

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: MOUNTAIN VALLEY PIPELINE

PUBLIC HEARING

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BEFORE: JACOB GLANCE, Public Information Officer

HEARING: Thursday, March 9, 2017

6:05 p.m.

LOCATION: Robert C. Byrd High School

One Eagle Way

Clarksburg, WV 26301

Reporter: Sara Toomey

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NONE OFFERED

P R O C E E D I N G S

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

Also here this evening are several members of the DEP's Division of Water and Waste Management. All the DEP folks, if you could raise your hand. If there is ever a time during the hearing when you have questions, feel free to approach one of these folks and ask your questions. I'm sure they'll be able to help you.

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 made part of the public 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're speaking and

1 keeping your comments on topic so that our time together
2 is used most efficiently.

3 I think we have about ten people who have
4 signed up to speak, so the time limit for tonight for
5 each speaker will be five minutes.

6 For those wishing to speak, when I call
7 you up to provide your comments, please state your name
8 and say if you are representing any groups or
9 organizations. If you have any written comments that you
10 would like to submit in addition to your spoken comments,
11 please hand them to me after you speak or at the
12 conclusion of this hearing.

13 What we're going to do is give you a
14 couple choices of what you want to do. You can either
15 come up and sit next to the court reporter if you're most
16 comfortable with that. You can come up and stand at the
17 bottom here and speak. Or you can come up on stage up
18 these stairs if you want to give your public comments
19 that way. So you have a couple of different options for
20 what you want to do.

21 And during the time when people are giving
22 public comments, again, if you have any questions, if you
23 want to look at any of the maps, please feel free to move
24 around the room. But please remember that the court

1 reporter really needs to hear all of what people up here
2 are saying. So if I could try to keep your voices down
3 if you're asking questions and getting information.

4 So if no one has any questions about the
5 hearing format, we'll get started with our first speaker.
6 Any questions? Yes, sir.

7 BRIEF INTERRUPTION

8 MR. GLANCE: Yeah. This one's full. So
9 it's right there in the back corner there. All right.
10 The first speaker tonight is Tom Bond, followed by Kevin
11 Williams. And after Kevin is Julie Barry. So up first
12 is Tom Bond.

13 MR. BOND: My name is Tom Bond. I live
14 two miles from the interchange at Jane Lew. And I don't
15 represent any particular organization tonight, but I can
16 connected with many organizations. I write for Frack
17 Check West Virginia.com.

18 Everybody knows if you have taken the
19 trouble to go out and look at large-diameter pipeline
20 reclamation that it's not much to brag about. We have
21 one through Lewis County now already. I've been over a
22 good bit of it. And there are all kinds of problems that
23 even an outdoor person like myself, I farm, can see.

24 And it's my opinion that these are a

1 disaster waiting to happen. The ditch goes right up
2 downhill. Then they put in a pipeline which has slick
3 plastic on the outside. Then they fill back in with
4 random material what they've dug out, often big rocks,
5 because it goes right through rock ledges. And it looks
6 to me like a gully looking for a place to happen.

7 Everybody knows, if you are familiar with
8 the outdoors, that the land is affected far beyond the
9 right-of-way. The trees grow in toward to right-of-way
10 and the adjacent area does not produce good timber. It's
11 out for an indefinite length of time.

12 Another big problem is that regardless of
13 what's said now, not very far in the future, they'll be
14 taking these right-of-ways clear with fray. It's just
15 simply too expensive to put machinery or manpower up and
16 down the kind of hills that are involved. So the spring
17 will be done with a helicopter. I've seen spring with a
18 helicopter and it drifts. So it's going to drift off.

19 The gist of what I'm trying to say here is
20 that it's not only the right-of-way, designated
21 right-of-way that's affected, but there's a great deal of
22 land on both side that's affected.

23 Everybody knows if you read the lease
24 contracts that they take everything they can get. These

1 projects, not only this one but all of them, are set up
2 without an end. A normal project has a beginning and a
3 middle and there has to be some planning for the end.
4 These apparently don't have any planning for an end.

5 They take the land in perpetuity. They
6 tie up development on both sides of the line. They even
7 take the gas that's under the line so that it can't be
8 taken out by other companies. It's just simply a huge
9 grasping operation.

10 Everybody knows if you understand
11 cost-plus basis for utilities that the customers will
12 eventually pay for these pipelines, even if the need for
13 gas is drastically reduced. This is because it's a
14 surefire investment for the bank that lends the money.
15 And it's a surefire investment for the utility. Somebody
16 else, the little people, have to pay. And the more the
17 pipeline costs, the more everybody makes, the utility and
18 the banks.

