

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL

AND NATURAL RESOURCES PROTECTION

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ENVIRONMENTAL JUSTICE LISTENING SESSION

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BEFORE: CARL JONES, JR., ESQUIRE, Chairman

MARCUS KOHL, Regional Director

PATRICK MCDONNELL, Secretary

MEGAN LEHMAN, Community Relations
Coordinator

JOHN BRAKEALL, Regional Coordinator

HEARING: Thursday, April 20, 2017

4:41 p.m.

LOCATION: Genetti Hotel

200 West Fourth Street

Williamsport, PA 17701

ORIGINAL

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1 WITNESSES: Barbara Jarmoska, Jack McKee, Mike Ochs,
2 Ralph Kisberg, Gail Landers, Harvey Katz,
3 Jim Dunn, Tina McCafferty, Karen Frock,
4 Jerry Walls, Spencer Myers, Brian Auman
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ALSO PRESENT:

Carol Carrington

Heather Mayhall

Mel Zimmerman

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CLOSING STATEMENT

By Secretary McDonnell

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MS. LEHMAN

Good evening. The first speaker who's registered is Carol Carrington. Next is Brian Auman.

MR. AUMAN:

Oh, I need to check in.

MS. LEHMAN:

Sorry.

Barb Jarmoska.

MS. JARMOSKA:

Do you want me to come to the front or do you want me to stand here?

MS. LEHMAN:

Yes. Please come to the front, speak into the microphone and spell your first and last name, please.

MS. JARMOSKA:

Hi, my name is Barbara Jarmoska,
B-A-R-B-A-R-A, J-A-R-M-O-S-K-A.

First of all, I'd like to thank the Department of Environmental Protection for this opportunity.

I had no idea before the public notice appeared in the Sun-Gazette of this meeting that there

1 was a Department of Environmental Justice. And now
2 tonight, I've learned that it's been in existence
3 practically 17 years or more.

4 So in any event, thank you for this
5 opportunity.

6 I have a lot of concerns, both personal
7 and involving the community that you're targeting as a
8 whole.

9 My personal concerns have to do with the
10 fact that I live near the Loyalsock State Forest and
11 there is a lot of gas drilling going on in this area.
12 And that is, of course, the biggest, I believe,
13 Environmental Justice concern. And I do not think
14 that that is limited to the marginalized communities
15 that you are addressing.

16 But because that seems to be the focus
17 of this meeting, and perhaps I'll get another three
18 minutes, I'm going to devote my time to that
19 community.

20 I am --- I am not a marginalized or
21 economically disadvantaged person. I am blessed not
22 to be that. I own rental properties in this
23 community. And as a landlord, I can tell you that
24 during the gas boom, I had terrified tenants.

25 I did not choose to raise the rent in

1 any of my rental properties, but the tenants that
2 lived in those properties, many of them were on fixed
3 incomes, they were elderly and they were very afraid
4 that if I raised the rent, that they were going to be
5 out of housing and they didn't know where they were
6 going to go or what they were going to do. So there
7 was a lot of anxiety.

8 I actually had one tenant who sent me a
9 check for \$100 higher than his monthly rent along with
10 a letter saying, I know that because of what is
11 happening in this community, you can now get twice
12 what I am paying for the house I'm living in. I can't
13 afford that. The most I can afford is an extra \$100 a
14 month. I've included that in this check. And I ask
15 you please allow my children and myself to stay here.

16 So that was an enormous issue and it may
17 return. As you know, gas is a boom-bust cycle. We
18 had a boom, we had a bust. Now it looks like the boom
19 is coming back.

20 And so the other thing that you ask is
21 how can DEP be more engaged with these communities,
22 and I would say move these meetings. Take your suits
23 and ties off, put on your --- you know, some sweats,
24 and go hang out where these folks live.

25 Go to the park, go to the basketball

1 court, go to the church supper. Don't --- go meet
2 them.

3 Don't expect them to come to a fancy
4 hotel with big chandeliers and talk to people, you
5 know, in suits and ties. Because it's a frightening
6 thing for them to do.

7 It's not an easy thing for anybody. But
8 there are those of us who are very used to it. And I
9 think if you want to hear from these people you need
10 to meet them where they are. Not expecting them to
11 come to where you are.

12 And I would also like to say --- now I'm
13 going to switch gears and talk from a personal
14 standpoint. I try as best I can to stay on top of
15 what's going on with the gas industry in my
16 neighborhood.

17 The township that I live in, Gamble
18 Township, and the four that surround it, the last I
19 checked there was over 200 permanent wells.

20 I visit SkyTruth to know what permit
21 violations are being issued. I also visit the
22 Marcellus Gas website frequently.

23 And my biggest complaint to DEP is that
24 there is really no information provided to the public
25 about permit violations.

1 Just today, I got an email telling me
2 that there was well caving and cementing violations
3 from Exco Resources on March 28, on April 13 --- a
4 second one on April 13 and another one on April 18.

5 So these are wells in our neighborhoods
6 that are causing problems. I believe that these
7 violations and problems with these wells should be in
8 the Sun-Gazette, printed every time there is one.
9 Because people think there are no problems because
10 it's not easy to know about them.

11 Thank you.

12 MS. LEHMAN:

13 Next is Jack McKee.

14 And again, please spell your name.

15 MR. MCKEE:

16 Thank you very much.

17 I've been around this area for quite a
18 while. In the month of June, 24th of June, I will be
19 96 years old.

20 So I was born and raised in
21 Williamsport, went to Williamsport schools, went to
22 the former Dickson Seminary, which is now Lycoming
23 College. I went there for two-year college then I
24 rode up to Penn State.

25 Graduated from Penn State, and a month

1 after graduating from Penn State, I entered the Armed
2 Services. I was in the US Army for a period of four
3 years. I served through Europe.

4 After the war in Europe was over, went
5 through Belgium, Germany, France, England. Then drove
6 through the Panama Canal, stationed just outside. And
7 we were the very first troops sent into Japan.

