

**Levi, Andrew (COMM)**

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**From:** Kathy LaBerge <laborgeonthelake@yahoo.com>  
**Sent:** Friday, June 30, 2017 4:47 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** Public Comment: Line 3 Project (CN-14-916 and PPL-15-137)

Dear Environmental Review Manager:

In the DEIS analysis there is no mention of the numbers used to calculate oil spill impacts. We have heard that Enbridge removed those numbers from the public version of the draft environmental impact statement. Without them, there is no reliable way to verify their results. <sup>1039-1</sup>

We believe that in order for Minnesota citizens and agencies to make an educated decision about Line 3, we must have that information and would like to know why Enbridge won't release it. Please insist that Enbridge provide data on oil releases and spills in Minnesota.

If Enbridge objects due to security reasons, then we would like to know why they have failed to cover the exposed pipes in the Tamarack River in northwest Minnesota, and why they allow people to joyride over exposed pipes south of Clearwater. This is surely a security issue as well. For Enbridge to pick and choose what issues warrant "security," is unacceptable.

Sincerely,  
Kathy LaBerge  
50597 Long Point Place  
McGregor, MN. 55750

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MR. PAUL LARSON: Good morning.

Yes, I'm Paul Larson. I live in this community in the county, and I presently am the chairman of the Mora Housing and Redevelopment here in Mora. So I'm interested in the routing that is being proposed.

I'm not really opposed to the pipeline, but I do want to bring attention to the location, especially as it -- as I review the map over here on the right side of the building.

The location of that pipeline is about a quarter mile away from our present

1 Eastwood campus. This campus is located on  
2 the east side of Mora. Presently we have  
3 about three or four buildings there -- a low  
4 rent senior housing building, an Eastwood  
5 senior healthcare facility, which has  
6 approximately 30 rooms that house assisted  
7 living and memory care, and we have another  
8 building that's going to be coming up starting  
9 this fall.

10 I'm a little bit concerned about  
11 the nearness of the location of that proposed  
12 pipeline to our campus.

13 So I would like to suggest, and  
14 I will put some of this in writing when I have  
15 an opportunity to do so, along with a map, to  
16 point out that if there's flexibility in the  
17 location of that pipeline that will come  
18 through here, that it be located further east.

19 And maybe that's about all I  
20 need to say about that, I guess.

21 I have a concern. To relocate  
22 people in the case of a major event, wherever  
23 that might be, would be very difficult,  
24 especially with assisted living people.

25 I had one other concern that I

1           already visited with a gentleman about, over  
2           here in the corner, that talks about the  
3           aquifer. The sandstone aquifer that's located  
4           east in Mora, I think needs some consideration  
5           as well.

6                                But I don't have a lot of facts  
7           on that so I'll just let that go by for now.

8                                So that's really all I want to  
9           say.

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**Levi, Andrew (COMM)**

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**From:** MacAlister, Jamie (COMM)  
**Sent:** Monday, July 10, 2017 1:42 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** FW: Comments Line 3 DEIS General Weakness  
**Attachments:** Line 3 Replacement DEIS General Weakness.pdf

Jamie MacAlister  
Environmental Review Manager  
Minnesota Department of Commerce  
85 7th Place East, Suite 280, Saint Paul, MN 55101  
P: 651-539-1775

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-----Original Message-----

From: dlearmon@2z.net [mailto:dlearmon@2z.net]  
Sent: Monday, July 10, 2017 1:34 PM  
To: MacAlister, Jamie (COMM) <jamie.macalister@state.mn.us>  
Subject: Comments Line 3 DEIS General Weakness

R. D. Learmont  
 PO Box 2756  
 Warba, Minnesota 55793  
 July 10, 2017

Ms. Jamie MacAlister, Environmental Review Manager  
 Minnesota Department of Commerce  
 85 7<sup>th</sup> Place East, Suite 500  
 St. Paul, Minnesota 55101

By e-mail

Re: Comments on Draft Environmental Impact Statement  
 General Weakness of the DEIS, Reliance Upon Enbridge Commitments and  
 Statements  
 Proposed Enbridge Line 3 Replacement Project  
 Dockets 14-916 and 15-137

Dear Ms. MacAlister:

Thank you for keeping me informed of proceedings regarding Enbridge's proposed replacement of their Line 3, most recently the Draft Environmental Impact Statement issued for review and comment. In addition to being technically knowledgeable on many of the issues covered in the draft FEIS and also many issues not covered by the DEIS, I am also owner of property through which Enbridge's Mainline passes, such land owned by me including close to 6 miles of Enbridge pipeline, including Enbridge's Line 3 but also including Enbridge lines 1, 2, 4, 13, and 67, in addition to other high pressure pipelines not owned/operated by Enbridge. Having long experience with Enbridge and its predecessor; having some familiarity with pipeline construction and operations practices including being present when Line 3 was constructed and has subsequently been repaired; and having substantial financial and other interest in land that Enbridge mainline pipelines traverse, I respectfully request your attention to points that I make in this and other letters with comments that I submit.

A factor that DOC and PUC will be weighing will be the ability to physically remove the existing Line 3 pipe, or the extent to which removal of the existing Line 3 is not possible. This is discussed, among other places in, Chapter 8 of the DEIS, and it appears that both state and federal regulations regarding in situ abandonment are minimal and weak on this subject.

2406-1

Discussion of Line 3 removal options in the DEIS appears to rely quite heavily on statements and plans developed by Enbridge. However, the DEIS should also include significant input from and review by knowledgeable sources other than simply Enbridge,

2406-2

which is, after all, the project proponent who wants to leave Line 3 in place and will reasonably be expected to present information which favors its position. This needed third party review and input seems to be sorely lacking. As just a few examples of what the DEIS says:

- 8.3 bullet 2, cleaning the pipeline: "...Enbridge had indicated..."
- 8.3 bullet 4, segmenting: "...engineers for Enbridge would..."
- 8.3 bullet 5, monitoring: "Enbridge would continue to monitor..."
- 8.4 Table 8.3-1 Cost: "Enbridge estimates..."

and so forth. Good decision-making relies upon correct information and evaluations to inform the decision-making so it is important that information within the EIS is correct, compete, accurate, and correctly presented in an objective manner.

Inclusion of more complete and unbiased information and analysis becomes especially important because the EIS is used as a document informing a CN, routing permit, and with it, the power of eminent domain, to wit:

- a. There is already a question as to whether the power of eminent domain should accompany the CN and routing permit for the Line 3 project, whether it includes or excludes removal of the existing Line 3. The power of eminent domain is normally used in cases of serving a public purpose, for example, highways, airports, or common-carrier transportation such as railroads. This does not appear to be the case for Line 3, which is a private interest having a fixed terminal on either end and does not appear to serve a purpose as a common carrier, but I will not address that question here.
- b. A question that I will address here is the question of enforcement and fulfillment by a permittee of its obligations. In that regard, my experience with Enbridge and with its power of eminent domain granted by DOC/PUC has been highly problematic and in my opinion should be enough to prevent DOC/PUC from granting a CN or any permits to Enbridge for any purpose, including Line 3, until it has cleaned up and taken care of problems from its former performances. For example, Enbridge added two major pipelines across my property in 2008-2010 as part of their Alberta Clipper project, which involved them using existing right of way and also expanding that right of way both with a long term easement and with temporary work areas. Of note:
  - \* Enbridge and/or its contractors entered my non-easement property in trespass resulting in damage and hazards to my property and potentially to the safety of me and my equipment, with neither apology nor compensation;
  - \* Enbridge and/or its contractors did a very poor job of excavating and backfilling their trenches, leading to subsidence and repeated backfilling over two or more years before subsidence was finally controlled;
  - \* Enbridge and its contractors, without permission, hauled material from a wide area to my property, dug a pit, and burned such material on my property, without my permission or agreement, written or oral;

2406-2  
Cont'd

2406-3

2406-4

- \* There is still a part of my property, dating back, as I recall, to the late 1960's on which Enbridge's predecessor operated which, almost 50 years later, still can not even grow a planted pine tree;
- \* 2009-2010 remediation work by Enbridge and/or its contractors was so poor that a crop field was turned into a cattail swamp due to poor remediation work, taking a further 1-2 years for them to correct;
- \* Various other problems have also occurred and there are other open issues, ranging from seeding of weeds to current areas of subsidence that I can not farm to unfulfilled requests from 2009 so that to this date, 8 years later, Enbridge has not yet been released with an indication that their 2008-2010 work on my property is completed.

To my opinion, as a landowner and as a citizen, this is and should be considered unacceptable from a CN and route permit applicant and, if the process to continue, there should be solid assurance of complete fulfillment of past commitments and guarantees as to future performance. These problems are weaknesses that need to be solidly addressed in the DEIS before it can be considered adequate.

Thank you.



**Levi, Andrew (COMM)**

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**From:** MacAlister, Jamie (COMM)  
**Sent:** Monday, July 10, 2017 1:42 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** FW: Comments on Line 3 DEIS Map Sets  
**Attachments:** Line 3 Replacement DEIS Map Sets.pdf

Jamie MacAlister  
Environmental Review Manager  
Minnesota Department of Commerce  
85 7th Place East, Suite 280, Saint Paul, MN 55101  
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-----Original Message-----

From: dlearmon@2z.net [mailto:dlearmon@2z.net]  
Sent: Monday, July 10, 2017 1:32 PM  
To: MacAlister, Jamie (COMM) <jamie.macalister@state.mn.us>  
Subject: Comments on Line 3 DEIS Map Sets

R. D. Learmont  
PO Box 2756  
Warba, Minnesota 55793  
July 7, 2017

Ms. Jamie MacAlister, Environmental Review Manager  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, Minnesota 55101

By e-mail

Re: Comments on Draft Environmental Impact Statement  
Serious Detailed Map Set Appendices Issues  
Proposed Enbridge Line 3 Replacement Project  
Dockets 14-916 and 15-137

Dear Ms. MacAlister:

Thank you for keeping me informed of proceedings regarding Enbridge's proposed replacement of their Line 3, most recently the Draft Environmental Impact Statement that was issued for review and comment. In addition to being technically knowledgeable on many of the issues covered in the draft FEIS and also many issues not covered by the DEIS, I am also owner of property through which Enbridge's Mainline passes, such land owned by me including close to 6 miles of Enbridge pipeline, including Enbridge's Line 3 but also including Enbridge lines 1, 2, 4, 13, and 67, in addition to other high pressure pipelines not owned/operated by Enbridge. Having long experience with Enbridge and its predecessor; having some familiarity with pipeline construction and operations practices including being present when Line 3 was constructed and has subsequently been repaired; and having substantial financial and other interest in land that Enbridge mainline pipelines traverse, I respectfully request your attention to points that I make in this and other letters with comments that I submit.

DOC and PUC will be evaluating many factors in making CN and routing decisions and many alternatives are being considered. Correct decision-making relies upon correct information and evaluations to inform the decision-making so it is important that information within the EIS is correct, complete, accurate, and correctly presented in an objective manner. In this letter, I specifically refer to the Map Set appendices to the DEIS. In spot checking maps in the map set with an eye to adequacy of the submittal, I find serious issues. Among them:

- a. The name on a major project map of a major lake that borders all except the project proponent's preferred route is incorrect and a name that applies to many other lakes in

the region is instead assigned; this error is significant problem that, for various reasons, can result in highly incorrect conclusions and projections;

- b. Significant missteps are also taken on the individual detail maps. For example, on map 27A of 38 on the map set for RA-07 and RA-08, the route for RA-08 is shown as going right through a lake considered to be of outstanding biological significance, when both the existing route RA-07 goes around that lake, as any reasonable person would also locate RA-08, and the map does not even refer to or recognize that there are other major non-Enbridge hydrocarbon transportation lines in the same limited area.

This was only a limited check of maps and it yielded significantly problematic information. In both of the mentioned cases, data or information from the map sets is compiled and used to draw conclusions that are critical to routing decisions. Major incorrect information or omissions such as these examples, whether due to DEIS preparer incompetence, negligence, time constraints, inexperience, or other reason, discredits or eliminates validity or legitimacy of the DEIS and can lead to incorrect or even fatal conclusions and recommendations by decisionmakers, both because of the maps themselves as well as when the incorrect data is compiled and carried through the balance of individual sections and the overall document which the DEIS is developed to inform. Based upon these findings, I respectfully recommend that the DEIS be returned to the preparer for major review and correction, with a better quality DEIS to be developed and issued for public review and comment, and that the current DEIS not be accepted as adequate for the CN and routing decisions for which it was originally intended.

