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From: Mike and Linda Wagner

Sent: Friday, August 10, 2007 11:10 PM

To: Van Gerpen, Patty

Subject: Keystone Pipeline

Patty Vangerpen:

I am involved with farmland in Day County that the Keystone Pipeline, I understand, has changed from previous alignments to now... settling on diagonally crossing through good tillable land. This is very troubling, since the new line goes right through all the "best" of our farm's tillable land in three separate locations.

Please let me know what we can do to try and attain some mitigation control. I understand the 36 inch line is shallow compared to similar pipelines (as the Alliance Pipeline), the State of South Dakota is not requiring a pre-agreed upon ag-land mitigation agreement, the corridor may be disturbed again later for more such lines, the top-soil may or may not be adequately separated and replaced, the issue of settlement and drainage is very questionable, the material being pumped in the line contains sand and will be warm (affecting, negatively, future crop production), and the Keystone people are already out there buying easements... before the Draft EIS is submitted to your Office.

I may not have all this completely correct, but I am sincerely worried.

I am a County Public Works Director/County Engineer in Minnesota and I have experienced two pipeline constructions through county roads, county drainage ditches and county parks. The Alliance Pipeline is from Canada to Chicago, 36-inch, and the system for the approvals was, apparently, much more regulated than what I can learn about Keystone. The State Agriculture Department had a detailed Agricultural Mitigation Agreement signed between the State and Alliance Pipeline.... which covered the details of topsoil, depth, crop loss, access, etc. This was especially important to protecting the farmers and the ag production.

The Counties also had conditional use permits for local conditions. ... like all roads were never opened but rather jacked under, driveways for delivering pipe were temporary, damage to road surfaces were covered for repair costs with a financial deposit, etc.

I can go back into the files, copy and send the documents if you are interested in reviewing them.

I know for a fact that the Alliance Company had to sue one of its own contractors working in Iowa, because that contractor was not living up to the topsoil separation agreed to with the State of Iowa.

This Keystone Pipeline project can be a disaster for South Dakota, if not adequately regulated.

I am willing to help you to keep that from happening, but sending you agreements, etc. that worked.

The above is not written well ... it is late, please forgive me; simply overly concerned!!

Mike Wagner P.E.
Nicollet County