

CITY OF NOKOMIS, ILLINOIS

RESOLUTION NO. 2023-01

**A RESOLUTION DISAPPROVING CARBON DIOXIDE PIPELINES
IN NOKOMIS TOWNSHIP**

WHEREAS, the elected officials of the City of Nokomis do hereby oppose the construction of any carbon dioxide (“CO₂”) pipeline in Nokomis Township; and

WHEREAS, the proposed route of the “Montgomery Lateral” of the Navigator pipeline is depicted in “Exhibit A” hereto; and

WHEREAS, the construction of a CO₂ pipeline in Nokomis Township may pose a threat to the Nokomis public water supply; and

WHEREAS, the proposed route of the “Montgomery Lateral” of the Navigator pipeline will be near one of the active wells that is used by the City of Nokomis for its public water supply; and

WHEREAS, the proposed route of the “Montgomery Lateral” of the Navigator pipeline will be located near the well field that has been tested for future development as a water source for the City of Nokomis’ public water supply; and

WHEREAS, the proposed sequestration wells of the Navigator pipeline are located in the aquifer that supplies water to the City of Nokomis for its public water supply; and

WHEREAS, the construction of a CO₂ pipeline in Nokomis Township would pose a threat to the health and safety of all residents of Nokomis; and

WHEREAS, the proposed route of the “Montgomery Lateral” of the Navigator pipeline is within approximately two miles of the Nokomis city limits and our schools; and

WHEREAS, residents of Nokomis would be negatively impacted by living under the constant threat of a CO₂ pipeline leak and explosion, as was seen in Satartia, Mississippi, and

WHEREAS, residents of various taxing bodies in Montgomery County would need to pay increased taxes to allow the Montgomery County Sheriff’s Office, the Nokomis Police Department, the Nokomis Fire Protection District, the Nokomis-Witt Ambulance Service, and other emergency response agencies to buy electric vehicles that would be able to operate during a CO₂ leak because CO₂ crowds out oxygen and disables gas combustion engines, which is a burden to both taxpayers and emergency planners; and

WHEREAS, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”) announced, on May 26, 2022, the agency’s plan to initiate a new rulemaking process with a goal of strengthening its safety oversight of CO₂ pipelines, as well as enforcing actions against Denbury Gulf Coast Pipelines for its CO₂ pipeline failures in Satartia, Mississippi that caused the evacuation of 300 people and resulted in the hospitalization of nearly 50, thus confirming that existing regulations for such pipelines are inadequate to protect communities from dangerous pipeline failures and potential loss of life; and

WHEREAS, at a minimum, in light of the PHMSA creating new measures for CO₂ Pipeline Safety, the Illinois Commerce Commission should not grant any CO₂ Pipeline the right to build in Illinois until the new safety measures are finalized; and

WHEREAS, we as elected officials of the City of Nokomis, as well as other elected officials in Montgomery County, need time to review these new PHMSA measures and enact ordinances to protect our residents and ensure CO₂ pipelines must adhere to both the PHMSA measures and any additional measures are found by local authorities to be in the best interest of our residents' safety and general welfare; and

WHEREAS, Nokomis residents would likely experience reduced property values if they are forced to have a CO₂ pipeline through or near their property, as any reasonable person would choose to buy property without a CO₂ pipeline or near a CO₂ pipeline, all other factors being equal; and

WHEREAS, this reduction in property values and the hope of alternative retail, commercial, or other productive, tax-paying development in proximity to a CO₂ pipeline route will diminish the fiscal health of the Nokomis tax base; and

WHEREAS, as stewards of tax dollars and the public trust, we oppose this entire CO₂ pipeline scheme as a false and unproven method of helping the environment; and

WHEREAS, the Federal tax dollars subsidizing this CO₂ pipeline could be much better spent on more proven methods of reducing carbon dioxide emissions

without the need to use eminent domain and put our City residents at permanent risk of CO₂ pipeline leaks.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The recitals contained above in the preamble of this Resolution are hereby incorporated herein by reference, the same as if set forth in this Section of this Resolution verbatim, as findings of the City Council of the City of Nokomis, Illinois.

SECTION 2: The City of Nokomis hereby opposes the construction and use of eminent domain for any CO₂ pipeline in Montgomery County or, more specifically, in Nokomis Township.

SECTION 3: The City of Nokomis urges the Illinois Commerce Commission, the Montgomery County Board, and other municipal, township, county, state, and federal officials to oppose CO₂ pipelines in Nokomis Township to protect the health and safety of the residents of Nokomis, the residents of Nokomis Township, and the residents of Montgomery County.

SECTION 4: All code provisions, ordinances, resolutions, rules, and orders, and parts thereof, in conflict or inconsistent with the provisions of this Resolution are hereby superseded to the extent that they may conflict.

