



June 18, 2026

[SENT VIA EMAIL]

Janine Howard
Janine.Howard@deq.virginia.gov
Department of Environmental Quality
Office of Environmental Impact Review
P.O. Box 1105
Richmond, VA 23218

RE: Project Title: Charlottesville-Gordonsville 230 kV Rebuild Project, PUR-2026-00050
Project Number: DEQ #26-062S
Revised Comments

Ms. Howard:

Thank you for providing links to additional volumes of information related to the rebuild project proposed by Dominion Energy Virginia (Dominion). Based on this complete information, as well as consultation with our representative of the Attorney General's Office, the Virginia Outdoors Foundation (VOF) would like to provide the following comments related to the aforementioned project. Please accept these comments in lieu of those submitted on June 4, 2026.

VOF, an agency of the Commonwealth, was established by the General Assembly in 1966 to promote the preservation of Virginia's natural and cultural resources by encouraging private philanthropy in fulfillment of state policy. As a result of Virginia's commitment to ensure a vibrant natural environment for today and future generations, VOF owns thousands of acres managed for public access and holds more than 4,600 open-space easements across the Commonwealth, which protect nearly 940,000 acres.

An open-space easement is a legal interest in real property held by a public body, such as VOF, "...the purposes of which include retaining or protecting natural or open-space values of real property, assuring its availability for agricultural, forestal, recreational, or open-space use, protecting natural resources, maintain or enhancing air or water quality, or preserving the historical, architectural or archaeological aspects of real property."¹ Upon the acceptance of an open-space easement, VOF assumes the legal obligation to protect the specific conservation values of the property encumbered by the easement. VOF easements provide important public benefits by protecting in perpetuity significant tracts of mostly undeveloped land, thereby contributing to the protection of water quality, productive soils, natural heritage resources, historic resources, and scenic viewsheds across the Commonwealth. VOF easements represent over \$1 billion of public

¹ §10.1-1700 of the Open Space Land Act.

investment and fulfillment of Title XI of the Virginia Constitution and other public policies to ensure the conservation of natural and cultural resources.

VOF holds numerous open-space easements intersected by the project rebuild. VOF also holds many additional easements within the Southwest Mountains Rural Historic District, which is listed on the National Register of Historic Places and the Virginia Landmarks Register. These easements and other projects, directly and indirectly, protect numerous conservation values for the benefit of the public and contribute to the overall high quality of life in the Commonwealth. VOF is extremely concerned about the characteristics of the proposed replacement structures and associated project components. While recognizing engineering constraints, VOF strongly advocates that replacement structures and associated project components have a minimal presence on the landscape and mimic the characteristics and impacts of the existing structures and facilities in height, size, and reflectivity. Whenever practicable, underground routes, including undergrounding portions of routes, are strongly preferred.

More specifically, based on the information provided by Dominion, the proposed rebuild project will cross 16 properties held in open-space easement by VOF, including one property under open-space easement co-held by VOF and Albemarle County. Dominion has stated that expansion of its pre-existing right-of-way is not required.² However, there is currently a pending matter³ before the Circuit Court of Albemarle County wherein the Plaintiffs (which include four landowners⁴ whose properties are encumbered by open-space easements held by VOF) dispute Dominion's position and argue that the rebuild project exceeds the scope of the deeded rights-of-way held by Dominion for the existing transmission line. VOF's rights in these properties are derivative of the Plaintiffs'. Accordingly, if the court determines Dominion's proposed rebuild project exceeds the scope of these right-of-way deeds, it is VOF's position that the project may also violate VOF's open space easements.

Most of the 16 properties held in open-space easement by VOF, are subject to substantially similar deeded rights-of-way in favor of Dominion, and VOF is concerned that Dominion's proposed rebuild project may also exceed the scope of these easements. If it is determined that Dominion's existing right-of-way is not sufficient to accommodate the proposed project on any of the other 16 VOF protected properties, Dominion's proposal may violate the VOF easements on those properties.

To be clear, if Dominion must acquire additional right-of-way, or existing rights-of way must be amended or expanded over properties held in open-space easement by VOF, it is VOF's position that such action may not be permitted by the open-space easements, as the conservation values of those properties would be negatively impacted.

Furthermore, the proposed replacement structures appear to be twice as tall, with numerous additional structures planned on the open-space easement jointly held by the VOF and Albemarle

² Application Appendix at page 9.

³ *East Belmont Farm, LLC et. al., v Virginia Electric and Power Company* Case No. CL26-859 in the Circuit Court of Albemarle County.

⁴ East Belmont Farm, LLC; Castalia-Cismont Investment, LLC; Clover Hill, LLC; and Jaffray Woodriff.

County near the Cash's Corner substation.⁵ VOF is concerned about all the taller towers along the entire project corridor, additional towers near the Cash's Corner substation, and is especially concerned that Dominion's rebuild plans will impair the scenic qualities of the area from State Route 231 where the transmission line is closer to the road. VOF requests consideration of options including undergrounding portions of the project rebuild, specifically in areas most visible from public areas.

While recognizing the need to improve aging infrastructure, VOF would like to continue the conversation with Dominion about exploring and reducing any potential impacts to the conservation values of the properties held in open-space easement by VOF, and more generally the scenic impacts on the broader area.

Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Hibbitts', with a stylized flourish at the end.

Harry Hibbitts
Regional Conservation Director
hhibbitts@vof.org

⁵ Application Appendix at page 175.