



I am a landowner located near the Summit Carbon Solutions proposed pipeline route. SCS crossed my land in the first application and the pumping station was to be located on my land. The second route no longer crosses my land, but I am a tenant of land that is on the second route: my brother, Jerry Hoffman, and the South Dakota School and Public Lands.

The only correspondence I have had on the SCS second application is certified letters I received in December of 2024 notifying me that I am “the landowner of record for property within the affected area in South Dakota where the proposed carbon dioxide pipeline is to be sited.”

The certified letter goes on to notify me of PUC meetings in my area.

I had intervener status in SCS first application and submitted my remarks.

In the SCS first application, I was the landowner where the pumping station that connected the NE branch to the main branch of the pipeline intersects. I retained Scott and Pete Heidepriem as my attorneys to represent me. Since it looked like I would have the pumping station on my land I wanted to meet with SCS to see if we could move it to another more favorable location. I didn't want the pipeline or pumping station on my land but thought if I was forced to host the pipeline and pumping station, I wanted it to be on my terms or a mutual agreement on location.

My attorney set up a meeting with Summit. We wanted to see physical stakes in the ground so could better visualize actual placement of the station. My attorneys requested no security guards and no digging, trenching or boring of any sort. Just a surface survey and nothing more. My attorneys, Scott and Pete Heidepriem, and I met with 3 Summit officials. I only have the business card of one of the Summit delegation and his name was Erik Schovance, Senior Director, pipeline and facilities. He noted he was the head engineer of the pumping stations in Summit's project. Our two parties met on my gravel road directly next to the pumping station location on their maps in my field. Several other vehicles, maybe seven, occupied by Summit surveyors came and parked along the shoulder of the road. Our two parties introduced ourselves and exchanged greetings. When we gave them the go ahead to start surveying, they went to work staking out the corners of the area of the pumping station, maybe six acres. When I saw how large an area and the stakes on my fence line next to the road I told the Summit contingency that the station was practically going to be in the middle of my field. He said that no it's not in the middle of the field, it's going to be here right along the road. I replied that there's county setbacks from roads and they'd have to get a variance from the local zoning board. He appeared to have no knowledge of what I was talking about, setbacks and getting a variance. I explained that I just couldn't plant trees etc. along a road without going to my county zoning board and getting a variance. The zoning board could deny a variance or they could grant a variance with stipulations. Stipulations such as if my trees hold snow and block the road, I would maybe have to remove my trees or be responsible for my own snow removal etc. Another situation for denial or approval of a variance could be a vision obstruction etc. I also mentioned my local power company, FEM Electric, had buried power lines within their area they had marked and they had an easement. Then I asked if there were power lines associated with their pumping station and he couldn't give me a clear answer. With no clear answer, I asked him how the pumping station would be powered, natural gas? He said no. Well then if you are going to use electricity, where will the power lines be located and where is the source of power? No clear response. I had in mind moving the pumping station to the east end of the quarter would also increase the distance setback from my place and also my neighbor's place to the south of me.

I told the SCS rep knowing where the power source is coming from would make a difference in where I would prefer the pumping station. I wanted to avoid power lines to deal with in addition to the pipeline and pumping station. I asked if they would be hooking up with the new MDU line a mile to the east of my field. Or would they be hooking up to the new MDU transformer station to the southeast of my field. No clear answer. He did not know where they were getting the power. I asked if SCS had a power agreement with MDU. The SCS rep said they no power agreement with MDU or FEM for their power. So we assumed the power would come from the new MDU line. So it would then be assumed the power lines would come in from the east. (Incidentally, I would not sign an easement based on assumptions.) What about water? Will you need water for the pumping station? He didn't

think so. Will the station be manned or unmanned? He did not know. I told him that would probably make a difference as to whether it would need water or not (restrooms, kitchen, etc). He did not know. I asked the SCS rep how they would cross the South Dakota School and Public Lands to gain access to my land? I told him that in a phone conversation I had with South Dakota School and Public Lands Commissioner, Brock Greenfield, he told me they would not let SCS cross school land. Greenfield told me that they had signed no easements with SCS. In fact, the first easements that were dropped off at my place I realized the easements were for land I leased from the School and Public Lands. Jarrod Johnson was the head of the School and Public Commission and I called him and asked him if he wants me negotiating and signing leases that pertain to the school and public lands. Johnson told me that no I should not sign them. I asked him what I should do with the easements SCS dropped off, should I send them to him? He said no, I don't want them.

So back to my meeting with SCS and the location of the pumping station on my land. So we assumed power would be coming in from the east from the new MDU line. So I asked if we could move the pumping station to the east end of the quarter and they reluctantly decided to go look at it. So the surveyors put in their boundary stakes marking the approximately six acre pumping station on the east end of the quarter. When I pointed out the school land to the east of the new site, they asked if they could put the power lines on my land adjoining the school land. I replied, "I don't know. Can you?" So we kind of decided the east end of the property would be suitable to both parties and actually save them distance of powerlines and pipeline. Temporary location of pumping station kind of settled but only with assumptions.

Another consideration when locating pumping station I didn't mention earlier was when surveyors were staking out the new eastern location of the pumping station both parties, my attorneys and SCS reps were talking with went to view a cultural resource I didn't want disturbed by the pipeline route. The cultural resource was a pit in the ground surrounded by rocks. Don't know if it is a Native American or a signal pit used by early Americans.

