<DATE>, 2025

RE: Opposition to the Electrical Infrastructure CPAM definition of Transmission Line Corridors (Phase 1 and Phase 2)

Dear Members of the Loudoun County Board of Supervisors:

**We strongly oppose Loudoun County Board Of Supervisors’ CPAM on Electrical Infrastructure and its designation of transmission corridors anywhere in Loudoun County. Further, we oppose the infrastructure maps (Phase 1) and the County’s designation of "approved high voltage transmission corridors as a preferred location for the development of future transmission lines” entirely.**

**Virginia is a Dillon Rule state which means a county has no authority except what the state has granted it. No County including Loudoun County has the authority to designate transmission corridors, site HVAC transmission lines or direct “**electrical providers and reviewers at the state and federal government to locations where the County would anticipate and support the development and redevelopment of high voltage transmission corridors**.**

Loudoun County’s statement that the CPAM is to **provide additional guidance for electrical providers, County staff, elected officials, and other governmental decision-makers when planning where and how high voltage transmission corridors are constructed within the County** appropriates authority the County does not have and insinuates a weight or legal relevance to the Comprehensive Plan that similarly does not exist.

Transmission line applications ***do not*** come before the Loudoun County Board of Supervisors nor is there any stipulation that allows the Loudoun County Board of Supervisors to approve a transmission line or a transmission corridor.

Loudoun County has no authority to act on transmission line applications or to select areas for routing HVAC transmission lines or to influence the routing to conform to its preferences, during the planning stage and in advance of alternate routes being presented to the community. To do so violates due process rights of affected property owners. The use of private property for a transmission line includes a taking by eminent domain for easements and/or the diminishment of property value due to an HVAC transmission line in close proximity to the property or in the view shed of the property.

 Transmission line easements restrict the by right land use of private property, even if a use would be permitted by the electric company, it would be governed by a Consent Agreement which would have to be requested and documented. Transmission easements affect a property – *in perpetuity. In the case of privately owned property, it affects the generational wealth of the property owner and their family*.

For example: The following are not allowed on/in a transmission row:

* Buildings, building extensions, building additions, or any portion of a building. By
* way of example and not limitation, the following items generally will not be
* approved: homes, offices, garages, dams, sheds, roof overhangs, gutters, balconies,
* decks, porches, and covered patios;
* Playground equipment;
* Dumpsters and trash receptacles;
* Debris, scrap or waste materials, fill, spoil material, stumps, large boulders, concrete
* debris, asphalt debris, and construction debris;
* Building materials;
* Swimming pools, wells, septic tanks, drain fields (to include engineered systems),
* fuel tanks, and propane tanks;
* HVAC units;
* Satellite dishes and television antennas;
* Stored trailers, motor homes/recreational vehicles (RV’s), and inoperable vehicles;
* Most watercraft;
* Any type of fire or burning;
* Solar panels;
* Sprinkler systems (excluding drip systems);
* Fire hydrants;
* Retaining walls;
* Storm water ponds, BMP’s, retention ponds, or any man-made pond; and
* Burial sites, family plots, and cemeteries.

Additionally, the presence and proximity to one or more HVAC transmission rows severely restricts not only the aesthetics and enjoyment of the property but the development of the property. A 765kV on V-structs with guyed-wires in a new 200’ easement (as has been proposed for Western Loudoun) precludes using large sections of a property for farming or vineyards. For context a space 200’ x 200’ = 1 acre. Individual properties would be rendered un-fit for many of the agricultural and tourism businesses otherwise allowed by-right on those properties.

Land use is governed by zoning ordinances and is the only legally enforceable tool to regulate land use. The County is now attempting to use a CPAM to effectively re-zone selected areas for transmission infrastructure use which is clearly incompatible with the existing by-right zoning use of those areas. Designating a "transmission corridor" will result in private properties being taken essentially "at will" by utilities, sequentially, in swaths of 50', 100' and 200' - in perpetuity, for the county's stated purpose of providing power to the data centers. Also, designating a transmission corridor will exclude any and all alternative routes including less costly routes and less impactful routes.

The designation of an area as a transmission corridor, constitutes a taking of private property in advance of the taking which would only occur in the event the Virginia State Corporation Commission were to approve an application and issue a Certificate of Public Convenience and Necessity for a proposed transmission line. This is unconstitutional and violates due process rights of private property owners.

The communities of Lovettsville and Between the Hills "host" the one and only interstate 500kV transmission line in Western Loudoun County.   Those transmission lines are the Dominion 500kV Mt. Storm – Doubs transmission line and First Energy’s 138kV transmission line.

It is quite clear that the end result of the "review process" with respect to the transmission lines has been pre-determined: the Lovettsville and Neersville areas in western Loudoun is being set-up to host the electrical infrastructure corridor to support the data centers – in direct violation of the due process rights of the private property owners in this area..

The Rivers Edge community has multiple permanent Virginia Open Space Conservation easements that are held by the county. To designate this area as a transmission corridor is a direct conflict of interest with the county's duty as holder of those easements.

 Respectively Submitted,

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