

Levi, Andrew (COMM)

From: Kaye <tmolin@en-tel.net>
Sent: Saturday, July 08, 2017 11:54 AM
To: MN_COMM_Pipeline Comments
Subject: Environmental Review Manager
Attachments: COLA, DEIS Bad Axe .pages

Our lake association met this morning and approved the following attachment to send to you.

JAMIE MACALISTER
ENVIRONMENTAL REVIEW MANAGER
MN DEPT OF COMMERCE
85 7TH PLACE EAST, SUITE 280
SAINT PAUL, MN 55101-2198

1282-1

Our lake association is very concerned that the DEIS does not consider the effect of Line 3 Project on our waters, especially since there are 192 water crossings in Minnesota via the proposed route.

Among our concerns are:

- There is no disclosure of hydraulic drilling fluids used to tunnel under streams, but which are known to be TOXIC to aquatic life.
- There is no winter spill analysis - how to clean a lake or river covered by ice.
- How do first response personnel get to the site of aa spill where no roads exist?

We feel that an independent third party should be involved in the DEIS.

Kaye Molin
Bad Axe Lake Association COLA representative
20632 Jewel Drive
Park Rapids, MN 56470
tmolin@en-tel.net

Levi, Andrew (COMM)

From: Elizabeth Baker-Knuttila <2014looncall@gmail.com>
Sent: Monday, July 10, 2017 5:07 PM
To: MN_COMM_Pipeline Comments
Subject: Line 3 Project Draft Environmental Impact Statement
Attachments: Commentary on DEIS for Line 3 CN.docx

Attached please find my comments on the proposed Line 3 Pipeline Project. Although it is past 4:30, the only deadline given for comments was July 10, 2017, which I take to mean midnight, July 10.

Thank you.

Sincerely,

Elizabeth Baker-Knuttila

Monday, July 10, 2017

Commentary on DEIS for Line 3
CN-14-916 and PPL-15-137

To: Jamie MacAlister,
Environmental Review Manager
Minnesota Department of Commerce

Dear Ms. MacAlister and staff:

I am writing to offer my comments regarding the draft EIS for the Line 3 Pipeline Project proposed by Enbridge Energy, LP, through N. Minnesota and Hubbard County (among many others) on route from Canada to Superior, but then ultimately on to somewhere near Joliet, Illinois. My background is NOT as a scientist or environmentalist, having retired from teaching 6 years ago. I have only recently been able to pursue interests concerning our environment and energy. I am a citizen, with children and grandchildren, and a lifelong resident of Minnesota, with a strong desire to see Minnesota's water resources preserved for future generations. With the DEIS encompassing more than 5000 pages, I have not read it in its entirety, though enough to have some concerns. I have read the entire Executive Summary. My concerns will be presented in the form of questions and reflections.

1. "The purpose of and need for this EIS is to help inform the Commission's decisions by evaluating the potential human and environmental effects of permitting the proposed project, considering reasonable alternatives, and exploring methods for reducing adverse effects." Taken from the Executive Summary, p. 7.

My question is, who prepared the EIS? I note the answer given to this in the Executive Summary, "MN DOC EERA, in consultation with the Secretary, and with assistance from the MN DNR and MN PCA". How much input did the MPCA and MN DNR have in the writing of this DEIS? Please be specific about their inputs.

I researched previous comments about this route written by the MPCA in regard to the Sandpiper to the ALJ and the MPUC Docket PL6668/CN 13-473 & OAH Docket No. 8-2500-31260 and dated January 23,

2105. At that time, the MPCA stated in regard to that route (the same as is proposed for Line 3), "Environmental risks are posed by all aspects of pipeline construction and operation, including post-spill recovery and restoration activities. The primary and most significant risks are associated with the long-term effects upon environmental and natural features that will be permanently altered, eliminated, or otherwise impacted by the presence of a pipeline, as well as the potential 40 years or more that the pipeline will be operational. Those risks include environmental damages such as losses of wildlife, contamination of drinking water, destruction of fisheries, loss of habitat, and alteration of ecosystems." And later on said, "With respect to protection of the highest-quality natural resources in the state, the SA-Applicant route presents significantly greater risk of potential impacts to environment and natural resources than several of the alternatives". It goes on further to state "Although all proposed routes and system alternatives have the potential to impact some natural resources, the Applicant's proposed route encroaches on higher quality resources, superior wildlife habitat, more vulnerable ground water, and more resources unique to the state of Minnesota than do many of the proposed system alternatives."

2. I have heard that Cardino, an Engineering firm, was called upon to do some of the work for the EIS. What has been Cardino's relationship to Enbridge in the past? Are we certain that the data provided can be *independently verified* as is required by the state of Minnesota for a project of this size?

2496-1

3. Where/how was data obtained for the EIS?

"The majority of the economic analysis and other technical information for the CN decision will be provided by the Applicant, other parties, and the public that are participating in the contested case hearing." Taken from the DEIS Chapter 4, p. 4-2.

2496-2

Who are the "other parties" offering economic analysis? In order for the EIS to be independent, how can economic analysis and technical information be offered by the applicant? I also noted in comments

submitted by Enbridge on the docket in regards to the EIS an abundance of comments wishing to change wording, clarify or redefine topics, etc. Isn't this giving too much power to the company that is applying for the permits?

In further reading of that docket item, Enbridge often calls into question the understanding of the EIS of particular terms which makes me skeptical of the professional qualifications of the writers of the EIS.

4. I noticed that the EIS and project proposal continually refer to the Line 3 pipeline as being built along existing pipeline corridors, such as the existing MN CAN pipeline, as if that automatically makes it a good place to site a pipeline. When was that pipeline corridor built? What were the permitting requirements at that time? How much environmental research was done at that time to assure that protection of the environment was taken into account? What was the cumulative body of knowledge and awareness of the environment at that time? Would permits be issued today for the MN CAN if there were no other pipes along that route given our present knowledge of the environment and the need for protection of our precious water resources? What is the likelihood that this will become a new pipeline corridor for other mainline pipes that "fail" or a proposed new pipe? When the application for the Sandpiper was first presented to the PUC, citizens were assured that there were no plans for any further pipeline construction. Shortly thereafter, an application was filed for Line 3. What assurances do we have that there won't soon be another application filed for this route?
5. In reading through the EIS on climate concerns, I am wondering if enough study has been given to the "big picture"? These climate concerns are changing the way businesses and individuals operate in our world. Within the past week there have been numerous reports of a real uptick by automakers to increase the production of electric vehicles.

A May 26 article in the Wall Street Journal discusses the predictions being made now about the peak and then decline for oil demand. "The world's largest oil companies are girding for the biggest shift in energy consumption since the

Industrial Revolution: After decades of growth, global demand for oil is poised to peak and fall in the coming years.”

Increased production of electric cars and improved EV battery design is leading an increase in the amount of Electric cars purchased worldwide. China is subsidizing electric vehicles with some cities allowing only EV's on roads when air quality is bad. Though no one knows when oil demand will peak and many variables apply, the discussion is happening in earnest now and according to the article, “Transport fuel accounts for about 50% of the demand for crude oil, with cars accounting for half of that; that means 25% of total oil demand hinges on autos.”

Both quotes above taken from:

<https://www.wsj.com/articles/get-ready-for-peak-oil-demand-1495419061>

The EIS needs to look carefully to the future, examining current trends and projecting those of the future to determine if we should be willing to risk our precious Minnesota water resources to an industry in decline.

6. What differences exist between cleaning up spills on agricultural land vs. spills in an aquatic environment, a river, swamp, stream or lake? Which spill is easier to remediate and why?
7. I live along a lake near the Applicant's proposed route of the Line 3 pipeline. The lake is one of Biological Significance. The route the pipeline will traverse is about $\frac{1}{2}$ mile from the lake. Without knowing the potential for spill volumes, how do I know the potential for a spill to reach and contaminate this lake? Why are the worst case spill volumes able to be held as “protected”?
8. In chapter 6 of the EIS, under the heading of Table 6.2.1-4, Land Use Zoning Categories Crossed by the Applicant's Preferred Route (miles), Clearbrook to Carlton, there is no data listed for Hubbard County. It is listed as NA, or not available. I contacted our local SWCD manager who said that sort of data is available, though our county does not have county wide zoning as such. What efforts were made to obtain that

data from other sources? Apparently, that data is in the 2016 Local Water Plan for Hubbard County which is available on the website, www.hubbardswcd.org.

2496-3
Cont'd

Thank you for completing this first ever in the state of Minnesota DEIS for a pipeline project. I appreciate being able to comment on some concerns that I have regarding the DEIS as a citizen. At the same time, I believe that the timelines to read and understand a 5000+ page technical document by ordinary citizens of this state to be inadequate for the task, and therefore a disservice to citizens.

Sincerely,

Elizabeth Baker-Knuttila
12029 Far Portage Dr.
Park Rapids, MN 56470

Levi, Andrew (COMM)

From: Elena Bantle <elena.bantle@gmail.com>
Sent: Monday, July 10, 2017 2:50 PM
To: MN_COMM_Pipeline Comments
Subject: DEIS comment CN-14-916 and PPL-15-137

I grew up in Wisconsin, but have lived in Minnesota for the last 6 years. For much of that time, I have felt grateful to be in a state that stands up for its water and its people. I want it to stay that way!

Enbridge's DEIS is incomplete at best, and is more accurately offensive and insulting. I have worked in violence prevention and as an advocate for girls the entire time I have lived here, and Enbridge's broad response to the impacts on health and safety of women on page 10 of Chapter 11 shows that they are not taking their impacts, human or otherwise, seriously. The proposed solution is limited to "Enbridge can prepare and implement an education plan or awareness campaign around this issue with the companies and subcontractors that construct, restore, and operate the pipeline, as well as by working with local communities and tribal communities to raise awareness and provide resources to address the issue." If they were taking this seriously, they would have called upon any of the myriad resources and information about this to have a more thorough and specific analysis.

Allowing Enbridge to move forward would be rewarding their total disregard for our land and water. Page 7 of Chapter 11 states "In addition to the individual land use categories that would be affected by the routes, various waterbodies and streams would be crossed." However, there is no additional analysis of potential downstream environmental justice impacts. The spill analysis on pages 13-14 of Chapter 10 look at the probability of annual spills, when it would be more comprehensive and relevant to analyze the spill probability over the entire lifetime of the pipe. There is no significant analysis of the increase to spill potential as pipelines become exposed over time. 2498-1

There is too much to lose, and not nearly enough to gain. Please do not allow this pipeline to move forward.

Thank you,
Elena Bantle
Saginaw MN

1
2
3
4
5 MR. DAVID BARNETT: Good
6 morning. My name is David Barnett, D-A-V-I-D,
7 B-A-R-N-E-T-T.

8 I represent the United
9 Association of Plumbers and Pipefitters, who
10 will be the welders, pipefitters and helpers
11 that Enbridge has committed to have build this
12 pipeline once it does receive the needed
13 permits.

14 The Energy Information
15 Administration, which is the leading research
16 technology arm of the federal government
17 predicts -- well, first of all, in 2016,
18 American people used 20 million barrels of oil
19 per day. And that's their fact numbers. Of
20 that 20 million barrels, there were net imports
21 of 25 percent, meaning taking into
22 consideration of what we exported and imported,
23 we're still importing 25 percent of our oil as
24 of 2016.

25 For me, Canada is the right

1 choice to get that imported oil. Ninety-two
2 cents out of every dollar we spend in Canada
3 comes back to the United States. Research has
4 shown 22 cents out of every dollar we spend
5 overseas comes back to the United States.

6 Canada always has been our
7 favorite neighbor, and I think we have a
8 relationship that speaks loud to where we
9 should be importing our oil from.

10 Pipelines are the safest mode of
11 transportation, by far. That's been proven
12 time and time again.

13 I would like to call attention to
14 the EIS and the handout on page 16 that
15 reflects the number of incidents as well as the
16 amount of spill of the incidents. There's
17 something missing from that chart, and what's
18 missing is the volumes that each one transport
19 each year.

20 Because once you put the volumes
21 into that chart, that's where it jumps out to
22 you that pipelines are the safest mode of
23 transportation. So I would like to request
24 that in the final EIS, those volumes be
25 included in that chart description.

2116-1

1 There's another important factor
2 that -- the only one I have to reach to is the
3 work and safe (indiscernible) the Keystone XL.
4 They did research that if the pipeline were not
5 built and the oil went on a train or truck,
6 they would predict 43 individuals would lose
7 their lives as a result of that. Compared to
8 zero loss of life with a pipeline.

9 I think that's a big factor we
10 need to put into this equation as well, the
11 public safety. Public uses oil and they
12 deserve to live safe around oil.

13 I'm all for wind energy, but the
14 last study I just viewed -- I hear talk about
15 foreign imports of oil. Don't think for a
16 minute that wind energy is not foreign owned
17 either. I saw a study the other day based from
18 the state of Oklahoma, 37 percent of the power
19 payments and the subsidy payments are going to
20 five countries overseas.

21 So it's not something that if we
22 go wind, America is going to be the big winner
23 of it. I think it's a balance.

24 And as the individual before me
25 spoke, and I think he said it perfectly, is

1 that I think we need all of the above. In
2 fact, that's my organization's policy, all of
3 the above energy so that we have a rounded
4 portfolio.

5 Pipelines by far have the least
6 DAC emissions of any transportation mode for
7 oil. That's a fact. And that speaks loud for
8 the environment as well, and I think it should
9 be considered.

10 The pipeline trades in Minnesota
11 have been committed to this project from
12 Enbridge. That commitment on Enbridge's part
13 is a large commitment. They pick the right
14 folks to build this pipeline once it's
15 constructed.

16 The trades involved in
17 constructing the pipeline are the best pipeline
18 builders in the world, and as the trades, we
19 stand ready to build a new pipeline for
20 Minnesota that has the highest quality of any
21 pipeline in the world.

22 Thank you.

23
24
25

Levi, Andrew (COMM)

From: Barb and John Barten <bbarten79@gmail.com>
Sent: Sunday, July 09, 2017 4:58 PM
To: MN_COMM_Pipeline Comments
Subject: Enbridge proposed Line 3 comments, Docket CN-14-916 and PPL-15-137
Attachments: Enbridge Line 3 Comments 7-09-17.docx

Please find attached my comments on the proposed Line 3 pipeline project, Docket numbers CN-14-916 and PPL-15-137.

John Barten

Docket numbers CN-14-916 and PPL-15-137

Enbridge Line 3 Comments

Thank you for the opportunity to comment on the Draft EIS for the Enbridge Line 3 proposed project. The first section of my comments pertain directly to the Draft EIS and the second section apply to the proposed project in general.

