



# Policy Update

**November 3, 2023**

## **Navigator Heartland Greenway Cancels CO2 Pipeline Project**

The Navigator Heartland Greenway CO2 pipeline project has been cancelled. The approximately 1,300 miles of pipeline for the transportation of CO2 from more than 21 ethanol and fertilizer plants across 5 states, including 3 ethanol plants in South Dakota, was cancelled due to the, “unpredictable nature of the regulatory and government processes involved, particularly in South Dakota and Iowa.” The pipeline would have transported captured carbon dioxide for permanent underground sequestration in Illinois and/or to take-off facilities for commercial/industrial use. Navigator’s proposed project consisted of 112.6 miles of carbon dioxide pipeline in South Dakota that would have crossed the counties of Brookings, Moody, Minnehaha, Lincoln, and Turner.

In response to Navigator’s abandonment of the project, Summit Carbon Solutions recently announced, “Summit Carbon Solutions welcomes and is well positioned to add additional plants and communities to our project footprint. We remain as committed to our project as the day we announced it.” Summit Carbon Solutions will need a permit from the South Dakota Public Utilities Commission to complete their project. The South Dakota Public Utilities Commission recently denied Summit’s permit as the company was not able to comply with all applicable laws and rules, specifically, county ordinances pertaining to hazardous material pipelines. Summit Carbon Solutions has also pushed back the project’s operational timeline to 2026.

## **Agriculture Groups Urge EPA to Rework Herbicide Plan**

South Dakota Farm Bureau and a coalition of more than 100 other agriculture organizations sent comments urging EPA to work with agriculture stakeholders to develop a different approach to bring its pesticide regulations into compliance with the Endangered Species Act. The herbicide strategy proposed by the Environmental Protection Agency aimed at improving endangered species protections; however, it threatens to make herbicide usage nearly impossible for farmers and jeopardizes the viability of farming operations across the country.

To read the comments, please click [here](#).

## **Arkansas Forces Syngenta to Sell Ag Property**

Arkansas recently enacted a law restricting certain foreign investments in agricultural land. Consequently, their attorney general ordered a subsidiary of Syngenta, a company ultimately owned by a Chinese state-owned entity, to divest its ownership interest in approximately 160 acres of agricultural land. Arkansas is now the first state in the nation to enforce a state law banning certain foreign entities from owning agricultural land. The state also imposed a \$280,000 fine for failing to file a required notice of their landholdings to the Arkansas Department of Agriculture. The company has two years to divest

its interest in the land. If the Chinese-owned company fails to divest during that period, the attorney general is authorized to bring a legal action seeking the land be sold at a public auction.

The American Farm Bureau Federation this week released a report on Foreign Investment in Ag with recent numbers of foreign owned land. View the report [here](#).

**Contact for Questions**

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