

January 22, 2015

Chris Nelson
Vice Chairman
SD Public Utilities Commission
Capitol Building, 1st Floor
500 E. Capitol Ave.
Pierre, SD 57501-5070

Dear Mr. Nelson,

As a lifelong resident of South Dakota, I am writing to express my concern and dissatisfaction over the proposed Dakota Access Pipeline route that runs within one-half mile of my home in Lincoln County, SD. The newly-proposed route runs extremely close to several homes and businesses in southeast South Dakota along I-29 and 471st Street, including Schriever Addition, the development where my husband and I have lived since 2008. When the decision was made to purchase a home south of Sioux Falls, it was done so because of the desirable location, quality of life and growing property values, all of which I believe will be in jeopardy with a **crude oil pipeline running so close to a growing residential development**. As a homeowner, would you want this in your neighborhood?

The timing of the notification – a certified letter on Christmas Eve – and the apparent disregard over the disruption to two of South Dakota's most highly populated counties raises serious questions about Energy Transfer Partner's business ethics and knowledge of the area they desire to utilize.

I hope you and the other commissioners will put the rights and interests of South Dakota citizens first when it comes to working with an out-of-state company, operating on their own agenda, without regard to the lives of those living in heavily populated areas of South Dakota. There are far less populated areas of our state to be considered for such a project.

Sincerely,


Shelly A. Johnson

001423

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Anne Dilenschneider [REDACTED]
Sent: Thursday, January 22, 2015 2:29 AM
To: Nelson, Chris; Fiegen, Kristie; Hanson, Gary (PUC)
Subject: RE: Public input hearing for Docket HP14-002

1

001425

Dear PUC Commissioners:

Pipelines are not a safe way to transport crude oil. They explode, rupture, and leak. Even with automatic shut off valves.

TransCanada — the Keystone XL company — had 3 pipeline explosions in a 9-month period last year. Two were in Canada. The third, on September 16, 2014 caused the evacuation of Lake Benton, MI and contaminated farmland. The damage occurred even though the automatic valves in the pipeline started to shut off the flow of oil as soon as the drop in pressure was detected.

Tesoro, has been working 24/7 every day since September 29, 2013 to clean up 20,600 barrels (865,200 gallons) of crude oil from a pipeline rupture near Bismarck, ND. It is the biggest onshore oil spill to date. 6,000 barrels of oil have been recovered; 14,600 barrels have saturated the farmland and are considered “lost.” So is the land. What “clean up” can be done is expected to last well into

2016: http://bismarcktribune.com/bakken/north-dakota-oil-spill-cleanup-to-last-at-least-two/article_c3af1d8c-9365-11e3-bc88-0019bb2963f4.html

In 2010, the pipeline accident at Enbridge accident affected 35 miles of waterways. That clean-up effort still continues. According to the EPA, the 2010 Enbridge accident spilled 843,000 gallons of oil: <http://www.epa.gov/enbridgespill/>

There were over 60 pipeline accidents in the last 2 years. Already this year there have been 2 pipeline accidents on January 14th — one in Louisiana and one in Mississippi. This week there was a third pipeline accident on the Yellowstone

River: <https://www.facebook.com/YellowstoneNPS/posts/1003587559656598> and <http://www.wsj.com/articles/oil-spills-into-yellowstone-river-after-pipeline-leak-1421688172>

For a more detailed list of pipeline accidents in the 21st century, go to:

http://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century)

In addition, the oil companies — particularly TransCanada — are notorious for strong-arming senior citizens into selling their land or seizing it by "eminent domain." (I have yet to figure out how a foreign company like TransCanada has the right to take American farm and ranch land by “eminent domain.” If it was the TransIranian Oil Company we’d have Congress and US citizens everywhere up in arms.)

At international town hall meeting was broadcast live on October 7, 2014 in both Calgary, Alberta and Lincoln, Nebraska, Corey Goulet, the TransCanada president of Keystone Projects, refused to address the land theft issues brought up by the ranchers and farmers. These Americans reported that their 80- and 90-year old widowed mothers had been repeatedly threatened by TransCanada land agents. Their mothers were told that, if they did not sell their family land to TransCanada, it would be taken from them under "eminent domain.” <http://www.pri.org/programs/america-abroad/keystone-xl-pipeline-international-town-hall>
“Eminent domain” is also being used to dispossess South Dakota farmers and ranchers for the Dakota Access Pipeline.

In addition, pipelines are dangerous, even in 2015.

