STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
* * * * * * * *
IN RE: Atlantic Coast Pipeline (WVR310820)
PUBLIC HEARING
* * * * * * * *

BEFORE:    JACOB GLANCE, Chair
ED MAGUIRE, Office of the Environmental Advocate, WV DEP
DENNIS STOTLEMYER, Office of the Environmental Advocate, WV DEP
JON MICHAEL BOSLEY, Division of Water and Waste Management, WV DEP
RICHARD ADAMS, Division of Water and Waste Management, WV DEP

HEARING: Thursday, December 21, 2017
6:00 p.m.

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

Reporter: Guy Starrett

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CHAIR: Good evening, everybody. My name is Jake Glance from the Department of Environmental Protection's public information office. Welcome to tonight's public hearing on the Construction Stormwater Permit for the Atlantic Coast Pipeline. The permit number is WVR310820.

Also here this evening are Ed Maguire and Dennis Stottlemyer with the Office of the Environmental Advocate, and Jon Michael Bosley, and Rick Adams with the DEP's Division of Water and Waste Management.

The purpose of tonight's hearing is to give you the opportunity to share your comments with the DEP about the Construction Stormwater Permit for the Atlantic Coast Pipeline.

Tonight's hearing is being recorded by a Court Reporter so that the comments shared can be part of the public rulemaking record. To ensure that we successfully achieve the purpose of this hearing, we ask everyone to be respectful and considerate of each other by refraining from interrupting others while they're speaking, and keeping your comments on topic so that our time together is used efficiently.
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 this hearing.

Please remember that this public hearing is not the proper forum for questions and answers. We are here to receive comments on this permit and will respond to each comment when we issue a decision.

If you have any questions, please speak with the DEP representative at the conclusion of this public hearing.

If anybody has any questions about the format of the public hearing, I can answer those questions now. What I'll do, I'll call your name. If you would come down, and just be careful of this wire here. Come down either side. Come to the mic. Make sure you speak directly into the mic so the Court Reporter can hear you, and the audience can hear you. If there's a question? Yes?

AUDIENCE MEMBER: Do you take comments only on the permitting process tonight?
CHAIR: We're talking about the Construction Stormwater Permit for the ACP.

AUDIENCE MEMBER: But no other comments, though, right?

CHAIR: We would like you to stay on the topic of the Construction Stormwater Permit, yes. We have a lot of speakers to get through tonight, so each speaker will be limited to five minutes.

Any other questions? We will get started. Okay. Our first speaker is Greg Hefner. After Greg is John Leyzorek. After John is Amy Scott.

MR. HEFNER: Good evening. My name is Greg Hefner. I'm here representing the Harrison County Economic Development Corporation, the Harrison County Chamber of Commerce, and the West Virginia Development Office.

I wholeheartedly support the Atlantic Coast Pipeline, the approval of the stormwater pollution prevention plan, also known as SWPPP, and the general water pollution control permit.

This project will be an enormous boost to West Virginia's economy, and it absolutely must be built. The project will make our natural gas more accessible to new and growing markets in West Virginia and in the
region. The construction of this project will be one of
the largest capital projects ever built in West Virginia,
and will create thousands of new jobs and hundreds of
millions of dollars in new economic activity.

It will provide opportunity for many West
Virginians to return home, be united with family, and
also earn a good living.

The SWPPP permit merits approval by the
DEP. It contains strong measures to protect West
Virginia's bodies of water, wetlands, ensuring
construction of the pipeline does not damage the West
Virginia environment, which we all know and love. There
is no way I could stand here and support this project if
I thought that this project would damage West Virginia's
environment, especially its water supply. The project
plan contains highly advanced procedures and technologies
for safely crossing streams, rivers and wetlands that
will protect water quality, as well as fish and other
aquatic life.

Dominium is a good neighbor. They have
been for decades. They have a proven track record for
doing things in a responsible, environmentally safe
manner. They will employ the best in techniques, the
best in class techniques that will surpass both state and
federal standards. These techniques are documented in both the SWPPP and the general permit.

Once construction is completed, steps will be taken to restore the ground surface as closely as possible to original contours. Restoration measures will include permit erosion and sediment control. And the replanting of rights-of-way will be considered successful only when the vegetation is mature enough to survive and inhibit erosion.

Thank you very much for the opportunity to speak this evening. I appreciate it. I believe I speak for the majority of West Virginians in saying that this pipeline absolutely has to be built, and I'm confident that it will be done in an environmentally safe manner.

Thank you.

CHAIR: Next, John Leyzorek. After John is Amy Scott. After Amy, is Robin Mutschellar.

MR. LEYZOREK: Thank you very much. Contrary to what we just heard, I have read a lot of the post-plan documents submitted to the regulatory agency's line for the Atlantic Coast Pipeline. And there are no adequate engineering controls which have been developed and described which can prevent serious erosion and environmental degradation of a lot of the steep slopes.
that the pipeline has proposed to traverse. We are ---
all of the regulatory agencies operate on the basis of
information submitted by the applicant.

So the only thing I have to say is quite
relevant to this because the applicant is not being
honest and forthcoming, and not operating in good faith.
And I can prove this, so all of the assurances provided
by the applicant of best practices and all this stuff can
go out the window. So here's my proof. I happen to live
about five miles from the proposed line of the pipeline.
And I was approached, I believe back in September, by a
land man associated with Dole Allen Engineering Services
working for ACP, who wants to buy a right-of-way to use
part of an existing forest service way that I happen to
own.

So I met with the guy from the land
services, and he made me an absurd offer. And I said
it's probably about 1,000 feet of road. I don't know
exactly how much. And he said, well, we think it's
900-some feet. And I said, well, you haven't made me an
offer that I can entertain in terms of money. And I want
some conditions added to this contract. What's the
problem with the contract? I said I want a promise to
limit herbicide use to the right-of-way. I want a
promise that only the existing road will be approved to use and you won't build a new one. And there was another condition. I don't remember what it was. It doesn't matter. But he said, fine, okay, you can have those conditions. We'll have to get back to you as soon as we can offer you some more. So some time went by and he came back with another ridiculous offer. I think we went through this process one more time. And eventually, I said I want your offer in writing, because, you know, I want to see what they really offered. So I got the offer in writing about a month later. None of the conditions to which he had agreed had been added to the boilerplate contract, and now, they say that I only own 750 feet of the road when the foreman said he thought it was 900 and some.

As it happens, I went for a walk today to measure it. I own 2,034 feet of that right-of-way. These people lie about everything they touch. Everything they could offer them a convenience, everything they could say to the landowner, anything that could deceive the regulators.

So my specific message for the DEP, you have heard what I have said. I have documentation to prove it. Regulatory agencies operate in good faith.
based on the information they are given by the applicants. I have now proved to everybody in this room that there is no good faith in the ACP. And if the DEP acts in what they would like to claim is good faith on information that's been provided by the applicant, and if there are negative consequences, the DEP personnel who have acted on information supplied by ACP will now be personally culpable for the damage because they can no longer hide behind the concept of the lines of good faith and information given by the applicant. This applicant cannot be trusted and I can prove it. Thanks.

CHAIR: Up next, Amy Scott. After Amy is Robin. And after Robin is Michael Holstine.

MS. SCOTT: Can you lower that? Can you hear me? My name is Amy Scott. I reside in Dunmore, West Virginia. Dominion's Atlantic Coast Pipeline application does not meet the requirements of West Virginia DEP's oil and gas Construction Stormwater Permit.

Final mitigation and avoidance measures for geologically sensitive areas are not included. Site-specific designs for locations with unique geohazards or potential instability are not completed.

Dominion proposes to use riprap instead of
West Virginia DEP's preferred method, natural stream channel design techniques. No water quality monitoring is proposed by Dominion. I'm requesting West Virginia DEP to require all necessary permit data be submitted prior to evaluating the permit application.

Furthermore, as a consequence of Austin Caperton's advocation of West Virginia 401 permit review, I'm requesting that West Virginia DEP's technical staff be allowed to conduct a thorough review of the stormwater permit, including specific measurable limits in the permit to protect waters, and provide immediate cease and desist triggers for violations that degrade water quality. The ACP has routed intention by Dominion over several large coarsed areas in Randolph and Pocahontas Counties, inclusive of Elk River, Clover Lick Creek and their tributaries.

The Elk River sinks underground in various spots along the Old Field, Big Spring and Slatyfork branches continuing through the Dry Fork section down to Elk Springs. Similarly, Clover Lick Creek sinks underground in various spots. The neighboring springs that feed its waters are beautiful. It is evidence that ground waters and surface waters interface throughout these areas. Complete studies have not been done. The
1997 dye tests listed in FERC's final EIS are a literature search for information, not an assessment of the water flows through the region.

   The thermal formal dye testing with public notification should be done to determine water flow in connection to the private wells, springs and surface waters prior to issuing the water permit.

   Dominion has identified 8.6 miles of bedrock and karst that they have requested permission to blast. FERC's EIA documented that Dominion's karst mitigation plan was incomplete and that additional data was needed. The probability of contaminating private drinking water, springs, surface water and ground water is most acute at Clover Lick, where the steepness of the pipeline is one of the two places where FERC's EIS considered landslides and spoils contamination to be unavoidable given Dominion's proposed construction practices. Dominion's current --- excuse me.

   The placement of the ACP on Clover Lick Mountain, along Clover Lick Creek, and across the Greenbrier River provides a perfect source for contamination affecting many residents. No engineer would intentionally select the route along Clover Lick Mountain and Clover Lick Creek given slopes greater than
40 percent, dropping onto karst typography, following the
trouth stream with numerous springs and underground sinks,
down to the Greenbrier. Yet, Dominion, with their poor
environmental record, did.

