STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: ATLANTIC COAST PIPELINE 4041 CERTIFICATION

PUBLIC HEARING

BEFORE: JACOB GLANCE, Chair
NANCY DICKSON, Environmental Resources Specialist
LAUREN EVE
LAURA COOPER, Environmental Resources Analyst
ED MAGUIRE, Environmental Advocate

HEARING: Tuesday, August 1, 2017
6:07 p.m.

LOCATION: Pocahontas High School
271 Warrior Way
Dunmore, WV 24934

Reporter: Jordan Barry

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CHAIR: All right. We’re going to get started, everybody.

Good evening. I’m Jake Glance, with the Department of Environmental Protection’s Public Information Office. Welcome to tonight’s public hearing on the Atlantic Coast Pipeline’s 4041 Certification. Also here this evening are Nancy Dickson, Lauren Eve, Laura Cooper, and Ed Maguire, with the DEP --- with the WVDEP.

The purpose of tonight’s hearing is to give you the opportunity to share your comments with the DEP about the Atlantic Coast Pipeline. Tonight’s hearing is being recorded by a court reporter, so that the comments shared here can be part of the public rule-making record. To make sure that we successfully achieve the purpose of this hearing, we ask that everyone be respectful and considerate to each other, by refraining from interrupting others while they’re speaking and keeping your comments on the topic, so that our time together is used most efficiently.

There are a lot of people who have signed up to speak tonight. So, the time limit for each speaker

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is going to be three minutes. For those wishing to
speak, when I call you up to provide your comments,
please state your name and say if you are representing
any groups or organizations.

If you have written comments that you
would like to submit in addition to your spoken comments,
please hand them to me after you speak or at the
conclusion of the hearing. If no one has any questions
about the format of the hearing, we're going to get
started with our first speaker. Any questions?

Okay. The first speaker tonight is
Margaret Worth. After Margaret is W. P. McNeil. And
after W. P. McNeil is Gil Willis.

**MS. WORTH**: I don't know I would be a
speaker, actually. I'm a little bit confused, because I
assumed that the DEP was going to give us some
information first. So, that's the information, huh?

**CHAIR**: Maps of the pipeline. Yep.

**MS. WORTH**: Okay. Okay. Well, then my
comment is that I attended the comment session to listen
to the original department --- or environmental impact
statement answers and responses to those who had
concerns. And I asked questions about the water
impairments, and I don't know how many of you have tried
to understand the complete environmental impact taking
place, that is obviously a very large document. And it
seems, you know, ever changing.

So my concern was that what I could find
were three two acre water impoundments within Pocahontas
County. I live in Pocahontas County. I don’t represent
any organizations. I am a life-time resident of
Pocahontas County. I’d like to remain here for the rest
of my life. But water is life. And water is vital to
our ability to continue to live here in an agriculture
and tourism county. And timbering and trout fishing. So
nobody was able to answer my questions about where those
three two acre lakes were located.

And again this --- in the interest of
helping the residents who aren’t able to come to
meetings, and who aren’t able to understand what’s
happening, because they’re at work all day, taking care
of their children, and those things. I wanted to have
that information, because I felt very strongly that
people might be susceptible to having their drinking
water supplies eliminated.

So, at this time, I still haven’t had an
answer to where are the three two acre lake water
impoundments that were in the original environmental
impact statement. I have not been able to see what the final environmental impact statement looks like. Like everybody here who came with the concerns about the pipeline. It’s about the water. The water quality. You know, too many people in too many communities in West Virginia who now have no access to clean water in the communities in which they live.

It’s the same extraction industry that’s ready to speak at some point this evening. And from what I understand, and having spent a lot of time trying to understanding this as best as a regular citizen can. There has been no proof that this pipeline is necessary. From the very beginning as I expressed my concern is not where that pipeline is or that it goes through the forest and does less individual inconvenience. It’s still moving frack. Yes. And we know, and we’re smart enough to know, that frack gas is not good for anything, and the fracking process. So, thank you.

CHAIR: Next is W.P. McNeil. After W.P. McNeil is Gil Willis. And after Gil is I think --- B-E-R-N-I-E-R. Is that right?

You can go later, if that’s ---. Okay.

Up next then is Gil Willis. After Gil is Danny or Doug.

MR. WILLIS: Hey. How is everyone doing
tonight? Good. A beautiful night here in the county. A couple things. You know, I’m a little confused too. I was hoping that DEP was going to maybe walk us through, you know, their responsibility for the pipeline. You know, now during post pipeline construction.

I live actually about three miles from where the pipeline will cross 219. And also it impacts this upper watershed that’s across for me. And I’m a professional guide here in the county. I’ve been for --- oh shoot, 30 years. You know. You know, I’ve made an honest, a very, you know, a good solid living here. It hasn’t been easy. It never is when you have your own business and you work hard.

But I have a question for the DEP. You know, I was fortunate enough to spend some time with them earlier today. And we looked at all the stream crossings that are up in the upper Elk River drainage, which is where, you know, I spend a lot of my time. And my question to the DEP is once the project starts, what can they --- you know, what can we rely on as far as the DEP to be here, as far as inspecting this project on a daily --- I mean, will someone be here daily checking on this project? Or will this be something that, you know, the funds horary and, you know, there’s a problem. You know.
You're an hour away, an hour and a half away, can you come and look at the --- can you guys make sure that that, you know, will there be someone here I guess most of the time watching this project as it progresses?

CHAIR: Who are you talking to?

MR. WILLIS: I mean, the DEP. You know. Are they here?

CHAIR: Yeah. There's one right there and those two right there.

MR. WILLIS: It's here somewhere, which I don't expect Ed to know the answer to that question, but can anybody from the DEP answer that?

CHAIR: We'll be glad to discuss that with you after the hearing. This is not the proper time to do that.

MR. WILLIS: Okay. Okay. My apologies. I was just --- I was just curious about that, because --- you know, you guys that have lived here your whole life, you know that we get a lot of rain in this county. There's a lot of erosion and, you know, I have some concerns about that as far as when construction starts.

But, as a business person, who survives off of people coming to this beautiful county to recreate year round, you know, I'm a little concerned about my
loss of income. If this project is going to happen, I feel like there's going to be a lot of businesses in this county that --- my part of the county, and probably some folks that live in other parts of the county, that make their living off of high quality recreation that we have here.

So I have some concerns about that. But I'll pursue that with Dominion and some other folks down the road. I think I've used my three minutes up. Thank you.

CHAIR: Doug Bernier is up next. Doug?

And after Doug is Robert Merritt. After Robert Merritt is Rob Richard.

MR. BERNIER: I've been living in Pocahontas County since 1991. I certainly appreciate the clean water we have. And it's a very, very valuable commodity, and I certainly don't want to see it compromised. And I would hope that the folks that work at the DEP would remember what their mission is, and what those initials stand for. They are not the department of economic development or economic promotion. And I would hope that they would take their job seriously and continue to go after this. And do the right thing. Thank you.

MR. MERRITT: My name is Rob Merritt. I’m represented by the IUOE, the International Union of Operating Engineers of mining operations. I’ve worked a pipeline. A lot of people don’t know a lot about the work. When you work a pipeline, it’s a totally different operation than a regular pipeline. The work is heavily regulated. A lot of projects I have been on, when we leave it’s --- I think it’s --- a lot of the times better than when we came.

There is a lot of --- this actually could create a lot of jobs. You know, I know this area here. I was born here. Born in Marlinton, raised in Charleston. My families lived there since 1967. I’ve been up there for years, you know. This is a beautiful country. And then I think --- honestly, in my opinion, I think if you work a hard job, like I said it’s a totally different job.

A lot of people last night spoke, and some 40 people long. That’s a lot of assets there, sure. But, you know, sometimes in life --- and I said this last night. We have to work together. Everybody does. And
now it's, you know, that's the hard part of the job but I hope the DEP just sticks to what they're going to stand for. That's all I got to say. Thank you.

CHAIR: Up next, Rob Richard. After Rob, Amy Scott. After Amy is --- it looks like Polly, B-E-V-L-E-C-H-E. Is that right?

MR. RICHARD: Hi, my name is Rob Richard. I work with the West Virginia Laborers' District Counsel. Representing the national union. We represent about 500,000 laborers. About 5,000 in the state here. I'm here to speak on behalf of the DEP on the 401 water certificate.