19 Everybody knows if you read, it is a
20 scheme to block renewables. Thirty-nine (39) percent of
21 the new electrical generation capacity in 2016 was solar.
22 Wind was 26 percent. And gas was only 29 percent. Times
23 are changing.

24 I read Science, the journal of the

1 American Association for the Advancement of Science. And
2 every few issues, there's some new improvement in solar.
3 And I know that's the same kind of improvement going on
4 in wind as well. So this is a misspent investment.
5 Instead of investing in the pipelines, the money should
6 be going into renewable resources, which don't put out
7 carbon dioxide.

8 Now, I expect there are a lot of people in
9 the audience that do not believe or say they don't
10 believe, for some reason or another, in global warming.
11 It's unquestionably a fact. Ninety-seven (97) percent of
12 the people who have worked on the problem say so.

13 And if you want to, you can work out the
14 science yourself. I have that background. So I follow
15 it. And I know what they're saying is true. But it's
16 not like calling a mechanic. What you have to do is read
17 a lot and you can understand what's going on.

18 Large corporations are like a wild beast
19 in the jungle. They are looking for something to kill
20 and eat. They are looking to avoid anything that will
21 kill and eat them. Their lifetime involves the next
22 dividend or two. Their life --- I'm sorry. It's their
23 timeline involves a next dividend or two and it goes to
24 infinity in just a few years. That's no way to run a

1 democratic civilization.

2 MR. GLANCE: Up next, Kevin Williams.

3 After Kevin is Julie Barry. And after Julie is Jason
4 Lockard.

5 MR. WILLIAMS: I'll just stand down here.

6 MR. GLANCE: Wherever you're comfortable.

7 MR. WILLIAMS: I'm Kevin Williams. I live
8 in Harrison County. We have a large farm. I have
9 several gas lines on our existing farm. Some have been
10 there as long as 40 to 50 years and some have been laid
11 in the last five to seven years. So I'm familiar with
12 some of the processes and things that are necessary to
13 actually put the pipelines in.

14 I've seen good jobs and I've seen bad
15 jobs. And I will have to say that some of the newer
16 ones, because of some of the environmental controls and
17 things that are being required to put in place, they are
18 better than a lot of the ones I've seen before. There's
19 no doubt about that.

20 I will be the first to tell you that once
21 you disturb the ground, anybody that's been around it
22 before, it doesn't always come back the way it was
23 before. No doubt about that. But it will after a while
24 if you take care of it and the people take care of it as

1 necessary.

2 So from that aspect, like I said, I've had
3 pipelines on our farm for several years. The new ones
4 were put in much better than the older ones from what
5 I've seen.

6 I kind of look at this as --- the way
7 these new pipelines are coming in from this Marcellus and
8 Utica, if you think about the way the road system was in
9 the United States, you had two-lane highways for years
10 and years and years trying to get people from one place
11 to the other. But now you've got all this abundance of
12 gas.

13 These large-diameter pipelines that
14 they're wanting to put in place now, I think of them as
15 similar to the interstate to be able to move them. Now,
16 whether that's right or wrong, I'm just telling you
17 that's the way I correlate it now.

18 I also know that we've got gas that needs
19 to be moved out of West Virginia. We've got gobs of gas
20 in West Virginia. And I know that's an issue that we've
21 got to get moved out. There are natural gas power plants
22 being built. But to get the gas to them, you have to
23 have some pipelines to get it going.

24 A lot of the existing pipelines that's in

1 West Virginia are old. Some of them as old as 100 years
2 and they're still in existence. So you've got to look at
3 it from that aspect.

4 From a pipeline standpoint, once they are put
5 in, they are basically there. Yeah, it does prevent the
6 property owner from being able to utilize it. Other than
7 if you're farming like I am, you can run cattle across it
8 and things like that. But you cannot build on it.

9 So it's a good thing, I believe, to get
10 this stuff moving --- the gas. And you know, again, like
11 I said, I'm a property owner. I may not like it when
12 it's put it, but once it's in place, you don't really
13 realize it's there after five years or so unless there's
14 something that happens that you need to deal with.

15 But that's just my thoughts on it. So at
16 this point in time, I think I would like to say that I'm
17 in favor of putting these pipelines in and getting the
18 gas moving to where it needs to go. Even though, like I
19 said, I am a property owner and I've seen both sides of
20 it. So I appreciate your time.

21 MR. GLANCE: Up next is Julie Barry.
22 After Julie is Jason Lockard. And after Jason is Greg
23 Heffner.

24 MS. BARRY: I'm Julie Barry and I do

1 Section 401 for permitting for the various oil and gas
2 companies. This is not one of them. But I just wanted
3 to say that, you know, during the 401 permitting process
4 that we take appropriate VMPs and a number of pathways to
5 ensure that, you know, copper dams are installed properly
6 and that origin sanitation control is in place. And that
7 all permits that are necessary for the pipeline to be
8 installed are obtained prior to doing the construction.

