

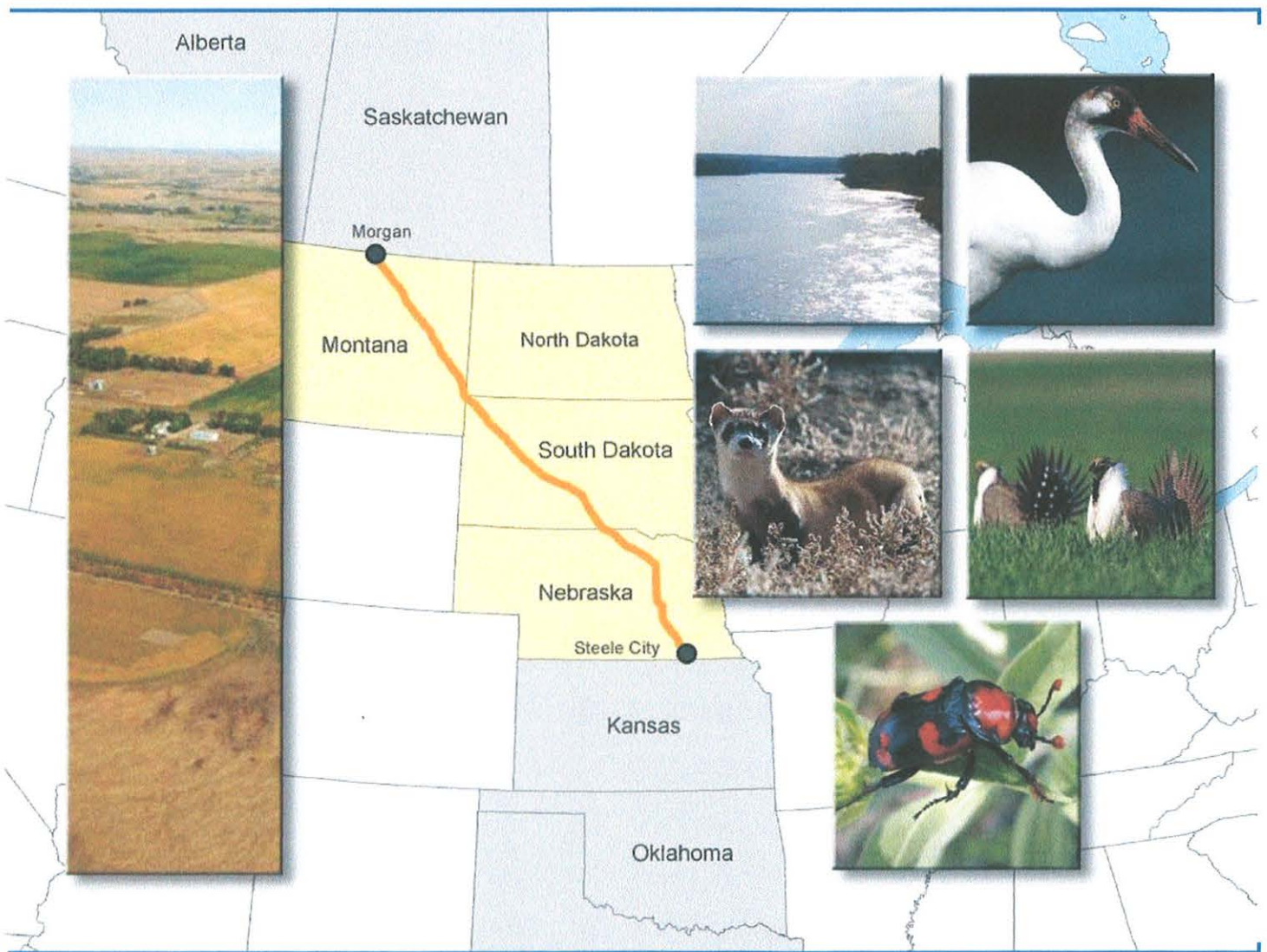


United States Department of State
Bureau of Oceans and International
Environmental and Scientific Affairs

Exhibit 8007

Final Supplemental Environmental Impact Statement
for the
Keystone XL Project
Volume V - Comments and Responses (Part 1)
January 2014

Applicant for Presidential Permit: TransCanada Keystone Pipeline, LP



PC.3.22 LEGAL AND REGULATORY REQUIREMENTS

Theme LEG 01

Theme Statement

Comments in this theme assert that the Draft Supplemental EIS is deficient because it is in violation of laws, treaties, conventions, and international agreements, such as Treaty 8, the Universal Declaration of Human Rights, Kyoto Accords, Pelly Amendment, Convention of Wetlands of International Importance, Convention of the Rights of Indigenous Peoples, the Fort Laramie Treaties and, due to the lack of action by the Canadian government to prevent impacts to the Athabasca Delta and its First Nation Peoples, the Rome Statute of the International Criminal Court.

Response

As described in Section 1.1, Background, the Final Supplemental EIS has been prepared consistent with NEPA and all other relevant laws and regulations. The scope of the NEPA evaluation is defined by the proposed Project area and those resources and receptors that may be impacted by the proposed Project, including consistency with statutes such as the ESA and NHPA, EOs on environmental justice, and other federal, state, tribal, and local laws and regulations.

Theme LEG 02

Theme Statement

Keystone has applied eminent domain to acquire private property for the GCP, and has threatened to do the same to landowners unwilling to sign easement agreements along the route of the proposed Project. It is inappropriate for a foreign corporation to use eminent domain to acquire private property in the United States.

Response

As noted in Section 2.1.7.2, Pipeline Construction Procedures, TransCanada-Keystone Pipeline, LP (Keystone) is a limited partnership organized under the laws of the state of Delaware. To construct, operate, and maintain the proposed Project, Keystone would be responsible for acquiring easement rights from landowners along the entire route in each state. Easement agreements would list the conditions to which both the landowner and Keystone agree, including financial compensation to the landowners in return for granting easements. Compensation would also be made for loss of use during construction, crop loss, loss of non-renewable or other resources, and restoration of any unavoidable damage to personal property during construction. The Department expects Keystone to negotiate fairly, honestly, and respectfully with landowners when they negotiate an easement; however, those negotiations and final agreements are private business concerns between the landowners and Keystone.

If Keystone obtains all necessary permits and approvals and an easement negotiation cannot be completed in a manner suitable to both parties, Keystone may attempt to use state eminent domain laws to obtain easements needed for pipeline construction, maintenance, and operation. State laws dictate the circumstances under which eminent domain may be used, and define the