8 Came home, got my orders on Christmas
9 Eve to come back on the account I'd gotten discharged.

10 I've been around this particular area
11 for a long time. My really big concern is that I
12 don't know what the connection between or where this
13 all falls for answers and questions I have, whether I
14 go to DEP or whether I go to Susquehanna River Basin
15 Commission.

16 When I go to DEP, they tell me no,
17 that's --- you'll have to take that to your River
18 Basin Commission.

19 Well, you contact them and they say,
20 well, go into your local DEP office. It's a ---
21 nobody can tell me where I should go or where I
22 shouldn't go.

23 For example --- a couple of quick
24 examples I can give you, I couldn't quite understand
25 how last year or last summer, there was an order put

1 out by the County that all the citizens should refrain
2 from watering their lawns because there was a drought.

3 But still, the gas companies were
4 running their trucks up and down Route 87 and taking
5 water from the Loyalsock Creek.

6 Well, why is it that that company can
7 take water from the creek when the citizens have to
8 stop watering their lawns because there's a drought?

9 I noticed on the gas well up the road,
10 which I did --- never even put that --- and look down
11 at the well tank where all the frack water is.

12 And I noticed that the tank is
13 seven-eighths full of that water and there's a net
14 overtop of it. But the net is down in the water, so
15 why --- what's that net for? Well, that's to keep the
16 birds out of that water. That's to keep our water
17 from --- net down in the water.

18 So I wanted to give you all --- and said
19 no, I could talk to somebody about the net at the gas
20 well up the road.

21 So I talked to Joe and he said, well, I
22 just got it last week, a main inspection of that
23 particular site. And he said it found no violations.

24 And I said well, I don't understand, you
25 ought to pull up a ladder and maybe look and see

1 what's going in that tank, but now --- that net is
2 still down in the water, but I didn't take it this
3 time by the DEP.

4 Well, there's no law that says they have
5 to have that net across there to keep the birds out.
6 That's that --- they put that on there on their part.

7 So I say, you get one answer from DEP,
8 you get another answer from the River Basin
9 Commission. And I think that we would --- people know
10 what the difference --- when you go --- whether you
11 come to the DEP or whatever the --- River Basin
12 Commission would help us a lot.

13 Thank you very much.

14 MS. LEHMAN:

15 Michael Ochs.

16 And again, please spell your name for
17 the reporter.

18 MR. OCHS:

19 Mike, M-I-K-E, Ochs, O-C-H-S. I'm a
20 member of the Pennsylvania Green Party and I write a
21 column on the environment for people of faith, which
22 you can find at Lutherans Restoring Creation.

23 Welcome to Billtown, also known as
24 Williamsport.

25 And I want to address two subjects that

1 affect vulnerable populations, such as low income
2 people and minority people.

3 One, that is pollution from standing or
4 idling vehicles. And second, the matter of banning
5 backyard burner barrel burning.

6 It occurs to me that when examining air
7 quality, there are large populations for --- and
8 minority people, especially children in their schools
9 and preschoolers and those in nurseries who can be
10 exposed to diminished air quality.

11 As can poor adults living in high-rise
12 apartments, senior citizen housing, special needs
13 people in group homes and so forth, from at least two
14 sources that need some attention.

15 One is the presence of idling school
16 buses and cars, garbage collection trucks, delivery
17 vehicles, et cetera that discharge engine exhaust
18 fumes.

19 Another source of air pollution is the
20 presence of backyard burn barrel burning adjacent to
21 the school grounds or adjacent to other places from
22 these adjacent residential, commercial or industrial
23 properties where such burning is permitted.

24 First, the vehicular issues.

25 Your department might want to determine

1 if the restrictions on standing idling vehicles are
2 strict enough and if the enforcement of the
3 regulations is sufficient. What regulations exist,
4 where are they applicable, what did they replace, how
5 often is their advocacy evaluated, what more is
6 warranted?

7 The children are a captive population
8 and exposed to some measure of polluted air that surly
9 is not healthful.

10 Other sites where one observes such
11 idling occur are at fast food restaurant drive-ins,
12 pharmacy store window drive-ins and school bus depots
13 and so forth.

14 The recent law allowing vehicles in
15 Pennsylvania to turn right at a red light with caution
16 seems to me to be a step in the right direction, as it
17 reduces idling at such intersections.

18 Because exposure to traffic fumes can
19 affect children's lung growth, produce long term ill
20 health and cause premature death, attitudes about this
21 problem need to change.

22 It's the role of the State to raise
23 consciousness, awareness and efforts made by the State
24 to incentivize transition to hybrids and electric
25 vehicles seems to make the polluter pay, creating

1 clean air zones and greener transport.

2 Now to the backyard burner barrel
3 banning issue.

4 In my estimation, this matter should
5 have widened attention beyond that which occurs
6 adjacent to school grounds where the kids are playing
7 outside at recess and standing in lines waiting for
8 their rides, with their rides going after school and
9 outside the school building before the doors open in
10 the morning.

11 The practice of backyard burner barrel
12 burning is still widespread in our county. I have a
13 sheet as to where it's practiced in our county
14 municipalities, and I suppose there are practices like
15 this in other municipalities in the Commonwealth,
16 despite the State Constitution somewhere promising its
17 citizens clean air.

18 At the end of my testimony, which I'm
19 happy to share, there are two URLs for information
20 collected by scientists on the dangers represented by
21 dioxins, article pollution, organic compounds, carbon
22 monoxide, hexachlorobenzene and ash. Thank you. They
23 all come from backyard burn barrels.

24 Poor and minority populations may not
25 have sufficient income to recycle. They might not

1 have sufficient income to have garbage collection and
2 so forth.

3 I urge some examination as to what could
4 be done to help these low income and minority
5 communities to have their backyard burner barrel
6 practices done away with or banned. Some education as
7 to the harmful effects would be appropriate.

8 And if I have extra time at the end of
9 this session, I'd provide some of that.

10 Thank you.

11 MS. LEHMAN:

12 Next is Ralph Kisberg.

13 Again, spell your name and we've got
14 three minutes at this time.

15 MR. KISBERG:

16 Thank you. It's R-A-L-P-H,
17 K-I-S-B-E-R-G.

18 Thank you for the opportunity to look at
19 the --- some of the State Environmental Justice
20 communities of the county. One is Porter Township.
21 It's a low lying and flood prone area.

