

From: RDHelmerick [REDACTED]
Sent: Thursday, August 3, 2023 11:43 PM
To: PUC-PUC <PUC@state.sd.us>; Nelson, Chris <Chris.Nelson@state.sd.us>; Hanson, Gary (PUC) <Gary.Hanson@state.sd.us>
Subject: [EXT] 4 August Hearing for permit to construct CO2 pipeline

In the Matter of the application of Navigator Heartland Greenway, LLC, for a permit to construct the Heartland Greenway Pipeline. Hearing August 4, 2023

Dear Commissioners, Gary Hanson, Chris Nelson and Josh Haeder,
Please, DO NOT issue a permit to Navigator, or Summit Carbon Solutions (SCS) , to put in this pipeline.

These two entities are attempting to seize private property under eminent domain. These two entities are PRIVATE entities, not public. Eminent domain allows for government to be able to provide for a public need and only with just compensation for the landowner.

Private property should not be seized for private gain. Nor is the carbon dioxide being transported a public commodity. Carbon dioxide in low concentrations supports plant life, but In high concentrations it is poisonous. It is transported under high pressure via a single layered line that has resulted in localized but deadly-to-human-life explosions.

Also, counties have the right to establish setbacks, but counties that are seeking to establish setbacks from, for example, homes and schools, and other safety regulations are being sued by these overweening entities. This is an attempt to thwart local control.

Private corporations are not transparent and not subject to Freedom of Information Act (FOIA) requests to determine if modeling and plume studies regarding safety concerns are adequate. Currently, these entities are denying South Dakotans access to safety information, maintaining plume study data is “secret” for “national security purposes” after disclosing the studies in neighboring states. The only appropriate word for this is “balderdash.”

Prior to applying to the PUC, much less being heard by your Commission, these entities have used strongarm tactics against landowners in South Dakota to intimidate them into giving up their private property rights and granting the private entities easements.

Such easements “run with the land”, once granted are granted forever, you can’t get the land back.

Out-of-state foreign-owned pipeline companies (Blackrock is a majority stockholder in SCS) are being allowed to violate the Constitutional rights of property owners. This should not happen in South Dakota. Government is established to protect citizens. The Constitution protects individual rights, not economic development. Your oaths are to the Constitution.

Eminent domain should always be a last resort, and used only for public benefit, not private economic gain.

For these reasons, please, do NOT issue a permit to the applicants.

Thank you,

Roberta D. Helmerick
[REDACTED]
Piedmont, SD 57769
[REDACTED]
[REDACTED]