Thank you.

2407-1  
Cont'd

2407-2

**Levi, Andrew (COMM)**

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**From:** MacAlister, Jamie (COMM)  
**Sent:** Monday, July 10, 2017 1:42 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** FW: Comments on Line 3 DEIS Unanticipated Releases  
**Attachments:** Line 3 Replacement DEIS Unanticipated Releases.pdf

Jamie MacAlister  
Environmental Review Manager  
Minnesota Department of Commerce  
85 7th Place East, Suite 280, Saint Paul, MN 55101  
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-----Original Message-----

From: dlearmon@2z.net [mailto:dlearmon@2z.net]  
Sent: Monday, July 10, 2017 1:28 PM  
To: MacAlister, Jamie (COMM) <jamie.macalister@state.mn.us>  
Subject: Comments on Line 3 DEIS Unanticipated Releases

R. D. Learmont  
PO Box 2756  
Warba, Minnesota 55793  
July 7, 2017

Ms. Jamie MacAlister, Environmental Review Manager  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, Minnesota 55101

By e-mail

Re: Comments on Draft Environmental Impact Statement  
Consideration of Unanticipated Releases of Crude Oil  
Proposed Enbridge Line 3 Replacement Project  
Dockets 14-916 and 15-137

Dear Ms. MacAlister:

Thank you for keeping me informed of proceedings regarding Enbridge's proposed replacement of their Line 3, most recently the Draft Environmental Impact Statement that was issued for review and comment. In addition to being technically knowledgeable on many of the issues covered in the draft FEIS and also many issues not covered by the DEIS, I am also owner of property through which Enbridge's Mainline passes, such land owned by me including close to 6 miles of Enbridge pipeline, including Enbridge's Line 3 but also including Enbridge lines 1, 2, 4, 13, and 67, in addition to other high pressure pipelines not owned/operated by Enbridge. Having long experience with Enbridge and its predecessor; having some familiarity with pipeline construction and operations practices including being present when Line 3 was constructed and has subsequently been repaired; and having substantial financial and other interest in land that Enbridge mainline pipelines traverse, I respectfully request your attention to points that I make in this and other letters with comments that I submit.

DOC and PUC will be evaluating many factors in making CN and routing decisions and many alternatives are being considered. Correct decision-making relies upon correct information and evaluations to inform the decision-making so it is important that information within the EIS is correct, complete, accurate, and correctly presented in an objective manner. In this letter, I specifically refer to Table ES-2, in which is presented a "Summary of Potentially Exposed Resources of Concern from an Unanticipated Release of Crude Oil . . ." and relates to other parts within the main body of the DEIS, all of which should be taken into consideration when reading these comments. If the purpose of Table ES-2 (and related greater detail and discussion within the main body of the DEIS) is to present comparative information for each option about the risks and potential damages to listed Resources of Concern, it does a very poor, incomplete job of doing so.

Table ES-2 lists only total “acreages” for each alternative, which makes the table close to meaningless for purposes of decision-making, because in its present form the table and discussion relating to the table does not present and assess the risk of a release of crude oil for each of the seven mentioned alternatives. The risk will depend not only on “acreage” that someone has derived for each of the “Resources of Concern”, as in ES-2, but the risk will also depend on factors such as the quantity of crude oil that is released from an individual spill (being potentially much different for a large pipeline spill that lasts for 5 to 30 minutes before pumping is stopped versus even the maximum amount that could be released from a truck or a railcar spill). The quantity that is spilled can also greatly impact the extent to which a spill can migrate or be transmitted. An arbitrary “acreage” number is, by itself, meaningless. This may be a significant inadequacy of the DEIS that was submitted for review.

I respectfully suggest that Table ES-2 be re-done to take into account the other major factors needed to assess risk from an unanticipated spill. Alternatively, retain Table ES-2 but add a new table that shows the estimated risk for each of the 56 boxes in the table, and then reissue both tables for public review and comment. Because Table ES-2 and a related table that actually assesses risk that should be added, and both are based upon the relevant portions of the main body of the DEIS, those portions of the main body of the DEIS should also be rewritten and presented for review and comment.

Thank you.

**Levi, Andrew (COMM)**

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**From:** MacAlister, Jamie (COMM)  
**Sent:** Monday, July 10, 2017 1:42 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** FW: Comments Line 3 DEIS Missing Impacts  
**Attachments:** Line 3 Replacement DEIS Missing Significant Impacts.pdf

Jamie MacAlister  
Environmental Review Manager  
Minnesota Department of Commerce  
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-----Original Message-----

From: dlearmon@2z.net [mailto:dlearmon@2z.net]  
Sent: Monday, July 10, 2017 1:39 PM  
To: MacAlister, Jamie (COMM) <jamie.macalister@state.mn.us>  
Subject: Comments Line 3 DEIS Missing Impacts

R. D. Learmont  
PO Box 2756  
Warba, Minnesota 55793  
July 9, 2017

Ms. Jamie MacAlister, Environmental Review Manager  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, Minnesota 55101

By e-mail

Re: Comments on Draft Environmental Impact Statement  
Missing Significant Potential Impacts  
Proposed Enbridge Line 3 Replacement Project  
Dockets 14-916 and 15-137

Dear Ms. MacAlister:

Thank you for keeping me informed of proceedings regarding Enbridge's proposed replacement of their Line 3, most recently the Draft Environmental Impact Statement that was recently issued for review and comment. In addition to being technically knowledgeable on many of the issues covered in the draft FEIS and also many issues not covered by the DEIS, I am also owner of property through which Enbridge's Mainline passes, such land owned by me including close to 6 miles of Enbridge pipeline, including Enbridge's Line 3 but also including Enbridge lines 1, 2, 4, 13, and 67, in addition to other high pressure pipelines not owned/operated by Enbridge. Having long experience with Enbridge and its predecessor; having some familiarity with pipeline construction and operations practices including being present when Line 3 was constructed and has subsequently been repaired; and having substantial financial and other interest in land that Enbridge mainline pipelines traverse, I respectfully request your attention to points that I make in this and other letters with comments that I submit.

Chapter 8 Addresses Existing Line 3 Abandonment and Removal. This section seems not to include an issue that was previously (letter to you May 26, 2016) brought to your attention for inclusion in the EIS. DEIS Table 8.3-1 summarizes Potential Impacts of Line 3 Abandonment:

- a. Under Human Settlements, "...impacts on human settlement are anticipated to be minimal..." and "...could be avoided and mitigated through long term monitoring..."
- b. Under Natural Resources, "...impacts on natural resources are anticipated to be minimal..."
- c. Under Socioeconomics, "...impacts on socioeconomics are expected to be minimal..."



d. Under Cost, “Enbridge estimates the short term cost of deactivating...”

These are fine only in so far as they go. Unfortunately, some major concerns and liabilities are totally ignored. One of them, with multiple parts, is:

a. There is no consideration whatsoever in the DEIS of the cost (socioeconomic, natural resource, etc) to landowners, public or private, of the cost of a permanent impairment and encumbrance of land by an abandoned but unremoved Line 3. In the case of my land, for example, every inch of abandoned pipeline that remains buried on my land poses a burden on me - I have to pay the taxes on that land including land used by Enbridge, I have to pay the costs of maintaining that land including land used by Enbridge for its purposes, and due to the pipeline being present, whether in service or not, the pipeline impairs my land and imposes a cost on me due to my not being able to utilize the land through which Enbridge pipe, whether active or inactive, passes. Nowhere has this cost of a long term impairment or encumbrance to me or to any other private landowner been recognized or factored into the DEIS, nor has this similar type of cost of long term impairment or encumbrance of land to governmental/public (federal, state, county, municipal, tribal) property been factored into the DEIS considerations.

2410-1

b. The presumption in the DEIS appears to be that all decisions are made by government at the state, federal, or local level. However, there appears to be no consideration to the terms of existing right of way/easement agreements. The agreements that I have with Enbridge, which I expect are similar on this subject with regard to agreements between Enbridge and with state and tribal entities, provide for the location and operation of Enbridge pipelines in the mainline corridor for the purpose of transporting hydrocarbons. However, they do not provide for Enbridge pipelines that do not transport hydrocarbons, which is what they become if, as proposed for Line 3, they are permanently removed from service, so there is no allowance for them to continue to exist in the mainline corridor.

2410-2

c. Further to (b), there seems to be no provision in statute or regulation for eventual removal of any abandoned pipeline, including the cost therefor. Other major industries that deal with hazardous and toxic waste or permanent impairment of a similar nature, mining for example, are required to secure and present financial assurance prior to obtaining permits for physical activity or entering into irrevocable agreements; this provides a means to ensure that long term mitigation or site remediation will be performed even if the project proponent fails or departs without fulfilling its commitments. I see no such provision, or even discussion of such, within the current DEIS.

2410-3

I feel that lack of coverage of this significant subject in the current DEIS is a major flaw that indicates the major inadequacy of the DEIS, and respectfully request that the current DEIS be deemed inadequate and be returned to the preparer for repair and reissue to include those significant elements.

Thank you.

**Levi, Andrew (COMM)**

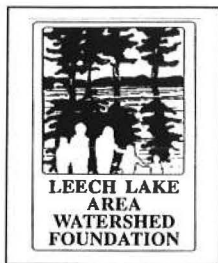
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**From:** microdepartment <llawf@tds.net>  
**Sent:** Monday, July 10, 2017 5:59 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** See Attached DEIS Comments - CN-14-916 and PLL - 15 -137  
**Attachments:** DEIS - Line 3 Leech Lake Area Watershed.pdf

Jamie

See attached - Thanks for your consideration

Lindsey Ketchel



*Leech Lake Area Watershed Foundation*

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 Hackensack, MN 56452  
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Jamie MacAlister, Environmental Review Manger  
 Minnesota Dept. of Commerce  
 85 7<sup>th</sup> Place East, Suite 280  
 St. Paul, MN 55101-2198  
 Docket CN-14-916 and PLL-15-137

Dear Jamie:

The Leech Lake Area Watershed Foundation (LLAWF) is dedicated to preserving and sustaining the natural resources in the Leech Lake Watershed and neighboring region of North Central Minnesota, including Hubbard, Cass, Crow Wing, and Aitkin counties for the use and enjoyment of current and future generations. Since 1997, we have permanently protected over 22 miles of critical shorelands and 3,400 acres of critical habitat lands.

We are writing to provide comments on the Draft EIS and express our concerns regarding the SCOPING, Draft EIS methodology and lack of sincere interest in engaging and involving all residents regarding this proposed development. While we appreciate the importance of adequate energy resources for the country, the proposed Line 3 expansion and relocation on the Applicant Preferred Route would include a segment through the sensitive natural resources of north central Minnesota's premier lake country where a potential pipeline leak could do serious harm to the ecosystem and regional economy. We also want to note that the current Line 3 is in such terrible condition that its posing a real threat to our Leech Lake region's economy.

The methodology used to compare natural resource impacts of the various routes had numerous flaws and we suggest the reviewers use an "Optimal Path Analysis and Corridor Routing: Infusing Stakeholder Perspective in Calibration and Weighting of Model Criteria". Using incorrect data set points like total impact area is not acceptable. It is clear the drafters of the document are trying to use false figures to give off a false understanding of the acres that could be impacted by the proposed development. It's clear they used a flawed mythology that would lead reader to determine that their preferred route would be seen in a more positive light, verses a thoughtful methodology that would accurately compare the various routing options. Additionally, we request that an Ecological Risk Assessment be done according to EPA guidelines. After a very quick review of the Stantec assessment, it became very apparent it was very poor quality in respect to the ecological information being presented.

Understanding the surface and slope of the terrain you will be disturbing provides an important dataset when comparing various routes and impacts. It was unscientific to see that an average 15% slope was used to evaluate alternatives in the Dept. of Commerce screening report. The selected slope should be based on what happens when you build a pipeline through various landscapes. The DEIS must be redone to include slope maps depicting 3, 5, 7, 9, and 12+ slopes on all alternatives.

