BEFORE THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE:

MOUNTAIN VALLEY PIPELINE OIL &
GAS CONSTRUCTION STORMWATER GENERAL
PERMIT NO. WVR310667;
MOUNTAIN VALLEY PIPELINE STATE
401 WATER QUALITY CERTIFICATION
WQC-16-0005; AND
MOUNTAIN VALLEY PIPELINE, LLC
NATURAL STREAMS PRESERVATION
ACT PERMIT NSP-17-0001

HELD MARCH 7, 2017
MUNICIPAL BUILDING
HINTON, SUMMERS COUNTY, WEST VIRGINIA

6:15 P.M.

Donna H. Miller
Court Reporter

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P R O C E E D I N G S

MR. GLANCE: Good evening. I am Jake Glance from the Department of Environmental Protection's Public Information Office. Welcome to tonight's public hearing on the Mountain Valley Pipeline's Oil and Gas Construction Stormwater Permit, State 401 Water Quality Certification, and the Natural Streams Preservation Act Permit for the Mountain Valley Pipeline.

Also here this evening are Ed McGuire. He's the DEP's Environmental Advocate. Also Dennis Stottlemyer from the Office of the Environmental Advocate is here. Also Jeremy Bandy, the Chief of the DEP's Environmental Enforcement Division is here tonight. Also, Wilma Reip, Nancy Dickson and Laura Cooper from the Division of Water Waste Management. There are several other DEP folks here as well. They are in the back.

SPEAKER: And who are you?

MR. GLANCE: I said I am Jake Glance. I am from the Public Information Office. That's why we need to be quiet so we can hear what's being said up front, okay?

The purpose of tonight's hearing is to

give you the opportunity to share your comments with the DEP about the Mountain Valley 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 that everyone be respectful and considerate of each other by refraining from interrupting others while they are speaking, and keeping your comments on topic so that our time together is used most efficiently.

At last count, I think there were about 20 people who signed up to speak. So I think the time limit for each person when giving their public comments will be three minutes per person tonight. For those wishing to speak, I will call your name to come up here and speak with the court reporter to give your comments. If you would, when you sit down, please state your name and any organizations that you may represent.

If you have written comments that you would like to submit in addition to your spoken comments, please hand them either to me or to Donna after you speak or at the conclusion of the hearing.

If no one has any questions about the hearing format, again I will call your name and I'll say the first person is up to speak and I will say the next couple of people so we can kind of form a little line. You will come up and sit with Donna, talk directly to Donna and give your public comments that way, so that way people can continue to ask questions, look at the maps and ask all the questions that have of the DEP staff that is here.

So any questions about the format? Yes, ma'am?

SPEAKER Somehow I have been under the impression that when people gave their comments, they would give them in a public enough way that other people here would be able to hear the comments that they were making.

MR. GLANCE: I think the reason we're doing it this way is to make sure that people can give their public comments at the same time, because this room is kind of small, and there's an echo to it as people were talking with our staff and asking questions and getting answers, we didn't want to have too much going on at the same time so we thought this was the most efficient way to make sure

the court reporter could hear everything that she needs to hear.

SPEAKER: Would it be possible to sort of see how people feel about that? Because there might be people who would want to hear the comments? Can you just check it out and see?

MR. GLANCE: I think we are going to stick with this format. Yes, sir?

SPEAKER: Three minutes is not long enough to give comments. Can you make that five?

MR. GLANCE: I can stretch it to five if everybody promises to stay on five minutes, because 20 times five, this could stretch into a long time. So it's a five-minute limit for each person to give their comments, okay?

The first person is Harold Parsons. Second is David Witt. The third is Howdy Henritz.

MR. HAROLD PARSONS: My name is Harold Parsons. I go by the nickname of "Rocky." I'm a geologist and a caver. I'm retired from a 37-year career with the West Virginia Department of Environmental Protection's Office of Mining and Reclamation. I started out as a Reclamation Inspector in Mingo County, transferred to North

Central West Virginia where I worked my way up the ranks and became a Deputy Director in charge of a regional office that was responsible for permit review, inspection and enforcement of all coal and quarry mining operations in a 37-county area. That's underground mines, surface mines, refuse, prep plants, dredge control systems, roads, anything associated with coal and quarry mining.

I became very familiar with sediment and erosion control.

I am now a resident of Monroe County, and when I became aware of the route of the pipeline across Peters Mountain, I was concerned about the impacts of such a large disturbance on a fragile karst topography and hydrology.

Layers of limestone and dolomite outcrop along the contour of the eastern flank of Peters Mountain, the western plank of Peters Mountain, has water runoff from the precipitation events flows off the mountain and encounters these bands of limestone and dolomite and goes underground via solution cavities, caves and sinking streams and resurges in other locations as springs, and these springs are used by individuals for their water

supply, but in particular the Red Sulphur Public Service District uses these springs as their primary and secondary water supply.

My experience in regulating the service effects and the environmental impacts associated with mining has taught me that such a large disturbance of surface area will, if not properly managed, result in significant problems with sediments, suspended solids and other contaminants.

A mining operation of this magnitude would require a site-specific drainage and sediment control plan. It would be based upon the size of the disturbance, the size of the watershed, steepness of slopes and a whole bunch of other things.

Trying to control erosion using the guidelines set forth in the general stormwater permit would be woefully inadequate for such a large disturbed area.

Regardless of the extent of the sediment control system, the disturbance will continue to produce settable and suspended solids until the area is reclaimed, stabilized and a permanent vegetative cover.

On January 13, 2015 I made arrangements for representatives of Mountain Valley Pipeline to meet with representatives of the Red Sulphur Public Service District to discuss the proposed pipeline route and what impact it would have on the recharge area for these springs.

On May 6 I made arrangements for representatives of the FERC to meet with representatives of the Red Sulphur Public Service District, the Town of Union and a local bottling plant. The FERC representatives were shown a Power-Point presentation outlining the vulnerability of the recharge area for the springs that serve as the principal water sources for the Red Sulphur Public Service District and how construction of the pipeline would cause significant impacts. The FERC representatives were given a tour of the east -- the west flank of Peters Mountain showing the absence of surface streams and the presence of springs that are so important to the citizens of the county.

Upon reviewing FERC's draft environmental impact statement, I was disappointed to see that none of these issues were addressed.

It would not be appropriate to issue a

General Stormwater Permit for the area that includes Red Sulphur Public Service District's spring recharge area. An erosion and sediment control plan relying upon the guidelines outlined in a General Permit would not be adequate. An Individual Stormwater Permit requiring site-specific erosion and sediment control plan should be required for that area in order to control settable solids, suspended solids and contaminants.

Thank you very much.

MR. GLANCE: David Witt is up next. Howdy is after David, and after Howdy is Thomas Johnson.

MR. DAVID WITT: I don't have anything prepared, but I went to a meeting at the Graham House last week and they brought up some issues that I thought might bear repeating.

Basically, I assume the permit people are here to hear our observations. Being a layperson, I haven't looked at these documents but it was pointed out that there were some things lacking in these permits. For example, MVP has 600 crossings I think in this pipeline proposal, and they submitted a template for, you know, one size fits all when commonsense would indicate that each

one of these things has to be engineered, site-specific. That is also applicable to some of the runoff proposals that they have made that they weren't going to cut it basically.

But that's basically what I wanted to point out to the permit people is that there were a lot of things, even though I haven't looked at all these documents, but it's been pointed out that there were woefully shortfalls, you know, in the specificity needed for what this project calls for.

That's about all I needed to say, but basically, this area that we live in is there's not many places like this in the world, and we need to take care of it, and we need to not let industry dictate what's become of what really is a paradise. The history of the way that West Virginia has dealt with industry, i.e., coal would scare anybody.

Anyway, that's why I am here and implore the people who are looking at these permits to examine them carefully and make sure that these guys are towing the mark.

Thank you.

MR. GLANCE: Howdy is up now, and then after Howdy is Thomas Johnson, and after Thomas, I

think it's Tom Stackland.

MR. HOWDY HENRITZ: I have a few things I would like to bring up. First, I'm a little disappointed that we aren't being able to engage the DEP in a question and answer type dialogue. I thought that would be part of this public hearing, but it's not.

So my first comment is since you guys know this is a stream crossings and stormwater permits, but you guys are also in charge of groundwater, and I managed a bottle water company for 24 years, and I'm pretty well familiar with the challenges of protecting springs and groundwater, and in the draft DEIS that was issued in September on page 4.73, Table 4.3.1-2 springs and swallets identified within 500 feet of the MVP construction work area, there is not one spring listed in Monroe County in this whole table, and I will submit this to DEP, but as you can see, there is numerous springs all along Peters Mountain from the north end all the way to the southern end, and then we have 38 springs within a five-mile area located along the Ellison's Ridge and the Hans Creek valley. But MVP for some reason couldn't find any of them.

Also, on page 4-76 under the wellhead and source water protection area, it states that the pipeline will cross approximately two miles above the Big Bend PSD river intake, which is in their zone of critical concern, and will cross the Red Sulphur PSD source water protection area, and within .25 miles. So there's a critical concern.

Now, this is people's drinking water we are talking about so I would request that DEP require a much greater distance than .25 miles or two miles above somebody's public drinking water supply.

Then, Draper Arden, who is MVP's karst specialist team, in a report of December, 2006 states and submits to FERC that in July 2016 report there is a concern that pipeline construction will affect Indian Creek, Hans Creek, Dixie cavern and Goodwin cave, and this is a quote in their report. "All of these resources are separated from the project by a distance of one mile or more."

Well, the pipeline crosses Indian Creek at milepost 182.2 and crosses Hans Creek at 187.6, but the karst specialist, MVP's contractor, says it doesn't come within a mile of either one of these

streams.

This is the information that the DEP, and what we are dealing with, it's inaccurate. It's incomplete, and it's misleading. So I think DEP should just give the application back until they realize or are confident that they have accurate information.

On page 9 of the erosion and sediment control plan, it mentions Summers County as having potential karst features but does not mention Monroe County as having karst. Draper Arden, who is MVP's karst specialist wrote in their 2015 report regarding the Red Sulphur PSD. This highly karsified and fractured nature of bedrock presents stability challenges to construction activities. The karst and cave resources and their hydraulic patterns were poorly documented.