Our job out there in the field is mainly safety. I mean, a lot of people is concerned about the water. We --- our contractors, the contractors that are doing this --- it's almost utmost safety ---. You know, we have to battle the weather, we have to battle the nature. We have a handful of engineers. We have all this to battle. And we get through it. We put these lines in. We get them through. And then it helps the business owners around here.

But everything we do is utmost safety. We want our members, if they move around here --- our residents, we want you to come home every day safe. We
want to go home safe every day. That’s what we want for our members. That’s what we want for everyone. That’s why I’m here to support this, because we know we can do it right.

And for the jobs alone, for the tax revenue. I know a lot of people talked about the water here. You know. You got taxes that will come in here and go back to the water department and sewer. You know, there’s schools around here in this county that don’t have, you know, fire alarms for your kids. With these tax dollars, that’s a lot of money going back into it. You know, there’s a lot of things like that, but utmost safety is our issue. And that’s what we do. We’re here to work with the DEP on everything we can. Thank you.

CHAIR: Up next, Amy Scott. After Amy is Tolly. And after Tolly is Tom Epling.

MS. SCOTT: Can you hear me? Can you hear me now? My name is Amy Scott. I live in Dunmore, West Virginia. The ammunitions, the misrepresentations and false information contained in Dominion’s water permit application include a perilous game of short time given to a speaker. As a result, I will be submitting a lengthy comment before the August 4th deadline and will continue my remarks on several key issues.
Throughout the application document released by the EIS, our acknowledgement is that Dominion has not completed required surveys and has not completely developed mitigations plans for the damage that will be caused by the pipeline construction and the presence of the pipeline in the future. I will not spend time reviewing the incongruity of issuing a final EIS, when by definition you did not have information to assess. In short, issuing a final EIS when all the required data is not supplied violates NEVA.

However, that may be, the failure to report and properly assess and mitigate damage to the ACP should not impact West Virginia DEP from requiring all necessary permit data be submitted prior to evaluating the permit application. At present, there’s an over abundance of natural gas supply. The areas of the U.S. that the ACP proposes to service already have adequate pipeline capacity. The ACP is not providing natural gas to areas without current supply. The most pressing need for the ACP is the 14 percent return on investment guaranteed to Dominion and its partners. The protection of the pure waters of West Virginia should not be overwritten by an unnecessary pipeline and the financial gain of a private out of state company.
The pipeline is rooted intentionally by Dominion over several large sparse areas in Randolph and Pocahontas Counties. Of great concern are the interconnecting waters of the Elk and its tributaries, and of the Clover Lake Creek and its tributaries. The Elk River sinks underground in various spots along Oak Hill and enslaving park ranches continuing through the dry parts of Downtown Springs are most evident during summer. Similarly, Clover Lake’s Creek sinks underground in various spots. The numerous springs that feeds its waters are quite picturesque.

It is evident that ground waters and surface waters interface throughout these areas. Complete studies have not been done. The 1997 environmental impact statement, otherwise known as EIS, are an initial literature search for information, not the assessment of water flow in the area. Formal dye testing with public notification should be done to determine water flow in connection to private wells, springs and surface waters prior to issuing a water permit.

The arbitrary 150 and 500 feet lengths of spring and wells tamping outlined in per EIS is completely inadequate. The dry beds of the Elk and Clover Lake water see these instances. Numerous
publications by federal agencies stress the importance of
avoiding disturbing the surface of karst topography.
While some building has occurred in the area, it is more
private proposed ACP construction. Dominion has
identified 8.6 miles of bedrock and karst that they have
requested --- please let me finish --- permission to
blast. Should other excavation methods fail to achieve
the needed trench depth.

First, EIS documented that Dominion’s
conservation plan was incomplete, and that additional
detail --- data, and details be forthcoming. The
probability of contaminating private drinking water,
spring surface and ground water is most acute at Clover
Lake, where the steepness of the pipeline is one of the
two places that EIS considered landslides and soils
contamination to be unavoidable, given Dominion’s current
proposed construction practices.

The placement of the ACP on the Clover
Lake Mountain along Clover Lake Creek and across the
Greenbrier River provides a perfect storm for
contamination affecting many residents. Yet Dominion
would have us believe that they can defy the laws of
gravity and physics, and that nothing could possibly go
wrong. No engineer would intentionally select the route
along Clover Lake Mountain and Clover Lake Creek, given slopes greater than 40 percent dropping our karst topography, and following a trout stream with numerous springs and underground sinks down to the Greenbrier. Yet, Dominion, with their poor environment track record did.

CHAIR: Ma'am --.

MS. SCOTT: Last paragraph. Could I take somebody else's time?

MR. HEROLD: You can have mine.

MS. SCOTT: Thank you. Section --.

CHAIR: Who are you? What's your name?

MR. HEROLD: William Herold.

MS. SCOTT: Section 219 of the Requirements Governing Water Quality Standards defines trout waters as waters that sustain year round trout populations. Excluded are waters which receive annual stockings of trout that do not support year round trout populations. Appendages taken from West Virginia Code 37-3-4 listing B-2 trout waters clearly states --. This list contains known trout waters, and is not intended to exclude any waters which meet the definition in Section 2.19.

Clover Lake Creek supports a breeding
population of brook trout. My husband and others have fished these waters, and can attest to this fact. Dominion scrupulously avoids labeling them as trout waters, which means it can bypass the necessary restrictions that would be imposed to protect the fish. As stated before, since Dominion has not completed the necessary surveys of aquatic life, their application should not be considered until all of the required studies and information is submitted.

I am requesting that Clover Lake be properly labeled as a trout water, as the trout water it is. And that proper safeguards for protecting breeding trout be included in the permit application, should it be granted. Thank you.

CHAIR: Tolly Bevéche. After Tolly Bevéche is Tom Epling. After Tom Epling is John Williams.

MR. BEVLECHE: I’ve commented at a lot of these public meetings for the last two years. And one of the things that I hear more than anything else from public officials and government employees is it’s a done deal. Well, I’m here tonight because I just don’t want to believe that. And I would like to see the environmental protection folks do what they are supposed
to be doing.

If there's even a small chance of long
term negative impacts for our precious clean water, then
that's too much. They're not making any more of it. And
DEP knows that. They need to do due diligence, before
giving Dominion and Atlantic their permits that they
want. Of all the agencies in West Virginia, DEP knows
how important clean water is to all of us. And I don't
think you want to be in a position of doing what just
apparently happened with having to halt pipeline
construction, because of --- because of permit violations
and --- as the Rover pipeline sits in the paper.

We doubtless already know about all the
karst and we've heard about all the trout streams. You
know how delicate all this is. This is your job. You
know what silt and other contaminants getting into caves
and sink holes can do. And I've been reading the final
EIS, in all its incompleteness, about mitigation measures
that Atlantic proposes to implement.

All I want to say is that it won't take
more than one or two mistakes to harm the water and the
steep mountainous terrain with interconnected systems of
caves and springs that no one can even accurately map.
Even the EIS admits that there will be permanent harm
done by this construction. So this can't be mitigated. More in Pocahontas and Southern Randolph Counties, other people have said or thought that recreation is all based on this delicate resource. That's including trout fishing, bird watching, mountain biking, hiking, et cetera.

I'm strongly opposed to this project, and especially to this route. I don't think it will benefit the state. And even if it did, what good would it be if we don't have clean water? I know it wasn't something you wanted to do, to have a public meeting. And I was one of the many people who wrote requesting it. And I thank you for doing that.

Now, I hope you will be --- I will be able to thank you for doing a good and scientific, unbiased job in studying the impacts of this project on the irreplaceable clean water, and thoroughly evaluating this permit application before you submit to the motion and the project is a done deal. Thank you.

CHAIR: Up next is Tom Epling. After Tom is John Williams. After John is Greg Hefner. Tom?

Moving on. John Williams.

MR. WILLIAMS: Good evening. I am John Paul Williams, Director of Preferred Alternatives, a non-

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profit group that comments on energy projects, such as
pipelines. Preferred Alternatives has supporters near
this pipeline's route in West Virginia. I am an
environmental consultant who overviewed large industrial
projects throughout the United States, including
pipelines, for over 30 years.

I've opposed pipelines in the past. I'm
not going to oppose this one. I'd like to present
evidence that the proposed pipeline will actually improve
West Virginia's water quality. The pipeline is a fine
example of the infrastructure needed to shut down some of
the 33 coal plants in Virginia and North Carolina. Every
shut down of a coal-fired power plant will cause massive
reductions of the air pollution that causes acid rain and
degrades water quality in West Virginia.

