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**From:** Bilka, Daniel James - SDSU Student [REDACTED]  
**Sent:** Monday, October 12, 2015 12:26 PM  
**To:** Fiegen, Kristie; Nelson, Chris; Hanson, Gary  
**Cc:** Scott Parsley; Leslie Heinemann; Wollmann, Rep  
**Subject:** Dakota Access Pipeline-Comments:  
**Importance:** High

To the South Dakota Public Utilities Commission:

I am writing in regards to the proposed Dakota Access Pipeline and thus its implications for the state and the residents: Below is the rebuttal **followed** by my own comments and reflections.

015778

Docket Number: HP14-002

I **oppose** the construction of the proposed Dakota Access crude oil pipeline because it will pose a threat of serious injury to the environment and current or future inhabitants. The pipeline will substantially impair the health, safety and welfare of South Dakota communities. The pipeline will destroy natural resources that are needed to sustain South Dakota as a leader in agriculture and tourism. Also, South Dakota does not have state inspectors or funds to protect citizens from pipeline accidents.

The Dakota Access Pipeline would not serve the good of the public. It is all risk and no reward for South Dakota and its residents. The pipeline would be a negative legacy for all South Dakotans.

The potential impact of an oil spill or leak to water and land quality for both private and public lands would be devastating and costly to South Dakota's communities.

The remedy that I seek is to outright deny a permit to construct the Dakota Access crude oil pipeline in South Dakota.

**My own thoughts and reflections:**

One of the most critical points which I have run across in my research on this, is who is liable if something should go wrong? Does the company which constructs or operates such a pipeline have a requirement to have insurance for such a critical disaster? Last I knew, they did not. The result would be the state and the people of South Dakota would be left footing the bill for the cleanup, and live with the consequences of others selfish actions. It is indeed all risk and no rewards for South Dakota. The first Keystone Pipeline has failed to live up to the promises made.

Another disagreement I have with pipelines as such is their focus as super-specificity of one component focus. They are infrastructure created for one specific use, to one benefit. I will be completely honest that I adamantly believe that rail is a much better means of transportation. I say this knowing full well that there are dangers and accidents which can happen with rail as we have seen before. However, *if* there is such an accident, there is only a set number of cars (i.e 110) which could rupture and the environmental damage would be on the surface where it is easier to contain and mitigate. This is opposed to an underground pipeline which may leak unchecked until the damage has already been done and there is nothing we can use to clean the ground, groundwater and aquifers from this contamination. Rail also can serve many needs using the same infrastructure, Ms. Fiegen, you probably remember me contacting you last year about the same.

As I have said in an open letter to Senator Thune this summer, our infrastructure (transportation, utility, and otherwise) is becoming highly antiquated compared to the rest of the developed world. We need to reinvest in our county and our state but do it in a wise manner which doesn't have the serious repercussions pipelines do.

Madison Daily Leader: [http://www.dailyleaderextra.com/opinion/letters\\_to\\_the\\_editor/article\\_33072146-2fed-11e5-8e0d-bf4ed5e0e8f4.html](http://www.dailyleaderextra.com/opinion/letters_to_the_editor/article_33072146-2fed-11e5-8e0d-bf4ed5e0e8f4.html)

# Letter to the Editor - Daily Leader Extra : Letters To The Editor

Letter to Senator Thune:

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## **Our Energy Sources:**

One of the most critical points which I feel is continually left out of such conversations is the fact these pipelines promote dependence on fossil fuels. Regardless of your own personal beliefs on climate change et. al., one must remember that fossil fuels are non-renewable. There only is a finite amount of this energy source. Regardless if one sips it or guzzles it, there will be a time when this energy source runs out. Energy talks today generally focus on conservation of the use of the energy rather than were this energy is sourced from in the first place. The natural forces of this earth produce countless times more energy than we could ever conceivably need; we just need to develop more efficient means to capture, store, and use this energy. We must as a state, country, society, and world start developing and using more of these technologies now. I do not say this lightly for I drive a Chevy Silverado and definitely feel the pain at the pump.

Save dead dinosaurs from heating and powering our homes and businesses and save them for our vehicles, equipment and other non stationary objects until we find sources for these too. It is better to work towards these now before we have to go off fossil fuels cold-turkey or suffer another oil embargo crisis.

## **South Dakota:**

South Dakota. We once were a leading state both in leadership and innovation. Today, we have fallen behind most of the others and favor short term gains over their long term costs.

Governor Kneip said it well in his South Dakota Scrapbook Interview for SDBP: Too many people get in a position of leadership or power and they do not take proper advantage of the human talent around them. That is why I implore you three with your positions to think carefully and critically about the gravity of your decision and the long term consequences they will have on the state and its people.

To take a phrase from Governor Gubbrud: "Make haste slowly" in regards to proceeding with the pipelines.

Use Governor Farrar's "Sound and sensible ideas regardless of the politics."

Have the temperament of two great South Dakotans, Governor Janklow and Senator Abourezk: "Like him or hate him, at least you sure know where he stands on an issue."

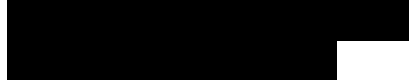
In regards to the gravity of pipelines specifically in South Dakota, The Dakota Access Pipeline is foolish and unwise. Keystone XL is just plain **stupid**.