The Draft EIS did not analyze the alternative of lining the existing Line 3 pipeline. Installing a liner in existing pipelines is a proven technology that has been used by numerous municipalities in Minnesota as well as the Metropolitan Council to extend the life of sanitary sewer and other pipelines. In the Draft EIS document, Enbridge states that continued use of the existing Line 3 would require approximately 4,000 integrity digs over the next 15 years (Section 2.2). This indicates that pipeline integrity is a major rationale for the proposed project. The EIS needs to assess the effectiveness of lining the existing pipe to address the integrity issues, and determine the environmental impacts of this alternative relative to the proposed alternatives.

The Draft EIS indicates that Enbridge proposes to abandon the existing Line 3 “in-place” and monitor the line for an indefinite time period to ensure that negative impacts to Minnesota resources do not occur. The Draft EIS acknowledges that “Over time, despite cathodic protection, the abandoned Line 3 would corrode and lose structural integrity such that water could enter the pipeline.” (Section 8.3.1.2). Enbridge proposes to mitigate the loss of pipeline integrity partially by segmenting the line to minimize water flow when a failure occurs. Enbridge proposes to segment Line 3 at 47 locations, with 3 locations requiring further study. On the 282-mile long line, this results in an average segment length of 6 miles. Along most of the water rich existing Line 3 corridor, water resources such as lakes, streams and wetlands are much closer together than 6 miles, significantly increasing the probability of the 6 mile segments conveying water (along with pollutants and aquatic invasive species) from one resource to another. The impact of the 6 mile segments acting as a water conveyance system needs to be addressed in the EIS.

If allowed to abandon existing Line 3 in-place, Enbridge proposes to “continue to monitor and maintain the abandoned Line 3 right-of-way in accordance with PHMSA regulations indefinitely” (Section 8.3). However, Enbridge does not define what constitutes “monitoring” of the abandoned pipeline. The Draft EIS needs to specify the frequency of monitoring (e.g., weekly, monthly, annually) and define exactly how the line will be monitored. Since the line will be underground and therefore not visible from the ground surface, how will the integrity of the line be determined? The methodology for determining both the probability of pipeline failure under roads, streams and wetlands and buoyancy issues need to be clearly articulated. In addition, the Draft EIS needs to be revised to include the specific stabilization protocols to be used when monitoring detects potential pipeline collapse or buoyancy problems in sensitive areas.

The Draft EIS states that removal of existing Line 3 could affect the integrity of other existing lines in the ROW corridor. However, this analysis did not assess the impact if the lines were temporarily taken out of service during the removal process. The Draft EIS needs to be revised to include this analysis.

1284-1

1284-2

1284-3

1284-4

The Draft EIS does not address the long-term impacts of disposal of the proposed Line 3 when this line needs to be deactivated. The Draft EIS needs to be revised to state if this Line will also be abandoned in place or removed. Costs for either option need to be included and Enbridge needs to state how the funds necessary for decades of monitoring and maintenance of the abandoned line will be secured. It is recommended that the State of Minnesota require an annual escrow account payment to ensure that necessary funds are available for the 50 to 100-year monitoring period following pipeline abandonment. The EIS needs to be revised to include the long-term management and removal of the new proposed Line 3 when it is deactivated, and indicate how the cost for that management will be secured.

The Draft EIS did not adequately address soil compaction resulting from the soil excavation process and from travel of heavy construction equipment along the pipeline trench. Soil compaction can limit the reestablishment of many plant species, especially native species. The EIS merely indicates that disturbed areas will be tilled prior to revegetation (Section 2.7.1.14). The EIS needs to be revised to specify the degree to which compaction will be mitigated, and require the addition of compost to all disturbed areas. The University of Minnesota has found that addition of compost to disturbed, compacted soils is necessary to restore water infiltration capacity.

General comments on the projects include:

Strongly urge the PUC to deny the Certificate of Need for a new corridor and require Enbridge to remove the existing Line 3 and install the new proposed 36-inch Line 3 in the same trench. This alternative would minimize environmental impacts to water resources, forest resources and eliminate impacts from an abandoned Line 3.

The Draft EIS states that the Applicants Preferred Route (APR) has the greatest impact on terrestrial habitat of all the alternatives studied, and has a significant impact on surface water resources. The APR would result in significant forest fragmentation and tree loss by creating a new utility corridor along much of the pipeline length. Construction activities are recognized avenues for invasive species, terrestrial as well as aquatic, to encroach into new habitats. The State of Minnesota taxpayers annually expend millions of dollars to manage invasive species, and allowing access into new habitats could undo much of that work. Although Enbridge proposes to minimize invasive species invasions by cleaning equipment and chemically treating known areas of these species, aerial dispersion of seeds on soil disturbed by construction activities is inevitable. Thus, utilizing the current, already disturbed corridor would minimize invasive species issues in the relatively pristine lakes and forests of northern Minnesota.

Believe that the APR should be denied in favor of RA-7, which has the smallest natural resources impact, particularly if the proposed Line 3 is installed in the same trench when existing Line 3 is removed.

Sincerely,

John M. Barten

Levi, Andrew (COMM)

From: Kathryn Beatty <kab1946@aol.com>
Sent: Thursday, July 06, 2017 11:01 AM
To: MN_COMM_Pipeline Comments
Subject: Public Comment: Line 3 Project (CN-14-916 and PPL-15-137)
Attachments: K Beatty Comment 1 Enbridge DEIS.pdf

Environmental Review Manager:

Please accept the attached comments regarding the Enbridge Line 3 Replacement Project (CN-14-916 and PPL-15-137) Draft EIS.

Kathryn A. Beatty
19281 530th LN
McGregor MN 55760

kab1946@aol.com

Public Comment: Line 3 Replacement Project (CN-14-916 and PPL-15-137)**Background Information**

I am a resident of Big Sandy Lake in Aitkin County, Minnesota. This lake is a key part of the economy of the region as it provides recreation, tourism, and is home to approximately 1000 full-time and seasonal property owners. Enbridge's preferred route for the Line 3 Replacement Pipeline passes through the watershed of this lake.

Reference

2016 Minnesota Statutes, Environmental Protection, Chapter 115E, Section 115E.03

Risk that Should Be Addressed

In accordance with Minnesota Statute 115E.03, a person who owns or operates a facility transporting oil shall be prepared at all times to rapidly and thoroughly recover discharged oil and take all other actions necessary to minimize pollution of land, waters, and air of the state and to protect the public's safety and health. Therefore, it is incumbent upon Enbridge to address their history of responding to discharges in order for the public to assess Enbridge's ability to meet these requirements. Detailed statistics on Enbridge's history of oil releases in Minnesota should be included in the Draft Environmental Impact Statement (DEIS) for the proposed Line 3 Replacement pipeline. One would expect to find the following information for each release:

- The dates of occurrence
- The quantity of oil released
- A description of how the release was detected
- A description of how the released material was cleaned up
- The adverse short- and long-term impacts on the environment
- The current status of the affected area.

This level of information would provide citizens with data showing patterns of rapid response and recovery, possible impacts on the land and water, and long-term effects of allowing this new pipeline to be built across the Big Sandy Lake watershed.

1286-1

If the absence of this information is an oversight on the part of Enbridge, it is a serious omission. The data must be added to the Final EIS to enable the public to evaluate the relative safety of building this pipeline in our state.

If, on the other hand, this information is being withheld on purpose, the citizens of Minnesota deserve an explanation for this decision. The importance of providing the public with the information needed to assess the risks should outweigh Enbridge's desire to maintain confidentiality on such an important aspect of the proposed route for the Line 2 Replacement pipeline. Enbridge should therefore be required to provide critically-important data on all oil releases that occurred under their ownership or control within our state.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn A. Beatty". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Kathryn A. Beatty

Levi, Andrew (COMM)

From: Bonnie Beckel <beckelbonnie@gmail.com>
Sent: Monday, July 03, 2017 12:35 PM
To: MN_COMM_Pipeline Comments
Subject: Comments on Proposed Line 3 Pipeline
Attachments: Comment Re- Proposed Line 3.docx

Hello Jamie MacAlister,

Please see attachment for my submission.
Thank You!

Bonnie Beckel
612 722-6473

7/3/2017

Att: Jamie McAlister
Environmental Review Manager
DEIS for the proposed Line 3 Pipeline
Docket # CN-14-916 and PPL-15-137

My name is Bonnie Beckel, a lifetime MN resident. For the past four years I have been learning about tar sands and natural gas production and transport, as well as Enbridge's horrific record of spills and leaks from their pipelines. I am a volunteer working with MN350. I'm deeply committed to caring for our natural environment and addressing environmental justice as it impacts Minnesota's Native Americans, Minnesota's wildlife and the health and well being of all of us. I spend part of every summer canoeing in the BWCA and vacationing at a northern MN resort and staying at Clearwater Forest north of Mille Lacs, near the proposed Line 3 route. The pristine waters and beautiful wildlife of the region are worth protecting by rejecting the certainty of damage to the environment by the Line 3 pipeline project.

The DEIS for the pipeline project offers no analysis of the downstream effects of tar sands oil spills, a major oversight. The DEIS looks at ground water sensitivity by surface soil type but ignores doing any analysis based on ground water sensitivity maps.

0980-1

The DEIS does a wholly inadequate job of addressing the need for the pipeline, and is thus unable to fulfill the requirement of an EIS to consider reasonable alternatives. My preferred alternative is compliance with Minnesota's climate change mitigation goals and our state's recent re-commitment to the Paris Climate Accord. The DEIS blithely states that the project complies with policies and regulations of state, federal and local governments. I could name many laws and policies that put this project into question, but will just note two more – the MN 2025 Energy Action Plan and the MN Environmental Policy Act. These agreements/laws/plans all speak to the necessity of considering the impact of our actions on Minnesota's as well as the world's natural environment.

EIS documents are expected to consider a project's effects on future development. A completed EIS will reveal the obvious -- the pipeline will extend our fossil fuel dependency far into the future, when climate change dictates an efficient move in the opposite direction.

Since the purpose of the proposed project is to supply energy, then the DEIS is remiss in not evaluating renewable energy alternatives. Instead the DEIS focuses on Enbridge's corporate interests in developing Line 3 and no substantive alternatives to that.

The DEIS attempts to justify the Line 3 proposal based on economic factors alone, which is not allowed in an EIS. Instead, this DEIS, under 116D.04, subd. 6, simply

states that the need/benefit of the project will be determined by market forces (demand for oil). This is a direct violation of the requirements for an EIS.

The DEIS has significant inadequacies that include the limited way it considers the environmental impacts of spills, by excluding how toxins spread in surface and ground water. It fails to meet the requirements of an EIS to analyze the need for the project and thus, the requirement to consider alternatives to the project. It wrongly states that the project meets existing policies. These are huge errors and omissions in the era of climate change, when there are many Minnesota and International policies and laws designed to protect life on planet earth.

Bonnie Beckel
3519 23rd Ave. So.
Minneapolis, MN 55407
612 722-6473



Comment Form

Line 3 Project Draft EIS Public Meeting

Please provide your contact information. This information and your comments will be publicly available.

Name: Austin Belloty

Street Address: 19313 342nd SE PO Box 482

City: Bagley State: MN Zip Code: 56002

Phone or Email: belloty2012@gmail.com

Please share your comments on the Line 3 Project Draft EIS. What could be improved in the EIS? What is missing?

The Environmental Impact statement is false because I'm from Bagley and they say it doesn't help local jobs but it definitely does! I've worked pipeline for 4 years and my main priority is making the pipeline safe

0350-1

Levi, Andrew (COMM)

From: Sheila Bennett <sheila.bennett2@comcast.net>
Sent: Sunday, July 09, 2017 8:46 PM
To: MN_COMM_Pipeline Comments
Subject: Regarding Enbridge Line 3 Replacement pipeline

As a resident of Minnesota, I am seriously concerned about the environmental consequences of the proposed new Enbridge Line 3 pipeline corridor. There are many flaws, inconsistencies, and omissions in the DEIS, which does not begin to fully or accurately describe the impact of Enbridge's plan.

Regarding climate change, the "social cost of carbon" from building this pipeline is listed as up to \$287 billion over a 30-year time span, which is terrible enough; however, the DEIS should include projected costs that assume a 60-year life span or more for the pipeline. Surely that sobering statistic will put the whole proposal into context in terms of its social cost.

1290-1

Instead of describing and evaluating rail and truck alternatives to this pipeline, the DEIS should acknowledge the widely-advocated alternative of simply shutting down the current Line 3 pipeline. Such a decision would be consistent with Minnesota's climate change mitigation goals.

The cursory chapter on pipeline abandonment is completely unacceptable. What kind of financial assurance can Enbridge supply that it will monitor the pipeline, once abandoned, in perpetuity? Simple research shows that companies regularly walk away from mines and pipelines, leaving all the environmental costs and consequences (mitigation and clean-up) to be borne by states and landowners. Why would the State of Minnesota take on such a risk for its environment and its taxpayers?

In addition, the DEIS greatly underestimates the probability of oil spills over the lifetime of the pipe, particularly considering the increased pressure from higher flow rates. This pipeline will double the number of Enbridge pipeline surface water crossings, including two more Mississippi River crossings. Why would we put our precious waterways at such risk?

The potential impact on water, wildlife, and the environment is so large as to be incomprehensible. This new route would affect 5,443 acres, would require 172 new roads, would clear a 120-foot swath of land across 340 miles, and would cross hundreds of acres of wetlands.

During an era when the world's demand for oil is declining and the profitability of pipeline operations is in question, it would be extremely shortsighted to allow short-term corporate pressures to override our long-term commitment to protecting Minnesota's environmental resources and helping to reduce fossil fuel emissions worldwide.

I implore you to take the time to address the flaws of the Draft EIS so that complete and correct information will be used in making a decision about this pipeline. Thank you for considering my comment.

Reference Docket numbers: CN-14-916 and PPL-15-137

Sincerely,

Sheila Bennett
 St. Paul, Minnesota

Sent from my iPhone

Levi, Andrew (COMM)

From: Bob Berdahl <rmberdahl@gmail.com>
Sent: Monday, July 10, 2017 7:40 PM
To: MN_COMM_Pipeline Comments
Subject: Line 3 Preliminary EIS
Attachments: Enbridge line 3 letter.docx

Comments attached

July 10, 2017

Bob and Mary Berdahl
23193 Green Pines Rd.
Park Rapids, Mn. 56470

2505-1

Pipeline comments@state.mn.us

Attention: Jamie MacAlister

Environmental Review Manager

Re: Draft Environmental Impact Statement (“DEIS”) for Application of Enbridge Energy Limited Partnership (“Enbridge”) for a Certificate of Need and Route Permit for Line 3.

