

September 30, 2007

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Public Utilities Commission
Capitol Building, 1st floor
500 East Capitol Avenue
Pierre, SD 57501-5070
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RE: Keystone Pipeline Project/HP07-001

Dear Commission Members:

I am writing to you concerning the Keystone Pipeline Project planned to cross South Dakota and specifically through Marshall County where I own approximately 80 acres of farmland. I am opposed to this pipeline project and urge you to consider the interests of land owners and also the interests of the population that depend on the land for their livelihood, recreation and food or water source.

My husband's family has farmed this land for many years and I hope to be able to pass on this heritage to my children and their children. Currently, my land is rented to a local farmer. I am concerned about the loss of income during the construction of the pipeline, the possible loss of property values due to the Right of Way that would be granted to Keystone and possible damage from the pipeline to the soil and water table during construction and in the event of any spill, leakage or contamination in the future. As a widow, I depend on that income and the value of that property for my retirement. These types of losses would be a substantial hardship for me and for the property owners in general. Most of the land being used for this project is classified as prime farm land.

We know that we will be unable to farm on that portion of land subject to the Keystone Easement during the construction period of approximately 18 months. We can also anticipate short and possible long-term decreases in soil productivity in the post-construction period. Who will be responsible for monitoring Keystone to ensure compliance with the construction plans and with its own Mitigation Plan and Post-Construction Soil Monitoring? What is the budget for land restoration after the project? Given the nominal amount that Keystone is offering for Right of Way easements, I can't imagine that land restoration after construction will be adequate to fulfill my obligations as a landlord to local farmers. The pipeline puts a liability onto the property owners that may never be recovered or restored.

Lastly, I object to Keystone's strong arm tactics in getting property owners to sign their Agreement. I have been notified that if I do not respond or reach agreement with them by September 30, 2007 then they will start condemnation proceedings against me. Since Keystone has not yet obtained the necessary permits and approvals to construct the pipeline, I am forced to use legal counsel to obtain a fair and appropriate resolution. Another cost that must be borne by the property owners.

I urge you to deny Keystone's request for the Pipeline project. I am sure that there is a more viable alternative for the pipeline than through the wonderful farm land of South Dakota. An area where the risk to natural resources and farmland will be lessened without adding an undue burden elsewhere.

Thank you for your consideration in this matter,

Jean C. Burger

