

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF SCS CARBON TRANSPORT LLC FOR
A PERMIT TO CONSTRUCT A CARBON
DIOXIDE PIPELINE.

HP24-001

DIRECT TESTIMONY OF

JEFF BATHKE, DAVISON COUNTY, SD

ON BEHALF OF

SUMMIT CARBON SOLUTIONS, LLC

EXHIBIT #

December 13, 2024

1 **Q. Please state your name and business address for the record.**

2 A. Jeff Bathke, 3001 Bills Beach Drive, Mitchell, SD 57301.

3 **Q. What is your occupation?**

4 A. I am the Davison County Emergency Manager/Planning & Zoning Director. I am also a
5 Representative Elect for District 20, which includes Davison, Jerauld, Sanborn, and a small
6 portion of Miner County. I am also a Brigade Command Sergeants Major in the Army Reserve.

7 **Q. Please briefly describe your operation.**

8 A. I have a master's degree in administration with over 29 years of experience, mostly in
9 local, state, and federal government. I maintain full time employment with Davison County, am
10 a volunteer member of the Davison County Search and Rescue Team, and own rental and
11 development property. The goal of the Planning and Zoning Office is to promote rural
12 residential development in an orderly fashion and to conserve agricultural land. We strive to
13 maintain local control, and not support legislation that puts additional burden on municipalities
14 and counties. The goal of Emergency Management is to protect lives, property, and the
15 environment through direction and coordination of state and local government; through the
16 Preparation, Mitigation, Response, and Recovery from damages sustained by emergency or
17 disaster events. I also currently serve as a Brigade Command Sergeants Major in Sloan, NV. I
18 have completed two deployments and served in several countries to include Iraq, Syria, Jordon,
19 and Kuwait.

20 **Q. Please describe your affiliation with Summit, POET, and Prairie Ethanol.**

21 A. As the Davison County Emergency Manager/Planning & Zoning Director, I have
22 extensive experience working with POET. The Ethanol Plant is one of the safest operations we
23 have in the county, immediately reporting any incidents, regardless of the size. We have a yearly

24 tour of the facility for the Local Emergency Planning Committee (LEPC), so all emergency
25 responders are familiar with the facility and staff. After the announcement of POET accessing
26 the CO₂ pipeline, on April 23, 2024, Summit Carbon Solutions gave a presentation to the
27 Davison County Commissioners on the project. On July 10, 2024, Summit Carbon Solutions
28 gave a presentation to Davison County Emergency Management, the Davison County Sheriff's
29 Office, and the Mitchell Fire/EMS to discuss the best route as well as effects on neighbors and
30 the surrounding environment in the unlikely event of an incident with the pipeline.

31 **Q. What is the basis for your testimony?**

32 A. As the same with the State of South Dakota, the Davison County economy revolves
33 around Agriculture and is key to the livelihood of the small businesses we support. As the
34 Planning and Zoning Director, I promote opportunities for young farmers to make a living
35 expanding the family farm. The agriculture economy has a ripple effect that rolls down to
36 restaurants, car dealerships, implement dealerships, farm supply businesses, sporting events,
37 entertainment, retail shopping centers, etc. The ethanol industry and POET specifically is a
38 major contributor to the local economy. Supporting efforts to increase the price of corn for the
39 local farmer will trickle down to several other local businesses.

40 **Q. Why is the Summit project necessary for you/your neighbors/South Dakota/Ethanol**

41 A. Whether you support the U.S. climate policy changes or not, the carbon dioxide pipeline
42 network will be expanding in the future. CO₂ transport and storage will be required for plants
43 and factories to remain viable in a competitive market. Federal Regulations will require us to
44 make an attempt to slow down the increasing temperature of Earth. To do so, we must build a
45 pipeline to transport the product safely. The ethanol industry depends on it.

46 **Q. What does Summit mean to you in terms of opportunities to grow your operation?**

47 A. I am not involved in farming, but I do what I can to support the local agriculture industry.
48 Future CO₂ regulations will continue to put financial strain on the local farmers, who need to
49 take advantage of every opportunity possible to make a living. If we do not make an effort to
50 transport and store CO₂, we will be left behind, while the rest of the factories and plants in the
51 country continue to move forward.

52 **Q. What context is missing from the concerns stated by others?**

53 A. I have spoken with several farmers and landowners on the proposed route in Davison
54 County and have not heard any resistance. The resistance I have heard has been in meetings by
55 people who are not personally affected by the project. There may be resistance in other parts of
56 the state, but not along the seven-mile route in Davison County. CO₂ pipelines have also been
57 called “deadly.” However, of the over 5,300 miles of CO₂ pipeline in the U.S., no deaths have
58 been attributed to any incident. Furthermore, not one citizen has stepped foot in the Emergency
59 Management office to speak against the project. Opponents of the project argue the pipeline will
60 strip county authorities of zoning rights. Again, not one citizen has stepped foot in the Planning
61 & Zoning office to speak against the project. In fact, several farmers have asked that Davison
62 County not put restrictions on *this* pipeline that they are not willing to put on *all* pipelines. They
63 have also asked, “why do those who are not personally affected by the project keep sticking their
64 hand in the farmer’s pocket?”

65 **Q. What fears do you have if the project is not completed?**

66 A. The U.S. intends to increase the current 5,300 miles of CO₂ pipeline to more than 65,000
67 miles over the next few decades. If South Dakota is not part of that, our existing economy will
68 suffer, and new factories and plants will not consider us as a suitable location to build.

69 **Q. Has your county acted against the project?**

70 A. No, the Commissioners have been given a presentation by Summit. They had very few
71 questions and have not pursued any changes to the local Zoning Ordinance.

72 **Q. How do you feel about that? How do you feel about other counties which have tried**
73 **to stop the project?**

74 A. Davison County does not intend to put restrictions on *this* pipeline that they are not
75 willing to put on *all* pipelines. Other counties that have enacted zoning restrictions, have not
76 justified the reason other than “we don’t want it.”

77 **Q. Do you have safety concerns about the Summit project?**

78 A. We have several pipelines running through the US. Most people do not know where they
79 are or what travels through the line on a daily basis. In fact, we have a gas/diesel/natural gas line
80 in the same area. Pipeline and Hazardous Materials Safety Administration (PHMSA) regulations
81 have been in place for years. If properly regulated and monitored, pipelines are a safer way to
82 transport CO₂, or any material, than a truck on the highway. The U.S. has pipelines that are
83 decades old that continue to function properly today. Proper mitigation will lower the risk of
84 having an incident, just like any other pipeline.

85 **Q. Is your ground part of the Summit project?**

86 A. No, my residence is three miles from the proposed project.

87 **Q. What has been your overall experience with easements, both Summit and others?**

88 A. As the Planning & Zoning Director, I assist residents with easements on a regular basis. I
89 have also had gas, electric, and drainage easements on my personal property. The details of the
90 easements are no different, but the compensation for the pipeline easements is much higher than
91 any easement I have ever seen. These payments will greatly assist the landowners make their
92 bottom line.

93 **Q. Does this conclude your testimony?**

94 A. Yes.

95

96 Dated this 19th day of October 2024.

97

98 */s/ Jeff Bathke*

99 Jeff Bathke