

Pierre, SD 57501

Ref: Docket HP 22-001

Additional Comments of Peggy Hoogestraat

1. James Powell of Summit Carbon Solutions has stated that Summit will hire the BEST contractor/construction crew there is. Let me share experiences with the Dakota Access Pipeline "BEST" contractor/crews.

The contractor/ crews came from all over the U.S. despite the local union's claim to provide local workers for the job.

And despite DAPL's Agricultural Impact Mitigation Plan, PUC's Final Decision which included additional conditions, township agreements and personal easement agreements, the "best" crews did not follow all of the conditions. The weekly compliance monitoring reports as well as the quarterly reports to the PUC will support that fact. There are also photos and correspondence with DAPL that prove that conditions were not met.

Examples (but not limited to):

- a. Township Road damage
 - b. Drain Tile issues
 - c. Rocks on ROW
 - d. Vegetation regrowth or weed issues
 - e. Fences or gates-gates left open or fences never completed adequately
 - f. Sinkage or low or ponding areas
 - g. Cattle issues-affecting breeding, weight gain and more
 - h. Debris left in the ROW including but not limited to broken glass, wire, rope, marking sticks, construction materials
2. So how are the conditions enforced?
 - a. Landowner does the repairs or suffers the loss
 - b. Landowner contacts the liaison who then contacts the Right-of-Way Representative. This can be a lengthy process and, early on, employees of DAPL were changed constantly, making it difficult for even the liaison. (For me personally, each time I dealt with a representative and received a damage settlement, I had to hire an attorney - my cost).
 - c. File a complaint in the Circuit Court (Great expense for the landowner)
 - d. File a formal complaint with the PUC (Another great expense for the landowner)

My point for you, the PUC and the PUC staff, is that no matter how perfect you believe you have set up conditions and inspectors have been provided, there are issues. Just because you put in the conditions doesn't mean that it will automatically be handled properly. Example-"Any damage that occurs as a result of soil disturbance on a person's property resulting from the construction or operations of Dakota Access (or Summit) shall be paid by Dakota Access (or Summit)" (See Exhibit A-Permit Conditions-#48)

Also, in the Exhibit A-Permit Conditions-#8, why is the "status of road repairs, road construction and any problems or issues" only reported to the Commission for the period of three years following the completion of the construction of the pipeline? This should be a forever report.