22 Agriculture, logging and gas development
23 all add to stream flow throughout much of the county
24 during heavy rains and melt off events. You've all
25 seen it here increase.

1 The Creek Basin, which affects the
2 Porter Township, in particular, has seen heavy gas
3 development and far more development that has and will
4 continue to lead to a loss of forest cover and an
5 increase in impervious surfaces and substitute for low
6 lying cover instead of trees.

7 Agriculture especially has taken a lot
8 of our natural backbones, water catchments over the
9 years; the river has very few of these now for a
10 variety of reasons.

11 Wetland flood plain restoration is
12 something that we haven't seen here. One way to
13 address that and a way to start would be to use some
14 of our county's gas impact fee money on that kind of
15 work.

16 In terms of water quality, here we've
17 seen an emphasis on expensive wastewater treatment
18 facilities, and that will have a three-year income
19 percentage impact on low income families. And also
20 emphasis on agriculture practices to address nitrogen
21 and improve water quality.

22 But generally, we've just seen what
23 seems, to the layman looking at it, that it's fairly
24 ineffective measures to address forest cover loss.

25 Again, let the flood plain restoration

1 and increased filtering capacity could be emphasized
2 as to the reforestation.

3 Onto --- another topic is air quality.
4 Health-related data on low income areas shows the
5 correlation with respiratory issues for a number of
6 reasons. Here we're getting gas development.

7 And what we don't want to see, I think a
8 lot of us, is wait until we're out of containment to
9 deal with what we think will be a leading role by that
10 industry, the deterioration of our countywide air
11 quality.

12 If you came in town this morning, you
13 might have seen an inversion hanging over the river
14 valley. We're prone to those in our river creek
15 valleys here.

16 So again, the health impacts are --- may
17 have a greater impact on Environmental Justice
18 community residents if they've already had respiratory
19 issues. Most of our population lives in the river
20 valley.

21 Last night, we heard someone describe
22 gas in this region as a geo-political weapon. Some 18
23 interstate pipeline projects are planned to move gas
24 from the Marcellus region to other states and there
25 are numerous proposed export facilities.

1 The industry even now hooks on the sweet
2 spot, the most productive areas, and they have to make
3 that up. In the less productive areas, we will see
4 more drilling, more compression and it's a concern.
5 We don't want it to get out of control.

6 As pads and wells and everything all ---
7 everything involved increases, we need DEP to monitor
8 all surfaces and come up with true aggregations and a
9 basic system that keeps us from becoming an energy
10 sacrifice, which would be an environmental injustice
11 for all.

12 Thank you.

13 MS. LEHMAN:

14 Next I have Gail Landers with a question
15 mark? Okay.

16 You were waiting to decide.

17 Right?

18 MS. LANDERS:

19 Gail, G-A-I-L, Landers, L-A-N-D-E-R-S.

20 And I had a question mark because I
21 didn't know how we were going to start the public
22 comment.

23 I, too, like Ralph, live in a flood
24 plain area, Old Lycoming Township. I've lived there
25 over 40 years, actually. So I have experienced flood

1 and still choose to live there.

2 To me, the biggest issue for all of us
3 is having clean, safe water, because that's life. We
4 live two miles from the Lycoming Creek, from the mouth
5 of Susquehanna, which carries on down to the
6 Chesapeake Bay. So our water is on a roll past
7 Harrisburg and beyond and beyond and beyond.

8 I'm also part of a faith-based
9 community, as Michael, with the United Church of
10 Christ with our Penn Central Conference. And I'm part
11 of the environment justice team.

12 And for me, that's a very broad and
13 inclusive term, not just for those who are
14 marginalized. So I appreciate your first statement
15 for including all of us, not just the marginalized in
16 environmental justice.

17 I think sometimes for me it's easier to
18 use others' words than my own, and I'd like to share
19 from a book that Ann Pelo had, The Goodness of Rain:
20 Developing an Ecological Identity in Young Children.

21 This is posted on ExchangeEveryDay, just
22 the beginning of this month.

23 And I'm quoting, we live in a culture
24 that dismisses the significance of an ecological
25 identity. The culture deposits that we make home, but

1 the simple fact habitation, rather than by intimate
2 connection to a land, the sky, the air. Any place can
3 become home we're told, which means really that no
4 place is home.

5 And this is the dangerous view, she goes
6 on to say. When no place is home, a dammed river is
7 regrettable, but not a devastating blow to the heart.
8 When no place is home, eating food grown thousands of
9 miles away is normal and the cost to the planet in
10 processing and shipping it is easy to ignore.

11 An ecological identify offers an
12 antidote to the displacement that makes possible the
13 wounding and wrecking of the planet.

14 And I appreciate that this is so close
15 to the anniversary of Earth Day. I think it gets
16 people more motivated to think that we all have a
17 responsibility. And that there's a lot of hope and
18 not to dwell on the despair.

19 Thank you.

20 MS. LEHMAN:

21 I couldn't quite make it out, but it's
22 another Landers. Did you wish to speak?

23 Okay. Very good.

24 Next is Harvey Katz, also with a
25 question mark.

1 MR. KATZ:

2 I'm Harvey Katz, that's K-A-T-Z. And
3 I'm a retired research fishery biologist. And I just
4 want to talk on the subject of the potential for
5 expansion of our flood plains, because those lands in
6 particular tend to be valued at real estate lower
7 prices. And so it brings in a lower income people who
8 then become subject to flood impacts.

9 One thing we know is that since the
10 natural gas industry moved into Lycoming County in
11 about 2008, since that time, we've lost about 30,000
12 acres of forested land. And most people would just
13 dismiss that.

14 But we know from scientific work that's
15 been done by Hubbard Brook Experimental Forest people,
16 it's an outgrowth of Dartmouth College up in New
17 Hampshire, that when trees are cut down the amount of
18 water getting to a local stream can increase by 84
19 percent, depending on how much of green vegetation is
20 removed.