Section 2.19 of requirements governing
water quality standards define trout waters as waters
sustaining around trout populations. Excluded are waters
which receive annual stockings of trout that do not
support year-round trout populations. Appendix A of West
Virginia Code 47-2-4 lists B2 trout waters --- listing B2
trouth waters clearly states this list contains known
trouth waters, and is not intended to exclude any waters
which meet the definition in Section 2.19.

Clover Lick Creek supports a breeding
population of brook trout. My husband and others have
fished its waters and can attest to the fact shock
sampling of the creek confirmed trout population, brook
trouth presence. Dominion scrupulously avoids labeling it
as trout water, bypassing the necessary restrictions that
would be imposed to protect the fish.

As stated before, as Dominion as 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 Lick be properly labeled as the trout water it is. Furthermore, I am requesting water quality monitoring be required with monitors installed at sensitive stream crossing, similar to those required in Virginia along the pipeline route. As a tier three waters - and that tier three waters require antidegradation review.

I'm requesting that a maximum ten NTU turbidity limit be included for Clover Lick Creek, as research documents adverse effects on trout when turbidity increase ten NTUs above baseline. Existing monthly water monitoring of the creek done by Trout Unlimited can be used as a baseline. I have participated in that. We've been doing it for a year. It's available. And the turbidity is zero.

CHAIR: Robin is up next. After Robin is Michael Holstine. After Michael Holstine is Ted Lewis.

MS. MUTSCHELLAR: My name is Robin Mutschellar. I'm a Dominion Energy employee at the Bath County Pump Storage Station, and I am a long-time resident of Marlinton. I'm here today to thank you for giving me the time to provide my personal comment today.

I want the DEP to know that I am a strong supporter of the Atlantic Coast Pipeline. I believe the
benefits of the pipeline will be new jobs, lower energy costs, cleaner air, and it will help us achieve energy independence. I also believe our local community will benefit from the tax revenue generated by the pipeline, as well as the increased economic activity during construction. However, I also want the DEP to know that I would not support this project no matter how much economic value if I thought it would damage our state's natural resources in any way, including its water quality.

I have no such misgivings. I am convinced that the stormwater pollution prevention plan and the general water pollution control permit will guarantee that the project can be built and operated in ways that protect West Virginia's water quality. I also believe the project's developers, including Dominion Energy, the partner in charge of construction and operation, are committed to carrying out this project in an environmentally sound way.

In fact, they have taken numerous steps themselves to make sure the pipeline protects our natural resources and is operated safely.

As a Dominion employee, I have seen firsthand Dominion's high standard with regards to
protecting the environment. I also believe that Dominion Energy is committed to constructing the project in ways that will minimize sedimentation, prevent future erosion and minimize the impact on bodies of water, wetlands and aquatic organisms.

So I urge you to approve the stormwater SWPPP and the general permit. I believe the combination of the strong conditions and the regulatory documents, plus the steps developers are taking to protect West Virginia's natural resources will ensure this important project is built and operated in an environmentally sound way. Thank you.

CHAIR: Michael Holstine is up now. After Michael is Ted Lewis. After Ted Lewis is Jim Pritt.

MR. HOLSTINE: Thank you. And I want to thank the DEP for holding this public hearing and allowing us to speak to the project. Most of you or many of you probably know me and my activities here in the County. I'm speaking as a landowner here in Dunmore and not part of any of the organizations that I belong to.

But I am a big believer in economic development. And I do believe that the County needs a good economic base. I am speaking from a chapter in my life where I worked for construction grants within the
West Virginia Department of Natural Resources prior to it being assumed by the DEP. And we did nothing but construction projects throughout the state of West Virginia. And I do know the thousands of hours that it's going to take to get these plans approved, designed and monitored once construction begins. And I do know personally the engineers that are working on this project. And I have worked on projects with them in prior years. I trust that they do have the best interests of Pocahontas County in mind for most of the routes or all of the routes of this pipeline.

And I do think that the pipeline is a good this for us to have for economic reasons. It's also going to be a boost to a lot of the businesses along its route. And I think that the comments that were made on water quality are an absolute must. We have to protect what we have here in this county. I'm assured that the DEP and the engineers will take all of that into consideration, and there will be proper monitoring of this project and proper design of the layout.

So I support the pipeline. I support the DEP's review and approval of the stormwater protection plan. And I thank you for the opportunity to speak.

CHAIR: Ted Lewis up now. After Ted is
Jim Pritt. After Jim Pritt is Antonio Selario.

MR. LEWIS: Good evening. My name is Ted Lewis. I'm a senior principal with GeoConcepts Engineering. We're working on behalf of Dominion to conduct the karst surveys and studies for the project.

Our firm is located in Loudoun County, Virginia and we specialize in karst studies. Most of our projects involve building roads or buildings over karst. We got involved in this project because we did --- we helped a conservation fund about four years ago develop the avoidance and minimization measures for pipelines when working in areas where the Madison Cave isopod is present, which is a federally endangered species that only lives in karst ground water.

The avoidance and minimization measures were adopted by the ACP project where the strategy is to protect the ground water and protect the karst features, regardless of whether the Madison Cave isopod is present. And the goal is to minimize impact to the ground water.

We completed several studies. The first study we completed is the karst mitigation plan. The karst mitigation plan provides the methodology for conducting karst surveys along the alignment. It also provides the protocols for addressing or mitigating karst
features that are encountered during construction or that form during construction. And it also provides the karst mitigation conservation procedures that the construction project will have to implement.

The second study we completed is a karst survey report, which actually documents all of the karst features that are present along --- within a quarter-mile of the alignment. This survey also provides a specific GPS location and provides the condition of the karst features. It also provides a risk rating for each karst feature depending on a series of factors that determine how it's going to be protected.

We also are in the process of conducting an electric resistivity imaging geophysical survey along the alignment so that we can look for karst features below the ground surface that aren't present. This survey data will be used during construction to help mitigate and determine if remediation of specific karst features are needed.

During construction, our firm will have full-time karst geologists on site whenever there's excavations in the karst geology, and our role is to identify undocumented karst features opened up during construction, but also to verify that the mitigation and
conservation procedures that are included in the mitigation plan are being implemented.

In addition, we will providing daily reports of our observations.

After construction, our karst specialists will be responsible for walking the entire pipeline where karst is present and looking at the karst features that were documented. And we'll be there one year after construction is complete, two years after construction, and five years after construction in order to document that the karst features haven't changed or been negatively impacted. And that's our role during construction.

CHAIR: Up next is Jim Pritt. After Jim is Antonio. After Antonio is Louise Borinsky.

MR. PRITT: The mic is almost too tall for me. My name is Jim Pritt. I am with Independent Oil and Gas Association of West Virginia. We represent about 600 companies all across the state that are doing these wells during business. I'm also --- I also grew up in Randolph County, so I'm familiar, very familiar with this whole area.

As a board member and also treasurer of IOGA of West Virginia, I'm here to support the approval
of the Atlantic Coast Pipeline and necessary permits
needed for the construction of pipeline. West Virginians
are aware that these public meetings are a critical step
in getting the final certification for the Atlantic Coast
Pipeline project.

IOGA of West Virginia firmly believes that
the Atlantic Coast Pipeline is a vital and critically
important infrastructure project for West Virginia
producers and West Virginia. Energy efficient, clean
burning natural gas produced in West Virginia will, in
part, provide a much needed additional supply of natural
gas to public utilities that are needed to meet the ever-
growing demand of the millions of residents ---
residential, commercial, and industrial customers they
serve.

Natural gas produced in West Virginia and
transported across the ACP will be a canvas to creating
much-needed investment, tax-revenue jobs that are a
critical part of the West Virginia economy. In addition,
natural gas is clean and reliable.

The construction of the Atlantic Coast
Pipeline is a step towards energy independence for our
country. The Atlantic Coast Pipeline in a crucial
infrastructure project that has had nearly two years to
review and input from federal, state and local bodies, and will have an impact, a positive impact, on our communities, economy, and ultimately the environment.

I would urge you do not delay this necessary project pipeline. I normally don't go off-script, but I'm also the coach here of the Energy Commerce Committee of West Virginia. I've taken the opportunity to speak in front of the legislature a few times these last couple months. Over the last three years, West Virginia has lost $1.5 billion because we can't get our gas out of the Appalachian Basin. Our negative basis is killing us. Many of us producers are losing --- could get thousands of employees. We represent thousands of loyalty interests all over our state who derive a lot of money from --- what we do is drilling. We have to get the gas monitors out of our basin.

Those interest owners in our state or our residents have lost $250 million in the last three years. The state has lost $100 million in severance tax. We need the ACP project done. We also need to get the Mountain Valley Pipeline done. We need the Rover Pipeline done. We are working on that Appalachian Hub, as you know, with the Chinese in investments and building
the cracker plants, building out that, and that will keep
going, and a lot of that enters here, so we can produce
more jobs. So we're at the very cusp of doing a lot of
great things in West Virginia. And I understand
everyone's concerns.

I work for a company, EnerVest, and we go
all over the country, Texas, Oklahoma, everywhere. We
put our gas in all types of pipelines all of the country.
I can undoubtedly say that Dominion, in our opinion, is
the safest, most responsible pipeline that we've ever
seen. The detail of what they've done for this project
is probably the most I've seen anywhere in this country.
I have no --- I wouldn't be up here today --- I like to
hunt. I fish, I trout fish. I do all those things. I
wouldn't be here today if I had known that Dominion would
not do the right thing. They're a company that does the
right thing. So there again, on behalf of Cuyahoga, West
Virginia, I hope that everyone will support this project.
Thank you.

