

PEOPLE'S TRIBUNAL ON HUMAN RIGHTS AND ENVIRONMENTAL JUSTICE IMPACTS OF FRACKED GAS INFRASTRUCTURE

TESTIMONIES

Please note the varied media and type of testimonies submitted in full below. Some testimonies are transcriptions of video testimonies and letters read, the video originals of which are available on our people's tribunal website; some were submitted by hand at our tribunal event to our three expert judges later given to the organizers; some are revised written statements. Photographs referred to in testimonies below were deleted in this document because of too-large file size. Power point slides and other media submitted by testifiers at the event are available on our website next to testifier's name: <https://www.vapeopletribunal-humanrightsenvironmentaljusticeimpactsfrackedgas.com/>

#1 Introduction and Welcome

Lakshmi Fjord, Chair – Charlottesville People's Tribunal on Human Rights and Environmental Justice Impacts of Fracked Gas Infrastructure; Friends of Buckingham

Welcome to all of you here and on live-stream to the People's Tribunal on the Human Rights and Environmental Justice Impacts of Fracked Gas Infrastructure. I'm Lakshmi Fjord of Friends of Buckingham. This event idea arose in direct response to the violent and racist events of August 11-12 in Charlottesville, in which I, and many here, participated as nonviolent witnesses. Virginians ask ourselves: where do we stand on the racist heritage of Virginia? How and where does racism manifest itself in present day social systems and institutions? Today, in this tribunal, one of those questions is: What direct relationship is there between the extremist racist violence perpetrated in the name of preserving Virginia's heritage in Civil War monuments these Confederate generals explicitly didn't want -- and the slow violence of locating the Atlantic Coast Pipeline's only enormous, highly toxic polluting Virginia compressor station in an 85% African American, historic Freedmen community of Union Hill, Buckingham, Virginia? What are the cost benefits of racism specifically and environmental injustice more broadly?

Today, together, each one of us is helping by our attention and presence to create a safe place to listen to, observe, and learn from people telling their stories from across West Virginia, Virginia, and North Carolina. They are people whose communities, cultural resources and heritage lands, economic wherewithal, and present clean air, water, and soil are now the resources on the routes of two new fracked gas interstate pipelines -- the Atlantic Coast and the Mountain Valley Pipelines.

Because the Federal Energy Regulatory Commission or FERC issued both pipelines their certificates of use on Oct. 13th, many people who wanted to give testimony cannot, because already surveyors are entering their lands without permission. This heightened distress felt by those present only reinforces the need to make City Space right now a sacred place -- a place of shared attention and intent created by our thoughts and actions.

*With that in mind, please turn off and put away your phones for there will be no photography, video or audiotaping except by the tribunal documentarians.

*Please enjoy the bounty of food at the buffet given by our generous donors, and do so in silence, as if on a silent retreat.

*Allow yourself the rare opportunity to fully become *the witness* for others' sakes.

*If you experience the pressing need to talk, please do so in the large patio outside the front door.

*The accessible bathroom is to your left on this hall. It may be accessed through the hallway on your far left. Please keep an aisle on your right for speakers to pass up and back to the podium.

What you will hear and see today has its roots in pasts that have not passed. We begin and end with testimonies from Native Americans – for all lands we now cherish including those on these pipeline routes were once part of that diverse set of nations. Where their ancestors faced colonizers' appropriations and displacements of families and communities -- the impacts of which are still felt in discriminations that include environmental racism.

With the design of this particular people's tribunal, my hope is that the evidence given here will have maximum traction and not disappear. To ensure that, we are live-streaming through our Facebook page and will keep the live-stream archived on a Tribunal website. We will send the entirety of this videotape, the expanded written testimonies of speakers here and those not able to attend, to the Permanent Peoples' Tribunal on Fracking as evidence for their hearing in Rome in 2018. We will make short and longer videos of these testimonies. Our intent is for this event to make testifiers' voices as widely accessible as possible. To inform those new to this issue using evidence of human rights concerns and environmental injustices occurring right before our eyes. For, these have largely been made invisible because of the power of the forces seeking to silence and erase them.

Now, I have the great pleasure of introducing you to our panel of experts serving as our judges.

Lois Gibbs is the founder and Executive Director of the Center for Health, Environment and Justice, a 36-year-old advocacy group that has helped over 15,000 grassroots groups with their struggles for justice and human rights. And, this tribunal is the outcome of such a CHEJ grant to Friends of Buckingham. As a 27-year-old housewife in 1978, Lois organized her neighbors to oppose a 20,000-ton toxic chemical dump in Niagara Falls, NY, next to her child's school. She and the Love Canal Homeowners Association successfully fought Occidental Petroleum and government officials to win a major victory two years later and protect her community. Lois has received many awards for her work, including the Goldman Environmental Prize, the Heinz Award, and the John Gardner Leadership Award. In 2003, she was nominated for the Nobel Peace Prize as a result of her tireless efforts, which continue to this day.

Dr. Adrienne Hollis is the Director of Federal Policy at WE ACT for Environmental Justice, a 30-year-old environmental justice advocacy group that works to empower and organize low-income, people of color to build healthy communities for all. As an experienced environmental toxicologist and environmental attorney, Dr. Hollis has worked with many community organizations building a wealth of experience in community-based participatory research on environmental justice issues. She teaches at the American University Washington College of Law and the George Washington University Milken Institute School of Public Health.

Dr. James Igoe is Associate Professor of Anthropology at the University of Virginia. His work focuses on how people's experiences of their place in the world relate to nature, including in conflicts between nature conservation efforts and indigenous and local communities, community-based development, and grassroots social movements in Tanzania, Pine Ridge, South Dakota, and New Orleans, Louisiana.

At the close of the testimonies, the judges will retire to write their statement of opinion and recommendations. While they do this, we turn off our recordings and gather together for facilitated Next Steps Organizing. This is when each present may give voice to how best to strategize with this rare assembly across the geography of two pipelines to plan collaborative actions.

As part of our mission to make information about these pipeline impacts more accessible to the general public, we begin our testimonies with representatives from each of 4 cultural categories of environmental justice communities. Since economic profits are why people face these environmental impacts, we have asked for overviews of both.

We have asked the testifiers to keep to a strict time limit only because of the huge response by people wishing to give testimonies. Please know we respect and honor your voices and wish we didn't have to shorten your important evidence. It is only in the interest of inclusion that we do this. Thank you for your understanding!

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NEXT STEPS ORGANIZING

Now, we turn off our live-stream and videotaping and turn to Next Steps Organizing. We are so fortunate that Vernice Miller-Travis is able to be our lead facilitator. She leads an environmental consulting group, Miller-Travis & Associates, and is a Senior Associate at SKEO Solutions. Through both, she works with communities undergoing economic disinvestment and environmental degradation to implement community revitalization and sustainable redevelopment. She is reappointed to the US EPA's National Environmental Justice Advisory Council.

For our Breakout groups, we have a great line-up of skilled facilitators:

Michele Mattioli, Virginia Organizing; Carolyn Reilly, Bold Alliance, Lee White, Charlottesville Rising; Ken King and Lou Cross, Virginia Student Environmental Coalition – VSEC; Lakshmi Fjord, Friends of Buckingham
AFTER NEXT STEPS
CLOSING: Judges Statement and Recommendations

#2 Karenne Wood, Poem, Monacan Indian Nation

"A poem written in response to the loss of native culture and what is happening to native kids. When we lose our language we lose our connection to our homeland. There is an electricity and living energy in language. " Karenne Wood

What It Is

Around us charged particles of sound,
Language is lost every word
For what matters

We can feel lightening before it arrives,
The scalp tingles
Sparks course through capillaries
Hairs electrify
What an Indian won't say in any language
We can't forgive ourselves
Because we lost the land,
Ousted
Does why matter?

Fenced out we turn away,
But cannot let go.
Every evening bruised syllables,

Trees full of owls,
A cacophony of sirens.
Embers smoldering on our lips.

#3 Andrew Tyler, Coalition of Woodland Nations, Indigenous Communities

Wingapo! I greet you in the language of my father's people. My name is Andrew Tyler. I am a member of the Coalition of Woodland Nations. We are the descendants of the original people of this continent. We were here first. We have been here for thousands of years. We have always been here. We are still here. Five hundred years ago my ancestors watched as the first boat people, the first undocumented aliens, the settlers, the colonist invaders, arrived on our lands in their wooden boats from a far-away place. They were armed with the doctrine of discovery. They looked upon our homes and claimed eminent domain, and they began to take and take and take. When they were starving we gave them food. They gave us smallpox and alcohol, they gave us bullets and cannon fire, genocide and forced relocation. They took our children and put them in boarding schools. They gave us five hundred plus years of colonization; but, despite their best efforts to eradicate us we are still here. This red tear that I wear under my left eye I wear to acknowledge the sacrifices of my ancestors they suffered much and gave much so that I can stand here before you today, and I give them thanks.

When I look to the future I think of my grandson. When he has grandchildren of his own what will the world be like. Will he have clean air to breathe, and clean water to drink? This is why I'm before you today. My grandson is counting on me. We as native people are taught to make decisions with the future generations in mind. My ancestors thought seven generations ahead, and I'm looking seven generations into the future. I can't let him down!

Look around you, you'll see that I'm not alone in this. So, here we are today, five hundred years later and the dominant culture still looks upon our homes and claims eminent domain. Only now they're not only looking at native people, but non-native people as well; people with homes and farms and businesses. Corporate entities and their political allies who are blinded by the sickness of greed, they're pitiful, I pray for their grandchildren as well as my own.

The Atlantic Coast pipeline and the Mountain Valley pipeline will be constructed through the traditional homelands of the original people of West Virginia, Virginia, and North Carolina; the Monican, the Meherrin, the Lumbee, the Haliwa-Saponi and the Tuscarora tribes to name a few. The mountains and the valleys and waterways; we still hold these places as sacred, because this is where our ancestors grew up and died and are buried. These pipelines will also go through lands occupied by many non-natives as well. Some of these people will come before you today. I humbly ask that you listen to the testimony of the citizens coming before you today. Listen with your hearts, listen with your grandchildren in mind. Long ago we tried to teach to those settlers to live in harmony with the land. They would not listen. Listen to me now! We can live without the Atlantic Coast pipeline. We can live without the Mountain Valley pipeline. We cannot live without clean water. We cannot live without clean air and clean land to grow food on. In closing, I give thanks for the honor and privilege of being able to stand before you today. I give you many blessings.

#4 Charles White, African American Communities

Imagine I'm from the Union Hill, and I live just at the edge of the Union Grove neighborhood. I've been in Buckingham sixty-two years, and sixty-two of my 87 years I've taken a great deal of interest in the county. I taught there twenty or thirty years, and I've done some writing on African-American history in Buckingham. I'm about to publish a new version of a book I wrote thirty years ago on Buckingham African-Americans.

When we first heard about Union Hill becoming a historic site I was approached by several fellow Buckingham citizens. One asked me how can it be a historic site if there's not a tourist attraction? I told him that there is a lot of historic sites that are not tourist attractions. Many people in Buckingham know that the Civil War ended in Appomattox, but they don't know negotiations began in Buckingham the night before Lee surrendered. That's not a tourist attraction. So, there are a lot of true historic places that are not necessarily tourist attractions.

Now, project about this pipeline, which some of my neighbors have coming right through their yard, and new homes, which people move there from other places such as New York; one from California, he's here today. It was mentioned about cemeteries; trying to avoid cemeteries. About five miles from my home I'd heard about a large slave cemetery and no one could tell me exactly where it was. Finally, I found it! My brother and I got involved in it. I began to visit some of these cemeteries, and they are heart-wrenching sites. Row after row of sunken graves only marked by a small stone. Only two I've seen have any kind of a tombstone. What I found out was something very interesting. Here is a map done by the Buckingham Historical Society. These pink marks are mostly large farms and plantations, and those red dots are all slave cemeteries, some with two or three or four hundred graves.

The one in the Union Hill neighborhood, go to that slave cemetery, it's just row after row of graves unmarked; but, if you're going to the people who own the cemetery now you see names. If you look at some slave plantation records from the University of Virginia, the names connected to these plantations. The surnames of all these people are the surnames of the African-American people right from the neighborhood. That is part of the concern.

Buckingham is a very beautiful place. The pipeline has caused a lot of concerns. People worried about water, land, and property values destruction. As I mentioned some of these people have pipelines going through their front yards and so that is a concern, and if you'd like to come take a look at this please do.

#5 Kirk Bowers, Appalachian Communities

I am Kirk Bowers, retired civil engineer, resident of Albemarle County, Va and native of Roanoke County, VA. I am here to witness to injustices proposed to be enacted upon the people of Appalachian culture by two proposed large diameter fracked gas pipelines. The ACP and MVP.

I believe we are profoundly connected to the land and culture and stories of our ancestors in ways we don't fully realize. Their experiences, their sorrows and joys are knit into our bones, woven into the fabric of our very bodies. We can't fully understand the impact of these connections until we stand on the land and speak the language of those who came before us and gave us the gift of life.

I am deeply connected to Appalachia through my ancestry. The first of my ancestors came to Jamestown in 1622 and were among the first settlers of Appalachia in the 1700's.

Appalachia is a region whose geographical boundaries exist not because of any legal boundaries, but because of the shared history, culture, and environment of mountain people in eastern North America. The land is rich. Our remaining mountains are home to one of the most biologically diverse regions on the planet.

The Appalachian region, while abundant in natural resources and rich in potential, lags behind the rest of the Nation... its people have not shared in the Nation's prosperity. Appalachia has long struggled and been associated with poverty. There is a pervasive sense in Appalachian communities that the region is considered a National sacrifice zone for corporate interests. Logging and Big Coal have plundered thousands of acres of land, ripped the tops off hundreds of mountains, extracted the land's wealth, poisoned its streams and rivers, and left the people destitute.

Now, we have two proposed fracked gas pipelines that would cross our mountains, streams, Forests and rural Appalachian communities. These pipelines fragment our forests and permanently scar the landscape, our mountains and disrupt our communities. They are being imposed on people and communities as part of a corporate scheme to continue the exploitation of rural communities in Appalachia. The pipelines pass through these communities, but provide no service, no gas to rural residents.

The pipelines are being built to gain substantial profits, as much as 14% rate of return, for their corporate stockholders. All gain for the corporations at the expense of rural Appalachian communities. The gas is not needed. We have studies that show existing pipelines have the capacity to provide adequate supplies of gas for all regions of Virginia beyond the year 2030.

The proposed pipelines would irreparably harm impacted communities, especially those that are "culturally attached." Cultural Attachment is the cumulative effect over time of a collection of traditions, attitudes, practices, and stories that ties a person to the land, to physical place, and to kinship patterns.

In a culturally-attached area, land is not valued as a commodity or an investment. Where people are culturally attached to specific land or to a specific place, normal mitigation of

the loss is not possible. Its loss cannot be mitigated through monetization, or by the receipt of comparable land.

Connected to these places are stories and values that create a bond with one's home. A resident of Craig County told me that "Our people are attached to the valleys and mountains all around us. It's been our home for generations. We love the land, the place...people offer us money for our land but we don't sell it. We just don't want to be cut off from the sacredness of our land".

Many of these lands in the culturally attached areas have been in the same family for hundreds of years. In areas of high cultural attachment, a relatively undisturbed area where people actively support their culture through daily choices, an intrusion such as a pipeline, four-lane road, or other major project would be highly intrusive.

We are concerned that FERC rejected performing a regional assessment of Cultural Attachment during the NEPA review process. We are further concerned that a concession was agreed to that FERC tasked the EIS contractor to perform Cultural Attachment studies only on lands within the US Forest boundaries. But no one lives within Forest Service boundaries.

The people of Appalachia would bear a disproportionate amount of environmental damage and cultural intrusion by the pipelines. There is no doubt in anyone's mind that construction of these pipelines will negatively impact the scenic beauty of our mountains, our pristine streams, large blocks of forested areas and rural Appalachian communities.

The impacts cannot be mitigated by compensation or environmental mitigation. The mountains are already scarred by numerous power lines crossing over the mountains. We don't need the pipelines. We have enough gas. Renewable energy will make the pipelines obsolete in 15 years. The pipelines would be built for short term profits and then abandoned.

#6 Irene Leech, Rural Communities

As I start, I want to show you two places: 1) Buckingham County, in the geographic center of the state, is where my family has lived for generations for well over a hundred years. The Atlantic Coast Pipeline is proposed to bisect our property and business there. And, 2) in Montgomery County, Virginia where the Mountain Valley Pipeline comes through. This property, where I live as I do my job teaching at Virginia Tech, is within a mile of the Mountain Valley Pipeline. In both cases, a compressor station will be about four miles away.

Rural areas built this country. A generation ago everyone was rural. Now our political power has moved to the populated areas. In the competition for resources the populated areas keep seeking their "fair share," feeling that they're sending all their money to the rural areas; forgetting that until recently rural areas gave to them. In my work as a consumer educator and advocate I have found decreasing understanding of rural areas. Young people no longer spend their summers in the country with their cousins, and learn about and work on the farms.

From Washington, DC to Richmond I find that people have a total disconnect with rural areas and our issues. I've been told with disgust "We send welfare to the rural parts because they don't have the gumption to get up and move to where they can earn a decent living." They seem to think that all we do is sit on the front porch and rock. They talk about what they perceive as our empty roads, not realizing that they're crumbling, that they're not available where they're needed, and they aren't even empty, they're not built for the traffic, especially trucks, that they're handling.

As I've worked on behalf of consumers with the Virginia Citizens Consumer Council, particularly on utility issues like electricity, cable, and telephone, I've found an unwillingness to invest in rural areas that's becoming stronger every day. Efforts to get broadband have led them to say "Oh technology will improve someday and it'll get to you;" or the CEO of a Virginia telecom publicly told me to move from the 1797 house that we spent 15 years renovating. We hadn't heard of the internet when we started this project over 30 years ago. The audience of lobbyists, regulators and legislators laughed when he said that to me. I responded: "What if society needs some things from rural areas, what are we going to do about that?" His answer: "If we need that then we will pay them welfare to live there." That's not acceptable. Companies regularly seek to undermine those who speak for rural areas, trying to get others to not believe what we say. They even try to convince others that all of us are violent and thus must be "handled" with extreme caution.

Many consider Charlottesville and Lynchburg west, or Roanoke at the very furthest, and they don't realize that it's four hours farther to the tip of Lee County. I've been there, worked in that area. But when it comes to the negative externalities, they're very glad to put their garbage and stinky farms (that's what they think of our farms) their other facilities, in rural areas. They're also willing to allow big business to avoid paying for the negative externalities it causes to provide products used somewhere else. If you've never been to mining country and seen the destruction, you should visit or now, visit fracking country. I find that many of the urban people don't value the same things that rural

people do. They don't understand that our land is a part of who we are. They move frequently and don't establish the same ties to the land that we do, or the same commitment.

Most rural people have private wells or springs for water. Generally, there is no public water supply available. These wells and springs are sensitive and fragile. We are concerned that the pipelines will interfere with our water sources and we know from others' experiences that it will be difficult to replace our water supply if it is destroyed. These companies deny that they are responsible.

Many people accept the easy images the PR folks are putting out that it's really ok to insert the pipelines, and you won't know they're there; but they're ignoring what's really happening. They compare these 42 inch high pressure pipelines to existing 12 or 20 inch pipelines that are not under high pressure. They are unaware of the difference in safety standards for pipelines in rural areas compared with urban areas. PHMSA's standards and the voluntary industry standards require more care be taken in populated areas and that more inspections occur in populated areas. Both the government and the pipeline company save money in rural areas. They sacrifice us.

People live in rural areas for quiet, to see the stars, to have clean air and water. We accept not having a grocery store on the corner in order to do that. I've been told in this process that my air is so clean at my farm in Buckingham that my animals and I can afford to accept a whole lot more pollution and not be harmed. I should accept that without question, get nothing for it being taken away, and consider that this is for "the greater good."

Rural people have worked for generations to build what we have. In my case, I grew up with the responsibility to care for the farm that my family was developing, knowing I was to care for it and pass it to the next generation in as good or better condition. With the pipeline coming through the middle of it, that I didn't manage to stop, I will fail.

My great-grandfather moved to the farm, away from the family homestead that was the next farm over, about 1900. The house there was built in 1804 so we've owned it for roughly the second half of its life so far. I planned to retire there and I'm the third generation since him. My great-grandfather died young so my great-grandma rode side saddle to run the farm before she had the right to vote. She was the first woman to serve on Buckingham's school board. The second woman to ever serve on the Buckingham school board was my mother, appointed in 1976. My grandfather was the local extension agent for many years. My father was active in the community.

We have nurtured the farm. We've expanded it, bought more land. I never expected that the challenge that I would have to keeping the promises that I've made to my family to take care of our land would come from another business. I never thought that dangerous infrastructure that I have to worry about every day could be forced on our property through the middle of land we use the most.

From the first time my family saw plans for the ACP bisecting our 100+ year old family business, we repeatedly asked that if it was routed through their property, the line be moved from the center of the business, and the very center of the portion of the farm we use most, to the edges of the affected fields or better, to the edge of the entire property. Without argument, and at the beginning of the process, we allowed access to the property for all of the required surveys. We also told ACP we would not consider an easement offer until after certification. None of the easement offers sent to the family through the process addressed the request to move the pipeline. We explained how disruptive the proposed location will be to farm operation during and after construction. The minimal move requested will also put all of the farm houses and other buildings on the edge of the incineration zone instead of in the middle of it, granting a measure of additional safety. After certification, the applicant refuses to consider moving the location, even though it is regularly filing other route adjustments with FERC. The applicant has also told us that it would have communicated better with us if we had not hired an attorney to represent us.

My family has over 400 head of Angus seed stock cattle, divided into seven groups. These animals must be brought in to the center of the farm on a regular basis for weighing, health care, and other tasks. ACP requested and obtained immediate possession of the right of way but did not attempt to discuss the logistics of the specific building schedule or consider the needs of the farm business to continue operating during construction until pressed. Construction will likely start in September 2018 but as of March 2018, there has been no negotiation about how water lines will be extended so cattle cut off from their water source can be taken care of, how fences will be built along the right of way to keep the animals from the work area, or anything else required to keep the business functioning. The people involved with the ACP have no understanding of the curiosity of cattle who I will guarantee you will destroy the markers that they think they can put through the middle of the field as permanent markers.

Along the ACP in central Virginia, the DEIS Hearings were held in March 2016. The first was in Farmville, VA, a community not crossed by the pipeline. It was the meeting intended to serve citizens of neighboring Buckingham where the only Virginia compression station was sited. However, few citizens attended. The meeting was at night, outside the county, and many affected people are elderly and do not habitually go out at night, especially when the destination is so far away. Citizens arrived with signs and banners but were not allowed to put them in the ground, only hold them. None were allowed inside the school where the hearing was held. The following night a hearing was held in Nelson county. Dominion representatives had put banners and signs all over the school property early in the day. They also provided a list of their speakers, front-loading the testifiers. Most of their speakers left before the affected landowners spoke and although the school extended the time for everyone to be out of the building until 10:00pm, many did not get the opportunity to speak. Dominion provided a meal for their speakers in a private area. One speaker testified that she, as a Dominion stock holder, had been invited to dinner with a representative and asked to speak. She revealed the strategy and spoke against the project.

By the time the FEIS was released, FERC redesigned the hearings to require that speakers

go to a private room with a FERC representative and a court reporter. Thus, other participants did not hear the testimony. The process was also very slow; a number of people arrived by 5pm for the Roanoke, VA meeting, but by 8pm, realized that their numbers were not going to come up by the established 9pm meeting end so they left. Speakers found the transcriptions later filed in the FERC record to be inadequate and that they failed to communicate the messages given. There was no process by which testifiers could correct the record. However, there were widespread complaints in all three states when problems in the DEIS were identified but not corrected before the FEIS was released. This resulted in many landowners feeling that their issues were ignored.

They assure me that it's going to be safe. When we started this they told me that they were going to use broadband fiber along the entire pipeline to keep track of it 24/7 in the most sophisticated way that had ever been done. Guess what? They ditched it. They're going back to last century technology. In this industry they have a long record of once something's built, if the rules change, they don't require that they go back and update the things that were already in place. Everything that they do is risk based today and they're looking at their risk and what their costs are. They don't put our costs in the equation.

The Pipeline and Hazardous Materials Safety Administration or (PHMSA) has never been funded like it should have been. The industry has set things up to avoid collecting data that we could use to prove that there are problems. In fact, the National Transportation Safety Board found that many of the types of data that are required are not even being collected.

Most rural pipeline infrastructure is monitored from hundreds of miles away. If it takes hours for industry personnel to reach a location with a faulty cut off valve, the gas will continue to escape until they arrive. That means that a fire will burn until someone arrives. This is not accepted for populated areas.

In 2015 the Pipelines and Informed Planning Alliance (PIPA), sponsored by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) and the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) released guidelines for mitigation of pipeline risks. Those involved represented a wide range of pipeline related industry groups. However, no representatives of landowners, especially businesses whose property was taken to site infrastructure, were included. The guidelines address the needs of the natural gas industry and suggests that for safety reasons local governments should encourage zoning and use regulations that protect the pipeline infrastructure. In fact, they suggest requiring a zone of 665 feet in either direction from the centerline of the pipeline be left free of obstructions or flammable materials. They suggest that since fire is the hazard that is likely to cause the most damage that zoning regulations be established by localities similar to those used to prevent wildfires in the west.

The guidelines do nothing to protect the landowner or business whose property the industry chooses to take, siting the centerline of its infrastructure closer than 660 feet from existing buildings and uses. Conveniently, pipeline developers only take a 50 foot

right of way and only pay rent during the building process for 125 feet, but the risk mitigation guidelines seek 660 feet. Landowners continue to pay property tax on all of the land, including that containing the pipeline. Developers insist that insertion of a pipeline has no negative impact on nearby land and/or buildings. They also refuse to pay landowners a portion of the profit from energy that moves through their property or ongoing rent for use of that land. The guidelines suggest that localities make an obligation of developers to consult with the pipeline owner prior to seeking zoning or other approvals. They suggest that developers be required to present written documentation of this consultation and describe it as protection.

However, landowners facing requests to sign easement agreements and eminent domain proceedings are repeatedly told that after the pipeline has been installed, they will not know it is there and it will not inhibit use of the property. It is standard practice for the industry to downplay the fact that the pipeline cannot be crossed by heavy vehicles and that effectively, the right of way and adjacent land are “off limits” for uses beyond basic walking over by humans and animals. Farmers are even advised to not park farm equipment on the right of way overnight. Safety requirements will drive actual use, regardless of what company officials say during the planning process. The law is on the side of the industry, easements grant pipeline companies’ unfettered use and “enjoyment” of the land, placing pipeline use above all other considerations. However, landowner compensation does not correspond with the losses incurred.

Today many pipeline companies are set up as limited liability companies to protect the parent companies from any losses. This means that landowners and communities are left largely unprotected in the event of a large loss. The costs of this whole fracked gas system are socialized on us. Pipeline companies seize the utility’s obligation to serve as justification for their use of the right of eminent domain. None of this is not fair to landowners and it is creating sacrifice zones in our communities.

The processes used to conduct the public meetings required for pipeline approval systematically disadvantage and attempt to silence those with concerns. At some of the meetings audience members saw young people who had apparently been recruited by MVP being handed something that looked like Walmart cards as they left the speaking podium. Those same young people had been holding signs in support of the pipeline prior to the meeting. Yet numerous people accused those opposing the pipeline of being paid protesters when none were.

The FERC manager leading Virginia’s MVP scoping meetings repeatedly yelled at the audience, threatening to close the hearing and accept no testimony if participants did not act as he wanted. He forced those standing at the back of the auditorium to move, then repeatedly stopped the hearing to berate and force the next group of people who collected there to move.

Virginia’s Water Board Hearings in December 2017 were the most extreme. Armed police in riot gear, dogs, remote operations centers, and specific, closely enforced rules met citizens. The auditorium had a balcony on three sides; police were peppered throughout

the property. Speakers who arrived before daylight to get on the list of speakers early in the process saw police with dogs sweep the meeting location inside and out before allowing anyone inside. The MVP meetings were held first and the security escalated before the ACP meetings even though there had been no problems. During the ACP meetings participants were forbidden from standing against the walls, even to use an electric plug. Speakers discovered that instead of calling speakers in the order in which they arrived and signed up, as advertised, organizers alternated pro and con speakers (each had to identify their position before being allowed to sign up to speak).

Congress told safety regulators to emphasize the high consequence areas. That means the populated areas and usually ones that have, you know, at least five stories and so forth. The low count areas like where we live don't get the same level of safety. They're sacrificing the rural areas, stripping us of our wealth, doing a cost-benefit that ignores us. Sacrificing us.

In Buckingham, the compressor station that's going to be put at the crossing of this pipeline and the Transco line that's been there for 50 years will put pressure on Transco that hadn't been there before, that will reveal defects that weren't shown before. Another sign of sacrifice.

Laws and regulations must be changed. Land is the most valuable resource rural people have and it is treasured and passed from generation to generation. We must stop sacrificing rural areas of the United States.

Hello, I'm here today to talk about the issue of whether we really need these new pipelines in order to have the energy we need. Let's evaluate what we've been told. The first point is we've been told these pipelines are essential in order for us to have the energy we need. We've also been told that we'll save money and lower our energy cost, and as a result of that lower energy cost businesses throughout the state will be able to create more jobs. All of these statements that have been repeated for the past several years are false, and I'll show you why the Department of Energy, an independent consultant, and industry experts have said there's ample capacity in our existing pipeline system to give us the energy we need.

This is one example. This is the Transcontinental pipeline, Transco for short. It's been around for decades. There're four major pipelines in that corridor. It was built originally to bring gas from the production areas in Texas and the Gulf Coast up along the East Coast, to markets in the Northeast. Once the Marcellus and the Utica Shale regions got underway, more capacity has been added to this system than the total capacity of the Atlantic Coast and Mountain Valley pipelines combined. If the northeastern markets are served by a portion of that added capacity, it frees up capacity to bring the gas southbound, particularly through Virginia and the Carolinas.

This is the existing pipeline system in Virginia. It's filled with pipelines. The Columbia gas pipeline system is expanding almost in the amount of the ACP. In the FERC application Dominion said all their allocation could be brought from West Virginia to Virginia using the Columbia gas pipeline. Same thing for southeast Virginia. We can tap into these existing pipelines and bring as much or more gas to southeastern Virginia over existing rights-of-way.

Two-thirds of the capacity of the Atlantic Coast pipeline is going to North Carolina, All of that amount or perhaps more could be provided in exactly the same locations as is proposed for the ACP by attaching to Transco and going over a hundred and five miles of the Cardinal right-of-way, and then attaching to the final 90 miles of the ACP to deliver in exactly the locations as the ACP proposes. All of this at a fraction of the cost and obviously a fraction of the impact.

Dominion says this is impossible; that this new capacity is already fully subscribed. That leads us to believe that it's already spoken for, that there's no capacity available for others to use, but their actions show the truth of it. They have contracted for capacity for their Cove Point LNG facility in an amount greater than they say they need for all of the proposed new power plants in Virginia, from these supposedly fully subscribed, unavailable sources

The situation is similar with the Mountain Valley pipeline. They really have no customers; about a third of the capacity to the pipeline has been subscribed by potential utilities, but they're in New York City. The New York regulator said it has opened an investigation, because this is not in the best interest of the customers. Another owners'

utility is in Florida. Another in Washington DC. All of these could be more efficiently and far less expensively served by an existing pipeline. The other 2/3 of the capacity of the pipeline is reserved by EQT, the largest gas producer in the Appalachian Basin, and they have no customers whatsoever. Their only intent is to attach to Transco and find some customers somewhere along the east coast.

Dominion says, well alright, even if there is enough capacity in existing pipelines, the Atlantic Coast pipeline will save us money. They commissioned a study that showed that the ACP would save 377 million dollars per year in Virginia and North Carolina. There are a number of flaws in the report. One of the major ones is they forgot to include the cost of actually using the new pipeline. When you add that in, the ACP costs customers, families, and businesses throughout the region, billions of dollars more. Here's a specific example. When the Brunswick plant went into operation last summer, Dominion was actually one of the first to use this southbound flow of gas. If we compare the cost of the gas plus the cost of pipeline transportation, the ACP is actually 28% more costly to fuel the Brunswick plant, and soon the new Greenville plant.

All of what I'm presenting you is based on information that the applicants have provided to FERC or to state regulators. An industry expert testified to the SCC in September that Dominion ratepayers would pay over two billion dollars more to use the ACP than if those facilities were connected to existing pipelines. So who's speaking for us here? Two billion more for Dominion customers, maybe about a billion more for Virginia Natural Gas customers, six billion dollars more for the customers of the three subsidiaries of Duke in North Carolina. This is not a lower-cost energy source. In fact, a higher cost from using these new pipelines will result in fewer jobs, not more as has been advertised.

