

DEIS MEETINGS - 14-916 15-137

THIEF RIVER FALLS - JUNE 20, 2017 - 10:00 a.m.

MINNESOTA DEPARTMENT OF COMMERCE

In the Matter of the Application of Enbridge Energy,  
Limited Partnership for a Certificate of Need for the  
Line 3 Pipeline Replacement Project in Minnesota from  
the North Dakota Border to the Wisconsin Border.

PUC DOCKET NO: CN-14-916  
OAH DOCKET NO: 65-2500-32764

In the Matter of the Application of Enbridge Energy,  
Limited Partnership for a Route Permit for the Line 3  
Pipeline Replacement Project in Minnesota from the North  
Dakota Border to the Wisconsin Border.

PUC DOCKET NO: PPL-15-137  
OAH DOCKET NO: 65-2500-33377

Ralph Engelstad Arena  
Imperial Room  
525 Brooks Avenue  
Thief River Falls, Minnesota

## I N D E X

	SPEAKER	PAGE
3	JAMIE MACALISTER	4
4	CURTIS COBB	11
5	ASHLEY NERHUS	13
6	ALLEN RICHARDSON	16
7	LAURA STENGRIM	19
8	ANDY PEARSON	21
9	NICOLETTE SLAGLE	25
10	KYLIE LEMLEY	32
11	RENEE MARQUIS	38
12	WILLIS MATTISON	39
13	CURTIS COBB	47

1 FACILITATOR: Good morning,  
2 everybody, and welcome. Thanks for coming out.  
3 We're going to start the public comment period  
4 in about a minute or two.

5 So if you want to begin to  
6 gather at the tables, grab some coffee or  
7 food, there's plenty, and we'll start with a  
8 brief presentation and the public comment  
9 period in about a minute or so.

10 My name is Patrick Mansfield,  
11 and I'm part of the consulting team working on  
12 behalf of the state of Minnesota.

13 Just a few quick things that you  
14 may know. Bathrooms are right in the back,  
15 very handy. Exits are either left or right  
16 outside of the door, and then they are  
17 actually on the other end of the building, and  
18 stairs in the middle as an exit as well.

19 So I want to introduce Jamie  
20 MacAlister. She is the project manager for  
21 the Environmental Impact Statement for the  
22 Line 3 project, and she works for the  
23 Department of Commerce for the State of  
24 Minnesota. She's going to share a brief  
25 presentation before we do the public comment.

1 MS. JAMIE MACALISTER: Good  
2 morning, everyone, welcome.

3 As Pat mentioned, I'm Jamie  
4 MacAlister with the Minnesota Department of  
5 Commerce, and we are here hosting this meeting  
6 with some of our other state staff  
7 counterparts.

8 We have staff here from the  
9 Minnesota Pollution Control Agency and the  
10 Minnesota Department of Natural Resources as  
11 well, and the Public Utilities Commission.

12 I hope you had an opportunity to  
13 walk around the posters, get some additional  
14 information, talk with the staff that we have  
15 on hand.

16 As you probably know, the  
17 Minnesota Public Utilities Commission will be  
18 the agency making a decision on these permits.  
19 They have to make two decisions, the first  
20 being a decision on the Certificate of Need for  
21 this project. The second being whether or not  
22 to issue a route permit.

23 As you may know, we've been at  
24 this for quite a while. We held scoping  
25 meetings here in the project area in the spring

1 of 2016, and published a scoping document in  
2 December that used all the comments that we  
3 received during the scoping meetings to inform  
4 the Draft Environmental Impact Statement.

5 So once the comment period closes  
6 that we're in right now, on July 10th, we  
7 will issue a Final EIS in August, and these  
8 materials will then get forwarded on to the  
9 administrative law judge in the Public  
10 Utilities Commission as this process moves into  
11 the contested case hearings.

12 Those hearings are scheduled to  
13 begin in the fall of 2017, and they will be  
14 presided over by the administrative law judge.

15 And any decision on these  
16 projects is not expected until 2018.

17 So we are here today to get your  
18 comments on the Draft Environmental Impact  
19 Statement. Specifically we're interested in  
20 whether or not there is information missing  
21 from the document that we need to include.

22 We are interested in knowing if  
23 the EIS is unclear or if there are other areas  
24 or improvements that we can make to the  
25 document before we publish the Final EIS in

1 August.

2 All of the comments from this  
3 meeting and all of the previous meetings will  
4 be available online on our website. We will  
5 compile all of the written comments, and all of  
6 the transcripts from these meetings will be  
7 available. You'll be able to see your comments  
8 and your neighbors' comments as well as the  
9 comments from all the other locations from  
10 these meetings.

11 So just a quick word about the  
12 comments. All the comments are treated  
13 equally, whether or not they're received in  
14 writing or presented verbally.

15 And just a reminder that the EIS  
16 itself is not a decision-making document. The  
17 EIS helps the Public Utilities Commission make  
18 a decision on this project, which is why it's  
19 really important for us to get any missing  
20 information or clarify information in the EIS  
21 so that the Public Utilities Commission has the  
22 best information available to them as they  
23 begin considering a decision.

24 I feel like there's something  
25 that I'm forgetting to say about your comments;

1 notably that it's not a vote. Your comments  
2 here are to help inform the Final EIS. So if  
3 we get hundreds of comments for or against the  
4 project, that's not how those comments are  
5 treated. Each comment is treated individually  
6 so we want you to know that.

7 Really, the time to advocate for  
8 your position on this project is during the  
9 contested case hearings.

10 With that, I'm going to turn it  
11 over to Pat and he'll give you a little more  
12 information before we move into the next phase  
13 of today's meeting.

14 FACILITATOR: Thank you.

15 So I just want to go through a  
16 few rules of the road for the public comment  
17 period. First, I want to make sure that  
18 people who are commenting are heard and  
19 listened to, so we ask if people be quiet and  
20 listen as they speak, it would be most  
21 helpful.

22 We have a court reporter who  
23 does a terrific job of capturing all the  
24 comments and writing every word the person is  
25 saying.

1                   A few things about that, when  
2                   you start, say your name and spell your name  
3                   for the court reporter.

4                   The way our mics work is hold  
5                   them like this so you can be heard. If you do  
6                   this, they don't work as well. So try to hold  
7                   the mic right there, if you can.

8                   We have a pretty small crowd. I  
9                   have four folks who signed up to speak. We're  
10                  not going to worry too much about time limits.

11                  Just to be fair across meetings,  
12                  we have a timer just to let you know how long  
13                  you're going. Six or seven minutes is probably  
14                  pretty good for most folks. About that time  
15                  I'll stand up and just give you a little hint  
16                  that you might want to begin to wrap up if you  
17                  do go that long.

18                  We recognize people may have a  
19                  range of views on the pipeline, the EIS, the  
20                  issues, and so that's totally expected and  
21                  fair. But we do want to make sure people are  
22                  respectful of each other, so we ask that you're  
23                  quiet when people speak.

24                  If you do want to be affirmative  
25                  when people are done, that's great. We ask



1       that people not be negative about peoples'  
2       comments.

3                   And we do ask people direct their  
4       comments to the pipeline, the project, the  
5       issues, the organizations, the agencies, the  
6       EIS, but not the individuals in the room,  
7       because we want people to be comfortable in  
8       this room.

9                   And it can be very uncomfortable  
10      if someone kind of points someone out  
11      individually after they make their comment.

12                  State agency folks, do you want  
13      to raise your hands? There's a number of state  
14      agency folks here, as you know, who are  
15      staffing the poster boards. Their job here  
16      now, as folks come up here, is to listen. So  
17      their job is to listen.

18                  We're going to have great notes  
19      that are going to be part of the transcript,  
20      going to be part of the record, going to be  
21      something the State considers as they move from  
22      the Draft to the Final Environmental Impact  
23      Statement.

24                  But for right now, the State  
25      folks are going to be listening. If you have

1 questions, you can state them. There just  
2 won't be any responses during the public  
3 comment period.

4 We do ask that you silence your  
5 cell phones, if you can, or put them on  
6 vibrate, whatever, so we're not disturbed  
7 during the comments.

8 Also, to let you know, if you  
9 didn't when you came in, we do have flash  
10 drives and CDs of the Draft EIS. So if you  
11 want the Environmental Impact Statement in  
12 full, you can actually take one of those flash  
13 drives or CDs as you leave the room. Those are  
14 available for all people we have here. Okay.

15 So the other thing is Leslie --  
16 well, she's right in the back, Leslie will  
17 bring you the mic so you can be right at your  
18 table. You can stand or sit as you comment.  
19 That's really up to you.

20 And I'll just call the names in  
21 the order I pulled the cards out of a hat. So  
22 it's Curtis Cobb. Curtis, great, and Leslie  
23 will bring you the mic right there. And again,  
24 just state your name and spell it for the  
25 record, and remember to hold the mic like this.

1 MR. CURTIS COBB: I'm Curtis  
2 Cobb. My concern -- I have two concerns. One  
3 is --

4 FACILITATOR: Curtis, could you  
5 just spell your last name for the record.

6 MR. CURTIS COBB: Cobb, C-O-B-B,  
7 like corn on the cob, two Bs.

8 The pipeline is meeting federal  
9 standards for thickness and strength. As an  
10 engineer, I am always concerned with is that  
11 enough?

12 Most civil engineers, when they  
13 design structures in this country, they  
14 actually multiply the stress, and they triple  
15 it to make sure bridges and structures in this  
16 country are strong enough.

17 My question is, is this pipeline  
18 really going to be strong enough to withstand  
19 some of the stresses that the earth and the  
20 environment and the fluid itself puts on this  
21 pipeline?

22 I understand that the pressure  
23 in this pipeline is over a thousand pounds a  
24 square inch. That's quite a bit. While  
25 that's a normal pressure, steel always has its

1 weaknesses.

2 So that's my concern, is, number  
3 one, is the pipeline strong enough?

4 As far as the environment goes,  
5 pipelines are the most efficient and safest  
6 way to transport most fluids. We have a huge  
7 number of pipelines in this country and they  
8 all do pretty well. That doesn't mean they  
9 don't break, but it's pretty good.

10 Issue number one, is the  
11 pipeline strong enough.

12 My other concern is the -- this  
13 pipeline aids and abets one of the biggest  
14 environmental disasters going on in this  
15 earth, and that is the processing of the oil  
16 sands in Canada.

17 A Canadian friend of mine did a  
18 six-month study of what was going on up there.  
19 And what happens is as they process these oil  
20 sands, there's always a toxic residual. That  
21 toxic residual just gets put into ponds.

22 Those ponds now cover 176 square  
23 kilometers. That's about 100 square miles of  
24 poisonous fluid ponds.

25 If a bird lands in the pond,

1       it's instant death.

2                   These ponds are between 30 and  
3       100 feet deep. They are designed to leak this  
4       poison into the ground, which they are doing  
5       at about 1 percent per year. It is poisoning  
6       square miles, thousands of square miles of  
7       groundwater in Canada.

8                   We do not need this oil. It is  
9       all there to take advantage of a relatively,  
10      you might say, unusual form of oil residual.

11                  The -- there's been a huge  
12      amount of money spent in doing this. I think  
13      there's been over \$11 billion spent on  
14      building oil refineries there. It employs  
15      about 50 or 60 thousand people.

16                  So this pipeline really aids and  
17      abets that environmental disaster.

18                  So I have no objection to the  
19      pipeline, just what it serves.

20                  FACILITATOR: Thank you, sir.

21                  Next we have Ashley Nerhus.  
22      Again, just name and spelling for the court  
23      reporter as we start, and speak directly into  
24      the mic.

25                  MS. ASHLEY NERHUS: My name is

1 Ashley Nerhus, that's spelled A-S-H-L-E-Y, and  
2 then N-E-R-H-U-S.

3 I'm the executive director for  
4 the Thief River Falls Chamber of Commerce, and  
5 on behalf of the Thief River Falls Chamber of  
6 Commerce board of directors, I'm here to  
7 express our support for the Enbridge Line 3  
8 replacement project.

9 The Chamber believes that this  
10 project is a necessary step in creating a safer  
11 pipeline for our community and for the  
12 environment.

13 Line 3 serves as an important  
14 link to safely transfer crude oil to the  
15 refineries. By replacing the line, Enbridge  
16 will have less maintenance and would be able to  
17 increase the amount of oil being transferred  
18 through the pipelines rather than by using rail  
19 cars or tanker trucks.

20 This will hopefully free up space  
21 on our railways and roads to better suit other  
22 business transportation needs such as grain and  
23 other products that cannot be transported by a  
24 pipeline.

25 The new line will also provide a

1 safer and sounder means to transport the oil.

2 The Chamber also believes that  
3 this project will have a strong positive impact  
4 on not only our local economy but the State's  
5 economy as well. This project will create jobs  
6 and business opportunities that will be sure to  
7 boost our economy.

8 In the past, Thief River Falls  
9 has seen tremendous positive economic impact  
10 from the pipeline. We hope to see a similar  
11 impact with this project from the purchasing of  
12 local products and materials as well as the use  
13 of local hotels, restaurants, and services  
14 during the project's design and construction  
15 process.

16 Our local and state economy will  
17 also benefit from the long-term property taxes  
18 that they will receive due to the project.

19 The Chamber supports the approval  
20 of this project to help not only Thief River  
21 Falls but the entire state of Minnesota.

22 Thank you for your time and the  
23 opportunity to speak.

24 FACILITATOR: Thank you, Ashley.  
25 And, Ashley, your written comments, is it

1 possible we can give those to the court  
2 reporter just so we have them? That would be  
3 great. It just helps make sure we get the  
4 record just right.

5 Okay, and next we have Allen  
6 Richardson.

7 MR. ALLEN RICHARDSON: Good  
8 morning. My name is Allen Richardson,  
9 A-L-L-E-N, R-I-C-H-A-R-D-S-O-N. Thank you for  
10 the opportunity to speak with you this  
11 morning.

12 I'm an organizer by trade, and  
13 I've been working for a citizens outfit called  
14 Minnesotans for Pipeline Cleanup, and we're  
15 concerning ourselves primarily with the fate of  
16 the old Line 3.

17 And so we start that with a  
18 question, hypothetical question, which is, if a  
19 given landowner who has generously hosted  
20 Enbridge's old Line 3 for decades, if they  
21 would like to have that old pipeline removed,  
22 not just decommissioned -- I mean pulling the  
23 pipeline out of the ground, and it's safe to do  
24 that -- who should be on the hook for that  
25 financially? Should it be the property owner



1           or should it be Enbridge?

2                       This is one of the questions I've  
3           been asking people, you know, door knocking,  
4           the old pipeline. I haven't spoken to anybody  
5           yet who thinks that the property owner should  
6           be on the hook for removing the old pipeline.

7                       So a couple other considerations.  
8           If you look at the environmental review  
9           documents, there's a statement that the  
10          pipelines are in general 10 or 15 feet apart,  
11          and it is stated that there is the potential,  
12          that it's potentially dangerous to remove the  
13          old Line 3 because of its proximity to hot or  
14          active lines.

15                      Well, we took the liberty of  
16          walking the lines on public thoroughfares  
17          between Wawina and Grand Rapids and found the  
18          average distance to be quite a bit more than  
19          that. And at least between Lines 3 and 4, it  
20          averages 30 feet.

21                      So in support of our -- I guess,  
22          our remarks about the environmental review  
23          documents, we would like to see more and more  
24          science about exactly how far apart they are.