PUC Docket No. PL9/CN14-916

PUC Docket No. PL9/PPL15-137

My Wife and I live on Potato Lake in Park Rapids, Minnesota. The Park Rapids area has Minnesota’s clearest and cleanest lakes and aquifers with high susceptibility to ground water contamination. We feel that the DEIS is inadequate in a number of ways including the following:

- 1. The OIL SPILL analysis needs to be performed by a qualified, credible, third party rather than Enbridge and its contractors. This study needs to consider all failure modes, terrain and soil conditions, access to a spill, potential spill volumes, type of oil (tar sand?), oil flow additives and cleanup. How does one handle an oil spill in winter conditions with frozen lakes/streams?? Given the length of the pipeline and the many variables described above, the study needs to include more than 7 sites.**
- 2. The DNR and MPCA have not participated in the study as we would expect, given their relative expertise and major state**

responsibility for our natural resources and environment .
The final study needs DNR and MPCA involvement,
conclusions and recommendations. I was under the
impression that the PUC required DNR/MPCA involvement.
As an outsider, that the DOC has not worked to keep the DNR
and MPCA involved.

3. Given the 192 water crossings via the proposed route, the
construction impact of the project needs more study as done
for the Sandpiper (MN PCA comprehensive water crossings
report).

Thank you for considering our comments. Please email me or call
if you have any questions.

Sincerely,

Bob and Mary Berdahl

218-255-1944

Levi, Andrew (COMM)

From: Ric Berkholtz <ricberk7@gmail.com>
Sent: Monday, June 19, 2017 10:05 AM
To: MN_COMM_Pipeline Comments
Subject: Line 3 Public Comment

Hello,

In regards to the commentary for the Draft EIS for Enbridge Line 3, I would like to submit commentary to the State of Minnesota regarding impacts due to Line 3.

I believe the State has not properly addressed the level of environmental racism this pipeline project holds. Regardless of the pipeline no longer crossing the reservations of the Anishinaabe people, according to the maps provided, it still crosses their wild rice lakes north of the White Earth Reservation. The wild rice is a form of sustenance for the tribe and it holds cultural significance. Therefore, it would be a crime against humanity to allow Line 3 to cross those wild rice lakes.

0503-1

I believe that the Draft EIS does not meet water protection. The preferred route for Line 3 still crosses the headwaters of the Mississippi river. That would endanger communities living downstream from the pipeline, including the Twin Cities area.

The DEIS does not acknowledge the grievances of tribes either. Not only does the pipeline have the potential to destroy the land that it would run through and the potential to destroy the wild rice lakes, it would also have the potential to destroy their rights to gather wild rice and fish on off-reservation territory which they have a right to be in due to treaty. The DEIS also ignores Winters vs United States which protects the water rights of reservations. This pipeline puts the water those reservations depend on in grave danger.

Along with ignoring the cultural sovereignty and treaty rights of the tribes, their civil rights are threatened by this project. We saw what happened in North Dakota when the Lakota of Standing Rock peacefully stood up to resist the Dakota Access Pipeline. Aggressive, militarized police action meant to protect corporations oppress the people even further. If Line 3 is approved, the rights of the Anishinaabe and all those who stand up to stop it's construction are in jeopardy.

0503-2

The reason I ask that both the Certificate of Need and the route permit be denied is because Minnesota is one of the states that's supposed to be moving forward. Governor Dayton has agreed that Minnesota will follow the Paris Climate Agreement. We won't be following the Paris Climate Agreement if Enbridge Line 3 is allowed to be constructed thereby furthering the genocide of indigenous people and the destruction of land and fresh water in Minnesota. All of the routes hurt the water in some way and water is all life. We would not be alive if it was not for water.

Minnesota does not need a pipeline. Minnesota needs clean, renewable energy; solar and wind. I go to college in Moorhead and it's a wind ally. So I wonder why I don't see more wind turbines up there. It would lead to more employment in Minnesota. A pipeline would only offer temporary jobs just as it would only offer short term profits.

Thank you very much,
 Ric Berkholtz

Levi, Andrew (COMM)

From: bwj4 <bwj4@frontier.com>
Sent: Monday, July 10, 2017 9:51 AM
To: MN_COMM_Pipeline Comments
Cc: Kathryn Beatty; Janet Hill; Bruce Johnson
Subject: Big Sandy Lake Association DEIS comment for the Line3 project (CN-14-916 and PPL-15-137)
Attachments: BSLA Comment.pdf

Dear Environmental Review Manager,

The Big Sandy Lake Association (BSLA) Board of Directors submits the attached comments for the Line 3 Draft Environmental Impact Statement.

**Sincerely,
Bruce Johnson
President, Big Sandy Lake Association
P.O. Box 21
McGregor, MN 55760**

Public Comment: Line 3 Project (CN-14-916 and PPL-15-137)

The Big Sandy Lake Association (BSLA) Board of Directors submits the following comments for the Line 3 Draft Environmental Impact Statement.

Background

Big Sandy Lake is a 10-square-mile fishing and recreational lake in northern Aitkin County. It is the foundation of the economy of nearby McGregor, Minnesota; full-time and seasonal property owners on Big Sandy support over 100 businesses in this part of the state.

Enbridge's preferred route for the Line 3 "replacement" pipeline passes within a few miles of an inlet to Big Sandy Lake, and passes through the width of the lake's watershed on its way eastward toward Superior, Wisconsin.

Risks for Big Sandy Lake from Pipeline Spills and Leaks

We are concerned that the DEIS does not include the results of a 2016 study by the National Academies of Science, Engineering and Medicine, titled *Spills of Diluted Bitumen from Pipelines: A Comparative Study of Environmental Fate, Effects, and Response* (referred to hereafter as the Dilbit Study). Inclusion of the findings of this study would present the following facts which should be included in the evaluation of this project.

- *Diluted bitumen (dilbit) spills pose particular challenges in water bodies because this material will sink in freshwater environments. Once this happens it will be practically impossible to recover/remove the material from the aquatic system leading to the long term release of toxic substances to the environment.*
- During the initial days of spill response, the major component of concern to human health from the spill of dilbit and other crude oil products is release of volatile compounds such as benzene, toluene, ethylbenzene, xylenes and hydrogen sulfide (H₂S) which can result in acute and sublethal/chronic effects via inhalation, absorption and ingestion exposure.
- In addressing longer term or chronic human health concerns, protection of water supplies is a major focus of spill response activities. Dilbit will sink in aquatic environments presenting a high potential for contamination of a surface water supply that can result in long-term closure of drinking water sources. Another serious long-term outcome of incomplete removal of sunken bitumen is impairment of aquifers used as sources of human water supply. The contamination of these groundwater systems is inherently more difficult to remediate than for surface water bodies.

We find it alarming that this study has been ignored, when the short- and long-term health of many Minnesotans is at stake. The Big Sandy Lake Association, with over 500 household

members, insists that the analysis and findings of the Dilbit study be included in the Line 3 Final EIS.

In addition to the impacts caused by a catastrophic release discussed above, the BSLA's apprehension regarding Enbridge's preferred route for Line 3 is based on the probability that the pipeline will develop pinhole leaks as it ages and corrodes underground (DEIS section 10.3.1.4 Pinhole Releases). The DEIS states that pinhole-sized leaks cannot currently be detected by leak-detection systems. By the time enough oil from this kind of leak came to the surface to be noticed (which would take a long time in the remote, roadless wetlands of Aitkin County), oil and water-soluble toxins would have already reached Big Sandy Lake via at least one of the four rivers in our watershed that drain into the lake. The toxins released into Big Sandy Lake in such a scenario pose a threat to the residents of this lake and residents downstream on the Mississippi River.

Adequacy of Detection Systems

Enbridge proposes to use the SCADA leak detection system to monitor Line 3 (discussed in Chapters 2 and 10 of the DEIS). We believe that the following findings presented in the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration Final Report No. 12-173: Final Report Leak Detection Study – DTPH56-11-D-000001 (<https://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Press%20Release%20Files/Leak%20Detection%20Study.pdf>) should be included and considered in the Final EIS.

- Detection is critical because the earlier a leak is found the less environmental damage will occur. In the 361 pipeline incidents *that went undetected* by internal systems since 2010, a total of 141,421 barrels of petroleum products spilled, totaling \$1.2 billion in property damage.
- Federal data shows that leak detection systems have caught small leaks and missed some of the largest. Six out of the largest 10 pipeline spills in the U.S. since 2010 went undetected by the computer detection system. Some of the release volumes where no data on SCADA was reported by the operator were as large as 9,030 gallons.

Additional Considerations

The DEIS, Section 10.1.2.1, Threats to Crude Oil Transport by Pipeline Systems, states that “Pipeline stress or corrosion can also occur due to the natural conditions of the substrate surrounding the pipeline. For example, many types of peat (which is common in Minnesota) exhibit negative buoyancy and place upward pressure on pipelines, causing stress on the pipe.” Because much of Aitkin County is peat bog, this would appear to enhance the potential for a pipeline failure to occur but isn't adequately discussed in the DEIS. In addition, there is no mention of the effect of peat acidity on pipeline corrosion. We would like to see more analysis in the Final EIS about pipeline stress in peat bogs and the effect of peat acidity on pipes.

Alternative Analysis

There is no comparative analysis in the DEIS of the worst case scenario for emergency response to a spill along the various routes. Because the area around the alternative route SA-04 has more

established roads and a leak would be more immediately visible to the local citizens, the response time for SA-04 would likely be better than one in Aitkin County, with its remote wetlands and lack of roads. How difficult would it be to access a pipeline break along each of these potential routes? In each case, how long would it take to get oil spill equipment to the most remote areas of the route? How difficult would it be to access a large spill given immediate proximity to roads? We would like to see a comparative analysis of emergency response for all of the route alternatives, including SA-04.

Thank you for your attention to our concerns.

Bruce Johnson
President, Big Sandy Lake Association

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

MS. REGINA BIRCHEM: I read the Executive Summary and select parts of the DEIS for Enbridge's Line 3 proposal.

16

17

18

I am absolutely opposed to a new Line 3. I'm opposed to abandoning and even continuing to use the present Line 3.

19

20

21

22

23

The DEIS lists and sometimes provides data on many important issues, such as: Impact on wildlife, water quality, soil -- water quality, soil and air, social and environmental justice, treaty rights, climate change.

24

25

In spite of identifying these critical issues, the overall bias of the statement is to

1 accept another pipeline as inevitable, even though
2 it impinges negatively, economically and socially,
3 on the people of Minnesota and beyond.

4 Challenges and perils of rapidly changing
5 climate and political situations -- never faced
6 previously by the people of Minnesota -- are
7 speedily coming upon us with both certainty and
8 unpredictability.

9 My four points: We really don't need any
10 more oil. Processing Canadian heavy tar sands crude
11 oil is not currently profitable.

12 Number 2, based on unclear and
13 conflicting data in Chapter 5, estimates of
14 life-cycle greenhouse gas emissions for heavy crude
15 transport by Line 3 over the span of 30 years is
16 shockingly high.

17 Just for greenhouse gas emissions, \$287
18 billion.

19 The present Line 3 has been in place
20 about 50 years. So if Enbridge is still viable, it
21 is likely that a projected new line would be used
22 longer than 30 years.

23 Number 3, if Enbridge cannot or chooses
24 not to remove the old Line 3 pipeline safely, then
25 why install a larger Line 3 carrying even more

1705-1

1 hazardous heavy crude.

2 Enbridge claims it will monitor the
3 abandoned Line 3 indefinitely. How long will
4 Enbridge exist? The cost of removal of Line 3 is
5 estimated at \$1.28 billion. The cost of abandoning
6 it is \$85 million.

7 What about all the old pipelines? Who
8 will pay for their removal and mitigation of damage.

9 The fourth point, the applicant's
10 preferred route will lead to a permanent destruction
11 and fragmentation of forested and wetland habitats
12 in northern Minnesota, an area already challenged
13 markedly by climate change.

14 This is stated clearly as permanent
15 damage to the forest in the executive summary and is
16 stated clearly in the EIS.

17 In closing, a week ago I stood, as many
18 of you have, on the North Shore of Lake Superior in
19 awe of the vastness and beauty of the world's
20 largest body of fresh water.

21 Minnesotans share an enormous
22 responsibility to protect water and our priceless
23 resources. We can no longer employ destructive
24 processes that can not be reversed for short term
25 monetary gain by any company or individual.

1 University of Minnesota scientists
2 throughout the state, including in Ely, Minnesota,
3 are trying to assess the unexpected effects of
4 climate change, such as, for example, high
5 horizontal winds that can remove a whole forest in a
6 short time. The forests do not recover.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Levi, Andrew (COMM)

From: Toni Bischoff <tonibischoff@gmail.com>
Sent: Monday, July 10, 2017 5:53 PM
To: MN_COMM_Pipeline Comments
Subject: Jamie MacAlister: Please include this comment on the Line 3 DEIS in Dockets CN-14-916 and PPL-15-137.

I am from Oxford North Carolina and wanted to share my concerns with you over the Line 3 pipeline. As you can see, there are more than enough reason to deny a permit at this time. The quality of our waterways affect everyone of us across the nation. Thank you for your time and attention to this matter.

Many of the environmental impacts and "plans" for minimizing them are drawn directly from Enbridge's permit application ("Enbridge would do this" and "Enbridge would do that") without any evidence of compliance or genuine consideration that maybe, just maybe, Enbridge won't follow all the rules. History shows that they continually violate permit conditions.

The No Build alternative is not considered. It is framed as "Continued Use of Existing Line 3" (Chapters 3 and 4), but nowhere is the "Shut Line 3 Down" option considered. There is no discussion of renewable energy, conservation, or the rapid development of electric car infrastructure. There is no assessment of the decline in oil demand. The entire study assumes that society needs X amount of oil, simply because Enbridge says they can sell it. That assumption ignores the massive fossil fuel subsidies and debts that make Enbridge's profits possible, and avoids the moral question of what is good for people and the planet.

The risks of pipeline abandonment are not adequately assessed. For example, there is no discussion of landowner property values and the effect that an abandoned pipe could have on them, especially if there is indeed "**legacy contamination**" on people's land.

The DEIS contains **no spill analysis for tributaries of the St. Louis River or Nemadji River**, where spills could decimate **Lake Superior** and the harbors of the Twin Ports.

2510-1

Most of the issues specific to tribal people and tribal resources are **confined to a separate chapter** that attempts to provide "an American Indian perspective." They are excluded from the main chapters that assess potential impacts. This allows the EIS to **avoid drawing conclusions** about the impacts on tribal people. (Chapter 9)

Chapter 9, "Tribal Resources," states that ANY of the possible routes for Line 3 "**would have a long-term detrimental effect on tribal members and tribal resources**" that cannot be accurately categorized, quantified, or compared (9.6). It also acknowledges that "traditional resources are essential to the maintenance and realization of tribal lifeways, and their destruction or damage can have profound cultural consequences" (9.4.3). **This does not acknowledge the treaty responsibilities the state of Minnesota has to the tribal members.**

Chapter 11, "Environmental Justice," acknowledges that pipeline impacts on tribal communities "**are part of a larger pattern of structural racism**" that tribal people face in Minnesota, which was well documented in a 2014 study by the MN Department of Health. It also concludes that "the

impacts associated with the proposed Project and its alternatives would be an additional health stressor on tribal communities that already face overwhelming health disparities and inequities” (11.4.3).

