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Pipeline worries are many at agency's open house

BY JOHN BRUCE • STAFF WRITER



Dan Kauffman hoists the three volumes of draft EIS for the proposed Atlantic Coast Pipeline, totaling more than 2,000 pages. (Recorder photo by John Bruce)

MONTEREY — One by one, and behind closed doors, dismayed citizens made their concerns known about mountaintop removal, drinking water pollution and disruption of quality of life.

The Federal Energy Regulatory Commission open-house comment session Tuesday drew comments and concerns about negative environmental and cultural impacts of the proposed Atlantic Coast Pipeline that would cross Highland and Bath counties and its draft environmental impact statement.

Some of the residents recapped their comments or provided copies of their testimonies for The Recorder, as follows.

Tyler Bird Paul complained about the open-house, one on one format of the comment session. “I should have known better, but I really expected to have more of a forum tonight where we would all be seated peacefully and stand up one at a time and would say what’s on our mind and ask our questions of FERC, but it’s not happening that way. They only want us one-on-one.

“I think it would be much more productive if we could all stand up and share our opinions and ideas and views and ask one question and get one answer back from FERC. I made a three-minute statement in a closed room with a court reporter. It’s good to mingle with the crowd and to see to meet people that I’ve only been with online through e-mail. The main points I made were I have been filing my FERC comments and complaints. I will continue to comment on the DEIS, so I’m doing my part.

“I’m really upset with the ridge top behind my mother’s house being clear topped. They say they’ll save the soil and that they’re going to put it back just as it was and that they’ll plant grass and they’ll keep the same slope. I just don’t see how they can. I think there’s going to be a lot of erosion. I am worried about our water and our neighbors’ water supplies, the supplies for our tenant’s trough. It’s just devastating. It’s a five-generation farm. It’s a historic farm. We’ve built it, we’ve held on to it, we’ve improved it. It’s just heartbreaking. The name of the farm is Valley Home Farm in Valley Center. It’s a one of the most densely populated neighborhoods in Highland County, and it’s just shocking that the pipeline is coming through about two miles of our farm and almost by Lloyd’s (her brother, Lloyd Bird’s) dream home front door. I just don’t know why they’re coming through such a densely-populated part of the county.”

Paul noted local cave expert Rick Lambert has found springs, caves and karst “up to your eyeballs. He’s mapped it all.”

Sandra Fore lives on Valley Center Road. “This pipeline does not come across my property, however the southern edge of the of the ditch is like seventy yards from my house. I had an experience when the earthquake in Mineral turned my water muddy. I didn’t associate it with that earthquake. I thought maybe there was a cave in. So I called well people and they said it was just the earthquake. Now if that happened to turn my well water muddy from a hundred miles away what is blasting seventy yards from my well and digging going to do? My water will probably stay muddy all the time.

“I have no recourse because they are not coming across my property. That’s my main concern. The other concerns are just the destruction of our way of life. And it will be a disruption. We are a community of retired people. We like our peace and quiet. We love the mountains the way they are. I don’t think anything we say is going to have a whole lot to do with the outcome,” Fore said.

Allegheny Blue Ridge Alliance chair Lew Freeman testified, “The Draft Environmental Impact Statement is seriously flawed in concluding that there would be no long-term impacts to the environment and the economic well-being of affected landowners and communities. I (cite) two prime examples.

“The DEIS concludes that impacts on outdoor recreational opportunities in affected counties would be temporary. This is incorrect and such a judgment reflects a lack of understanding of tourism. Tourism in Pocahontas, Highland and Bath counties, which is the most significant sector in the economy of our area, is strongly geared to the outdoors. The very construction of the pipeline will seriously disrupt and dampen tourism in our area. In many cases, through scars to the landscape that will not return to normal, as well as damage to the habitat of trout and other relevant species that are assets to our tourism, the attractiveness of our area will be permanently diminished. The presumption in the DEIS that previous levels of tourism will return, and are mitigatable if they do not, is simply wrong!