There are plenty of clean, permanent, 21st century jobs we could bring to South Dakota. We do not need to sell our state — or any state -- to the oil companies for a few temporary jobs and the lure of quick tax monies. Please take a stand and stop allowing oil companies to determine the future of our state.

Regards,
Anne

Anne Dilenschneider, PhD



P.S. You will also note that during the international town hall meeting broadcast live on October 7, 2014 (see link above), Goulet claimed TransCanada has "all the land needed" for the KXL pipeline in Montana and South Dakota. That is simply not true. All of the South Dakota leases expired on June 29, 2014. As you know, the re-approval process has not begun. The oil companies are less than honest about the damage caused by continual leakage (Keystone #1) and the on-going "accidents" (explosions, spills, and leaks). They are also less than honest about the ways they are acquiring land in our state.

On Jan 22, 2015, at 7:26 AM, Nelson, Chris <Chris.Nelson@state.sd.us> wrote:

Anne,

Thank you for your email and your thoughts on this docket. We will add your comments to the docket file so they can be considered as we deliberate on this application for a siting permit.

Sincerely,
Chris Nelson

001428

From: Anne Dilenschneider [REDACTED]
Sent: Thursday, January 22, 2015 7:35 AM
To: Nelson, Chris
Cc: Van Gerpen, Patty
Subject: Re: Public input hearing for Docket HP14-002

Thank you for providing this way to comment.

As usual, I have to work until 8 pm this evening — I'm one of the few counselors in town who specializes in working with children and adults with ADHD, and evening hours are when most of them are able to come.

I'm scheduled a month ahead, and I can't just turn people away.

Regards,
Anne

Anne Dilenschneider, PhD
[REDACTED]

001429

From: Biewer, Christopher Jerome - SDSU Student [REDACTED]

Sent: Thursday, January 22, 2015 12:52 PM

To: Fiegen, Kristie

Subject: Keep oil pipelines out of South Dakota

Hello,

I have more concerns about proposed pipelines in South Dakota. The first being the recent issue of Transcanada not being liable for spills in South Dakota. Gov Daugaard is looking for ways to fund road and highway projects, if we are looking for funds for projects why would we want to raise funds to clean up a mess we are not responsible for? That isn't how we do business in South Dakota.

<http://mix97-3.com/pipeline-bursts-in-south-dakota-you-pay-clean-up-not-transcanada/>

Another of my recent concerns is also about the Keystone Pipeline. Recently an amendment to build the pipeline using American made steel has been blocked. If we are serious about creating jobs, this surely isn't going to help. The pipeline itself will only create 35 permanent jobs, and the construction jobs wouldn't even be using American steel, supporting the steel industry. That is wrong.

<http://www.forwardprogressives.com/senate-republicans-block-amendment-requiring-steel-keystone-xl-pipeline-made-america/>

My final recent complaint with the Keystone Pipeline is that we will be exporting all of the benefits of building it. So the state of South Dakota will not get any benefit from the oil traveling through the state, the project would not use any American steel to put Americans back to work and we are responsible for the clean up when a leak occurs. How is this fair to the state and your fellow South Dakotans?

<http://news.yahoo.com/senate-rejects-effort-ban-keystone-xl-pipeline-exports-213417728.html>

I have concerns with other projects, such as the Dakota Access Pipeline. You may have heard about a recent pipeline burst in North Dakota that leaked 3 million gallons of salty, toxic brine. You can learn more here.

<http://thinkprogress.org/climate/2015/01/22/3614226/north-dakota-brine-spill/>

The article raises the issue with this spill, but also talks of a spill in 2006 a quarter of the size and how that area has not recovered from the 4600% increase in chloride concentrate that was leaked. One way to clean these

areas is using fresh water which isn't a smart solution. These dead zones will kill plants and animals, no doubt affecting our agriculture and hunting/tourism.

If these pipelines are constructed, I would seriously consider leaving South Dakota a state I have lived in for almost 20 years. In an economy where someone can work over the internet, there is no reason to stay in a state that has dead zones and doesn't value the environment and its fellow South Dakotans.