Someone should be looking at this, right? That's our expectation. We have a federal regulator, the Federal Energy Regulatory Commission, whose job it is to look at this when they approve a new pipeline. They issue a certificate of public convenience and necessity, except they ignore an evaluation of need and they also ignore any consideration of the higher cost to the ultimate customers. The only thing they look at is the existence of contracts for at least a portion of pipeline capacity from the shippers, and nowadays for most pipeline projects these shippers are subsidiaries of the owners of the pipeline.

Ten days ago the current chairman of the FERC, appointed just two months ago, said to a group of Energy attorneys that his federal regulatory commission has no ability to properly assess the need for these projects or to their customers, so they are leaving it entirely in the hands of the applicants because they are the only ones who know whether there's a true need for the project. When the left-hand contracts to the right-hand of the same company that is not a true indication of market demand. FERC's guidelines even say so. So, where does that leave us if these pipelines are unnecessary to provide the energy we need and they cost us more? Where is the public benefit? And, lacking a public benefit how can we justify seizing access to land from those unwilling to give it?

The other issue is what we're here to talk about today. There's disproportionate harm to the lower-income categories of our communities. They pay a higher portion of their

income for energy bills. They have less ability to deal with the seizure of their land. Some think we have no voice. I propose if we have no voice why are they working so hard to silence it? What we're really here to do today is to create power with our collective voice. When communities, people, cultures of all sorts joined together, we have a say. Desmond Tutu says, "if we don't speak up we're condoning the injustice that we see."

It's time for us to say yes to being free from pipelines. This will avoid the environmental issues. It will avoid the injustice. It will save us billions of dollars. This is what we're here to do today, and when we do, when we're free of these new pipeline projects, we can actually design the kind of energy system, the modern energy system, that will serve this region, that will be good for both the companies and the customers.

#8 David Sligh, Environmental Overview

My name is David Sligh and I represent the conservation group Wild Virginia and, by the way, my ancestors who have also been in this area since the early 1700s. I tell people they came here and when others decided to keep moving west they said “why would we leave?”

Economists have a term - “externalization” - to describe where parties pass the costs and negative consequences of their actions to others. Companies are also said to “distribute” their costs. Damages to the environment and public health are among the kinds of costs often externalized or distributed.

Powerful interests favor such benign-sounding terms, because they conceal an ugly side of their operations. They sound technical, neutral - they take the humanity and the rights of nature out of the equation. We’re here today to ensure that those sides are heard and valued.

In blunter, more honest terms, so-called externalization is a process through which corporations impose upon the rest of us, dumping the costs of doing business onto others while they reap the profits. Some of those costs are born by the wider society, some fall with brutal, crushing weight on individuals and communities. And those who can least afford the losses often pay the most.

If the Atlantic Coast Pipeline and the Mountain Valley Pipeline go forward, the costs to natural ecosystems and to the people who value and depend on them - so-called external costs - will be enormous. These projects would be among the most destructive ventures to mar Virginia’s environment in our lifetimes. The damages would be felt on every level - local, regional, statewide, and beyond - some harms would be permanent, some could be devastating. They would destroy private and public property interests, disrupt lives, and endanger our future - all in the name of short-term profits.

I’ve been asked to broadly describe the environmental costs we face if these pipelines are built. To catalog all those potential damages would take much longer than the time I’m allotted but I will attempt to explain some of the environmental and health risks we could face.

In cutting a swath as wide as an interstate highway across the landscape and through our precious forests and waterbodies, each pipeline would leave a trail of destruction whose true magnitude we cannot yet know.

The ACP and MVP projects would cause widespread disruption and even destruction of aquatic and terrestrial habitats, the discharge of pollution to waterbodies, the fragmentation of valuable forests, and the impairment or elimination of human uses from streams, groundwater, and our lands - whether those properties are publicly or privately owned.

The pipeline companies want to cross through thousands of streams and wetlands and to disrupt the ecological health of watersheds. Cumulative impacts will affect major river basins, including the Shenandoah and Potomac Rivers, the James River, and the Roanoke River.

Many highly sensitive waterbodies would be affected, ranging from mountain trout streams, to habitats for endangered and threatened species, to unique wetland communities. And construction is proposed to occur in some of the most challenging environments in the U.S. The route through the western portion of Virginia would cross many areas with very steep slopes, highly erodible soils, and records of frequent landslides. Most construction companies, which routinely expect to abide by runoff control requirements, would never propose to build in these types of environments, because the standard measures simply will not protect water quality and they know it.

The destruction of forests and native plants and the excavation of huge trenches for the pipelines would result in the discharge of thousands of tons of sediments and other pollutants into our waters. By digging, cutting, or even blasting through stream bottoms, the companies would release more pollution but would also fundamentally alter the physical features and vital habitats in those waters. State agency scientists have stated that the natural functions of those ecosystems could be eliminated.

The threats to groundwater, on which many thousands of people depend, through public and private water supply wells and springs, are dire. Many cannot be avoided and the damages, once created, will sometimes be irreversible. These threats are particularly great in the valleys between the Alleghany and Blue Ridge Mountains, where bedrock is largely composed of limestone, known as karst terrain. There, the same characteristics that have formed beautiful caves allow contaminants in water from the surface to contaminate people's wells and springs miles away and sometimes very quickly. And the flow patterns themselves can be disrupted by heavy construction, making water supplies go dry or ruining their usefulness.

Pipelines, and particularly the compressor stations like that proposed for Buckingham County can affect the very air we breathe. People in these areas are threatened with emissions which may include methane, nitrous oxides, particulate matter, and other volatile organic compounds. Such releases greatly increase the risk of health problems for people in local areas, especially those who already have respiratory diseases or other illnesses. The entire pipeline system will, cumulatively, release huge amounts of methane, an extraordinarily potent greenhouse gas.

It must be remembered that the values nature provides to humans are, in very significant part, in its peace and beauty. People who live in rural areas and who would be affected by these bad projects have, in many cases, chosen to stay there or to move there largely because of the natural features. None can deny the value of having a clear stream flowing near their doors or through their fields or in the nearby woods - just look at real estate listings and you'll see that such features are clearly of real economic value, in addition to the spiritual and health benefits. These same values, no matter where we live or what we personally own, are available to us all through public lands, such as the National Forest

areas the pipeline companies propose to destroy. Our public lands in Virginia provide some of the greatest areas of intact, connected forest habitats in the eastern U.S. These features are part of our heritage. They are a treasure that we all own and can all use - we may not be large private landholders but we are all rich, as long as we maintain and protect these precious forests.

I can personally testify about natural places that would be damaged by each of these pipelines. My career, my life, have been nurtured in streams like Craigs Creek, where the MVP proposes to blast through bedrock, rip out riparian forest, and create havoc. I have loved to paddle that Jackson River in the area where ACP wants to change the environment in ways they can never adequately repair - no matter how much they promise.

These pipelines would take something from me and from you that cannot be replaced. The speakers to follow will help put the human faces on the losses that could occur unless we stop these irresponsible projects.

#9 Robert and Ann McClain (letter format)

To Whom It May Concern:

The oil and gas drillers have ruined all of our drinking water. We are buying all of our drinking and cooking water.

We BELIEVE our daughter died at 33 years of age, leaving behind 4 young children, ages 2 - 8, after drinking water from her water well that was polluted with frack water. She died from blood cancer.

Also, they installed a compressor station [Morgan] about 1,000 feet from our property. It has ruined our home and cars and buildings from the toxic fumes and black soot.

Our farm animals have a black discharge coming from their noses. We are also sick from breathing the air. We cannot sleep at night because of the loud noise. Sometimes it shakes the entire house, sounding like explosives.

Thank you,

Robert L. McClain and Ann M. McClain

Hello, thank you for giving myself the opportunity to be here today and give my testimony. My name is Peter Pairo. I'm a student at the University of Virginia. I've worked closely with the community in Charlottesville and the Buckingham community. I've been especially studying the structure and the facility of this proposed compressor station in Buckingham. I would like to get something clear today. This myth that the pipeline is for a common good, that the compressor stations for a common good. There's nothing good that is coming out of this pipeline for anyone, and especially there's nothing good that is coming out of this compressor station. Multiple times the community requested to have access to the wireless tower, the communication tower that was shown in the application and compressor station. They have neglected, the manpower has neglected, multiple times over and over to do the very least thing they could potentially do, which is to give access to this wireless tower to the community. This is a community that lacks, and they do not have access to internet, this very crucial mode of communication. This is very clear. This is an evidence that shows the Dominion, there is nothing common good for the people, and this is just for the benefit of the very few.

Another thing that we've discovered in the applications that have been submitted is that there are three tanks with volatile material in them that could potentially put the whole community in danger with the very smallest explosion. As you can see these charts are directly taken from the application that have been submitted by the Dominion power, from the air permit application. As you can see any of those things can easily put a whole community in danger. More than that, this is one of the very few, at least as far as we know, the only compressor station that is right by a major route, James River Road, that has very significant traffic on it. As you can see this is the whole Compressor station right by James River Road, and it shows that the smallest errors, smallest flaw in the whole system can put the whole traffic and community in danger; besides the whole exposure that the people who are commuting will face from the pollutants that are emitted by this compressor station.

Another thing to know is that when I found out about this compressor station, I was trying to do some studies on the existing compressor station in other parts of this country, and I have failed to find out any compressor station in this large proposed scale that is existing, and that is as close as less than 500 feet away to a residential community. If you read through the applications they show that this is an agricultural community, and I have been there. I've spent hours there, and if you go there you will see this is an active, living, thriving community that they're trying to destroy. It's much larger than anything we've seen, and the studies that have been done on compressor stations are much smaller than this, so we don't actually know the potential impacts of it. The current existing studies that have been done show that the wide range of pollutants emitted by this sort of compressor station, but there are few gases that we're going to go over that are emitted by all compressor stations for sure, which is nitrogen dioxide, carbon dioxide, and sulfur oxide. These are very dangerous pollutants, and there is so many health impacts that would come out of it. Headaches is the very least of it. This is just disturbing to see that they have proposed such a thing, and they've claimed that this is an agricultural

community.

Another thing that doesn't get mentioned often is the fact that the property of the proposed compressor station contains two main wetlands with unique ecosystems that are in them. As you can see they are shown in green. These are existing ecosystems where the proposed compressor station is ripping through one of them, is destroying it entirely, and it's hugely impacting the other one to the west of it. As you can see the proposed compressor station, the north of it is going towards West Virginia, and is going south towards North Carolina.

I would like to end. I started with a myth, and I would like to end with the second myth that it will have no impact on an existing agricultural environment. This is just what we see in the property they have bought. I have not studied enough to speak about other important environmental impacts of it today, but as you can see that here, just in the property, is just in the vicinity they are destroying the very rich environments that is already there, and that is existing there.

Thank you.

#11 Barbara Gottlieb

I'm Barbara Gottlieb, national director for environment and health of Physicians for Social Responsibility, a national organization of physicians and other health professionals working to address the greatest threats to human health and survival. Fossil fuels are one of those threats, and that includes fracked natural gas.

Fracking sites, the pipelines that carry fracked gas, and the compressor stations that pressurize and push that gas through the pipelines, pose risks to health and safety. I'd like to give a very brief introduction to some of the most serious threats to health. I'll focus on the health threats associated with compressor stations, but I also want to remind us that compressor stations don't exist in a vacuum. You have compressor stations because you have pipelines; you have pipelines because you have fracked gas. It's a package deal: they come together. And they share some, though not all, of the same health hazards.

Pipelines carry natural gas or methane, but that's not all. They also carry other substances that you don't want coming into your home, your kitchen, your furnace. Among these are VOCs -- volatile organic compounds -- that are extremely dangerous air toxics. There's a quartet of VOCs that are associated with natural gas and also with gasoline and other fossil fuels, and commonly occur together. They occur together so much that they're known by their initials: BTEX. B for Benzene: a known carcinogen -- it causes cancer, and there is no safe level of exposure. Toluene can cause birth defects. Ethylbenzene, long-term exposure may result in blood disorders; and xylene, may affect the nervous system.

Compressor stations leak these dangerous gases into the atmosphere, potentially endangering people who live nearby.

VOCs besides being harmful in and of themselves, also combine with other air pollutants to form ground-level ozone, or smog. Smog is a widespread air pollutant that can damage lungs permanently; trigger asthma attacks; and aggravate other chronic lung diseases and pre-existing heart diseases. It's particularly dangerous to people with asthma, the elderly, and the young. Raise your hand if you know anyone in any of those categories.

Another pollutant associated with compressor stations is radon. Radon is a gas. It occurs naturally in the ground in many parts of Virginia; it's radioactive. That's why you test your basement for it. Radon is extremely dangerous: It's the leading cause of lung cancer among non-smokers and the second-leading cause among smokers. 21,000 lung cancer deaths per year on a nationwide basis are attributed to radon exposure, according to the EPA. The natural gas which flows through pipelines here in Virginia is likely to carry radon with it. That's because the Marcellus shale where the gas comes from contains radon, and the radon comes up out of the wells with the methane.

Fortunately radon gas decays or breaks down rapidly. But as it decays, it degenerates

into other radioactive substances – radioactive forms of polonium and lead. They last much longer, with half-lives of 22 years and 138 days. These radioactive substances accumulate along the interior of gas pipelines; they can also be found in the sludge that accumulates in tank bottoms, gas/oil separators, and other pieces of natural gas infrastructure. That also includes compressor stations.

Another air pollutant associated with compressor stations is particulate matter. Particulates are tiny solid or liquid particles. They are classified not by what chemical substance they are, but by their size. The larger particles are known as PM₁₀, b/c they are 10 millimicrons across. They are shown as the blue beads in the picture, where they're compared to a human hair. Pretty small, huh? Look closer: on the blue dots are red dots. They represent the smaller PM_{2.5} particle (2.5 millimicrons). They're tiny – obviously not even visible to the human eye.

These particulates, like the VOCs, escape from compressor stations. They absorb airborne chemicals, then when we inhale them, carrying those chemicals into our bodies. Larger particles, like the PM₁₀, are trapped in your nose and upper respiratory tract. The smaller particles can penetrate deep into the lung and even cross into the blood stream and be carried throughout the body, exposing the whole body to multiple dangerous substances. Inhaling PM_{2.5} can cause decreased lung function, can aggravate asthma symptoms, cause nonfatal heart attacks and contribute to high blood pressure. Long-term, repeated exposures increases the risk of cardiovascular disease and death.

Children and pregnant women are especially sensitive to particulates. Children are especially vulnerable because their lungs are developing and growing, they breathe at a faster rate than adults, and many children spend more time playing outdoors. Asthmatic children are particularly vulnerable, and as you probably know, childhood asthma is at epidemic rates. This should be a major cause of concern if you live near a compressor station. High levels of particulate pollution also cause health effects in pregnant women, where it is associated with low birth weight and preterm births. Premature birth is the #1 cause of infant death in the U.S. Let me say that again.

Although we're focusing on compressor stations, let's remind ourselves that you don't get compressor stations without pipelines, and you don't get pipelines without fracking. No fracking, no pipelines; no pipelines, no fracking. This is what fracking looks like. It is heavy industrial activity. It requires a lot of land clearing, heavy truck traffic, diesel engines, noise and pollution. This is what's happening in your neighboring state of West Virginia, as well as more than 30 other states across the country.

Finally, let's talk about the natural gas itself. Natural gas itself is primarily methane. Methane is a "greenhouse gas," one of those gases (like carbon dioxide) that, when they occur in the atmosphere, they trap the sun's heat. That in just a few words is what causes climate change. It's that straightforward. And climate change, as I'll tell you in a moment, makes us sick.

Methane, or natural gas, is a highly potent greenhouse gas: 86 times more powerful at

trapping heat in the atmosphere than CO₂, over its first 20 years in the atmosphere. This makes it hard to keep world temperatures livable. And here's the problem: Methane leaks throughout fracked-gas operations: at the fracking wells, from compressor stations and pipelines, and even from the pipes that distribute it to our homes for heating and cooking. All of these leaks contribute to climate change--at exactly the time we need to slash greenhouse gas emissions if we are to avoid climate catastrophe.

On behalf of Physicians for Social Responsibility, let me remind us all how climate change is affecting Americans, here and now. Here's what climate change looked like in Houston, Texas. And in California. Climate change contributes to more frequent, more intense storms, which means more floods, more sewage contamination, and the spread of disease-carriers like mosquitoes. In some parts of the U.S., climate change is contributing to droughts, severely impacting crop production... increasing particulate matter in the air... and increasing ozone air pollution, which forms in the presence of sunlight and heat... And climate change causes heat waves, which are real killers. In a heat wave that hit Western Europe in 2003, over 70,000 people died.

The U.S. medical community is growing concerned about the health risks associated with natural gas. The American Medical Association – not a radical group - passed a resolution saying that it “recognizes the potential impact on human health associated with natural gas infrastructure” and calling for Comprehensive Health Impact Assessments regarding the health risks that may be associated with natural gas pipelines.

PSR wants you to know: fracked gas exposes people to toxics through air, water and soil contamination. Pipelines and compressor stations transport dangerous air pollutants and radioactive materials to communities located far from drilling sites – like Buckingham County, VA. And of course, all of us are endangered by climate change.

Therefore, PSR recommends:

- Follow a precautionary approach. If you can't prove that it's safe, don't find out by testing it on us.
- Ban fracking. Don't build more pipelines.
- Work for clean, healthier forms of energy like solar energy and wind. They are the path to a livable future.

Thank you.

#12 Pramilla Malik (video testimony)

My name is Pramilla Malik. I am the chair of Protect Orange County, and a resident of Minisink, New York, a once pristine rural residential community in upstate New York; and it's also home to many 9/11 first responders who moved here for clean air. In 2012, FERC approved a 12,260-horsepower gas compressor station to be built just a few hundred feet from many many homes, dozens of homes. FERC never rejects projects, so it was approved despite evidence of imminent human and environmental harm. Since it's become operational we've had frequent odor events after which children in our community experience nosebleeds, breathing problems, headaches, abdominal cramps, and rashes. Adults report breathing problems. I get breathing problems, and I have no history of respiratory illness before this was built. People also report difficulty concentrating and losing balance.

Many families have left. One walked away from their home entirely and left the state. We experienced blowdown events where large amounts of gases are released into the atmosphere, and noise that sounds like a jet engine; and following that we usually see symptoms I mentioned earlier. Blowdown events are often unplanned and can happen whenever there is too much pressure in the pipeline. In 2014 a team of scientists did air testing with little devices that measure particulate matter PM 2.5, and we discovered that they were extremely high spikes of emissions in the middle of the night, which explained why I often woke up in the middle of the night unable to breathe. This indicated to us that the company was venting toxic gases in the middle of the night. My neighbor, whose property abuts to the station, has lost four large animals within two years.

There is almost no oversight and regulation of these facilities. They're industrial, toxic, and volatile, and don't belong near people or pets. I'm going to quickly show you some slides. This is a child after a venting event 50 miles up the pipeline. That child had a rash two days later. My daughter had a nosebleed. This is what the emissions look like with an infrared camera; you can see the problem of air pollution is that you can't see it, but with an infrared camera you can. This is what's coming out of our station 24 hours a day seven days a week, and it's at very minimal capacity right now. This is a symptom my daughter had after a recent blowdown event in the spring of this past year. She had a massive gushing nosebleed. As I said, there's often emergency blowdown events, which are unplanned, and this is after one such an event.

The other thing I want to quickly show you is these particulate matter meters that I mentioned earlier, and these red spikes are spikes in emissions, and the green is safe for human health. But, this is what was happening in the middle of the night in our community, and it's one of the reasons why this family left. They don't belong near people or pets, in residential communities. I wish you guys a lot of luck!

I live in the Woods Rd/Union Hill neighborhood of Buckingham County. My husband and I have lived in this quiet, rural neighborhood for 32 years. We live approximately one mile from the proposed compressor station. A little over three years ago I received a call from a friend over in neighboring Nelson County. She asked me if I had heard about the Atlantic Coast Pipeline and more so if I was aware that a compressor station, as part of the pipeline, was proposed to be quite close to my home. I didn't even know what a compressor station was at the time. I soon was to learn. In the following hours I became initiated into the club that no one wants to belong to.

Soon after we had our first public meetings and organized as Friends of Buckingham. I meanwhile went house to house and talked to my neighbors who had no knowledge of the pipeline or the proposed location of the compressor station in our neighborhood. Our local governing body had meanwhile been meeting with Dominion Energy for many months and had even passed a resolution in support of the pipeline. And yet there was very little public knowledge of it and no public hearings.

The first questions my neighbors and I had when learning about the compressor station were, of course, will it be safe and what does this mean for our lives? We were assured by Dominion Energy that any air emissions from the compressor station would comply with all air quality requirements, which are established to protect the public health, safety and welfare. They told our local governing representatives and the public this time and time again during public hearings and informational sessions. They told us "we would not operate the compressor station if we could not operate it according to stringent air quality regulations."

We did our own research and found information provided by experts and researchers on air emissions such as Physicians for Social Responsibility, the Clean Air Council in Pennsylvania, the Union of Concerned Scientists, and more recently the Institute for Health and the Environment in New York state, it being the only location in the country where a health department has done a study on the health effects associated with chemical emissions from fracked gas compressor stations. This together with the direct testimonies from people who lived near compressor stations led us to believe that these statements were very misleading.

Our proposed compressor station is regulated by the state Department of Environmental Quality because it is considered a minor source, rather than a major source which would have come under the EPA's rule and permitting process. Cumulative effects from other polluting sources are not taken into account when looking at these permits. We already have in our county a highly polluting Dominion Energy power station that is regulated as a major source. Currently we have good clean air, so called the baseline ambient quality. Because we have good clean air Dominion Energy is allowed to pollute at fairly high levels, adding tons of toxic chemicals each and every day for 365 days a year, 24 hours a day for the rest of our lives.

Although federal and state environmental laws and regulations are in place to protect the health of regional populations, they do not protect the health of groups most severely impacted in the areas surrounding compressor stations, especially during venting or blowdowns when many more toxic pollutants are blown out into the air. This is when people get sick, but the cumulative effect of year after year of exposure can also cause multiple health impacts and is not considered. These highly toxic polluting zones can be up to 10 or even more miles depending on topography and weather conditions.

The current regulations are woefully inadequate for those near to compressor stations. This does not ensure us that the air we breath every day will be free of pollutants that cause illness, make existing conditions worse or shorten our lives. They might meet the emission standards but our air will still be saturated with dangerous chemicals with more added each and every day of our lives. Our lives are being exposed against our will to a high level of pollution with many, many identifiable health risks then generally more affluent populations.

As a mental health professional I cannot fail to add to these concerns the very real effects of stress on the human body. Considerable stress has been placed upon the lives of those whose lives are being threatened by their land and all future plans for it being taken, air and water being poisoned, health threatened and the ongoing stress of dealing with the sadly inadequate public regulatory process that we all have been jumping through these last three plus years. The anticipatory stress of not knowing what your future holds weighs heavily on people as they have been forced to postpone their present and future plans for their lives and to be sacrificed for an unneeded pipeline and in Buckingham a deadly fracked gas compressor station. Long periods of uncertainty and looming threat create chronic stress symptoms.

Our bodies are necessarily able to handle short bouts of stress, but long periods of uncertainty cause harmful chronic stress symptoms. High levels of unrelenting stress cause an overabundance of cortisol, the stress hormone which causes multiple negative effects. Many of my friends, allies and neighbors have been experiencing this kind of chronic stress. The symptoms are way too numerous for me to innumerate here so an addendum will be provided for your consideration.

Thank you for this opportunity to be heard. It may be the first time since this nightmare came into our lives.

These links are to a video in which the residents speak about what is happening:

<https://www.unicornriot.ninja/2017/historic-union-hill-community-threatened-atlantic-coast-pipeline/><https://youtu.be/nyhHNycjbEg>

Addendum:

Stress is the body's reaction to harmful situations -- whether they're real or perceived. When you feel threatened, a chemical reaction occurs in your body that allows you to act in a way to prevent injury. This reaction is known as "fight- or-flight," or the stress

response. During stress response, your heart rate increases, breathing quickens, muscles tighten, and blood pressure rises. You've gotten ready to act. It is how you protect yourself. Its vital for the individual to either a)reduce the stressors externally, and or b) build strong coping skills and self care routine so that these symptoms don't impair functioning in physical/emotional health and relationships. Symptoms include:

Emotional symptoms:

- Becoming easily agitated, frustrated, and moody
- Feeling overwhelmed, like you are losing control or need to take control
- Having difficulty relaxing and quieting your mind
- Feeling bad about yourself (low self-esteem), lonely, worthless, and depressed
- Avoiding others

Physical symptoms of stress include:

- Low energy
- Headaches
- Upset stomach, including diarrhea, constipation, and nausea
- Aches, pains, and tense muscles
- Chest pain and rapid heartbeat
- Insomnia
- Frequent colds and infections
- Loss of sexual desire and/or ability
- Nervousness and shaking, ringing in the ear, cold or sweaty hands and feet
- Dry mouth and difficulty swallowing
- Clenched jaw and grinding teeth

Cognitive symptoms of stress include:

- Constant worrying
- Racing thoughts
- Forgetfulness and disorganization
- Inability to focus
- Poor judgment
- Being pessimistic or seeing only the negative side
- Mental health problems, such as depression, anxiety, and personality disorders
- Cardiovascular disease, including heart disease, high blood pressure, abnormal heart rhythms, heart attacks, and stroke
- Obesity and other eating disorders
- Menstrual problems
- Sexual dysfunction, such as impotence and premature ejaculation in men and loss of sexual desire in both men and women
- Skin and hair problems, such as acne, psoriasis, and eczema, and permanent hair loss
- Gastrointestinal problems, such as GERD, gastritis, ulcerative colitis

Chad Oba, Chair, Friends of Buckingham

My history in Buckingham County began in 1979, where we purchased land to build Yogaville Virginia, a spiritual community, retreat and yoga teaching center. Yogaville enjoys a mile of river frontage on the designated Scenic and Historic James River, vistas of the Blue Ridge Mountains, three live springs, farm pond, and pure air, well-water, and rich alluvial soil. Atlantic Coast Pipeline's (ACP) plan to cross under the James River using horizontal drilling on land belonging to Yogaville community members risks our future peaceful, healthy way of life and livelihood.

For the past three years, the focus of my full-time, volunteer work is to research and document evidence in the public record to counter the total omission of required information about key, highly impacting, ACP infrastructure sites planned for Buckingham County. These include ACP's only Virginia compressor station sited in the middle of the majority African American community of Union Hill. Where ACP's business plan requires their new 2-pipeline corridor to intersect underground with the existing 4-pipeline Transco, using 14 gas turbine engines at 54,000+ hp to transmit gas 200 miles in 3 directions, 2 underground and 1 above ground storage tanks, and a metering station to pressurize volatile fracked gas to highest psi allowed. On Buckingham's side of the James River, the horizontal drilling site under the river is on Yogaville community members' land. This site is where Monacan Indians then English colonizers and today's farmers have benefited from the richer soil from seasonal flooding and the protections of the steep slopes and descents of its topography.

It is not an abstraction to Buckingham residents that both are especially risky construction projects that will have extremely hazardous day-to-day operations. In nearby Appomattox County, Virginia, in 2008, a small Williams/Transco compressor station pipeline exploded, leveling 2 houses and injuring 5 people. The pipeline owners were fined, but did not pay for residents' losses. Buckingham County's over 120-year recorded history of earthquakes – most recently as the epicenter in November 2017 beg the question: how will ACP plan for the impacts of this fact on pipeline infrastructure?

We will never know. Our history of earthquakes is but one of the total absences of key Buckingham County information in ACP's application, and FERC's FEIS, when FERC approved the ACP's certificate of use on Oct. 13, 2017. Despite numerous public and expert comments to FERC and VDEQ, site demographics and environmental justice impacts, historic cultural resources, geological hazards and topographies, soil characteristics, migratory species and habitats, and proximity to single source aquifers for all residents' individual wells were missing.

This stands in stark contrast to other Virginia counties where ACP included hundreds of pages of historic cultural resource reports, photographs, soil studies, geologic hazards etc. where solely the 2-pipeline ACP corridor is planned. Not the six pipeline, major industrial, toxic polluting facility ACP plans for Union Hill. We set out to correct the record and at the same time uncovered the cost benefits of erasing Union Hill's history.

Union Hill's true population and historic cultural resources

Over two years ago, I began a study of the historic resources of ACP's Virginia compressor station location (CS 2) to apply for and receive "Most Endangered Historic Place in Virginia" listing for Union Hill/Woods Corner Rural Historic District from Preservation Virginia, the oldest statewide, historic preservation organization in the U.S. (which owns Jamestown). I discovered that ACP purchased the 68-acre CS 2 site in secrecy from white descendants of former Variety Shade plantation owners. Nearby but not part of that purchase, is Variety Shade's slave burial site, with more than 100 graves, and the plantation family's existing cemetery.

I soon learned that erasing evidence of Buckingham's slavery past to prevent having to pay the costs associated with acknowledging it has a long history here. On February 26, 1869, the day the U.S. House of Representatives passed the 15th amendment giving former slaves the right to vote, vigilantes burned down the Buckingham Courthouse. From news articles of the day, I learned former slave-holders feared that wills with names of inherited slaves or records of slaves purchasing freedom from named owners would be used by the 2:1 former slave majority to sue for restitution for enslavement.

Since 1979, I knew Buckingham is notable in Virginia for being where descendants of former plantation owners and descendants of former slaves still live nearby each other -- mostly in segregated clusters. A code of silence about slavery also remains in a place where the Union Hill residents who spoke out against siting CS 2 in the middle of their community faced reprisals. It is Charles White's painstaking, 25-year research from social history sources found in his book, *The Hidden and Forgotten: Contributions of Buckingham Blacks to U.S. History* that informs the list of names of current Freedmen descendants in Union Hill.

To map the density and population of households surrounding CS 2 on all sides, Friends of Buckingham and its allies undertook a door-to-door household study of the 99 households in the 1.2-mile radius of CS 2 that we named Union Hill/Woods Corner Rural Historic District – using National Historic Register terminology. Even the name helps in understanding the persistence of a racial divide. Union Hill is the African American name for this place; Woods Corner the white one. Our study included questions about numbers of residents and numbers of frequent visitors because these heritage lands are where most working-age African American adults return on weekends, or multiple times per year for large family reunions. Our study also asked for self-identified race(s); family burials in Buckingham cemeteries or on heritage lands (a proxy for slave and Freedmen ancestry); economic uses of their land and uses for agriculture (in an A1 agriculture zone now being targeted for heavy industrial use); and existing health conditions known to be exacerbated by the toxic emissions, VOCs and particulate matter applied for in ACP's VDEQ "minor source" air permit CS 2.

Our study teams reached residents in 63 of the 99 households closely surrounding the proposed CS 2. For 63 households or 64% of the total, we found 158 residents. With less than two-thirds canvassed, Union Hill's population is 5.6 times higher than reported by ACP's and FERC in public filings. This visibly suburban level of habitation was masked

by ACP's decision to use the census data averaged for the whole county -- or 28.2 people per square mile. Of the actual 158 residents counted, 85% identify as African American/Black or bi-racial.

Why "Rural" Designations Benefit ACP: Case of Union Hill

While FERC in its FEIS names the CS 2 site as an "environmental justice community," it does so solely on the basis of Buckingham's average income (second poorest in Virginia) -- not by its minority population. By perpetrating the fallacy that the proposed Union Hill compressor station's site is "rural" i.e. sparsely populated, ACP saves a considerable amount of money at the same time that it prevents public backlash practicing environmental racism. By not conducting a factual population/race survey, archaeological and cultural resource inventories, full NEPA review, health assessment study or use of Clean Water Act guidelines, ACP greatly shortened their timeline and greatly diminished their development costs.

"Rural" designation allows ACP to save money on construction costs. Within the pipeline classification system based on population density (urban-centric, as it gives highest protection to places with buildings of 4 or more stories), rural density classification allows ACP to use thinner walled pipes with greatest distances allowed between shut-off valves. Factual population density of Union Hill would require use of Class 3 or Class 4 pipes with closer valve distances, and alert VDEQ to the higher levels of risk to greater numbers of people's water and health from living in close proximity to Virginia's ACP compressor station.

True Costs Borne by Union Hill Residents from CS 2: Health impacts on a front-line climate change community

From our household study's open-ended health responses, we found a disproportionately large number of Union Hill's residents have pre-existing chronic conditions known to be greatly exacerbated by constant exposure to the toxic cocktail of fracking production chemicals that enter pipelines with the methane gas (listed in our Summary Report). Existing health conditions already reported by Union Hill residents include: large numbers of young children as well as adults with disabling severe asthma; 2 year-old triplets with severe lung disorders; several cases of COPD; high numbers of residents living with diabetes, high blood pressure, heart conditions and uses of pacemakers, several ischemic strokes; individuals with breast or brain cancers; and, several people with immune disorders including MS and lupus.

