

Levi, Andrew (COMM)

From: Gretchen Walker <gmhwalker@hotmail.com>
Sent: Wednesday, July 05, 2017 7:50 PM
To: MN_COMM_Pipeline Comments
Subject: Comments regarding CN-14-916 and PPL-15-137

My comments concern the topic of habitat fragmentation. The issue of ample natural habitat occupies a prominent place in the Minnesota psyche, but unfortunately is addressed only cursorily in the DEIS. I urge the Commission to consider habitat fragmentation more carefully and closely.

Page 6-439 of the DEIS states "Applicant would work with USFWS to develop measures to avoid and minimize destruction of migratory birds." A plan document to address migratory bird survival and safety needs to be prepared with USFWS participation and submitted to the Commission to accompany the DEIS. The Applicant needs to thoroughly describe and explain steps to ensure protection of migratory birds.

1233-1

Page 6-439 also states that construction on the Applicant's preferred route will impact a great blue heron rookery. The Applicant needs to consult with the USFWS and MN DNR regarding impact and consequences to the rookery and submit findings to include with the DEIS.

1233-2

Pages 6-439 and 6-444 state that songbirds are particularly vulnerable to habitat fragmentation associated with linear projects such as a pipeline, and that ongoing operation of the Applicant's preferred route would cause permanent degradation to these populations. Unfortunately the DEIS does not offer any mitigating or remedial actions for this danger to songbirds and forest nesting birds. For that reason, Route Alternatives RA-03AM, RA-07, and RA-08 need to be weighed more heavily. Table 6.3.4-24 states there is no further habitat fragmentation associated with these routes, as they are co-located with existing pipelines.

1233-3

I oppose the proposed pipeline project. The pipeline would serve to transport crude oil from the tar sands operations in Alberta. I urge the Commission to recognize that environmental degradation cause by the oil sands industry is far greater than conventional oil production. But an even large consideration to bear in mind is simply that US demand for oil is declining. Please scrutinize the DEIS and view the Applicant's request to construct this new unwanted and unneeded pipeline with cation, concern, and skepticism.

Respectfully submitted,

Gretchen H. Walker



Comment Form

Line 3 Project Draft EIS Public Meeting

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

Name: Mike Warner
 Street Address: 40589 Golden Ave.
 City: North Branch State: MN Zip Code: 55056
 Phone or Email: MWarner@Linnaagro.com

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

The Line 3 DEIS ignores public safety risks of Rail alternative. We've seen over the past few years what can happen when rail lines get crowded with oil tankers, but the DEIS makes no mention of how the rail alternative could lead to more accidents and injuries at rail crossings

0492-1

Also - the DEIS ignores construction job impacts. The analysis of construction job impacts is based on a flawed assumption that NO local jobs will be created, BUT our union contracts require local hiring. And it's not just construction workers pipelines employ engineers, inspectors, technicians, marketers and sales to name a few. the Line 3 replacement will keep our pipelines operating safely and efficiently so we keep Northern MN working.

0492-2

We can't afford delay: Replacing Line 3 is crucial to the safety & reliability of MN's pipeline infrastructure. We need to keep the process moving forward so the Commission can make a decision rather than delay and increase the chance of major disruption.

Thank You -

Levi, Andrew (COMM)

From: Elizabeth <elizabeth.watts@verizon.net>
Sent: Monday, July 10, 2017 7:54 PM
To: MN_COMM_Pipeline Comments
Subject: Please include this comment on the Line 3 DEIS in Dockets CN-14-916 and PPL-15-137.

Importance: High

To: Jamie MacAlister

I am from Lynbrook, New York. I want the Department of Commerce to deny the permit for the proposed Line 3, shut down the old line, and remove it from the ground.

The Line 3 Pipeline concerns me because of the many negative impacts it will have. The DEIS concerns me because it does not adequately address these negative impacts.