25                      And the environmental review

1 document said this as well: That the cost to  
2 Enbridge -- that Enbridge estimates the cost of  
3 removing Line 3 at approximately \$1.28 billion.  
4 Our question is, how many jobs can you get out  
5 of \$1.28 billion? I'd even wonder what the  
6 Chamber of Commerce's opinion on that question  
7 might be.

8 And let's not lose sight of the  
9 fact that we're establishing a precedent here.  
10 We know Enbridge is going to likely want to  
11 abandon the rest of their old pipelines here  
12 before too long, and so essentially, we're  
13 encouraging labor members, union members,  
14 laborers, 49ers, to publicly sort of throw  
15 their support to the landowners who are only  
16 asking for a landowner-choice option.

17 They're not demanding the whole  
18 thing be removed. But any landowner that wants  
19 it removed, let's do right by them, Enbridge,  
20 you know, take your old pipeline with you.

21 If there's a question about the  
22 safety, well, then, take your time. Do it  
23 right.

24 We absolutely believe that our  
25 union members are the ones who are most

1 qualified to do that work, so we've got a lot  
2 of confidence in your ability to do that work  
3 right.

4 And finally, the environmental  
5 review documents state this -- this is in  
6 chapter 8.4.1. It states that, "The removal of  
7 the existing Line 3 could positively affect the  
8 communities -- referring to communities who are  
9 on the receiving end of environmental justice  
10 impacts -- that, "The removing of the existing  
11 Line 3 could positively affect these  
12 communities by removing stress or anxiety  
13 related to the presence of the abandoned  
14 pipeline and ongoing risks related to water  
15 flow, soil and water contamination, and  
16 subsidence."

17 So I guess that sounds like a  
18 win-win to me. Like if you could get a job  
19 digging up an old pipeline to the tune of  
20 \$1.28 billion that would do right by these  
21 affected communities, why would you not throw  
22 your lot in for these landowners who are asking  
23 for your support?

24 Thanks for your time.

25 FACILITATOR: Laura Stengrim.

1 And again, just name and spelling of your name.

2 MS. LAURA STENGRIM: Hi, my name  
3 is Laura Stengrim, L-A-U-R-A, S-T-E-N-G-R-I-M.

4 I have a letter in support of  
5 the Enbridge Line 3 replacement project. This  
6 is from the Convention and Visitors Bureau  
7 Board of Directors, which I'm the executive  
8 director of. This letter is in support of the  
9 Enbridge Line 3 replacement project.

10 The Thief River Falls Convention  
11 and Visitors Bureau is funded by the 3 percent  
12 lodging tax that is paid by our overnight  
13 visitors and collected at all seven hotel  
14 properties in Thief River Falls as well as our  
15 city campground.

16 We're supportive of any project  
17 such as this that will bring overnight  
18 visitors to our community and positively  
19 affect our economy. This project would have  
20 significant economic impact on our lodging  
21 properties, restaurants, and retail stores.  
22 This kind of boost will be felt around the  
23 entire community.

24 On behalf of the Thief River  
25 Falls Convention and Visitors Bureau Board of

1 Directors, I offer our support of this  
2 project. We feel confident that our city has  
3 the facilities necessary to accommodate the  
4 pipeline workers from our 350 hotel rooms to  
5 our wide range of dining and retail amenities.

6 This project would have  
7 substantial economic impact on Thief River  
8 Falls as well as the state of Minnesota, so we  
9 are very hopeful that it is approved as soon  
10 as possible.

11 FACILITATOR: Thank you. Do you  
12 mind sharing your written comments for the  
13 court reporter?

14 So that was the four folks who  
15 signed up to comment. We have plenty of time.  
16 Are there others in the room who want to make  
17 a comment? Just raise your hand so I can get  
18 a sense of the count. We can collect those  
19 comments as well.

20 Anybody else?

21 All right, so why don't we start  
22 here. Just name and spelling for the record,  
23 and then dive in.

24 MR. ANDY PEARSON: Thank you.  
25 My name is Andy Pearson, A-N-D-Y,

1 P-E-A-R-S-O-N.

2 I want to speak to just a couple  
3 of points in the DEIS today. But first I want  
4 to just recognize a change that the Department  
5 of Commerce has made to one of these display  
6 boards. I happen to know that at some other  
7 meetings it was brought up that the display  
8 board on Certificate of Need actually left out  
9 a couple of the key criteria for assessing  
10 Certificate of Need, one of which is whether  
11 the cost to society at large is greater if the  
12 project is built (indiscernible) if it isn't  
13 built.

14 And I wanted to give a real  
15 positive shout-out that that was added to the  
16 display board, and I saw it yesterday, and  
17 thank you, because I know a lot of the reason  
18 we're here is for better decision-making, and I  
19 think having all the criteria that are  
20 necessary up on the board actually leads to  
21 better decision-making.

22 So going off of that note I want  
23 to talk about one of those in particular --  
24 actually two, the cost to society and the  
25 compliance with existing laws and regulations

1       for just a minute.

2               So in the DEIS document, one of  
3       the areas that I was impressed by in many ways  
4       was the area that looked at climate change  
5       impact. In particular, the fact that they did  
6       study the life cycle impacts of this pipeline.

7               That means the total climate  
8       change impact that it would cause by being  
9       built through both the oil transported in the  
10      pipeline and the pipe itself. And that number,  
11      as listed in the DEIS, is that it would have a  
12      cost to society of \$287 billion, with a B, to  
13      society at large by building it over a 30-year  
14      time span.

15              And I believe that that time span  
16      should actually be more consistent with the  
17      length of time that these pipes have  
18      historically operated and are operating now,  
19      which is 60 years. I would encourage the DOC  
20      to actually double their time estimate for  
21      pipeline life.

22              It says in fact at another point  
23      in the DEIS, it says 30 years is the minimum  
24      expected life of the pipeline. I think it's  
25      probably not best practice to just study

1 minimum probabilities but to study the range,  
2 and maybe to have the default be more of the  
3 median than the minimum, so I would encourage  
4 that to be changed.

5 I also know that something  
6 happened in our state in the time since the  
7 DEIS was released that the DOC could not have  
8 anticipated, so I don't blame them for not  
9 anticipating that our governor, Governor  
10 Dayton, would commit Minnesota to upholding the  
11 Paris Climate Agreement and those carbon  
12 reduction goals.

13 Again, no fault to the DOC that  
14 that's not included in the document, but it  
15 needs to be included in the final version of  
16 the document, because the governor saying that  
17 and committing the state agencies to it makes  
18 it a matter of state policy.

19 So to that second point on the  
20 Certificate of Need, we need to be assessing  
21 this project and its \$287 billion dollar cost  
22 to society. We need to be assessing it for its  
23 compliance with relevant state laws and  
24 regulations, which includes the governor  
25 committing the state to reductions under the



1 Paris Accord, and which includes other state  
2 policy around carbon reduction, including  
3 renewable energy standard and carbon reduction  
4 goals at the state level in Minnesota and also  
5 at many cities.

6 So I would encourage that be  
7 assessed as well specifically in the  
8 Environmental Impact Statement document as it's  
9 a document designed to inform a Certificate of  
10 Need decision.

11 These carbon analyses need to be  
12 in there a little bit more than we're seeing  
13 right now, although I respect and appreciate  
14 the work that's gone into getting us to the  
15 level of analysis that we have in the document.

16 Just looking to kick it to the  
17 next step up so that the Commission is able to  
18 use it to make a fully informed decision as  
19 we're looking at whether to go forward with  
20 building this project.

21 Thank you.

22 FACILITATOR: And you're up next.  
23 Just name and spelling for the record.

24 MS. NICOLETTE SLAGLE: I'm  
25 Nicolette Slagle, N-I-C-O-L-E-T-T-E,

1 S-L-A-G-L-E.

2 I'm with Honor the Earth. I am  
3 their research director, and I wanted to thank  
4 you for bringing up the issues of the oil sand  
5 or the tar sands up in Alberta, because as our  
6 stance with Honor the Earth, we are wholly  
7 opposed to anymore expansion of the tar sands  
8 industry for a number of reasons. And so I  
9 really appreciate you also stating some facts  
10 about how terrible of an industry it is.

11 One of the things that I've been  
12 working on, researching a lot in the last two  
13 years is this issue of abandonment. And as  
14 you may know, that this line is coming from  
15 Canada, and the Canadian National Energy Board  
16 is also facing the abandonment of the existing  
17 Line 3 up in Canada. So a lot of the  
18 information that I have learned about what the  
19 potential impacts of abandonment is comes from  
20 the research that the NEB has done.

21 A few interesting things about  
22 that is that I was able to speak yesterday with  
23 some representatives from the Canadian  
24 Association of Energy and Pipeline Landowner  
25 Association. So this is a group that was

1 started by a Canadian landowner that had a  
2 pipeline running through their yard that was  
3 concerned about what would happen if that  
4 pipeline was abandoned.

5 And what I learned is that back  
6 in 1985, the National Energy Board actually had  
7 on their books seven different regulations  
8 related to pipeline abandonment, and their  
9 preferred method for dealing with abandonment  
10 was complete removal.

11 Now, some politics changed up  
12 there, a lot of those regulations got removed  
13 from the books, but the CAEPLA organization is  
14 working to get some of those back on there,  
15 including landowners' choice of what happens to  
16 pipelines that run through their yards.

17 So it is possible to completely  
18 remove pipelines and it is an expense that most  
19 likely somebody will bear. And we want to make  
20 sure that it is the company that is bearing  
21 those costs and not society.

22 Now, as it relates back to this,  
23 the issues here in Minnesota, and this document  
24 in particular, I'm going to read a couple of  
25 things and I will tie them together. This is

1 from the CAEPLA's summer 2016 magazine. It's  
2 an article about aging pipelines, what are the  
3 risks. And it's an article about independent  
4 research that is co-sponsored between Enbridge  
5 and CAEPLA.

6 "Enbridge has acknowledged that  
7 the extensive disbonding of the Line 3  
8 polyethylene tape pipe coating will render  
9 cathodic protection ineffective to prevent  
10 corrosion and has estimated time to through  
11 wall penetration at 25 to 50 years.

12 "Progressively greater  
13 agricultural surface loads increase the  
14 potential for pipeline collapse and ground  
15 subsidence. In addition to health and safety  
16 concerns and related costs and liabilities,  
17 topsoil loss upon ground subsidence will result  
18 in permanent long term production losses."

19 So I read that and I was thinking  
20 back to myself, okay, I don't really remember  
21 that being stated as clearly in the DEIS. I  
22 have tried to read as much of it as possible,  
23 and I did manage to read the entire section on  
24 abandonment because it was about 14 pages.

25 So in here, in section 8.3.1.2,

1 "Existing Line 3 as a Water Conduit," so this  
2 is one of the issues that if there is through  
3 wall corrosion, water can get into the pipeline  
4 and it can move through the pipeline into  
5 different areas.

6 So yeah, basically says that this  
7 could happen but cathodic protection in  
8 cementing the pipeline would minimize the  
9 effects on water resources. And it says here  
10 that -- yeah, over time -- well, basically it  
11 says cathodic protection is going to limit that  
12 from happening.

13 And so I was interested to see --  
14 again, they didn't give any numbers, just that  
15 the cathodic protection is going to stop that  
16 from happening.

17 But if you then go into appendix  
18 B, which is the appendix to the abandonment  
19 section, so it has more of the technical  
20 documents and additional information that were  
21 used to -- I'm assuming, used to create the  
22 section on abandonment.

23 So from that, on page 26 of  
24 appendix B, Line 3 is externally coated with  
25 polyethylene tape. A Gas Research Institute

1 report published in 1992, provides information  
2 that, "The most common problem reported by the  
3 pipeline operators who had used tape coating on  
4 their pipeline systems were poor field  
5 application, failure of adhesive, poor  
6 resistance to soil stress and high  
7 susceptibility to shielding the current of the  
8 cathodic protection system."

9 There's some more talk about  
10 what's happened over the years. The end of the  
11 second paragraph, "Once the wrinkles form,  
12 water is able to seep under the disbonded  
13 coating and is carried along the pipeline's  
14 steel surface by capillary action. Permeation  
15 of the CP current is limited due to high  
16 dielectric strength of the polyethylene tape  
17 shielding the current."

18 Which, long story short,  
19 basically they're saying that, well, the  
20 cathodic protection is already disbonding from  
21 the pipeline. So again, I really want to  
22 understand how their cathodic protection is  
23 going to protect this pipeline when it's not  
24 even functioning now.

25 So then they have a lot of

1 assessments, of corrosion rates, and some  
2 charts here, how long it may take.

3 Page 29, and so there's a graph,  
4 "Based on this information, the worst case time  
5 to failure from the original installation is  
6 estimated at 51 years. Based on this, it would  
7 be assumed that the pipeline is already  
8 penetrated or is likely to be within the next  
9 five years considering an in-service date of  
10 1968."

11 Now, it does say, "This  
12 demonstrates the over-conservative nature of  
13 the corrosion rates presented in the PTAC Model  
14 when compared to the corrosion rates  
15 experienced on Line 3."

16 Okay. So what -- based on the  
17 existing corrosion rates, what time frame are  
18 we looking at? "Figure 4.8, yields estimates  
19 of time to through wall penetration based on  
20 the PTAC Model between 25 to 50 years from  
21 2011."

22 So finally, after digging through  
23 all of that, we see that, yes, actually 25 to  
24 50 years is how long we could have through wall  
25 corrosion because of the limited functioning of

1 the cathodic protection system.

2 FACILITATOR: Been about seven  
3 minutes.

4 MS. NICOLETTE SLAGLE: Okay. So  
5 I just would like the abandonment section to  
6 be a lot more clear about the fact that these  
7 issues are not going to happen sometime in the  
8 far away future, they're going to happen  
9 within people's lifetimes. And I really do  
10 think that the State needs to complete an  
11 entirely separate Environmental Impact  
12 Statement on the issue of abandonment,  
13 because, as Allen said, this is not the  
14 first -- well, it is the first major pipeline,  
15 but it is not going to be last.

16 Thank you.

17 FACILITATOR: Thank you.

18 Other folks who want to comment  
19 this morning?

20 Yes, name and spelling for the  
21 record.

22 MS. KYLIE LEMLEY: Hello, it's  
23 Kylie Lemley, K-Y-L-I-E, L-E-M-L-E-Y.

24 I just have a couple of points I  
25 wanted to talk about today. I would first



1       like to mention that Enbridge's track record  
2       in terms of safety is atrocious.

3               This is to say nothing against  
4       the pipeline work, the unions themselves, the  
5       people who put them together. I thoroughly  
6       appreciate these people. I understand their  
7       need for a job. I understand that they do  
8       their jobs well.

9               I'm talking about the  
10       corporation Enbridge themselves. In fact, in  
11       2010, the Pipeline of Hazardous Materials  
12       Safety Administration, or PHMSA, they actually  
13       held Enbridge up as an example for what not to  
14       do in terms of safety.

15              They've been fined so many times  
16       that I don't even want to get into it for  
17       violations. We have fact sheets on that.

18              Another thing I'd like to mention  
19       is if we'd like to talk about benefits received  
20       for this pipeline, the answer is we don't have  
21       any. In terms of tax benefits, as I've heard  
22       mentioned today, Enbridge is currently  
23       appealing for five years of taxes that they've  
24       given us for previous pipelines being built.

25              So this means that a huge

1 percentage of the benefits that we've received  
2 in the past from them are going to have to be  
3 paid back by, you guessed it, us as taxpayers.

4 So this means that we will foot  
5 the bill for tens of millions of dollars, if  
6 their appeal is granted, and it means that some  
7 counties such as Clearwater or Red Lake will  
8 likely go bankrupt attempting to pay Enbridge  
9 back for the benefits that they've received.

