

Transcript Prepared by Clerk of the Legislature Transcribers Office

Natural Resources Committee January 28, 2026

Rough Draft

**DeKAY:** Welcome to the Natural Resources Committee. I am Senator Barry DeKay. I represent District 40. And I'm vice chair of Natural Resources. I will be serving as chair for a while today until Senator Brandt returns from introducing another bill. The committee will take up bills in the order posted. This is a public hearing-- is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you're planning to testify today, please fill out one of the green testifier sheets that are at the table at the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to a committee clerk. If you do not wish to testify but would like to indicate your position on a bill, there are also yellow sign-in sheets on the back table for each bill. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your name and spell your first and last name to ensure we get an accurate record. We will begin each bill hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally by anyone speaking in neutral capacity. We will finish with a closing statement by the introducer if they wish to give one. We will be using a five-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes up, you will have one minute remaining. And the red light indicates you need to wrap up your final thoughts and stop. Questions from the committee may follow. Also, the committee members may come and go during this hearing. This is-- has nothing to do with the importance of the bills being heard. It is just part of the process, as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have handouts or copies of your testimony, please bring up at least 12 copies and give them to a page. Please silent or turn off your cell phones. Verbal outburst or applause are not permitted in the hearing room. Such behavior may be cause for you to be a-- be asked to leave the hearing. Finally, the committee procedures for all committees state that written position comments on the bill to be introduced in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at [nebraskalegislature.gov](http://nebraskalegislature.gov), [nebraskalegislature.gov](http://nebraskalegislature.gov). Written position letters will be included in the official hearing record but only those testifying in per-- person before the committee will be included in the committee statement. I will now have the committee members with us today introduce themselves, starting on my left.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**CLOUSE:** Good afternoon. Stan Clouse, District 37, which is Kearney, Shelton, and Gibbon in Buffalo County. And I will be leaving for another committee.

**CONRAD:** I'm Danielle Conrad. I represent north Lincoln.

**DeKAY:** Mike.

**MOSER:** Mike Moser, District 22. That includes Platte County and most of Stanton County.

**RAYBOULD:** Jane Raybould, Legislative District 28, which is central Lincoln.

**HUGHES:** Jana Hughes, District 24: Seward, York, Polk, and a little bit of Butler County.

**JUAREZ:** Hi. Welcome everyone. Senator Marco Juarez, District 5: Omaha.

**DeKAY:** Also assisting the committee today: to my right is our legal counsel, Cyndi Lamm; and to my far left is our committee clerk, Sally Schultz. I will now ask the committee pages to stand and introduce themselves.

**TERESA WILSON:** Hel-- hello. My name is Teresa Wilson. I'm a university student here at UNL, and I'm an [INAUDIBLE].

**MADDIE BANKS:** Hi, everyone. My name is Maddie Banks. I'm a sophomore at the University of Nebraska-Lincoln, and I'm studying political science on the pre-law track.

**DeKAY:** Thank you for being here. Now we will start with our first hearing on reappointments to the Nebraska Ethanol Board. Would Scott McPheeters please come forward?

**SCOTT MCPHEETERS:** Good afternoon. I'm Scott McPheeters. That's S-c-o-t-t M-c-P-h-e-e-t-e-r-s. And Gothenburg is home. My wife Patty [PHONETIC] and I farm with two sons there, and they are the sixth generation on our farm. We are row crop and strip-till conservation. We-- our primary crops are food grade white and yellow corn, and our primary customer is Frito Lay. We have soybeans, and also we're involved in rangeland management there for beef production. My background with Ethanol is-- started in November 1 of 2000. I went to visit a farmer-owned ethanol plant in C-- in Benson, Minnesota, CVEC and came home convinced we needed farmers in Nebraska to have one of

Transcript Prepared by Clerk of the Legislature Transcribers Office

Natural Resources Committee January 28, 2026

Rough Draft

those. So we raised \$18 million, [INAUDIBLE], \$12,000 at a time. And so that took a couple years. And then we signed a big note and built a plant. We came online in November of 2023, and I served on the Board of Managers there ever since. And so I am looking forward to my reappointment to the Nebraska Ethanol Board just because there's a lot of great things that are coming up in market development and additional uses for the products we have. And so-- can entertain your questions.

**DeKAY:** Thank you. Any questions from the committee? Mr. McPheeters fills the position of business. He has served two other terms. And like he said, he's-- lives in Gothenburg as an ag producer. You can step back. Any proponents?

**BEN RHODES:** Good afternoon, Vice Chairman DeKay and members of the Natural Resources Committee. My name is Ben Rhodes. That's B-e-n R-h-o-d-e-s. And I'm the executive director of the Nebraska Ethanol Board, which is a noncode state agency dedicated to promotion and development of renewable fuels. I'm here today in support of Scott McPheeter's reappointment to the NEB. In his eight years on the board, Scott has been a highly active contributor, including serving as vice chair since 2018. His experience running a diversified farming operation near Gothenburg gives him a wealth of knowledge and a valuable perspective. He has also, as he mentioned, long served on the [INAUDIBLE] Ethanol Board of Directors, and the insight he brings from that producer perspective is critical to our operations. For two terms now, Scott has brought his thoughtful expert voice on all matters relevant to the NEB, market development, strategic planning, and industry relations. Scott is also a tireless advocate for ethanol at the state and federal levels. Scott's expertise in both farming and renewable fuels is an invaluable resource for all of us at the NEB as we support and grow the ethanol industry, and we would all be glad to welcome him for a third term. Yeah. Take any questions at this time.

**DeKAY:** Any questions? Senator Hughes.

**HUGHES:** Thank you, Vice Chair DeKay. Just one question-- maybe it's even on here-- can you only serve three terms or is it--

**BEN RHODES:** There is no term limit.

**HUGHES:** There's no term limit. OK. And it's a four-year term.

**BEN RHODES:** Four-year term. Yep.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**HUGHES:** Thanks.

**DeKAY:** Any other questions? Seeing none. Next proponent.

**DAWN CALDWELL:** All right. Good afternoon, Senator DeKay and members of the Natural Resources Committee. I'm Dawn Caldwell, D-a-w-n C-a-l-d-w-e-l-l. Here on behalf of Renewable Fuels Nebraska, Nebraska Corn Growers Association, and the Nebraska Sorghum Association to express our support for the reappointment of Scott McPheeters to the Nebraska Ethanol Board. We've heard about Scott's diversified farming operation. Over two terms, Scott has been a thoughtful contributor and an active advocate for ethanol through regular engagement at the local, state, and federal levels, working to promote and educate policymakers and consumers on ethanol's economic, environmental, and energy benefits. Scott's experience and leadership are a real asset to the board, and we would greatly appreciate his continued service. For these reasons, Renewable Fuels Nebraska, along with the other associations, strongly support his reappointment. Thank you.

**DeKAY:** Thank you. Any questions?

**JUAREZ:** I have one.

**DeKAY:** Senator Juarez.

**JUAREZ:** Are there a lo-- many farms that contribute to the ethanol needs of our state?

**DAWN CALDWELL:** Yes. So about-- in a-- in an average year, about 40% of the corn grown in Nebraska is utilized for ethanol.

**JUAREZ:** Oh. OK.

**DAWN CALDWELL:** So that is a good chunk of the corn row crop. Yes, ma'am.

**JUAREZ:** That's interesting. OK. Thank you.

**DeKAY:** Any other questions? Seeing none. Thank you. Next proponent. Are there any other proponents? Any opponents? Any opponents? Anyone testifying in neutral capacity? Anyone in the neutral? Seeing none. This will end the hearing on Scott McPheeters. There-- for the record, there were no online comments and no ADA testimony. Next, we will have Taylor Nelson come forward.

**TAYLOR NELSON:** Good afternoon, members of the committee, Senator DeKay. My name is Taylor Nelson, spelled T-a-y-l-o-r N-e-l s-o-n. I'm seeking a reappointment to the Nebraska Ethanol Board as the corn representative. A little background on me. I'm a fifth-generation corn and soybean farmer. Farm with my wife, and we have two kids near Jackson, Nebraska. Attended the University of Nebraska-Lincoln, got a degree in ag economics, and returned to the farm in 2012 but with a little bit different path. We saw the opportunity in our town to build a convenience stop and truck-- convenience store and truck stop and took the opportunity to install ethanol blender pumps and, and all the infrastructure that's required to pump some flex fuels and higher blends of ethanol. And so we're really-- all of our corn gets delivered to Siouxland Ethanol in Jackson, Nebraska. From that position, I was able to purchase ethanol back, retail it to customers, and really understand and complete that full cycle. And so through my-- we exited that business in 2020, but that perspective and the understanding of how that all works I feel uniquely serves my ability to help the board. From a farming standpoint, you know, modern farming has a lot of technology involved in it. It's kind of unique, but I almost describe myself as like a, a CTO in our farming operation, where I'm involved with the technology a lot and the decisions that are involved with that. And as we look forward to modern farming practices and how that ties into ethanol and lower carbon practices on the farm, that also brings a unique perspective of understanding how we tie all those different pieces together through the whole value chain and how that value can make its way down through to farmers. And so I look forward to being able to tackle some of those challenges as we look forward. There's many different opportunities and things that the board has done that I look to continue to build on. And I'm-- as a, as a young producer, I'm deeply passionate about Nebraska agriculture. I'm, I'm heavily involved in ad-- advocacy. I serve as the vice president of the Northeast Nebraska Corn Growers Association. And I try to do everything I can to get the positive word out of the opportunities in ag and some of the good things that we're doing and-- right now is a challenging time. And so as young producer, we're looking for every possible avenue that we can to create and add value and to help with prices and some of the struggles that we're dealing with at the farm level. And so as you bring all that together, it feels like I'm uniquely suited to be able to fulfill this role and to help to board out. So with that, I'd take any questions.

**DeKAY:** Any questions?

**JUAREZ:** Yes, I have a question.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**DeKAY:** Senator Juarez.

**JUAREZ:** So I hope that I don't come across too naive, but I do admit that I am. I'd like to know-- for ethanol, besides in cars, what else can ethanol be used for?

**TAYLOR NELSON:** Well, there's several other industrial uses and, you know, there's a lot of different things that are being explored. You know, you hear in the news things about SAF and the potential in aviation fuel. There's the biochemicals and-- just a multitude of other uses. Even exploration into, like, agricultural equipment and, and heavy-duty trucks and things like that are things that I look at going forward to say, hey, maybe there's more future opportunity than, than just cars.

**JUAREZ:** Yeah, maybe it could be used for trains. You know, I'm real big supporter of the trains. That'd be good. Thank you.

**DeKAY:** Thank you. Did you-- did I-- did you say you owned the trucks up there at Jackson?

**TAYLOR NELSON:** Yes.

**DeKAY:** And do you-- you utilize E10, E15, and E85?

**TAYLOR NELSON:** We had blender pumps, so we were able to do E10 and then E15, E30, and E85, all, all of those different blends with ethanol that we were sourcing direct from our plant just a few miles up the road. So it was a really unique situation, we're-- something we're very proud of in our community.

**DeKAY:** So where's your farm located from the Jackson plant?

**TAYLOR NELSON:** Our main farm site is about three miles away. So we're very close, and we kind of surround it in that area where we farm.

**DeKAY:** OK. Thank you. He-- Mr. Nelson has served two previous terms on the Ethanol Board. You can take a seat. And we'll ask for proponents.

**BEN RHODES:** Good afternoon once again, members of the committee. My name is still Ben Rhodes. That's B-e-n R-h-o-d-e-s. And I'm still the executive director of the Nebraska Ethanol Board. Here today to testify in full support of Taylor Nelson's reappointment as the corn rep on our board. In his eight years on the NAB, Taylor's been a highly valued and active contributor to the board, thanks to the

experience that he, he touched on. He brings that important experience to the table, as he has diversified growers in corn and soybeans, in Dixon and Dakota counties, and also built and operated Jackson Express, the convenience store that he discussed. Through his business and farming experience, he is well-known as a staunch champion of ethanol. Taylor fully understands the importance of Nebraska's golden triangle of renewable fuel, corn, and livestock and how ethanol fits in the larger picture of Nebraska ag. Over the years, he's been an integral part of the NEB thanks to his thoughtful ideas on spending agency funds purposely and pointedly on behalf of Nebraska's ethanol producers. All of us at the NEB would greatly appreciate four more years of service from Taylor as a representative on our board. [INAUDIBLE] take any more questions.

**DeKAY:** Thank you. Are there any questions? Seeing none. Thank you. Next proponent.

**DAWN CALDWELL:** All right. Good afternoon again. My name is Dawn Caldwell, D-a-w-n C-a-l-d-w-e-l-l. Res-- representing Renewable Fuels Nebraska, the Nebraska Corn Growers Association, and the Nebraska Sorghum Association. Here to share my support for the reappointment of Taylor Nelson to the Nebraska Ethanol Board. Taylor really understands how ethanol fits into Nebraska's broader ag economy and consistently brings commonsense ideas to the board. His perspective is trusted by fellow board members as well as respected across the industry. Taylor's experience and steady leadership continue to be a real asset to the board, and we would welcome his continued service.

**DeKAY:** Thank you. Are there any questions?

**DAWN CALDWELL:** Thank you.

**DeKAY:** Seeing none. Thank you. Next proponent. Are there any other proponents? Anybody testifying-- are-- proponent?

\_\_\_\_\_: [INAUDIBLE] proponent to--

**DeKAY:** This is--

\_\_\_\_\_: [INAUDIBLE] eminent domain.

**DeKAY:** --this is, this is not the hearing right now for that.

\_\_\_\_\_: Oh, OK. OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**DeKAY:** Are there any opponents? Any opponents? Seeing none. Anybody testifying in a neutral position? Seeing none. This will end the hearing on Mr. Nelson. There were no online comments and no ADA testimony. So thank you. Next will be the hearing on a new appointment for Ethanol Board, Jamie Bearup.

**JAMIE BEARUP:** Good afternoon, ladies and gentlemen of the Natural Resources Board. My name is Jamie Bearup, J-a-m-i-e B-e-a-r-u-p. I am here seeking appointment to the labor position. I'm with the Steamfitters Local 464 out of Omaha and Lincoln. We service the whole area. I've spent many years working on the ethanol plants, and the opportunity to be on this board has been an honor. I grew up on a farm, and it kind of brings that back full circle, being able to give back that direction. I truly believe in what ethanol stands for and that it's the best thing for our country right now.

**DeKAY:** All right. Thank you. Any questions? Senator Clouse.

**CLOUSE:** Yes, thank you, Vice Chair DeKay. So you mentioned the, the steamfitter and plumbers is a-- are the Electrical IBEW. Are they rep-- is it any union or just specifically yours that's, that's requested on the board?

**JAMIE BEARUP:** I represent all labor on the board.

**CLOUSE:** OK. So it includes--

**JAMIE BEARUP:** Correct.

**CLOUSE:** Gotcha. OK. Thank you.

**DeKAY:** Any other-- Senator Hughes.

**HUGHES:** Correct me if I'm wrong, I think we added you-- your type of position last year. Does any-- no?

**JAMIE BEARUP:** 1993.

**HUGHES:** Oh, never mind. That was a very long time ago [INAUDIBLE]. OK. Nevermind. Thanks.

**CONRAD:** [INAUDIBLE] yesterday.

**HUGHES:** It was just like yes-- when I graduated college. So, you know, it wasn't that long ago.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**DeKAY:** I'll take the opportunity to correct you, so.