There are over 40 aging coal-fired power
plants in North Carolina and Virginia that could be
closed once adequate supplies of economic natural gas is
available to replace the coal. And we've already seen
how natural gas has sped the closure of two coal fired
power plants on the New River. And the sell in each
plant narrows this converted coal fire power to run on
gas. The selling of these waters switched away from
coal, and caused a 10,000 ton reduction of air pollution
that causes acid rain.

So selling these also slowed the whole ice
thaw and stop discharging waste water and that coal water
into the New River. Since the New River flows in West
Virginia, those should almost actually improve West
Virginia’s water quality, and we’ll get more of those
benefits on taxes readily available including hopefully a
shutdown of the aging coal powered power plant, like the
Radford Ammunition Plant.

Virginia and North Carolina admit that
their coal-fired power plants, over 100,000 tons per year
of the air pollution that causes acid rain. If even one
coal plant is replaced with a gas powered unit, that will
remove 10,000 --- thousands of tons of toxic air
pollution that causes acid rain as it sells each boiler
replacement. Thank you very much for the opportunity to
comment here tonight.

CHAIR: I would like to remind everybody
to be respectful of the speakers up here. We will not be
suppressing any opinions here tonight.

Next up, Greg Hefner. After Greg, Allen
Johnson. After Allen is Deni Elliott.

MR. HEFNER: Good evening. My name is
Greg Hefner. I represent the Harrison County Economic
Development Corporation and the Harrison County Chamber of Commerce. I want to thank the DEP for the opportunity to speak here this evening. And I want to thank each and every one of you for coming out to discuss this very important project.

The Atlantic Coast Pipeline would be an economic game changer for West Virginia, Virginia, and North Carolina. This project will generate $2.7 billion of economic activity across the area. That's a huge number, and it'll have a significant impact on our citizens in the State of West Virginia.

Projects like this go a long way to better position West Virginia's economy, to benefit all West Virginians. Not only now, but for generations into the future. We're looking at 17,000 construction jobs. That is --- that's a tremendous impact. It will give our young people an opportunity to stay right here in West Virginia and earn a good living. It will also give some of our kids who have had to move away an opportunity to come back and earn a good living right here in West Virginia.

$28 million in new tax revenue. What would that do to improve our schools, our roads, all the vital services that we provide to our citizens? This
project will revitalize the manufacturing economy. It will increase access to natural gas, will enhance economic development, by attracting new investment right here in West Virginia. Again, providing jobs for young people, so they don’t have to move away.

This project has a significant upside and very little downside, in my opinion. Dominion is committed to the best in class standards for both the construction and operation of the Atlantic Coast Pipeline. They will go above and beyond regulatory requirements to minimize environmental impact. In fact, the proposed route has involved years of comprehensive studies and surveys, in order to minimize impact to sensitive areas.

Over 300 reroutes have already been done on this project, to reduce environmental concerns. State of the art stream and wetland crossings and other state of the art construction methods will protect water quality, the land, and wildlife. Throughout this lengthy review process, DEP, Dominion and other agencies have been carefully analyzing potential impacts on land, air quality, and water quality, wildlife and other resources to ensure the project has adopted all necessary measures to protect the environment.
Dominion has provided more than 100,000 pages of reports and documentation covering every aspect of this project. They’ve done their due diligence. This project has nearly three years of review and input by various federal, state, and local agencies. Folks, it’s time to build this project and put the people to work.

I’m a lifelong West Virginian, and I deeply care about our environment. The fact is, West Virginia is an energy state. We are blessed with an abundant supply for natural gas and coal. We need to work together to extract these God given resources in a responsible manner. Dominion has an excellent track record of doing things the right way. They have operated in West Virginia for decades. They are a good neighbor, and have proven to everyone that they do things the right way.

And so without hesitation, that I stand here and advocate for this pipeline. Thank you.

CHAIR: Up next, Allen Johnson. After Allen is Deni Elliot. After Deni is Louise Barnisky.

MR. JOHNSON: Thank you. I’m Allen Johnson. I’m with Eight Rivers Council also Christians for Mountains. And I live in Frost. I moved to this area over 40 years ago. My wife and I, when we moved in
'83 and decided it was water --- I love clean, clear water. I mean, you know, a good community citizen. Every place next to the National Forest. Monongahela National Forest, which is now 600 yards from my house, where the ACP is trying to go through. A little area I know well. I've hiked a lot of times. Very steep slope.

I've seen rain storms, what they can do when the ground is stable. So I --- I know there will be sedimentation. I hope it's not as bad as the Rover pipeline, that is getting so bad and reported by citizen activist monitors who saw that and reported it enough that finally the DEP put a cease and desist order on it.

I think most of the DEP people are good people. They have good hearts. I'm concerned is when it comes from on top, the political pressure upon the DEP to have this and still --- continue to be an energy state. I know this energy state has half or what half has been particularly in the areas where there has been major extracted industry. The boom and bust cycle. The boom and the bust that messed up and polluted --- and this area here does not need to be an energy sacrifice zone. The DEIS itself says zero jobs. No jobs in Pocahontas County. No permanent jobs. No gas. No gas at all. And
we’re told to keep quiet and suck it up for the rest of
the country, and their jobs. And then we’ll have our
water, our beautiful scenery, our ecosystem, our precious
water that we are stellar. We are the best in the
nation. There’s a reason for that. And we’re going to
risk it and then what? And it will get degraded through
some degree maybe a lot of degree.

I guess the last thing I want to say and
ask, a gentleman said a little bit ago, asked that the
DEP, I guess if they’re not there, citizens monitoring.
We’re going to have to have citizen monitors on it.
Drones. People on foot. If this thing goes through,
we’re going to have to watch it. And if it gets bad,
which I expect, and the DEP doesn’t act on it quickly and
properly, well then I hope that some of us will act and
stop it. Non-violently. Nothing like that. But, I’m
saying, get in the way.

So, folks, I know that if this thing goes
in, and it degrades the land, I hold the politicians who
support it responsible, Dominion responsible, and the
DEP, if we don’t get it stopped --- I hope you stop it.
Don’t even let it go on. Thank you.

CHAIR: Up next is Deni Elliott. After
Deni is Louise Barnisky. And after Louise is Larry
Cavallo.

MS. ELLIOTT: Hi. I'm Deni Elliott. I'm a teacher here in Pocahontas County. But tonight I'm representing the Greenbrier River Watershed Association. And it has members from the headquarters here to the conquest for the New River in Hinton. And I'm here to protect Greenbrier River. Our association has that as its policy. And so, we look at what Dominion has written and has reached approval for, as far as building is concerned. There is too many loopholes. Too many things that are not being spoken for.

So I will read off some specifics. The proposed best management and practices and mitigations measures are deficient and will result in impairment and degradation of water resources and aquatic habitats. Operation and sediment controls are inadequate to prevent permanent degradation of aquatic habitats and the receiving streams. No drainage areas have been delineated. That's a requirement. Can I ---?

Okay. Anyway. No drainage areas have been delineated to satisfy requirements specified in the West Virginia erosion and sediment control. And no speculation is based on peak discharge from the two year, 24 storm have presented to satisfy requirements specified

Anyway, and bioassays have not been conducted at the proposed stream properties or streams that will be impacted by construction activities. Therefore, there is no baseline data to determine the impacts of the proposed construction. If you don't have baseline data, then you can't say if something is being damaged or not. And that's my spiel from the Watershed Association.

I would also like to speak personally. I have lived in five states. And I have decided to stay here in West Virginia. And it's because of the mountains and because of the water. It is just downright gorgeous. And I don't mind jobs and I really think --- well, if we gets tax dollars, that's another issue. And jobs are another issue too. Those are presumptions. Even though those are good things, you have to take Dominion at face value.

It is putting in a pipeline. It is going to charge the receivers of gas more money for the pipeline, and they're going to take that gas and export it. So they are using your water, your environment, to export this gas out of Cove Point, Maryland, and put
money in their pockets.

CHAIR: Next, Louise Barnisky. After
Louise is Larry Cavallo. After Larry is Patrick Skeen.

MS. BARNISKY: Good evening. I didn’t
know I would be speaking. But you know I’m an old ---
I’m an old grandma. 84 years old. And I’ve lived in
Pocahontas County for a long, long, long time. I want to
tell you something. Pocahontas County is wasting away.
We have nothing here. We’ve been promised and promised
and promised things that will help protect us. I went
through two floods and a fire. I wouldn’t mind if
Dominion come and build a line under my porch. And maybe
he can help me out some.

