

Attachment No. 16

**RESOLUTION OF
BOARD OF SUPERVISORS**
Hartford TOWNSHIP
(Entered: May 2nd ,2023)

Whereas, with two proposals now pending before the SD Public Utilities Commission, applicants Summit Carbon Solutions and Heartland Greenway Pipeline System intend to embed their carbon dioxide (CO2) capture-transport pipelines within Hartford Township, and other Minnehaha County townships, 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 the 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, other recent state 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 Hartford 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 Minnehaha County, South Dakota, IT IS NOW, THEREFORE:

RESOLVED: The Board of Supervisors of Hartford Township urgently requests that the Board of Commissioners in and for Minnehaha 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, both to and from all points of current human occupation and dwelling and the ownership interests of non-participants.

Hartford TOWNSHIP, BOARD OF SUPERVISORS:

Greg Boggs
Chair

Supervisor

A true record:

Matt Anderson
Supervisor

Kristi Anderson
Clerk

**RESOLUTION OF
BOARD OF SUPERVISORS**
Humboldt **TOWNSHIP**
(Entered: _____, 2023)

Whereas, with two proposals now pending before the SD Public Utilities Commission, applicants Summit Carbon Solutions and Heartland Greenway Pipeline System intend to embed their carbon dioxide (CO2) capture-transport pipelines within Humboldt Township, and other Minnehaha County townships, 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 *bone 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 the 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, other recent state 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 Humboldt 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 Minnehaha County, South Dakota, IT IS NOW, THEREFORE:

RESOLVED: The Board of Supervisors of Humboldt Township urgently requests that the Board of Commissioners in and for Minnehaha 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, both to and from all points of current human occupation and dwelling and the ownership interests of non-participants.

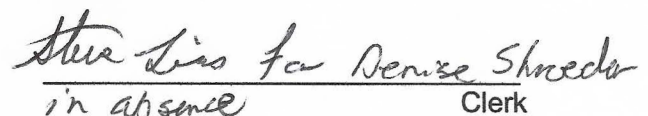
Humboldt TOWNSHIP, BOARD OF SUPERVISORS:


Chair


Supervisor

A true record:


Supervisor


in absence Clerk

**RESOLUTION OF
BOARD OF SUPERVISORS**
Wall Lake TOWNSHIP
(Entered: May 9, 2023)

Whereas, with two proposals now pending before the SD Public Utilities Commission, applicants Summit Carbon Solutions and Heartland Greenway Pipeline System intend to embed their carbon dioxide (CO2) capture-transport pipelines within Wall Lake Township, and other Minnehaha County townships, 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 *bone 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 the 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, other recent state 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 Wall Lake 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 Minnehaha County, South Dakota, IT IS NOW, THEREFORE:

RESOLVED: The Board of Supervisors of Wall Lake Township urgently requests that the Board of Commissioners in and for Minnehaha 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, both to and from all points of current human occupation and dwelling and the ownership interests of non-participants.

Wall Lake TOWNSHIP, BOARD OF SUPERVISORS:

Thomas Spird
Chair

[Signature]
Supervisor

A true record:

[Signature]
Supervisor

Kim Ripp
Clerk

RESOLUTION OF
BOARD OF SUPERVISORS

Wellington TOWNSHIP

(Entered: May 15, 2023)

Whereas, with two proposals now pending before the SD Public Utilities Commission, applicants Summit Carbon Solutions and Heartland Greenway Pipeline System intend to embed their carbon dioxide (CO2) capture-transport pipelines within Wellington Township, and other Minnikaha County townships, 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 the 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, other recent state 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 ~~Wellington~~ Wellington 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 Minnikaha County, South Dakota, IT IS NOW, THEREFORE:

RESOLVED: The Board of Supervisors of Wellington Township urgently requests that the Board of Commissioners in and for Minnikaha 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, both to and from all points of current human occupation and dwelling and the ownership interests of non-participants.

