DAILY YONDER

GOVERNMENT & POLICY

Proposed Bill Would Stop Eminent Domain for Carbon Dioxide Pipelines in Illinois

Following success halting multiple carbon dioxide pipeline projects, a local coalition in central Illinois wants to stop the use of eminent domain for these potentially dangerous pipelines.

by **Ilana Newman** and **Julia Tilton** May 19, 2026

In Springfield, Illinois, lawmakers are taking up the issue of eminent domain for CO2 pipelines, something many local central Illinois residents are against. (Photo by Ilana Newman/Daily Yonder)

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Foundation supports people working together to build healthy, sustainable communities in East Central Illinois and across the U.S.

When central Illinois farmer Steve Hess found out that his community had won a fight against Navigator CO2 Ventures, a Dallas, Texas-based company building a pipeline to transport carbon dioxide across the region for storage underground, he threw a party.

"It was exhilarating," he said, about the 2023 win against the **Black Rock-backed** pipeline where local opposition "knocked down Goliath."

At the time, Navigator was calling for eminent domain, the right of a company to purchase private land for public good, to route the **Heartland Greenway pipeline** through farmland across the region. The pipeline would carry liquified carbon dioxide (CO_2) across the Midwest to be sequestered underground in rural Christian County, Illinois in a **Class VI well**. Hess, along with other local residents and landowners, was adamantly against it. They worried about the risks if the pipeline broke.

Before the project was stopped, the Heartland Greenway pipeline was intended to transport CO_2 from ethanol plants across five states for sequestration in central Illinois. There are 114 ethanol plants in those five states – South Dakota, Nebraska, Minnesota, Iowa, and Illinois – according to the **U.S. Energy Information Administration**.

Now, the Illinois legislature is considering a bill that would ban companies from using eminent domain to seize land for CO_2 pipelines. The bill was brought to the state legislature by Hess, Sangamon County resident Kathleen Campbell, and other members of the **Coalition to Stop CO_2 Pipelines,** the group that formed **in 2022** to fight Navigator and other CO_2 pipelines in Illinois.

From left to right: Karen Sanders, Kathleen Campbell and Karen Brockelsby are all members of the Coalition to Stop CO_2Pipelines. They have all been contacted by developers about having land they own used for pipelines or Class VI wells. (Photo by Ilana Newman/Daily Yonder)

What is Carbon Capture and Storage (CCS)?

A form of carbon removal, Class VI wells are used to store carbon deep under the earth for long periods of time as a way to mitigate CO_2, a planet-warming gas, from entering the atmosphere. Central Illinois is home to the Mt. Simon Sandstone formation, a geological feature that's particularly attractive for the technology, said Anna Littlefield, the manager of the Low Carbon Technologies Program at the Payne Institute at Colorado School of Mines. Developers working on CCS projects look for porous sandstone or limestone with impermeable caprock on top, she said. Central Illinois is a textbook example of this geology.

Susan Hovorka, a research scientist at the Bureau of Economic Geology at the University of Texas, compared the ideal conditions for carbon storage to pouring water into sand – the liquid soaks in – as opposed to concrete, where it puddles on top.

Hovorka said carbon storage is all about the "physics of very small spaces," likening the size of the holes in the rocks to the space between threads in fabric. When water is spilled on fabric it gets trapped in those small holes, unable to escape except through chemical means, such as drying through exposure to air or heat. That's what happens when CO_2 is pumped underground, where it is insulated from air and heat. Like oil and gas deposits, CO_2 injected deep into the earth should – if done properly – remain there indefinitely, Hovorka said. In 2023 and 2024, corrosion in a Class VI well **caused carbon to** migrate at a facility operated by Archer Daniels Midland in Decatur, Illinois, prompting significant community concern and fueling opposition groups like the Coalition to Stop CO_2 Pipelines.

