

Delegate Dickie Bell
P.O. Box 239
Staunton, VA 24402

Dear Delegate Bell,

Thank you for all you've done so far to protect private property and communities from the Atlantic Coast Pipeline. I appreciate your letters to the Federal Energy Regulatory Commission (FERC), your sponsorship of the bill last year in the General Assembly to increase transparency, and your conversations with Dominion officials requesting alternative routes that would impact less private property.

Unfortunately, we have a long way to go. FERC's regulations state that a pipeline's need and benefits must increase commensurately with the degree of eminent domain used. However, FERC only counts a taking as eminent domain if compensation is decided by a court rather than through negotiating. There is no way to measure whether a property owner wants to sell an easement or is being forced to sell an easement when they have no choice in the fundamental matter of losing their property. Certainly, many negotiate under the belief that there will be higher compensation, or simply fear going to court --- not because they believe it is in their best interests to sell an easement.

It is just not true that Dominion is working hard to avoid taking property by eminent domain. It is far easier for the corporation to use the threat of this extraordinary power (currently on 94% of the route) than to find a more acceptable, less damaging path. Just a few weeks ago, Dominion announced another round of 100 lawsuits against property owners who refused to allow surveys and showed no interest in negotiating. It seems Dominion has great confidence in the government's gift of eminent domain.

I understand that the ACP, as an interstate pipeline, will be decided at the federal, not state level. Nevertheless, there are many important ways you can stand with your constituents, and I ask you to do so. Please:

- **Sponsor and fight for a repeal of 56-49.01 in next year's General Assembly (GA).** 56-49.01 practically hands private property to gas companies. Without it, they would have to work harder to seek agreement with owners, or risk having to finalize routes later in the regulatory process. A repeal of 56-49.01 could motivate corporations to re-route around unwilling property owners or encourage more equitable exchanges (royalties or the purchase of entire properties), reducing the use of eminent domain.
- **Speak out against the ACP to the FERC, media and your colleagues.** Talk about the widespread eminent domain abuse that your constituents face, the potential damage to water resources, liability and safety concerns, and financial disruption to thriving agricultural-recreation-tourism based economies.
- **Speak out to the media and your colleagues and work for comprehensive eminent domain and energy policy reform in the GA next year.** At a bare minimum property owners should be able to recoup the cost of attorneys and appraisers. Dominion should not be allowed to sit idly on their off shore wind acreage, nor limit third party solar power purchase agreements while confiscating private property to make their business plans work.

Thank you in advance for your courage and leadership acting on these requests.

Signed: _____

Printed Name: _____

Address: _____

Delegate Matt Fariss
243-C Livestock Road
Rustburg, VA 24588

Dear Delegate Fariss,

Thank you for your previous support to protect private property and communities from the Atlantic Coast Pipeline. I appreciate your letter to the Federal Energy Regulatory Commission (FERC) requesting an extension of the scoping period and more meetings. Unfortunately, FERC refused to grant more meetings or additional time, indicating their lack of responsiveness to public concerns.

They show a similar lack of responsiveness to landowner concerns. FERC's regulations state that a pipeline's need and benefits must increase commensurately with the degree of eminent domain used. However, FERC only counts a taking as eminent domain if compensation is decided by a court rather than through negotiating. There is no way to measure whether a property owner wants to sell an easement or is being forced to sell an easement when they have no choice in the fundamental matter of losing their property. Certainly, many negotiate under the belief that there will be higher compensation, or simply fear going to court --- not because they believe it is in their best interests to sell an easement.

It is just not true that Dominion is working hard to avoid taking property by eminent domain. It is far easier for the corporation to use the threat of this extraordinary power (currently on 94% of the route) than to find a more acceptable, less damaging path. Just a few weeks ago, Dominion announced another round of 100 lawsuits against property owners who refused to allow surveys and showed no interest in negotiating. It seems Dominion has great confidence in the government's gift of eminent domain.