21 As the increase in water gets to a local
22 stream, it then flows towards the flood plains and
23 with larger amounts of water getting to the stream
24 that means that the flood plains will expand in their
25 size in terms of geographical size as well as height

1 of water.

2 And as a result of that, I would expect
3 that buildings that usually sat right on the edge or
4 just outside of the flood plains and owners who
5 watched their neighbors go under water but not them,
6 that with the additional water coming down the stream,
7 they'll go under water, too.

8 And that will begin to affect two
9 things. One is the obvious one, that these homeowners
10 will suffer home damage.

11 And the second is that FEMA will kick
12 in, because now the new homes will come under their
13 jurisdiction and they'll be assessed flood insurance
14 costs.

15 So the bottom line is that when you cut
16 down trees, you cause damage by expanding the flood
17 plain and then you impact home and business owners
18 that now have become flooded.

19 So I think DEP needs to look at that.
20 And it's going to happen whether DEP looks at it or
21 not. But maybe you can do something about it to avoid
22 a future catastrophe.

23 Thank you.

24 MS. LEHMAN:

25 Jim Dunn is next.

1 MR. DUNN:

2 Thank you. Hopefully I don't need the
3 microphone. J-I-M, D-U-N-N.

4 I think the single biggest thing we can
5 do to help the disenfranchised poor within the
6 Williamsport area, which is what we're talking about,
7 Williamsport's certainly the urbanized area of
8 Northcentral Pennsylvania.

9 If you connect them to nature, and
10 that's not a particularly easy thing to do when you
11 have people living in an urban area, relying on public
12 transportation and generally broken families with
13 many, many social issues that inhibit them from
14 connecting to nature.

15 And we all know and there are many
16 studies that prove that a connection in nature
17 improves your health, improves your quality of life,
18 it does nothing but good.

19 So how do we connect people in the urban
20 area to nature? Well, we're very fortunate here in
21 that within a mile of where we're standing here, which
22 is the heart of our urban area, with some of the more
23 disenfranchised people living very close by, we could
24 walk along the public transportation system,
25 Riverwalk, all the way to a community park in South

1 Williamsport and be connected to a 50-acre wetland
2 that could easily be a 100-acre wetland. They could
3 be connected to a mile of shoreline.

4 And all this could be done through the
5 granting process at DEP and DCNR in which we could
6 actually create a solution. We could actually link
7 people in an urban area to a natural area to help
8 them.

9 We have all seen the studies that, you
10 know, all the state agencies have produced books in
11 showing the decrease in medication, improvement in
12 mental health, physical, everything. The list goes on
13 and on.

14 We have a unique opportunity here in
15 Williamsport at a very low price to connect people to
16 nature, improve their health physically and mentally.
17 And you know, in an extended session or, you know, at
18 future date, I would love to be able to present that
19 to you.

20 Air quality, water quality, they're all,
21 you know, wonderful concerns. Flood plain restoration
22 was brought up.

23 If you bring in flood plain restoration
24 in buyouts and different types of mitigation
25 techniques, you can combine recreation, habitat

1 improvement for your link to nature all within the
2 buyout programs and the restorations. And you can
3 link them all within your urban area.

4 And let me just give you some examples.
5 Just a couple miles to the west is Lycoming Creek.
6 Several opportunities to improve the flood plain ---
7 the flood plain through restoration and linking with
8 existing recreation in allowing people to connect to
9 nature, improve recreation and improve the flood
10 plains.

11 And the west, we have the Loyalsock
12 Creek. The same thing could be done there. And the
13 site which I spoke about a mile from the bridge here
14 is in the middle.

15 So our entire community, the urban area,
16 could be connected to nature, improving, you know, the
17 flood plain. It's just --- there's just no downside
18 to it.

19 And again, I know there's many people
20 that want to speak. In the extended session, I'd be
21 happy to speak more to this.

22 Thank you.

23 MS. LEHMAN:

24 Karen Frock is up next.

25 MS. MCCAFFERTY:

1 I think you missed me.

2 MS. LEHMAN:

3 Oh, I'm sorry. Yeah, you didn't check
4 that, I'm sorry. Come on up. Let me get you first
5 and then Karen will be next.

6 Let me check everyone else who didn't
7 check the box to speak. Heather Mayhall, Jerry Walls
8 or Mel Zimmerman. Do any of you wish to speak? Jerry
9 says yes?

10 Okay. So we'll go to Jerry after Karen.

11 MS. MCCAFFERTY:

12 My name's Tina McCafferty, T-I-N-A,
13 M-C-C-A-F-F-E-R-T-Y.

14 It's not going to be as nice as everyone
15 else who has been up here. I'm very upset. I've been
16 upset for ten years. My house is not finished. My
17 mental state is not well.

18 I cannot believe what has happened.
19 And now the Department sits up here, and it recently
20 filed a lawsuit against not one, but two communities
21 who chose to protect their environment, their
22 community. Isn't that what we're talking about in our
23 objectives?

24 I mean, shouldn't we all be able to
25 protect our own environment? Shouldn't we --- and

1 what are we doing? The Department of Environmental
2 Protection is suing communities because they don't
3 want an injection well in their community.

4 Do you want an injection well in your
5 backyard? Do you want this? Do you guys want an
6 injection well in your backyard? Do you? No. I
7 don't. Does anybody here want an injection well in
8 their backyard?

9 AUDIENCE MEMBER:

10 No.

11 MS. MCCAFFERTY:

12 The Department of Environmental
13 Protection is supposed to be saving this place and you
14 are destroying the planet, you are destroying the
15 state and you're destroying the planet.

16 We're spewing methane like crazy, we're
17 poisoning our water, we're poisoning our air, we're
18 wrecking our PA Wilds.

19 For what? Plastic? We need to make ---
20 we need cracker plants so we can make more plastic so
21 it can all go into the ocean and more turtles and
22 whales and everything can die. Is that what we're
23 going to be going for here?

24 Oh, Asia needs it? We need to ship it
25 over to Asia? What are we doing? What are we doing?

1 We are an insane culture and we should all be in the
2 street saying no.

3 Everyone in the Environmental Department
4 should be standing up. Why are we issuing permits?
5 Why are we issuing permits to companies when their
6 wells are failing everywhere. And in the same day,
7 hand them a permit to do it somewhere else.