There have been tax credits in place **since 2008** to incentivize industrial CO_2 emitters to capture and store carbon dioxide. This credit, called the 45Q tax credit, has increased throughout the years and, since the

passage of the One Big Beautiful Bill Act in July 2025, now sits at $85 per ton of carbon captured and stored. Hovorka said that the tax credits shouldn't be the same for carbon sequestration from every industry, because, depending on the complexity of capturing the carbon dioxide, it's more or less expensive. "I have some stress about the flat tax credit, because the capture cost really varies," said Hovorka.

Ethanol is particularly cost efficient, she said, which means ethanol plants can "make a mint out of it." But higher carbon industries like steel and cement plants need higher tax incentives than what currently exist to make the cost of carbon capture worthwhile.

But some CCS opponents, including the Coalition to Stop CO_2 Pipelines, worry that there isn't enough oversight for the 45Q tax credits. "You can make a lot of money doing [CCS] thanks to our tax credits," said Pam Richart, one of the coalition's organizers. "The worst part about those tax credits is that there's really very little accountability. The transparency is not there."

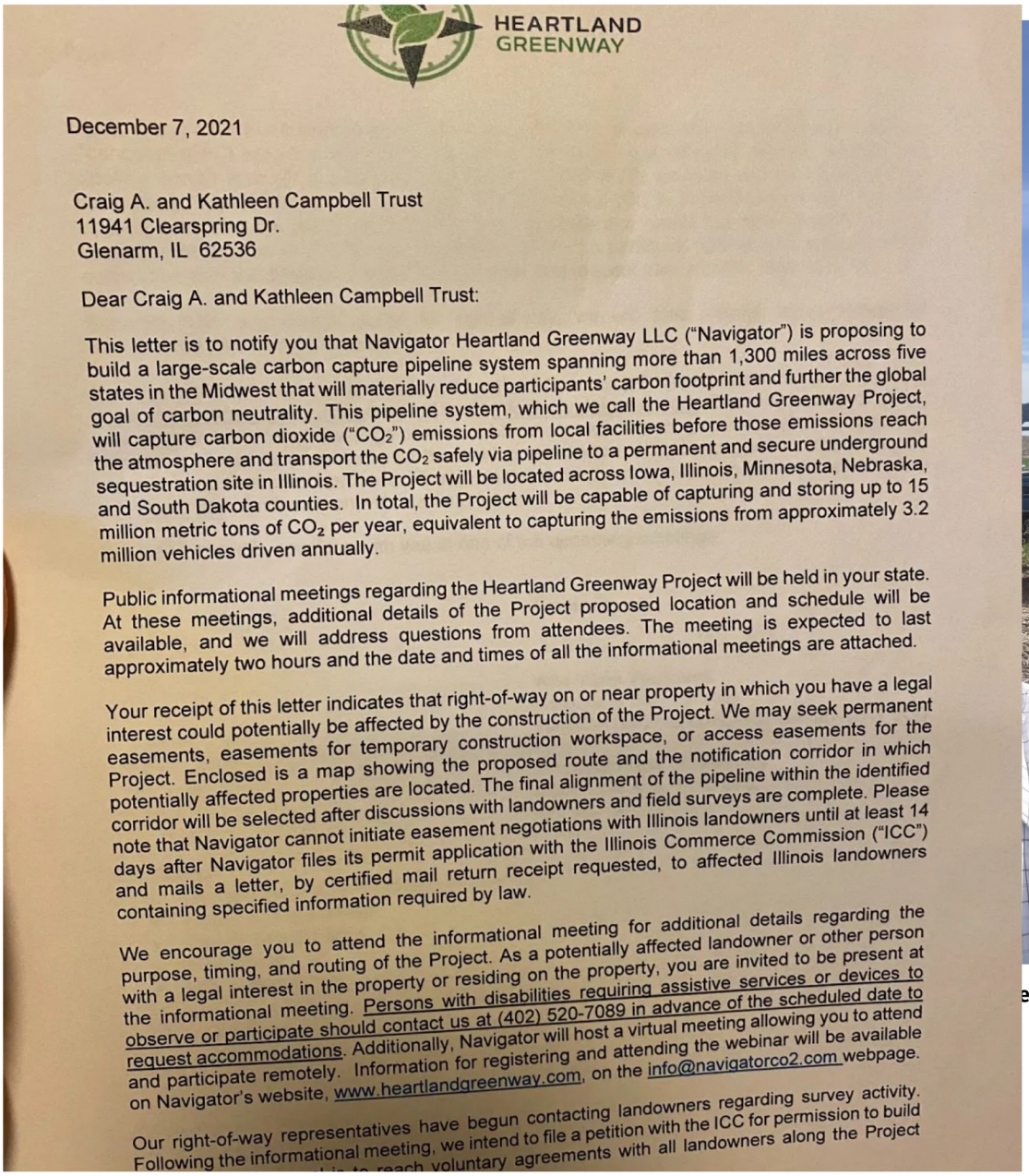
Putting Pipelines Through Corn Country

Hess is a fifth generation farmer ("raising the sixth and seventh generations," he said) growing corn and soybeans in rural McDonough County, Illinois. The land he farms was homesteaded by his wife's family in 1869. "Roots run deep here," Hess said.

He first heard about the Heartland Greenway pipeline in December 2021, when he received a letter in the mail from Navigator. The following year, land agents came out to his property to look at the land they wanted for an easement in order to build the 1,300 mile pipeline.

They were standing in the barnyard when Hess asked the agent what he could do to negotiate with Navigator. "He says, 'if we get approval and you don't like it, we can just use eminent domain and put the pipe in anyhow.' And that really struck me the wrong way," Hess said.