“The DEIS virtually ignores the magnitude of the serious and permanent damage that would be done to the higher elevations of the ACP’s route through Pocahontas, Highland and Bath counties. The pipeline construction plan calls for removing the tops of several mountain ridges and adjoining slopes, thus diminishing the attractiveness of many scenic vistas. Moreover, there is currently absent in the DEIS an environmentally satisfactory plan to safely dispose of the extensive volume of rubble resulting from the removal of mountain ridge tops and steep slopes. This absence conflicts with the requirements of the National Environmental Policy Act. This concern was amplified in a recent communication to the U.S. Forest Service from one of its consultants, James A. Thompson of West Virginia University (filed with the FERC docket for the ACP on February 24), in which he decried the failure of the Atlantic Coast Pipeline LLC to provide needed information for proper geohazard analysis regarding the impact of the pipeline on steep slopes.

“In conclusion, the Draft Environmental Impact Statement for the Atlantic Coast Pipeline is deficient in major ways. FERC’s consideration of this project should not continue as presently scheduled given these significant shortcomings. A project that would have such a devastating impact on the environment of the Allegheny-Blue Ridge region cannot be responsibly evaluated with a wink and a nod approach, which what the DEIS implies,” Freeman said.

Annette Naber brought the three volumes of the Draft EIS that were compiled with the help of many different agencies: U.S. Dept. of Agriculture, Forest Service, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, West Virginia Dept. of Environmental Protection, and the West Virginia Division of Natural Resources.

“How many thousands of billable hours were paid with taxpayer dollars, just to produce this draft alone?” she asked. “How many unpaid and uncountable volunteer hours from those who do not want the Atlantic Coast Pipeline to be built across our lands, fields, mountains, and streams? Still, Dominion is pushing a pipeline project that not only is extremely unpopular and contested but has also been pronounced unnecessary and duplicative of existing pipeline infrastructure.

“As a Highland County resident and someone who is highly appreciative of the wild nature and incredible biodiversity that exists in this almost unspoiled part of the Eastern U.S., I was particularly interested in Volume II that holds Appendix R – Forest Service Management Species Table. Here you can find the list of animal and plant species that are likely to be impacted in a negative manner by the proposed construction of this pipeline.

“In the Monongahela National Forest in West Virginia and in the George Washington National Forest in Virginia alone, 12 mammals, and 10 bird species, along with reptiles, amphibians, invertebrates, bivalves, crustaceans, millipedes, insects, and flatworms are affected. Most of these creatures I didn’t even know existed here. There are also 33 plants that will be impacted – perhaps severely diminished, perhaps entirely wiped out by the destructive impact of a pipeline that may not even be needed in the first place. I do know some of these plants, especially the beautiful native orchids. It is a thrill to find them in their native habitat. Just last summer, I came across a yellow-fringed orchid here in Highland County where nobody else had reported its existence before. How many other plants and animals exist in these wild mountain areas that are barely accessible by foot? I strongly suspect that the plant and animal listings in Appendix R represent only a minimal estimate of what’s out there.

“But who really cares for a Northern flying squirrel, or a long-tailed shrew, or a Bentley’s coral root? I’d go out on a limb and say that neither Dominion’s CEO with his annual salary of \$20 million, nor Dominion’s shareholders care that much. But here is why we all should care:

“The natural baseline rate of species extinction is about 1-5 species per year. Right now, we are losing 1,000 to 10,000 times that rate each year – the worst species die-off since the dinosaurs were wiped out about 65 million years ago. According to the Center for Biological Diversity, we will probably lose between 30 and 50 percent of all species by 2050; 99 percent due to human activities that cause habitat loss and global warming.

“Every species that goes extinct potentially starts a snowball effect causing other species to disappear in this intricate web of life that we humans still have not fully explored or understood. We desperately need species diversity to ensure the survival of our eco-system, and our own survival as humans.

“Conserving local populations is the only way to ensure genetic diversity critical for a species’ long-term survival. Plants, especially, represent the bottom of the food chain and form the backbone of our eco-system. So, when another one of our beautiful native orchids or a modest sedge grass disappears, or a moth, or a songbird, we may not immediately know what impact that has on the overall system. What we do know is that this process multiplied thousands of times in many different localities is killing our planet, our own home base.