Air Pollution:

According to ACP's own VA DEQ air permit application for the Union Hill compressor station, the facility would generate yearly emissions of 468,450 combined pounds per year of nitrogen oxide, carbon dioxide, volatile organic compounds (VOCs), particulate matter, and hazardous air pollutants (HAPs). FERC's FEIS estimates this compressor station's climate change contribution at 293,688 metric tons per year. In the air permit, the "above normal ambient air quality" reported by Dominion at the CS site currently, allows ACP to apply for the highest possible thresholds of emissions of particular toxic chemicals. Thus, the people of Union Hill are being targeted for the greatest emissions of

the 3 ACP compressor stations because they have been good stewards of their air, water, and soil.

The physical and emotional toll that Union Hill residents report from having their 250+ year-old community targeted by ACP to bear the highest per community load of toxic emissions on their route. Most express a persistent deep anxiety and worry, perseveration, sleeplessness, feelings of powerlessness and despair. People living closest to the proposed site receive many phone calls a day asking for Dominion's subcontractors to conduct water tests on their wells, not independent scientists. Dominion subcontractors regularly trespass on private property with no granted easements to inspect their homes and foundations. These actions are a form of slow violence perpetrated on people who have the great misfortune of living where Dominion wants to capitalize on the high rates of return FERC sets for interstate fracked gas transmission. ACP's business plan does not include access to gas, which is destined mostly for export. These experiences of helplessness and loss of control of their property rights contribute to constant feelings of dread, a constant need to look out their windows, and listen for trespassers. Together this circumstance creates existential despair -- what I am calling "anticipatory traumatic stress."

Water Pollution:

Union Hill's actual population numbers heighten public health concerns about a potential drinking water disaster, which The Safe Water Drinking Act (SWDA) is meant to prevent. "Each state is required to develop and implement a Wellhead Protection Program to identify the land and recharge areas contributing to public supply wells and prevent the contamination of drinking water supplies" (ACP FEIS, 4-78).

VDEQ in its provisional approval of ACP's 401 Water Permit does not address the fact that the sole drinking water source for 100% of Union Hill households is from individual residential wells, as it is in Buckingham County generally. These wells in Union Hill are as close as 500 feet from the already existing Transco underground corridor of 4 pipelines, which passes through a large wetlands area mapped on ACP's facility documents. It is within that wetlands area that ACP plans to connect their pipelines with Transco's.

EPA defines a "sole source aquifer" as "one that supplies at least 50% of the drinking water consumed in the area underlying the aquifer, where contamination of the aquifer could create a significant hazard to public health; and where there are no alternate water sources that could reasonably be expected to replace the water supplied by the aquifer" (EPA, 2016 in FEIS, 4-78). For the Union Hill's community, and again for almost every community in Buckingham, there are no alternate water sources.

Nowhere in ACP's filings or FERC's FEIS are these risks to single source aquifer/drinking water source by this infrastructure location reported. ACP claims they will use "best in class" technologies and expertise. However, they do not specify what these are nor does FERC or VDEQ's provisional approval of ACP's 401 water permit mention further details or requirements to protect water sources.

Forcing this disproportionately elderly and very young, disproportionately chronically

ill, minority population to breathe air and drink water polluted by fracked gas chemicals, the Union Hill for a mega-compressor station constitutes human medical experimentation, the outcomes of which like the Tuskegee Syphilis Experiment, are already known to medical science (see newly published, 5th Edition: Compendium of Scientific, Medical and Media Findings Demonstrating Risks and Harms of Fracking,).

Unequal participation in democratic processes

The compressor station planned for Union Hill is not industry standard, as described by FERC. “Best practices” for siting even small compressors stations 1/7th the size of the one ACP would build in Union Hill were mentioned in a study promoted by FERC in its FEIS, and conducted by the National Fuel Gas Supply Corporation. “Identified commonalities” in all seven New York State places with small compressor stations were their sites “on large land parcels and set back from the road; natural and constructed buffers were utilized; and compressor station sites were generally in rural areas removed from higher density development.” None of these are true for Union Hill.

Yet, the bond held in surety for the life of the ACP that the Buckingham County Planning Commission recommended to the Board of Supervisors for the compressor station was excised the day before the Board’s vote when Dominion circulated a nonbinding Memo of Understanding (MOU) about a “tap” they suddenly offered into the ACP for a most-desired commercial park in Buckingham. A park that no one any longer believes will ever be built. Despite 91 public comments against approval of the compressor station site and only 3 in favor, Buckingham’s Board of Supervisors voted unanimously and without provisions to accept Dominion’s site and plan with few construction details.

Thus, Dominion Resources, principal owner of the ACP and largest political campaign donor in Virginia, neatly exerted its power to sidestep responsibility for the true costs of the compressor station. Which are health costs paid out in medical visits, in lost sick days, and early mortality, in lost land value costs to inter-generational wealth passing of family and heritage lands, in current economic uses of one’s property. We know from other communities with existing, far smaller compressor stations, these costs will be borne not by the developer but by the most impacted people.

In Buckingham, these unequal costs from political negotiations between Dominion and the county follow over 250 years of race-based discrimination. Dominion chose a site for the compressor station, as noted, in a majority African American neighborhood on former slave plantation lands. At the same time, also in Buckingham, Dominion built a much-desired solar farm also on a former slave plantation – this one still owned by white descendants. Where the white landowner receives monthly lease payments instead of a one-time forced easement payment for lands crossed by Dominion’s fracked gas pipeline. Union Hill landowners are not protected by a surety bond nor will receive even an easement payment. Lands adjacent to the compressor station not crossed by the pipeline receive nothing for their troubles.

Cost benefits of environmental injustice and human rights violations

These strategic omissions have served ACP well by providing enormous cost benefits.

ACP omissions successfully foreclosed public access to information necessary to decision making by FERC commissioners, Virginia Department of Environmental Quality (VDEQ) staff, local and state elected officials, and the public. Now ratepayers do not know increases in their utility rates to pay for the ACP will impact their wallets and perpetuate environmental racism and climate change. Missing information would have had to be addressed by FERC, VDEQ, and elected officials in decisions to grant certificates of use or to authorize permits for the ACP. And, once granted, this information if known would of necessity had to guide and shape key construction and mitigation requirements.

These omissions and their consequences point to a cumulatively devastating list of environmental justice violations of National Environmental Policy Act (NEPA) guidelines and violations of human rights to information, participation, health, clean air, clean water, and to the preservation of community identity and culture by Atlantic Coast Pipeline's plans to build new fracked gas infrastructure.

#15 John Laury

My name is John W. Laury and I live in Buckingham, Virginia and my property comes within a half mile of the proposed compressor station which I definitely oppose. I'm a farmer and I raise cattle and I have a great concern as to the effect this proposed compressor station will have on our water supply. We have wells, streams and springs on the property. We have at least four creeks. One of the main creeks is Ripley Creek and it travels for miles beyond our property. We have two donkeys and also have wildlife. The chemicals that would be released from the compressor station in the air and once our groundwater is contaminated, the effect it's going to have on my wells, we don't have access to public water and we won't be able to drink this or use the water from our wells. Won't be able to supply water for our cows. We won't be able to survive without water. So this is my major concern. As far as Dominion and as far as our public officials, I can't get no definite answer. We asked Dominion if they could guarantee that the pipes would not leak and they said no. So this is where we stand. It's not a clear picture, it's not a good picture. This is why we oppose the compressor station along with the pipeline.

#16 Ruby Laury

Good afternoon, my name is Ruby Laury. I'm a member of the Friends of Buckingham, and I live in the beautiful town of Buckingham County. I'm originally from Southern California, and my husband decides after we worked 35 years in California that he wanted to come back to his hometown; so we moved here 14 years ago. After moving here I understood why he wanted to come back. Buckingham is a beautiful place. One of the most quiet, no pollution, lots of clean air.

I have many concerns, as I'm sure others have that live in my community. I also have a great concern for our water. What is going to happen when the underground pipes leak? If this compressor station goes through, we won't be able to treat the water, are they going to supply us with drinking water? What about our gardens? What about our livestock and domestic animals? They all need water. Water is a most precious commodity.

What about our senior citizens, some who are having health issues? What will happen to them? What about the younger generation, whose parents, grandparents plan to leave them an inheritance of their property, their homes? This legacy will be gone, and our property values will go down.

What about our heritage? The African-American churches, some which were built in the 1800s; and many slave graves, as well as other historical sites. What will happen to them?

Also one of the first questions I asked earlier in the Dominion ACP meetings was, and my husband already mentioned it, can you guarantee us that there will not be any leaks into our water system, as everyone in our community uses well water? Their answer was they could not guarantee that there wouldn't be any leakage.

As I said, we cannot live without water. I'm concerned that the ACP will damage our water. That it will leave silt in water, disrupt underground water systems, and leave unprotected soil to just wash away. The plans to protect our water and soil from the ACP do not provide enough information for me to feel comfortable that our water will be protected. One of the things that I did find out is that the pipeline's in the rural area, such as where we live, are very thin compared to the ones in the more populated areas; there's something wrong with this picture. I've seen what happened to Flint Michigan. Will we be another Flint Michigan? Are we going to be another sacrificial plan for these big companies?

I'm disappointed in the politicians and representatives in our area who have not tried to help or protect us from these big businesses. They don't care about us. All they are interested in is money Money MONEY! As I stated before, without our clean water we cannot live. Our livestock and domestic animals cannot live. What about the wildlife who also depend on clean water; are they willing to sacrifice these precious animals? Our community will be negatively affected, causing health problems among young children and the elderly. So, we are standing up against these giants. In our church we have a

banner that states “stand up for what is right even if you're standing alone.”

I just want to take this opportunity to thank all the people who came from different states and different communities to help us. I've met a lot of friends that I didn't know in the neighboring communities and I just want to let you know these are wonderful people, and I'm eternally grateful for all of those who came to help us. Last but not least, I just want to say thank you, it's been an honor and a privilege to stand here before you.

#17 Georgianne Stinnett

I am Georgianne Stinnett and 8 generations of my family have called Buckingham, where Dominion plans to site a 54,000 hp compressor station, home. I own a home and land that I inherited through this legacy.

Dominion is notorious for bending the rules, breaking the rules, or, when neither of those is sufficient to support their agenda of greed, paying the right people to have the rules changed all together.

For example, the ACP is not eligible for the special use permit that it was issued by the Buckingham Board of Supervisors. The permit is a possibility for utility companies but the ACP is a for profit limited liability corporation. Yet they had the audacity to apply and the BOS had the lack of fortitude to overlook this critical detail and grant their wishes.

Past behavior foretells future actions and Dominion has given us no reason to believe any of their promises that the compressor station will be not only safe but an asset to our community.

In September of 2016, Dominion vented their compressor station in Loudoun County without adequate warning to local officials. While the resulting gaseous plume stretched to a radius of 10 miles, emergency responders received over 100 calls from terrified citizens. This is the same compressor that Dominion had assured the Loudoun Board of Supervisors that they would not expand, if anything they said they would reduce capacity. Yet in October they announced the addition of 7,000 horsepower of compression. In response to protests from the Board of Supervisors, they apologized for their lie and then just said they are going to proceed despite the Board's objections. This is the type of behavior the citizens of Buckingham dread if the ACP is built.

<http://www.dcmmediagroup.us/2016/10/27/loudoun-officials-caught-off-guard-dominions-new-compressor-expansion-plans/>

Dominion has already mocked the rules they agreed to follow for the surveying of potential routes. Yes, by law they can survey land without the owner's consent. However, in a recent court challenge to this law, Dominion agreed to the stipulation that they must and will notify the landowners and wear visible identification. Yet there is a video on line of surveyors invading the land of a Buckingham citizen, with no identification and total disregard for his pleas for them to identify themselves.
<http://friendsofnelson.com/category/surveying/>

Showing ID would have cost Dominion nothing and would have showed that they honor what they have agreed to do. How will they behave when complying with the rules costs them money? Also, they make grand claims that the ACP will bring jobs to our community. In this example they could have employed local surveyors. Yet none of them were local, not a single one.

The ACP is slated to intersect with the Williams Transco line at the compressor station in Buckingham. In 2008 one of Transco's lines in neighboring Appomattox county exploded, damaging about 100 houses, obliterating two homes, and hurting 5 people.

This was caused by negligence - breaking safety guidelines concerning maintenance. How can they claim that safety is paramount when they are working with a company that the US Department of Transportation's Pipeline and Hazardous Materials Safety Administration has identified as having a history of neglecting cathodic protection guidelines. Transco's old, poorly maintained lines are going to be subjected to tremendous increases in flow volume and pressure further increasing the possibility of catastrophic explosion. <http://spectrabusters.org/2014/05/18/williams-transco-explosion-in-appomattox-virginia-2008-11-14/>

Dominion has promised that the taxes generated by the compressor station will exceed 8 million dollars over 8 years. That is only about 69 dollars per county resident per year. And at the end of those 8 years, the 69 dollars will have run out and we will be left with a shattered tax base.

That is, if they even pay the 69 dollars. In 2015 Dominion was found in an audit to owe the City of Richmond 1.75 million in taxes. Not only did they not pay, as the largest contributor to our state legislators, they had the General Assembly vote to exempt them from this tax in the future. They simply had a rule that they did not like changed for the sake of their profits. There is nothing to stop them from reneging on the revenue they have promised.

<http://www.styleweekly.com/ScrumBlog/archives/2015/02/16/legislators-hand-centerstage-a-win>

http://www.roanoke.com/news/politics/general_assembly/dominion-donations-show-it-s-a-power-company-in-virginia/article_f1d230ea-6664-5912-80ad-980a5808a570.html

Past behavior foretells future actions and Dominion has given us no reason to believe any of their promises. In Virginia, corporate arrogance outweighs citizens' concerns. Our weak local government failed in their responsibility to resist the lure of Dominion's hollow claims of economic benefit and protect Buckingham from this Trojan horse. Our former Governor and our new Governor, who could stop the pipeline under the Clean Water Act both accepted huge campaign contributions from Dominion and put the corporation's profits over our environment, safety, health and lives.

Comments from:

Georgianne Stinnett

#18 Heidi Dhivya Berthoud

My husband, Réjean Dion, and I and our 3 cats, Bhindu, Tanka and Nez Noir live in the northwest corner of Buckingham County, where our land joins the James River. I choose to live in the quiet of the country and near to Yogaville, an international retreat and spiritual center, which has been and would be highly impacted by the ACP and compressor station. We are just downstream from Yogaville and we would be less than 1½ miles downstream from the current proposed ACP crossing of the James and about 6 miles down-prevailing-wind from the proposed compressor station.

We sooo enjoy boating, floating and swimming on the river. We thrill when we occasionally encounter the bald eagles, osprey, otter, bear, bobcats, mountain lion and recently, coyote. I do this work for them, the voiceless, innocent and vulnerable. We garden organically (regenerative is the new improved word), and much of the food we purchase is regenerative, as long ago we made the decision to pay the farmer rather than the doctor. The toxic emissions from this pipeline and compressor station would poison our air, water, land, way of life, our family, our extended family – humans and non humans.

I am a massage therapist, yoga teacher and therapist, and a retired dental hygienist, – all professions on the preventative end of the health spectrum. Clearly, I value highly clean air, water, food, and lifestyle. My husband suffers with PTSD, and we struggle to find a healthy balance what with the extensive hours and years that I put into fighting on the front lines of this damned pipeline as Secretary of Friends of Buckingham. This exhausting fight is stressing and wreaking havoc with many lives up and down its proposed length and beyond. I finally succumbed to Lyme's earlier this year – understood by some, to be the final tipping point of an overly stressed immune system. Oh that we all could be profiting by putting our energies toward building a bright, sane future with sustainable renewables instead of spending our precious time decrying the toxic wasteland of an out dated, outmoded, decaying, corrupt fossil fuel empire.

I think it is reasonable to expect household plumbing to leak. Now add to that a 42", high pressure, toxic, fracked-gas, 600 mile pipeline, with shutoff valves every 20 miles and one PHMSA inspector (Pipeline Hazardous Materials & Safety Administration) for every 5,000 miles of pipeline nationwide, that would run through steep Appalachian terrain, through the headwaters of the drinking water of our nation's capitol, our state capitol, and all the communities near and far from the pathway of this pipeline as it would traverse many many streams, rivers, wetlands, and karst.

Dominion began its baseline testing of water earlier this year in the proposed compressor station neighborhood in Buckingham, which prompted us to research what should be done independently of the ACP. We quickly realized that we were on our own as private citizens; but also the public health departments are at the mercy of their chain of command; the Department of Environmental Quality [DEQ] is pointed to as the agency in charge. There are not federal, state or local agencies who would do baseline testing of our surface and ground water, air, noise and health assessments for this highly impactful,

toxic construction project. Nor would there be testing during, or post construction - unless, we, the people organize and fund it.

Baseline testing is reasonable and should be a necessary precondition to issuing a water or air permit. The DEQ is required to guarantee that our waterways will not be impaired by these pipelines. I can guarantee that there is no way on earth they can make that promise, considering just the long list of undisclosed chemicals used to access fracked gas, for many of which there is no safe level of exposure. Below are 3 (short) lists of contaminants to test for in fracked gas infrastructure, suggested by various groups.

Resources

Southwest Pennsylvania Environmental Health Projects – researches and performs air and water testing near compressor stations.

National Labs

Fracking chemicals, Pennsylvania DEP 12/08

VA Cooperative Ext Water Quality Program -- only 14 items tested for – very basic water testing

With over 80,000 chemicals in commercial use and approximately 700 new ones put into consumer hands each year, we need a paradigm shift in thinking about the insanity of how we live. Once an aquifer is poisoned, it is forever un-useable. Truly, what are we thinking?

Permits for air, water, etc are supposed to give us the illusion that the regulatory agencies are there to protect us, but we have come to understand that regulators are captured by the industry. PHMSA was created in 2004 and is underfunded, understaffed and toothless. In 2013 the PHMSA safety chief was quoted saying that the regulatory process is “kind of dying”. There are over 2.6 million miles of pipes in the US, many miles of which have never been inspected, some pipelines over 100 years old... On pipeline standards: “This isn't like the fox guarding the hen house, it's like the fox designing the hen house,” said Carl Weimer, executive director of the Pipeline Safety Trust, a public charity that promotes fuel transportation safety.

Earthquakes: Five years ago we had a 5.8 earthquake that was centered near Mineral VA, 30 minutes east of here and home of Dominion's North Anna nuclear power plants. This was felt from Ontario to Georgia and did a lot of damage in the nearby area. People are still recovering from the financial impacts to their homes, buildings.

According to USGS reports, a notable quake with a magnitude of 4.0 or higher east of the Rockies is a rarity. However, a recent study published in the Journal of Geophysical Research – Solid Earth is shedding light on the likely causes behind the 5.8 event and may indicate that there are more to come. In reference to a 3.2 earthquake in 2001, in Shadwell, 10 minutes east of here, a VA Tech website says: This is an area of the Virginia Piedmont that has long been recognized as an area of increased seismic activity in the central Appalachians. Buckingham has a 120-year written record of earthquakes, with the latest on March 22, 2017.

So our terra firma is not as firma as we thought. Two concerns that we should have: Earthquakes would do serious damage to the high pressure, highly volatile compressor station and all pipeline infrastructure. Earthquakes would interrupt the wifi communications system the compressor station and pipeline would use.

First, on the damage to the infrastructure. BREDL has compiled some alarming information sourced from PHMSA. PHMSA has created discriminatory laws and regulations; unequal protection in standards for construction and maintenance. Classes 1-4: Class 1 contains a lower population density than class 4. Where there is a lower density population, class 1, that's us, the pipeline wall thickness is 75% less than a higher density population area in class 4. The distance between valves in class 1, is 20 miles; for class 4, valves are 5 miles apart. If there is a rupture of a line in a class 1 section, that's 20 miles, at best, of escaped gas, if the valves are closed immediately. Weld testing – for Class 1, 10 % are tested; class 4, 90-100% welds are tested.

Post construction: the intervals between transmission line security patrols would be 75% less for class 1 versus Class 4. For transmission leakage surveys, Class 1 & 2, the maximum interval is every 15 months; Class 4, 4½ months. Article on updated pipeline 'incident' analysis. Weaker standards make construction cheaper and the infrastructure more dangerous, and all in a high earthquake zone. These regulations read like a war zone. Rural dweller's lives are deemed less important than city folks.

The compressor stations and pipelines would be an easy target for terrorism. Add to that the highly vulnerable and way cheaper wifi communication systems Dominion has planned.

Wifi is an unsecured and easily identified system that is the absolute worst system for monitoring and operations of a mega pipeline system. It is easily hackable, easy to manipulate and/or destroy by vandalism, terrorism and earthquakes.

Fiber optic, which was originally proposed by the ACP, is virtually terrorism proof by the fact it is a deeply buried cable and only groups like the CIA, NSA or the military can hack it. These are but a few of the many arguments against the ACP and MVP and any other proposed pipelines. Thank you for listening!

Heidi Dhivya Berthoud, Secretary, Friends of Buckingham

Thank you for the opportunity to testify today on a critical issue of public health that has received way too little attention: Low Frequency Noise (LFN) from natural gas pipeline compressor stations.

All compressor stations produce Low Frequency Noise (LFN). LFN has a clear record of causing serious human health hazards. For example, LFN has been found to cause what is now known as Vibroacoustic Disease (VAD). VAD in turn can lead to serious conditions from cardiovascular symptoms to decreased cognitive skills to ruptured ear drums. VAD has been described as a whole-body, systemic pathology marked by depressions, increased irritability and aggressiveness, a tendency for isolation, and decreased cognitive skills, among other symptoms.

VAD has also been associated in serious cases with rage reactions, epilepsy and suicide. Other effects of LFN include sleep deprivation, constriction of blood vessels, enlarged aorta, heart attacks, sexual dysfunction, head pain, nausea, and balance disorders ranging from dizziness to vertigo.

In reviewing the draft EIS for the ACP project, I found that the FERC virtually ignored the impacts of LFN and completely omitted any mention of VAD. I wrote a letter to FERC raising these deficiencies in the draft EIS, only to find that the final EIS, released by FERC after public comment, preserved without any changes its deficient analysis of LFN.

It's important to note that this is not a new problem, but is one that has not received the attention it deserves. Gas turbines and compressors have been around for decades, causing problems for low-income communities. One study in 2004 analyzed several noise-generating gas facilities and recommended certain mitigation measures that have yet to be adopted. 1 As this analysis acknowledged in 2004, "experience over the years indicates that residents located in very quiet rural environments are much more distressed by a new intrusive source of noise because of the loss of a formerly peaceful and tranquil sound environment." Now it's important to understand here: the A-weighted decibel scale does not measure frequencies below about 500 cycles per second. The C-weighted scale does, yet the FERC continues to use the A-weighted scale. Thus, the impacts from LFN on human health are not even measured or identified at all, much less mitigated.

On top of the systemic regulatory failure to deal properly with LFN, the phenomenon of VAD has also been recognized but ignored for a very long time. (SLIDE #1) In 1999, a groundbreaking study described some of its characteristics then-identified: "Vibroacoustic disease (VAD) is a noise-induced, whole-body pathology, of a systemic nature, caused by excessive and unmonitored exposure to LF noise. It has been identified in aeronautical technicians, military, commercial pilots and cabin crewmembers, and disc-jockeys. VAD evolves over long-term noise exposure, in years, and can lead to severe medical conditions, such as cardiac infarcts, stroke, cancer, epilepsy, rage reactions, and suicide."2

- 1 Hessler, Proposed criteria in residential communities for low-frequency noise emissions from industrial sources, 2004
- 2 Alvez-Pereira and Branco, "Vibroacoustic disease: the need for a new attitude towards noise," CITIDEP & DCEA-FCT-UNL, 2000

In the US, LFN from compressor stations continues to take its toll on human health without any sign of abatement. (SLIDE #2) In May of 2014, the Fort Worth Weekly published an article about Charles Morgan, a civil engineer and military veteran whose extensive suffering led him to challenge the proliferation of gas infrastructure projects.³ Mr. Morgan has done perhaps more research into LFN and VAD than any other person in the United States, including research on noise controls in Europe, Canada, and Australia and direct contact with many researchers on this issue.

The Buckingham compressor station would have a combined 53,518 ISO horsepower rating.⁴ Mr. Morgan stated to me in a personal communication that he was shocked at this, and that no one would be able to live within at least 5 miles of such a compressor station running 24/7.

In a letter to the FERC⁵, Mr. Morgan addressed compressor stations as follows: "Since each of our human body systems operate at a different low frequency, we must address the Low Frequency Noise (LFN) issue. When the intensity of the LFN is increased above the human body system operating limits, the person may suffer terribly or die. We have had six persons die in my county, Freestone County, Texas, from LFN. I would have been number seven if I had not found ways to protect myself. I have suffered brain damage in 2007 and ruptured ear drum (twice), as well as many of the other symptoms associated with LFN damage. I am forced out of my home almost every day due to LFN from a nearby (one mile distant) gas compressor station having 13,400 horsepower." So we're talking about real-life, health critical suffering from a 13k HP station, and this one is going to be 53k.

Mr. Morgan states further in his letter as follows:

People all over the United States are complaining about compressor station noise. After speaking at the National Frack Attack Conference in 2013, having articles written about my LFN issue in the Fort Worth Weekly and National Public Radio, I have received e-mails from across the country requesting help; New York, Ohio, Connecticut, Idaho, Pennsylvania, etc. Where ever gas development is taking place in Texas, people are asking for help. Last year, I was contacted by people in New Brunswick, Canada requesting help. We must address these issues on the LFN. We must use the proper noise scale and proper detection equipment in evaluating the problem.

In Freestone County, Texas, there are 130 gas compressor stations with combustion turbines. The general noise level in the county in 2009 was 60 dBC. Now the noise level is 70 dBC LFN on average across the county. People can't hear the LFN because it is below their hearing ability, like the dog whistle. I have a \$3,000 Noise Analyzer. I have taken noise readings all over our county. Our people are dying because of the LFN, our

babies are having brain damage while still in utero. Heart attacks and high blood pressure abound. All the symptoms of Vibro-Acoustic Disease (VAD) abound. I have only survived because I have researched this issue in depth after three days of intense LFN that caused me brain damage in 2007. I have protected myself with protective material and modified my master bedroom with other protective material. Most days I have to escape the Low Frequency Noise by going to a public place in a nearby county. An all night Denny's eatery is good.

We are in dire need of help. After speaking at the National Frack Attack Conference on this subject in Dallas in March 3, 2013, the LFN level was 123 dBC in my bedroom on March 27th. I was jolted out of bed, dressed, took two noise readings and departed within 10 minutes with protective gear on my head, 20 plus layers. My blood pressure was 212/112. Today, I'm still in a mode of escape and recover.

I have lobbied numerous Texas Senators and Representatives for a state noise law. I have addressed our governor, federal representative and anyone else who might listen, without any progress.

3 Brown, "Compressing Agony," Fort Worth Weekly, May 14, 2014

4 FERC, Atlantic Coast Pipeline and Supply Header Project Final Environmental Impact Statement, Docket Nos. CP15-554-000, CP15-554-001, CP15-555-000, and CP15-556-000, FERC/EIS-0274F, Volume I, p. 2-7.

5 Morgan to FERC, April 5, 2017 Out of 254 counties in Texas, 27 of them have more than 1,000 gas wells and a compressor station for every 42 gas wells on average. In Freestone county there are 3,058 gas wells and 130 gas compressor stations. We are number seven in the state. These facilities are not interstate facilities, so the FERC is not involved. There is no state noise law. Therefore, we are not protected, as is the case in 43 other states.

(SLIDE #3) Finally, I want to say a word about climate change and air quality. Natural gas has been heralded as a near-term solution to climate change, a "bridge fuel" to the future. Nothing could be further from the truth. Methane emissions from natural gas infrastructure have increased dramatically with the recent proliferation of natural gas infrastructure.

(SLIDE #4) A recent study of New York and Pennsylvania gas projects reveals substantial harm to air quality and the climate from natural gas projects.⁶ Methane is an aggressive GHG and the study found that "compressors on gas transmission pipelines release emissions that spread downwind from their source in plumes of denser concentration," reaching a full mile from the compressor stations.

And it's not just methane – "While these plumes are composed predominantly of the greenhouse gas methane ... they also can contain nitrogen oxides, particulate matter, sulfur dioxide, radon and volatile organic compounds, among other materials."⁷ In my opinion, the ACP project will likely cause significant public health impacts from air quality deterioration in the area near the Buckingham compressor station.

6 Damascus Citizens for Sustainability, “Compressors on natural gas pipelines measured releasing high concentration plumes of gas,” March 11, 2017

7 Ibid.

My name is Ella Rose, and I live in the slate-river district. I have lived here in Buckingham County for about five years now. I came from neighboring Nelson County where I still have family. Their lives are also being plagued by the large pipeline that will be running through their property. So, our family's being affected on both sides of the river. I own my own home. I live a peaceful life, and that is the way I like it. About three years ago I learned about the compressor station that Dominion wants to locate here in the county. Initially I did not think too much about it, but as time went on and I learned more about what people who live near compressor stations are forced to live with, I did begin to worry some. I decided not to let it take over my life because I value my peace. I have since learned that my home is the closest home to the land that Dominion has purchased to build a compressor station on. In fact, I would be the very closest home. So anything that has been talked about here tonight will directly affect me and my way of life.

Dominion has never contacted me about this this, and it makes me wonder what kind of neighbor they really are. I value the quiet that I presently experience when my windows are open, and while sitting outdoors. I value seeing the wildlife that passes through my backyard. It is my understanding that this compressor station will constantly emit noise day and night. This will no doubt scare away wildlife and I will no longer have the simple pleasure. I wonder what this constant noise will have on me. There will be lots of construction noises also, and heavy traffic. I am used to the quiet here, will I no longer have that?

I'm in fairly good health but I know that as I get older I will have to be more cautious about my health, as all the people are more vulnerable. Air pollution aggravates the health of the people who live near compressor stations, you will all have already heard about this. I would be forced to live with this, and there's nothing that I can do to prevent my health from deteriorating. This is not the plan that I had for my retirement. As it seems though your decision to allow this change in zoning will also affect my future for good or bad. I hope you will make a decision that favors and values the life of the residents who live nearby. Our lives should not be sacrificed. Don't base your decision on tax revenue that may be short lived. Our lives count, and I'm depending on you to make a decision that favors life and not Dominion's financial interest.

#21 Pastor Paul Wilson

I'm Pastor Paul Wilson of the Union Hill and Union Grove Baptist Churches in Buckingham County Virginia. I have been a preacher for 47 years, a pastor for 46 years. I have pastored in Buckingham County for the last 19 years. I'm also a business owner here in Virginia, a lifelong Virginia resident, of course. My business is one of the oldest businesses in Virginia. I'm the fifth generation. My 23 year-old grandson has announced that he will be generation 7. Now as pastor in Buckingham County Virginia I'm appalled at everything that has gone on. I am a preacher and that is my first directive in life. I love Buckingham. I love where I pastor, the responsibilities that God has given me, and I take it very seriously.

You've heard so much information and so many statistics. I'm not going to delve into all of that. Dominion power has not been given authority over us but God has put man in dominion over the land, over the air, over so much, but Dominion is trying to take charge of everything. We today fail to believe big business -- and I could go down through the list of what big business has done in this country and their failures and their shortcomings, and they really cannot be trusted. Dominion for example has a very poor record. The statistics are available - all you have to do is do a little research. You can't believe everything that they tell you. They're lying. From the courthouse to the capital house in Washington DC we've been lied to repeatedly. And so you just don't know what to believe. We've been lied to even by preachers you know, and I'm a preacher but I'm glad to tell you that I'm not a liar because I speak truth and to all kinds of injustices.

The Union Hill and Union Grove Baptist churches - we are at Ground Zero for the proposed compressor station. We're Ground Zero for the pipeline but I mean Ground Zero really when both of our churches are within one mile. They were established somewhere around the year of 1868 to 1869 and both of those churches are result of all of that. Members of our church we have about 225 to 240 total membership I would gather you know and all of their roots are right there in that area of Buckingham County. Why should we live in fear of contamination? The mere fact that there is even a threat of contamination, that something could happen to the water, to the land, to the air we breathe, to health conditions, is enough to make anyone say no to a project of this magnitude, of this enormity, of this expanse.

Dominion of course claims there's been more review of any project of the size and the scope. But, there's never been a project of this scope, and anything that will affect generations to come, when you can't give definite answers. The only two truths that I've ever heard Dominion say and that that was spoken to already: Can you guarantee that there would be no leaks? They said no. That was one truth. They said another thing that they we've asked them about: Why did you choose the Union Hill and Union Grove area and the answer was location location location. That simply made you go mm-hmm location location location.

So the whole project is wrong. The whole scope is wrong - and is proven to be unnecessary - yet we are where there is the most risk. This is social injustice,

environmental injustice. There's a financial injustice, every kind of injustice that you want to claim. We are the poster child at Union Hill and Union Grove. We're 85 percent African American, and also there's some other folk there too, and some of them are in this room today.

We are all in danger, and we really need to take a good look at where we're going. I'm here simply again to speak truth to any injustices. Some people say, 'well, preacher you need to stay in your pulpit.' Well, this is part of a pulpit because the church is a servant to the community and not the community in service to the church. May God bless you.

