56-105 and Greenville County, Virginia, Tax Parcel ID 18-7 is denied.

Your form letter could be characterized as misleading. It appears to me the sole purpose Dominion Transmission, Inc., desires to run through this particular tax parcel is for the purpose of providing natural gas to the power station that is currently being built in Brunswick County, Virginia. I find it reprehensible that your firm would not have a plan in place to provide for local industry, local farmers, and local homeowners to be provided natural gas service.

Spurs to Fayetteville, N.C., Raleigh, N.C., and Hampton Roads, Va., will likely provide natural gas for cities and their suburbs while the needs of rural landowners in Brunswick County and Greenville County are forgotten. Will the diameter of the pipe and its operating pressure be adequate to serve Greenville and Brunswick landowners? Are there any plans to make available natural gas service as a competitive alternative to fuel oil and propane to local homeowners, farmers and businesses? If yes, please promptly publicize the plan in local newspapers.

Will the line be buried a minimum of four feet or more? More likely than not all the equipment and heavy loads associated with farming and logging will have recurring needs to cross the lines.

The spur project in Brunswick and Greenville counties ought to follow either existing power line right of ways, the new right of way to the power plant under construction, or a route that would best facilitate service to local business, farms, and homeowners.

If there are no plans or intent to serve the local homeowners, farmers, and business, this project might be characterized as discriminatory. This is unacceptable. If Dominion desires me to reconsider their request, answers to my questions need to be provided in writing to both myself and the general public.

Sincerely,
Russell E. Holland

June 30, Mr. Holland received a second letter, again requesting permission to survey, and noting the law that allows the company to proceed without permission. Mr. Holland replied with the following letter on July 10, copied to Sen. Creigh Deeds, Del. R. Lee Ware, and Scott Lowther of Least and Right of Way for Dominion Transmissions: Dear Mr. Johnson,

I am in receipt of your form letter dated June 30, 2014. Reference (the letter) on June 5; I responded by certified mail to your May 2014 correspondence. My letter was signed for by Kassie Stirr.

Dominion has had ample time to respond to my letter but has elected to not give me the courtesy of a response.

Why do you now forward me a form letter that insinuates I did not respond to your letter of May 23, 2014? Dominion's letter of May 23, 2014, omitted the name of the county in which the tax parcel was located, failed to inform landowner recipients of the impact of not responding to the letter, and more likely than not, Dominion purposefully failed to identify the laws you now elect to identify (Section 56.49.01 of the Virginia Code).

Dominion is a past master at intimidation and gaming the system. Do the elected representatives of the citizenry of Virginia need to review and change the laws to which you refer and the implementation of those laws to protect their constituents?

The closing paragraph of Dominion's form letter of June 30, 2014, Dominion stated they looked forward to working with me and providing answers to all of my questions. Upon responding by email to one of your right of way representatives, Ron Burroughs, I did not receive a response. Eventually upon telephonic contact with me he postponed any meeting with me. Mr. Burroughs alleged a meeting would be nonproductive as engineers had not decided the general route and therefore he could not show me the general area in which they may desire to survey. Mr. Burroughs advised me he would contact me when the engineers decided where they desired to survey. I still await a response.

I request you acknowledge receipt of and respond to my letter of June 5, 2014.

Also please promptly provide me legible copies of colored aerials of my tax parcels with the proposed route to be surveyed clearly marked.

You and your agents are hereby denied permission to enter upon my property. Further you are specifically prohibited from bringing motorized vehicles, self-propelled equipment and powered equipment to include but not limited to gas and battery operated equipment. You are further denied permission to relic hunt, explore for artifacts, or remove items from my property.

Regards,
Russell E. Holland

On Aug. 5, Mr. Johnson sent a third letter to Mr. Holland, acknowledging Mr. Holland had denied permission to survey. "It is not Dominion's plan to enter your property without your permission or a court order," Johnson wrote, adding surveying would begin surveying in the area after Aug. 21. Mr. Holland replied Aug. 12. This time, the letter was copied to Dominion representatives Chet Wade and Emmett Toms; Sen. Deeds; Sen. L. Louise Lucas; Sen. Frank Ruff Jr.; Sen. John Watkins; Del. Ware; Del. Roslyn Tyler; Scott Lowther; The Recorder; and The Independent Messenger. Dear Mr. Johnson,

I am in receipt of your form letter dated Aug. 5, 2014.

Last week I noticed parked vehicles on Radium Road in Greenville County in close proximity to my property. Upon pulling up to the vehicles, I could clearly see a notice in windows of the vehicles advising the vehicles were there in connection with surveying for Southeast Reliability Project.

Paragraph C of the referenced section 56- 49.01 of the Virginia Code reads as follows: "Notice of intent to enter shall (i) be sent to the owner by certified mail, (ii) set forth the date of the intended entry, and (iii) be made not less than 15 days prior to the date of mailing of the notice of intent to enter." Your notice does not comply with the notice requirements of the code you referenced.

Recently an article in the Aug. 7, 2014, issue of The Recorder quotes Chet Wade, Dominion vice president for communication, as saying one of the company's core values was ethics. Just how ethical is your notification system?

Have you looked at existing right of ways for co-location opportunities with Virginia Dominion Power in Greenville County and Brunswick County? Will either you or your sister company announce construction of another power plant on a tract of land straddling the Brunswick County and Greenville County, Virginia, common boundary line south of 58 and adjoining Radium and Rogers Roads in Greenville County, and Lewis Drive in Brunswick just southwest of Pleasant Shade Virginia? Is the above simply just rumor?

Are our elected state officials aware of decisions or project approvals made in closed door sessions by local officials that have not been made available to the constituents they represent?

Please review my letter of July 10, 2014. I still await a response from Mr. Burroughs. Predicated upon Dominion's past performances, how much credibility should one place on the truthfulness of contents of Dominion letters or statements from Dominion representatives?

Someone needs to stand up and be respectful, honest, and informative to the general public.

Sincerely,
Russell E. Holland