CHAIR: Antonio is up next. After Antonio
is Louise Borinsky. After Louise is Tom Marion.

MR. SELARIO: Good evening. My name is
Antonio Selario. And I'm here to speak in support of the
Atlantic Coast Pipeline project stormwater pollution plan
permit, the general water permit. The Atlantic Coast Pipeline project is designed to supply enough natural gas to meet the daily needs of millions of homes in West Virginia, Virginia and North Carolina. I'm a regional sales manager at Cleveland Brothers Equipment Company. We are a Caterpillar dealer with 27 locations in Pennsylvania and West Virginia, including Clarksburg and Shinnston, West Virginia. We are a family-owned company founded in 1948. We employ over 1,100 employees, both union and non-union, and invest over half a billion dollars in Caterpillar equipment and engines since 2010, supporting the oil and gas industry in West Virginia, including pipeline contractors, as well as many other traditional customers who work in this industry. Our company has close longstanding supply relationships with the contractors operating throughout West Virginia, including many of those that have been involved in this project.

The pipeline companies that will be doing this work on this project are known for employing the best practices in construction, including earth moving, material handling and land restoration. Also at stake in this project approval are the jobs of many thousands of workers in West Virginia, the production of natural gas
and natural gas liquids in shale formats across West Virginia. Because of all the construction and energy production activities, this pipeline will enable communities throughout West Virginia to benefit from workers' income earned, much of it spent locally, and bring stability to the regions that the pipeline touches.

West Virginia's economy as a whole will benefit greatly. And from an energy-independent standpoint, projects like the Atlantic Coast will enable this abundant, clean and domestic fuel to be provided across our state in a safe manner and reducing our dependence on other foreign governments for energy. Thank you for your time.

CHAIR: Louise?

MS. BORINSKY: Coming.

CHAIR: After Louise is Tom Marion. And after Tom is Andrew Kincell.

MS. BORINSKY: Good evening. I'm here again tonight, as I always come to these meetings. I don't know a lot about this pipeline and about all the big details. And I haven't gone to any big things and say this is right and that's right, and this is wrong and that's right. I haven't done that because I'm an old woman, and I was born and raised in this county. I want
to tell you something. I've had a hard life, but I've had a good life. And as far as tearing up our country and tearing up our country, I don't think anyone from Dominion, nowhere else, is going to come here and tear our country up. We need to be proud of our Pocahontas County.

I want to tell you something. Years ago, my husband decided he didn't want to stay around Pocahontas County, so we went --- he went in the service. And we stayed over and he fought in the Korean War. And we decided when we --- he was offered a great job to stay up there. And we said no. We're coming back home because we don't have anything back home. And we're going to come back home. He come back home and went to work at the old tannery. Many, many a night he never slept because his hands were eat up with some kind of that stuff we worked in. And when we went --- in fact, when he came back, when he went to the service, he was working there. And you know they wouldn't even let him go in the cafeteria because his hands had some kind of stuff on it. And he got out of the dishwashing in that Air Force job.

But I want to tell you something right now. He finally got a job with the state trout hatchery
at Mullins in West Virginia. And oh, we were so happy. We were so happy, we didn't know what to do. We went down there. And he worked there for years and years and years. Worked day and night. Worked day and night for them. He had the stay if it rained, stay if it didn't rain, because if it rained, the water was bad. If it didn't rain, we didn't have enough and y'all wouldn't have had any fish. That's the truth. But I'm going to tell you something right now. That was a great job for us. And something is --- this summer, I had visitors and I went to see the hatchery. And I left down there in a fury and wouldn't tell nobody that I was there. They said let's go look. Do you have more? I did not want them to see it. If you would see our hatchery now in Pocahontas County, they have no water. And Dominion did not do it. That's exactly what I'm going to tell you people.

We need economy here. I have children that had to go away from home because they couldn't find a job. I had one son that stayed here in Pocahontas County to take care of me, and he passed away 20 years ago at 51 years of age. He was taking care of me. But I'm going to tell you something right now. He stayed here, but he barely makes it. He barely makes it.
Because his retirement is hardly enough to go. I worked for the Board of Education and went to work in the 1960s for 93 cents an hour feeding my little children in Pocahontas County. I loved every minute that I done it. I didn't have to go out here and beg somebody for something. No. I didn't have very much. But we didn't have very much. But we had love. And we had the Pocahontas County people that helped us.

We have no schools that amount to anything now. Our schools have gone to pot. Every time you pick up the paper, it's some bad thing of what the Board of Education has done and what they haven't done because we have no money to operate them, folks. We have no money. I can't even go to the grocery store. I don't drive. I have a bad leg, which I still take care of. But I can't even walk to the grocery store now. We don't even have a grocery store in Mullins. You can't even go get a loaf of bread anymore unless you walk half a mile across the street over the bridge. I tell you people we need something that comes to this county that's going to help us.

And I'm a full supporter of Dominion. I have been ever since I heard of them. And they have been so kind and so gracious to our city people here, what
we've done. And helped us out and helped the children in
every way they know how. And I do not believe they're
 going to hurt Pocahontas County. Now, if you don't
believe it, let's just wait and see. Thank you very much
for letting me talk.

CHAIR: Tom Marion up next. After Tom is
Andy Kincell. After Andy is Andrew Anderson.

MR. MARION: Good evening, everybody. My
name is Tom Marion. I work for the Thrasher Group, and I
wanted to come voice my opinion, my support for this
pipeline project, the ACP pipeline. I know we're here to
talk about the general stormwater permit and how that may
affect the area. I've worked with the DEP on numerous
projects looking at specifically stormwater pollution
prevention. The DEP thoroughly vets and reviews the
engineering design plans to ensure that these plans are
using the best management practices, trying to reduce any
sedimentation that may impact our watersheds. And I'm
sure that is going to be in effect on this project, as
well.

In addition to that, during construction,
the DEP will have inspectors out walking the lines
checking to ensure that we aren't having sediment coming
into the watersheds, making sure that the controls that
were designed and installed are functioning properly and just keeping an eye on the project. So I would like to fully support this project. I think it's in the best interest of not only our state, but also our local economies. So thank you.

CHAIR: Andy Kincell is up next. After Andy, Andrew Anderson. After Andrew is Traci Hicson.

MR. KINCELL: Hi. My name is Andy Kincell. And I also work for the Thrasher Group. One, I want to applaud the DEP for putting this together. And two, for being ahead of the eight ball. We work in a lot of surrounding states, and when this oil and gas boom hit in the Appalachian basin, a lot of states have been playing catch up trying to get the environmental part caught up. West Virginia, we started --- they got right out in front of it, and they are there trying to protect every part of our environment here. And as an avid fisher and hunter, I grew up coming down here with my dad to fish. And I'm counting on still coming down with my young sons and get them on the Dry Fork, which is one of my most favorite places to fish. I love this area. I love West Virginia. I left the state when I got out of college because there wasn't anything here for me. I got to come back. I got lucky. I worked for the Department
of Highways and came back. And now, I'm with a great engineering firm that we strive to keep things as they are in West Virginia because the majority of our company is avid fishermen and hunters. So you know, I want to see this go through. I want to see jobs. And I love her for coming up and giving her opinion of how she struggled through here because that is how West Virginia is perceived outside of West Virginia. We need these things so that our kids get to stay here and don't have to go away and leave us, to be able to stay here. I am fully in support of this.

CHAIR: Andrew Anderson up next. After Andrew is Traci Hickson. After Traci is Kimberly Pitts.

MR. ANDERSON: Good evening. My name is Andrew Anderson. I'm the director of business development for Service Pump and Supply. I'm a native to West Virginia, born and raised. I'm a WVU grad. As a child, I actually spent every summer on the Summersville Lake. And then actually while I was in college, I was a whitewater rafter down on the New Valley Rivers. And since then, I graduated from engineering school. I'm an avid outdoorsmen, fishermen. I've fly-fished all over the country, but mostly West Virginia because I think it's the greatest state in the union. And I'm a huge
Service Pump and Supply, who I work for, is a Huntington-based company that's locally owned. We've been managing water in this region for over 37 years, everything from taking water out of rivers, moving water, managing water, storing water, clean water, dirty water. Water is what we do. Every day I wake up and I work on water projects. Actually, I barely prepared for this today because I was helping a client that had a huge issue with water today, that had dirty water. We had to pump it and move it. So I'm not even well-prepared because I was working on water problems today.

So yeah, we work in this region constantly. We actually work in five states in the region working on water issues. And I'm here today to state my strong support for Atlantic Coast Pipeline and approval of all permits, and approval of administration. And there's three primary reasons. One is economic development. Mr. Pritt actually hit on it really well, wherever he went. This is really needed. I have boots on the ground and working with these guys every single day that need jobs, want jobs. These are good paying jobs that will allow people that are here to have high quality jobs and pay taxes into our communities to help
our schools. And also, people that left the state --- my brother left the state as an engineer. There wasn't work for him. So he lives in North Carolina. People like him have the potential with this project to come back to the state to work, to get back in their community where they want to be. It's sometimes hard to do that in West Virginia, but these types of projects are what will allow us to be competitive on a national level.

The second reason is affordable and reliable energy. Whether you work for an energy services company or energy company, or just have a light in your house, affordable and reliable energy are great for us. We all cook with natural gas. We cook with electricity. These things impact everybody day to day.

