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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Project No.

MOUNTAINEER XPRESS PROJECT : PF15-31-000

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LaBelle Theater

311 D Street

South Charleston, West Virginia 25303

Thursday, December 10, 2015

The above-entitled matter came on for scoping  
meeting, pursuant to notice, at 6:00 p.m., Joanne Wachholder  
, the moderator.

1 P R O C E E D I N G S

2 (6:05 p.m.)

3 MS. WACHHOLDER: All right. We're going to get  
4 started now.

5 Good evening. On behalf of the Federal Energy  
6 Regulatory Commission, or FERC or the Commission, I'd like  
7 to welcome you all tonight to an environmental scoping  
8 meeting for the Mountaineer Xpress Project under development  
9 by Columbia Gas Transmission LLC.

10 Let the record show that the public scoping  
11 meeting in South Charleston, West Virginia began at 6:05  
12 p.m. on December 10th, 2015.

13 My name is Joanne Wachholder and I am an  
14 environmental project manager with the Commission's Office  
15 of Energy Projects. With me tonight is Robyn Susemihl, with  
16 Burns and McDonnell Engineering. Burns and McDonnell is a  
17 consulting firm working as a third-party contractor to  
18 assist us in the preparation of the environmental impact  
19 statement or EIS for the project.

20 FERC is also represented tonight by Julia Yuan,  
21 who is the FERC environmental project manager for this  
22 project.

23 Working at the sign-in table tonight is L. J.  
24 Sauter and Travis Levitt, both from Burns and McDonnell.

25 Tonight we have a court reporter transcribing

1 this meeting. He's in the back. The purpose for this is to  
2 ensure that we accurately capture your comments and  
3 questions both for the public record and for our use in  
4 preparing the EIS for the Mountaineer Xpress Project.

5 The purpose of this meeting is to give you an  
6 opportunity to learn about and provide specific  
7 environmental comments on Columbia Gas' planned pipeline  
8 project, the Mountaineer Xpress Project.

9 I'll quickly run through the agenda for tonight's  
10 meeting. I'll start out by briefly describing the project  
11 before us. I will also explain the role of the FERC and our  
12 application process. Then we will hear from those of you  
13 who signed up to speak at the table in the back and make  
14 formal comments on the project.

15 If we have time at the end of the meeting anyone  
16 who did not sign up but would like to have their comments  
17 heard will have a chance to speak.

18 The meeting will end once all speakers have  
19 provided their comments or by 10 p.m., whichever comes  
20 first.

21 Mountaineer Xpress would involve construction of  
22 about 161 miles of new, 36-inch diameter natural gas  
23 pipeline, six miles of 24-inch diameter lateral pipeline and  
24 three new compressor stations. It will also include  
25 replacement of two short sections of 30-inch diameter

1 pipeline, installation of additional compression at three  
2 other compressor stations, and construction of related  
3 facilities.

4 All of the facilities will be constructed and  
5 installed in 14 counties of western West Virginia.

6 The project would supply about 2.7 billion  
7 standard cubic feet per day of natural gas transportation  
8 capacity from production areas to downstream markets on the  
9 Columbia Gas System.

10 After our meeting here is adjourned  
11 representatives from Columbia Gas will remain available with  
12 project maps and to answer questions about their project.

13 Next I'm going to talk a bit about the scoping  
14 process and public involvement in FERC projects in general.

15 First, the FERC is an independent, federal agency  
16 that among other things regulates the interstate  
17 transmission of natural gas. In this regard the FERC  
18 reviews and evaluates proposals to construct and operate  
19 interstate natural gas pipeline facilities, natural gas  
20 storage facilities, and liquefied natural gas terminals.

21 As a federal licensing agency, the FERC is  
22 required by the National Environmental Policy Act or NEPA to  
23 consider the potential environmental impacts associated with  
24 new natural gas facilities such as Mountaineer Xpress during  
25 its review and evaluation process.

1           Scoping, which we are engaged in tonight, is the  
2 period during which we solicit input from the public before  
3 beginning the environmental analysis. The idea is to get  
4 information from the public as well as agencies and other  
5 groups regarding what issues need to be addressed. This is  
6 an important step because it allows you to indicate what  
7 environmental resource issues are important.

8           Your comments tonight together with any written  
9 comments you may have already submitted or intend to submit  
10 will be added to the record and used to focus our  
11 environmental analysis.

12           For the Mountaineer Xpress Project the FERC is  
13 the lead federal agency for the NEPA review and the  
14 preparation of the EIS.

15           The U.S. Army Corps of Engineers, U.S.  
16 Environmental Protection Agency, West Virginia Department of  
17 Environmental Protection and West Virginia Division of  
18 Natural Resources have agreed to participate as cooperating  
19 agencies in the preparation of the EIS.

20           These agencies plan to use the EIS to meet their  
21 respective NEPA responsibilities associated with issuing  
22 their permits.

23           As I said earlier, the purpose of this meeting  
24 tonight is to give you an opportunity to comment on the  
25 environmental issues that you would like to see covered in

1 the EIS.

2           It will help us the most if your comments are as  
3 specific as possible regarding the potential environmental  
4 impacts and reasonable alternatives for the planned  
5 Mountaineer Xpress Project.

6           Scoping comments generally focus on the potential  
7 for environmental effects, but may also address construction  
8 issues, mitigation, and the environmental review process.

9           In addition this meeting is designed to provide  
10 you with an opportunity to meet with Columbia Gas  
11 representatives to ask them questions and to get more  
12 detailed information about their proposed route, facility  
13 locations, and construction plans.