I look forward to hearing back from you in regards to this issue.

Sincerely,

Dan

Daniel J. (Dan or DJ) Bilka  
*Rail/Transportation/Architecture/Agriculture Activist*  
M. Arch Candidate  
South Dakota State University



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**From:** Bilka, Daniel James - SDSU Student [REDACTED]  
**Sent:** Monday, October 12, 2015 3:53 PM  
**To:** eastriver.coop, sparsley; Fiegen, Kristie; Nelson, Chris; Hanson, Gary (PUC)  
**Cc:** Leslie Heinemann; Representative Wollmann, Mathew  
**Subject:** Re: Dakota Access Pipeline-Comments:

Senator Parsley,

You are right that there is always a danger from shipment of crude oil and; as you probably know, the Quebec incident is still working through the courts currently. I was not suggesting a rail option as the end-all, I was only highlighting the need to reinvest in our infrastructure; infrastructure that is flexible for various needs. I would be happy to see less of a strain on the existing infrastructure in place if the most sustainable long term solution is used. I would also like to see better rail company practices, not just regulations, to try to prevent such a tragedy (whether it be slow orders on such trains through towns and development, I do not know. Regardless, they should be looking at it from from a corporate standpoint).

Personally, the best option I see lately is utilizing existing means (i.e. current pipelines too, while building up their safe-guards) rather than continually expanding infrastructure for non renewable technologies. The Safer option is the better option. Thank you for your feedback so I could clarify myself. I was only speaking from the scope of research I am predominantly involved in. Lowering the dependence on Fossil Fuels can lower the strain on existing systems while creating new, sustainable, systems and jobs. Focusing on sustainable energy sources as well as energy conservation can go far in this. As your mothers probably said: "Turn off the lights if you leave the room!".

I think you could agree that there is a need for **greater** redundancies and technologies for safety from a human and environmental standpoint. If something is less cost effective, quote in quote, but it is a safer with less long term consequences, it is the more sound option.

Focus on the health, safety and welfare of humans and the environment should be the highest priority (since we are of the environment too). Remember the Golden Rule of Aldo Leopold's Land Ethic: "A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise." Everything is heavily interconnected, and interdependent on one another.

There is a great focus in society today on band-aid patches rather than constructive solutions. Too often pontificating politicians focus on the "magic pill" solution when in fact things are much more complicated. While I readily recognize that I do not at all have all the solutions, I can readily recognize and admire the problem. Regardless, we need to vett out the best option for the long term.

To you Senator Parsley, what do corporate business ethics mean to you and the company at large? How does it affect your business practices and community relations? How do they fit into the long term goals of the company? These are questions you and the others probably deal with on daily basis without always recognizing them as such.

Dan

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**From:** Scott Parsley <[REDACTED]>  
**Sent:** Monday, October 12, 2015 1:36 PM  
**To:** Bilka, Daniel James - SDSU Student  
**Subject:** RE: Dakota Access Pipeline-Comments:

Daniel, well stated. I would disagree on one point. Yes you can see the number of train cars ruptured and somewhat contain the spill, however the risk to human life is much greater from a train derailment. As witnessed in Quebec Canada when a train of Bakken crude derailed the resulting fire caused loss of life and a great deal of property damage. Always good to hear your perspective and well thought out reasoning.

Scott

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**From:** PUC <[PUC@state.sd.us](mailto:PUC@state.sd.us)>

**Sent:** Tuesday, October 13, 2015 10:05 AM

**To:** Bilka, Daniel James - SDSU Student

**Subject:** HP14-001, HP14-002

Mr. Bilka:

Thank you for your views regarding the Dakota Access Pipeline and the Keystone XL Pipeline. Please provide your street or mailing address along with your full name and message.

Your message will be posted in the South Dakota Public Utilities Commission's formal pipeline siting dockets for these projects, HP14-002 and HP14-001, under Comments and Responses. Your street and/or mailing address will be removed from the public version of your comment placed in these electronic dockets:

<http://www.puc.sd.gov/Dockets/HydrocarbonPipeline/2014/hp14-002.aspx> and  
<http://www.puc.sd.gov/Dockets/HydrocarbonPipeline/2014/hp14-001.aspx>

Since these are an open dockets before the commission, correspondence is posted in each open, public docket so that the other commissioners and all parties to the cases have access to the views expressed to a commissioner.

You may be interested in the Pipeline Siting Info Guide,

<http://puc.sd.gov/commission/Publication/pipelinesiting.pdf>, and Dakota Access Pipeline FAQ, <http://puc.sd.gov/Dockets/HydrocarbonPipeline/2014/hp14-002faq.aspx>, and Keystone XL Pipeline Updates, <http://www.puc.sd.gov/Dockets/HydrocarbonPipeline/keystoneupdate.aspx>.

In reviewing the information at these links, you will see there are many aspects to be analyzed and considered by commissioners when deciding how to vote on these dockets. Your message references some of these and I encourage you to read the documents filed in each docket to get a full grasp of the key issues including legal parameters mandated by state law to be considered by commissioners in making decisions on these proposed projects.

I appreciate your interest in these important matters.

Chairman Chris Nelson  
South Dakota Public Utilities Commission  
[www.puc.sd.gov](http://www.puc.sd.gov)

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