When I leave here in Pocahontas County, I'm going to fill up my truck. And I'm probably going to get like a sandwich somewhere. So these little small things make it affordable and reliable for each and every one of us. Every little thing, everything we buy is transported, is cheaper. So affordable, reliable energy helps every single person, not just companies, not just business owners, not people drilling holes in the ground. It helps everybody in the country.

And the third and the most important
reason is I am very confident that this can be done in an environmentally-friendly way without damage to our local environment. And if there was --- if I thought there was a reasonable chance that we would negatively impact the water in West Virginia or our environment, I wouldn't stand here and say this.

So I love West Virginia and I love water. And I want to see growth and economic development. And that's why I'm here to state my support for the Atlantic Coast Pipeline. Thank you very much.

CHAIR: Traci Hickson is up next. After Traci is Kimberly. After Kimberly is J.T. Arbogast.

MS. HICKSON: Hi, I'm Traci. I'm from Katz. I wonder what we all really are here for. It seems to me that West Virginia's DEP director has been playing Santa Claus or maybe Governor Justice is Santa and the DEP director is just to help her out. But as Santa, they've been giving away some big gifts to big business, the dirty fossil-fuel business here in the state.

And, you know, I filed ten pages of detailed technical comments to the DEP over the 401C water quality permit. And I just --- I don't think the state is valuing our most precious resource, water.
There is nothing more valuable to this state than our water. And we're here to talk about a stormwater permit, a blanket permit for more than 2,500 acres of bare, denuded land that they're going to try and cover up with some seed mixes. And you know what? It's all going to be like a spread of invasive species. Japanese stiltgrass, garlic mustard, aquatic invasives. And this has not been addressed. This is not going to be addressed by the sewer and water permit. There are a full range of cumulative impacts that that 401C water permit review would have seen to.

But you know, I read one of the amendment comments from Dominion Gas to DEP. And it kind of took me aback because it said sediment is the only parameter of concern of concern for this project. So I guess that means there's no room here to talk about the risks and safety issues that our volunteer fire and rescue folks will face here in the county. There's no room to talk about a family member of mine who trout fishes on Clover Creek, talks about the sinks that the trout depend on during the dry season. And the blasting that's going to take place within a mile of these sinks. And you know, what mitigation measures are there when that underground rock gets cracked and the water dries up in the sink? I
mean, what are you going to do?

So you know, this is part of a trend in the state. And you know, we've had more than a decade of what I consider to be careless and risky fracking operations. We know that every fracked gas well in the state, on average, according to a report by Downstream Strategies uses five to six million gallons of water. And that's just in the Marcellus. The Utica shale is much deeper for laterals. There's one lateral that's been drilled that's 19,000 feet long. So fracking has already had a huge impact on our water. And this pipeline is just the next phase to get it out of this region as cheaply and quickly as possible, benefiting out of state companies. And you know, the DEP is just playing here Dominion, or maybe the next step will be to try to be its energy producer.

So I guess I wanted to say that I've been good this year, too, so I might as well share my wish list for the DEP. As part of the permit conditions, I'd like to ask, even if the DEP does approve the stormwater permit, that the DEP not allow any clearing or construction on the pipeline route until all of the permits in Virginia and North Carolina are approved.

North Carolina's Department of
Environmental Quality is questioning the need and the cost of this project. They're asking serious questions about who exactly is going to use this gas because we in North Carolina, the residents, we already have gas. And we don't want a pipeline that's going to bring in more expensive gas because Dominion is just passing the bill onto the ratepayers of Virginia and North Carolina. And in the end, their gas is going to be more expensive, if they even get it, if it doesn't go to some international export. So I --- you know, just because West Virginia is at the head of the pipeline doesn't mean that we have to allow any construction here until North Carolina at least looks at the economic questions and approves its permits, too.

And I have one more really important comment. And that is the forest service has put together some special use permit conditions that are really rigorous. And there are high water quality control standards as part of the four services conditions. And I ask that the DEP, as part of my wish list, follow and have all of this same high four service standards, including equipment specifications for steep slopes, adjustments to stream buffers, installing 12-inch diameter compost filter socks. And we want to see those
site specific designs for steep slopes. Thank you and sorry if I went over.

CHAIR: Kimberly is up next. After Kimberly is J.T. Arbogast. After J.T. is Dawn Barrett.

MS. PITTS: Hello. My name is Kimberly Pitts. I'm from Cass, West Virginia. I've submitted comments online in writing, so I'm just going to speak today kind of from the heart. Pocahontas County is the birthplace of rivers. And it's the most extraordinary place I've ever been. I've never wanted to settle down anywhere else in the world. I've been around the world, and this is the place that I want to call home.

It's also one of the last corners of West Virginia that hasn't been utterly devastated by energy companies. And when energy companies come, what do they do in West Virginia? They come. They take our natural resources and then they leave. And they usually leave us pretty devastated. They leave us devastated environmentally. They leave our citizens devastated economically. And they leave us devastated in terms of our health because you can't drink water that's poisoned. You can't breathe air that's poisoned. And that's what they do. They come in. They take what we have and then they leave.
They also lie about jobs. They tell us that they're going to bring jobs to us locally. They don't. They bring people in from elsewhere. You think they're going to hire people in Pocahontas County to do highly technical jobs? You've heard them talk about the difficulty of what's going to happen here. You think they're going to hire people without advanced training to do that? They're not going to hire local.

These energy companies also lie about safety. They tell us that this is safe. There are thousands of communities who have been utterly devastated by fracking, and by oil and gas transmission lines. You know what happens? They pay for a couple people to go down to Florida, people who have been poisoned. They pay them off and they send them away. And then when disaster does strike, they declare bankruptcy and run.

What company is going to come in and tell you that they're going to destroy you? They're going to come in and they're going to tell you that they're going to bring jobs. And they're going to tell you that it's going to be okay. The thing is they don't know because they've never done anything like this. And you think that the engineers know what to do in situations that they've never encountered? They don't. I believe the
engineers probably have our best interests at heart. The problem is is that they have no idea because no one's ever done anything like this.

I also was really deeply touched by the woman who spoke earlier, that woman right there. I was deeply touched by what you said. This is a hard place to live. You have to have grit to live here. You have to love it to live here. You do. And if they know that, that's what they're banking on. They're banking on that people here are desperate. And the problem is, is that these jobs are not going to be for our local boys. These jobs are going to be for people from Virginia, and North Carolina, and anywhere else in the country that that rebuild pipelines. They're going to bring them in and then they're going to leave. I feel you and I feel you deeply. But I'm here to tell you they're lying.

So here's the thing. West Virginia is always going to sacrifice their own. It's going to sacrifice them for this country. And we've been told that it's important because we're powering the country. The problem is, is that this gas is for China. This gas is going to be turned into plastic for China. That's what the plant that they're talking about making it is for. It's to make plastic for China. So you want to
talk about our water and how we can't live here without clean water? I'm all about economic development. I believe people need jobs and I believe that infrastructure has to be built. But it should be built for the people of West Virginia. That is not what this pipeline is for.

They talk about this bringing cheaper energy to you. This pipeline is going to cost over five billion dollars. And do you know who is going to pay for it? The ratepayers. We will pay for it. This is not going to bring us cheaper energy. You know what would bring us cheaper energy? Solar. Wind. They're both cheaper than natural gas now. Natural gas from this pipeline will be used to make plastic for China. The stormwater permit shouldn't be granted for a million environmental reasons, including the fact that, again, no one has ever attempted anything like this before. And there's frankly no way for Dominion to guarantee us that our water isn't going to be ruined by it.

But more importantly, DEP's reason for being is to protect us, is to protect our water, and our air, and our land. Because as West Virginians, that's what we have. That's what we have here in Pocahontas County. That's what we have. If we don't have clean
water, we can't live here.

And if the DEP gives us consent for this project to move forward, it will not be because it's for public good. It will not be because we're being served. It will be because our elected officials are eager to sell our gas to China. The people of Pocahontas County are counting on the DEP to decide if they're interested in serving us, or are interested in serving the rich one percent who are here to take our resources and leave another county ruined. Thank you.

CHAIR: J.T. Arbogast is next. After J.T. is Dawn, and after Dawn is Abraham Bezork.

MR. ARBOGAST: Hi, everybody. My name is J.T. Arbogast. I'm from Cass. I brought a prop and I realize that clear liquid in a Mason jar would probably not necessarily mean what I wanted it to mean when I walked up here.

But before I came down tonight, I stopped and scooped some water out of the Greenbrier because to me, we've heard a lot tonight about jobs. We've heard a lot about economic growth. We've heard a lot about the way this pipeline is going to help this community. But the point of this meeting, which we were told right at the very beginning was to talk about the stormwater
permit. And that comes down to this, because this is what we have. If we don't have this, all those jobs and all that economic growth doesn't mean anything because we won't be able to live here anymore.

I've spent a lifetime swimming in these rivers. I've spent a lifetime fishing these streams. And my neighbors have done the same for generations. And those generations have spent a lifetime drinking this water because it's what we have. So I don't have much else to say. I'm not going to get into too much, although I will point out that Mr. Pritt --- I don't know if he's still here --- bringing up the Rover Pipeline, that was an interesting point. If you want to go home and Google that, you should.

I would also say that somebody else said three years of review and more than any other pipeline project was amazing to this person. And yet, from my understanding, the permit is still incomplete. So three years is not that long to wait to ensure that this stays as clear as it is right now. I would just leave this for you guys as a reminder that that's what we're here for. And I hope that the DEP can take this with them and put this on their desk when they're making their final decisions, that they ensure that this stays as clear as
it is. Thank you, guys.

CHAIR: Dawn is next. After Dawn is Abraham. After Abraham is Jim Bullard.