“Where do we draw the line? I suggest that we draw the line right here in these mountains by stopping the Atlantic Coast pipeline. I am appealing to the decision makers at FERC to take the larger ecosystem implications into consideration – don’t enable another corporation to kill off one of the last places of profound beauty and biodiversity. Your children and grandchildren will thank you and respect you for making this important decision in favor of life rather than corporate profits,” Naber said.

Nancy Witschey, chair of Highland County Economic Development Authority, testified the Draft Environmental Impact Statement itself points out many serious problems with the proposed path for the Atlantic Coast Pipeline. “You should listen to the experts and avoid abusing the environment in the manner proposed. While Dominion has indicated that the impacts would be minimized, there is no indication that Dominion could or would do so in a manner that preserves

the environment. Given that the environmental impact of the proposed pipeline is so severe, other options should be considered. The Atlantic Coast Pipeline is not necessary.

“Numerous studies have been conducted, including some by the federal government ... that conclude there is sufficient capacity in existing pipelines. You should direct Dominion to use the existing facilities rather than building new ones. This would be a win-win outcome. Dominion can move its gas and the environment is preserved. You have the power. Do the right and responsible thing,” Witschey said.

Retired environmental protection official Bill Limpert said, “As I stated in my comments of Feb. 23, 2017 the DEIS fails to accurately assess the massive negative environmental impacts from this project. It is the worst federal document that I have ever seen.

“The multitude of negative environmental impacts, among other non environmental issues, make it apparent that this project is not in the public interest, and does not meet the public necessity and convenience criteria for approval. Yet, FERC appears ready to allow a for profit company that could very well ship the natural gas overseas to take private property through eminent domain from over 2,700 property owners, and put tens of thousands of other persons near the pipeline at risk.

“The DEIS accepts the use of silt fence, hay bales, diversion berms, and revegetation to adequately control sediment runoff from a project which would disturb approximately 20 square miles of earth on very steep and very long slopes. Silt fence and diversion berms are not compatible. Silt fence cannot control concentrated flows that diversion berms create. Sediment controls this inadequate will result in massive sediment pollution to receiving waters.

“The DEIS states that public safety will be protected even though the extremely difficult working conditions through steep landslide prone slopes, karst areas, reduced safety regulations for less populated areas, and the very high explosive capacity of this pipeline make it unsafe.

“The DEIS approves Atlantic’s karst mitigation plan, but it is not sufficient to assure that private wells and springs will be protected. The document accepts Atlantic’s unacceptably small liability for damage to wells and no liability for springs.

“The DEIS was written based on inaccurate and misleading filings by the applicant. Instead of charging the applicant with fraud, FERC has embraced those comments, and in some cases copied and pasted them into the DEIS.

“The DEIS concludes that there are no environmental justice violations, but the pipeline is routed through all but one county or municipality that is below the average economic levels for that state.

“The DEIS dismisses loss of scenic values in the wooded mountainous areas of Western Virginia and West Virginia by saying that the permanent right of way would be reduced to 50 feet in width, while at the same time allowing an extra work space to increase the width of the

temporary right of way, including deforestation to a width of 150 feet. Scenic values would be lost for a lifetime.

“The DEIS analysis of other available alternate pipelines is inadequate, and looks at them individually instead of together.

“The DEIS climate change analysis incorrectly separates the pipeline from the fracking it would facilitate and the power plants it would service, and does not consider greenhouse gas emissions from fracking or the power plants. It finds the impact on climate change to be less than significant. Climate change is the biggest challenge mankind has ever faced. This project would add significantly to climate change, and the DEIS brushes it off. For shame.

“The DEIS does not mention old growth forests that would be destroyed. Our property contains very rare old growth forest along one half mile of the pipeline that would be destroyed. We have commented on this extensively, and it is not mentioned.

“FERC knows the large magnitude of all of the negative impacts this project would bring, but turns a blind eye to the truth. The DEIS is unacceptable. FERC needs to revoke it and re-write it,” Limpert said.