Draper Arden also states in the report that the Rich Creek Cave, the headwaters of the Red Sulphur PSD surface water intake potentially extends easterly to areas below the pipeline route. Now, this is MVP's karst specialist team saying that there's a cave that probably goes underneath the pipeline route that is the headwaters to the Red

Sulphur PSD's surface water intake that supplies drinking water to over 5,000 residents in southern Monroe County. So the DEP should take a note of that.

The erosion and sediment control plan on page 18 states in number six, the preconstruction drainage surrounding the project will be maintained. All disturbed areas within the pipeline land of disturbance will be restored to a meadow in good condition. As a result of restoring the pipeline land of disturbance and associated work spaces to a meadow in good condition maintain preconstruction drainage patterns, there will be no increase in stormwater runoff rate or volume.

So my question to DEP guys, if you remove 125-foot swath of trees on a slope, on a run that's 800-foot going up above Indian Creek with a 35 degree plus slope heading to the stream bank, excavate a ditch eight to 10 feet deep and wide, compacting the soils in the process, install pipeline and then compact the soil over the pipeline, how is this maintaining preconstruction drainage patterns, and how would this not impact the recharge area of that watershed? How can that

compaction and the removal of the trees not affect the volume and velocity of the water?

That's what I wish you guys would answer and not just stand there and shake your heads.

Then on attachment -- the same report on the soils report, it says that Indian Creek crossing the slope is 35 to 60 degrees, and the depth of bedrock is 41 inches. On the Hans Creek, which is milepost 187.6, the slope is 25 to 35 percent, and depth to bedrock is more than 84 inches. Now that is such BS. I will challenge anybody in this room to come with a posthole digger and try to dig a foot and a half in the ground anywhere in the Hans Creek valley or the Narrows of Hans Creek because it is not going to happen.

Trying to limit streamlines for almost a year in Hans Creek, Narrows to Hans Creek and Indian Creek, and Hans Creek is solid bedrock. So, MVP once again is supplying the DEP with false information about the area and the challenges these guys are going to face.

Then on page 4-98 of the DEIS Table 4.3.2-8, waterbodies crossed by MVP in areas of

shallow bedrock, Hans Creek is not even included in the chart. It's a creek that is solid bedrock, and they don't even have it in their charts, and they are going to have a major crossing and steep slopes in that area.

They also state in their erosion and sediment control plan that if there is a rain event that has a half inch of rain or more in a 24-hour period, that they would have to do an inspection within 24 hours, and my question to DEP is, does DEP do that inspection or does MVP's own contractor do that inspection, and then give you guys a rosy report?

And page 16 and 17 of that same erosion and sediment control, it says that DEP will have an inspector on site during construction at each stream crossing, access road or temporary work space within 50 feet of a stream to ensure/enforce that no equipment will ford a flowing stream.

So when these guys are doing a stream crossing where the DEP has an inspector on site at each stream crossing to make sure these guys don't go around there or their temporary bridge and go trucking a dozer through the creek spilling

hydraulic fuel in our creeks.

Then on page 6 of the erosion and sediment control plan -- hang on here a second. I'll get to that -- it says these temporary resource impacts -- it says the temporary resource impacts will not result in adverse impact to water quality or biological habitat where aquatic species within the project area due to the temporary stream crossing construction activities and implementing the erosion and sediment control plan is best management practices.

Well, after dealing with MVP for over two years, I would highly question their integrity to do the BMT's in accordance to the plan that they are submitting, and I would challenge the DEP to have inspectors on site at all times.

Thank you for your time.

MR. GLANCE: Thomas Johnson is up next. Tom Stacklen is after Tom, and then Tom Marion is after Tom Stacklen.

MR. THOMAS JOHNSON: I am Thomas Johnson. I have already submitted my comments in writing. So I am going to pass the floor.

MR. GLANCE: Okay. Tom Stacklen? Am I

saying that right? Anybody know Tom?

SPEAKER: Yes, he's a teacher.

MR. GLANCE: He signed up to speak. Did he leave? (Name called, no response) We'll come back to him later. Okay, Tom Marion, and after Tom Marion, Tim Kosut.

MR. TOM MARION: I'm Tom Marion. I wanted to come to voice my support for the project. I think based upon the way pipelines are currently constructed, the controls that they are proposing to use for the crossings of the streams, as well as overall with the project, should be sufficient.

I also think the economic benefit for the state for this project as far as construction jobs go, as well as just the tax implications that will bring revenue to these counties is a great impact that we really need in the state.

I do believe it's something that we do need to do, and as long as MVP is dedicated to preserving the environment like they've stated they will, and current construction techniques, it shouldn't be a large issue.

And that's all I have to say. Thank you.

MR. GLANCE: Tim Kosut.

MR. TIM KOSUT: I'm Tim Kosut, and I am for the project. Basically, I think the revenues need to be looked at on what conditions are going to be brought in construction-wise, the county revenues, just basically it's going to help affect things. I think the water quality and everything does need to be an issue that needs to be brought up. I think these days things are getting better with these issues. So basically, that's all I've got on this.

Thank you.

MR. GLANCE: Linda Majors is up next, and after Linda is Jill Fisher.

MS. LINDA MAJORS: My name is Linda Majors. I'm from Blacksburg, Virginia. I live on Mount Tabor Road at the base of Brush Mountain. On karst, we have a mountain that's going to be denuded of trees right into karst, we will have a tremendous amount of sedimentation.

I have never been up to Hinton, West Virginia before, but it's beautiful, and it's a crime to put a pipeline through here. We know MVP is not honest. They dismiss things that shouldn't

be dismissed. We had multiple die tracings done. All went into a very protective cave and a significant biodiverse area, and they just dismissed it in their response saying there's no need for die tracing.

So I'm here to support the people of West Virginia, and any kind of permitting or denial of permits that you can do, anything you can do, is worth doing. This is not -- this project does not bring economic development to the state. It brings ruination to every place. Blacksburg will be destroyed because of this pipeline.

It's going to be a blanket permit, and nobody in Blacksburg is going to want to live there. Hence, just like West Virginia.

This is a crime.

MR. GLANCE: Jena Hancock, and after Jena is Thomas Bouldin.

MS. JILL FISHER: My name is Jill Fisher, and I live over near Union. First off, I would like to say that it's my understanding that this meeting is about three DEP permits. It has really nothing to do about the promise and lies of county revenue or jobs.

As most of us know, that is not true. Most people that come here are going to be out of state. Might be a few people, but sorry, guys, you might have to go elsewhere.

All three permits that they are talking about tonight are designed to make the people, and the people in our area, believe that our natural environment will be protected from industrial development, and what, if any, testing has been done to protect the macroinvertebrates that live in our waterways.

As many of us know and have been taught by DEP, macroinvertebrates can be destroyed through sediment. When the creek beds and the hillsides let loose soil, rock it covers up the places where the macroinvertebrates live, and without macroinvertebrates, there will be very few frogs, birds, turtles, and without that part of our environment, what good are the people? People have nothing.

In looking at all this, when access roads and pipelines are drilled on these steep terrains, especially in weather like we have tonight, slippage is going to occur, and with

slippage, as probably most of you have seen, comes rocks coming down. If you go on Route 20 between Hinton and Athens, it's pretty darn scary. Big rocks, little rocks come down. It's going to not be any different from the small roads where these pipelines are going to be, and with my job, I drive around Greenbrier, Monroe, Summers County up back roads, it's not going to be fun. You'll never know when there's going to be things coming at you, and I know last year, a woman near Ronceverte was killed when a tree -- during this kind of weather, a tree fell down on her car, and that was before any pipelines or any new roads were put in.

So how are the people going to be protected? I'd like to know.

When environmental degradation occurs, what is DEP's plan of action going to be? Twenty-nine months ago, RBS, a company located in Caldwell, West Virginia had a concrete truck overturn at my spring. Twenty-nine months ago, well I guess 28 months ago, we paid a company to document the contamination. To this day, DEP has not helped with remediation. Several times I asked what's the timeline on getting this cleaned up. It wasn't my

fault. I wasn't driving that concrete truck. Several times I was told by a person back there, there is no timeline. So last October I was told you have two weeks to get it remediated. Then we are taking it to the next step.

The next step is appearing in front of the Environmental Quality Board in Charleston. I'm being treated like it was my fault. I'm the landowner. I own the spring. A company created documented contamination at my spring where my water is. DEP helps the corporations. They are not helping the people, and I don't see them helping the people from this day forward.

That's all I have to say.

MR. GLANCE: Up next Jenna Hancock, and then after Jenna is Thomas Bouldin, and after Thomas Bouldin is Wood Bouldin.

MR. JENNA HANCOCK: Hi. I'm Jenna, probably the youngest one in here, but I kind of care about water. So, I study marine biology at Coastal Carolina, and I became very aware of stormwater management and drainage.

Ultimately all water that drains, it goes to the ocean. When it follows there, it

follows a meandering path, and if we are cutting across and taking out the meandering displacement and just piling extra sedimentations in there, there are organisms such as our mussels, our freshwater species will be suffocated, and then we won't have our conveyor belt of crayfish. We have two endangered right now due to coalfields, like pollution and stuff.

So I'm here to say I know a little bit about the ocean and the path that it travels there. It's kind of confusing. The New River flows north, and like goes south. So we need to become more aware about that part.

But if we decrease like the trees that are around our streams, then we are decreasing the energy input that we put in them. So, therefore, like our crayfish won't use leaves and our mussels can't filter out the different things and they become suffocated and then die, and we lose our ecological food chain therefore.

So then, ultimately, I studied phytoplankton, marine phytoplankton, and it's becoming like a very big issue right now, because the nutrient runoff of our muddy water, it's been

defined as muddy water, but it's actually like -- actually it's like organic and inorganic nutrients, which like power these things to grow with sunlight.

If you remove the trees, they will have more sunlight to grow. Ultimately you have like increased things like that, and then so I have a concern about how much we know about the geological record in our streams, because in history there's been geological like black outs of phytoplankton, and then who's to say that those weren't toxic species have been dormant, and then so -- who's to say that they weren't toxic species, and then we erode them and go back into our stream sediments, and then we become poisoned by those toxic species.