TRIBAL IMPACTS

- The United Nations international standard for projects that impact Indigenous Peoples is **Free, Prior and Informed consent**. Tribal consultancy after the project is already proposed and designed is not free, prior, and informed consent.
- Most of the issues specific to tribal people and tribal resources are **confined to a separate chapter** that attempts to provide “an American Indian perspective.” They are excluded from the main chapters that assess potential impacts. This allows the EIS to **avoid drawing conclusions** about the impacts on tribal people. (Chapter 9)
- Chapter 9, “Tribal Resources,” states that ANY of the possible routes for Line 3 **“would have a long-term detrimental effect on tribal members and tribal resources”** that cannot be accurately categorized, quantified, or compared (9.6). It also acknowledges that “traditional resources are essential to the maintenance and realization of tribal lifeways, and their destruction or damage can have profound cultural consequences” (9.4.3). **This does not acknowledge the treaty responsibilities the state of Minnesota has to the tribal members.**
- Chapter 11, “Environmental Justice,” acknowledges that pipeline impacts on tribal communities **“are part of a larger pattern of structural racism”** that tribal people face in Minnesota, which was well documented in a 2014 study by the MN Department of Health. It also concludes that “the impacts associated with the proposed Project and its alternatives would be an additional health stressor on tribal communities that already face overwhelming health disparities and inequities” (11.4.3).
- The DEIS concludes that “disproportionate and adverse impacts would occur to American Indian populations in the vicinity of the proposed Project” (11.5) **But it also states that this is NOT a reason to deny the project!**
- Chapter 6 states that Enbridge’s preferred route would impact **more wild rice lakes and areas rich in biodiversity** than any of the proposed alternative routes (Figure ES-10).
- Most of the analysis of archaeological resources in the path of the pipeline rely on **Enbridge’s surveys**. For some reason, only 3 of their 8 surveys are available, and the 5 missing are the

most recent! In those, Enbridge found 63 sites, but claims that only 3 are eligible for protection under the National Register of Historic Places. (5.4.2.6.1). Honor the Earth has had the studies we have been able to see reviewed, and there are numerous flaws in their methodology.

- The DEIS acknowledges that “The addition of a temporary, cash-rich workforce **increases the likelihood that sex trafficking or sexual abuse will occur**,” and that these challenges hit Native communities the hardest. But the DEIS dismisses this problem quickly, saying that “Enbridge can prepare and implement an education plan or awareness campaign around this issue” (11.4.1). What experience does Enbridge have planning and implementing an anti-sex trafficking program? 2284-2

BIG PICTURE PROBLEMS

- Many of the environmental impacts and "plans" for minimizing them are drawn directly from Enbridge's permit application (“Enbridge would do this” and “Enbridge would do that”) without any evidence of compliance or genuine consideration that maybe, just maybe, Enbridge won't follow all the rules. History shows that they continually violate permit conditions - we are working on compiling an enormous record of these violations. The DEIS should analyze the likelihood of compliance. 2284-3
- **The Alternatives chosen for comparison to the pipeline proposal are absurd** -- for example, the only rail alternative assumes the construction of a new rail terminal at the US border, and thousands of new railcars to transport oil to Clearbrook and Superior. Enbridge would never do that. The only reasonable rail option would begin in Alberta. The truck alternatives are similarly unreasonable.
- **The “No Build” Alternative is not genuinely considered.** It is framed as “Continued Use of Existing Line 3” (Chapters 3 and 4), but nowhere is the “Shut Line 3 Down” option considered. There is no discussion of renewable energy, conservation, or the rapid development of electric car infrastructure. There is no assessment of the decline in oil demand. The entire study assumes that society needs X amount of oil, simply because Enbridge says they can sell it. That assumption ignores the massive fossil fuel subsidies and debts that make Enbridge's profits possible, and avoids the moral question of what is good for people and the planet. We know we must stop burning fossil fuels yesterday.
- There is zero discussion of how all this extra oil will go once it leaves Superior, Wisconsin. With 370,000 bpd of additional capacity, Enbridge will need a new pipeline departing its terminal in Superior. We know that they plan to build Line 66 through Ojibwe territories in Wisconsin, but they continue to deny this. Why isn't MN asking?
- The DEIS contains **no spill analysis for tributaries of the St. Louis River or Nemadji River**, where spills could decimate **Lake Superior** and the harbors of the Twin Ports.
- For calculations of impact, the lifespan of the new Line 3 is estimated at **30 years**. But Lines 1-4 are 55-65 years old! And hasn't the technology improved? The lifespan should be at least 50 years, a shorter lifespan is a clear indication that Enbridge themselves know that the fossil fuel era is coming to an end. In Honor the Earth's analysis, we have attempted to predict the impacts of this pipeline on the next 7 generations.
- This project is a further investment in a dying Tar Sands industry. Numerous international oil companies and financing institutions are divesting from the tar sands. Why should Minnesota invest in this industry? Why should our Nation be forced to deal with a bad idea in perpetuity.

