

CP 15-554

CHRIS VAN HOLLEN
8TH DISTRICT, MARYLAND

COMMITTEE ON THE BUDGET

**Congress of the United States
House of Representatives**

Washington, DC 20515

March 23, 2016

Jehmal Hudson, Esq.
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REGULATORY COMMISSION
FEDERAL ENERGY
OFFICE OF
EXTERNAL AFFAIRS
2016 MAR 24 A 11:58
www.vanhollen.house.gov

Dear Mr. Hudson:

I am writing on behalf of my constituent Mr. William F. Limpert with respect to the Atlantic Coast Pipeline's proposed installation through his property in Little Valley, Bath County, Virginia.

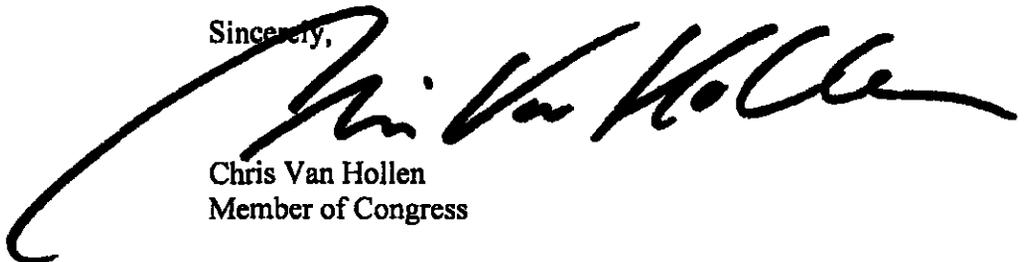
I would appreciate your reviewing the attached documents and advising me of your findings. All correspondence can be sent to the following address:

51 Monroe Street, Suite 507
Rockville, MD 20850
FAX: (301) 424-5992

If you need additional information, please contact Ashima Talwar in my district office at (301) 424-3501 or by email at ashima.talwar@mail.house.gov.

Thank you for your assistance.

Sincerely,



Chris Van Hollen
Member of Congress

CVH/bg

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CHRIS VAN HOLLEN

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as our backup water supply. Our well is within several hundred feet of the proposed line. Construction, and especially blasting, in karst soils can cause sediments and soil to fill underground water passageways, and dry up, or severely disrupt wells and springs. Several geologists have confirmed these fears as being well founded.

The value of our property dropped \$200,000 on February 12th of this year. That was the day we received the letter from ACP advising that the route goes through our property. no one is going to want to but property with a 42 inch gas pipeline running through it.

Little Valley, and our property in particular are incredibly beautiful. We have old growth forest estimated to be between 140 and 160 years old, according to a Virginia state forester. A 120 foot clearcut would be made through that forest, as well as Little Mountain to our west and Jack Mountain to our east. All of this would be visible from our home.

The Federal Energy Regulatory Commission (FERC) is responsible for approving or disapproving this project. They have not been helpful. The environmental specialist assigned to this project is not returning my calls. In fact, FERC has refused to conduct outreach meetings in the area of the new alternate route that would give affected citizens the opportunity to learn more about the project, and to voice concerns.

This is a nightmare for us, and we need your help. I have been working non stop on this issue for the past 38 days, but I'm afraid that might not be enough to stop the pipeline. I firmly believe that this pipeline is not in the public interest. Please have someone contact me so that I can further describe this unjustified seizure of our property. I have submitted lengthy comments to FERC, and would like for you or your staff to read them. I can submit them to you in a pdf format.

Thank you for your public service, and your help.

</MSG>

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Docket No. CP15-554

March 6, 2016

Dear Secretary Bose:

I am writing to express my opposition to the Atlantic Coast Pipeline, Docket CP15-554. Thank you for the opportunity to comment on this important matter.

I am strongly opposed to this project, and believe that it is not in the public interest for the following reasons:

- It is a severe safety risk.
- It will have severe economic consequences for affected landowners and communities.
- It will destroy the property of affected citizens along the route, and it will destroy the property that my wife and I love, and worked so hard to obtain.
- It will cause extreme heartache to affected citizens along the route and to my wife and I.
- It will result in the loss of many unique natural resources.
- It will damage the environment during construction and subsequent maintenance.
- It will add more greenhouse gases to our atmosphere, and contribute to the growing catastrophic effects of climate change.
- It will encourage hydraulic fracturing with all of its negative consequences.

I will point out inconsistencies and concerns in the flawed ACP submittal to FERC regarding the Alternate GWNF 6 Route, and ACP communications with the affected landowners and communities.

I will discuss better alternatives to the project as proposed.

I will demand that FERC conduct scoping meetings and any ACP meetings in the new areas affected by the Alternate GWNF 6 Route, and a comment period of sufficient length for citizens and communities in the newly affected areas to become familiar with all aspects of this life changing proposal.

I will comment on the integrity of ACP, and the fossil fuel industry.

I will comment on FERC's responsibilities, and the responsibilities of our government in general

I will submit documentation in the form of diagrams and photographs in a subsequent submittal.

SAFETY

I believe that safety and security are in the public interest, and I would like for you to understand our particular concerns. Our home in Little Valley at 250 Fern Gully Lane, in Bolar, Bath County, Virginia is within 700 feet of the proposed 42 inch natural gas pipeline, and the pipeline passes through the center of a large portion of our property. I realize that the ACP Alternate GWNF 6 Route submittal that you have recently received does not mention Little Valley, or even depict it on the route map, but that is where we live, as do our neighbors, and Little Valley is a significant natural feature impacting our safety should the pipeline be approved and completed.

Little Valley is a narrow, steep north facing valley that is heavily wooded. Virginia Route 694 follows the valley steeply uphill and south from the small, unincorporated town of Bolar, on the Bath County, Highland County line. It's a designated rural road with numerous curves, several of which are blind curves. It is very narrow, with barely enough room for two cars to pass in some areas. Route 694 ends in a dead end about 2.1 miles at the south, and much higher elevation end of the valley. There are no other roads in or out of the valley. The pipeline's proposed location crosses our property, and Route 694 about .4 miles before it dead ends at the southern and higher elevation terminus. Our home and several other homes are uphill of the proposed pipeline location. Fern Gully Lane is our private access road. It's a steep gravel lane with steep sloping sides, and no guard rails. We travel .6 miles on Fern Gully Lane from Route 694 to get to our home. Three other homes are just downhill from the proposed pipeline location, two of them on private, Vance Lane, a steep gravel road. There are several more homes downhill from the pipe that near the proposed pipe.