MS. BARRETT: Water is life. I just want us all to think about that for a minute. We take it for granted in this country because we don't really pay a lot for it. But water is life. The people working in the water and waste management division at the DEP know this. Ostensibly, that's why they work there. The people of Pocahontas County know this. It's one of the reasons we live here. But the people who work for the DEP have the power now to protect our water.

My name is Dawn Baldwin Barrett. I'm a full-time resident of Pocahontas County at Brightside Acres, 300 acres of primarily managed timberland in the north end of the county near the Virginia line. I have a couple acres in organic vegetable and fruit production that I sell through a CSA subscription involving growers and buyers from every corner of the county's 942 square miles. The ACP will not directly impact my farm or my spring, but it will directly impact the farms and springs of dozens of my fellow growers, friends and customers.

Inevitably, it will impact the very nature of this place, which is the birthplace of eight rivers.
The extent to which the impact of the ACP on our waters is minimized is the extent to which the West Virginia DEP does its job. You, good people of the DEP, are our first line of defense. The pipeline developer will cut any corner where environmental protections are concerns in order to cut costs and speed the process. How do I know this? Because this is what pipeline developers do. There is a long history of this across this country. Absent strict permit requirements and state enforcement, this is what they get away with.

I believe in regulations. Regulations are protections. Regulations are not, as a general matter, written by folks on a mission to diminish American prosperity and kill jobs. They're just not. I have an unusual perspective in that I grew up in a mom and pop business that was the first in Tennessee to receive a permit as a chemical waste recycling facility under the brand new Resource Conservation Recovery Act passed in 1976.

I then spent 20 years from the mid '80s to the mid 2000s as a safety and environmental consultant. I learned that safety and environmental regulations are, in fact, written and enforced by people driven by the belief that job creation is not a zero sum game in which
our environment and human health must always be
sacrificed. Politicians tell us this. This is not true.
The only economic development that is truly sustainable
is that which truly protects human health and the
environment from the get-go. I believe this. I've seen
this. The question is do you, the wonderful people of
the DEP? I hope you do.

I'm here to ask Austin Caperton and every
member of the Division of Water and Waste Management to
simply do your job. Require the pipeline developer to
meet newer requirements for a stormwater permit. Don't
give them a pass. Don't approve their permit application
before it's complete. Pocahontas County is one big
geologically sensitive area. You and you alone have the
authority to require the developers plans for minimizing
and mitigating impact to geologically sensitive and
unstable areas before you approve their permit. Before.
You have the power to require water monitoring at stream
crossings. Please use your power. This land is your
land. This land is your water. The DEP's motto is
promoting a healthy environment. First step, enforce
your own rules. Thank you.

CHAIR: Abraham is up next. Jim Bullard
is up next. After Jim is Nikki. The last name begins
with an A. How do you pronounce that? And then after Nikki is Oliva Bias.

MR. BULLARD: My name is Jim Bullard. I live on Gordon Valley Road on Michael Mountain. We drilled four wells when we built and none of them produced water. We found a spring that has been serving our purposes for the last 20-plus years. It's never gone dry. It's been pristine water and it's what we rely on to remain here. The pipeline will change the habitat. There will be runoff. There will be problems. And this will threaten our water supply. When they cross Michael Mountain, there's a pristine stream right on the eastern end, on the southern slope that I'm very concerned about that the drilling, the blasting has a good possibility of damaging that spring. Our spring comes from a very deep source. Temperature is very low when it comes out of the ground. And my concern is that even blasting a mile or so away, there's a good chance that it could affect our water supply.

Dominion has had many fines because they get a permit, but they don't follow it. And I think they're a threat to our water supply and to the state or county in West Virginia. Thank you.

CHAIR: Nikki, you're up. After Nikki is
Olive Bias. After Olive is Michael Kline.

MS. ALIKAILOS: Hello everyone. Can you hear me? So yeah, I just want to be clear here because there seems to be a lot of muddying the water, so to speak. You guys always come to our town and you say jobs, jobs. We're going to bring lots of jobs. And because we all could use some jobs, we buy it.

The fact of the matter is that this pipeline is going to be less than 35 permit jobs to West Virginia. And the pipeline workers will mostly come from the outside. We'll get a little economic boost like, you know, giving a kid a lollipop, you know, that rots all their teeth later on. That's what your pipeline amounts to. A bad sweet that rots out people's teeth, rots out the ground from under them and each of us.

And it's funny that you can convince yourselves that it's safe. Although it is wholly unprecedented. Although your plans are incomplete. Although you're dealing with one of the most geologically sensitive places in the East Coast, you continue onward. I guess because you would get lots of money for it. That 14 percent rate of return looks really good for a businessman. It's great. It's so great you can convince other people that they're going to make lots of money off
of it as well, even if, you know, they can't drink their 
water down the line.

The fact of the matter is that this is a 
fracked gas pipeline. This fracked gas comes from Ohio, 
West Virginia. It produces devastated places that have 
parts of the roads falling in, people getting taken out 
on stretchers because they can't drink their own water. 
People that can light their tap water on fire. This is 
all real. We've all seen it. It actually happens.

That's what this pipeline supports. 
That's what it perpetuates. That is what this 
infrastructure is going to create more of. But somehow 
you can still stand behind something that is wholly 
wrong, wholly detrimental to human beings and the 
environment they live in. Wholly detrimental to the only 
thing that is essential to life, which is water. Because 
really, you can't drink your money. No matter how much 
you make, you can't drink it. You can't drink your 
money. No.

And I appreciate that there are pipeliners 
in this county. I appreciate it. I know that you're 
hard working. And I know that you've got a good job. 
And I'll tell you, there's 2.5 million miles of pipeline 
crossing through this country. So you've got plenty of
And they fail at a rate of about one a day. There's, you know, some spill, a blow-up fairly often. But we don't usually hear about it because that wouldn't be good for publicity, would it?

These areas that you're proposing to go through, I don't know if anyone has walked them or if anyone has been to them. There's a river, I think you said, that disappears underground for six miles. There's a cave about every 100 feet. Eight rivers start in this county. All water flows out of this county. This is the value of being here, is water. That is our value.

Your value is making lots of money off of a construction project which just the construction alone is hugely devastating to the environment and the people in it. I mean, it's a shame that you guys can't wake up and get a little bit of consciousness and stop lying to people. Stop telling us that this is going to bring us something good when it's not.

West Virginia has been basing extraction economy for its entire history, and that's what has landed us in this situation. We're sitting on a gold mine. You guys know it. You love it. And you're telling us we have nothing. But telling you, you have nothing. We have everything here. We have everything,
and that's going to be taken out from under us. I suppose you would like to make us your 42-inch limestone karst guinea pig. Since this hasn't been done before, I guess just try it on us. There's not that many of us. We don't have much of a voice. We don't have much money to push back on it. And we all need a good job.

So it's easy to run this through here. Once again, it's like taking candy from a baby. That's what you've done. You've gone one-by-one to landowners. And you've said, oh, it's no big deal. And then you come in there with your work boots, clean work boots, your Wrangler jeans, your Bahama fan, your fancy watch. And you sit down at people's kitchen tables and you say it's no big deal. Your water will be fine. You better sign now because that's the best deal. That's the best offer. It's offensive.

You need to get a conscience. You need to go a different direction with this. Everything is at risk here. This is a special place. This provides all the water that flows from here downwards to Mississippi. Everything else flows to the Atlantic. What we have here flows to the other side. It's not just us that'll be poisoned. It's many people after us. And this
infrastructure supports something that has proven to be detrimental to people and to the environment. But for some reason, you continue on despite the fact that there are other options. You're making money, so invest in something else. Invest in something that's good for people. Invest in something that makes the world a better place. Because it's not enough to just keep robbing people. It really, really isn't. Thank you.

CHAIR: Olive is next. After Olive is Michael Kline. After Michael is Sam Herold.

MS. BIAS: My name is Olive Bias. I've lived in West Virginia all my life. And I've got family in Virginia, too, that will be affected by this pipeline you lay down. Natural gas is not clean energy. That's blatant propaganda. And it's also not about independent energy when we're dealing with Dominion who has a complete monopoly over Virginia. So I just wanted to get that out of the way.

We're going to have to deal with the oil and gas industry being here; open evaporation pits for waste. Landfills of waste. There's going to be burials of waste. There's going to be mist sprayed for some of the evaporation pits. There's going to be land farm and bioremediation waste. There's going to be overburden and
soil relocation from blown out mountains. And we're
going to have a lot of transportation of waste that we're
going to have to worry about leaving the state and coming
to the state. Suffocating sediment release from
construction into waterways, the compressor stations in
Lewis County, and Lewis County will be releasing methane.
And there's a lot of federal regulations that are
exempting oversight for many procedures, substances and
chemicals that are used for oil and gas wells. All this
toxic exposure.

Parts of this pipeline are also going to
be built on acidic soils, which is going to put the
pipeline at risk of erosion. Or it's going to be built
on soils that are prone to landslides. Speaking as a
mixed blood, indigenous person here, I'm Eastern
Cherokee. I also want acknowledgement of the Monaca
nation, the Lumbee tribes, the Haliwa-Sapani, the
Coharie, the Meherrin nation, and eastern Cherokee that
this pipeline is going to be effecting our ancestral
lands. And most of these tribes have no FERC or Dominion
consultation as they're not federally recognized.

And that's the price we paid for genocide
and colonialism. Extractive industries started when this
country was colonized by people from Europe. They broke
the treaties to get the resources that are underneath the
ground, and they're doing the same thing in West Virginia
by marginalizing poor people to do it.

