Honorable Dave Heineman  
Governor of Nebraska  
State Capitol  
Lincoln, NE 

Dear Governor Heineman:

Upon enactment of Neb. Rev. Stat. Sections 57-1501 to 57-1503, the Nebraska Department of Environmental Quality (NDEQ) gained authority to conduct an evaluation for certain pipelines. The stated legislative purpose and findings for that authority are found in Section 57-1501, which sets the broad policy that NDEQ has fully considered in its implementation of the authority. NDEQ entered into a Memorandum of Understanding with the U.S. Department of State and established the status of “Cooperating Agency” under the National Environmental Policy Act (NEPA) process as provided in 57-1503(1)(a).

NDEQ is pleased to present our Final Evaluation Report for the 194.5-mile proposed Nebraska Reroute of the Keystone XL Pipeline, pursuant to 57-1503(4).

In response to concerns expressed by Nebraska citizens, the Nebraska Legislature, and you, Keystone submitted the proposed Nebraska Reroute on April 18, 2012, with the goal of avoiding the Nebraska Sand Hills. NDEQ established a project website to allow the public to review documents and comment on the Keystone XL Pipeline, with the public comment period for the proposed Nebraska Reroute beginning on April 19, 2012. On July 17, 2012, after four public information meetings, NDEQ provided Keystone with public and agency feedback on the proposed reroute. In response to NDEQ’s feedback, Keystone further refined the route to avoid areas of fragile soils and shallow groundwater. NDEQ published a 600-page Draft Evaluation Report on October 30, 2012 and held a formal public hearing attended by approximately 800 people on December 4, 2012, in Albion, Nebraska. Our comment period for the Draft Evaluation Report and Keystone’s proposed Nebraska Reroute closed on December 7, 2012.

This Final Evaluation Report evaluates the potential environmental, economic, and social impacts that could result from construction of the proposed Nebraska Reroute of the Keystone XL Pipeline as submitted on September 5, 2012. This Final Evaluation Report also reflects the 3,922 comments received from Nebraskans during the 7-month comment period and the numerous issues raised in those comments. Comments received were summarized and NDEQ’s responses are provided in the Final Evaluation Report.

NDEQ has also made this Final Evaluation Report available to the citizens of Nebraska. The report contains responses to comments made by individuals and organizations throughout the process described above.

Respectfully,

Michael J. Linder, Director