I saw on the ACR submittal that there is an evacuation zone in conjunction with the pipe, and that zone is 1.4 miles wide. I am assuming that means that there is a .7 mile evacuation zone on each side of the proposed pipeline location. Of particular concern is the fact that we, and the residents of the neighboring homes uphill from the pipe would be trapped in the evacuation zone during an emergency. We could not escape out of the evacuation zone by going uphill, because the road ends in the evacuation zone. In addition, we would have to travel down our private Fern Gully Lane, paralleling the pipe and even closer to the pipe than our home is before reaching Route 694, and heading uphill on Route 694 further away from the pipe, but still in the evacuation zone at the dead end. Our two neighbors on Vance Lane would also have to drive down that private lane roughly paralleling the pipe even closer than us before reaching route 694, before escaping downhill, and out of the evacuation zone.

Perhaps an easier way to understand our location in relation to the pipe is to picture a lower case "t", with the vertical line being Route 694, and the pipe being the horizontal line. Our home is just above and to the left of the horizontal line. The top of vertical line is the end of the road at the upper portion of the valley. Our house, the homes of our neighbors, and the end of the road are all within the evacuation zone. We would be trapped. I will send a diagram in a future submittal to further clarify this s extreme safety hazard.

Since our valley is very steep and heavily wooded the potential for forest fires is always a concern. In fact, during the past three years the local Bolar Fire Department, comprised of neighbors who have volunteered, has responded to, and extinguished three fires in the valley, all within a mile of our home. Steep slopes covered with dry leaves increase the risk of fire intensity and speed. Thankfully, our local volunteers were able to control, and eventually extinguish the fires. I doubt, however, that they would be able to control a large fire created by a pipe failure or explosion. In fact, they would not even be able to get uphill from the pipe to work on putting out the fire at all.

I also believe that the safety of the pipeline itself is threatened due to the physical nature of Little Valley. There are a number of sinkholes in the valley, indicating Karst soils. They are visible throughout the valley. Just to the east of Little Valley, and along the proposed path of the pipe near Burnsville, Virginia there are even more sinkholes, well known caves, and even a substantial stream, Sinking Creek, that disappears into the ground. A gas pipeline this large has never been placed through Karst soils.

The slopes that the pipeline would excavate through Little Valley are very steep and unstable. In the brief three years that we have lived here we have witnessed a number of landslides, including one on our property that deposited soil 18 inches deep over a 20 foot length of Fern Gully Lane, and cost us \$4,000 to remove and repair. This landslide occurred just last summer, and cracks in the former slide area indicate that this area will slide again. Another major landslide has occurred just above the proposed center line for the pipe. That one took a number of trees with it, and is clearly visible to this day. I have also learned of a much larger landslide further up the west side of Little Mountain and in

or near the proposed path of the pipe. I will investigate and document that landslide.

Our private access drive was also heavily damaged during that storm. It sustained a gully 250 feet long, up to 3 feet wide, and up to 2 feet deep. Before we were able to repair it we had to straddle it with our truck to get to our house. This gully alone would have come within 6 inches or 1 foot of the top of the pipe if the pipe was placed in this location at a normal depth of 30 -36 inches. Even if the top of the pipe was placed 5 feet underground this gully would have breached 40% of the protective cover. Bear in mind, that this is a compacted roadway that has not been excavated, and that is nowhere as steep as the slopes that the pipe will be subjected to on the west side of Little Mountain, and the east side of Jack Mountain, comprising both sides of Little Valley, where the pipe is proposed to be placed. Excavating the soil for the pipe in these areas will make it even more erodible, and subject to landslides that could easily expose and rupture the pipe.

During flooding that occurred last summer Little Valley Run jumped out of it's banks right at the proposed pipeline crossing area, and excavated a new channel. Very heavy deposition of large rocks and soil occurred in numerous locations, including rocks too big to be moved by hand in large piles over 5 feet deep. Flooding like this could easily damage the pipe.

We also have hot springs, or thermal springs in this area, and they could threaten the safety of the pipe. I will discuss these thermal springs later in this submittal.

These extreme conditions severely jeopardize the safety and integrity of this large pipe.

I understand that all of this may be difficult to visualize, and I hereby request that a FERC representative come to our home to accurately understand these dangerous conditions. As I have said previously, I plan to submit documentation of these safety concerns in a subsequent submittal.

I am aware of concerns about cyber terrorists hacking into our infrastructure, and that concerns me also. I realize that we are probably not high priority targets, but blowing up the line through cyber terrorism or physical terrorists anywhere would certainly be heard around the world, and the terrorists would revel in that publicity. This is an isolated rural valley, and it would not be out of the question for terrorists to access the area, dig down to the pipe, and set it off.

Another safety issue regarding the proposed project arises from hydraulic fracturing, or fracking that construction of the pipeline will generate. The United States Geological survey has determined that fracking causes earthquakes. This area is already subject to earthquakes as witnessed by the recent Mineral, Virginia earthquake that was felt at our home in Bath County, and was felt even more strongly in Washington, DC, where it caused considerable damage. The reader may have felt it also if the reader was working for FERC at that time. The bottom line is fracking causes earthquakes, and earthquakes rupture pipelines. I will address fracking further along in this submittal.

These issues create an unacceptable safety risk for us and our neighbors.

ECONOMIC IMPACT

ACP will make billions of dollars if this proposed pipeline is built. The executives of the large companies involved in this project, and the rich investors who back them will receive a large amount of money. Local communities and affected landowners along the line will lose a large amount of money.

A recent study conducted by Key-Log Economics of Charlottesville found that in just four counties, Highland, Augusta, Nelson, and Buckingham, economic losses over time would exceed 5 billion dollars, the cost of the pipe. This study was completed prior to submittal of the Alternate Route GWNF 6 Route, but I'm sure the results still apply to the new route. These counties would get none of the

energy from the gas in the pipeline. It would pass them by in a volatile pipe that will severely depress their property values, lower tax revenues, threaten their safety and security, reduce tourism, hamper recreational opportunities, and severely curtail construction of, and improvements and repairs to homes and businesses.

