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From: Jason Haak [REDACTED]
Sent: Wednesday, March 23, 2022 4:14 PM
To: PUC-PUC <PUC@state.sd.us>
Subject: [EXT] Docket #HP22-001

Please find the attached letter of concern regarding.

Thank you for your consideration on this important matter.

March 23, 2022

Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

Dear Commission Members:

I am writing this letter in opposition to the use of eminent domain by both Summit Carbon Solutions, LLC and Navigator Heartland Greenway for the proposed CO2 pipeline projects Docket Number HP-22-001. This past year our family farm was recognized at the South Dakota State Fair as a Century Farm. Over those 100 years, the family has been devoted to stewardship of the land. Being on a proposed route for one of these projects, to think that five generations of conservation management could be disrupted without our consent through the use of eminent domain by a for-profit company is heartbreaking.

While I understand that the careful use of eminent domain may be appropriate in certain cases for a public use, public purpose, or public improvement, I also believe that the unrestricted and inappropriate use of eminent domain threatens and undermines private property rights. I am practically concerned with the concept of for-profit companies utilizing this authority to disrupt private property.

The use of the government's authority to take private property for a public use - to force property owners to surrender their property rights involuntarily - should be limited to projects that serve the entire public. The Heartland Greenway project claims that carbon capture and storage serves the entire public by promoting efforts to achieve climate goals. However, unlike regulated utilities, the pipelines are not granted a franchise to provide service that benefits the entire public in a service area. Conversely, the pipeline project will exclusively

benefit private companies by enabling them to sell fuel at a premium without investing their own money, and without providing a public service.

I am also concerned that the loss of economic value on residential and agricultural land used by the pipelines will be long-term, not just temporary. For example, I am worried about the proper restoration of agricultural land following pipeline construction, interference with proper drainage, the effects of pipeline construction on long-term soil and water health, and possible other negative environmental impacts. I am also concerned about our local volunteer first responders and their abilities to respond adequately to a pipeline failure if one were to occur.

One of our most important responsibilities as public officials is to promote the general welfare and protect the rights of others. I believe you have a duty to help protect private property rights, and respectfully request that you deny the use of eminent domain for both Summit Carbon Solutions, LLC and Navigator CO2 Ventures and the Heartland Greenway CO2 pipeline project.

I sincerely appreciate your attention and consideration to this matter.

Sincerely,

Jason Daniel Haak

[REDACTED]

Troy, OH 45373

[REDACTED]

> << File: Heartland CO Letter.docx >>