

9/11/15

South Dakota Public Utilities Commission  
500 E Capitol Ave  
Pierre, SD 57501

Ref: Docket#HP14-002

Dear Commissioners:

I am a concerned citizen and board member of Perry Township in southeastern South Dakota. Please consider the concerns that I would like to address in regards to the proposed Dakota Access Pipeline.

1. I believe the easements already obtained in this process should be thrown out. The easements were signed under false pretenses. The dishonest and unscrupulous tactics used by land agents have been observed. Also, landowners have not been equally compensated as they have signed easements. Recently, a landowner, who was approached at the beginning of the year, was offered twice as much for the easement rights as he was earlier offered. Why is this allowed? The landowners are really not in favor of the installation of the pipeline but they were told they would have no choice because of eminent domain. They were also influenced by being told that if the pipeline permit is not granted, they would be able to keep the money. Pipes brought into the area at the beginning of the year were a definite intimidation factor. I believe that you, the PUC, should reevaluate the number of landowners who would have signed if the threat of eminent domain and other statements had not been used as intimidating factors.
2. As a result of the installation of the Lewis & Clark Pipeline in my local area, crop production within that easement area is still down to around one-fourth of what it should be. I have proof as I harvest alfalfa along that route. This pipeline area was installed in 2008. In three to five years, the Dakota Access Pipeline route will not be back to full production. Signed easements lacking further protection will not help the landowners later.
3. During the installation of the Lewis & Clark Pipeline, gravel roads in Perry Township were heavily damaged as the large equipment traveled through the county. To protect our township from possible damage from the pipeline contractors, I would ask that the PUC set a bond to cover damages for each mile used during construction (if the PUC grants the permit).

Estimated expenses for miles used:

\$13,068 per mile for gravel, 3" thick, 15' wide (this is minimum)-quoted from Friessen Construction Company today

\$500 per mile to grade or maintain during and after construction

These numbers would not cover any additional damage done to culverts or the road itself. The \$13,568 per mile would only cover the estimated maintenance expense.

As monitoring is done in the future by Dakota Access employees, the roads will be traveled by out-of-state employees. We already experience the presence of the out-of-state vehicles. These out-of-state employees do not pay taxes for the maintenance of the roads. The local taxpayers will be responsible for the additional costs.

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4. Another concern is about the contractors used in the installation. If the contractor should file bankruptcy before any additional damage expense can be recovered, is there something in writing to show that the Dakota Access Pipeline or Energy Transfer will cover the damages? Townships (or landowners for that matter) should not have to hire attorneys to recover damages experienced.

I believe that the installation of the Dakota Access Pipeline in South Dakota is not a good thing. I ask that you deny the permit application.

Sincerely

*Edward Fett Perry Township supervisor*

Edward Fett

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Lennox, SD 57039  
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