9 You know, I just want to say that, you
10 know, without these pipelines we would see a lot of
11 people lose jobs, possibly me as one of them. Because it
12 does bring a lot of stimulation to the economy.

13 And I know in West Virginia, at present,
14 we have a downturn of economic development and jobs
15 related to the coal industry. And this is a means to
16 provide an equal pay for people that have since been
17 displaced from employment. And that would be my stance
18 as to why I would be for the pipeline.

19 MR. GLANCE: Up next, Jason Lockard.
20 After Jason is Greg Heffner. And after Greg is Frank
21 Guzzi, Guzzi (changes pronunciation)? Close enough?

22 MR. LOCKARD: Hi. I'm Jason Lockard. I'm
23 from SLS Land & Energy Development out of Glenville, West
24 Virginia. I'm in support of the pipeline. There are

1 some pros and cons to the pipeline.

2 Like the other gentleman said, there is
3 some disturbance to the land during construction. But
4 it's like building a house. You're going to have to tear
5 up the land a little bit to build a nice home.

6 The pipeline will help provide jobs to a
7 lot of communities that are starving right now with the
8 coal industry being down. Natural gas is another fossil
9 fuel that West Virginia is very fortunate to have.

10 It will also help bring in money to county
11 associations that are struggling right now. It's going
12 to bring money into the state. We're struggling right
13 now. We've got adjustments to try to come with ways to
14 save money and bring money back to West Virginia.

15 Just gas companies, during the
16 construction phase, the disturbance of the land, they do
17 tear up the roads just a little bit. However, when the
18 project's done, they go back in. They repave the roads.
19 And they pave it better than what it was when they left
20 it.

21 Also, the gas companies, the pipeline
22 companies are also fortunate --- or good to communities
23 such as this high school here. I'm sure that they'll
24 make money to help offset some of their expenses and

1 provide jobs. West Virginia right now, we're in a real
2 bad situation as far as jobs. This will help us out to
3 provide moderate good paying jobs with benefits that a
4 lot of West Virginians don't have right now.

5 Again, this is going to bring a lot of
6 money in. And like the other gentleman said, there is a
7 surplus of gas here. We do need to get that gas out.
8 That will bring in good service tax that will we paid to
9 the counties, to the different states or to West Virginia
10 and the surrounding states. So again, on a personal
11 side, I'm in favor of the pipeline.

12 MR. GLANCE: Up next, Greg Heffner. After
13 Greg is Frank. And after Frank is Rose Scott.

14 MR. HEFFNER: Good evening. My name is
15 Greg Heffner. I represent the Harrison County Economic
16 Development Corporation. And I appreciate the
17 opportunity to speak here this evening.

18 The purpose of the Mountain Valley
19 Pipeline is to provide timely, cost-effective access to
20 the growing demand for natural gas in the region. The
21 construction phase of the Mountain Valley Pipeline
22 project would generate about \$811 million of capital
23 expenditure to the area, \$47,000 in state and local tax
24 revenue, and 45,000 jobs. West Virginia simply cannot

1 afford to miss out on this unique opportunity.

2 Once operational, the project will provide
3 significant tax revenues to the local governments
4 throughout its lifetime.

5 While large-scale construction projects
6 temporarily disrupt the environment, they are necessary
7 to meet the growing demand for energy, not only in West
8 Virginia, but across the country. The construction of
9 projects like this are governed by a multitude of state
10 and federal agencies, which will help assure that they
11 are built in a responsible fashion.

12 I absolutely support the construction of
13 the Mountain Valley Pipeline because of the economic
14 opportunities and the enhanced quality of life that it
15 has the potential to offer.

16 EQT has an outstanding reputation for
17 doing things the correct way. They've been a neighbor
18 here in Northcentral West Virginia and across the region
19 for many years. I'm confident that they will execute
20 this project in an environmentally safe and responsible
21 manner.

22 I would encourage the West Virginia DEP to
23 approve the permits currently under review. Thank you.

24 MR. GLANCE: Next is Frank Guzzi. After

1 Frank is Rose Scott. And Rose is the last person that's
2 currently here that has signed up to speak. So if
3 there's anybody who wants to sign up to speak after Rose,
4 please sign up on the sheet in the back of the room.

5 MR. GUZZI: Joe Guzzi.

6 MR. GLANCE: Joe?

7 MR. GUZZI: Yes.

8 MR. GLANCE: Here's Joe, okay. Does Frank
9 not want to speak?

10 MR. GUZZI: No.

11 MR. GLANCE: Okay.

12 MR. GUZZI: There's no doubt that this
13 pipeline is going to bring a lot of money into the state
14 and some jobs. If you're one of the ones out there that
15 owns property, you've already heard how they'll come in,
16 they'll do some damage, then we'll fix it and make it
17 good as new. That's the good side of the story.