**HUGHES:** And he didn't enjoy any minute of it. Thanks for coming in.

**DeKAY:** Any other questions? Seeing none. Thank you. We'll ask for proponents.

**BEN RHODES:** Good afternoon once again. My name is Ben Rhodes, B-e-n R-h-o-d-e-s. And I'm the executive director of the Nebraska Ethanol Board. Here today in full support of Jamie Bearup's new appointment to the Nebraska Ethanol Board. As a business rep for the Steamfitters and Plumbers Local Union 464, Jamie has extensive experience supporting projects, strengthening local economies, and promoting robust workforce around Nebraska. A long-time Nebraska labor leader, he's been a member of Local 464 for more than 25 years and has said-- held several roles throughout his union career, including working on several ethanol plants as the industry built out in the '90s and 2000s. The labor representative fulfills a cru-- crucial voice on our board, and Jamie was actually appointed to fill the remainder of the previous holder's term who resigned last summer. And he came highly recommended from all union leadership. All of us at the NEB are glad to welcome him because he's actually attended a lot of our meetings over the years and from the audience has provided great perspective on workforce development and labor issues. Again, I reiterate my support of Jamie Bearup's appointment to the labor position. And would-- happy to take any questions at this time.

**DeKAY:** OK. Thank you. Are there any questions?

**JUAREZ:** Yes. I thought of another one.

**DeKAY:** Senator Juarez.

**JUAREZ:** Thank you. So how often does the Ethanol Board meet?

**BEN RHODES:** Four times a year. Once a quarter.

**JUAREZ:** OK. And where do you meet at?

**BEN RHODES:** Typically in Lincoln, although we do at least one meeting in Grand Island or Kearney.

**JUAREZ:** Thank you.

**DeKAY:** Any other questions? Seeing none.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**BEN RHODES:** Thank you, Senator.

**DeKAY:** Next proponent.

**DAWN CALDWELL:** Third time's the charm [INAUDIBLE] again. It's-- last time you'll see me today. Good afternoon. My name is Dawn Caldwell, D-a-w-n C-a-l-d-w-e-l-l. Executive director of Renewable Fuels Nebraska. Here to share my support for the appointment of Jamie Bearup to the Nebraska Ethanol Board. Jamie brings something incredibly important to this board: real, hands-on experience with Nebraska's workforce. He's spent more than 25 years as a member and now a business representative of Steamfitters and Plumbers Local Union 464, and much of that work has directly overlapped with Nebraska's ethanol industry. He understands what it takes to build, operate, and maintain facilities, and, more importantly, he understands the people who do that work every day. With today's workforce and infrastructure challenges, Jamie offers a practical, collaborative perspective that values both labor and agriculture, two foundations of Nebraska's ethanol success. I'm glad to support his appointment to the Nebraska Ethanol Board. Thank you. Any questions?

**DeKAY:** Thank-- are there any questions?

**DAWN CALDWELL:** Thank you all.

**DeKAY:** Seeing none. Thank you. Next proponent. Seeing none. Any opponents? Seeing none. Anybody testifying in the neutral position? Seeing none. This will end the hearing on the appointment of Jamie Bearup. And there are also no online comments and no ADA testimony. So that ends the hearings on the Ethanol Board appointments. Next, we will hear Senator Meyer's with LB916.

**G. MEYER:** It's always nice to start with a noncontroversial bill for your first go up here. Good afternoon. My name is Glen Meyer, G-l-e-n M-e-y-e-r. Before I explain what LB916 does, let me affirm that I am not trying to outlaw CO2. Instead, LB916 protects Nebraska landowners against the use of eminent domain for the construction of CO2 pipelines and the underground storage of CO2. So what does the bill do? LB916 gives the authority to the Nebraska Oil and Gas Commission for the-- approving applications for the construction of CO2 pipelines. The bill prohibits the use of eminent domain for the purposes of acquiring right-of-way, the construction of CO2 pipelines, and the operation of CO2 pipelines. The bill also requires CO2 storage operators to obtain the consent of all persons who own reservoir

estates within the storage reservoir. Polling in the Midwest indicates that the vast majority of people oppose the use of eminent domain for the construction and storage of CO2. In 2024, the organization, Bold Alliance-- lost my, lost my, lost my spot. In 2022, the-- or, 2024-- excuse me-- the organa-- organization Bold Alliance commissioned for a poll to be conducted across several Midwest states, which yielded several noteworthy results. For example, 94% of respondents in Iowa called it a serious problem if corporate-- corporations are allowed to seize people's private property to build carbon capture and storage projects. Similarly, 97% of the respondents in South Dakota called it a serious concern if corporations are allowed to seize people's private property to build carbon capture and storage projects. Here in Nebraska, 85% of registered voters indicated that they are opposed to the use of eminent domain for any kind of private use. When the Legislature passed LB650 in 2021, they opened the door for eminent domain to be used for the construction of CO2 pipelines and the underground storage of CO2. LB650 merely required the storage operator to make a good faith eppor-- effort to obtain the consent of all persons who own reservoir estates within the storage reservoir. We should ask, what counts as a good faith eppor-- effort? The bill further stated that the storage operator merely needs to secure the consent of 60% of persons who own reservoir estates in order to proceed with the project. Afterwards, the storage operator is free to take land away from nonconsenting reservoir estate owners so long as they are equitably compensated, whatever that means. The bill further gave authority to the Nebraska Oil and Gas Commission to take land from nonconsenting landowners. Mike Flood, the introducer of, of LB650, told Jared Barton of the Columbus Telegraph [SIC], and I quote, in 2021, I introduced a bill to allow property rights for carbon sequestration. Today, we know that carbon sequestration companies operating in Nebraska are threatening landowners with the use of eminent domain. Today, I am giving each of the members of the Natural Resources Committee a copy of a letter written by a CO2 sequestration company who op-- operating in Nebraska who threatened Nebraska landowners with the use of eminent domain. The letter was written by navigator Heartland Greenway and is addressed to Ferris and Marjorie Meyer of Wakefield. The daughter of Ferris and Marjorie Meyer, Shelli, is here to testify immediately after me today. For full disclosure, Shelli and I are not related. Shelli is afraid of losing the family farm. The yellow highlighted sentence in that letter states explicitly, our goal is to reach voluntary agreements with all landowners along the project route; though, if we are unable to do so, we, we may seek to exercise the right of eminent domain. This letter

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

proves that landowners in Nebraska have been threatened with the use of eminent domain. Other states are now beginning to take action. Last year, the Governor of South Dakota signed into law HB 1052, a bill which prohibits the use of eminent domain for purposes of CO2 sequestration and the construction of pipelines. Following a House study last year, HF 507, the Iowa Legislature introduced new legislation this year, HF 2104, which will prohibit the use of eminent domain for acquiring right-of-way for construction and operation of CO2 pipelines. HF 2104 advanced out of the House of Representatives in Iowa on January 21 and now resides in the Iowa State Senate. Eminent domain should not be used to further interest of private businesses, such as Navigator Heartland Greenway, Summit, or Tallgrass. Eminent domain is a very rare practice which should be reserved exclusively for very important matters of the public interest. When Iowa State Representative Steve Holt gave the closing argument on HF 2104, he said, private property cannot be taken for public use without just compensation, and only when the taking serves a true public use. Economic development alone does not meet that standard. The idea for this bill came to me from concerned constituents living in my own legislative district, District 17. These individuals fear the use of eminent domain by CO2 sequestration companies and do not want their land seized by eminent domain for the purpose of constructing a CO2 pipeline. Today, I am asking you to place the rights of landowners over the rights of private companies, which is the way it ought to be. Let's fix this mistake that was made in LB650. Please advance LB916 to the floor. I'm also including today an amendment, AM1823, for the Natural Resources Committee to consider. AM1823 is needed because the contractual language within certain kinds of mortgage loans precludes the property owner from signing a lease or easement agreement. AM1823 would allow a person to exercise the right of eminent domain when the property owner desires to enter into an agreement. Finally, the committee should disregard the fiscal note in LB916. The fiscal note represents an obvious attempt by the Oil and Gas Commission to perhaps sabotage the bill. The Oil and Gas Commission is not in agreement with this bill. However, there's absolutely nothing in LB916 that requires the Oil and Gas Commission to hire a pipeline fitting engineer or an air quality permitting engineer. Instead, LB916 simply places the responsibility for justifying the construction of a CO2 pipeline or underground storage reservoir on the CO2 sequestration company to the satisfaction of the members of the Oil and Gas Commission. The fiscal note really should be absolutely zero. And I will be happy to answer any questions I'm

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

capable of at this time. There are some expert testifiers behind me that may be able to handle some of the more technical. Thank you.

**DeKAY:** Thank you. Are there any questions? Senator Clouse.

**CLOUSE:** Yes. Thank you, Senator DeKay. Senator Meyer, thank you for being here. Is that the only line going through your district?

**G. MEYER:** The only carbon pipeline right now, to my knowledge, is going through my district.

**CLOUSE:** Are there some nearby in--

**G. MEYER:** Pardon?

**CLOUSE:** Are there some nearby or within--

**G. MEYER:** You know, I don't believe there's any carbon pipelines in the very near vici-- vicinity. We all know of Tallgrass down here in the Lincoln area. And, and I, I do want to draw a, a-- the definite difference between the actions of the pipeline companies in northeast Nebraska, whether it was Navigator initially or Summit. There was a very handed-- heavy-handed attempt at procuring property rights and, and accessibility on easements in northeast Nebraska. I need to commend Tallgrass for their operating practices. Although they did use an existing pipeline, it was a natural gas pipeline. They'd reached out and worked with communities that they were passing through and alongside it. In, in any, any time of-- any type of action like this, the cooperation of the communities and, and interacting with those people that, that could possibly be affected by it is, is tremendously important. So I, I would commend Tallgrass for their initial program and, and the carbon pipeline that they're operating right now.

**CLOUSE:** So do you know if they u-- they used eminent domain at all or they--

**G. MEYER:** To my knowledge, they did not. And anecdotally, I hear that that probably was-- would be very problematic for anyone employed by Tallgrass to have even suggested such, such a, such a practice.

**CLOUSE:** OK. Thank you.

**DeKAY:** Thank you. Senator Raybould.

**RAYBOULD:** So-- thank you, Senator Meyer. I, I think you sort of answered my question when you mentioned Tallgrass had been able to repurpose an existing natural gas line and convert it to one for carbon. Do you see that as a better approach to allowing more carbon gas usage or-- is that an acceptable-- like what Tallgrass has done, to be able to just repurpose an old natural gas line?

**G. MEYER:** Well, I think, given the circumstances, that was an acceptable practice in, in, in this particular instance. And, and once again, we're primarily focused in my district in northeast Nebraska and, and District 17, but. If a pipeline is sufficiently constructed and does not per-- present a, a health threat to the community-- which, in the bill, that, that is one of the prerequisites for a carbon pipeline, carbon transfer and carbon sequestration, is safety. You know, it-- that is-- that should be of utmost importance. We have had instances in, in other areas in the country where there's been a rupture in a carbon pipeline-- which I think we're all aware of-- and very, very serious health consequences. Fortunately, no deaths, so. If a pipeline is sufficiently quality regarding construction and does not present a, a safety factor to the community, perhaps repurposing a-- an existing pipeline may be acceptable. Those easements have already been established. And once again, if a, a company could work with the community and with the landowners where that pipeline is, is transiting-- pipeline already is-- exists, so it's a-- somewhat a substantially totally different situation than we have in northeast Nebraska.

**DeKAY:** Go ahead.

**RAYBOULD:** I know in your testimony you, you talked about reservoir estates. I'm not familiar with that. Is that a, a greater land mass that is required to store?

**G. MEYER:** That essentially is a repository of where the, the carbon would be sequestered, the CO2 would be sequestered. And it has to have the proper geologic construction, the abil-- the ability to, to hold the CO2 for perhaps future, future opportunities to utilize it. I think in North Dakota, one of the uses they've considered is using it for fracking and-- whether that's viable or not. That's some-- that's something I have heard of that's a possible use of it. And, and one other, one other thing I'd like to bring up is-- technology moves so quickly. There are opportunities-- there's research going on right now that using carbon that's produced by our ethanol plants may provide an alternative fuel source for, for powering our energy generation.

Innovation comes so quickly in, in the ag community. I'll point out as an example the use of fertilizers. In some cases in the past, excessive use of fertilizers, which in-- to a certain extent causes high nitrate levels in some of our groundwater. Actually, in the Platte River Valley, you act-- you can actually-- out of your irrigation water, you can actually take a, a fer-- fertility credit. You can actually take a nitrogen credit on the water you're pumping out of the ground will apply to your, to your crop. Technology right now has, has advanced to the point where-- with microbiologics, we actually can colonize the plants-- the corn plant to produce up to 40 pounds of nitrogen just utilizing the environment around that corn plant, taking, taking those elements out of the air and out of the ground and producing nitrogen. I'm not-- not exactly like what soybeans do with their-- with the-- [INAUDIBLE] generation of nitrogen, but, but to be utilized by the plant. And so research is going on right now to increase that to a, a factor of 80 or a factor of 120 or 200. There may come a time in the relatively near future that we might not have to apply any nitrogen to our, our corn, corn, corn plants, to our corn fields. Another side of the carbon is, do we need to remove it from our atmosphere? Even Bill Gates has come around to the idea that we, we do not need to sequester ni-- or, carbon dioxide. We-- it, it is not an existential threat to the, to the environment. He has come off that band-- bandwagon, gratefully so. It takes tons of carbon, tons of carbon out of the soil and out of the air to produce an acre of corn. And I mean tons. And so there's a natural-- there's a natural ability for the climate, for the atmosphere, for our trees, our plants, to a certain extent, cleanse our soil and cleanse our air of those things that perhaps sometimes we deem dangerous to us. And so that's what's happening in the real world and the environment, so.

**DeKAY:** Senator Moser.

**MOSER:** Are you somewhat familiar with what is involved in building the pipelines?

**G. MEYER:** I, I have witnessed pipelines being built, yes.

**MOSER:** Well, I just had a couple questions about what the objection of the pipeline is. So the objection would be having other people come on your land and you just don't want them around? Or damage that they do to the ground? Or the way they leave it when they're done? I mean, is the pipeline buried in the ground usually?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**G. MEYER:** It is buried in the ground. If, if it--

**MOSER:** So you can farm over it?

**G. MEYER:** If, if-- you can farm over it. If, if a pipeline-- if a pipe is on top of the ground, it's Public Service Commission issue. If it goes in the ground, then it's an Oil and Gas issue, at, at least in my perspective. All of the things you mentioned are true. There's an attachment to, to the land that, if you have not owned land-- if you're a farmer or rancher, there's an attachment to the land that becomes essentially a part of you. And to have someone come on your property unannounced, uninvited--

**MOSER:** Unannounced or--

**G. MEYER:** --and all of a sudden-- pardon?

**MOSER:** Unannounced or uninvited?

**G. MEYER:** Unannounced and uninvited. They show up on your land, they're surveying, and you go out to approach and--

**MOSER:** Don't they have to get permission to survey your land?

**G. MEYER:** They do not.

**MOSER:** OK. Continue.

**G. MEYER:** This is, this is what we run into. And so-- this is what's been shared with me and, and some ob-- observations I've had over the years myself. And, and other folks behind me that are involved in this can probably answer that more directly. But there's an arrogance involved in, in, in some of these companies that are trying to procure right-of-way and easements on private property. And this is private property. You know, this is akin to having someone drive on your lawn in your-- in town and having a picnic and leaving a mess. Not to say these pipeline surveyors are leaving a mess, but private property is private property. And there's a lack of respect. And there's an attachment to the land that almost becomes a part of you. It is part of your core, it is part of your soul. It's like a family member. And it, it doesn't matter if you've owned it 20 years, but it's especially pronounced if you've owned it 100 years or 50 years.

**MOSER:** All right. That's good. Thank you. You answered my question.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**G. MEYER:** Thank you.

**DeKAY:** Thank you. Any other questions? Senator Juarez.

**JUAREZ:** My question was about-- and I don't know if you can answer this-- the poll that was done by Bold Alliance, can I actually find out more information about that poll?

**G. MEYER:** I'm sure you can, and I, I would encourage you to reach out to Bold Alliance and, and ask for-- what the demographics were and, and how that was done. I, I don't have the-- I ha-- I don't have any of that information with me, so.

