

Summit and Navigator: Release the Landowner Lists!

Overview:

Summit Carbon Solutions and Navigator CO2 Ventures have compiled lists of potentially impacted landowners along multiple corridors in Iowa. We believe Summit and Navigator should be required to release those lists to ensure that landowners are provided with complete information and are given the ability to organize.

Timeline:

8/13/21 - At the request of the Iowa Utilities Board (IUB), [Summit files the list of landowners](#) containing 15,000 names to IUB and along with a request stating they *“have concerns about providing the compiled mailings lists to the Board that can be addressed by granting the filing confidential treatment”*.

Summit claimed the lists should remain private as an exception to Iowa law regarding *“reports to governmental agencies which, if released, would give advantage to competitors and serve no public purpose.”*

8/25/21 - Landowners begin to unite and submit hundreds of objections to confidential treatment of the landowner list in order to collaborate in joint defense against the project. Over 400 objections to keeping the lists secret were submitted.

9/14/21 - [Office of Consumer Advocate \(OCA\) filed an objection](#) to Summit’s request for confidential treatment of the landowner list. OCA says the list would be a public benefit and would not cause competitive harm.

11/1/21 - [Summit submitted a reply](#) in support of confidential treatment for mailing lists with supposed examples of cases where mailing lists have not been made public. Summit concludes *“If, however, the Board does not believe confidential treatment is appropriate, the Board should simply allow Summit to withdraw its filing and it should be deleted. Had Summit understood that pipeline opponents would fight against landowner privacy to advance their agenda, Summit would have resisted providing the list to begin with”*

11/15/21 - [Food & Water Watch files an objection](#) to confidential treatment of the list saying *“this Request is instead a nefarious attempt at quashing public dissent”*.

11/19/21 - [Sierra Club Iowa Chapter files a motion](#) to release the landowner list and submits a public records request to obtain the lists pursuant to Iowa Code chapter 22.. *“Sierra Club respectfully states that after more than three months and many objections filed in the docket, it is time for the Board to make a decision releasing to the public the landowner list. Sierra Club also requests that this motion be considered an open records request pursuant to Chapter 22 of the Iowa Code.”*



11/23/21 - [IUB rules](#) that part of the list must be made public and part must remain confidential. *“The Board will therefore grant confidentiality with respect to the names and addresses of all individual persons and deny the request for confidential treatment with respect to the names and addresses of all business and governmental entities.”*

11/23/21 - Des Moines Register - [Iowa board agrees to keep secret names of landowners in path of proposed carbon capture pipeline](#)

11/30/21 - [IUB notifies Summit](#) that the partial list will be made public in 14 days to allow Summit time to obtain injunctive relief in District Court.

12/13/21 - [Summit submits motion](#) for IUB to reconsider releasing the partial list.

12/14/21 - [Summit sues the IUB in District Court](#) for temporary and permanent injunctive relief from releasing the list.

12/16/21 - [IUB issues an order](#) requiring all current and future pipeline companies to file their list with the board. The order also clarified that it has always been Board procedure to require companies to submit the landowner list to the Board. Navigator must submit their list to the IUB by December 28, 2021.

12/19/21 - Des Moines Register - [Carbon pipeline company continues fight to keep all property owner names on planned Iowa route secret](#)

12/21/21 - [Summit submits supplemental information](#) to request confidential treatment of the lists, citing a recent Iowa Supreme Court Ruling.

12/27/21 - [Sierra Club submits a filing](#) showing how Summit is using the list for propaganda through [a letter from former Governor Branstad](#), not just purposes of the pipeline process itself. Sierra Club also disputes the comparison to the recent Supreme Court ruling and reiterates the calls to make the list public.

12/27/21 - [OCA files response](#) saying *“Summit bears the burden of proving that a statutory exemption applies. (Rippinger at 14). Summit has not shown any persuasive evidence that the exemption in Iowa Code section 22.7(18) applies. The Board should deny Summit’s motion to reconsider as it relates to the applicability of section Iowa Code section 22.7(18).”*

12/30/21 - [Navigator files landowner list with 16,000](#) records with the IUB along with a request for confidential treatment of the list.

“Summit & Navigator are denying us the power of open communication and organized efforts from a greater number. They seem to know that they can’t stand against us when we stand united as many.”

-Impacted Landowner in Hardin County