You know folks, our children are here
without education. We have no schools that is up to date
anymore. Everything is in problems. I was in the school
system for 25 years and nine months. And I saw the good
times and now I’m seeing the bad times. I have great
grandchildren that are going to school and need help.
Our schools --- they’re telling us we’re going to close
our schools. They’re going to do this, they’re going to
do that.

You people that are coming here to West
Virginia to live, you don’t know what it’s all about.
You're not old enough, a lot of you, to know what it's all about. You're coming here and trying to change our county. And I worked --- my husband worked at a fish hatchery for 25 years. We had plenty good water. They never come and checked the water wells, fish hatcheries and all of our water systems.

Folks, I tell you. We need some help in West Virginia, and for our younger people who have no jobs. I see my grandchildren, my great grand children have to go away and never come back. We need help. And we need it. And I feel like Dominion Power Company knows what they're doing. Thank you very much.

CHAIR: Larry Cavallo is next. After Larry is Patrick Skeen. And after Patrick, Tracey McLean put maybe. Does maybe mean yes or no?

AUDIENCE: They're both gone.

CHAIR: They’re both gone? That’s a no.

Larry Cavallo. Patrick Skeen. And then after Patrick is Debbie Necter. Is that right?

MR. CAVALLO: Hello. My name is Larry Cavallo. I was born and raised in West Virginia, and currently live in Bridgeport, West Virginia. I’m a 32 year veteran of the oil and gas industry, having worked 30 years for exploration and production companies,
including Dominion. And the last few years, as an
industry consultant. I have three degrees from West
Virginia, with two of those being a Bachelor of Science
in Geology and a Master's of Science in Geology. My
Master's thesis dealt with subsurface mapping of the
Mississippi and Greenbrier River systems in Southern West
Virginia.

I had some time today, so I spent a
little time driving around Pocahontas County today. And
it really reminded me what a special place Pocahontas
County and neighboring Greenbrier County is. It brought
back memories when I was a geology student camping around
with the mountains and valleys, with my backpack, my rock
handler, my compass, and a paper map. It brought back
memories from when I was much younger and deer hunting up
the road on property adjacent to the observatory. That's
where I killed my first deer.

So today was very helpful to me. And it
inspired me to kind of drop my four page text that I was
going to read to you. And just speak to you for a few
moments. So I'll say that in my opinion, I think it's
important that we, as an intelligent society, balance
economic development with environmental protection. To
that end, I've spent a great deal of time reading all
these technical documents that Dominion has put out, regarding the Atlantic Coast Pipeline.

They've done a wonderful job assessing the entire corridor. They've mapped and identified all the karst features that are near the pipeline. They've identified steep slopes. And they've identified all the wetlands. They have done a wonderful job rerouting around these features wherever they could. And they've engineered their plans to minimize impact, where they could not reroute.

I mentioned earlier, I am a former Dominion employee. And as such, I got to see firsthand every day how important safety and environmental stewardship is to a company like Dominion. I really believe Dominion is the right company to build this pipeline. And I trust the DEP and other regulatory agencies to make the right decisions on all these permits. And I trust these regulatory agencies to hold Dominion --- the Dominions of the world to very high environmental protection standards.

So, and you can probably tell, I support the building of the Atlantic Coast Pipeline. The West Virginia economy needs it. The oil and gas industry needs it. Our country needs it. And I believe I'm
uniquely qualified as a geologist, a former Dominion employee, and oil and gas professional, and someone who has a special feeling for Pocahontas County, to say Dominion has a good account to balance the development of the pipeline and protect the environment. Thank you.

**CHAIR:** Patrick Skeen is up next.

Patrick?

**AUDIENCE:** He’s not here.

**CHAIR:** Not here?

**AUDIENCE:** No.


**MS. NECTER:** Hi. My name is Debbie. And I agree with the gentleman who said that the best thing we’ve got going is clean water. I don’t agree that as much job revenue is going to be created. And I think there are safer ways that this state can do so. I too have a statement written out. And I may use most of it. But I tend to get emotional. Because I don’t intend to remain positive while our most precious
resource is abused. And the statement clearly says it
does not have all the information required. It does not
have all the bases covered. And until they do, this
should not be allowed. I might be naive, but I’ve always
believed that the Department of Environmental Protection
is here to protect the natural resources for all of us.

There’s nothing typical about any of this.
Every demonstration that we have up here uses the word
typical. There’s nothing typical about the topography of
this state. And the word mitigate has no assurances for
me. That too is a word they like to use a lot. There’s
no guarantees with the word mitigate. There is something
wrong with a system that has the single goal of turning
natural resources into capital, regardless of the loss
for humans and the environment on which we all depend.

The resource extracted sector globally is
the most corrupt sector on the earth. It starts with
greed, and it ends up with dried hopes. The bottom line,
convenience and necessity in this matter would be a lie.
It does not apply. We all know this gas is destined for
export.

What is the Department of Environmental
Protection’s responsibility to us, to all of us? Your
children included. I hope that you do the right thing.
and save our water and our land and our rural way of
life. Say no to these pipelines and the associated
infrastructure. Thank you.

CHAIR: Okay. Robin is up next. And then
Lucia. And then after Lucia is Cathy Mosesso. No.
Cathy? After Lucia is Paul McCormick.

MS. MUTSCHELLER: Hi. I am Robin
Mutscheller. I am a current Dominion employee. I am a
native of Marlinton and a long-time resident of
Marlinton. The opinion I'm about to give, the statement,
is of my own. I think that the Atlantic Coast Pipeline
is a vitally important infrastructure project. I believe
our region's public utilities need the additional supply
of natural gas to meet the growing energy needs, in order
to keep the lights on.

In my 30 years of experience with
Dominion, I have seen firsthand the high standards of
safety and environmental stewardship and environmental
protection standards that Dominion has to protect the
environment, the employees, and the communities for which
they serve. I believe that it is important for this
project to move forward. And I think the pipeline will
be constructed safely, with no negative environmental
impact.
I’m in the trenches every day. And I see what Dominion does. And I’m here in support of the pipeline project. Thank you.

CHAIR: Lucia is up next. Then Paul McCormick. And after Paul is Greg Rich.

MS. MOSESSO: Hello. My name is Lucia Mosesso. And I was raised in Pocahontas County. I’ve spent the past ten years in Pennsylvania and Morgantown, West Virginia. I recently had the privilege to move my family home in the area. After living the harsh realities of the coal and oil and gas industry from personally witnessing the permanently contaminated waters, I can confidently say that any impacts, no matter how small, to our finite resource of clean water is not worth the risk.

The jobs created here are not for our home, not for our children. And the negative impact will not allow our children to move home, rather force them to find farms and lives far from here. Where access to treated piped water will exist. I am here to ask the DEP to do their job, to acknowledge the incompleteness of the park statement and to deny the 401 water certification.

MR. MCCORMICK: Good evening. I'm Paul McCormick with the Pipeline Department of the
International Union of Operating Engineers. And I am
here to support the Atlantic Coast Pipeline. We're
seeking a favorable decision on the project, and part of
the process is looking at procedures that Dominion has
put in the permit application. The 401 certificate in
West Virginia looks at all of these also.

In three minutes, I can't cover all but I
will mention some of the devices and control measures
that will be used in the pipeline --- that are used in
the pipeline industry that on this project, they will be
followed strictly to protect the environment and the
water quality in the State of West Virginia. Some of
these are silt tests, water bars, sub holes, rock
settlement rollers, lift hay bails, ATV horizontal
directional drilling on this project. Some of these are
protections for coal restoration at the end of the
project with the entire right away. Seeding and
mulching. The grass and cloves for the wildlife after
the pipes are installed. Constant monitoring during and
after construction by environmental inspections.

Dominion is selected four of the highest
caliber companies to construct this project. And the
International Union of Operating Engineers has the most highly skilled, safety trained equipment operators with many of them here in West Virginia, Virginia, and North Carolina. The International Union of Operating Engineers asks after reviewing comments at the meetings to please approve the 401 certificate for this project. Thank you.


MR. RICH: I'm not here to encourage or discourage anyone. I am from North Carolina. I moved to Pocahontas County a little over five years. But I've worked for Piedmont Natural Gas for 32 years, and I retired. And I know very little about the meeting and whatever, but I would like to reiterate what this guy said. I was an inspector on the pipeline. I installed thousands of services, miles and miles of distribution and transmission line.

