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Comments & Submissions - Submission #2990

Date Submitted: 11/25/2023

Name

Sara Steever

Email Address

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Address

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City

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State

[Redacted]

Zip Code

[Redacted]

Phone Number

[Redacted]

Fax Number

Comment or Concern

The attached contains a copy of signed letters from the mayors of Canton, Harrisburg, Worthing and Fairview. It also contains a letter of intent from Fairview Township.

Submit a file

Mayor Letters And Letter of Intent.pdf

November 9, 2023

Sandi Lundstrom, Mayor
City of Canton
210 N Dakota St.
Canton, SD 57013

To Whom It May Concern;

As the Mayor of Canton, South Dakota, it is within my purview to protect the safety and rights of the Citizens of Canton and provide an environment for opportunity and growth.

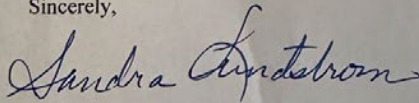
The City of Canton has a plan for future growth and smart development that includes all citizens. It also contains a six-mile area extending from Canton's outer boundary should the City of Canton consider a joint jurisdiction with Lincoln County.

I intend to recommend to Lincoln County that they protect the citizens of Canton by establishing an ordinance that will provide a smart development zone for our city. A plume model provided by Navigator Heartland indicates that an intelligent planning setback for a 6-8" pipeline is 1,855 feet. As a reminder, the South Dakota PUC unanimously denied Navigator's permit with cause.

For any company wanting to bring a CO2 pipeline that is larger in diameter than six inches and that has not released a plume model, I recommend that the setback be a minimum of two miles from the municipal boundary of Canton and the CO2 pipeline. For each inch of pipeline diameter larger than six inches, we recommend that the setback be increased dramatically based on plume model studies done by the city or the applicant. These plume models must be made public. If the City of Canton considers a joint jurisdiction with Lincoln County, this setback would protect the future growth and expansion within the area encompassing six miles from the outer boundary of Canton for any CO2 pipeline.

If Lincoln County does not take action, the City of Canton will discuss enacting its own ordinance, protecting its citizens and the future growth and opportunities that come with our community's orderly and timely development.

Sincerely,



Sandi Lundstrom, Mayor
City of Canton
210 N Dakota St.
Canton, SD 57013

November 10, 2023

Mayor Crystal Jacobson
Worthing, South Dakota

To Whom It May Concern;

The City of Worthing is poised for growth and expansion. I've spent my life living in this area, and for the last 15 years, I've been a public servant in various roles in Worthing, and now I act as mayor. Small towns in South Dakota have challenges and opportunities, and the difference between the small towns that succeed and those that fail comes down to the people and the leaders they elect.

Over the last year, private CO2 pipeline companies have planned to bury their pipelines near the city of Worthing. As mayor, it is my duty to ensure that our progress as a city will not be impeded by any outside entity that will stifle the ability to expand to meet the needs of our city's current and future residents.

It is time for Lincoln County to step forward and protect county residents by establishing an ordinance that will provide an intelligent plan for future development. Because we are not assured that this will happen in a timely manner, I will recommend that the City of Worthing establish an ordinance that will protect our future economic development.

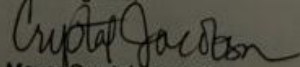
Pipeline setbacks are core to the mapping of future development in Lincoln County. Plume models are central to a reasoned and scientific approach to those setbacks. A plume model provided by Navigator Heartland demonstrates that the appropriate setback for the pipeline they intended to build was 1,855 feet. That pipeline plume model was for a six to eight-inch pipeline.

Summit Carbon Solutions intends to bring a twenty-four-inch pipeline near Worthing. The actual location of the pipeline has not been released to my office or the public. Therefore, it is imperative that the City of Worthing act now.

It is the recommendation of my office that any CO2 pipeline that is 6"-8" in diameter be sited no closer than two miles from the municipal boundary of Worthing. Because we do not know the exact location of the Summit Carbon Solutions pipeline and because they have not released the plume modeling for their twenty-four-inch pipeline, we will use 1,855 and a factor commensurate with the 24" pipeline and recommend a setback of eight miles from the municipal boundary of Worthing.

It should be incumbent upon the pipeline company to make public the plume model in order for officials to make a sound judgment on the appropriate setback from Worthing. It is the responsibility of Lincoln County to provide for the responsible growth and development of Lincoln County. The City of Worthing is prepared to protect its citizens by passing appropriate ordinances.

Best Regards,



Mayor Crystal Jacobson
208 S Main Street
Worthing, SD 57077

November 1, 2023

Derick Wenck, Mayor
City of Harrisburg
301 E. Willow
Harrisburg, South Dakota 57032

To Whom It May Concern;

As the Mayor of Harrisburg, South Dakota, I take very seriously my responsibility to protect the residents of Harrisburg. Included in my responsibilities are balancing the need for expansion of our city, the civic responsibilities of education and charity, faith-based opportunities, good governance, the wise use of resources, and economic growth.

Harrisburg is systematic in planning for the future, and we are watchful of anything that might be contrary to the plan we have in place to continue to build a community where everyone can grow and thrive.

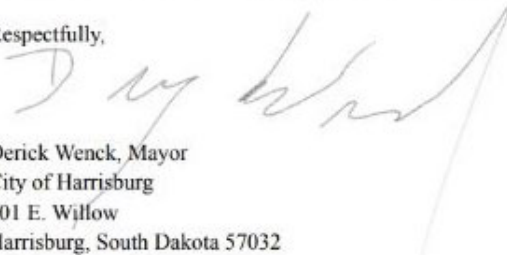
It has come to my attention that Summit Carbon Solutions intends to bring a 24" CO2 pipeline through Lincoln County and very near Harrisburg. Previously, Navigator Heartland intended to bring its 6-8" pipeline through in a similar way.