**JUAREZ:** OK. Thank you.

**DeKAY:** Senator Hughes.

**HUGHES:** Thank you, Vice Chair DeKay. On the second-- on your first page of the bill, which is page 2, you have excluding carbon oxide, which-- that's any molecule that is made of carbon and oxygen. Was that the intent of this? Because other, other places it references carbon dioxide. I don't know--

**G. MEYER:** The, the reference to carbon i-- oxide is how it was referenced in the South Dakota bill, and that's why we, we just simply--

**HUGHES:** You just kind of copied that language.

**G. MEYER:** --we just simply-- we were aware that carbon oxide was, was part of the South Dakota bill, and, and so essentially cut and paste, if you will.

**HUGHES:** OK.

**G. MEYER:** But, but it, it-- it's not a-- it's not a typo. It, it-- it's what was represented in the South Dakota bill, so.

**HUGHES:** OK. Thank you.

**DeKAY:** Thank you. Any other questions? Senator Conrad.

**CONRAD:** Thank you, Senator DeKay. Thank you, Senator Meyer. Before you got cut off in your response to Senator Moser, did you want to share more about your feelings on the sacrosanct nature of private property and-- at the heart of your bill here?

**G. MEYER:** It's-- you can have that same type of attachment, I would imagine, to your childhood home and, and a place you grew up. But, but with the land, it's something different. You're, you're making your living on it. It just takes me a minute to get my composure.

**CONRAD:** That's OK.

**G. MEYER:** But you're making your living on it. Once again, it is part of you. You nurture it. You improve it. I really don't know how to express it any clearer than that. Once you feel it, you know it. And, and I think many in this body that perhaps disagree with my position on this, in all probability, have the same feelings towards their property. And, and it-- it's something that-- obviously, for me, it's difficult to describe, but it's, it's, it's part of your very being. I guess I-- I can't articulate it any better than that, I apologize.

**CONRAD:** No, don't-- no apology necessary. I know you feel passionately about it and-- not only for your, your own personal principles, but I know that you're working hard to represent and give voice to a lot of constituents in your district who've been frustrated with this process and who are, are looking for a forum to, to raise these very concerns as well. I know that when I served previously and we had a long-standing public process about pipeline activity in Nebraska, it was very painful and arduous, but it also was very interesting in terms of how it didn't cut along any sort of predetermined political lines for, you know, Republican, Democrat, or urban, rural. It was a very, I think, organic and very interesting lens applied to those debates, and I hear and see a lot of that now. And I've been following closely what's happening in Iowa and South Dakota, hardly hotbeds of progressive political activity. But because the commitment to the land and private property rights and ownership are so critical to our American value system and economy, I think it's important to, to really work through these complex issues instead of just run roughshod over them on behalf of private corporations. So thank you.

**G. MEYER:** I appreciate that. I, I, I do want to reiterate. I-- I'm not against carbon pipelines. You know, the, the bill provides for the opportunity in Section 1 to pur-- to have a, a transporting liquid COT-- CO2 pipeline. Oil and Gas, when they establish that it's for the public use, can approve it given all the guidelines, the safety guidelines, the practicality of it, the need for it specifically. So eminent, eminent domain cannot be used for that. But if it's sufficiently to the benefit of a community, if it's sufficiently benefit of a-- benefit to the, to the public and it's approached the

right way with landowners and, and private property owners where, where that pipeline would have to transit, in all probability, they would get support. The heavy-handedness and the lo-- the arrogance, the, the-- probably-- to put it as, as simply as possible, the lack of sensitivity in how they approached it initially in our particular neck of the woods is, is, is very troubling. I know I've gone on probably entirely too long here. I just want to add one other thing as, as, as an example of some of the attitudes that go along with, with eminent domain. We had a briefing-- senators down here, we had a brief and regarding a project that's, that's happening in the Omaha area. The, the footprint was going to require about a thousand acres. The developers had a hundred. And the question to the developers was, well, where are you going to get the other 900? And anecdotally, we're told the response was, well, we'll just take it from the farmers. Totally unacceptable. Totally unacceptable. So that's my-- I'm, I'm off my soapbox. I'm sorry.

**CONRAD:** No, no. You're-- you have the floor, Senator. I, I appreciate that. And I think everybody understands, of course, the tensions that exist and the narrow exceptions that allow for government to intrude upon private property rights and those quintessential public benefit kind of circumstances like building a road or something like that. I think that it's murkier and, and harder to think through when it comes to private commercial development. And, and I appreciate you lifting the issue. Thank you.

**G. MEYER:** Thank you.

**DeKAY:** Any other questions? I have a couple questions real quick. Number one, do you think if this would have been handled differently that we would be having the conversations about eminent domain if, say, if the-- if in your area-- handled like what Tallgrass handled here? Would, would people have been more open to giving easements to carbon pipeline or-- what's your thoughts?

**G. MEYER:** I can't speak for the landowners in the area. And, and once again, full disclosure, my family-- my wife's family has informed that this pipeline would transit. They have been against it. But I think a respectful approach to a pipeline of any type, whether it's CO2 or, or whatever, any type of transfer pipeline, if it's approached properly and the justification for the public good and respect for the, the landowners and the land, I think it's quite possible there could have been a much better outcome with, with this particular project. And, and-- which is primarily-- along with my constituents' concern is the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

primary concern of mine. The, the, the, the way it was handled I find is totally unacceptable, so.

**DeKAY:** Do you know percentagewise how many of the constituents or affected landowners would be opposing this?

**G. MEYER:** I do not, but perhaps those behind me would have, would have some idea of the number on that.

**DeKAY:** And then two more quick questions.

**G. MEYER:** Sure.

**DeKAY:** On-- we talked about seizure earlier, and I think you answered that. Number one, for the pipeline going through, it would be an easement for them to put the pipeline [INAUDIBLE] ground, recovered to natural state as close as possible. They could graze cattle, raise corn over that land. It only gives them the opportunity to-- if they need to come in to inspect or fix a leak or something, that gives them the ability to come in to do that. Is that--

**G. MEYER:** I, I believe that's the case. But in, in many instances-- at least from my past experience in, in easements-- they actually could lease that, that easement out. They could transfer the use of that easement to some other entity of which you would have absolutely no control over. You would have absolutely no say in, in the use of that. Now, now, perhaps the contracts are different now, but, but, historically in the past, I have seen contracts along those lines that, effectively, you're giving up the rights to that-- the use of that property and they can, they can assign that to another use at their, at their pleasure, so.

**DeKAY:** I, I-- a couple quick questions. I just--

**G. MEYER:** Just keep at it.

**DeKAY:** I'm still on two. What's the-- when laying a pipeline, what's the average width of the easement that they're giving up? How many feet?

**G. MEYER:** That can vary, and I honestly don't ha-- I don't have that number right now. I do not. But I'm sure it can be answered behind me-- those, those that have personal experience with those easements.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**DeKAY:** OK. And we talked earlier-- or, you talked earlier about using different pipeline sources to transport carbon. Are those-- and somebody-- maybe somebody behind you that can answer this. The thickness of the pipe and psi, the pressure that goes through them, are they equivalent to what natural gas and--

**G. MEYER:** I think they are higher. The pressures are higher. The nature, the nature of, of, of the chemicals. You, you, you don't-- you just don't pump liquid CO2. It's got to be combined with some other properties in, in order to push it. And I, I think that's part of the problem with a-- with the-- a hole in the line. A tear or a spill is the, the deadly fumes that emanate from that because of the combination of chemicals. Too much CO2 isn't good for you either. But in combination with the other chemicals, I think it, it creates a problem, so.

**DeKAY:** So obviously, to transport on different pipelines, it's-- would still meet industry standards to be able to safely, safely move that.

**G. MEYER:** Pardon?

**DeKAY:** It's probably obvious that, according to industry standards, you could put CO2 through a-- what used to be a natural gas pipeline and feel safe about it because it's met the standards and met the pressure regulations.

**G. MEYER:** If, if it meets the regs, sure. Sure. And as is-- as a-- primary example is Tallgrass, so. Yeah.

**DeKAY:** Thank you. Thank you. Any other questions? Thank you. You going to stay for closing?

**G. MEYER:** I suspect I will.

**DeKAY:** OK. Thank you. First proponent.

**SHELLI MEYER:** Thank you, Senator Meyer. Good afternoon, Chairman-- Vi-- Vice Chair, and members of the committee. My name is Shelli Meyer, S-h-e-l-l-i M-e-y-e-r. My legal name is Michelle Lee Meyer, but I've been called Shelli since I was two. That's my mom's fault. Thank you for allowing me to provide te-- this testimony on the committee today. I am here today to support LB916. As Senator Meyer has explained, my parents did receive that letter that's in your hands regarding the carbon dioxide pipeline on December 21 of 2021. Very nice Christmas present. So when my father handed it to me, I will

never forget the look on his face. It was fear-- fear and sadness. After I read it, he said to me, they are going to take my ground. And I said, over my dead body. I haven't seen that look in my dad's eyes since my grandmother passed away. In February of 2024, our farm in Dixon County was recognized-- thank you-- was recognized as a century farm. I spent my childhood in the hog barn helping with chores. I continue to spend a tremendous amount of time helping with mowing, painting, maintenance, whatever I need to do. I'm the tomboy. I loved helping with harvest and driving the combine for my dad. He taught me how to drive everything. Use a pair of pliers, whatever you want to tell me I can use-- a shovel first of all. They're in their 80s now, and they're retired from farming. They still live there today. My family farm is home, and it always will be. That is why this is so important to me. My grandparents survived the 1930 depression. My grandfather moved in in 1924 when he was 24 years old. My parents survived the farm crisis of the 1980s. As you recall, there were many suicides during that term-- that time. My dad survived that with my mom. Our family land has endured because of the hard work and sacrifice of my mom and dad and my grandparents. Blood, sweat, and tears. A lot of the blood of mine is on that farm. That's why I get a tetanus shot every ten years. We will not allow a multibillion-dollar company or companies with their investors to take any part of that land against our will. That is why I'm here to-- before you today, to ensure that our constitutional property rights are protected. Eminent domain is intended to be used for projects that serve public use. Transporting a waste product for underground injection in order to capture billions in-- of our tax dollars as tax credits is not a public use and surely is not a public interest to Nebraska landowners, farmers, and ranchers. Eminent domain was never meant to serve private profit. Safety, as Senator Meyer indicated, is a key issue to me. In the event of a CO2 pipeline rupture, an explosive plume of gas can be released. CO2 is odorless, colorless, and an "infixiate." It can suffocate people and animals, and it can prevent combustion engines like cars from running, making escape impossible. As you can imagine, my 85-year-old father does not run anymore. This is not hypothetical because it happened in Sar-- Satartia, Mississippi in 2020. Dozen of people were hospitalized, emergency vehicles stalled trying to rescue. Residents are still experiencing health crisis issues today. And I did meet those people. This is very different from oil or natural gas. You can see the flames of a natural gas explosion. You can see the black oil on the ground spewing out from the pipelines. So it's very different than oil and gas. There are also other serious risks to farmers: loss of topsoil,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

years of reduced crop yields, and major insurance uncertainties. If a rupture occurs and a farmer is accused, even incorrectly, the legal and financial consequences could be devastating and potentially cause bankruptcy. Family farms are businesses. They have paid taxes for generations and are the backbone of our state's agricultural economy. I do not support the destruction of existing Nebraska businesses to prop up private, multibillion dollar corporations. LB916 is a reasonable bill, as Senator Meyer indicated. It does not ban carbon pipelines. It does not impact other infrastructure projects. It simply says that a landowner is not forced to have an unwanted hazardous produ-- project on their property. Some landowners may choose to participate in these projects. That is their right. I am all for property rights. That's why I'm here. But my parents and many others should also have the right to say no and no, thank you, and be left alone. I respectfully ask this committee to support LB916 and protect Nebraska landowners, family farms, and property rights. And I will be transparent in-- as I did become a member of Bold Alliance, so I can help with the-- your question. I can also in-- tell you about different landowners that I have spoke with in my area in northeast Nebraska since that is my home area. A lot of my family friends that I've known all of my life are affected by this, along with two cousins that have century farms as well. And it's just devastating to me that I can't say no. And that's the whole problem with that. If you want to say yes, that's up to you. It's your land. But when it comes to my dad's land, he says no. And it should be just left alone. So I thank you for your time. And I can answer any questions. And I have had a lot of work with the Tallgrass employees and Tallgrass landowners impacted as well, so I can ask-- answer some of those questions. Thank you.

**DeKAY:** Thank you. Senator Moser.

**MOSER:** Hi. Thanks for coming to testify. So you got this letter in 2021. Fast forward to to-- today, has anyone built a pipeline near or through your property? Or did they negotiate with you? Or how did it work out?

**SHELLI MEYER:** No, Navigator canceled their project back in October of 2023. Summit is the one who's still continuing on with their efforts in a multistate area in the Midwest.

**MOSER:** So the ones that wrote you the threatening letter, they're gone, but there are other a-- pipelines that are attempting--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**SHELLI MEYER:** Correct. Corr-- surrounding my area, surrounding Wayne.

**MOSER:** What's, what's the geographic advantage to coming through to your area? Is there ethanol plants near there--

**SHELLI MEYER:** Yes. They were going to-- they were going to come through-- yes, sir. They were going to come-- there's nine counties-- their last map that I had-- they've taken down their maps-- but the last map that I had, there's four ethanol plants that were in, in the line-- their route going through nine counties. Stanton County was one of them. And Stanton County did deny their CUP permit. I was there.

**MOSER:** Do you live near Stanton County?

**SHELLI MEYER:** I live in Wayne.

**MOSER:** Wayne. OK.

**SHELLI MEYER:** And Wayne was going to be surrounded by Navigator going north and Summit going south. So Wayne, along with everybody I know-- I mean, I graduated from Wayne High. I-- I'm a treasurer at my church. It's very important to me to protect my citizens and the, and the people that I've known my entire life.

**MOSER:** OK. Thank you. I just wanted some more background.

**SHELLI MEYER:** Yes, sir.

**DeKAY:** Thank you. Any questions? Ms. Meyer. This was a sequestration point for-- it-- this is a pipeline going across your property is what the--

**SHELLI MEYER:** Yes,

**DeKAY:** OK. OK.

**SHELLI MEYER:** At, at 20-- at least 2,100 psi, if-- to answer the question you had before, which is a lot higher than natural gas.

**DeKAY:** And how-- what's the diameter of the pipe that they were doing?

**SHELLI MEYER:** It was ranging from 6 to 8 to 10 to 12, and the current amendment that Summit has at the Iowa Utilities Commission is showing a 24-inch pipe coming out of Woodbury County, but they have not provided a recent map for Nebraska. So 24 inches was changed from 12.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**DeKAY:** OK. Appreciate that. Anything? Seeing none. Thank you.

**CONRAD:** Thank you very much.

**DeKAY:** Next proponent.

**RANAE CALVERT:** Good afternoon. My name is Ranae Calvert, R-a-n-a-e C-a-l-v-e-r-t. I am from Mesa, Arizona. I'm here today representing my family and especially my mom who lives on our family farm in Lincoln County, Nebraska. I want to emphasize the fact that this topic is so critical of eminent domain it is worth me getting on a plane and driving ha-- and, and flying halfway across the country and then getting in a car and driving halfway across the state this morning to be able to tell you about our experience. I would like to offer my support in-- of LB916. As a farmer and a corn grower, my family and I have personal experience with eminent domain and the impact on all future generations. My family has owned and continuously worked to farm in Lincoln County for over 100 years, and we have no intention of selling any time in the future. In the '60s and '70s, my grandparents were forced through eminent domain to allow a gas pipeline operated by Tallgrass through our land. So I, I respectfully disagree with the senator. Eminent domain was part of that process. Later, we were forced to allow a second pipeline parallel to the first. While there has been some financial compensation at the time, our land was not for sale. Money does not allow for full restitution for the betrayal of our government that allows our land to be stolen by greedy private companies for their own financial gain. And in return for a one-time payment, the pipeline company requires regular access to our property and places constant risk to our land and our legacy. They may or may not be respectful. It depends on the independ-- individual employee. Sometimes they leave the gate open and let the cattle out. Sometimes they don't. In 2024, an enormous hole was dug for maintenance of the pipeline, causing severe damage to our field, resulting in crop loss and combact-- compacted soil. I do have two photos, but I didn't bring copies for everyone so I don't know how that works.

