

# The Recorder

*Inclusive, independent, indispensable.*

Bath, Highland & Alleghany counties — Virginia

## No relief for landowners

*January 08, 2015*

Set aside, for a minute, all the potential and probable damage Dominion's Atlantic Coast Pipeline could generate in our region.

What struck us, right before Christmas, was the unquantifiable time and energy hundreds of affected landowners will have to expend, whether they favor the pipeline or not. People who were minding their own business, with quiet enjoyment of their own property, now suddenly face the prospect of heavy industrial work, legal wrangling, and the frightening, if subtle, tactics of a major corporation with more money and experts at its disposal than any regular citizen.

Highland County provided a critical and informative session last month for landowners who have numerous questions and concerns, with two experts who, while greatly informative, did not bring them much comfort.

Their message to landowners was: You have a lot of work to do. This will not be easy. You need good legal advice. And if you are going to adequately protect yourself and your property, you need to buckle down right now and educate yourself on how this plays out.

Dominion's proposed gas pipeline will cross thousands of privately owned acres affecting hundreds and hundreds of private citizens in three states.

Dominion has decades of experience negotiating the best possible deals with landowners, using contracted services and well-paid attorneys who represent the company's best interests.

One other message was clear last month: Do not trust that these land and easement negotiators will have your best interests in mind. They do not. They are paid to represent Dominion, not you.

It's a crying shame that so many regular folks — retirees, working families, farmers — will have to dedicate their time and money to protect their land, something only a handful have the resources to do.

But they must find a way — we think, perhaps, one of the best ways local landowners could protect themselves is by joining forces with one another. Their interests and opinions may be diverse, but if affected landowners could coordinate, share information, and perhaps share the burden of expensive legal representation, they will have a much better chance of protecting themselves properly. An informal group, without a political agenda, could be instrumental in saving time and money.

The appraisals needed must be the right kind; they must take into consideration everything you value about your land and everything on it. The contract Dominion presents you must not be signed right away; you must ask questions and get legal advice. If you live near someone whose land is going to be crossed by the pipeline, be equally prepared because the route might change, and you could be affected, too. Think you can negotiate an ongoing lease with Dominion? Think again. That won't happen. If you expect to negotiate only for the currently proposed line, look more closely — Dominion is likely to ask for far more than it needs on this project, and if you don't negotiate properly, you could face more of your land being taken years later.

There is so much to understand about how this pipeline affects you, and getting it right requires experts to assist.

It was almost heartbreaking to see another route — one that does not cross Highland (or Augusta or Nelson counties) considered by Dominion for this line. But no matter where the company puts the pipe, someone's land will be affected. If the proposed route is not the right way to go, it will be up to citizens to prove that to the Federal Energy Regulatory Commission. We must stay involved as FERC begins its reviews.

Furthermore, those who care about the George Washington National Forest, and the pipeline's impact on our public lands, have until tomorrow (Friday, Jan. 9) to speak up. We encourage everyone to read Wild Virginia's commentary on that issue in this week's Recorder (page 13), and make a call or send an email right away. The national forest is your land, too.

Hats off to our Highland leaders for providing and coordinating the forum that put so much about this pipeline project into sharper perspective. We hope those attending learned how much is truly at stake where their own land is concerned.

We hope the county will do even more to help the citizens they represent. No one here asked for this albatross, but here it is bearing down on our county and many others in ways too numerous to count. Unfair? Yes. But as individual landowners — and as county leaders — we are forced to reckon with this. We should do all we can to stay informed, and the county should provide leadership, guidance, and protection every step of the way. There are no do-overs. We must intervene, stand up for ourselves, and get it right the first time.