Without paying an appraiser to tell us how much we have lost I am confident that we have lost at least \$200,000 in property value since we received notice from ACP. This is a huge financial loss. Our retirement income is limited, and I have already had to adjust our budget down. The market for a house or property where a 42 inch gas pipeline is located is very limited.

My wife and I have been planning to enclose a garage under our porch, finish off an unfinished bedroom, and add solar panels to the house, all with local companies and workers. We will not start these projects with the threat of the pipeline ruining the property, and the value of the property already greatly reduced. Our local planning codes allow us to build a home on any part of our property, and we can subdivide it into 4 separate parcels if we wish. We have no desire to do that, but it was nice to know that if we had an economic emergency later in life those assets would be available. In fact, one meadow where we considered building a guest house, or subdividing, is right in the center of the right of way for the pipe. The pipeline would split the property virtually in half. Heavy equipment cannot cross the pipe even if we were foolish enough to try to subdivide and build another home. Those options have been lost, and our dream home and property will become toxic assets through no fault of our own if the pipeline comes through.

We are not the only property owners affected by this proposed line. There are likely over 1,000 properties that will be crossed by the line, and several thousand others that will be close enough to be negatively impacted.

OUR PROPERTY

Our personal situation is typical of what all these other affected property owners are going through. My wife and I have always enjoyed nature, and especially the Appalachian Mountains. We worked hard in our careers, and although we never earned large salaries, we budgeted and saved. We searched for property in the Virginia Highlands for two years and looked at many, many properties before we found this one. We bought this property in Little Valley 7 years ago. It is by far the most beautiful property that we saw. I am not embarrassed to tell you that I teared up the first time we sat in the meadow where our house now stands, and looked north down Little Valley to Bolar Gap, Big Valley, Sounding Knob, and beyond. We looked to the east up the sweeping slope of Jack Mountain, covered in mature forest. We saw the ridge top of Little Mountain to the west, and above and beyond that, the crest of Back Creek Mountain.

After we retired we hired a local builder, and completed construction three years ago. About a year ago we bought an adjacent very steep parcel extending our property nearly to the ridge top of Jack Mountain. From our porch we have long distance views in 3 directions, including a sweeping view of our mature forest up to the crest of Jack Mountain to the east. The porch affords a great place to watch the clouds roll by, especially on a summer afternoon. Almost the entire property is covered in a mature, diverse forest, with some areas in true old growth, and possibly virgin forest. We have very large sugar maples, oaks, hickories, cherries, basswoods, butternuts, dogwoods, and many more. We have a small perennial mountain stream which originates from a spring in one of our steep hollows, and flows through a portion of the property. The air quality here is excellent with detailed skies and clear long distance views. The natural colors come through unfiltered by air pollution. The night sky is dark, and filled with many stars that cannot be seen in cities and towns. The north star is straight ahead off of the porch, and as the night goes by we can see the stars pinwheeling around the north star. Our property and this valley are incredibly quiet. It is rare to hear even a car or someone mowing their lawn. We do hear natural sounds like the wind, and water running in the adjacent hollows after a rain. We hear turkeys, squirrels, birds, and coyotes.

We have enjoyed hiking through the property, although the steep terrain in many areas can make that a challenge. We have learned to follow deer trails diagonally up and down the steeper slopes to make it easier. Where no deer trail is available we have found that walking straight up the slope is the best way to go because this prevents your feet from sliding sideways down the hill. In the steepest areas we sometimes need to put our hands down in front of us, although we avoid doing this from mid April until Mid October due to the rattlesnakes. During rattlesnake season we wear chaps which give us protection to the top of our thighs.

HEARTACHE

We want to keep this property in its natural state for our remaining years, and for those who follow us, and we have enjoyed it immensely. The thought of it being ravaged by a 42 inch natural gas pipeline and a 120 foot clearcut swath through the center of the property is an ongoing nightmare. I have been thinking about leaving the property if construction starts. I could not endure watching this beautiful place being torn apart. Other than the prior passing of loved ones, this would be the worst thing that has ever happened to me. I'm not sure I could come back after pipe installation is completed. It may be too heartbreaking.

I have always loved nature, and the less spoiled by man's meddling the better. During my adult years I have had a recurring nightmare of owning property in its' natural state, and then returning, or looking out the window and seeing it ravaged by construction, or development, or tree removal. In recent years, and since we bought this very rural property, this dream has not returned as much. Surprisingly, even after receiving notification from ACP that they propose to put a pipe right through the middle of our property, the dream hasn't come back...yet. It's possible that since I'm thinking about virtually all the time during my waking hours that it has reappeared in my dreams.

Besides taking care of my invalid 92 year old mom who fractured her pelvis about ten days prior to us being notified of the pipe, and trying to relax for an hour or two each day before bedtime, virtually all my time and energy is spent on stopping ACP from taking our savings, destroying our property, and I am going to bed later than previously, and waking up earlier. This morning I was out of bed and working on this submittal by 4:15. I had already been thinking about it for about an hour in bed. Some nights I can't fall asleep, and some nights I wake up continuously through the night. It is fortunate that I am retired, because it would be difficult to function at work with the lack of sleep, and ACP on my mind all the time. I never thought that retirement would mean fighting for your property that you worked so hard for all of your working life.

This ongoing pipeline emergency has been very disruptive to our lives in general. This summer marks our 30th anniversary. We've never been to Hawaii, and I guess you could say it is on our bucket list. That anniversary in Hawaii isn't going to happen for us now. We have to stay close to home to defend it.

I'm sure there are many, many other folks along the path of this pipe going through what I'm going through, and probably working and raising a family at the same time.

LOSS OF RESOURCES

A large area of very mature forest will be destroyed. Some trees on this property are over 300 years old, and there may be areas where no trees have ever been cut. I have contacted our local Virginia forester, and he has agreed to come to our property to determine its' unique character, and old growth standing. I will advise you regarding his findings. Once the clearcut is made, the newly opened gash in the forest canopy would subject trees at the edge of the cut to increased wind damage, and there is no question that a number of them will topple because of it. I have seen it happen many times before. Additionally, trees at the newly exposed edge will grow toward light created by the clearcut, and will

become unbalanced, and also susceptible to toppling. The clearcut will fragment a large continuous area of mature forest.