- The DEIS assumes that the Koch pipelines to MN refineries get all their oil from Line 3, but the current Line 3 does not supply enough capacity for this (390,000 barrels per day), and we know that some of it comes from Line 81, which brings oil from the Bakken in North Dakota.

SPILL RISK

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

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

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

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

ABANDONMENT

- The risks of pipeline abandonment are not adequately assessed. For example, there is no discussion of landowner property values and the effect that an abandoned pipe could have on them, especially if there is indeed "**legacy contamination**" on people's land.
- Impacts on human and natural resources due to the abandoned Line 3 are anticipated to be minimal in the near term but could be significant in the longer term, absent effective monitoring, adaptive management, and the timely introduction of mitigation measures. There is not much information on what these mitigation and management plans are.
- If there is a dearth of surrounding soil, or if the cover for the pipeline is relatively shallow, the pipeline bears more of the load and, all things being equal, is more likely to fail. We know from experience that there are numerous areas where the pipes are exposed and near the surface.
- There is also no discussion of **exposed pipe, how fast it will corrode, or how much currently buried pipe will become exposed once it is emptied**. "When a pipe is empty, the weight of the liquid load that once contributed to buoyancy control is lost. As a result, the pipe could become buoyant and begin rising toward the surface at watercourse crossings, in wetlands, and in locations where soil density is low and the water table is high" (8.3.1).
- We know that the abandonment of the existing line 3 is bad. But there is also no mention of **the abandonment of the other 3 ancient pipelines in Enbridge's existing mainline corridor (Lines 1, 2, and 4)**, which we expect Enbridge will very soon attempt to abandon. Nor is there any discussion of the **abandonment of the NEW Line 3** in the future.
- The DEIS states that it will be very risky to remove and clean up the existing Line 3 because the pipelines are very close together. "The distance between pipelines within this corridor

varies, but they are generally 10 to 15 feet apart” (8.3.1). This is not consistent with our extensive observations and physical measurements on the land. Also, don’t they dig up pieces of pipe for maintenance purposes all the time? **Why is it suddenly risky?**

- The DEIS simply states that “Enbridge has indicated that it would develop a contaminated sites management plan to identify, manage, and mitigate historically contaminated soils and waters” found during the abandonment or removal of the existing Line 3 (8.3.1.1.1). **We want to see that plan.**

CONSTRUCTION AND RESTORATION

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

ECONOMIC IMPACTS

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

CLIMATE CHANGE

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

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

Sincerely,


Elizabeth Watts

16 Starks Place

Lynbrook, NY 11563

July 1, 2017

TO: Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101-2198

FROM: John Weber 
22382 Glacial Ridge Trl.
Nevis, MN 56467-4018

Subject: Comments on Line 3 Project

Thanks for sending paper copy of Executive Summary in response to my letter during scoping comment period.

The attached seven pages w/ applicable docket numbers are enclosed starting my written comments.