18 Now, let me tell you the other side of the
19 story, because I own property. And Dominion Gas came to
20 me two years ago, asked permission in March when
21 everything was froze if they could drive over my gravel
22 road, one mile of road that my brother and I take care
23 of. Three families live at the end of it, it dead ends.
24 No way in and no way out.

1 And Dominion comes, we gave them
2 permission. No problem. When they come in in March,
3 everything is frozen. And they would want to tram their
4 equipment in that weighs 30 tons. We never heard from
5 them again. Found out in April when everything thawed
6 out, they came. They brought their equipment in on a
7 trailer, which concentrates all the weight over the
8 wheels.

9 And now I've got a road that my vehicle's
10 that way (indicating) when I drive up it. It's caving
11 in. We've got the side that goes down the hill, we used
12 to take the tractor, you can't go it anymore or you'll
13 upset and die.

14 And we argued with Dominion now for two
15 years. And their response, good neighbors. They do a
16 lot for Clarksburg, this school. But when you live out
17 in the country, you don't see \$25,000 sent to your park
18 or your school. It's your property they're building on.

19 And their response has been, up to this
20 point, I've had two letters from lawyers. They said they
21 won't take responsibility for a road that it was a dirt
22 road that two-wheel drive couldn't get over, that I drive
23 a motorcycle over now. It's gravel. They're not paying
24 for it. They won't take responsibility because they said

1 we sent our engineers out there. And it was never
2 compacted for heavy equipment.

3 But in the same letter, and I've got two
4 of them. I've got one from Stefano Johnson and
5 Jacqueline Wilson. They're lawyers. And both of them
6 said don't try to stop us. We've got the right to use
7 that. We've got right-of-way. And we're going to use
8 it. But they say they won't take responsibility because
9 it wasn't built for that.

10 Well, you know, I've got a wife --- well,
11 we've got to get in and out of that road. We've got to
12 get in and out to eat. When that road caves in, I'm
13 going to have to walk a mile, if I can get my truck out
14 and my car, and leave into the gravel road. And that's
15 Dominion. That's your good neighbor Dominion.

16 Not for the schools, not for Clarksburg,
17 not for all this money. It's the people out there with
18 the property. You better make sure --- you know the
19 pipeline's going to go. But they ought to take
20 responsibility of any damages. They have to come back
21 ten years from now because, you know what? Ten years
22 ago, it probably didn't look like that. But once they
23 put that pipeline in --- they've already had, I've seen
24 it all over, slips, spills, water running all over the

1 place.

2 I'm just going to tell you that's your
3 good neighbor Dominion. I'll tell you what Dominion cost
4 me. The damage that was estimated by the DEP was around
5 \$35,000 to get it fixed and working. Guess what? It
6 cost me \$5,000 for a lawyer to try to get Dominion to do
7 something. That's their attitude on this.

8 And it's not going to be any different.
9 Why would it be different? Why would it be different on
10 your property for the new pipeline than it is for the
11 ones that are existing? They think that the old
12 pipelines, that people should expect from them, well
13 then, you make your decision.

14 MR. GLANCE: Up next, Rose Scott. There's
15 also Phil Mallow has put possibly to speak.

16 MR. MALLOW: Thank you.

17 MS. SCOTT: I just want to say a few
18 things. I know that everyone sees the pipeline as an
19 economic advantage for West Virginia. And certainly I
20 can understand that. We all favor the economic
21 advancement of West Virginia and jobs in West Virginia.
22 Nobody can argue against that.

23 But I don't think that that's --- you
24 know, it's a short-term view. Because in all reality,

1 West Virginia has and its strongest gift is its natural
2 resources. And putting more pipelines in West Virginia
3 and these large pipelines --- and there are three major
4 pipelines that are planned for West Virginia. They're
5 crossing through not through the Ohio River, but multiple
6 streams and wetlands.

7 So the DEP's job is to ensure that those
8 wetlands and streams are protected. And when the
9 pipeline goes through, there have to be permits that are
10 issued. And in order for those permits to be issued, the
11 company has to ensure that their plan meets the criteria
12 for the protection of those bodies of water.

13 And I've reviewed those in brief. Not in
14 utter detail, but from what I could see when they talk
15 about the Greenbrier River they say, oh, you know, the
16 pipeline crossing the Greenbrier River is only going to
17 effect it for the period of time in which we are
18 constructing the pipeline going across.