8 What are we doing? We're insane. It is
9 out of control. And it's everybody's responsibility
10 in this room to no for our children. I mean, we are
11 --- our children are screwed. Absolutely screwed.

12 My son and I have been fighting this
13 industry for ten years trying to save this planet.
14 I'd like to see everybody else start doing it, too.

15 And instead of sitting here and acting
16 like there's some environmental justice going on here.
17 In this place, there is no environmental justice and
18 we're not protecting the environment.

19 MS. LEHMAN:

20 Karen Frock?

21 MS. FROCK:

22 K-A-R-E-N, F-R-O-C-K. I live in
23 Plunketts Creek Township. Thank you for being here.

24 I maintain that all communities are
25 Environmental Justice communities at the very

1 definition of justice. The major environmental issue
2 facing us now is the unjust imposition of the natural
3 gas industry on the Commonwealth, and in particular,
4 on our public lands and rural communities.

5 This is made worse by New York and
6 Maryland effectively putting an end to having this
7 industry in their states. That forces us to bear the
8 brunt of it.

9 There's a lack of real, meaningful
10 public participation, and therefore, lack of any
11 control over what takes place on lands that belong to
12 all of us.

13 Here in our region, we have been
14 building and want to build a future sustainable, low
15 impact, natural, recreational, encouraged tourism. We
16 are sitting in the middle of some of the most
17 beautiful natural and historic assets in the east,
18 truly world class.

19 The gas industry directly threatens and
20 negatively affects those assets. While impact ---
21 impact funds are not going to mitigate those affects,
22 the gas industry here has already been marked by
23 serious, repeated violations and disregard for land
24 and water as well as for promises made to the people.

25 If we let our wild places and

1 communities be destroyed, we lose our heritage and our
2 future as well as our present way of life. We also
3 waste years of work put in by myself and thousands of
4 others, such as the Pennsylvania Lumber Heritage
5 Region, the Pennsylvania Wilds, the Susquehanna
6 Greenway, the Pine Creek Rail Trail, the Loyalsock
7 Trail and countless more.

8 My township, Plunketts Creek, is
9 exceptionally beautiful and people live, work and
10 visit here because of our forested mountains, streams
11 and quality of life. A large part of our township
12 land is state forest and state game lands.

13 We have a magnificent virtually
14 untouched Allegheny Ridge, part of the Loyalsock State
15 Forest, rising above the exceptionally valued
16 Loyalsock Creek.

17 Across that historic stream, Jacoby and
18 Cove Mountains in Gamble Township all have formed part
19 of the Loyalsock State Forest.

20 Those lands belong to all of us. And
21 for some of us, human and wildlife, they're literally
22 our habitats. They provide important ecological
23 services. They're also part of the environment, which
24 we predicate our sustainable future.

25 They're a treasure we share with the

1 countless thousands of visitors who come here to hunt,
2 fish, hike, ski, kayak and enjoy our local communities
3 and businesses.

4 Our public lands also present our
5 Constitutional right as Pennsylvanians. But our state
6 government leased them out to the gas industry, and
7 now they're ready to collect.

8 Our township's been catastrophically
9 affected by floods in 1996, 2011 and 2016 with weather
10 patterns attributable to climate change that can be
11 expected to recur, allowing the fossil fuel industry
12 to proliferate while contributing to the increased
13 runoff is unconscionable.

14 DCNR says there's nothing we citizens
15 can say or do to keep Pennsylvania General Energy from
16 exercising its lease rights and spreading well pads,
17 pipelines, access roads and related infrastructure
18 across the top of the Allegheny Ridge, where
19 underground railroad conductor Daniel Hughes led
20 people from slavery to freedom.

21 And on Jacoby and Cove Mountains, this
22 industrialization will change these last unspoiled
23 mountains of Penns Woods forever. If you want there
24 to be environmental justice, give them some real
25 public participation that have actual power.

1 I don't recall ever learning of a public
2 meeting that asked whether I thought we should lease
3 the state forest to the natural gas industries for
4 high volume, horizontal hydrofracturing, pipelines,
5 compression stations and more.

6 Our state government even leased the
7 Loyalsock Creek to Inflection Energies so they frack
8 underneath it. I don't believe I ever voted any
9 referendum that asked me whether it was okay to do
10 that. And it is not. I must stress it is not okay.

11 If you want to cultivate environmentally
12 responsible, economic development to communities, keep
13 the gas industry out of our state forests.

14 Thank you.

15 MS. LEHMAN:

16 Jerry Walls?

17 MR. WALLS:

18 I'd like to wait, please.

19 JUDGE:

20 Okay.

21 Heather Mayhall, do you want to speak?

22 MS. MAYHALL:

23 No.

24 JUDGE:

25 Okay.

1 And that was the last, so Jerry, it's up
2 to you.

3 MR. WALLS:

4 Good evening. My name is Jerry Walls,
5 J-E-R-R-Y, W-A-L-L-S. I am a resident of Loyalsock
6 Township, just east of Williamsport.

7 I make my comment from a perspective of
8 being Executive Director of the Lycoming County
9 Planning Commission for 38 years. I retired just last
10 May.

11 And little that I know, what was going
12 to transpire, starting in 2008, in the way of a very
13 substantial increase in a range of impacts and they
14 were not just environmental impacts, but impacts to
15 many kinds of businesses, from housing prices to ---
16 as mentioned here earlier, to impacts on our
17 transportation system.

18 And also, I'm a Board member so I saw
19 firsthand the kind of business increase and drop off
20 that happens with this kind of boom or bust
21 development.

22 I would like to support the Department
23 of Environmental Protection's efforts in permitting.
24 It is not perfect, but you have done a job that is
25 thankless and is prone to criticism from all sides.

1 I'm aware that your department secretary receives a
2 considerable comment, I'm sure, from permit applicants
3 who want faster permitting.

4 I'm aware of the hazards of that, if it
5 does not provide for accurate input from
6 municipalities and from the community at large,
7 whether it's in the environmental justice community or
8 other ordinary folks.

