



Written by [Rebecca Terrell](#) on September 7, 2023

Major Win for SD Farmers Over Carbon Pipeline Land Grab

South Dakota farmers are celebrating a major victory. Their state's Public Utilities Commission (PUC) voted unanimously on Wednesday to reject a controversial carbon-capture pipeline proposal.

[Navigator CO2 Ventures](#) is one of two private, for-profit companies that have been threatening to gobble up thousands of acres of private land throughout the Great Plains, for the ostensible purpose of saving the earth. They intend to capture carbon dioxide emitted from ethanol plants throughout the Corn Belt and pipe it thousands of miles away to underground storage. The pipeline system was slated to cross 112 miles of eastern South Dakota farmland.

South Dakota's PUC also unanimously denied Navigator's motion to preempt local ordinances. The company argued that federal laws take precedence over county decrees. Specifically, it objected to setback distances, which it considered to be overly restrictive, but private landowners are thrilled that their commission members sided with historical precedent in this matter.

[Kristie Fiegen](#), chairman of the PUC, argued that Navigator did not meet the required burden of proof for its proposed project under South Dakota law. Specifically, the pipeline company failed to prove that its project would comply with current laws and rules, and that it would *not* pose a threat of serious injury or impairment to people, the environment, the economy, or future municipal development.

Commissioner Chris Nelson also pointed out that the pipeline does nothing to help South Dakotans with their energy requirements.

During testimony, Navigator's attorney sought to distance the company from its main competitor, [Summit Carbon Solutions](#), which has been surveying private property — through legal means but without owners' permission — and embroiling landowners in eminent domain lawsuits. Navigator has refrained from such underhanded methods.

The South Dakota victory comes one month after the North Dakota Public Service Commission unanimously denied the siting permit for Summit's pipeline in that state.

South Dakota farmer Mark Lapka told *The New American* on Wednesday:



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Today was a huge victory for South Dakotans. The PUC made the right decision based on the facts. None of this would have been possible without the efforts of a lot of people. People can still make a difference.

Another Brown County farmer, Jared Bossly, added this thought:

It's a great day and keeps our momentum going, but we are still pushing a snowball up the hill. It is growing, but the peak is getting closer. The people's voice is being heard. We'll take all the battle victories we can get, but we're still in a large war.

Bossly is referring to the fact that, under South Dakota law, Navigator may reapply for the permit that the PUC rejected. Additionally, other companies such as Summit continue to threaten private landowners.

With that in mind, Tammy Kobza, field coordinator for The John Birch Society in Iowa, issued this warning:

It is encouraging to see that the PUC denied Navigator's application, but these companies will keep coming back and trying to wear down the commissioners and the landowners. Also, Governor Kristi Noem is in on this fiasco, and that makes it more challenging. But these small wins encourage us to keep fighting for our private property rights. More and more Americans are understanding the fascism that is taking place in America. Big government works hand-in-hand with big corporations to steal private property.

Kobza encourages everyone to thank the South Dakota commissioners by contacting them at puc.sd.gov/contact.



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