10 I'd also like to mention that we  
11 are not receiving the oil coming through this  
12 pipeline -- this really scary, dirty oil, but  
13 we'll get to that, and pipelines are not the  
14 safest mode of transportation.

15 Though they spill less  
16 frequently, just based on the amount of oil  
17 that they give, they do not spill less  
18 frequently overall. They also tend to spill  
19 much more oil and do much more damage than  
20 other modes of transportation such as rail or  
21 truck.

22 So another thing that should be  
23 noted is that it's been shown in the past that  
24 not building a new pipeline does not mean that  
25 the transport by rail or by truck increases.

1       This is just not something that happens. In  
2       fact, oil sand extraction tends to slow down  
3       when you don't build pipelines.

4               This is a good thing. We don't  
5       want to keep extracting this dirty, scary oil,  
6       which is so water intensive, the process -- the  
7       energy we put into extracting this oil is  
8       almost negligible compared to the amount of  
9       energy we get out.

10              So another huge secret is that we  
11       have a lot of oil right now. Our reserves are  
12       practically overflowing. Right now there are  
13       boats filled with large stores of oil that are  
14       just circling around because they have no idea  
15       where to put the oil. They have nowhere to put  
16       it and no one wants to buy it.

17              Expansion is not something we  
18       need to be doing right now. We have a reserve  
19       of oil.

20              And I've heard -- you know,  
21       multiple people can agree with me that the  
22       fossil fuels are not in our future. Even if we  
23       want them to be, they can't be. There's a  
24       reason we call them nonrenewable energy.

25              We need to begin our transition

1 not for our great grandkids or -- I mean, I  
2 could be most of your grandchildren. So it's  
3 time to transition now. We don't want to be  
4 lagging behind.

5 Another point I'd like to make is  
6 we need to begin thinking in a global way when  
7 discussing our environment. When Trump  
8 announced his plan to withdraw from the Paris  
9 Climate Agreement, there was outrage. I mean,  
10 nobody was happy about that one. We as  
11 Minnesotans actually announced our intention to  
12 uphold the Agreement anyway.

13 So the climate agreement was  
14 first enacted to unite countries in the battle  
15 of the quickly approaching climate change. We  
16 all agree this is happening and it's a problem.

17 By signing, we agreed that we  
18 need to do our part globally in reducing carbon  
19 emissions. We all need to work together on  
20 this. This is not something one country or one  
21 area can do.

22 Expanding the extraction of tar  
23 sands oil is the exact opposite of that, so we  
24 in the United States agreed to reduce our  
25 carbon emissions by about 28 percent of their

1 (indiscernible) numbers.

2 Extracting tar sands creates  
3 almost double our goal of carbon emissions, and  
4 I understand that this happens in Canada so  
5 it's not right in our backyards and why should  
6 we care. Maybe just move the pipeline  
7 somewhere that's not in our backyards.

8 And to that I would respond,  
9 where is a good place for a pipeline? Where is  
10 a good place to have your environment  
11 destroyed?

12 So I also recently read an  
13 article written by the president of United  
14 Steel Workers who represents a bunch of  
15 different labor unions, especially one that has  
16 to do with the building of pipelines, and the  
17 president was saying, "If we don't start  
18 working harder to maintain our environment, we  
19 won't have any jobs anywhere. Our country will  
20 be uninhabitable and we need to work together  
21 to uphold the Climate Agreement, to uphold our  
22 environment, to uphold our homes and where we  
23 live."

24 I understand that jobs are  
25 important. I understand that, but there are

1 other jobs that are not quite so detrimental to  
2 us.

3 I don't want to cease using oil.  
4 News flash, I drove here today. My clothes are  
5 made of blended fabric that's likely created  
6 using oil. I get that. Of course, society at  
7 large needs oil, and here we agree, but we need  
8 to move on from all of this.

9 This transition cannot happen by  
10 expanding the extraction of tar sands. Our  
11 transition cannot happen with this expanded  
12 pipeline.

13 So that's kind of everything I  
14 wanted to talk about. Thank you for listening.

15 FACILITATOR: Thank you.

16 Anyone else who wants to make a  
17 public comment at this time?

18 Name and spelling for the  
19 record.

20 MS. RENEE MARQUIS: Thank you.  
21 This is my second comment, Renee, R-E-N-E-E,  
22 last name Marquis, M-A-R-Q-U-I-S, and I'm from  
23 Goodrich.

24 I'm a consumer of oil and gas  
25 products. I love them. I love heat in my

1 house, especially when it's 40 below. I love  
2 oil. I love gas. I use it.

3 I realize other people use the  
4 product, too. Other people need the product,  
5 too. I do not live in the world of "me." I  
6 live in the world of "we." We have a neighbor  
7 who needs gas. We have a neighbor who needs  
8 oil.

9 I want to say we are stewards of  
10 our land in Highland Township. And we have  
11 deer, we have trees, we have ponds, we have  
12 acreage, and I also have a husband that has  
13 worked many years construction.

14 And I want to thank him for doing  
15 pipeline work. I want to thank him for doing  
16 the job that everybody can say is so awful, but  
17 he lives in the world of "we" so we want to  
18 give to everybody.

19 Thank you.

20 FACILITATOR: Thank you.

21 Anyone else who would like to  
22 make a public comment at this time?

23 Name and spelling.

24 MR. WILLIS MATTISON: Thank you.

25 My name is Willis Mattison. I now live down

1 by Detroit lakes.

2 FACILITATOR: Spell your name.

3 MR. WILLIS MATTISON: Willis

4 Mattison, M-A-T-T-I-S-O-N, first name is

5 Willis, W-I-L-L-I-S.

6 I'm a hometown boy. You  
7 mentioned you're from Highlanding. I lived  
8 down in Pennington, Red Lake county line about  
9 eight miles south of Highlanding. Went to  
10 school in Plummer. Graduated there in 1961.  
11 That school gave me a great education, got me  
12 interested in science and particularly in  
13 biology. I was given a scholarship at my  
14 school, and I went to Bemidji State  
15 University, and I got a degree there in  
16 biology and chemistry.

17 I went on to teach science. I  
18 did that for several years but then got  
19 interested in environmental protection because  
20 I'd learned in college that what we live in  
21 our environment, we need to use our  
22 environment, we also need to protect it.

23 Many of us don't understand that  
24 the kinds of things we use are to our own  
25 detriment. Oil is one of those things. Oil



1 has served us well. Still can serve homes,  
2 still fuels our cars. But we recognize that  
3 like an addiction, some chemicals turn out to  
4 be not good for us in the long run.

5 I want to come back home and  
6 serve my community in Plummer where I went to  
7 school, and I consider Thief River Falls and  
8 Pennington County part of my home, and I want  
9 to serve you. I want to return the favor you  
10 did to me by educating me and sending me off to  
11 school and forming these things.

12 We have a foreign company,  
13 Enbridge, that wants to make money. If there  
14 wasn't money in oil, they wouldn't be doing  
15 this. They wouldn't be investing \$7 billion in  
16 a project to transport something we can no  
17 longer depend on.

18 The young lady ahead of me made a  
19 very good case. Many of you may not believe in  
20 climate change. That's okay. Climate change  
21 is not something you believe in. Climate  
22 change is something you know and you  
23 experience.

24 Your snowmobile manufacturers  
25 here in town sold out. I was here in the 1950s

1       when Artic Cat was being created, and we had  
2       wonderful winters for snowmobiles. Whatever  
3       happened to those? Why can't they sell as many  
4       snowmobiles as they used to? Why did they sell  
5       out to an out-of-state corporation?

6               I read the paper, and the  
7       president said it's because people aren't  
8       buying snowmobiles anymore because they can't  
9       use them like they used to. That's climate  
10      change, folks.

11             So we need to do something  
12      different. The Public Utilities Commission and  
13      the Department of Commerce are state agencies.  
14      State agencies are regulatory agencies to serve  
15      the public. There's no need to have regulatory  
16      agencies if industries would behave themselves  
17      without supervision. They don't.

18             I was in the Pollution Control  
19      Agency for 28 years. I know that given their  
20      druthers in order to make more money, they will  
21      cut corners and they will cut corners at the  
22      expense of our health and our environment. So  
23      a regulatory agency is supposed to do this.

24             This enormous Environmental  
25      Impact Statement that you're looking at is

1       supposed to answer one primary question, why is  
2       this project in the public interest? We know  
3       it's in the company's interest to make money.  
4       That's a given, and we don't mind people making  
5       money. That's the American way, for  
6       enterprise.

7                       We work hard, we earn money, we  
8       do things. But we should do things in a way  
9       that doesn't harm our neighbor.

10                      You're talking about not wanting  
11       to harm your neighbor. I don't want to harm my  
12       neighbor. These regulatory agencies are  
13       supposed to ensure that these companies are not  
14       harming their neighbor.

15                      But if you read this foot-high  
16       document, nowhere in there will you see how  
17       this project serves you and your long-term  
18       interest or your children's interest.

19                      I have read almost three fourths  
20       of it. It's taken me three weeks. I'm not all  
21       the way through it. I would guess that few of  
22       you, if any, will read it, and I understand  
23       that. I would not put you through that  
24       torture.

25                      An environmental impact statement

1       should not be torturous to read. By law it is  
2       not supposed to be encyclopedic, but it is.  
3       It's forebodingly encyclopedic so you will not  
4       read it. But I'm going to. So trust me. I'm  
5       a hometown kid. I'm not going to come here and  
6       lie to you.

7                       This document does not  
8       demonstrate that this project is in the public  
9       interest.

10                      It is, in fact, against our  
11       public interest. So if you want to know more  
12       and why, I'm going to be putting on some  
13       educational sessions between now and then, the  
14       comment period, and I will help you understand  
15       the fine teeth in there.

16                      But this document is so huge that  
17       the truth is hidden in all of those pages, and  
18       you can't find it unless you know where to look  
19       for it. I can help you know what to look for.

20                      Regulatory agencies have, over  
21       time, been virtually taken over by the  
22       industries that they are supposed to regulate.  
23       You don't see in this document that they're --  
24       the Department of Commerce is recommending the  
25       PUC make their decision based on the need for

1 the project as dictated by the economics, the  
2 market drivers for oil.

3 They say that the need for the  
4 project will be to determine whether the  
5 pipeline company can sell the oil or ship the  
6 oil if somebody wants to buy it.

7 That's kind of like saying a drug  
8 dealer should be in business if they've got  
9 someone who will buy the illegal drugs.

10 That's not the right test for  
11 whether this project is needed. We don't need  
12 fossil fuels anymore. We need to convert our  
13 homes and our businesses and our vehicles and  
14 our industry to alternative forms of energy.

15 But does this document say that  
16 that is a reasonable choice? No, it says a  
17 reasonable alternative is to put a whole line  
18 of trucks on the Canadian border and haul oil  
19 to Superior.

20 What reasonable person would have  
21 said -- if we look at alternative ways to do  
22 this job, would have said, "Let's consider  
23 putting a line of trucks on the highway and  
24 haul that oil?"

25 FACILITATOR: It's been about

1       seven minutes.

2                   MR. WILLIS MATTISON:   Please  
3       don't insult my intelligence.   I will finish  
4       up as soon as I can.

5                   So this document does a lot of  
6       busy work proving, setting up straw men and  
7       knocking them down.   Instead, we should be  
8       talking seriously about what does the nation  
9       need, what do we need.

10                  We need clean energy.   Fossil  
11       fuels have outlived their usefulness.   We know  
12       this.   It's served us well, but we found out  
13       they have a problem so we're in transition.

14                  Sixty-year or more investment in  
15       infrastructure and a pipeline here is not going  
16       to be the bridge we need to transition to our  
17       new clean energy future, folks.

18                  So insist that the Department of  
19       Commerce revise this document to talk about how  
20       do we transition into a clean energy future?  
21       We're going to spend \$7 billion.   Wouldn't it  
22       make sense to spend \$7 billion --

23                  FACILITATOR:   It's been about  
24       eight minutes.

25                  MR. WILLIS MATTISON:   -- on

1 something that will sustain us into those  
2 future years?

3 Thank you very much.

4 FACILITATOR: Name and spelling  
5 for the record.

6 MR. CURTIS COBB: I'm Curtis  
7 Cobb, C-U-R-T-I-S, C-O-B-B.

8 I support his comment. I just  
9 want to expand on it for a couple of minutes.  
10 We are going to have free energy. It was  
11 designed and developed in the 1920s and 30s by  
12 Nikola Tesla, who was a scientist then. We do  
13 not have it now, because JP Morgan, the  
14 financier, found out that as he was financing  
15 Tesla to build this generator, which he did,  
16 he would have to give away the energy free.

17 Morgan pulled back all the  
18 financing and the generator was dismantled and  
19 Tesla was murdered in 1943, to stop him from  
20 releasing any further inventions.

21 There have been 76 other  
22 inventors that have come out with free energy  
23 devices. They have all been murdered. Not by  
24 accident (indiscernible).

25 But we will have them. We are on

1 the verge of having free energy, and we will  
2 have a much cleaner environment.

3 So here we are beating ourselves  
4 to death about a pipeline, which will -- go  
5 ahead and build it. It will eventually be  
6 obsolete. That's basically it.

7 Carbon dioxide, I've been  
8 studying this thing for about two years now,  
9 and they call carbon dioxide a greenhouse gas.  
10 And my question is, how can you have a  
11 greenhouse gas, or how could carbon dioxide be  
12 a greenhouse gas when it doesn't exist at  
13 greenhouse elevations?

14 Carbon dioxide is a very low  
15 elevation gas. You get up to 5,000 feet,  
16 25 percent of our air disappears. That  
17 includes carbon dioxide. You get up to  
18 10,000 feet, 40 percent of it disappears. How  
19 could it be a greenhouse gas?

20 On top of that -- this goes for  
21 all the plants in the world. The plants in the  
22 world have increased 1.1 percent over the last  
23 ten years because we increase carbon dioxide.

24 Interesting feature, the -- our  
25 satellites -- talk about global warming, this



1 is a point. I'll get back to carbon dioxide in  
2 a minute. We've had 15 weather satellites  
3 whirling around this earth for 31 years. It  
4 measures the heat going into the earth and the  
5 heat going out of the earth.

6 For 31 years, every 13 minutes,  
7 there has been no global warming.

8 Have we had climate change?  
9 Sure, but the climate's been changing for a  
10 billion years, so has the climate changed?  
11 Sure.

12 But anyway, getting back to  
13 carbon dioxide. The reason we've had an  
14 increase in CO2 from 300 parts per million to  
15 400 parts per million for the last hundred  
16 years is because we've cut down a few billion  
17 trees. Not us, it's what we do with our  
18 environment. And so that's pretty much  
19 stabilized.

20 The United States farm belt, of  
21 which we're a part, produces about 28 percent  
22 of the oxygen in this world. The Brazilian  
23 Rain Forest, another 20 percent.

24 And what we found out was when  
25 our satellites were whirling around the earth,

1 the astronauts noticed a green glow coming from  
2 Central America -- I mean, from basically the  
3 Rockies to the East Coast, and they couldn't  
4 figure this out, why a green glow that comes  
5 through the atmosphere when you're 200 miles  
6 up.

7 What they found out is our corn  
8 crop, our corn crop is producing so much oxygen  
9 in this world that it produces 20 percent more  
10 oxygen than the Brazilian Rain Forest.