**DeKAY:** If you want to have them, they will make copies for all of us.

**RANAE CALVERT:** As required by the contract we never asked for, remediation was eventually completed, but the land never fully returns to its full potential. And there is no compensation for the time and energy that we spend babysitting the-- what has to be done to ensure that the work gets done as agreed upon in the contract. What we've learned from this experience is that a few dollars is never worth the

time, effort, stress, and aggravation required not only at the time of construction but for years to come. Currently, we have three generations who have had to deal with Tallgrass in this situation, and soon we will have to add a fourth. Government officials do not realize or simply don't care that eminent domain is not a life sentence; it is a forever sentence. Every generation is forced against their will to deal with this situation. And if we decide to sell the land, we will have to disclose the easement and explain the negative impact, and we fully expect that will drive down the price we could receive for the land. Finally, we have no say in what they do to the pipeline, and we've tried. Despite our protest, one of the pipelines has been recently converted from gas to CO2. Concentrated CO2 can produce deadly leaks. That's been demonstrated. We have a nonprofit that exists one-half mile, one-half mile from our pipeline. It houses survivors of sex trafficking who have been through horrific trauma. Our nonprofit is well within the two-mile-wide danger zone designated by the Pipeline and Hazardous Materials Administration's proposed rules. In addition, my 78-year-old mother also lives within the deadly corridor. The pipeline companies are aware of these risks. We have talked to them extensively. They're aware of the hazards associated with carbon dioxide pipelines, but they have decided their greed is more important than our lives. We should have not been forced into the situation against our will. Landowners have the right to say yes or no. We should not allow the heavy hand of big government to pick winners and losers with threats of eminent domain. In Nebraska, we believe in free and fair markets, not in gaming the systems by taking from landowners, farmers, and small business owners. We do not need the government telling us what is best for our farms and futures. If a project being sold is truly a net benefit, it can succeed on its own merit with voluntary support, not strong-armed, undermining our property rights. Private companies should not be allowed to make money on the backs of hardworking Americans who have scrimped and saved to own property. Their right to live peaceably on their land should be sacred and not forcibly taken for a cause that does not benefit the masses. Forcibly taking property from one party to give it to another for profit is not allowed in a democracy. That is a red flag for communism. I urge you to protect our constitutional property rights and support LB916. And just to be clear, LB916 is not gonna help my family. There is no benefit to me being here other than to support the other families who are facing this right now.

**DeKAY:** That's your time. Thank you. There will probably be questions yet. Any questions?

**CONRAD:** Thank you, Senator. Thank you for taking the long trip to be here and speaking on behalf of your family and your folks who couldn't be here today. But did-- and you don't have to disclose the details of it, but did you find that the compensation offered was not competitive in terms of kind of what you would have negotiated for? Or do you feel like there's no level of compensation, there's no price tag to put on the sacrifice and--

**RANAE CALVERT:** So are you asking about the original or the newest contract--

**CONRAD:** Either.

**RANAE CALVERT:** --that's come out?

**CONRAD:** Either.

**RANAE CALVERT:** OK. So originally, it's-- the-- what, what is not taken into consideration is, is the time and effort and energy it takes to deal with this situation. You can't just let them go. You have to manage it. And, and that's not included in the compensation. They pay for the grass. They pay for the dirt if they have to bring in dirt. They do all that. And they're, and they're not necessarily respectful. The, the photos that I've shared-- in 2024, when they, they did this huge, massive maintenance with this enormous hole, you can see seven pickup trucks lined up right around the hole. And then there's another hole on the other side of the hill with two more pickups. Did they park on the road and take ten minutes to walk in and, and do their job, use one pickup and, and take everyone in? No. Everyone drives individually. And so they, they say-- I mean, they're really good at media. They're really good about saying, oh, we do a great job. But when it comes down to the day-to-day, unless you're there insisting that they behave in a manner that's respectful to your land, they don't even notice. Because they're not landowners. They're engineers, they're backhoe operators. They just want to get their job done as quickly and as easily as possible.

**CONRAD:** Right. OK. Thank you. Thank you, Senator.

**DeKAY:** Thank you. Any questions? Just for clarification-- and I missed out on it-- what county did you say your parents' farm was in?

**RANAE CALVERT:** Lincoln.

**DeKAY:** Lincoln County. OK. Thank you very much.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**RANAE CALVERT:** Mm-hmm.

**DeKAY:** Next proponent.

**SHELLY BACON:** My name's Shelly Bacon, S-h-e-l-l-y B-a-c-o-n. I'm a Burt County landowner and resident and a South Dakota trustee landowner, so this is not my first hearing listening to a state government want to threaten eminent domain for a carbon pipeline. Eminent domain for private gain, that's what we're talking about here. There's no public use for a CO2 pipeline. You're not going to hook it to your house. You're not going to hook it to, to anything. And then we're also-- I've had-- I've heard talking about carbon pipelines. Data centers were also part of this. This is the use of our tax dollars to incentivize private companies. Eminent domain takes away the right of property owners to say no, thank you to projects they don't agree with. If these projects are truly economic development and for the good of the people, then they should be able to stand on their own without tax credits. They should only be put on land that landowners willingly sign easements for. It should not be forced on landowners. And someone asked up here what percentage of landowners oppose this, and it shouldn't matter what percentage of landowners oppose this. If it's your private property, you should have every right to say no, thank you. Minnesota put in a CO2 pipeline, and they did it with all signed agreement easements. So yeah, it's not convenient, but it can be done. Also, it was talked about up here that the Tallgrass easement was kind of a-- I forget the word that was used-- they repurposed, They used the word "repurposed." You have to understand that these landowners originally signed an easement for the natural gas company. If I remember correctly, the easements in South Dakota that were being offered for the-- through Summit Carbon Solution, it was a 99-year easement. So if people signed a natural gas easement, then this really isn't repurposing. It's that they've signed an easement and their land can be used for anything they want to. So if Tallgrass decides to build a turbine-- wind turbine farm, then they can use that easement because you've already signed an easement to that company. We are farmers and landowners, and we are pro-ethanol. Why did ethanol plants get incentivized by our tax dollars while the farmers suffer low prices for their crops? There is no economic benefit for capturing CO2. It's dangerous for those who have to live near. And being from a small community, I know that our volunteer fire department is not trained or equipped to deal with an emergency such as that. Along with that line, data centers are also being incentivized with our tax dollars only to put people out of work. Just this morning, Amazon announced that they're laying off 10,000 people

due to AI. So I don't see that as economic development if we're putting people out of work to build data centers. Both of these projects, data centers and CO2 pipeline-- and this is something that's not talked about a lot-- they consume a massive amount of electricity and water. This is going to drive the price of electricity and water up for the citizens. We're already paying for the project with our tax dollars, and they are also increasing our utility fees to help offset the cost of electricity and water for these projects. It's-- most likely will cause a shortage of water and electricity for the citizens. Will our government force a project by eminent domain on the people and then use resources meant for the people to push their agenda? Because that's the way it looks. Along the same lines, in order to push these projects, LB1204 wants to take away local control of the citizens for setbacks for these projects. We can't allow that. Every community is different and every community has different setbacks, and they should be honored and not be tried to override with LB1204. Nebraska needs to follow South Dakota's example and protect their landowners. So please vote yes to pass LB916. And I thank you for your time.

**DeKAY:** Thank you. Any questions?

**CONRAD:** Thank you for taking the trip.

**DeKAY:** I have-- just a second. I have a couple questions, please.

**SHELLY BACON:** Oh, I'm sorry.

**DeKAY:** No, not a problem. I asked earlier, what-- what's the average width of-- for an easement for a carbon pipeli-- or any kind of pipeline, natural gas, carbon, or whatever?

**SHELLY BACON:** The average size?

**DeKAY:** The average width of it.

**SHELLY BACON:** The width? It's varying. It has varied in South Dakota when they've looked at it through Summit Carbon Solution. My family farm was threatened. I think it ran anywhere between 8 inches and 24 inches. It-- the farther it goes out from the point, the bigger it has to get in order to, to keep that going through.

**DeKAY:** The reason I ask what-- you, you mentioned the ability for-- to maybe put a wind tower or something on [INAUDIBLE]. Would there be a, a barrier problem with the width of the easement for them to even put

a wind tower and have ea-- road access to-- you know. They would have to get another easement for-- probably potentially even put a wind tower on a existing easement. And then a further-- and then you can answer both parts at once. Couldn't that be part of the contract to eliminate anything but a--

**SHELLY BACON:** And it, and it could possibly-- it could-- possibly, but some of them are so vague. And people do not look at what the future looks like in that. They just see what is coming at them right now: there's a pipeline company that wants to offer them money to put in a pipeline. I don't believe that-- I, I do know that in South Dakota there were some that si-- signed easements and then regretted it.

**DeKAY:** Because-- you know, off the top of my head, just like with a wind tower, it would take up approximately the size of a third of an acre of cement-- probably with a hole dug 25 feet deep filled with cement. So it couldn't go-- a tower couldn't on top of a pipeline because of the depth of the cement for the base of it. So I'm just trying to clear out how wide the easements would be to-- would even be able to accommodate something like that.

**SHELLY BACON:** They're-- again, I don't know. I haven't-- I-- my family didn't sign an easement. We were part of the fight to pass HB 1052, and thankfully the state of South Dakota did honor the landowners, and I'm hoping that the state of Nebraska will do that as well for us.

**DeKAY:** OK. Any other questions? Thank you for being here.

**SHELLY BACON:** Thank you.

**DeKAY:** Next proponent.

**JOHN HANSEN:** Mr. Chairman, members of the committee, good afternoon. For the record, my name is John Hansen, J-o-h-n; Hansen, H-a-n-s-e-n. And I am the president and also the lobbyist of Nebraska Farmers Union. So in terms of our organization's activities and efforts, we get in the middle of planning and zoning and a lot of issues, including livestock waste, pipelines, renewable energy projects. And so as you look at all of these things, it's hard to come up with a, a comprehensive policy that works in all arenas going the same direction. I will tell you that's a challenge. So relative to this bill, we had a special, quick board meeting last night to go through our policy and say on this particular issue of carbon pipelines what is our-- going to be our position because we're in some conflict based

on how this bill is drafted. And a-- and so based on two particular sections of our policy, we are here in support today. And those sections of policy read, quote, any of you supports legislation that would give eminent domain power to the state alone and would not allow private corporations to exercise the right of eminent domain for projects that are for private economic gain. Easements obtained without a federal permit by pipeline carriers shall immediately revert back to the landowner, and payments made by pipeline carriers to landowners for easements shall remain with the landowner. The other section which we leaned on relative to our final judgment was, quote, NEFU proposes the privately owned pipeline companies must build an escrow-- escrow based on percentage of dollars earned through the volume of the product transported to pay for all road construction, emergency response situations, training of local emergency response providers such as local fire departments, hazmat workers, and paramedics, end quote. So it was that language that we leaned on relative to our overall position on pipelines to come to a community benefits agreement with Tallgrass. There are three-- there have been three basic players in Nebraska relative to carbon pipelines. One is Tallgrass, and they have repurposed an existing pipeline. And then they have used a process to be able to get from the different sources to that pipeline so the, the feeder [INAUDIBLE] Summit, who is still in our state and still thinking about the possibilities, and Navigator, who's pretty much pulled up their stakes and, and, and given up. And so does the state of Nebraska have a clear policy relative to how it is that landowners should deal with carbon pipelines? And the answer is no, we do not. And so here we are trying to figure out how does all of this work, and it is a challenge to figure that out. And so landowners are left with less than clarity. But I wanted to, to point out that the section that we had conflict with was 57-1602 as a part of the bill on page 3 and that we support that section. We supported it when Senator Flood brought that to the Legislature a number of years ago. We think that there is value in sequestering carbon. And so because of that, we would like to see that section struck. We have a background. We've been working on carbon issues since the 2006-07 area. We worked with vol-- landowners to develop a voluntary carbon sequestration program. We signed up 1.2 million acres, and we-- our state was the largest single state in the country relative to voluntary participation in a carbon sequestration program where the, the carbon was aggregated and then marketed on the Chicago Climate Exchange. So some of the things that kind of stick out there-- just ongoing problems with pipelines that need to be addressed as we go forward-- is the business of one-time payments. It's, it's a,

a sticking point for power-- public power lines. And certainly in the case of this particular transport commodity, the public health risks are different. The only thing that's kind of con-- similar to my mind is anhydrous ammonia-- except with anhydrous ammonia, you can smell it. A lot of times you can see it. In this case, it poses a clear public health risk. It is clear, is odorless. There's a lot of landowner concern about health of just unknowingly going out to check cows and not coming back, frankly. And so landowners should have the final say over what they do in their private property. Tallgrass has been successful in going forward. They have not used eminent domain. They've got-- they've made about a thousand easements, I understand, voluntarily. They've made a lot of adjustments in terms of the route. That's what we prefer. But if we're going to use eminent domain, let's make sure it's done properly and that, in our view, it ought to be done for a public purpose and a public benefit and it ought to be done through a public entity. And the-- we think that the power-- the Public Service Commission is the agency that should get the authority for the siting of pipelines, and we think that that is the appropriate agency that we ought to be pushing toward so that we have a clear, understandable process where everybody knows what the rules of the road are before we get started. And with that, I'd be glad to end my testimony and answer any questions.

**BRANDT:** OK. Let's see if we have any questions. Senator Raybould.

**RAYBOULD:** Thank you, John, for testifying. You, you mentioned that, that there are some states that do have a model policy regarding pipelines, or did I mishear that from you? And if so, what are the states that do have a, a policy on pipeline?

**JOHN HANSEN:** Well, I, I don't remember saying that, of course. You know, at my age, who knows what I said?

**RAYBOULD:** Someone else-- sorry.

**JOHN HANSEN:** Certain states have certainly treated all of this very differently. South Dakota has gone-- the-- there's been a, a lot of furor in their state over how it is that certain carbon pipelines have conducted themselves. They reflected that landowner position with, with severe restrictions on the use of eminent domain. Other states have done different things. But we're-- you know, we're, we're at a point where we need to recognize the fact that in the state of Nebraska we still have a TransCanada hangover in terms of landowners and how they got treated and how they felt they were dealt with. And a

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

lot of those landowners were, were right to say, you know, the, the company shouldn't be able to come in and just tell us anything they want. Every time there was a, a softball game, every time there was a community activity, TransCanada's efforts went backwards because that's when neighbors started comparing stories. And they found out that, that everybody got told a different story. The process of eminent domain was, was misrepresented. There was high-pressure tactics used. And so landowners were really put in a vulnerable position. We want to find a way to add value to our ethanol if we can-- and we need to find the path forward. But that path needs to be respectful of the private property rights and interests of landowners first and foremost.

**RAYBOULD:** OK. And John, so I just checked my notes. I know you, you talked about a community benefits agreement--

**JOHN HANSEN:** Yes.

**RAYBOULD:** --in your testimony. And I, I guess I-- is that something that other states require of any type of pipeline construction, any type of utility easements, even if it's something as part and im-- important for the power grid?

**JOHN HANSEN:** So different kinds of pipeline companies have different kinds of approaches to moving forward and working with landowners.