2390-1

2390-2

2390-3

In the North Central Region of Minnesota, our lakes represent our economy. Understanding the full impact of a worst-case scenario is essential to making an informed opinion. It was shocking to see that most of this data is being held in secret, keeping all Minnesotans in the dark regarding our ability to understand the pipeline impacts. It feels like the company is going to great lengths to conceal this critical input. It is essential that we understand that if a major spill did occur, we have a clear understanding (model) what those impacts would be, level of damage and impact to the economy. Additionally, this report referenced the Bemidji spill site and tried to extrapolate its impacts data along the entire report. While it is a good long-term study, it is on flat terrain with little lateral groundwater movement, so it has clear limitations. The report needs to take spill impacts seriously, be transparent with the results and stop minimizing the potential short term and long-term impacts.

2390-4

In the United States, there is a long history of companies leaving their environmental spills and clean-up to the hard-working tax payers. It is critical that this EIS address adequacy of liability insurance for accidents and long term financial assurance policies to cover any remaining contamination issues should Enbridge Energy walk away or go bankrupt when the pipes are no longer financially viable given the clear uncertainty in the North American oil Industry. While in some regions in the United States a spill can occur and the economic impact is fairly minimal, but in regions that are tourist and fisheries dependent the impacts to the economy are devastating.

2390-5

Given the cultural importance of our water resources mean to the State of Minnesota, it was troubling to see such important input like "waterbody crossings" seen to be rank low regarding the route evaluation. The number of perennial lake/pond and perennial stream/river pipeline crossings in Minnesota are many more for the Applicant Preferred Route than for SA-04, and the total 'waterbody crossings' are about 10-12% more for Applicant Preferred Route as well, but somehow this data is seen as irrelevant. This data needs to weigh heavily into the route evaluation. There seems to be no thought given to gaining access to the areas that are downstream of waterbody crossings. It appears as if an easement itself provides a means of access to the waterbody crossings. The real concern is how to gain access to remote areas downstream of waterbody crossings. In the case of stream crossings, the opportunity for transport of spilled oil by the stream greatly complicates the process of access for cleanup. Flowing water crossings then represent a much greater concern and should be part of the calculation of risk and that does not appear to be included in the DEIS or even a concern of the applicant.

2390-6

2390-7

When the proposed new corridor included both Sandpiper and Line 3 expansion and relocation, many Minnesota citizens worked diligently to come up with a thoughtful alternative that would allow the pipeline to be development, ship the product to market and protect critical water resources. Somehow the system alternative (SA-04) was determined invalid due to it not linked to the Superior connection. This is a major flaw. During the Sandpiper EA, Enbridge stated repeatedly that the oil had to be shipped through Superior. Within two years, they postponed the Sandpiper Pipeline and invested in a different corridor that does not go the Superior. The purpose of the EIS to determine the best route and that should be open to the system alternative SA-04. It's clear to many involved this would have a dramatic impact of the final analysis. During the EIS scoping we include SA-04 as a reasonable alternative after Sandpiper was tabled. I found it inappropriate that the PDEIS analyzed construction and operation impacts for the full length of SA-04 to termination at the refinery, but for the Applicant Preferred Route impact analysis terminates at Superior. This is an Apples and Orange comparison. There is no analysis of operational impacts during the life of the Applicant Preferred Route of the oil traveling down Enbridge mainline to the SA-04 termination point. There is a very brief mention that Enbridge is significantly upgrading its Wisconsin mainline capacity, but no mention that the Applicant Preferred Route oil will travel that mainline or analysis of potential impacts during the operation life of the project. The comparison of Applicant Preferred Route and SA-04 is largely dependent on the large difference in length; while this is largely valid for construction, the operational phase for Applicant Preferred Route oil going down the Wisconsin mainline is missing and needs to be included.

2390-8

For the past two years Leech Lake Area Watershed Foundation has strongly advocated for the shutdown of Line 3. The current line is in terrible condition and is a significant risk to this region’s economy and water resources. The DEIS is not comprehensive and needs to include a No Action alternative that includes the decommissioning of Line 3. The DEIS does not provide information that indicates or concluded if crude oil transfer capacity is needed by the larger society or economy and is socially optimal. Based on the info we have reviewed; this project is not in the best interest of Minnesotans.

2390-9

During our review of the DEIS, I noticed a theme of downplaying water resources issues, conflicts, access in case of spills along the Applicant Preferred Route. Having commented on the Sandpiper EA in 2015, it’s obvious that concerns outlined during that review process from the MNDN and MPCA have somehow become almost non-existent in the Line 3 DEIS. The EIS process should be transparent, inclusive and work to seek the best route to mitigate negative environmental impacts. The current DEIS seems to be written to justify the Applicant Preferred Route. For example, when an issue was raised related to an alternative route like the karst geography, which is only 11 miles and could be circumnavigated just like many exceptions that were made by the Applicant Preferred Route, but instead the issue becomes a fatal component that is used to justify the irrelevancy of the entire route. The entire DEIS is full of these examples and leaves the reader feeling uncomfortable with both the process and product.

2390-10

For example, in Cass County we have been working diligently to avoid the spread of aquatic invasive species. And while the DEIS attempts to mitigate endangered species, in the DEIS there is no evaluation on the projects potential impacts to the spread of aquatic invasive species. The DEIS did not indicate if the Applicant Preferred Route would impact contaminated lakes and or outline ways the applicant could mitigate the spread of aquatic invasive species.

2390-11

It is very odd and inappropriate to compare wells on farmland in SA-04 to the water-rich un-fragmented forest of the Applicant Preferred Route. Like many Natural Resource professional, it is not appropriate to consider a water supply well to be a groundwater discharge point. It is a groundwater extraction point. The DEIS keeps trying to compare apples with oranges with is skewing the results. This comparison needs to be converted so we are comparing apples with apples. For over twenty years my organization has been fighting to protect this unique water-rich un-fragmented forest and it deserves to be recognized for its unique conservation values. What the applicant has determined is that they cannot avoid all the flowing water resources in the glacial moraine topography so the DEIS has tried to minimize these issues. For example, I had to search to find important data sets like number of crossings of MN River Inventory rivers. Somehow the fact that the Applicant Preferred Route will 6 crossings of MN River Inventory rivers, while SA-04 makes 2 crossings of such rivers in MN did not influence the DEIS makes you feel other critical water resource impacts have been greatly minimized.

2390-12

2390-13

One of the major functions of the DEIS is to help the reviewer understand risk. It is imperative that the EIS conduct a worst-case scenario for emergency response to a spill along the various routes include SA-04. I believe SA-04 was intentionally omitted because it would show that SA-04 is a much more accessible since it is along established roads. Secondly, spills would be much more visible to the local populace for a quicker response time. While the applicant states publicly that they prefer rural areas and they rely on pressure shut off valves to detect leaks and reduce spill impacts. What occurs in practice are resident living or working near the pipelines that detect the spills and allow for quick clean up that reduces environmental impacts. For example, a pinhole spill was discovered in North Dakota that was leaking for weeks but in this DEIS indicates that a pinhole release would become visible in several hours to a few days. This DEIS should avoid using misleading statements. Spill response needs to be in criteria for route choice in the EIS. In an interagency memo during the drafting of the DEIS it stated that “A comparative analysis should be made that looks at the feasibility of addressing a catastrophic failure for each of the route alternatives including SA-

2390-14

04. How easy would it be to access a pipeline break along each of these potential alignments? In each case, how long would it take to get appropriate oil spill equipment to the most remote areas of these proposed corridors? How easy or difficult would it be to address a large spill given their proximity to roads, etc.” It’s disheartening to think that thoughtful input like the above was disregarded. A pipeline in a road-less area has both leak detection and leak response challenges and they need to be taken into consideration.

2390-14  
Cont'd

What is very clear is that strategic economic and environmental data is currently being gathered that is highly relevant to both the DEIS and to the FEIS which the public will not be granted access. Since this information is not in the DEIS, it will not be in the FEIS. It appears only the lawyers in the contested case hearing will debate the merit of this data. Ironically public attending the Public Hearings around Minnesota will still have not be granted access to the data. This is a terrible public process and could result in fewer residents engaging in the process.

2390-15

Of particular concern to LLAWF are the approximately 100 miles of the Applicant Preferred Route that goes from Park Rapids, Pine River and through Aitken County. In 2014 LLAWF in partnership with Minnesota Land Trust and MNDNR Fisheries launched our Clean Water Critical Habitat protection campaign. This effort has numerous partners include Lake Associations, Conservation Districts and BWSR. The focus of our program is to sustaining a strong angling heritage that revolves largely around protecting fisheries habitat. Resurging shoreland development pressures, looming climate change are direct threats to Minnesota lakes’ ecology. This project focuses on fisheries habitat protection on lakes that have the best biological integrity for a sustained sport fishery and many of these lakes are in close proximity to the Applicant Preferred Route. Our protection efforts are focused on tullibee (aka cisco) a preferred forage fish of walleye, northern pike, muskellunge and lake trout. They require cold, well oxygenated waters, a condition most common in lakes with deep water and healthy watersheds. Minnesota DNR Fisheries researchers studied tullibee lakes and designated 68 lakes in Minnesota as the primary "refuge lakes" for tullibee that need protection. Our program targets thirty (30) of these lakes located in Hubbard, Crow Wing, Cass, and Aitkin counties. Many are Minnesota's premier recreational lakes. Fisheries research has shown that healthy watersheds with intact forests are fundamental to good fish habitat. To date through Legacy Funds (2008 amendment that taxes residents and utilizes these funds for habitat and water protection) that are directed by the Lessard Sams Outdoor Heritage Council, has resulted in over 5 Million dollar investment to date in the purchase of Fee Title lands and Conservation Easements. For example LLAWF recently purchased an \$850,000 parcel on Roosevelt Lake that will be donated to MDNR and managed as an Aquatic Management Area.

Timothy Cross and Peter Jacobson "Landscape factors influencing lake phosphorus concentrations across Minnesota" white paper determined coldwater fish communities are especially vulnerable to eutrophication from increased phosphorus concentrations. Decreases in hypolimnetic oxygen concentrations have direct negative effects on fish that physiologically require (Tullibee) oxygenated cold water to survive, grow and reproduce. Protection is viewed as the most cost effective strategy when applied to watersheds where human activities have not already significantly elevated phosphorus levels. Since these lakes have already been identified as critical to protect, LLAWF request that these lakes be given a protection designation and every attempt to avoid conflict should occur. It makes no sense to have the tax payers in MN invest their dollars to protect important lakes but not expect these investments to be protected through the EIS process.

2390-16

MN DNR staff Peter Jacobson and Mike Duval drafted - "Protecting Watershed of Minnesota Lakes with Private Forest Conservation Easements: A Suggested Strategy". It states that protecting the forests in these watersheds from development is critical for maintaining water quality in these lakes. While large areas of land in forested portions are under public ownership, a considerable amount is also owned by private individuals in some of our most critical lake watersheds. These parcels are increasingly important and need to stay undeveloped. Working forest easements allow sustainable timber harvest, but protect the land from further development. Modeling by MN DNR Fisheries research unit suggests that total phosphorus concentrations



remain near natural background levels when less than 25% of the lakes watershed is disturbed. The tullibee "refuge" lakes have watersheds with less than 25% disturbed land uses and are good candidates for protection. We should be investing in complementary industry like the timber industry that could support good, year round jobs not allowing a major threat like the Line 3 pipeline to be built in the Applicant Preferred Route.

2390-16  
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Climate Change needs to be integral to the EIS, not just the evaluation of the additional CO2 released into the atmosphere from the product transported, but also at the end point of consumption, and on the production end. There was a news release from the Minnesota Pollution Control Agency dated June 14th of this year which cites a new report by the State's Interagency Climate Adaptation Agency (ICAT): "For several decades Minnesota has seen substantial warming during the winter and at night, with increased precipitation throughout the year, particularly from larger and more frequent rainstorms. These two effects will continue to be the leading symptoms of climate change. These changes have damaged buildings and infrastructure, limited recreational opportunities, changed our growing seasons, and affected the quality of our lakes, rivers, and drinking water." (Italics added for emphasis) For the full report, contact: Risikat Adesaogun, 651-757-2056. This report should be considered in the final EIS. At present, there is no evaluation of changes in construction and specifications regarding construction and severe weather events.