We have a number of rare and threatened trees that would be lost. A stand of healthy American chestnut trees is dead center in the right of way. I have never seen this many healthy American Chestnuts before, and I have spent many hours looking for chestnuts in many different forests. This property contains the largest concentration of Sugar Maple trees that I have ever seen. The largest that we have measured is over 17 feet in circumference, and a grove of about a dozen of them each in the 15 foot circumference range is in, or adjacent to the planned clearcut. Sugar maples, particularly in this area, are threatened due to warming temperatures. This is close to their southern range. Our property also contains a large number of healthy Butternut trees, many of which are in the proposed clear cut area. The Butternut, also called White Walnut is related to the Black Walnut, but it grows in more mountainous terrain, like ours, and is near the eastern extent of its range in western Virginia. It provides a consistent large crop of nuts for wildlife each year. The Butternut is considered a species of special concern by the federal government due to a canker disease. The USDA Forest Service has advised that healthy butternut trees throughout the range should be conserved.

Our property also contains an endangered species for Virginia, the timber rattler. Several years ago three of them took up temporary residence within 35 feet of our front door. They have thankfully departed that location. Endangered Indiana bats are also found in this forest, as are bobcats. I have heard two reports of cougars being spotted, one in Little Valley, and the other in the Burnsville area, just over Jack Mountain, and in the path of the pipeline even though cougars are considered extinct in Virginia.

We share a spring with our neighbors. The spring is on our property and within the right of way for the pipeline. It is a backup water supply for us, but it is the only water supply for our neighbors. All of our neighbors, and in fact, everyone along the proposed route in Bath County uses a well or spring as their water source. All of these water supplies will be threatened by the pipeline, especially in areas with karst soils, as here in Little Valley. One nearby neighbor's well is 1,000 feet deep, and very expensive. We could all very well lose our springs or well water due to eroding karst soils in the path of the pipe.

I should also mention thermal springs on our area. These are not the famous Warm Springs or Hot Springs which are at least 15 miles away as the crow flies. The springs I'm referring to include Bolar Spring at the bottom of Little Valley, and about 1.5 miles away from the proposed pipeline. This is a high volume thermal spring previously used for swimming, picnics, and dances. A Virginia hot springs web site lists the year round temperature at 73 F. There is another nearby thermal spring, Lithia Spring, that I am not familiar with. We have a number of other springs on our property, including one that creates a perennial stream that runs for 1/4 mile through our property. I will check these springs for thermal characteristics, and report my findings in a subsequent submittal. It's possible that these thermal springs will be disrupted by the pipeline. It's also possible that these thermal waters may threaten the line by heating it up.

I mentioned the stunning views from our front porch. This view shed will be permanently ruined by the pipeline. What is now a sweeping view up the flank of Jack Mountain over mature forest to the summit will be reduced to a wide scar. What used to be a beautiful canopy of oaks, hickories, and maples will be forever ruined.

DAMAGE DURING CONSTRUCTION AND MAINTENANCE

Our property and our neighbor's properties in Little Valley will be damaged severely during construction, and thereafter, during maintenance activities on the pipe.

I should explain that Route 694, Little Valley Road, is a very narrow, winding road with several blind

turns, and a blind hill where traffic absolutely cannot be seen coming the other way until it is right on top of you. There are some areas where it is very difficult for two cars to pass because it is so narrow, and impossible with two trucks. The road is a Virginia Department of Transportation (VDOT) designated rural rustic road. That road designation was granted some years back at the request of residents who wanted Little Valley to retain its' very rural character.

VDOT has advised me that Little Valley Road is not sufficiently surfaced to withstand the heavy equipment needed to build the pipeline. Nor is it or the right of way wide enough. The bridge over Bolar Run at the lower end of the valley is not big enough or strong enough to withstand the equipment. The two culverts further up the road that will need to be crossed are not strong enough either. So either the road and supporting structures are ruined, or we endure 1.8 miles of road construction (paid for by whom?), as well as the pipeline construction. Widening of the road would require taking land from property owners along the road, and I am not sure that would meet legal review.

Construction would not be too different than war in Little Valley. Recall that this is the quietest place that I know. The screaming of chain saws taking down huge trees and cutting them up so they could be removed would be unbearable. Blasting through bedrock to blow out the trench would be similar to bombs going off. I've heard blasting previously during my career with the Maryland Department of the Environment, and I was happy to get away from it. Very heavy equipment coming in and out of the valley, working very close to my home, and climbing up my mountainside, Jack Mountain, to the east, and Little Mountain to the west would be unbearable. Watching our beautiful property being torn apart would be a waking nightmare. I couldn't bear to be on my property during construction, and will have great difficulty coming back after construction, if I could come back at all.

Maintenance on the right of way will most likely be carried out through the cheapest means available, and that means herbicide application, with all of its questionable health impacts for us and the wildlife. There is no question whatsoever that invasive species will quickly dominate the clearcut. I've seen it time and time again. Once a natural area is cut away native plants can't compete with the invasive. They die out and the invasives take over.

Japanese Stiltweed is already here, and advancing slowly, but manageably, in areas where more light comes through the canopy, like along our access road. It will take off across the clearcut and become the dominant vegetation by far in a few years. When stiltweed dies off in the winter it leaves a thick mass of dry vegetative stems several feet high. It is a serious fire hazard, right over the pipe, and right below our house. Ask the United States Forest Service if you doubt me.

Other invasives already on the property, but again, manageable because of the natural conditions, include garlic mustard, barberry, multiflora rose, and bittersweet. These species will also thrive in the clearcut, and will take over, or need to be repeatedly treated with herbicides, probably round up, which has been linked to cancer.

The invasives would have a clear path into our mature forest, up Jack Mountain and into the George Washington National Forest. The large cut going up Jack Mountain would be similar to an elevator for invasives to enter the National Forest, with which we share a large border. From there the George Washington National Forest runs south along the ridge of Jack Mountain to Duncan Knob and beyond. The great increase in forest edge created by the clearcut would be like an open door for the invasives to enter and advance through our property, and the George Washington National Forest.

Invasives are a problem because they kill off native vegetation. Invasives are not eaten by native birds and wildlife, and therefore, they replace a native food source with vegetation that is inedible to our native species. Invasives and clearing of our forests are the main reason for the loss of about half of most species of North American songbirds over the past 50 years, with some species reduced by as much as 80%. Beneficial insect numbers are also down significantly.