RECEIVED

JUL 15 2017

MAILROOM

-1-

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 1-7 section 1.4.2.1 (emphasis added)**The Public Is Concerned About a New Pipeline Corridor Potentially Being Established**

During the scoping of this EIS, many public comments raised concerns about the establishment of a new pipeline corridor—in the Mississippi River Headwaters area specifically, and in the "Lake District" generally. This concern stems from the fact that, as the pipelines in the existing Mainline corridor age and need to be replaced, a new corridor for the Line 3 Replacement Project may become a de facto new Mainline corridor. The need for a more deliberate energy infrastructure planning process, potentially through a "generic EIS," is at the core of the public's concern. An overwhelming amount of public comment and testimony in the Sandpiper docket⁹ reflects this large and complicated question.

Comment: For the APR, how many more pipelines would be squeezed in? FEIS should not only state, but lay out impacts. Flawed process, a "generic EIS" certainly needed for pipeline corridors rather than piecemeal one line at a time. Evidently overwhelming concern raised in the Sandpiper docket was not reflected in the DEIS. Since the APR largely follows the APR for Sandpiper, the FEIS should reflect and address these concerns.

also page 1-7 section 1.4.2.2

1.4.2.2 Resource Prioritization**The EIS Establishes Facts and Does Not Prioritize Some Resources over Others**

Comment: Whose "facts"? Only Enbridge-provided? Any from independent sources? If so, FEIS should provide citations.

page 2-4 section 2.2

Enbridge Believes Replacing the Existing Pipeline Is Less Expensive and Avoids Extensive Inspections

Comment: What is basis for \$30 to \$40 million/yr? Also what is basis for \$2 million (per year?) for new line?

A whole host of things/events could/should make "30-year economic" life for L3R a moot point:

- o A saner approach that ends the current extreme extraction phase of the fossil fuel era that deems these methods for tar sands and fracking are socially, environmentally unacceptable.

- o A carbon tax/appropriate carbon pricing

- o Continued decline in petro. demand

So the "bottom line" could/should be, if L3R built it might "enjoy" only a few years, not decades of "economic usefulness". Thus if the \$30 to \$40 million/yr. figure, is true, it would be a "bargain".

-2-

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

also page 2-4;

Enbridge States that Demand for Canadian Crude Oil Exceeds Current Capacity

Comment: Is Enbridge pipeline system only way to transport the tar sands oil?

page 2-6;

The Life of the Proposed Pipeline Could Be Indefinite, with an Economic Life of More Than 30 Years

The Applicant anticipates that the physical life of the Line 3 Replacement pipeline (i.e., the number of years that the pipeline would be capable of transporting crude oil) would be indefinite given appropriate construction, maintenance, and integrity systems. The economic life of the Project (i.e., the number of years that continued operation of the Project would be feasible) is anticipated to be no less than 30 years.

Comment: Why only 30-year "economic life" if it's going to be, or so Enbridge claims, it would be "indefinite"? What assurances that Enbridge would do "appropriate" things? Also what if Enbridge goes into bankruptcy?

page 2-7;

The maximum allowable operating pressure would be 1,440 pounds per square inch gauge (psig). The pipeline would be designed to withstand pressures over and above normal operating pressures, and would operate according to applicable codes and regulations.²

Comment: Seems like an incredibly high number. I recognize that given the concrete-consistency of tar sands that a high level of pressure is needed. However, seems like a "recipe" for disaster waiting to happen...even with a new line. Does PUC want to foist that on Minnesota, especially given the location of proposed APR?

page 2-41;

Enbridge also patrols the entire Mainline system by air every two weeks to observe the condition of the right-of-way, nearby construction, erosion and other circumstances that could affect the safety and operation of the pipelines or could indicate a potential crude oil release.

Comment: What about winter snow cover in conjunction with both detection and subsequent spill response?

