



Written by [Rebecca Terrell](#) on October 14, 2022

# Victory for Private Landowners Over Carbon-capture Pipeline

Private landowners in Iowa are encouraged by a recent court victory in Woodbury County amid battles to protect property rights. A judge ruled in early October that a [carbon-capture pipeline](#) company could not conduct a survey of a farm without the landowner's consent.

The ruling caused [Navigator CO<sub>2</sub>](#), a corporation affiliated with Larry Fink's leftist financial behemoth [BlackRock](#), to withdraw similar requests for access to private farmland through court orders intended to circumvent litigation that will be playing out in coming months.

It's the latest in an ongoing saga involving billions in federal government subsidies to expand pipelines for money-wasting [carbon-capture](#) schemes nationwide. Last year's \$1.2 trillion [infrastructure](#) bill, passed by Congress with the invaluable help of [13 Republicans](#) in support of President Biden's "Build Back Better" carbon-neutral agenda, contained \$2.1 billion to fund low-interest loans for carbon dioxide (CO<sub>2</sub>) [pipeline](#) expansion.

Backed by huge investments and [bureaucratic edict](#), companies like Navigator are threatening to use eminent domain against landowners who refuse voluntary easements.

The project involved in the Woodbury County case is called the [Heartland Greenway system](#), a proposed 1,300-mile network intended to transport millions of tons of liquid CO<sub>2</sub> captured from 20 industrial locations in Iowa, Illinois, Minnesota, Nebraska, and South Dakota. If completed, the pipeline's final [destination](#) will be an underground storage facility in central Illinois, but the bulk of the network will cross through the middle of Iowa, from the northwest to southeast corners.

Developers claim that Iowa law lets hazardous-liquid pipeline and storage companies survey private property without owners' permission, provided they give the landowners 10 days' advance notice and hold informational meetings. When property owners refuse to allow the trespass, they get slapped with lawsuits.

Brian Jorde of Domina Law Group is representing dozens of landowners in Iowa and other affected states against both Navigator and Summit Carbon Solutions. Longer by 800 miles than Navigator's network, Summit's proposed 2,100-mile Midwest Carbon Express pipeline would span five states: Iowa,



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Nebraska, Minnesota, South Dakota, and North Dakota.

Summit is headed by ag magnate and GOP bankroller Bruce Rastetter, and former Iowa Republican Governor Terry Branstad serves as [senior policy advisor](#). Summit's political connections don't end there; its general counsel is attorney Jess Vilsack, son of former Iowa Democratic Governor Tom Vilsack, who currently serves in the Biden administration as Agriculture Department secretary.

The strength of the political machine set up against private landowners makes the Woodland County victory important, even though it is transient. Jorde told *The New American* that it is a triumph for constitutional and property rights.

"Bill Hulce is a Vietnam veteran," Jorde relates of the Woodbury County landowner. "He and his wife dedicated their lives to developing that property. And now a private, for-profit company wants to enter against their will and tell them what to do."

Jorde explained that eminent domain is typically reserved for public projects, not for private companies and their profit-making ventures. "The right to refuse entry to your property is one of the most fundamental rights we have," Jorde said. "This is 100 percent about defending property rights against large companies that have greased all the political wheels."

The judge's decision in Woodbury also convinced Navigator to withdraw similar petitions for court orders in other counties, allowing those cases to go forward to full trial. One hearing Jorde canceled as a result involved Clay County landowner Martin Koenig, who [countersued](#) Navigator in September.

Others have given way to what some call harassment by large pipeline conglomerates. "I don't know that I'd call it harassment," said Mark Thompson, a conservative [running](#) uncontested on the Republican ticket for Iowa House District 56, "but the companies constantly bombard these landowners" with endless requests until they yield.

He told *The New American* about an 80-year-old widow whose health has been adversely affected by stress from the barrage of Summit's demands. She finally agreed to allow them onto her property just so they would leave her alone.

Thompson says the fight against this aggression is not just about private property rights. "These pipelines are based on fake science," he noted. Recalling that CO<sub>2</sub> is a molecule vital to all life on earth, he stated, "There is absolutely no scientific indication that [atmospheric] carbon dioxide is dangerous, and there is no benefit to capturing it."

He called out the pipeline companies as hypocrites because "it takes a huge amount of energy to change carbon dioxide into a liquid," thereby negating any supposed benefit. Thompson denounces the use of billions of taxpayer dollars to "make excavators of pipelines very rich over their fake science efforts."



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