CLIMATE CHANGE

President Obama has pledged that our country will reduce greenhouse gas emissions by 28% by the year 2025 to hold off the most serious consequences of climate change. This project will continue another 20 years of greenhouse gas emissions by encouraging exploitation of the Marcellus shale field.

There is no question that this project will contribute to the growing effects of climate change which may very well become catastrophic. The project will encourage hydraulic fracking, and the transfer of carbon dioxide and methane from safe within the ground to our atmosphere. CO2 concentrations in our atmosphere have ranged between 200 PPM and 300 PPM for the past 800,000 years, until we began burning fossil fuels, and increasing the concentration of CO2 in our atmosphere. Now we have surpassed 400PPM, and continue to add about 2 PPM per year. Methane concentrations are also 2.7 times higher than pre industrial levels. We are discharging 90,000,000 tons of greenhouses gases into the atmosphere every day.

These higher concentrations of CO2 and methane are causing global warming, as is deforestation. Since the year 2000, worldwide 14 of the 16 years were the hottest ever recorded, and 2015 was the hottest ever recorded by far. October, 2012 marked the 332nd consecutive month that the temperatures were above the 20th century averages. The earth has warmed 1.8 degrees F in the past 150 years, and the pace of warming is accelerating. The arctic regions are heating up more than the rest of the world at this time. Since 1950 Antarctica has warmed by 6F.

Higher temperatures create more severe weather. The Atlantic basin has experienced more category 5 hurricanes in the past several decades than ever before. Hurricane Joaquin unexpectedly reached category 5 status this past year near the Bahamas. The El Faro, a large commercial ship sank during that storm, and 28 Americans went down with it. The Pacific basin experienced the most active tropical storm season ever recorded. A late season hurricane, Patricia off the west coast of Mexico surprisingly increased from 40 mph to 200 mph in only 18 hours this past season. The Weather Channel reported that this storm increased much faster than anticipated because the unusually warm subsurface temperatures in the ocean welled up to the surface as the storm intensity increased, and further fueled the intensity, rather than throttling back the intensity increase as cooler subsurface waters would have under normal conditions. Additionally, another hurricane off of the west coast of Mexico became the latest in season major hurricane ever recorded in the Pacific basin. In fact, the National Weather Service is now considering adding category 6 and 7 to its hurricane rating scale to accurately describe the bigger hurricanes we are now experiencing. You and I may very well be in the bullseye of one of these super hurricanes in the future, and if it's not us, it will be somebody else. As I write I have learned that tropical cyclone Winston has just become the strongest storm ever recorded in the southern hemisphere, and the all time highest wind speed in Colorado has just occurred at 148 mph. We may very well be in the bullseye of one of these storms in the future, and if its not us, it will be somebody else.

It's not just hurricanes that are increasing in intensity. NOAA reports that the severity of single day storms has increased in recent decades. In fact, our home in Little Valley near Bolar, Virginia has experienced two very severe storm events in the past 3 1/2 years. The Derecho of June 29, 2012 knocked power out for us, and most of Bath County for several days. It produced the highest winds that I have ever experienced, with the possible exception of Hurricane Hazel in 1954. I cut 7 trees and large limbs out of our driveway in order to get out. Little Valley Road also had several large trees across it from that storm event. The temperature hit 105 in Washington, DC the day of the storm. This past July Little Valley experienced a severe flooding, landslides, gullying, and heavy soil erosion. Many properties experienced heavy damage. My wife and I spent about \$5,000 to access our property and repair our access road. The Virginia Department of Transportation (VDOT) spent lots of money, and many days opening up the road, and replacing very large culverts that had washed away.

VDOT has advised me that they will provide me the cost, hours, and materials used to get Little Valley Road back open, and i will pass that on to you at a future date. Fortunately, no lives were lost in this event. It is clear that bigger storms mean more property damage, and insurance companies are raising rates because of it.

Higher temperatures are also raising sea level from melting ice on land, and from thermal expansion of the warming oceans. It is estimated that a sea level rise of 3 feet will displace 90 million people, and untold countless millions more at higher levels. Current IPCC sea level rise projections for 2100 are in that range. As you may have heard the historic Iditarod sled race in Alaska is starting just about now. Snow actually had to be brought by train from Fairbanks to Anchorage this year, because there was no snow in Anchorage for the start of the race.

The Himalayan glaciers are also melting at an unprecedented rate. These glaciers provide a relatively constant water supply to over 2 billion people. If they continue to melt the large rivers that they nourish will become much more seasonal, and even dry up completely in the dry season.

Greenhouse gas emissions are also causing increase acidity in the oceans. In fact, our oceans are now more acidic than they have been in the past 55 million years, and this is why most of the coral reefs in our oceans are dead or dying. Warmer temperatures in the arctic regions are also projected to reduce the gulf stream effect by 25% by 2100, in turn causing a major cool down in Europe.

Climate change is also causing changes in precipitation distribution throughout the world. As the IPCC predicted, the American southwest is getting even drier. California is suffering from an historic drought. California was hoping to get some relief during this El Nino winter, when greater than normal precipitation falls there due to warmer than normal Pacific temperatures. However, so far this winter Los Angeles has only received about half the precipitation they usually receive during a non El Nino winter, and the winter rainy season is coming to an end. The American southwest is experiencing desertification, and may not be able to sustain its population in the near future. The same thing holds true for the Sahel, the area in Africa south of the Sahara desert. The pending famine in Ethiopia is indirectly related to this ongoing drought.

Climate change is also damaging our forests. Trees at the southern limit of their range are dying. The pine bark beetle has devastated forests in the western United States and Canada because more beetles are surviving the warmer winters. Dead and dying trees are particularly susceptible to forest fires, as we have seen in the increased forest fire activity in the west in recent years. Another reason for the increased fire activity in the west is less rainfall, and that shift in rainfall distribution has already been predicted by climate scientists as part of climate change caused by global warming.

With increased temperatures insect and wildlife changes occur. Tropical diseases are expected to move north. The Zika virus is now expected in the some southern states.

Agricultural productivity, which must keep pace with ever increasing world population (rising by 1 million people per week) demands are intimately related to warming temperatures, and climate change. In fact, wheat production in warmer climates is reduced 10% for every one degree centigrade rise in temperature. Disrupted patterns of rain distribution will also become more frequent as temperatures rise, and crops that previously flourished in one location will be reduced or may not survive at all under new, harsher conditions.