9 I think that the DEP has an opportunity
10 to do a number of positive things, in addition to your
11 responsibility for adequate protection when
12 developments need permits.

13 For example, you could certainly take
14 the suggestion that Jim Dunn just offered on helping
15 to foster and --- and encourage and fund a nature
16 preserve, such as the Sylvan Dell Nature Preserve or
17 natural park that is being proposed.

18 Because it also helps to not only
19 protect wetlands, which protect downstream public
20 water supplies, such as Montoursville's well system,
21 but it also helps to protect neighboring property
22 owners and offer a wonderful opportunity for wildlife
23 and research and student education, whether it be from
24 Lycoming College or Penn College of Technology or
25 nearby colleges that can certainly benefit seeing the

1 effect, the biological diversity in that Sylvan Dell
2 region.

3 I think the DEP also has a
4 responsibility to limit deforestation for all types of
5 development and require effective revegetation for all
6 development.

7 And I'm not just referring to the
8 natural gas development, but wetlands, access roads or
9 any other type of development. And in general, I
10 think you do a really good job.

11 MS. LEHMAN:

12 At this time, I will offer an
13 opportunity for anyone who hasn't yet spoke who would
14 like to speak. Please come forward.

15 Okay.

16 Remember to say and spell your name,
17 please.

18 MR. MYERS:

19 Spencer Myers. S-P-E-N-C-E-R,
20 M-Y-E-R-S. I'll keep it short.

21 I think you might roll your eyes at
22 keeping on the global scale, but I wake up every day
23 scared out of my mind of climate change. And I mean,
24 I hope everyone does. Everyone needs to.

25 And I think the DEP can play a big part

1 of community and the true cost of carbon and other
2 greenhouse gases. The website could be a source. And
3 overall organization going upstream. You could get a
4 --- offer more resources towards calculating the cost
5 of carbon and greenhouse gases.

6 And the biggest argument on the side for
7 natural gas and for fossil fuels are money, the
8 economic boom.

9 But my kids aren't going to see that
10 money. And my kids are, in fact, going to see a
11 negative return on that investment.

12 And the investment in cleaner energies
13 or fuel, they make a return later. And changing the
14 rhetoric to be able to communicate that --- that
15 future yield, I think is just incredibly important.

16 MS. LEHMAN:

17 Is there anyone else who would like to
18 speak?

19 AUDIENCE MEMBER:

20 I have a second topic.

21 MS. LEHMAN:

22 Okay.

23 We're going to take one last call for
24 anyone who hasn't yet spoken, and then we'll start
25 back with those who would like more time.

1 Brian?

2 MR. AUMAN:

3 Hey, I'm Brian Auman. Brian with an I,
4 Auman, A-U-M-A-N.

5 I'm just going to speak in general. But
6 just the idea of, you know, how --- how do we make
7 meaningful, cost-effective investments, whether it's
8 in the environment, whether it's in our communities?

9 And this whole idea that's been touched
10 on by numerous people here, talking about flood plain
11 restoration, recreation trails, connecting people with
12 nature in low income and minority populations, you
13 know this whole idea of stacked benefits.

14 Yeah. How can we identify those
15 projects that not give us one or two of those options,
16 but give us five to ten of those options?

17 So I think we do have some demonstration
18 opportunities here in Greater Williamsport area to not
19 only create great environmental habitats, storm water
20 mitigation offsets, great recreation and trails,
21 reconnection to the river.

22 We can start stacking all of those
23 benefits, and those are the projects that really need
24 a raise to the top --- or raised to the top of
25 prioritization.

1 And I'm --- offers an opportunity for
2 interagency collaboration that brings DEP to the
3 table, brings DCNR to the table, brings DCED to the
4 table. Those kind of win-win opportunities that,
5 together, we can really build better communities.

6 So thanks for your time.

7 MS. LEHMAN:

8 Is there anyone else who would like to
9 speak who hasn't yet come forward?

10 Okay.

11 We will offer three additional minutes
12 to anyone who has already spoken, and I guess we'll
13 just go first come, first serve on that.

14 Harvey?

15 MR. KATZ:

16 It's Harvey Katz again.

17 I've been looking at the way our county
18 assesses property value. And at the same time, I'm
19 looking at how the value of land is determined,
20 principally, by the real estate industry.

21 And since Lycoming County tends to be
22 rural in nature, we had a very large number of farmers
23 as well as woodland property owners.

24 And in the case of farmers, a fairly
25 large component of them see their land as their

1 retirement. Not all, I mean some have, you know, a
2 plan to pass on their land to their kids or relatives.
3 But if you talk to farmers, that's their money.

4 Well, it turns out that for those farms
5 or properties that are anywhere near a natural gas
6 operation, the ability to build homes or businesses on
7 those properties goes down. In large part, it goes
8 down because the risk to putting buildings up on those
9 areas goes down --- goes up.

10 And in some cases, where the natural gas
11 industry build roads or gathering ponds, you can't
12 build on that. You can't build on a road and you
13 can't build right over a pipeline.

14 So the result is that landowners and
15 farmers, including farmers, now own land that is at a
16 higher risk.

17 And therefore, it's reflected in the
18 value of the land and the price of the land goes down.
19 And the assessment of that land goes down at the time
20 the land is sold.

21 As the value of the land goes down, then
22 the ability to assess property taxes also diminish.

23 So what we're doing here in Lycoming
24 County is creating a situation in which we have large
25 amount of acreage that are being --- where the owners

1 are being denied the ability to cash in on their
2 retirement by building on it. And I'm not going to
3 argue with the pros and cons of that. That's a
4 separate issue.

5 And then because the assessed valuation
6 goes down, now the ability to collect property taxes
7 also decreases. And the County and the school system
8 go into a crisis mode.

9 Now, they can offset it by increasing
10 the mill rate to recover the amount of money they
11 collect in property taxes to offset the lower assessed
12 value.

13 But it's a problem that I see rearing
14 its ugly head and it's one that no one is even
15 thinking about.

16 And if we don't start heading it off
17 now, we're going to be in lots of trouble,
18 particularly with our County and school finances.

