

From: Marian Kallas

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To: PUC Docket Filings

Subject: [EXT] Existing Docket Filing

Docket Number: HP22-001 Last Name: Kallas First Name: Marian Company: self employed Address: 36740 117th st City: Wetonka State: SD Zip: 57481 Phone: 6052168851 Email:

mzkoutdoors22@gmail.com Comments: I would like to make it known that my husband, and myself are against the carbon capture pipelines. We value our land and its productivity. We are aware that the people proposing this pipeline can make a LOT of money doing this. However, we as stewards of the land, do not feel that this is a cost effective or efficient way to deal with the carbon "problem". We have limited funds to deal with this situation. We cannot pass around the money that the company's proposing this pipeline can. The money is NOT what this situation should be about. It should be about the land, the environment, and what is best for the people of South Dakota and the other states that this will affect. As our laws currently state, CO2 is NOT a commodity. This MEMO TO: South Dakota Lawmakers FROM: Concerned Landowners and Citizens DATE: January 25, 2023 SUBJECT: EFFECT of CURRENT SD EMINENT DOMAIN LAWSSummit Carbon Solutions or SCS (Summit) and Navigator Heartland Greenway (Navigator) are new private-for-profit companies formed to take advantage of massive lucrative 45Q Federal tax credits (directly and indirectly), also known as corporate welfare. Their proposed carbon pipelines will be the largest and longest CO2 pipelines ever constructed in the United States. Neither company has any previous building nor management experience in hazardous CO2 pipelines. South Dakota will be the guinea pig for their experiment. These hazardous pipeline companies are using Ethanol plants as a shield and marketing ploy. What they aren't telling you is that higher grain, particularly corn, prices are a risk for hazardous CO2 pipeline company profits. They don't want higher grain prices and there is no evidence at all that Ethanol plants, who are experiencing record profits without these pipelines, "need" them. Bottomline – South Dakotans' constitutional property rights should not be trampled on through Eminent Domain use for the profits of any private corporations. Both Summit and Navigator have publicly stated they will use Eminent Domain against landowners who do not want a hazardous CO2 pipeline affecting their land forever. Navigator stated on the first page of their introductory letter to landowners that Navigator would "exercise the right of Eminent Domain." There is foreign investment and ties to foreign companies in Summit, including a South Korean company SKE and S, which is related to SK Holdings, a company fined over 70 million dollars for defrauding US military contracts. The Department of Justice Documents show SK Holdings pleaded guilty in 2018 and again in 2020 to Government Fraud. Another case was listed as a settlement, while another is still pending. Navigator is funded by Blackrock which has significant foreign ownership. CO2 pipeline easements would be for perpetuity – forever. They become an asset of the pipeline company and could be sold to another entity, including foreign parties – without any veto by landowners. The easements can also be used as collateral. CO2 pipeline easements become a liability for landowners who lose control of what happens on the easement even though they still pay 100% of the real property taxes on the easement land. Liability insurance coverage for land with a hazardous carbon pipeline is a concern. Easement routes divide land making farming and future land use difficult. Easements would give a one-time payment to landowners with no provisions for land which does not return to productivity due to soil disruption, compaction and tiling damage. There is no compensation for land adjacent to the easement being damaged during a CO2 pipeline rupture, maintenance and repair. Change of ownership of the easement would not generate additional compensation for the landowner. Landowners with hazardous CO2 pipeline easements will see a decrease in land value from loss of production, safety and liability concerns and future development constraints including building eligibilities. Access to Eminent Domain allows private for-profit companies to pressure (force) landowners into signing easements that

do not come close to fairly compensating the landowner, and more importantly, forces one-sided legal terms on landowners with little or no ability to negotiate. There is no incentive for private for-profit companies to compensate landowners fairly or annually for use of their lands similar to windmills. It is easier and more lucrative for such companies to use the Eminent Domain guaranteed by current SD state law. Landowners are compelled to spend large amounts of their own money to defend what they already own when private for-profit companies access Eminent Domain to forcibly take land and use it to make large profits. South Dakota recently signed a law making it illegal for municipalities to use Eminent Domain to take private land then sell it to another private party in order to increase tax revenue. Current Eminent Domain law in SD allows private for-profit companies to just take land through easements and make large profits without the municipal intermediary. They try to make this palatable by promoting questionable increased tax revenue. Anyone who cares about South Dakota property rights must support current Eminent Domain legislative efforts. We respectfully request your assistance with protecting our rights as citizens and landowners. We appreciate your time and efforts. Sincerely, Melvin and Marian Kallas

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