11 So we're getting plenty of oxygen  
12 and the carbon dioxide has been used up quite  
13 readily, so stop worrying about it. That will  
14 get fixed, too.

15 That's all I've got to say.

16 FACILITATOR: Thank you.

17 Others who have not spoken yet  
18 who would like to make a public comment?  
19 Anybody else?

20 Just a reminder, if you do want  
21 to do a written comment, there are boxes there  
22 and a paper form that you can fill out.

23 A court reporter in the back,  
24 Janet, is here raising her hand, if you want  
25 to make an individual comment to her. It will

1 be treated exactly the same as if you made it  
2 to the full group here. Janet will be in the  
3 back for the period of the time that we're  
4 here to take that comment as well.

5 State staff will be here for the  
6 next bit until our finish time at  
7 1:00 o'clock, roughly; if there are any  
8 questions, conversations and the like.

9 Again, just to note, your  
10 comments will go into the record. Ultimately  
11 it will be gathered up and actually put online  
12 on the state website, and they will be  
13 considered by the State as they move from the  
14 draft to the final EIS, the Environmental  
15 Impact Statement.

16 Thank you very much for your  
17 time. We're going to be around, so feel free  
18 to mingle.

19 For the comments across the  
20 broad spectrum, thank you very much, and thank  
21 you for coming out today. Thanks.

<b>\$</b>	<b>33:12</b>	<b>43:5</b>	<b>31:1</b>	<b>36:4</b>
<b>\$1.28 (3)</b> 18:3,5;19:20	<b>administrative (2)</b> 5:9,14	<b>amount (4)</b> 13:12;14:17;34:16; 35:8	<b>Association (2)</b> 26:24,25	<b>believes (2)</b> 14:9;15:2
<b>\$11 (1)</b> 13:13	<b>advantage (1)</b> 13:9	<b>analyses (1)</b> 25:11	<b>assumed (1)</b> 31:7	<b>below (1)</b> 39:1
<b>\$287 (2)</b> 23:12;24:21	<b>advocate (1)</b> 7:7	<b>analysis (1)</b> 25:15	<b>assuming (1)</b> 29:21	<b>belt (1)</b> 49:20
<b>\$7 (3)</b> 41:15;46:21,22	<b>affect (3)</b> 19:7,11;20:19	<b>ANDY (2)</b> 21:24,25	<b>astronauts (1)</b> 50:1	<b>Bemidji (1)</b> 40:14
	<b>affected (1)</b> 19:21	<b>A-N-D-Y (1)</b> 21:25	<b>atmosphere (1)</b> 50:5	<b>benefit (1)</b> 15:17
<b>A</b>	<b>affirmative (1)</b> 8:24	<b>announced (2)</b> 36:8,11	<b>atrocious (1)</b> 33:2	<b>benefits (4)</b> 33:19,21;34:1,9
<b>abandon (1)</b> 18:11	<b>again (7)</b> 10:23;13:22;20:1; 24:13;29:14;30:21; 51:9	<b>anticipated (1)</b> 24:8	<b>attempting (1)</b> 34:8	<b>best (2)</b> 6:22;23:25
<b>abandoned (2)</b> 19:13;27:4	<b>against (3)</b> 7:3;33:3;44:10	<b>anticipating (1)</b> 24:9	<b>August (2)</b> 5:7;6:1	<b>better (3)</b> 14:21;22:18,21
<b>abandonment (10)</b> 26:13,16,19;27:8,9; 28:24;29:18,22;32:5, 12	<b>agencies (8)</b> 9:5;24:17;42:13,14, 14,16;43:12;44:20	<b>anxiety (1)</b> 19:12	<b>available (4)</b> 6:4,7,22;10:14	<b>biggest (1)</b> 12:13
<b>abets (2)</b> 12:13;13:17	<b>Agency (6)</b> 4:9,18;9:12,14; 42:19,23	<b>anymore (3)</b> 26:7;42:8;45:12	<b>average (1)</b> 17:18	<b>bill (1)</b> 34:5
<b>ability (1)</b> 19:2	<b>aging (1)</b> 28:2	<b>apart (2)</b> 17:10,24	<b>averages (1)</b> 17:20	<b>billion (11)</b> 13:13;18:3,5;19:20; 23:12;24:21;41:15; 46:21,22;49:10,16
<b>able (5)</b> 6:7;14:16;25:17; 26:22;30:12	<b>agree (3)</b> 35:21;36:16;38:7	<b>appeal (1)</b> 34:6	<b>away (2)</b> 32:8;47:16	<b>biology (2)</b> 40:13,16
<b>absolutely (1)</b> 18:24	<b>agreed (2)</b> 36:17,24	<b>appealing (1)</b> 33:23	<b>B</b>	<b>bird (1)</b> 12:25
<b>accident (1)</b> 47:24	<b>Agreement (5)</b> 24:11;36:9,12,13; 37:21	<b>appendix (3)</b> 29:17,18,24	<b>back (14)</b> 3:14;10:16;27:5,14, 22:28;20:34;3,9;41:5; 47:17;49:1,12;50:23; 51:3	<b>bit (4)</b> 11:24;17:18;25:12; 51:6
<b>accommodate (1)</b> 21:3	<b>agricultural (1)</b> 28:13	<b>application (1)</b> 30:5	<b>backyards (2)</b> 37:5,7	<b>blame (1)</b> 24:8
<b>Accord (1)</b> 25:1	<b>ahead (2)</b> 41:18;48:5	<b>approve (1)</b> 15:19	<b>bankrupt (1)</b> 34:8	<b>blended (1)</b> 38:5
<b>acknowledged (1)</b> 28:6	<b>aids (2)</b> 12:13;13:16	<b>approved (1)</b> 21:9	<b>Based (6)</b> 31:4,6,16,19;34:16; 44:25	<b>board (8)</b> 14:6;20:7,25;22:8, 16,20;26:15;27:6
<b>acreage (1)</b> 39:12	<b>air (1)</b> 48:16	<b>approximately (1)</b> 18:3	<b>basically (5)</b> 29:6,10;30:19;48:6; 50:2	<b>boards (2)</b> 9:15;22:6
<b>across (2)</b> 8:11;51:19	<b>Alberta (1)</b> 26:5	<b>area (3)</b> 4:25;23:4;36:21	<b>Bathrooms (1)</b> 3:14	<b>boats (1)</b> 35:13
<b>action (1)</b> 30:14	<b>Allen (4)</b> 16:5,7,8;32:13	<b>areas (3)</b> 5:23;23:3;29:5	<b>battle (1)</b> 36:14	<b>books (2)</b> 27:7,13
<b>active (1)</b> 17:14	<b>A-L-L-E-N (1)</b> 16:9	<b>around (7)</b> 4:13;20:22;25:2; 35:14;49:3,25;51:17	<b>bear (1)</b> 27:19	<b>boost (2)</b> 15:7;20:22
<b>actually (13)</b> 3:17;10:12;11:14; 22:8,20,24;23:16,20; 27:6;31:23;33:12; 36:11;51:11	<b>almost (3)</b> 35:8;37:3;43:19	<b>Artic (1)</b> 42:1	<b>bearing (1)</b> 27:20	<b>border (1)</b> 45:18
<b>added (1)</b> 22:15	<b>along (1)</b> 30:13	<b>article (3)</b> 28:2,3;37:13	<b>beating (1)</b> 48:3	<b>both (1)</b> 23:9
<b>addiction (1)</b> 41:3	<b>alternative (3)</b> 45:14,17,21	<b>Ashley (5)</b> 13:21,25;14:1; 15:24,25	<b>begin (6)</b> 3:5;5:13;6:23;8:16; 35:25;36:6	<b>boxes (1)</b> 50:21
<b>addition (1)</b> 28:15	<b>although (1)</b> 25:13	<b>A-S-H-L-E-Y (1)</b> 14:1	<b>behalf (3)</b> 3:12;14:5;20:24	<b>boy (1)</b> 40:6
<b>additional (2)</b> 4:13;29:20	<b>always (3)</b> 11:10,25;12:20	<b>assessed (1)</b> 25:7	<b>behave (1)</b> 42:16	<b>Brazilian (2)</b> 49:22;50:10
<b>adhesive (1)</b> 30:5	<b>amenities (1)</b> 21:5	<b>assessing (3)</b> 22:9;24:20,22	<b>behind (1)</b>	<b>break (1)</b> 12:9
<b>Administration (1)</b>	<b>America (1)</b> 50:2	<b>assessments (1)</b>		<b>bridge (1)</b> 46:16
	<b>American (1)</b>			<b>bridges (1)</b> 11:15

<b>brief (2)</b> 3:8,24 <b>bring (3)</b> 10:17,23;20:17 <b>bringing (1)</b> 26:4 <b>broad (1)</b> 51:20 <b>brought (1)</b> 22:7 <b>Bs (1)</b> 11:7 <b>build (3)</b> 35:3;47:15;48:5 <b>building (6)</b> 3:17;13:14;23:13; 25:20;34:24;37:16 <b>built (4)</b> 22:12,13;23:9; 33:24 <b>bunch (1)</b> 37:14 <b>Bureau (3)</b> 20:6,11,25 <b>business (3)</b> 14:22;15:6;45:8 <b>businesses (1)</b> 45:13 <b>busy (1)</b> 46:6 <b>buy (3)</b> 35:16;45:6,9 <b>buying (1)</b> 42:8	30:14 <b>capturing (1)</b> 7:23 <b>carbon (16)</b> 24:11;25:2,3,11; 36:18,25;37:3;48:7,9, 11,14,17,23;49:1,13; 50:12 <b>cards (1)</b> 10:21 <b>care (1)</b> 37:6 <b>carried (1)</b> 30:13 <b>cars (2)</b> 14:19;41:2 <b>case (4)</b> 5:11;7:9;31:4; 41:19 <b>Cat (1)</b> 42:1 <b>catholic (8)</b> 28:9;29:7,11,15; 30:8,20,22;32:1 <b>cause (1)</b> 23:8 <b>CDs (2)</b> 10:10,13 <b>cease (1)</b> 38:3 <b>cell (1)</b> 10:5 <b>cementing (1)</b> 29:8 <b>Central (1)</b> 50:2 <b>Certificate (5)</b> 4:20;22:8,10;24:20; 25:9 <b>Chamber (6)</b> 14:4,5,9;15:2,19; 18:6 <b>change (9)</b> 22:4;23:4,8;36:15; 41:20,20,22;42:10; 49:8 <b>changed (3)</b> 24:4;27:11;49:10 <b>changing (1)</b> 49:9 <b>chapter (1)</b> 19:6 <b>charts (1)</b> 31:2 <b>chemicals (1)</b> 41:3 <b>chemistry (1)</b> 40:16 <b>children's (1)</b> 43:18 <b>choice (2)</b> 27:15;45:16 <b>circling (1)</b>	35:14 <b>cities (1)</b> 25:5 <b>citizens (1)</b> 16:13 <b>city (2)</b> 20:15;21:2 <b>civil (1)</b> 11:12 <b>clarify (1)</b> 6:20 <b>clean (3)</b> 46:10,17,20 <b>cleaner (1)</b> 48:2 <b>Cleanup (1)</b> 16:14 <b>clear (1)</b> 32:6 <b>clearly (1)</b> 28:21 <b>Clearwater (1)</b> 34:7 <b>climate (13)</b> 23:4,7;24:11;36:9, 13,15;37:21;41:20,20, 21;42:9;49:8,10 <b>climate's (1)</b> 49:9 <b>closes (1)</b> 5:5 <b>clothes (1)</b> 38:4 <b>CO2 (1)</b> 49:14 <b>Coast (1)</b> 50:3 <b>coated (1)</b> 29:24 <b>coating (3)</b> 28:8;30:3,13 <b>cob (1)</b> 11:7 <b>Cobb (7)</b> 10:22;11:1,2,6,6; 47:6,7 <b>C-O-B-B (2)</b> 11:6;47:7 <b>coffee (1)</b> 3:6 <b>collapse (1)</b> 28:14 <b>collect (1)</b> 21:18 <b>collected (1)</b> 20:13 <b>college (1)</b> 40:20 <b>comfortable (1)</b> 9:7 <b>coming (5)</b> 3:2;26:14;34:11; 50:1;51:21	<b>comment (21)</b> 3:3,8,25;5:5;7:5,16; 9:11;10:3,18;21:15, 17;32:18;38:17,21; 39:22;44:14;47:8; 50:18,21,25;51:4 <b>commenting (1)</b> 7:18 <b>comments (22)</b> 5:2,18;6:2,5,7,8,9, 12,12,25;7:1,3,4,24; 9:2,4;10:7;15:25; 21:12,19;51:10,19 <b>Commerce (8)</b> 3:23;4:5;14:4,6; 22:5;42:13;44:24; 46:19 <b>Commerce's (1)</b> 18:6 <b>Commission (7)</b> 4:11,17;5:10;6:17, 21;25:17;42:12 <b>commit (1)</b> 24:10 <b>committing (2)</b> 24:17,25 <b>common (1)</b> 30:2 <b>communities (4)</b> 19:8,8,12,21 <b>community (4)</b> 14:11;20:18,23; 41:6 <b>companies (1)</b> 43:13 <b>company (3)</b> 27:20;41:12;45:5 <b>company's (1)</b> 43:3 <b>compared (2)</b> 31:14;35:8 <b>compile (1)</b> 6:5 <b>complete (2)</b> 27:10;32:10 <b>completely (1)</b> 27:17 <b>compliance (2)</b> 22:25;24:23 <b>concern (3)</b> 11:2;12:2,12 <b>concerned (2)</b> 11:10;27:3 <b>concerning (1)</b> 16:15 <b>concerns (2)</b> 11:2;28:16 <b>Conduit (1)</b> 29:1 <b>confidence (1)</b> 19:2 <b>confident (1)</b> 21:2	<b>consider (2)</b> 41:7;45:22 <b>considerations (1)</b> 17:7 <b>considered (1)</b> 51:13 <b>considering (2)</b> 6:23;31:9 <b>considers (1)</b> 9:21 <b>consistent (1)</b> 23:16 <b>construction (2)</b> 15:14;39:13 <b>consulting (1)</b> 3:11 <b>consumer (1)</b> 38:24 <b>contamination (1)</b> 19:15 <b>contested (2)</b> 5:11;7:9 <b>Control (2)</b> 4:9;42:18 <b>Convention (3)</b> 20:6,10,25 <b>conversations (1)</b> 51:8 <b>convert (1)</b> 45:12 <b>corn (3)</b> 11:7;50:7,8 <b>corners (2)</b> 42:21,21 <b>corporation (2)</b> 33:10;42:5 <b>corrosion (7)</b> 28:10;29:3;31:1,13, 14,17,25 <b>co-sponsored (1)</b> 28:4 <b>cost (6)</b> 18:1,2;22:11,24; 23:12;24:21 <b>costs (2)</b> 27:21;28:16 <b>count (1)</b> 21:18 <b>counterparts (1)</b> 4:7 <b>counties (1)</b> 34:7 <b>countries (1)</b> 36:14 <b>country (5)</b> 11:13,16;12:7; 36:20;37:19 <b>county (2)</b> 40:8;41:8 <b>couple (6)</b> 17:7;22:2,9;27:24; 32:24;47:9 <b>course (1)</b>
<b>C</b>				
<b>CAEPLA (2)</b> 27:13;28:5 <b>CAEPLA's (1)</b> 28:1 <b>call (3)</b> 10:20;35:24;48:9 <b>called (1)</b> 16:13 <b>came (1)</b> 10:9 <b>campground (1)</b> 20:15 <b>can (25)</b> 5:24;8:5,7,9;9:10,1, 5,12,17,18;16:1;18:4; 21:17,18;29:3,4; 35:21;36:21;39:16; 41:1,16;44:19;45:5; 46:4;48:10;50:22 <b>Canada (5)</b> 12:16;13:7;26:15, 17;37:4 <b>Canadian (5)</b> 12:17;26:15,23; 27:1;45:18 <b>capillary (1)</b>				