19 So it's just, they're just looking at that
20 short, brief period of time. They're not looking at the
21 long-term, and certainly not looking at this large scale
22 construction project that's going through. And also not
23 really addressing this large project going through
24 wetlands, which are very sensitive areas.

1 And to me, you know, our forests, our
2 streams, all these things really need to be protected and
3 preserved. And you know, putting in huge pipelines that
4 cut through the wetlands, streams and rivers and
5 potentially damaging our waterways is not really worth
6 such short-term gain.

7 And honestly, you know, the oil and gas
8 companies that are planning these pipelines pretty much
9 just assume that they're going to be able to put the
10 pipelines in. Because basically, they have already been
11 compressing the gas and storing it to be able to press
12 through these pipelines. So they pretty much already
13 planned that they are going to be able to build these
14 pipelines.

15 They have already been fracking the gas
16 and storing it to be able to push through these huge
17 pipelines. So basically, they're assuming that they are
18 going to be building them without regard for whether or
19 not they are actually going to get this permission to do
20 so.

21 So basically, irregardless of our natural
22 resources in the state of West Virginia, they're going to
23 proceed, I think. I mean, I understand what you're
24 saying that, you know, you're doing the best you can to

1 make sure that all the permits are put into place. And I
2 understand that and, you know, I think that's great.
3 That's good that that's being done.

4 And I understand what you're saying that,
5 you know, it's important for jobs. And I agree with
6 that, too. But somewhere, there's got to be a balance
7 struck. If that means going a little bit further to try
8 to protect the streams and waterways, then I think that
9 that is what needs to be done. Because honestly, those
10 impact statements do not go far enough.

11 And I urge the DEP do not, do not approve
12 these permits the way they are now because they do not go
13 far enough to mitigate the wetlands, to mitigate these
14 stream crossings. It needs to go further. Thank you.

15 MS. PHILLIPS: Can I respond?

16 MR. GLANCE: Yes, if you'd like to sign
17 up, yes.

18 MS. PHILLIPS: I'm a citizen of ---.

19 MR. GLANCE: Let me get you signed in
20 first.

21 MS. PHILLIPS: Okay.

22 MR. GLANCE: You can go on stage or you
23 can stay here at the front, whatever want.

24 PASTOR PHILLIPS: Oh, I'm good here. My

1 name is Pastor Tammy Phillips and I'm from Martinsville,
2 West Virginia. I'm originally from Harrison County. My
3 father --- my father's family has made their living in
4 the natural gas business.

5 And as a pastor, I will speak to you and
6 say to you that it is very, very important that we be
7 good stewards of the land that God has given us. And I
8 believe that with my whole heart. But I want to say and
9 speak to you as a person who has lived in the area where
10 they have done drilling and fracking and where they have
11 put pipelines in, that it isn't always bad.

12 I've lived in Wallace, West Virginia for
13 11 years. And in that area, I lived on the highway that
14 the State of West Virginia had never attended to for 80
15 years. There was a path. And it went from Harrison
16 County in Wallace all the way to Center Point in
17 Doddridge County.

18 And they ran a great big pipeline that the
19 tied in. And right down the road from me was Hastings
20 and it is a major hub where you talked about where they
21 hold that gas, compress it --- it's a compressing
22 station.

23 But I will tell you that what they did
24 when they came in to our community was phenomenal. They

1 came in and fixed roads that hadn't, like I said, hadn't
2 been seen a touch from the State of West Virginia 80
3 years.

4 They came in to farmers and provided them
5 with flood control for their bottoms and fields that they
6 had never enjoyed. They came in and made it possible for
7 employment to come to young men in the community where
8 we're 20 miles from everything to have employment and to
9 be viable. So it is very important. And when it is done
10 correctly, it is fabulous.

11 My church was blessed to receive mineral
12 rights as a gift from one of our members who passed away.
13 We actually didn't even know he had it until some people
14 found it. And they were going through the books to say
15 look, we're willing to talk to these people about, you
16 know, getting on this property.

17 And I understand, that means that you have
18 to talk to all of the people involved. But long story
19 short, there was several little companies that come in.
20 And they all want to take their dollar, I understand,
21 sometimes on that first offer. You need someone who's
22 reputable, responsible, who's accountable.

23 And a lady from Chesapeake Energies came
24 into us. She went through the process with us. She went

1 to the courthouse with us. She brought grants into us.
2 She sat with our neighbors who still live on the property
3 and explained to us how that they would treat them right.
4 Because we would sign no contracts until we knew that our
5 neighbors were treated fairly, the people who still live
6 on that land. And that they were going to be taken care
7 of financially, that their land would be taken care of.