14           Now I want to briefly describe our environmental  
15 review process for you. To illustrate how this process  
16 works, we've prepared a flow chart, right there. This was  
17 appended to the notice of intent or NOI and there are copies  
18 available at the sign-in table.

19           Currently we are near the beginning of our  
20 environmental review process. We are presently in the first  
21 of two periods labeled public input opportunities. Our  
22 review of the planned project began on September 16th, 2015  
23 when Columbia Gas' request to begin using the FERC's  
24 pre-filing process was approved.

25           The FERC's docket number for Mountaineer Xpress

1 is PF15-31-000. And that number is also on the top  
2 right-hand corner of the notice that you received.

3 The PF means that we are in the prefiling stage  
4 of the process. The purpose of the prefiling process is to  
5 encourage involvement by all interested stakeholders in a  
6 manner that allows for the early identification and  
7 resolution of environmental issues.

8 Once Columbia Gas files a formal application a  
9 new docket number will be assigned that is preceded with  
10 C-P, and that stands for the certificate proceeding stage of  
11 the process.

12 As of today no formal application has been filed  
13 by Columbia Gas and we are in the early stages of the  
14 project review period. However, the FERC along with other  
15 federal, state, and local agency staffs has begun review of  
16 the project.

17 For those of you who have access to FERC's  
18 e-library website for project documents, you've seen that  
19 Columbia Gas has begun filing draft resource reports. These  
20 draft documents describe Columbia Gas' planned project and  
21 as future documents are filed, they will describe the  
22 environmental features crossed by the plan project, the  
23 results of the environmental surveys, and Columbia Gas'  
24 proposed mitigation measures and plans.

25 On November 18th we issued our notice of intent

1 or NOI to prepare an EIS for this project which I hope most  
2 of you received in the mail. In the NOI we described the  
3 environmental review process, some already identified  
4 environmental issues, and the steps the FERC and cooperating  
5 agencies will take to prepare the EIS for the project.

6           The NOI also initiated the scoping period which  
7 will end on December 17th. However, the end of the scoping  
8 period is not the end of public involvement. We will accept  
9 comments throughout the review of the project. However, for  
10 us to adequately address your comments, analyze them, and  
11 research the issues, we ask that you try to get those to us  
12 as soon as possible. There will be an additional comment  
13 period once the draft EIS is published.

14           Once scoping is finished, our next step will be  
15 to begin our independent analysis of Columbia Gas' proposal  
16 and the project's potential impacts on the issues and  
17 resources identified during scoping. This will include an  
18 examination of the proposed facility locations as well as  
19 alternative sites.

20           We will assess the project's impacts on water  
21 bodies and wetlands, vegetation and wildlife, endangered  
22 species, cultural resources, socioeconomics, geological  
23 resources, soils, land use, air and noise quality, and  
24 safety.

25           We will assemble information from a variety of

1 sources. These will include Columbia Gas, the public, other  
2 federal, state, and local agencies and our own analysis and  
3 field work.

4           When complete, our analysis of the potential  
5 impacts will be published as a draft EIS and presented to  
6 the public for a 45-day comment period.

7           This draft EIS will be mailed to all interested  
8 parties. During the comment period we will hold more public  
9 meetings to gather feedback on our analysis and findings.  
10 After revising the draft EIS to respond to public comments  
11 and any new information, a final EIS will be mailed to all  
12 interested parties.

13           Please note that because of the size of our  
14 mailing list, the EIS is often mailed as a compact disk or  
15 CD. That means, unless you tell us otherwise, the EIS that  
16 you will find in your mailbox will be on a CD. If you  
17 prefer to have a paper copy mailed to you, you must indicate  
18 that choice on the return mailer attached to the NOI. You  
19 can also indicate that on the attendance sheet tonight at  
20 the sign-in table.

21           As I mentioned earlier, our issuance of the NOI  
22 opened a formal comment period that will close on December  
23 17th. The NOI encourages you to submit your comments as  
24 soon as possible in order for us to analyze and research the  
25 issues. If you received the NOI in the mail you are

1 currently on our mailing list and will remain on our mailing  
2 list to receive the EIS and any other supplemental notices  
3 we may issue about this project. If you return the mailer  
4 attached to the back of the NOI and indicate you wish to be  
5 removed from the mailing list, we will do so.

6           Again, there are extra copies of the NOI  
7 available at the sign-in table. The mailing list for a  
8 project of this scope is large and undergoing constant  
9 revision. You can be added to our mailing list by signing  
10 up at the sign-in table or by submitting comments on the  
11 project as long as you include your mailing address in your  
12 comment.

13           I would like to add that the FERC encourages  
14 electronic filing of all comments and other documents. We  
15 had a brochure, this one that was in the back, and we have  
16 extras that explains the FERC's e-filing system at the  
17 sign-in table.

18           Also instructions for this can also be located on  
19 our website at [www.FERC.gov](http://www.FERC.gov) under the e-filing link.

20           If you want to submit written comments, please  
21 follow the directions in the NOI. A link called  
22 e-subscription is also available for you to sign up using an  
23 e-mail address to receive e-mails each time a document is  
24 filed in the docket.

25           It is very important that any comments you send,

1 either electronically or by traditional mail, include the  
2 docket number for this project. So if any comments you  
3 submit, please include that docket number on the top. That  
4 will ensure that members of the staff evaluating the project  
5 will get your comments as soon as possible. And, again,  
6 that docket number for the Mountaineer Xpress Project is  
7 PF15-31-000.