When exercising the right of eminent domain, an entity can purchase private land, without the permission of the landowner, for the public good. While it's often used to build public infrastructure like roads, sewage, and water and electrical lines, there's a **long history** of using eminent domain to **discriminate** against Black communities. Between the 1940s and 1970s, the Institute of Justice **found** that more than 2,500 eminent domain projects displaced one million people, two-thirds of them Black, making them five times more likely to be displaced than they should have been given their share of the population. Eminent domain has also been used by oil and gas companies to build pipelines.



HEARTLAND GREENWAY

December 7, 2021

Craig A. and Kathleen Campbell Trust
11941 Clearspring Dr.
Glenarm, IL 62536

Dear Craig A. and Kathleen Campbell Trust:

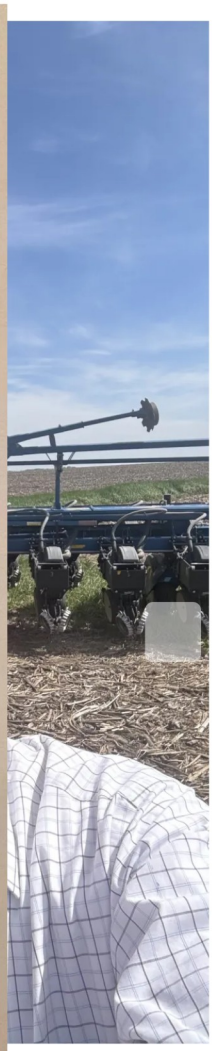
This letter is to notify you that Navigator Heartland Greenway LLC ("Navigator") is proposing to build a large-scale carbon capture pipeline system spanning more than 1,300 miles across five states in the Midwest that will materially reduce participants' carbon footprint and further the global goal of carbon neutrality. This pipeline system, which we call the Heartland Greenway Project, will capture carbon dioxide ("CO_2") emissions from local facilities before those emissions reach the atmosphere and transport the CO_2 safely via pipeline to a permanent and secure underground sequestration site in Illinois. The Project will be located across Iowa, Illinois, Minnesota, Nebraska, and South Dakota counties. In total, the Project will be capable of capturing and storing up to 15 million metric tons of CO_2 per year, equivalent to capturing the emissions from approximately 3.2 million vehicles driven annually.

Public informational meetings regarding the Heartland Greenway Project will be held in your state. At these meetings, additional details of the Project proposed location and schedule will be available, and we will address questions from attendees. The meeting is expected to last approximately two hours and the date and times of all the informational meetings are attached.