2390-17

Tar sand oil cleanup methodology; none currently exists for cleanup on water and analysis of risk based upon water crossings and water proximity should become part of the EIS Scope. Information is provided regarding the specific gravity of the dilbit stating it is lighter than water and therefore floats. While the NSF study does state that the oil initially floats, it does so only until the diluent evaporates or is floated off; the the tar sands sink. This should be corrected and the NSF study should be references.

2390-18

Evaluation of the cost of carbon mitigation of the proposed trans-shipped oil in light of climate change and atmospheric carbon reduction goals; both statewide, nationally, and also those targets committed to by the US in the 2015 Paris Climate Summit should be included within the EIS. Nothing done in Minnesota impacts only Minnesota. Carbon impacts should be considered from point of extraction to final consumption.

2390-19

What will become of stranded assets? Current estimates on Bakken and Williston Basin Oil is that they will be depleted in 20 years. The Canadian Government is saying 80 to 90% of the tar sand oils in Alberta should remain in the ground, negating, except for the short term, any need for a new Line 3. What's to become of the infrastructure? Removal? Abandonment? Other proposed uses by the applicant?

2390-20

Most major players in the Alberta Tar Sands have either delayed, put on hold, and in some cases, such as Statoil, have pulled out of Tar Sand Oil. Need for additional oil should be included within the EIS. This should be based upon current industry data, not government projections which overestimate demand in light of the changing world dynamics.

2390-21

Impacts on both natural and human resources: including but not limited to those natural and human resources of importance to the Native Bands and including their retained rights under the 1837, 1854, and 1855 Treaty Areas. The statement of dismissal that native groups would be unfairly impacted by the proposed route but it is not a reason for denial appears racist, whether that was the intent or not. The issue of the exploitation of women was dismissed with the statement that the applicant would provide educational training around the issue for its contractors. This is not acceptable.

The current State Department EIS review of the Alberta Clipper should be included within the scope of the EIS. Presently, the Alberta Clipper is operating at a capacity for which the lie has yet to be approved through the sleight of hand Line 3 / Alberta Clipper bypass at the Canadian Border. The currently underway EIS was a condition of the original approval of the Alberta Clipper. The inclusion would enhance the evaluation of the

2390-22

Sandpiper ? Line 3 Energy Corridor proposals. One example: it is our understanding that the spill modeling in the current DEIS only analyzes 10 mile downstream while the Alberta Clipper review models 20 mile downstream. No explanation is given for the change in criteria and then the information is closely held "for security reasons".

2390-22  
Cont'd.  
2390-23

The EIS should include the entirety of the project from beginning to end; i.e.: from the Tar Sands of Alberta or the Bakken and Williston Basin fields in North Dakota to the Gulf Coast.

2390-24

The EIS should not assume that the criteria for route evaluation include any intermediate through-points ( Clearbrook or Superior) . In the public input sessions conducted by the Department of Commerce, it was unclear as to how system alternatives and route alternatives would be evaluated within the EIS. To be fair to both the applicant and the citizens of Minnesota, both system alternatives and route alternatives should be included within the EIS. If there is a need for an additional 300,000+ BBD of dilbit from Alberta or any combination of oil types, it is currently being accommodated by other transportation methods. To imply greater risk to large urban areas if the proposal is not built ignores both the market place and restrictions (or lack thereof) of hauling liquids of greater hazard. These options should be stricken from the final EIS or at a minimum refined so that they make sense. Isn't the inclusion of rail and truck transport of oil to Superior a false equivalence in the preparation of this EIS? With the exception of a small refinery in Superior, 45,000BPD, everyone knows this oil is destined for markets further south in the United States. In that case rail and truck traffic to Superior does not make sense. Shippers would use rail routes currently in operation. What is purpose of "false equivalence" of rail and truck transportation to Superior especially when we know nearly all rail oil transport went south to Illinois and elsewhere, not Superior?

2390-25

Additionally, I would like response to the following questions. The fact that these questions need to be asked is worrisome.

Who are the private contract firms used to compile the EIS? Do they have previous work histories with the Applicant? If so, was "conflict of interest" considered in their employment? Who hired them?

2390-26

Please explain this statement in the Executive Summary, Page 14 *"There is no one way to measure the general region-wide or state-wide differences in surface water resource quality across Minnesota."*

2390-27

So what measures/methodologies were used? Are you implying that the TSI used by the MPCA in measuring eutrophication is not a reliable way to measure water quality?

Why is there no examination of corrosion from co-location of pipelines with high voltage transmission lines? A 4 yr old pipeline, Keystone 1, suffered leaks from accelerated corrosion due to stray voltage from powerlines.

2390-28

Original Line 3 is 34 inches in diameter. New Line 3 proposed at 36 inches diameter. Why is larger diameter pipe necessary to achieve same barrels per day volume flow as the original Line 3? Will Applicant be re-applying to increase BPD flow to 990,000 as proposed in original Line 3 application?

2390-29

Route alternative RA-08 is between Clearbrook and Superior. In the EIS Enbridge has stated RA08 could require 2 new pump stations west of Clearbrook. Why? Isn't that an error in the EIS? Can the public be confident they are receiving accurate information in the EIS?

2390-30

In Chapter 5 the methodology used for analyzing construction impacts to groundwater is inconsistent and biased to the Applicant's preferred route. The ROI, Region of Interest, for the Applicant's route was a 1000 ft buffer on either side of the centerline of the route. For system alternative, SA04, a 2500 ft buffer was

2390-31



considered on either side of centerline. Potential impacts to groundwater are biased towards Enbridge's proposed route. Why is this??

2390-31  
Cont'd

Please provide contractor firms and names responsible for the groundwater hydrogeology assessments. Do these firms have a previous working relationship with Enbridge?

2390-32

2390-33

System Alternative SA-04 is proposed to be in an existing pipeline corridor in Minnesota. This corridor was built in 2000. Did the EIS utilize any existing environmental review and/or assessments prepared for that project?

2390-34

Enbridge is proposed to horizontally drill under certain stream and river beds. The drilling fluids used for that process contain additives. These additives are toxic to aquatic wildlife and vegetation if a frac-out occurs. The Straight River, a nationally known brown trout stream, suffered a large frac-out during construction of the MinnCan Line 4 project. A drilling materials list should be provided to the public. The public cannot adequately comment without knowledge of these materials. What are those additives?

2390-35

Why isn't Itasca State Park considered a Minnesota historic resource?

2390-36

Construction of SA-04 would not affect any wild rice waterbodies. Construction of the Applicant's preferred route would result in impacts on approximately 5 acres of wild rice waterbodies. On the table provided the Applicant's route reads as impacting 3 acres. Which number is accurate? Please justify how this number was determined. What about Tullibee / Cisco Lakes, Lakes of Biological Interest comparison?

2390-37

On this subject there are discrepancies within the EIS in the numbers for construction "spreads" and workers per route alternatives. Please describe how these numbers were produced. In earlier Sandpiper testimony the company stated a much lower number of construction workers for that project and that these workers would be moving from one spread to another as construction was completed in one spread. Language in the EIS implies construction will be conducted across the proposed route all at once.

2390-38

The data obtained to describe the existing economic conditions in the ROI counties included county-level employment, income, and tax revenues (*where available*). Potential direct and indirect impacts on the economic baselines in the ROI were determined using employment numbers and construction-related expenditures provided by the Applicant and estimates from other sources for other CN applications. This information was used to develop a qualitative analysis of the relative magnitude and expected changes to county-level employment and income levels, and to estimate the potential increase in income tax revenue by county." How can the public trust the qualitative analysis noted above if some information was NOT available?

I hope the review team will notice a disturbing trend that the water resource section of this DESI is not complete and lacks professional analysis. I'm glad this project has many folks watching the process very closely and I hope the Dept. Of Commerce is able to transform this DEIS into a detailed and thoughtful EIS. This region and this state deserve that level of analysis.

Sincerely,



Lindsey Ketchel

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MR. STEVE LELCHUK: My first name is Steve, S-T-E-V-E, Lelchuk, L-E-L-C-H-U-K.

So I want to address chapter 10, section 5, which is Spill Prevention Preparedness and Response, and my question is, to what extent will this pipeline be vulnerable to cyber attack, which could cause a catastrophic accident.

Number one, pipelines are industrial scale systems run in large part by sophisticated hardware and software technology. I specifically have in mind in this case, something called supervisory control and data acquisition or SCADA.

According to Wikipedia, and I quote, "Supervisory control and data acquisition is a controlled system architecture that uses computers, network data communications, and graphical user interfaces for high level process supervisory management, but uses other peripheral devices, such as programmable logic controllers and discrete" -- and this is all caps -- "PID controllers to interface to the process plant or machinery.

"Stuxnet" -- that's spelled S-T-U-X-N-E-T -- "the cyber attack on Iran's nuclear enrichment systems, that came to the world's attention in 2010,

1738-1

1 was directed exactly against their SCADA system.

2 "Many of the components of that malware  
3 have since escaped into the wilds of the Internet,  
4 available to any reasonable savvy computer user."

5 And in fact according to a 2016 article  
6 on the website, security intelligence, and I quote,  
7 "Attacks targeting industrial control systems  
8 increased over 110 percent in 2016, over last year's  
9 numbers as of November 30th.

10 "Furthermore, in March of 2017, on the  
11 website, cbr online, Eugene Kaspersky, the founder  
12 of Kaspersky Lab, noted that of 13,000 industrial  
13 control systems connected to the Internet, 90  
14 percent have known vulnerabilities and 30 percent of  
15 these are in the U.S."

16 Now, in the Draft EIS, section 10.5.2.3,  
17 there is a reference to, "The existing Enbridge  
18 supervisory control and data acquisition system,  
19 which can automatically initiate pump station  
20 shutdowns to maintain safe operating pressures."

21 So we know Enbridge is using these  
22 industrial control systems and we know they are  
23 vulnerable to attack.

24 It seems to me that the Draft EIS needs  
25 to directly address this serious potential threat to

1 the pipeline's integrity. No doubt Enbridge is  
2 working hard to plug any holes in its cyber  
3 security, as are we all.

4 However, we all know this is somewhat of  
5 an ongoing slug fest between cyber good guys and  
6 cyber bad guys.

7 I find myself quoting Dirty Harry, "Do  
8 you feel lucky."

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MS. KYLIE LEMLEY: Hi, my name is Kylie Lemley, K-Y-L-I-E, L-E-M-L-E-Y. For once, I actually just wanted to comment on the DEIS.

So the impact statement as it sits does not seem to place any particular weight on any actual alternatives to building the pipeline or options and just to the preferred route as listed by the applicant.

It strikes one as more of a reiteration of the proposal by Enbridge instead of an actual critical assessment of what will occur in any case aside from the line being built on the preferred route and never having any major issues.

A couple of issues I have with it is the restoration section. I'm sorry, I know somebody must have tried, but it's laughable. The plan to seed disturbed wetlands with just oats, why oats? Unless otherwise directed by landowners or regulatory agencies, it's just

1806-1

1 ridiculous. I mean, there are so many reasons  
2 why.

3 But anyway, wetlands are  
4 extremely sensitive and tenuous areas, and the  
5 Final EIS should much, much more thoroughly  
6 cover a plan to restore these areas, if it's  
7 even possible, and explain in detail what will  
8 be lost if the wetlands are not properly  
9 restored.

10 So I'm, once again, going to  
11 mention the section on abandonment. It's  
12 woefully inadequate, 14 pages out 6,000 is just  
13 not enough to cover the entire issue.

14 To name just a few unexplored  
15 topics, there's no talk of landowner property  
16 values and what will happen if one of the  
17 pipelines is abandoned on their land. No talk  
18 of the exposed pipe, because there's a lot of  
19 it already, and how fast it will degrade or  
20 what will happen when it does. It doesn't  
21 discuss buoyancy in any detail. It doesn't  
22 explore the possibility of the industry that  
23 could be created out of pipeline removal.

24 While it does say the impact on  
25 human and natural resources are anticipated to

1 be minimal in the near term, it doesn't explore  
2 that they absolutely could be significant in  
3 the long term. This is just, again, super  
4 inadequate.