8 If they said my house is there so you
9 can't put a drill pad there, there was not going to be a
10 drill pad there. If they said I have a well here and I
11 need to make sure that you're going to promise me that
12 that water's not going to be contaminated, they said we
13 promise. We can situate it in a place where it's not
14 going to be contaminated. And we set out and we
15 negotiated it. And it wasn't something that happened
16 overnight and it should not.

17 It all comes to all of us as citizens
18 being educated and accountable for what goes on. Because
19 listen, young people in West Virginia need jobs to take
20 care of their families. We have to have it. I have
21 children and grandchildren. This is how they feed my
22 grandchildren. This is what provides their medical care
23 and things of that nature. And that's important. But I
24 also know that it has to be done properly.

1 So what it comes down to is we as a
2 society, as a community working and living together, come
3 together and say listen, we're going to sit down and
4 educate one another. We're going to work together. If
5 our neighbors, if we owned the mineral rights to where
6 our neighbors live, we're going to take care of them.
7 We're not going to go into something willy-nilly. We're
8 going to say, hey, neighbor, come on down and let's talk.

9 How can this be beneficial for everybody?
10 How can it be beneficial for West Virginia? Because as
11 you can see, nobody's knocking down the door to bring
12 industries into this state and we need jobs. And there's
13 a lot of other affiliated businesses that will come for
14 this pipeline. And it's important. It is vital.

15 You cannot feed your family working at
16 Wendy's or Walmart. You have to have something where
17 there is a future. And these jobs don't just stop when
18 that pipeline is done. And in West Virginia, like I
19 said, my family has been doing this forever. My
20 grandfather had a shop in Clarksburg for 90 years.

21 And I am going to tell you, you have to
22 take care of families. You have to. We have to do this
23 or it's going to disappear. It's going to dry up and
24 there will be nothing there. So we need to stand up and

1 take care of West Virginia. It's important that we take
2 care of West Virginia.

3 So I urge you to consider --- I understand
4 what you're saying because it's important that we take
5 care of the thing God gave to us. It's a wonderful gift.
6 But he also gave us coal and natural gas and oil.

7 It's phenomenal to see young men working.
8 Like to hear my sons when they tell me, mom, I'm working.
9 It's important. And it's also important to see the
10 farmers where I live in Wallace have flood control in
11 those plains. They have cattle in those fields.

12 They replanted every tree of my neighbor's
13 hillside. And they put grass that was good for the deer
14 to allow for the animals in the area that were indigenous
15 to the area. So they took care of them. It's called
16 being accountable. You have to know what's going on.

17 We have to form committees. We have to
18 take care of one another. And say if they're going to go
19 out in your own, if they cut through your field and
20 they're going to put a drill pad, if someone is working,
21 go over and check on them. Make sure they're doing what
22 they're supposed to do. We can do that. We have a right
23 to do that.

24 Be wary. Educate your neighbors. Say if

1 somebody come and said they're going to give me money.
2 Really, did you take it to lawyer? No. Well, let me
3 take you. I'll give you a ride. Take them in and make
4 sure they get what's really supposed to be theirs.
5 That's how we make this because when we do this together
6 and we're accountable, it's all about accountability,
7 folks.

8 West Virginia has just let people walk
9 over us for too long. We have to be accountable. But we
10 still need prosperity. We deserve prosperity. We
11 deserve jobs. We deserve a tax base that's going to give
12 our children better education.

13 So why can't we do this? We can do this
14 well if we, the community, come together. Hold them
15 accountable. Make them fix those drains. Make them
16 replant those trees. Make sure that they have looked
17 every way to find out how to get around those waterways
18 and take care of them. Because I know that they can.

19 And there's another thing that we should
20 know as far as taking care of waterways. My son works in
21 this industry. My son went to a job after they, his
22 company, had spent several million dollars on a job and
23 said you have to take it all up because your wetlands
24 that have been drained and dry for 50 years. Now, is

1 that fair for a company to put millions of dollars into a
2 piece of property and work but they had to take it all up
3 because the Ritchie County sheriff locked it up and said,
4 oh, you can't go there.

5 See it happens on both ends. We have to
6 protect it. But we can't be silly about it either.
7 Wasting money and losing jobs. Because let me tell you,
8 if there's no jobs ---. If we don't sustain West
9 Virginia, there will be no West Virginia. We'll be a
10 national park.

11 MR. GLANCE: Next is Richard Swiger.

12 MR. SWIGER: Do you want me to come up
13 there?

14 MR. GLANCE: If you'd like, that would be
15 good.

16 MR. SWIGER: I'm not going to --- I don't
17 have all that much to say. I just wanted to make a
18 statement. I've done this work my whole life. That's my
19 cousin. Like she said, my whole family, that's what
20 we've done. You know, we've been pipelayers.