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

Also page 2-41

If irregular conditions are observed during the air surveys, Enbridge personnel would be deployed to investigate the irregularity on the ground. If a release is suspected, the survey pilot/ground personnel would immediately notify the Enbridge Control Center by radio so the affected pipeline could be shut down pending an onsite investigation.

Comment: No mention on this page that the Control Center is located in distant Edmonton, Canada. Raises all sorts of issues that FEIS should address. A few would be:

- o Stating measures to counter cyber attacks would be in place.
- o Contingencies, if otherwise, computers go down.
- o Measures taken to avoid staff boredom, inattention, etc. such as experienced in more recent years at USAF nuclear-missile silos.

Also page 2-41

Maintenance of the Right-of-Way Includes Routine Mowing and Brush Removal

2785-2

Comment: Once the construction dust, so to speak settles, pipeline corridors could and should serve as biological corridors for pollinators. However, the routine mowing, brushing and herbicide applications will produce "no fly zones". I've personally seen, from public roadways that pipelines cross under on butterfly counts near Itasca S.P. and Bemidji that this has been the case over the past 25 years. Whereas not many years ago, nectar sources flourished on such corridors, more recent years have produced denuded stretches. Ironical that Enbridge making a PR splash with pollinator Ecofootprint grants near ag fields when pipeline corridors could provide so much more!

page 2-43 (emphasis added):

Enbridge personnel participate in both classroom and practical training in safety and emergency response procedures, including Incident Command System training, and are required to demonstrate knowledge and proficiency in these areas as appropriate to their responsibilities in accordance with the approved ERAP. PREP standards require at least one written/classroom spill response exercise and one equipment deployment exercise annually. Enbridge has indicated that their training programs exceed this standard.

Comment: Has any entity outside of Enbridge that can vouch that Enbridge does indeed exceed this standard? If so, should be included in FEIS.

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 2-43 section 2.9:

2.9 ABANDONMENT OF THE LINE 3 PIPELINE

Comment: How long will Enbridge maintain and monitor old Line 3? If not physically removed, Enbridge should be required to set up a multi-million dollar trust fund to clean up messes discovered long after Enbridge out of the picture.

page 3-3 CERTIFICATE OF NEED

Enbridge submitted a CN application to the Commission on April 24, 2015. After accepting the application as complete, the Commission ordered the Department of Commerce, Energy Environmental Review and Analysis (DOC-EERA) to prepare a combined EIS that addressed both the CN and routing permit dockets in accordance with Minnesota Administrative Rule Chapter 4410. The Commission also referred the application to the Office of Administrative Hearings (OAH) for a contested case hearing for the CN decision, to be conducted jointly with the hearing for Enbridge's route permit application (discussed below).⁴

Comment: FEIS should add a sentence to this paragraph that in effect says: "A court ruling upheld by the Minnesota Supreme Court ordered an EIS be performed."

page 3-4:

The Commission's CN decision does not determine the route that the pipeline would take between its endpoints in Minnesota. The route is determined by the Commission's route permit process (as discussed below and in Table 3.1-1 (further discussion is provided in Chapter 4).

Comment: Enbridge through its affiliate NDPL LLC claimed "only way" to move Bakken oil had to have Sandpiper pipeline connecting Clearbrook and Superior, WI. However, subsequently Enbridge withdrew Sandpiper application and bought into Dakota Access Pipeline. DAPL totally bypasses Minnesota. The FEIS should reflect that Enbridge met its Bakken oil "needs" not with a Clearbrook-Superior route. Now, APR for Line 3 "replacement" follows the withdrawn Sandpiper route. So how hard and fast is that??

page 3-8 section 3.3.2

This combined CN and route permit EIS has been prepared by DOC-EERA staff in cooperation with the Minnesota DNR and Minnesota PCA. It is issued as a draft EIS so that it can be improved through public comment²³ and a Final EIS can be developed based on those comments.²⁴ Once a Final EIS is issued, the public may comment on the adequacy of the Final EIS.²⁵ The Commission must then determine whether the Final EIS is adequate for decision-making purposes or whether it needs to be revised.²⁶

Comment: FEIS should elaborate on what DNR and MPCA staffs proposed and how incorporated in the DEIS.