5 Because of these, and like many  
6 other unmentioned issues, we need to demand an  
7 entirely separate impact statement, a whole new  
8 one for the topic of abandonment. Minnesotans  
9 deserve to know the risks they're accepting for  
10 Line 3, if it's allowed to be abandoned in  
11 place, and they can't do that with the very  
12 small amount of information provided.

13 Another thing, the DEIS states  
14 that, "The addition of a temporary cash rich  
15 workforce increases the likelihood that sex  
16 trafficking or sexual abuse will occur.  
17 Increases in sex trafficking, particularly  
18 among native populations, is well-documented."

19 This is all in the DEIS, but  
20 don't worry, everybody, Enbridge will take care  
21 of everything. They always do. They'll  
22 prepare and implement an education plan around  
23 this issue and consider it taken care of.  
24 They're just going to talk to people and say,  
25 "Hey, maybe don't sex traffic other people,"

1 all right, problem solved.

2 There is obviously a really  
3 serious concern. Why is it dismissed with such  
4 a simple solution? Where is the data showing  
5 the effectiveness of their education plan?  
6 Enbridge is not an expert in the field of  
7 mitigation of sexual abuse. Why are they the  
8 ones to prepare an awareness campaign. This  
9 is, again, woefully inadequate.

10 And the last thing, real quick,  
11 it doesn't explore -- the DEIS does not explore  
12 what will happen if, as proposed, the  
13 (indiscernible) protection isn't installed  
14 until a year after construction.

15 First of all, I'd like to know  
16 why, why it's not going to be installed until a  
17 year later or what they're going to do with it.  
18 It's been shown that a lack of protection near  
19 high voltage lines can cause pinhole leaks, and  
20 can cause pinhole leaks. None of this is  
21 explored and I'd like to know why. I think  
22 that information should be in the final DEIS.

23 I think that's it.

24

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1806-2



**Levi, Andrew (COMM)**

---

**From:** Bruce Levi <BLevi@aan.com>  
**Sent:** Sunday, July 09, 2017 9:41 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Cc:** 'kblevi@comcast.net'  
**Subject:** Public Comments Docket CN-14-916 and PPL-15-137  
**Attachments:** Comments.docx

Dear Ms. MacAlister,

Attached are our written comments regarding the Draft Environmental Impact Statement (DEIS) for Enbridge Energy's proposed Line 3 Pipeline Project. Our comments relate specifically to the proposed Two Inlets pump station. If possible, please confirm receipt of these comments. Thank you,

Bruce T. and Kathy J. Levi

[kblevi@comcast.net](mailto:kblevi@comcast.net)



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**AAN Mission:** To promote the highest quality patient-centered neurologic care and enhance member career satisfaction.

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July 9, 2017

Jamie MacAlister, Environmental Review Manager  
 Minnesota Department of Commerce  
 85 Seventh Place East, Suite 280  
 Saint Paul, MN 55101-2198

*RE: Docket CN-14-916 and PPL-15-137; Comments of Bruce and Kathleen Levi, 36545 Wilderness Bay Drive, Park Rapids, MN*

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Dear Ms. MacAlister,

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Line 3 Replacement Project (Line 3). Much like our scoping comments which we submitted to you on September 30, 2015, our concerns focus on impacts resulting from construction and operation of the Two Inlets Pump Station which would be near our home at 36545 Wilderness Bay Drive on Little Mantrap Lake. The DEIS concludes that *“noise from pump station operations, although permanent, is expected to be negligible for all routes and is not expected to result in noise levels above the Minnesota Noise Standards or to affect any noise-sensitive receptor for any route”* (page 6-72). **We argue that the DEIS and the record do not provide adequate information to make such a conclusory assessment.**

1380-1

#### **Pump Station Noise Not Identified**

Despite that *“noise impacts from operation of the pipeline primarily would originate from the pump stations”* (page 6-65), Section 6.2.2 does not identify noise levels for the different pump stations—the document simply doesn’t say how loud they will be. Rather, the DEIS *“identifies the noise levels at the closest sensitive receptor from operation of pump stations”* (page 6-67), presumably with mitigation applied.

1380-2

How can the DEIS purport to *“inform the Commission’s decisions by evaluating the potential human and environmental effects of permitting the proposed Line 3 pipeline project, considering reasonable alternatives, and exploring methods for reducing adverse effects”* (page 1-1) if the document can’t tell us how loud the pump stations will be or discuss mitigation for noise-related impacts from pump stations?

The Final EIS must identify pump station noise levels at the source, property boundary, and then incrementally thereafter—with and without mitigation applied. Moreover, the Final EIS should discuss available mitigation to reduce pump station noise above and beyond simply providing an incomplete listing of options (page 6-67). Other options are available, such as vegetation screening with large coniferous trees which would not only reduce noise impacts, but also reduce aesthetic impacts as well.

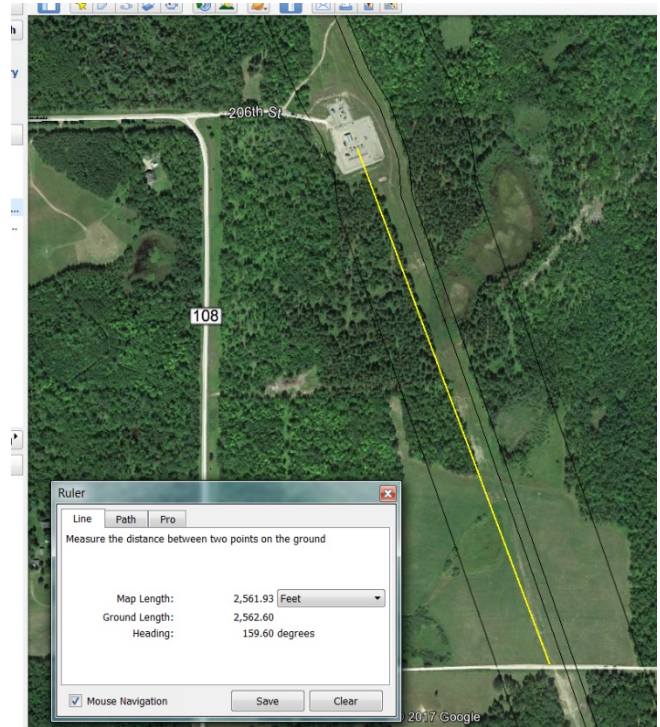
#### **As Prepared Applicant Determines Noise Impacts, Not Commission**

The DEIS states: *“The Applicant’s design measures restrict the noise levels around neighboring dwellings and industrial facilities to 40 dBA, measured at a distance of 50 feet from the affected structure, unless state regulations allow higher noise levels. If noise is determined to be above the Minnesota Noise Standards, the Applicant would be required to implement design measures to come into compliance with those standards, such as placement of pumps and motors inside a building. Additional noise measures proposed by the Applicant may include insulation, acoustic louvers, and acoustic silencers”* (page 6-67).

1380-3

This paragraph is misleading. State nighttime noise standards require that 50 dBA not be exceeded greater than 50 percent of the time. Therefore, state regulations do allow for higher noise levels about 40 dBA. The Final EIS must clearly state the standard: Is it 40 dBA or 50 dBA 50 percent of the time (or rather, 49 dBA 100 percent of the time)? Whatever the noise standard, it will still cause impacts and those impacts should be clearly addressed in the Final EIS with clear measures identified to mitigate those impacts.

A standard that focuses, not on the noise coming from the pump station, but rather on the noise at the closest receptor is flawed. What if a sensitive receptor is commonly upwind or surrounded by vegetative cover? The picture at right demonstrates our concern. This existing pump station is several miles north of our home on Little Mantrap Lake. To familiarize ourselves with potential impacts from pump stations, we visited this area on July 2, 2017. While audible, the pump station is muted near the receptor to the west, the receptor being upwind, surrounded by vegetation, and lower in elevation. However, noise impacts were clearly audible over 2,500 feet away on the road that cuts the pipeline corridor. This example clearly demonstrates why the Final EIS must indicate noise impacts as measured from the source. The Commission and Final EIS must take a proactive approach and limit noise impacts as measured from the pump station.

1380-3  
Cont'd

#### **Ambient Noise Reports Not Available**

The DEIS indicates that *“existing ambient (preconstruction) noise levels were determined by surveys completed by the Applicant (Enbridge 2016a)”* (page 6-63). The source for this information is *Enbridge Energy, Limited Partnership. 2016a. response to Data Request 2 (submitted on November 18, 2016). Received on December 1.* These noise reports are not available on the eDockets system; therefore, the information is not accessible to the public to review or verify.

1380-4

Noise surveys should be publicly available, and, at a minimum, the Final EIS should discuss the time, date, location, and duration of the different noise surveys.

#### **Post-Construction Noise Surveys to be Conducted During Winter Months**

We appreciate the Applicant’s commitment to conduct post-construction noise surveys. We submit that the Final EIS indicate that these surveys will be required, and conducted during winter months over a week-day period. We would also expect that these surveys be made publicly available.

1380-5

#### **Nighttime Lighting at Pump Stations Not Discussed**

Our scoping comments also requested consideration of nighttime lighting information and impacts. Section 6.2.3 does not discuss nighttime lighting at the pump stations. The Final EIS must provide a description of how the pump stations will be lighted, and nighttime light pollution must be discussed for an adequate discussion regarding aesthetics and potential mitigation options.

1380-6

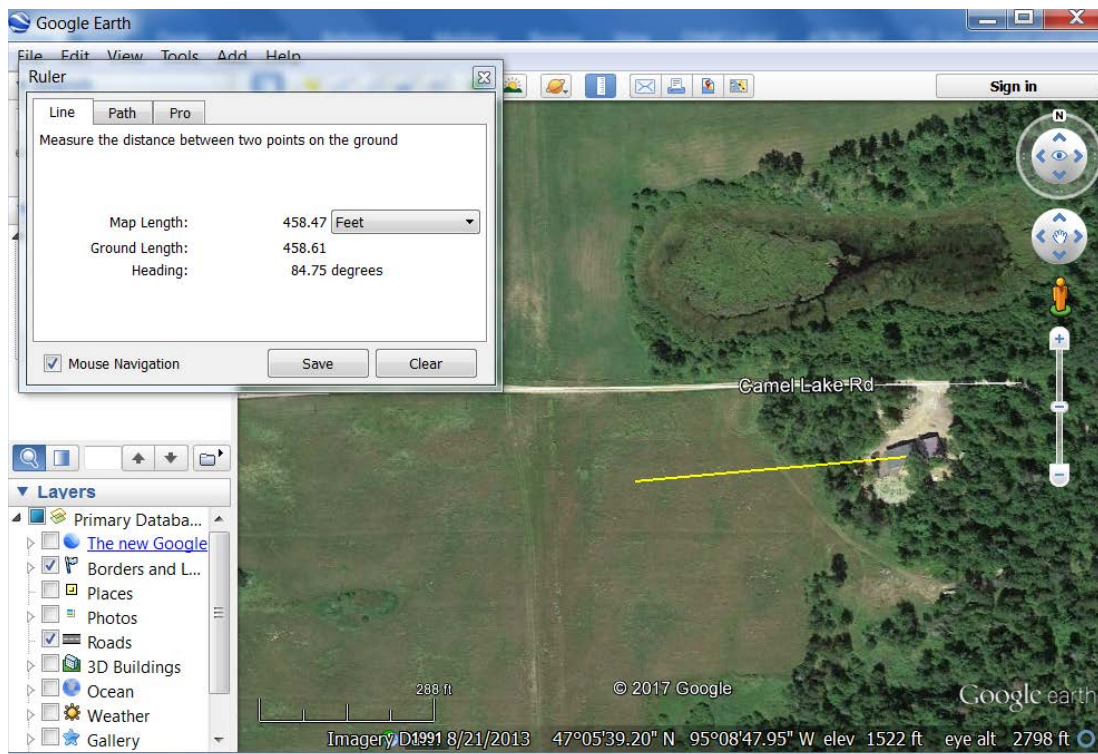
### Page Specific Comments

Page 2-44, Section 2.10.1. The DEIS indicates that a “7-mile-long, 115-kilovolt (kV) line connecting the Two Inlets pump station to the existing Great River IM-MPT Line within Arago and Clover townships in Hubbard County. The transmission line would be supported by 70- to 80-foot-tall single-pole structures with horizontal post insulators and 350- to 400-foot spans between them. It would follow the Line 3 Replacement pipeline route for approximately 5 miles but would not be co-located with any other pipeline or utility corridor for the remaining 2 miles. The transmission line would be constructed within a 100-foot-wide right-of-way.”