I understand that the ACP, as an interstate pipeline, will be decided at the federal, not state level. Nevertheless, there are many important ways you can stand with your constituents, and I ask you to do so. Please:

- **Sponsor and fight for a repeal of 56-49.01 in next year's General Assembly (GA).** 56-49.01 practically hands private property to gas companies. Without it, they would have to work harder to seek agreement with owners, or risk having to finalize routes later in the regulatory process. A repeal of 56-49.01 could motivate corporations to re-route around unwilling property owners or encourage more equitable exchanges (royalties or the purchase of entire properties), reducing the use of eminent domain.
- **Speak out against the ACP to the FERC, media and your colleagues.** Talk about the widespread eminent domain abuse that your constituents face, the potential damage to water resources, liability and safety concerns, and financial disruption to thriving agricultural-recreation-tourism based economies.
- **Speak out to the media and your colleagues and work for comprehensive eminent domain and energy policy reform in the GA next year.** At a bare minimum property owners should be able to recoup the cost of attorneys and appraisers. Dominion should not be allowed to sit idly on their off shore wind acreage, nor limit third party solar power purchase agreements while confiscating private property to make their business plans work.

Thank you in advance for your courage and leadership acting on these requests.

Signed: _____

Printed Name: _____

Address: _____

Senator Creigh Deeds
P.O. Box 5462
Charlottesville, VA 22905-5462

Dear Senator Deeds,

Thank you for your previous support to protect private property and communities from the Atlantic Coast Pipeline. I appreciate your sponsoring last year the bill to repeal the “survey without permission” statute (56-49.01), and the fact that you were one of the few who did not originally vote for it.

In a recent letter to many constituents, though, you stated, “It is up to the landowners to decide where the pipeline is going to be, if it is going to be anywhere. If landowners stand up and fight through the legal process that is available, I am convinced that they can receive justice.” Perhaps you were alluding to Dominion’s claim that property owners are able to influence where *on their properties* the pipeline would go. Since many landowners (and their neighbors) are completely opposed to the pipeline *anywhere on their property*—due to safety, aesthetics, property value, and other practical concerns—such minor influence is not helpful.

Perhaps you meant that you believe landowners will receive “just” compensation through the courts. While luck and a good attorney *might* prevail, it would surely be better if landowners did not have to pay the attorney and appraiser fees out of their compensation. And what if property owners are not willing to live with a dangerous industrial facility in their back yard? Moving can cost tens of thousands of dollars in closing costs and entails bearing the risks of the market. Many would be more satisfied if gas companies had to follow the old rule, “You break it, you buy it.” Currently, landowners have no hope of Dominion purchasing their entire properties, nor any costs generated by the easement grab.

I understand that the ACP, as an interstate pipeline, will be decided at a federal, not state level. Nevertheless, there are many important ways you can stand with your constituents, and I ask you to do so. Please:

- **Sponsor and fight for a repeal of 56-49.01 in next year’s General Assembly (GA).** 56-49.01 practically hands private property to gas companies. Without it, they would have to work harder to seek agreement with owners, or risk having to finalize routes later in the regulatory process. A repeal of 56-49.01 could motivate corporations to re-route around unwilling property owners or encourage more equitable exchanges (royalties or the purchase of entire properties), reducing the use of eminent domain.
- **Speak out against the ACP to the FERC, media and your colleagues.** Talk about the widespread eminent domain abuse that your constituents face, the potential damage to water resources, liability and safety concerns, and financial disruption to thriving agricultural-recreation-tourism based economies.
- Speak out to the media and your colleagues and **work for comprehensive eminent domain and energy policy reform in the GA next year.** At a bare minimum property owners should be able to recoup the cost of attorneys and appraisers. Dominion should not be allowed to sit idly on their off shore wind acreage, nor limit third party solar power purchase agreements while confiscating private property to make their business plans work.

Thank you in advance for your courage and leadership acting on these requests.

Signed: _____

Printed Name: _____

Address: _____
