

Atlantic Sunrise Pipeline – Know Your Rights for Landowners!

The Atlantic Sunrise is not a done deal when a land agent comes to your home to get you to sign an easement (an agreement between you and the company allowing a pipeline to cross your land).

You have rights in the process for survey and right-of-way agreements:

- 1) You have the right to not sign any easement.
- 2) You have the right to not sign immediately, this can give you more time for thinking about your goals, negotiating, and organizing with other residents to address your concerns.
- 3) You have the right to have other people in the room when talking with land agents, including lawyers, community organizers, family members, and friends to help witness discussions and help advocate for your goals.
- 4) You have the right to know all the potential impacts to your land and livelihood. This includes pipeline safety information that Williams is required to provide you with.
- 5) You have the right to negotiate with Williams about monetary compensation as well as terms and conditions for crossing your land.
- 6) You have the right to say “no,” and the right to not let Williams’ agents on your land.
- 7) You have the right to organize with neighbors and other landowners along the proposed pipeline route to advocate for your interests: whether they are protecting your land, getting as much compensation as possible, or stopping the pipeline.
- 8) You have the right to comment on, and intervene in, the Federal Energy Regulatory Commission’s process for the Atlantic Sunrise project. Contact the Clean Air Council about how to do so online.
- 9) You have the right to consult with a lawyer to review any easement before signing.

Current landowner strategies:

- Commenting on the Federal Energy Regulatory Commission process for the Atlantic Sunrise project.
- Making collective statements to not lease your land or rescind approval if you have already signed.

This information was compiled by the Clean Air Council, a non-profit organization working to protect air quality. This document is not intended as legal advice, and merely includes suggestions for landowners. Residents should contact a lawyer for specific legal advice regarding easements.

If you have questions, contact Sam Koplinka-Loehr, Clean Air Council Community Organizer
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- Negotiating for the best possible deal, getting Williams to give as much money and as many favorable terms as possible.
- Organizing with other landowners and concerned citizens to advocate for your interests and rally public support for landowners issues.

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Negotiation

Negotiation is one option for landowners. Through negotiation you are able to recognize your interests, and advocate for yourself so that any easement protects your safety, health, finances, and land. Usually pipeline companies' initial easements are heavily weighted in the company's favor. However, you are currently in a position of power to dictate your terms. In order for your interests to be legally protected, they must be *in writing in the easement*.

Monetary Compensation:

- Price per linear foot of pipeline
- Compensation for damages due to construction, maintenance, repair, etc.
- Compensation for lawyer's fees during the negotiation process
- Compensation for surveys and environmental testing
- Ensuring financial coverage of damages caused by sub-contractors

Right of Way Concerns:

- Compensation for lawyer's fees during the negotiation process
- Compensation for surveys and environmental testing
- Materials and substances that are allowed/excluded from the pipeline
- Preventing construction of more pipelines in this right-of-way in the future
- Pipeline depth below surface
- Pipeline distance from homes and other important areas on the property
- Restricting the Pipeline company's ability to grant sub-easements to other companies
- Restricting pipeline size and further development (such as looping pipeline)
- Nature, location, and number of any surface facilities

Air, Land, & Water Protection:

- Water, soil, and air testing before and after construction
- Whether or how the surface will be restored after pipeline construction
- Best management procedures for crossing streams and ditches
- Compliance with all local, state, and federal environmental regulations
- Whether pipeline company will restore roads to former state after construction

Safety Concerns:

- Maximum pressure a line can transmit
- Established maintenance schedule
- Indemnity agreement to protect landowner against any lawsuits regarding any equipment on the property

Access Concerns:

- Rights of landowner to use easement area for: planting, recreation, etc
- Extent to which the pipeline company will maintain easement area
- Right to move the pipeline in the future
- Company access to the easement (time of day, frequency)

Other Concerns:

- Special issues (protecting gardens, favorite trees, digging in specific areas)
- Requiring other companies assigned to the pipeline to comply with this agreement
- Written timetable for construction and installation
- Where pipeline warning signs are placed
- Ensuring you are not liable for worker injuries that occur on your land

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