An environmental review document has been prepared for this project; it is available at <http://mn.gov/library/>. We are unaware if a permit has been issued. Unlike the environmental review documents for the Backus and Palisade pump stations, cumulative impacts are not discussed. The environmental review document must be included in the public record as a connected action. Moreover, it is our understanding that the cumulative impacts of these connected actions must be discussed.

Page 6-63, Table 6.2.2-6. This table indicates the nearest sensitive receptor to the Two Inlets pump station is 1,000 feet away; however, the closest receptor is less than 500 feet from the proposed pump station location. Appendix I from the Scoping EAW indicates a residence at milepost 956.6 approximately 365 feet east of the construction workspace. This home is marked on Map 45a of the detailed map set. This error calls into question the entire analysis pertaining to pump station noise, and further reiterates the need for noise surveys to be made publicly available and results adequately discussed in the Final EIS.

From Google Earth:



Page 6-86, last paragraph. “The Two Inlets pump station would be within 0.2 mile of two residences, each with a partial view of the permanent structure. For each of these residences, this would be a permanent

minor impact on the viewshed.” This pump station will very likely be visible from U.S. Highway 71. It will create a permanent industrial feature on the landscape. We submit that this impact will be permanent and major. It will also affect many more than two residences or individuals, especially considering Highway 71 is the southern access point to Itasca State Park. The proposed location so near Highway 71 will create much more than a “minor impact on the viewshed,” as suggested in conclusory fashion by the DEIS.

While we agree with the proposed mitigation that requires the Applicant “to develop a visual screening plan in order to minimize visual impacts on residents with views of the pump stations, regardless of the route option that is selected” (page 6-93), this step should be expanded to minimize visual impacts on roads, highways, and other travel corridors such as trails. We recommend the following revisions:

*Require Enbridge to develop a visual screening plan in order to minimize visual impacts ~~from~~ ~~on~~ ~~residents with views of the pump stations, regardless of the route option that is selected.~~ This includes residents with views of the pump stations, as well as travel corridors such as roads, highways, and trails.*

Thank you for the opportunity to submit comments. We are hopeful the Final EIS will address with clarity the various pump station concerns we have identified in our scoping comments and these comments.

Respectfully submitted,

Bruce T. Levi, JD and Kathleen J. Levi  
kblevi@comcast.net

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MS. RUTH LINDH: R-U-T-H. L-I-N-D-H.

There are numerous flaws in this draft of the EIS. Start with the document title. This is not a replacement for Line 3; it is a mostly new and different route pumped up and supersized. It endangers Minnesota waters, lands, and wildlife.

This EIS is a huge document, but the troubling part is what is missing. First, to abandon the old crumbling pipe in place with only the vague reassurance that it will be monitored indefinitely is not sufficient. We need specifics: Dollars, time frame, guarantees. What if Enbridge has gone out of business or morphed into a new entity, who pays then?

Second, we know that the heavier tar sand oil, when leaked or spilled into bodies of water, have never been successfully cleaned up once it has sunk. What would happen if a spill made its

1810-1

1 way into Lake Superior?

2 Minnesota should be very uncomfortable  
3 with the fact that Enbridge classifies their  
4 worst-case scenario spill data as trade secret, so  
5 it cannot be reviewed by the public.

6 Third, we are in the brink of enormous  
7 changes in this 21st Century economy. How can any  
8 30-year projection of costs not include  
9 consideration of rapid advances and demands for  
10 renewable energy, declining oil prices, and the  
11 growing scarcity and value of clean water?

12 Here are three snippets from the news  
13 this past week, and I cited the sources in my  
14 written testimony. Coal is dead and oil faces peak  
15 demands, says Jim Barry, the global head of  
16 BlackRock Infrastructure Investment Group, the  
17 world's largest, with 5 trillion in assets. The  
18 thing that has changed fundamentally is that  
19 renewables have gotten so cheap. In short, the  
20 smart money is headed away from fossil fuels and  
21 towards clean energy.

22 (Cheering.)

23 FACILITATOR: Please do not interrupt.

24 MS. RUTH LINDH: Headlines: Minnesota  
25 steps up to the plate on climate. Now more than

1 ever Minnesota needs to continue to make the case  
2 that moving away from fossil fuels is not just a  
3 moral imperative, but is also politically feasible  
4 and economically advantageous.

5                   Headline: Water shortage looms. UN  
6 Secretary General warned that by 2050 global demand  
7 for fresh water is projected to grow by 40 percent.  
8 Strains on water access are already rising in all  
9 regions.

10                   It is fool hearty to grant this permit  
11 without consideration of these issues.

12                   FACILITATOR: We need you to finish.  
13 Thank you.

14                   MS. RUTH LINDH: A legitimate option  
15 of not building a new pipeline must be but carefully  
16 maintaining the Line 3 --

17                   FACILITATOR: Thank you. We need you  
18 to finish now.

19                   MS. RUTH LINDH: -- most prudent  
20 choice.

21

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Long Lake Area Association  
P.O. Box 808  
Park Rapids, MN 56470

Long Lake Area  
ASSOCIATION



RECEIVED

JUL 10 2017

MAILROOM

July 7, 2017

Jamie MacAlister  
Environmental Review Manager  
MN Department of Commerce  
85 7<sup>th</sup> Place East, Suite 280  
St. Paul, MN 55101-2198

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

Dear Ms. MacAlister,

When the Board of Directors for the Long Lake Area Association (Hubbard County) Inc. met in May and June, 2017, we discussed the MN Department of Commerce's Draft Environmental Impact Statement (DEIS) for Line 3 Project CN-14-916 and PPL-15-137. Our comments relate to human and environmental impacts in the DEIS.

The Long Lake Area Association (Hubbard County) Inc. Board of Directors is very concerned regarding the proximity of the proposed Line 3 Replacement Route Segment Alternative RSA-15 to Long Lake, 29-0161-00, in Hubbard County between Hubbard, MN and Park Rapids, MN. The MN Department of Commerce Figure ES-3 map shows RSA-15 being very close to Long Lake and Chapter 7 pg 14, figure 7.3-3 (see attached). The DOC description of RSA-15 does not mention Long Lake which has 500 unique lakeshore parcel owners based on 2013 Hubbard County GIS and Assessor information on Long Lake below. The south end of the lake is in the town of Hubbard MN also. Therefore, we request that the MN Department of Commerce, the MPCA and MN DNR working together through the Memo of Understanding be cognizant of, document in the EIS and consider the sensitive and valuable resource that Long Lake is as route segment alternatives are compared and spill scenarios are analyzed.

We are disappointed that the DEIS did not take into account these considerations because on 5-20-16 we provided this information for the DOC's scoping.

Details on Long Lake 29-0161-00 based on 2013 Hubbard County GIS and Assessor information:

Based on 2013 Hubbard County GIS data, Long Lake has 500 unique lakeshore parcel owners. There are 622 parcels on this 1926.07 acre lake. There are 136 residential parcels (full homestead) and 364 non-homestead or "seasonal" residents. There are 5 resorts and 1 campground plus 2 public accesses with parking. Long Lake is the largest of 3 lakes in Hubbard Township. This township is the 4<sup>th</sup> most valuable (tax base wise) in Hubbard County. It has a taxable market value (TMV) for water-related properties of about \$166M. This is 70% of the TMV of all property in the township. These properties provide almost 71% of the tax revenue. Long Lake is the most valuable lake in the county based on the county assessor data from 2013. The agricultural lands are part of the other 30% of the TMV in Hubbard Township.

2772-1

2772-2

2772-2  
Cont'd

[Page 2 - Long Lake Area Association (Hubbard County) Inc. comments continued.]

Long Lake is part of the MN DNR's Straight River Groundwater Management Area, which was designated in 2017. The Minnesota Legislature created groundwater management areas as a tool for the DNR to address difficult groundwater-related resource challenges. The goal of the Groundwater Program is to ensure that use of groundwater is sustainable and does not harm ecosystems, water quality, or the ability of future generations to meet their needs.

2772-3

The MPCA 1989 Ground Water Contamination Susceptibility Map depicts this area with the highest susceptibility to groundwater contamination. Private wells surround Long Lake and would be highly susceptible to contamination therefore. Irrigation pivots also dot the landscape as potato crops are raised in part for the largest employer in the area. These crops are rotated over seasons with corn, beans and peas. If this aquifer becomes polluted, the ability to grow these food products will be destroyed and many jobs lost. Long Lake is "downstream" in the watershed from the proposed pipeline corridor.

2772-4

Some of these private drinking wells around Long Lake currently have nitrate problems causing the water to be above the acceptable level for drinking water. The Department of Agriculture has a two-year drinking water study in progress in southern Hubbard County townships including Henrietta and Hubbard Townships (2016 and 2017) for nitrates and pesticides / fungicides. This further illustrates the high susceptibility to contamination.

A spill or a leak would affect Long Lake, its residents, tourists, the groundwater and sandy soil of the area with a ripple effect on the townships and county. Please be cognizant of these important environmental and pipeline safety concerns in the EIS and assess the risks in the EIS.

If the Long Lake Area Association (Hubbard County) Inc. can be of assistance, please let us know. Thank you.

Sincerely,  
*The Board of Directors, Long Lake Area Association (Hubbard County) Inc. MN*

The Board of Directors, Long Lake Area Association (Hubbard County), Inc.

Attachment: MN DOC Fig ES-3 map shows RSA-15 being very close to Long Lake & Chapter 7 pg 14, fig 7.3-3