And these people are bound and bonded and ensured to put back the way they found it. It'll have to be in good shape when they leave it. Believe me. And if it's not, then the inspectors and the environmental people is not going to let them get by without starting something and not fix it. And, but like I said, I'm not
here to encourage or discourage anyone. And whether the
gas line comes through or not, I don’t care.

But there’s a lot of misconception about
it. A lot of things that have been said is not true.
And I’d just like the truth to get out there, and the
results of this pipeline and what it’s going to do for
the people on the East Coast. I know nothing about
shipping gas overseas or whatever. I don’t know. But I
do know the impact it’ll have on the East Coast, and
between here and the East Coast. And I know I don’t want
to see how our streams get destroyed or whatever. But,
like I said, these people are going to have to fix it.
And believe me, there’s ways of fixing a mistake. This
just means they have to do it right. Thank you.


And John is Charles Sheets.

MS. RICH: He’s my husband. And we don’t
agree with a lot of this. Because he’s a gas man, and
I’m not. I’m born and raised in West Virginia. Spent
summers in Pocahontas County all through the ‘60s. Lived
in Kanawha County. And if any of you are familiar with
Kanawha County, and the Kanawha River, I grew up just not
very far from the river. We hiked over to it all the
time. I can still remember seeing union carbide plants
and other large physical plants dumping their waste into the Kanawha River. Which to this day is --- you don’t get into the Kanawha River.

We live not very far from Putnam County. I had an aunt that lived on a little road called Manila Creek. And at Manila Creek in the ‘50s and early ‘60s, they were able to strip mine. All up and down the hillsides out there. That was back 50 years ago. And in my aunt’s creek, Manila Creek, that runs through that property --- now my aunt is gone. But that runs down this area, the stream, the rocks, the dirt. Everything was stained. A faint orangey, yellowy color. And to this day, downstream from the strip mines, there’s no life in the creek at all. There’s no crawdads, there’s nothing. There’s nothing.

And in the ‘60s, they were started --- starting to be made by --- I don’t know who, by DEP or somebody, was making the miners repair what they had done. Well, they went out along the hillsides and they planted trees and they planted grass. But, 50 years ago, and 50 years later, the stream still has no wildlife in it. I grew up in the summers here in Pocahontas County, out on Beaver Creek, Necks Creek. I still have family that has property out there.
And when we moved back here, about five and a half years ago, one of the things I wanted my daughter to experience was the pristine cleanliness of the waters here. And the mountains. The --- I've lived a lot of places in the United States. And there's nowhere like this. How clean this still is. And I know that gas companies have ways to bore underwater. To bore under rivers. And they can bore under streams.

And they say they can do it safely, yeah, I think in some cases they can. But it's just that one little accident that could happen that could destroy the water forever. Because I've seen that with my own eyes, in Putnam County and Kanawha County. I've seen it all over in other places in the state. And I just don't want to see that happening here. I like what he had to say about how natural gas would close down a lot of coal mines. From the coal burning places. Or at least transfer them over to cleaner burning. I like that idea.

But I'm just not so sure that it's, you know, at the cost of this county. And by the way, this pipeline will not bring jobs to Pocahontas County. Contractors will come in and work. They don't hire local people to put in pipelines. And they don't hire local people who respect the pipelines once they're in. The
people that are contractors come in from somewhere else. So just keep that in mind when you’re thinking about jobs. Because it’s not going to be jobs for here.

CHAIR: John Leyzork. After John is Charles Sheets. After Charles Sheets is Hallie Herold. Hallie? Yes?

MR. LEYZORK: Thank you. I’m John Leyzork. Comments very briefly on two levels. First level is, the 35,000 foot level. And that is tonight’s question for the DEP would like to become accessors to fraud. Where this pipeline is being promoted and defined on the basis of least environmental flaws that is necessary, it’s not necessary. There’s existing pipeline infrastructure that will do what this pipeline is proposed to do, in terms of transporting gas. The problem for somebody else, not Dominion, but there’s no need for this pipeline to transport gas.

The second virtual element is kind of interesting, because some pathological liars, they lie even when it does not serve their interest, even when it’s transparently obvious that they’re lying. Dominion has admitted in several hearings that the gas flowing through the pipeline does not belong to them. They are selling transport. So they are making money while the
gas used for --- a gentlemen up here said that it would be used to surplus the coal fire generation, but nobody including Dominion can actually make this claim, because nobody knows.

The gas belongs to somebody else. The owner of the gas well decides where it goes is based on economics. Global economics, these people have pointed out, will essentially guarantee that this gas will be exported. This pipeline and proposed construction will have a junction with an existing pipeline in Virginia. I think somebody had mentioned ---. So the connection will exist. Global economics will determine --- because the owners of the gas well in relation to the stock holders will determine where it will go. They will not be shutting down coal-fired power plants in this country, and will not be used in West Virginia, North Carolina. That's just an economic fact.

So now we get down to the low level, which are the concerns that the State DEP has a legal obligation to consider. This pipeline, as everybody knows, is proposed to cut through some extremely steep slopes. I think I see, by the way, that pipelines have not been designed to go up and down slopes of the steepest in the proposed routes. No engineer controls
have been proposed for dealing with the problems of
erosion, landslides, and run off from slopes of this
degree and steepness.

Also, some of the pipelines will need ---
currently selected, which could be constantly expected to
mitigate or reverse possible damage to water flows. So,
we have fraud that the DEP may not want to become an
accessory to. And we have no way of evaluating whether
construction will be effective in the industry, and
therefore, the 401 permit should be denied. Thank you
very much.

CHAIR: Charles Sheets. Charles here?

MR. SHEETS: Can I defer to later if I
choose to?

CHAIR: Hallie Herold. After Herold, Mike
Frazier, with an X in the comment box. Does that mean
yes or no?

MR. FRAZIER: Yes.

CHAIR: Yes? And then Sharon Frazier also
has a yes.

MS. HEROLD: Hi. I'm Hallie Herold. I'm
just going to wing it, so you have to bear with me here.
I am from Pocahontas County. I live a couple miles away
from the 92 crossing of the proposed Atlantic Coast
Pipeline. I just wanted to talk a little bit about what Amy Scott talked about. I'm very concerned for my personal drinking water, as Dominion has not done an aquifer study, to assess how the groundwater systems are affected. And thus, if our personal well would be sucked dry or contaminated, we would be promised no clean water. We would be left high and dry.

I also would like to talk a little bit about something I’ve been waiting to hear, and I’m surprised I haven’t heard it yet, but Pocahontas County is the birthplace of rivers. We are home to the headwaters for 80 rivers, which I would love to protect our rivers, just for the sake of protecting clean water, but we all know everything comes down to money.

So, I’d like to tie it into our economy a little bit. Everybody is talking about jobs. And I don’t want to be selfish, but Pocahontas County will see zero jobs. And I think that’s important that the residents here understand that. But, one thing that does create jobs for Pocahontas County is our tourist industry. More than five jobs is created by the tourism industry, and our tourism industry relies directly upon our clean water, our mountains, and our untouched beauty.

So, it just seems silly to me to let this
project come in and tear up our environment, potentially destroy one of our flourished economies in the county for maybe some --- I’ve heard six months --- or eight weeks. I’m not sure what the exact time is for construction of the pipeline for Pocahontas County, but zero permanent jobs. And I just don’t think it’s worth risking basically everything that we have for some ditch digging and fence building. I’ll leave it there.

CHAIR: Mike Frazier. After Mike, Sharon Frazier. And then Jacob Mack. Is that right? Yes.

MR. FRAZIER: I’m Mike Frazier. I’m from Huntington. My wife and I have a cabin over in Seneca Farms. And the reason we came over here --- we’re both lifelong West Virginians --- is because of the beauty of this area. The streams, for water, for fishing. And what I ask the DEP is why are we risking this? What are we gaining as West Virginians, as Pocahontas people? Nothing. As they pointed out, there are no jobs, zero jobs in Pocahontas County. There are very few permanent West Virginia jobs. I think I saw 17.

This --- make no mistake, this is about money. Okay. Dominion is taking this --- whoever is buying this gas. It’s all about money. And they’re taking it out of West Virginia. And for too long, West
Virginia has allowed this to happen. We've got the coal industry. And now we've got the natural gas. They're taking our natural gas, and they're going to export it. We're not going to get anything out of this. No jobs. Minimal tax increases. And the risk is just ridiculous, if you think about it.