-----Original Message-----

From: Biewer, Christopher Jerome - SDSU Student

To: Gary Hanson

Subject: More pipeline concerns

Sent: Jan 22, 2015 12:50 PM

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From: Biewer, Christopher Jerome - SDSU Student [REDACTED]
Sent: Thursday, January 22, 2015 12:51 PM
To: Nelson, Chris
Subject: Keep pipelines and oil out of South Dakota

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Chris Nelson, Chairperson
Kristie Fiegen, Vice Chairperson
Gary Hanson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
www.puc.sd.gov

Capitol Office
(605) 773-3201

Grain Warehouse
(605) 773-5280

Consumer Hotline
1-800-332-1782

Email
puc@state.sd.us

January 30, 2015

Phillip Wallace
Pipeliners Local Union 798
PO Box 470798
Tulsa OK 74147

Dear Mr. Wallace:

Thank you for your comment. It will be added to the Dakota Access Pipeline docket, HP14-002, along with this response.

You will find the docket online at www.puc.sd.gov by clicking on Commission Actions, Commission Dockets, Hydrocarbon Pipeline Dockets, 2014 Hydrocarbon Pipeline Dockets, and HP14-002. Because commissioners have a decision-making role in docket matters, any discussion with a commissioner about an open docket must take place in an open, public forum. By placing your comments in the docket file, other commissioners and interested parties will have access to your comments for consideration.

Enclosed is a document from the home page of the commission's web site titled Pipeline Siting Info Guide which explains the processing of pipeline siting permit requests which may be helpful to you. I have also enclosed a Dakota Access Pipeline Frequently Asked Questions document from the site which may be of interest.

Sincerely,

Chris Nelson

To: Public Utilities Commission State of South Dakota
Meeting: Ramkota - Sioux Falls SD - 1/22/2015
RE: Energy Transfer Partners L.L.C. Dakota Access Pipeline Project

Prepared by: Betty Strom - farm owner/operator - Lake County SD

Thank you for the time to present my concerns about the proposed Dakota Access Pipeline Project. I hope you will listen carefully.

I believe we should be working on renewable energy, instead of building pipelines to transport every drop of crude oil that can be squeezed out of the earth by environmentally questionable and damaging methods.

I am not in favor of the Dakota Access Pipeline Project. A rosy picture has been painted by the representatives of Energy Transfer Partners. The number of jobs, the tax revenue generated, the relief of use of rail cars and how safe there pipeline will be.

In the big picture these promises may be short lived or non-existent. Once the construction is finished there will only be 12-15 permanent jobs in SD. I cannot find information on how they plan to generate the property and sales taxes they predict. They control the amount of crude that runs through the pipeline so any taxes based on the volume of crude transported will affect the funds generated. When the oil sources run out or the amount transported is cut, what will the compensation be then? Exactly what property is being taxed? Note the differences in SD tax income compared to Iowa.

This pipeline is now proposed to go completely through my best cropland for 3/4 mile. I realize I will be compensated for the crop lost for one year during the construction and for lesser amounts for two years following the construction. Nothing after that. A big concern is after the pipeline is in place and transporting approximately 450,000 barrels a day through my land. There is no guarantee it will not leak. Pipelines do leak. Almost every week we hear of another pipeline spill. If this pipeline leaks it will spill thousands of gallons. Even with safety shut off valves and pressure detection there is still all of the crude that is in the 30 inch pipe between the shut off valves. I have not seen any agreement that will require ETP to do a complete clean-up and restoration of the land and water exposed to

the spill or any guarantee of compensation of lost crops or use of cropland during and after a spill.

Furthermore, once the pipeline is in place, it is there forever. There are no plans or legal requirements to remove it when it is no longer being used or has become obsolete or unusable. Deteriorating pipe and crude oil residue are a serious safety and environmental concern even then. We must consider not only the potential dollars that might come in during the upcoming years, but the cost of having this pipeline in the future. Has an environmental impact study been requested or completed?

What does this do to my property value? At some point my land will be sold. Who wants to buy farm land that has a pipeline running through it? The new owner will not get any compensation or protection.

I, along with my organic farm neighbors, requested that ETP relocate the pipeline route away from our land. We showed them two possible options. Instead of choosing one of these options, they moved the pipeline plan to cross my entire property instead of just a portion.

I cannot afford expensive lawyers to protect me, but ETP will put their legal forces to work to make sure they are protected.

ETP has made it perfectly clear, that if I do not sign to cooperate with this pipeline project, they will use eminent domain and complete the project anyway. So I am really forced to cooperate and accept the terms and conditions decided by ETP.

That is why I am here tonight. The PUC must evaluate carefully if this project should proceed. If you decide to allow this pipeline, it is your responsibility to have requirements in place to not only protect South Dakotans now during construction, but also from damage and losses from leaks, spills and other problems with the pipeline in the future.