**RAYBOULD:** Mm-hmm.

**JOHN HANSEN:** So Tallgrass heard the pushback that, that was still very clear out there from TransCanada and other things. And so they said, well, you know, what can we do to work with landowners? And so they worked with our organization. They worked with Bold Nebraska. They worked with other ag organizations. And Farmers Union was one of a number of ag organizations that said, OK, if we're going to have a pipeline, let's do it in a fashion that works to the, to the best interest of the community, to the first responders, to the landowners. And let's try to spread some of the economic benefits and commercial benefits that derive from the operation of the pipeline to the folks who are impacted by it. And so we did negotiate with them in good faith. And to their credit, they were good partners. We had differences of opinion that we pounded out. And we did sign an agreement. So it was kind of an historic agreement, especially for Farmers Union, to enter into an agreement with a pipeline company. But we did, and we think that so far it's been working. Our understanding

is that there's already been 60 trainings done with first responders, and 125 different local departments have participated in those. And so-- you know, the, the 200 route changes in order to be able to accommodate the interests of landowners have helped them get to the, the 1,000 voluntary easements that they have in order to be able to move forward. And so the-- that model-- not captured in any law that I'm aware of-- but that model is one that I think that gives us a path forward in the state of Nebraska and could be used to good benefit for parties who are in conflict. And I, of course, represent landowners.

**RAYBOULD:** OK. And part of that agreement, were there any funds in escrow to make sure that the commitment was fulfilled for the training programs? Or is that-- how did, how did you ensure that these programs would happen and get ex-- executed on? Di-- wa-- was there an escrow of funds to hold them to it?

**JOHN HANSEN:** So I'm trying to remember the particulars of that agreement, so don't hold me too hard. But there, there was a pool of dedicated dollars to make sure that those things happen. And there's also been efforts to work with community foundations and other folks in order to let them decide what their community needs that they could be helpful for. And so we look at that process and the kind of pushback that you get from landowners when these things happen. I, I got-- my phone rang all the time for a number of years over TransCanada. And in, in Tallgrass, one of my family members called up from Lincoln County, and she was [INAUDIBLE] determined that, that they weren't going to be able to repurpose the pipeline and they had signed an agreement to do one thing. And so nobody could find a copy of the agreement. And so-- finally, efforts were made to get to the agreement. And after the-- that was known, she read it and said, well, dang it. I'm not happy, but we did sign it. Then our family members signed it, so we're going to have to live with it. And we don't have any remedy. So that was the only complaint I've gotten from Tallgrass. All the other complaints from Tallgrass are landowners who had siting issues that I was able to work with Tallgrass and get resolved.

**RAYBOULD:** OK. Thank you.

**BRANDT:** I don't see any other questions. Real quick, at some point, can you let our legal counsel know which sections of the bill you want to have changed? And you can do that after the hearing if, if, if you want. And we'll go on to the next testifier, if that's all right.

**JOHN HANSEN:** You bet, but it's 57-1602.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**BRANDT:** OK. Thank you, John.

**JOHN HANSEN:** You bet.

**BRANDT:** How many-- and I got here late, I apologize. This kind of looks like a Judiciary hearing to me. And what we would do in Judiciary is we would go, like, five proponents and five opponents. Are there a lot of proponents left? Raise your hand. Proponents. Two more? OK. We'll do, do you two and then we'll just go in regular order. Welcome.

**KEN WINSTON:** Good afternoon, Senator Brandt, and thank you. My name's Ken Winston, K-e-n W-i-n-s-t-o-n. And I'm here to testify in, in support of LB916 on behalf of the 3,000 members of the Nebraska Chapter of the Sierra Club. We have a number of concerns about CO2 pipelines and-- so-- some of those are the following. The risks of CO2 pipelines: CO2, carbon dioxide is both an asphyxiate, which means it can kill you. And it's an intoxicant, which it can mean-- it means it can ren-- render you inc-- incapable of functioning. It's colorless and odorless, which means that it could-- you-- as John Hansen indicated, it could sneak up on you. Suddenly, you would-- you wouldn't know that, that you were being impacted until it impacted you. The next concern is the lack of experience that we have with CO2 pipelines. There really aren't very many of them that are operational. And as Ms. Meyer indicated, there have been some accidents with them. And, and it's a different kind of entit-- different kind of substance. It's under high pressure, it's very cold, and it can cause pipelines to burst because of those factors. They're also-- currently in the state of Nebraska, there aren't any regulations, which means there, there aren't any standards for building them. That's actually something we'd like to see included in, in the bill, would be some additional standards. Because the-- right now, you could run it anywhere. You could run it next to a hospital or a church or a school. And so there aren't any standards for them. So we'd like to see more oversight. There isn't any, any environmental re-- review. And, and-- present time, as I indicate, the Public Service Commission only deals with oil pipelines. And then the final issue is, is en-- eminent domain, and that's a major concern. And the landowners have talked about their experiences with it, and I don't need to, to amplify those, but I-- but we just believe that if somebody doesn't want to have a pipeline on their land, they shouldn't have it forced upon them. So we appreciate the standards that LB916 does provide, particularly the idea that it would be operationally safe, that they would not incur any ta-- cost to Nebraska taxpayers, that it would

reduc-- would lead to a reduction in greenhouse gas emissions, it would not harm the environment, and it would provide a-- an economic benefit to Nebraska and its citizens. Now, we think that a prohibition on eminent domain is very significant. This is an important provision because of the provisions of the-- this, this is consistent with the provisions of the U.S. and Nebraska Constitutions. The Fifth Amendment to the Nebra-- to the U.S. Constitution provides that private property cannot be taken or-- wi-- except for public use and for a public benefit. And with a-- and it has to be just compensation. Article I, Section 21 of the Nebraska Constitution has a similar provision. And the Nebraska Sierra Club has a long history of, of opposing private corporations using eminent domain for private gain. And then-- I guess I just wanted to talk a little bit, similarly to what Mr. Hansen did. We'd like to see some additional standards attached to this, in particular some rooting and siting provisions. We'd like to see those, those added to the bill. We'd also like to see some dis-- decommissioning and reclamation requirements. I think one of the witnesses talked about how they were having issues with the reclamation of their property and, and the challenges they had keeping an eye on what the, the pipeline company did. And then, as Mr. Hansen indicated, we also want to make sure that there's appropriate standards for regulation of underground storage of CO2 and make sure that those provisions per-- provide necessary protections for the public and the environment. We'd be glad to work with the committee to address any of these concerns or any concerns that the committee may have. And we would encourage the advancement of LB916 to General File. Be glad to respond to any questions.

**BRANDT:** You bet. Let's see what we've got. Senator DeKay.

**DeKAY:** Thank you. Thank you, Mr. Winston, for being here. Just for clarification, were the easements that would be placed, do they-- are easements across the state for every type of project the same, you know, dealing with different things with-- electric generation dollars and stuff, they had to be on either a half section or a section line. Would the same restrictions be in place here or not?

**KEN WINSTON:** Those would be different kinds of-- I mean, the, the easements-- for example, with-- related to a-- well, it, it depends upon whether you're talking about an easement that, that a person would have with, for example, public power for, for a transmission line. That would be a different kind of easement than, than one would have for, for, for a pipeline. But in addition-- for example, some people get leases for, for, for wind turbines to be put on their

property. That's a private agreement with a private company. And that's for a per-- term of years and it has certain terms for, for reclamation and, and decommissioning that are built into that contract. And so we would like to see something more similar to that with regard to pipeline easements, where the-- where it would be a term of years, where there would be periodic payments, where there would be reclamation and decommissioning requirements. So those kinds of things we, we-- are some of the things we'd like to see included in, in pipeline easements.

**DeKAY:** All right. Thank you.

**KEN WINSTON:** Thank you.

**BRANDT:** Senator Juarez.

**JUAREZ:** Thank you. I, I just have a couple questions. First of all, thank you for the information that you provided. And I wanted to know, are you recommending that the Public Service Commission provide the oversight in this area? Or who do you think would be best equipped for that?

**KEN WINSTON:** Well, the, the bill has the oversight through the Oil and Gas Commission, so we're not necessarily arguing with that. I guess-- overall, the, the-- there is-- there could be some advantages to having the Public Service Commission-- I guess I don't-- I wouldn't want to recommend against Senator Meyer's intentions for the bill. But the Public Service Commission does have more experience in this area than the Oil and Ga-- Oil and Gas Commission regarding pipelines. So, so that would be the one, one advantage that the Public Service Commission would have.

**JUAREZ:** OK. And my other question-- and although you didn't bring it up here, but maybe you might be familiar from other testimony is in regards to the entity Tallgrass that has been working with the landowners. Do you have any opinion on why you think that they've been successful without using eminent domain?

**KEN WINSTON:** Well, I have to offer the disclaimer that I'm not involved at all with Tallgrass in any way, shape, or form, and neither is the Sierra Club. But to the extent that there are the public benefit agreements that John Hansen talked about, I think that probably goes a long way towards encouraging people-- the fact that they're talking about providing benefits to the community, providing

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

training for firefighters, and, and funding for community activities, I think that goes a long way towards, towards addressing the concerns that people have. So I, I think ideas like that are things that should be encouraged.

**JUAREZ:** OK. I was just curious whether or not you guys-- I know that you didn't mention that, but I didn't know if you were familiar externally with-- about why they've been successful. But thank you.

**KEN WINSTON:** Yes. And, and just to amplify that, typically projects like that that provide more benefits to the community are more likely to be well-received in the community. So it just makes sense.

**JUAREZ:** OK. Thank you.

**KEN WINSTON:** Thank you.

**BRANDT:** Any more questions? I see none. Thank you, Mr. Winston.

**KEN WINSTON:** Have a good afternoon.

**BRANDT:** Any more proponents? Proponents. Come on up. Welcome.

**MARVIN LEADERS:** My name is Marvin Leaders. I am a farmer in--

**BRANDT:** Marvin, could you spell your name for the record, please?

**MARVIN LEADERS:** Excuse me. L-e-a-d-e-r-s.

**BRANDT:** OK.

**MARVIN LEADERS:** OK.

**BRANDT:** Go ahead.

**MARVIN LEADERS:** I am, I am a fourth generation farmer in Sarpy County and have been involved with carbon capture pipelines on properties that we own in Wright County, Iowa, which would be northeast of Fort Dodge. OK. And I knew that in Nebraska, there were no carbon pipeline and carbon has never been addressed for individual property rights and now the, the, the taking of eminent domain and that process to it. This whole carbon capture of trying to pump this carbon from ethanol plants to store it underground originated from green ideas in Washington and tremendous amounts of subsidy. Transferring this carbon without all of those subsidies is not economically feasible. The only thing really that's happened is there's a whole bunch of federal money

granted and there's people trying to take those credits and use them against their private company and their investments in it to offset other income. That's number one. OK. So about four years ago in, in Iowa, Summit, Navigator-- there were four companies all of a sudden jumps on Iowa. Hey, we're going to try and get ahold of this federal money, you see, and the ethanol producers. OK. Navigator tried. Summit, Summit started harder. And at that time, they were needing rights-of-ways in Iowa, in Nebraska, Minnesota. Minnesota's line was supposed to come down into Iowa. And Nebraska, what was going to be was-- at that was northern Nebraska and maybe as far as Columbus, was going to go towards Sioux City. OK. Minnesota was supposed to come down into Iowa. Then it was going to go to South Dakota and go across South Dakota and then be captured in North Dakota. That was the guise, OK? There was one small one that was going to take some of eastern Iowa into Illinois because ADM in Decatur with their ethanol industry, they are capturing already. Now, their monitoring wells aren't functioning because they've already rusted out. OK. This is very corrosive stuff. Carbon dioxide, there's nothing wrong with it. When you start pressurizing it, OK, and if you have a break, the release of that pressure basically is drawing heat out of the pipe, of the, of the, the pipeline. And Tallgrass here used existing natural gas pipeline because they had the easements for it. OK. And now to go high pressure, they're going to have to put collars in at certain distances-- you know, in-- distances because if a crack starts down the line, it'll just go on forever until it gets rid of the pressure. OK. The ruptures in, in, in Mississippi that happened, they were using carbon to use it as a-- fracking, fracking wells, you see what I'm saying? And it's very good at that. My son was involved with equipment on the fracking industry in Canada. And with carbon at that point, once you get done fracking and what you've got left over, it really isn't hazardous, you see. And so where they'd have to clean up their mess and their liquids and everything, carbon's fine-- and are, are fracking with nitrogen. But so in Iowa and in South Dakota, the South Dakota people had been through the oil pipelines and knew the situation. And when it went to their legislatures and-- Kristi Noem was the governor at that time.

**BRANDT:** Mr., Mr. Leaders, your red light is on. If you could just summarize real quickly, and then we'll see if we've got any questions.

**MARVIN LEADERS:** OK.

**BRANDT:** OK.

**MARVIN LEADERS:** OK. Yeah. And so, as this whole thing, we've been fighting Summit in Iowa the whole time, and when-- with Zoom meetings, everything-- we hired the [INAUDIBLE]. It's been a fight. And then on a Zoom meeting the other night, Shelli Meyer was on there. And so I determined that in Nebraska there needs to be guidelines, you see what I'm saying, that individual farmers aren't fighting it on their own. We group together. Now, South Dakota got together and had to go it through their second legislature after Kristi Noem was gone. And then, you know--

**BRANDT:** OK. We're, we're going to see if we got any questions for you, Mr. Leaders, OK?

**MARVIN LEADERS:** OK.

**BRANDT:** All right. Questions? Senator Raybould.

**RAYBOULD:** Thank you, Mr. [INAUDIBLE]. Did you say that Iowa and now South Dakota do have guidelines on pipelines? No, that's not what you're saying. OK.

**MARVIN LEADERS:** In Iowa, it goes to a appointed-- Iowa-- it was an Iowa utilities board, now they call themselves the Iowa-- through the four-year period they call it Iowa Utilities Commission, who also takes care of routings for power lines and all this. OK. And in Iowa, they had to draw a route out. OK? And then have informational meetings. They have the right-- well, they, they tried the right, I guess you'd say, of eminent domain. They call themselves-- the pipeline call themselves a common carrier, OK, like a pipeline would be to, to, to try to get the right of eminent domain, OK? As far as standards for a pipeline, there are no federal-- pipelines are controlled by PHMSA. That's a federal regulation-- you know, a, a federal entity dealing for safety and like that. There are no-- there are no spe-- specifications and whatever on the federal level to deal with-- at this point in time to deal with these carbon pipelines. OK?

**RAYBOULD:** OK. Thank you, Mr. Reuben [SIC]. I think I get the gist. Yeah.

**MARVIN LEADERS:** You see? But is there-- but, but so then Iowa-- so, so then it-- Iowa's utility board, we had hearings, you know. We went to testify, all of this. Their approval for them to do a pipeline was subject that they had to get approval to get through South Dakota and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

they had to have a place in North Dakota to store this stuff. So that's what's holding it up there.

**BRANDT:** OK. Let's, let's see if there's any other questions. Does anybody have any other questions? All right. Thank you, Mr. Looters [SIC].

**MARVIN LEADERS:** Thank-- good.

**BRANDT:** Any more proponents? Proponents. You can go ahead and have a seat. Now we're gonna go to opponents. Welcome.

**MARK HALSTEAD:** Thank you. Good afternoon, Senator Brandt and the members of the Natural Resources Committee. My name is Mark Halstead, M-a-r-k H-a-l-s-t-e-a-d. I am from Kimball, Nebraska. I am a husband and a father of three children. I farm and ranch in Kimball and Cheyenne Counties. I actually live on the land that I'm here to represent. I actually own the land I am here to represent. And I am not representing my parents who are re-- I'm, I'm here to represent myself. I am here today to speak on behalf of my family, my neighbors, and my community in opposition to LB916. Our community is in the far southwestern part of Ki-- of the Nebraska Panhandle. We live in an area with a lot of economic headwinds. Our schools are losing kids, our churches are empty, our downtowns are empty, and we are losing population. I am concerned about the future of our area. I am in opposition of LB916, particularly because of the 100% landowner consent requirement on the CO2 injection areas. A few years ago, there was a company that started approaching landowners about the possibility of a proposed CO2 injection well project. Many of us were not familiar with the process or what all it entailed. We could tell that the project could bring economic activity to our struggling area, but we needed more time to research everything about it. We visited our-- amongst ourselves as landowners and decided our best path forward was to form a landowner association. We formed the association and negotiate acceptable terms for the potential CO2 injection well project. In a matter of a few months, our landowner group grew to 370,215 acres, with 294 individual landowners from Kimball and Cheyenne Counties. Simple google spear-- search in the back for perspective, Lincoln, Nebraska is 103.9 square miles. Our landowner group is 507-- 578 square miles. That is almost six times the size of Lincoln, Nebraska that we put together as a group. We represent small acreage owners all the way up to large ranches. Our landowner group is mostly local residents who operate the land they own and live there, but we also have many absentee owners from all over the United States.