<p>38:6 <b>court (6)</b> 7:22;8:3;13:22; 16:1;21:13;50:23 <b>cover (1)</b> 12:22 <b>CP (1)</b> 30:15 <b>create (2)</b> 15:5;29:21 <b>created (2)</b> 38:5;42:1 <b>creates (1)</b> 37:2 <b>creating (1)</b> 14:10 <b>criteria (2)</b> 22:9;19 <b>crop (2)</b> 50:8,8 <b>crowd (1)</b> 8:8 <b>crude (1)</b> 14:14 <b>current (3)</b> 30:7;15;17 <b>currently (1)</b> 33:22 <b>Curtis (8)</b> 10:22;22;11:1,1,4, 6;47:6,6 <b>C-U-R-T-I-S (1)</b> 47:7 <b>cut (3)</b> 42:21;21;49:16 <b>cycle (1)</b> 23:6</p>	<p><b>decisions (1)</b> 4:19 <b>decommissioned (1)</b> 16:22 <b>deep (1)</b> 13:3 <b>deer (1)</b> 39:11 <b>default (1)</b> 24:2 <b>degree (1)</b> 40:15 <b>DEIS (6)</b> 22:3;23:2,11,23; 24:7;28:21 <b>demanding (1)</b> 18:17 <b>demonstrate (1)</b> 44:8 <b>demonstrates (1)</b> 31:12 <b>Department (7)</b> 3:23;4:4,10;22:4; 42:13;44:24;46:18 <b>depend (1)</b> 41:17 <b>design (2)</b> 11:13;15:14 <b>designed (3)</b> 13:3;25:9;47:11 <b>destroyed (1)</b> 37:11 <b>determine (1)</b> 45:4 <b>detriment (1)</b> 40:25 <b>detrimental (1)</b> 38:1 <b>Detroit (1)</b> 40:1 <b>developed (1)</b> 47:11 <b>devices (1)</b> 47:23 <b>dictated (1)</b> 45:1 <b>dielectric (1)</b> 30:16 <b>different (4)</b> 27:7;29:5;37:15; 42:12 <b>digging (2)</b> 19:19;31:22 <b>dining (1)</b> 21:5 <b>dioxide (9)</b> 48:7,9,11,14,17,23; 49:1,13;50:12 <b>direct (1)</b> 9:3 <b>directly (1)</b> 13:23 <b>director (3)</b></p>	<p>14:3;20:8;26:3 <b>directors (3)</b> 14:6;20:7;21:1 <b>dirty (2)</b> 34:12;35:5 <b>disappears (2)</b> 48:16,18 <b>disaster (1)</b> 13:17 <b>disasters (1)</b> 12:14 <b>disbonded (1)</b> 30:12 <b>disbonding (2)</b> 28:7;30:20 <b>discussing (1)</b> 36:7 <b>dismantled (1)</b> 47:18 <b>display (3)</b> 22:5,7,16 <b>distance (1)</b> 17:18 <b>disturbed (1)</b> 10:6 <b>dive (1)</b> 21:23 <b>DOC (3)</b> 23:19;24:7,13 <b>document (19)</b> 5:1,21,25;6:16; 18:1;23:2;24:14,16; 25:8,9,15;27:23; 43:16;44:7,16,23; 45:15;46:5,19 <b>documents (4)</b> 17:9,23;19:5;29:20 <b>dollar (1)</b> 24:21 <b>dollars (1)</b> 34:5 <b>done (2)</b> 8:25;26:20 <b>door (2)</b> 3:16;17:3 <b>double (2)</b> 23:20;37:3 <b>down (5)</b> 35:2;39:25;40:8; 46:7;49:16 <b>Draft (5)</b> 5:4,18;9:22;10:10; 51:14 <b>drivers (1)</b> 45:2 <b>drives (2)</b> 10:10,13 <b>drove (1)</b> 38:4 <b>drug (1)</b> 45:7 <b>drugs (1)</b> 45:9</p>	<p><b>druthers (1)</b> 42:20 <b>due (2)</b> 15:18;30:15 <b>during (5)</b> 5:3;7:8;10:2,7; 15:14</p> <p><b>E</b></p> <p><b>earn (1)</b> 43:7 <b>earth (8)</b> 11:19;12:15;26:2,6; 49:3,4,5,25 <b>East (1)</b> 50:3 <b>economic (3)</b> 15:9;20:20;21:7 <b>economics (1)</b> 45:1 <b>economy (5)</b> 15:4,5,7,16;20:19 <b>educating (1)</b> 41:10 <b>education (1)</b> 40:11 <b>educational (1)</b> 44:13 <b>effects (1)</b> 29:9 <b>efficient (1)</b> 12:5 <b>eight (2)</b> 40:9;46:24 <b>EIS (11)</b> 5:7,23,25;6:15,17, 20;7:2;8:19;9:6; 10:10;51:14 <b>either (1)</b> 3:15 <b>elevation (1)</b> 48:15 <b>elevations (1)</b> 48:13 <b>else (4)</b> 21:20;38:16;39:21; 50:19 <b>emissions (3)</b> 36:19,25;37:3 <b>employs (1)</b> 13:14 <b>enacted (1)</b> 36:14 <b>Enbridge (16)</b> 14:7,15;17:1;18:2, 2,10,19;20:5,9;28:4,6; 33:10,13,22;34:8; 41:13 <b>Enbridge's (2)</b> 16:20;33:1 <b>encourage (3)</b> 23:19;24:3;25:6</p>	<p><b>encouraging (1)</b> 18:13 <b>encyclopedic (2)</b> 44:2,3 <b>end (3)</b> 3:17;19:9;30:10 <b>energy (15)</b> 25:3;26:15,24;27:6; 35:7,9,24;45:14; 46:10,17,20;47:10,16, 22;48:1 <b>engineer (1)</b> 11:10 <b>engineers (1)</b> 11:12 <b>enormous (1)</b> 42:24 <b>enough (5)</b> 11:11,16,18;12:3, 11 <b>ensure (1)</b> 43:13 <b>enterprise (1)</b> 43:6 <b>entire (3)</b> 15:21;20:23;28:23 <b>entirely (1)</b> 32:11 <b>environment (12)</b> 11:20;12:4;14:12; 36:7;37:10,18,22; 40:21,22;42:22;48:2; 49:18 <b>Environmental (18)</b> 3:21;5:4,18;9:22; 10:11;12:14;13:17; 17:8,22,25;19:4,9; 25:8;32:11;40:19; 42:24;43:25;51:14 <b>equally (1)</b> 6:13 <b>especially (2)</b> 37:15;39:1 <b>essentially (1)</b> 18:12 <b>establishing (1)</b> 18:9 <b>estimate (1)</b> 23:20 <b>estimated (2)</b> 28:10;31:6 <b>estimates (2)</b> 18:2;31:18 <b>even (4)</b> 18:5;30:24;33:16; 35:22 <b>eventually (1)</b> 48:5 <b>everybody (3)</b> 3:2;39:16,18 <b>everyone (1)</b> 4:2 <b>exact (1)</b></p>
<p><b>D</b></p> <p><b>damage (1)</b> 34:19 <b>dangerous (1)</b> 17:12 <b>date (1)</b> 31:9 <b>Dayton (1)</b> 24:10 <b>dealer (1)</b> 45:8 <b>dealing (1)</b> 27:9 <b>death (2)</b> 13:1;48:4 <b>decades (1)</b> 16:20 <b>December (1)</b> 5:2 <b>decision (8)</b> 4:18,20;5:15;6:18, 23;25:10,18;44:25 <b>decision-making (3)</b> 6:16;22:18,21</p>				

36:23 <b>exactly (2)</b> 17:24;51:1 <b>example (1)</b> 33:13 <b>executive (2)</b> 14:3;20:7 <b>exist (1)</b> 48:12 <b>existing (6)</b> 19:7;10;22:25; 26:16;29:1;31:17 <b>exit (1)</b> 3:18 <b>Exits (1)</b> 3:15 <b>expand (1)</b> 47:9 <b>expanded (1)</b> 38:11 <b>Expanding (2)</b> 36:22;38:10 <b>expansion (2)</b> 26:7;35:17 <b>expected (3)</b> 5:16;8:20;23:24 <b>expense (2)</b> 27:18;42:22 <b>experience (1)</b> 41:23 <b>experienced (1)</b> 31:15 <b>express (1)</b> 14:7 <b>extensive (1)</b> 28:7 <b>externally (1)</b> 29:24 <b>extracting (3)</b> 35:5;7;37:2 <b>extraction (3)</b> 35:2;36:22;38:10	<b>failure (2)</b> 30:5;31:5 <b>fair (2)</b> 8:11;21 <b>fall (1)</b> 5:13 <b>Falls (9)</b> 14:4,5;15:8,21; 20:10,14,25;21:8; 41:7 <b>far (3)</b> 12:4;17:24;32:8 <b>farm (1)</b> 49:20 <b>fate (1)</b> 16:15 <b>fault (1)</b> 24:13 <b>favor (1)</b> 41:9 <b>feature (1)</b> 48:24 <b>federal (1)</b> 11:8 <b>feel (3)</b> 6:24;21:2;51:17 <b>feet (5)</b> 13:3;17:10,20; 48:15,18 <b>felt (1)</b> 20:22 <b>few (6)</b> 3:13;7:16;8:1; 26:21;43:21;49:16 <b>field (1)</b> 30:4 <b>Figure (2)</b> 31:18;50:4 <b>fill (1)</b> 50:22 <b>filled (1)</b> 35:13 <b>Final (6)</b> 5:7,25;7:2;9:22; 24:15;51:14 <b>finally (2)</b> 19:4;31:22 <b>financially (1)</b> 16:25 <b>financier (1)</b> 47:14 <b>financing (2)</b> 47:14,18 <b>find (1)</b> 44:18 <b>fine (1)</b> 44:15 <b>fined (1)</b> 33:15 <b>finish (2)</b> 46:3;51:6 <b>first (8)</b> 4:19;7:17;22:3;	32:14,14,25;36:14; 40:4 <b>five (2)</b> 31:9;33:23 <b>fixed (1)</b> 50:14 <b>flash (3)</b> 10:9,12;38:4 <b>flow (1)</b> 19:15 <b>fluid (2)</b> 11:20;12:24 <b>fluids (1)</b> 12:6 <b>folks (10)</b> 8:9,14;9:12,14,16, 25;21:14;32:18; 42:10;46:17 <b>food (1)</b> 3:7 <b>foot (1)</b> 34:4 <b>foot-high (1)</b> 43:15 <b>forebodingly (1)</b> 44:3 <b>foreign (1)</b> 41:12 <b>Forest (2)</b> 49:23;50:10 <b>forgetting (1)</b> 6:25 <b>form (3)</b> 13:10;30:11;50:22 <b>forming (1)</b> 41:11 <b>forms (1)</b> 45:14 <b>forward (1)</b> 25:19 <b>forwarded (1)</b> 5:8 <b>fossil (3)</b> 35:22;45:12;46:10 <b>found (5)</b> 17:17;46:12;47:14; 49:24;50:7 <b>four (2)</b> 8:9;21:14 <b>fourths (1)</b> 43:19 <b>frame (1)</b> 31:17 <b>free (6)</b> 14:20;47:10,16,22; 48:1;51:17 <b>frequently (2)</b> 34:16,18 <b>friend (1)</b> 12:17 <b>fuels (4)</b> 35:22;41:2;45:12; 46:11	<b>full (2)</b> 10:12;51:2 <b>fully (1)</b> 25:18 <b>functioning (2)</b> 30:24;31:25 <b>funded (1)</b> 20:11 <b>further (1)</b> 47:20 <b>future (5)</b> 32:8;35:22;46:17, 20;47:2	17:17 <b>grandchildren (1)</b> 36:2 <b>grandkids (1)</b> 36:1 <b>granted (1)</b> 34:6 <b>graph (1)</b> 31:3 <b>great (6)</b> 8:25;9:18;10:22; 16:3;36:1;40:11 <b>greater (2)</b> 22:11;28:12 <b>green (2)</b> 50:1,4 <b>greenhouse (5)</b> 48:9,11,12,13,19 <b>ground (4)</b> 13:4;16:23;28:14, 17 <b>groundwater (1)</b> 13:7 <b>group (2)</b> 26:25;51:2 <b>guess (3)</b> 17:21;19:17;43:21 <b>guessed (1)</b> 34:3
<b>F</b>			<b>G</b>	<b>H</b>
<b>fabric (1)</b> 38:5 <b>FACILITATOR (17)</b> 3:1;7:14;11:4; 13:20;15:24;19:25; 21:11;25:22;32:2,17; 38:15;39:20;40:2; 45:25;46:23;47:4; 50:16 <b>facilities (1)</b> 21:3 <b>facing (1)</b> 26:16 <b>fact (8)</b> 18:9;23:5,22;32:6; 33:10,17;35:2;44:10 <b>facts (1)</b> 26:9			<b>gas (9)</b> 29:25;38:24;39:2,7; 48:9,11,12,15,19 <b>gather (1)</b> 3:6 <b>gathered (1)</b> 51:11 <b>gave (1)</b> 40:11 <b>general (1)</b> 17:10 <b>generator (2)</b> 47:15,18 <b>generously (1)</b> 16:19 <b>gets (1)</b> 12:21 <b>given (5)</b> 16:19;33:24;40:13; 42:19;43:4 <b>global (3)</b> 36:6;48:25;49:7 <b>globally (1)</b> 36:18 <b>glow (2)</b> 50:1,4 <b>goal (1)</b> 37:3 <b>goals (2)</b> 24:12;25:4 <b>goes (2)</b> 12:4;48:20 <b>Good (10)</b> 3:1;4:1;8:14;12:9; 16:7;35:4;37:9,10; 41:4,19 <b>Goodrich (1)</b> 38:23 <b>governor (4)</b> 24:9,9,16,24 <b>grab (1)</b> 3:6 <b>Graduated (1)</b> 40:10 <b>grain (1)</b> 14:22 <b>Grand (1)</b>	<b>hand (3)</b> 4:15;21:17;50:24 <b>hands (1)</b> 9:13 <b>handy (1)</b> 3:15 <b>happen (7)</b> 22:6;27:3;29:7; 32:7,8;38:9,11 <b>happened (3)</b> 24:6;30:10;42:3 <b>happening (3)</b> 29:12,16;36:16 <b>happens (4)</b> 12:19;27:15;35:1; 37:4 <b>happy (1)</b> 36:10 <b>hard (1)</b> 43:7 <b>harder (1)</b> 37:18 <b>harm (3)</b> 43:9,11,11 <b>harming (1)</b> 43:14 <b>hat (1)</b> 10:21 <b>haul (2)</b> 45:18,24 <b>Hazardous (1)</b>