Most of the analysis of archaeological resources in the path of the pipeline rely on **Enbridge’s surveys**. For some reason, only 3 of their 8 surveys are available, and the 5 missing are the most recent! In those, Enbridge found 63 sites, but claims that only 3 are eligible for protection under the National Register of Historic Places. (5.4.2.6.1).

2510-2

This sums up the majority of my concerns that I wanted to address concerning Line 3. Thank you for your time.

Sincerely,
Toni Bischoff
Oxford, NC

Levi, Andrew (COMM)

From: Jessica Bleichner <jessica.bleichner@gmail.com>
Sent: Monday, July 10, 2017 11:28 AM
To: MN_COMM_Pipeline Comments
Subject: Line 3 EIS Comment

Dear Environmental Review Manager,

I am confused by a statement in the Executive Summary on Page 14 of the draft EIS. "There is no one way to measure the general region-wide differences in surface water resource quality across MN." What methodologies were used? This needs to be addressed in the Final EIS.

2517-1

I am a MPCA water quality monitor volunteer and student of Limnology. Eutrophication is a widely used water quality measurement for many reliable reasons. Is the applicant using the eutrophication model that is widely accepted as the best measure by the scientific community?

Thank You,
Jessica Bleichner
19419 Spencer Rd
Brainerd, MN 56401
MN Master Naturalist Volunteer

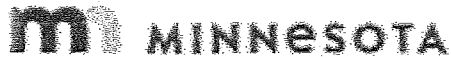
Levi, Andrew (COMM)

From: Dean Borgeson <dborgeson@crosslake.net>
Sent: Wednesday, July 05, 2017 1:27 PM
To: MN_COMM_Pipeline Comments
Subject: Public Comment: Line 3 Project (CN-14-916 and PPL-15-137 Public Comment: Line 3 Project (CN-14-916 and PPL-15-137

Environmental Review Manager:

- What is the target composition of the carrier diluent used in the pipeline?
- What is the acceptable/allowable range for each of the diluent's constituent components?
- What health/environmental hazards are presented by each of the diluent's components?
- Is the diluent composition adjusted seasonally to compensate for ambient temperature variation?
- What is the effect of releasing each of the diluent's components into a flowing stream?
- What is the effect of releasing each of the diluent's components into a flowing stream beneath a covering of ice?
- What is the effect of releasing the diluent's components into a permeable wetland?
- What is the effect of releasing the diluent's components into a permeable wetland below the frost-line?
- How many residences use sand point wells for obtaining potable water on the Whitefish chain of lakes?
- How can 500' either side of a water body's centerline be used to determine impacted households when the reservoir is up to 20 times that width?
- What is the annual value of the Walleye eggs recovered at the DNR stripping site upstream from the reservoir?
- What would be the cost of government providing potable water to every occupied dwelling on the reservoir?
- What would be the cost of the DNR completely restocking the reservoir with walleyes in a year's time?
- Could Enbridge be held to account for these costs?
- Is Enbridge bonded to cover such costs and to compensate landowners for any damages (including property value declines) in the event of a catastrophic spill?

Dean Borgeson
 36030 Bonnie Lakes Road
 Crosslake, MN 56442
 218-692-4723



Comment Form Line 3 Project Draft EIS Public Meeting

Please provide your contact information. This information and your comments will be publicly available.

Name: Dean Borgeson

Street Address: 36030 Bonnie Lakes Rd

City: Crosslake

State: MN

Zip Code: 56442

Phone or Email: dborgeson@crosslake.net

Please share your comments on the Line 3 Project Draft EIS. What could be improved in the EIS? What is missing?

In Docket "CN-M-916" the Certificate of Need application, Embargo uses Figure 4.A-1 to support the need for the pipeline by illustrating the five state region that includes Minnesota has a demand for petroleum products that exceeds the regional production capacity.

Why did Embargo expand the scope of the need from the state to the region?

The U.S. Energy Information Administration Profile for Minnesota dated April 20, 2017 indicates the state's demand for petroleum products (total consumption) is 112,572,000 bbl/year. The profile also indicates the state has a production capacity of 373,900 bbl/day (or 138,298,500 bbl/yr). This capacity is not dependent on Line 3 between Clearbrook and Superior.

How does a production capacity that is 123% of the state's demand for petroleum products support the need for Minnesota to expand and re-route Line #3?

① <https://www.eia.gov/states/anlytic.php?sid=MN>

If including additional pages please number them and tell us how many you are providing 1 pages

July 10, 2017

To: Jamie MacAlister

From: Dawn Bourdeaux

Re: Line 3 Replacement - CN-14-916 and PPL-15-137

Hello,

Can you please put comments in all the PUC Dockets CN-14-914 & PPL-15-137 for Line 3 Replacement?

Thank you!

Total Pages: 8

Date: July 10, 2017

To: Minnesota Department of Commerce
Attn: Jamie Macalister – Environmental Review Manager

From: Dawn Bourdeaux
Trustee for Erie – Bourdeaux Family Revocable Trust
MN-CL-011.000, MN-CL-012.000, MN-CL-014.000

RE: Line 3 replacement
PUC Docket Numbers: CN-14-916 and PPL-15-137

Can you please put comments in all the PUC Dockets CN-14-914 & PPL-15-137 for Line 3 replacement?

I am writing in regards to the following properties **MN-CL-001.000, MN-CL-012.000 and MN-CL-014.000 (Erie – Bourdeaux Family Revocable Trust)** off of Taflin Lake Road in Pine Lake Township in Clearwater County. Currently going through the properties are EPP Corridor (7 lines) and NDPC Line 81, for a total of 8 lines. With the replacement line 3, our properties will have 9 lines. We are OVER fatigued with the amount of pipelines going through our properties already. For the Line 3 replacement line they want to change routes when the line leaves Clearbrook, because of fatigued, it is already fatigued before it gets to the Clearbrook Terminal. The route needs to change before you even get to Clearbrook, because of the same reasons Enbridge does not want to follow the current line 3 route to Superior, WI. The line 3 replacement line should follow the current route for line 3 exactly and the old pipes removed. The old line 3 pipes need to be removed and not left in the ground.

All the following projects are phased and connected actions and need to be in the EIS (Environmental Impact Statement): Sandpiper – docket #13-474(currently closed), Line 3 replacement – docket #15-137, Clearbrook West 115 kV Transmission line – docket #14-665 (currently closed) and Clearbrook West Terminal (New Tank Farm for Sandpiper.) All routes and alternatives must be considered in the EIS, for ALL of these phased and connected projects. If the replacement line 3 is approved, will the Sandpiper, Clearbrook West 115 kV Transmission line and Clearbrook West Terminal be resubmitted for approval? Need to look at how many new lines and replacement lines will be happening and the impact it will have on the land owners.

2307-1

Why is there any examination of corrosion from co-location pipelines with high voltage transmission lines? A 4 year old pipeline, Keystone 1, suffered leaks from accelerated corrosion due to stray voltage from powerlines. Also need to look at the current 7 lines and replacement line 3 lines will be very close together and cause corrosion or etc. The current 7 lines, some are only 10 feet apart of each other.

There are two lakes very close to the 8 pipelines, Erie Lake and Klongerbo Lake. Currently on the Erie Lake there are 12 trumpeter swans. Each year more trumpeter swans are on Erie Lake. We also have eagles between the lakes and even an eagle nest on property MN-CL-011.000. Also there are all kinds of wildlife on these properties. On Lake Erie we have springs and a hot springs. The springs stay open year round. The temperature does not matter; they are always open, even when it is 60 below 0.

Property ID # MN-CL-014.000 is a CENTURY FARM for our family this past January 2017. The CENTURY FARM currently has 8 pipelines (EPP Corridor – 7 lines and NDPC line 81)

going through the property. Between the Sandpiper line being very close to the homestead building site and power lines that would start to go through the homestead that Enbridge and Minnkota Power want. It has been in our family planning that we are going to be rebuilding on the old homestead in the next 5 years. Currently the old farm house is standing. The farm is so important to our family and our heritage. Our family wants to keep our farm homestead (CENTURY FARM) free of power lines and pipelines. The land has provided our family an agriculture living for 100 years. Our family should be able to preserve the CENTURY FARM and be able to pass the farm down to future generations. How many more replacement pipelines, new pipelines, upgrading existing lines or powerlines can a corridor (same route) handle?

On Line 3 replacement line move the workstation over to Enbridge property ID # MN-CL-013.200 and not on Erie – Bourdeaux Family Revocable Trust property ID # MN-CL-014.000.

With ALL the tanks at the Clearbrook Terminal and the new Clearbrook West Terminal and pipelines, SAFETY NEEDS TO BE ADDRESSED. When my mom passed away on April 8, 2014, there were no Fire Fighters from the Gonvick Fire Department to come out for the call. ALL the fire fighters are volunteers and we understand they cannot be available at all times. They need to make a living to support their families. Just south of Clearbrook two men lost their lives due to an explosion while repairing a line. Need to have first responders available at ALL times to handle any kind of emergency from the pipelines, tank farms and etc.

If the replacement line 3 is approved, then will the Sandpiper, New Tank Farm and Clearbrook West 115 kV Transmission line be back for projects to be approved? Also we have concerned with the EPP Corridor (7 lines, 8 with replacement line 3), Line 81 and Sandpiper with the amount of pipe and the 115 kV transmission line for stray voltage. Also have great concern with paralleling pipelines with transmission would lead to corrosion of the pipelines. How many new lines, replacement lines or upgrading existing pipelines will happen? How many lines does one farm need to have? Our properties already shows fatigued from pipelines and new routes need to be found. Attached is a letter from John Linc Stine – commissioner on alternative routes.

2307-2

Animal disease from property # MN-CL-015.000 to our property. We'll need to work with the MN State Veterinary and make sure no animal disease get on our property. All equipment will need to be cleaned and cannot come back and far between the properties. Soil cannot be exchange or moved. Our breeding of cattle can go back just as far as our old farm (MN-CL-014.000). You cannot replace our herd of cattle or our century farm.

On Erie Lake (MN-CL-013.000 and MN-CL-014.000) and Klongerbo Lake (MN-CL-014.000) we have shoreline rules. On both Erie Lake and Klongerbo Lake we have 150 feet setback around all the lakes. Also the wetlands connected to Erie Lake. Also on properties MN-CL.011.000, MN-CL.013.000 and MN-CL-014.000 have restricted use. Lake Erie provides fresh water for wildlife (Swans, Ducks, Deer, Eagles, Beavers, etc.) and the beef cattle.

Minnesota needs to also include LANDOWNER PROTECTIONS rules/terms/conditions. Example Iowa Utilities Board placed terms & conditions, along with \$25 million on their permit for the Dakota Access Pipeline. Landowners need to have protection for their property. Is Minnesota going to include LANDOWNER PROTECTIONS rules/terms/conditions?


EIS (Environmental Impact Statement):

- Protections of ALL Lakes and Wetlands.
- Fens
- Human Settlement
- Cultural Values
- Tourism
- Long term farming
- Century farm for Erie – Bourdeaux Families
- Long Standing Family Farms
- Loss of two home sites
- EIS address displacement of livestock, pasture and loss of pasture land.
- Noise 2307-3
- Public Health and Safety
- Recreation
- Socioeconomics - EIS to address loss of building sites, loss of property value, loss of value as residential and future development, loss of value for agricultural production and gravel mining.) 2307-4
- Land Base Economies (Agriculture, Forestry, Mining)
- Timing of Projects (If all projects are going at once, we will be unable to farm the land and have no crops or hay for cattle.) Puts our farm out of business.
- Air
- Geology
- Groundwater – high water tables. Showing links between groundwater, surface water and wetlands. Includes the springs and hot springs on the Erie – Bourdeaux Property.
- Rare and Unique Resources – including sensitive/protected resources.
- Vegetation – clearing impacts, potential pesticide use on RoW.
- Wildlife and Wildlife Habitat. Also address potential for USFWS recommendation of eagle take permit and bat take permit. Eagles nests on Erie – Bourdeaux property.
- EIS address that Minnesota Pollution Control Agency recommended consideration of alternative for tank farm near Crookston for the Sandpiper Terminal and Pumping Station proposed for Clearbrook West Terminal. 2307-5
- **Pipeline Route Alternatives – FOH SA-04 and MPCA SA-03**

I have also attached map of the property's and letter

Thank you for your time and consideration in this matter.

Sincerely,


Dawn Bourdeaux

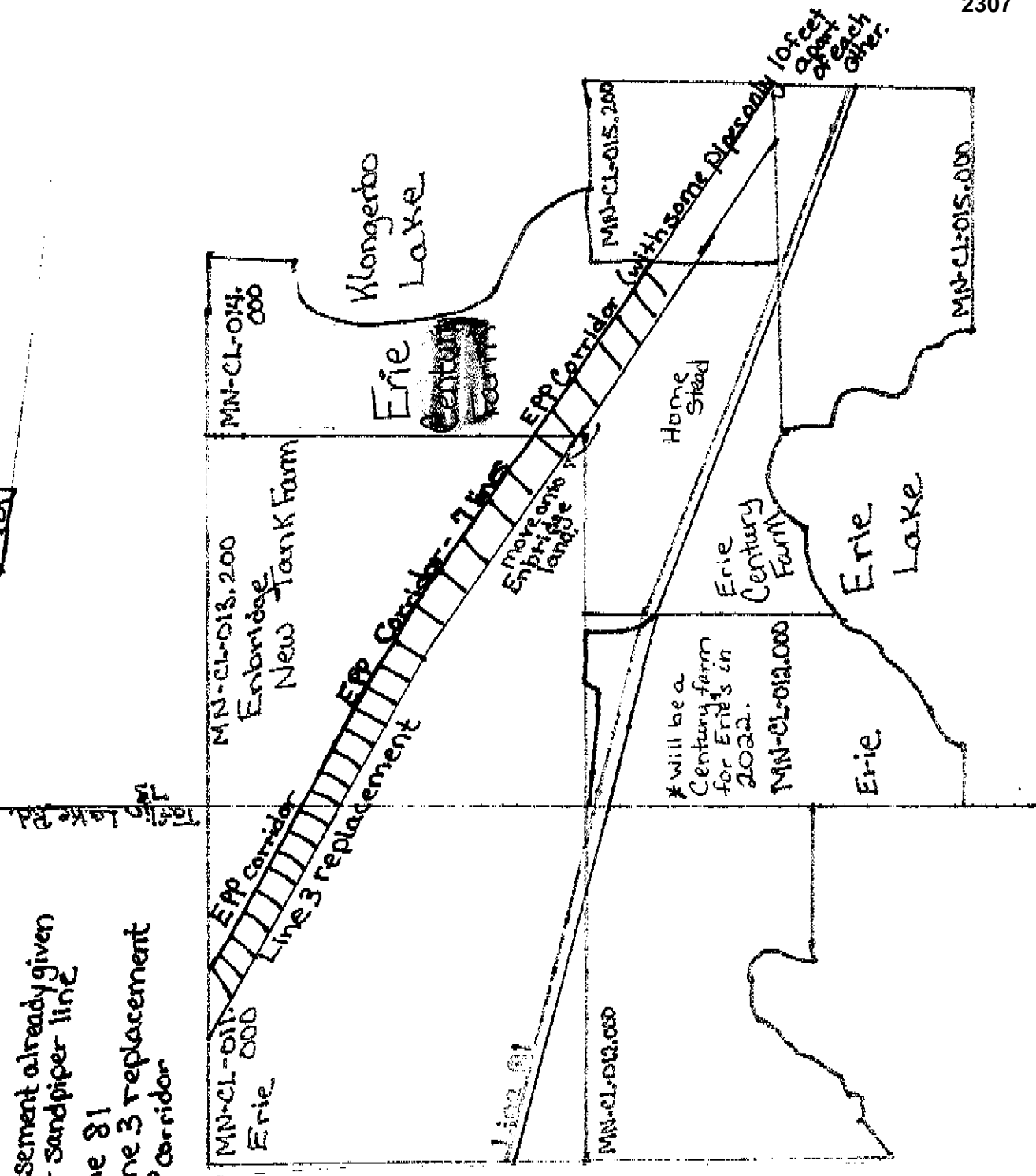
Trustee for Erie – Bourdeaux Family Revocable Trust

Exhibit A

- Property Map
- Letter from John Linc Stine – Commissioner for route alternatives.

