



For Immediate Release

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### **Judge Rules In Favor of Nelson County Property Owners Denying Dominion Pipeline Survey**

A Nelson County Circuit Court Judge has ruled in favor of 37 Nelson County landowners who had denied Dominion the right to survey their properties for construction of the proposed Atlantic Coast Pipeline. The ruling states Atlantic Cast Pipeline LLC had failed to specify a date of entry to perform surveys and, therefore, failed to comply with VC 56-49.01 which allows natural gas companies the right to survey properties only if certain terms are met.

Atlantic Coast Pipeline LLC had sued the 37 defendants for access that the property owners previously and explicitly had refused to grant. The defendants asserted that ACP LLC had failed to comply with VC 56-49.01 by failing to specify the date of entry for the surveys.

Judge Michael T Garrett's May 7<sup>th</sup> ruling states that "the General Assembly was quite explicit that ... the landowner (was) entitled to notice of date of intended entry." It further states that "certainly landowners have a right to be present upon their own property to observe the process, if they so desire, to insure that the statutory requirements are not violated....to ensure that mechanical equipment is not used..., archeological artifacts not be removed..., and any damage done to the property by the crews documented."

The defendants were represented by Charles Lollar of Norfolk and Michael Derdeyn of Charlottesville.

“We will continue to deny Dominion any right to trespass until they abide by the law,” said Horizons Village resident Randy Whiting. The Horizon’s Village Property Owners Association (HVPOA) was a defendant in the case. Horizons Village is a Nelson County neighborhood devoted to ecological and environmental conservation.

“This is yet another example of Dominion failing to respect the rights of Nelson County property owners,” said Ernie Reed, President of Friends of Nelson.

“Dominion lied when they said two years ago that they would not sue property owners to do surveys on their properties.”

This is not the only time that Dominion has aggressively targeted Horizon’s Village. Horizon’s Village Property Owners Association President Lisa Tully notified the Federal Energy Regulatory Commission on April 18<sup>th</sup> that ACP has filed a route with the Federal Energy Regulatory Commission (FERC) across Horizon’s Village property without notifying landowners that their property is being considered for the Atlantic Coast Pipeline. The letter states “We are notifying FERC of ACP’s continuing disregard for the rights of property owners, ACP’s failure to notify the HVPOA of its plan to use HVPOA property, and that ACP filed a route adjustment with FEFC prior to notifying the owner of the affected land.”