33:11 <b>health (2)</b> 28:15;42:22 <b>heard (4)</b> 7:18;8:5;33:21; 35:20 <b>hearings (3)</b> 5:11,12;7:9 <b>heat (3)</b> 38:25;49:4,5 <b>held (2)</b> 4:24;33:13 <b>Hello (1)</b> 32:22 <b>help (4)</b> 7:2;15:20;44:14,19 <b>helpful (1)</b> 7:21 <b>helps (2)</b> 6:17;16:3 <b>Hi (1)</b> 20:2 <b>hidden (1)</b> 44:17 <b>high (2)</b> 30:6,15 <b>Highland (3)</b> 39:10;40:7,9 <b>highway (1)</b> 45:23 <b>hint (1)</b> 8:15 <b>historically (1)</b> 23:18 <b>hold (3)</b> 8:4,6;10:25 <b>home (2)</b> 41:5,8 <b>homes (3)</b> 37:22;41:1;45:13 <b>hometown (2)</b> 40:6;44:5 <b>Honor (2)</b> 26:2,6 <b>hook (2)</b> 16:24;17:6 <b>hope (2)</b> 4:12;15:10 <b>hopeful (1)</b> 21:9 <b>hopefully (1)</b> 14:20 <b>hosted (1)</b> 16:19 <b>hosting (1)</b> 4:5 <b>hot (1)</b> 17:13 <b>hotel (2)</b> 20:13;21:4 <b>hotels (1)</b> 15:13 <b>house (1)</b>	39:1 <b>huge (5)</b> 12:6;13:11;33:25; 35:10;44:16 <b>hundred (1)</b> 49:15 <b>hundreds (1)</b> 7:3 <b>husband (1)</b> 39:12 <b>hypothetical (1)</b> 16:18  <b>I</b>  <b>idea (1)</b> 35:14 <b>illegal (1)</b> 45:9 <b>Impact (17)</b> 3:21;5:4,18;9:22; 10:11;15:3,9,11; 20:20;21:7;23:5,8; 25:8;32:11;42:25; 43:25;51:15 <b>impacts (3)</b> 19:10;23:6;26:19 <b>important (3)</b> 6:19;14:13;37:25 <b>impressed (1)</b> 23:3 <b>improvements (1)</b> 5:24 <b>inch (1)</b> 11:24 <b>include (1)</b> 5:21 <b>included (2)</b> 24:14,15 <b>includes (3)</b> 24:24;25:1;48:17 <b>including (2)</b> 25:2;27:15 <b>increase (4)</b> 14:17;28:13;48:23; 49:14 <b>increased (1)</b> 48:22 <b>increases (1)</b> 34:25 <b>independent (1)</b> 28:3 <b>indiscernible (3)</b> 22:12;37:1;47:24 <b>individual (1)</b> 50:25 <b>individually (2)</b> 7:5;9:11 <b>individuals (1)</b> 9:6 <b>industries (2)</b> 42:16;44:22 <b>industry (3)</b>	26:8,10;45:14 <b>ineffective (1)</b> 28:9 <b>inform (3)</b> 5:3;7:2;25:9 <b>information (10)</b> 4:14;5:20;6:20,20, 22;7:12;26:18;29:20; 30:1;31:4 <b>informed (1)</b> 25:18 <b>infrastructure (1)</b> 46:15 <b>in-service (1)</b> 31:9 <b>insist (1)</b> 46:18 <b>installation (1)</b> 31:5 <b>instant (1)</b> 13:1 <b>Instead (1)</b> 46:7 <b>Institute (1)</b> 29:25 <b>insult (1)</b> 46:3 <b>intelligence (1)</b> 46:3 <b>intensive (1)</b> 35:6 <b>intention (1)</b> 36:11 <b>interest (6)</b> 43:2,3,18,18;44:9, 11 <b>interested (5)</b> 5:19,22;29:13; 40:12,19 <b>interesting (2)</b> 26:21;48:24 <b>into (15)</b> 5:10;7:12;12:21; 13:4,23;25:14;29:3,4, 17;33:16;35:7;46:20; 47:1;49:4;51:10 <b>introduce (1)</b> 3:19 <b>inventions (1)</b> 47:20 <b>inventors (1)</b> 47:22 <b>investing (1)</b> 41:15 <b>investment (1)</b> 46:14 <b>issue (5)</b> 4:22;5:7;12:10; 26:13;32:12 <b>issues (6)</b> 8:20;9:5;26:4; 27:23;29:2;32:7	<b>J</b>  <b>Jamie (3)</b> 3:19;4:1,3 <b>Janet (2)</b> 50:24;51:2 <b>job (7)</b> 7:23;9:15,17;19:18; 33:7;39:16;45:22 <b>jobs (6)</b> 15:5;18:4;33:8; 37:19,24;38:1 <b>JP (1)</b> 47:13 <b>judge (2)</b> 5:9,14 <b>July (1)</b> 5:6 <b>justice (1)</b> 19:9  <b>K</b>  <b>keep (1)</b> 35:5 <b>key (1)</b> 22:9 <b>kick (1)</b> 25:16 <b>kid (1)</b> 44:5 <b>kilometers (1)</b> 12:23 <b>kind (4)</b> 9:10;20:22;38:13; 45:7 <b>kinds (1)</b> 40:24 <b>knocking (2)</b> 17:3;46:7 <b>knowing (1)</b> 5:22 <b>KYLIE (2)</b> 32:22,23 <b>K-Y-L-I-E (1)</b> 32:23  <b>L</b>  <b>labor (2)</b> 18:13;37:15 <b>laborers (1)</b> 18:14 <b>lady (1)</b> 41:18 <b>lagging (1)</b> 36:4 <b>Lake (2)</b> 34:7;40:8 <b>lakes (1)</b> 40:1 <b>land (1)</b>	39:10 <b>landowner (4)</b> 16:19;18:18;26:24; 27:1 <b>landowner-choice (1)</b> 18:16 <b>landowners (2)</b> 18:15;19:22 <b>landowners' (1)</b> 27:15 <b>lands (1)</b> 12:25 <b>large (4)</b> 22:11;23:13;35:13; 38:7 <b>last (6)</b> 11:5;26:12;32:15; 38:22;48:22;49:15 <b>Laura (3)</b> 19:25;20:2,3 <b>L-A-U-R-A (1)</b> 20:3 <b>law (3)</b> 5:9,14;44:1 <b>laws (2)</b> 22:25;24:23 <b>leads (1)</b> 22:20 <b>leak (1)</b> 13:3 <b>learned (3)</b> 26:18;27:5;40:20 <b>least (1)</b> 17:19 <b>leave (1)</b> 10:13 <b>left (2)</b> 3:15;22:8 <b>LEMLEY (2)</b> 32:22,23 <b>L-E-M-L-E-Y (1)</b> 32:23 <b>length (1)</b> 23:17 <b>Leslie (3)</b> 10:15,16,22 <b>less (3)</b> 14:16;34:15,17 <b>letter (2)</b> 20:4,8 <b>level (2)</b> 25:4,15 <b>liabilities (1)</b> 28:16 <b>liberty (1)</b> 17:15 <b>lie (1)</b> 44:6 <b>life (3)</b> 23:6,21,24 <b>lifetimes (1)</b> 32:9 <b>likely (5)</b>
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18:10;27:19;31:8; 34:8;38:5 <b>limit (1)</b> 29:11 <b>limited (2)</b> 30:15;31:25 <b>limits (1)</b> 8:10 <b>Line (22)</b> 3:22;14:7,13,15,25; 16:16,20;17:13;18:3; 19:7,11;20:5,9;26:14, 17:28;7:29;1,24; 31:15;40:8;45:17,23 <b>lines (3)</b> 17:14,16,19 <b>link (1)</b> 14:14 <b>listed (1)</b> 23:11 <b>listen (3)</b> 7:20;9:16,17 <b>listened (1)</b> 7:19 <b>listening (2)</b> 9:25;38:14 <b>little (3)</b> 7:11;8:15;25:12 <b>live (5)</b> 37:23;39:5,6,25; 40:20 <b>lived (1)</b> 40:7 <b>lives (1)</b> 39:17 <b>loads (1)</b> 28:13 <b>local (4)</b> 15:4,12,13,16 <b>locations (1)</b> 6:9 <b>lodging (2)</b> 20:12,20 <b>long (8)</b> 8:12,17;18:12; 28:18;30:18;31:2,24; 41:4 <b>longer (1)</b> 41:17 <b>long-term (2)</b> 15:17;43:17 <b>look (4)</b> 17:8;44:18,19; 45:21 <b>looked (1)</b> 23:4 <b>looking (4)</b> 25:16,19;31:18; 42:25 <b>lose (1)</b> 18:8 <b>loss (1)</b> 28:17	<b>losses (1)</b> 28:18 <b>lot (10)</b> 19:1,22;22:17; 26:12,17;27:12; 30:25;32:6;35:11; 46:5 <b>love (4)</b> 38:25,25;39:1,2 <b>low (1)</b> 48:14  <b>M</b>  <b>MacAlister (3)</b> 3:20;4:1,4 <b>magazine (1)</b> 28:1 <b>maintain (1)</b> 37:18 <b>maintenance (1)</b> 14:16 <b>major (1)</b> 32:14 <b>makes (1)</b> 24:17 <b>making (2)</b> 4:18;43:4 <b>manage (1)</b> 28:23 <b>manager (1)</b> 3:20 <b>Mansfield (1)</b> 3:10 <b>manufacturers (1)</b> 41:24 <b>many (8)</b> 18:4;23:3;25:5; 33:15;39:13;40:23; 41:19;42:3 <b>market (1)</b> 45:2 <b>MARQUIS (2)</b> 38:20,22 <b>M-A-R-Q-U-I-S (1)</b> 38:22 <b>materials (3)</b> 5:8;15:12;33:11 <b>matter (1)</b> 24:18 <b>MATTISON (6)</b> 39:24,25;40:3,4; 46:2,25 <b>M-A-T-T-I-S-O-N (1)</b> 40:4 <b>may (6)</b> 3:14;4:23;8:18; 26:14;31:2;41:19 <b>maybe (2)</b> 24:2;37:6 <b>mean (6)</b> 12:8;16:22;34:24; 36:1,9;50:2	<b>means (5)</b> 15:1;23:7;33:25; 34:4,6 <b>measures (1)</b> 49:4 <b>median (1)</b> 24:3 <b>meeting (4)</b> 4:5;6:3;7:13;11:8 <b>meetings (7)</b> 4:25;5:3;6:3,6,10; 8:11;22:7 <b>members (3)</b> 18:13,13,25 <b>men (1)</b> 46:6 <b>mention (3)</b> 33:1,18;34:10 <b>mentioned (3)</b> 4:3;33:22;40:7 <b>method (1)</b> 27:9 <b>mic (5)</b> 8:7;10:17,23,25; 13:24 <b>mics (1)</b> 8:4 <b>middle (1)</b> 3:18 <b>might (3)</b> 8:16;13:10;18:7 <b>miles (5)</b> 12:23;13:6,6;40:9; 50:5 <b>million (2)</b> 49:14,15 <b>millions (1)</b> 34:5 <b>mind (2)</b> 21:12;43:4 <b>mine (1)</b> 12:17 <b>mingle (1)</b> 51:18 <b>minimize (1)</b> 29:8 <b>minimum (3)</b> 23:23;24:1,3 <b>Minnesota (11)</b> 3:12,24;4:4,9,10, 17;15:21;21:8;24:10; 25:4;27:23 <b>Minnesotans (2)</b> 16:14;36:11 <b>minute (4)</b> 3:4,9;23:1;49:2 <b>minutes (6)</b> 8:13;32:3;46:1,24; 47:9;49:6 <b>missing (2)</b> 5:20;6:19 <b>mode (1)</b> 34:14	<b>Model (2)</b> 31:13,20 <b>modes (1)</b> 34:20 <b>money (7)</b> 13:12;41:13,14; 42:20;43:3,5,7 <b>more (16)</b> 7:11;17:18,23,23; 23:16;24:2;25:12; 29:19;30:9;32:6; 34:19,19;42:20; 44:11;46:14;50:9 <b>Morgan (2)</b> 47:13,17 <b>morning (5)</b> 3:1;4:2;16:8,11; 32:19 <b>most (9)</b> 7:20;8:14;11:12; 12:5,6;18:25;27:18; 30:2;36:2 <b>move (6)</b> 7:12;9:21;29:4; 37:6;38:8;51:13 <b>moves (1)</b> 5:10 <b>much (10)</b> 8:10;28:22;34:19, 19;47:3;48:2;49:18; 50:8;51:16,20 <b>multiple (1)</b> 35:21 <b>multiply (1)</b> 11:14 <b>murdered (2)</b> 47:19,23 <b>myself (1)</b> 28:20  <b>N</b>  <b>name (22)</b> 3:10;8:2,2;10:24; 11:5;13:22,25;16:8; 20:1,1,2;21:22,25; 25:23;32:20;38:18, 22:39;23,25;40:2,4; 47:4 <b>names (1)</b> 10:20 <b>nation (1)</b> 46:8 <b>National (2)</b> 26:15;27:6 <b>Natural (1)</b> 4:10 <b>nature (1)</b> 31:12 <b>NEB (1)</b> 26:20 <b>necessary (3)</b> 14:10;21:3;22:20	<b>Need (31)</b> 4:20;5:21;13:8; 22:8,10;24:20,20,22; 25:10,11;33:7;35:18, 25;36:6,18,19;37:20; 38:7;39:4;40:21,22; 42:11,15;44:25;45:3, 11,12;46:9,9,10,16 <b>needed (1)</b> 45:11 <b>needs (6)</b> 14:22;24:15;32:10; 38:7;39:7,7 <b>negative (1)</b> 9:1 <b>negligible (1)</b> 35:8 <b>neighbor (6)</b> 39:6,7;43:9,11,12, 14 <b>neighbors' (1)</b> 6:8 <b>Nerhus (3)</b> 13:21,25;14:1 <b>N-E-R-H-U-S (1)</b> 14:2 <b>new (3)</b> 14:25;34:24;46:17 <b>News (1)</b> 38:4 <b>next (7)</b> 7:12;13:21;16:5; 25:17,22;31:8;51:6 <b>NICOLETTE (3)</b> 25:24,25;32:4 <b>N-I-C-O-L-E-T-T-E (1)</b> 25:25 <b>Nikola (1)</b> 47:12 <b>nobody (1)</b> 36:10 <b>nonrenewable (1)</b> 35:24 <b>normal (1)</b> 11:25 <b>notably (1)</b> 7:1 <b>note (2)</b> 22:22;51:9 <b>noted (1)</b> 34:23 <b>notes (1)</b> 9:18 <b>noticed (1)</b> 50:1 <b>nowhere (2)</b> 35:15;43:16 <b>number (6)</b> 9:13;12:2,7,10; 23:10;26:8 <b>numbers (2)</b> 29:14;37:1
---	--	---	--	--

