

Landowner Information

Have you been contacted by Mountain Valley Pipeline or Doyle Land Services? Please contact Haw Riverkeeper, Emily Sutton, at emily@hawriver.org to help us track the proposed route.

Know your rights!

You have the right to say NO. Your ability to refuse to negotiate and require the energy companies to use eminent domain is one of the most powerful statements you can make to protect your land. It gives you the most influence afforded to you by the Federal Energy Regulatory Commission (FERC). The pipeline company does NOT have the right of eminent domain until they have been issued a Certificate of Public Convenience and Necessity from FERC. To learn more about that process, click [here](#).

“To condemn property, a company must show: (1) that it holds a certificate of public convenience and necessity from FERC authorizing the project; (2) the land to be taken is necessary for the project and (3) the company has been unable to acquire the property through negotiation.”

When a landowner negotiates an easement, it makes it easier for the energy companies to acquire FERC approval. Withholding your permission delays any negotiations.

Talk to your community members! If landowners along the proposed route refuse access, even for surveying, there will not be enough information to supply FERC with documentation on preventing environmental impacts and proving public need. You can also send letters to FERC telling them you will not negotiate an easement on your property. Legally calling it a “proposed” route allows for the company to change the route at the last minute. If you are an effected property owner now, you may have time read up on your rights and be prepared. Your neighbor, however, may not be prepared. The pipeline company can change the route with little notice, leaving other community members scrambling under pressure to sign contracts.

DO NOT negotiate an easement before the pipeline company has received the Certificate of Public Convenience and Necessity from FERC. The companies will try to get you to grant a perpetual easement, also known as a right-of-way. “Perpetual” means that there is no end date; the easement/right-of-way is granted forever. You are not required to grant them those easements.

REMEMBER: A governmental or private entity may not take private property through the use of eminent domain if the taking confers a private benefit on a particular private party through the use of the property.

The projected demand of fracked gas in North and South Carolina does not meet the existing capacity for fracked gas through the Transco pipeline. **Duke and Dominion are guaranteed 14%**

return on investments on this project, paid for by rate hikes to all of their users. We will refuse eminent domain for private gain!

Read the fine print of easement contracts! If you agree to allow surveyors on your land, then agree for pipeline construction on your land, you will sign a contract for an easement. There is not a standard width of these easements, nor is it guaranteed to be above or below ground. Fine print in previous contracts has left landowners responsible for any leaks or spills from the pipeline within the easement. The infrastructure from the pipes, buried or above ground, will not be removed by the pipeline company when it is no longer in use.

Pipeline companies are required do to ongoing inspections. They will do frequent flyovers to inspect the land from the air, so the easement agreement will give them the right to regularly clear any vegetation that could block their view.

Dangers

For some companies, leaks are rare. For others, leaks happen frequently. Because Mountain Valley Pipeline is a relatively new LLC, we do not have current information on their track record. If a leak happens on your property, the consequences can be huge. You could be legally and fiscally responsible, and could be in great danger. To learn how to detect a leak and what to do, click [here](#).