- 4 Sandpiper
proposed route
- Orange - Easement already given
for Sandpiper line
- Silver - line 81
- Darkred - line 3 replacement
- Red - EPP corridor

92





Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.mPCA.state.mn.us | Equal Opportunity Employer

August 6, 2014

Mr. Burl Haar, Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

Dear Mr. Haar:

RE: Enbridge Sandpiper Pipeline Project, Docket No PL 6668/PPL-13-474

The Minnesota Pollution Control Agency (MPCA) has reviewed the comments and recommendations submitted by the Department of Commerce (DOC) on July 16, 2014, which will be considered by the Public Utilities Commission (Commission) at the August 7, 2014, hearing for the Enbridge Sandpiper Pipeline project. The MPCA offers the following comments on the project and the DOC's July 16, 2014, recommendations.

The recent boom in the production of oil and gas in North Dakota and surrounding areas has brought about an increase in the number of planned and proposed projects in Minnesota for the transportation, storage, and processing of these resources and their related products and uses. This activity has increased citizen and Agency interest in the amount and quality of information available to adequately assess the individual and cumulative environmental impacts of these projects and to fully inform decision-making processes.

Many alternatives to the proposed Sandpiper project and route have been suggested in the routing (PPL-13-474) and certificate of need (CN-13-473) proceedings, including rail transport, trucking, and numerous pipeline routes. The Commission will determine which alternatives are to be addressed in greater detail as the environmental review, certificate of need, and permitting processes move forward.

Given the high potential of additional pipelines and replacement or upgrading of existing pipelines in the near future, and within the same corridors, it is critical that the current effort consider multiple alternatives, including both route and system alternatives. For the reasons outlined below, limiting the alternatives to route options alone at this stage would unnecessarily narrow the scope of project options to reduce environmental and public health risks.

In our comments, the MPCA has suggested both route and system alternatives; these are discussed in the DOC's July 16, 2014, filing. I am concerned that the system alternative recommended for consideration by the MPCA may not be evaluated in these proceedings, since it does not include the Clearbrook terminal. The DOC evaluated the MPCA's system alternative, SA-03, and developed a connector segment to Clearbrook that would convert SA-03 into a route alternative. The MPCA supports inclusion of the SA-03 route with the connector segment developed by DOC as a less environmentally harmful route alternative than the proposer's route.

Mr. Burl Haar, Executive Secretary
Page 2
August 6, 2014

The MPCA's view is that the environmental impacts of system alternatives need to be considered as well as route alternatives. A system alternative that will transport oil to an alternative terminal with significantly less environmental harm should be evaluated in these proceedings.

My understanding is that system alternatives are considered in the Certificate of Need (CN) proceeding for this project. I also understand that DOC conducts environmental review of system alternatives in High Voltage Transmission Line certificate of need proceedings in the form of an Environmental Report (ER), but that this review is not conducted for pipeline certificate of need proceedings. The MPCA respectfully requests that the Commission request the DOC to prepare an ER-type review of alternatives to the project, including SA-03 as originally proposed by the MPCA without the connector segment to Clearbrook, for introduction into the CN proceeding. This position is based on MPCA's understanding as follows:

1. The project purpose can be met without constructing new storage capacity in Clearbrook. If the new terminal were to be built at a more westerly location, such as Crookston, a 75-mile long pipeline to Clearbrook could be constructed for the purpose of sending the oil that Enbridge is contractually obligated to send through Clearbrook (for transport to St. Paul refineries), while the remainder of the Bakken crude could be sent via a less environmentally harmful route well to the south of the sensitive water resources, and then on to the Superior, Wisconsin terminal.
2. Locating terminal facilities near Crookston, or at another site closer to the border of North Dakota, could offer other pipeline routes as viable alternatives, such as the proposed "System Alternatives" identified in the July 16, 2014, DOC recommendations. A terminal closer to the Minnesota/North Dakota border could be the point of origination for future pipelines that would travel to the south and avoid the potential threat to sensitive water resources that the MPCA has identified as being associated with the currently proposed Sandpiper route.

Thank you for consideration of our request.

Sincerely,



John Linc Stine
Commissioner

JLS:bt

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MS. NATALIE BOYD: Hello. I've come to understand that people like to hear a specific section mentioned when we're talking about these things.

So I'm going to talk first about section 11.2, where they say, "Based on

1 recommendations from the MPCA, low income
2 populations are individuals with income below
3 185 percent of the poverty level."

4 And I just want to say that no
5 matter what metric you use to measure what low
6 income is, we are all low income compared to
7 oil companies. We will never have the
8 resources that these companies have to push
9 through their agenda. That's just one small
10 thing I wanted to say.

11 In section 3.6.3.7, Enbridge will
12 seek a utilities exemption from the Wetland
13 Conservation Act in the wetlands replacement
14 requirements.

15 First of all, I wanted to know by
16 what standards Enbridge and this pipeline are
17 classifying themselves as a utility. And
18 second of all, what does this say about
19 Enbridge's commitment to the environment and
20 clean building; that they would say that they
21 don't have to replace wetlands that they
22 destroy like everybody else is supposed to.

23 In section 3.6.3.4, "Consultation
24 with the Minnesota State Historic Preservation
25 Office encouraged but not required." Likewise,

1780-1

1 the Applicant is only encouraged to consult
2 with the Minnesota Mississippi Headwaters
3 Board."

4 And I want to know why these
5 organizations don't have the same weight as
6 others. Why is consultation with these
7 organizations not required?

8 In 9.4.2, "Cultural Corridors.
9 The MIAC recommends a survey of the proposed
10 route prior to start of construction to
11 identify areas of historical or spiritual or
12 cultural significance."

13 But this hasn't happened yet. It
14 is still an afterthought rather than an actual
15 factor in the decision-making process.

16 These things will happen, if they
17 happen at all, when the process has already
18 been approved. This illustrates the continued
19 negligence of native communities.

20 While there's a lot of language
21 in the EIS talking about native communities,
22 there is no, virtually no meaningful action
23 proposed.

Levi, Andrew (COMM)

From: Li Boyd <ngrace.boyd@gmail.com>
Sent: Monday, July 10, 2017 8:28 AM
To: MN_COMM_Pipeline Comments
Subject: CN-14-916, PPL-15-137
Attachments: Line3 DEIS Comments.pdf

Attached, please find my comments on the Draft EIS for docket numbers CN-14-916, PPL-15-137.

Thank you.

Natalie Boyd

Natalie Boyd

25652 Michelle Lane
Crosby, MN 56441
(612) 655-1449
ngrace.boyd@gmail.com

9th July 2017

Jamie MacAlister

Environmental Review Manager, Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101-2198
Fax: (651) 539-0109
Pipeline.Comments@state.mn.us

Re: CN-14-916, PPL-15-137

To Whom It May Concern:

My name is Natalie Boyd. I am an enrolled member of the Mille Lacs Band of Ojibwe, a resident of the state of Minnesota, a United States citizen, and an inhabitant of Planet Earth. Herein are my public comments in opposition to the Enbridge Line 3 Expansion Project as presented in the Draft Environmental Impact Statement prepared by the Minnesota Department of Commerce Public Utilities Commission. I would like to point out that I am an average citizen with some college education but no expertise in any particular field. These comments are the best I could generate with the time I was given by the state of Minnesota to respond to the release of the draft on May 15, 2017.

This may qualify as my first objection. While I congratulate the state on engaging in the process of developing an EIS for a project of this scope, I feel that the public has been given too little time and information with which to respond. First, the EIS is a dense document and difficult to navigate. The information within it is segmented in confusing ways, and the language used is obtuse. The document, with appendices, is close to five thousand pages long. It is very difficult to address in its entirety. Furthermore, even at this length, the EIS seems to suffer from missing information. There are studies that cannot be accounted for, links that do not work, and relevant information that is simply not provided.

For example, a term used often in the DEIS is Best Management Practices or BMPs. However, the business structure employed by Enbridge and how it will manage ownership and operation of

this project are not discussed. It is standard practice with companies like Enbridge L.P. to use Limited Liability Companies to avoid liability for the consequences that would result from a catastrophic failure of the pipeline. This leads me to question who would ultimately be liable for a catastrophic failure of the pipeline in this case. I feel that this information is vital to being able to make comment on this project. If liability is shifted to an LLC, how can taxpayers be sure that they won't be stuck with the financial burden of cleaning up the mess when the pipeline fails? Enbridge's business structure related to the Line 3 Expansion needs to be made completely transparent and must be included in documents available to the public, such as this EIS.

Before I go any further, I must make clear one thing. Pipelines always fail. The only unknown factor is by how much. How severe is the damage from the failure going to be? What will the financial cost be? What will the environmental cost be? What will the human cost be?

Let us also clarify another matter. This draft EIS is not an *Environmental* Impact Statement. This is an *Economic* impact statement. This document was prepared by the Minnesota Department of Commerce, and all comments have been directed to the MNDOC. By the title of the managing agency alone, it is evident that environmental concerns are not the primary focus being discussed herein. The DOC is rightly involved in some aspects of regulation of this project, being that commerce involves **“the exchange or buying and selling of commodities on a large scale involving transportation from place to place¹,”** (as defined by [Merriam-Webster](#).) You will note that mention of the environment appears in no part of this definition. True and actual assessment of environmental impact would better fall to the responsibility of agencies such as the Minnesota Pollution Control Agency, the Environmental Protection Agency, the Minnesota Department of Natural Resources, or any other that has anything at all to do with actual environment. The Minnesota Department of Commerce has a different set of interests it caters to, such as employment and revenue, and the environment is not the primary concern or the purview of this agency.

Additionally, this entire permitting process raises its own questions. As explained in the Executive Summary of the DEIS, the applicant (Enbridge) must first establish the underlying need for the project. Only once the need is established will the EIS be used to make determinations on the manner in which to grant or deny the certificate of need considering all the options and alternatives presented. I am unclear at what point Enbridge has ever first established the underlying need for this project, and I question the validity of a this entire document based on the uncertainty of when need was established and when analysis began. (We will come back to the issue of “need” later.)

The first issue I wish to discuss is that of compliance. The DEIS comes to many of its conclusions based on the assumption that Enbridge will comply with all the regulations laid forth in the document. It even goes so far as to make determinations based on the aforementioned

¹ “Commerce.” Def 2. *Merriam Webster Online*, Merriam Webster. [Web](#). 8 Jul 2017.

BMPs that are not in any way required. The DEIS supposes that Enbridge will always do all that it can to enact good environmental stewardship unless it explicitly claims otherwise. This is a great misplacement of faith.

Enbridge's spill response plans have not even been developed. They have offered no evidence of comprehensive policies and procedures to deal with "accidental crude release." It is unquestionable that a release of heavy crude oil, or diluted bitumen, would be devastating. According to "Spills of Diluted Bitumen from Pipelines: A Comparative Study of Environmental Fate, Effects, and Response," released by the National Academy of Science in 2016, heavy crude oil released in a marine environment poses particular challenges. Weathering of diluted bitumen progresses quickly upon release as the volatiles used to dilute it evaporate, and the remaining residue rapidly begins to submerge. Oil particles may then remain in suspension or sink to the bottom. The study goes on to say:

"This situation is highly problematic for spill response because (1) there are few effective techniques for detection, containment, and recovery of oil that is submerged in the water column, and (2) available techniques for responding to oil that has sunk to the bottom have variable effectiveness depending on the spill conditions."²

The United States Geological Survey publication "Oil-Particle Interactions and Submergence from Crude Oil Spills in Marine and Freshwater Environments— Review of the Science and Future Science Needs³" goes so far as to say that current techniques that have been developed to deal with suspended or settled oil may be just as or more damaging than leaving the oil in place, and further study is needed.

It's no wonder then that Enbridge has failed to present spill response plans as effective mitigation tactics do not exist. This does not excuse them from their responsibility for developing these plans. It does, however, call into question whether a project or product such as this should even be considered.

Related to this, the DEIS contains no analysis of the efficacy of Enbridge's leak detection systems. According to a report from the National Transportation Safety Board on the leak of Enbridge Line 5B in Kalamazoo, Michigan, the leak detection system had no effect whatsoever

² National Academies of Sciences, Engineering, and Medicine. 2016. *Spills of Diluted Bitumen from Pipelines: A Comparative Study of Environmental Fate, Effects, and Response*. Washington, DC: The National Academies Press. Page 24. [Web](#). 8 July 2017.

³ Fitzpatrick, F.A., Boufadel, M.C., Johnson, Rex, Lee, Kenneth, Graan, T.P., and others, 2015, *Oil-particle interactions and submergence from crude oil spills in marine and freshwater environments—Review of the science and future science needs: U.S. Geological Survey Open-File Report 2015–1076*, 33 p., <http://dx.doi.org/10.3133/ofr20151076>.

on the detection of the leak⁴. It was reported by a resident of the area. The Pipeline and Hazardous Materials Safety Administration reported in a 2012 that only 17% of pipeline leaks were identified via leak detection systems⁵. This must be taken into account in the DEIS.

Furthermore, the seven sites selected in the DEIS for spill modeling are not representative of the spectrum of resources put at risk along the applicant's preferred route. The corridor crosses tributaries that lead to Lake Superior, and there is no assessment of potential spill impact to this area. That is a very large body to not have taken into account.