We're all going to watch a little video first about what goes on in Susquehanna County. It's very important for everybody to understand what really happens. That's my well water that you see going in that bucket.

From the video (from 60 minutes): "The fracking operation, they contaminated our water. They admit it. How many of you lost your water supply? (all five raise their hands). And there are many more. The chemical, I can't even pronounce the name because it's that long. There's a chemical in the water and they don't even know what it is. Wait – you're CDC, EPA and ATSDR and you don't know what the hell it is? Houston, we have a problem. (Music) We shouldn't be sacrificing people for energy needs. That's like the bottom line." Video ends

That's Dimmick well water right there. It's hard watching this, difficult. These (holding up papers) are DEP testing that show the chemicals that are in this water right now. I'm literally being sued for five million dollars by this industry for breaking the gag order, for standing here talking to all you right now. I don't care. Screw your gag order. The people out there have the right to know what the hell is going on. This is what's going on. You want to know what pipelines do. This is what happens with pipelines. They go bang. I've already had two compressor stations around my house go boom. Every compressor station they put Susquehanna County has gone bang. I have 18 Wells around my house. I can't breathe. I have no water.

I worked for the industry for three and a half years driving a water truck because after DEP lied to us and tried to cover everything up that was going on I went to work for industry to find out the truth of what really was going on. You get on a drill site. I'm just a dumb truck driver. Company manager says anything you want. What's going on over here? What are you doing here? What's here? They just start telling you, just a dumb truck driver. When they realize me and two other men were whistleblowers and we were turning them into DEP and EPA for all the illegal dumping that was going on there's suddenly no work for us today. They don't want to fire us, cause if you fire us we could collect unemployment so you're on the books and there's just no work for you today.

They like to turn around and use all sorts: you know, it was naturally occurring. It's always been that way. I have a pretest by this company back in 2008 showing no methane and there was nothing in my water. DEP just tested the water a few weeks ago and the test results came back with methane and other chemicals in the water due to gas drilling in fracking. They say there's no danger in this whatsoever. Bull. There is danger in every aspect of this industry. I said DEP testing shows manganese, uranium, everything you could think of, barium I mean and this goes on and on and on of chemicals. Don't think you can get these chemicals out of that fracked gas. It's in the gas that's going to be pumped into your houses. I don't care what they say. Everything they say is a lie. I mean it's so bad we signed a gag order that we were forced to sign by essentially our own attorneys threw us under the bus back in 2010. He said take it or leave it offer. You take this and sign us and we're not gonna go to court. Really he goes

well you don't sign it, here's an \$80,000 bill will sue you, take your house. You're a pro bono lawyer but this is what happened to us so we signed the gag order so we didn't get sued. I've been speaking for five years on this. Now they're suing me for five million dollars and they want a permanent gag order to shut me up. Well you ain't gonna shut me up. I'm here to talk about it.

You all need to know what's going on. These are consent orders signed between DEP and the gas company, stating they contaminated the water and the air and everything in Susquehanna County and they still are permitted to do business in our state. People, we have a problem. This industry needs to be stopped. I drove seven hours to be here to talk to you. I've been here before on this okay, to make sure this doesn't happen to you and believe me the pipeline is just the beginning of the inner structure then we bring in the drill rigs and then everything else follows right behind it. And there is shale in Virginia, don't think there's not. So fight up people, because it's going to come and bite you in the ass if you don't pay attention.

I can start with Lee introducing me as being with Bold Alliance, but I don't know how to follow what Ray just said because the people you see in this picture [photo on website] are my children, and this is my life. This is a creek, one of the creeks we've been fighting the Mountain Valley Pipeline over for over three years now. Our family -- we didn't sign up for it. I don't think any landowner or anybody that's near a compressor station, anybody here that has spoken signed up for this, right? -- we didn't sign up for this? We are trying to live our lives the best we can and work and play, be with our families, our friends. I tried writing things down, but I just could not come up with what to say, so I'm winging it, so bear with me here.

I put [on the photograph she shows of her children by their stream] “the water is life. We won't back down” because there's a banner that's actually displayed up there that someone made. I believe it was some activist from the Blue Ridge Rapid Response Team who made it, and they showed up for us in September after we were dragged to court to allow surveyors on our land to finally survey for this pipeline because we've been resisting as hard as we can.

It was the archaeological surveying, the cultural surveying that they were doing. A year ago Standing Rock was happening, longer than a year ago, and many of us watched what was going on. And being a white woman who's been complaining about property rights and saying this is wrong, this is constitutionally a problem, I had to analyze and look at myself really hard and look at the dirt and the water that all of us are working to protect so dearly and hold close. I had to acknowledge the history of this country and that I'm a part of the colonization. The land that my family owns, we haven't been there for generations; we've been there six and a half years, but it's stolen land that we are fighting for, and I want to honor the history of the land and the people.

I'm grateful for the many faces that are here today and the many hearts and the many spirits that have been on this journey to defend and protect what is sacred for all of us in this region. I just am in awe of what has happened today. I'm very grateful to be just one blip of it. I think and I believe and I know that every word, every action that we take matters. Everything that you do and say in the coming months and years is important. We're doing it for the children; we're doing it for all the generations. Let us continue to rise up and fight back and defend what is sacred.

Thank you

#24 Moore Family

Saturday, October 14th, 2017 [day after FERC approved Mountain Valley Pipeline]
headlines read: "It's just a win-win for everybody." I BEG TO DIFFER!

So I would like to take this time to briefly describe how it is going to affect our parents, Bob and Mary Moore, and our lives. What this does to our future is not about money, but about an end to a family's dreams and plans for the future. It is unbelievable that it is legal for a corporation to override human rights for something that is not crucial and for corporate gain. I have fibromyalgia, and have physically ill since the news broke on Friday, the 13th of October, that the pipeline is going through. Even though we don't own the farm it is going through, I have lived here for 44 years, since my parents moved here. When my husband and I married, 38 years ago we started our lives here, built our home on a lot adjoining our parent's farm and planned to live here the rest of our lives.

The Atlantic Coast Pipeline proposes to put a 42" pipeline within 150' of the edge of Bob and Mary Moore's home on their 20 acre farm. They are 85 and 91 years old respectively. We do not understand how this can possibly be legal, since we have been told that you cannot build within 600' of the pipeline once it goes through. At this time in their lives, I'm not sure that they could live through moving. We have requested that the pipeline be moved further down on the property so that it would be less invasive to their lives, and we have been advised that the Atlantic Coast pipeline was too far along in the process to make this change. Please note that originally, the pipeline was scheduled to go through the middle of the farm, but the route was changed.

My father purchased this farm 45 years ago, cleared the property of old buildings, brush, trees, and built a home. This farm also won him an award of "Farmer of the Year" in West Virginia. He has spent the remaining years making it into his small piece of heaven. He retired at the age of 55 to farm. His greatest pleasures are trail riding his horse, and working on the farm.

Both of our parents are remarkable for their age. Dad has had heart surgery, bladder cancer, and suffered from a stroke along with several mini strokes. His wife, Mary, has osteoarthritis, and does not leave home very often, but she does manage to keep their home spotless, fix their meals, do their laundry, and be outside in their yard. But as she says, "she works awhile and rests awhile." After Dad's major stroke, the doctors told us to let him do whatever he feels like he can do. So he takes care of the farm, their lawn, his horse and plans for the next trail ride. At their age, each year is precious. Their wealth is in their home and farm. Even if they could afford to move, it would not be possible physically or mentally possible at their age to start over. His neurologist and cardiac doctor's both believe that his lifestyle is what keeps him going.

While my husband and I do not have a financial investment in the farm, we have an emotional investment here. We built our home here, raised our sons, built our barn on the farm, and shared the farm with him to keep our horses. While our home is nothing fancy, and my husband built it himself, we have invested more than it

would appraise for – but this was never a concern, because we planned to live here the rest of our lives. Because of my professional experience and education, I have been offered jobs all over the United States for more money than I could dream of making in West Virginia. But this was never a consideration because we wanted to be close to our parents and we shared the love of horses and trail riding with Dad. Several years ago, we purchased an acre of property in front of our home for twice its value, and tore down the house, and it was our oldest son's plan to build a home on it. Our son is in the process of closing on a piece of property elsewhere because he does not want to live this close to the pipeline. I am terrified of living this close to the pipeline and cannot imagine living here anymore, so we are in the process of selling our residential rental property and making arrangements to move from here. Financially, we won't be able to buy a farm, so I will not be able to keep our horses. "Being my father's daughter" is devastating for me since I have ridden horses for over 55 years.

People tell us that it won't be that big of a disturbance to our lives, but we know better. When the sewer line went through our property along with my father's farm (far away from his home) we experienced first-hand what it was like for your property to be taken over by eminent domain. This is another long story. But putting it simply, it was a nightmare. Shortly after this invasion, my father had a major stroke. While I cannot provide medical proof, I witnessed the daily stress and agony he went through and can only imagine how this pipeline is going to affect him.

My name is Richard Averitt and my family homestead in Nelson County is in the proposed path of the ACP, but I am here today to give voice to those who cannot be here.

In Paris, on December 10th in 1948 the Universal Declaration of Human Rights was signed specifically to establish a global compact among free nations to protect the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world.

Article 17 of that declaration has two points:

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

In 1996 the UN General Assembly adopted the International Covenant on Economic, Social and Cultural Rights

PART I

Article 1 of this Covenant says:

All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice...In no case may a people be deprived of its own means of subsistence.

Why are we talking about this? Because as Calvin Coolidge said,
“Ultimately property rights and personal rights (Human rights) are the same thing. “

And our Human Rights are under assault by our corporations who want to strip mine the wealth and resources of our people as they have stripped mined our natural resources for decades. And they are aided and abetted by a government that has sold its vote and its conscience to the highest bidder.

Our economic and human freedom is founded on individual property rights; government should never be permitted to take those away.

I understand that eminent domain is an important tool for building a cohesive Society. And still, it is an extraordinary power for the State to take the private property of an individual for ANY public need. And with such great power, comes great responsibility.

The founding fathers were specific when they defined the use of eminent domain. In short – this power requires that at least two key conditions are met. First, the state must demonstrate that there is true public NEED, and, second, the value of the asset or property which is transferred must go into the hands of the community: a city, a county, a state or even the federal government for the benefit of all.

But over the years, our elected officials and our courts have been persuaded by corporations to extend the idea of NEED first to “purpose” – a shift that meant the state

would take land because it would LIKE to have this new use of the land but it may not be actually necessary. And finally with the Kelo decision in 2005, we extended the power of eminent domain even further from NEED or Purpose to “Benefit”. This opened the door to any argument by virtually any business or government entity to allow seizure of your land for any purpose they deem is a better use of that land than the use you desire for your own property.

So the effect of this ruling was to open the floodgates to seize the land of poor, rural, or economically disadvantaged communities for the sake of redevelopment and exploitation.

As Justices O’Connor and Thomas predicted, “extending the concept of public purpose to encompass any economically beneficial goal guarantees that these losses (or takings) will fall disproportionately on poor communities.”

The efficacy of property rights and free societies depends on our ability to build and maintain barriers against takings.

America’s Founders clearly understood that private property is the foundation not only of prosperity but of freedom itself. So, through the common law, state law, and the Constitution they protected property rights—the rights of people to freely acquire, use, and dispose of property.

These same Founders would be appalled to see what we did to property rights over the course of the 20th century. One would never know that their status, in the Bill of Rights, was equal to that of any other right. The time has come to restore respect for these most basic of rights, the foundation of all of our rights.

Despotic governments have long understood that if you control property, you control the media, the churches, the political process itself. We may not be at that point yet, but if regulations allow the public to seize land for capricious public benefit, the poor will pay an increasingly heavy price.

In Virginia, these despots have a name - we call them Dominion. To quote other citizens I admire in this fight: I can tell you today that Dominion Energy will never have dominion over me.

I will not cede my rights, my water, or my land. I will not give up the rights that are the foundation of a free people.

Eminent domain abuse is essentially Robin Hood in reverse: taking from the poor to give to wealthy, politically connected developers.

The only real solution to this is ending eminent domain for any private gain. Those with the least means need the most robust protection of constitutional rights."

So- when the laws of the land promote violence, and repression, and degradation of our rights and our land and our fellow man - in clear conflict with our constitution and the UN Declaration on Human Rights, then the laws are wrong. I am here to ask that the UN and the global community stand with us and express righteous outrage.

Our government institutions are designed to serve us - not to subjugate us. No company, no law, not even a government can overcome the will of a people who will not quit until they have restored decency and respect and justice in their land. History is clearly on OUR side on this point.

We the People will not stand down.

Thank you.

#26 Vicki Wheaton

As a Virginia Resident whose home is in Nelson County, I write to you from Sikkim, India to ask your protection for the sentient beings that reside along the proposed ACP & MVP. I would go further to ask for your protection anywhere a fossil fuel pipeline is being proposed.

I ask you...where will this end? Famine, disease, terrorism, war...will only increase as resources are diminished &/or polluted. To me it's a matter of national & global security to stop this Pipeline Madness Disease from proliferating.

Back to my home in Nelson...

Nelson suffered extreme losses in 1969 during Hurricane Camille. 124 people died along with many domestic & wild animals, the loss of 133 bridges, 120 miles of roads, 25,000 acres of crops. For brevity's sake I'll stop here.

FEMA recommends that Counties adopt their recommended Higher Standards. Two of these Higher Standards prohibit Critical Facilities & Hazardous Materials in Floodplains. The proposed ACP & MVP meet both of these criteria so why would FERC approved these two pipelines as they will cross many Floodplains in 3 States? Nelson County being the most dangerous, as it suffered the worst disaster that Virginia has ever experienced. Also, in light of the recent devastation wrought by Hurricane's Harvey & Irma? Billions of dollars the American people now have to bear...not the Corporations who have overridden countless regulations to develop in areas known to be unsafe. In many cases money is helpless to undo the damage.

Why does FEMA not confront FERC? I think we all know the answer. Corporatacracy has replaced Democracy. This must be reversed...now. There's too much at stake in a Country where the stakes are already not in favor of the common man.

I would add that the proposed ACP & MVP total a 1000 miles of potential explosive capability that could harm Americans given the rise in terrorism & white supremacy. Especially when the target is very often gas infrastructure, on linear lines, in remote places. I especially fear for my African American Friends in Buckingham County who are being asked to bear the hardships of both the proposed ACP & its associated Compressor Station.

I beseech you to intervene on behalf of the masses that are suffering under the reign of Corporations who value nothing but profits.

Dominion claims that one of its Golden Rules is Safety so it needs to acknowledge that fracking, the consumption & transport of Natural Gas are both unsafe, contributes to global warming & is the target of terrorism...all of which are unsafe.

#27 Kenda Hanuman

My name is Kenda Hanuman and I'm a 24-year resident of Buckingham County.

I hope to offer a slightly different perspective on the pipeline's property and economic impacts. My past 3 years of attending and contributing to numerous meetings, hearings, demonstrations, and letters to the editor leave me feeling appalled at the disrespect and disregard for human rights shown to my fellow citizens by elected officials and agencies.

I've linked documents addressing a few of these issues at the bottom of this testimony. I would like to give two examples from the Buckingham Board of Supervisors (BOS) members:

Donnie Bryan, the BOS chair at the time the ACP resolution was passed without citizen input, stated in a National Public Radio interview titled 'For Some, The Atlantic Coast Pipeline Spells P- R-O-M-I-S-E' *1.

' I certainly wouldn't want it to come through my backyard, ... but if it does go through their property, then it's up to them to work out the best compensation that they can from Dominion. And I strongly urge them to do that. '

Cassandra Stish, the District 5 representative for Yogaville and surrounding area, told commenters at a regular BOS monthly meeting, before she was replaced, that they needed to just 'suck it up' because the ACP was going to happen.

I question the capability of these public servants to access their moral compass when responding to--- people over profit.

The Key-Log Economics report on the Economic Impact of the ACP on Buckingham forecasts millions of dollars of loss to property and the ecosystem:*2.

Baseline property value at risk (and expected one-time cost due to the ACP):

- o In the ROW: \$23.7 million (\$1.0 to \$3.1 million)
- o In the evacuation zone: \$75.9 million (\$2.9 million)
- o Near the compressor station: \$4.9 million (\$1.2 million)
- o In the viewshed: \$1.17 billion (to avoid double counting with lost aesthetic value under ecosystem services, this effect is not separately estimated) Ø

Total property value effect lost: Between \$5.1 and \$7.2 million Ø

Resulting loss in property tax revenue (annual): \$28,500 to \$40,200 Ø

Lost ecosystem service value, such as for water and air purification, recreational benefits, and others:

- o Over the two-year construction period: between \$3.7 and \$13.6 million (a one-time cost)
- o Annually for the life of the ACP: between \$1.1 and \$4.0 million

Lost economic development opportunities due to the erosion of Buckingham County's comparative advantages as an attractive place to visit, reside, and do business. Under the scenarios described below, these could include:

- o Annual loss of recreation tourism expenditures of \$1.2 million that would support 12 jobs, \$240,000 in payroll, and generate \$54,000 in state and \$33,000 in local taxes
- o Annual loss of personal income of \$544,000 due to slower growth in the number of retirees
- o An annual loss of \$202,000 in personal income due to slower growth in sole proprietorships

One-time costs (property value and ecosystem services during construction) would total between \$8.8 and \$20.8 million Ø Annual costs (all other costs above) would range from \$3.0 to \$5.9 million

This brings me to the work of the Community Environmental League Defense Fund (CELDF) which states: Environmental degradation is advancing around the world. The United Nations has warned that we are heading toward "major planetary catastrophe." There is a growing recognition that we must fundamentally change the relationship between humankind and nature.

Making this fundamental shift means recognizing our dependence on nature and respecting our need to live in harmony with the natural world. This means securing the highest legal protection and the highest societal value on nature through the recognition of rights.*3.

In closing I quote – Martin Luther King Jr

"Cowardice asks the question - is it safe? Expediency asks the question - is it politic? Vanity asks the question - is it popular? But conscience asks the question - is it right? And there comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because it is right."

*1. NPR interview:

<http://wmra.org/post/some-atlantic-coast-pipeline-spells-p-r-o-m-i-s-e#stream/0>

Video coverage of Buckingham hearing statements: https://www.youtube.com/results?search_query=david+martin+buckingham+compressor

Conservation easements:

<https://www.newsleader.com/story/news/local/2017/10/18/pipelines-increasing-certainty-outdoors-foundation-bargains-swap-access-rights-3-parcels/775535001/>

*2.Key Log Economic study:

http://www.friendsofbuckinghamva.org/friends/wp-content/uploads/2016/05/ACPCosts_BuckinghamCounty_Summary_REVISED_20160516.pdf

*3.CELDF:<https://celdf.org/rights/rights-of-nature/>
https://celdf.org/wp-content/uploads/2015/06/CommonSense_2nd_ed.pdf

Hi, my name is Roberta Bondurant. I'm from Bent Mountain, Virginia, and I have worked for the last three years with Preserve Roanoke and Bent Mountain. I serve with the coalition along the MVP line through Protect Our Water Heritage and Rights. In our work, in many aspects I've gotten to be a map junkie, so I'm gonna step aside here and talk as loud as I can and just kind of show you where we are in the MVP and a little bit about what our issues are.

I heard Richard Averitt talk about property rights and I couldn't impress again more the significance of what he had to say. I wanted to add in on that simply as to surveying and property rights issues. We're citizens, we're not serfs, and unless we stand up and message that to our government and to our courts, and to require our local governments and our state governments and our federal government to serve us, and require our courts to serve justice then we're not going to get it.

I was talking with my neighbor Karen Scott – whose home-schooled daughter from Bent Mountain by the way drew this adjustment to the state flag of Virginia, slaying the pipeline. You know we just determined this is one of those times in life where there's just no choice, we're just digging in and we're going forward. So we appreciate you being here.

I'm really going to be talking about cultural attachment, and cultural attachment in a large way through the water. What you see here is the ridge and valley zone of Virginia, and as many of you know from the ACP how the pipeline cuts across the mountains. It's cutting across Southwest Virginia here but what you see from Bent Mountain is when you look down in this far corner is they're cutting to the highest point in Southwest Virginia. It's almost a 4,000 foot mountain, and this route makes a beeline for this mountain. I can't imagine why that is except that you might think that when you're looking on a CAD drawing that there might be the fewest number of people there, but it's the most damning of routes and MVP has preceded with abandon.

So, what you see here is a route from which I'll be talking on behalf of groups of citizens from Montgomery County, from Mount Tabor, and from both sides of Bent and Poor Mountain, and in Roanoke, and in Montgomery County, a place that was settled from the mid to late 18-hundreds by industry, railroad and apple orcharding. Before that we had settlements for over maybe thousands of years of Native Americans. Relative to what we know, as more recent civilization, it was relatively late in the eighteen hundreds, and orchard industries is what you'd see in Roanoke county and Montgomery. What our government and MVP have failed to recognize is that here in these higher most reaches you see the tendrils of Bottom and Mill Creek coming down, and it circles way back through Floyd and Montgomery County, and circling back to and from Montgomery County and Giles County, through the North Fork of the Roanoke River, and joining up right here. We've got Spring Hollow Reservoir right here. We talked a little bit about folks from this part of the mountain, and how this watershed is getting cut across by these hotspots on the MVP which will decimate the upward reaches of tendrils

of what we've had designated as tier-three streams. Our former DEQ Agent, Bob Johnson, worked with his wife for ten years after his retirement, and had Bottom Creek, which is you know part of the Nature Conservancy's Bottom Creek Gorge Preserve, designated a tier-three stream. DEQ has been prepared to fine people for offenses to that stream, but it's been looking the other way.

This is Cletus Beauhon. Cletus's mom and family grew up on Bent Mountain, and now Cletus has bought a place around the backside of the mountain. He's got both an access road and a part of the pipeline coming up the backside of Poor Mountain.

This is one of the caves coming through Mount Tabor. This is Thunder Croft cave, across from the Mount Tabor variation, that's just been discovered. The pipeline is slated to go through there. This was just discovered on surveying, this is an entire region of karst.

This is Jim Law. He lives with his neighbors Cletus Bohan and Don Apgar on the backside of Poor Mountain in Elliston. This area's been slated for a compressor station. I'm going read to you in summary a statement from Don Apgar. Don's brother Mickey is elderly. The family ran the Sunshine Deli Mart on route 460 in Elliston all of their lives and I'll abbreviate this. He's writing about his watershed and he writes, he calls it his River.

Dear Mr. Paylor,

I'm 87 years old. My wife Millie is 86. We've lived in Lafayette, Virginia all of our lives, in fact we grew up together playing on the Roanoke River. She swam in the Old Mill Pond and I caught hellgrammites by the sackful and used them on my trapline to catch catfish.

Lafayette is right on the Roanoke River nestled in the area between the joining of the North and South Forks of the Roanoke and the crossing of the river by Lee Highway, presently route 11 and 460. Lafayette was a town that had three grocery stores, a blacksmith shop, post office, a cooper, an undertaker and a sawmill at the junction of the North and South Forks of the Roanoke.

I've been in love with the river my whole life. I fished it, kayaked it and wrecked several boats on it. My first kayak was the Sears & Roebuck wood canvas kit, a gift from my aunt in 1948. My second kayak I made with Millie's uncle after I returned from military service in the Korean War. We worked on it at night after working in the grocery business all day, so it took us about two weeks to finish. We copied my original kayak but made it large enough to hold two people.

I don't want to see my river destroyed. I own about 1700 feet of river frontage which I can look out on every day when I wake up. In fact, the crossing of the Roanoke River is on my property at milepost 235. I live on a hill overlooking the Roanoke River and can see, hear and taste it every day.

And again that's just a mile point two from the Spring Hollow Reservoir.

I want to show you what the river looks like. I want to say that Don Apgar is in rehab now. His brother died last year. Don brought me up in his truck to see this cabin which sits on Fort Lewis Mountain in Roanoke County just before he fell and hurt his hip. He

has many grandchildren, nieces and nephews who participate in the care and upkeep of this property.

#29 Peter Montgomery

To whom it may concern,

This is a brief summary of my experience from the effects of the interaction with all the pipeline doings. When first announced and where it was going I was worried. I put a sign on my fence "No Pipeline" and kept up with fight. Then all of a sudden it was literally thrown in my front yard, across the street really. Way too close to live by a 42" diameter height pressure pipeline.

Went to all the anti pipeline meeting and learned to slow it down refuse surveying. Which I did only to have MVP take me to court for permission. The day before the trial I was at doctor for ankle and doctor ran my blood sugar numbers. That day I was about 280 full diabetic totally from stress related trauma. The trial was in vain as the pipe doesn't even go on my land. So they won't even survey it & took me to court for total harassment. The whole event was stressful and I think it made an impact on the fight in a positive way. But it also took a toll on my personal health. To the extent if they build it will I survive the stress? Neighbor across the street where pipeline will go; sold and moved. It's a life threatening problem, period.

Peter J. Montgomery

I represent Yogaville. We had notice of this pipeline about four years ago and I remember Dhivya Berthoud, Chad Oba, Dhyani, and several other people here (I'm sorry if I leave you out) but we all got together knowing that this pipeline was coming our way. So my first inclination, being concerned about the growth of Yogaville, was how we were going to make use of a pipeline that was coming our way. I was just learning about natural gas so I thought maybe we'll get some natural gas.

We went to the first Dominion hearing and Dominion said well this isn't for you we just need your land. We're going down to these other areas and I said well are they in desperate need and they said well they're already served by other pipelines but we're going to bring cheaper gas. After four years of study and research, they're not getting any cheaper gas. It's going to cost them more because of the cost of transporting it but Dominion's going to make a big profit at the harm of many of us.

Our community is on the banks of the James River and of course we set this up because we wanted to be away from the hustle and bustle. We have 600 acres with 150 people in our community. About a hundred of them are staff: teachers, senior members that instruct all the classical yoga teachings involving prayer and meditation. It's required that we have peace, quiet and health, all of which will be challenged by a pipeline and a compressor station not far from our community. So we can see on this map if you have a microscope the pipeline is right here. It's within 3000 feet of our Lotus Temple, 1600 feet of our school and about 1500 feet from our homes. All of this is in the blast area according to the pipeline hazardous materials administration and/or of any fire. The entire community and the surrounding community of another hundred people is in danger.

Now one of the things we're most proud of out of this whole mess in the past four years is that Yogi's and Baptists have come together so we have friends in the Baptist community we couldn't have dreamed of. And we joined in this fight with all of you, as well. So this is key: we're just continuing to gather strength and this is in defense of our entire community. What affects them affects us and they're part of this whole fight along with us. We brought these concerns to Dominion at an early meeting about three years ago.

We said you know what about this construction and I even brought up the issue of the turbines. I said are you going to have wet turbines or dry turbines because the toxic emissions are different and out of ten Dominion people no one there knew what I was talking about. All they could talk about was cheap gas, jobs and don't worry it's going to be safe. When you know more about the company and the technology than they do, you know there's something wrong right from the start. We know that noxious fumes and toxic chemical levels have been found at these compressor stations. I toured the Leesburg Dominion compressor station and I experienced the low level vibration. It comes from the seat of your pants and when we brought it up, of course they ignored that.

PHMSA, which is the Pipeline and Hazardous Materials Safety Administration, they show here that there's an average of thirty serious incidents per year all over the United States. There are some 20 fatalities and numerous injuries and property destruction. So now we're going to get to the picture that Dominion didn't want us to show at a meeting about the seriousness of these compressor stations on the pipeline. They wanted to stop me from showing this picture. Now this is Sissonville West Virginia. The entire highway was on fire from a 20 inch pipeline and four homes were destroyed. No one died but there was destruction of property and so on.

This is an aftermath of a gas compressor station leak in Logan County Oklahoma.

This is a Durham Woods gas line explosion and a hundred people were rendered homeless and had to run into the woods with their children with blankets around them because there was no evacuation plan. And guess what - there is no evacuation plan currently provided.

This is the danger zone around the compressor station area, this is the blue line showing the ACP, this is where the blast zone is and this is where the church and the community of people at Union Hill live. So we know that's a huge threat. We've talked about the seismic problems.

We know that this pipeline is huge. In the Buckingham comprehensive plan they actually stated it's not good to have anything that could threaten this rural area because emergency personnel would take a long time to get there - at least 20 minutes. This is not a good place for a pipeline. Now there're other issues in the written testimony that I'll provide, but let me just conclude that we're asking for protection from these issues, for environmental justice. We're not getting it from Dominion. We're not getting it from FERC. So we're going to have to seek this ourselves. Thank you for the opportunity to work with you.

#31 Vanessa Bolin

My name is Vanessa Bolin, and I want to tell you a little about who I am. And, I really want to talk to you, Judges. And, I want to invite all of you who are standing in the back talking to come up here because I have a warning for you.

I am Native American. I'm an activist. I'm an artist. And most importantly, I'm a water protector. I was in Standing Rock from August until I was taken out at gunpoint February the 23rd. I want to bring a warning about some things that are about to happen here in Virginia. Dirty facts that are hidden and not talked about, or talked about in hushed tones.

Today I wear red in honor of the missing and murdered indigenous women from the Dakotas, Canada, and across the country, as there are these big influxes of man-camps coming in. Violent crime increases, sex trafficking happens, women are killed. The most marginalized, the prostitutes, the LGBT community, children, vulnerable populations of people disappear and are never found, or are found dead. You are about to face that because these man-camps are coming unless this pipeline is stopped.

I also want to talk to you about the violence that will be brought not just by these man-camps with their drugs and their alcohol and their abuse. But, I want to talk about the violence that we saw in Standing Rock by a state-sponsored police force protecting the pipeline. They did not protect the people who they were sworn to protect. Instead, they became the private security for the pipeline. I have been shot with rubber bullets. I have been maced, pepper sprayed and am a connoisseur of it. I have been hit with beanbags, and shrapnel from concussion grenades. I have watched and taken care of people as a medic out in camps that were sprayed with water cannons in 27 degree weather. All state-sponsored violence to protect a for-profit pipeline.

You have to wake up. I look out here, and I see many people that I've been fighting this battle with since I came back from North Dakota, and many who are friends that have been around for a long time. I don't want to preach to the choir. I want the people who are idly standing by and allowing this to happen to know these things are real. We have to protect our most vulnerable communities, our people of color, natives, our land. We are looking at not only the rape of Mother Earth, we're looking at the rape of our communities. It is up to each and every one of you to keep fighting this battle. You are not alone. We will stand together.

We can stop these pipelines from happening and being built, but I implore you to please, please know this isn't just the rape of the land. There are women and children about to fall into horrible sex trafficking. That's already an epidemic in this country, but it will become worse and more prevalent here in Virginia.

So I thank you for your time, and please if you are still idly standing by and unsure, are afraid to take a stand, please, please do not let them build these pipelines and bring the

violence and the exploitation of the marginalized communities to West Virginia, Virginia and North Carolina. Thank you.

#32 Bridget Kelley-Dearing

I'm Bridget Kelley-Dearing, and I'm reading off my phone, so I'll be looking down a bit. I live in Rockbridge County, and I run Preserve Rockbridge which is an organization that's dedicated to stopping both the Mountain Valley and Atlantic Coast Pipelines. I want to present my brother's testimony today. His name is Sean Kelly, and he lives just over the one-mile blast zone of the Mountain Valley Pipeline's crossing on Bottom Creek and Bent Mountain. Sean has given me permission to speak for him today, as he was unable to attend this meeting. I nearly canceled my testimony today because I didn't really feel like it was what the tribunal was looking for.

Sean's not really poor and he doesn't live in a marginalized community, but he is a product of Appalachia. My family hails from West Virginia and Sean has lived all of his life in Southwest Virginia. Both of us were growing up Montgomery County primarily. Our families are Scotch-Irish descendants. Our ancestors chose Appalachia Virginia to raise their families many generations ago. My grandmother Georgia Epling was born in Camp Creek West Virginia but the Epleys moved to Pembroke in Giles County and later Montgomery County. We also have family history in Pittsylvania County. Sean is blue collar and he works 60 hours a week every week in a car dealership as a service manager. He's opposed to the Mountain Valley Pipeline, but he works so many hours a week that he feels overwhelmed by the pipeline and doesn't have time from work to resist it. I've used his name and most of my testimony to FERC and the DEQ in public comment hearings.

I wish you could hear that man's Southwest Virginia accent. I have none of it. I don't know how he kept it but he's got it. I was going to present his story as an Appalachian or rural Virginian. I want people like Sean's stories to be heard: blue-collar workers who find themselves unable to resist the pipelines because they're working way too many hours so they can live and retire on the land they love.

Sean and his wife Sandy will have to get around the Mountain Valley Pipeline construction at Bottom Creek on Bent Mountain two times a day to work at their jobs after the pipeline is built. They will sleep in their beds every night, just on the other side of the one-mile blast zone. Bottom Creek will be severely impacted by the Mountain Valley Pipeline. Aside from its aesthetic beauty, which it is gorgeous -- like so many other lands like Spruce Creek in Nelson. Anyway, aside from that the creek contains brook trout and log perch which are endangered species and the VDEQ is required to protect them and the creeks they inhabit.