8 Now, Julia is going to go into some other  
9 details.

10 MS. YUAN: Thanks, Joanne.

11 Now, I want to differentiate between the roles of  
12 two parts of the FERC, the Commission and the environmental  
13 staff. Joanne and I are part of the FERC environmental  
14 staff and we will oversee the preparation of the EIS for  
15 this project. We don't determine whether or not the project  
16 gets approved. Rather the FERC Commission which consists of  
17 up to five presidentially appointed commissioners is  
18 responsible for making a determination on whether to issue a  
19 certificate of public convenience and necessity to Columbia  
20 Gas.

21 The EIS will describe the project facilities and  
22 associated environmental impacts, alternatives to the  
23 project, mitigation to avoid or reduce impacts, and the  
24 environmental staff's conclusion and recommendations.

25 The EIS is not a decision document, but it will

1 disclose to the public and to the Commission the  
2 environmental impact of constructing and operating the  
3 Mountaineer Xpress Project.

4           The Commission will consider the environmental  
5 information presented in the EIS as well as public comments  
6 and a host of non-environmental issues such as engineering,  
7 markets, and rates in making its decision to approve or deny  
8 Columbia Gas' request for a certificate.

9           There is no review of FERC decisions by the  
10 president or Congress, which maintains the FERC's  
11 independence as a regulatory agency and provides for fair  
12 and unbiased decisions.

13           Only after taking the environmental and  
14 non-environmental factors into consideration will the  
15 Commission make its final decision on whether or not to  
16 approve the project.

17           At this time are there any questions about the  
18 scoping or the FERC process?

19           (No response.)

20           MS. YUAN: We will now begin the important part  
21 of the meeting where we will hear your comments.

22           We will first take comments from those who signed  
23 up on the speakers' list which was back at the table where  
24 you walked in from. If you would prefer, you may hand us  
25 written comments tonight or send them to the Commission by

1 following the procedures outlined in the NOI.

2           There is also a form at the sign-in table that  
3 you can use to write comments on and give them to me or one  
4 of the rest of us tonight. There are also instructions on  
5 the form detailing how to mail them in later.

6           Whether you provide your comments verbally, by  
7 mail, or electronically, they will be considered by FERC  
8 equally.

9           As I said before -- as Joanne said before, this  
10 meeting is being recorded by a court reporter so that all of  
11 your comments and questions will be transcribed and put into  
12 the public record.

13           To help the court reporter produce an accurate  
14 record of this meeting, I ask that you please follow some  
15 ground rules. When your name is called, please step up to  
16 the microphone, state your name, and spell it for the  
17 record. Identify any agency or group you are representing  
18 and define any acronyms you may use. I also ask that  
19 everybody else in the audience respect the speaker and  
20 refrain from any audible show of agreement or disagreement.

21           Lastly, before we start, as a courtesy to our  
22 speakers and the rest of the audience, please turn off or  
23 silence your cell phones.

24           We are now ready to call our first speaker.

25           MS. SUSEMIHL: All right. Charles Bedwell,

1 you're up first and on deck is Cynthia Ellis. Please make  
2 sure you spell your name out for the court reporter.

3 MR. BEDWELL: Charles Bedwell. C-h-a-r-l-e-s  
4 B-e-d-w-e-l-l. And I'm here representing the Triple R-K  
5 Farm which is a small family farm in Putnam County.

6 High-pressure gas lines, especially high-volume,  
7 high-pressure gas lines can be inherently dangerous. One  
8 only need reflect back on the incident in Sissonville that  
9 destroyed homes and a significant section of I-77 to  
10 recognize that fact.

11 But I'm not here to talk about that. There's  
12 plenty of p here that are going to talk about the  
13 environmental and safety impacts as we generally hear from.  
14 I'm here to talk about the impact that this pipeline will  
15 have on Triple R-K Farm.

16 We have a 90-acre plus farm. We have about 40  
17 acres of hay field. The other half is woods and pasture.  
18 The hay fields are the only flat ground on our farm. The  
19 proposed pipeline will traverse near the middle of both of  
20 my hay fields and be but a stone's throw from my back porch  
21 of a new brick home we built about a dozen years ago that  
22 was to be our forever home.

23 The proposed route will eliminate any possible  
24 future development of the property, part of which we had  
25 planned for our children's homes and for a family cemetery.

1           My research tells me that my hayfields will never  
2 in my lifetime return to their current rate of production  
3 and I have spent thousands of dollars to rehabilitate these  
4 fields that have been so long neglected before I bought the  
5 farm. I have rehabbed two barns, one shop, and built a  
6 third barn. I retired in 2003 and took another job just to  
7 have the funds to bring this farm back to life.

8           I have spent thousands of dollars for tractors  
9 and equipment. My wife and I have foregone vacations, going  
10 to movies, and even eating out just to ensure that we could  
11 continue to improve the property.

12           Now, this 36-inch, high-pressure gas line  
13 threatens the very viability of this farm. There is a  
14 cascading effect to what this pipeline will do to me and my  
15 family.

16           All practical use of the property will be lost.  
17 There will never be the hay yield that we have now, and any  
18 future development of the land is restricted by the  
19 right-of-way that's 50 foot through the middle of the  
20 property. We cannot build our children's houses on the only  
21 real flat ground available. We will lose our  
22 long-anticipated family cemetery with a beautiful country  
23 view. I will not be able to raise enough hay to feed my  
24 cattle or sell to others, which is what allows me to operate  
25 the farm as a business and claim the farm exemption on

1 personal property taxes. I will be forced to sell my  
2 cattle, to cease to operate my farm as a commercial  
3 enterprise. My property taxes will increase tremendously  
4 for ever. All my buildings and equipment will be taxed at a  
5 higher rate for ever. All of my buildings and equipment  
6 will be taxed. I will be forced to carry water to my  
7 children's horses because the pipeline will cut off their  
8 watering trough that cost thousands of dollars to construct  
9 while the pipeline is constructed and while the ground heals  
10 enough for the animals for me even transverse it.

