

Committee Members

This is in support of **SB 2228**.

Summit Carbon Solutions is planning to cross our cropland with a pipeline that serves no useful purpose for mankind. CO2 is a hazardous material that is dangerously unregulated in a pipeline. Untested with no previous pipeline history to learn from, Summit Carbon Solutions is planning to cross 5 states in order to pipe the CO2 underground in ND. Has ND become the dumping ground for the country? What will the future of ND look like if we allow this to happen? Do we really own our property?

The whole project is a federal money grabbing scheme. It is a make-work "Green Deal" invention for a select group of self serving bureaucrats in order to become billionaires at landowner's expense.

The first easement contract that we received from Summit Carbon Solutions in July of 2021 was an insult regarding compensation and terms. After taxes, my compensation amount figured to be about \$23.00 per year for 99 years. That would not even cover the lawyer fees. We also received a letter from a Summit Carbon Solutions lawyer stating that we would be sued if we did not allow entrance to our property.

While we mind our own business, work our fields, and take care of our land, we are now finding ourselves buried in paperwork and meetings, and paying a lawyer every month.

Our land is a 4th generation owned property. We do not want it to be held hostage for next 99 years. My Grandchildren should have the right use, protect, and improve the land without a toxic pipeline cutting through it.

NDCC 38-22 governing pore space for CO2 sequestration strips away ALL pore space private property rights to exclude, negotiate terms, conditions and price for use of pore space.

Unlike common carriers, there are no special provisions for granting eminent domain of Pore Space and therefore the government can not use Eminent Domain Authority to grant pore space use/access to private developers.

There is sound constitutional law established by US Supreme Court and ND Supreme Court that tell us Pore space is owned by the surface estate landowner, Pore Space is a private property right with limitations in our constitutions on governmental takings, Allowing a Physical Invasion for CO2 disposal operations would qualify as a per se (Physical) taking and is not a Regulatory Taking.

We are asking you to help ND landowners. Please vote **YES** on **SB 2228**.

Thank you for the consideration.

Julia Stramer
Hazelton, ND