But I just want to say that really the VDEQ is not considering cumulative effects of all the pollution sources. The DEQ conducts cumulative impact analyses for all other individual reviews of regulated polluting activities. Why would they not do the same for the pipelines? It is the cumulative effects of all sources that will determine whether standards can be met and you cannot ignore other factors even if they are not explicitly covered in this review.

Many people like Sean and his wife Sandy are being sacrificed while they work overtime to live on this beautiful land that they cherish and steward so well. I thank you for hosting us and for considering my testimony. Thank you.

I wish to thank the organizers of this event for their hard work and their dedication to justice. They inspire me. Just as I continue to be inspired by Heather Heyer. I know which side Heather would have been on in this struggle had she not been murdered by a Nazi coward. Heather would have been with us here today at this peoples' tribunal. While there are no Neo-Nazis parading through our streets in Charlottesville today, white supremacy is very much at work in the offices of Dominion energy and its partners whose lust for profits overwhelms morality and common decency, callously hurting black people in the name of corporate profit.

The ACP's proposed pipeline route and compressor station in Buckingham county will put the health of a community of mostly elderly African-Americans at high risk, and deeply damage the value of the property held by this vulnerable population.

The construction of the pipeline and of the compressor station will shatter the peace and quiet of the environment in and around the Union Hill community. The actual operation of the pipeline carries risk of leak and explosion. I live close enough to its published route that my wife and I, like our Union Hill neighbors could be incinerated in a leak-fueled explosion. Just like the innocent family killed by the El Paso pipeline disaster. It was a lovely day. Just like this one. The family began to enjoy a gentle picnic lunch when a corroded pipe burst. The fireball was visible for 20 miles.

The operation of the compressor station now scheduled for construction within yards of the Union Hill community comes with emissions which ultimately would poison the air and water consumed by the black Virginians of Union Hill.

Please keep in mind that the Atlantic Coast Pipeline is NOT an energy source needed by the people of Virginia. It is purely about profit for their shareholders. That includes Dominion's officers some of whom hold millions in company stock. Let me be clear: I am a capitalist. I own stock and want those shares to make a profit. There's nothing wrong with that. Unless the company I've invested in is raping the environment and committing an act of disgusting economic injustice which disproportionately threatens African-American people.

Have they not suffered enough at the hands of profiteers?

Their ancestors were kidnapped from Africa and enslaved by wealthy Virginians in the name of profit.

Now, five generations after the Emancipation Proclamation, black people descended from freed slaves are watching as wealthy white Virginians are upending their lives, threatening their health and deeply wounding the market value of their property-their legacy for their children and grandchildren.

Fifty years ago, I was a young reporter assigned to cover Dr. Martin Luther King's Civil Right Movement.

While doing that, I observed the powerful moral authority of black people at work. It is astonishing to me that the rich and famous white people who are at the top of the Dominion pyramid have abandoned their own moral authority in the name of profit which depends on the abuse of black people. Again.

Today, half a century later, it looks to me like nothing has changed when it comes to black Americans and the way they are routinely abused by the corporate elite who routinely buy the loyalty of our lawmakers.

Dominion is the largest contributor of money to Virginia politicians whose job is representing the people. Money rules. African-Americans suffer. It is an old story of power and heartlessness. It is plantation politics. It is rooted in white supremacy. Plain and simple.

Of course, Dominion's leadership is not made up of identified Neo-Nazis.

But by the way they are treating my black neighbors in Union Hill, you'd never know that.

Thank you.

(Speaks in tribal language). What I'm just saying in my own tribal language is my name - which I'm not going to give that away. So it's Lee McCaslin, 36 years in the oil and gas field, and actually I have a presentation to bring forward. Imagine if you will just being on this side of the fence of the oil and gas field, Chesapeake, just imagine the watershed because it's huge, it's huge.

(Loud sounds from gas fire).

This is probably the scariest sound you'll ever hear in the world right here, okay? Now that that went away, that scary sound, I'm looking at this side of the path [points to workers in photo] and why is it always safety first? When we draw an imaginary line and not over there? [where the blast sends pollution out]

About seven years ago I ran into quite a bit of industry where contamination of the water and the water buffalos [symbolizing all animal life] were starting to appear, and I can't believe it. And now we have grandchildren and great-grandchildren, people that are fully - it's doom day for them in some of the counties - and, as I struggle with that knowing on this side of the fence, it's safety first. Why can't I reach over the fence? I have seven point five acres here [in Pennsylvania shale region], and I know that the Marcellus Shale actually is a flop economically. It's unfit. There's so much within the years from 1979 until today at the present time to look back on. But we need to move forward.

That took seven minutes [video of explosion], Chesapeake right.? So we're always dealing with the name change and if it wasn't for the people that I'm hanging out with, they've taken me to Washington DC to put it on the line for them. Where is the brake handle for this? Where's the stopping of it, Congressman? Where are you at? You know we called you out, and we're going to continue to call you out because this.

You know I give thanks every day now when the Sun comes up. It's beautiful you know. We have a new way, but we keep going this way. This is the destruction that we have each time from surface to 2,000 feet. We have that problem of probably hitting a gas pocket and being able to do that. And when the back of these companies end up in playgrounds it's gone too far.

Everything that we've been witnessing is gone too far. The water buffalos, you know I mentioned that you know, and then when there's stuff coming it's gone too far. It's beyond too far. So I can go on for a long time and that's what elders do. Every time I visit back home, and I think about that those others, they like to listen to me. I'm in a community of about 5,000 people, and it's not every time I get to go home, but it's always the familiar faces and the hugs and all the community that this action for the last seven years has been bringing home [Mr. McCaslin has been a volunteer activist meeting legislators at state and U.S. level for 7 years.]

The more we go through the rough and the struggle, I mean the more we'd come [to our legislators] and we got a long ways to go. We were down here a while back just thinking of that horrific sound, that eerie sound and we don't want that here, not at all. We want to build communities that are renewable.

A day when we can look at the Sun and say hey that's the way you know each morning as long as the sun's rising I don't have to go back to that deep dark hole that's been down there millions of years. What's the difference? It's going to be down there another day. Why hurt anybody else? You know what was that I guess I have to pause my time. I don't see no signs yet though but that's okay because I can run away with that too, because I'm looking at our worms, our chained hands, floor hands, water hands, derrick hands, drillers I'm looking at all of you, you know. Operators you know I put my life on the line. I protect what's on this side. Why aren't you protecting what's on that side? That's the question. This invisible line we cross it over so you Congressmen that ain't doing your job, you better get on it. You know that's all I have to say right now.

#35 Nancy Maxson (audio testimony)

After watching Ken Burns' Viet Nam series' and hearing journalist, Tim O'Brien, talk about what GIs carried as they fought, & after seeing the disastrous toll of recent California fires, & now reading a Federal agency (FERC) approved the never-before-attempted construction of a 42" wide, fracked-gas pipeline along our hill and close to countless neighbors stretching from WV to NC, I got to wondering:

Imperiled

How many times in your life have you looked around your house

and whispered "which of these things should I take

if we had to evacuate in, say, an hour?

a half hour?

in a few minutes?"

What would you load up the car with? What would you grab if you only had time to carry things out?

Which would you save?

Parts of your history?

gifts? Mom's clock? Dad's artifacts? scrapbooks?

Parts of your present? practical portable items? computers?

products of your productivity?

your instruments?

your financial identity? And why? Who are you now?

We'd be carrying what we could grab, mindlessly probably,

new fears, new pain,

finally, we'd be carrying our determination and mostly,

each other~~as we'd be glancing around,

coughing the smokey acrid air.

In those moments, who'd care why we needed to evacuate ~~
the deliberate choices of distant bureaucrats to destroy old growth forests?
the casual toss of a cigarette by a guy on a construction crew?
...like in war, the only winner is the 'Law of Unintended Consequences.'

One thing is clear: I will be leaving the heaviest burden for the members of FERC
who will be forced to carry their hubris through hell.

#36 Sonja Ingram
Preservation Field Services Manager, Preservation Virginia

I am submitting these comments on behalf of Preservation Virginia, the nation's oldest statewide historic preservation organization, to voice concerns about the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP) and the deficiencies we have observed during the Section 106 of the National Historic Preservation Act of 1966 (NHPA) review process as required by federal law.

In 2015, Preservation Virginia received numerous requests to assist in protecting historic sites that would be affected by the construction of the ACP and MVP. At the start of the review process, Preservation Virginia requested to the Federal Energy Regulatory Commission (FERC) to be a Consulting Party for the Section 106 process for the pipeline projects. For the first time in Preservation Virginia's history, we, along with other organizations and individuals, were denied this request for Consulting Party status.

The denial of Consulting Party status for the review process, along with the continued lack of communication with FERC, prompted the Advisory Council of Historic Preservation (ACHP) to reproach FERC and convey the need for them to be more forthcoming and helpful with consulting parties and others involved in the Section 106 process.

Despite the involvement of the ACHP, the Section 106 process controlled by FERC continued to be flawed for both pipeline projects. Issues remain today concerning both of the pipeline's impact on rural historic districts and prehistoric (Virginia Indian) archaeological sites.

Rural historic districts are formed by deep relationships and linkages between natural and historic features and the people who live and work in them. The swath the pipeline will make as it crosses designated rural historic districts, such as the Newport Rural Historic District in Giles County, as well as potential rural historic districts, will create considerable negative impacts.

In many instances, the pipeline's path runs very close to significant historic buildings as well as rivers and streams, mountains and ridges, farmland and woodlots – all of which make up the components of the very landscapes that differentiate Virginia from every other place in the world. Even so, the consultants hired by FERC stated that these already designated rural historic districts would not be negatively impacted by the pipeline corridor.

In 2014, as part of Preservation Virginia's Tobacco Barn Survey, a farm adjacent to an existing compressor station in Pittsylvania County was surveyed. This farm has been owned by an African American family since after Emancipation. The currently proposed compressor station in Buckingham County is planned to be located in a similar area – farms owned predominantly by African American families. This raises the question of whether rural landowners, both black and white, are at risk of being exploited by savvy,

private, for-profit pipeline companies that have been able to, in some circumstance, convince landowners that the pipeline is necessary for the greater good.

Notwithstanding the rural historic districts, we continue to be very concerned about Native American archaeological sites along the pipelines' routes, especially sites located along rivers and in flood plains. These include a cluster of prehistoric sites in Franklin County along Blackwater River, as well as others, that have been found to contain significant, intact cultural features important to the understanding of Virginia's prehistory. An in-depth review of all of the archaeological surveys completed to date in floodplains along the proposed Mountain Valley Pipeline and Atlantic Coast Pipeline's path need to be completed to determine if further investigations are needed.

Even though these issues concerning archaeological sites and rural historic districts remain — as well as the fact that not all of the general architectural and archaeological survey work has been completed for the pipelines — FERC's Final Environmental Impact Statements for both pipelines has already been issued. This points to the fundamental reason of our concerns- that the pipeline companies, as well as the federal agency that is tasked with monitoring and ensuring- under federal law- that the historic resources are properly surveyed and mitigated, are not concerned with carrying out the absolute minimum required, but are sidestepping federal laws in order to push through a pipeline that has yet to show if it is publicly necessary.

My name is Dhyani Simonini. I have with me, and I have just presented to the judges, a letter of authorization to represent the interests of the Turtle Island Chautauqua and the eastern Lenape nation of Pennsylvania. My own Turtle Island Chautauqua now has a center at Yogaville in Buckingham County on the James River where the Atlantic coast pipeline is seeking to make its unwelcome intrusion. It will be only eleven hundred feet from our established sacred Medicine Wheel and our cultural and historical artifacts. These include a two hundred and fifty year old medicine rattle and the Lenape drum which is about a hundred and fifty years old. It is used in healing and in ceremony and the voice of our people. These cultural sacred objects are located in Virginia not in Pennsylvania where my clan mother lived because they were supposed to be in a safe environment at a spiritual center which gives equal respect to all faiths.

You know they say, 'what is the cultural inheritance and historical compared to the economic?' But, this is not the truth of people. The truth of people is that the culture and the inheritance rank equally if not more with the economic and the prosperity and the money grabbing in the empty hearts and the brutal fists.

So here we are on the James River with all these sacred objects and here comes a pipeline. The James River is not even the James River. It is though Wallowa, she was our grandmother, yes they claimed her for their King, John Smith and his crew. It's always been a site of native cultural activity as well as colonial historical settlements. Underneath those banks of the James River there are six buried native cities. This is not a supposition, it is even on the map you have in your records that Captain John Smith drew. Also, there has been underneath the James River the whole buried canal [James and Kanawha Canal] -- the first canal system ever in this nation by the James River company whose staunch supporter when [U.S. president] was George Washington. Now you can't get more American than that. If you're going to balance one thing against the other, let's throw in a few presidents.

This area is absolutely filled with historical artifacts as were documented by the Smithsonian Museum by the WPA work collection and by three major Virginia universities [University of Virginia] being one of them. The work collection alone produced two thousand artifacts dug in only an acre and a half of riverbank territory. It's been a major artery for both Native American and colonial settlement and beneath the riverbed all of those wonderful canal systems.

The most important thing is that this is not what our country nor our legislature intended to happen in 1988 while Abbott and Wilkins were designating this area [Designations of Scenic and Historic], a hundred and forty eight miles of it from Lynchburg from the water dam to the foot of the Richmond falls. This is where the James River bateau festival is designated to bring the James River back to life as a historical and recreational asset for the benefit of the river cities towns and counties and for the Commonwealth and the nation. The proclamation reads, in part:

“Whereas designation of the Lynchburg to Richmond portion will enhance the cultural heritage of the cities towns and counties and serve as an example to other regions and states therefore let it be resolved by the House of Delegates the Senate concurring that the 148 miles of the James River be henceforth recognized and preserved as a cultural Treasure.”

This was voted on unanimously and approved by the House of Delegates and the state Senate. This was prior to the seizure of our political system by the great power people like the Dominion Company. We can see that this was not what Virginia meant to be. We are not tearing up the country to have the veins be pipelines instead of pristine clear water. Thank you.

I am submitting these comments on behalf of Preservation Virginia, the nation's oldest statewide historic preservation organization, to voice concerns about the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP), and the deficiencies we have observed in the Section 106 process to protect historic sites potentially affected by these projects. My name is Justin Sarafin, I am an architectural historian and historic preservationist and work on advocacy and public policy statewide as Director of Preservation Initiatives and Engagement.

Since 2015, Preservation Virginia has been involved with historic resources in multiple Virginia counties potentially impacted by the Atlantic Coast Pipeline and the Mountain Valley Pipeline. From a professional historic preservation perspective, the review process for these projects under Section 106 of the National Historic Preservation Act has raised a number of red flags and has been flawed, at best.

The lack of notification and information-sharing for landowners potentially affected has been spotty, access to detailed information has been limited, and the opportunities for public comment have been restrictive and fundamentally non-public in nature, consisting of one-on-one interviews. These issues point to a general lack of access to what should be a public and transparent process.

That we and other organizations have been denied consulting party status as part of the review process has been noted by the Advisory Council on Historic Preservation, but seems not to have altered the artificially accelerated timeline of the project approvals. The information regarding sites surveyed or artifacts recovered from significant historic and cultural landscapes that has been provided to potentially-affected landowners and interested stakeholders -- those who are likely to have their property taken by eminent domain -- continues to be incomplete and inconsistent.

We have been especially concerned about insufficient level of review in Buckingham County -- the site of the proposed compressor station for the ACP. Our concern for Buckingham County's historic resources has much to do with its interwoven social and political environment. The Buckingham County Board of Supervisors voted for a zoning change to allow industrial land use on the site of the compressor station, leaving the longtime residents of the Union Hill community in a particularly threatened position.

This situation speaks to the general lack of formal survey of National Register of Historic Places-eligible resources in areas associated predominantly with African American history and is rooted in a 20th century bias toward the recordation of white history. While this lack of diversity in the historic architectural canon is being addressed by the profession, the lack of documented resources like the post-Emancipation landscape of Union Hill, makes the application of the Section 106 process all but impossible.

Union Hill was home to multiple plantations that operated with enslaved workforces, like Variety Shade plantation, the archaeological remains and white and slave cemeteries

of which are near the approximately 70-acre parcel purchased by ACP, LLC for siting the compressor station. Upwards of 400 enslaved individuals worked at Variety Shade; on the property there remains a burial site for slaves, which we estimate to contain nearly 200 graves, a few of them marked. After Emancipation, formally- enslaved and free African Americans purchased land in the area, many of the descendants of whom still live there today. While researching the area, one landowner stated, “The majority of families’ grandparents were slaves in this area.” Such discussions of the history of race in America have never been more relevant- or their potential erasure from the landscape more egregious and troubling.

Every year Preservation Virginia releases an annual list of Virginia’s Most Endangered Historic Places; in May 2016, we included a thematic listing for “Historic, Cultural, and Natural Resources Impacted by Energy Infrastructure Projects,” in direct response to the threats that the ACP and MVP pose to specific communities and historic resources. That listing, which recognized the Union Hill area, is still highly relevant, and is why we are here today.

In response, this year [2018] we listed as most endangered the Section 106 Review Process (of the 1966 National Historic Preservation Act) itself. The ACP and MVP threaten to destroy the identities of communities and peoples’ attachment to place in areas like Union Hill and countless others along both of their paths; they require more adequate review before they should be allowed to proceed. Thank you.

#39 Anita Puckett (video testimony)

My testimony emerges from my commitment to serving and working with the people of Coalfield, Central, and Blue Ridge Appalachia both as a resident who can claim a three hundred year family legacy tying me to the region, and as an “academic” who conducts theoretical and applied anthropological research in it. These roles are so closely intertwined that my comments following do not always distinguish between these two motivations for my investment in the region and its people.

I certainly didn’t have to affirm personal obligations to the area that have, in turn, demanded my involvement in citizens’ Mountain Valley Pipeline (MVP) resistance activities. I wasn’t born or reared in Appalachia. As a native Ohioan brought up in Dayton, I chose to claim my ties to the southwest Virginia, east Tennessee, and eastern Kentucky Appalachian locale because, as the daughter of an Eastern Kentucky migrant to southwestern Ohio, and as someone fascinated by my older relatives’ stories about their/our homeplaces, I needed to understand why Appalachia was culturally different. And, on a deeply personal level, to understand why these differences that are often seen as indicators of social stigmatization and disempowerment justify for many the ongoing and seemingly unending bending or outright dismissal of basic human rights for Appalachian residents as stipulated by Articles 12, 13, and 17 of the UN’s Universal Declaration of Human Rights.

These rights are once again being challenged under the building of the proposed MVP, a natural gas transmission line project that will result in the transport of approximately 2.5 billion cubic feet of hydrofracked natural gas and its carcinogenic residues under 1450 lbs./sq. inch pressure for approximately 304 miles through 42” diameter pipe across Appalachian West Virginia and Virginia. It will traverse heavily karsted terrain; a significant seismic zone; steep sloped Allegheny, Appalachian, and Blue Ridge Mountains; eight nationally-recognized historic districts; a wilderness area; multiple conservation easements; the Jefferson National Forest; the Appalachian Trail; and the Blue Ridge Parkway. No local usage is planned, except, as proposed but not necessarily confirmed, in two areas, one in West Virginia and one near Roanoke, Virginia. Local residents, as has been typical of the exploitation of the Appalachian region for 250 years, are currently in situations in which they are a minority: an often elderly and impoverished population enduring human rights violations with little to no protection by law or by federal government regulation.

From first contact of Europeans and those they brought with them (Africans, Conversos, and others) with first peoples (Iroquoian, Algonquian, Siouan, and others), those choosing to stay and settle in the Southern Highlands of what are now called the Appalachians were labeled as different. For those occupying more geographically isolated areas, they might have been identified as convicts, perhaps “mulattos” with esoteric names such as “Melungeons,” “Guineas,” or “Ramps,” or perhaps as half Indian, or perhaps even as the lost tribe of Israel. By the 1820s, reporters such as Anne Newport Royal were dismissing all residents as filthy, ignorant, stupid, and, for the most part, alcoholics. By the post Bellum period, these labels were embedded in short story and

novel characters in which Mountain men and women were often symbols for, if not actually labeled as, “barbarians” or “savages.” The targeted audiences were usually urban middle-class publics, and often women, who found the condemnation of these “hill people” self-enhancing and justification for their urban lives based on excess material consumption, accumulation of money, and support for and expansion of industrialization and a particular form of middle class society.

Meanwhile, by the late 1800s and early 1900s, the great grandparents of friends of mine and distant relatives in eastern Kentucky were selling subsurface rights to their coal-rich land for a pittance, as little as a \$1 an acre, plus perhaps a sewing machine, a certain amount of commercial whiskey, or other relatively inexpensive goods, and, very commonly did so without knowing it because of slick and untruthful sales pitches from coal company representatives and their own limited reading abilities. Most of these land sales also included clauses in the deeds or easement agreements that stated that they were also selling their surface rights to access the minerals beneath them. With these sales came, for most, the burdens of early underground coal mining and coal camp living, which included for many the abrogation of their human and Constitutional rights to assemble in public – and even to have visitors come to their own coal-company owned homes.

Also of minimal quality or unavailable in many areas were their rights to have adequate health care and a fair-minded education, to have clear water to drink instead of effluent from nearby streams into which human waste flowed through “straight piping,” to receive a fair wage for their mining labor, to be paid in legal tender rather than scrip, to be able to shop at non-company stores, and to have as safe a working environment underground as the technology of the times would allow. Instead, miners had expectations of an early death, severe bodily injuries, and black lung (coal miners’ pneumoconiosis). The hazards of underground mining have continued, as indicated by the 2010 mine disaster at Upper Big Branch in West Virginia where 29 miners died because of mine safety violations commonly understood by local citizens to have been deliberately induced to make more profit for A.T. Massey Coal Corporation.

These subjugations of human rights experienced by underground miners morphed into the broader impacts of recent mountain top removal mining where extensive surface mining practices have polluted the air and damaged homes from blasting, have poisoned the water supply from slurry pond and mine-site runoff and groundwater seepage, and contaminated the soil from frequent slurry pond overflow and surface flooding because of massive ground cover displacement. Much of the Coalfield lands have become “national sacrifice zones” (labeled so by corporations, local citizens, and academic scholars) in which high incidences of rare cancers, low birth weights and birth deformities, cardiovascular illness, and respiratory problems top the charts of national data on regional health. With no state or federal investigations of corporations’ practices that may be causing or contributing to these significant public health issues, and with little to no funding for adequate health care for those impacted, who are now often poverty-struck, residents’ life expectancies are lower, often significantly lower, than the national average. For example, the male life expectancy in McDowell County, West Virginia, is 58. As

stated by a coal mining engineer in a environmental journalism conference on coal mining that I attended in 2008, it was ok to have a relatively few Appalachian residents die from mountain top removal so that cities in India could have clean-burning coal to generate the electricity they desperately needed. He affirmed that it's a situation in which the few have to give their lives to protect the many. A national sacrifice zone – for both the environment and the people.

The Mountain Valley Pipeline project is continuing these violations human rights and environmental justice through very similar practices:

- 1) Designing a pipeline corridor that disproportionately impacts the elderly and the infirm and those of very limited income. Anecdotes abound of surveyors accosting older residents, especially women, or those who have disabilities and who cannot comprehend the details of an easement agreement form, and then refusing to come back at a later time when a son or someone with power of attorney could be present to intercede with the surveyors. One elderly woman phoned a Virginia Tech grad student of mine she knew to intercede for her. He arrived when surveyors were at their task, told them to leave since they had not followed due legal process, and was then injured by a surveyor, after a choice exchange of words. He accosted the student with a 2 x 4 that had a nail in it. While minor in its harm to the student, it illustrates the disregard for human rights exercised by the pipeline corporation and its subcontractors.
- 2) An easement agreement form that is similar in content to the old broad form deeds used to acquire coal-mining land as described above. They are general in scope and grant MVP very broad range of protections over the easements including surface alteration, as it deems necessary. However, as in the early part of the 20th century, many landowners do not seek legal council because they assume the company representative is telling the truth about the commitment of MVP to “make things right” if water or other property elements are damaged.
- 3) Anecdotal evidence reveals extremely confrontational surveying tactics that are often illegal and aggressive. Broken fences, stolen artifacts and game cameras, presence of bodyguards, surreptitious land entry at unscheduled times, destruction of valued natural property such as cultivated chestnut tree saplings, and intimidating language are the norm rather than the exception. A Virginia statute (Virginia statute 56-49.01), known even by some judges to be poorly written, grants MVP surveyors land access with proper notification; however, “proper notification” has often been ignored and residents have come home from work or a trip only to find their land surveyed and damaged in the process. Multiple court cases by landowners have resulted in better compliance by some surveyors, but minimal assistance from state and county law enforcement to enforce statute requirements remains;
- 4) Intimidating tactics to get landowners to sign easement agreement forms including lying about landowners’ rights and bringing so-called “body guards”

with them whose size and demeanor intimidate landowners, particularly the elderly ones;

- 5) Inadequate offers of payment for easements;
- 6) False representation of what will happen to the land in a particular easement in oral and some written communications from indicating no herbicides will be used (false as stipulated in documents submitted to FERC), noise levels, locations of compressor stations, what residents can or cannot do on a given easement, pipeline safety, construction methods including an omission of the impact of hydrostatic testing, what the company will do if water quality is destroyed or sources of income are lost (such as through maple syrup production lost by clear-cutting), forest regeneration, safety compensation in the event of explosion or leaks, when and how stream crossings will impact farmland, (non)mitigation of historical sites or cemeteries, impact on streams and well water due to dry crossing construction methods and sedimentation runoff, and the law itself with respect to their rights of eminent domain.
- 7) Impacts on cultural resources by MVP are also significant violations of basic human rights and dignity, as well as being issues of environmental justice. Among them are:
 - a) Rights to own property and use it in a manner consistent with one's cultural values and mores as long as they do not violate law. Landowners exhibiting "cultural attachment" have deep, spiritual bonds with their family land upon which, generally, ancestors are buried and strong cultural meanings are instilled through narratives, ceremonies, rituals and festivals, and the simple act of families living on it for as many as nine generations. Threats to these rights of cultural attachment, which are analogous to the rights of sacred sites on Native American land, have wrecked havoc on the elderly with several debilitating illnesses and at least one death attributed to the basic fear of having portions of that land re-configured to the demands of a permanent pipeline easement. These demands are iterated in most easement agreements to be: no motor vehicles, no trees, no structures, no vehicles, and no mowing or other modification without permission. Some types of crops with shallow roots can be sowed and harvested, but the surface soil, if it can be called that after the disruption of the land through the laying of the pipeline, is not expected to be conducive to successful growing of crops. Herbicides are to be used in many areas to control plant growth. Access to the pipeline easement is open so that company employees can access it any time. The intersections of genealogical, place, and personal meanings given to the land through cultural attachment therefore cannot continue. The adverse effects cannot be mitigated or ameliorated and the integrated sense of family, place, ancestors, and kin cannot continue.
 - b) Abilities to use the properties in the narrow hollows and valleys found along most of the pipeline and compressor station construction areas will be decimated. Not enough open and relatively flat land will be left. For example,

the owner of one horse farm says he will go out of business because he can't run the horses over what open land he has because of restrictions for crossing the herd over the pipeline easement that will bisect his property; another cattle owner won't be able to run cattle from one side of their property to the other for similar reasons; another says that his major legacy to his children and grandchildren, which are small plots upon which to build their homes, will be lost; and another will lose their income from maple syrup production because the trees are targeted to be cut as part of the construction process.

c) Water is threatened as greater than 70% of the landowners along the pipeline corridor use well water that they know will be jeopardized by pipeline construction and maintenance. Seismic activity, karst terrain, corrosion, and other factors affecting pipeline integrity are known to landowners not only through valid and substantiated professional reports, but through experiential knowledge gathered and preserved over the generations and their own experience either by themselves or by family members in the older natural gas line areas in the Coalfields nearby. Costs of implementing alternative water systems, such as cistern rain-water capture, will be borne by the landowners as, once again, outside help or support is very likely to not be forthcoming to a bunch of "hillbillies." At least nothing has surfaced at this juncture and trust fund income from the 27.5 million promised to the Commonwealth of Virginia as compensation for environmental degradation is reportedly going to the northern and Richmond areas of the state.

d) Historic resources, including the rich historic community of Newport in Giles County, Virginia, will be adversely impacted and the integrity of the sites and districts will be significantly altered or actually lose their National Historic Register status. For example, the pipeline is slated to come directly through the middle of the village of Newport, within 50 feet of numerous historic buildings and sites, some of which MVP left out of their historic property assessments. These omissions occurred despite repeated submissions by local citizens to MVP and FERC that they must be included.

e) The psychological impact of having private land destroyed and likely loss of economic value with no local benefits from the pipeline are inducing angst, fear, trauma, and other conditions associated with major catastrophes and war. Impacted citizens, whether landowners having the pipeline on their property or abutters and nearby residents who will be impacted by the likely air, soil, and water pollution plus noise pollution with compressor stations, are communicating this trauma through crying, anger, expressions of fear, fatigue, and other forms of extreme stress responses, including physical illnesses and reportedly, in a couple of instances, death.

f) Devaluation of property is occurring, not only for the landowners whose land will be crossed by the actual pipeline or its ancillary access roads, lay-down yards, compressor stations, or other permanent pipeline junctions, but also for those living in the surrounding "blast zone" of approximately .75 miles on either side of the pipeline. Should there be an explosion, and the number of explosions of these very large pipelines is increasing each year, the surrounding properties will be seriously impacted, if not actually eradicated

from the heat of the explosion. Already, some properties have been devalued or difficult to sell because of the required statement in marketing it that a given property has the pipeline running through it or is land located close to it or because of common knowledge of the pipeline route.

This litany of human rights violations also extends across class, race, age, and gender lines such that it doesn't just impact the impoverished, non-White, aged, or women-only households, but they are also being perpetuated by a number of conditions that create a socio-political context of political disempowerment that encourages MVP to succeed and for local residents to fail:

A. A very large number of landowners have no access to the Internet due to geographical or Internet service provider problems that are often underlain by political issues. Even those who want computer Internet access can't obtain it. Cell phone access can also be non-existent or spotty. Therefore communications from MVP and FERC, as well as from local assistance groups and government, are less accessible or actually inaccessible, and therefore are often unknown. Legal, financial, and social resources to empower them to resist or redefine MVP demands effectively and in a timely way are not available or are minimally available.

B. A number of landowners have been beaten down by failed previous efforts to resist the various forms of environmental injustice they have encountered through corporate or governmental eminent domain actions, whether they be hydrofracking, railroad construction, powerline construction, or displacement through the creation of historic parkways or parks. They simply acquiesce, saying, "there's no use in fighting—we'll loose."

C. Many landowners and abutters are surviving on modest to low incomes. They do not have the cash to pay lawyers, to buy gas to travel to citizens' meetings or rallies, to offer financial support for resistance activities. They may also not be able to attend meetings due to work hours or working two or more jobs. Efforts by grassroots resistance groups to convince them that legal aid is free or will be subvented significantly by these groups is met with suspicion or outright rejection for reasons discussed in E. below. The landowners therefore remain unrepresented and powerless to assert the human rights.

D. The number of lawyers involved who are, indeed, working pro bono or at significantly reduced fees are finite; they cannot always serve all of their clients fully. Usually, their fees are based on obtaining a percentage of the final eminent domain settlement. Some financially-strapped clients have observed that those, such as themselves, with lower incomes or whose eminent domain compensation will be small receive less attention than those better off economically or who will receive greater compensation.

E. Many directly impacted by the MVP project are high school graduates who feel they don't have the skills to offer grassroots resistance groups any help. These attitudes are often deeply rooted in cultural differences in the broad area of the MVP corridor and

express long-standing class and culture-based fractionation distinguishing “Appalachians” from others, usually non-locally born and educated professionals and academics.

F. Finally, a very few, usually highly educated academics or professionals, assert their personal skills and claim they need no resistance group assistance because they can represent themselves against MVP and FERC and need no assistance from local grassroots organizations. This group, by their actions and resources, fall outside the purview of this tribunal. Nevertheless, their separation from consolidated action of their neighbors of course means that MVP can, indeed, be more successful by creating factions and fissures in the wall of resistance of citizens whose human rights are being challenged and who are fighting for their very place-based rights to experience environmental justice rather than injustice.

The construction of the permanent MVP mega natural gas pipeline therefore represents an extension of a very long dismissal of coalfield and southern Appalachian residents as an irrelevant human population and as a lesser white population, one that need not be treated as full citizens and whose human rights can often be compromised with impunity. In this case, the political-leaning right can argue that it’s all right to destroy people’s abilities to use their land, undermine long-standing cultural attachment orientations, permanently alter a pristine environment that contributes to this cultural attachment, compromise their water supply, and deny them legal rights to reject surveying and rights of eminent domain because the “market value” of the transported gas is more valuable than they are. Similarly, the political-leaning left can argue, and they have, “They deserve what they get because they voted for Trump.” After all, both sides can and do say, “They’re just a bunch of dumb hillbillies.”