So I think there needs to be like more investigation on that side of it, like microscopic, and expand our perspectives more than just like right here and what's on these maps, because we don't know the larger geological structure of it, because like ultimately Myrtle Beach, dirty Myrtle, that's where our sand comes from.

So, thank you, Appalachian Mountains. So I think it's more than here in our community. It's globally, and we need to be more aware of that,

and we need to conserve our momentum and ask, because ultimately the world spins around, and if we just put one direct line from A to B, we're not meandering that energy distribution.

So, that's what I have to say about that, and then ultimately like we don't consider groundwater as well, and Peters Mountain underneath, they have a fault line. So who's to say if we don't mess that up, what if we reverse the direction of the northward flow if the transverse fault were to go through like if a fracking event were to happen, and then ultimately water goes from higher elevation to lower elevation. So it could do some damage like that. So that's another concern I have as a millennial and concern about my future, and freshwater is like the ultimate source of survival, and so ethically and economically, this is a limitation of my very existence, and I think it needs to be more precise, because as a scientist I have to be precise, and I have to record everything and like document it and make sure it's exact.

As a government, I feel like they should be as well, and have their facts behind them and stick behind those.

Again, like with the pipeline, jobs are going to come in, but those are jobs that are already assigned to people that work with them. So, like maybe I could get a job. I'm an environmentalist, but that's just out there. But there's not many people around here that are in that sector. So ultimately people being brought in.

But, other than that, I just want to bring in that the more awareness of knowing like there's tiny things out there that we don't know about, and if they are clogging and like disrupting our food chain in our rivers and our creeks and our first order streams, our second order streams, our third order streams, it all goes to the same place.

So that's all I have to say.

MR. GLANCE: Thomas Bouldin in up now, and then after Thomas is Wood Bouldin, and after Wood is Susan Bouldin.

MR. THOMAS BOULDIN: I am going to address the MVP's application for a permit to cross the Greenbrier River, a West Virginia Tier 3 stream with protection under the Natural Rivers Preservation Act. The materials presented in the current application for exemption from the restrictions

posed by the Preservation Act do not justify installing the pipeline.

There are four major areas of problems that I am going to address.

The aquatic resource report supporting the application is invalid as an assessment of the crossing. The report is dated January 2017, but claims that the supporting data were gathered on April 14th and 15th in 2015 from a 300-foot study corridor centered on the pipeline crossing.

However, the 2015 data sheet, which is included in the appendix to the report, locates the study about 1,550 feet downstream in a section of the river that is very different from the pool where the crossing site is located.

The stream data sheet describes the area as forest, and as long as you are standing on the edge of Route 312 with your back to the mountain, the forest is behind you, but across the river there's about 35 acres of agricultural land. So the observations were not real keen.

They do observe that the riverbanks in the area are ten feet high, but then they say the water depth is only 15 inches. They close the

report by noting Greenbrier River is currently flooded above bankfull. How they estimated a 15-inch depth, I'm not quite sure. I did check the USGS data for April 15th. It confirms the river was running at a 23,300 cubic feet per second, which is usually a discharge for a gauge height of about 11-and-a-half feet.

Despite the fact that they were facing about 15 feet of water, they managed, they claim, to study the inorganic substrates at the crossing site.

They came up with the interesting data, but they did indicate that bedrock only represents about 15 percent. That's a powerful piece of information.

It would have been a much higher percentage had they been at the crossing site and there hadn't been a flood.

The data in that report is irrelevant to the crossing site, and was probably just made up.

The crossing site plan is inappropriate to the actual site conditions. The crossing plan is based on information in the Vertical Scour and Lateral Channel Erosion Analysis, which is included as an appendix. That document states the depth to

bedrock at the crossing site is 6.6 feet, and they say that MVP intends to buy the pipeline at that depth because bedrock stops scour, and therefore it's safe to put pipeline at that depth.

This leads to some interesting problems. The bank is ten feet high at the site. It might provide six feet of soil in depth to bedrock, but the streambed of the river at the foot of the 10-foot bank is bedrock all the way across. That's an observation that's confirmed by a geologist who studied the area, and also by the SSURGO database. It's bedrock. An interesting problem.

MVP's plan to bury the pipe at 6.6 feet is not going to work. It will come out of the bank at the level of the river, not at the level of the riverbed.

My calculations show that the bottom of the trench is going to have to be approximately 25-and-a-half feet below the level of the surface of the valley at the bank level in order to achieve the things that MVP has to supply. The basic depth of the river at the deepest part of the river at that crossing is seven feet. They are permitted by

federal regulations to provide another four feet over the pipe to ensure that it's a safe and navigable waterway.

They've got an engineering plan but it isn't based on the right data. It's a nice plan. The drawings are very elegant.

Third, the installation is going to require an armor layer, but that's going to interfere very likely with recreational boating.

The scour study says scour in the river at flood stage can draw the bottom up and churn it away for a depth of about 10.4 feet. This suggests that when you expose the pipeline and fill it in with all that crushed rock, you are going to have to cover that destroyed area with something or it will wash away.

The scour plan says the particles used for that will be big enough not to wash away in a flood. You know what size stones we are talking about here?

All right, average flow estimated by MVP now is 100,000 cubic feet a second. That's what they are going to say they've got to plan for. You are going to have to have rocks about the size of a

pickup truck.

This is a stream that is being preserved as a free-flowing stream. You plant pickup size rocks across the bed of the river just below a very shallow river, ain't nobody going anywhere. It violates the very essence of the preservation act.

Finally, the application doesn't ever make mention any details about any of the predictable negative impacts of construction.

The application indicates that all impacts will be limited to the period of construction. This is not possible. Long-term, permanent impacts from the project include the construction of bedrock in the crossing area is about 40,000 square feet of area. It angles downstream from the northwest bank.

This crossing geometry is almost guaranteed to direct stream flow against the southeast bank, which is already heavily damaged by erosion. It is more than likely to create an increase in sedimentation throughout the area below the crossing.

Crossing construction will also require

the destruction of 98 feet of mature trees on the north bank. The roots of those trees are the only thing that has been holding that bank in place through the multiple floods of the last 40 years.

There are severe permanent and long-term impacts from construction that are not analyzed in their application and need to be fully explored with empirical data that says the amount of sediment generated is likely to be this. They can do that. They've got proposed mitigations. Well, at least they could hold off 85 percent of that sediment.

The application is no good. It's not science. It's not anything. Thank you.

MR. GLANCE: Wood Bouldin is next, and after Wood is Susan Bouldin.

MR. WOOD BOULDIN: Well, I'm supposed to continue on with deficiencies in the application, the 401 permit application, and I've got four I want to talk about.

First, data in the 401 application of December 2016 did not match the data reported to FERC in February 2017. A good example of that, which Dave Witt has already referred to, the 401 application list 631 stream crossings, with 343

being for the right of way. Now, the data given to FERC in February list 858 crossings, which is an increase of 227, and now only 275 are for the right of way.

Who knows which ones are right, but that needs to be straightened out.

The second point. Data in the 401 application concerning crossing lengths are incomplete and again inconsistent. Crossing lengths are included in Table 5.2 that are absent from Table 8.2.

Now, the information is needed to work out the crossing geometry that Thomas Bouldin was just talking about with regard to the Greenbrier River, but you've got to have that for every single crossing of every single creek, and you need that kind of information and not just for the geometry but for the area of streambed disruption, and for the extent of bank-side damage.

MVP's treatment of crossing lengths has been inconsistent throughout this whole FERC and application process.

Now of special concern is that listing, as they often do, only the number of streams crossed

obscures the fact that they cross many of these streams over and over again.

If we don't have the crossing lengths, important data is missing to calculate all sorts of potential impacts. Just for one quick example, Lick Creek over in Summers County, which is a tributary to the New River, and as we were hearing earlier, that's going to take it straight on down to the Gulf of Mexico. The 401 application says that MVP will cross Lick Creek 13 times for a total linear impact of 747 feet. That's what they are telling the DEP.

I think they must have decided that was dangerous. The material they submitted to FERC in 2017 only five crossings are identified for Lick Creek with only one being given a crossing length of 15 feet.

Now, omitting all discussion of crossing lengths from discussion has allowed MVP to reduce the appearance of impacts. For example, between February 2016 and February 2017, the estimated total crossing length reported to FERC for intermediate and major water bodies, again much less all the little trout streams and the rest of it, the estimated crossing length declined by two-thirds

from 11,562 feet to 3,829-and-a-half feet.

Now, all of the relevant crossings have changed very little.

A third point. The 401 application -- again, you've heard this before. The 401 application lacks empirical data on many significant impacts. Stating that temporary linear impacts will total 38,431 feet on Table 5.1 tells us nothing at all about what these impacts might include; how severe they might be estimated to be; how long they will endure.

To be of any use at all to any kind of reasonable engineering or scientific decision making, the application needs specifics on such issues as increased long-term turbidity, sedimentation from changes in bank and bed structures, reduced mature bank side vegetation, increased spawn temperatures from cutting down all the trees around the creek, destruction of spawning and nursery habitats, increased runoff from the right of way and construction easement clearance.

Moreover, such issues should be reported on a site-to-site basis, and, and this is maybe more important, on a cumulative watershed

basis.

This brings us to my fourth and final point with regard to watershed impacts. The 401 application lacks any substantial mapping of local watersheds from which to estimate cumulative impacts.

Indian Creek has -- I mean, given how small it is in the big scheme of things, has a rather large watershed. It's all going to have impact from pipelines running along on tops of ridges and stuff washing down on both sides.

Multiple crossings within a single watershed, including crossings of first order streams, seats and the femoral streams that feed intermittent and perennial flows, can result in impacts that will accumulate as you work down the watershed, and that these have to be mapped and then analyzed with some kind of real analytically useful information.

In closing I would just like to say that just because MVP has made a mess out of this application process doesn't necessarily mean that any particular construction of a pipeline if it happens has to be a total disaster. It doesn't mean

that at all.

But if you look at the arrogant, haphazard, careless way in which they've handled the application process, you know, the lack of respect for West Virginia law, West Virginia regulations and the people who enforce it, I mean it's sort of suggestive of what the attitude towards our mountains and streams might just be.