So, what are the consequences if Enbridge does not comply with regulations, and who will be ultimately liable? The Comprehensive Environmental Response, Compensation and Liability Act of 1980, or what we now call the federal Superfund program, deals with the cleanup of hazardous materials. It was initially funded by a tax on companies that produced chemicals, including petrochemicals. This tax was repealed, however, and superfund went bankrupt. As of 2008, Potentially Responsible Parties were not even expected to be entirely fiscally responsible for the cost of clean up anymore⁶. This means that the superfund program is taxpayer funded. We must know if the burden of Enbridge's non-compliance would fall on the people of Minnesota.

Secondly, I now address the existing Line 3. Though I understand that Enbridge only inspects Line 3 every 12-18 months, I believe it is well understood that the integrity of this line is compromised. The line pressure has been reduced from its original capacity to compensate, but by proposing a new pipeline, even Enbridge appears to agree that this line should no longer be in service.

That being said, Enbridge's current plan to abandon the pipe in place is completely unacceptable. Enbridge cannot be allowed to walk away from Line 3 with only the claim that they will continue to monitor it. There are too many unknowns when it comes to leaving this pipeline in the ground. This pipe is already exposed on the surface in multiple places, and the proposed drainage of the pipe would only contribute to buoyancy that could cause the pipe to rise in more places. What might happen to these exposed sections? If legacy contamination is discovered, what is the contingency? Enbridge has claimed they would monitor the pipe indefinitely. What does indefinitely mean, and what does monitoring entail? If there is problem in the future, will Enbridge take responsibility for it? Just because they are monitoring the pipeline, does not mean any contamination discovered is not ultimately the responsibility of the landowner on whose property the incident takes place.

⁴ National Transportation Safety Board. 2012. *Enbridge Incorporated Hazardous Liquid Pipeline Rupture and Release, Marshall, Michigan, July 25, 2010. Pipeline Accident Report NTSB/PAR-12/01.* [Web](#). 8 Jul 2017.

⁵ Pipeline and Hazardous Material Safety Administration. 2012. *Leak Detection Study – DTPH56-11-D000001.* [Web](#). 8 Jul 2017.

⁶ Schons, Mary. *Superfund*. National Geographic. 21 Jan 2011. [Web](#). 8 Jul 2017.

If a landowner does not want pipe left on their property, they should not be forced to have it there. [Just as they should not have been forced to accept it being placed on their property in the first place.] Because of the unknown risks of abandonment and to act in fairness toward landowners, the existing Line 3 should be removed from the ground. In response to Enbridge's claims that removal of the pipeline is potentially dangerous due to proximity to other lines, I would point out that Enbridge already does integrity digs on Line 3, which illustrates that digging up the line is not unknown territory for them. If removal is somehow more dangerous than the thousands of integrity digs Enbridge claims would be necessary to continue operating Line 3, then they must explain why.

Perhaps the most dangerous aspect of allowing Enbridge to abandon Line 3 in place is that there is currently no existing policy for shutting down pipelines in Minnesota state or federal regulations. Whatever is decided here will set a precedent for future cases of pipeline decommissioning. Though it is stated in the DEIS that only this specific case can be addressed, the future impact of these decisions must be taken into account. Petrochemical and extraction companies must be shown that they are responsible for cleaning up their messes.

It has often been pointed out that many Minnesota counties have benefited from Enbridge's tax contributions. This is said to illustrate the financial benefit Enbridge provides to rural Minnesota communities. However, the Star Tribune⁷ reported in March of this year that Enbridge disputes taxes levied over the last decade. The case has gone to court, and if Enbridge wins, Enbridge will receive millions of dollars in back taxes--taxes taken back from the counties it supposedly helped. This is the kind of corporate citizenship we can expect from Enbridge. This corporation cannot be trusted to keep the promises it makes.

Enbridge also cannot be counted on concerning the argument that pipeline construction would provide Minnesota an economic boost, even temporarily, by providing jobs. This financial benefit would go to a transient workforce and have very little effect on Minnesota households. This is explicitly stated in section 5.3.4.3.1. **"...hiring of local residents [...] would have a temporary and negligible impact on county-level unemployment or per capita and/or median household income levels."** It is expected that the majority of the workforce will be relocated to the areas of construction for the project, meaning employment revenue will return home with them and not stay in the Minnesota economy. Furthermore, the Line 3 expansion will create virtually zero permanent jobs. According to the same section of the DEIS, **"operation of the pipeline would have no measureable impact on local employment, per capita household income, median household income, or unemployment in the ROI."** The fallacy that this project would create jobs *that will benefit Minnesota residents on a large scale* must be corrected.

2524-4

⁷ Hughlett, Mike. "Enbridge, state fail to reach settlement in pipeline tax dispute." *StarTribune*. 31 Mar 2017. *StarTribune*. [Web](#). 8 Jul 2017.

The third major deficiency of the DEIS is the lack of analysis for a true “no build” alternative. If we pretend for a moment that this document is part of a procedure for assessing the need for and alternatives to new methods of transporting heavy crude oil across the state of Minnesota, then it has entirely forgotten to consider the alternative of renewable energy. In section 5.1.3, the applicant’s preferred route is compared with the alternatives of **“continued use of existing Line 3, System alternative SA-04, Transportation by rail, Transportation by truck, Existing Line 3 supplemented by rail, Existing Line 3 supplemented by truck.”** Route segment alternatives are also elsewhere discussed, but nowhere is the alternative to *not increase the amount of oil currently crossing the state* ever considered.

The United States, and the rest of the world, is currently experiencing an oil surplus. Oil companies have even agreed to lower production in order to artificially inflate the price of oil and raise their profits. According to the USA Today, the oil market is suffering from **“chronic oversupply”**⁸. Yet Enbridge, a Canadian company, continues to assert that their existing pipeline systems are not able to meet the demand for oil. (Section 2.2) Enbridge needs to clarify what demand they are referring to, because all evidence seems to point to the contrary.

We also don’t know the market destination of this product. Enbridge claims that much of it is bound for US use, but this may not even end up being domestic product. The public needs to know where this oil will be going, lest Minnesota simply become a dangerous conduit to serve a foreign company’s profit.

The important point here is that the need for expanded oil transportation capacity, which is what this is presumably all about, simply does not exist. And even if the demand for oil were as high as Enbridge claims, renewable energy alternatives to petrochemicals exist. From transportation to power generation, the technology exists to move away from fossil fuel dependence. The only reason fossil fuels are still the dominant energy source in the world is because oil companies suppress alternative energies. In order to protect their profit, oil companies lobby against, buy out, and bully competitors developing renewable energy. No one disputes that modern civilization is dependent on energy in ways we never have been before. By assuring that access to and further development of alternate sources is limited, the petrochemical industry effectively holds the world hostage. We turn to petrochemicals because of a lack of choice, not because other options don’t exist. The demand for oil is completely artificial, engineered by the greed-motivated fossil fuel industry.

The fourth major shortfall of the DEIS is that its impact assessments are insufficient. Chapter 5 is full of language such as would, may, where feasible, generally, typically, and other non-conclusive phrases. It also seems to almost always come to the conclusion that potential impacts would be **“temporary or minor.”** Direct impacts are discussed **“where feasible”** while

⁸ Yu, Roger. “Oil price falls below \$50 as U.S. supplies hit record.” *USA Today*. 9 Mar 2017. *USA Today*. [Web](#). 8 Jul 2017.

indirect impacts appear to be given much less weight and will only be **“described where appropriate.”** (5.1.3) Though an impact may be indirect, that does not mean it will not have an equal or greater effect than a so-called direct impact. There is an entire branch of mathematics dedicated to the study of causality and behavior in dynamic systems. The Fractal Foundation, a teaching organization that explores the science known as Chaos Theory, claims that **“By understanding that our ecosystems, our social systems, and our economic systems are interconnected, we can hope to avoid actions which may end up being detrimental to our long-term well-being⁹.”** By compartmentalizing impacts in the way that the DEIS does, the interconnectivity of the ecosystem (which includes humans) is ignored.

In 5.2.1.1.2 bedrock aquifers are mentioned and then summarily dismissed. The DEIS states that **“bedrock aquifers are not expected to be affected by pipeline construction and operation because they exist at depths averaging from 300 to 400 feet, which is well below pipeline construction depths. [...] Groundwater in these rocks occurs mostly in fractures that may not yield usable quantities of water.”** The message here appears to be that bedrock aquifers along the applicant’s preferred route are not likely to be at risk, but if they are negatively affected, their water supply is beyond feasible retrieval. It’s ironic that the amount of oil found in fractures is considered a **“usable quantity,”** but the amount of water is not. The oil that would be transferred through the applicant’s pipeline is retrieved from fractures. It should be kept in mind that if surface water and other more conventional sources of groundwater were to be contaminated by the applicant’s product, these bedrock aquifers could be the only source of water left. These sources should not be disregarded as low risk.

Chapter 5 demonstrates that the DEIS suffers from a misunderstanding of how ecosystems operate. In the discussion of surface water impacts in 5.2.1.2.1, the Region of Interest (ROI) assessed is limited to **“the construction work area for each surface water crossed by the Applicant’s preferred route in Minnesota (typically 120 feet wide) as well as the area immediately downstream from the crossing for flowing surface waters, and in the immediate vicinity for crossings of non-flowing surface waters such as lakes and wild rice waterbodies.”** This statement shows either willful or fundamental ignorance of how the biosphere functions and also of the meaning of the word downstream. A stream is defined by Merriam-Webster as **“1. a body of running water (such as a river or brook) flowing on the earth, 2. a constantly renewed or steady supply, 3. an unbroken flow, and 4. a dominant influence¹⁰.”** Streams do not stop flowing **“immediately downstream”** of anything. Neither can it be said, due to fluid dynamics, that something that may affect a non-flowing body of water can be contained to that **“immediate vicinity.”** The ecosystem is vast and interconnected. It is much like a web; if you pluck one string, you distort the whole structure. To say that impacts would be localized in the manner that the DEIS claims is fallacious. The fact is that, as was chanted at

⁹ “What is Chaos Theory?” Fractal Foundation. [Web](#). 8 Jul 2017.

¹⁰ “Stream.” Def 1, 2b, 3, 5b. *Merriam Webster Online*, Merriam Webster. [Web](#). 9 Jul 2017.

Standing Rock, we are all downstream. This means that impacts, wherever they occur, will have a trickle down effect on us all, on a broader scale and in ways not examined in this DEIS. This is a crucial failing of this document that must be addressed.

A cathodic protection system is briefly mentioned in section 2.3.2.3 as part of the mitigation measures taken to protect the pipeline from co-located electric transmission lines that could contribute to corrosion. However, this system is not required to be in place until up to a year after the pipeline is constructed. This could result in the development of pinhole leaks, which could be considered more insidious than a large spill, as they would be more difficult to detect and remedy. Installation of cathodic protection must occur immediately following pipeline construction.

2524-6

The fifth flaw in the DEIS concerns environmental justice. I would first like to point out that the classification of low income in 11.2 is important because it illustrates the wide gulf between Enbridge as a multibillion dollar corporation and the average citizen of Minnesota. The people of Minnesota are the affected parties when it comes to this pipeline being expanded in the state. It is our well being that is at stake. Compared to the megalith that is Enbridge, we are all low income, no matter what metric is used. Average Minnesotans will never have the resources to deal with Enbridge on a level playing field. This is especially true for individuals who are against the pipeline expansion. Beside a voice, there is virtually nothing we can bring to bear against Enbridge, and there is no justice at all in those kinds of odds.

Specific to the DEIS, section 11.5 is problematic because it describes mitigation measures that can but not necessarily will be considered by the Certificate of Need or Route Permit decision. These are descriptions of possibilities, and there is nothing that guarantees follow through. Without explicit procedures outlined and required, these measures amount to lip service only.

2524-7

Enbridge also makes clear that it intends to do as little as possible in terms of remediation. Biological systems are delicate, and even with BMPs and everything going according to plan, there is no disputing that ecosystems will be impacted. Section 3.6.3.7 summarizes the Wetland Conservation Act and its requirements, but concludes with the information that **“Utilities, including pipelines, [...] can request exemption from wetland replacement requirements, and Enbridge has indicated that they will seek this exemption.”** Even if full standard practices were used, it could take decades for affected wetlands to recover, yet Enbridge doesn't even intend to do that much. This is unacceptable. Enbridge must not only promise to complete all known remediation measures for environmental impacts, but they must provide detailed plans on how they intend to do so in all biomes that will be affected.

2524-8

The sixth major issue with the DEIS could be considered several issues, but all fall under Tribal Impacts, even if they were not organized that way within the DEIS. Because of the obscure way tribal impacts were addressed in the DEIS, there was a general lack of continuity concerning many issues. This amounted to large quantities of information that mask the fact that *the DEIS*

does not provide any suggestion of meaningful action to mitigate tribal impacts. In this way, the DEIS shows a continued disregard by the state of Minnesota for issues that affect indigenous communities.

One glaring problem is that the archaeological surveys used in the DEIS were provided by Enbridge and are therefore not independent. Furthermore, some can no longer be accounted for. In section 3.6.3.4 it's stated that the applicant is encouraged to consult with the Minnesota State Historic Preservation Office--encouraged by not required. The applicant's preferred route crosses multiple cultural corridors, regions culturally significant to tribes, as defined in 9.4.2. The Minnesota Indian Affairs Council **"recommends a complete survey of the entire proposed route; this survey should occur prior to the start of any construction as it will involve gaining input from a number of tribal communities and gathering their oral histories to assist with the identification of these places."** This has been recommended but, of course, has not actually occurred. It is an afterthought of this process and still not a factor in any decision making.

2524-9

Along with cultural corridors, the applicant's preferred route puts many wild rice lakes in jeopardy. In fact, it threatens the most of any of the assessed alternatives. As a food staple and spiritual source for indigenous communities, wild rice is invaluable. Any loss to wild rice habitat would have a devastating effect on tribal communities. This is the only place where this sacred food occurs naturally. Tribal communities have already suffered disproportionately from colonialism and industrialism. The DEIS acknowledges that any of the possible routes for Line 3 **"would have a long-term detrimental effect on tribal members."** As per 11.5, however, a finding of disproportionate and adverse impact **"does not preclude selection of any given alternative."** The DEIS blatantly indicates that the state of Minnesota will disregard threats to tribal communities.

Section 3.6.1.2 delineates the steps and permitting requirements mandated by the Endangered Species Act for the project's potential impact on **"federally listed threatened or endangered species, candidate species, species proposed for listing, and their designated critical habitats."** There are protections in place for threatened species of animals in the United States, but there are not for indigenous people. The United States government has done everything in its power to eradicate America's native tribes, and by a global perspective, it has nearly succeeded. America's indigenous people represent less than .07% of the world's population, based on the 2010 US Census¹¹. While the US government claims to now have a fiduciary relationship with tribes and to act in their best interests, it's evident that *state and federal agencies have merely adopted an appearance of respect while continuing to enact policy that damages native communities.* The dismissiveness of this DEIS is part of that policy.

¹¹ "American Indians and Alaska Natives in the United States." *United States Census Bureau*. 2010. [Web](#). 9 Jul 2017.