Climate change and war are the biggest challenges that mankind faces. The combination of the two, with climate change causing hardship, climate refugees, and tensions between countries struggling with more difficult conditions is likely to spawn increased aggression amongst people in the future. The Pentagon is well aware of this unfortunate scenario. I believe that if climate change is not addressed aggressively now, it will kill more people than all previous wars combined.

I have heard the argument that natural gas emits about half of the greenhouse gases as coal does for the same amount of energy, so it's better for climate change. That's a flawed argument. Leaks from wells, storage facilities, and transportation facilities ultimately produce as much greenhouse gas pollution from natural gas as from coal. With 400 PPM of CO₂ and 2.7 times the preindustrial concentration of methane currently in the atmosphere we cannot risk more. If your mother was lead poisoned would you continue to her lead? I think not. Other renewable energy sources can be used that do not add to our already overpolluted atmosphere, and I'll discuss these further along.

HYDRAULIC FRACTURING

This project is designed to transport fracked natural gas, and construction of the pipeline will encourage and increase fracking. As the United States Geological Survey has determined fracking increases the likelihood of earthquakes. As you probably know, earthquake frequency has increased dramatically in Oklahoma since fracking was initiated. Prior to fracking Oklahoma experienced on average 1 to 2 earthquakes of 3 on the richter scale per year. Now they have about 500 earthquakes of that magnitude or higher per year, and a recent article on CBS stated that they are now experiencing 900 earthquakes per year! A friend of mine has relatives in Oklahoma, and two of their homes have been damaged by earthquakes. Several years ago an earthquake in Mineral, Virginia damaged the Washington Monument, the Capitol Building, and the National Cathedral many miles away in Washington, DC. That earthquake also caused substantial damage at the Lake Anna nuclear power plant. We felt that earthquake in Hagerstown, Maryland, and our home there suffered damage with drywall cracking and falling. The Mineral, Virginia earthquake was likely not caused by fracking, but it indicates that earthquakes can and do occur in our region. I am concerned that fracking induced earthquakes will also occur, perhaps more frequently, and damage homes, roads, buildings. The earthquakes could even damage the pipeline itself, causing catastrophic failure.

Fracking is exempt from the Clean Air Act, the Clean Water Act, and the Safe Water Drinking Act. Why is that? I think it's because fracking routinely violates those common sense environmental and public health standards. Fracking companies are not even required to report what toxic chemicals they are discharging into the ground. very large amounts of toxic waste have been injected into wells in our country over the past few decades. Fracking is now opening new paths for this material to migrate underground. I understand that a recent study downplayed the potential for drinking water pollution from fracking, but there are many cases where this has occurred.

INCORRECT ACP STATEMENTS ABOUT PROJECT BENEFITS

ACP - Our region has urgent energy needs.

Truth - Bath County, and many other West Virginia and western Virginia counties will get no gas from this pipeline. It will all be shipped past us to eastern and southern Virginia, and to North Carolina. Even so, Virginia and North Carolina do not have urgent energy needs. In fact, both states have significantly reduced their energy consumption over the past decade, mostly through money saving conservation efforts. Additionally, energy prices are very low, the lowest, adjusted for inflation, that they have been in my lifetime. I also believe, although ACP does not admit it, that they will ship this gas out of our country and overseas to the highest foreign bidder, as they are planning to do with a similar pipeline in Maryland. Even though some coal mines have shut down, current energy is inexpensive and plentiful. Our region has no urgent energy needs.

ACP - Natural gas is a clean burning energy source.

Truth - From ground to combustion natural gas is as dirty as coal. This is due to leaks at all points along the path, and the fact that the leaked gas, methane, is at least 20 times more powerful in greenhouse gas strength than carbon dioxide. Natural gas adds significant amounts of greenhouse gas pollution to our atmosphere. Natural gas is not a clean burning energy source.

ACP - Pipelines Safely transport natural gas.

Truth - Natural gas pipelines are dangerous. This pipeline will be bigger than the XL pipeline, and only 6 inches smaller than the trans Alaska pipeline. It's a monster. A pipeline of this size has never been placed in karst terrain (with caves, sinkholes, and subsiding soils) but that's what ACP plans to attempt here in Bath County. This pipeline will have a 1.4 mile evacuation zone around it, and a hazardous area radius of 2,200 feet where the chance of serious or fatal injury, and extent of property damage would be expected to be significant in an accident. Since 2010 there have been 328 pipeline incidents in our country resulting in fatalities, serious injuries, or significant property damage. The pipelines are not routinely inspected for safety. In fact, only about 20% of the length of pipelines in our country was inspected from 2006 to 2013. The steep slopes, landslides, caves, sinkholes, and stream flooding in our area make this particular pipeline even more hazardous. This pipeline is intended to carry fracked natural gas. Fracking causes earthquakes. Earthquakes can rupture natural gas lines. Pipelines do not safely transport natural gas.

ACP - Renewables require reliable backup power.

Truth - Renewable energy sources do not need dirty, polluting fossil fuel to supplement their reliability. A combination of local solar, wind, geothermal, and retrofitted hydropower is reliable. The amazing thing about these renewable energy sources is that once they are put in place the energy they give us is free, and inexhaustible, with no greenhouse gas emissions. Even if only one of these renewable energy sources was used there are now state of the art facilities that act as large batteries to store the energy they produce for use when it is needed. One of these is already right here in Bath County...the Dominion pump storage facility. Newer designs for storing energy from renewables are available now, and more are on the way. Additionally, we have the technology and the know how right now to build a smart electrical grid that will be much more reliable than our current inefficient grid system. Renewables do not require reliable backup power.

ACP - Abundant natural gas supplies lead to savings.

Truth - There is a speck of truth here. More supply leads to lower cost. But that isn't the complete picture. Removing this natural gas from the ground, transporting it long distances, and sending the greenhouse gas exhaust from burning it into our atmosphere will cost us big in the long term. The effects of climate change are already costing us significantly through increased storm damage, rising sea levels, increased forest fires, decreased crop yields, timber harvest losses, etc, etc, etc. We don't need to increase these costs by adding more greenhouse gases to our atmosphere. Besides, we here in Bath County, and many other folks along the line will not save anything. We won't get any gas. We'll lose up to 30% of our property value. Property with a big, dangerous gas pipeline running through it will become a toxic asset. We'll lose local tax revenues to support our schools, our emergency response services, and all the other services that help us as a community. Again, energy prices are as low as they've ever been. Abundant natural gas supplies will not lead to savings.

