

Diana Steskal ~ Testimony on the HP14-001

Hello, my name is Diana Steskal, from Stuart Nebraska, a concern citizen of the United States, acting as an individual intervener. I would like to state that I am not an expert farmer or photographer; I am here today to testify about my concerns of accepting the certification of a permit for TransCanada to construct the Keystone XL pipeline. I feel that TransCanada has not been a good neighbor to the people of United States. They have made statements about land reclamation ~ "How they will leave the land in better shape than they found it." I have witness an area in Miner County, where a land reclamation on an easement of the Keystone I, it has been on going since 2009. On November 7, 2014 ~ I visited the Mike and Sue Sibson farm, I asked question of the Sibson's, and took pictures of the easement area. This easement crosses native grass, farm ground, a wetland, native grass and ends up going thru a wetland and waterway. I believe that this easement area in 2014 after 5 years is NOT in better shape than before construction started, you can see by comparing it to the native grasses on the outer edge of the easement, shown in the pictures of Exhibit G. The easement looks like it has weeds, sparse habitat growing, and holes in the ground over the pipeline, due to the varmints burrowing into the higher temperature soil.

I would like to share from my Exhibit F ~ Reclamation Timeline by Sue Sibson:

- 1). September 30, 2009 ~ Reclamation and seeding native grasses
- 2). 2010: Easement area full of weeds not much grass growing. TC sprayed the easement area.
- 3). August 2011 ~ TC was back to do total reclamation on the mile and a quarter easement area. Native grass was once again reseeded (wrong seed mixture was planted in 2009).

- 4). August 2011 ~ Right of way ridges were leveled off, the ground cracks ~ areas were deep ripped to fill voids and leveled.
- 5). In 2009 ~ TC and landowner signed construction agreement ~ all rock was to be hauled away. Michels Construction Co. pushed and buried the rocks into the easement area during construction. August 2011~ 75 ton of rock was hauled off easement area.
- 6). September 2012 ~ TC is back again to do some more reclamation. The easement area by the county road is now dry enough to work on the land. Mowing, dirt work and native grass reseeding is the plan. The 80 acres will be reseeded over the top of the grass seed planted in 2011. There is little native grass growing in the easement area. The crop ground showed loss of crop again.
- 7). August 2013 ~ Frank Maddox & Eric Munz looked at easement area. The thickspike wheat grass is becoming more of a problem. Very little if any other native grass growing.
- 8). May 2014 ~ Easement area sprayed with roundup and area mowed. Frank has had trouble trying to get rid of the thickspike wheat grass using spray. Area had to be sprayed twice.
- 9). August 2014 ~ Easement area replanted with native grass mixture ~ have a tag.
- 10). Novemeber 7, 2014 ~ Terry & Cheri Frisch, Byron Steskal and myself visited the easement area. Took pictures (Exhibits G)

When we were visiting with the Sibson's they expressed concerns that it has taken 5 years for the reclamation of the ROW easement of their land which has been reseeded 4 times, along with loss of pasture for their cattle, (which the cattle would not eat the grasses that have been planted), and also having a crop loss. Commissioner Johnson in 2010 toured the Sibson easement ROW; he had concerns about Keystones ability to maintain quality control when it comes to clean up and reclamation. He discussed with the Sibson's some of their hardships they felt had suffered during the process from the trespass early in the project, trash left on the

ROW, and the reclamation issues they had in 2010. In September 2014, Commissioner Gary Hansen visited the Sibson farm to look at the ROW easement area, as it had been replanted in August of 2014.

I believe there is a big concern if TransCanada has the ability to have a quality control of their contractors when it comes to reclamation of the land therefore I believe that this is just one small tip of an iceberg of many things that need to be addressed before renewing TransCanada's Keystone XL permit.

The pipeline is not an asset on the landowner's balance sheet, it is a liability. The landowner should carry absolutely NO risk concerning pipelines or their abandonment. It is unreasonable to expect a landowner to cover these costs.

A handwritten signature in cursive ink, appearing to read "Diana L Stestkal".