



*Cathie and Tom Genung, landowners on the proposed Keystone XL pipeline route in Nebraska  
(Photo: Mary Anne Andrei)*

## KEYSTONE XL: FACT SHEET

(View this document and associated links online: [www.BoldNebraska.org/KXLfacts](http://www.BoldNebraska.org/KXLfacts))

The State Dept. has issued an Environmental Assessment for the Mainline Alternative Route in Nebraska of TransCanada's proposed Keystone XL pipeline.

**Public comments are due by midnight on Aug. 29**, and may be submitted directly at this link: <https://www.regulations.gov/comment?D=DOS-2018-0031-0001>

**What to include in your public comment to the State Dept:**

- **If you're a landowner: State that you're a landowner on the KXL route, and location of property. (***Epecially if your land is on the Mainline Alternative route.***)**
  - Include specific descriptions of sensitive areas on your affected property: private drinking or irrigation wells, water bodies/crossings, native prairie grasses, tribal/cultural artifacts or known burial sites, fragile and sandy soils, endangered wildlife habitat if applicable.
  - Abuse of eminent domain for private gain: taking your land against your will for profit of a private foreign corporation for a risky tarsands export pipeline -- not for the public good.

- Personal concerns about how a tarsands spill from KXL would specifically affect your particular land, water, farm, ranch, business. How long has it been in your family?
- Personal concerns for Ogallala aquifer, Sandhills of Nebraska, Whooping Crane, prime agricultural land economy of Nebraska vs. a foreign tarsands export pipeline.

Use this **KXL Fact Sheet** to help compose your public comments, as well as to inform yourself and friends and neighbors about the proposed pipeline.

- **Keystone XL is not in the public interest** because it **violates property rights**, by granting **eminent domain** to a foreign corporation. TransCanada offends basic Nebraska values by threatening Nebraskans who have lived on the land for many generations.
- **Keystone XL is not in the public interest** because it would **harm Nebraska's economic interests**, which are rooted in agriculture, our number one industry because of the long-term risks of having a tar sands export pipeline on fertile Nebraska soil.
- This tarsands export pipeline is not in the public interest because it **impedes the lawful protection of Nebraska's natural resources**.
- KXL is not in the public interest because a tarsands export pipeline **threatens the continued economic viability of agricultural land** where it is located, as well as surrounding land. The water and other natural resources in Nebraska will become increasingly valuable, both economically and strategically as the demand for agricultural products for both food and fuel increases. The **irrigation economy of Nebraska** which relies on quality water increases the gross state product by over \$3 billion annually.

### **Nation's Largest Aquifer At Risk**

- The route crosses the Ogallala Aquifer, which is one of the country's largest sources of freshwater. ([Bold Nebraska](#))
- A spill in the Ogallala Aquifer threatens the drinking water of millions of Americans. ([Bold Nebraska](#))
- A University of Nebraska at Lincoln professor estimated that the pipeline could have 91 significant spills in 50 years vs TransCanada tells the public their pipeline would have 11 spills ([Analysis of Frequency, Magnitude and Consequence of Worst-Case Spills](#))
- A spill in the Ogallala Aquifer would threaten the livelihoods of ranchers and farmers in the American heartland. ([Bold Nebraska](#); [Washington Post](#))
- Despite TransCanada's claim that the route has moved off of the Sandhills, in fact the route still crosses the fragile, sandy porous soils in the sensitive ecological region. ([Bold Nebraska](#))

### **No Approved Route in Nebraska—Water, Wildlife, Cultural Resources At Risk**

- There is currently no approved legal route through Nebraska. ([Washington Post](#)) TransCanada has applied for a state permit, which will take up to 8 months for a ruling. The Nebraska PSC can reject, approve or modify the route.
- The proposed pipeline route will be within 1 mile of 2,398 Nebraska water wells, in addition to 523 in Montana and 105 in South Dakota. 1,115 of Nebraskan wells within 1 mile of the proposed pipeline route are classified as shallow or very shallow. ([Bold Nebraska](#))
- The proposed pipeline would affect at least one active Bald Eagle's nest in the Sandhills of Nebraska. The environmental study conducted by the State Department never accounted for this and other wildlife at risk.
- The proposed route crosses the historic Ponca Trail of Tears, and to date the Tribal Nations in Nebraska and South Dakota have not been properly consulted.