11           And who gets the privilege of paying the property  
12 taxes on a farm that I can no longer farm? I do.

13           Just how does Columbia Gas anticipate that they  
14 can ever reimburse me for taking my livelihood, my  
15 children's inheritance, and the loss of my hard work and  
16 sacrifices? And that's really all I have to say.

17           MS. SUSEMIHL: Thank you.

18           Up next is Cynthia Ellis. On deck we have Todd  
19 Mullins.

20           MS. ELLIS: My name -- my name is Cynthia Ellis,  
21 C-y-n-t-h-i-a E-l-l-i-s. I live on Steel Ridge north of  
22 Eleanor in Putnam County, West Virginia, the proposed route  
23 of the Mountaineer Xpress pipeline is nearby. My concerns  
24 are varied and are from our family and my community and for  
25 our safety and our environment.

1           Firstly, it's troubling that this large project  
2 will intrude upon my area. Putnam County is already riddled  
3 with conventional gas wells and threaded through small and  
4 moderate-sized pipelines. Farmers and other landowners have  
5 made concessions and sacrifices for land use in regard to  
6 these existing wells and lines. With the MXP they'll be  
7 tasked again with giving up plans for land usage and facing  
8 lower property values due to the presence of existing  
9 pipelines. And they will face new threats of a possible  
10 catastrophic accident in their back yard.

11           Secondly, it's not clear that any projected  
12 benefits of the MXP will outweigh costs and losses for areas  
13 adjacent to the line. It's not clear if predicted tax  
14 revenues could absorb the losses incurred by erosion and  
15 fouled water, both of which have occurred in similar  
16 projects.

17           In July of this year, the town of Peterstown,  
18 West Virginia lost the use of its public water for two and  
19 one half weeks due to contamination by diesel fuel from  
20 pipeline construction equipment.

21           In October in Virginia near Monroe County, West  
22 Virginia, a citizen monitoring group took photos of a slip  
23 failure at a Columbia Gas project on Peters Mountain in the  
24 Jefferson National Forest.

25           Incidents such as these make us fearful for

1 similar accidents here. And on the matter of safety, those  
2 of us with smaller pipelines existing on our property  
3 believe we have reason to be skeptical of gas company  
4 assurances regarding maintenance.

5 My 60 acres is the location of one conventional  
6 well along with a six-inch pipeline and also an eight-inch  
7 pipeline. Structural inspections are far from routine and  
8 vigilance is required of our local property owners in the  
9 matter of leaks.

10 On a larger scale we here cannot forget the huge  
11 gas pipeline explosion at Sissonville, West Virginia on  
12 December 12th, 2012. We have apprehensions about  
13 preparedness on the part of the gas company and of county  
14 emergency forces.

15 We wonder who will pay for extra planning and  
16 extra cleanup. With this pipeline there will be  
17 environmental effects. The proposed route does not run  
18 through national or state forests, but the fields and wooded  
19 habitats that are part of my county and other counties are  
20 valuable to humans and wildlife as well.

21 Each construction project and possible  
22 maintenance will make impacts. For me with this most recent  
23 eight-inch pipeline at my home there was a tremendous new  
24 growth of the invasive plant, Japanese Stilt Grass. Deer do  
25 not eat it, and it offers no food or cover for small mammals

1 or birds, and that's just one instance of the kind of  
2 problems that accompany projects such as this with their  
3 concentrated use of earth-disturbing equipment.

4           A cleared swath of this size promises to  
5 contribute much to habitat change and fragmentation. Each  
6 time areas of field and forest are chopped up by activities  
7 such as this, there's much opportunity for reproductive  
8 failure in a number of species, especially birds.

9           I've been a volunteer with bird population  
10 surveys for state and federal agencies for 33 years. Two  
11 examples of affected species that come to mind here will be  
12 the whippoorwill and the cerulean warbler. The first is  
13 prized as a bird symbolic of Appalachia. The second is tiny  
14 and brilliantly blue. Both birds are in decline. The  
15 cerulean warbler is steeply so. Its population has declined  
16 82 percent since 1966. And I'm sure your biologists are  
17 already aware of the resource of the West Virginia Breeding  
18 Bird Atlas which shows breeding populations for these birds.  
19 These can be checked out online and people interested will  
20 be able to see it. For those two birds and the other birds,  
21 they're breeding their core breeding bird populations is  
22 where the pipeline is going to go.

23           Finally, I have concerns for our next generation.  
24 Big changes are looming with energy choices. As someone who  
25 wears a solar watch and use a solar water heater, I'm taking

1 advantage of those. But it would be -- like all of us, I  
2 want our families to enjoy warmth, comfort, and convenience.  
3 But it would be decidedly unfortunate if the land, water,  
4 and air qualities for our children were compromised by  
5 hurried decisions.

6 The Commission should proceed very deliberately  
7 and thoroughly as they study the proposal and never forget  
8 that one option of no build. Thank you.

9 MS. SUSEMIHL: Thank you. Todd Mullins, you're  
10 up. And on deck is Robin Blakeman.

11 MR. MULLINS: Todd Mullins, T-o-d-d  
12 M-u-l-l-i-n-s. I'm a 20-year member of the International  
13 Union of Operating Engineers, Local 132 in the state of West  
14 Virginia. The Operating Engineers is a diverse trade union  
15 that primarily represents people who work as heavy equipment  
16 operators, mechanics and surveyors in West Virginia all  
17 throughout the United States as well. We represent people  
18 in the construction industry.

19 We also represent people in a stationary aspect  
20 of things who work in maintenance and buildings and  
21 industrial complexes that you would see maybe over here at  
22 FMC and such.