	9:5	particularly (1)	21,23;12:3,11,13;	19:7,11;20:18
<b>O</b>	<b>organizer (1)</b>	40:12	13:16,19;14:11,24;	<b>possible (4)</b>
	16:12	<b>parts (2)</b>	15:10;16:14,21,23;	16:1;21:10;27:17;
<b>objection (1)</b>	<b>original (1)</b>	49:14,15	17:4,6;18:20;19:14,	28:22
13:18	31:5	<b>past (3)</b>	19;21:4;23:6,10,21,	<b>poster (1)</b>
<b>obsolete (1)</b>	<b>others (2)</b>	15:8;34:2,23	24;26:24;27:2,4,8;	9:15
48:6	21:16;50:17	<b>Pat (2)</b>	28:14;29:3,4,8;30:3,4,	<b>posters (1)</b>
<b>o'clock (1)</b>	<b>ourselves (2)</b>	4:3;7:11	21,23;31:7;32:14;	4:13
51:7	16:15;48:3	<b>Patrick (1)</b>	33:4,11,20;34:12,24;	<b>potential (3)</b>
<b>off (2)</b>	<b>out (19)</b>	3:10	37:6,9;38:12;39:15;	17:11;26:19;28:14
22:22;41:10	3:2;9:10;10:21;	<b>pay (1)</b>	45:5;46:15;48:4	<b>potentially (1)</b>
<b>offer (1)</b>	16:23;18:4;22:8;35:9;	34:8	<b>pipelines (12)</b>	17:12
21:1	41:3,25;42:5;46:12;	<b>PEARSON (2)</b>	12:5,7;14:18;17:10;	<b>pounds (1)</b>
<b>oil (36)</b>	47:14,22;49:5,24;	21:24,25	18:11;27:16,18;28:2;	11:23
12:15,19;13:8,10,	50:4,7,22;51:21	<b>P-E-A-R-S-O-N (1)</b>	33:24;34:13;35:3;	<b>practically (1)</b>
14;14:14,17;15:1;	<b>outfit (1)</b>	22:1	37:16	35:12
23:9;26:4;34:11,12,	16:13	<b>penetrated (1)</b>	<b>pipeline's (1)</b>	<b>practice (1)</b>
16,19;35:2,5,7,11,13,	<b>outlived (1)</b>	31:8	30:13	23:25
15,19;36:23;38:3,6,7,	46:11	<b>penetration (2)</b>	<b>pipes (1)</b>	<b>precedent (1)</b>
24;39:2,8;40:25,25;	<b>out-of-state (1)</b>	28:11;31:19	23:17	18:9
41:14;45:2,5,6,18,24	42:5	<b>Pennington (2)</b>	<b>place (2)</b>	<b>preferred (1)</b>
<b>old (9)</b>	<b>outrage (1)</b>	40:8;41:8	37:9,10	27:9
16:16,20,21;17:4,6,	36:9	<b>people (19)</b>	<b>plan (1)</b>	<b>presence (1)</b>
13;18:11,20;19:19	<b>outside (1)</b>	7:18,19;8:18,21,23,	36:8	19:13
<b>once (2)</b>	3:16	25:9;1,3,7;10:14;	<b>plants (2)</b>	<b>presentation (2)</b>
5:5;30:11	<b>over (10)</b>	13:15;17:3;33:5,6;	48:21,21	3:8,25
<b>one (19)</b>	5:14;7:11;11:23;	35:21;39:3,4;42:7;	<b>Please (1)</b>	<b>presented (2)</b>
10:12;11:2;12:3,10,	13:13;23:13;29:10;	43:4	46:2	6:14;31:13
13;17:2;22:5,10,23;	30:10;44:20,21;48:22	<b>peoples' (1)</b>	<b>plenty (3)</b>	<b>presided (1)</b>
23:2;26:11;29:2;	<b>overall (1)</b>	9:1	3:7;21:15;50:11	5:14
35:16;36:10,20,20;	34:18	<b>people's (1)</b>	<b>Plummer (2)</b>	<b>president (3)</b>
37:15;40:25;43:1	<b>over-conservative (1)</b>	32:9	40:10;41:6	37:13,17;42:7
<b>ones (1)</b>	31:12	<b>per (3)</b>	<b>point (4)</b>	<b>pressure (2)</b>
18:25	<b>overflowing (1)</b>	13:5;49:14,15	23:22;24:19;36:5;	11:22,25
<b>ongoing (1)</b>	35:12	<b>percent (9)</b>	49:1	<b>pretty (5)</b>
19:14	<b>overnight (2)</b>	13:5;20:11;36:25;	<b>points (3)</b>	8:8,14;12:8,9;49:18
<b>online (2)</b>	20:12,17	48:16,18,22;49:21,23;	9:10;22:3;32:24	<b>prevent (1)</b>
6:4;51:11	<b>own (1)</b>	50:9	<b>poison (1)</b>	28:9
<b>only (3)</b>	40:24	<b>percentage (1)</b>	13:4	<b>previous (2)</b>
15:4,20;18:15	<b>owner (2)</b>	34:1	<b>poisoning (1)</b>	6:3;33:24
<b>operated (1)</b>	16:25;17:5	<b>period (7)</b>	13:5	<b>primarily (1)</b>
23:18	<b>oxygen (4)</b>	3:3,9;5:5;7:17;	<b>poisonous (1)</b>	16:15
<b>operating (1)</b>	49:22;50:8,10,11	10:3;44:14;51:3	12:24	<b>primary (1)</b>
23:18		<b>permanent (1)</b>	<b>policy (2)</b>	43:1
<b>operators (1)</b>	<b>P</b>	28:18	24:18;25:2	<b>probabilities (1)</b>
30:3		<b>Permeation (1)</b>	<b>politics (1)</b>	24:1
<b>opinion (1)</b>	<b>page (2)</b>	30:14	27:11	<b>probably (3)</b>
18:6	29:23;31:3	<b>permit (1)</b>	<b>Pollution (2)</b>	4:16;8:13;23:25
<b>opportunities (1)</b>	<b>pages (2)</b>	4:22	4:9;42:18	<b>problem (3)</b>
15:6	28:24;44:17	<b>permits (1)</b>	<b>polyethylene (3)</b>	30:2;36:16;46:13
<b>opportunity (3)</b>	<b>paid (2)</b>	4:18	28:8;29:25;30:16	<b>process (4)</b>
4:12;15:23;16:10	20:12;34:3	<b>person (2)</b>	<b>pond (1)</b>	5:10;12:19;15:15;
<b>opposed (1)</b>	<b>paper (2)</b>	7:24;45:20	12:25	35:6
26:7	42:6;50:22	<b>phase (1)</b>	<b>ponds (5)</b>	<b>processing (1)</b>
<b>opposite (1)</b>	<b>paragraph (1)</b>	7:12	12:21,22,24;13:2;	12:15
36:23	30:11	<b>PHMSA (1)</b>	39:11	<b>produces (2)</b>
<b>option (1)</b>	<b>Paris (3)</b>	33:12	<b>poor (2)</b>	49:21;50:9
18:16	24:11;25:1;36:8	<b>phones (1)</b>	30:4,5	<b>producing (1)</b>
<b>order (2)</b>	<b>part (6)</b>	10:5	<b>position (1)</b>	50:8
10:21;42:20	3:11;9:19,20;36:18;	<b>pipe (2)</b>	7:8	<b>product (2)</b>
<b>organization (1)</b>	41:8;49:21	23:10;28:8	<b>positive (3)</b>	39:4,4
27:13	<b>particular (3)</b>	<b>pipeline (53)</b>	15:3,9;22:15	<b>production (1)</b>
<b>organizations (1)</b>	22:23;23:5;27:24	8:19;9:4;11:8,17,	<b>positively (3)</b>	28:18

<b>products (3)</b> 14:23;15:12;38:25 <b>Progressively (1)</b> 28:12 <b>project (31)</b> 3:20,22;4:21,25; 6:18;7:4,8;9:4;14:8; 10:15;3,5,11,18,20; 20:5,9,16,19;21:2,6; 22:12;24:21;25:20; 41:16;43:2,17;44:8; 45:1,4,11 <b>projects (1)</b> 5:16 <b>project's (1)</b> 15:14 <b>properties (2)</b> 20:14,21 <b>property (3)</b> 15:17;16:25;17:5 <b>protect (2)</b> 30:23;40:22 <b>protection (9)</b> 28:9;29:7,11,15; 30:8,20,22;32:1; 40:19 <b>provide (1)</b> 14:25 <b>provides (1)</b> 30:1 <b>proving (1)</b> 46:6 <b>proximity (1)</b> 17:13 <b>PTAC (2)</b> 31:13,20 <b>public (19)</b> 3:3,8,25;4:11,17; 5:9;6:17,21;7:16; 10:2;17:16;38:17; 39:22;42:12,15;43:2; 44:8,11;50:18 <b>publicly (1)</b> 18:14 <b>publish (1)</b> 5:25 <b>published (2)</b> 5:1;30:1 <b>PUC (1)</b> 44:25 <b>pulled (2)</b> 10:21;47:17 <b>pulling (1)</b> 16:22 <b>purchasing (1)</b> 15:11 <b>put (9)</b> 10:5;12:21;33:5; 35:7,15,15;43:23; 45:17;51:11 <b>puts (1)</b> 11:20 <b>putting (2)</b>	44:12;45:23	19:9;34:11	28:8	3:14,15;5:6;8;7; 9:24;10:16,17,23; 16:4;18:19,23;19:3, 20:21;21;25:13; 35:11,12,18;37:5; 45:10		
	<b>Q</b>	<b>recently (1)</b> 37:12 <b>recognize (3)</b> 8:18;22:4;41:2 <b>recommending (1)</b> 44:24 <b>record (11)</b> 9:20;10:25;11:5; 16:4;21:22;25:23; 32:21;33:1;38:19; 47:5;51:10 <b>Red (2)</b> 34:7;40:8 <b>reduce (1)</b> 36:24 <b>reducing (1)</b> 36:18 <b>reduction (3)</b> 24:12;25:2,3 <b>reductions (1)</b> 24:25 <b>referring (1)</b> 19:8 <b>refineries (2)</b> 13:14;14:15 <b>regulate (1)</b> 44:22 <b>regulations (4)</b> 22:25;24:24;27:7, 12 <b>regulatory (5)</b> 42:14,15,23;43:12; 44:20 <b>related (4)</b> 19:13,14;27:8; 28:16 <b>relates (1)</b> 27:22 <b>relatively (1)</b> 13:9 <b>released (1)</b> 24:7 <b>releasing (1)</b> 47:20 <b>relevant (1)</b> 24:23 <b>remarks (1)</b> 17:22 <b>remember (2)</b> 10:25;28:20 <b>reminder (2)</b> 6:15;50:20 <b>removal (2)</b> 19:6;27:10 <b>remove (2)</b> 17:12;27:18 <b>removed (4)</b> 16:21;18:18,19; 27:12 <b>removing (4)</b> 17:6;18:3;19:10,12 <b>render (1)</b>	<b>qualified (1)</b> 19:1 <b>quick (2)</b> 3:13;6:11 <b>quickly (1)</b> 36:15 <b>quiet (2)</b> 7:19;8:23 <b>quite (5)</b> 4:24;11:24;17:18; 38:1;50:12		<b>RENEE (2)</b> 38:20,21 <b>R-E-N-E-E (1)</b> 38:21 <b>renewable (1)</b> 25:3 <b>replacement (3)</b> 14:8;20:5,9 <b>replacing (1)</b> 14:15 <b>report (1)</b> 30:1 <b>reported (1)</b> 30:2 <b>reporter (6)</b> 7:22;8:3;13:23; 16:2;21:13;50:23 <b>representatives (1)</b> 26:23 <b>represents (1)</b> 37:14 <b>research (4)</b> 26:3,20;28:4;29:25 <b>researching (1)</b> 26:12 <b>reserve (1)</b> 35:18 <b>reserves (1)</b> 35:11 <b>residual (3)</b> 12:20,21;13:10 <b>resistance (1)</b> 30:6 <b>Resources (2)</b> 4:10;29:9 <b>respect (1)</b> 25:13 <b>respectful (1)</b> 8:22 <b>respond (1)</b> 37:8 <b>responses (1)</b> 10:2 <b>rest (1)</b> 18:11 <b>restaurants (2)</b> 15:13;20:21 <b>result (1)</b> 28:17 <b>retail (2)</b> 20:21;21:5 <b>return (1)</b> 41:9 <b>review (4)</b> 17:8,22,25;19:5 <b>revise (1)</b> 46:19 <b>Richardson (3)</b> 16:6,7,8 <b>R-I-C-H-A-R-D-S-O-N (1)</b> 16:9 <b>right (20)</b>	<b>risks (2)</b> 19:14;28:3 <b>River (9)</b> 14:4,5;15:8,20; 20:10,14,24;21:7; 41:7 <b>road (1)</b> 7:16 <b>roads (1)</b> 14:21 <b>Rockies (1)</b> 50:3 <b>room (4)</b> 9:6,8;10:13;21:16 <b>rooms (1)</b> 21:4 <b>roughly (1)</b> 51:7 <b>route (1)</b> 4:22 <b>rules (1)</b> 7:16 <b>run (2)</b> 27:16;41:4 <b>running (1)</b> 27:2
	<b>R</b>	<b>rail (3)</b> 14:18;34:20,25 <b>railways (1)</b> 14:21 <b>Rain (2)</b> 49:23;50:10 <b>raise (2)</b> 9:13;21:17 <b>raising (1)</b> 50:24 <b>range (3)</b> 8:19;21:5;24:1 <b>Rapids (1)</b> 17:17 <b>rates (4)</b> 31:1,13,14,17 <b>rather (1)</b> 14:18 <b>read (11)</b> 27:24;28:19,22,23; 37:12;42:6;43:15,19, 22;44:1,4 <b>readily (1)</b> 50:13 <b>real (1)</b> 22:14 <b>realize (1)</b> 39:3 <b>really (10)</b> 6:19;7:7;10:19; 11:18;13:16;26:9; 28:20;30:21;32:9; 34:12 <b>reason (3)</b> 22:17;35:24;49:13 <b>reasonable (3)</b> 45:16,17,20 <b>reasons (1)</b> 26:8 <b>receive (1)</b> 15:18 <b>received (5)</b> 5:3;6:13;33:19; 34:1,9 <b>receiving (2)</b>			<b>S</b>	
				<b>safe (1)</b> 16:23 <b>safely (1)</b> 14:14 <b>safer (2)</b> 14:10;15:1 <b>safest (2)</b> 12:5;34:14 <b>safety (5)</b> 18:22;28:15;33:2, 12,14 <b>same (1)</b> 51:1 <b>sand (2)</b> 26:4;35:2 <b>sands (7)</b> 12:16,20;26:5,7; 36:23;37:2;38:10 <b>satellites (3)</b> 48:25;49:2,25 <b>saw (1)</b> 22:16 <b>saying (5)</b> 7:25;24:16;30:19; 37:17;45:7 <b>scary (2)</b> 34:12;35:5 <b>scheduled (1)</b>		

