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RESOLUTION 2015-24
NELSON COUNTY BOARD OF SUPERVISORS

**RESOLUTION PETITIONING ATLANTIC COAST PIPELINE LLC AND THE
FEDERAL ENERGY REGULATORY COMMISSION TO CONSIDER A
PREFERRED ROUTE THAT MINIMIZES THE USE OF EMINENT DOMAIN
TAKINGS OF PERSONAL PROPERTY**

WHEREAS, ninety-four percent (94%) of the Atlantic Coast Pipeline is proposed to be constructed on privately owned land potentially requiring the use of eminent domain against private property owners; and

WHEREAS, the proposed Atlantic Coast pipeline would cross the properties of over 200 landowners in Nelson County; and

WHEREAS, a preponderance of these property owners have denied Dominion and their agents permission to survey their land; and

WHEREAS, Dominion is prepared to initiate eminent domain proceedings against Nelson County property owners who oppose the construction of the Atlantic Coast Pipeline across their property; and

WHEREAS, Dominion has taken no action to minimize eminent domain takings in Nelson County by proposing a route using existing rights of way that would minimize or eliminate the need for use of eminent domain against property owners in Nelson County; and

WHEREAS, the majority of Nelson County citizens are opposed to the construction of the Atlantic Coast Pipeline across private properties in Nelson County;

WHEREAS, Federal law requires the consideration of route alternatives to minimize environmental impacts to communities along the path of the ACP; and

WHEREAS, co-location options with other utility easements are possible for the ACP, and

WHEREAS, the Nelson County Board of Supervisors has previously passed Resolution R2014-67 opposing the the construction and operation of the Atlantic Coast Pipeline in Nelson County, and

WHEREAS, nothing in the newly proposed alternative routes through Nelson County has altered the concerns expressed in the previous resolution,

NOW, THEREFORE, BE IT RESOLVED that the Nelson County Board of Supervisors reaffirms its opposition to the construction and operation of the Atlantic Coast Pipeline in Nelson County, and

BE IT FURTHER RESOLVED, that the Board hereby petitions the Atlantic Coast Pipeline LLC to create a preferred route for the ACP that co-locates within existing utility corridors to the maximum extent possible thus minimizing or eliminating the need for eminent domain against private property owners, and

BE IT FINALLY RESOLVED, that the Board hereby petitions the Federal Energy Regulatory Commission to require that Atlantic Coast Pipeline LLC proffer a preferred, responsible route and a corresponding cost analysis that minimizes the use of eminent domain and maximizes the use of existing rights of way and property easements.

Adopted: March 10, 2015

Attest:  Clerk
Nelson County Board of Supervisors