Coming down here tonight I was thinking about Senator Manchin's uncle and that wonderful speech he gave for when he was cleaning up the junk cars and how he was going to take West Virginia and wash their pretty face and restore the honeysuckle crown to her brow. It just worries me a lot the MVP might just be going in here and destroying that very brow.

Thank you.

MR. GLANCE: Susan Bouldin in up next, and then after Susan Bouldin is Maury Johnson.

MS. SUSAN BOULDIN: My name is Susan Bouldin. My husband and I live in the Hungards Creek, Greenbrier River Valley near Pence Springs in Summers County. We are about three-quarters of a mile from the proposed crossing of the Greenbrier

River.

Like many of us in this room, we think of it as our river, and we are worried. My comment refers specifically to the 401 permit application.

Deficiencies. The 401 application lacks discussion of any permanent and/or long-term impacts, and also lacks any empirical examination of mitigation designs or mitigation effectiveness in comparable applications.

The 401 discussion of trout streams is incomplete and inconsistent. The text states that there are 63 crossings of trout stream waters, but the appendix identifies only 24. These 24 crossings affect nine separate stream watersheds. However, earlier MVP submissions to FERC identified eight watersheds so affected, only one of these appears in the 401 application, although MVP's February 2017 submission to FERC identified 103 crossings still taking place in these eight stream watersheds. It kind of takes your breath away.

Furthermore, the discussion lacks any information on stream impacts. Runoff, turbidity, increased stream temperatures, how our trout and our bass will air; how our recreational industry, can we

call it, will fair.

The discussion of crossing designs in the 401 application give inadequate consideration to the issues of bedrock. MVP has identified -- had defined shallow bedrock as anything under seven feet, which prevents attention to the many areas where bedrock is either at the surface of the streambed or often as shallow as seven inches.

This results in confusing standards in the discussion of depth of cover for the pipeline. This is a safety issue for the pipeline itself, as well as our streams, as well as those of us who live close by.

These confusing standards in relation to depth of cover for the pipeline, mitigation in cases of shallow bedrock and such issues as the use of armor layers to prevent scour damage. An example is in the discussion of the Greenbrier crossing where surrounding soils are fairly deep. But contrary to what MVP has maintained, bedrock is at the surface at this crossing.

Join us kayaking and we'll take you on a trip. We'd love to have you see it with us.

The 401 application contains inadequate

discussions of the extent of potential blasting and the various impacts resulting from blasting and other excavation techniques on subsurface water movement, and the implications for our private water resources, and on the Big Bend Public Service District in Talcott.

Missing from the application is an accounting of private wells and springs. Along the proposed MVP route in Summers County, with the exception of the approximately 700 households served by the Big Bend PSD property owners depend on private wells and springs for our homes and for our farming and for our small business operations. Potential impacts to these resources must be identified.

Finally, the route for the proposed MVP has not been finalized or approved by FERC. The 401 permit application is for the route MVP wanted to see happen in December 2016. Not until FERC has released the environmental impact statement will we know what route changes FERC may recommend.

In addition, MVP is currently responding as we speak to post-draft environmental impact statement request for supplemental data from

FERC.

The 401 application demonstrates that it is premature for MVP to submit an application. Neither DEP nor FERC have to date been provided reliable, adequate data that would enable either agency to responsibly assess the environment impacts of the project on our water resources.

MR. GLANCE: Maury Johnson is up next. Then after Maury Johnson is Nancy Bouldin, and after Nancy Bouldin is Elizabeth Kirk.

MR. MAURY JOHNSON: Okay, my name is Maury Johnson, and I live at the base of Ellison's Ridge in the Hans Creek Valley of Monroe County. I'm going to talk briefly about surveying on my farm. On the farther side of the farm is called the Old Shanklin Farm, at the base of Ellison's Ridge.

In 2015 I got notice that they wanted to run a pipeline across our farm, and I thought okay, we'll see. I said you can survey it if you contact me and I go with you. So we did. We done several of those walks.

MVP contractors, we walked. Right in the middle of the pipeline corridor, they were looking down there's a spring right in the middle of

the corridor. They GPS'd it. There's no springs in the pipeline corridor. That was in April of 2015. I showed them the springs. An alternate work area, they go across Ellison's Ridge Road there. There's actually two streams there they will impact. One is called Clayton Run. The other one I have named the Shanklin Farm. They come right beside the road. There's an alternate work area. There's another branch of the Clayton Run that they are going to be right beside. So they are going to impact three springs, three streams, and a spring in the middle of the corridor.

Five springs really close, really close. One major spring. They don't mention this stuff.

As Howdy said there's no springs in Monroe County. In July of that year another crew comes through. We find another spring in the middle of the corridor. They are the ones found that one.

So I have walked, I've rode up there for 50 years. I've been all over Ellison's Ridge, from the Indian Creek crossing to the Hans Creek crossing. I've named trees there. These trees are as important to me as family members, some of them,

and some of you know that.

Over at -- coming off Ellison's Ridge into the Indian Creek crossing they propose, by the way I was baptized there right where they want to put the pipeline, and a lot of other people have been baptized there, and that's a sacred place for us.

There's another spring on that height down the hill. We was looking for eagle nests and stuff, and come down there, and there's another spring in the pipeline corridor. Oh, there's no springs in the pipeline corridor in Monroe County.

Over on top of Ellison's Ridge, there's a large field. The man was doing a survey, just over the bank, the historic spring that was deeded to the Ellison Family by I think King George in 1700. There's no way you could put a pipeline right down through there and not impact that artisan spring on top of Ellison's Ridge.

Also, I get runoff in my water, in my well. I know that. I went through a divorce, and that was an issue. I learned a lot about where the streams are at. I know where the water gets into the -- above my house. There's a little hole in the

ground right on the edge of the auxiliary work area right near the pipeline where MVP put a little ribbon and said there's a karst area or a sink. That little blue ribbon is still there. It's been documented to MVP several times. I have pictures in my computer case right over there. I carry this with me everywhere I go. I've taken hundreds of pictures on this pipeline route, from the Greenbrier River to the top of Peters Mountain over into Blacksburg.

The alternate facts that MVP wants to put out is just that, it's the alternate facts. Their own made up facts.

On top of Peters Mountain, the Appalachian Trail runs. I'm a member of the Appalachian Trail Conservatory. We had a group of people up there not too long ago. There's a historic spring on the top of Peters Mountain. I think you might hear about that a little bit later. The corridor runs right by it. Not mentioned. Maybe in a few places they will mention it. They don't mention it.

I am here to ask DEP on behalf of the Appalachian Trail Conservatory, Andrew Down, the

Regional Executive Coordinator of that has said invite these people, we want to invite DEP and DEQ to go up on Peters Mountain. You don't have to walk. We'll drive you up. He's got the keys to the gates.

We want to take you up there. We want to show you that spring and the impact up there. I also note, and I have pictures of it recently as of a couple of weeks ago, the MVP has been flying the Ellison's Ridge route. I've got pictures of surveyors. I think they're anticipating a possible route change.

How can you permit anything if you don't know where the route is going to be even? The whole situation is a bunch of alternate facts, and you need to say no, get your stuff together. Wait until you see what happens. I'll write a whole bunch of stuff for you, but that's all I'm going to say about Ellison's Ridge. I'll probably write you 30 or 40 pages, because I've wrote 200 pages so far. They ignored it.

I pray to God that West Virginia -- oh, I want to say this too. I have friends that live in northcentral West Virginia and northern West

Virginia, and they are upset about this too. But they say why the heck do we bother? We've been run over by industry for 150 years, and they are going to do the same thing now. DEP is going to be complacent in that.

I guarantee you, and I put this in, I guarantee you the people of Monroe and Summers County will not be rolled over.

Thank you.

MR. GLANCE: Next up is Nancy Bouldin. After Nancy is Elizabeth Kirk, and after Elizabeth is Kirk is Brian Kirk.

MS. NANCY BOULDIN: I am Nancy Bouldin. I live in Greenville in Monroe County, and I am a member of the Indian Creek Watershed Association.

Half of the MVP's 20-plus mile route through Monroe County bisects the Indian Creek Watershed, crossing many tributaries as well as Indian Creek itself. It will also cross about five miles of the watershed of Rich Creek, which provides backup source water as we've heard for the Red Sulphur Service District, the largest public water district in the county.

Both Indian Creek and Rich Creek are

tier-3 streams. Over the past two years we have sent West Virginia DEP and FERC information about specific deficiencies in MVP's application related to water resources in Monroe County.

Our county has karst, steep slopes, weak soils, shallow bedrock, you name it. Nearly all of the landowners along the pipeline and their neighbors rely on private wells and springs for their drinking and agricultural needs.

MVP, again as you've heard, goes through the zone of critical concern for the Red Sulphur PSD in a region that has known karst features.

Our repeated requests has been of both FERC and state agencies that, one, in-depth on-site independent hydrogeological studies of critical watershed areas should be required before issuing any decisions, especially in regions of karst and other complex geological features, and where construction of this nature and this scale will jeopardize public and private drinking water sources.

Two, that the Army Corps of Engineers and the DEP should review the 404, 401 and

stormwater permits not now, not until after FERC has issued a certificate of need and established a final route.

Three, that individual permits that include site-specific plans based on actual site visits are needed not a general permit based on desktop reviews and applicant supplied data.

The stream crossings and the geological settings are just too diverse across 200 miles of West Virginia. Indian Creek will send more specific written comments before the March 19th deadline, but tonight I'll cite and in this case reinforce what others have said about one essential issue, which is that the materials and information that MVP has submitted to the DEP for consideration of these permits is in many regards either false, misleading or out of date.

They do not even always agree with what the MVP has provided to the FERC. Clearly, it's impossible for our DEP permit reviewers to stay on top of all of the MVP filings that are coming into the FERC, flooding into FERC. But this calls into question DEP's ability to make an accurate assessment of the actual threats and whether or not

the proposed control measures are adequate.

For example, based on the stormwater permit application, the narrative description is highly misleading, and in some cases flat-out false. Under the existing site conditions in adjacent areas, it describes the area as “agriculture, pasture hay, open-spaced grassland and forested land.” Who would guess from that description that 78 percent of the route is through forests as reported in the DEIS?