23 I want to start off by thanking FERC for doing  
24 such a good job in regulating our interstate transmission,  
25 electrical and gas, ensuring that these projects such as

1 this one is completed in a way that protects the land, the  
2 landowner as well as the environment is very important. And  
3 one way to achieve this task in protecting the land and the  
4 environment is by using local workers who are skilled at  
5 their craft. These workers who many are in this room today  
6 -- this evening -- are some of the highest-skilled craftsmen  
7 in the industry. These people are your neighbors, your  
8 friends, and your relatives. These people are the ones who  
9 care most about getting the job done safely and on time  
10 because we live here. We send our kids to school here, and  
11 we go to church here. We spend our money here. These  
12 people take pride in their communities.

13           Being a landowner myself, I'd like to encourage  
14 Columbia Gas as they've always done to continue working with  
15 the landowner and coming up to a happy medium which we could  
16 all live with, with projects such as this.

17           I personally want to thank Columbia for using  
18 local workers in the past and performing this type of work  
19 and hope that we can continue to do so.

20           Thank you.

21           MS. SUSEMIHL: Thank you. Robin Blakeman, you're  
22 up. And on deck is Greg Carroll.

23           MS. BLAKEMAN: My name is Robin, R-o-b-i-n,  
24 Blakeman, B-l-a-k-e-m-a-n. And I represent three  
25 organizations that I'm affiliated with tonight. One is the

1 Ohio Valley Environmental Coalition. Another -- a newer  
2 group is the Ohio River Citizens Alliance, and the third is  
3 the Stewardship of Creation Ministry Team of the West  
4 Virginia Presbytery because I am an ordained Presbyterian  
5 minister. I'm also an employee of the first organization  
6 that I mentioned.

7           But, I'm here for the primary reason of concern  
8 for my friends and neighbors and family who are going to be  
9 affected by this pipeline. I'm a residential of Cabell  
10 County. My entire immediate family, my mother, my brother's  
11 family, my daughter all reside in Cabell County. And I have  
12 multiple friends and affiliations there, so I'm really  
13 concerned about the tie-in of the pipeline to the aging  
14 infrastructure in Cabell County. I'll get to that in a  
15 minute.

16           In deciding whether to approve this pipeline FERC  
17 should weigh the fact that it will mean more fracking.  
18 Energy companies tell us more pipelines will mean more  
19 national energy security. But it sure looks as though one  
20 big aim of these pipelines is to facilitate the export of  
21 the products of deep shale extraction.

22           FERC should examine whether there really is a  
23 need for this pipeline or not. And define what is meant by  
24 the word "need" and note whose needs are being served. It's  
25 my personal opinion that it is not the needs of West

1 Virginia residents in the long term other than some  
2 short-term jobs.

3 As a face community leader, I would encourage  
4 some evaluation of the moral costs of this pipeline to  
5 social structures and residents in the economically  
6 challenged areas it will run through which are quite a few.

7 Safety issues including costs incurred for leaks  
8 and/or explosions by county, city, state, and national  
9 disaster assistance and first responder groups should also  
10 be considered in view of this pipeline's proximity to  
11 communities where there are houses, schools, churches, and  
12 businesses.

13 I've heard this pipeline possibly may be  
14 constructed of cheaper steel from another country. If so  
15 the likelihood of leaks or explosions can be multiplied.

16 The impact on our local ecosystems is also a  
17 potential cost that should be factored into the equation. I  
18 surely am glad to hear that FERC is planning to conduct a  
19 full environmental impact study and I look forward to the  
20 results of that. And I hope that in that study you will  
21 also consider the cumulative effects that not only this  
22 pipeline, but others that are proposed for West Virginia  
23 will have on the environment of our state which is very  
24 fragile in many, many areas and very critical. I would  
25 remind you that West Virginia contains a major amount of

1 headwater streams for the Ohio River, the Potomac River, and  
2 the James River.

3           Therefore, any major leaks from pipeline  
4 operations in this state would catastrophically impact the  
5 tap water supplies for multiple states along the eastern  
6 seaboard.

7           In light of the above, FERC should examine true  
8 costs including the moral costs that allowing the  
9 construction of this pipeline would mean for future  
10 generations in terms of the impacts on climate, water  
11 resources, and current infrastructures.

12           Shipping this gas and/or liquefied petroleum  
13 products overseas puts an unfair burden on current  
14 communities through which pipelines run and on future  
15 American generations that will have to deal with cleanup  
16 issues and who will not have access to these resources if  
17 needed due to the fact that they've already been shipped  
18 overseas.

19           Further, compressor stations and their  
20 construction will diminish air quality and have increased  
21 noise levels in the communities that they impact negatively.

22           The proximity of compressor stations and  
23 pipelines to communities and nearby residences needs to be  
24 taken into consideration. How will we mitigate the adverse  
25 effects of these things?

1           Because of the flammability of methane, the  
2 pipeline is at risk of an explosion. FERC should consider  
3 the blast radius should an explosion occur and how many  
4 residences are within the blast radius. I am particularly  
5 concerned about this in Cabell County where the Columbia Gas  
6 people just told me that they don't even know the age of  
7 that pipeline. One said it could be dated back to the 80s,  
8 the other said it could be dated back to the 50s. So the  
9 pipeline that it will tie into in Cabell County could be  
10 quite old and could be in need of far more infrastructure  
11 replacement than is planned.

12           Constructing this proposed pipeline will increase  
13 forest fragmentation. So FERC should evaluate how many  
14 acres of forest will be fragmented and the impact on local  
15 wildlife.

