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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Official Testimony of:

Chris Hastings
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For the Formal Hearing of
The Public Utilities Commission

October29, 2007

My name is Chris Hastings and I am a resident of Dayton Township, Marshall County South Dakota. The proposed Trans-Canada Keystone Pipeline is set to cross my family's land. I am against the construction and use of this proposed pipeline and have the following concerns.

Environmental, Crop and Roadway Damage: First off, the crude oil transported through this pipeline will leave the soil temperature warmer than the surrounding soil, what will happen when every rodent and/or pest within a two mile radius of the warm pipeline decides to burrow, dig and live near it? If the ground around the pipeline collapses during normal farming activities who is at fault? If all of the rodents/pests are centered in one area, who is responsible for the crop damage they cause?

The equipment that Trans-Canada has shown in their films is massive, much larger than any of the roads in our county can handle. We have also had a considerable amount of rainfall the last few years and once we have a sink hole, it stays a sink hole. Once Trans-Canada bores through the roadways, then drives their heavy equipment across it, they will be left in despair. It could take years to fix the spots they bore through for their pipe, possibly even having to rip the damaged spots up and starting over. If there equipment is too heavy and leaves hard pans that are rough and washboard, that is the only answer there will be.

In our area, noxious weeds are a big problem. I spend many hours every year trying my best to control them and to keep them from becoming a much larger problem. We also have a very sandy soil, which takes an adequate rainfall to produce lush green grass. In the areas in which Trans-Canada would put their pipe through areas of native grasses, I expect the ground will be left bare when they are finished. Even if they come back and replant the grasses, it will take a lot of moisture and monitoring to get the grasses back to where they were. I guarantee the first thing to grow back in those areas is our noxious weeds, and I doubt whether Trans-Canada will be around to keep this from happening.

Leaks: This is my biggest area of concern. I don't know how I could express this any greater. Pipes leak; in fact anything man made will eventually leak. Last I knew soil plus oil equals disaster. What is going to happen if our soil is contaminated with crude oil? I have no idea how many times I have asked this question and have not gotten a straight answer. I keep getting told that "Our pipes won't leak". That is not a good enough answer for me. Again, anything man made will eventually leak. To top it off just today as I am preparing this document, I read an article which appeared 9-9-07 in the Aberdeen American News that states Trans-Canada will be allowed to use a thinner pipe for the construction of their pipeline in rural areas. Does this make sense to anyone? Why on earth would you take something as dangerous as crude oil and decide to put in a thinner pipe? The only reason I can see is that Trans-Canada thought they needed to have a little more money in their back pocket. So much for the "Good Neighbor Policy".

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If the pipeline does break in my area, what is the next step? If a break occurs on the land that I operate and crude oil is shot everywhere, nothing will grow. I have highly erodeable soil in my area. If nothing will grow because of an oil spill, how will I stay in compliance with FSA regulations? How will my family generate an income off of dead land that we will still have to pay taxes on? Will Trans-Canada buy me more land so that I can continue my farming operations?

If an oil spill occurs on our land, it will also contaminate the aquifer that BDM Rural Water Systems relies on for their water. How do you suppose Trans-Canada will get water to the thousands of residents, not to mention the tens of thousands of cattle, that rely on BDM for their water everyday. They claim that "that has never happened", but then again there is a first time for everything.

Trans-Canada is also proposing a pumping station just to the north of our land. How does Trans-Canada propose to protect this area? What would a stray bullet from a hunter do to this area? Or possibly on purpose; have you ever seen what stop signs on some of our back roads look like?

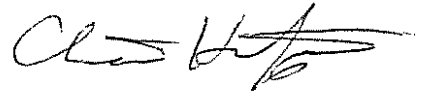
Solution: Trans-Canada has told us time and time again that they are open and willing to negotiate, and the reason for eminent domain is that landowners are not willing to do so. But from my standpoint it has been nothing but a take it or leave it situation. We personally have tried to negotiate with Trans-Canada with issues like having the easement state that only one pipeline may be placed in that easement land. The particular land agent we discussed with said that it would not be a problem and she would have it sent in and changed. When we received the revised easement in the mail, nothing had been changed, it still read "pipeline(s)". So if Trans-Canada cannot change one word of there easement, how is that negotiating? How are we suppose to negotiate with a company who says one thing and does another?

So here is my suggestion. If we absolutely have to have a foreign oil pipe running across prime American soil, we need protection. I propose that Trans-Canada put up one million dollars for every tract of land they cross. That money going to American banks to accrue interest. Once that sum of money has doubled, Trans-Canada can have there principal back. Leaving landowners enough money to clean up an oil spill **when** one occurs. I am sure that to Trans-Canada this would seem absurd, but then that is how landowners feel about having there land taken away through eminent domain by a foreign company wherever and whenever they want.

In closing I would like to again state that I am against any kind of crude oil pipeline running through South Dakota. I think it would be a detrimental mistake for anyone to allow this to happen. Thank you for taking the time to read this document and let my voice be heard.

October 29, 2007

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Hastings", with a stylized flourish at the end.

Chris Hastings