Also, under critical areas as Howdy has mentioned, they cite oh, we’ve observed that in Summers County it will cross areas with the potential to contain karst features, but there’s no mention of significant karst features in Monroe County, often called, I don’t know, king of karst or whatever.

Not included under critical areas as well as any reference to shale or bedrock, a recently revised table from MVP to FERC now puts it that 92 percent of the route in West Virginia will traverse shallow bedrock.

What special measures will be used when blasting is required? What special measures will be

protect the waters from the type of erosion and sedimentation that will occur?

The tables are also inaccurate or out of date. There's a soil map unit table that also makes it appear like the route is traveling through pastures and hay land with deep seven-foot well-drained soils all the way.

In Summers and Monroe County most of the column titled ground cover is empty or says hay land. If it were filled in accurately, the forest cover that will be lost and the subsequent increase in soil erosion from current conditions would be more obvious.

Construction site plans are misleading. The tetratec construction plans do not include any mention of karst in the construction site maps from Monroe County, despite the fact that the contractor Howdy alluded to, Draper Aden, submitted fairly detailed, yet still desktop review analyses of karst features, complex karst features, at the base of Peters Mountain.

I have the map here that I'm happy to share that shows the construction site for the stormwater permit and the plan, and the pipeline

plan, going right across it, and not a single sinkhole is identified in that area. It is -- I don't know what the term is, but it's not right.

The plans also seriously misrepresent the amount of new construction that will be involved with access roads. Many, if not most, of these access roads where an existing road exists, may require expanding what is now perhaps an eight- to 12-foot trail or road, sometimes dirt, sometimes gravel, but the wording on these construction site plans, which are supposed to represent what is on the ground and what are the erosion protection controls to be put in place, usually a silt fence. But the site plan reads standardly in all of these, existing 25-foot temporary access road will be graded and maintained for typical section detail.

It implies unless somebody has come and looked that all of these access roads already exist as 20-foot wide semi-highways.

The amount of serious excavation, soil displacement and new compaction that's going to occur with the access roads so far seems to have all of those details be hidden from the sight of the permit reviewers.

The access roads also I noticed don't have the same kind of representation of when there's a 30-percent slope, these construction sites for the right of way have a certain coloration and a certain legend, and you see okay, that's a 30-percent slope. For the access roads, there's nothing like that.

The reviewers are going to have to trust their assessment of the topographic lines. All of this is basically to say that the facts on the ground are different and much worse than the desktop data suggests.

This is why we call for site visits. This is why a general permit for a 200-mile construction project will not protect the waters of West Virginia.

The Indian Creek Watershed Association has been fortunate to engage the expertise of Doctor Pamela Dodds, who is a professional geologist with career experience, and experience is hydrogeological assessments and permits. We will submit a more extensive written comment from Doctor Dodds, as well as our own Indian Creek comments, but tonight her summary list of stormwater permit deficiencies will be shared by Brian and Elizabeth Kirk, but before I

close I would like to join with others to urge that the DEP before completing their review of this application send teams out to our counties, not just Monroe, not just Summers. There are issues all along the pipeline, and I'm sure there would be people in those counties who would be willing to escort you to look and see what some of the realities on the ground are.

I thank you.

MR. GLANCE: Elizabeth Kirk is up next. After Elizabeth is Brian Kirk and after Brian is Ashby Berkley.

MR. BRIAN KIRK: I'm Brian Kirk, and we had originally split this up because we thought it was going to take a little longer than our time limit, but if you'll permit me I'll read for both my wife and I.

My wife and I, Elizabeth, live out near Talcott on Hungards Creek, which we understand will be crossed by this pipeline six times. That creek obviously feeds our well, so we are very concerned about it.

But these comments are, as stated, from Pamela Dodd, Ph.D., Licensed Professional Geologist,

and were requested by the Indian Creek Watershed Association. Comments concerning deficiencies of the Mountain Valley Pipeline site registration application, and it's dated February 20th, 2017.

The following deficiencies in the site registration application submitted by MVP include (1) Deforestation in the proposed work corridor, access roads, pipe yards, and additional work areas will result in canopy loss, thereby causing increased stormwater discharge, reduced groundwater recharge and increased downstream stream bank erosion. Restoring the areas to meadows will not result in lower stormwater discharge amounts characteristic of forested land.

Number (2) Soil compaction if the proposed work corridor will create impervious areas resulting in increased stormwater discharge, reduced groundwater recharge and loss of soil functions, especially in headwater areas of first order high gradient streams, even if topsoil is placed over the compacted soil.

Number (3) Access road widths, stated to be 25 feet in the SRA, are inconsistent with the road widths, stated to be 40 feet as provided in the

draft environmental impact statement submitted by MVP to the FERC. The impervious areas created by access roads will be greater in size if he widths are 40 feet rather than 25 feet.

Number (4) Section G.4 of DEP's General Water Pollution Control Permit specifies that a groundwater protection plan will be provided and that the groundwater means the water occurring in the zone of saturation beneath the seasonal high water table or any perched water zones. It is further specified in Section G.4.e.2.C.iii of DEP's General Water Pollution Control Permit that the applicant shall prepare a GPP that will satisfy the requirements of the groundwater protection rule, 47 C.S.R. 58§4.11.

Although MVP is not required to provide the groundwater protection plan as part of its permit application, we request that a copy be made available.

Number (5) Seeps and springs associated with a perched groundwater table are specified to be dewatered for the proposed construction areas. Seeps and springs provide water necessary to maintain headwater areas in watersheds

of first order high gradient streams.

Number (6) Baseline water quality analysis and sampling has not been conducted to evaluate the open-cut dry crossing of the Greenbrier River, which is a Tier-3 river and is a West Virginia Natural Stream, NRI listed.

Number (7) MVP has refused the requests made by US Environmental Protection Agency and FERC to conduct quantitative modeling for turbidity and sedimentation for the Elk, Gauley and Greenbrier River crossings, including an analysis of the duration, extent and magnitude of turbidity levels and an assessment of the potential impacts on resident biota.

Number (8) MVP has not provided an analysis of sediment released during construction activities, such as that provided by the Universal Soil Loss Equation or the Revised Universal Soil Loss Equation developed by the U.S. Department of Agriculture Natural Resources Conservation Service to evaluate the increase in sediment to streams and rivers resulting from the increased stormwater discharge.

Number (9) Drainage areas are not

delineated on the construction plan sheets.

Number (10) Drainage direction arrows are not shown on the construction plan sheets except along silt facing locations.

Number (11) It is stated in Section G.4.e.2.B of DEP's general water pollution control permit that the permittee shall submit all watershed mapping necessary to explain the technical basis for the stormwater management plan. However, watersheds are not delineated on any MVP maps.

Number (12) Drainage basin areas used in the scour analyses are inconsistent with functional watershed sizes for streams proposed for crossings.

Number (13) It is stated in Section G.4.e.2.B of DEP's general water pollution control permit that the permittee shall submit all calculations necessary to explain the technical basis for the stormwater management plan. However, MVP has not provided engineering calculations for sizing best management practices.

Number (14) Scour analyses do not provide post-construction estimates of sediment released by scour to downstream areas.

Number (15) MVP has not demonstrated by evidence of calculations and evaluations that the proposed BMPs are adequate to prevent significant sediment quantities to be released by receiving streams and rivers.

Number (16) It is stated by DEP in Section G.4.e.2.A.ii.b of the general water pollution control permit that for drainage areas of greater than five acres a sediment basis providing 3,600 cubic feet per drainage acre shall be installed. Half of the volume of the basin shall be in a permanent pool and half shall be dry storage. Sediment basins must be able to dewater the dry storage volume in 48 to 72 hours. A sediment basis must be able to pass through the spillways a 25-year 24-hour storm event and still maintain at least one foot of freeboard. However, sediment basins and traps are not included as a part of the MVP best management practices.

Number (17) MVP's landslide mitigation plan addresses mitigation measures associated with unstable soils overlying bedrock where the bedrock is known to be associated with landslides. It is further stated by MVP that additional mitigation

measures, such as buttressing, are not anticipated. MVP describes buttressing as an earth, rock or riprap fill buttress in front of an unstable slope that will increase the weight of the material at the toe of the slope, thereby increasing the slope stability factor of safety. This method is used on unstable slopes in highway construction. The description fails to specific that the buttress must be keyed in to solid material at the base.

Number (18) The MVP landslide mitigation plan does not address the bedrock orientation or the orientation of fracture sets where landslides are probable. The orientation of the bedrock and of the fracture sets must be obtained in order to determine if stabilization is even possible.

Thank you for your attention.

MR. GLANCE: Up next is Ashby Berkley. After Ashby is Autumn Crowe, and then after Autumn is Jim Gore.

MR. ASHBY BERKLEY: Now, I am going to appeal to your commonsense. You've heard enough statistics for a lifetime. We've already proven beyond any question of a doubt that this thing is a

bunch of bull, okay?

I am a businessman. My family came here in 1825, and I have been in business in southern West Virginia since 1961. I'm an old dude.

I will tell you this right now. How many of us would allow this pipeline on our property? Would we pay them to do this? Would we allow them to do this?

With all the misinformation, all of the alternate facts that we've heard. It's ludicrous to even consider it, okay?

To give you a little bit of background about some of the industry in southern West Virginia in Monroe County and Greenbrier County, Summers County, and all this area that we are talking about.

Back in the early -- the late '60s, early '70s, early '70s. We met, and I was one of them, in the basement of this Memorial Building to form the Mountaineer Travel Council, which is now the Southern West Virginia Convention and Visitors Bureau, and we started it with five dollar memberships. It now has a two million dollar budget. It brings a million people into this area, which is tourism.

The Greenbrier CVB, the Convention Visitor Bureau, is bigger than this one, and it goes on and on and on. We have worked 40, 50 years to develop the tourism industry in this area.

