

**Summit Carbon Solutions Testimony on Senate Bill 2212**  
**January 27, 2023, 9:00 A.M.**  
**Senate Energy and Natural Resource Committee**  
**Senator Dale Patten, Chairman**

**Wade Boeshans – Executive Vice President Summit Carbon Solutions**

**Opposition to SB 2212**

My name is Wade Boeshans. I am an Executive Vice President with Summit Carbon Solutions responsible for leading Summits project in North Dakota. I am a fourth generation North Dakotan. I grew up on and now own the land that my great grandfather homesteaded; in what is now the heart of coal country in Mercer County. I worked in the lignite industry for twenty-four years prior to joining Summit Carbon Solutions. I have personal experience with the many benefits of a robust energy and agriculture economy including affordable food, fuel, and the economic prosperity it affords our communities.

Summit Carbon Solutions is developing the world's largest carbon capture and storage project that proposes to capture CO<sub>2</sub> from ethanol plants and industrial facilities across five states, transport the CO<sub>2</sub> to North Dakota where it will be permanently geologically sequestering in Oliver and Mercer Counties. The project will invest over \$900 million in North Dakota to bolster the energy and agricultural industries that are critical to the North Dakota and regional economy.

Proposed climate and energy policies, investor pressures, and societal demands for lower carbon energy have created a low-carbon economy that presents both significant risk and tremendous opportunity to North Dakota. If we do nothing, these pressures threaten North Dakota's traditional energy and modern agriculture that represent seventy percent of our economy. If we take action and deploy solutions like carbon capture, transportation, storage and utilization, we can preserve our industries, spur new investment, and thrive in the low-carbon economy.

Fortunately, North Dakota industry, research, and policy leaders had the foresight over two decades ago to begin investing in research and developing the legal and regulatory frameworks to enable the development and commercialization of carbon capture, transportation, utilization, and storage. I've had the privilege of working closely with North Dakota leaders in these efforts for over a decade. As a result, North Dakota is uniquely positioned to thrive in a low-carbon economy with an established legal and regulatory framework, well understood geology, and commercially available capture technologies. This early action and thoughtful

leadership of North Dakotans has produced three operating CCUS projects today and four others under development.

Linear infrastructure is critical to North Dakota's economy. We produce massive amounts of energy and agriculture commodities that all rely on linear infrastructure to transport them to markets including pipelines, electric transmission, roadways, and rail lines. Our economy, jobs and state funding are heavily dependent on our ability to move Ag and Energy Commodities to markets. Stopping linear infrastructure development would be devastating to our economy and the livelihoods of North Dakotans.

SB 2212 proposes to remove CO2 pipelines from the common carrier definition and by extension the ability to use eminent domain to secure easements for CO2 pipelines. This would effectively stop all CO2 pipeline projects significantly impairing if not eliminating the ability for industrial facilities to install carbon capture and compete in low-carbon markets. Consequently, shutting down \$billion of investment, thousands of jobs, stranding North Dakota resources and strangling our economy.

Chairman Patten and members of the committee, CO2 pipelines are the conduits to the markets of the future. We are at the doorstep of an emerging carbon capture and storage industry. Keeping the door open for CCUS is critical to the livelihoods of North Dakotans. I respectfully ask for your opposition to SB 2212.

Thank you.