We then went to a location west of my yard where it appeared on maps the pipeline would be crossing a location where three fences met at one corner. They showed me exactly where the pipeline would be crossing and assured me it wouldn't be crossing where the three fences met. Our meeting was done with the SCS personnel and we left with several assumptions but on good terms. SCS surveyors spent 3 full days on my land.

Day two of the SCS survey, my son and I were in the pasture north of where we were the day prior where SCS showed us exactly where the pipeline would be crossing. My son and I were doctoring a cow with foot rot and a few calves and it ended up taking way longer than it normally takes to treat a few calves and a cow. (The cow ran off with our rope and we had to rope her again to get our original rope back). While we were doing this, we realized surveyors in their neon jackets on a hill not even close to where they said they'd be the previous day. So I walked up the hill to where they were and politely asked if they were finding anything (cultural resources) and why they were way over on this end of the pasture? I have an interest in teepee rings and other cultural resources so wanted to legitimately know what they were finding. There are many teepee rings in my pastures. The Northern Border Pipeline also crosses this pasture and very early on in the very first knowledge of the SCS project, it was assumed the CO2 pipeline would sidetrack the Northern Border Pipeline easement. Once again nothing should be assumed and everything needs to be clarified in writing. So when I asked what they were doing up on this hill far away from the route they just showed me the day prior, they said they found all kinds of cultural resources and would have to move the pipeline on a new route (which was actually closer to my yard). I then reasoned with, what about us farmers and ranchers? Aren't we cultural resources? I pointed out that my two neighbors' had been on their farms 120+ years. Our family has been on our farm 97 years. What about us? What is the age something has to be to be considered a cultural resource. I then left the surveyors feeling that everything we had discussed the prior day was for nothing.

Correspondence continued between my attorneys, SCS, and myself and dollar figures were discussed. I wasn't going to agree on anything until my questions regarding the pumping station were answered. Since I wasn't going to sign any easement on land purchase agreement based on assumptions. Summit left me alone and as of around August 2024, my attorneys told me I am on the "official not on the pipeline route list" and we parted ways.

Although I am currently not on the pipeline route, land I rent from my brother and land I lease from the South Dakota School and Public Lands is affected. I find it interesting that the School and Public Lands can't quite decide what to do with the SCS CO2 pipeline. They tell me not to sign the easement I got pertaining to school land and for Summit but now on the second SCS application, they skip across the country going out of their way to cross the school land. What changed? I did notice that former School and Public Lands Commissioner, Jarrod Johnson, is listed as a senior advisor along with Dan Lederman, Summit Carbon Solutions, lobbyist on the LS2 group, "meet our associates" page. Probably just a coincidence.

I mentioned that the Northern Border Pipeline, a natural gas pipeline crosses my land. The pipeline was in school land in the early 1980s and I never really paid much attention to their easement until the SCS pipeline started being discussed in the area. They have been a good company and they come through my yard annually to take readings on the pipe in one of my pastures. Once I started paying attention, I have noticed several spots where the ground over the pipe has settled significantly. I've called the pipeline company four times about this settling in the last couple years.

One spot where the settling has occurred is on fence line on their aerial marker 285 (pretty sure that's the number). When I am calving in the spring and we get an east wind, the cattle are pushed up against this fence and calves often slip under the fence where pipeline settling as occurred and the little calves aren't smart enough to find their way out. When I open the gate to get the calves out the east wind pushes the cows west and they will escape out the gate while I am trying to get their calf back on the right side of the fence. This fall I replaced that fence and thought it would be a good time to take care of the settling problem. Since they have a conduit with bare wires protruding, I thought maybe it should be the pipeline company's responsibility to take care of the settling problem. I called the manager of the Northern Border Wetonka Pumping station and explained the situation (fourth time I have called him about the settling issue). According to a business card I have, his name is William Jones, Controls Technician. He told me to call SD One Call, so I did. SD One call is a call center in Texas and the operator I got was one of the most incompetent people you could ever get. I explained the situation and gave the person the aerial sign number and they just couldn't comprehend how to get to the site. After a very long time on the phone with this person and we were almost done, my call session timed out and I lost connection. I called back and got a different operator and she wasn't sure if my work order went through. I called the SD PUC and explained my situation and was told that someone else from the PUC would contact me. The next business day, October 1, 2024, Deb Gregg from PUC contacted me via text and said she spoke with area land manager for Northern Border and he would be contacting me. It is January 2025, and I am still waiting for Northern Border agent to contact me to discuss settling issues. I finished building my fence but settling issues there and other places still exist. It would probably take me 10 months to remedy problem but it is on their easement and their equipment so I would be liable for it if I were to damage it. There used to be signage on all fence crossings but over the years in disrepair and many signs missing. There used to be yellow painted posts on the easement and they no longer exist.

Several years ago Northern Border dropped off posts to replace gates at the crossing. The posts laid on the ground for about 5 years and they never did return to replace the gates.

My Northern Border easements in my files show a minimum depth top of pipe to ground of 30". Settling 12" and a T-post to top of plate approximately 12-14" doesn't leave room for error.

Northern Border has been a good company but it cannot be up to the honor system anymore to make sure safety measures are maintained, especially with a high pressure CO2 line.

If the Northern Border pipeline isn't proactive about fixing their gate crossing, making sure signage and markers are in place, seeking and fixing settling issues, repairing their electrical testing connections coming out of conduit, and responding to landowner phone calls and concerns, why would Summit Carbon Solutions CO2 pipeline be any better?