We were very open and welcoming to landowners to join our group and didn't want to leave anyone out. And I'm going to stress this. We have spent hundreds and hundreds of hours working on what we felt were acceptable terms for our community in regards to the proposed project. We came to terms with the company and presented a lease to our membership. The leases were signed in 2023 with extremely positive outlook from the actual landowners. We genuinely tried to do this in the right way. We tried very hard to look out for the best interests of our community members. However, we found working on a landowner group there are many extenuating circumstances regarding landownership in our community. There are situations in our community with landowners willing and desiring to be part the project but they are unable to sign the required documentation. There's a family nearby where the land is owned by the 90-plus-year-old father. He's in a nursing home with severe dementia. The family wants to be part of the project, but that father cannot legally sign their land into it. They did not get power of attorney documentation done before his dementia prevented it. They essentially cannot do anything with the land until he passes away. There are local farm families who depend on the USDA/FSA farm loans for a variety of purposes and reasons. Those families cannot get the USDA loan officer to sign the lien release to allow for their property to be included in the project. Those families would probably benefit more than anybody from being part of it, but because of circumstances out of their immediate control, they cannot participate. Every bank institution in our area has signed the release forms enabling their customers to participate, except for the USDA. There are several other circumstances similar in nature, but I do not feel comfortable discussing them here in this public forum out of respect to those involved. I strongly feel that LB916 would prevent our area from having the possibility of what we feel as a community would be a very beneficial CO2 injection well project by requiring 100% compliance of landowners within the injection well plume area. 100% is not a realistic number in the real world, and that'll never be attained because of situations like I described. I do not feel it is right to deny the vast majority of landowners the possibility of an economically beneficial project in a geographic area that quite frankly could really use the help by putting the unrealistic requirement of 100% threshold of legally consenting landowners. In most cases, the nonparticipating landowners want to be part of the project, but they are prevented from signing by situations out of their control. I am speaking on the behalf of the landowners in my community by expressing our desire for the possibility of this project in our area instead of watching yet another project from across the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

fence. Looking at Tallgrass's Wyoming permits, they potentially pay more than \$100 million to landowners through their injection fees being currently injected right now as we speak. These-- this revenue could do so much good for families in the-- and the communities across the Panhandle and our area. I respectfully urge the committee not to advance LB916 as presented. Thank you for your time. And I will be happy to answer any questions.

**BRANDT:** OK. Thank you. Let's see what we've got for questions. Senator Moser.

**MOSER:** So are there ways that the bill could be improved to the point that you would support it or you're against it in all forms?

**MARK HALSTEAD:** Personally, I'm against it in all forms.

**MOSER:** I got that impression.

**MARK HALSTEAD:** Thank you.

**BRANDT:** Other question? Senator Hughes.

**HUGHES:** Thank you, Chair Brandt. This actually has nothing to do with this bill, but you're from Kimball.

**MARK HALSTEAD:** I am from Kimball.

**HUGHES:** I was in Education yester-- I'm just-- I'm gonna do a shout-out to Kimball County. I was in Education hearing yesterday, all day, all-- most of the night, and we had two young men from your high school. Are they related to you or anything?

**MARK HALSTEAD:** I, I drove 400 miles to be here.

**HUGHES:** Were you with them yesterday?

**MARK HALSTEAD:** No, I--

**HUGHES:** Oh, OK.

**MARK HALSTEAD:** --I, I farm and ranch. We got a winter storm. It's cold. I worked as hard as I could to be ready, write this speech, and get here. I don't have Facebook. My wife told me that there i-- I have no-- I know there's somebody here. I don't know.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**HUGHES:** Props to Co-- Kimball County. Super far away. Sent-- kids were here yesterday talking on an Education bill we had, giving their feedback. They interviewed their elementary teachers and they, they, they gave that feedback. They drove here and back, same day. And you're doing the same thing for this.

**MARK HALSTEAD:** I'm very proud--

**HUGHES:** Thank you so much. I, I just-- Kimball County, they are civically minded. I love it.

**BRANDT:** Was there a quest-- was there a question in that?

**HUGHES:** Nope. That wa-- that was Jana's statement.

**BRANDT:** All right. Senator Raybould.

**RAYBOULD:** Here's a question for you. So could you tell us what is the, the status of your project right now? Is it, is it held up because of the, the--

**MARK HALSTEAD:** Our project has stakes in the ground. This-- the easements are signed.

**RAYBOULD:** OK.

**MARK HALSTEAD:** You can look at Google Earth. Go south to Dix about nine miles and you'll see an injection site. All the dirt work's done. Everything's ready to go. And this bill would prevent that from happening. There's, there's seven injection sites staked out. Stakes are in the groundbreaking. Easements are signed, and I know this because I'm a landowner, not because my cousin's uncle's wife's family told me.

**RAYBOULD:** So the-- what is per-- per-- I'm trying to think because it seems like most everyone is willing. There's a few landowners that don't have the ability to sign own--

**MARK HALSTEAD:** Landownership's a mess.

**RAYBOULD:** OK.

**MARK HALSTEAD:** There's-- and I apologize. There's, there's been a lot of things said today that, that have me stirred up because they're not-- it's, it's not accurate. Like, these people aren't in the room

making these-- I'm, I'm a landowner, right? So-- estate plans. I'm passionate about estate plans. People don't do estate plans right. They don't-- they can't sign. It's-- they don't get estates settled. Landownership is not as neat and clean as you think it is. There's a lot of things. Mental incompetence. There's, there's landowners that-- they can't-- you know, if you don't have medical power of attorney, you can't sign-- you can't sign the easement. So unitization is what this is called, the 60%-- whatever. It doesn't matter-- that lets these people-- these people want to participate. They want the income from it, but they can't. And the other thing that I didn't put in the speech that I shouldn't say-- state land, school land. In our area, every two sections out of a tow-- a township's six miles by six miles is a township. Every-- there's two sections that's-- 10% is owned by the state of Nebraska school land. They won't sign the easements. The, the state of Nebraska-- there's three-- there's two people behind me. We, we do everything we can to prop up our community. I coach little kid basketball. I sponsor everything I can sponsor. I donate beef to the schools. School lands down here with a committee that won't sign the paper, and we're losing out on a project. If-- you can't force the Nebraska state school land to sign off on this. So our pro-- our area where we live and work and our kids are-- we're glad to raise them there, we can't do projects if you put a burden on this because, because of-- peo-- people can't sign because of certain reasons. State school land, 100%. We, we included everybody in our landowner group. We did. There might be-- there might be a ten-acre house. You know, they, they don't wa-- they don't understand, they don't want to participate. So there's 200,000 acres that can't have an injection well thing because of a ten-- ten-acre house site. Like, that's not really fair. We have nuclear missiles in our area that take up a few acres. Are you going to get the U.S. government to sign off on this? You know, the, the plume has nothing to do with those missiles. It's 10,000 feet under the ground. There's caprock. There's landownership issues-- well, you will never get 100% approval. It's not realistic. It's not the real world.

**RAYBOULD:** So basically-- what I'm hearing is that the, the project is continuing--

**MARK HALSTEAD:** Yeah, I--

**RAYBOULD:** --to move forward except, like, pending the-- those few properties that have yet to be resolved, right?

**MARK HALSTEAD:** Correct. I'm not a geologist. We-- on our board, there-- there's an amazingly intelligent person that is a ge-- he's a oil field engineer, also a farmer. They're not 100% sure that geo-- you know, they ha-- until they drill 10,000 feet deep, they, they don't know for sure that our-- but they-- they're pretty sure, right? Like, this is-- the wheels are in motion. We're, we're pretty far into it. The stakes are up. But good question, and I hope I answered that.

**RAYBOULD:** You did.

**MARK HALSTEAD:** Thank you.

**RAYBOULD:** Thank you so much.

**BRANDT:** Other questions? I guess I've, I've got one quick question. So right now, CO2 is being injected in Wyoming.

**MARK HALSTEAD:** Correct.

**BRANDT:** Is that right?

**MARK HALSTEAD:** That is correct.

**BRANDT:** Are, are you aware of any problems that they've been having with injection or not?

**MARK HALSTEAD:** I personally own land with-- like, myself, not somebody else. I own land with the Trailblazer pipeline on it. They went in ahead of time. They-- I'm, I'm speaking about things I shouldn't-- I don't understand, right? They, they did what they needed to do. They looked for weak points. They, they dug up places-- like, they-- when they transitioned this. And it's also not true. They, they did send out easements for the change of use. Like, you-- as landowners, we had to sign permission for them to change a use. But anyway, they, they did any due diligence on fixing that pipeline before they started injecting. I fed cattle last-- couple days ago right over that pipeline. It's fine. You can't even tell it's there.

**BRANDT:** I guess my question-- my, my question pertains to the injection point in Wyoming. Is there any issues that you've heard of with the actual injection?

**MARK HALSTEAD:** No. I-- in my circle of, of people, I have not heard of any issues.

**BRANDT:** OK.

**MARK HALSTEAD:** But thank you.

**BRANDT:** Well, I appreciate you driving-- how many hours?

**MARK HALSTEAD:** It's 400 miles.

**BRANDT:** Well, I guess it depends how fast you drive, right?

**MARK HALSTEAD:** I'm not going to say how long it took.

**BRANDT:** Thank you for your-- thank you for your testimony. Next opponent. Welcome.

**MATT VARRA:** Chairman Brandt, members of the committee. Thanks for having-- letting us have the time. My name's Matt Varra, M-a-t-t V-a-r-r-a. I'm going to piggyback a little bit on Mark. And I don't have a prepared statement, but I farm on the opposite end of the county as Mark does. I am on the far northern edge of Kimball County. Primarily with our, with our home place, we're 25 miles from Colorado and 25 miles from Wyoming. Within my ranch, I graze pastures differently on one corner than I do another corner. Within my farming operation, there's pivots they need handled completely different. I've sat here today and I've listened to a lot of stuff about eastern Nebraska and northeastern Nebraska and Iowa and South Dakota. Kimball and Cheyenne County might as well be Mars. Like, there's, there's so much different that a one-size-fits-all approach to anything like this-- boy, I think that's going to be hard to come to you. You guys are all smarter than me. Maybe you can do it. I oppose LB916. I don't see it-- I don't see that it's a-- it's workable for the entire state. I-- there might be areas where it makes sense. That's not the way the law works, all right? Being in the location we are as close to Wyoming and as close to Colorado as we are, we already feel like we're in a little bit of a economic disadvantage. Every time we go to a farm sale, every time we go buy inputs, we have to bid against our neighbors in Wyoming. Property tax is less, no personal property tax on the equipment they buy. 20 miles away and I gotta pay 7% more, or whatever the number is. I feel like this bill would, would economically further hurt the southwestern Panhandle of the state. And that's about it.

**BRANDT:** Well, let's see if we've got questions. Senator Moser.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**MOSEER:** So I guess I would ask a similar question to the one I asked the previous testifier. Are there parts of the bill that could be removed to make it palatable or do you think the whole thing is unworkable? I mean, do you object to the eminent domain part of it or the 100% participation for the injection?

**MATT VARRA:** The 100% participation is, is my main hang-up. Maybe some of the sa-- same stands true for the rest of it and not being able to get 100%. I--

**MOSEER:** Well, I'm just curious--

**MATT VARRA:** I'm, I'm opposed.

**MOSEER:** Since you're testifying, I wanted to understand--

**MATT VARRA:** Yup. I'm opposed.

**MOSEER:** --your position. Sometimes we talk and, and we get in circles and I don't follow the logic. So I just wanted to ask you directly--

**MATT VARRA:** Yep.

**MOSEER:** --what you thought. Thank you.

**MATT VARRA:** Thank you.

**MOSEER:** Appreciate that.

**BRANDT:** OK. Other questions? I guess I've got a couple--

**MATT VARRA:** Yup.

**BRANDT:** --before you get out of your seat. We are having a lot of discussions in the Legislature the last few days about county boards restricting any manner of things, windmills, solar, hog houses, battery storage, dairies, feedlots, the list goes on and on. Your, your county boards in Kimball and Cheyenne County, did they oppose this or were they for this? Do you know?

**MOSEER:** The county boards you're talking about?

**BRANDT:** Yeah. The county boards, your commissioners.

**MATT VARRA:** I don't feel like they were opposed to it, not, not that I heard publicly.

**BRANDT:** O-- well, you would know it if they were opposed. There'd be flags and gnashing of teeth and everything else, so. OK. I don't see any other questions. Thank you for, for driving all the way from Kimball. Next, next opponent. Welcome.

**BRENT HOOPS:** Thank you. Good afternoon, Chairman Brandt and members of the Natural Resources Committee. My name is Brent Hoops, B-r-e-n-t H-o-o-p-s. And I'm here today on behalf of Chief Ethanol Fuels and the Ag Leaders Working Group to respectfully oppose LB916. The Ag Leaders Working Group con-- represents a broad coalition of Nebraska agriculture, including the Nebraska Corn Growers Association, Nebraska Farm Bureau, Nebraska Sorghum Producers Association, Nebraska Soybean Association, Nebraska State Dairy Association, Nebraska Wheat Growers Association, and Renewable Fuels Nebraska. I would also add that two other organizations, Nebraska Chamber of Commerce and Industry and Nebraska En-- Economic Developers Association, had to leave due to time and other commitments, but I'm told they've asked to be added to my testimony as well. On a personal level, I've also spent 14 years as a farmer here in Nebraska, and I care deeply about policies that strengthen agriculture, rural communities, and long-term market oppur-- opportunities for producers. Nebraska has spent decades building a strong bioeconomy rooted in agriculture, innovation, and value-added production. Ethanol is a cornerstone of that success. Our plants support local jobs, provide reliable demand for Nebraska corn, and generate real economic activity across the stra-- across the state. Just a few years ago, this Legislature worked together to pass LB650, creating a clear, predictable pathway for carbon capture and storage while positioning Nebraska to pursue Class VI primacy. That effort lec-- recognized the importance of local oversight, regulatory certainty, and encouraged investment tied directly to agriculture and responsible energy development. LB916 would take us in the opposite direction. By making CO2 sequestration extraordinarily difficult to permit, it effectively shuts the door on future investment toward carbon capture and storage. That's especially concerning given what's already underway. Ethanol producers have committed significant private capital to projects that reduce emers-- emissions, improve efficiency, and keep Nebraska competitive. Carbon capture and sequestration is a key part of the next value-added opportunity for agriculture. More ethanol production means more corn demand, plain and simple. That demand in turn supports higher and more stable corn prices, directly benefiting Nebraska farmers and rural economies. If we stop carbon capture projects, we don't just stop innovation; we cut off access to important, low-carbon fuel markets like Canada and emerging

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

international and private markets. Without access to those markets, ethanol production growth could simply move to other states, taking corn demand, jobs, and investment with it. The bottom line is that Nebraska ethanol producers want to keep investing here. We want to keep supporting farmers, creating jobs, and strengthening our communities. LB916 would impede those initiatives. For these reasons, I respectfully ask you to oppose LB916. Thank you for your time. And hap-- I'm happy to answer any questions.

**BRANDT:** All right. Questions? Senator DeKay.

**DeKAY:** Thank you. Thank you for being here. Couple questions about the ethanol industry. If you cannot move that carbon out, does that limit the amount of production etha-- of ethanol that you can produce?

