

BOARD OF SUPERVISORS

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January 11, 2022

Iowa Utilities Board
1375 E. Court Ave.
Des Moines, IA 50319

Dear Board Members:

Re: Docket No. HLP-2021-0001, Summit Carbon Solutions, LLC
Docket No. HLP-2021-0003, Navigator Heartland Greenway, LLC

The Linn County Board of Supervisors submits this letter in opposition to the use of eminent domain by both the Summit Carbon Solutions, LLC and Navigator Heartland Greenway CO2 pipeline projects.

While we understand that the careful use of eminent domain may be appropriate in certain cases for a public use, public purpose, or public improvement, we also believe that the unrestricted and inappropriate use of eminent domain threatens and undermines private property rights.

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 Summit and Navigator projects both claim 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 a 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.

We are also concerned that the loss of economic value on residential, commercial, industrial, and agricultural land used by the pipelines will be long-term, not just temporary. For example, we are worried about the proper restoration of agricultural land following pipeline construction, interference with proper drainage, the effects of pipeline construction on long-term soil health, and possible other negative environmental impacts.

One of our most important responsibilities as public officials is to promote the general welfare and protect the rights of others. We believe we have a duty to help protect private property rights, and respectfully request that you deny the use of eminent domain for the Summit Carbon Solutions, LLC and Navigator Heartland Greenway CO2 pipeline projects. We sincerely appreciate your attention and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ben Rogers'.

Ben Rogers

A handwritten signature in blue ink, appearing to read 'Stacey Walker'.

Stacey Walker

A handwritten signature in blue ink, appearing to read 'Louis J. Zumbach'.

Louis J. Zumbach