Wellington TOWNSHIP, BOARD OF SUPERVISORS:

Eugene W. Erwin
Chair

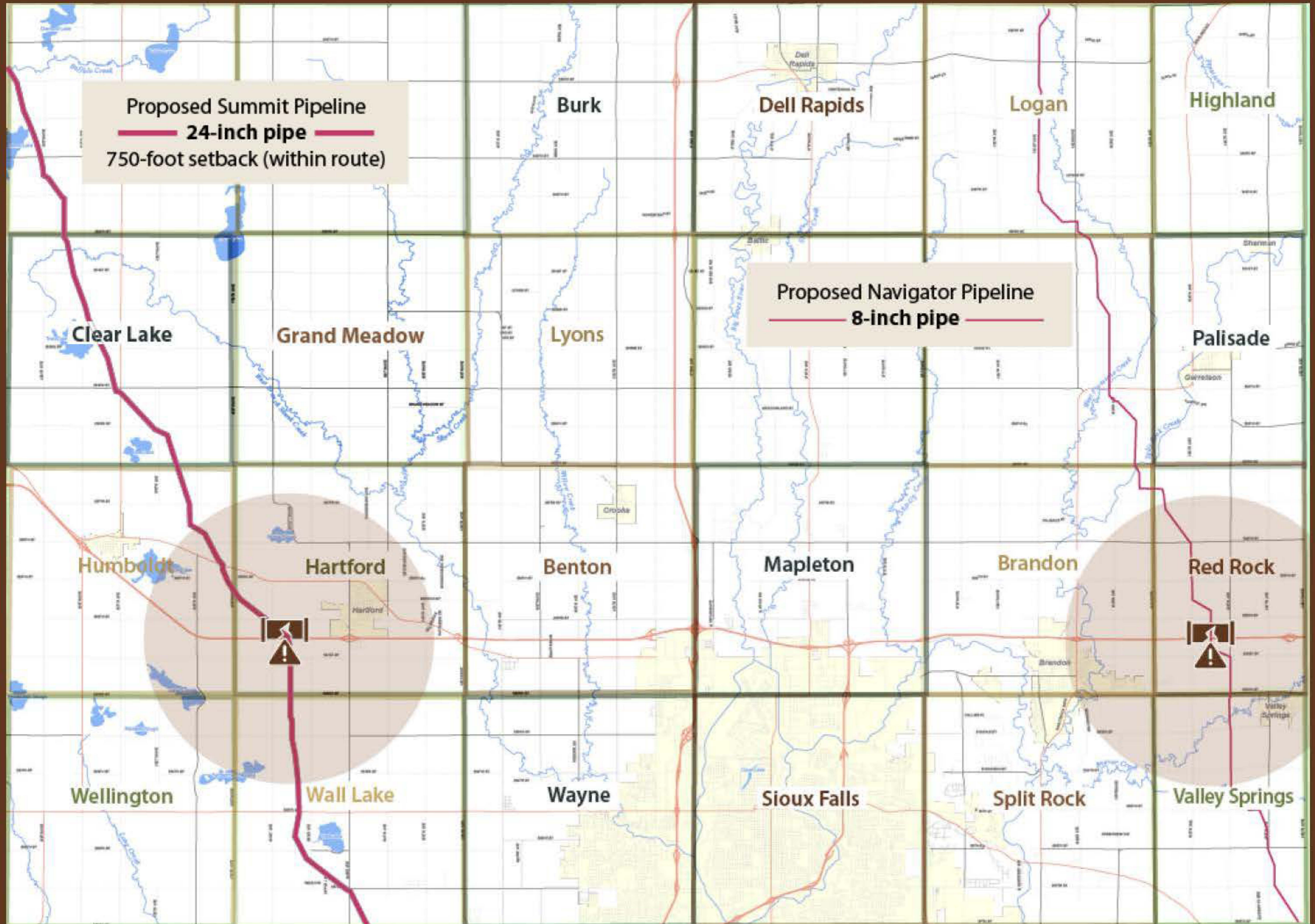
[Signature]
Supervisor

A true record:

Dennis Kappas
Supervisor

[Signature]
Clerk

Minnehaha County – Potential Impact Area from Rupture ~ 4.5-mile radius*



* ScienceDirect, "Modeling of accidental releases from a high pressure CO2 pipelines," (12.5-inch pipe) 2011.