When we go into the coal fields, which is very important as far as the taxes on coal, when we go down there and tell them we are going to eliminate all of the coal mines, we are going to fill them up and plant goldfish, that's about the same thing we're talking about here. It's that ludicrous. It's that crazy. There are so many alternate facts. There's so many untruths that we shouldn't even be talking about this, and we've got a voice. We've got a right to say. I could go on and on and on about different parts of this county and this area that I've been involved in, but when we took over the old state prison for women at Pence Springs, which was originally the Pence Springs Hotel, it had been dumping sewage into -- raw sewage into the Greenbrier River for 30 years.

My company brought in I think $175,000 and matched the ARC grant to get a sewage treatment plant to clean up the Greenbrier River, okay? It's now the Greenbrier Academy for Girls employing about

50 or 60 people at better than average salaries.

Our company just bought the old Sweet Springs Resort in Monroe County. So I represent Monroe County and Summers County. That is a $10 million investment for us, and that's just the start of it.

And then we are also going into the water bottling business over there. Monroe County has almost, if not the most valuable and best water in the world. The aquafer flowing through Peters Mountain has been entered into the international water tasting contest for 25 years, and it has never placed below third in the world, and it's placed in the first more than once.

This is what we are risking to get a pipeline that we don't even get anything for. It's not providing jobs here. Governor Tomblin got up and said that this would attract industry. Why? They can't tap onto it. It's being shipped off to South Korea or somewhere else, and there will be some construction jobs along the way.

Mr. Roberts, the President of the West Virginia Chamber at the Greenbrier made the statement. We need this because of jobs and

severance tax and the fact that it's going to give severance tax and something else -- oh, it would encourage industry to come here.

I could tell you a lot of things that would encourage industry to come here, but that pipeline is not one of them. It's going to be for corporate profit.

How about if we went to Washington and decided we want to put shacks on the mall? How about if we went to New York and decided we wanted to take Wall Street? How about if we went to Daytona Beach and said we are going to close the beach, and we are going to put something else here?

We've got a good industry, working, growing, happening. We've got a good lifestyle here. This whole concept is a bunch of bull.

I could stand here and give you all the statistics. I could repeat all the things you've said, but haven't you heard enough? My God, what does it take? This is ridiculous.

That just about wraps it up, and I'm going to be one of the first ones to lay down in front of the damn bulldozer. It's not coming.

MR. GLANCE: Up next Autumn Crowe, and

after Autumn is Jim Gore, and after Jim is Beth Covington.

MS. AUTUMN CROWE: Autumn Crowe. I'm the program director for West Virginia Rivers Coalition, and I'm also an environmental scientist, and I also grew up in this area.

Good evening, everyone, and thank you DEP for giving us the opportunity to comment on MVP's 401 stormwater and natural stream preservation permits.

West Virginia Rivers will be submitting technical written comments, and I'm not going to bore you with those details tonight, but I wanted to take this opportunity to highlight some of our main concerns for this project and also cite some specific examples of how the pipeline construction is going to impact waters of the state.

A project of this magnitude has never been built in West Virginia. At 195-plus miles within West Virginia, it will be the longest pipeline in the state. We don't know exactly how many stream crossings there's going to be because like you've heard, there's a lot of discrepancies in that figure.

You would think a project of this scale, they would have done their homework, and they would have a very thorough application, but these permit applications I'll repeat previous people that have said they are incomplete; they contain numerous careless mistakes and errors and deficiencies throughout.

If they can't get the application right, how can we expect them to build this pipeline properly and protect our water resources?

This brings me to my next point. The pipeline construction has been shown to be very impactful to the waters of our state, and I'm going to cite a few specific examples of pipeline construction that has previously gone wrong.

Dominion's 150 pipeline, a 60-mile eight-inch pipeline received nine violations for sediment deposits in streams and impacted 12 waterways. They were fined about $55,000.

The Stonewall Gathering Line, a 55-mile pipeline for 55 miles, 36-inch pipeline, received 53 violations and was fined about $110,000.

Our mountains are steep and our soil is highly erodible and there's no way these pipelines can be built safely with the standard best management practices and avoid impacts to waters of the state.

This project unnecessarily jeopardizes drinking water sources. The pipeline would cross five source water protection areas, and they have not submitted a turbidity analysis to show that construction would not put unnecessary hardships on these small water treatment facilities.

To filer the additional sediment introduced from construction would increase equipment costs and operating expenses for these small utilities.

A diesel spill during construction of the Celenese pipeline caused contamination of a spring used as source water for the Red Sulphur Public Service District. The PSD had to abandon that water source for 20 days and purchase water from a neighboring water utility costing the Red Sulphur PSD close to $13,000.

This is the type of situation we will be facing if you permit this pipeline as proposed.

This pipeline project does nothing to avoid excessive impacts to trout streams. As we heard earlier we don't know earlier, we don't know how many trout streams are going to be impacted because they have conflicting information in their permits.

The sediment lay in water has been known to impact trout habitat by smothering their spawning beds and clogging fish gills.

In their draft environmental impact statement, MVP had stated that they would comply with construction windows to avoid crossing trout streams during the spawning season, and yet, in the DEP permits, MVP has stated that they would request a waiver from DNR to avoid the construction window restrictions.

So they are going to try to cross all of our trout streams during the spawning.

Now, this discrepancy needs to be resolved immediately before these permits can be issued.

The Mountain Valley Pipeline proposes to cross the Greenbrier River at Pence Springs. This stretch of the Greenbrier is protected under

the Natural Stream Preservation Act. State code requires that DEP must preserve the river's natural character and protect it for future use and enjoyment for the citizens of West Virginia.

Their application for this permit does not address how they would preserve the natural character with the restoration, nor explain how our use or enjoyment will be impacted while they are blasting a trench through the riverbed.

My final point for this evening is that the final route for this pipeline has not been determined, and MVP has yet to survey seven miles of the proposed route.

Issuing these permits without adequate information to determine how drinking water, aquatic life and recreational use of the Greenbrier will be impacted by this proposed project and violates state and federal laws.

MVP must provide more detailed information on how they plan to mitigate the destruction of trout habitat; how they will avoid contaminating the drinking water supply for thousands of individuals; and how they will protect and preserve the natural character of the Greenbrier

River.

Thank you for considering these comments.

MR. GLANCE: Up next, Jim Gore, and after Jim is Beth Covington. After Beth is Peter Anderson.

MR. JIM GORE: I'm Jim Gore. I live and farm in Monroe County. I own and operate the Oak Hill Farm, which is located -- it's accessible by the Blue Lick Road. My farm is approximately 2,200 feet above sea level. It's an upland farm, and water is a very precious resource.

So like the people that have preceded me tonight, water is my main concern; not my only concern, but it's my main concern.

As I said, the Oak Hill Farm is a working farm. We raise cattle along with our crops, and I have a well, one well, from which I pump water that we drink and our cattle drink. They also drink from the streams that might be there in weather like we are having tonight.

The Mountain Valley Pipeline wants to go through my farm the long, like it's kind of rectangular, it wants to go long-ways all the way

through it several thousand feet. I don't really know how many feet it is, but my concern, of course, is with all that construction, what kind of damage is that going to do to my well and to the water supply.

You know, they are going to be cutting my fences to my pasture. What am I going to do about my cattle? There are all kinds of concerns. Like I said, my main concern is the water.

Now, the pipeline itself will do plenty of damage, but they also want to use my access road as an access road to their pipeline, except that they are not satisfied with the road that I use. They want to widen it by well, at least three times the width that it is now. It's 10 to 12 feet, and up to 12-feet wide, and imagine, if you will, this hillside that it goes up. I'm going to compare it to that well, and it's not as steep as that wall, but those of you that know where it is, it comes close to being as steep as that wall.

At the base from one end to the other is a stream, all the way right at the base of that mountainside. So my access road, imagine that it starts out down here about 1,500 feet above sea

level, and it goes uphill to imagine the farm is up on the next level, and what they propose to widen that to 40 feet. So what do you think they are going to do with the soil that they take out? It's going to go right down there, and it will wind up obliterating that stream.

All I'm asking is for DEP to come and look at it. You have my contact information, and I'll take you there anytime.

MR. GLANCE: Up next is Beth Covington. After Beth is Peter Anderson, and after Peter is Mike Martin.

MS. BETH COVINGTON: I'm going to be speaking for Mike Martin as well. That's my husband.

Hi everybody. I'm Beth Covington. I'm also speaking for my husband, Michael Martin. So I have prepared some brief comments, not proofread, but I hope you will forgive me, but before I get going on those, I just wanted to address something that just got me, you know, there's an expression that 800-pound gorilla in the room that nobody's noticing or at least pretending not to notice. The 800-pound gorilla for me is, you know, we just saw a

couple of young fellows sit down with their backs to us actually and explain briefly why they feel that the Mountain Valley Pipeline would be a good idea.

From what I could hear of what they said, they mentioned jobs and revenue. I want to just say we're all West Virginians. We're all human beings. We all love our families. We all love our lives, and we love where we live. So it is with that in mind that we have that common ground that I recommend to those fellows to do their homework, because I have read at least a good chunk of the phonebook-sized DEIS. I mean, the thing weighs about ten pounds, and when you take what everybody in here has already said about the discrepancies and deficiencies and outright lies in there, you would be -- I'm just saying, you know, if you support the pipeline, that is your right, as it's my right not to, but I think that you have to recognize that a pipeline of this size, of this length, has never been built by this company on this type of terrain, steep slopes, karst topography, and you know, if you think about any type of construction. Like right now, I'm having my good friend, Howdy Henritz and his buddy, Dave Hawks, are adding on to my barn, and

you know, it was not without a lot of planning that we are doing that.

So I just recommend that if you support the pipeline, and if you don't, look into what are the construction practices; how are they going to do what they want to do. Knowing what I now know from reading this stuff and learning as much as I could, I would not hire Mountain Valley Pipeline to build me an outhouse.

Now I will go on to my brief prepared statement, and Autumn Crowe will probably see that I'm echoing her slightly here.

My name is Beth Covington. I'm a dairy goat farmer. My farm is located a quarter mile from the route of the proposed pipeline on Ellison's Ridge in Greenville, Monroe County, and I've lived there 25 years, and I appreciate the opportunity to speak to the DEP about the three permits, which I think is what they really want to hear tonight.

So I strongly recommend that you deny all three permit applications based on the following facts.

