

- 1.) Even if denied access by a landowner, Tennessee Gas is threatening to conduct investigations, which they call surveys, on private and public land in order to prepare its application to FERC, the federal energy regulatory commission.
- 2.) Landowners do not have to allow access, tree cutting, excavation, or drilling on their land until they have been paid in formal, temporary or final eminent domain proceeding.**
- 3.) Landowners' private property rights include the right to prevent trespass.
- 4.) Cutting of trees or brush on land owned by others is timber trespass and is against the law.
- 5.) A pipeline company without a federal "certificate of public convenience and necessity" does not have eminent domain power and is subject to all state and local laws, period.**
- 6.) Conservation land in New Hampshire has added layers of protection under Common Law. Tennessee Gas cannot violate legally recorded conservation easements, or the public charitable trust that conservation land is held under by towns and the state. Similarly, land trusts must uphold the conservation purposes and charitable trust granted to them by the landowners they worked with to conserve land and that is enforced by the Attorney General.
- 7.) The rights of landowners are more fully explained in a legal memo prepared for MA landowners that is available for free at www.mountgrace.org.