SECTION 5: This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

PASSED this 27th day of March, 2023, by roll call votes as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Present</u>
Commissioner Nash	X			X
Commissioner Durbin	X			X
Commissioner Stauder	X			X
Commissioner Glenn	X			X
Mayor Holliday	X			X

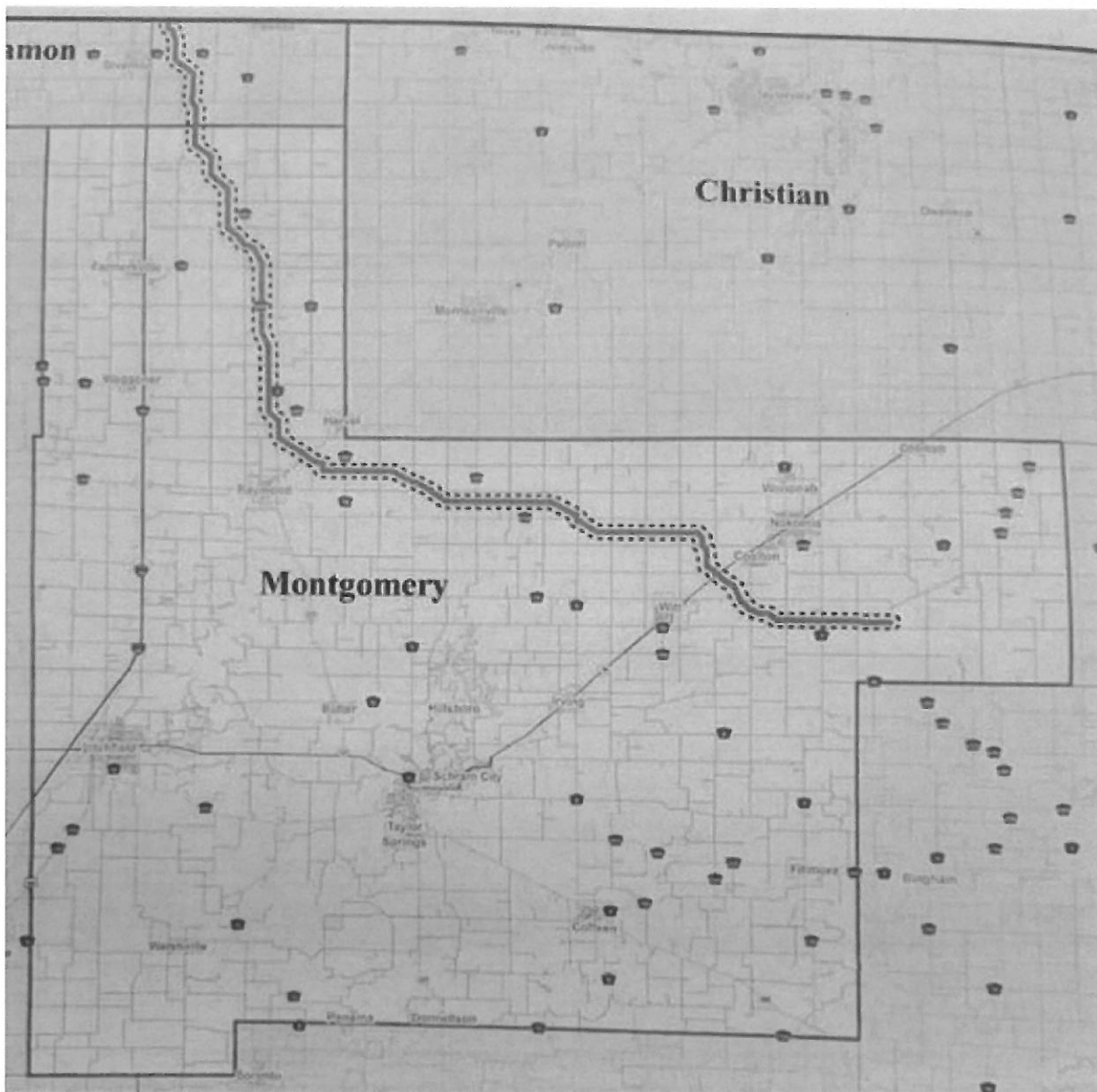
APPROVED by the Mayor of the City of Nokomis, Illinois this 27th day of March, 2023.

Mike Holliday
MAYOR

ATTEST:

Roxanne Kiu
CITY CLERK

“Exhibit A”



STATE OF ILLINOIS)
COUNTY OF MONTGOMERY) ss.
CITY OF NOKOMIS)

CITY CLERK'S CERTIFICATE

I, the undersigned, do hereby certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois, and, as such, am the keeper of records and seal thereof; that the foregoing is a true, complete, and correct copy of Resolution No. 2023-01 of said City and that said Resolution, which is:

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and was passed by the City Council of the City of Nokomis, Montgomery County, Illinois, by yea and nay vote on the 27th day of March, 2023; that said Resolution was approved by the Mayor on the 27th day of March, 2023 and was then deposited in the office of the City Clerk of said City and filed therein; and that the same was recorded in the Record of Resolutions of said City.

DATED at Nokomis, Illinois, this 27th day of March, A.D., 2023.

(SEAL)



City Clerk