ACP - Natural gas can secure our energy future.

Truth - Natural gas could very well destroy our future through all of the negative impacts of climate change previously stated, reduced property values, reduced revenues, reduced tourism, reduced enjoyment of our properties, catastrophic pipeline accidents, and earthquakes. It's a negative sum game for all of us. Natural gas will not secure our energy future, or our future in general.

ACP - The pipeline will enhance local economies

Truth - Local economies will suffer as a result of this project. Any jobs created for pipeline construction will be temporary jobs, and they may not be hiring local workers. They will be hiring the cheapest labor they can find. I got a call from Doyle Land Services, ACP's surveyors, asking me to allow permission to survey my land for the pipe. I denied them permission, and asked the surveyor where he lived. He told me he lived in Las Vegas. There will be few, if any jobs created for maintaining or inspecting the pipe, and they may not be local either. As I stated earlier, our property values will fall, our tax revenues will fall, and tourism, a big part of our local economy will fall. In addition, since virtually all of us in the path of the pipeline use springs or wells for our water, those resources are at great risk, and we may have to pay dearly to replace them, if we can at all. As stated

earlier, the recent economic study by Key-Log Economics found that the long term economic loss for just four counties along the pipeline will be greater than the entire 5 billion dollar cost of the project. The pipeline will not enhance local economies.

The bottom line is that this project is a scheme for a multibillion dollar company to make billions more, while those property owners and communities impacted by the line will lose substantial amounts of money, their property rights, and their right to a safe and secure future. All this for a project that is not needed for the greater good, is certainly not needed by communities in or near the line, and will add to the increasing consequences of climate change.

COMMENTS ON ACP SUBMITTAL FOR ALTERNATE ROUTE GWNF 6

The following comments are in bulletin format.

- The route will cut down 75 miles of forest. Deforestation is a driver of climate change. The route will cause forest fragmentation. Our Appalachian hardwood forests are the greatest in the world. The route should follow existing rights of way like highways or power lines, or go pass through agricultural fields where agricultural actives can continue. The eastern United States hardwood forest is the greatest in the world. There is no other like it anywhere. Ask any forester.
- The route reduces impact to public lands and increases impact to private lands. Shouldn't we lesson the tremendous burden on private property owners, and spread that burden out to public lands such as highways, or even railroad rights of way. Why substantially lower the property value of private property, and reduce revenue which goes to the common good?
- The route includes 39.8 miles of near surface hard bedrock where blasting may be needed. Can't this be avoided?
- The route includes 74.5 miles that are highly erodible by water. That erosion will pollute local streams and water supply sources, especially those wells and water supply springs in Karst topography.
- The route includes 76.4 miles with revegetation concerns. If this can't be adequately revegetated we are left with bare rock or eroding soils. Invasive species will quickly dominate these areas, and native animals do not eat invasive species.
- The route includes 24.3 miles of steep slopes, 8.6 miles of side slopes over 30%, and 26.8 miles of Karst topography. These steep areas are prone to slope failure as we have seen in Little Valley where we have a combination of both steep slopes and karst terrain. The route should avoid steep slopes and karst terrain, and can do this by following existing highways, such as Interstate 64 and Interstate 95.
- The route passes through 3.8 miles of red spruce forest in Monongahela National Forest, which is West Virginia Northern Flying Squirrel (WVNFS) habitat. Reducing these forests will threaten the WVNFS.
- The route goes through 0.8 miles of the McDowell Battlefield. This alternate route comes nowhere near the McDowell Battlefield. It passes many miles to the south. This comment must have been retained from comments for the original route, and brings into question the accuracy of this ACP's entire submittal.

ALTERNATIVES

We face critical decisions at this time regarding our energy use. We have learned about the devastating effects of greenhouse gas concentrations, which are now much higher than at any time in the past 800,000 years. We have learned that these concentrations are causing rising temperatures, rising sea levels, more severe storms, changes in precipitation patterns with more flooding in some areas and severe drought in other areas, loss of agricultural productivity, forest health, and decreased fish production. We have also learned that these effects are increasing at an accelerating pace, and in fact are likely to compound as more ice melts leaving darker areas to absorb even more heat, and methane is released from the permafrost and ocean floor.

We cannot afford business as usual. Business as usual with continued release of greenhouse gases into our atmosphere will result in catastrophic changes to the climate. Areas of the world that are now marginal will become uninhabitable. Many people will become climate refugees, and tensions between countries over resources and more difficult living conditions will rise. I believe that business as usual will result in more deaths than all previous wars and plagues combined. Those surviving may be forced to live in poverty and deprivation. This is not science fiction. This is a reasonable prediction based on solid science.

Alternative 1

The best alternative to the proposed pipeline project is to reject it, and invest the savings in local, clean, renewable energy, and energy conservation.

Clean energy sources could include solar, wind, geothermal, and even hydro generation through retrofitting local dams, or harnessing tidal energy. The companies that make up the ACP have the experience and knowledge to contribute greatly to these clean energy sources. Energy conservation could include upgrading insulation and energy efficient appliances, equipment, and machines to homes and businesses. It could also include increasing the availability of mass transit, carpooling, telecommuting, more efficient automobiles, and incentives to reduce sprawl, and for living close to work and shopping. This alternative would reduce the incentive for hydraulic fracturing, and all of its negative impacts.

Gas in the Marcellus shale field could be left in the ground, and serve as an emergency energy source if needed in the future. This would be similar to our country's strategic oil reserve, and may even be able to replace the current strategic oil reserve. The gas could be purchased by the federal government or private interests. That gas could be burned in the future if needed using enhanced carbon capture and sequestration methods that may be more available at that time. If that gas needs to be transported in the future, it could be transported through the Mountain Valley Pipeline, various other pipeline infrastructure currently in place, or a new pipeline providing a more efficient route, a better safety standard, and less leakage than today's pipelines.

Alternative 2

The second best alternative is to continue hydraulic fracturing with added regulation, and change the route of the pipeline to avoid impacts to local property owners and natural resources, or transport the gas by rail.

