

8/19/23

Attn: PUC Commissioners and Acting Commissioner

Ref: HP14-002, HP22-001, HP22-002

Thank you for your time to read my comments in regards to the motion to release the construction bond and terminate the appointment of the public liaison officer in the HP14-002 docket. I believe it will also affect your decisions in HP22-001 and HP22-002.

First, the motion states that “no report has been filed for some time; the last report indicates no issues remaining”. The last quarterly report to the PUC covered January-March of 2021. There has been contact with Eric Munz, Brandon Cermek, and Paul Hinex in March of 2022 in regards to large fissures (crevices) which were located on top of the Dakota Access Pipeline. The fissures were discovered in the late fall of 2021 and a danger to cattle that would be returning to the affected pasture in the spring of 2022. Thus, I contacted Eric Munz and others in March of 2022. Fortunately, for all involved, the winter conditions caused the fissures to lessen in size and further repairs were not needed.

As drought continues to ravage eastern South Dakota, similar conditions may appear but a great concern is how close the proposed carbon pipelines will be installed next to the oil pipeline in places. Underground water paths are changed as construction in this magnitude happen. And when we eventually get needed rains, drain tiles may still reveal damage from the 2016 DAPL construction.

Incentives for the 2016 construction crews and the lack of thorough inspections created an atmosphere of rushed construction. Landowners across the state dealt with unnecessary issues. One of the monitoring reports showed 487 items were involved with issues. Please keep in mind that this is only a portion of issues within South Dakota. Many landowners did not report to Eric Munz. They just attempted to fix the problems themselves.

The PUC is not notified of maintenance digs along the DAPL route if oil is discovered outside of the pipe but it is within a certain maximum amount of oil loss allowed. (You can refer to previous correspondence with staff, DAPL, and myself.)

As you know, DAPL-affected landowners were not allowed to contact the PUC directly. Deb of the present PUC staff advised me that if the recent motion is passed, the landowners will be allowed to contact the PUC directly with issues. Landowners will probably not be comfortable with that.

I assume that not all landowners (old and new) connected with DAPL have been notified of the pending motion nor will they be notified if it is passed unless the PUC requires it. As far as I know, the motion has not been listed on a commission meeting agenda yet. And I doubt if landowners realize they have to check your PUC site every week. As well, townships, counties, and all governmental and private entities that were involved with the initial HP14-002 docket should be notified.

Issues may show up along the oil and proposed carbon pipelines for years that no one can predict. South Dakota weather and land conditions cannot be controlled by man. I ask that you seriously think about the HP14-002 motion before passing it AND that you deny the permits for the dockets HP22-001 and HP22-002. Thank you.

Sincerely, Peggy Hoogestraat 27575 462nd Ave, Chancellor, SD 57015 605-214-0623