

Considerations to Address in Your Pipeline Easement

Soil fertility and soil structure

- Soil test after topsoil is replaced, and specify lime and fertilizer be applied to soil test recommendations for the planned crop. At a minimum, a starter fertilizer of 40-120-200/acre should be applied prior to seeding.
- Specify a tillage and compaction protocol for replacement of soil
- Topsoil should be removed and segregated for later placement over subsoil
- Rocks (4" diameter or greater) should be removed from the property, rather than piled or dispersed on easement or adjacent land
- Slips and surface movement should be the responsibility of the Grantee
- Restoration of existing drainage channels should be restored by the Grantee, such that Grantee leaves no areas on the property where drainage will lead to ponding.

Seeding

- Most hay and pasture sites will likely revegetate with cool season perennial grasses. In Augusta County, an orchardgrass + bluegrass mixture would be a good choice. While tall fescue (such as the variety 'K31') is abundant, it is considered an inferior forage in some cases and may not be desirable to intentionally seed it. There are novel-fescue varieties that are good forage, and would be a valuable addition. Endophyte-free fescues are typically not hardy enough for Virginia. Be cautious of including a large percentage of annual ryegrass in the perennial seed mixture, as it may provide quick ground cover, but dies out after its first year. Seeding rates of cool-season hay or pasture mixtures are typically around 15-25 lbs./acre when drilled. When broadcasted, seeding rates should be increased to 1.5 times the normal rate. Specifying a custom mixture may remove Dominion's responsibility for successful establishment of the stand.
- Seeding dates for cool-season hay and pasture can vary based on weather, but typically run from August 15-September 15 for a fall seeding, and March 1-April 15 for a spring seeding. Outside of these windows, you should strongly consider planting an annual cover crop as a placeholder until the following season allows for planting of the perennial crop. Examples of summer annual cover crops include buckwheat, and foxtail millet. Examples of winter annual cover crops include wheat and rye.
- In more forested areas or on poor ground, could this be an opportunity for you to establish warm season perennial grasses geared toward wildlife habitat or short-term summer grazing? Examples include switchgrass, Eastern gamagrass, big bluestem, etc.
- After a fall seeding, evaluate the establishment success of the planting the following May. After a spring seeding, evaluate establishment success in late-September. To evaluate establishment success, use a matrix such as the "pasture condition scoring worksheet" provided by the Natural Resources Conservation Service (NRCS). This will provide a method for objectively scoring the forage stand and identifying areas of concern.
- In the event of unsatisfactory establishment, based on guidelines set forth by Virginia Cooperative Extension or NRCS, grantee should take necessary steps to drill in additional seed to thicken the forage stand
- Consider specifying a broadleaf herbicide application in case problematic or invasive weeds are found when the stand is assessed

Forestry

- Wood chips from logging activities should be piled and hauled away, rather than piled or dispersed on easement or adjacent land
- Timberstack should be hauled away, rather than left on easement or adjacent land

Pasture infrastructure

- Damaged fencing and water lines should be replaced to Natural Resource Conservation Service (NRCS) specifications for identical fencing, available at the Augusta County NRCS office. Grantee agrees that any interruption to Grantor's water supply will be limited to no longer than 12 hours.
- Grantee will be responsible for locating or paying for locating water lines.
- Consider specifying temporary crossing of easements for livestock, farming equipment, and farming activities during the construction process.
- Grantee shall install a 12" PVC conduit across the easement in a location selected by the grantor that will allow for future crossing of easement with a water line

Livestock

- Address *hay* needs to replace lost grazing as a result of pipeline construction. Consider specifying standards for hay brought in (e.g. 1st or 2nd cutting orchardgrass, etc.)
- Address livestock injury or death as a result of construction/installation of pipeline, facilities, roadway, grantee should pay grantor livestock injured or killed at an amount equal to the reasonable market price for breeding Angus livestock. Including but not limited to, any livestock that may escape temporary fencing.
- Do not use metal & plastic flags (can be health hazard to livestock). Specify soy based marking materials.

Miscellaneous

- Grantee hunting/fishing, discharging of firearms on easement prohibited
- Water and phone lines should be able to cross the easement
- Private drain tiles, pipes, and ditches should be restored by the Grantee as near as possible to their original condition.
- Identification to enter property. All grantee's employees and subcontractors must carry identification, or be carried by a representative who carries such information, in order to enter the property.
- With the exception of emergencies, grantee is required to give grantor 48-hour written notice before entering the property.
- Grantee is required to give 60 days written notice prior to commencement of any work on the property.
- Grantee is prohibited from spraying any chemicals on the property without express permission from grantor.
- Grantee is prohibited from using drones that fly less than 100 feet above the ground.
- No existing roads or access easements on the property shall be used by Grantee to access the easement and grantee shall not improve any roads or access easements on the property.
- Site must be maintained free from trash & debris.
- Grantee responsible for cleanup of hazardous materials, i.e. gas & oil spills.