16           FERC should inventory rare, threatened, and  
17 endangered species that rely on the habitat in the proposed  
18 route. For example, as Ms. Ellis pointed out, the cerulean  
19 warblers population that is declining. FERC should evaluate  
20 how the proposed pipeline will impact at-risk species  
21 through disturbance, habitat loss, breeding, et cetera.

22           FERC should also evaluate the impacts of  
23 increased sedimentation from runoff and the loss of top soil  
24 during construction. We have some of the finest trout  
25 streams that exist in this nation in West Virginia's rural

1 areas, and we'd like to keep them that way.

2 West Virginia is known for its outdoor  
3 recreational opportunities, not only trout fishing, but  
4 hiking, skiing, and a variety of other -- other activities.  
5 FERC should evaluate how the pipeline would impact outdoor,  
6 non-motorized recreation and tourism. The proposed pipeline  
7 would cross streams, rivers, and wetlands. FERC should  
8 evaluate how many crossings will occur. The acres of  
9 wetlands to be disturbed, and how the pipeline will impact  
10 springs and drinking water resources. Many folks in West  
11 Virginia rely on ground water for their home water sources.

12 Impacts to fresh water streams would also affect  
13 fisheries which is an important part of the state's ecology  
14 and tourism and an important protein supplement for  
15 low-income people in this state.

16 With impacts to the hydrology there could be  
17 cumulative impacts such as flooding, so FERC should evaluate  
18 how the construction impacts will disturb streams and  
19 wetlands.

20 West Virginia does contain many cultural  
21 resources, so I'm glad that you are including that in your  
22 study. There's native Americans, civil war artifacts, union  
23 organizing artifacts, FERC should examine how the proposed  
24 pipeline's construction will impact these cultural resources  
25 as well as the many hundreds, if not thousands of small

1 family cemeteries that exist in our hills and mountains.

2           We've already had one family cemetery desecrated  
3 by a road that was constructed in the course of pipeline  
4 maintenance in Logan County, West Virginia. So I would  
5 encourage you to take that into consideration.

6           Our state host ecologically diverse vegetation  
7 which can provide economic benefits such as ginseng, and  
8 several tree species. FERC should evaluate how the pipeline  
9 will impact these and other important vegetation species.  
10 West Virginia has a diverse wildlife population from large  
11 mammals to small salamanders that play an important role in  
12 the ecosystem. FERC should evaluate how the construction  
13 will impact West Virginia's wildlife species including  
14 breeding and nesting grounds, migration routes, and  
15 increased predation from the proposed pipeline corridor.

16           Thank you for this time.

17           MS. SUSEMIHL: Thank you.

18           Mr. Carroll and on deck we have Dianne -- I'm  
19 sorry, Bady.

20           MR. CARROLL: Hello. My name is Greg Carroll,  
21 first name G-r-e-g last name C-a-r-r-o-l-l. I'm a landowner  
22 who will be affected by this pipeline. Thank you for  
23 allowing us to at least come to hear and voice some of our  
24 concerns.

25           I am of the opinion that this line should be

1 referred to as the anti-mountaineer pipeline because it will  
2 be destroying our mountains and damaging our mountain  
3 heritage.

4           My first and foremost complaint is the simple and  
5 and irrefutable fact that we feel that this line will  
6 eventually be forced down our throats regardless of our  
7 concerns or feelings. Can you blame us, if it seems to us  
8 that most of our government agencies, this time FERC, are  
9 basically working directly with huge corporate entities to  
10 make the extraction of natural resources as profitable and  
11 as easy as possible. That's how we feel. And you know that  
12 that's the case because you've been listening to us for a  
13 while. After you spend a few days listening to our -- us  
14 little landowners make our complaints, you're probably going  
15 to permit this line and give these corporations just about  
16 whatever they want.

17           This time I ask you to do your job with more  
18 diligence and serious empathy for us small people who are  
19 having our land abused. Don't let this become a sort of  
20 public relations job that you'll be allowing. At minimum  
21 effort, in the end, you'll be allowing these companies to  
22 take our land, ripping it up, chopping down our forests,  
23 utilizing our roads, seriously damage our creeks and  
24 watersheds, placing a very dangerous and eventually leaky  
25 pipeline on our now useless property and throwing us a few

1 dollars to shut us up. That's how we feel.

2           Perhaps you can show us that this is not always  
3 the final outcome of this process. It is FERC's duty to put  
4 everything in the record before this permit is allowed in  
5 your certificate policy statement in deciding whether to  
6 ostracize the destruction of major, new natural gas  
7 facilities. The Commission balances the public benefits  
8 against potential, adverse consequences.

9           Will your people please list in detail what are  
10 the possible adverse consequences of this pipeline. There  
11 are many folks right here probably who just do not  
12 understand the many problems these lines cause. And how  
13 about the overbuilding of these pipelines? The price of gas  
14 if falling and the use of alternative energy sources is  
15 rising. Your policy statement continues in quotes, the  
16 threshold requirement for pipelines proposing new projects  
17 is that the pipeline must be prepared to financially support  
18 the project without relying on subsidization from existing  
19 customers.

20           So far I do not think this has been proven. I'm  
21 not naive. My grandfather worked for Pure Oil for 30 years.  
22 I'm a union man myself. I use gas to cook and back up my  
23 heating. But proudly I use very little and through my use  
24 of wood as my main heating source, I try to avoid the use of  
25 gas whenever I can.

1           Most of us folks here conserve as much as we  
2 absolutely can. But we are aware that gas usage will be  
3 around for several years to come.