We --- our cabin is on a well. Okay. And we share that well with seven other families. And that well is inside of a cave. And I would be willing to bet that Dominion has not done any kind of a chart to see what happens. You know there's going to be a negative effect. They can't possibly do this and not have sedimentation that's going to have a negative impact. When they say they're going to mitigate it, I hope they can. But, who knows what's going to happen when they hit this limestone cave and our well is connected to one that is two miles downstream. There's no way to know.

And I'm sure Dominion doesn't intend to ruin our water. No gas company has ever, I'm sure, presented something like this and said, you know, we're not going to go out there and do a great job. Surely they intend to do a great job. But, I don't know why the Environmental Protection Agency would allow this sort of crapshoot. They're guessing. I mean, their own studies
say we think we can mitigate the damage and make it acceptable.

One of the gentleman earlier said, well, you know, wherever they can’t move the pipeline, they’re taking steps. They can move the pipeline. They can move it. They’ve chosen not to, because they want to go for the easiest and cheapest area. And if it was, you know, if those were their interests, you’d guarantee that they’d be moving it.

So, they’re willing to risk this beautiful area that we have, the fresh water, the beautiful vistas. I don’t want to look out and see a 42 inch pipeline. I want to look out and see the beautiful trees. That’s why I’m here. Pocahontas may not have a lot of manufacturing jobs, but it’s got natural beauty. Thank you.

CHAIR: Sharon Frazier. After Sharon, Jacob Mack. After Jacob is Angie Rosser.

MS. FRAZIER: I’m Mike’s wife. I also live in Huntington. I’ve lived in West Virginia all my life. And as a young person, I would come over here --- I’m kind of emotional about this. This is a long dream, we had to go over here to finally buy a cabin over here. We still live in Huntington, but we come here as much as we can. As my husband said, we’re on a well. We’re
about 1,000 feet from the pipeline. Between that
pipeline and our cabin are huge sinkholes, caves.
They're all through over there. And like he said, our
well goes deep, deep down into a cave that's linked into
other caves all through there.

I'm sure every pipeline company uses best
practices, and nobody intends to cause problems. But, if
there's a problem, I don't see where you can mitigate it
in a situation like that. Seven cabins are out in this
well. Two are full time residents. People who moved
away from here, came back here, in their retirement, and
live full time. The rest of us are from West Virginia,
Maryland, who all really value the water and the beauty
of this place. If we lose our well, you may as well take
our houses and shove them over the hill. You can't live
there --- they can't live there full time. We can't come
here anymore.

Now, environmental protection --- they're
kind of our heroes here. They're here for us. We cannot
get up and stop this. We can't get out, I guess, of
these big corporations. That's what you're here for, is
to look out for us. To look out for our environment.
This environment is shared by all of us. Everybody in
this room and everybody to come in the future. It's not
just us. It's our children and our grandchildren. And we're looking to you to be our heroes.

And everybody talks about your extraction industry here. We're an energy state. But this is the last great place, the last beautiful place, I truly believe. And that's what Pocahontas County has. And we need to look to the environmental protection agency to do their job, and to actually protect the environment. I trust you all to do that for us. We can't do that.

That's your mission.

And I didn't think we were going to talk about the economies here, but I will just briefly say, everything I've read about this pipeline talks about spurring growth in North Carolina and Virginia. And every --- anything I've heard here about where do I make some money or condo owners being told you'll be able to rent your condos out for the out of town people who would be coming in to work on this pipeline, and then they'll be moving on.

And I can't help but notice that the governor of North Carolina just announced he doesn't want any offshore drilling off North Carolina, because it could affect their water, it could affect their tourism, it could affect their environment. But they're more than
happy to affect ours to no benefit, I’m certain, relative
to what they’re going to take. They’re going to take and
take. They’re going to have their economic boom, and
keep their water and environment clean, while we’re being
asked to compromise ours, and take great risk.

And I’ll just add, I picked this up today
at the store. In Pocahontas, what to do, and what the
economy, what this area is about, it’s all about water.
If you look at it, everything on here is about the
Greenbrier River, fly fishing, restaurants operating
along the water streams. So, with that, I am an
outsider, but we came here by choice. And we’re
surrounded by other people who are just envious that we
get to live here. And we hope that the Environmental
Protection Agency will do that and protect the
environment.

CHAIR: Jacob Mack. After Jacob is Angie
Rosser. After Angie is Autumn Crowe.

MR. MACK: Good evening. I’m Jacob Mack.
And I’m from Green Bank. I just wanted to speak
specifically to three things. First the DEP, secondly
the jobs, and thirdly to my experience with Dominion. I
firmly believe that I can only speak for the things that
I’ve attested to, and those are the things that I work to
do each day.

So, basically in regards to the DEP, I have two things. We do construction and trucking. And two of the things that we do on the trucking side of things is liquid and solid waste. That's the polite way to say it. We have a number of permits that we have with the West Virginia DEP. I'm very familiar with those folks. And I've worked with those folks on sometimes a weekly basis. I have found the DEP to be extremely vigilant. I've also found them to be fair.

And the second thing I would like to speak to is jobs. Currently, we employ over 20 people out of Green Bank and the surrounding community. And we intend to use the work that's generated from the Atlantic Coast Pipeline to put at least 10 to 20 more permanent jobs on at our facility.

In regards to the Dominion facility, working with Dominion. We are a vender for Dominion. We provide liquids, solid waste services to Dominion. And we've done that since approximately 2008. We've gone on Dominion property, sometimes every day of the week. Dominion is very stringent when it comes to two things, safety and environmental issues. I got a phone call from their head man at one facility that we serviced just
recently.

And he said we have a new policy we want to make sure that you are aware of. It’s probably an old policy, but we still want to make sure you’re aware of this, because you are a vender to our facility. You’re providing us with liquid and solid waste services, and we ask that your trucks and drivers stop at the gate, before entering the gate, do a quick walk around that truck, and ensure that there are no liquids, fuel, hydraulic fluid, or anything of that nature, dripping off of that truck. If you notice anything when you’re walking around, you are not permitted onto Dominion’s facility.

Let me tell you something, folks. We need a pipeline. This pipeline needs to be built. Dominion is the folks that we want building this pipeline. Thank you.

CHAIR: Up next, Angie Rosser. After Angie is Autumn Crowe. After Autumn is Eddie Fletcher.

MS. ROSSER: My name is Angie Rosser with the West Virginia Rivers Coalition. We work to protect watersheds throughout the state, but I can tell you without any reservation that this is one of the most special and unique watersheds in our state. Indeed, it is the birthplace of rivers. We contend that the DEP
cannot certify this 401 application based on its
incomplete nature that --- we're talking about 400 stream
crossings in the length of this project in West Virginia
alone.

I'd like just to mention three cautionary
tales that tell us that pipeline projects degrade water
quality. The first would be --- and these are just in
the last two, three years. And the first being the G-150
project that was headed up by Dominion Resources. That
had 13 violations in that project, the Stonewall
Gathering line, 53 violations and most recently, the
Rover pipeline had so many violations they had to
temporarily shut the project down, because of the impact
it was having on streams and water quality.

So, what we're asking the DEP to do is to
make sure this application is complete, to insist on the
lacking information and if they are certain that this
does not cause a problem of water quality --- that they
bolster that certainty by making sure that --- every
condition possible can be put on these stream crossings
that we're talking about the some of the most
ecologically significant to the headwater streams in our
state.

And I'm very concerned and skeptical if
the agency is going to be able to handle not only this major project, but two to three other major pipeline projects happening in our state, potentially being constructed at the same time to be able to be on the ground and enforcing potential violations. So, I urge the agency to seriously consider one of those conditions being that the company pays for an inspector to be on site when construction is happening, that that inspector be accountable to the state. Because, as asked earlier, we need to make sure that there is someone with their eye on this project, because of how much is at stake.

And we’ve spent the day looking at what is at stake. We went to Valley Fork, Falling Spring, Dry Branch, Big Springs around the Elk Head Waters, Clover Creek, home of the most beautiful valley I’ve ever laid eyes on. And the Greenbrier River crossing. And just the heaviness of my heart knowing that if this project goes forward, these places will not be the same. So, thank you to the DEP for giving this consideration and understanding the gravity of your responsibilities here.

CHAIR: Autumn Crowe. Next, after Autumn is Eddie Fletcher. After Eddie is Traci Hickson.

MS. CROWE: Good evening. I’m Autumn Crowe. I’m an environmental scientist and program
director for the West Virginia Rivers Coalition. I also
grew up fishing and swimming in Greenbrier River. And
I'm deeply concerned about the impact this pipeline will
have on our rivers and streams.