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 4-3 section 4.2.2

The EIS must evaluate the environmental consequences of the No Action Alternative. In this case, a Commission decision to deny the certificate of need is the "No Action" Alternative. If the Commission determines that the demand for increased shipping capacity exists but denies the CN, the Applicant (or entities other than the Applicant) could reasonably be expected to meet shipper demand through other means, such as a different pipeline system, or by train or truck.

Comment: Many reliable sources project decreased shipping demand over the next 30 years. FEIS should include independent (i.e. non-Enbridge provided) sources and projections. (Probably other commentators may even be mentioning at least some of them.)

page 4-6 section 4.2.3 Alt. 1 - Existing Line 3

Maintaining the Existing Line 3 Would Require 4,000 Excavations over the Next 15 Years

Continued operation of Line 3 at its present capacity would require that Enbridge continue the high level of maintenance that the pipeline currently requires. Enbridge has estimated that up to 4,000 integrity digs (excavating and exposing the pipeline for maintenance and correction of anomalies) would be required over the next 15 years of operation (approximately 267 procedures per year) (Enbridge 2015). The effects of this high level of maintenance activity would continue under the No Action Alternative.

Comment: This certainly is not a "No Action Alternative"! Enbridge would be kept busy with integrity digs. Further, it is interesting that Enbridge going out only 15 years with projection. When demand for petro. downshifts to an even lower gear?

page 4-7 section 4.2.4 Alt. 2 - Use Other Pipelines

Other existing and potential future pipelines with available capacity were considered as alternatives to the Project if they (1) interconnected in the crude oil supply region near Edmonton, Alberta; and (2) served the same Clearbrook and Superior destinations.

Environmental Impacts of Alternative Pipeline Capacity Owned by Enbridge or Others Are Not Evaluated

Comment: Doesn't make sense not to evaluate Alt. 2. Are Clearbrook and Superior "destinations" as "firm" as they supposedly were for Sandpiper APR? Also, if other Enbridge pipelines could handle tar sands oil, why not?

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 4-8 more on Alt. 2:

The EIS is not evaluating these alternatives based on whether they meet the need for this proposed Project. Their environmental impacts have been (or would be) evaluated in other jurisdictions. Therefore, the "other pipeline" CN Alternatives are not evaluated in the EIS.

Comment: Prime example of what a "rigged game" the whole approval process is at this time. An applicant, such as Enbridge, knows how many pipelines, where and when they will be placed. On the other hand, the public gets to see only one pipeline proposal at a time, not the full array the applicant has "up its sleeve". This provides more evidence that "generic EIS" for energy corridors is needed in Minnesota.

p. 4-20:

The probability of an incident leading to a crude oil release would also be similar for a smaller diameter pipeline. Because the impacts are generally the same, a smaller diameter pipeline configuration was not evaluated in detail as a Project configuration alternative.

Comment: Less volume means less oil to spill. The FEIS should evaluate the impact.

page 5-184

Table 5.2.3-5. EPA Ecoregions Crossed by System Alternative SA-04

Comment: Crops/pastures represent over 80 percent of the 795 miles traversed by SA-04.

page 5-215 Table 5.2.3-18 Summary Potential Impacts on Vegetation

Comment: APR would have a 36.1 percent impact on cropland; leaving almost 2/3 (i.e. 63.9 percent) impact on forests, croplands, scrub/shrub.

On the other hand, SA-04 has 95.0 percent impact on cropland: only 5.0 percent on all other types combined.

Important to note that a pipeline through croplands would be 1) easier to monitor and 2) easier to respond to leaks/spills by being less remote.

page 5-216 continuation of Table 5.2.3-18

Comment: With regard to right-of-way (permanent) the APR would impact 45.2 percent forest, whereas SA-04 would impact only 1.4 percent. For a variety of factors, the fewer forest acres affected, the better.

