

BEFORE THE  
PUBLIC UTILITIES COMMISSION  
STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF TRANSCANADA KEYSTONE PIPELINE, LP  
FOR ORDER ACCEPTING CERTIFICATION OF PERMIT ISSUED IN DOCKET HP09-  
001 TO CONSTRUCT THE KEYSTONE XL PIPELINE

DOCKET HP14-001

PREFILED TESTIMONY OF TOM KIRSCHENMANN  
ON BEHALF OF THE COMMISSION STAFF  
APRIL 2, 2015

1 **Q. State your name.**

2 A. Tom Kirschenmann.

3 **Q. By who are you employed?**

4 A. State of South Dakota.

5 **Q. For what department do you work?**

6 A. Department of Game, Fish, and Parks.

7 **Q. State the program for which you work?**

8 A. Division of Wildlife, Terrestrial Resources Chief.

9 **Q. Please explain your role and duties within your department.**

10 A. Coordinate the management and research of terrestrial wildlife (game and non-  
11 game) statewide; coordinate the administration of the Department's habitat programs,  
12 including private land's programs, various aspects of public land management, and  
13 hunting access programs; manage terrestrial environmental review assessments; and  
14 over-see programs related to the federal Farm Bill. These coordination and  
15 management efforts are accomplished through the oversight of a Habitat Program  
16 Administrator, Wildlife Program Administrator, and a Wildlife Damage Program  
17 Administrator, 21 biologists, and three staff assistants. Serve as the Department's  
18 liaison or representative for several state and federal agencies and associated  
19 committees and coordinate with non-government organizations, constituency groups,  
20 and agricultural entities on resource management programs, projects, and issues.

21 **Q. On whose behalf was this testimony prepared?**

22 A. This testimony was prepared on behalf of the Staff of the South Dakota Public  
23 Utilities Commission.

1 **Q. Were you involved in the Keystone XL permitting docket, HP09-001?**

2 A. Yes.

3 **Q. Did you file prefiled testimony in HP09-001?**

4 A. Yes. (Exhibit\_\_\_\_(TK-1))

5 **Q. Did you also provide testimony at the evidentiary hearing in HP09-001?**

6 A. Yes.

7 **Q. Have you thoroughly reviewed all of the information filed in HP14-001?**

8 A. I have reviewed the information related to wildlife and fisheries resources.

9 **Q. Have you reviewed the Final Supplemental Environmental Impact**

10 **Statement for the Keystone XL project?**

11 A. Yes.

12 **Q. Have there been any changes to the state threatened and endangered**  
13 **species list or Department of Game Fish and Parks' management plans since**  
14 **your original testimony filed in PUC Docket HP09-001?**

15 **A.** There have been no changes to the threatened and endangered species list  
16 since my original testimony. The Department of Game, Fish and Parks finalized a  
17 revision of the state's Greater sage-grouse management plan in November 2014. The  
18 plan focuses on monitoring and habitat approaches/programs which are beneficial to  
19 wildlife and landowners alike. No regulatory mechanisms were included, however the  
20 plan discusses ways in which the Department can more closely work with other state  
21 agencies in reviewing energy development or other activities and projects to provide

1 management recommendations which may minimize or alleviate impacts to sage  
2 grouse and its associated habitats.

3 **Q. If so, do any of those changes impact the Keystone XL project and can the**  
4 **project minimize its impact to any recently listed state threatened or endangered**  
5 **species?**

6 **A.** No changes impact the project.

7 **Q. Based on your review of the FSEIS and any other information provided to**  
8 **you in this docket, has your opinion on the Keystone XL project changed?**

9 **A.** No.

10 **Q. Are there any conditions in the Amended Final Decision and Order, dated**  
11 **June 29, 2010, that you believe, at this time, that Keystone XL cannot**  
12 **continue to meet?**

13 **A.** No.