5:12 <b>scholarship (1)</b> 40:13 <b>school (5)</b> 40:10,11,14;41:7, 11 <b>science (3)</b> 17:24;40:12,17 <b>scientist (1)</b> 47:12 <b>scoping (3)</b> 4:24;5:1,3 <b>second (4)</b> 4:21;24:19;30:11; 38:21 <b>secret (1)</b> 35:10 <b>section (5)</b> 28:23,25;29:19,22; 32:5 <b>seeing (1)</b> 25:12 <b>seep (1)</b> 30:12 <b>sell (3)</b> 42:3,4;45:5 <b>sending (1)</b> 41:10 <b>sense (2)</b> 21:18;46:22 <b>separate (1)</b> 32:11 <b>seriously (1)</b> 46:8 <b>serve (4)</b> 41:1,6,9;42:14 <b>served (2)</b> 41:1;46:12 <b>serves (3)</b> 13:19;14:13;43:17 <b>services (1)</b> 15:13 <b>sessions (1)</b> 44:13 <b>setting (1)</b> 46:6 <b>seven (5)</b> 8:13;20:13;27:7; 32:2;46:1 <b>several (1)</b> 40:18 <b>share (1)</b> 3:24 <b>sharing (1)</b> 21:12 <b>sheets (1)</b> 33:17 <b>shielding (2)</b> 30:7,17 <b>ship (1)</b> 45:5 <b>short (1)</b> 30:18	<b>shout-out (1)</b> 22:15 <b>shown (1)</b> 34:23 <b>sight (1)</b> 18:8 <b>signed (2)</b> 8:9;21:15 <b>significant (1)</b> 20:20 <b>signing (1)</b> 36:17 <b>silence (1)</b> 10:4 <b>similar (1)</b> 15:10 <b>sit (1)</b> 10:18 <b>Six (1)</b> 8:13 <b>six-month (1)</b> 12:18 <b>Sixty-year (1)</b> 46:14 <b>SLAGLE (3)</b> 25:24,25;32:4 <b>S-L-A-G-L-E (1)</b> 26:1 <b>slow (1)</b> 35:2 <b>small (1)</b> 8:8 <b>snowmobile (1)</b> 41:24 <b>snowmobiles (3)</b> 42:2,4,8 <b>society (7)</b> 22:11,24;23:12,13; 24:22;27:21;38:6 <b>soil (2)</b> 19:15;30:6 <b>sold (1)</b> 41:25 <b>somebody (2)</b> 27:19;45:6 <b>someone (3)</b> 9:10,10;45:9 <b>sometime (1)</b> 32:7 <b>somewhere (1)</b> 37:7 <b>soon (2)</b> 21:9;46:4 <b>sort (1)</b> 18:14 <b>souder (1)</b> 15:1 <b>sounds (1)</b> 19:17 <b>south (1)</b> 40:9 <b>space (1)</b> 14:20	<b>span (2)</b> 23:14,15 <b>speak (8)</b> 7:20;8:9,23;13:23; 15:23;16:10;22:2; 26:22 <b>Specifically (2)</b> 5:19;25:7 <b>spectrum (1)</b> 51:20 <b>spell (4)</b> 8:2;10:24;11:5; 40:2 <b>spelled (1)</b> 14:1 <b>spelling (8)</b> 13:22;20:1;21:22; 25:23;32:20;38:18; 39:23;47:4 <b>spend (2)</b> 46:21,22 <b>spent (2)</b> 13:12,13 <b>spill (3)</b> 34:15,17,18 <b>spoken (2)</b> 17:4;50:17 <b>spring (1)</b> 4:25 <b>square (5)</b> 11:24;12:22,23; 13:6,6 <b>stabilized (1)</b> 49:19 <b>staff (4)</b> 4:6,8,14;51:5 <b>staffing (1)</b> 9:15 <b>stairs (1)</b> 3:18 <b>stance (1)</b> 26:6 <b>stand (2)</b> 8:15;10:18 <b>standard (1)</b> 25:3 <b>standards (1)</b> 11:9 <b>start (7)</b> 3:3,7;8:2;13:23; 16:17;21:21;37:17 <b>started (1)</b> 27:1 <b>state (27)</b> 3:12,23;4:6;9:12, 13,21,24;10:1,24; 15:16,21;19:5;21:8; 24:6,17,18,23,25; 25:1,4;32:10;40:14; 42:13,14;51:5,12,13 <b>stated (2)</b> 17:11;28:21 <b>Statement (11)</b>	3:21;5:4,19;9:23; 10:11;17:9;25:8; 32:12;42:25;43:25; 51:15 <b>states (3)</b> 19:6;36:24;49:20 <b>State's (1)</b> 15:4 <b>stating (1)</b> 26:9 <b>steel (3)</b> 11:25;30:14;37:14 <b>Stengrim (3)</b> 19:25;20:2,3 <b>S-T-E-N-G-R-I-M (1)</b> 20:3 <b>step (2)</b> 14:10;25:17 <b>stewards (1)</b> 39:9 <b>Still (2)</b> 41:1,2 <b>stop (3)</b> 29:15;47:19;50:13 <b>stores (2)</b> 20:21;35:13 <b>story (1)</b> 30:18 <b>straw (1)</b> 46:6 <b>strength (2)</b> 11:9;30:16 <b>stress (3)</b> 11:14;19:12;30:6 <b>stresses (1)</b> 11:19 <b>strong (5)</b> 11:16,18;12:3,11; 15:3 <b>structures (2)</b> 11:13,15 <b>study (4)</b> 12:18;23:6,25;24:1 <b>studying (1)</b> 48:8 <b>subsidence (3)</b> 19:16;28:15,17 <b>substantial (1)</b> 21:7 <b>suit (1)</b> 14:21 <b>summer (1)</b> 28:1 <b>Superior (1)</b> 45:19 <b>supervision (1)</b> 42:17 <b>support (8)</b> 14:7;17:21;18:15; 19:23;20:4,8;21:1; 47:8 <b>supportive (1)</b> 20:16	<b>supports (1)</b> 15:19 <b>supposed (5)</b> 42:23;43:1,13;44:2, 22 <b>sure (8)</b> 7:17;8:21;11:15; 15:6;16:3;27:20;49:9, 11 <b>surface (2)</b> 28:13;30:14 <b>susceptibility (1)</b> 30:7 <b>sustain (1)</b> 47:1 <b>system (2)</b> 30:8;32:1 <b>systems (1)</b> 30:4
<b>T</b>				
<b>table (1)</b> 10:18 <b>tables (1)</b> 3:6 <b>talk (8)</b> 4:14;22:23;30:9; 32:25;33:19;38:14; 46:19;48:25 <b>talking (3)</b> 33:9;43:10;46:8 <b>tanker (1)</b> 14:19 <b>tape (4)</b> 28:8;29:25;30:3,16 <b>tar (5)</b> 26:5,7;36:22;37:2; 38:10 <b>tax (2)</b> 20:12;33:21 <b>taxes (2)</b> 15:17;33:23 <b>taxpayers (1)</b> 34:3 <b>teach (1)</b> 40:17 <b>team (1)</b> 3:11 <b>technical (1)</b> 29:19 <b>teeth (1)</b> 44:15 <b>ten (1)</b> 48:23 <b>tend (1)</b> 34:18 <b>tends (1)</b> 35:2 <b>tens (1)</b> 34:5 <b>term (1)</b> 28:18				

<b>terms (3)</b> 33:2,14,21 <b>terrible (1)</b> 26:10 <b>terrific (1)</b> 7:23 <b>Tesla (3)</b> 47:12,15,19 <b>test (1)</b> 45:10 <b>Thanks (3)</b> 3:2;19:24;51:21 <b>thickness (1)</b> 11:9 <b>Thief (9)</b> 14:4,5;15:8,20; 20:10,14,24;21:7; 41:7 <b>thinking (2)</b> 28:19;36:6 <b>thoroughfares (1)</b> 17:16 <b>thoroughly (1)</b> 33:5 <b>Though (1)</b> 34:15 <b>thousand (2)</b> 11:23;13:15 <b>thousands (1)</b> 13:6 <b>three (2)</b> 43:19,20 <b>throw (2)</b> 18:14;19:21 <b>tie (1)</b> 27:25 <b>timer (1)</b> 8:12 <b>times (1)</b> 33:15 <b>today (6)</b> 5:17;22:3;32:25; 33:22;38:4;51:21 <b>today's (1)</b> 7:13 <b>together (4)</b> 27:25;33:5;36:19; 37:20 <b>took (1)</b> 17:15 <b>top (1)</b> 48:20 <b>topsoil (1)</b> 28:17 <b>torture (1)</b> 43:24 <b>torturous (1)</b> 44:1 <b>total (1)</b> 23:7 <b>totally (1)</b> 8:20 <b>town (1)</b>	41:25 <b>Township (1)</b> 39:10 <b>toxic (2)</b> 12:20,21 <b>track (1)</b> 33:1 <b>trade (1)</b> 16:12 <b>transcript (1)</b> 9:19 <b>transcripts (1)</b> 6:6 <b>transfer (1)</b> 14:14 <b>transferred (1)</b> 14:17 <b>transition (7)</b> 35:25;36:3;38:9,11; 46:13,16,20 <b>transport (4)</b> 12:6;15:1;34:25; 41:16 <b>transportation (3)</b> 14:22;34:14,20 <b>transported (2)</b> 14:23;23:9 <b>treated (4)</b> 6:12;7:5,5;51:1 <b>trees (2)</b> 39:11;49:17 <b>tremendous (1)</b> 15:9 <b>tried (1)</b> 28:22 <b>triple (1)</b> 11:14 <b>truck (2)</b> 34:21,25 <b>trucks (3)</b> 14:19;45:18,23 <b>Trump (1)</b> 36:7 <b>trust (1)</b> 44:4 <b>truth (1)</b> 44:17 <b>try (1)</b> 8:6 <b>tune (1)</b> 19:19 <b>turn (2)</b> 7:10;41:3 <b>two (7)</b> 3:4;4:19;11:2,7; 22:24;26:12;48:8  <b>U</b>  <b>Ultimately (1)</b> 51:10 <b>unclear (1)</b> 5:23	<b>uncomfortable (1)</b> 9:9 <b>under (2)</b> 24:25;30:12 <b>uninhabitable (1)</b> 37:20 <b>union (2)</b> 18:13,25 <b>unions (2)</b> 33:4;37:15 <b>unite (1)</b> 36:14 <b>United (3)</b> 36:24;37:13;49:20 <b>University (1)</b> 40:15 <b>unless (1)</b> 44:18 <b>unusual (1)</b> 13:10 <b>up (25)</b> 8:9,15,16;9:16; 10:19;12:18;14:20; 19:19;21:15;22:7,20; 25:17,22;26:4,5,17; 27:11;33:13;46:4,6; 48:15,17;50:6,12; 51:11 <b>uphold (4)</b> 36:12;37:21,21,22 <b>upholding (1)</b> 24:10 <b>upon (1)</b> 28:17 <b>use (7)</b> 15:12;25:18;39:2,3; 40:21,24;42:9 <b>used (7)</b> 5:2;29:21,21;30:3; 42:4,9;50:12 <b>usefulness (1)</b> 46:11 <b>using (3)</b> 14:18;38:3,6 <b>Utilities (6)</b> 4:11,17;5:10;6:17, 21;42:12  <b>V</b>  <b>vehicles (1)</b> 45:13 <b>verbally (1)</b> 6:14 <b>verge (1)</b> 48:1 <b>version (1)</b> 24:15 <b>vibrate (1)</b> 10:6 <b>views (1)</b> 8:19 <b>violations (1)</b>	33:17 <b>virtually (1)</b> 44:21 <b>Visitors (5)</b> 20:6,11,13,18,25 <b>vote (1)</b> 7:1  <b>W</b>  <b>walk (1)</b> 4:13 <b>walking (1)</b> 17:16 <b>wall (4)</b> 28:11;29:3;31:19, 24 <b>wants (5)</b> 18:18;35:16;38:16; 41:13;45:6 <b>warming (2)</b> 48:25;49:7 <b>water (7)</b> 19:14,15;29:1,3,9; 30:12;35:6 <b>Wawina (1)</b> 17:17 <b>way (6)</b> 8:4;12:6;36:6;43:5, 8,21 <b>ways (2)</b> 23:3;45:21 <b>weaknesses (1)</b> 12:1 <b>weather (1)</b> 49:2 <b>website (2)</b> 6:4;51:12 <b>weeks (1)</b> 43:20 <b>welcome (2)</b> 3:2;4:2 <b>what's (1)</b> 30:10 <b>whirling (2)</b> 49:3,25 <b>whole (2)</b> 18:17;45:17 <b>wholly (1)</b> 26:6 <b>wide (1)</b> 21:5 <b>WILLIS (7)</b> 39:24,25;40:3,3,5; 46:2,25 <b>W-I-L-L-I-S (1)</b> 40:5 <b>winters (1)</b> 42:2 <b>win-win (1)</b> 19:18 <b>withdraw (1)</b> 36:8	<b>within (2)</b> 31:8;32:9 <b>without (1)</b> 42:17 <b>withstand (1)</b> 11:18 <b>wonder (1)</b> 18:5 <b>wonderful (1)</b> 42:2 <b>word (2)</b> 6:11;7:24 <b>work (11)</b> 8:4,6;19:1,2;25:14; 33:4;36:19;37:20; 39:15;43:7;46:6 <b>worked (1)</b> 39:13 <b>workers (2)</b> 21:4;37:14 <b>working (5)</b> 3:11;16:13;26:12; 27:14;37:18 <b>works (1)</b> 3:22 <b>world (7)</b> 39:5,6,17;48:21,22; 49:22;50:9 <b>worry (1)</b> 8:10 <b>worrying (1)</b> 50:13 <b>worst (1)</b> 31:4 <b>wrap (1)</b> 8:16 <b>wrinkles (1)</b> 30:11 <b>writing (2)</b> 6:14;7:24 <b>written (5)</b> 6:5;15:25;21:12; 37:13;50:21  <b>Y</b>  <b>yard (1)</b> 27:2 <b>yards (1)</b> 27:16 <b>year (1)</b> 13:5 <b>years (20)</b> 23:19,23;26:13; 28:11;30:10;31:6,9, 20,24;33:23;39:13; 40:18;42:19;47:2; 48:8,23;49:3,6,10,16 <b>yesterday (2)</b> 22:16;26:22 <b>yields (1)</b> 31:18 <b>young (1)</b>
---	---	--	--	--

41:18	36:25;42:19;49:21	19:6		
<b>1</b>	<b>29 (1)</b> 31:3			
<b>1 (1)</b> 13:5	<b>3</b>			
<b>1.1 (1)</b> 48:22	<b>3 (18)</b> 3:22;14:7,13;16:16, 20;17:13,19;18:3; 19:7,11;20:5,9,11; 26:17;28:7;29:1,24; 31:15			
<b>1:00 (1)</b> 51:7	<b>30 (3)</b> 13:2;17:20;23:23			
<b>10 (1)</b> 17:10	<b>300 (1)</b> 49:14			
<b>10,000 (1)</b> 48:18	<b>30s (1)</b> 47:11			
<b>100 (2)</b> 12:23;13:3	<b>30-year (1)</b> 23:13			
<b>10th (1)</b> 5:6	<b>31 (2)</b> 49:3,6			
<b>13 (1)</b> 49:6	<b>350 (1)</b> 21:4			
<b>14 (1)</b> 28:24				
<b>15 (2)</b> 17:10;49:2	<b>4</b>			
<b>176 (1)</b> 12:22	<b>4 (1)</b> 17:19			
<b>1920s (1)</b> 47:11	<b>4.8 (1)</b> 31:18			
<b>1943 (1)</b> 47:19	<b>40 (2)</b> 39:1;48:18			
<b>1950s (1)</b> 41:25	<b>400 (1)</b> 49:15			
<b>1961 (1)</b> 40:10	<b>49ers (1)</b> 18:14			
<b>1968 (1)</b> 31:10				
<b>1985 (1)</b> 27:6	<b>5</b>			
<b>1992 (1)</b> 30:1	<b>5,000 (1)</b> 48:15			
<b>2</b>	<b>50 (4)</b> 13:15;28:11;31:20, 24			
<b>20 (2)</b> 49:23;50:9	<b>51 (1)</b> 31:6			
<b>200 (1)</b> 50:5	<b>6</b>			
<b>2010 (1)</b> 33:11	<b>60 (2)</b> 13:15;23:19			
<b>2011 (1)</b> 31:21	<b>7</b>			
<b>2016 (2)</b> 5:1;28:1	<b>76 (1)</b> 47:21			
<b>2017 (1)</b> 5:13	<b>8</b>			
<b>2018 (1)</b> 5:16	<b>8.3.1.2 (1)</b> 28:25			
<b>25 (4)</b> 28:11;31:20,23; 48:16	<b>8.4.1 (1)</b>			
<b>26 (1)</b> 29:23				
<b>28 (3)</b>				