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment
page 5-227:

Four AMAs occur within 0.5 mile of the Applicant's preferred route: Blackhoof River AMA, La Salle Creek AMA, Spire Valley AMA, and Straight River AMA (see Figure 5.2.4-1). The Applicant's preferred route runs directly adjacent to Portage Lake. Portage Lake meets the criteria for a Lake of Biological Significance and is also a Sentinel Lake.

Comment: Putting LaSalle Creek & Straight River AMAs and Portage Lake in jeopardy are a few of the multitude of reasons why Enbridge's incursion into Minnesota streams and lakes country with its APR would be a big mistake.
further page 5-227:

The ROI includes Minnesota DNR-designated trout streams, which occur throughout the state (Figure 5.2.4-2). There are 22 trout streams (21 in Minnesota and one in Wisconsin) identified within 0.5 mile of the Applicant's preferred route, as described in more detail in Section 5.2.4.3.1. Five lakes rated for the Fish IBI are located in the ROI in the following watersheds: Roosevelt, Island, Waukenabo, Big LaSalle, and Portage.

Comment: Again putting these trout streams in jeopardy by the APR should be opposed.

pages 5-232 & -233 & -234

Table 5.2.4-3. Wildlife Conservation Lands within 0.5 Mile of the Applicant's Preferred Route and System Alternative SA-04

Comment: 91.5 percent of SA-04 traverses the Dakota Tallgrass Prairie WMA. Does SA-04 "have" to go through that WMA in N.D.? Can it be altered?

On the other hand, 93.3 percent of acreage traversed in Minnesota is in State Forests by the APR. A whole host of factors should argue against this assault on MN S.F. (A few would be 1) fragmentation, 2) difficulty in monitoring, 3) difficulty with access for spill and leak response, 4) carbon sequestration reduction and so forth.)

page 5-236 Itasca S.P. and McGregor IBAs

Comment: Another argument against APR since it would unnecessarily place both in jeopardy.

page 5-245

The SA-04 would cross many different dominant vegetation classes, including evergreen forest, deciduous forest, mixed forest, shrub/scrub, grassland/herbaceous, hay/pasture, cultivated crops, woody wetlands, emergent herbaceous wetlands, and barren land (see Section 5.2.3 for a general discussion of vegetation along SA-04). Broadly, SA-04 occurs within ecoregions that are dominated by agricultural activities but also include areas of prairie/grasslands and non-forested wetlands.

Comment: Last sentence in paragraph should read in FEIS: "Broadly, SA-04 occurs within ecoregions that are dominated by 82 percent agricultural activities and far lesser percentages of prairie/grasslands and non-forested wetlands."

July 4, 2017

TO: Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101-2198

FROM: John Weber *JW*
22382 Glacial Ridge Trl.
Nevis, MN 56467-4018

Subject: Second installment of comments on Line 3 Project

Attached are additional pages of Line 3 comments.

A nice day to reflect on a future era when saner, sustainable energy policies and approaches are in place. In the meantime...

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Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 5-180

Figure 5.2.3-2. Sites of Biodiversity Significance in the Region of Interest for the Applicant's Preferred Route and Certificate of Need Alternatives

Comment: Map shows in "living color" true impact of a frontal attack on significant biodiversity by APR and other alternatives except for SA-04 and a true "no build" alternative.

page 5-271

Table 5.2.4-10. Vegetation Cover Potentially Affected by System Alternative SA-04 (acres)

Comment: Construction work area would be 95 percent in cultivated crop areas. Permanent right-of-way would also be 91 percent in cultivated crop areas. Many positive implications could ensue. A few would be:

- o Ease year-round monitoring.
- o Spill/leak responses aided by proximity of a number of existing access roads.
- o BMPs that aided, rather than thwarted, pollinators, could make SA-04 a model for how extensive corridors could truly benefit pollinators in a far more meaningful way than a few token Enbridge Ecofootprint grants will ever do.