CC: Hubbard County Commissioners, Henrietta and Hubbard Township Supervisors

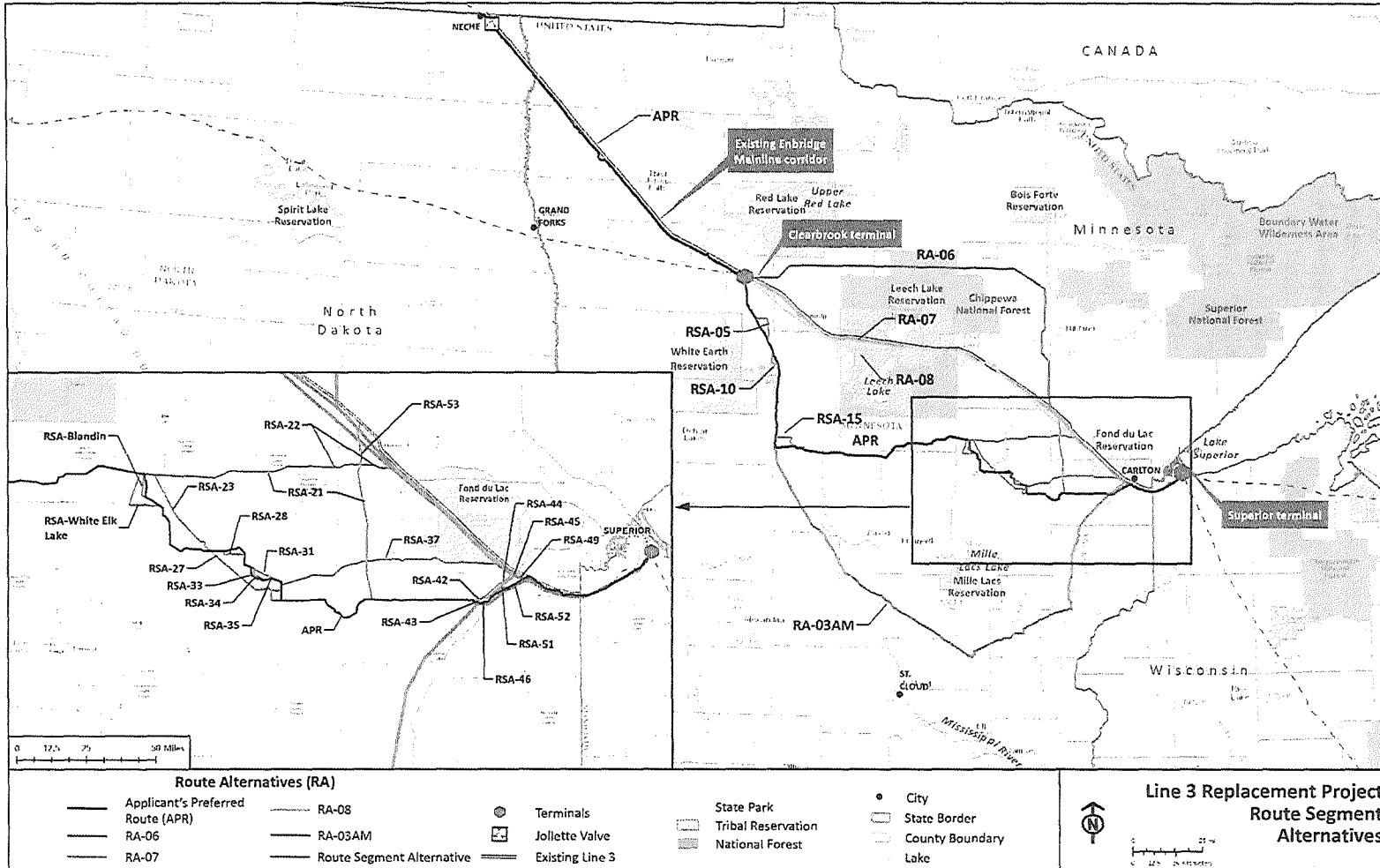
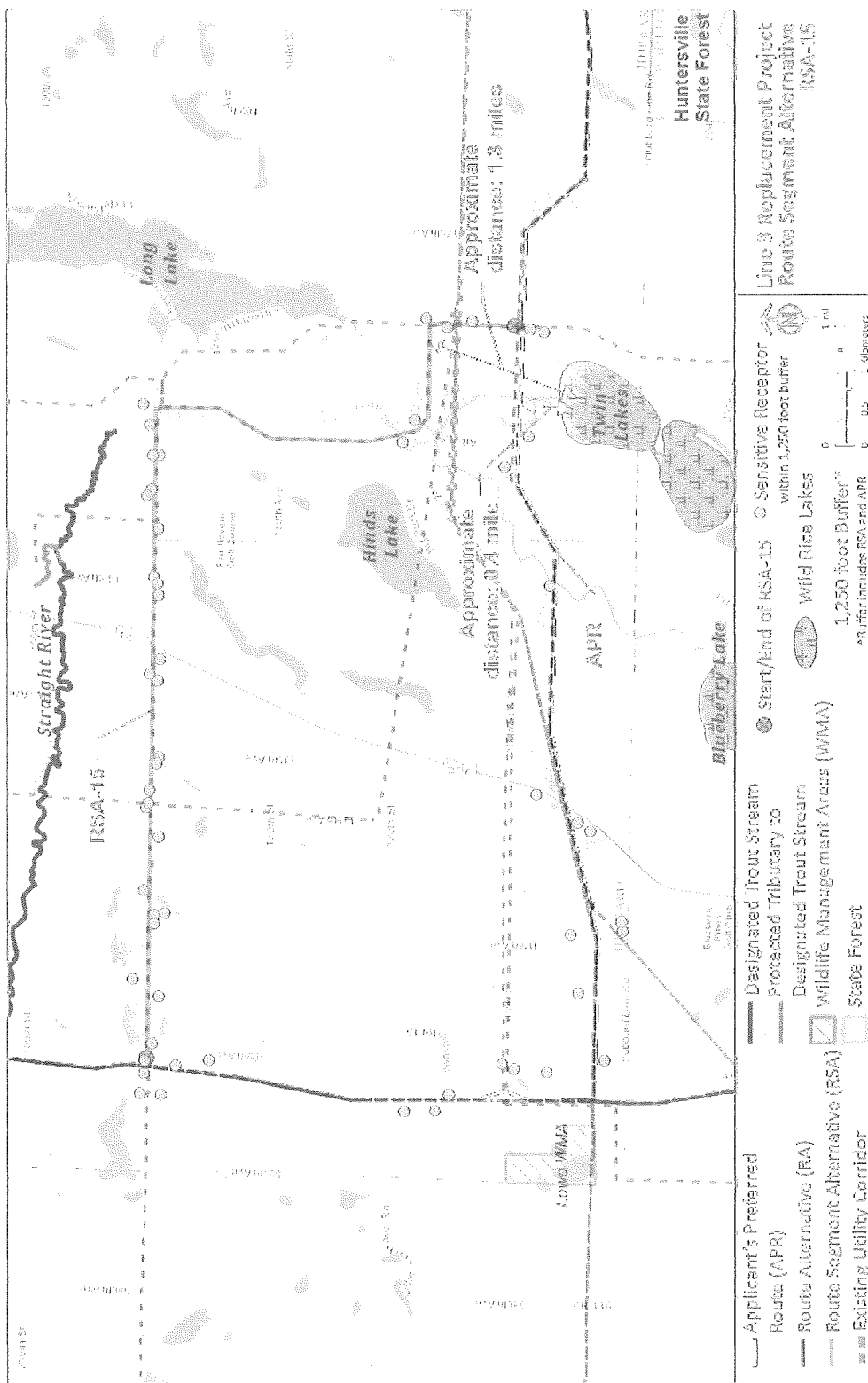


Figure ES-3. General Location of Route Alternatives and Route Segment Alternatives



Chptr 7, Pg 14  
Fig 7.3-3

3rd comment form



Comment Form  
Line 3 Project Draft EIS Public Meeting

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

Name: Katy (Kathryn) Lowery - NOTE this is my #3  
Street Address: 134 Winifred St W. third comment  
City: St Paul State: MN Zip Code: 55107  
Phone or Email: Katy.Lowery@gmail.com

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

An additional comment:

The EIS is inadequate in that the safety record of the pipeline company ENbridge, is not thoroughly documented nor considered.

0706-1

**Levi, Andrew (COMM)**

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**From:** Mary Ludington <maryeludington@gmail.com>  
**Sent:** Monday, July 10, 2017 6:28 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** Docket CN-14-916 and PPL-15-137

Jamie MacAlister

Environmental Review Manager Minnesota Department of Commerce

85 7th Place East, Suite 280

St. Paul, MN 55101-2198

Dear Mr. MacAlister,

Following are my questions re: the DEIS for the proposed L3R project in Minnesota, Docket CN-14-916 and PPL-15-137

- 1) Who are the private contract firms used to compile the EIS? Do they have previous work histories with the Applicant? If so, was "conflict of interest" considered in their employment?  
Who hired them? The state or Enbridge?
- 2) Please provide contractor firms and names responsible for the groundwater hydrogeology assessments. Do these firms have a previous working relationship with Enbridge?
- 3) The Applicant's preferred route has numerous minor route alternatives to avoid significant features in the environment. Why were "minor route alternatives" not considered in the overall SA-04 route analysis?
- 4) A recent Enbridge direct mail promotion states 13,600 jobs will be created by the Applicant's project, but in the draft EIS the maximum number of jobs created is 4800, 600 local workers and 4200 non-local workers. Which is the correct figure? Explain the discrepancy. Who provided the information for calculating those numbers?
- 5) Original Line 3 is 34 inches in diameter. New Line 3 proposed at 36 inches diameter. Why is larger diameter pipe necessary to achieve same barrels per day volume flow as the original Line 3? Will Applicant be re-applying to increase BPD flow to 990,000 as proposed in original Line 3 application?

Sincerely,  
 Mary Ludington  
 4240 Garfield Ave.  
 Minneapolis, MN 55409

11. In Chapter 5 the methodology used for analyzing construction impacts to groundwater is inconsistent and biased to the Applicant's preferred route. The ROI, Region Of Interest, for the Applicant's route was a 1000 ft buffer on either side of the centerline of the route. For system alternative, SA04, a 2500 ft buffer was considered on either side of centerline. Potential impacts to groundwater are biased towards Enbridge's proposed route.

12. Please provide contractor firms and names responsible for the groundwater hydrogeology assessments. Do these firms have a previous working relationship with Enbridge?

13. System Alternative SA-04 is proposed to be in an existing pipeline corridor in Minnesota. This corridor was built in 2000. Did the EIS utilize any existing environmental review and/or assessments prepared for that project?

2423-1

14. Enbridge is proposed to horizontally drill under certain stream and river beds. The drilling fluids used for that process contain additives. These additives are toxic to aquatic wildlife and vegetation if a frac-out occurs. The Straight River, a nationally known brown trout stream, suffered a large frac-out during construction of the MinnCan Line 4 project.

A drilling materials list should be provided to the public. The public cannot adequately comment without knowledge of these materials. What are those additives?

15. Construction of SA-04 would not affect any wild rice waterbodies. Construction of the Applicant's preferred route would result in impacts on approximately 5 acres of wild rice waterbodies. On the table provided the Applicant's route reads as impacting 3 acres. Which number is accurate? Please justify how this number was determined.

2423-2

16. A recent Enbridge direct mail promotion states 13,600 jobs will be created by the Applicant's project, but in the draft EIS the maximum number of jobs created is 4800, 600 local workers and 4200 non-local workers. Which is the correct figure? Explain the discrepancy. Who provided the information for calculating those numbers?

17. On this subject there are discrepancies within the EIS in the numbers for construction "spreads" and workers per route alternatives. Please describe how these numbers were produced. In earlier Sandpiper testimony the company stated a much lower number of construction workers for that project and that these workers would be moving from one spread to another as construction was completed in one spread. Language in the EIS implies construction will be conducted across the proposed route all at once.

18. "The data obtained to describe the existing economic conditions in the ROI counties included county- level employment, income, and tax revenues (*where available*). Potential direct and indirect impacts on the economic baselines in the ROI were determined using employment numbers and construction- related expenditures provided by the Applicant and estimates from other sources for other CN applications. This information was used to develop a qualitative analysis of the relative magnitude and expected changes to county-level employment and income levels, and to estimate the potential increase in income tax revenue by county." How can the public trust the qualitative analysis noted above if some information was NOT available?

19. Why isn't Itasca State Park considered a Minnesota historic resource?

**Levi, Andrew (COMM)**

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**From:** Lisa Lund <llund.blue@yahoo.com>  
**Sent:** Sunday, July 09, 2017 7:15 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** Public Commentson Draft EIS Enbridge Line 3, docket numbers CN-14-916 and PPL-15-137

To Jamie MacAlister, Environmental Review Manager, MN Dept. of Commerce:

I am a lifelong citizen of Minnesota, a scientist with training and experience in the physical and natural sciences including chemistry, biology, botany, ecology and ornithology, and a physician with expertise in pediatrics, pathology and laboratory science. I have owned and operated a medical laboratory for many years, and thus am well aware of the regulatory environment as well as the ways businesses work with public and governmental agencies and the various levels of regulations to ensure public safety. I am well versed in reading, analyzing and critiquing scientific publications and research. I have the following comments regarding the Draft Environmental Impact Statement on the proposed Enbridge line 3 pipeline:

**1. The draft EIS demonstrates poor use or lack of awareness of basic scientific principles.**

-Data is used from sources that are clearly biased or have a high likelihood of bias (Enbridge appears to have provided some data, and Stantec is cited as a source for data. Stantec has profited by working with Enbridge on previous pipeline projects). Commercial entities that benefit financially from the construction of oil pipelines should not be relied upon for data on the environmental impact of an oil pipeline. Removal of bias is standard scientific procedure, critical to producing honest and accurate results. And, any possible biases or financial interests should be clearly indicated in a written statement that is part of the EIS, and placed in a prominent location. Transparency is also standard scientific procedure. The use of data from biased sources compromises the integrity of the entire EIS, and the overall lack of transparency suggests scientists were not appropriately involved in the overall EIS process.

-A significant error is present in Figure ES-4 ( p.ES-12, incorrect bar graph for average size of a pipeline spill). This could impact public perception, and suggests draft EIS data was not carefully compiled or reviewed before publication.

1386-1

- Statements are made without corresponding documentation of data upon which they are based. For example alternative transportation assumptions.

1386-2

-Table 4.2.1p. 4-4 Certificate of Need Alternatives and Criteria does not address an option for No Certificate Granted, No Line 3 Use. This suggests either carelessness or bias. If alternative transport scenarios are not reliable, much of EIS data is not pertinent. Predetermining any part of a process under study does not constitute good science.