#40 Richard Shingles

My name is Richard Shingles. I'm a professor of Political Science. Anita is a colleague of mine. We're a tag team today. My area of specialty is the policies and politics of race and ethnicities. I'm going to discuss that as it applies to the issue of environmental injustice and talk a little bit about the politics and how that works.

To refer the map, this is the Mountain Valley pipeline from here up in northern West Virginia to southern West Virginia where it starts going this way, going directly south over numerous mountains. Many of you know that particular area when it gets to this point right here. It crosses from West Virginia over Peters Mountain into Giles county. I'm a resident of Giles County. Then it runs northeast until it gets to the Roanoke/Franklin area. This entire area is mountains, ridges and valleys. The area from about here to about here - it's all heavily karst. My county Giles county has 80% karst. It's a very difficult geological hazard. The residents of this entire area, with primarily an exception of Roanoke city, about here, and of college town of Blacksburg, Virginia - is overwhelmingly white and poor. These are the some of the poorest counties in the entire United States. Many of you know that. It pretty much fits the image Americans have of Appalachia. I want to talk a little bit about that.

There are important differences, very important differences, between Newport and Union Hill because of the racial composition, because of the oppressive history of white supremacy and privilege and the particularly brutal assault of Dominion on the historic Freedmen community in Buckingham. But there are some similarities that I want to talk about. Those similarities and how you manipulate race and ethnicity in the corporate world and for purposes of exploitation.

Unlike residents in the transient metro areas of our country, natives of these rural communities have similar attachments to the land which have been referred to today, typically because they've been there for many generations. They have a strong sense of community. They identify with the landscape. It's an important part of their value system. When we conducted a survey similar to the one that was done in Union Hill, it was door-to-door. We wanted to contact people that were within 1/4 mile of the pipeline. There were 130 homes we identified just in the Greater Newport historic area that were within 1/4 mile - that's the blast zone of the pipeline. We interviewed 96 individuals in those residences. We asked them in that questionnaire whether the land was special for them, and if they would they tell us why. This was an open-ended question. We didn't tell them how to respond. They overwhelmingly said it was special. The two most common reasons volunteered were: number 1, that the property had been in their families for multiple generations, and number 2: their love of the land. I think that's something that all these rural communities have, including Union Hill and my village of Newport, which is bisected by the pipeline.

The residents of Union Hill and Newport have another similarity and that is why they are been targeted for interstate gas pipelines, where you plan to build pipelines. The reason is the focus of this hearing, and that is that they are acceptable sacrifice zones for building

pipelines, not only to the builders but to the population. That's important. That pertains to the politics of it. This is the core of the environmental justice concern which deals with when the burden of development is disproportionately put on poor and minority communities. Environmental injustice is endemic and it's well documented. It often exploits racial and ethnic tensions. Typically it's part of a calculated strategy to route infrastructure projects through paths of least political resistance.

An effective tactic is to frame the potential opponents of a structure like the pipeline as inconsequential, to the extent that the opposition of these projects can be defined as having no value: not like us, maybe even a threat to us. Those so stereotyped are left isolated and have little political support. These negative cultural stereotypes are well known. We know the kind of stereotypes that have been used to stereotype these individuals. We know stereotypes are dumb, lazy, immoral, irredeemable.

In fact the same stereotypes are used for all these particular groups. That's particularly for permanent minorities - racial minorities - in our country. The similar stereotypes have been applied to rural white populations. The mountain people we know as hillbillies, rednecks and crackers. That's what Anita just referred to. These Appalachian communities are not nearly as defamed as the oppressed rural black communities but in the words of scholar Matt Wray they are perceived as "not quite white." They've been perceived as second-class citizens all throughout the history of the United States. And as such, like the people in Union Hill, they are acceptable paths of least resistance. And that's the politics of siting pipelines. Thank you.

#41 Justin Raines

I am a sixth generation West Virginian. My family has been farming the same patch of land in Roane County since decades before there was an entity known as West Virginia. While the name of our state is often spoken in the same sentence as Coal, we didn't have that where I grew up, at least not so's anyone ever noticed. What we had in its place were the oilfields.

Now that's not to say that we depended on the oilfields for our economy, or at least that we used to. Jobs on the drilling rigs or pipelines were usually viewed as a last resort for young men who had nowhere else to go. A place to make some money, establish a name for oneself, and get one on their feet before they found a real job.

As I was growing up, my father worked in the drilling industry through much of my childhood. I was always told, as all children then were, that if I went to work on the rigs he'd k'ick my..well, yanno. That's what we all told our children, for generations, and most of them listened unless they had no other choice. That being good advice, I of course ignored it and went to work on the rigs.

I worked there for the better part of twelve years. It's a hard, brutal way to earn a living. The hours are long, usually 80-90 a week, the conditions are whatever the weather is that day...because whether it's negative ten or 100, the rig never stops running. It wears at your mind, takes you away from your family, and it breaks your body. It's fast-paced, and entirely centered around production, with safety and environmental concerns an afterthought to appear to be in compliance with regulations. As I was once told though, when safety and production butt heads, production has a lot bigger head.

I entered the industry just before the Marcellus Shale Boom, and I watched it go from a series of small operations which would clear a tiny piece of land just big enough to set a small rig and some tubs on to the behemoth it is now, with well pads ranging from 5-20 acres. When I first started, on the surface at least, there wasn't a lot of impact if a well was drilled on someone's farm. I saw that change, as people leased their farms with that old knowledge of what gas drilling, and instead watched them destroyed, with entire ridges removed, massive roads running every where, and huge artificial ponds of toxic chemicals littering the landscape.

In the twelve years I worked the rigs, I saw it go through several miniature boom and bust cycles, and as our state's economy waned and other job options did as well, I saw what those boom and busts meant to communities increasingly dependent on fracked oil and gas work. Every time a family would, through man-killing labor, build itself up, get a mortgage, a vehicle, a home, the bottom would drop out from under them. Bankruptcies, unemployment, and economic devastation locks the counties dependent on extraction in a never-ending cycle of poverty they just can't get ahead of.

All that time, the conversation around the oilfield changed as well, driven by industry spokesmen, industry politicians, and industry advertising. Looking at the future ahead

terrifies me, because as the industry gains a stronger hold here, their propaganda is changing the message around these brutal and exploitative jobs. Now, instead of the worst possible resort for our children, working on a drilling rig is being pitched as their bright, shining future...and it's not, it's really not. This extractive industry is the latest in a long line of industrial overlords coming to grind our state and our people beneath its boot.

I'm terrified that we'll buy this line, that we'll spend tens of billions of dollars building toxic infrastructure that is going to be obsolete in a few decades, and that the industry behind this will abuse us for those intervening years, then laugh when the entire thing goes belly-up as coal is now, as they trot out the door from a state that will be poorer, sicker, and deeper in debt than ever.

We have to stop this, and we have to stop it now.

Justin Raines, W.VA

My dear Brothers and Sisters,

Greetings of Peace from Satchidananda Ashram-Yogaville (SAY), we are a spiritual community nestled along the James River, adjacent to the Blue Ridge Mountains.

- The James as you may know, is Virginia's largest river and its largest tributary to the Chesapeake Bay
- Approximately 3 million Virginians live in the 10,000 square mile James River watershed
- And the James River is the largest roosting area on the eastern seaboard for Bald eagles. It supports commerce and recreation.

Close to this mighty river, sits our Ashram's organic garden. An easy walking distance away, resides the beautiful LOTUS - Light Of Truth Universal Shrine - an interfaith temple offering a place of prayer and meditation for people of all faiths. On the upper level of the shrine are beautifully, hand-carved, wooden altars to each of the 10 major faiths of the world. In addition, there is an altar to lesser known - or less populated - faiths. And finally there is even an altar for faiths yet to come. So in this shrine, whatever your religious, spiritual or philosophical beliefs, you can feel at home.

Those who live in Yogaville - around 300 - spring from a wide range of different backgrounds and nationalities, and we have come together to live the simple yet profound teachings of Integral Yoga as taught by our founder, Sri Swami Satchidananda.

Those who come to visit and attend programs, Integral Yoga Teacher Trainings, or take retreats come from all over the country and around the world to study, meditate and find a place of refuge from the noise, pace, and oft times - pollution -- of heavily populated areas. So peace, quiet, clean air and water are vital to the services we offer at SAY. But we are not the only community whose health, happiness, homes and sanctuaries are threatened by the Atlantic Coast Pipeline and its only Virginia Compressor Station.

Our neighbors in Union Hill, an historic Black community founded by descendants of freed slaves, are also threatened. In the words of Pastor Paul Wilson, "Union Hill is in the ground-zero zone of Dominion's dangerous compressor station. This project would propel fracked gas through our community, leaving us with toxic emissions, pounding noise, and danger of explosions."

Other groups vulnerable to the dangers of the ACP are our Native American Brothers and Sisters. The ACP crosses the territories of four native tribes.

From friends and families in the West Virginia mountains, through Virginia neighborhoods like Nelson County, to North Carolina and beyond, many are being put in harm's way.

When several of Dominion's representatives visited the Ashram, we greeted them warmly, fed them from the bounty of the organic garden, delighted them with deliciously baked, vegan donuts, and took them hiking throughout the Ashram property.

We spoke of the possibility of the company building a solar powered station in this area instead of a fossil fuel one. Unfortunately, there was no interest.

The employees at Dominion Power are not bad people. I believe that many think what they are about to build will be of great benefit to America. And I also believe, if there was a great need, and no other means of providing power in this country, many of us would be willing to make some sacrifices. However, as others have /will soon show, these pipelines are not motivated by need, but instead by greed.

Swami Satchidananda taught us that God will always fulfill our needs but not our greed. Dr. Martin Luther King, Jr. talked of the "inter-related structure of reality...We are all tied together in a single garment of destiny...an inescapable network of mutuality...Whatever affects one directly, affects all indirectly..."

Swami Priyaananda
VP Spiritual Development

Good afternoon, everyone. Thank you to the Tribunal for this opportunity to speak on behalf of my community. While I am NOT a landowner directly on the MVP route, I am a United States Army veteran who swore an oath to protect and defend against all enemies foreign and domestic. Clearly we have a domestic enemy coming to our community of Newport [Giles County – MVP route]. I'm called out a lot to invoke my veteran status not because it puts me in a particularly special class of people, but because with that oath to defend and protect, that's a lifelong mission. I have found within my community and Newport really an opportunity to continue to serve in that way. I'm following the leadership of the people in that community in a lot of ways.

So while we are starting out this next section in panel to speak directly to these environmental issues, a reminder that I want to leave this panel with -- is that within this environment, this fragile region that we live in, there are human beings much like the community of Newport that I'm from. We have risen together to defend not just our water and access to health and the rural quality of life that we have, but to also defend everyone downstream from us. So that's really the crux of that mission: to defend that oath. It is an obligation that I personally feel to continue to see and recognize the people all throughout this fight whether it be our elderly rural residents who, as you can see on the on the map here.

This is the town of Newport. This line here is the center-line of the Mountain Valley pipeline. The red area is the blast area and the yellow band there is the evacuation route. This is what the industry refers to as mitigation so basically if we can get out of there in time we can survive. They can mitigate the effects of this by hoping the people escape in time. So it's a massive threat. It is a threat directly to the environment, but primarily you know it is a threat to our people, our citizens who live there so from that frontline community of Newport that mission extends downstream to our fellow citizens in Union Hill and along coastal Virginia threatened by flooding and across the entire region to indigenous and native relatives really even across the country.

Newport could be referred to as Ground Zero and so I just want to say to the folks in from all the way from Standing Rock to Buckingham, to everyone along the ACP: We still see you. We will continue to fight alongside you.

#44 Donald Jones

Thank you, Russell [who gave him part of his testimony time.] My name is Donald Jones. We have land in Newport, Virginia in Giles County. It's been in the family since the late 1700s. I'm generation seven. My dad, he was fighting this thing up to the point of him having a stroke. And so now it's kind of on my shoulders to continue to fight.

This land's been passed down over generation over generation. It's going to continue to be passed down. This invasion of this pipeline on our lives and our property is very unwelcome. It's really taking a toll on our health. We have a spring that's deeded water rights from 1881 that's in jeopardy of being blasted through in this karst terrain. It's got three deeded water rights to other farms neighboring. That's a major concern of ours.

Now we just want to pass on to our next generations: my son, my grandson, the stories of going down in lower fields, angling yourself right at the three trees and hollering up the hollow, but hearing the echo come right back to you. You know, we're envisioning whether that echo will come back after this proposed pipeline, if it comes through. Clearing these trees off the mountain, whether that echo's going to come back to you or not. That stuff I'd still like to pass on.

It's not fair that the U.S. isn't standing up and fighting for our property rights. This shouldn't be allowed to happen. You can kind of visualize the Mountain Valley Pipeline is an interstate with no exits. There's no benefit for us. Thank you.

#45 Cletus Bohon

[submitters regret having to delete Mr. Bohon's photos because of large file size]

I have lived on Yellow Finch Lane at the base of Poor Mountain in Montgomery County, Virginia for 27 years. The Mountain Valley Pipeline is proposed to cross my property at mile-post 237.2 to 237.4 and the 12 foot wide single lane access to my house is listed as a temporary access road that will be widened to 40 feet.

The FEIS is deficient and inadequate in that it does not mention any waterbodies on my property. My well and septic system are only 300 yards down the hill from the centerline of the pipeline, well within the 1000 foot distance recommended for sanitary surveys by the Virginia Department of Health before construction of the pipeline.

I live in a hollow at the base of Poor Mountain where many perennial springs arise. In fact, until 6 years ago my spring supplied the water needs for my house. Now I water my vegetable garden with it and "Miss Magnificent", a beautiful Weeping Cherry Tree grows next to the water that flows from the springs. Beverley, my wife, and I planted that tree the day we buried my Dad, on Valentine's Day, February 14, 2001.

My grandkids, age 9 and 14, love to come play in the spring-fed stream in the summer and catch crayfish and try for minnows. The wetlands specialist that did the survey on the stream on my property, commented that "obviously this was a living stream with lots of aquatic life."

All this will be destroyed when the single lane access to my house is widened all the way to "Miss Magnificent" suffocating her roots and killing her, and smothering the stream from the mountain springs that my grandkids play in. I have included pictures of "Miss Magnificent" and Yellow Finch Lane next to my house to show you what will be lost.

In the following picture I am standing on Yellow Finch Lane looking toward "Miss Magnificent" contemplating the road widened another 15 feet toward my tree. The next picture shows my little stream with butterfly bush and Blackeyed Susans growing next to it, my Purple Martin house, "Miss Magnificent" and the bridge over my stream.

The third picture shows the erosion that has already happened to the stream bank without the wholesale cutting of trees for a pipeline and access road which will allow a lot more runoff from the mountain than presently happens.

The last photograph is of Yellow Finch Lane with the utility pole right next to the road. More trees will need to come down when the utilities are moved when the access road is widened. I am standing 20 feet downhill from the centerline of the access road with another individual standing 20 feet up the bank in the other direction to show you about how wide a 40 foot access road is. My house is in the background on the upper left in the picture. Imagine the sediment that will flow into my stream from this construction that won't be able to be mitigated by silt fences or other methods.

The springs that feed my stream flow downhill directly into the Roanoke River 1 mile away. Not only will sediment clog my stream flowing to the river, but the clearing of trees and compaction of soil occurring during the construction of the pipeline and access roads on the surrounding mountainous terrain as the pipeline goes directly up Poor Mountain will also be flowing into the Roanoke River. This is all within a few miles of the Spring Hollow Reservoir intake, an auxiliary water supply for Roanoke, Virginia, a city of thousands.

If you would come to visit and see what a unique and fragile gem this area is, with its mountain springs and tight hollows you would see that my water would be permanently degraded and my life in my quiet, spring-fed hollow devastated. Until VDEQ identifies my springs, how can there be reasonable assurance that water quality standards will be maintained for my stream.

#46 Donald Apgar

I am 87 years old and my wife Millie is 86. We have lived in Lafayette, Virginia all our lives, in fact we grew up together playing on the Roanoke River. She swam in the old mill pond and I caught hellgrammites by the sack full and used them on my trot line to catch catfish.

Lafayette is right on the Roanoke River, nestled in the area between the joining of the North and South Forks of the Roanoke River and the crossing of the river by Lee highway, presently Route 11/460. Lafayette was a town that had 3 grocery stores, a blacksmith shop, a post office, a cooper, an undertaker and a sawmill at the junction of the North and South Forks of the Roanoke River.

I have been in love with the river my whole life; I fished it, kayaked it, and wrecked several boats on it. My first kayak was a Sears and Roebuck wood/canvas kit gift from my aunt in 1948. My second kayak I made with Millie's uncle after I returned from military service in the Korean War. We worked on it at night after working in the grocery business all day so it took us about two weeks to finish. We copied my original kayak but made it large enough to hold two people.

I don't want to see my river destroyed. I own about 1700 feet of river frontage which I can look out on every day when I wake up. In fact, the crossing of the Roanoke River is on my property at milepost 235.6. I live on a hill overlooking the Roanoke River and can see, hear, and taste it every day. I will be an unwilling witness to its destruction right in front of me as the semi-trucks, bulldozers, and blasting invade my river, my solitude, and my home.

I am also an owner of family property nearby that I have loved and cared for ever since I was 5 years old and was taken to the property for my first camping trip. I built the first cabin on the property in 1962 and the second larger one with the large stone chimney I finished in 1972.

Our water for these cabins comes from the stream that flows year round next to the buildings.

This family property is also going to be traversed by the proposed Mountain Valley Pipeline and its access roads. In fact, the access roads cross 3 different streams that flow directly into the Roanoke River upstream from the crossing by the pipeline only 1 mile from the Spring Hollow Reservoir intake for the auxiliary water supply for Roanoke City. The sedimentation that will flow from these streams to my beloved river from all the properties upstream will suffocate my river; it will no longer be a living entity. My neighbors, Cletus Bohon, and James and Carolyn Law are also concerned about upstream erosion and sedimentation.

[We regret to report that all but one of Mr. Apgar's photos were deleted as they made this document file too large for most internet users to open]

This is the Roanoke River, my river, taken from the bridge just after the confluence of the North and South Forks

This is the Roanoke River where the proposed Mountain Valley Pipeline will cross.

This picture is taken just downstream of the crossing, showing the 6 foot high riverbanks.

The previous picture illustrates how little leeway there is to absorb the flooding that will occur downstream due to the excessive run off into the upland mountain streams caused by the huge swathe of destruction as the pipeline and access roads plow up and over mountains and through first, second, and third order streams. Just this year, during heavy rains there has already been two instances of flooding onto the road in front of my house, State Route 626.

I have loved my wife and my life and worked hard to protect and treasure the



opportunity that I have had to live a life always next to my river and my land. I built these cabins myself and hope that I will be able to pass on the Riches of my life to the next generation intact.

I am counting on the Virginia Department of Environmental Quality to do the job that we the citizens need it to do to protect and maintain our water quality in this great state of Virginia.

Reject this ill planned Mountain Valley Pipeline project to save what we have for the next generation to enjoy and benefit from.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness. —

47 Maury Johnson

[submitters regret need to delete Mr. Johnson's photos of the expansive mountain vistas and of the Greenbrier River because of too large size]

Hello, my name is Maury Johnson and I live in Monroe County WV. My home and family farm is in the path of the Mountain Valley Pipeline—MVP. My home is approximately 800 ft from this threat to my LIFE—my LIBERTY and my pursuit of HAPPINESS.... as put forth by second paragraph of The Declaration of Independence that I just read.

In October of 2014, I first heard about the MVP when at a community picnic a neighbor asked me if I had gotten a letter about a pipeline that a corporation wanted to locate across the area. I had not heard anything about this until a few days later, when I got MY LETTER... This is when my entire life started to descend into chaos.

Little did I know that not only would they (the pipeline developers) seek permission to locate the pipeline across my property, but if I objected, they would use the "power granted to them by a corrupt government" to force me to let them put a ticking time bomb aka the MVP across the property. That nothing I could do would allow me to object to the environmental destruction, including the almost certain destruction to the water resources on my property or the region in general. The stress and sheer terror of living with the fact that my life and the lives of my friends, neighbors and other citizens would be put at constant risk if this project was allowed to progress to fruition, with the assistance of the very government agencies that are supposed to protect the "general welfare of its citizens"

Unfortunately, no government or government agency has been concerned with any of those private citizens who are in the path of either the MVP or the Atlantic Coast Pipeline or ACP. My family lands have been a part of my family heritage for over 150 years. To me and many in my family, the land is as important as a family member.

I also live in the shadow of the majestic Peters Mountain. This mountain influences everything that happens in my area. It influences the weather, our views of nature. It is possibly the greatest single supplier of fresh, "world class" water in the United States. The MVP threatens these water resources as well as the outstanding beauty and other resources provided by this Mountain.

Peters Mountain also hosts a short section of The Appalachian Trail [AT] A section that was deliberately incorporated into the trail by the original trail designers to allow visitors to witness the incredible view across Southern West Virginia (Monroe, Summers, Greenbrier, Mercer and Raleigh Counties in WV.)

This "detour" made by the trail designers including the countless hours of work made by the trail builders and trail maintainers (of which I am one) would be destroyed or at the very least be greatly compromised by the MVP. This project is so destructive to the AT that in an editorial published in the Roanoke Times and in the Monroe Watchman

newspapers, Andrew Downs, the Virginia Regional Director for the Appalachian Trail Conservancy (ATC) stated:

"The Appalachian Trail Conservancy strongly objects to MVP's proposed route. The ATC's mission is to ensure the Appalachian Trail and the scenic landscape that surrounds it is preserved and protected for generations to come. More than one-third of all Americans are within a day's drive of the magnificent Appalachian range which draws all types of visitors – picnickers, campers, hunters and hikers – and contributes to the economic health of local rural communities... The ATC finds that MVP's proposed routing could not be worse. The route snakes through the Appalachians requiring thousands of acres of forest to be cleared and creating gashes the width of a 12-lane highway. The resulting eyesores would be devastating to the trail and surrounding landscape, and would be seen from as far as 20 miles away."

In an earlier letter sent to FERC in November of 2016, he stated on behalf of the ATC that:

"Our own analysis concurs with the statements of the United States Forest Service(USFS) and suggests that the proposed Mountain Valley project represents a serious threat to the scenic value of the A.T. well beyond the scope of similar projects - as many as 19 prominent AT vistas may be severely impacted from this project, many of them viewing impacts as they occur on USFS land. "

The cumulative impacts to the AT would cover nearly 100 miles. *"The issue of cumulative impacts is especially important to the AT given the nature of long distance hiking."*

The MVP project is therefore committing basic human rights crime against every citizen of the world that visits or plans to visit the trail or relies on the trail for business, tourism or other human needs. It also threatens every trail across the U.S., if it is allowed to progress as proposed.

The same is true of the two Wilderness Areas, the Peters Mountain and Brush Mountain Wilderness, to the Old Growth Forest in the JNF (Jefferson National Forest) as well as to the IRA (Inventoried Roadless Areas) within the JNF that will be destroyed and/or compromised. These are just a few examples of the Crimes Against Nature that this pipeline would wreck on the citizens of the area, the US and the World.

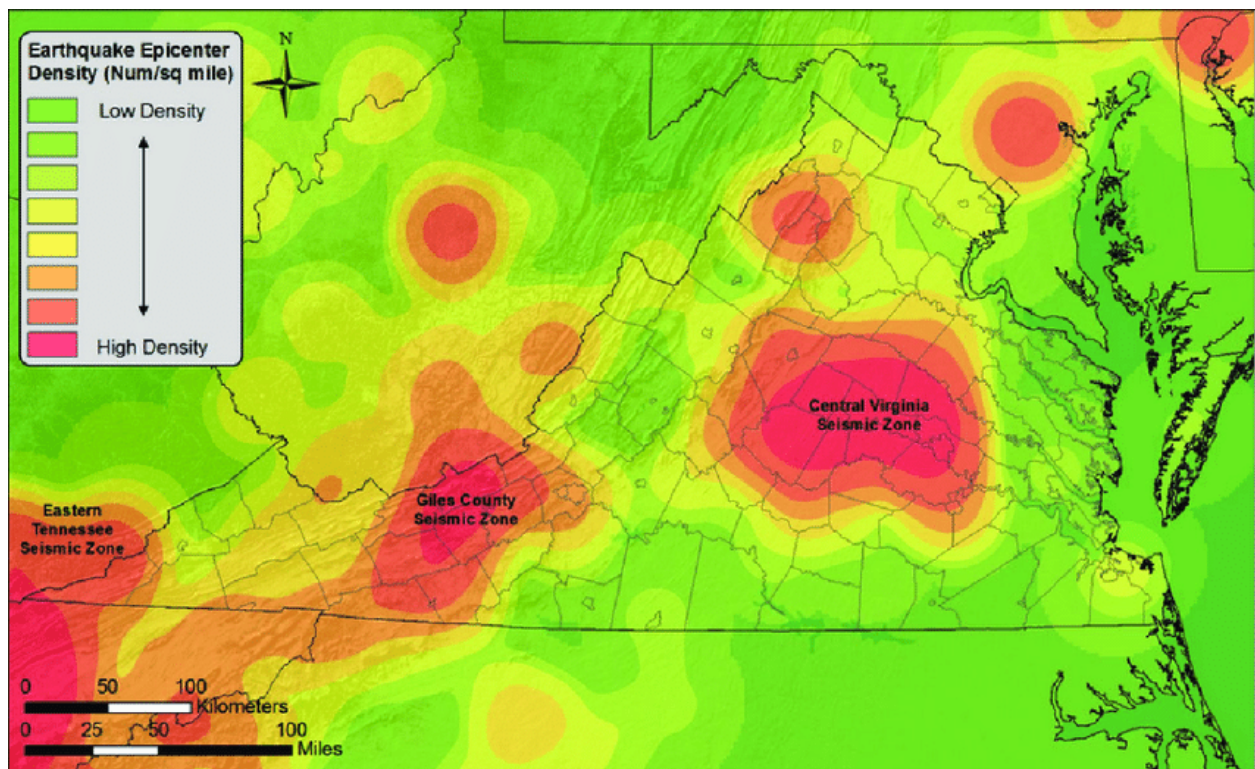
In reference to Environmental & Public Health, I believe that our very health and lives are threatened by leaking methane, destroyed and polluted water resources, our diminished sense of security in our homes along the corridor, and the other environmental and public health problems brought about by these pipelines and the industrialization of what were once pristine rural areas.

[Photo by Bill Hughes- Ohio Valley Environment Coalition – 2016 of pipeline construction removed because of file size]



Location of two Earthquakes that have occurred in the Giles County Seismic Zone in 2017 in relationship to the MVP

I live in the Giles County Seismic Zone, I have been aware of this zone since I first studied it as a Science Major at Concord College (now University) in the late 70's and early 80's. Although much had been written about this seismic or earthquake zone, the USGS Study of the area was released in 1983. It does not take a "rocket scientist" to know that these types of projects, large diameter high pressure pipelines, nuclear reactors, large dams and the like should not be built in this zone.



Coupled with the fact that the MVP would travel through some of the heaviest concentration of unstable karst topography in the Eastern US if not in the entire USA in

the counties of Monroe and Summers in WV and Giles, Craig and Montgomery counties in VA should make this a no build area.

(Photo courtesy of Indian Creek Watershed Association by Rocky Parsons)

If that is not enough reason to not build this pipeline, consider that the highly unstable soils, prone to landslides and extremely steep slopes through the border area of VA and WV from Fayette County, WV to Franklin County, VA should be the “Three Strikes” needed not to build or approve this project.

Landslide on my farm, near the MVP corridor that occurred in 2009 after a heavy rain.

But Corporate Greed has so far prevailed in this pipeline project approval. I would like to quote longtime FERC Commissioner and Former FERC Chairman Cheryl La Fleur, when on October 13th, 2017 she filed this objection to the MVP and the ACP:

“Given the environmental impacts and possible superior alternatives, approving these two pipeline projects (the MVP and the ACP) on this record is not a decision I can support. For these reasons, I respectfully dissent.”

(Proposed Crossing of the MVP on the Greenbrier River)

As mentioned earlier, our very heritage is being threatened by the MVP, as it treks across what has been an unspoiled landscape. Places like Newport in Giles County, VA, the Greenbrier River in Summers County, WV, the Narrows of Hans Creek, Ellison’s Ridge, and Peters Mountain in Monroe County, WV are unique cultural resources that cannot be replaced. They are among the last unspoiled places to be found in our area. Many people, including myself, consider these places to be spiritual in many ways and a symbol of our heritage. The MVP will destroy these and other such areas in pursuit of “private profits”.

Photo: Orange Azaleas in the “Narrows of Hans Creek”

I see much lacking in the Regulatory & Permitting rules and procedures with projects such as the MVP. It has been my experience that much of the rules are stacked against citizens who chose to oppose the “Corporate Giants” who propose such projects. Failures by the very agencies that are supposed to protect our environment; our safety and welfare are disheartening.

The Erosion & Sediment Control and impacts to wetlands and water body crossings such as those crossing Hans Creek, Indian Creek and the iconic Greenbrier and Gauley Rivers in WV are issues that should be taken more seriously by those who are charged by our citizens to enforce such protections.

Unfortunately, it appears as evidenced by the WV DEP’s initial decision to approve the 401 and Storm Water Permits for the MVP that this is not the case. It wasn’t until a group of citizens and five environmental groups challenged these issuances that the WV DEP withdrew these permits. I am proud to have been a plaintiff in the “401 Law

Suit” and a member of all five of these environmental organizations. It is a shame that it took such an action to make the agency to do what it should have done in the first place.

Finally, I would like to state that the impacts to: the air we breathe, the water we drink and depend upon, not to mention other additional environmental impacts such as climate change, deforestation of large core forest and the devastating impacts to many threatened and endangered species are other crimes against humanity and nature that are being perpetrated by the MVP, the ACP and other such projects proposed though rural, low income areas of Appalachia. Like the “Coal and Timber Barons” of the past, Appalachia and its citizens are being exploited and robbed by “Outside Corporate Entities” for their private gain.

They are in fact robbing Appalachian People of a clean environment and the unalienable human rights that are endowed by our Creator, the Human Rights I spoke about in the opening paragraph of this statement.

The Right to Life, Liberty and the Pursuit of Happiness...

Thank You

48 Lynn and Bill Limpert

Good afternoon. We are Lynn and Bill Limpert. We have our retirement home and property in Little Valley in Bath County that would be directly impacted by the ACP. The ACP would have tremendous negative impacts on us. If the ACP is built as proposed we would be forced to abandon our home and land and never come back. We simply cannot live next to this pipeline, or see the destruction that it would bring to our property and Little Valley.

The pipeline would take our property by eminent domain, not for the public good, nor for the public need, but for a rich and powerful private company, who would profit from our loss, and the loss of tens of thousands of people on and near the line.

The pipeline would cut our property in half with an 8 acre scar.

It would flatten our beautiful Miracle Ridge, so named because of the spiritual feeling we get when we walk on it. Miracle Ridge would have to be blasted an average of 30 feet deep for 3,000 feet to place the pipeline on our property. Miracle Ridge would become a pile of rock rubble. Most all of this would be visible from our front porch.

It would cut through the center of our old growth forest. This forest has recently been designated a conservation area by the Virginia Department of Conservation and Recreation, with a large part of it rare, never been cut virgin forest, and one of the finest oak-hickory forests that they have ever seen in Virginia.

I would like to invite each of you to come to our property and walk under these big trees with us. I can guarantee that you have never seen a forest like this one.

It would cut off the top of Little Mountain to our west for 0.7 miles, all of it visible from our front porch.

It would come within 600 feet of our home, leaving us well within the incineration zone of the pipeline. If we somehow survived a blast, we, and 6 other homes would be trapped in the evacuation zone with no chance of escape or rescue.

It would traverse slopes of 60%, and come within several hundred feet of a number of large landslides that occurred on our property, and nearby properties just two years ago. The largest of these is landslides is 500 feet long, 37 feet wide, and 7 feet deep. It carried large trees down the mountain when it slid. Another landslide completely blocked our access driveway. Landslides could explode the pipeline.

It would cross Little Valley Run that flooded two years ago, and deposited a large field of boulders that relocated the stream. Another flood could explode the pipeline.

It would be constructed through karst terrain and adjacent to numerous sinkholes. Pipeline construction could cause new sinkhole formation. Sinkholes could explode the pipeline.

It would lower our property value by at least 50%, or \$300,000. No one would want to buy our property with the pipeline coming through it. We would be better off if our house burned down or was destroyed in a storm than to have the pipeline come

through.

We and our neighbors could easily lose our drinking water wells and springs in our karst terrain through pollution from the pipeline, or complete loss of water from pipeline construction and blasting, with no liability for the ACP.

It could easily kill all of the native brook trout in Little Valley Run, and eliminate them from repopulating due pollution, and permanent temperature increases.

It would increase flooding through greater storm-water runoff. During flooding two years ago Little Valley Road was closed for several days, trapping residents. Floodwaters came within several feet of our neighbors' home.