**BRENT HOOPS:** It wouldn't necessarily limit the ne-- the amount of ethanol we can produce. It would just degrade the value of the ethanol that we're producing. So there would be an economic decision to make there. But that carbon is valu-- I'm, I'm a commodities guy, so it's a-- I consider it a commodity. So as we, you know, sequester that carbon, we do get compensated for that. And so if we-- you know, depending on the markets, if, if that falls in line, our, our, our you know, sen-- place where it makes sense to economically run the plant, then that's where it would start to curtail production for the, for the state for our plant.

**DeKAY:** Will that impact the price that you could bid for corn from local producers--

**BRENT HOOPS:** Absolutely. Yeah. I, I guess I should elaborate a little further. If we don't sequester it, we're just going to vent the CO2 off into the atmosphere and not get anything for it. So the whole-- you know, there would be more CO2 in the atmosphere. But yes, it would-- if we're slowing production or buying less corn-- you know, we all-- we're all familiar with supply and demand. So we're part of the demand side. The more demand there is, the higher the price can go.

**DeKAY:** Thank you.

**BRANDT:** Other questions? Senator Raybould.

**RAYBOULD:** Mr. Hoops, you mentioned Nebraska Chamber of Commerce signed on in support-- or, in opposition to LB916. What was the other group that you said? I didn't ca-- catch it.

**BRENT HOOPS:** The Nebraska Economic Developers Association.

**RAYBOULD:** OK. Thank you.

**BRANDT:** Senator DeKay.

**DeKAY:** Sorry about that. I'm back.

**BRENT HOOPS:** Certainly.

**DeKAY:** Real quick, so if you're venting it off into the atmosphere, is there any more health hazards of that than if, if there was a puncture and it was vented into the atmosphere? Or, or is it self-contained closer to the area where the damage is done?

**BRENT HOOPS:** So I, I-- I'm not an expert on the, on the, the safety ri-- I think we'll have someone talking who is a better expert than me, but I will say that, you know, it's, it's an inert gas. It's nonflammable. You know, it's been emitted by ethanol plants for years as long as this ethanol industry has been here in Nebraska. So the only thing that's changing is instead of it going up into the sky around the ethanol plant, you know, and all, all throughout the community, it's being condensed and sent down a pipeline. I think if there was for some reason an issue on the pipeline, it could have maybe, like, a localized-- like, it could be really cold. You know, there's several safeties in place to shut off the flow when that happens, but it would take a pretty extreme event and a very concentrated amount of CO2 to cause a, a major health hazard, in my mind.

**DeKAY:** But it, it would be similar to parts per million as a-- as if it is vented as far as being dispersed--

**BRENT HOOPS:** It's more concentrated in the pipeline, for sure.

**DeKAY:** I mean, once it--

**BRENT HOOPS:** Right. It would disperse. Yeah. Yeah.

**DeKAY:** OK. I'm done.

**BRANDT:** Senator Moser.

**MOSER:** So are you familiar if there are subsequent testifiers that are better experts on pipelines?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**BRENT HOOPS:** Yes, I'm confident there are.

**MOSER:** I'll give you a pass then.

**BRENT HOOPS:** OK. Sounds good.

**BRANDT:** But I'm not going to give you a pass.

**BRENT HOOPS:** OK.

**BRANDT:** So you're the commodity guy.

**BRENT HOOPS:** Right.

**BRANDT:** So how much does this add to a gallon of ethanol and a bushel of corn?

**BRENT HOOPS:** So the bushel of corn is going to be-- it, it-- it's, it's going to be more of a-- not a direct effect on the bushel of corn.

**BRANDT:** Approximately.

**BRENT HOOPS:** I would say-- well, let's start with the ethanol. So again-- I mean, the-- these projects, what we're seeing is about a 30-point reduction in carbon intensity in-- according to the models that are used by the government. Current legislation has incentives, at least at the federal level-- and this isn't even including state incentives-- of 2 cents per point of carbon intensity that you reduce. So that's 60 cents per gallon. So we're looking at 60 cents per gallon of economic value. In addition, I mentioned Canada and California. That could be an additional 15 to 18 cents of economic value. So we're pushing-- let's call it 75 cents per gallon. Now, there's about three gallons for every bushel of corn. So-- you know, in terms of what it would make sense for us to pay for the bushel of corn, it'd be more than \$2 a bushel. You know, they're-- of course, you know, Tallgrass is not building this pipeline for free. So there's a lot-- there's a lot more com-- complexities there. It's not like, you know, all of that can be, can be passed on, but it's a significant amount of money that could, could go to the farmer. It-- really, it, it raises our point where it makes sense to buy more corn. It gives us a huge advantage as an industry over other states that are, that are not able to sequester carbon.

**BRANDT:** All right. Senator Juarez.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**JUAREZ:** Thank you. I just have one question. Do you really see at all the issues that the landowners are trying to present to us? Do you understand what they're saying?

**BRENT HOOPS:** Absolutely. And in fact, I was pa-- a big part of the effort to engage landowners when we were building the pipeline up to our Hastings and Lexington plants. I personally worked with Tallgrass in a lot of these community engagement meetings. I think that-- you know, it's been mentioned in this hearing previously that they really kind of wrote the book on how to engage communities. I know that I-- and, and-- I mean, I'm not representing Tallgrass, but I know there were over a thousand landowners represented. And the route that they were going to take to get to the ethanol plants on these, on these-- on the pipeline was changed over 200 times. 200 route modifications just to go, you know, in some cases around people who didn't want the pipeline going through their property, you know, or for whatever reason had a reservation. I think it's phenomenal that they were getting-- able to get it done and, and still accommodate all those landowner concerns and, and make it in a way that, you know, was-- all, all those agreements, those, those thousand agreements with the landowners were, were voluntary agreements. So I think that's a pretty strong message for the efforts they have made to invoid-- to avoid drastic meas-- measures like we're talking about there.

**JUAREZ:** Do you think that that-- you know, ho-- don't you think that going that route is worth it?

**BRENT HOOPS:** Absolutely. You, you know, I think that their approach is a model in how to, how to build a pipeline. I, I commend them for their, their efforts in doing that. You know, I, I would say that my focus, like some other testifiers and even, even some of the pro testifiers, are more concerned with the sequestration portion of this bill than the, the eminent domain portion.

**JUAREZ:** OK. Thank you.

**BRANDT:** I see no other questions. Thank you for your testimony. Next opponent.

**RON KAMINSKI:** Good afternoon. My name is Ron Kaminski. Last name's K-a-m-i-n-s-k-i. My address is 5626 Sorensen Parkway, Omaha, Nebraska. Thank you to Chairman Brandt and other members of the committee. As I said, my name is Ron Kaminski, and I'm the president of the Nebraska Building and Construction Trades Council that represents 15

international unions, thousands of contractors, and almost 30,000 union construction workers in Nebraska. I appreciate the opportunity to speak today in opposition to LB916. While I understand and respect the importance of protecting property rights, LB916 goes far beyond reasonable reform. As written, this bill would effectively halt pipeline projects across Nebraska. And with that, it would put thousands of Nebraskan jobs-- Nebraska jobs at risk. Pipelines are not abstract concepts. They represent real work for Nebraska welders, laborers, engineers, truck drivers, and construction crews. These are good paying jobs, the best paying jobs in Nebraska in the construction field that support families and local communities, especially in the rural parts of our state. These jobs include health insurance not only for the workers but for their dependents. They also include retirement benefits. And these jobs ensure that our workers do not depend on the government for benefits. We believe LB916 sends a clear message that Nebraska's no longer open for infrastructure investment, and that message will drive projects and jobs to other states. Nebraska's energy and agricultural economies depend on reliable infrastructure, pipeline projects, support ethanol producers, farmers, and energy companies that need efficient transportation to remain competitive. When we make it impossible to build that infrastructure, we weaken the entire, entire industries that Nebraska families rely on for their livelihoods. It's also important to be clear about eminent domain. It is not used lightly, and it is not the first option. The vast majority of easements are negotiated voluntarily with landowners receiving compensation. Eminent domain is a last resort. But without it, a single holdout can stop a project that serves a broader public benefit. LB916 removes that balance entirely. If the goal is to strengthen landowner protections, then let's do that responsibly by improving transparency, compensation, and oversight. But LB916 does not strike a balance. It shuts the door on infrastructure development altogether. At a time when Nebraska should be focused on job creation, economic growth, and energy reliability, LB916 moves us in the opposite direction. I respectfully urge you to oppose LB916 and instead work towards a solution that protects landowners, like Tallgrass did with community benefit agreements and without sacrificing Nebraska jobs and economic opportunity. I thank the committee for your time and consideration and ask you not to support LB916.

**BRANDT:** OK. Let's see if we've got questions. Senator Moser.

**MOSER:** So are you knowledgeable about how the pipelines work?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**RON KAMINSKI:** In the sense of constructing them, yes. In the sense of-- I, I think there's probably more educated individuals behind me that would, would be able to probably testify a little bit more outside of the construction of them.

**MOSER:** So-- well, let me ask a question and then you can deflect that or not. But do they use a solvent or a carrier or anything to transmit CO2 or is it just pressurized CO2?

**RON KAMINSKI:** I know some do, but I will let somebody else answer that, sir. I don't know about-- I don't know exactly what Tallgrass used, if they used that, but I know I've heard that other companies have in the past.

**MOSER:** OK. Thank you.

**RON KAMINSKI:** Yup.

**BRANDT:** OK. I see no other questions. Thank you.

**RON KAMINSKI:** Thank you, sir. Appreciate it.

**BRANDT:** Next opponent.

**DARREN GARREAN:** Chairman Brandt, members of the committee, thanks for your time and allowing me to speak in front of you. My name is Darren Garrean, D-a-r-r-e-n G-a-r-r-e-a-n. I'm the director of Safety and Education for the Rural Pipeline Safety Association. We're here today to encourage the opp-- opposition to LB916. The Rural Pipeline Safety Association, we're a nonprofit training organization dedicated for the safe development and operation of pipelines by providing valuable resources to local governments and community stakeholders. I've been a firefighter paramedic EMT for over 30 years, both as a volunteer and the career capacity. I currently work on the streets as a captain on an engine and a paramedic as well. I am the former-- I, I am the former Nebraska Professional Fire Fighters Association president. I am certified as a hazardous materials technician. I've served on a regional hazmat team in Nebraska, and I've also been a member on the Nebraska Task Force One, which is a urban search and rescue task force here in Nebraska. I'm here today as someone that works in public safety to tell you that pipelines are by far the safest way to transport hazardous materials. They are definitely more safe than transporting anything by rail or truck. CO2 pipelines specifically are the safest to move them. They pose little threat at all to the public and environment if there was an incident. Review of national incident

data from 2003 to 2022 for CO2 releases that pipelines fail at a rate of only 0.0011 per mile, making them by far the safest. I, I have to add that CO2 pipelines have had zero fatalities since their inception. So there's no record anywhere, 50-plus years of CO2 pipeline, that there's been any fatalities noted. There are 20,000-plus miles of hazardous materials pipelines crossing the state of Nebraska, from crude oil, natural gas, anhydrous ammonia, jet fuel, and other materials. They go over aquifers, under schools. Hospitals use them, the airports. There are strict carbon standards and growing demands for low carbon and sustainable aviation fuels placed on the ethanol industry. We're rapidly seeing more need for the CO2 pipelines here in Nebraska. Because of this increased demand, at the end of 2024, the Rural Pipeline Safety Association along with industry partners have conducted over 72 different pipeline safety trainings here in Nebraska, and we've had attendees including county emergency managers. Over 150 different departments have been trained, and thousands of first responders, including firefighters, EMTs, law enforcement officers, dispatchers. We provided training on how to identify possible leaks, how to identify possible products, what to do next as far as, like, incident command, evacuation, and other protocols-- all with the goal of protecting lives, the environment, and property. We also identify resources and needs for each department and have grant opportunities to help fill what those departments may need. What I can confidently assure today is that Nebraska's emergency management apparatus is well-trained, ready, and capable of dealing with all types of emergencies, including CO2 pipeline incidents. Making it harder, impossible for the industry to sequester carbon, serve Nebraskable-- Nebraska's renewable fuels industry does not necessarily serve this purpose. These projects make a lot of sense, create jobs, obviously help the ag sector grow-- which is the economy-- help us provide renewable, clean fuel, and that the-- the world and keep our carbon out of our atmosphere. Most of all, they are completely safe. They are monitored 24 hours a day. And if there is an incident, CO2 is extremely safe as far as when you compare it to other things as far as wildlife, land, water, property, and other things. We vo-- we ask for the opposition on LB19-- or, LB916. And I'm-- gladly answer any questions.

**BRANDT:** OK. Senator Moser. Maybe you'll get your answer.

**MOSER:** Sir, are you the right guy to answer my questions?

**DARREN GARREAN:** I will answer everything that I have the capacity to. I--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**MOSER:** So--

**DARREN GARREAN:** --I guess it depends on the question.

**MOSER:** Are you aware of solvents or, or anything that they use to expedite the flow of CO2 through the pipeline?

**DARREN GARREAN:** So here in Nebraska, my understanding is, is no. There are pipelines in other parts of the country that was mixed with, with the carbon dioxide that, that created an issue. The only thing that I'm, I'm aware of, like-- if-- when you put it under pressure, the carbon dioxide, it's like running it through a, a-- an air compressor. So it does compress. So there might be a, a, you know, a slight odor that is, is abnormal, like from the compressor itself, but there's no other components as far as other chemicals or other things like that. The discussion through Tallgrass, the stuff that they're doing is, is almost considered, like, medical grade. So if there become a use for something down the road that they say, hey, there-- there's something else we can use that CO2 for, they might be able to branch off and use something else. But to answer your question specifically, it's not that they add a lubricant to it that is hazardous or sliding, you know, that-- that's--

**MOSER:** So the, the danger could be if there's an eruption of-- you know, a massive leak of carbon dioxide. Does it work like [INAUDIBLE]? Will you create some frozen moisture and, and things? Would it--

**DARREN GARREAN:** So if, if you compress a gas, like if-- an, an air compressor-- I'm just using that as a, as a reference-- the air compressor itself will get hot because it's putting things under pressure. If you release anything under compression, that release itself would get cold, whether it's, it's the carbon dioxide, oxygen, any, any type of gaseous-- under compression, if you release it, it's going to get cold.

**MOSER:** So is there a possibility a person could have frostbite or something if--

**DARREN GARREAN:** If you, if you touch something that's cold, it's possible. And I, and I say that realistically. Like, if, if you're going to be next to something that is leaking, it might be cold. If you touch it, yes, it's going to be cold. You would-- it would look different. Like, if a pipeline was leaking carbon dioxide and-- it

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

would have frost on it. Would you want to go touch it? Would you want-- you know, I guess that's what I'm--

**MOSER:** Well, we just-- you know, I-- in my occupation sometimes, I use compressed nitrogen and we freeze stuff to make things fit or, or not fit, you know, to bring it apart or--

**DARREN GARREAN:** To condense them or something--

**MOSER:** Yeah.

**DARREN GARREAN:** --in size, yes.

**MOSER:** But-- so the danger of carbon dioxide is it-- that it could possibly-- if, if it was contained correctly-- or, no-- badly, wrongly, it could suffocate you? I mean, it's, it's heavier than air.

**DARREN GARREAN:** So it is heavier than air.

**MOSER:** [INAUDIBLE] or something like that.

**DARREN GARREAN:** But it, but it dissipates at extremely-- a rapid rate. So it-- it's a-- it's, it's a colorless, odorless inert gas that is nonflammable. It's used in fire extinguishers to put out fires. Your soda specifically has carbon dioxide in it. So you-- I mean, we're drinking it--

**MOSER:** Not much--

**DARREN GARREAN:** Well, it-- but it's, it's used in food preservation. It's a byproduct of us breathing. When you breathe out, it's carbon dioxide. So if it's condensed and it is heavier than air, it can flow to a, a valley as an "affixiant" it-- if there's no wind. But it's-- it dissipates so fast. Like, a fan can almost break it up into the air.

