



Keystone XL Primer:

How Six States Are Dealing with the Pipeline

1/5/12

	Texas	South Dakota	Montana	Nebraska	Kansas	Oklahoma
Miles of Keystone XL*	377	314	283	255 (before Sandhills reroute)	210 (part of the first Keystone pipeline, already built)	156
Miles of existing crude oil pipelines**	11,941	232	2,007	647	2,113	4,310
Estimated annual property tax revenue from Keystone XL*	\$24 million	\$15 million	\$63 million	\$22 million (before Sandhills reroute)	Zero, unless TransCanada loses its tax exemption.	\$14 million
Relevant state agency	None.	South Dakota Public Utilities Commission	Montana Dept. of Environmental Quality	Nebraska Dept. of Environmental Quality	None.	Oklahoma Corporation Commission
Does the state agency have the authority to change the pipeline route?	No. The Railroad Commission of Texas regulates intrastate pipelines but doesn't oversee interstate pipelines.	No.	Yes. DEQ used the Facility Siting Act to minimize environmental impacts along the route.	No. Recent legislation gave the Neb. Public Service Commission authority to site future oil pipelines. DEQ and State Dept. will collaborate to find a new Keystone XL route through Neb.	No. Kansas Corporation Commission regulates intrastate pipelines but has no oversight of interstate pipelines.	No. The commission's role is limited to remediation after pipeline spills.
Additional pipeline regulations	None.	PUC added 50 conditions for landowners, reclamation and road repair.	DEQ will require bonds for construction, reclamation etc.	It's unclear if special protections offered for the Sandhills would apply to the new route.	None.	None.
State laws relevant to Keystone XL	None.	Three failed attempts to pass a spill cleanup fund. Gave TransCanada a construction tax refund: up to more than \$30 million for Keystone and \$10 million for Keystone XL.	None.	Two bills passed in special session: to reroute Keystone XL around the Sandhills and to site future oil pipelines.	Gave TransCanada a 10-year, 100% property tax exemption for the first Keystone. New pump stations for Keystone XL would also qualify, according to Kansas Dept. of Revenue. The tax exemption is under dispute in court.	None.



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Major aquifers and rivers over 500 feet wide crossed by the pipeline*	Red River; the Trinity aquifer and the Carrizo-Wilcox aquifer, which serves 10 to 12 million people in 60 counties.	Cheyenne and White Rivers; Ogallala/High Plains aquifer system	Missouri and Yellowstone Rivers	Niobrara, Platte and Loup Rivers; possibly the Ogallala/High Plains aquifer system, depending on the reroute	N/A because the Keystone pipeline has already been built.	Red and Canadian Rivers
Percent of land crossed by Keystone XL on private property (as opposed to federal or state land)*	100%	92%	77%	98% (before Sandhills reroute)	N/A. Building Keystone XL wouldn't require new pipeline construction in Kansas.	99%
Groups advocating for landowners	We Texans; Texans Uniting for Reform and Freedom	Dakota Rural Action	Northern Plains Resource Council	Nebraska Farmers Union; Bold Nebraska	None.	None.
Percentage of landowners who signed easement contracts***	97%	95%	66%	Unclear due to route change.	N/A. Keystone XL would require new pump stations but no new pipelines.	99%

Sources

* State Department Final Environmental Impact Statement.

**Spokesman from the Pipeline and Hazardous Materials Safety Administration (PHMSA). Pipeline mileage applies to on shore, in-service pipelines.

***TransCanada