-Overall conclusions of the draft EIS are inapparent. A clear summation of the data, the interpretation of this data, and the overall conclusions derived from the data are standard scientific procedure. The conclusions should indicate either a decision or the need for additional study.

**2. The draft EIS does not include a careful and thorough analysis of the economic need for a pipeline.**

-The draft EIS contains no hard data on the long term economic viability of tar sands oil production, current U.S. oil stockpiles, projected U.S. demand for oil, current and future U.S. oil imports versus exports, or changing methods of oil extraction and their costs and benefits.



-Scenarios for alternative transportation of oil are based on assumptions without accompanying data validating these assumptions. Table 4.2.1 Certificate of Need Alternatives and Criteria uses a major criterion of “would denial adversely affect future adequacy, reliability or efficiency of energy supply?” and then essentially assumes that the future adequacy, reliability and efficiency of Minnesotans' energy supply is based solely on tar sands oil produced and transported across Minnesota by Enbridge at exactly the volume and flow rate desired by Enbridge.

**3. The draft EIS contains insufficient detail and lacks specific data on the management of the old pipeline.**

-Chapter 8 is a general overview with statements by Enbridge about cleaning. How will compliance be monitored?

-No specific information is present regarding who will have long term responsibility for costs associated with an abandoned pipeline, including environmental issues that arise and require mitigation. Section 8 p7 indicates further study is needed. If additional costs arise, who is responsible? What is the timeline for undertaking the additional study? Can any part of the project be approved if further study is needed to answer questions?

-What are the environmental and financial risks to landowners if the existing pipeline is not removed?

-Few regulations are in place for pipeline abandonment in the U.S. How will Minnesota ensure Enbridge continues to bear the responsibility for their pipelines once they are no longer used? A failure to carefully dictate the fate of the old pipeline 3 could leave Minnesotans at risk and set a national precedent for oil companies to abandon aging or unused pipeline without further responsibility.

**4. The draft EIS contains minimal data about the impact on species of special concern that reside in areas of planned pipeline construction or in areas with existing degrading pipeline.**

-Migratory bird species depend heavily on Minnesota flyways and wetlands, and on northern Minnesota nesting areas. Populations of many species are in decline, and Minnesota hosts a number of avian species particularly at risk. Degradation of habitat and loss of species affects the entire food chain, which ultimately impacts humans in many negative ways. This same scenario is true for plants, insects including pollinators, and many other animals. As a biologist and ornithologist I would like to see more specific data on species already at risk, how they would be impacted by the proposed new pipeline and by removal or abandonment of the existing pipeline 3.

**5. The draft EIS contains insufficient unbiased data on spill risks.**

-Independent third party spill modeling does not appear to be present, casting doubt on the validity of all of the spill data. For example, 10.2.4.3.2 Pinhole Leak Analysis data appears to be based on a 2017 analysis by Stantec and Barr Engineering, a company with financial ties to Enbridge. The Stantec website states “*For more than 20 years, we’ve worked with clients like Enbridge... In fact, moving and storing oil and gas is one of our specialities*”

-Only seven sites were chosen for spill modeling, and these do not adequately represent all of the sensitive ecosystems and specific resources at risk in the event of a spill. Evaluation of additional sites, including Lake Superior, is needed.

-A single catastrophic spill event at Marshall Michigan cost more than 1.2 billion dollars, and long term effects are still being evaluated. (DOT’s Federal Pipeline Safety Program:Background and Key Issues for Congress, July 2016, NTSB Accident Report Marshall Michigan Spill)

**6. The draft EIS contains insufficient specific information on Enbridge leak prevention and detection systems. Enbridge has a well documented history of inadequate leak prevention and detection.**

-Previous Enbridge spills in MN include the Grand Rapids spill, when “*pipeline personnel did not recognize supervisory control and data acquisitions alarms as a spill or a cause for action*” (U.S. State Dep. Supplemental DEIS Jan 2017, Section 5 p.7)

--After the Marshall Michigan spill the NTSB determined Enbridge’s leak detection system did not work as Enbridge had indicated. Enbridge had previously enacted a “10 minute rule” after employees did not recognize SCADA alarms as a spill or cause for action in the Grand Rapids MN 1991 spill. (US State Dept. Supplemental DEIS Line 67 expansion, January 2017) . Rather than the 10 minute identification Enbridge outlined in their spill management plan, the Marshall Michigan spill in 2010 was not detected for over 17 hours, after multiple alarms were ignored and additional oil pumped into the line. The spill was in fact identified by a local resident. The Enbridge leak detection process was cited by the NTSB as “*prone to misinterpretation and differing expectations of control center analysts and operators*”

--Enbridge was cited by the NTSB as having “*pervasive organizational failures* “ after the Marshall Michigan spill. Evidence revealed Enbridge knew about and ignored serious problems in the pipeline for years.

-The Supplemental DEIS for Line 67 expansion produced by the U.S. State Department indicates Unbridge has had more small, large and catastrophic oil spills than the industry average (Section 5 p.7). The failure of Enbridge to appropriately monitor pipelines, manage issues, and respond to spills in a timely and efficient manner is also specifically identified in a federal document (NTSB Accident Report Par-12/01 PB2012-916501 7-25-2010).

-Enbridge is cited as having a “*culture that accepted not adhering to procedures*” after the Marshall Michigan spill (NTSB accident report 2.6.4 p101)

-Enbridge participated in only 2 of 26 government initiated oil spill response drills in the 10 years prior to the Marshall Michigan spill. (p.106 NTSB Accident Report), suggesting company interest in safety and prevention is low.

**7. The draft EIS contains insufficient data on Enbridge Rapid Response Plans. Enbridge has a history of inadequate spill responses and a corporate culture which does not emphasize safety.**

- Enbridge specifics on response plans are not provided to the public. Past events indicate Enbridge has been underprepared (see U.S. State Dept. Supplemental DEIS Line 67 Expansion 5.3.1.2).

-Enbridge has demonstrated a corporate culture that does not emphasize safety for employees, the public, or the environment. Enbridge was found to have multiple violations of federal pipeline safety regulations and was cited by the PMHSA as having a “*lack of a safety culture*” after the Marshall Michigan spill, despite years of previous spills, warnings, fines, and citations, and despite regulations intended to improve safety and spill prevention/recognition (see Statement from Pipeline and Hazardous Materials Safety Administration on NTSB Enbridge 2010 Oil Spill Findings, US Dept. of Transportation, 7-10-2012)

-Enbridge “*consistently chose a less-than-conservative approach to pipeline safety margins*” and “*had multiple opportunities to identify and to address safety hazards*” before the Michigan spill, but failed to do so, even after the deaths of workers in Clearbrook MN in a 2007 accident (NTSB accident report 2.9 P114-115). Enbridge was cited for “*failing to safely and adequately perform maintenance and repair activities, and for failure to hire properly trained and qualified workers*” (PHMSA Accident Report Enbridge Energy Partners L.P. Clearwater County MN, and public record

-Enbridge has previously demonstrated inadequate resources committed to a response plan. (See NTSB Accident Report 7-25-2010 section 1.12.4 for a lengthy discussion of the inadequate planning for and response to the worst case scenario spill at Marshall, Michigan by Enbridge.) Enbridge was cited for numerous safety issues including inadequate leak detection and awareness, environmental response, integrity management programs, facility response plans, and adherence to Federal Pipeline Safety Regulations (NTSB Accident Report Analysis Section 2.1).

-Enbridge had inadequate containment methods and tools for containment of the Marshall Michigan spill (NTSB accident report 2.8.1 p106)

-Enbridge had inadequate response planning at the time of the Marshall Michigan spill. (NTSB Accident report 2.8.2.1 p110, p112)

-The PHMSA rarely issues Corrective Action Orders, and appears to have done so only four times in the past 15 years. All four of these Corrective Action Orders were issued to Enbridge, three since 2010. A 2010 Corrective Action Order indicated that unless specific corrective action was taken, the continued operation of the Line 6B pipeline from Indiana to the Canadian border would be *“hazardous to life, property, and the environment”* (US DOT PHMSA Pipeline Safety Stakeholder Communications 2017)

#### **8. Timing of the draft EIS release and citizen response period.**

-The draft EIS is a complicated and lengthy document, with more than 5000 pages of statements, data, charts, and graphs requiring significant time and further research to understand and verify. A formal Preparation Notice of the EIS project was published by the MN Dept. of Commerce on 12-05-2016, and the draft EIS was published May 15th 2017, a 6 month process involving multiple state departments and employees. However, individual citizens were given only until July 10th 2017, less than 2 months, to review the draft EIS and respond with formal comments, and significantly less time to comment at public forums. This suggests motivations other than accurate fact finding, clear communication of accurate and reliable scientific facts to citizens, and a sincere interest in public reaction and opinion.

L. Lund M.D. Bemidji, MN 56601

**Levi, Andrew (COMM)**

---

**From:** martina@midco.net  
**Sent:** Thursday, June 29, 2017 8:03 PM  
**To:** MN\_COMM\_Pipeline Comments  
**Subject:** Docket numbers: CN-14-916 and PL-15-137  
**Attachments:** Pipeline letter June 2017 for DOC.docx

Dear Ms. MacAlister:

Attached and below are my comments on the DEIS for the Line 3 Pipeline.

Respectfully,

Martha Lundin  
4320 Elliot Road NE  
Bemidji MN 56601  
(218) 444-7623  
martina@midco.net

Docket numbers: CN-14-916 and PL-15-137

I noticed some disparities at the hearing on the Draft Environmental Impact Statement on Line 3 in Bemidji on June 22nd. Most of the speakers for the pipeline were male union workers engaged in or hoping for temporary employment. Most of the speakers against the environmental destruction that the pipeline would cause to our and future generations were mothers, grandmothers, environmental stewards, and Native American protectors of their lands.

One would think economic arguments should be irrelevant to a debate on environmental impact, but since they provide the foundation for supporters of the project, opposition provided testimony on the greater number of jobs that would be provided under a pipeline clean-up scenario or by production of safe energy alternatives. SA-04, an alternative to Enbridge's preferred route that does not cross sensitive watersheds, would traverse more land and provide more jobs! And finally, an excellent point was made by an older gentleman from Iowa-- how insane we Minnesotans would be to put our water resources at risk (for the profit of a Canadian oil company). Imagine the loss of tourism dollars if our Northern Minnesota waters were polluted with oil and our wildlife poisoned by oil!

What is known: Oil is a limited resource that is running out. Consumption of oil is declining, with a glut of oil already in storage. Spills are inevitable, spread more rapidly in water areas, and are more difficult to clean up in water. Most important is water: no one can guarantee safe, clean water under proposed routes that pass by our pristine natural resources.

What is not known: Is any of this oil that puts our water at risk going to benefit Minnesotans? Who are the end consumers? How much is being exported? I posed this question to a couple of Dept. of Commerce employees who provided route information but could not answer this question.

Flaws in the Draft EIS: While we're increasingly transitioning to energy alternatives, hazardous incidents of materials transport by pipeline, rail and truck, need to be considered. The chart on page 16 of the Executive Summary of the guide to the DEIS charts such incidents, with a glaring error as pointed out in testimony in Bemidji. "The average release of crude oil from a truck incident is 16 barrels; from a train incident, 40 barrels; and from a pipeline incident, 462 barrels." The bar on the graph showing release in barrels is only about half as high as it should be.

I don't understand why environmental concerns are the responsibility of the Dept. of Commerce. It seems that you do not take this responsibility too seriously as evidenced by flaws in the draft EIS and the fact that employees responsible for gathering comments were in the hallway chatting and laughing rather than listening to testimony. You have heard these comments before? Maybe you have not heard enough from Bemidji. Our area is unique, as it's surrounded by three Indian reservations and due to its proximity to the headwaters of the Mississippi. According to Chapter 9 as contained in this summary "American Indian communities have unique health issues associated with historical trauma and structural racism. . . Tribal impacts are magnified because impacts would be associated with abandonment or removal of the existing Line 3 and additional impacts would be association with replacement of Line 3 in a new location. Chapter 11 contains an analysis of the potential for disproportionate and adverse impact to American Indian and low-income populations in the project area." Shouldn't those impacts alone be enough argument to stop the proposed project?

Profits vs. Health- the same dilemma our country is currently facing. I hope you weight these comments from an ethical perspective.

Martha Lundin

Bemidji MN

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