We have been harassed and suffered significant property damage from a pipeline survey crew who snuck onto our property. They took us to court in a harassment lawsuit that the judge stated was unnecessary.

These are just a few of the negative impacts the Atlantic Coast Pipeline would bring to Lynn and I. We don't have time to discuss the negative impacts to all of us but they include:

- Increased rates for Dominion ratepayers
- Reduced economic activity in impacted communities
- Disproportionate Impacts to low income communities, and that's an environmental justice issue
- Disruption to impacted communities
- Construction covering 20 square miles and clearcutting nearly 12 square miles of forest
- Spread of invasive species
- Encouraging more fracking
- Increasing greenhouse gas emissions for decades, when we should be stopping those emissions now
- Worsening the catastrophic impacts of climate change
- Discouraging the implementation of clean renewable energy systems

This has been a 24/7 nightmare for Lynn and I. I have worked on stopping the pipeline each and every day, some days all day. I am waking up in the middle of the night to work on it, for over 20 months now to defend our property from this pipeline. I'm working full time again with no pay, no weekends off, no holidays, and no benefits. In fact we have spent over \$10,000 dollars in defense of our home and property. I've never been so angry and so stressed for so long.

At the same time, I've never been so motivated to fight a great injustice, and I've never been so uplifted by others, who would not be impacted by the pipeline, but have stood

up to fight shoulder to shoulder with us. We will not relent in protecting our property by any and all non violent means, even though a great violence is being perpetrated against us.

I would be happy to discuss all issues at length and in depth with any of you at any time regarding the Atlantic Coast Pipeline.

Thank you very much, and please come out to see the big trees....before they are gone.

#49 Craig Stevens

So back by popular demand folks (showing bottle with brown water labeled Dimock PA well water from fracking). Ray brought it up but I have a hundred neighbors in Susquehanna County that have plastic water tanks sitting next to their homes that used to produce perfectly clean water.

My name is Craig Stevens. I'm a 6th generation landowner in Silver Lake Township, Pennsylvania. I'm also a fifth generation New Yorker, a resident of Reston, Virginia and a native 46-year Californian. I have four beautiful children and two grandchildren who will be the seventh and eighth generation owners of my family property in Pennsylvania whose water, by the way, was poisoned in 2013 by the gas drilling in the area. Gandhi said earth provides enough for every man's need but not every man's greed. This is all greed, folks, all this is is make money and poison water and air.

I was introduced to the oil and gas industry in January of 2010 when I moved up full-time to my property. When I checked the deed to make sure that my name was on my family farmhouse that I bought, I found a gas lease. It was executed ten weeks after my father, who would never sign a gas lease, died. They signed my ninety five and a half year old grandmother to a ten year gas lease at a nursing home. That's who you're dealing with folks. That's who's coming to do this and those pictures that are coming up are my Creek in my backyard. That's from the installation of a mere 16 inch gas pipeline. I cannot even fathom what a 42 inch gas pipeline will do. They blew that bottom of my creek out over two and a half months eight times. First it was a 10-foot diameter hole, then three days later was a 20-foot diameter hole. That's well water but that's what my Creek looked like for two and a half months and that flows directly into the Susquehanna River which provides one half of all the water to the Chesapeake Bay.

Those are the experts that put that in. They were throwing straw hay bales in trying to slow down the flow. I said is that really what we do in 21st century, throw straw hay bales into the water? The gentleman said it was a blowout. I called our DEP and said there was a blowout, can he get people down here and the lady nicely corrected me on the phone: Mr. Stevens, we don't call that a blowout, we call that an inadvertent return to surface. I said I'm gonna have an involuntary muscle reaction to somebody's face unless you get somebody down here.

My father spent sixty-three years in the Civil Air Patrol, longest serving in the history of the United States. He was an emergency first responder. When I was nine years old I asked my dad what a first responder was. He said an answer that I can still use today: I run at problems where 99.9 percent of the world runs away from them and they're almost always screaming while they're running. They've taken over the first responders in my community; they buy them shiny new fire trucks, police cars we can see. Go to Cove Point - they hired eight new sheriffs that will if you pull in there with Virginia license plates they'll pull you over and ask you what you're doing there.

When you can buy the first responders and I'm talking doctors, nurses, hospitals. Our own hospital, the company that did this to Ray Kimball and his neighbors in Dimock,

it's Cabot Oil and Gas. Their name is on our hospital because they helped raise four million of the 48 million dollars worth. How'd you like to have your child go down from an asthma attack from the compressor station or backyard to the hospital that has the name of the company on it that caused your child's problem. You think you're gonna get good help there? No you're not.

Martin Luther King said: In the end we'll remember not the words of our enemies, but the silence of our friends. All of our friends have been silenced by non-disclosure agreements because that's how the industry fixes the problem. That water has been like that for nine years as of September 11th of this year. Nine years and it's not getting any better and if you see the swirly stuff in there, that's what happens you mix diesel and antifreeze together because that's what they use to drill down through. When you watch the commercials and it says we don't get anywhere near the water table, Lee McCaslin who spoke earlier 37 year master driller says the first thing we do is punch through the aquifer with all those chemicals and inverted mud on the drill bit.

The health impacts: our own Department of Health was called by me. My water started to taste like metal in March of 2013 and about two weeks into it I got spontaneous nosebleeds. I had over eight of them over two weeks - literally blood shooting out of my face until it clotted, that took about a half an hour. That was exciting. I'm 57 years old, in great shape. I boxed and played and did martial arts. I know how to get a bloody nose from getting hit or kicked but I didn't know you get to stand at your faucet in the morning, have blood shoot out of your face like a faucet; and so when I called the Department of Health they said they were very concerned. They took my name and number and they said they'd have somebody call me back. I did that eight times over two weeks - no callback. We found out later, guess what? They had a buzz word list they called it at their drawers and when you called in and said the word fracking or water contamination or nosebleed basically they put you in the round file. We found out hundreds if not thousands of my neighbors called asking our Department of Health.

My dad as a first responder had a saying when you mix health and safety with politics everyone dies. Doesn't matter what the problem is bubonic plague, AIDS does not matter if you ignore a problem like our elected officials are doing here in Virginia, Pennsylvania ignoring completely we have 9,442 people that we had to sue our DEP to find out and called in over the last 12 years from 2004 to 2016 with complaints of air and water quality issues. 2200 called in southwestern PA before they ever brought a drill bit to our neighborhoods and they never bothered to warn us but they knew what was happening. We can directly correlate those calls to when they put the drill bits first in the ground in the area.

Why are we here talking about pipelines? Because they came to my property the next thing I found was my property was staked out for a 16 inch gas line and they told me we're taking your property. They don't know me very well, I'm from Scotland, my family is from Scotland, Ireland and Wales; we don't tolerate that too much. So what I did was I decided back then to unite the clans. Anybody know what that means?

You're all the clan. This is the clan. The people of the earth are the clan. The animals of the earth are the clan. The trees of the earth are the clan. So we're uniting the clan because when you unite the clan you cannot be beaten. Everyone seen Braveheart? When William Wallace united the clans they kicked the largest army in the world out of their small country and everyone was shot.

So when it comes to problems, Aldous Huxley said facts do not cease to exist it's just because they are ignored. When you're ignored you have to get louder. The politicians will listen to you when you get loud. We can evade reality, but we cannot evade the consequences of evading reality. Injustice anywhere is injustice everywhere (Martin Luther King).

Thousands of my neighbors have been poisoned in Pennsylvania to put the gas through these pipes. Do you think we're going to help them create these pipes and keep them going? No we're not because we're shutting off the flow on our end. We're going to shut off the supply side which is the pipes and then we're going to close down Cove Point and the other export terminals because I will not be a third world extraction colony. None of us will in Pennsylvania or West Virginia or any others where drilling.

And if they want to come here with a drill bit in Virginia, my 14 and 13 year old sons live here. I told the vice-president of Chesapeake Energy "you're lucky you weren't putting my children's lives at risk because they don't live in Pennsylvania or I'd be talking to from a jailhouse pay phone right now because I've seen children sick, tumors, and cancer." Ray's neighborhood has at least nine people with cancer along his road that he lives in. We're all connected together. We can win.

I've been to 13 state houses. This (showing the water) is kryptonite to the oil and gas industry. Everywhere I go, 13 state houses, met eight governors face to face. You know what governor I've never met face to face is the governor, any governor of Pennsylvania - I'm a taxpaying citizen with a 115 acre property but I've met the governor here in Virginia, met the lieutenant governor, got a picture up with the water. He likes pipelines but he doesn't like fracking he said but we'll see what happens in another couple weeks.

The money (holding money) that's a hundred million dollars of fake money; I have another package of it, too. That money is as fake as the promises they're making all of us. America's fuel, what a joke. When I found that lease on my property they had also sold one-third interest of my minerals to the country of Norway. Folks, we will stand with you. We will fight with you. We will stop these pipelines. And I'm hoping you'll come and visit us and help us stop the drilling in Pennsylvania. Thank you very much.

#50 Lisa Lefferts

My name is Lisa Lefferts.

1. I've put much of my money into buying my property and building my green home. It lies in the blast zone of the proposed ACP, and the pipeline is between me and the only road out of my development. It also runs through the forested Common Land above me. I consulted a lawyer who said that since the pipeline doesn't actually cross my property, there's not much I can do. Many here are in the same boat. Shouldn't we have a right to personal safety and security, or at least have this threat to our safety and security addressed? Shouldn't we be compensated for the loss of value of our property?

2. Where I live, in Horizons Village in Nelson County, is beautiful. We are an eco-community with protective environmental covenants that were established to run with the land in perpetuity. The covenants state that their purpose includes, among other things, to encourage a sense of community environmental values. Dominion would violate those covenants and environmental values and shatter our identity as an eco-community. Shouldn't we have a right to be an eco-community and express and maintain our environmental values?

3. At Horizons Village we share 100 acres of Common Land, including a 65 acre tract of undisturbed, some say "old growth" forest. It is on a very steep slope and runs directly behind my property. Our covenants prohibit cutting trees on this forested Land. Dominion would cut hundreds of trees on that old growth forest on a steep slope: a 125' foot wide swath them. 125' is more than 10 standard width highway lanes wide. Shouldn't we have a right to enforce our covenants, and not have them violated by a private corporation?

4. DEQ states as its mission: "DEQ protects and enhances Virginia's environment, and promotes the health and well-being of the citizens of the Commonwealth." A group of thirteen expert scientists and engineers found that DEQ's "reasonable assurance" that water quality standards will be met by the ACP "cannot be supported by the evidence ..." and that such a finding would be "professionally incompetent and would fail to meet minimum standards of scientific proof." Shouldn't we have a right to a competent authority to protect our water and our health?

5. Of the over 2300 pages of the draft Environmental Impact Statement on the ACP, only ONE PAGE was devoted to analyzing the "no action" alternative. There was no analysis of other ways that our energy needs might be met. There was no analysis on the effects of the proposed pipeline on climate change. There are two areas in Horizons Village that have been designated as official conservation sites of Virginia by the Virginia DCR, which notified FERC about them and recommended the pipeline avoid those areas. The DCR gave one of the areas a biodiversity significance ranking of B3, which represents a site of "high significance." FERC approved the pipeline cutting right through this area of high biodiversity significance. The recent FERC appointees made their decision soon after taking office. Do you think they read the thousands of pages of comments and analyses? Shouldn't we have a right to a thoughtful and competent

review of this pipeline that meets legal requirements and takes into account the recommendations of environmental experts?

6. The politicians have accepted money from Dominion, the entity that threatens me and my community. The regulatory agencies are captured or at least pressured and not functioning as intended. Shouldn't we have a right to have a competent, unbiased, independent authority to evaluate this pipeline?

7. I view the land and the waters here as sacred. The area is bursting with springs, and with life. I can see bear, bobcat, and turkey from my window. I have even seen a fisher, the largest member of the mink family, extremely rare in these parts. The pipeline violates what I hold sacred. Shouldn't I have a right to my home as a sanctuary, and not to have what I hold as sacred violated? Especially since it is on my own property, and the Common Land property of my development?

Thank you.

#51 Thomas Burkett

I am Thomas Burkett and will be speaking as a representative of the Virginia River Healers.

Thank you for the opportunity to speak amongst many Virginians who are standing up for the health of our rivers, streams, and water.

As a water protector I am here today because the Atlantic Coast and Mountain Valley Pipelines would pose serious threats to Virginia's rivers and water security.

The VRH looked at the proposed paths of the Atlantic Coast Pipeline and the Mountain Valley Pipelines. The Virginia River Basin Impact Map shows that a vast majority of Virginia's water security is in the red zone and potentially threatened by the construction and service of these high volume fracked gas pipeline projects. The construction of these pipelines would impact a total of 6 river basins in Virginia. The impacted river basins comprise a majority of Virginia's source of freshwater. Compromised River basins include the James River, Potomac River,, Chowan River, Albemarle-Pamlico, New River, and the Roanoke River Basins. A total of 14.4 million people live within these 6 river basins and rely on them as a primary and daily source of water.

These two fracked gas infrastructure projects require state water permits issued by the Virginia Department of Environmental Quality's State Water Control Board. During this process the state agency has failed to provide the public with Dominion Energy's and EQT Corp's plans on how they will construct these fracked gas pipelines without compromising the health of our waterways. Section 303(d) of the Clean Water Act, requires states to identify waters where current pollution control technologies alone cannot meet the water quality standards set for that waterbody. By failing to provide the public with needed information the agency is allowing gas industries to operate at the cost of human security. This is unacceptable because of two reasons. The first being the severity of what is at risk- our water. And the second being that both primary partners, Dominion Energy and EQT Corp, have proven to be bad actors in the past.

These fracked gas pipelines would cut across, through, and under over 2,600 water bodies. Although Aaron Ruby, the Media Relations Manager at Dominion Energy has repeatedly told the public that the construction of these pipelines will not interfere with our water quality a history of horizontal drilling under rivers for pipelines proves otherwise.

In April of this year, 2017, the Rover Pipeline was horizontally drilling for a fracked gas pipeline in Ohio. The process spilled over 2 million gallons of drilling fluid and bentonite into a wetland area along the Tuscarawas River. Locations where horizontal drilling would occur in Virginia would also be in areas and communities that are already experiencing environmental displacement and violence from Compressor stations and energy waste legacy sites. The planned location of drilling under the James River is in Buckingham County, the same county that Dominion plans to build a fracked gas compressor station. Another example of a targeted community is Gilmerton Chesapeake. An area that has faced Dominion Energy's coal ash waste sites for years on

the West Branch of the Elizabeth River and is now being threatened by the Atlantic Coast Pipeline and horizontal drilling.

On top of this, both of the primary developers, Dominion Energy and EQT midstream partners, have proven themselves to be bad actors.

Dominion Energy, a primary partner for the Atlantic Coast Pipeline, has compromised Virginia's water security in the past. By dewatering a coal ash site without permits at their Possum Point location, coal ash impoundment leaks on the James River, and most recently, a judge ruled that their waste site on the Elizabeth River was leaching arsenic into the waterway.

EQT Corp, an acting partner in the Mountain Valley Pipeline, has demonstrated that it is a bad actor in Pennsylvania. EQT pressed back on Pennsylvania's Department of Environmental Protection after the DEP levied a \$4.5 million fine against EQT over a leaking wastewater impoundment at a fracking site. In 2014 EQT received the biggest fine in Pennsylvania at the time and resulted in an arrest warrant against. EQT Corp has also fought to appeal Pennsylvania Court decisions that were established to hold EQT accountable for spills into state streams, groundwater and soil. In January of 2017, EQT CEO Steve Schlotterbeck was listed by the Water Terrorism Task Force as a top threat to Appalachian water security and still remains on the Virginia Water Terrorism List.

Both Dominion and EQT have a track record of spills and undermining state agencies that work to protect state water and their citizens. These actors have shown that they will exploit contracts at the cost of our water security.

The VRH believes holds that water is a human right and that these fracked gas projects and bad actors are a direct threat to our rights. Water is a commons- no one has the right to destroy. Our 2,600 waterbodies are greater than pipelines. 14 million people are greater than pipelines!

http://www.dailyindependent.com/cnhi_network/state-of-new-york-denies-northern-access-pipeline-permits/article_7e754e5f-f3cb-55cd-a6b4-519de8a5e42e.html
"department announced that they cannot approve the water quality certificates needed for the 97-mile pipeline to carry natural gas from Pennsylvania through Western New York."

http://www.richmond.com/business/virginia-s-environmental-agency-says-contractors-work-for-dominion/article_da3d5a4f-adcc-5ee0-86d5-0676afc5a2f0.html
"DEQ is assessing information related to EEE's existing contracts with Dominion as well as other affiliates of Atlantic Coast Pipeline LLC, and Mountain Valley Pipeline LLC."

James River Basin: 3.7 Million

Human population within James River Basin 3,725,584 (2010 Census)

Source: Virginia Department of Environmental Quality

<http://deq.state.va.us/Portals/0/DEQ/Water/SWRP/App%20B%20James%20River%20Basin%20Summary.pdf>

Potomac-Shenandoah River Basin: 6.1 Million

The population within the Potomac River basin is approximately 6.11 million (2010 estimated census)

Source: Interstate Commission of the Potomac River Basin

<https://www.potomacriver.org/potomac-basin-facts/>

Chowan River Basin: 60 Thousand

Human population within in the Chowan Basin 61,548 (2010 census)

Source: North Carolina Department of Environmental Quality

<http://portal.ncdenr.org/web/apnep/chowannc>

Albemarle-Pamlico Coastal: 3.9 Million

Human population within in the Albemarle-Pamlico 3.9 million (2010 Census)

Source: North Carolina Department of Environmental Quality

<http://portal.ncdenr.org/web/apnep/fastfacts>

<http://portal.ncdenr.org/web/apnep/maps>

New River Basin: 350 Thousand

Human population within in the New River Basin 349,389 (2010 census)

Source: Virginia Department of Environmental Quality

<http://www.deq.virginia.gov/Portals/0/DEQ/Water/WaterSupplyPlanning/SWRP%20Final/New%20River%20Basin.pdf>

Roanoke River Basin: 290 Thousand

Human population within in the Roanoke River Basin 289,784 (2010 Census)

Source: North Carolina Department of Environmental Quality

<http://portal.ncdenr.org/web/apnep/roanoke>

EQT fights penn. Court

<http://www.sungazette.com/news/marcellus-shale-information/2017/06/dep-and-supporters-urge-high-court-to-reverse-limits-on-pollution-fines/>

DEP fines EQT

<http://marcellusdrilling.com/2015/10/pa-dep-says-2010-eqt-spill-polluted-water-spring-eqt-appeals/>

#52 Duane Benton

Retired Colonel U.S. Army 21 Years Environmental, 6 years Pentagon, Longwood University Teaching 7 years Environmental Law and Regulations

I have reviewed the DEIS and EIS. This final Atlantic Coast Pipeline report is a sham. It ignores the public comments of hundreds of citizens and hands over property rights to corporate interests.

I urge the DEQ to do it's job by using laws in place, e.g. NEPA of 1970, CWA of 1972 and SWDA of 1974 to deny section 401 permits to Dominion. These laws provide tools to protect from discharge and prevent spills. These regulations (safe guards) were established to protect the water quality. The EIS is not a permit.

The ACP will cross 21 miles of national forest land, 430 acres, threatening 7 species of animals, cross 100 miles of mountain slopes adding significant risk of land slides. It will cross both the Monongahela and Geo. Washington forests as well as the Blue Ridge Parkway and Appalachian Nat. Scenic Trail. The pipeline will cross 189 streams and 43 wetlands in Augusta County alone. FEIS fails to address fully and correct many of the comments in the DEIS. There is no requirement of Dominion to minimize ridge top removal. We need to preserve our pristine wilderness, not destroy it.

There is no consideration for renewable energy. There is no significant need for this pipeline. We urge the DEQ to adhere to all conditions and safeguards in the 401 certification process. Our drinking water needs protection since small streams provide water for over 100 million Americans. The ACP will dump waste and pollutants into these streams. American tapwater already contains about 250 pollutants.

We need more safeguards for our water, not fewer.

I'll start by thanking our judges, Lois Gibbs, Dr. Adrienne Hollis and James Igo for your endurance here. Appreciate that very much.

I'm speaking actually as an individual though I've had a long career with the Sierra Club and fortunately I'd like to put this a little bit broader perspective. I had the good fortune to represent the Sierra Club in the negotiations with regard to the Paris summit on climate change and I'd like to share these climate impacts with you.

Let's start first by looking at what's going on here with these pipelines in terms of carbon. The FERC actually did estimate and the carbon impacts associated with these pipelines and the Mountain Valley Pipeline was about 48 million tons per year. The Atlantic Coast pipeline about 30 million tons per year. Just to put that in perspective because they found that that was insignificant.

Currently Dominion generates by their own admission 40 million tons per year and the pipeline would add 30 million tons. That's a 75% increase in their total emissions. They don't plan to decrease their emissions. Obviously that's a real serious problem when you're talking about climate change. I don't think that that would be considered insignificant, but that's what FERC did.

But the problem is even much larger than that because as a practical matter we've got 19 projects according to the Oil Change International report just in Appalachia alone. Again, no effort by FERC to do any kind of cumulative analysis with respect to the carbon impacts on our ability to meet our obligations under the Paris Accord. The United States is actually a member, actually a party to the climate agreement even though Trump administration has indicated its intention to withdraw.

But it's important also to recognize that the accord, while it's a critical international agreement in achieving global climate security, it's based on climate science and the increasingly dire predictions with regard to the kind of kind of catastrophic impacts of runaway climate change reflected in the recent reports of the Intergovernmental Panel on Climate Change. These impact human society and while many people here are rightly concerned with the local impacts, we need to look at this in the broader context of its impact on climate change.

Across Virginia we experience droughts, severe weather, Hampton Roads is particularly vulnerable to sea level rise. But even if you look beyond that you see that as a wealthy country we do a pretty good job responding to it although the poor generally are disadvantaged when responding to these disasters. But look a little bit further. Look to Puerto Rico and what's happening there. Look to Alaska where entire villages of Native Americans - indigenous people - are being relocated inland because the sea ice has disappeared to protect them from the winter storms. Look at developing countries. Just for example, the global south: Bangladesh. Ten million people will be relocated in the next 10 to 20 years as a result of sea-level rise. People who live right on the edge of

survival, and they're going to have to relocate. This is a serious problem in terms of our commitments under the Paris agreement.

Our ability to address climate change and deal with climate science, and it's interesting enough. When you think about the immigration issues that become a hot topic, that the lead climate scientists for Bangladesh basically said: these migrants, these millions of people who are going to relocate have the right to move to the countries from which all the greenhouse gases are coming. Millions should be able to come to the United States. If you look at what's happening in Europe as a result of the dispute in Syria which was in part result of severe droughts probably associated with climate change, 1 million people on the move trying to go to Europe has literally given rise to right-wing parties taking a lead - anti-immigration parties - and really a lot of serious problems here.

So in summary, the United States and the world cannot ignore the growing environmental and social disruptions associated with climate change. For wealthy countries with the financial and technological capacity to transition to clean energy there is no excuse and no justification for investing billions in fossil fuel infrastructure that will prolong our dependence these dirty fuels when we need to move swiftly to reduce our greenhouse gas emissions for our own well-being and our own security. It is in our own self-interest as a nation to reduce our carbon pollution.

We call upon the people of the world, we call upon the United Nations, to condemn these actions of the Federal Energy Regulatory Commission and the Trump administration that will increase U.S. greenhouse gas emissions in contravention of the Paris Climate Accord and the United States' obligations under that agreement. Finally, justice cannot reach back in time to levy reparations on those of us today whose devotion to fossil fuel could consign future generations to poverty and insecurity. It is our responsibility - it is our moral obligation - to address climate change today by resisting and defeating senseless fossil fuel infrastructure projects driven only by greed and willful ignorance. Thank you so much.

#54 Philip Khnopp

My name is Philip Khnopp. I am a veteran of the U.S. Coast Guard, a landowner in Augusta County and A Virginia resident since 1962.

Over the past four years I have been actively involved in the massive citizens' resistance movement against the proposed industrial pipe-line projects known as the MVP (Mountain Valley Pipeline) project and the ACP (Atlantic Coast Pipeline) projects respectively, intended to be built in our state. I have researched the available information about MVP and ACP and, the more I study this subject the more I find myself feeling horrified by the potential for these pipelines to negatively affect the safety and well-being of many Virginia Citizens as well as to make toxic the air, water and soil of our region. Flora and Fauna in Virginia stand to be severely impacted, as well.

Studies and statistics show that it is the nature of industrial pipelines to leak and explode. In my research as to the number of significant pipeline incidents which have occurred over the past ten years (nationally in the U.S.), there are an average of two such events per month. As the number of pipeline built around the nation increase (and as these structures also age), the number of such events are on the increase. The blast radius of a 42-inch gas pipeline (at 600 PSIG), is 1,100 feet and 2,200 feet in diameter. The evacuation area from a point of breach is seven tenths of a mile in one direction. And hence is 1.4 miles in total. Consider how many people would have to be evacuated even in a rural area, in the event of a pipeline burst.

What I find to be even more disturbing is that (to the best of my knowing) there have been no comprehensive public safety studies on either the local, state or federal levels, as to how to contain and mitigate the effects of a pipeline leak or rupture. The potential for accidents alone are reason for great concern, as it should be.

Consider a much darker kind of potential event. Deliberate acts of domestic or foreign terrorism perpetrated against industrial pipeline structures, simultaneously, upon multiple points of such structures. Dare we think (in these times), that such events could not happen? In such a scenario it would most likely be that members of the Virginia National Guard would be among the first ones to be put into harms' way. Without any specialized and specific training for events such as this, I can only imagine that casualties from such would be very significant. Is this what we want?

Why would we choose to allow private corporations such as Duke or Dominion to build a huge and ready-made industrial (hardly to mention Compressor Stations), across many miles of our state? Would the concept of high profit-yields for a very few corporate investors, justify such potential human tragedy, be proper motivation for allowing these projects to be built? Government must not be allowed to force the will of big business upon the people. I believe in the rights of the citizens to self-determination. This is fundamental to a government that serves the people. Stand Up and speak these things loudly.

Many of you already know about the phenomena of “Karst” landscapes through-out the state of Virginia. Augusta County “The Bread Basket of the South” (and also my county of residence), is rife with such limestone, porous, under-layment that is fragile and essential to the vast and unique aquifers in this county. Augusta (by the way), is the primary headwaters for the James and Potomac River systems in our state. I invite you (my fellow citizens), to consult the well-known “Sullivan Report” (extensive and thorough geo-study and analysis of the “Karst” sub-soil structures in Augusta County). I invite you to go on-line and study this document and come to your own conclusions. In my assessment, Karst landscapes are a lousy and dangerous place to build industrial pipelines.

I want to remind my fellow citizens that both Duke and Dominion Corporations were founded as LLCs’ (Limited Liability Corporations) and are, by their very nature (as such), not going to be held accountable for any damages that will eventually occur as a result of these dangerous structures in our state, should they be allowed to be built here. On numerous occasions I have heard Duke and Dominion officials repeatedly assuring us, that these is nothing to be feared from these projects and that everything is going to be just fine. I say that when we hear such claims coming from that we respond by saying: “If you are so sure that there is nothing to fear and that these projects will bring no harm to us then you certainly won’t mid relinquishing your status as an LLC so as to completely set our mind to rest about this issue”. See how they respond when we say this to them. I would like to hear their responses.

It is clear to me that the regulatory failures of these proposed projects are immense. Add to this certain conflicts of interest, Example: Governor Terry McAuliffe appointed one David Paylor to head the state DEQ (Department of Environmental Quality), which is principle in the decision making process that would allow Duke and Dominion to proceed with MVP and ACP. In 2013, Mr. Paylor attended the Pro Masters Golf Tournament. Dominion paid his way. Add to this the simple fact that FERC (Federal Energy Regulatory Commission), functions not as a true regulatory commission looking out for the public interest but rather as a rubber stamp committee for big business. This needs to become the subject of a Senate investigation.

Recently (in my own experience), I attempted to attend a “Public Hearing” (at FERC Headquarters in Washington D.C. on September 20th, 2017) but before I arrived, my fellow protesters had been forcefully expelled from the hearings for having attempted to express their concerns about ACP and MVP. This really did happen to me and I ask you, do you think that these projects are being appropriately regulated for the public interest?

I am a retired psychiatric nurse with over 20 years of experience in the care of people with mental and emotional illnesses. I come here today to speak about the health impact of the proposed pipelines on people along the proposed routes. People who have poured their resources, physical, emotional, spiritual and financial, into their home & land are now facing the likelihood of having that land taken and destroyed for corporate greed.

Although my land and home are not directly threatened, I have been involved in opposition to these pipelines since we first became aware of the plan because I believe that hydraulic fracturing is equivalent to the rape of our earth. And building these pipelines will incentivize more fracking and the resulting destruction.

Since joining the pipeline opposition over 3 years ago, I have observed many people who are directly threatened attempt to cope. I have heard them speak of their anxiety attacks and insomnia. I have watched as they develop the signs of chronic stress brought about by the sense of impending doom amplified by frequent stories in the news about catastrophic consequences of pipelines – environmental destruction, explosions, and toxic pollution of water resources.

One particular story that has fueled the stress, has been the Rover Pipeline debacle. The Rover is currently under construction. It is a virtual twin of the proposed ACP – a 42” high-pressure fracked gas transmission pipeline. That Rover Pipeline went through the exact same review process as the proposed ACP and was granted necessary permits. But it has left a path of destruction behind in WV and Ohio. A recent PBS News report documented the violations that have occurred during construction and the punitive actions taken by both the Ohio EPA and FERC against the Rover Pipeline. Fines are being levied, but that doesn’t ameliorate the problem. It doesn’t even mitigate the problem. The damage is done. Ruin is forever.

How can a person living along the proposed route of the ACP or MVP hear those reports and not be filled with terror? And the Rover is being built across terrain that is nowhere near as challenging as the planned ACP or MVP route. No wonder the impact of chronic stress has become so prevalent!

An NIH publication (Future Sci OA. 2015 Nov; 1(3): FSO23) states that chronic stress leads to persistent neuroendocrine and immune system imbalances. Research in this field is starting to define how multiple, independent, though often interconnected biochemical pathways affected by chronic stress concur to promote disease. Chronic stress leaves people at increased risk of numerous health problems, including:

- Anxiety
- Depression
- Digestive problems
- Headaches
- Heart disease

- Sleep problems
- Weight gain
- Memory and concentration impairment

In comments I submitted, I asked that FERC include in its EIS a study of the impact of the chronic stress created by this proposed project on the mental health of the residents of Nelson County. As a psychiatric nurse, I shared that I have seen many of my friends and acquaintances develop symptoms of serious mental illness, including depression, anxiety disorder, insomnia, night terrors, explosive disorder, substance abuse and addiction relapse. I have watched concerns related to the pipeline proposal become obsessional with severe consequences on peoples' ability to function at home and at their work. After searching through the DEIS, I saw no evidence of addressing this aspect of the impact of the project.

How can an environmental impact statement completely ignore the psychological and emotional impacts of the human inhabitants of the affected areas?

#56 Kimberly Dilts

Hello from Pocahontas County, West Virginia. This is the birthplace of rivers. We have eight rivers that start in Pocahontas County. All water flows out of the county, no water flows into the county. So it's a really, really special place and we are totally threatened by the Atlantic Coast pipeline which is proposed to run straight through our County to cross 65 water crossings and 25 wetlands. I believe it's about 16 miles that that will be crossed in Pocahontas County and it's heartbreaking. It's a big long story here in West Virginia as I'm sure many of you know. West Virginia is essentially an extraction state. We've kind of been like a colony of the United States. Everything has been taken out and nothing has been brought back or been put back into West Virginia. So that has left us at the bottom of the barrel on all accounts where the poorest, least educated, highest opioid epidemic, highest high school dropout rate, teen pregnancy, anything that you can imagine that seems like a negative statistic we are proudly at the forefront of it.

But that being said, I think this is probably one of the most beautiful places on the planet and it's probably one of the most special ecosystems in the country and in the world and we don't have the numbers or we don't have the population or the economic pull to protect ourselves. Most of southern West Virginia has fallen victim to coal mining as many people know and now northern West Virginia has fallen victim to fracking. There's been gas extraction north in West Virginia for a long time but fracking is in the last few decades and it has been totally devastating.

This pipeline that is proposed will carry fracked gas through our district. Theoretically it will just carry the fracked gas through our district but from the whispers that I hear the eventual end is to frack here. We have Marcellus shale and we have Utica Shale which both have gas locked into them so we are definitely on the long term list of endangered places in this country and this ACP pipeline that threatens to go through our district sums up all of the horrible things that you can imagine happening to your community. We get very little tax dollars off of it. We get zero jobs. The pipeline itself will be built by contracted laborers who will come in from the outside. They're presently building man camps or clearing spaces to put up RVs so their workers can live in them. In the next town over Dominion has already rented lots of land to fill up with their end loaders and their buses to carry their workers to and from the work site and from the work site to where they're staying.