This area is known as the birthplace of
rivers, because eight rivers originate in Pocahontas
County. People come from all over to visit this area,
for boating, fishing, recreational opportunities that
these rivers provide. The rivers and streams in this
area are the life blood of this region's economy, as
you've heard. So, it's important for us to protect the
uniqueness of this area, because the Atlantic Coast
Pipeline puts these pristine head waters in jeopardy.

The 401 application for this project was
submitted two years ago in 2015. This company had two
years to get the application right, but it's still
fundamentally flawed. It's missing critical information.
The information that's in it is inconsistent. And the
language used in it downplays the impact, giving it a
general tone of arrogance. The ACP wants us to just take
their word that they will be able to do the construction
without harming our water resources.

And yet, as we've heard, they have a
horrible track record from this company's pipeline
construction. They impacted --- under Dominion’s G-150 project, they impacted 20 streams. And really, all the pipeline construction in this region has had a devastating impact to rivers and streams. With all those recent impacts, it’s so imperative that we hold this pipeline accountable to the environmental laws, and specifically the Clean Water Acts.

We looked at a lot of places today that have sensitive resources. And these areas are in desperate need of more protections. This region is dominated by steep slopes, and highly erodible soils. It’s filled with subterranean streams. And it has some of the best trout streams in the country, if not the world. And these high quality streams and springs are also drinking water sources to several communities around here, and many private residences.

DEP must require that ACP submit site specific construction plans when crossing these sensitive resources. They’ve only submitted two site specific plans for two water body crossings. And that’s the minimum required of them. So, they are not going above and beyond. In their application, they state that they will be using straw bale for erosion control, and rip-rap for stream bank stabilization. These techniques are
ineffective. And they're not practical for erosion control and bank stabilization.

DEP must require them to revise these sections of their application before issuing a permit. ACP has yet to submit a complete karst mitigation plan. And until they do, their application should be deemed incomplete. Currently, ACP plans to conduct blasting in Brig Springs Fork when they dig a huge trench to cross the stream that currently supports thriving populations of wild rainbow and brown trout.

The whole area is karst topography. DEP should not allow blasting in trout streams or karst terrain. It's too damaging to the sensitive resources to be done safely and responsibly. The construction is going to impact tier three, high quality streams, our most pristine streams left in this state. Before this permit is issued, DEP must adhere to the requirements of the Clean Water Act, and conduct an anti-degradation review to ensure that the water quality of these pristine streams will not be degraded by the construction of this project.

CHAIR: Ms. Crowe.

MS. CROWE: Yes. One more thing. This mitigation plan is incomplete for this project. ACP
wants to use a mitigation bank while will buy credits
based on the amount of permanent impacts that will occur.
However, they have not completed their evaluation metrics
to calculate the amount of mitigation that we needed for
such a long list of impacts. Those mitigation banks are
not always located in the same watershed, where they ---
the impact will occur. And we request that the
mitigation be within the watershed.

DEP cannot certify this project, and be
able to meet the safe water quality standards and
maintain the streams’ designated uses. Because of all
the deficiencies in their application, we request DEP to
deem this application incomplete until adequate
information is submitted. If ACP cannot supply the
information necessary for DEP to ensure that the project
will not result in conditions not allowable in water is
at stake, then the permit should be denied.

CHAIR: Eddie Fletcher. And Traci
Hickson. After Traci is Bill Price.

MR. FLETCHER: Good evening. My name is
Eddie Fletcher. I’m a lifetime native of this area.
I’ve spent my whole life here. And basically the main
thing I want to say is the people that are here for money
and representing corporations, I just really feel sorry
for you. You don’t get it. I truly feel sorry for you
that you don’t feel the love that I do for this land and
what it gives back to me.

Like I said, I’m a life time West
Virginian. When I turned 18, I also, you know, got in a
car and went to D.C., and I got a job. And all I had to
do was say I was from West Virginia. They knew I was a
worker. They’d give you a job. I did some things I’m
not proud of. I did some jobs I’m not proud of.

But I became my own man. And now, as I
reflect back on it, one thing I am proud of is that I
never put the orange shirt on and came out to a community
and tell them what they should do with their community.
One thing I would like to say too, a gentleman earlier
talked about God given resources. I don’t know if God
spoke to him particularly and said he’d given them to him
or not, but I just wanted to make a comment on that. And
the gentleman in the orange shirt said he represents the
DEP, in the statement I think he got confused, because if
he really does and we listened when you said that. I’m
really scared.

And there was a geologist here that said
--- he identified all the parks. He said he works for
Dominion to get all his degrees and whatnot. Because
Greenbrier County and Pocahontas County has more miles of mapped forest than any other two counties in the United States of America. And the experts say that probably only a fourth of it has been discovered. So, come on, man. Your job is as a geologist, you’ve got all those degrees, you’re telling Dominion has identified all the karst. I don’t buy it.

So, you know, I don’t know what else to say. They say they’re going to put it back right and do it right. And you know, come on, let’s look at history, man. DEP, look at your history. Look at ours. You know, we’re here together. There’s nothing else to say. You know, it’s a sad thing. It’s history repeating itself. That’s all I have to say.

CHAIR: Traci Hickson.

MR. DOETHER: I would like to speak, but I forgot to check the box.

CHAIR: You also wish to speak, Traci?

MS. HICKSON: Yes.

MR. DOETHER: I’ve lived in Pocahontas County a little more than 50 years now. And my training is in geology. And I spent --- or I just spent much of my time ---. Unfortunately, or fortunately, I spent a lot of time under the karst in those caves. I just
wanted to bring up one instance about how hazardous and
unpredictable it is to do things in karst. If you look
at a topographic map, there’s streams that are headed
north to the Tygris and Elk River. And these particular
waters joined, if that’s how it’s going, if that’s
underground, and it --- it goes under the mountain to the
south, ends up under Dry Branch goes down and joins the
Elk Rivers drainage, and comes out at Elk Springs.

In this case, we know a little bit about
it. But, as a previous speaker said, there’s probably at
least three quarters of this we don’t know anything
about. How in the world they’re going to be able to
predict what happens to whose well or what stream during
any kind of heavy construction in karst. It beats me.
But, I think it’s a terrible challenge. I feel sorry for
them trying to figure it out, but I don’t really feel
confident they can. Thank you.

CHAIR: Traci, you’re up. After Traci is
Bill Price. After Bill Price, someone signed up, and I
cannot read their name. Anybody is welcome to come down
and tell me what their name is. The last name that I
have to sign up is Rebecca O’Brien. So, if you signed in
about the time that Rebecca did, I think the first letter
is an H. So, that would be the first name is H. I’m
MS. HICKSON: My name is Traci Hickson. I grew up in Cadow along the Greenbrier River. I’ve been in love with the rivers and creeks and streams of West Virginia as long as I can remember. And I’m here tonight to talk about water quality and the value that we place on water quality. When I was about eight years old, my dad said, Traci, feel free to drink all the water you want. It’s the only thing in this world that’s for free.

If that were only true.

We all know how much time and money and commitment it takes to protect West Virginia’s water quality. And that’s why we need a West Virginia DEP. That’s why as tax payers, we pay for a West Virginia DEP, that has the duty to protect our water quality. These pipeline companies are treating our waters and streams here as if they are free for the taking. Asking the DEP to permit --- for a blanket permit for impacts on 740 water bodies, including 98 perennial streams.

And you know, it’s a cumulative. It just starts adding up. With 19 pipelines proposed in the Appalachian basin alone. We know that Rover has already made a mess. We know Amherst east up in Pennsylvania had some big problems. So, what’s our quality water worth
here in our state worth a lot more than a few temporary
jobs. And the DEP kind of has a value already.

Here in Pocahontas County, our Pocahontas
County service district, invested $26 million and more --
- I think the price goes up just about every week ---
putting in a state of the art sewage treatment system to
protect the water quality of Cut Run, one of the streams
going into the Elk River watershed. $26 million that
rent payers are paying, tax payers are paying. And yet
here is the ACP coming in, giving us a blanket permit for
all these water quality impacts.

   I know Dominion has put a lot of time and
money and people and produced a lot of plans for
preventing soil erosion and landslides on the steep
slopes that run through our stream. But, we all know
that what goes on paper doesn’t match reality. Doesn’t
always match reality. And we all know that a lot of
contractors --- and it’s really rare to find a contractor
that you can trust, who is going to be out there at our
streams and creeks and on the steep slopes, blasting
away. It’d be interesting to know if anyone has ever met
a contractor who can really be trusted.