FERC, when they were considering NBP and
ACP, discussed a merged system alternative as opposed to
building these pipelines. So the Marcellus-Utica
midstream conference, the 7th Annual Marcellus-Utica
Midstream Conference and the Institute for Energy
Economics and Financial Analysis have all discussed
overbuilding of natural gas pipelines. And that the
Marcellus-Utica shale is going to run out.

So overbuilding the pipelines is just
exacerbating the inevitable laws of access to the shale
that they're trying to get access to now. Pipeline
safety and hazardous material administration from 2003 to
2014 had 11,412 barrels of hazardous liquids alone that
were recorded as polluting. But this is not including
common occurrences like the Doddridge family that had
crude oils that never even got reported or through
industries where I'm from.

We're all still guinea pigs from chemicals
that got spilled from the coal industry, that they don't
have any environment --- they don't have any
environmental or epidemiological testing done for human
beings for toxic exposure.

Dominion G150 is a very --- I'd hoped to be a well-known explosion of a natural gas pipeline that polluted 12 waterways. And the Rover Pipeline, since that got brought up, that's dumped all kinds of drilling --- into wetlands in Ohio that also had diesel mixed in with it, which completely suffocated the wetlands over there.

2017, Reztek, Inc. did a case study for Appalachian mountain advocates of seep and non-seep ridgelines, which included total excavation, back-build volume, and excess oil volume from blowing up mountains. This is 10 to 60 feet or more of mountains that they're going to blow up throughout West Virginia and Virginia to lay down ACP.

This is hundreds and thousands of soil from these mountains getting blown up. This is hundreds of thousands of cubic yards that they are considering. People want to call it mountain top removal because they're not blowing up the mountains to get to the coal seams. I don't know what else to call it. It is mountain top removal. You're blowing up ridge tops to lay down a pipeline. It's insanity.

Access roads on slopes along the mountain,
along the ridgelines of the mountains are also putting trout streams at risk. The construction corridor on ridgelines in West Virginia could be 125 feet or more. And this is going to be built --- 15 percent slopes alone can be prone to landslides. And they're wanting to put down this pipeline that's listed as much steeper than that. Blowing up mountains also takes away natural water filtration systems. And it's going to completely redirect the groundwater in some areas. And we've already talked about the karst stream here that needs site-specific review, as well as other geologically sensitive areas that have not yet been finished getting reviewed. So why are we approving anything if they're not done? We shouldn't be helping Dominion do the job that they should be doing themselves in getting these site-specific tests done.

I also just want to say real quick, this involves the Monongahela National Forest Watershed, the Big Ridge, and George Washington National Forest, Potomac River, Shenandoah River, the Kanawha watershed, Seneca State water --- I mean, Seneca state forest, the Greenbrier River, Buchanan River, West Fork River, loss of shade for the trout, the Indiana bat, the long-eared bat, the brown bats that are all endangered, the
endangered salamanders, clubshell and snuffbox mussels are also endangered, running buffalo clover, pogonias. All of this is at risk for putting these pipelines down.

CHAIR: Again, I ask everybody not to try to interrupt the speakers. Please be respectful of the speakers when they're up here. Up next, Michael Kline. After Michael is Sam Herold. And after Sam is Charles Sheets.

MR. KLINE: My name is Michael Kline. I live at 320 Summers Street in Elkins, West Virginia. And you can look up on our ridge top and see the windmills. They turn --- when there's a stiff breeze blowing, they turn a little bit. But we know that that operation isn't for us either. What's being generated there is going to Virginia. It's not for us. Dominion takes a lot of our resource rich country down through here. But they don't think enough of us to establish their corporate headquarters here.

None of the industries that have raped us and stolen our resources over the past century and a half have their corporate headquarters here. All these programs and projects are initiated by people who live in other places. I don't think in West Virginia here we really fully realized until studies in the late '70s and
through the '80s revealed that 80 percent of the natural wealth of this state is owned by people who don't live here.

I have a love affair over the past several decades with the Hammonds family, very old-time singers. I'm an old-time singer myself. I'm a folklorist and an oral historian. I have been interviewing people in Doddridge County and many other sites where natural gas development is taking its toll. The harm that it's doing is deep, deep on them.

There are studies that show a relationship between natural gas development and the opioid epidemic that's sweeping our state today. It's nice to know we're number one in something, isn't it? Opioid addiction. Yeah, we're number one in opioid addiction. And there are studies that link that to the fact that all of our natural wealth is being developed by people from other places, and it's not for us. It's not for us.

But I've always regarded Pocahontas County as the mother of rivers, as being especially sacred, an especially sacred place in West Virginia. I've never lived in this county, but I have ventured down here and have a lot of friendships. And I have played a lot of music, old-time music around. Oh, excuse me. I have to
talk about water. I'm not supposed to talk about music. I know that. But I just want to tell you where my heart is.

And we're facing terrible threats, I think, even in the city of Elkins. When I get home, I'm going to go to work on our city council and try to get them to close our county to any kind of pipelining and any kind of fracking. I know they won't do it right off, but many other small towns have done that, declared a moratorium on this kind of development. They say, oh, you can't do that until we know what the state is going to do, until we know what the DEP is going to do.

Well, I still feel like in West Virginia, we are decent autonomous people living in decent, autonomous communities that are having visited upon us by outsiders who know nothing about us and our --- what's important to us, are visiting upon us this whole project which is indecent, which has indecent results, which sickens our children, our families. If you want --- people have spoken so eloquently here tonight. Everything I wanted to say has already been said. But I think in a nutshell, if you want to know what we're facing in the future, all you need to do is look at the past.
We've been raked over for 150 years by a coal industry that has left us broke, busted and no place to go, no place to turn. West Virginia, since 2016, in the past year and a half, has lost 10,000 people. I just read it.

And my departing thought is that we live in an age now, sadly for the past 11, since 11 months ago, we're living in an age of deregulation. Deregulation. I just heard on national or West Virginia public radio this morning that they're going to deregulate the levels of coal dust available in mines now. Have we all drunk the Kool-Aid? Can't we appeal to decency? Can't we appeal to autonomy? And can't we determine our own destinies? We know how to mine coal. We know how to do all these things ourselves. Why do we need somebody like Dominion? Thank you.

CHAIR: Sam Herold up next. After Sam is Charles Sheets. After Charles is Kelly --- last name is Kelly. Address in Cass.

MR. HEROLD: Hello. My name is Sam Herold. I live in Knapp's Creek, about three miles south of the proposed route of this monstrosity.

Dear West Virginia Department of Environmental Protection, please hear and take to heart
the concerns we have over the construction of the Atlantic Coast pipeline. We are the birthplace of rivers. Our pristine creeks and rivers, clean water and steep, rocky terrain is no place to allow the oil and gas industry to construct this unneeded monstrosity of a pipeline. This is corporate greed, not public need. If the construction of the pipeline doesn't ruin us, the fracking that comes later certainly will.

Specifically, I'm worried about the proposed route over Michael Mountain. It's steep and rocky. Like much of the terrain of Pocahontas County along the proposed route, stormwater and sediment control is of huge concern, not only during construction, but from then on. The massive rainfall events we've seen in Pocahontas County in just recent years have caused major destruction. Insert excavated steep slopes with no vegetation to absorb and slow water, and that will lead to serious runoff and sedimentation issues.

Also, specifically, I'm concerned about the proposed crossing of the Greenbrier River. It's still unclear how the ACP plans to safely secure a 42-inch pipe under the raging water of the Greenbrier River at flow stage. And that's just regular flow stage, not to mention a 100-year flood, not to mention a 500-
year flood. Not to mention the threat of rocks, logs, and debris building up against it potentially dislodging or puncturing the pipeline. A scalar analysis has yet to be one on Greenbrier River. A first study has yet to be done for Pocahontas County. How is that?

I'm concerned about public knowledge of this proposed project. It's frightening to think many people in this county are only hearing their facts from the Pocahontas Times. The Times has fed readers one-sided reporting on this issue from day one, seeming to be in the pocket of Dominion. Shame on you, Pocahontas Times. Calvin Price is rolling over in his grave.

So everyone, please get educated and informed on the facts, the loose ends, and the unanswered questions before you make up your mind that this is a good idea. This fight is not over. I think there's a lot of things people don't know about. People should know about the destruction of Seneca State Forest. The trade has been done behind closed doors where the Boy Scouts of America are selling land to Dominion, to then be given to Seneca as an offset. This land was originally donated to the Boy Scouts by Pocahontas County residents. Unacceptable. This is public land.
Once this destruction is done, no mitigation or all the money in the world can fix the permanent damage. We don't have to construct this pipeline. We don't have to extract these gas molecules from our earth. Leave it in the ground. We should be talking about alternative energies such as wind and solar, not furthering our addiction to fossil fuels.

Thank you.

CHAIR: Charles Sheets up next. After Charles, Mr. Kelly. After Mr. Kelly is Hallie Herold.

MR. SHEETS: Well, thank you, DEP for allowing such a wide-ranging subject to talk about tonight. And I thought we were only going to talk about the stormwater permit. But since they've allowed a little bit of latitude here, I would like to say a couple things.

I know that --- we understand Pocahontas County, there's not enough jobs. Temporary jobs, yes. But it's not going to be jobs. I think what we should realize that in Pocahontas County --- I went down to the county clerk's office about a month and a half ago. And quite a few people in this county have received about 1.78 million dollars in right-of-way payments. And in 2022, when this pipeline is built, Pocahontas County will
get approximately $1.6 million just in tax revenue.

You've heard a lot of stories tonight of how poor this county is and the help it needs. This county high school here needs all the help they can get from tax revenues.