I intend to recommend that my office protect the citizens of Harrisburg by establishing an ordinance that will provide a safe buffer between our city and the pipeline. Navigator Heartland provided their plume model during the South Dakota PUC for their permit hearing. By their own admission, Navigator indicated that a safe setback for a 6-8" pipeline is 1,855 feet. Their permit was unanimously denied by the SD PUC with cause, as was the permit for Summit Carbon Solutions.

Because Summit Carbon Solutions' pipeline is 24" in diameter and they have not released their plume model, I recommend that the setback be a minimum of two miles from the municipal boundary of Harrisburg and the CO2 pipeline.

The residents of Harrisburg have entrusted that their well-being is the chief concern of the officials they elected and not the profitability of an outside company.

Respectfully,



Derick Wenck, Mayor
City of Harrisburg
301 E. Willow
Harrisburg, South Dakota 57032

November 8, 2023

Kelly Severson, Mayor
City of Fairview
Fairview, South Dakota 57027

To Whom It May Concern;

As the Mayor of Fairview, South Dakota, I take very seriously my responsibility to protect the residents of Fairview. Included in my responsibilities are balancing the need for expansion of our city, the civic responsibilities of education and charity, faith-based opportunities, good governance, the wise use of resources, and economic growth.

Fairview is systematic in planning for the future, and we are watchful of anything that might be contrary to the plan we have in place to continue to build a community where everyone can grow and thrive.

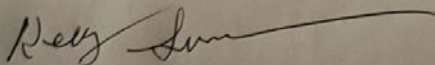
It has come to my attention that Summit Carbon Solutions intends to bring a 24" CO2 pipeline through Lincoln County and very near Fairview. Previously, Navigator Heartland intended to bring its 6-8" pipeline through in a similar way.

I intend to recommend that my office protect the citizens of Fairview by establishing an ordinance that will provide a safe buffer between our city and the pipeline. Navigator Heartland provided their plume model during the South Dakota PUC for their permit hearing. By their own admission, Navigator indicated that a safe setback for a 6-8" pipeline is 1,855 feet. Their permit was unanimously denied by the SD PUC with cause, as was the permit for Summit Carbon Solutions.

Because Summit Carbon Solutions' pipeline is 24" in diameter and they have not released their plume model, I recommend that the setback be a minimum of two miles from the municipal boundary of Fairview and the CO2 pipeline.

The residents of Fairview have entrusted that their well-being is the chief concern of the officials they elected and not the profitability of an outside company.

Respectfully,



Kelly Severson, Mayor
City of Fairview
Fairview, South Dakota 57027

RESOLUTION OF BOARD OF SUPERVISORS FAIRVIEW TOWNSHIP
(Entered November 18, 2023)

Whereas CO2 Sequestration Companies intend to embed their carbon dioxide (CO2) capture-transport pipelines within Fairview Township, intending to benefit from the substantial federal tax credits and direct payments made possible by 26 U.S.C. 45Q while serving ethanol production facility customers looking to enhance their own respective ESG bona fides; and

Whereas, the proposed pipelines will carry not a valuable commodity for resale for public benefit, but rather, a potentially dangerous byproduct of the distilling process having inherent value only because of targeted federal tax law; and

Whereas the method and manner of transporting carbon dioxide by pipeline is a dangerous proposition, requiring very substantial setbacks from occupied dwellings and other places of human habitation, a risk that current county zoning laws have neither properly identified nor made allowance for; and

Whereas the other recent legislative efforts to clarify that these waste pipelines are not common carriers, and thus for which the right of eminent domain is not available, have all seemingly failed; and

Whereas, the Board of Supervisors of Fairview Township is immediately concerned these pipelines may be soon permitted, installed and operated within our township and county without proper, safe setbacks, being concerned also that such placement will then impede the future growth and development of both urban and rural properties, with no local public benefit beyond the permitting of a few to greatly profit under the current focus of the federal tax code; and

Whereas, the fostering of such enterprises, offering an outsized and permanent, negative impact upon both landowners and residents far beyond the small confines of their immediate rights-of-way, represents a substantial infringement upon both the property and human rights of all residents of Lincoln County, South Dakota, IT IS NOW
THEREFORE:

RESOLVED: The Board of Supervisors of Fairview Township urgently request that the Board of Commissioners in and for Lincoln County take such further and immediate action by amending county zoning regulations for and within the RC and A-1 districts, to the effect that, if such pipelines are constructed, placed and operated, the public, at minimum, will be assured of adequate setback distances of at least 1,855' for a six inch CO2 Pipeline, both to and from the parcel line of any and all points of current human occupation and dwelling and the ownership interest of non participants. Furthermore, these CO2 Pipelines Can only be sited and located outside of properties of historical or archaeological significance, or farms designated as Century Farms by the State of South Dakota Department of Agriculture and Natural Resources, and therefore may not be built upon without the explicit written consent of the landowner. And shall be buried at a depth of 7 ft. to accommodate agricultural practices within the county, including but not limited to cultivation practices such as drainage tiling, plowing, and decompaction, and the potential long-term impacts of soil erosion. The default depth of cultivation on agricultural lands within the county is set at 7 feet below grade.

FAIRVIEW TOWNSHIP, BOARD OF SUPERVISORS:

Richard Van Noort

Dale Johnson

Mike Thi