Regarding the stormwater permit: Number (1) The MVP route is still even at this very

moment being changed. Neighbors and friends where I live have reported numerous sightings, and I've seen them as well, of helicopters and low-flying back and forth planes studying the route from the air, presumably because surveyors' access has been denied by many landowners, and maybe they are also pressed for time, and they don't have the time to put boots on the ground and look at what's there. We're going to pay for that later if they are allowed to do this.

I'm under the impression that there are landowners even now who haven't even been informed that their property is being considered. You know, there are still changes going on.

Seven miles of this pipeline are not even surveyed at all. So you need to think, one change to this route creates a ripple effect to all the other parts. How can WVDEP even consider issuing a permit if the route is still in flux?

Number (2) MVP's application does not meet the requirements for the Stormwater General Permit. It lacks specific information about each of the numerous streams that will receive runoff. Private wells and springs have not been properly

identified. Individual identification and plans must be required for each crossing, not a general blanket plan. There appears to be no mention by MVP in their application about karst topography and how it can affect or divert runoff.

Number (3) Engineering calculations for sizing the best management practices were not given by MVP. There is no evidence provided that shows that erosion and sediment controls on the pipeline and its compressor stations were sized to the standards of the WVDEP erosion and sediment control manual. Sizes and spacing information is just not delineated. For example, a quarter-mile from my home, they are planning to put in a thing called a manual shutoff valve, and that's a place where the pipeline actually comes up out of the ground, protrudes from the ground, unprotected by soil, and it's to be located on a small flat area surrounded by extremely steep, highly erodible slopes. So no specific information is given about that for example.

Number (4) Documentation on the limit of disturbance from access roads is missing. Some access road info does not concur with the info in

the DEIS. County roads which may need widening to be used as access roads are not identified. WVDEP must require more information about proposed contours, cut and fill slopes, road dimensions and roadside drainage features.

Number (5) The slip mitigation plan is not included with the erosion and sediment control plan. The attachment 3 slip mitigation plan is missing from the application. This alone is a shockingly irresponsible oversight, or is it, on the part of MVP since 80 percent of the proposed route is on highly erodible land.

Regarding the Natural Stream Preservation Act permit.

Number (6) WVDEP must require sedimentation and turbidity analysis for the Greenbrier River crossing to determine that the cofferdam crossing method will not irreparably harm the river. A real danger to the public exists because toxic chemicals, such as DDT, are locked safely in the deep soil of the river bottom. Churning them up by MVP's crossing excavation poses a serious threat to the many people who use this river for recreation.

Number (7) WVDEP must request specifics about whether MVP will use natural stream restoration techniques and how exactly they would restore the river bank. MVP's cut and paste language is inadequate. How will they deal with the loss of trees holding the bank? How will they preserve natural character?

Number (8) Impacts on recreational boating, fishing and swimming must be explained. West Virginia citizens need to know how their use and enjoyment of the beautiful Greenbrier could be permanently and negatively affected.

Number (9) A view shed analysis is missing. It must be required by WVDEP to comply with the Natural Streams Preservation Act by determining construction impacts on the river's natural character.

I'm almost done. Regarding the 401 Water Quality Certification. MVP's incomplete application lacks critical information needed to determine if their project will meet West Virginia's water quality standards. The DEP must require the following info: final route survey, including all water resources. I can personally tell you that no

MVP surveyors have even attempted to document water resources, including wells, springs and streams on or near my land, and a quarter mile away from the thing. I mean, nobody.

Watershed scale impacts analysis regarding that, the DEP must require MVP to provide info on a number of stream crossings for each watershed. Site-specific waterbody crossings and restoration plans, there are 617 crossings, and I just heard tonight, no wait a minute. Erase that. Make it 800-something. So we don't know. There's a whole bunch of crossings. They should be individually considered.

Minimize trout impacts. The DEP must require MVP to adhere to construction windows and avoid unnecessary impacts to the trout. MVP wants to build when the trout are spawning, which as Autumn, smothers their habitat and clogs their gills, and the DNR requires construction to avoid spawning time for a good reason.

Lastly, sediment and turbidity analysis. MVP would cross five source water protection areas as we've heard, including Talcott water system. The DEP must require sediment and

turbidity analyses so that West Virginia's water quality standards for turbidity will not be violated.

In summary, Mountain Valley Pipeline is in this game to make money period. They do not really care about protecting our state's environment. WVDEP's motto is "Protecting the environment." Let us certainly hope so. Please do your job. Thank you.

MR. GLANCE: If you guys don't mind, we are going to take just a short five-minute break to give the court reporter a little bit of a break. This has been about two solid hours.

(WHEREUPON, a short recess was Taken, after which the following Proceedings were had.)

MR. GLANCE: Okay, everybody, if you don't mind, let's get started back up if everybody is ready. The first speaker will be Peter Anderson, and then after Peter is Herman Man and Maury Johnson, and then after Herman and Maury is going to be Laurie Ardison.

MR. PETER ANDERSON: Good evening. I'm Peter Anderson. I work with a nonprofit

organization, Appalachian Voices. I want to thank the West Virginia DEP for giving us this opportunity to speak.

According to the FERC draft environmental impact statements, the Mountain Valley Pipeline and Equitrends Expansion projects would cross 1,021 water bodies, including 617 here in West Virginia, and as one commenter pointed out earlier, that's just the number of water bodies, several of those are crossed more than one time by the project.

These projects would impact 39.3 acres of wetlands. They would disturb 4,100 acres of soils prone to severe water erosion.

The pipeline would pass within one-tenth of a mile of two public drinking water sources and close to countless private drinking water wells that have not been surveyed.

So, let's talk about what we don't know. The WVDEP lacks sufficient information to conclude that the Mountain Valley Pipeline LLC's mitigation measures will be successful in preventing violations of state water quality standards.

We know this because the FERC is allowing Mountain Valley to submit critical

information after issuing its final certificate. This critical information includes, but is not limited to, one, site specific plans detailing the materials and methods for permanent culverts and permanent fill in water bodies and wetlands. Two, results of quantitative modelling for turbidity and sedimentation associated with wet open-cut crossings of the Elk River, Gauley River and Greenbrier River.

Three, mitigation plans for potential impacts on public surface water supplies and in-takes within three miles of a pipeline crossing, and finally, the locations of all drinking water wells, springs, swallets and other drinking water resources within 150 feet of the proposed pipeline in aboveground facilities.

We urge the Department of Environmental Protection to deny Mountain Valley's application for each of the required state water permits. Applicants for section 401 water quality certifications must provide critical information like this in order to allow for appropriate DEP analysis and for meaningful public comments.

Thank you.

MR. GLANCE: Next up is Herman and Maury,

and then after Herman and Maury is Laurie, and then after Laurie Ardison is -- Maury, you are on this list again.

MR. MAURY JOHNSON: I'm just going to keep it real brief. I'm talking on behalf of the Friends of the Narrows of Hans Creek. The Narrows of Hans Creek is a little narrow valley of Hans Creek. I'm going to give you a little explanation of what it is.

Hans Creek starts on Peters Mountain. It runs down by John Monroe High School in Monroe County, and what we call the Upper Hans Creek Valley. That's the meandering farming valley, and then it comes to the narrows, and Narrows of Hans Creek as most -- the miniature New River Gorge.

So it has Ellison's Ridge and the Oak Hill Farm, which Mr. Gore, Jim Gore's farm. He owns one side of that. So at one time, Ellison's Ridge probably extended all the way across Oak Hill Ridge, but it's been dissected.

Now, I've got pictures in my pocket I took yesterday. I've got lots of videos. The co-founders of this group is my Uncle Herman, my Aunt Paula and myself. We have lots of members of the

group. We have a Facebook page.

The Narrows of Hans Creek is unique in the plant species, the hydrology, and just the sheer beauty of the area. It's used for rituals, baptisms, family picnics, horseback riding, ATV riding, just numerous things. Just the overwhelming diversity of plants that you don't find in many places. I even believe we have an endangered species. I haven't got DNR down there, because they say we're too busy. I believe we have an endangered species right where they want to cross, the Small World Begonia.

So from Cook's Run Road, this land has been in my family for hundreds of -- for a hundred years at least.

There's a flat bedrock -- it's a swamp. Been drained. There's houses up there, cousins live there, a 92- or 93-year old aunt lives there, cousin lives there.

In order to come to where they want to cross the ridge, you've got to go through this field. It's a swamp, once a springs. You go across the old road. It's actually the old insurance road. And it's flat bedrock, like I told you. It's flat

bedrock right there.

You cross the creek. You've got a road, an old, historic road that's barely wide enough for a single vehicle. It's 90 degrees for 50 feet, probably 85, and then it goes to probably 70 feet to the top of his farm, Mr. Gore's farm on Oak Hill Ridge. That's on this side. That's the road they've got to build.

Right directly below it, there's another steep back 25 feet high, and then you are in the flood plain. If they are going to put a 40-foot road there, they are going to have a tremendous road cut.

If you go around the ridge a little bit, there's a little bit more open area. They'll open that whole area up, and let all that sunlight in there, and they are going to destroy lots of plants. Lots of Lady Slippers, Rhododendron. I could just name you -- I've got 1,500 different pictures I've taken in the last two years.

So, then you've got a flood plain. It's about 200-foot wide there. Bedrock, cobblestones, some soil maybe this deep (indicating). Then you've got the creek, solid

bedrock, and then you go right directly into a cliff. It's 20-feet high. In that cliff is a spring. Had Howdy Henritz working on identifying springs. In that route is a spring that is as pure as any spring in West Virginia, in the middle of the route.

Then you get up there and you go by a camp that's been used by generations of folks in my family, owned by a cousin, Norell Mann, and you start up Ellison's Ridge side.

Ellison's Ridge is huge boulders, very steep, large blocks of sandstone. We had some others in there a years ago and we determined that this is large fragmented sandstone blocks that are tumbling, still moving. We are in a seismic zone, by the way. Earthquakes and things start shifting, we want you to go see this. There's also some limestone. I've got a picture of Howdy just down the way a little bit from the crossing standing on a limestone barricade.

