

April 17, 2015

CAAR

CHARLOTTESVILLE AREA
ASSOCIATION OF REALTORS®

The Honorable Terrence R. McAuliffe
Office of the Governor
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219

Dear Governor McAuliffe,

On behalf of the Charlottesville Area Association of REALTORS® (CAAR), I am writing to highlight several property rights concerns with the Atlantic Coast Pipeline Project. As an organization dedicated to the preservation of property rights we raise these concerns with the hope that you will direct your actions on this project properly respecting landowners' property rights.

While CAAR fully appreciates the need of a utility to survey prior to pipeline alignment determination, we question the constitutionality of Virginia State Code § 56-49.01 after the 2012 Property Rights Amendment was enacted. It is our understanding that this issue may be tested in court in the near future. Representing over 1,000 central Virginia real estate professionals, CAAR will remain vigilant in our monitoring of this important property rights constitutional discussion.

Understanding that one property owner in opposition might preclude the pipeline from taking the least environmentally harmful route; we respect the potential need for the use of Eminent Domain in limited cases. Atlantic Coast Pipeline has indicated Eminent Domain is their last resort and that they reach mutual agreement with the vast majority of property owners for all of their previous projects. CAAR believes as a private entity Atlantic Coast Pipeline's goal should be to reach mutual agreement with ALL property owners and not use the eminent domain powers provided to them (potentially unconstitutionally) by the General Assembly.

In addition, CAAR encourages the Atlantic Coast Pipeline to consider adjacent colocation of their pipeline with existing easements. Where possible, such adjacent colocation reduces, but does not eliminate, the property rights impacts on land owners.

Finally, we would be remiss if we did not address the need for fair and equitable compensation for all property owners impacted by the acquisition and installation of the Atlantic Coast Pipeline. Property owners should be treated with dignity and respect throughout the easement acquisition process. It is incumbent on your administration to ensure these citizens receive just compensation for their property rights infringement.

The Charlottesville Area Association of REALTORS® believes this is a critical property rights issue and anticipates your assistance as the Atlantic Coast Pipeline project moves forward.

Sincerely,



Anita Dunbar, 2015 CAAR President

cc: CAAR Legislative Delegation

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