**MOSER:** It's not like carbon monoxide where it absorbs oxygen--

**DARREN GARREAN:** It's completely different. They're completely different animals. Yes, completely different. Carbon monoxide is a byproduct of--

**MOSER:** It's a much more dangerous gas.

**DARREN GARREAN:** Yes, absolutely.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**MOSEER:** Much more reactive.

**DARREN GARREAN:** Yes.

**MOSEER:** [INAUDIBLE].

**BRANDT:** Senator Juarez.

**JUAREZ:** I just had a simple question. If I understood, you said that the pipelines are monitored 24 hours a day.

**DARREN GARREAN:** Yes, Senator. It's-- the only-- the best way to explain it-- I don't know if you've ever seen the UP Command Center, the Union Pacific Command Center, how it has all of the television screens and stuff on, on there. Pipelines have that same type of command center that are monitoring the pipelines 24 hours a day that if there's a drop in pressure they can send somebody out and take a look at it or say, hey, this is, this is something that is abnormal. Some of them may have the option to shut down valves and stuff like that, but the-- they're monitored 24 hours a day.

**JUAREZ:** OK. Thank you.

**DARREN GARREAN:** Mm-hmm.

**BRANDT:** I see no other questions. Thank you, Mr. Garrean.

**DARREN GARREAN:** Thank you.

**BRANDT:** Next opponent. How many people are left to testify on this bill? Please raise your hand. Oh. Maybe you're the last one for the opponents. Welcome.

**MIKE KARBO:** Good afternoon, Mr. Chairman and members of the committee. My name is Mike, M-i-k-e; Karbo, K-a-r-b-o. And I'm the Midwest Region Director for the American Petroleum Institute. API represents all segments of America's oil and natural gas, which supports more than 11 million U.S. jobs. Our nearly 600 members produce, process, and distribute the minu-- majority of the nation's energy. Thank you for the opportunity to speak with you today regarding LB916. Our members support two-way engagement between a pipeline operator and landowner based on transparency, respect, reciprocity, inclusiveness, and accessibility. In 2024, API published the first edition of Recommended Practice 1185, Pipeline and Public Engagement in partnership with regulators and public stakeholders to support operators in creating

long-term, meaningful, and durable relationships in both planned and existing pipelines. Most of the time, agreements are over an-- over an easement can be reached voluntarily between the landowner and pipeline operator, with eminent domain only utilized as a last resort. For decades, eminent domain has and continues to be imperative to U.S. economic growth and critical infrastructure development, enabling the construction of highways, dams, airports, railroads, telephone, pipelines, and more. These projects have been the integrated infrastructure system we rely on daily to communicate with distant relatives, heat our homes, transport food, and other essential needs. Similarly, eminent domain is critical to facilitate the transportation of carbon dioxide needed for carbon capture, utilization, and sequestration, and enhanced oil recovery, creating jobs, generating investment, and safeguarding domestic energy security. In Nebraska alone, CCX projects have the potential to create over 2,500 project jobs over a 15-year period and 1,000 ongoing jobs, along with \$6.3 billion in private investment in the state. There are over 5,500 miles of carbon dioxide pipelines already operating in the U.S., but much more are needed. Blanket prohibitions against the use of eminent domain such as an-- such as in LB916 prevent this important tool from infrastructure development and prohibit potential economic benefits for the state. These projects are designed to reduce emissions by safely capturing and transporting carbon dioxide from facilities, including ethanol production, agriculture, and livestock, and manufacturing. The ability to capture, transport, and store these emissions extends the viability of these industries well into the future while allowing them to remain competitive nationally and internationally. At a time of global energy insecurity and geopolitical turmoil, lawmakers should focus on policies that support critical infrastructure development and operations. Increasing pipeline capacity can help ensure that Nebraskans continue to have access to safe, affordable, and reliable energy that we depend on every day. Thank you for the opportunity to testify. And I stand for any questions.

**BRANDT:** Questions? Senator Moser.

**MOSER:** Do you have any comments on some of the questions that I've already asked about--

**MIKE KARBO:** I think the previous testifiers did a, a, a great job explaining it in detail.

**MOSER:** His explanation was accurate to your--

**MIKE KARBO:** It-- to, to the best of my ability, yes, I would, I would agree--

**MOSER:** OK. Thank you.

**MIKE KARBO:** Yup.

**BRANDT:** I guess-- and I apologize. I had to introduce a bill in another committee, so I kind of missed the first hour of this. But you have thoughts on eminent domain and you do understand why people get upset about that?

**MIKE KARBO:** Absolutely. And as from an industry perspective, it is something that is a last resort. Our, our industry tries to exhaust every single possible meeting before we, we would go to that to use eminent domain.

**BRANDT:** So what would, what would some of those possibilities be?

**MIKE KARBO:** There's that negotiation between the landowner and the pipeline operator-- let's say in-- increasing the value of that. Maybe there's something specifically that the landowner would, would like on, on their property that they can then negotiate with the pipeline operator. Or if the-- potential to even reroute and go around that particular property if they're unable to reach an agreement.

**BRANDT:** OK. I don't see anybody else. Thank you for your testimony. Any more opponents? Opponents? Neutral. You've waited a long time, Doctor. haven't you?

**MATT JOECKEL:** Good afternoon, everyone. My name is Matt, M-a-t-t; Joeckel, J-o-e-c-k-e-l, director of the Conservation and Survey Division and State Geologist in the School of Natural Resources at your R1 university, the University of Nebraska-Lincoln. Conservation and Survey Division, or CSD, is the state's geological survey. Nothing unusual about that. At least 48 states have one. And it is considered widely to be the impartial authority on geologic matters in the state. I make it perfectly clear that I'm testifying as an individual citizen and that my opinions or comments should not be taken as the position of the University of Nebraska. I have a PhD in geology from the University of Iowa-- yes, that place. Sorry. I have worked on geological research in the state of Nebraska for four decades. I spent three years working with Ba-- Battelle Memorial Institute and other entities on the first Department of Energy funded Nebraska carbon-safe project, which dealt with carbon capture, utilization, and deep

geologic storage-- we'll just call that CCUS-- in the state. I was scheduled to be a co-investigator in the second project. That was a somewhat revolutionary approach proposing to investigate the Midcontinent Rift System between Nebras-- between Omaha and Lincoln as a possible repository thousands of feet underground. That proposal was set for budget negotiations and then effectively killed by the incoming presidential administration in early 2025. Globally, CCUS has proven to be viable, and it can reduce the release of atmospheric carbon dioxide, or CO<sub>2</sub>, to the atmosphere. Although it would be but one of multiple strategies for the reduction of humankind's carbon footprint. There are about 80 commercial CCUS operations right now in the world. That's a fourfold increase since the last time I spoke in a hearing like this in 2021. Additionally, it appears [INAUDIBLE] about a thousand other CCUS projects around the world being investigated. There's legislation-- favorable legislation in at least 13 U.S. states if you cu-- include Nebraska, at least up until today. We need tax credits, off-take agreements, developing carbon markets, lender confidence, effective insurance solutions, and financing, including private capital, if CCUS is going to work. Pilot projects modeling laboratory research operating facility has demonstrated that it is a viable technology. You need three fundamental geologic ingredients: a sufficient depth of storage-- 2,600 feet, or 800 meters, approximately to ensure that carbon dioxide remains in the supercritical state. It's something in between liquid and gas, so to speak. You need a suitable reservoir of rock that has sufficient "porosity" and permeability. You need a super sufficient caprock over the top to act as a barrier to keep that CO<sub>2</sub> from escaping. Did we find those in Nebraska? We did. Not everywhere, though. There are plenty of precedents for understanding these sorts of systems in the petroleum industry, but we're learning more and more about how to do it with carbon dioxide every year. Any potential CCUS site must be investigated thoroughly and at length to ensure its viability and safety. The first carbon-safe project demonstrated that this was possible in about two-thirds of Nebraska. I didn't say actually practicable, I said possible. About a third of the state-- eastern part of the state was deemed unfavorable at the time. But the second carbon-safe project was about to demonstrate, possibly, that deep carbon sequestration would've-- be possible in eastern Nebraska given certain conditions. And those are kind of unusual. It would involve pumping that supercritical CO<sub>2</sub> 2,000 feet or more into the ground, getting it to react with rocks, with 1.1 billion-year-old volcanic rocks, and creating new solid-phase minerals, which would lock that carbon dioxide up pretty thoroughly. On the basis of these and other

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

assessments, CCUS has potential in Nebraska, but what do we need? We need site studies that are thorough in terms of geology and engineering. We need effective legislation-- and we're working on that here today, I believe. We need sufficient oversight in the long term. We have to have a commitment on the part of the people, of state government, federal government to see that through. We have to have CO2 pipelines that are engineered for safety and maintained properly, and you've heard some commentary about that already. And I will say that even though we only have perhaps 5,000 miles of CO2 pipelines, indeed there haven't been any fatalities yet. There have been injuries. People have been hospitalized. We have about 3 million miles or more of petroleum product pipelines. And in a 30-year period, we've had greater than 500 fatalities, not to mention many injuries. You figure that one out for yourself. There's a big difference in the mileage, but I think we know some of the reasons why those petroleum product pipelines might be a little more risky. In closing, thank you for the opportunity to speak today. And allow me one more thing, if you would. I want to express my thanks at large for the privilege of working at our flagship R1 public university. It's the greatest moment in my life. Thank you.

**BRANDT:** Let's see--

**MATT JOECKEL:** Happy to entertain any questions.

**BRANDT:** Let's see what we've got. Senator Moser.

**MOSER:** So what rock would CO2 react with, and what's the resultant compound?

**MATT JOECKEL:** Basaltic rocks. If you've been to Hawaii or Iceland or the Columbia Plateau in Washington and Oregon, it's the black, hard rock that's everywhere.

**MOSER:** And what does it--

**MATT JOECKEL:** And it re--

**MOSER:** --[INAUDIBLE] to?

**MATT JOECKEL:** --it, it actually-- supercritical CO2. It's hard to identify with. Why? Because it's a state of matter that we don't encounter at standard conditions.

**MOSER:** In the natural.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**MATT JOECKEL:** Yeah. We're, we're used to liquid, solid, gas, and maybe plasma if we have certain electrical devices or if we like to watch lightning storms. But that's very transient. A supercritical fluid behaves, as I said, somewhere between a liquid and a gas. What are supercritical conditions for carbon dioxide? The supercritical temperature is 88 degrees Fahrenheit. It's not freezing. It's pretty warm. So if you're shipping supercritical CO2 in a pipeline, it's probably between about 88 and 122 degrees Fahrenheit.

**MOSER:** Pressure?

**MATT JOECKEL:** The pressure-- that's the rub. 77 to 78 times atmospheric pressure that we feel--

**MOSER:** 78 [INAUDIBLE]?

**MATT JOECKEL:** Well, 78 atmospheres.

**MOSER:** [INAUDIBLE]. OK.

**MATT JOECKEL:** OK. But most substances that we move in pipelines are under some amount of pressure. There's just no way around it. Why do we want to move it in a subcritical-- in a subcritical state or why do we want to pump it into the ground at that state? Well, it's denser. There are more CO2 molecules per volume in that material. It moves like a liquid, but it has very little friction. So it's a concentrated, relatively frictionless way to get CO2 into the ground and put it into pores.

**MOSER:** Thank, thank you.

**MATT JOECKEL:** Sure.

**DeKAY:** Senator DeKay.

**MATT JOECKEL:** Yes, Senator.

**DeKAY:** Seriously, I find your testimony intriguing and very interesting. My question is, do I get three credit hours--

**MATT JOECKEL:** You know, I'll be honest, Senator, you may for the next year and a half. But at the end of spring 2027, you won't be able to get that anymore because the Board of Regents voted to eliminate both the geology degree program and the meteorology degree program. That's fact, not opinion. I won't offer an opinion. Any other questions?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Natural Resources Committee January 28, 2026  
Rough Draft

**BRANDT:** Senator Juarez.

**JUAREZ:** Yes. Thank you very much for coming. It was really interesting. I just wanted to know, because I'm su-- I have such exciting weekends, is there a journal you could recommend I can take a look at to help me on this topic?

**MATT JOECKEL:** I wouldn't know where to begin, but I'll tell you what, I will give you my card, you email me, I'll send you a paper we've done on CCUS in Nebraska, and I'll round up some other resources.

**JUAREZ:** Thank you.

**BRANDT:** So-- Doctor, could you send that to the entire committee? Or you could forward it to Senator Juarez-- yeah-- Senator Juarez, and she can send it to the entire committee.

**MATT JOECKEL:** I almost gave you my banker's card [INAUDIBLE]. Senator, you know where to find me.

**BRANDT:** Yup. Other questions? I see nothing. Thank you, Doctor. I appreciate you--

**MATT JOECKEL:** I'm just mad. Thank you.

**BRANDT:** Yup. Yup. I-- anybody else in neutral? Senator Meyer, you're welcome to close.

**G. MEYER:** Thank you. Interesting, interesting hearing. What to address? You know, the first opponent, I acknowledge the economic frustration he's feeling. It was very apparent.

**BRANDT:** Can you speak, speak into the mic a little bit, sir?

**G. MEYER:** I, I acknowledge the-- I acknowledge the economic frustration the first opponent expressed. The farm ground that I'm associated with I've planted and harvested many times. It was not my brother-in-law's cousin's mother-in-law's land. It's ground I know very, very intimately, and, and-- so perhaps I took some issue with that. My background's livestock and farming. Once you're a farmer, you're always a farmer. I survived the '80s and '90s, 18%, 20% interest rates. I got a heck of a buy on my farm I bought in 1981. I got a ten-year contract with a balloon payment of 10%. I've-- I'd-- man, that was a deal. That was a deal. So I understand the economic challenges that he was sharing. He had a group, a substantial

footprint of real estate, and everyone in agreement that a-- that they should have a, a reservoir, they could have a pipeline. My bill does not preclude that. If you have an agreeable population of landowners that a pipeline can cross, you can have a pipeline. I'm dealing with eminent domain. That's what this bill is about. There was testimony there's never been a CO2 accident. I say, what about Mississippi? What happened down there? That was a-- that was a COT-- CO2 transfer pipeline. We've heard that a pipeline had some problems with people not willing to sign off on crossing their land and so the route was changed and the, and the pipeline was completed. Actually, in, in all probability, it created more jobs because there was more miles of pipeline. Once again, I'm not trying to reinvent the wheel here. This is about eminent domain and private property rights. I've had conversations where the pushback is, well, it's, it's-- it, it-- it's economic for the state of Nebraska. That's true. That's true. What, what price, what compensation, what dollar amount is sufficient to buy your land if you don't want to sell it? What is that number? Senator Brandt, what is that number for use? And I know I'm not supposed to ask questions, but what is that-- what is that number to the farmers and the landowners on this particular-- on this particular panel? And I would, I would extend that to the people that have pushed back against this particular bill. Is there a price that someone can offer for their land? I doubt, I doubt that's the case. And so I-- I'm not going to-- I'm not going to prolong this. I, I just think it's important to understand that-- I do know the frustration. I do know the challenges that we face in the ag community. And to some extent, I'm facing those too. This is about private property rights and this is about respecting those and going about the economic development we need in this state and doing it the proper way. That's what this is about. So with that, if you have any other questions, I'd appreciate it.

**BRANDT:** Any questions? I see none. Thank you, Senator. And with that, we close our hearing on LB9-- oh, wait a second. I've got to read the proponents and opponents. Online, we had-- and this is LB916-- we had 63 proponents, 6 opponents, 0 in neutral, and 0 ADA testimony. And we are closing the hearing on that bill. We are going to take a break till 4:30. In six minutes, those of you that want to go for the most exciting bill today-- mine-- come on back.

[BREAK]