21 So I'm sure here everybody's going to say,
22 oh, that's one side of it. You know, you're coming from
23 one side. But you know, I just want you to know we're
24 not the type of people --- you know, we don't want to see

1 our environment destroyed. We have children and
2 grandchildren.

3 And in all the years that I've done this
4 work, I've watched it from the time I started to now
5 change toward the environment. And I mean, the safety,
6 just everything. I mean, these companies, they spend
7 millions and millions of dollars on, you know, just
8 trying to take care of the environment, the animals, the
9 wildlife, the waterways.

10 They make sure everything is put back. We
11 have the inspectors on --- I mean, you know, it's hard to
12 --- pretty much every man out there has somebody watching
13 him. It's not like we're out there just free for all.
14 There's somebody watching over you at everything you do.

15 And I mean, these pipelines are put in
16 there to last. It's not like the old days, you know, 100
17 years ago when they throw them in the ground just wanting
18 to get the gas. I mean, these things are put in there to
19 last our lifetimes and many more.

20 And I've seen it. I mean, I've done it
21 since I was a kid. And I've watched it change over the
22 years. And I'm just here to tell you, it's not going to
23 harm us. It's going to be good for us. We actually ---
24 we need as many of them as we can get. They can put one

1 right in my backyard and I'll sleep like a baby every
2 night.

3 I mean, you know, the work's done
4 professional. Go look at one. Go watch one be
5 installed. You know, educate yourself on it and see the
6 professionalism out there. I mean, that's all you have
7 to do. That's all I've got to say. You know, I just
8 wanted to get my point on. And I thank you all.

9 MR. GLANCE: Anybody else who's here who
10 wishes to speak? Did you sign in?

11 MR. CHONG: No, there's isn't any paper.

12 MR. GLANCE: What's your name?

13 MR. CHONG: Charles Chong.

14 BRIEF INTERRUPTION

15 MR. CHONG: I'll try. My wife and I live
16 at the opening of a 220-acre hollow on Halls Run in
17 Harrison County. When we found out that the Mountain
18 Valley Pipeline would run over a mile on the ridge above
19 our property, we had a hydrogeological study on the
20 effects that the pipeline construction would have on the
21 quality and flow of water into the stream in our hollow.

22 Dr. Pamela Dodds, who conducted the study,
23 after observation and computations concluded that the
24 construction of the Mountain Valley Pipeline on our

1 property would result in degradation and negative impacts
2 to the water resources of our hollow.

3 I submit a copy of her report. And I will
4 note that the study was done before the Mountain Valley
5 Pipeline added another 1,000 feet to the proposed
6 pipeline on our ridges.

7 I would like to turn to the effects of the
8 Mountain Valley Pipeline on Halls Run. Halls Run is a
9 stream which runs through its own hollow. From where it
10 begins, it runs north about three miles before it empties
11 into Lake Floyd. Lake Floyd is a man-made lake about a
12 mile long and it's surrounded by homes in which live the
13 residents of the Lake Floyd community. The dam for the
14 lake sits below Route 50.

15 The Mountain Valley Pipeline will come
16 down the hillside below the headwaters for Halls Run,
17 cross Halls Run and then run up the hillside on the other
18 side to the ridge, which is on the south of our property.
19 The proposed pipeline will then turn west, run on the
20 ridge, clear around the back of our property, and then
21 along the ridge north of our property for a distance of
22 about 7,000 feet.

23 From the border of our property, it will
24 continue to run on the ridges above Halls Run for about

1 three miles. And then from the southern end of Lake
2 Floyd, turn down the other side of the hill to Raccoon
3 Run where it will cross Route 50.

4 Now, how big an area will the Mountain
5 Valley Pipeline affect along Halls Run? I figure it will
6 run about five miles from where it crosses, comes down
7 hill, across Halls Runs and then along the ridges to Lake
8 Floyd.

9 So if you multiple 5,280 by five and then
10 by 50, which is the 50 feet, which is the permanent
11 easement area, that comes to 1,320,000 square feet or
12 30.3 acres. To visualize how big this is, this is 22.9
13 football fields, including the end zones.

14 For than 125-foot construction
15 right-of-way, the affected area would increase to 75.8
16 acres or 57 football fields. So if you imagine 57
17 football fields straight along those five miles, you get
18 an idea of the area that will be affected by the pipeline
19 construction.

20 Now, what is the effect on the ground that
21 is affected by the construction? This is how Mountain
22 Valley Pipeline describes the construction of the
23 pipeline along ridges. And this is their own words from
24 their resource report. Clearing, grading, equipment

1 movement accelerates the erosion process. Compaction
2 decreases infiltration, increases the potential for
3 erosion.