One other thing I would like to say, since you allowed a little bit of latitude here, I would like Dominion to consider when it crosses Route 28 up here, about two miles from this high school, they make revisions to tap into that line so this high school can have gas down the road. Because electricity costs, we don't know what they're going to be. But one thing to consider is gas going to that line is inflation, and there will be additional revenues from Pocahontas County here as well.

And I thank all the speakers tonight who have been here. I thank the DEP for giving such a wide range of latitude of speakers. And I just go ahead and urge the regulatory authorities to issue the permit as stormwater permit expeditiously as possible to us because it's just costing everybody money. Thank you.

CHAIR: Mr. Kelly is up. After Mr. Kelly is Hallie Herold. After Hallie is Carrie Kline.

MR. KELLY: Good evening, ladies and gentlemen. My name is Fairleth Kelly. I'll be short and
brief. You can't trust the West Virginia Department of Environmental Protection to protect the citizens of the state of West Virginia. There's numerous examples of that in our state. I could go on and on throughout the state of people I know who told me things I've documented. But we need to look at this from a wide perspective. I understand from somebody in Washington, D.C. that Dominion is planning on selling its gas to Holland who --- the Dutch government is very corrupt. They cooperated with the Nazis in World War II. But that's not relevant to this. But they've also made plans to other countries. I understand Spain would get the gas, too. So the full understanding, that's a real part of investigating the land.

But anyway, we need to make sure that this pipeline, which I'm not in favor of being built because we don't need it. In England, the people live at 36 degrees and they're fine in winter. And Americans are a spoiled bunch of people. That's all I'll say. We don't need all this energy. We don't have the domain for it. Why would they be shipping it to Europe? Thank you. Good day.

CHAIR: Hallie Herold up next. After Hallie is Carrie Kline. After Carrie is Allen Johnson.
MS. HEROLD: Hi. I'm Hallie Herold. I have a piece of paper. I'm from Knapp's Creek, and I swore that I was going to talk about stormwater, and I don't think that's going to happen, DEP. I'm sorry.

I'm going to tell a story. I took a course at WVU a couple of years ago. It was West Virginia natural resources. And on the first day, it was a decent sized lecture, probably 100, 150 people the first day I went in and sat down. The professor said where's my Pocahontas County person? I was at my desk. I looked around. Nobody else raised their hand, so I raised my hand. And he said what's Pocahontas County known for? I said I know this. Okay. I said we're the birthplace of rivers. He said you're right. And everybody there knows that. I've never had a student come in here that couldn't tell me that. It's something that we're very proud of. It's something that defines us. It's our identity.

So then it was a few years ago when I first heard about the first proposed route the state first denied and then got us to where we are now. I thought it was laughable. You're going to go put a pipeline in Pocahontas County, the birthplace of rivers? You know, pollute clean water? That's just absurd. But
you know, here we are standing in an auditorium trying to fight against it.

I just wanted to talk about a couple of things that I heard people mention --- I have a few words. Energy independence, I don't really understand how we have this mindset that it's energy independence when this is going to be shipped overseas and it's going to fuel foreign countries. And also, the jobs thing where you say it's going to be jobs for us and jobs for our kids. But, you know, people who are here who are in the industry certainly know that it's an industry with an expiration date. There is a limited supply of natural gas. And they've given it 30 years at the rate that we're going right now. Twenty (20) years at the rate that they want to go.

So if this pipeline goes through and ushers in fracking behind it, and they just really tear us up, you know, that's not very long. That doesn't provide sustainable jobs because that's hopefully within my lifetime. If I have children, will they have jobs in this industry? No. Do I want them to? No. But it's just laughable to me that we are so willing to lay down and sacrifice what's special about this place for an industry that is going to make a few people far away
very, very rich and leave us potentially devastated.

I don't know if you've had a look at our tourism industry lately, but it is flourishing. People come here. They come here for our rivers. For our mountains. For the beauty. And I just don't see why people would come back if we have sullied streams and blasted off mountaintops and scarred landscape forever.

I also wanted to comment on the tax revenue thing. I believe that it's in the contract of the tax revenue that what Pocahontas County will receive will decrease over time. So as far as that boom coming later, I wouldn't count on that. I don't know. I think I'm good. DEP, please deny the stormwater permit. Thank you.

CHAIR: Carrie Kline up next. After Carrie is Allen Johnson. After Allen is Maury Johnson.

MS. KLINE: Thanks, DEP, for being here. And it's good to see that we all care. And it's sad to see that we're divided because I think we all want the same things. I think we all want a safe place. We want a good chance for our children, for ourselves. We want water to drink. We live here because it's home. Some of us, many of us love to be in the water. I do. A lot of people like to fish. A lot of people like to hunt. And
I'm not a scientist, so I can't talk about water as beautifully as you did opening things up.

And stormwater permits, it's awkward to talk about that when the DEP did waive its right to really look at this. And the DEP is so under-funded. If you did everything you could do, you would not be able to monitor this. There are a couple of brave people working for the DEP. Dennis Stottlemyer is here tonight. I hope I'm saying your name right. Okay. And John King was at the Upshur County hearing. And we live in Elkins. And we've come to both and we'll keep coming. And I think the call is that because the DEP is understaffed, you take pictures, you monitor and you send them to them. And that's not enough. But that's what we do need to do.

I make my living in several ways. And I think a lot of us do here because it is hard to make it here. One is working with a tape recorder recording people's life stories. And we have recorded people who drive frack trucks and have gotten burned severely. And they're severely sick. And we've reported microbiologists and people who have lived around fracking and are very, very sick from the air. And the same around compressor stations, very ill.

And fortunately or unfortunately, there's
a new article out, a new scientific study. If you're a scientist, you can look up the study. If you're not a scientist, you can look at the Atlantic Monthly. It just came out recently. And it says that infants in large numbers are being harmed if they live near fracking. And I know we're here to talk about a pipeline. But we could look at this pipeline as a huge storage vessel until the market raises. And it could be money for us to frack more. And as soon as there is a pipeline, we will be fracking more.

Another piece of my living is in the tourism industry. I get on those motor coaches and I tell people where they are. And I play oral histories. I play Jessie Brown Beard Powell talking about being born in the west bedroom over in Bartow, in the downstairs west bedroom. She lived to be almost 100. And her grandmother was in the Civil War.

And tourists want to know. They want to know. They want to understand what this place is. They're not going to come if they can't get through. If you try to make a left turn onto the main drag in Elkins now, you get these big trucks, more big trucks. They're already the main truck route. People are going to stop coming. And that's big. And tourism is a huge industry
in West Virginia.

West Virginia, as someone said before, and so much of Appalachia is officially by the Department of Energy called a national sacrifice zone for affordable energy. We're not choosing to be that. And we don't have to be that. We can be a renewable energy state. We already have Seneca. Why are we buying our solar panels from China? If you look at innovative groups like the Coalfield Development Corporation downstate in Huntington, Solar Holler, training coal miners to work in renewables. We can do a lot more of that. That's a booming industry. If it's not booming the way you want it to be, it's because our government hasn't put resources into that. But we can. And we can do a lot more with tourism with younger people and different people. We can use that karst. Karst, it's like Swiss-cheese rock that's got holes. It's not good for pipelines. I don't think anywhere is good for pipelines. But karst is good for people who like to cave. People come from all around the world for these caves, for this rock climbing, for these opportunities.

And thank you for having such a nice bell. It could be a really obnoxious one. And it's gentle and I appreciate that. Thank you.
CHAIR: Allen Johnson up next. After Allen is Maury Johnson. And Maury Johnson is the last person who has signed up to speak. So if you do want to speak, you can go after Maury Johnson.

MR. ALLEN JOHNSON: Thank you, DEP. My name is Allen Johnson. I'm going to start off first by saying three decades ago I worked for Dominion for about five years. My wife and I live near Frost, West Virginia, about 600 yards from the proposed pipeline across Route 92. And it kind of arcs back into the national forest. And so we actually maintain that distance for quite a while. Actually, my favorite hiking trail kind of proposes along it in the national forest.

We moved here and built our home 40 years ago because this is a beautiful area with wonderful scenery, and the ecosystem, pure water. And a neighborly rural lifestyle and people. That really attracted us and kept us here. We hope we've contributed to our community in some ways. We worked in different jobs, raised four sons successfully.

And our county, the remarkable and unique, almost unique in the east about the attributes we have, the scenery, the ecology, the wonderful water. It's scarce. It's rare. That's what we have. That's what we
construct ourselves on. We lose that, we're mud
literally.

I'll be submitting detailed comments,
written comments with maps for the DEP on the stormwater
permits. So during my time, I wanted to touch really on
the point. The FERC document impact statement points out
that 73 percent of the ACP route in West Virginia, quote, 
cross areas with a high incidence of and a high
susceptibility to landslides. And which ACP has not
determined how to satisfactorily construct. Eighteen
(18) percent of the five-mile route through the
Monongahela National Forest would be on slide slopes,
quote, are susceptible to natural landslides. And thus,
the potential for project-induced landslides, slope
failures, is high.

Further on we read, quote, small fields
and steep slopes can produce catastrophic debris flows.
During a rainstorm when they build slopes, monster slides
downhill and it multiplies the debris flow. The debris
flow has a snowball effect that increases the debris flow
by and destructing power. It's a gouging, scraping off
and incorporating bedrock, trees, stream banks. I'll
point out that the heavy rain floods that we had in June
of 2016, and then a couple months later in my area, Frost
area, an eight-inch rainfall in the section of the ACP routed section. Both heavy rainfalls flooded sections of Route 92 that's over the road by the ACP route. And a walk up Bird Run near Route 84 visibly shows a massive debris washed out from flow. You can go see it yourself. Its steep slopes extend from soils and high potential of rain deluge for serious degradation of our fragile lands and streams.