### Property Rights Ignored

- TransCanada wants to use eminent domain for private gain in order to take private land from American citizens. Eminent domain for private gain by a foreign oil pipeline company sets a dangerous legal precedent of transferring American land to corporations.
- The land easements TransCanada would own would be forever, locking landowners into unfair contracts allowing TransCanada to add more pipelines without any further compensation. ([NEAT](#))
- The contracts TransCanada forces on to landowners restricts the use of their own land. Farmers can not build structures, plant trees or put in water lines. The route at times literally cuts right in the middle of a field, putting an undue burden on farmers and ranchers.

### America Last; Foreign Steel

- One of the primary customers for KXL crude is the Motiva refinery, which is owned by Saudi Arabia. ([Oil Change International](#)).
- In a long list of broken promises, President Trump refused to stand up for U.S. unions and workers – the KXL [won't use U.S. steel](#). The majority of steel was sourced from an Indian company Welspun that has an awful worker safety record and has been sued for defective steel by pipeline companies. Another large portion of the steel was made in Italy and Canada by a subsidiary of a Russian company (Evraz) controlled by an oligarch with close ties to both Vladimir Putin and Ivanka Trump. Meanwhile the President still says all the pipe will be made in the US.
- KXL puts America last — it won't use U.S. steel, it won't carry U.S. oil and [over half of the products](#) carried by KXL are likely to be exported. A foreign export pipeline is not in the public interest.
- Tar sands oil is made mostly into diesel, not gasoline. Most diesel is exported. ([Oil Change International](#)) The pipeline will not increase U.S. energy independence — it is not in the public interest.

- According to the [North Dakota Pipeline Authority](#), over 1 million bpd of new pipeline capacity has been built since Keystone XL was first proposed, with more expected. Meanwhile, low oil prices have blunted once projected increases in [Bakken oil production](#). Thus, it's unlikely TransCanada would even be able to find US producers interested in long term shipping contracts. The pipeline is not in the public interest.

### **Mass protests**

- We will remember the elected officials who stood with the landowners, tribes, and future generations next election cycle.
- National support for the pipeline has fallen sharply since 2014. According to a [February 2017 Quinnipiac Poll](#), 51% of Americans oppose restarting the Keystone XL and Dakota Access pipelines, compared to just 38% in support.
- As with the Dakota Access Pipeline, the pipeline [crosses](#) tribal lands and the company has failed to consult tribes along the route. Tribal nations such as the Cheyenne River Sioux, Rosebud Sioux, Yankton Sioux and Oglala Sioux, which partnered with Standing Rock to oppose DAPL, have repeatedly expressed their adamant opposition to KXL, as have the Ponca Tribe of Nebraska and Ponca Nation of Oklahoma.

### **Wrong Direction on Climate: Negative Impacts Not in Public Interest**

- At a time when decisive action on climate change is urgently needed, the Keystone XL tar sands pipeline would make the [problem of carbon pollution worse](#) – enabling the production of some of the world's dirtiest fossil fuels. This action is not in the public interest.
- Tar sands crude is significantly [more carbon intensive](#) than conventional crude. Just the additional emissions from the tar sands in Keystone XL – above average emissions from producing non-tar sands oil – are equal to Americans driving more than 60 billion additional miles every year when we need to be reducing our carbon emissions.
- With climate change already harming our communities and pocketbooks across America now is the time for clean energy, [not expansion of dirty energy such as tar sands](#).
- We don't need another pipeline for Canadian tarsands. It may be in the interest of a few refineries and pipeline companies, but it is not in the public interest for Americans or Nebraskans.
- Tar sands are one of the [most carbon polluting sources](#) of oil on the planet, and limiting tar sands expansion is critical to fighting dangerous levels of climate change
- If approved, KXL would be responsible for at least [181 million metric tons of carbon dioxide equivalent \(CO2e\)](#) each year, comparable to the tailpipe emissions from more than 37.7 million cars or 51 coal-fired power plants.
- Keystone XL fails the climate test — it would significantly exacerbate global warming by unleashing production of tar sands oil in Alberta — which is not in the public interest.