Your receipt of this letter indicates that right-of-way on or near property in which you have a legal interest could potentially be affected by the construction of the Project. We may seek permanent easements, easements for temporary construction workspace, or access easements for the Project. Enclosed is a map showing the proposed route and the notification corridor in which potentially affected properties are located. The final alignment of the pipeline within the identified corridor will be selected after discussions with landowners and field surveys are complete. Please note that Navigator cannot initiate easement negotiations with Illinois landowners until at least 14 days after Navigator files its permit application with the Illinois Commerce Commission ("ICC") and mails a letter, by certified mail return receipt requested, to affected Illinois landowners containing specified information required by law.

We encourage you to attend the informational meeting for additional details regarding the purpose, timing, and routing of the Project. As a potentially affected landowner or other person with a legal interest in the property or residing on the property, you are invited to be present at the informational meeting. Persons with disabilities requiring assistive services or devices to observe or participate should contact us at (402) 520-7089 in advance of the scheduled date to request accommodations. Additionally, Navigator will host a virtual meeting allowing you to attend and participate remotely. Information for registering and attending the webinar will be available on Navigator's website, www.heartlandgreenway.com, on the info@navigatorco2.com webpage.

Our right-of-way representatives have begun contacting landowners regarding survey activity. Following the informational meeting, we intend to file a petition with the ICC for permission to build ... reach voluntary agreements with all landowners along the Project



ell, Illinois.

The letters that Hess, Campbell, and other residents received in December 2021 threatened to use eminent domain if the landowners were not amenable to selling their land for the Heartland Greenway Pipeline. (Photos courtesy of Kathleen Campbell)

In Illinois, the Midwest's many miles of cornfields produce **large amounts of corn ethanol**, making the region a destination for carbon capture and sequestration.. Ethanol is one of the easiest industries to de-carbonize, Hovorka said, because the emissions from ethanol production contain only CO_2 and water. That means storing the carbon only involves dehydrating the emissions before transporting or sequestering them underground. If there aren't sequestration opportunities on site, for either geologic or economic reasons, then a pipeline needs to be built to transport the CO_2 from the capture site to the storage location.

Central Illinois is full of corn and soybean fields. During the spring, high winds can cause dust storms as farmers plow their fields. (Photo by Ilana Newman/Daily Yonder)

“One reason Illinois is a hot spot [for CCS] is because of the proximity to all the ethanol plants,” Littlefield said.

Some states have additional regulations around eminent domain. After **opposition** to the Heartland Greenway pipeline in Iowa, the state **passed a bill** in January banning the use of eminent domain for CO_2 pipelines.

For Hess, it wasn’t the pipeline that was the issue. He already has a natural gas pipeline on his property, one that was built 55 years ago. “We gave them easement for free, but that was going to help my neighbors,” he said about the pipeline that brought natural gas to the nearby town of Bushnell, Illinois for the first time. But Hess said he can still see the impacts of that pipeline, which runs diagonally through one of his fields. “There’s compaction,” he said, “that leads to weed issues later on in the crop season.” Often, Hess said, these pipelines cut through a farm’s pattern tile – a network of plastic pipes that helps dry out the soil – and the companies aren’t the best at fixing damages.

Archer-Daniels Midland is one of the largest ethanol producers in the United States. This plant, located in Decatur, Illinois, is also the location of several Class VI wells for carbon sequestration. (Photo by Ilana Newman/Daily Yonder)

CO_2 Under Pressure

If a CO2 pipeline breaks, it can be dangerous, according to Hovorka. “Anything at pressure is dangerous,” she said, and transporting carbon long distances involves piping CO_2 at extremely high pressures in a liquid form.

Such transport comes with risks. A tiny crack or hole in the miles of pipeline can turn into a **running ductile fracture**, “unzipping” the pipeline across a large distance. To mitigate this, Hovorka said that pipeline manufacturers put **crack arrestors** at set distances throughout the pipelines to stop fractures from spreading.