The impact of temporary work forces associated with pipeline construction are of great concern to tribes. As stated in 11.4.1 **“Increases in sex trafficking, particularly among Native populations, are well documented. [...] The addition of a temporary, cash-rich workforce increases the likelihood that sex trafficking or sexual abuse will occur. Additionally, rural areas often do not have the resources necessary to detect and prevent these activities.”** This phenomenon is no more evident than in the Bakken oil territory, and it is an ongoing problem in North Dakota’s oil fields. Young women and girls on the Fort Berthold Reservation are afraid to walk down the street there, knowing they can be taken at any time. Violence against women is already a major concern in Indian country due to the effects of abuse that began in boarding schools and were perpetuated in the trauma cycle that followed. Missing and murdered indigenous women has its own Wikipedia page, chronicling the issue.

Enbridge and the state of Minnesota, however, seem dismissive of this issue, suggesting that **“Enbridge can prepare and implement an education plan or awareness campaign around this issue with the companies and subcontractors that construct, restore, and operate the pipeline, as well as by working with local communities and tribal communities to raise awareness and provide resources to address the issue.”** (11.4.1) Indeed, these measures *can* be taken, but whether or not they *will* be is undetermined. Once again, the DEIS is offering potentially empty promises, this time on an issue that could mean nothing less than life or death for individuals affected. Even if we could trust Enbridge to follow through on these suggestions, what difference could we expect them to make? The workforce in question would be subcontracted to Enbridge, and Enbridge would not be liable for them. These measures are woefully insufficient. Enbridge needs to promise that it would take steps to monitor its workforce, investigate crimes, and prosecute its employees if applicable. It needs to lend monetary resources to local law enforcement agencies to help curtail crime. It needs to create a victim support fund, in addition to making support resources available in local and tribal communities. These things all need to be requirements. Even one case of sexual violence is one too many. Whatever psychological impacts may be suffered during this construction phase will be long lasting and yet another imprint of trauma on the native community.

And trauma is really the most obvious and unavoidable impact that construction of any new pipeline in the state of Minnesota would have on indigenous peoples. It is commonly accepted nowadays that historical trauma is a real crisis that affects chronically oppressed peoples. There is fair mention of historical trauma and the structural racism suffered by tribal communities. The DEIS even acknowledges that **“the proposed Project and its alternatives would be an additional health stressor on tribal communities that already face overwhelming health disparities and inequities.”** (11.4.3.) What the DEIS doesn’t seem to recognize, at least explicitly, is that the extraction industry across America is inflicting trauma on native peoples in the present tense. It cannot be dressed in alternate language like stressors or impacts. These are *traumas*, which are to the native spirit, as much like wounds as a gunshot would be.

One need only look as far as North Dakota to see how deeply affected indigenous communities are by the toxic industries that run through our land. Our land is part of us, inseparable from our sense of self and livelihood. We are the land. Native Nation's collective response to the Dakota Access Pipeline said all that needs to be said about our sentiments toward pipelines. Our shared experiences, however, also created a new generation of trauma in our communities. People from native communities all over the United States visited Standing Rock, including myself and many others from the state of Minnesota. Many of us returned to our home reservations having experienced humiliation, intimidation, vilification, and physical injury--all at the hands of government agencies acting in the interests of petrochemical companies. We have returned home bearing not only our historical trauma but a new kind of post-traumatic stress disorder. And Enbridge's Line 3 Expansion project will only add to this trauma.

Closer to home, in Minnesota, the extraction industry has already had a huge impact on our state. Our so-called Iron Range is covered with open pit mines that are like vast sores on the skin of the land. These mines leave behind dead zones, as will the pipeline in the event of failure. These are wounds in the earth and wounds in the souls of native peoples. We know this threat, and we will do all that we can to stop it. None of the impacts of any of this will be, as the DEIS often repeats, short term or temporary.

The overarching problem with the DEIS is that it entertains permitting a project which supports the tar sands industry. This document is supposed to weigh the cost of a project versus its benefit, and when you consider the origin and nature of this product, the cost becomes insurmountable. Globally speaking, climate change is the single greatest threat humanity has ever faced, and the most dangerous aspect of this battle is that many people do not recognize this threat. The petrochemical industry, as a whole, denies the threat of climate change.

As I wrote above, ecosystems are incredibly delicate. Our entire planet is one very large ecosystem that has evolved naturally over the course of billions of years to arrive at this place where it is perfectly suited to support human life. It has taken us barely more than two hundred years to bring our planet to the edge of irrevocable change. Climate change could have devastating consequences for not only humanity but for all life on the planet. With the possibility of temperature changes, oceans rising, and weather systems intensifying, it's difficult to predict the odds of anyone's survival. That is, if we do not do all that we can to prevent further impact on the climate.

Curtailing our use of fossil fuels is the number one thing we can do to avoid this disaster. The carbon emissions from fossil fuels exacerbate climate change each day that we continue to use them. Tar sands are the dirtiest fossil fuel to produce, and the end product further contributes to carbon emissions in its use.

Local to the area of production in Alberta, byproducts of this heavy-crude oil are already killing wildlife and area residents. Tar sands extraction has left a swath of devastation in its wake with toxic tailings ponds, contaminated water sources, decimated landscapes, poisoned wildlife, and beleaguered communities. It has also exacted a high cost on Canadian First Nations (indigenous) communities, where their water has been compromised and depleted, and they are experiencing rare and unusual forms of cancer associated with the toxins from tar sands extraction. The potential geological impacts of the extraction process, which involves hydraulically fracturing bedrock, are not even known. This is a lethal product.

Heavy-crude oil, or diluted bitumen, acquired from Alberta's dirty and destructive tar sands, should not ever be transported through or utilized in the United States. It's dirty, dangerous, and damaging to indigenous people.

In conclusion, I strongly suggest that this EIS explore the field of renewable energy and present it as an alternative to the expansion of the petrochemical industry. Not only is renewable energy better for the environment, but jobs in renewable energy, such as wind and solar, are growing at a rapid rate and represent a better opportunity for long-term employment. Renewable energy will also be more cost effective in the long term, as it does not require the development of new infrastructure to chase new and progressively harder to reach fuel sources. There is no limit on what technology and renewable energy can accomplish going forward. From solar roads to micro-turbine wind trees to algae powered lamps, the possibilities are endless.

Sincerely,

Natalie Boyd

Docket Numbers CN-14-916 and PPL-15-137 Commentary

Submitted by: Diana Brainard
 Duluth, MN
 Dianab.aka.mommy@gmail.com

MAILROOM

JUN 19 2017

RECEIVED

The DEIS is a good start, but there are missing issues to address.

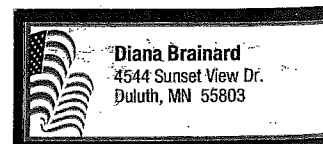
Comments on Certificate of Need:

3.1.1 A. Regarding the Underlying economic need for the proposed pipeline, I could not find any information on how this pipeline will fit into our leaders' vision. US Crude Oil supplies are at the highest level in 80 years - 199 million barrels. President Trump wants to sell off 1/2 of the oil sitting in the Strategic Reserve. MN Governor, Mark Dayton, has said that MN will proceed with its own climate change strategy including an aggressive plan to reduce greenhouse gas emissions. Gov. Dayton said the state is looking to local communities to tackle climate change— to me, that would include denial of the Line 3 replacement. Gov. Dayton is also pushing electronic transportation. The city of Minneapolis Climate Change Action Plan is to reduce greenhouse gas emissions 30% by 2023. They want to add 30 miles of bicycle facilities, double regional transit ridership and increase local, renewable energy. One of Duluth Mayor Emily Larson's 3 priorities for the coming year is to reduce the city's use of fossil fuels. She is aiming for an 80% reduction by 2050. The combination of excess oil and MN leaders' goal of reducing our dependence on oil suggest there is **not** an underlying economic need for the proposed pipeline.

B. For alternatives, I couldn't find anything about meeting energy needs through renewable resources, using less oil, or obtaining oil from somewhere other than the dirty tar sands. I believe these alternatives should be addressed in the EIS.

C. Using the SCC (social cost of carbon) estimates described in the DEIS, the 30-year cost associated with the Project lifecycle emissions could range up to \$120 billion. As Jim Hansen, NASA climatologist, explains in Scientific American, "To avoid passing tipping points, such as initiation of the collapse of the West Antarctic Ice Sheet, we need to limit the climate forcing severely. It's still possible to do that, if we phase down carbon emissions rapidly, but that means moving expeditiously to clean energies of the future. Moving to tar sands, one of the dirtiest, most carbon-intensive fuels on the planet, is a step in exactly the opposite direction."

The consequences to society of granting the CN could not possibly be more favorable than the consequences of denying the certificate



Comments on viability of Enbridge:

I couldn't find any reference in the DEIS to Enbridge's financial condition. This needs to be addressed in the EIS because DEIS mentions Appendix E (Enbridge Environmental Protection Plan) at least 155 times. It mentions Appendix F (Enbridge Agricultural Protection Plan) at least 9 times. If Enbridge starts to fail (which it is), they will have to cut resources across the company which would include its protection plans. Bloomberg says Enbridge has had to slash its distributions to shareholders nearly in half this year, and its 2017 stock prices are dropping. The energy price crash means tar sands oil is not economically viable. On top of this, they have huge catastrophic exposures from their aging pipelines, including Line 5 under the Straits of Mackinac. Why are we even considering a pipeline, with perhaps a 50 year lifetime, for a company that will likely not be around to maintain it?

Comments regarding Economic Impacts:

Chapter 5.3.4 states that Line 3 will create zero permanent jobs and have no measurable impact on local employment. Regarding taxes, the DEIS is missing information about whether Enbridge will stop paying taxes when the existing Line 3 shuts down. The DEIS is also missing information about the issue that Enbridge is now in the process of appealing years of back taxes, burdening 2 of the poorest counties in MN with over \$10 million due. In any case, whatever taxes are collected, it will not pay for the SCC estimates of the Project life-cycle emissions of \$120 billion. (5.2.7.3)

0620-1

Comments on Existing Line 3 Abandonment:

We absolutely cannot allow Enbridge to set a precedence of abandoning the Existing Line 3. Additionally, I could not find any plan in the DEIS for decommissioning the new replacement Line 3 they are requesting. Risks include the leeching of pollutants of the decaying line, draining our water flows and collapses under our roads. It is unacceptable to transfer the costs of these problems to landowners or MN taxpayers. If it is too costly or dangerous to remove existing Line 3 now, then set aside a fund to remove it along with the pipelines on either side of it when they need to be retired. Canada has ordered Enbridge to set aside nearly \$1 billion to pay for future abandonments in Canada. Why don't we?

Comments related to Tribal Resources:

I was deeply moved by comments of Tribal members in the Cloquet Line 3 meeting. Several were crying. One woman told the story of being ignored by Enbridge when she tried to report a leak. You can't help but notice that the Replacement Line 3 route avoids reservations. Enbridge must not have been a great neighbor if the tribes refuse to allow new pipelines on their lands. One native man explained to those of us worried about lack of oil or jobs, "You will adjust." He is correct. We will. We need to develop renewable energy infrastructure.

Comments related to Accidental Crude Oil Releases:

I couldn't find anything in Chapter 10 that related to the uniquely sandy soil in the Park Rapids area. In Park Rapids, where potatoes and other crops grow nearby on irrigated, sandy soil, state health officials declared violations of the nitrate limit in two separate municipal wells in 2009 and 2010. Those wells have been shut down and deeper wells had to be dug. If nitrates are a problem, I can't even imagine what an oil spill would do in those sandy soils and through the chains of Lakes. What about leaks into Lake Superior or the Twin Harbors area? It is not worth the risk to find out.

Per MN Rule 7852.1900 Subd. 3.1, we are provided a false choice for the route of this pipeline in that the company is allowed to name its start and endpoint for the project which is Clearbrook and Superior. Our natural resources should be more important than the company profit margin. The route could start at Crookston and go south (Sandpiper - SA-03) or could follow the path offered by SA- 4 which would avoid Minnesota's pristine waters.

Conclusion:

The DEIS acknowledges that Line 3 will contribute to Climate Change to the tune of billions of dollars. No amount of jobs or taxes can pay for that. The consensus from the scientific community is that we must leave fossil fuels in the ground. Pipelines are not the future. At the very least a new pipeline should **not** be put through the water rich environment of Northern Minnesota. We've long known that a shortage of clean drinking water is going to become a major global problem, and we need to protect this precious resource. Please protect Minnesota by denying the Certificate of Need for Replacement Line 3.

Levi, Andrew (COMM)

From: DIANE BRANDT <dsbrandt@mac.com>
Sent: Sunday, July 09, 2017 1:39 PM
To: MN_COMM_Pipeline Comments
Subject: Comments re: Line 3 Replacement DEIS Doc Nos. CN-14-916 and PPL-15-137

Re: Line 3 Replacement Draft Environmental Impact Statement Doc Nos. CN-14-916 and PPL-15-137

I commend the State of Minnesota for (for the first time) seriously looking at the environmental impact of an oil pipeline running through the state. Now let's make sure the environmental review is high quality and without bias so that all stakeholders can rely on its integrity.

As it stands, the scope and methodology of the Line 3 Replacement DEIS does not fully describe the risks of an oil spill or leak to our sensitive, high quality water environment and, specifically, to our Native American tribes.

1299-1

While DEIS falls short in a number of ways, I will highlight several shortcomings that can be addressed in the final report through better-constructed analytical modeling.

First, the spill analysis is not based on the type of wetlands and waters that are across the route. The EIS should EXPAND the type and number of these sites in the forecasting model. It should also account for the fact that it is impossible to clean up the type of tar sand oil that will be carried in the pipeline.

1299-2

Second, the impact of a spill on the Native American tribes is based on poor methodology. Using census tracts in the analysis does not accurately reflect the reality of how water actually moves through a watershed and that many users travel distances to the impacted water. Also, the EIS should compare the impact of a spill on the Line 3 Replacement Route to that of a spill on an alternate route that does not run through wetlands.

1299-3

Third, the EIS must include Enbridge's "worst-case" scenario spill data (table 10.3 on page 36 of Chapter 12). The pipeline operator's spill experience is highly relevant to an assessment of risk. Why is spill data considered a trade secret and why should it have a superior legal claim to the public's right to know this information?

1299-4

Thank you.

Diane Brandt

4216 County 71 NW

Hackensack, MN 56452

Levi, Andrew (COMM)

From: Erik Brenegan <ebrenegan@gmail.com>
Sent: Monday, July 10, 2017 1:52 PM
To: MN_COMM_Pipeline Comments
Subject: Comment on Draft Environmental Impact Statement (DEIS) for Enbridge Energy's proposed Line 3 Pipeline Project

To Whom it May Concern,

After attending an information meeting and reviewing the draft EIS, I would like to submit the following brief comments.