4           But I want to make sure that the people here in  
5 the audience realize, this pipeline is not going to be used  
6 for your needs. This will be a link in the huge fracking  
7 industry that will be shipping gas to the Gulf Coast for  
8 refining and selling overseas, probably to China. This  
9 fracking nightmare is tearing up whole counties in northern  
10 West Virginia while we are sitting here. Anyone who wants  
11 to actually see this damage, and you all have probably seen  
12 it yourself, can drive right up there and take a look. It  
13 is not pretty. Texas, Ohio, Pennsylvania, Oklahoma, as you  
14 all know, these states that are being fracked right now are  
15 reporting multiple environmental disasters including large  
16 leaks, explosions and earthquakes. We're all going to look  
17 forward to the earthquakes we're going to get.

18           Next, the gas industry is polluting our political  
19 process by flooding our legislature with large amounts of  
20 lobbying cash to make sure that they have little to no  
21 regulations passed that would slow them down with  
22 burdensome, environmental protections. They don't want  
23 that.

24           I challenge anyone here to find any more than a  
25 few legislators in our house or senate that will say

1 anything against the gas industry. Money talks and the rest  
2 of us can just take a walk.

3           So what can we do to stand up and demand some of  
4 the basic things that we as citizens of the United States  
5 should deserve. First, we should get a fair payment for our  
6 easements, not the local land value that they want us to  
7 accept quickly. This value should be assessed as to how  
8 much they are making transferring millions of dollars of  
9 gas across our land.

10           Do not sign these easements until you have gotten  
11 legal representation and have made these people answer all  
12 your questions and have paid you the real value of your  
13 property. Remember folks, once your land is basically  
14 taken, it's taken over completely. They'll have 24-hour  
15 access to it and they will try to tell you what you can and  
16 cannot do there. Make no mistake about that.

17           Make sure the easement cannot be moved later.  
18 Don't accept empty promises. Make the location of this  
19 pipeline across your property clearly marked and allow no  
20 changes without your okay.

21           Make sure you can use the easement for whatever  
22 you want so long as it does not interfere with safety. Do  
23 not let them limit the ability to safely use your own land.  
24 We're confused, of course, about what this means in signing  
25 these easements. A lot of folks will be signing easements

1 without any of these protections because they don't know any  
2 better.

3           Make sure that the easement is -- if it's no  
4 longer in use, that it reverts back to you. You might not  
5 see the day that they stopped pumping gas, but your  
6 grandkids might see that day.

7           They will thank you for doing that for them and  
8 that should be in the easement agreements. You have the  
9 right to arrange for more agreements like how they cut your  
10 timber and how they will repair and keep up your roads and  
11 prohibitions on hunting, fishing, or camping on your land.  
12 Gates and fencing should be put up to stop any kind of open  
13 access to the property.

14           And lastly, we all need to worry about the  
15 possibility that these corporations may one day attempt to  
16 change the substance they are transporting in these lines  
17 from plain, old natural gas to the much more dangerous  
18 liquefied products that they know are much more pressurized  
19 and much more volatile. I mean, we know about those  
20 problems.

21           Even as we speak right now, there are  
22 corporations that are trying to pass laws that they can  
23 change over what they put in those old lines. Right now  
24 they're trying to change those laws. Once again, that  
25 should be resisted adamantly and made legally impossible in

1 writing. In other words, that's what we're going to be  
2 asking the FERC people is what they're putting in those  
3 lines. If it's going to be plain natural gas, that's a lot  
4 less volatile than the other liquefied products that we're  
5 afraid of.

6           Once again, do not sign these easements until you  
7 are sure about the environmental and financial questions I  
8 have just outlined the use of and even if that means going  
9 clear to the eminent domain process in court. These big  
10 boys do not want to have to take you to take you in front of  
11 a judge and jury because they may find that you will be  
12 given much more than the small amounts they are now  
13 offering. Especially if you can show that they have already  
14 made environmental mistakes in construction.

15           Folks, you all know this, you heard it from all  
16 the people and you've been all over the state doing these  
17 hearings. Our land is the most valuable thing we've got.  
18 Please do not give it up easily or without environmental  
19 protections. I appreciate the chance to speak to you and  
20 I'll be sending written statements to your offices. Thanks  
21 a lot.

22           MS. SUSEMIHL: Thank you. Dianne.

23           MS. BADY: Hi, my last name is spelled B-a-d-y.

24           In order to grant a permit for a new pipeline,  
25 the law says that FERC is required to avoid unnecessary

1 disruption of the environment. In deciding whether or not  
2 to approve the pipeline, and, by the way, I'm with Ohio  
3 Valley Environmental Coalition and we would like to see this  
4 pipeline denied.

5           But in deciding whether to approve this pipeline  
6 FERC should weigh the fact that it will mean a lot more  
7 fracking. In my area in Wayne County, Putnam County, Cabell  
8 County, hundreds of thousands of acres have already been  
9 leased by land agents for companies hoping to frack the very  
10 deep Rogersville shale. People in north central West  
11 Virginia are suffering. The roads are being ripped up.  
12 Health studies in Pennsylvania, multiple health studies in  
13 Pennsylvania where fracking has been going on longer are  
14 showing serious health problems linked to the fracking  
15 process.

16           I don't understand how it's possible to say that  
17 this pipeline could be built without unnecessary damage to  
18 the environment. In the Marcellus fracking area of West  
19 Virginia, they go about 5,000 feet deep. In the Rogersville  
20 shale the test wells are 14 and 15,000 feet deep. And  
21 fracking the Rogersville shale, 15,000 feet deep it has  
22 already been permitted at, at least two wells in eastern  
23 Kentucky just right over the border from Wayne County West  
24 Virginia.