I would like to request DEP full cooperation of citizen monitoring at the scene is constructed. Other comments I will put in writing concerning that it's on a karst laden stream, and the need for dye testing, and well testing prior to construction in April by the applicant. These well testings cost at least $700 apiece.

Also, I have some other things. I want to --- then I'm bothered by the potential --- I'm deeply bothered by the potential for environmental pollution. But I'm also very bothered by the pollution of our government. And I'm going to say this. The pollution of our democracy was evident in the waiver of the 401 Water Certification by DEP Ed Austin Caperton. The comments that were made here at the hearing here on August 1st, elsewhere and in written form are, might as well say,
throw them in the trashcan and throw them out as refuse. It shows disrespect, even contempt, for our citizenry. And this is outrageous. This leads to a valid hypothesis that Dominion wants the permits greased to go as fast and easily as possible.

DEP is not the only culprit. Other state agencies have been closed now about the fine knowledge of proposed ACP route through Seneca State Forest, let alone many other miles of access road. Secret behind the doors negotiations without public input from we, the citizens, who own --- we own that forest. And obviously mistrust of government agencies to transparently care for our lands. The Boy Scouts of America secretly sold 1,200 acres for land innovations far off the Allegheny Trail to the conservation fund. My time is about up. Okay. Give me about 30 seconds.

I'm just going to conclude that --- and I want to also just point out in our legislature delegations have not met with us when we asked for that, the people who want to talk in our county, citizens. So I'll say that, too. And basically, in conclusion, the one side --- we have two sides. One side values the pipeline for dollars. The other's position opposes the pipeline for love of land and community. The person
whose birthday we will celebrate this Monday said what is the profit to gain hold or to lose one's soul. Thank you for taking comments.

CHAIR: Up next, Maury Johnson. After Maury, we're going to come over here. And then after you --- yeah, after this gentleman right here.

MR. MAURY JOHNSON: First off, thank you. I'm not related to Allen. I'm actually from Monroe County. Now, you may say what the heck is this guy from Monroe County doing up here in Pocahontas County? I live near NVP, a pipeline crosses my farm. It's a very similar pipeline to the ACP. I live not too far from the Greenbrier River crossing in Summers County that brings into the ACP here in Greenbrier. For those who've been doing some hiking, you go up through there, I know some really fine folks here in Pocahontas County. And I've spent some time up here.

Pocahontas County is pristine, much like, even more than Monroe County. You have a unique, very unique place here. Now, we talked about water. We talked about jobs and all this other stuff I've heard. We've got to talk about water. This is what this is about. Are we going to give up our clean water in this state to an industry or anybody who wants to come along,
or are we going to protect it? If we don't protect it, just like Allen says, you might as well say that we have nothing. My son next Wednesday is leaving the state of West Virginia and moving to Seattle, Washington because of this pipeline. Will not come back to the farm because of this pipeline where he wants to live. My daughter has already moved. She's out there. Probably will never come home. If we don't protect this, why are we pushing to lose so many people? A lot of it is because we're running them out.

Now, you talked about river pipelines, good ones. If that's the kind we're going to expect, you might as well pack your bags and leave now. And finally, I will say two more things real quick. We had a small pipeline that went through Monroe County. affected the water for one-third of our county. The Public Service District has never had contamination in their 80 year history. And eight months after the multi-violation of the forest area, we had to truck water from Virginia. That Public Service District still has problems. Never been a problem for 80 years. They're on the verge of losing that system. It's our water, people. We have to protect water. If you think we should stand up for clean water, see me after this because I've got a little
petition that I've got going on. And I'd like for people to sign it because we need to stand up for clean water in West Virginia.

CHAIR: If you would state your name for the Court Reporter. Thank you.

MR. TANKA: My name is Mato Tanka. It means Big Bear in Lakota. I met my better half while fighting for water up in North Dakota. And I understand what the lady said about jobs, wanting to have jobs. I live in a place, where I come from, there's 85 percent of the people are unemployed. So I want better jobs. And when I seen what they were doing to the land saying, oh, we're going to protect it. We're going to keep it safe for you to keep using it. It's not true. Letting them go through the water like this, they're going to say everything they can. But when you're not looking, they're going to do these things. They're not going to bring you jobs. If they are, they're part-time jobs, short, temporary jobs. And I feel for you. We all need something, you know, to be proud of.

My people are proud of ourselves, and what I've noticed about people from the Appalachian area, you guys are proud of your heritage, where you come from, where you're going, what you're going to need for the
future for your children. But you've got to think if letting this go through, is that worth selling your heritage out for a few dollars? Is it worth selling your family down the river so they have to move because the water's contaminated? Don't let them do this to you. They crammed it down our throat up there at the Dakota Access pipeline. And months later, they said, oh, it's just some small leak we had, 250 million barrels leaked out, out of this state-of-the-art pipeline. And it's not going to happen? You know, nothing manmade lasts forever. And this is a manmade pipe. These people at Demon --- Dominion don't care about you. If they do, why doesn't the CEO sign the paper in his name saying, yeah, if something happens, I would take care of it? The one that makes all the money, make him take care of it. Make him sign his name to it, not his company. The Board of Directors, make them responsible for everything that's going to happen instead of saying, oh, if the water contaminates, we're going into bankruptcy. So you know, you're on your own. That's what they're going to do. Don't let them do that to you. If DEP will make the CEO and the Board of Directors sign that paperwork in their name, maybe they might try a little bit harder. But I wouldn't hold my
breath. Well, my talk is over.

MS. PEULECHE: Tolly Peuleche. I did sign up to speak actually somewhere. It's P-E-U-L-E-C-H-E. I have a big written letter, but I just want to go back to water quality, stormwater management. What I look at every day across the road from me is the Elk Mountain. I live on the Elk River. I sit here and type out this letter, and I'm looking at the Elk Mountain where the ACP is going to run right over the top of it.

There is no stinking way that there isn't going to be some kind of impact. I wish it were true. The gentleman who spoke very well, Mr. Lewis, about all this karst research, I hope he's up there on Elk Mountain. I hope he's up there looking at every little hole that's up there because there's plenty of them.

So you know, I'm not in the blast zone. I'm not really even a little more than a mile away. But I've got a well that I'm relying on because I grow vegetables and I need that well. And I need it to be clean water. And I've gone to all the trouble to get this test done so I have a baseline. So I know I have good water now. And I hope to god I still have it in two years, but I seriously doubt it if this goes through like it's going to.
I've got a history of seeing what DEP should be doing and could be doing if they were adequately funded. I mean, I'm surrounded by timber projects. The first phase of this project is going to be timbering, and it's going to be a lot of timbering. I mean, I see mud in the road every day. I don't see stone aprons to keep the mud from coming out. What am I going to do, call DEP and say there's mud in my road? It's really slick when it rains. I don't think so.

I'm going to say, gee, there's a place where water wells up right in the middle of the Elk River. And sometimes when there's a timbering job going on, who knows where, a couple miles away, it wells up right there in clear water as mud. So you can't --- nobody can check all of those parks and find out from dye testing and so on where it all goes. You just can't be that thorough. I would love to see that guy on my property, too. We've got caves everywhere.

Anyway, I just want to read one little thing. But maybe I can just talk about it. I'll be better off just talking about it. Okay. So last year we had a big flood. And there's a road, a haul road, that goes up Elk Mountain. And that haul road ended up out in the middle of Dry Branch Road because it was stormwater
that nobody but God could manage. It was intense. And, you know, they closed the road. They took half the pavement up and put it in the front yard of part of my land. And you just --- you have no idea the power of this water on these steep slopes. I don't care how good an engineer you are. This isn't --- you can't make it foolproof.

So what I really hope is that DEP will have a hotline and publicize it, so that we can call when these things happen, as I fear inevitably they will. And that's the main points I wanted to get across. But you know, stormwater management, great. But I just don't see it. I don't see it working. I don't see you have enough people to monitor it adequately. And I plan on sending you lots of photographs, lots of samples of dirty water. So let's hope I don't have to. Thank you very much.

MR. BERNIER: My name is Doug Bernier. I've been living in Pocahontas County for 37 years. I'd like to start my comments with the following statement. We feel very comfortable that this pipeline can be installed in an environmentally sound manner and that the environmental impacts ultimately will be zero. Let me read that again. We feel very comfortable that this pipeline can be installed in an environmentally sound
manner. And that the environmental impacts ultimately will be zero. That's a quote from Austin Caperton, the head of the West Virginia DEP, which I'm beginning to think stands for West Virginia Department of Economic Promotion.

I stand here incredulous that Mr. Caperton could believe that. If he does, then his grasp of reality is very shaky. Under Mr. Caperton, the DEP failed to make use of its rightful authority over our state's waters by throwing in the towel on 401 water quality permit. Does Mr. Caperton plan to do the same on this 404 issue? This is a clear dereliction of duty. And if Mr. Caperton does not voluntarily resign from his position as the head of the DEP, then Governor Justice should require that he do so. Thank you.

CHAIR: Is there anyone else who wishes to speak tonight?

MR. KLINE: I'd like to sing (sings song).

CHAIR: This concludes the public hearing on Construction Stormwater Permit for the Atlantic Coast Pipeline. The permit number if WVR310820. The comment period ends on December 31st, 2017.

If you wish to receive a copy of the comments and responses, please make sure the email
address is on the sign-in sheet. Thank you for your participation. And have a safe trip home.

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HEARING CONCLUDED AT 8:03 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]

Court Reporter