

**Attention to: South Dakota PUC**

Chris Nelson, Chairman

Kristie Flegan, Vice Chairman

Gary Hanson, Commissioner

puc.state.sd.us

**From:**

Linette Steinmetz

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Date: 6-22-15

**Objection to the application of Dakota Access, LLC for an energy facility permit to construct the Dakota Access Pipeline.**

Hello,

My name is Linette Steinmetz, daughter of Delores Assid, who has pre-filed testimony in the matter before the PUC of South Dakota. I wanted to make sure to add my comments and objections to this effort that would negatively and significantly impact the value of the land, the future value of the land and the livelihood of the farmers and landowners.

**Background on the land and impact:** Dakota Access LLC, wants eminent domain power to put a pipeline through South Dakota which would cross 160 acres of my mother's inherited farmland. The pipeline would split the quarter section near Sioux Falls, Lennox and Tea in half. It would run only 50 feet from the farm buildings, windmill and water for the house.

This land was homesteaded by her grandfather, Henry Andreessen in 1883 with passion, sweat, hardship and family commitment. The farm and land was passed down to my mother's parents, where she and her sisters grew up, and then the land was passed down to them when her parents died. She continues to rent the land to a farmer, Doug Vanderwerff, who grows corn and soybeans on it. He has been farming the land for about 30 years supporting his family. A portion of the corn is sold to produce ethanol.

This land is the most highly productive farmland in the state. The soil is fertile and well maintained. The crop sales feed cattle, improve the environment with production of ethanol and provide significant income for the tenant and owners. The nearby cities are expanding and growing at a rapid pace,

thriving economically and increasing the value of the land for future development. Many of the nearby farms have been offered increasingly higher thousands / acre. The pipeline running across this land would prevent further development of towns, homes, farmsteads and acreages, since buildings and trees can't be placed on easement areas. This in effect not only impacts lost crops over years, but future worth and great devaluation of the land. Liability issues with the property near the pipeline would prevent lending institutions from allowing or continuing loans connected with the property.

My sister, Laurie Kunzelman and I, along with two cousins will inherit this land when my Mother and her two sisters have passed away. My sister has been considering building a home on the SE corner of the farm and there has been discussion around selling one acreage on the NE corner of the farm. The pipeline would ruin those plans and make the land we inherit worth less and without future worth. Easements are PERMANENT but compensation is a one-time, lump-sum payment that doesn't take into consideration the land's future welfare, continued crop reduction, local environment, water safety and income or the future of the people that inherit the land. The homesteaded land will be reduced to just the oil companies volatile damage and devaluation.

#### **Dakota Access Pipeline lawsuit and lies:**

Dakota Access filed a lawsuit to allow them entrance to the farm to survey it. My mother told them "NO" on two occasions that they couldn't enter the land. Then they lied to the owner that has a home and an acreage within my Mother's land that she had previously sold, and told them my Mother had agreed to let them enter the land, survey it, and build the pipeline there. No permission has ever been given. My mother and her sisters, along with many nearby neighbors have hired a lawyer to represent them, costing a great deal of money.

#### **Serious Safety concerns for this farmland:**

Agricultural tiles will be altered across the state ending the effective management practices of erosion, water runoff and quality water. This land has cement drain tiles located in two areas. The tile is very old and could be damaged or broken affecting the drainage system and allowing water to reach the house and other buildings. Replacement would be very costly. Oil getting into the tiles would pose an environmental threat to the water and farm inhabitants. The water flows into Little Beaver Creek, then to the Sioux River and the underground aquifer. If there were a leak, explosion or rupture, the poisonous and carcinogenic effects to people and animals using this water resource would be a terrible threat. Designated wetlands on the farm would be affected.

Regulations and safeguards for inspections or funds for damages are not in the present plans for South Dakota. **There is minimal oversight or government regulation.**

Pipelines can stay underground, carrying highly pressurized gas and oil for decades – even up to a century and beyond. This is a "forever" pipeline under our farmland. And while airplanes have strict and uniform regulations and safety per the FAA, such a uniform set of standards does not exist for pipelines.

The bulk of government monitoring and enforcement falls to a small agency within the Department of Transportation called the Pipeline and Hazardous Materials Safety Administration. The agency only requires that seven percent of natural gas lines and 44 percent of all hazardous liquid lines be subject to their rigorous inspection criteria and inspected regularly.

**Additional environmental and safety concerns:**

See <http://projects.propublica.org/pipelines/>

Pipeline safety tracker shows **8 significant incidents from 1986 to present in South Dakota alone**. My jaw dropped at that map. This proposed pipeline will transport Bakken oil, other oil, natural gas liquids, hydrocarbon liquids and products but not ethanol. This volatile crude oil will be transported to Illinois and on to the gulf coast and is owned by out of state limited liability companies, many headquartered in Texas.

A recent oil spill from the Tesoro Logisitcs pipeline in Sept. 2013 in North Dakota, is one of the largest inland oil pipeline accidents in the US. It spread more than 865,000 gallons of oil across 7 acres of a farm. The rupture raised fresh concerns about the ability of pipeline companies to detect problems before it is too late. There are no minimum performance standards for leak detection, so there is no way of knowing how well a company's system works. See: [http://www.nytimes.com/2013/10/24/us/oil-spill-in-north-dakota-raises-detection-concerns.html?\\_r=0](http://www.nytimes.com/2013/10/24/us/oil-spill-in-north-dakota-raises-detection-concerns.html?_r=0)

The nation's 2.5 million miles of pipelines remain largely invisible to the public and suffer hundreds of ruptures and spills every year. Over the last few years a series of incidents have brought pipeline safety to national – and presidential – attention. No transportation of oil is safe. Pipeline accidents are not rare.

Aging infrastructure is scary stuff: corrosion over time may be only one dangerous factor. This affects every small town, city, and metropolitan area! When a pipeline does fail, the consequences can be catastrophic.

Pipelines break for many reasons – from the slow deterioration of corrosion to equipment or weld failures to construction workers hitting pipes with their excavation equipment. Unforeseen natural disasters also lead to dozens of incidents a year.

"It's inevitable that as pipelines age, as they are exposed to the elements, eventually they are going to spill," said Tony Ialtonardo of the National Wildlife Federation. "They're ticking time bombs."

**In the South Dakota's PUC decision to allow or reject Dakota Access Pipeline to build under this farmland, please consider my plea. Do not let this go through. If this is somehow inevitable and can't be stopped, please put the pipeline under rangeland in the West and not under the most highly productive farmland in the state. Please contact me if you have questions and take this into your consideration for making the right decision.**

Sincerely,

**Linette Steinmetz**