4 Construction equipment traveling over wet
5 soils could disrupt soil structure, reduce pore space,
6 increase runoff potential and cause running. Dr. Dodds
7 who did our report describes these effects from
8 construction as resulting in impervious ground cover.

9 So what can we expect from the
10 construction of pipeline along this right-of-way on the
11 ridges where the trees have been removed and the natural
12 soil has been replaced with impervious ground? When it
13 rains, especially with heavy and persistent rains, more
14 water will flow off the easement than when the ground was
15 in its natural state.

16 This increased water flow will find its
17 way into existing gullies and create new gullies with its
18 accompanying increased erosion. And that result will be
19 an increase of water flowing into the streams compared to
20 the amounts before the construction of the pipeline.

21 Our homestead is at the opening of the
22 hollow where our stream flows into Hall Run. It is next
23 to the lowest ground on our property. Already during
24 heavy, persistent rains, we have flooding in our barn a

1 lot and in front of the barn. The side and front fields
2 and of our driveways.

3 Even a small increment in water flow from
4 the construction of Mountain Valley Pipeline could lead
5 to actual property damage of our homestead from flooding.
6 There are also homes below us on Halls Run, which are
7 likely to experience property damage from flooding if
8 water flow increases into Halls Run during rain.

9 How is water quality affected? From the
10 increased runoff from rains, there will be erosion of
11 hillsides and of the stream banks. This increased runoff
12 will increase sediments flowing into streams.

13 Also, water runoff is lost downstream.
14 This is water that does not perforate into the ground
15 water. During dry periods, the water table will drop
16 below previous levels depriving springs and seepages of
17 water which would otherwise feed streams during dry
18 periods, resulting in deteriorated water quality during
19 these times.

20 I would next like to turn to the effects
21 of the Mountain Valley Pipeline on water flow and quality
22 of Ten Mile Creek. Ten Mile Creek begins in the southern
23 part of Harrison County and flows north to Lumberport,
24 where it turns east and flows into the West Fork. Halls

1 Run and Raccoon Run, which is on the other side of the
2 ridge on the hill --- on the ridge where the Mountain
3 Valley Pipeline will run above Halls Run, both flow into
4 Ten Mile Creek.

5 South of us, the Mountain Valley Pipeline
6 will cross and effect the watersheds of Turtle Creek and
7 Colburn Creeks, which come together to form Ten Mile
8 Creek. North of Route 50, the Mountain Valley Pipeline
9 runs about 60 miles before crossing into Wetzel County
10 and will affect the watersheds for the following streams
11 and their tributaries, Cherry Camp Run, Salem Fork,
12 Indian Run, Grass Run, Rock Camp Run, Little Rock Camp
13 Run, Isaac Creeks, Little Elk Creek and Little Ten Mile
14 Creek.

15 All these streams flow into Ten Mile
16 Creek. They provide most of the water flow into Ten Mile
17 Creek from the west. The watersheds of all the streams
18 will be affected by the Mountain Valley Pipeline.

19 In conclusion, I feel that the Mountain
20 Valley Pipeline should not be issued the stormwater
21 permit and possibly the water quality permit until all
22 waterways like Ten Mile Creek, which the watersheds are
23 extensively affected by the Mountain Valley Pipeline, are
24 identified. And a cumulative possible negative effects

1 of the pipeline on water flow and quality of these water
2 ways are assessed.

3 MR. GLANCE: Okay. Anybody else wishing
4 to speak tonight? I think what we might do, since it's
5 still --- it's not even seven o'clock yet, give some
6 people more time to get here.

7 In the meantime, I just want to push pause
8 on the public hearing for about maybe 10 or 15 minutes.
9 And in that time, can we have all the people from DEP
10 raise your hands? These folks are here to answer your
11 questions about the Mountain Valley Pipeline, on the
12 maps, on the walls.

13 So for the next 10 or 15 minutes while we
14 wait to give more people a chance to get here, ask these
15 folks questions. They'll be able to answer your
16 questions. So we'll come back here in about 10 or 15
17 minutes; okay?

18 SHORT BREAK TAKEN

19 MR. GLANCE: Okay, everyone. We're going
20 to rejoin this thing here, everybody. Has anybody else
21 signed up to speak? Okay. Could I ask one more time if
22 there's anybody here that after speaking with the DEP
23 folks, they wanted to comment here tonight?

24 Okay. Well, this concludes the public

1 hearing on the Mountain Valley Pipeline. Please remember
2 that you can still submit written comments until March
3 19th using the e-mail address dep.comments@wv.gov. Thank
4 you for your participation and have a nice evening.

5 * * * * *

6 HEARING CONCLUDED AT 7:14 P.M.

7 * * * * *

CERTIFICATE

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

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



Sara Toomey,

Court Reporter

