

Statement by David Niemi
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The proposed TransCanada Keystone Pipeline XL will cross my ranching operation for twelve miles. After seeing the maps where this pipeline goes makes an individual compare this to having open heart surgery and being left with a scar for a lifetime.

Several issues need to be answered concerning this project.

- (1) Liability- Does TransCanada and South Dakota State Government expect the property owners to be liable for spills and leaks?
- (2) Reclamation- Will TransCanada put the topsoil back and reseed grasses? Will there be practices put into place for erosion control? Will there be noxious weed control? Will TransCanada fence out the right of way and prohibit the property owner from using their own land?

On March 03,2009 a TransCanada spokesperson stated the company would look at these issues for a period of five years.

- (3) Property Use Restrictions- With a high pressure pipeline across private property will that limit the properties use?

If mineral interest is with the property there will limits on how much testing and exploration that can be done next to the pipeline. This could restrict the leasing for oil and gas development in South Dakota while this pipeline carries foreign oil. Also restriction on uranium leases. Restriction on wind power generation.

- (4) Pipeline Pressure- High pressure will spell disaster. Merrra Kothari- TransCanada Technical Advisor wrote in pre-filed testimony to the South Dakota PUC- Section 2.2.1 Table 2 TransCanada Keystone Pipeline XL will operate at 1440 psi with the special permit that granted an increase in pressure. Also (4) four percent of this pipeline will operate at pressures 1600 psi and higher. The testimony stated using thinner walled pipe will be a significant economic benefit in reduced steel costs to the project which is passed on to the shippers and TransCanada.

Eight people have pre-filed testimony with the South Dakota PUC and no reference was made contacting any landowners for any comment or input for this pipeline. Looking through this report to the South Dakota PUC I found there will be a pipe storage yard located on my hay field. No one from TransCanada has asked.

This concludes my comment.

Sincerely yours,
David Niemi