If hydraulic fracturing continues, stricter regulations could reduce its' negative impacts. It should not be allowed in areas that are known for seismic activity. If increased earthquake activity occurs in an area where fracking is occurring that fracking should be stopped. Waste materials that are injected into the ground should be approved for health, safety, and environmental concerns by an appropriate regulatory agency. Air and water emissions from general operations should be subject to the Clean Air Act, the Clean Water Act, and the Safe Water Drinking Act. Careful monitoring and inspections by regulatory agencies should be carried out for fracking operations, and gas storage and transportation operations, and any leakage of greenhouse gases should be addressed with fines and/or other penalties that are sufficient to prevent the leaks through operator cognizance and commitment to clean operations. Finally, carbon dioxide and methane should be captured and sequestered at the

combustion location to avoid additional discharges to our already heavily polluted atmosphere.

The pipeline route should avoid private property where at all possible. It should follow existing rights of way, such as power line rights of way, railroad lines, and large roads such as interstate highways. It could follow Interstate 64 east, and Interstate 95 south. It should avoid forested land, since deforestation is a major contributor to climate change. It should avoid stream crossings, wetlands, and steep slopes, and karst terrain. If a route such as this is not available the gas could be carried by rail.

Alternative 3

The third best alternative, but still better than the proposal submitted by ACP is to change the route of the pipeline as stated above, or transport the gas by rail.

INTEGRITY OF ACP AND FOSSIL FUEL INDUSTRY

I would also like to comment on the integrity of the ACP, the fossil fuels industry, and their relationship with FERC. I have been told that the relationship is too cozy, and that concerns me greatly. As I have no prior experience with FERC I will withhold judgement on that assertion. I believe the integrity of the ACP and their industry is another matter. The industry has consistently misrepresented issues to the public, most notably regarding climate, and the "benefits" of their atmosphere poisoning products, gas, oil, and coal, while at the same time receiving 4 billion dollars a year in tax subsidies, for some of the richest companies in the world.

As I have showed earlier ACP is now misrepresenting the "benefits" of the ACP to the public, and I am sure they are doing the same with you. Dominion Power, an ACP partner, has done the same regarding their gas liquefaction plant in Maryland. FERC shouldn't tolerate this behavior from ACP or Dominion Power. I have been outspokenly critical of the ACP and Dominion Power since I first heard about their original plan and route in 2014. I wrote letters to the editors of numerous newspapers along the entire route presenting the facts as to why this project was not in the public interest. It may not be just coincidence that now I find my property in Bath County in the path of the pipe at this time.

FERC AND GOVERNMENT RESPONSIBILITIES

I, and my fellow citizens rely on our federal government to do the right thing for us. I think we were let down by our federal government on 9/11 after numerous sources advised our government of an imminent terrorist attack, and those warnings were ignored. We were let down during the financial crisis and ensuing Great Recession when our financial regulators didn't understand the complicated schemes that Wall Street was spinning, trusted Wall Street to do the right thing, and let them destroy our economy. We lost a large amount of money after the crash. My wife lost her job, and my brother did as well, and he and his wife lost their beautiful home and property after raising four children and living in that home for 28 years. "Luckily", they came to live with us, within weeks of graduating their fourth, and their final child from college. Incidentally, their second child graduated from the United States Air Force Academy in Colorado Springs several years ago. President Obama delivered the keynote address, and shook hands with each of the 900 young officers. My wife and I were able to attend, and we will never forget it. Neither will my nephew, and his mom and dad.

FERC needs to do the right thing for us now. This project is wrong at all levels, globally, nationally, regionally, locally, and individually. Globally, it is another nail in the coffin for a planet and a people that are in deep peril from climate change. Nationally, it flies in the face of the pledge that our President has made to the rest of the world, and will not secure our energy future, which rests solidly on clean energy from renewables. Regionally, it will not provide urgent energy needs to Virginia and North Carolina. They already have enough inexpensive energy. Locally, it will burden local economies through reduced property taxes, reduced tourism, and increased emergency services. Individually, many along the path of the pipeline, ourselves included, will see their property asset values drop

precipitously, and the hopes and dreams of many, many people, of economic security and safety in their own home, on their own property, of their own choosing, will be ripped away forever.

If you were told about a very rich and powerful organization that stole \$200,000 from a retired couple, significantly damaged their property, left them in an unsafe and insecure position, and did this to many, many other people, and then discharged a large amount of dangerous pollution into our environment while telling everyone that this was all for the public good, you might think this was the mob, or a drug cartel, or some other really bad guy. You would call for them to be put in jail and have the key thrown away. But that's not happening here. The fact that our government through FERC would even consider approving this project is beyond me. What a travesty of justice if you allow this to happen.

I have spoken to several FERC staff in the past several weeks. While I was treated pleasantly, I was given some information that was disturbing. I was discouraged from being an intervenor in this case by being told that a large amount of time consuming work was needed. I requested the opportunity to meet with a FERC representative at your Washington, DC headquarters, and was told that would be next to impossible. I resent these comments, and I believe they were meant to deny me my rights to participate to the fullest extent that I desire in this matter.

I demand that FERC provide a lengthy scoping period for all affected persons and communities along the alternate route GWNF 6. This period must be of sufficient length for affected persons and communities to become fully knowledgeable about the ramifications of this project, and their legal rights to question, participate, and defend themselves against a wealthy, powerful, and well connected corporation. I also demand that FERC representatives be available in affected communities, and with sufficient notice so that affected communities and persons can meet with them, including meetings on specific affected properties, where requested. I demand that a FERC representative meet my wife and I at our affected property. I further demand that a FERC representative attend each and every meeting that ACP holds in local communities. Finally, I demand the right to meet with a FERC representative who has decision making authority in this case at your Washington, DC headquarters.

This project is not in the public interest. This project is a scheme by a multibillion dollar company to make billions more by taking private property, savings, safety and security, and the benefits of a well earned retirement from rural citizens, while at the same time risking the future for all of us through the severe and increasing consequences of climate change. I find it hard to believe that my government would even consider approving this project, and I am counting on my government, through FERC to reject it. Our Constitution promises us the right to life, liberty, and the pursuit of happiness. This project takes away those rights. Our Constitution also promises us a government of the people, by the people, and for the people. We deserve no less.

Please note that I have not exaggerated any information this document, and that everything written here is factual, to the best of my knowledge. Where I thought something might be questionable, I left it out. I can provide documentation for many of the facts as needed. I plan to add photographs, diagrams, and other supporting material in a future submittal.

Thank you for your consideration.

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