The DEIS stated that the draft social cost of carbon could be as high as \$287 billion over the *first* 30 years of the pipeline operation. That stunning cost will not be paid directly by the pipeline operators, but it will be paid by others with no connection to the project. But even that cost is not close to the full cost of the pipelines impacts, since it will likely operate for much longer than that. I would like to see the final social cost of carbon estimate the costs for a longer time frame that reflects the actual use of the pipeline, such as 60 to 80 years. Also, the climate modeling doesn't have a partial displacement scenario, where the new pipeline expands on the old pipelines oil capacity by 370,000 gallons per day. That is an oversight, since the operators would likely want that flexibility to profit from any world oil supply interruptions. A partial displacement scenario should be added to the final EIS. 2527-1

I would like to state that the National Society for Professional Engineers code of ethics states in I. Fundamental Canons: "Engineers, in the fulfillment of their professional duties, shall: 1. Hold paramount the safety, health, and welfare of the public." The DEIS shows that the impact of the pipelines product would cause great harm to the safety health and welfare of the public due to the effects of climate change. At this time in history, and given the current CO2 levels in the atmosphere, Enbridge Energy's proposed Line 3 pipeline project is not ethical. I would encourage all licensed engineers to consider their ethical responsibilities to the public before considering future work on the pipeline project.

Yours Sincerely,
 Erik Brenegan

Levi, Andrew (COMM)

From: Shannon Brown <solosilvr@gmail.com>
Sent: Monday, July 10, 2017 1:19 AM
To: MN_COMM_Pipeline Comments
Subject: NO PERMIT. SHUT DOWN LINE 3 AND DEVELOP RENEWABLE ENERGY INFRASTRUCTURE.

As a citizen of the planet and the Nited States, I want to see our country move forward to renewable energy because the risks of continued use of fossile fuels are to great. I want to comment, No Line 3, because of the reasons listed below. I'm on the side of the water, the land and the sensible down to earth people who put this together. Thank you for your time.

BIG PICTURE PROBLEMS

- Many of the environmental impacts and "plans" for minimizing them are drawn directly from Enbridge's permit application ("Enbridge would do this" and "Enbridge would do that") without any evidence of compliance or genuine consideration that maybe, just maybe, Enbridge won't follow all the rules. History shows that they continually violate permit conditions - we are working on compiling an enormous record of these violations. The DEIS should analyze the likelihood of compliance.
- **The Alternatives chosen for comparison to the pipeline proposal are absurd** -- for example, the only rail alternative assumes the construction of a new rail terminal at the US border, and thousands of new railcars to transport oil to Clearbrook and Superior. Enbridge would never do that. The only reasonable rail option would begin in Alberta. The truck alternatives are similarly unreasonable.
- **The "No Build" Alternative is not genuinely considered.** It is framed as "Continued Use of Existing Line 3" (Chapters 3 and 4), but nowhere is the "Shut Line 3 Down" option considered. There is no discussion of renewable energy, conservation, or the rapid development of electric car infrastructure. There is no assessment of the decline in oil demand. The entire study assumes that society needs X amount of oil, simply because Enbridge says they can sell it. That assumption ignores the massive fossil fuel subsidies and debts that make Enbridge's profits possible, and avoids the moral question of what is good for people and the planet. We know we must stop burning fossil fuels yesterday.
- There is zero discussion of how all this extra oil will go once it leaves Superior, Wisconsin. With 370,000 bpd of additional capacity, Enbridge will need a new pipeline departing its terminal in Superior. We know that they plan to build Line 66 through Ojibwe territories in Wisconsin, but they continue to deny this. Why isn't MN asking?
- The DEIS contains **no spill analysis for tributaries of the St. Louis River or Nemadji River**, where spills could decimate **Lake Superior** and the harbors of the Twin Ports.
- For calculations of impact, the lifespan of the new Line 3 is estimated at *30 years*. But Lines 1-4 are 55-65 years old! And hasn't the technology improved? The lifespan should be at least 50 years, a shorter lifespan is a clear indication that Enbridge themselves know that the fossil fuel era is coming to an end. In Honor the Earth's analysis, we have attempted to predict the impacts of this pipeline on the next 7 generations.

- This project is a further investment in a dying Tar Sands industry. Numerous international oil companies and financing institutions are divesting from the tar sands. Why should Minnesota invest in this industry? Why should our Nation be forced to deal with a bad idea in perpetuity.
- The DEIS assumes that the Koch pipelines to MN refineries get all their oil from Line 3, but the current Line 3 does not supply enough capacity for this (390,000 barrels per day), and we know that some of it comes from Line 81, which brings oil from the Bakken in North Dakota.

SPILL RISK

- The 7 sites chosen for spill modeling are not representative of the locations and resources put at risk along the entire corridor. A more thorough analysis of different locations is needed - for example, what about Lake Superior?
- There is no analysis on Enbridge's leak detection system, or their inability to respond quickly to major emergencies.
- Enbridge's response plans are highly guarded, and Honor the Earth's attempts to receive and review these documents has been blocked. What we can infer is that Enbridge relies on local first responders for their emergencies. They attempt to use the money they donate to communities along their corridors as proof that they have an integrated emergency response program.

2534-2

The DEIS estimates the annual probability of different kinds of spills on the proposed route in MN:

- Pinhole leak = 27%
- Catastrophic = 1.1%
- Small Spill = 107%, Medium = 7.6%, Large = 6.1%

So in 50 years, we can expect **14 pinhole leaks, 54 small spills, 4 medium, 3 large, and 1 catastrophic!**

• ABANDONMENT

- The risks of pipeline abandonment are not adequately assessed. For example, there is no discussion of landowner property values and the effect that an abandoned pipe could have on them, especially if there is indeed "**legacy contamination**" on people's land.
- Impacts on human and natural resources due to the abandoned Line 3 are anticipated to be minimal in the near term but could be significant in the longer term, absent effective monitoring, adaptive management, and the timely introduction of mitigation measures. There is not much information on what these mitigation and management plans are.
- If there is a dearth of surrounding soil, or if the cover for the pipeline is relatively shallow, the pipeline bears more of the load and, all things being equal, is more likely to fail. We know from experience that there are numerous areas where the pipes are exposed and near the surface.

- There is also no discussion of **exposed pipe, how fast it will corrode, or how much currently buried pipe will become exposed once it is emptied**. “When a pipe is empty, the weight of the liquid load that once contributed to buoyancy control is lost. As a result, the pipe could become buoyant and begin rising toward the surface at watercourse crossings, in wetlands, and in locations where soil density is low and the water table is high” (8.3.1). 2534-3
- We know that the abandonment of the existing line 3 is bad. But there is also no mention of **the abandonment of the other 3 ancient pipelines in Enbridge’s existing mainline corridor (Lines 1, 2, and 4)**, which we expect Enbridge will very soon attempt to abandon. Nor is there any discussion of the **abandonment of the NEW Line 3** in the future.
- The DEIS states that it will be very risky to remove and clean up the existing Line 3 because the pipelines are very close together. “The distance between pipelines within this corridor varies, but they are generally 10 to 15 feet apart” (8.3.1). This is not consistent with our extensive observations and physical measurements on the land. Also, don’t they dig up pieces of pipe for maintenance purposes all the time? **Why is it suddenly risky?**
- The DEIS simply states that “Enbridge has indicated that it would develop a contaminated sites management plan to identify, manage, and mitigate historically contaminated soils and waters” found during the abandonment or removal of the existing Line 3 (8.3.1.1.1). **We want to see that plan.** 2534-4

○ CONSTRUCTION AND RESTORATION

- Chapter 2, “Project Description” states that Enbridge has requested a 750-foot route width (375 feet on each side of the Line 3 Replacement pipeline centerline). They claim only 50 of the 750 feet would remain a permanent right-of-way (2.1) All of this width should be included in an impact analysis because Enbridge’s environmental protection plan and record is abysmal.
- Their “restoration” plans for restoring the landscape around the corridor after installation is laughable. Enbridge’s process for restoring wetlands includes dumping the now compacted (and probably de-watered) soil back in the trench, sowing some oats and “letting nature take it’s course”. This is not how you re-establish a wetland. Studies have shown that even with proper restoration practices, it can take decades to get back to the biological functioning it was at prior to disturbance. When Enbridge stores the soil, they will also be driving equipment over it- which compacts it, they also plan to compact the soil after refilling the trenches. This is not good for the soil. 2534-5
- Cathodic protection, which applies electric current to the pipeline in order to protect it from corrosion caused by nearby utility lines, **will not be installed for up to 1 year after pipeline construction** (2.3.2.3). Lack of cathodic protection is what caused many pinhole leaks in the Keystone pipeline, almost immediately after construction. The proposed route for Line 3 follows a utility corridor for much of its length - this is a recipe for disaster. Even the US Army Corps’s rubber-stamp approval of the Dakota Access pipeline required the cathodic protection system to be installed within 6 months! 2534-6

ECONOMIC IMPACTS

- Chapter 5, “Existing Conditions, Impacts, and Mitigation” states that Line 3 will create ZERO permanent jobs. Enbridge’s application states that “existing operations staff would be able to operate the [pipeline] and that few additional employees would be hired to assist the staff” (5.3.4).
- Also in Chapter 5, the DOC assumes “all workers would re-locate to the area” and ZERO construction jobs will go to Minnesotans. The pipeline would have “no measureable impact on local employment, per capita household income, median household income, or unemployment” (5.3.4).
- The DEIS does not acknowledge that when the existing Line 3 shuts down, Enbridge will stop paying taxes to the MN counties along the mainline corridor. For many of these poor counties in the north, revenue from Enbridge’s property tax makes up a significant portion of the county budget. There is also the issue that Enbridge is now in the process of appealing years of back taxes, burdening two of the poorest counties in Minnesota with over \$10 million due.

2534-7

CLIMATE CHANGE

- - The DEIS acknowledges that Line 3 would contribute to climate change. It analyses 3 different types of emissions - direct, indirect, and lifecycle. Direct emissions are those that the pipeline infrastructure itself emits, and these are very small. Indirect emissions are those created by the power plants that provide electricity for the pipeline’s pumping stations, and these are significant. Lifecycle emissions are those caused by the refinement and eventual use of the oil, and these are massive. Line 3’s direct and indirect emissions alone would be 453,000 tons of CO₂ per year. Over a 50-year lifespan, that would cost society an estimated \$1.1 billion. (Executive Summary p.18).
 - The lifecycle emissions of Line 3 would be 193 million tons of CO₂ each year. Over a 50-year lifespan, that would cost society an estimated \$478 billion (5.2.7.3)
 - The DEIS does not discuss the unprecedented challenges of human casualty, displacement, conflict, natural disaster, biodiversity loss, etc, that climate change is causing, or the consensus from the scientific community that we must leave fossil fuels in the ground. It also fails to acknowledge that across the planet, Indigenous people are disproportionately impacted.

TRIBAL IMPACTS

- The United Nations international standard for projects that impact Indigenous Peoples is **Free, Prior and Informed consent**. Tribal consultancy after the project is already proposed and designed is not free, prior, and informed consent.
- Most of the issues specific to tribal people and tribal resources are **confined to a separate chapter** that attempts to provide “an American Indian perspective.” They are excluded from the main chapters that assess potential impacts. This allows the EIS to **avoid drawing conclusions** about the impacts on tribal people. (Chapter 9)
- Chapter 9, “Tribal Resources,” states that ANY of the possible routes for Line 3 “**would have a long-term detrimental effect on tribal members and tribal resources**” that cannot be accurately categorized, quantified, or compared (9.6). It also acknowledges that “traditional resources are essential to the maintenance and realization of tribal lifeways, and their destruction or damage can have profound cultural consequences” (9.4.3). **This does not acknowledge the treaty responsibilities the state of Minnesota has to the tribal members.**
- Chapter 11, “Environmental Justice,” acknowledges that pipeline impacts on tribal communities “**are part of a larger pattern of structural racism**” that tribal people face in Minnesota, which was well documented in a 2014 study by the MN Department of Health. It also concludes that “the impacts associated with the proposed Project and its alternatives would be an additional health stressor on tribal communities that already face overwhelming health disparities and inequities” (11.4.3).
- The DEIS concludes that “disproportionate and adverse impacts would occur to American Indian populations in the vicinity of the proposed Project” (11.5) **But it also states that this is NOT a reason to deny the project!**
- Chapter 6 states that Enbridge’s preferred route would impact **more wild rice lakes and areas rich in biodiversity** than any of the proposed alternative routes (Figure ES-10).
- Most of the analysis of archaeological resources in the path of the pipeline rely on **Enbridge’s surveys**. For some reason, only 3 of their 8 surveys are available, and the 5 missing are the most recent! In those, Enbridge found 63 sites, but claims that only 3 are eligible for protection under the National Register of Historic Places. (5.4.2.6.1). Honor the Earth has had the studies we have been able to see reviewed, and there are numerous flaws in their methodology.
- The DEIS acknowledges that “The addition of a temporary, cash-rich workforce **increases the likelihood that sex trafficking or sexual abuse will occur**,” and that these challenges hit Native communities the hardest. But the DEIS dismisses this problem quickly, saying that “Enbridge can prepare and implement an education plan or awareness campaign around this issue” (11.4.1). What experience does Enbridge have planning and implementing an anti-sex trafficking program?

2534-8

2534-9

The DEIS affirms that the MN PUC can only grant the permit if "the consequences to society of granting are more favorable than the consequences of denying the certificate." Regardless of whether or not Enbridge can find customers, the DEIS shows that the negative impacts far outweigh the benefits.

So our position remains:

NO PERMIT. SHUT DOWN LINE 3 AND DEVELOP RENEWABLE ENERGY INFRASTRUCTURE.

I'm on the side of the water, the land and the sensible down to earth people who put this together. Thank you for your time,

Shannon Brown

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

MS. MAUREEN BURIC: My name is

21

Maureen Buric, M-A-U-R-E-E-N, B-U-R-I-C.

22

I have property up on the North

23

Twin that has been in my family for about four

24

generations. My husband and I have just built

25

our retirement home up there.

1 My question is this: If Hubbard
2 County's geological survey hasn't been
3 completed, how does an accurate EIS study get
4 done, since you don't have all the info yet?

5 FACILITATOR: Thank you, Maureen.

6 We have Mason Redwing next.

7 MR. MASON REDWING: My name is
8 Mason Red Wing. I'm from the Crow Creek Sioux
9 Tribe out in South Dakota. I'm 20 years old,
10 and I'm not really a big fan of these
11 pipelines. I brought my little brothers and
12 my nephew with me today, because, you know,
13 they don't really have a say in any of this.
14 They don't get to say, "We don't want this
15 pipeline." They don't have a say or a vote or
16 nothing.

17 So I'm doing this for them. I'm
18 speaking their opinion.

19 And they say the economic
20 development that the pipeline brings is good
21 and stuff, but I was up in North Dakota -- I'm
22 sure you guys all heard of the Dakota Access
23 pipeline up there, and they made a big deal
24 about all the out-of-state residents that went
25 to camp there and opposed the pipeline.