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The Honorable Hillary Rodham Clinton
Secretary of State
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20520

Dear Secretary Clinton:

I write today regarding a letter you received from TransCanada dated November 3, 2010. The letter argues that a Supplemental Environmental Impact Statement is not needed because the current "DEIS fully takes into account all reasonable alternatives." The facts suggest otherwise.

Examining a potential route that parallels the existing Keystone route is not only reasonable, but also consistent with the purpose and need of the project, and certainly feasible. Keystone XL's purpose and need are defined as establishing a connection between important petroleum resources in Canada and refining capacity in the United States. A route for Keystone XL that parallels the existing Keystone pipeline would of course satisfy this requirement in the same way that the existing Keystone pipeline does. In addition, this route crosses far less land in the United States than the route selected as "preferred" in the existing DEIS. TransCanada's letter ignores this fact.

Moreover, TransCanada's letter repeatedly argues that the shortest pipeline routes minimize environmental impact, but fails to acknowledge that their own preferred route precludes the shortest overall route. The letter defends the selected route through the United States, for example, as "a direct diagonal route." However, this statement ignores the fact that the initial pipeline segment through Canada is not a continuation of that "direct diagonal route" and therefore the overall route is neither the shortest distance between the oil's Canadian source and its U.S. destinations, nor the shortest route in the United States. Once TransCanada selected the border crossing at Morgan, Montana, it was transformed into a "control point" for the purposes of the DEIS, and TransCanada thereafter argues that deviating from this control point within the DEIS would be out of scope.

Viewed in this way, TransCanada's defense of its proposed route appears to be based in part on preference, and not on distance and environmental impact. I respectfully reiterate my request for a Supplemental DEIS and ask that your decisions regarding what is appropriately contained in it not be determined by TransCanada's preferences or the preferences of Canadian regulators. Instead, I ask that you focus on the interests of American citizens and on the potential impact on irreplaceable natural resources such as the Ogallala Aquifer.

I appreciate your consideration of these important facts.

Sincerely,



Mike Johanns
United States Senator

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