19 Thank you.

20 MS. LEHMAN:

21 Mr. Ochs?

22 MR. OCHS:

23 I did prepare my testimony and I'll hand
24 out some of them. I have more, if you're interested.
25 And then I also handouts on the presence of backyard

1 burner barrel burning in Lycoming County.

2 And something we didn't get to about
3 defining low income communities. There are many ways
4 to define that, and one of which is to use the --- the
5 free school lunch program and reduced school lunch
6 program data in Pennsylvania.

7 And I have an indicator of that here.
8 And another way is to look at political statements,
9 such as a recent candidate said that 25 percent of
10 Williamsport is in --- in the low income territory.

11 I meant to begin my remarks by quoting
12 the Nature Conservancy. Pennsylvania is the third
13 highest greenhouse gas emitter in the nation and is
14 responsible for one percent of all global emissions.

15 So this issue of standing vehicles and
16 backyard burner barrel issues can be seen in --- in a
17 larger United States and planetary context, it seems
18 to me.

19 And it made it may assume more
20 importance in the Commonwealth is signing and
21 implementing any clean power plant. And if it's
22 singing in that regard, we might unfortunately see
23 carbon emissions grow.

24 Hopefully the State Attorney General
25 will have success with those from other states in

1 saving us from such increases. And as much --- as
2 more air pollution is inconsistent with a cleaner
3 environment.

4 I don't have the data on what greenhouse
5 gas emissions result from backyard burns, but whatever
6 does occur, contributes to global warming which, in
7 the minds of many, is an existential threat to both
8 the poor and rich, non-white and white.

9 Fortunately, the Supreme Court of the
10 United States has compelled the US EPA to regulate
11 carbon as a pollutant in the 2007 Massachusetts versus
12 EPA case.

13 Thus, our State Attorney General has an
14 important line of defense in this matter and I would
15 hope that the State DEP follows suit.

16 Thank you.

17 MS. LEHMAN:

18 Mr. Kisberg?

19 MR. KISBERG:

20 Just to continue a little bit about air
21 quality issues and the gas industry. We --- I believe
22 the dehydrators and the separators don't --- aren't
23 --- there's no accounting emissions from them. We
24 know we have very dry gas here compared to the Western
25 Pennsylvania.

1 And maybe it's a big concern out there,
2 where percentages are --- are different with the ---
3 it may be more of a problem.

4 I --- I can give you an illustration.
5 In a local township, this is an issue for us. So
6 because people aren't getting the right information
7 --- and I don't know how DEP permitting compared to
8 township permissions are laid.

9 But in the Loyalsock Township, there was
10 a hearing a couple years ago on a well pad and the
11 attorney for the energy company would not let any
12 discussion of anything but the wells and the pad.

13 There was no --- in other words, you
14 couldn't bring up that there were going to be other
15 equipment on the pad that will have engines. It will
16 have emissions. It will have --- have to be serviced.
17 It has to be fueled.

18 So all this is --- it doesn't give the
19 neighbors a --- a true impression of what they're
20 dealing with.

21 And I wonder if there is any way to ---
22 to make sure that people are allowed --- they can't
23 even ask questions to --- of these people. They ---
24 they --- they just --- the township did not let ---
25 and there was a judge --- someone served as a judge of

1 the proceedings and there was a solicitor.

2 They agreed that any time someone tried
3 to bring up something, even pipelines going from the
4 well pad and the safety of the pipelines. No, you
5 can't talk about that. All we are permitting is the
6 pad.

7 And it doesn't --- doesn't seem just and
8 I don't know if there's anything that could be done.

9 Thank you.

10 MS. LEHMAN:

11 Anyone else?

12 Okay.

13 Was it Karen?

14 MS. FROCK:

15 Yes.

16 MS. LEHMAN:

17 Okay.

18 And then you and then Jim.

19 MS. JARMOSKA:

20 Again, my name is Barbara Jarmoska.

21 It seems to me, in looking at ---
22 sitting here and listening to the comments, I think it
23 is just important to point out that reduction is
24 sinking, has in the past and continues to really be a
25 challenge and to get us in trouble.

1 And what Ralph just said about the
2 reductionism that's present at hearings with the gas
3 companies, and certainly the reductionist thinking in
4 not looking at the global picture and climate change
5 that is certainly upon us is an enormous challenge.

6 We put things in these tiny little boxes
7 and we will permit this, and then this. And we're not
8 looking --- not only are we not looking at the
9 aggregate when it comes to deforestation, when it
10 comes to air pollution, DEP is not looking at that.

11 You're looking at the emissions from a
12 single compressor station and seeing if that is within
13 your limits.

14 And I would propose that we need to
15 change our way of thinking, because we live in a time
16 when the big picture is increasingly dangerous.

17 This young man stood up and said my
18 children are not going to reap the financial benefits
19 of gas drilling and the gas industry, they are going
20 to reap the consequences.

21 And it may be called natural gas, but
22 the consequence is that it's going to leave us with
23 are very, very unnatural.

24 And --- and we also look at everything
25 in terms of dollars and cents, and if we would stop

1 looking at --- at the reductionistic picture, we would
2 see that what makes sense ---.

3 We're at a pivotal time in the history
4 of the world, in the history of Pennsylvania. We have
5 an opportunity here to make the shift to a renewable,
6 sustainable economy and it is for our economic and
7 environmental benefit.

8 And so we hear these arguments that it's
9 one or the other. It's either money or the
10 environment.

11 Nothing could be further from the truth.
12 Those two are intimately wed and when the economics
13 win, the environment wins.

14 If the DEP could change its way of
15 thinking and get this message out to the legislature,
16 to the public, get it out to the public so that we can
17 put pressure on the legislatures, because I'm sure you
18 are under tremendous pressure and working under
19 horrible budgetary constraints and doing the best you
20 can under some very, very challenging circumstances.

21 But I just encourage you to, as much as
22 possible in your messaging, to look at the big picture
23 because that's where the justice is.

24 Thanks.

25 MS. LEHMAN:

1 Ma'am, you're up next.

2 MS. FROCK:

3 Yeah. I also wanted to thank you for
4 everything that you have done and that you will do. I
5 --- I feel very strongly for all the people who've
6 spent their careers trying to protect what we have
7 here in this Commonwealth and have had to preside over
8 this period of intense change and pressure on all
9 that.