25           So just in the last few weeks or months, the

1 federal government has way upgraded the amount of  
2 recoverable gas they say there is in West Virginia. And,  
3 according to the director of the West Virginia Oil and Gas  
4 Association, this is because of the new discoveries of how  
5 much gas is available in the deeper Utica shale that's  
6 underneath the Marcellus shale. I hate to think of people  
7 whose lives have been destroyed by Marcellus fracking. Here  
8 that -- now the gas industry wants to come back and go even  
9 deeper to get the Utica. And there's also the Rogersville  
10 shale which until recently both the government and the  
11 industry thought was just too deep to frack.

12           Again, I'm bringing all of this up because FERC  
13 is required by law not to approve this pipeline if it's  
14 going to cause unnecessary environmental damage.

15           [PAUSE]

16           MS. BADY: Another legal requirement of FERC is  
17 it's against the law -- I know the law isn't always  
18 followed, but what the law says is that in approving a new  
19 pipeline that FERC must avoid the unneeded exercise of  
20 eminent domain. My bet is the only way this pipeline could  
21 ever be built is by forcing many landowners to give up their  
22 land by the eminent domain process.

23           This pipeline would be going through populated  
24 areas and people in our area have learned that government  
25 agencies will not protect our interests. Why should any

1 landowner believe that a gas company or government  
2 regulators, whether it be federal or state, will make sure  
3 that their land, water, and air are going to be protected.  
4 The people living near Marcellus fracking here in West  
5 Virginia, their air, water and land has not been protected.  
6 There's a lot of the water buffalos outside people's houses  
7 now. I'd really hate to get all of my water from a giant  
8 plastic tank and have no clue what is in the water they're  
9 putting in the tank.

10           Just two years ago the drinking water supply for  
11 this area, 300,000 people, was contaminated because nobody  
12 in the government bothered to enforce laws, regulations, and  
13 permit requirements. Many of us have fought for up to 20  
14 years to try to stop the massive destruction of mountaintop  
15 removal just a couple hours south of us here. Our  
16 politicians and regulators did whatever was needed to make  
17 sure that mountaintop removal companies could eventually --  
18 could essentially force thousands of people out of their  
19 ancestral homes and obliterate many small communities when  
20 they got in the way of the drive lines or when they got --  
21 when they needed to be buried by monster valley fuels.

22           So FERC people, don't expect that everybody here  
23 is going to trust you with a big pipeline of explosive gases  
24 going through our communities and our land. Less than a  
25 year ago a train carrying fracked oil blew up not far from

1 here. It's been maybe a couple years since a gas pipeline  
2 blew up beneath nearby Sissonville and it destroyed people's  
3 homes and it also melted the highway.

4 I've seen -- we've seen footage -- filmed footage  
5 of major pipeline explosions in eastern Kentucky.

6 [PAUSE]

7 MS. BADY: There are two 14- or 15,000-foot deep  
8 Rogersville shale test wells in Putnam county. The first  
9 one was done by Cabell Oil and Gas. West Virginia has  
10 already granted Cabell Oil and Gas' request to keep all the  
11 results from that test well secret for three years. Even if  
12 production starts the state has said, ah, you want secrecy,  
13 fine. We'll give you secrecy.

14 I understand people need jobs. Jobs putting in a  
15 pipeline would be temporary. The destruction of the  
16 environment through more and deeper fracking would be  
17 permanent.

18 Again, you're supposed to not grant a new  
19 pipeline unless there's a need for it. As others have  
20 stated the gas market is glutted. The only hope that the  
21 gas companies have is more exporting. FERC isn't required  
22 by law to see whether the rest of the world needs this  
23 pipeline. It's whether the United States needs this  
24 pipeline and it doesn't. There are a lot of people who say,  
25 well, don't worry, there's not going to be any fracking, any

1 new fracking for a long time because the gas prices are so  
2 low. Yeah, a lot of smaller operators have gone out of  
3 business. But the really big fracking companies, the two  
4 biggest in West Virginia, for example, are making lots of  
5 money, even with the low gas prices. But the way they are  
6 doing that is they're using complicated financial hedging  
7 schemes.

8           An example, EQT in the third quarter of 2015 had  
9 a \$50 million profit. Largely because of their hedged  
10 financial schemes. Without their hedges, they would have  
11 lost \$40 million. So new gas wells are being dug in West  
12 Virginia and if this pipeline goes in, the gas industry and  
13 our regulators will think this is just a fine area to  
14 experiment with fracking so deep that it has in the past  
15 been considered impossible to do.

16           Again, it seems as though the easy-to-frack gas  
17 has already been fracked. The very deep Rogersville could  
18 be the beginning of an experiment on the next generation of  
19 hard-to-frack gas.

20           So what happened when the coal industry ran out  
21 of easy-to-mine coal? They bought politicians, they blew up  
22 mountains, they buried streams and homes and poisoned  
23 waterways. We don't need the Mountaineer Xpress pipeline to  
24 make it easier to create even more fossil fuel sacrificed  
25 zones in this state.

1           And if you think this is going to be an easy  
2 process, getting this pipeline through, I suggest you think  
3 again.

4           MS. SUSEMIHL: Thank you.

5           That completes our list at this time. We would  
6 like to welcome anyone else who wants to provide a comment  
7 tonight to come up.

8           (No response.)

9           MS. YUAN: All right. Without any more speakers  
10 the formal part of this meeting will conclude.

11           On behalf of the Federal Energy Regulatory  
12 Commission I would like to thank you all for coming tonight.

13           Let the record show that the Mountaineer Xpress  
14 Project Scoping Meeting in South Charleston, West Virginia  
15 concluded at 7:04 p.m.

16           Thank you.

17           (Whereupon, at 7:04 p.m., the meeting was  
18 adjourned.)

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