When released from a pipeline at a high concentration, CO_2 looks and acts like dry ice – a cloud of fog that stays close to the ground. But Hovorka said that it’s not very fast and it’s easy to move away from. The risk comes for those in low lying areas who are unaware of the incoming cloud: a sleeping person or animal unaware of the danger could asphyxiate on the CO_2, Hovorka said.

"This is not a completely unknown substance," Hovorka said. "Our bodies are completely comfortable with CO_2," she added, noting that humans have been using CO_2 industrially for decades in the oil and gas industry. The danger, she said, comes from the concentration of CO_2 in the air.

In central Illinois, fears of a pipeline leak are not unfounded. Many landowners we spoke with for this story mentioned a **2020 incident in Satartia, Mississippi**, a small town along the Yazoo River, where 45 people were hospitalized after a CO_2 pipeline ruptured. There, residents described a disorienting, dense fog that caused nausea and dizziness, and stopped cars in their tracks – car engines sputter when they encounter carbon dioxide instead of oxygen. At the time, the community wasn't prepared for the unique risks posed by leaked CO_2.

When asked about the safety risks of CO_2 pipelines, Hovorka echoed a Pipeline and Hazardous Safety Administration (PHMSA) **report about the Satartia incident**. The issue in Satartia was tied to the area's geography – the pipeline ran down a steep embankment and was affected by a landslide, according to the report. "They screwed up the engineering. They should have dug it in deeper," Hovorka said.

Educating communities about how to respond to CO_2 emergencies is something that Littlefield is passionate about. She wants to make sure that carbon infrastructure development doesn't come at the cost of the people. "Communities have a lot of power here," she said, "There's always a risk when it's a man-made industrial operation, but these companies are really trying to mitigate those risks as much as possible."

Grassroots Pipeline Policy Changes

Kathleen Campbell remembers when she got her own letter from Navigator in the mail. It was December 2021, right before Christmas, when she and her husband opened the mailer, which detailed the pipeline plans and sought an easement across their one acre of property outside of Springfield, Illinois. The letter informed Campbell and her husband that if they were unable to come to a voluntary agreement with Navigator, the company could request eminent domain from the Illinois Commerce Commission.

Soon after this, Campbell, Hess, and other local landowners formed the Coalition to Stop CO_2 Pipelines, which eventually succeeded in **stopping Navigator** in 2023 and later, **the proposed Iowa-Illinois Wolf pipeline** in 2024.

The Coalition helped with the **Safe CCS Act**, a piece of state legislation to regulate carbon capture, before its passage in 2024. But during the negotiations, the final bill lost all mention of eminent domain. Hess and Campbell knew that they needed to continue the pressure to take eminent domain for CO_2 pipelines off the table.

"This is what we've been doing the last three years, is building up support," Hess said. First, Hess got policy passed in the Illinois Farm Bureau to adopt an official stance against eminent domain for CO_2 pipelines. Then, in 2025, he went to his legislator, Democratic state senator Michael Halpin, and asked if he would help with eminent domain legislation. Halpin went on to introduce **SB2842** in this year's legislative session, the bill that, if passed, would ban CO_2 pipelines from using eminent domain.

Republican State Senator Steve McClure is one of the co-sponsors of SB 2842, the bill that would ban eminent domain being used for CO_2pipelines. (Photo by Ilana Newman/Daily Yonder)

Campbell reached out to her own representative, Republican state senator Steve McClure, to get him on the case, too. He agreed to co-sponsor SB2842. "Landowner rights and public safety should override monetary profit," McClure said. "I'm going to always err on the side of landowner rights and public safety."

McClure said there's a chance that the bill will be rolled into an omnibus package before the state legislative session ends on May 31, 2026. If that doesn't happen, McClure said, the bill could get taken up again in the fall.

The bill is a bipartisan effort with 22 cosponsors and endorsements from across industries. "We've got the

Sierra Club, Illinois Environmental Council, Farm Bureau, and the Soybean [Association]. How many bills do you know that have that combination?" Campbell said.

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