The pipeline basically is putting everything that we hold dear at risk. Our greatest resource here is our water obviously and when you have a fracked gas pipeline running all under your water systems, under your rivers, your springs, your wells, your creeks, basically nothing is safe. What's more than that our underground terrain is essentially limestone karst so once you get a methane leak in a pipeline and it's spitting out a little bit of methane, colorless, odorless, really difficult to detect, it's essentially just weaving through the Swiss cheese of limestone karst and it can show up anywhere. It can show up 20 miles away from where the pipeline is. I mean there's no way of knowing this

labyrinth of underground limestone karst that we have. There's no way of knowing where the gas would go.

Everything about this is dangerous. I think the scariest part of this is that people feel like they don't have the power to fight it. The gas companies are really big. They're really powerful. They have lots of money and they speak to us as if they are our saving grace. They essentially treat us as if we need them and West Virginia has kind of turned into the abused child as in: we're isolated, we don't have resources, we don't have a way of getting help from the outside and the energy companies come and they sell us a really poor package and we buy it because we don't generally know better. But it's easy to see that this is something that will be absolutely to no advantage to us. It will decimate all quality of life for Pocahontas County. Our future is essentially an industrial gas wasteland. Who wants to move to a beautiful mountainous region that has a methane or a natural gas pipeline that has slow methane leaks throughout it? Who wants to move to a place that has that? Who wants to invest in a place like that? Tourism is our main industry now and tourists come here for the natural beauty, for the ecological diversity, flora, fauna. People come for hunting and fishing. All of that is at risk because of the pipeline and the saddest part of it is that we don't have the tools to protect ourselves. We're poor. There are not many of us and we've been taught that this is the only way to do things.

West Virginia was essentially formed as an extraction state. Where we're standing now was all logged starting around 1910 1908 and within 50 years they had cleared every tree from this mountainside. Every tree, every mountain was bald. It took them about 50 or 60 years to clear-cut the entire region and by the 60s pretty much they had clear-cut everything. This is all new growth that you see and in some ways I feel like in Pocahontas County we've been protected from the tragedy of coal country. You see clearly how destructive coal is and how destructive it is on the culture, how on for the economy it gives no opportunity for a small local economy. Essentially it's just a big company coming in, taking out all the riches and making their money off of it. Then they're taking those riches elsewhere and leaving us with polluted water and polluted soil and without even owning the ground that we walk on because the coal companies owned it.

I feel like in Pocahontas County we've been protected to some degree because the trees have grown back. It's not like it was a hundred years ago obviously, but none of us were here 100 years ago so it's hard for us to remember how wrong it is when a company comes in and takes everything out from under you and leaves you with nothing. That's where the cycle started. That's why we're in the position that we're in. That's why when the kids graduate from high school they move away for opportunities out in the rest of the world because there aren't that many opportunities here.

But the fact of the matter is this is one of the most pristine and beautiful places and it's one of the last precious places left that is really worth protecting. If you look at a map of pipelines you will find that Appalachia is of the places that doesn't have pipelines running through and there are reasons for that. It's really difficult to build a pipeline

here. You can't do it without huge environmental impacts and it's heartbreaking to see that we have fallen into a feeling that we cannot fight this because it's completely worth fighting but we definitely need help from the outside. There's just not enough of us. We don't have enough pull and we don't have enough economic pull to stand up to this Goliath which is the gas company. It seems like natural gas is the way. That's what our federal government wants to invest in now and West Virginia is a sacrifice zone to the wants of this theoretical bridge energy, which it's not. It's totally destructive.

#57 Swami Dayananda

My name is Swami Dayananda and I am one of the monastic members of Yogaville community in Buckingham, Virginia. I want to talk with you, share with you about clean air, clean water, good soil, gifts from God for all creation. We call it human rights, but it is also for animals, trees, forests, rivers, streams, everything. It is creation rights. All things created have the natural rights to the basic necessity for life – clean air, water and soil.

That right will be violated by the proposed Atlantic Coast Pipeline in the name of more jobs and better economy. The harm will outweighs whatever benefit the pipeline will bring. This is the case of profit over people and the environment.

So, from that spirit, and also the environmental justice issues, I believe as Cornel West who said “justice is what love looks like in public”, and that is what we are here for. It’s a spiritual movement for justice. I don’t believe I can be doing any of this if I did not feel the connection with one and all of your concerns for your people’s and environments’ health and safety.

Yogaville was founded by Sri Swami Satchitananda, who is well known for opening Woodstock and the teachings of Integral Yoga. Integral Yoga had its 50th anniversary in 2016. It offers people how to live a healthy, peaceful and useful life. Light of Truth Universal Shrine (LOTUS) in Yogaville was built for the purpose of contributing to peace by promoting interfaith cooperation and harmony. It respects all faiths and people of all backgrounds come together to meditate and pray. Our motto is: Truth is one, Paths are Many.

There are 275 residents and about 10,000 annual visitors who come. All of us will be impacted should the proposed ACP come. Amongst the values we live by such as non-violence and truthfulness, we have ecological awareness that speaks of the sacredness of mother nature, reverence for all creation and that we wish to live sustainably, starting with renewable energy.

We meditate and do hatha yoga for health. Breathing practice is one of the most important practices of yoga for our vitality. And we have also adaptive yoga for those who are not able to do regular yoga practices, because yoga for physical health is for everyone. Our organic farm provide fresh produce; we offer vegetarian meals three times a day 365 days a year.

The beautiful and serene James River flows right by us. And we have eagles, deer, bear and many other animals; there are streams and over 20 bubbling springs. Yogaville Environmental Solutions was created in early 2015 when we found out that the proposed pipeline was coming very ½ mile from us and in this beautiful environment we have.

The proposed horizontal directional drilling across the James River is going to be very destructive to the wetland ecology and cause possible pollution not only to our water but to the water downstream. The long term slow leakage of methane from the pipes can potentially impact our farm land next to James River on the flood plain.

Our neighbors about 5 miles away, people of Union Hill Baptist churches, and we have become very good friends. The proposed compressor station is right in the middle of mostly African American Union Hill churches and the homes of their congregation. The negative health impact will be significant. This is an environmental justice issue. According to the wind directions, Yogaville will also be impacted by air pollution.

We are now blessed to have clean air, water and soil for our daily life. People from all around the world come to retreat, relax rejuvenate, and heal. The short term and long term impact of the proposed pipeline and the compressor station deprive us of our human rights to clean air and water and affect our daily lifestyle of health and peace. Our safety will also be in jeopardy as our entire property will be within the blast zone in case of the pipeline explosion.

Our life will be changed forever and we will not be able to provide the same service as before to those who come to retreat. Our very purpose of existing is compromised. We ask the United Nations to help us and many other communities along the proposed pipeline facing disruption to their very basic human rights.

Thank you.

#58 Marie Gillespie

Good afternoon. My name is Marie Gillespie, and I along with my husband Cyrus are residents, landowners, and homeowners in Buckingham County; one of the most beautiful, peaceful, tranquil and friendly places in the United States. Our home is less than a mile from the proposed compressor station and portions of the pipeline are set to be running underneath my driveway. Isn't that interesting? I also asked, how do I get to my house since you're going take up my driveway?

We relocated here from a metropolis 20 years ago after vacationing and visiting relatives here over the years, and we were drawn by the pristine environment, the relaxing atmosphere, clean air and the refreshing water. I have a daughter and a granddaughter who both suffer with respiratory ailments, so it has been fortunate that they are able to come here and have some relief for a few days because of the quality of air that we presently are enjoying.

In September of 2014, we were notified by the Dominion gas company and Atlantic Coast Pipeline that they were interested in securing a portion of our property for a new pipeline. In addition, a compressor station was to be built nearby, across the road, changing the landscape to a huge commercial power plant operated 24/7. After some research, I also discovered the hazards of a compressor station, the negative effects on air, water, and soil, and I was against that my paradise was soon to be involved without any of my say-so, limited notification and seemingly no concern for the health and well-being of my family and self.

I know that there might be some economic benefit to our county, but more concerned about the quality of life of the significant number of residents, mostly African-American and low-income, which make up the Union Hill community, and which would be greatly compromised. I'm concerned about the fact that presently we have a number of elderly and several residents with chronic illnesses that will only be aggravated by the noise, the gas emissions and other factors associated with the compressor station.

Many years ago, my college health education professor helped us understand that health is the quality of one's reaction to life situations. Well, the Union Hill and Sheldon store roads community is entering an unhealthy phase of life already, even before any construction has begun. Neighbors are experiencing sleepless nights, headaches, elevated blood pressure and depression. One neighbor has even been hesitant about leaving her home for a long period of time for fear that when she returned construction or destruction of her property will be taking place.

The problems exhibited by me and the other dozens in the community are small measures to that which we understand will occur if the compressor station is built in our front and backyards. Compressor stations of this scope and size are known to discharge high amounts of toxic emissions including carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds and hazardous pollutants such as formaldehyde. There are questions regarding the proposed facilities potential to admit reliability of emission data when emissions would be occurring, and how intense they would be given the change in size from 31,000 horsepower to 40,000. The extreme

proximity to not one but two churches, and the potential of the applicant to add more units in the future to expand the pipeline and the compressor station, brings terror to our hearts and to our minds, and we deserve the opportunity to speak out and to be heard by both our state and local government bodies.

So, I'd like to thank this tribunal of organizers, especially Lakshmi, for convening this event so our words can go on record. Once again reports from other states, New York, Pennsylvania and Ohio indicate that residents near the compressor stations suffer from headaches, nosebleeds, nausea, body rashes and chronic respiratory illnesses after blow downs from the compressions. A report released in February of 2013 by the RAND Corporation estimated the cost of Health and Environment in Pennsylvania from 7.2 million to 32 million in 2013, with up to 75 percent of it related to compressor stations.

In addition to the concerns for our health, we're also worried about the economic devaluation of our homes because of its proximity to the planned compressor stations and pipeline. This is a major minority community with limited resources, and with a limited voice, and a heritage that is being denied. How can I, my family and neighbors look to a lifetime of good health when we will be subjected to the emissions of methane, nitrous oxide and other gases from their proposed compressor stations, and perhaps even the pipeline? Why have my dreams and right to clean air and quiet been taken away? Have we made a terrible mistake in choosing to spend our golden years in Buckingham County? Our reaction to this situation has already compromised health in a negative manner, what's next? If the compressor station is built in our front yard instead of some isolated forest we are sure to experience poor health illness, mental anguish and even premature death.

FERC's Scoping failed to schedule meetings in Buckingham County, but the county with a large amount of pipeline is scheduled to be, as well as a proposed compressor station. It's been a hardship for us to drive to Nelson and further, so again we thank this tribunal and I look forward to seeing a summary of today's event, and the impact that you have on the pipeline and the compressor station stakeholders.

Paraphrasing Langston Hughes "I too am Buckingham just because we are rural, black and economically depressed we should not be discarded. Our forefathers and our grandmothers worked the land, built the community, laid down our morals and values. I too am Buckingham and will not sit by the kitchen door."

#59 Sharon Ponton

Good afternoon. My name is Sharon Ponton. I am a community organizer with the Blue Ridge Environmental Defense League. I am here today representing BREDL's 11 chapters in Virginia and North Carolina along the paths of the proposed Mountain Valley and Atlantic Coast Pipelines. I live in Nelson County, VA.

The regulatory process has failed local communities and landowners. Developers dangle before poor rural communities the promise of tax dollars to enrich their coffers. Developers dangle the promise of new jobs in front of elected officials...while knowing the majority of those jobs will be filled by technical, skilled workers who will come from Oklahoma, Texas, Ohio. Even the land men and surveyors for both the proposed MVP and ACP came from somewhere else.

Developers also pursue non-binding Memorandums of Understanding with local Boards promising taps into their 42" tracked gas transmission lines in an effort to garner approval for their projects. Once approved, they can simply walk away without consequence. Developers make millions of dollars of campaign contributions to elected officials on both sides of the aisle, diminishing the voices of individuals and communities.

The paths of the proposed pipelines clearly focus on rural communities, the majority of which have higher than average poverty rates and higher than average percentages of communities of color. The Pipeline & Hazardous Materials Safety Administration (PHMSA) creates the rules for construction and maintenance of pipelines in the US. The discrimination and unequal protection begins with PHMSA's regulation creating "classes. To determine the classes, the number of dwelling units designed for human occupancy, are counted along a one-mile length of pipeline.

Class 1: Contains 10 or less dwelling units

Class 2: Contains more than 10, but less than 46 dwelling units

Class 3: 46 and above dwelling units

Class 4: Is a class location unit where four-story above-ground dwelling units are prevalent

All construction and maintenance regulations are based on these classes. A few examples: Class 1 requires 1 shutoff valve every 10 miles from a single point on the pipeline or 20 miles apart. Class 4 requires a shutoff valve every 2.5 miles or 5 miles apart. Other examples include frequency of security checks, frequency of leak detection, the number of welds inspected and tested is all based on PHMSA's Class discrimination system. The class discrimination system even allows the wall thickness of the pipe used to construct the pipeline to be thinner in poor rural communities of color. Class 4 locations require the wall thickness of the pipe to be .675" thick. While class one requires pipe 75% thinner at .375" thick.

While PHMSA has no construction setback requirement protecting existing homes and businesses, after pipeline construction is completed, PHMSA advises localities to create

a "consultation planning zone" restricting development of private property along the path of the pipelines for a distance of 660' on either side of the centerline.

None of these rules are made public by developers. The Federal Energy Regulatory Commission (FERC), nor the Commonwealth of Virginia, nor any locality require developers to notify anyone other than landowners whose properties will host the pipeline. Those landowners will receive compensation based on land value only of the linear easement. They, nor those families placed in blast and evacuation zones are compensated for the jeopardy to their properties, nor the jeopardy to their health, safety and welfare. The Wilson County, NC Board of Commissioners recently passed a resolution saying after attending many meetings regarding the proposed ACP, they were never made aware of the facts as we have shared with you today.

In 2004, Virginia passed what community members refer to as the "survey law," which purportedly allows "public utilities" to enter private property without landowner permission to determine if those properties are suitable for the projects they propose. Virginia's General Assembly saw fit to give away this landowner right to developers. There were only 4 No votes cast. For the last three years, communities and landowners have attempted to have the law repealed or amended to no avail.

Two of the three compressor stations for the proposed ACP are sited in communities of color...Buckingham Co., VA (35% minority population) and Northampton County, NC. (58% minority population). I participated the process which occurred in Buckingham. Local regulations include an exception where "metering stations, booster stations for a public utility" could receive a special use permit for those facilities to be built in an A-1 zone.

The particular community we are speaking of is a community of color, settled by freed slaves, known as Union Hill. The compressor station site was once a part of a plantation known as Variety Shade. It was purchased from descendants of the plantation by Dominion for \$2.5 million, 10 times the value of property in Buckingham County.

FERC was made aware of the Union Hill community. Yet, its Draft Environmental Impact Statement said there were no historical or cultural concerns in Buckingham County. In the Final Environmental Impact Statement FERC dismisses the many comments filed regarding Union Hill by saying it looked at census blocks within one mile of the proposed compressor site. It states only one of those census blocks was low-income, and none showed any Environmental Justice issues. Clearly FERC chose to ignore that fact that eighty-five percent of adjoining landowners to the proposed compressor station site are African-American, many of whom are descendants of the freedmen who settled the Union Hill Community with surnames Perkins, Laury, Mosley.

The Buckingham Planning Commission and Board of Supervisors also ignored the evidence presented to them proving that the ACP, LLC is not a public utility, and issued the special use permit for the proposed compressor station. There have been two lawsuits filed challenging their decision.

VADEQ's hearings on the 401 Water Certification process were disjointed and unproductive. They broke the Storm Water Management and Erosion and Sedimentation issues apart from water quality permitting process as if E&S and Storm Water Management have no bearing on water quality. VADEQ also held 40% of those hearings at locations outside of the path of the proposed pipelines.

I will end my testimony today with this statement: As a nation, we have marginalized, abused, and murdered the indigenous tribes who were here when the white man settled the US, and those who were enslaved during the colonization of our country. It is a despicable part of our history. Sadly, those same results are still enshrined in our laws in 2017-marginalization, abuse, and yes, even death, not by gun or knife, perhaps, but more slowly, more painfully, by toxic pollution-all in the name of the almighty dollar of for-profit corporations.

#60 Tess Amarusio

I'm speaking here on behalf of the people of Norfolk and Tidewater Virginia whose water supply is threatened by the ACP.

How many people here know the fact that Tuesday, October 24th, 2017, Norfolk City Council received a bid from the Atlantic Coast pipeline for permanent easements on land that it owns in Suffolk? Dominion wants this proposed fracked gas pipeline to cross existing easements now owned by the City of Norfolk that were, of course, originally stolen from Native Americans. These easements include areas of both the Lake Prince and Western Branch reservoirs that contain drinking water pipelines. By their own admission, Norfolk's utility Department has only been able to assess the potential environmental risks to these important reservoirs using data provided directly by Dominion and problematic data provided by FERC. They simply do not have the staff and budget to do more research. As a resident of Norfolk and as a mother I am not satisfied what this means of assessment.

Also, by their own admission, the City of Norfolk and other regulators agree that boring pipelines under our priceless reservoirs cannot be assessed as completely safe, only as "low risk". But why is there any level of risk acceptable to our priceless water supply? These easements go through marshy finger areas of our reservoirs. If, God forbid, an accident occurred at any point during their operation, what would the cost of the cleanup be? Would the five million dollar liability insurance required in the deal be nearly enough in the event of an accident? Is there any acceptable level of risk for releasing fracked gas and its associated hydrocarbon liquid into our drinking water and marshes? What is the true worth of all of our water? Why are we even taking these risks to our drinking water supply with this unneeded and unwanted pipeline?

The argument that more fracked gas is needed in our region is a specious one. Most of the gas that would be produced with this pipeline will go out of state, most likely overseas. If more energy is needed here, then let Norfolk take the lead in bringing safe, clean, renewable energy to our region now such as localized solar farms.

We are also a city that is highly vulnerable to the devastating effects of climate change and subsiding land. This vulnerability is an identified national security risk. Fracked gas releases methane, a dangerous greenhouse gas, in every step of its production through anticipated release and compressor station operations such as the one proposed in Union Hill and through unanticipated leakage. This is not an energy we need to commit our region to now and for decades for come when the world is moving to clean and renewable energy.

Another agenda item for the Norfolk City Council that night was accepting a federal grant to clean up environmental toxins and for designated brownfield areas of our city. One of them is Harbor Park. At this time Virginia Natural Gas is planning to bore under the Elizabeth River to put the unwanted Southside connective distribution line, which is our very own spur of the ACP, under it. How can it be safe to bore under our river in a brownfield area? How can we accept that it is "low risk" to our priceless, beautiful Elizabeth River which we as a community and region have spent decades

cleaning? How can we accept the risk of drilling under a river in an area that has absorbed toxic pollution from hundreds of years of industrial use? Why are we ignoring the input of hundreds of impacted property owners again in primarily minority neighborhoods including our own Norfolk neighborhood of Berkley who do not want this pipeline and its associated risks?

I only have one minute, but I want everybody to know that the vote on this is coming before our City Council on November 14th which is about two and a half weeks. You'll be happy to know that all the activist community is on top of it. We have several organizers from various groups, most of which I'm part of: Mothers Out Front, Hampton Roads Sierra Club, CCAN and so forth and of course other local organizations. What I was asked to bring here today was basically help for this council meeting on the 14th. What we're hoping to do is get some experts of our own to come in so as council is meeting we get three minutes each to speak. We'd like to get some of our own experts to come in and speak on the risks of horizontal drilling. I know Thomas addressed the terrible, terrible explosions, a very common development. And also I think it would be really important to bring an understanding to our council about other risks such as the egregious environmental racism proposed at Union Hill because I just think that our community, including our leadership, don't know it. They don't understand the issues.

So that was the other thing I wanted to say here today. To make this plea and also say we want to personally thank everyone, especially our judges for being here. This is how I know we're going to get it because of all of us and also because of her: Lady Virtus on our flag and on our seal since the inception of our Commonwealth and her power. Ladies and gentlemen, it's right makes might and that's what we all have. Thank you.

The Appalachian Trail is a National Treasure, enjoyed by millions of people each year. The Appalachian Trail Conservancy recognizes the need for smart energy development to fuel growing and diverse economies. We're proud of recent successful partnerships with AEP and Columbia Gas that have led to both energy infrastructure development and enhanced protection for the Appalachian National Scenic Trail. However, after studying the Draft Environmental Impact Statement for the proposed Mountain Valley Pipeline and witnessing the inadequacies of the environmental compliance process as initiated by the Federal Energy Regulatory Commission, we feel the proposed Mountain Valley Project threatens the AT with impact at such an unprecedented scale, we must oppose this project to our greatest ability.

The FERC has issued a severely deficient Draft Environmental Impact Statement, which has prematurely started the public comment period. The document calls for new, pertinent information to continue to trickle in as the clock ticks. This tactic undermines the public comment process, which is required by the National Environmental Policy Act, and does not adequately represent impacts to important resources like the Appalachian National Scenic Trail.

Contrary to comments by the Appalachian Trail Conservancy and the United States Forest Service months prior to the publication of the DEIS, FERC claims that the proposed Mountain Valley Project would have no visual impact to the Appalachian Trail. Our own analysis concurs with the statements of the United States Forest Service and suggests that the proposed Mountain Valley project represents a serious threat to the scenic value of the AT, well beyond the scope of similar projects. As many as 19 prominent AT vistas may be severely impacted from this project, many of them viewing impacts as they occur on USFS land.

As a result, the assessment of cumulative impacts to the AT is drastically insufficient. The scope of cumulative impact must be based on the nature of the impacted resource, not the proposed project. In ascribing an arbitrary geographic scope for this DEIS of 100 miles, FERC avoids properly documenting cumulative impacts to the Appalachian Trail while admitting that other proposed pipeline projects on the National Forest would, without question, contribute to cumulative impacts. The issue of cumulative impacts is especially important to the AT given the nature of long distance hiking.

The depth of inadequacy the DEIS exhibits is further apparent in the facts that FERC:

- does not use the correct centerline of the Appalachian National

Scenic Trail,

- repeatedly admits that coordination with AT management partners has been insufficient,
- falsely claims that there are no existing areas of impact on the AT in the immediate area of the proposal,
- fails to analyze impacts to any key observation points along the Appalachian Trail despite the clear and repeated direction of their cooperating agency, the United States Forest Service.

The United States Forest Service has long been one of the greatest champions for the Appalachian Trail in the South. The George Washington and Jefferson National Forest has more miles of Trail than any other National Forest and, as a result, contributes significantly to the preservation of AT experience by honoring their Forest Plan. The DEIS identifies numerous places where the Forest Plan must be amended if this proposed project were to be permitted.

These amendments would not only be unprecedented but would also significantly erode the value of the Appalachian Trail which the public has spent millions to protect. Amending the plan in the ways proposed would negatively impact prescription areas protecting the Appalachian Trail, Wilderness, Old Growth Forest, Inventoried Roadless areas and fragile successional habitats.

Further, it would require the establishment of a new 5c utility corridor directly adjacent to Federally Designated Wilderness, leading up to the AT's doorstep in a location that is currently wild and pristine.

Given the unprecedented scope of these changes to the Forest Plan, the fact that these changes would have a lasting negative impact to the Appalachian National Scenic Trail and the fact that FERC's assessment of impacts to the AT has been largely non-existent, we urge FERC and our partners at the United States Forest Service to:

- 1) Fully evaluate the visual impacts of the proposed MVP project to the Appalachian National Scenic Trail in a supplemental EIS.
- 2) Properly evaluate the cumulative impact that this and other pipeline projects will have on the AT by establishing the geographic scope of the Appalachian Trail for the purposes of their environmental impact statement as its entire prescription area along the George Washington and Jefferson National Forests.
- 3) And offer a supplemental DEIS for any Forest Plan standard that would not be met by any aspect of the proposed project, also affording the public 90 days to assess and comment.

Soon, the Appalachian Trail Conservancy will be issuing a call to action so all hikers, outdoor lovers and citizens who expect responsible energy development can have

their voice heard on this issue. We'll offer information at www.appalachiantrail.org that every citizen can utilize to stop this process and require our energy future to more thoughtfully consider impacts to the landscape and the Appalachian National Scenic Trail.

#62 Marion Kanour

This has been a long day for you. Thank you for being here and to all of you who have helped to make this happen today. It's a wonderful time for us all to be together to give testimony.

My name is Marian Kanour and I'm the priest and rector at Grace Episcopal Church in Massie's Mill which is in Nelson County. That's also where I live. My particular home is not in jeopardy but many of the homes and properties of my parishioners are in the line at the proposed Atlantic Coast Pipeline.

You've heard testimony from many different perspectives today, urging the DEQ, FERC and our elected representatives to refuse to allow the proposed ACP and MVP to go forward. My own perspective focuses on environmental justice and our obligations as stewards of the earth. This perspective isn't new to our consciousness. In fact, the Hebrew book of Genesis in its English translation proclaims humans have dominion over the earth. Not the kind of "dominion" Dominion Resources advocates. Instead, we're asked to hold a caregiver's reverence for the creation - a reverence uncompromised by greed or profit motive.

We're called to be good stewards of the creation and we have the ability to rise to that call. The three Abrahamic religions: Judaism, Islam and Christianity, speak with one voice regarding human ability to make life-affirming decisions. In the Torah in the thirtieth chapter of Deuteronomy it clearly states, "Choose life so you and your descendants may live." 13th century Sufi mystic Jalal a-Din Muhammad Rumi writes, "You are not a drop in the ocean. You are the entire ocean in a drop. You impact the whole." John Donne, English poet and priest, writes in 1624, "No man is an island/ entire of itself/ and therefore never send to know for whom the bell tolls/ It tolls for thee."

This understanding of human responsibility and agency was given clear form on September 14th, 2017 by the North Carolina Department of Environmental Quality, when it delayed by three months its decision on whether to grant a 401 Quality and Buffer permit to the owners of the ACP. In a letter to the ACP, state environmental officials laid out in two pages a myriad of missing information, some of it very basic: construction drawings, erosion control plans, a calculation of cumulative impacts and stream restoration plans. Likewise, the West Virginia Department of Environmental Protection in a letter dated September 15, 2017 stated it is vacating the water quality certification issued in March regarding the proposed MVP, following its review of the projected impact on the state's waters. Clergy and laypersons alike applaud these examples of regulatory integrity. We call upon Governor McAuliffe to follow the principled lead of his fellow governors by directing the Virginia Department of Environmental Quality to proceed carefully and thoroughly in the review of the water quality certification applications submitted by the MVP and ACP.

The ACP, LLC recently petitioned the FERC to expedite federal approval to meet their profit-driven timeline, hoping to shorten the due diligence of detailed review by the DEQ. With their focus on profit, it is abundantly clear that the ACP LLC lacks sufficient concern for the environment as well as the health and safety of West Virginians, Virginians and North Carolinians. Most telling was the dissent opinion of Cheryl LaFleur of the FERC, who disagreed with the approval for the proposed ACP and MVP given by the Commission of which she is a member. She writes, "I acknowledge that if the applicants were to adopt an native solution, it would require considerable additional work and time. However, the decision before the Commission is simply whether to approve or reject these projects which will be in place for decades. Given the environmental impacts and possible superior alternatives, approving these two project pipelines is not a decision I can support."

The Virginia DEQ must do its job to require thorough site-specific individual permitting for each and every stream and water crossing in order to protect the earth and the people in harm's way. Anything less is an abdication of the DEQ's mandated responsibilities as an official steward of the land and of the public trust.

We also urge gubernatorial candidates Ralph Northam and Ed Gillespie to refrain from stating the future of the proposed pipelines is a federal decision and is out of the state's realm of influence. That is simply untrue, as evidenced by the recent decisions by the North Carolina Department of Environmental Quality and the West Virginia Department of Environmental Protection - decisions the Virginia DEQ has the power and obligation to replicate. The sitting governor, as well as those aspiring to that position, must earn the trust of the people by speaking truth to corporate power and influence.

More than ever, we need leaders with courage, integrity and a moral compass to insist on safeguarding the creation and to take the long view regarding sustainability. As farmer activist Wendell Berry states so poetically: "Invest in the millennium. Plant sequoias. Say that your main crop is the forest that you did not plant and that you will not live to harvest." The Episcopal Book of Common Prayer offers this prayer echoing similar thinking regarding human agency: "Give us wisdom and reverence so to use the resources of nature that no one may suffer from our abuse of them and that generations yet to come may continue to praise you for your bounty." We have the ability to give this prayer form. Likewise, we have the power to follow greed and give form to its demands. The choice is clear.

May the governor and the Virginia DEQ have the courage to use the power given them to reject the environmental abuse required by the proposed ACP and MVP. Our children's children are not yet able to speak for themselves. The governor and the Virginia DEQ must speak for them. May they choose their words and actions wisely.

#63 Robie Goins

I'm addressing some impacts the Atlantic Coast pipeline will have on the Lumbee Tribe. My name is Robie Goins. I am a Lumbee Indian from Robeson County, North Carolina. This presentation is basically going to be a lot of stories from different people. From them sharing their information with me, and their impact, we need to start planning for our futures. We want to save our land, our water, our sacred sites, our gravesites, for future generations. We have to educate ourselves as well as others about the information that's there, because in our area a lot of things don't get televised. The public doesn't know about a lot of things, so when they hear about it, it's already too late to try to do anything about it.

Economic development depends on much more than natural gas. If you have good advantages for bringing in the industries, communities will compete to attract these businesses. It's just not saying, "oh, we have gas, you know, you're going to have more business; now you're going to bring more business to the area." I mean, there's no guarantee that a new pipeline is going to bring economic development to our people. You can basically say we're rolling the dice, and soon our luck will run out with these types of projects.

If you see here, this is the terminus in Prospect, NC. I was speaking earlier to Dr. Jacobs; her family, her dad's property is here. Those [Transco] pipelines now come through here, and now ACP wants to come here and go on the other side of her dad's property. This area here shows basically the blast zone. My family is here, also we've got property from here on back, which we're touching the blast zone, and I'm sure if something happens we are going to be affected. We are in the evacuation zone.

There are other alternatives out there for energy, as well. These pipeline agents come in offering money for this pipeline, and it's typically a low amount for a one-time payment for an easement to be on their property. Well, solar developers will give you \$1,000, say for an acre for 20 years. That's per year, so you're getting more money with solar projects. I'm just doing some more slides about rate payers -- hoping to talk about that. Dominion stakeholders get a 14 percent return on their investment and make the rate payers pay for the cost for this pipeline.

So, for Robeson County, we have an existing natural gas infrastructure already there. As many spoke about, Transco goes through the heart of North Carolina and Robeson County, which gets most of its natural gas from those pipelines. So, North Carolina doesn't need the ACP, and Robeson County doesn't need the ACP, because we have an infrastructure already there with gas. Robeson County, and Public Health and Safety had two incidents in two towns, St. Paul and Lumberton by Piedmont Natural Gas, which was bought out by Duke Energy in 2014.

In Robeson County, like I said, it will become one of the most dangerous locations on this ACP route. So, again, we thought: we've heard stories about emissions and we already have a compressor station there putting out emissions, now we're going to have

our compressor station putting out more emissions. We're also going to have a 350-foot-tall communications tower. For Native American people the open sky, both day and night, is a natural and cultural resource. It's our open sky, we pray to it.

Moving forward there's some alternative approaches; this is how Native Americans view it versus the fossil fuel industry. For example, relationships with nature: we want to preserve and restore it, where the industry wants to extract and contaminate. Business ownership: we want to be local, we want to be tribal, they want it to be absent, they want to be national or international. Energy priority: we want renewable energy and they want to keep us relying on the fossil fuels.

During the federal environmental impact study (DEIS) public comment period three tribes wrote in to FERC that there were inaccurate or incomplete [Historic Preservation Act, Section 106 required cultural surveys and reports] assessments. These tribes requested consultation [Consulting Party status], and the federal regulators ignored those requests for consultation. They asked developers to communicate with the tribes instead, so we're trying to get a government-to-government relationship with this federal agency, and they're pushing it back to this business. We're asking the federal government to consult with these tribes.

This shows some of the tribes along the route coming in to North Carolina. You have the Haliwa Saponi and the Haren, but coming down the road you also have the Coharie and the Lumbee tribes, and also there's Tuscarora tribe in the area. Thirty thousand Native Americans live within one mile of the proposed route here in North Carolina. In North Carolina's population the Native Americans only make up 1.2 percent, and along this route in North Carolina thirteen percent of that is Native Americans. So, that's disproportionate on our people.

Corrections to the flawed analysis: [FERC] denies that Native Americans are disproportionately impacted by the route. So, we're asking the federal government to give tribes seats at the decision-making table. We ask the regulators to comply fully with the consultation recommendations that all these tribes asked for. They actually did grant the Nelson County Board of Supervisors consultation, but they didn't consult with the Native American tribes, or didn't offer them any consultation, so we feel that's an injustice to our community.