This is the Narrows of Hans Creek. Anybody would wants to join our Facebook page, look it up Friends of the Narrows of Hans Creek. This is a sacred area. The creek is a baptismal site for

several places up through there, including the pipeline corridor, and that's something that is a jewel in Monroe County that has to be protected.

MR. GLANCE: Up next, Laurie Ardison and after Laurie is Gail, is that Rancer?

SPEAKER: Gail bailed out. She's not speaking.

MR. GLANCE: Okay.

MS. LAURIE ARDISON: I'm Laurie Ardison. I'm in Monroe County. I'm with POWHR, Protect our Water Heritage Rights.

You know, I know that we've been schooled in how to do these hearings. Folks from the DEP have told us we need to present scientific information. There has been a boatload of this presented, but isn't it interesting that the really concise and true questions are coming from the citizens? This is where the work has been done around this daggone pipeline. We have people who have put in thousands upon thousands of hours, thousands upon thousands.

Think of the work that your citizens have been doing to create a body of information that can be entered into a legal record, into answering

so many questions that evolve because we've got an arrogant and irresponsible company, corporation, that is trying to flat-out rape us, and that's exactly what they are doing.

We can't get the information we need in Monroe County because it's not gettable. You can't look at all of the karst terrain and map it out effectively to ever in a million years present a real case for any sort of safety, any sort of correct implantation of this line. It's not doable. It is not doable, when you've got the karst and the slippage and all of these streams that they say just don't exist.

You know, at some point there has to be some attention to the fact that those of you from the DEP who have gone up north. You have been there. You have seen the failures on these slope areas where pipelines have been put in; where these frack pads are. I'm up there a lot. Water is done. Communities are wiped out. People are sick, and they are sick largely because of the water that they've lost, and what they are breathing, and that's not at issue right here, but the water certainly is.

We have a viable agricultural community in Monroe County. That's rare. That is really rare in West Virginia. We are still a jewel, and we're a jewel because people have kept industry out. We've largely hung on to our mineral rights, and to have something come through and rip through these treasured lands. It's insane, unless you subscribe to the idea that in fact, yes, we do need to industrialize the entire Appalachian Basin, because that's what this would do, and we are not an industrial area here by any stretch of the imagination. We don't have a stop light in Monroe County.

SPEAKER: We have one in Summers County.

MS. LAURIE ARDISON: Okay, so what are we talking about here? The numbers of access roads, they stagger the imagination, and you don't even know where they are. They are not forthcoming with that information, MVP isn't.

Those of you with DEP who have been dealing with all of these illegal crossings and problems with pipelines up north, and with the fracking situation where the water has been so damaged. You've seen these EQT slopes and faces.

MVP line goes back to EQT.

Those slopes are like you could just stand there and pour stuff down. Silt socks, silt fences, they are bowled over. There's nothing that is trustworthy about EQT.

I went to their meetings. County after county after county, and I've listened to the questions that these people were being asked, and I listened to their answers, and then I'd go to the next meeting, and they were ready because they knew kind of what kind of questions were going to come. They had different answers to the same questions and on down. So it went.

There was never anything that was reliable that came out of a single mouth that I heard through any of those meetings. I thought I'd lose my mind.

There is every reason to deny these permits. There is every reason. There is no way there is going to be forthcoming information. It hasn't happened. It hasn't happened. It hasn't happened.

At what point do any of us an individuals growing up as kids get -- at some point

when a duck is quacking over and over and over, you get it. Ducks quack. This is a flawed project. It is critically flawed and too many people, thousands, thousands of people, thousands of children, are going to suffer, and we've already got enough of that in this state. We are a dying state. Seven years running we are last. We are 50th in terms of well-being. Seven years running. Highest suicide, highest drug overdose rate.

We need to protect the areas that are still pristine, and that's what you guys need to do. Don't give them these permits.

That's it. I'm done.

MR. GLANCE: That was the last speaker that we had sign up to speak. Did I miss anybody? Did anybody say no originally and now want to enter a public comment.

MS. LINDA EMRICH: I want to read mine, since I'm the last one. I submitted this comment to FERC in December, and I just want to read it because I'm computer-handicapped and I couldn't get it online and I sort of changed it around a little bit so that it was applicable to this process.

I want to express my deep concerns

regarding the EQT/Next Era Energy proposed WV DEP permits 401 applications Mountain Valley Pipeline (FERC Docket #16-10-000).

I would like to make clear that I find the draft environmental impact statement to be erroneous and incomplete. There has been no mention of the American Chestnut trees that were planted on Valley Heights Road in Pence Springs, West Virginia on property approximately 500 feet from the proposed pipeline route.

My late husband, Doctor John E. Elliston, was a research scientist at the Connecticut Experiment Station in New Haven, Connecticut. He succeeded in isolating viruses that would weaken the American Chestnut tree blight fungus and allow the trees to survive and become immune. Doctor Elliston received international acclaim from the scientific community for his work on the American Chestnut.

While living in West Virginia, he worked on the F-4 American Chestnuts that he planted on Chestnut Mountain near Hix, West Virginia, on the bench just below where EQT wants to bury the Mountain Valley Pipeline.

These trees are doing very well and have borne chestnuts to regenerate the trees that have the DNA for immunity from the blight. He also worked on identifying the American Chestnut root system base on Chestnut Mountain, where he introduced the blight resistant chestnut variety into the ecosystem and where the species evolved.

This topsoil holds the perfect balance for the natural evolution of all of the diverse indigenous species of this naturally pristine habitat along the Chestnut and Keeney Mountain Ridge tops.

Doctor Elliston was known to say, “They called it Chestnut Mountain for a reason.” The MVP would increase runoffs so rans would fail to replenish the aquifer.

I moved to Chestnut Mountain, Summers County, West Virginia in 1979 to escape the New York, New Jersey, Connecticut, greater metropolitan area where the progress of the corporate cultures’ urban empire have reduced species biodiversity to zoysia grass and azaleas.

My mother, Doctor Leona S. Emrich, taught biology, botany, biochemistry, field and

natural history at William Paterson University in Wayne, New Jersey until 1981. When she retired to Summers County, she said oh, it is so beautiful here and you still have the indigenous species.

In 1993 Doctor Elliston founded The Spreading Chestnut, Ltd., dedicated to the preservation and restoration of eastern deciduous forest life. Our appreciation and understanding of the miracle of life on earth in God's beautiful creation of this naturally regenerating life supporting habitat mandates our opposition to the Mountain Valley Pipeline. The disturbance of the topsoil and the increased runoff from the defoliated and trenched ridgetops would deplete and destroy the aquifer and the water resources for residents, human and non-human.

With the onset of unpredictable weather patterns that make food production much more challenging, our eastern mountains of West Virginia are a good place to live if one hopes to adapt to the extreme and severe weather ahead.

Putting a high pressure gas pipeline through the heart of this pristine natural area is no less than genocide for all life, especially if

the fossil fuel corporation has an incident which would cause irreparable damage and said corporation would ultimately not be held responsible for compensation nor able to correct it.

Earth's atmosphere temperatures allow water, H_2O, to be liquid, and nowhere else in the universe does mankind know of another planet that has this unique atmosphere and temperature range.

In the 1980's when Exxon Corporation hired top research scientists to study the greenhouse effect the resulting recommendation was that we must reduce fossil fuel emissions and attempt to slow global warming by developing other resources regenerating electrical energy.

Because a corporation exists solely to make a profit, and upon the realization that this scientific edict would cut into their profit margin, it is no surprise that the pecuniary corporate reality denied the results of the study and discredited our top scientists.

Unfortunately for the living, money cannot be breathed or eaten, nor can one drink it to quench thirst. There is nothing that can be devalued as quickly as money. It only works because

people believe in it and corporations based the activities of their monster machines on grabbing more big numbers of it as fast as it can.

In the megalopolis, money is the means of survival, and people are blinded to nature by numbers of dollars. Our life supporting drinking water has no value to EQT except to dump their wastes in order to increase their profit margin.

My suggestion is that EQT/Next Air Energy look to the southwestern coal fields of West Virginia to route these natural gas pipelines. There the life supporting habitat has already been destroyed. Gone is gone, and those who were not making money have long since left that area.

The out-of-work coal miners, heavy equipment operators could be employed doing what they are good at instead of the government trying to create jobs to restore the mountains to their original contours in a futile attempt to recreate the former life supporting living habitat which only can be done by God through time, creation and evolution.

In the coal fields the depleted waterways and toxic sludge pollution carries death

and illness to the living species of the area already. Please use all of the influence that you can to stop the Mountain Valley Pipeline from destroying our life supporting pristine species, diverse mountains and vallies where we have established our homes and enjoy being surrounded by naturally regenerating beauty.

The best way to make a species extinct is to destroy its life supporting habitat. Computers and heavy machinery reduce the need for human laborers and we, the living, are mostly in the way of the unbridled greed of the corporate machine at this point in history. Got oxygen? Water for life. Protect and preserve our natural parks and forests. Ban fracking now. Just say no to the Mountain Valley Pipeline. Please do not permit this EQT Mountain Valley Pipeline.

MR. GLANCE: That was the last speaker to sign up. Anybody else who wants to enter a public comment? Okay.

SPEAKER: Thank you all for coming and listening.

MR. GLANCE: This concludes this hearing on the Mountain Valley Pipeline. You can still submit

comments by e-mail until March 19th using the e-mail address at DEP.comments@wv.gov. Thank you for your participation. Have a safe drive home.

* * * *

CONCLUDED AT 8:45 P.M.

* * * *

REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, to wit:

I, Donna H. Miller, Notary Public in and for the State of West Virginia, duly commissioned and qualified, do hereby certify that the foregoing was duly taken by and before me, under the West Virginia Rules of Civil Procedure, at the time and place and for the purpose specified in the caption thereof.

I do certify that the said hearing was correctly taken by me by means of the Stenomask; that the same was transcribed by me, and that the said transcript is a true record of proceedings had.

I further certify that I am not connected by blood or marriage with any of the parties to this action, am not a relative or employee or attorney or counsel of any of the parties, nor am I a relative or employee of such attorney or counsel, or financially interested in the action, or interested, directly or indirectly, in the matter in controversy.

Given under my hand this 16th day of March, 2017.

_____
Donna H. Miller
Notary Public

My commission expires October 1, 2023.