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Public Utilities Commission
Attn: Patricia Van Gerpen, Executive Director
VIA E-MAIL ONLY: patty.vangerpen@state.sd.us

**RE: IN THE MATTER OF THE APPLICATION BY SCS CARBON TRANSPORT,
LLC FOR A PERMIT TO CONSTRUCT A CARBON DIOXIDE
TRANSMISSION PIPELINE**
PUC Docket: HP22-001
MAGT File: 0515

Dear Ms. Van Gerpen:

On June 17, 2022, I wrote concerning ongoing right-of-way acquisition and its interplay with the permitting process. Since that time, a substantial amount of right-of-way has been acquired. Litigation regarding our ability to access lands for survey work and the long winter have, however, caused our surveys to be pushed later than expected. As we approach the deadlines for intervenor and staff testimony, it seems appropriate to advise the parties once again with respect to those matters.

In the June 17, 2022 letter, I advised that we consider there to be three categories of reroutes, those being major reroutes, minor reroutes, and realignments. In that letter, we provided the definition of each:

Realignments are small modifications in the pipeline route resulting in centerline location changes of 150 feet or less. Realignments are typically on the same landowner and fully within the 300-foot environmental and cultural survey corridor. Therefore, Realignments do not require additional survey efforts.

Minor Reroutes are changes in the pipeline route of greater than 150 feet from the original centerline and may require additional environmental and cultural survey. For instance, if a cultural resource or wetland is identified along the route, avoidance may require a centerline shift outside of the 300-foot survey corridor. Minor Reroutes typically do not impact new landowners relative to the pipeline

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centerline; however, the shift may impact those within the ½-mile corridor requiring notice under the Commission's rules.

Major reroutes are more extensive and may extend miles laterally from the centerline and impact multiple new landowners including those within the ½-mile notice corridor. Major Reroutes require additional environmental and cultural survey. We do not anticipate any major reroutes coming.

A filing was made in October with maps reflecting those changes to that date. (Both the June 17, 2022 letter regarding Route and the October 13, 2022 submissions can be found at <https://puc.sd.gov/Dockets/HydrocarbonPipeline/2022/HP22-001.aspx>.)

Since that time, there have been no major reroutes and no minor reroutes. There have been a number of realignments based on landowner preferences communicated to us. Those landowner preferences are very important to the landowners and thus to the project, and we fully expect that realignments will continue. We expect no major reroutes. Minor reroutes remain possibilities; however, we think them to be unlikely to occur.

We will file updated maps on or about June 2, 2023. We do not expect that changes to the application or to anyone's testimony will be necessitated as a result.

Very truly yours,

MAY, ADAM, GERDES & THOMPSON LLP



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BK | jrw

CC: HP22-001 Service List