

**PRE-FILED TESTIMONY OF  
Matthew L Anderson**

15 My grandparents rented out the property with the intentions to eventually sell the home  
16 farm located a mile west of my property. They had plans to retire on these 80 acres. Due  
17 to their premature deaths due to cancer, my mother inherited the 80 acres in 2003.  
18 As of January 2014, I and my wife own the 80 acres and live there with my daughter.  
19 We built a new home on the property in 2011.

20 **Please describe your current farming operations.**

21 Currently our farm is primarily row crop production. Some of the land including the  
22 proposed pipeline route is classified by the USDA as Highly Erodible Land. This land is  
23 very sensitive and has been in No-till or Conservation Minimum Till since converted to  
24 cropland.

25 **To the best your knowledge, what area(s) of your property will the Dakota Access**  
26 **Pipeline cross?**

27 The proposed route is just to the west of our farm buildings and home. It would cross  
28 some highly productive farm ground.

29 **How close is the pipeline to any building, bin or pen, water source, or farming**  
30 **facilities (i.e., storage area, feedlot, grazing area, etc.)?**

31 The proposed route is within 1000 feet of our farm buildings and pond.  
32 Also, the route is even closer to a neighboring home and a neighboring shelter belt that is  
33 being developed for potential future building.

34  
35 **Please describe any special characteristics of your property and farmland, and/or**  
36 **whether you plan to build any houses, outbuildings, shelter belts, or other structures**  
37 **on your property.**

38 Our property consists of a larger pond (1acre) in the front yard that was once used to  
39 water the cattle that my grandfather owned. The pond drains into a creek that runs  
40 around our entire farm site and through the middle of our crop ground. This creek then  
41 flows into our neighbors property and eventually leads to Skunk Creek. Our house is only  
42 5 years old. We have a healthy shelter belt to protect our farm. We have a large barn, a  
43 small building that house our dogs, two large machine sheds and a grain bin. We have  
44 plans to add another grain bin in the future. Any spill from the pipeline will harm all of  
45 this because the route for the pipeline is scheduled on the northwest hill of our property.  
46 Our home, buildings and trees are all down the hill. We have recently put drain tile  
47 around our farm land and any spill will go directly into the creek, pond, tile lines along  
48 with flow down toward our home and buildings.

49 **Please describe which of your farming operations or other land uses will be**  
50 **impaired by the Dakota Access Pipeline and how they will be impaired.**

51 Our no-till, conservation minimum till farming operation will be greatly impaired. The  
52 organic matter and soil structure that we have worked towards for many years will be  
53 destroyed and then the heat from the pipeline will never allow us to bring back the soil to  
54 its current state. Also because of the pipeline construction, rock will be brought up to  
55 the surface along with weed seeds. From talking with landowners that have had oil  
56 pipelines installed on their property, I believe contractors will not remove the rocks or  
57 return the land to its original state.

58 **Has your farmland been improved with drain tile? If so, please describe whether**  
59 **you are concerned that pipeline construction may damage and impair the drain tile**  
60 **performance and investment.**

61 We have improved the farmland with drain tile. The tile will be affected by construction.  
62 The proper slope of the pipe is critical. A change in slope of a fraction of an inch will  
63 have an effect on tile performance. Also I am concerned that the tile may be relocated or  
64 rerouted (Agricultural Impact Mitigation Plan 6,f,e,4). Tile systems are specifically  
65 designed and any change to tile routing will affect tile line performance and what it was  
66 installed to do.

67  
68 **Do you believe that the Dakota Access Pipeline will pose a threat of serious injury to**  
69 **the environment or the inhabitants within the siting area? If so, why?**

70 Yes. There will be a serious economic and environmental condition that will negatively  
71 affect South Dakota. The proposed route will stop growth in some of the fastest growing  
72 areas of South Dakota. Land values will be negatively affected for those with the  
73 pipeline on their property, and for landowners near the pipeline. With less development  
74 and lower property values, this will reduce state and local tax revenues permanently.

75 Dakota Access has stated that the pipeline will be depreciated over time and South  
76 Dakota will end up with no tax revenue after a few years. Dakota Access won't be  
77 paying tax on what goes through the pipe and landowners won't be fairly compensated  
78 from a company running a business on their land.

79  
80 **Do you believe that the Dakota Access Pipeline will substantially impair the health,**  
81 **safety and welfare of the inhabitants of the siting area? If so, why?**

82 Yes, pipelines do leak. DAPL is putting a large burden on property owners and causing a  
83 great deal of expense because of it. Property owners that want to protect their land are  
84 forced to hire expensive lawyers and spend considerable time trying to protect their

85 homes. Since our pond and water ways are downhill from the proposed pipeline the oil  
86 can and will leak into our water and affect our health. We also have a well on our farm  
87 that the oil can get into. Several of our farm buildings and farm land are located in a  
88 valley and that will be at great risk of any leaks and spills.

89 **Have you been sued by Dakota Access Pipeline to compel court ordered access to**  
90 **your land? If so, (1) Has Dakota Access Pipeline provided you any legal authority**  
91 **(i.e., state statute) supporting its claim that you have no right to exclude Dakota**  
92 **Access from your land at the time of said lawsuit? and (2) Have you incurred legal**  
93 **fees in defending against said lawsuit?**

94 Yes, my wife and I have been sued. DAPL has not proven any legal authority supporting  
95 its claim. Also we have incurred legal fees in defending our self against this lawsuit.

96 This is a great example of Dakota Access Pipeline substantially impair the welfare of the  
97 inhabitants of the siting area.

98  
99 **Has any representative of Dakota Access Pipeline made any statements to you or**  
100 **others that you believe are not true? If so, please explain.**

101 Yes, they have made many statements that I feel are untrue. For example, Mr. Mahmoud  
102 stated at the January 22 meeting in Sioux Falls that "Once the pipe's in the ground, you  
103 typically don't know it's there." This is not true for grain farmers and ranchers. You will  
104 be able to see crop damage for many years. A lot longer than what Energy Transfer is  
105 paying farmers for damage. In some cases the land will never be back to its most  
106 productive state.

107 **Please state any other concerns you have regarding the Dakota Access Pipeline.**

108 According to Energy Transfer the oil would be destined for Texas refineries. This does  
109 not make sense to transport the oil all the way to the south coast. There it will be refined  
110 and put on the world market. Some of the refined oil may be sent back to the Midwest,  
111 but this would just keep adding cost and increasing the risk of spills.  
112

113 **Would you be available to present testimony and respond to questions during the**  
114 **formal hearing scheduled for September 29 through October 8, 2015?**

115 Yes, if need be.  
116

117 **Does that conclude your testimony?**

118 Yes.  
119

120 Matthew Anderson  
121

122  
123  
124 Subscribed and sworn before me this 26<sup>th</sup> day of June, 2015.  
125

126 Megan Martyna  
127

128 Notary Public – South Dakota

129 My Commission Expires: 1-24-2020  
130