   And I’m going to be submitting some
extensive comments. I’m very concerned about invasive
species spreading along the route. I think anyone who
cares about the deer or deer habitat in the state should
be concerned, with the spread of things like chronic
wasting disease among our deer population. Japanese
stiltgrass, Japanese knotweed. There's just no way ---
you know, if you look at their invasive species
management plan, there's no signs of anybody cleaning the
mud off their boots. Invasive species haven't even been
surveyed for the access roads.

You know, in terms of the long term
permanent and cumulative impact in terms of water, I
think we really ought to be concerned about what's going
to happen to our forest understory if these invasives
spread along the pipeline. Thank you.

CHAIR: Bill Price. After Bill is Rebecca
O'Brien.

MR. PRICE: Good evening. My name is Bill
Price. I'm here tonight to represent myself. But, I
also want to recognize that I work for the Sierra Club,
based in Charleston, West Virginia. We have around 2,000
West Virginians, who are members of the Sierra Club, who
are very concerned and opposed to the Atlantic Coast
Pipeline. When my wife and I want to get away from the
Kanawha Valley --- I believe there's lots of times we
want to get away from the Kanawha Valley. And one of our
favorite places to come is Pocahontas County.

   We’ve stayed at --- along the Greenbrier
River. This is a beautiful place. You have something to
be proud of. Do you have issues? Yes. But, the
Atlantic Coast Pipeline will not solve those issues. If
you really, really want to improve the water quality in
the State of West Virginia, quit doing stuff that
diminishes the water quality of West Virginia. Please.

   To think that the solution to water
quality issues in the State of West Virginia is to put a
fossil fuel and pipe it 200 miles at least. And who
knows beyond that. To close down coal fired power plants
--- coal fired power plants. But, that is to be replaced
with energy efficiency. Solar. Wind in some places.
Other energy sources. When we take a look at the life
cycle --- and I’ll use that phrase that other people use.
Gas extraction. It’s incomprehensible to me that you can
think that you’re improving the water quality of this
state by fracking gas. Because you don’t. If you
believe you do, then go to Doddridge County. Talk to
those residents. But, I just wanted to clear that up.

   I also want to talk about --- real quick,
about jobs. Everybody likes jobs. I have one. My
father was a coal minder. We believe that good paying, unionized jobs are the way to go. But, this pipeline is not the creator of those types of jobs. I know. Just 30 more seconds. Okay. I promise.

According to the report by the Political Economy Research Institute, a million dollars invested in natural gas creates five jobs. If you take that same million dollars and you invest it in improving the grid of the way you deliver electricity to homes and start with a system we could make --- grow jobs. If you take that same million dollars and you invest it in solar, using the natural resources of the sun, and it could be argued that the sun shines more on Pocahontas County than anywhere else in the world, you’d create 14 jobs. That’s the better way. Create jobs and cleaner energy sources, improve our water quality, and have a positive economy based on clean energy. And improved water quality.

CHAIR: Rebecca O’Brien up next. After Rebecca is ---.

MS. O’BRIEN: I’m not very good at speaking to large groups. But, I feel strongly enough so I’m going to try to do this. We know, I believe we’re certain, that this project is not going to provide us substantial jobs for Pocahontas County citizens. And
this natural gas resource belongs to West Virginia. To West Virginians. To our citizens. And if this project goes through, our natural gas is going to be transported to other continents, other countries, to provide jobs for the citizens of those other continents.

It should be kept underground until perhaps the State of West Virginia needs this natural gas. Why should we risk our water and our environment for jobs to be created overseas? A lot of people in America, 40 percent, voted for Donald Trump, mostly because he said he’d bring the jobs back to America. Well, this project doesn’t bring jobs back to America. I’m going to save that question for last.

West Virginia has had a history of having our natural resources removed from our state with very little benefit to the citizens of the state. I want to read to you a few words from my husband, John O’Brien’s book, At Home in the Heart of Appalachia. He spent many, many days, weeks, months, researching the history of this region. And this is what he --- these are the thoughts he wrote down about that.

In the 1870s, a serious recession dried up venture capital in America, but when the recession ended within the decade, it was as if a damn had burst.
Thousands of ruthless, thoroughly dishonest agents swarmed into the mountains, achieving new levels of chicanery by the hour. Appalachian families were cheated, threatened, bullied, and swindled out of their ancestral land. Coal and timber boomtowns exploded into existence.

I'm not saying that these people, or Dominion are, you know, bullying, but some of those things apply. Within 40 years, timber companies had clear cut the oldest and largest hardwood forest that human beings would ever see. In that time, 30 billion board feet of quality lumber and an equal amount of pulpwood left the state, along with 98 percent of the profit. This was enough wood to built a 13 foot wide, two inch thick walkway to the moon.

The figures from Virginia, North Carolina, and Tennessee are comparable. Both coal and timber operations ravaged enormous portions of the mountain landscape, as well as subsistence cultures that had survived peacefully here for more than 100 years. All of this transpired while county officials and the elected officials in Charleston and local newspaper—yes, and local newspaper editors, looked the other way. And often then, they became the coal and timber executives.
And the last thing I wanted --- I want to ask a question. I called your offices a couple weeks ago, and she referred to me to the EPA, and I didn't get an answer then. I still have to try and synch a time to contact them. But, my question is, if the natural gas industry is supposed to bring lots of tax dollars to the State of West Virginia, and they've been fracking in the state in some of our counties for a few years --- I'm not sure exactly how many, but why are we in such a financial crisis? If they're paying a substantial amount of tax dollars, why are we having such a problem balancing our budget? I want to find out how much they've paid so far.

CHAIR: Nikki, you're up.

MS. ALIKAKOS: Hello. My name is Nikki Alikakos. I am a local Pocahontas County resident, born and raised. I presently work in the hospitality industry, as well as in the school system, and I'm a mother. I, in my work, had a guest where I worked at, and he said that he was from the Midwest. He was working in Ohio. And that he was a pipeliner.

And I said, oh yeah? They're going to build a pipeline right here. And he said where? I said well, right about there. Wherever Dominion puts their arbitrary red line. And he just dropped his head and
shook his head and said what a shame. What a shame. The rivers are going to run red for years. We’re talking about over 1,900 streams and river crossings. This will be devastating. This will change the landscape. And you guys know it. You’ve seen it happen.

Do you like working five weeks on, three days off? Who is raising your kids? So, we’re supposed to send our sons off to work in man camps and drink 18 beers in a row? And then go to a titty bar? I’m sorry. That’s not the environment that we need here. That’s not what we’re looking for. That’s not what we want. That is not going to help the environment. And for human beings, for families, for anyone.

And the CEO of Dominion makes about $9.2 million a year. That person has no idea what it is to live in Pocahontas County. This area has always been based on making it. Doing it yourself and making a subsistent living. No energy company is going to come into this area and save us. For as much as we’d like to believe it, it’s not going to happen. It’s hard living here. And the reason you can come in and get this passed is because there’s just not enough of us to stand up to the massive amounts of wealth, influence, and corruption that you yield.
West Virginia has been victim to energy harvesting for as long as we’ve been a state. They pushed what was left over, whatever they didn’t want in Virginia, whatever couldn’t work on a plantation, it wasn’t okay with having slaves, they pushed it all against the mountains, against the Native Americans, and let them find out --- let them live if they could and die if they couldn’t.

See, for you it doesn’t mean anything. Because this isn’t your backyard. But for us, it does. And for all of us, I would rather live without electricity than have this pipeline go through my neighbor’s backyard. I don’t want to live in an altered environment. I want to live in a natural environment. I don’t want to live in a pipeline wasteland. And I don’t think anyone else here does.

And I think if you look into your consciousness and see that the eight guys at Dominion who invested in energy in the form of gas and coal 200 years ago and turn it around, and make it something sustainable that’s good for everyone, and not just good for them, you’ll see that this is wrong on every level and there is no excuse for it. And you all know it.

CHAIR: Is there anybody else who wishes
to speak tonight? If not then you can submit written
comments. This concludes the public hearing on the
Atlantic Coast Pipeline. The public comment period ends
on Friday. You can submit written comments at the e-mail
address dep.comments@wv.gov. Thank you for your
participation, and have a nice evening.

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HEARING CONCLUDED AT 7:57 P.M.

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CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

I certify that the attached transcript meets the requirements set forth within article twenty-seven, chapter forty-seven of the West Virginia Code.

[Signature]
Jordan Barry,
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