

May 26, 2016

Matthew R. Bley
Director, Gas Transmission Certificates
Dominion Transmission, Inc.
Authorized Representative,
Atlantic Coast Pipeline, LLC
701 East Cary Street
Richmond, VA 23219

Dear Mr. Bley:

Ref. Atlantic Coast Pipeline LLC. Applications
FERC Docket No. CP15-554-000 and CP15-554-001

This letter is to express the concerns of the Board of Supervisors for Augusta County have about the above referenced applications currently being considered by the Federal Energy Regulatory Commission.

As I am sure you are aware, 18 C.F.R. 380.15 requires that the siting and construction of natural gas facilities be undertaken in a way that avoids or minimizes effects on scenic, historic, wildlife, and recreational values. Further, by §56-49.01 of the Code of Virginia, the Commonwealth has delegated its right to enter private property to natural gas companies for the purpose of determining that any proposed pipeline satisfies any regulatory requirement and selects the most advantageous route. The Southern route (GWNF 6) proposed by Atlantic Coast Pipeline fails to meet the requirements of the Commission's regulations and fails to meet the requirements of the Virginia Code §56-49.01 as it is not the most advantageous route.

Atlantic Coast Pipeline, LLC. has depended on §56-49.01 of the Code of Virginia to enter on to landowners' properties and to petition local courts to order landowners to allow it to enter their property. In relying on the state statute to enter peoples' property, Atlantic Coast Pipeline must also be bound by its requirement that it seek the most advantageous route. In our letter to the Federal Energy Regulatory Commission of April 12, 2016, as Board Chair, speaking for the Board of Supervisors I pointed out that the proposed route increases the pipeline route from 141 miles to 170 miles. The Commission's suggested Southern route as found in FERC Resources Report 10 – Alternatives, would reduce the pipeline route to only 130 miles. It has been estimated that the 170 mile route proposed by Atlantic Coast Pipeline will cost the company an additional \$200 million over the costs it would incur by following the FERC suggested route. The FERC proposed route traverses a less populous area than the Atlantic Coast Pipeline proposed route. It makes sense that if there are fewer property owners there are along a given route, there will be less call for condemnation law suits. Clearly there is no economic advantage to the longer route.

Matthew R. Bley
May 26, 2016
Page 2

The letter of April 12 also addressed environmental concerns about the Atlantic Coast Pipeline route. These concerns included that the proposed route crosses the flood plain in eight different places, it crosses the recharge area of one of the County's public water supply wells, and it impacts several conservation easements. Additionally, the proposed route will have a significant effect on pristine view of the Alleghany Mountains enjoyed by the property owners in the Deerfield Valley. The Southern route proposed by FERC better addresses the concerns voiced by the Augusta County Board of Supervisors. We can see no environmental advantage to the route proposed by Atlantic Coast Pipeline and Dominion has not proven that GWNF6 is indeed the most advantageous route.

Having failed to seek the most advantageous route, an essential component of §56-49.01 of the Code of Virginia, Atlantic Coast Pipeline lacks the legal authority to enter onto property along its proposed route and furthermore lacks authority to bring suit under the provision of that code section.

Atlantic Coast Pipeline has also failed to comply with the requirements of 18 C.F.R. 380.15 by not proposing a route that avoids or minimizes effects on scenic, historic, wildlife, and recreational values.

Adopting the Federal Energy Regulatory Commission's proposed Southern route alternative as set forth in FERC Resource Report 10 – Alternatives, it would comply both the Commission's regulations and with the provisions of §56-49.01 of the Code of Virginia as this is obviously a more advantageous route compared to GWNF6. For that reason, Atlantic Coast Pipeline must fully explore the route suggested by FERC. Atlantic Coast Pipeline is violating the provisions of §56-49.01 of the Code of Virginia and as such, is required to cease and desist immediately any assertions to Augusta County residents of authority to compel them to allow Atlantic Coast pipeline LLC. to survey.

Carolyn S. Bragg, Chairman
Augusta County Board of Supervisors

Cc: The Honorable Congressman Bob Goodlatte
The Honorable Senator Mark Warner
The Honorable Senator Tim Kaine
The Honorable Governor Terry L. McAuliffe
The Honorable Attorney General Mark R. Herring
FERC Commissioner Cheryl A LaFleur