10 And I know a lot of the things we talk
11 about are outside DEP's purview, but we don't always
12 know where to go. We turn to the greater power. And
13 so we rely upon you to take what we say, to go to
14 DCNR, take it there. You know?

15 It's like a big, complicated picture and
16 we're just trying to put the pieces together, but it's
17 our lives that are at stake.

18 And it's like a David and Goliath thing.
19 In my township, we just spent three years developing
20 and putting in place amendments to our zoning
21 ordinance that will address oil and gas activities in
22 our township. We did not have that.

23 We just finally got that done, but
24 still, the whole time we have been doing it and that
25 we are, you know, going forward, because our process

1 hasn't ended, we're going to stay with this and
2 continue to learn and develop.

3 We have to think well, yeah, but ---
4 well, what if --- what if they sue us? What if the
5 energy industry sues us? And we're 600 and some
6 citizens and they're --- got more money than, you
7 know, some small government.

8 And it's --- so it's like extortion.
9 It's like, give us what we want, or else we'll sue
10 you.

11 So it just seems like, again, inherently
12 unfair to individuals who are threatened with lawsuits
13 and townships.

14 I'm wishing there could be a fund,
15 maybe, set aside to help municipalities and
16 individuals defend against lawsuits if they are
17 brought when people are, in good faith, trying to
18 protect their citizens and their municipalities.

19 The issue of aggregate impact, they ---
20 they --- they don't tell you the whole thing. They
21 say you want to do this, you get that approved. Then
22 we want to do this. Because each thing becomes the
23 basis for the next permit application or approval by a
24 township.

25 Oh, wells and some pads --- we'll use.

1 You already let us put a well here, so we want to put
2 a compressor station there, and then a metering
3 station and then the ---.

4 You know, just show us the whole
5 picture. We're grownups. Let us see the whole
6 picture. Don't try to slide it in on us.

7 And also, anything you can do to help
8 citizens and municipalities with monitoring
9 capabilities, because we know DEP can't be everywhere
10 and you rely on us citizens to help bring things to
11 attention, both for sound, noise --- noise limits and
12 also, of course, emissions and other aspects.

13 Thanks.

14 MS. LEHMAN:

15 Jim Dunn?

16 MR. DUNN:

17 Thank you.

18 I'm often asked what we --- you know,
19 what do we need in these rural municipalities to
20 create change, to make a better difference. And what
21 we need is we need money and we need leadership.

22 Philadelphia and Pittsburgh have scale,
23 they have the masses of people, they have the quality.
24 And they also have foundations, they have Penns and
25 they have the Heinz. And they help with contributing

1 to your grant programs and creating change, creating
2 positive improvements in these areas.

3 We don't have that here. You know, we
4 don't have scales. We struggle to really make change.

5 And the unfortunate thing is
6 Philadelphia and Pittsburgh, they have the resources,
7 but we have the tools.

8 We have --- all of nature in
9 Pennsylvania is here in Ridge Valley section of
10 Pennsylvania.

11 You know, all the water from --- not all
12 of the water, the most significant portion of the
13 water in the Chesapeake come from here.

14 We have the most beautiful, you know,
15 mountains and forested hillsides. It's all here. But
16 we don't have the scale, we don't have the money, we
17 don't have the leadership to protect and preserve and
18 to get people into nature.

19 What I would like to see is some policy
20 change. Policy change is slow, it's painful, but if
21 you can come up with some solutions and develop a
22 pilot program where you can make a couple significant
23 projects in rural disenfranchised areas.

24 We could show that multi-agency
25 cooperation between many of the state agencies,

1 budgeting, portions --- you now, reasonable portions
2 of money to create a couple of significant projects
3 for change, I think would make a tremendous,
4 tremendous difference. And I think it's reasonable
5 and I think it could be accomplished.

6 I know our area here, we have resources,
7 we have great planning. We have everything except for
8 those two components, the money and leadership. And
9 that's what I would plead for tonight.

10 Thank you.

11 MS. LEHMAN:

12 Is there anyone else who wishes to
13 speak? Anyone who didn't and changed their mind? I
14 guess this is last call.

15 Okay. Thank you.

16 CHAIRMAN:

17 I want to thank you all for coming out
18 to this listening session. We have six more stops, so
19 please visit our website if you want to venture out to
20 another part of the state.

21 Again, we're accepting written comments
22 --- comments until May 25th. And our online email
23 address is there as well as our mailing address.

24 So please feel free, if you have plans,
25 development ideas. We have other people and they have

1 great ideas.

2 We need some of those comments, those
3 feedbacks. They will receive the same amount of
4 attention as your testimony here today. We're looking
5 for as much information as possible.

6 I'll turn it over to our secretary. And
7 again, thank you again for being here today.

8 SECRETARY MCDONNELL:

9 Now, thank you, once last time for your
10 time and attention today. I said this in a couple
11 other sessions, it's incredibly valuable, I'll say for
12 me personally, but I think for the Department as
13 whole, to not just hear, you know ---.

14 One of the reasons, frankly, we're here
15 is there's a number of people with the wherewithal to
16 find their way to Harrisburg.

17 You know, as something someone said
18 earlier, it's important for me that we come out to you
19 and get this information.

20 And again, not just come out once, but
21 that we have a feedback with this up through the
22 regional office, but through our central office and
23 myself, including the staff in Harrisburg.

24 So thank you so much for your time and
25 attention. And I and Carl took a lot of notes

1 listening to you all and you 'can expect this is
2 beginning the process, not the end of one. And I
3 would say that I tend to be a continuous improvement
4 kind of guy.

5 So hopefully we'll be reflecting with
6 what we've learned here back out to you and having
7 another conversation and another and another to make
8 sure we're doing this as well as we can.

9 So thank you all very much and have
10 pleasant evening.

11 * * * * *

12 HEARING CONCLUDED AT 5:48 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Jones was reported by me on 4/20/2017 and that I, Xi Xia, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.



Xi Xia, Court Reporter