page 5-272

Table 5.2.4-11. Wildlife Conservation Lands Potentially Affected by System Alternative SA-04

2785-4

Comment: FEIS should state that SA-04 construction would be 93.8 percent of total in Dakota Tall Grass Prairie WMA and same WMA would have 93.6 percent of coverage in permanent right-of-way. But further, FEIS should explore how a RA could largely, if not totally, by-pass Dakota Tall Grass Prairie WMA.

page 5-285

Table 5.2.4-12. Summary of Potential Impacts on Fish and Wildlife for the Applicant's Preferred Route and Certificate of Need Alternatives

Comment: The "permanent/minor to major impacts from maintenance of the right-of-way" for APR and SA-04 are too vague. FEIS should quantify and qualify how much "minor"? How much "major"?

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 5- Table 5.2.5-18

Comment: This table alone should stop the APR in its tracks!

page 5-363 (emphasis added)

If present, the Dakota skipper, Poweshiek skipperling, and rattlesnake-master borer moth could be affected by construction activities that disturb native vegetation. These activities would disrupt egg laying and foraging during spring and summer, and could crush dormant larvae during fall and winter. These prairie-dependent insects depend on high-quality native grasslands and tallgrass prairies to provide food from flower pollen and nectar. Vegetation clearing and replacement with non-native ground covers could injure or kill these butterflies and moths, and would remove forage plants for the species. While it is possible that these invertebrates could be present along the construction work area, no habitat or presence/absence surveys have been conducted. Direct construction impacts on these populations would be temporary. The SA-04 route is sited to follow existing pipeline, transmission line, or road corridors; consequently, potential impacts, habitat loss, and habitat fragmentation would be minimized. If these species are present, impacts from construction activities would be temporary to short term and minor.

2785-5

Comment: Unlike 99.9 percent of commenters on the DEIS, I have actually seen and photographed both Dakota Skippers and Poweshiek Skipperlings in the wild. It is unacceptable that surveys have not been conducted. Rather than "temporary", construction impacts would be permanent especially when combined with non-BMP operational mowing and spraying of herbicides.

page 5-416

Table 5.2.6-3. Federal Lands Crossed by System Alternative SA-04 (acres)

State	Construction Work Area	Permanent Right-of-Way
North Dakota	800.2 ^a	331.2 ^b
Minnesota	0.3	0.1
Iowa	0.0	0.0
Illinois	176.5	73.6 ^e
TOTAL	977.0^{a,b}	404.9^{a,b}

2785-6

Source: PAD-US – USGS 2016.

Notes:

^a Includes acreages of the Dakota Tallgrass Prairie Wildlife Management Area that are not owned by the U.S. Fish and Wildlife Service.

^b Includes acreages of the Illinois and Michigan Canal National Heritage Area that are not owned by the National Park Service.

Comment: Backtracking to Table 5.2.4-3 which gives the impression that all of 34,806.8 acres of Dakota Tallgrass Prairie WMA may be impacted by SA-04, 5.2.6-3 indicates 34,000 fewer acres would actually be crossed there. Is this but one of series of instances that "deck is stacked" unfairly against SA-04 in an attempt to cast a more favorable light on the APR?

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 5-438:

Social Cost of Carbon

The potential increased GHG emissions associated with the Project would contribute incrementally to global climate change, in conjunction with other regional, national and global sources of GHG emissions; when aggregated together on a global scale, emissions can have large cumulative effect on climate change.

Comment: At present, the "social cost of carbon" is generally a vague construct. It is disproportionately being "paid" by respiratory sufferers, victims of catastrophic weather events, residents of low-lying islands around the world, victims of prolonged drought-caused famines and members of future generations, to name just a few instances. However, it would be a "new ballgame" if saner heads adopted a "carbon tax" of instituted "carbon pricing". How economically viable would Enbridge L3 "replacement" be then? FEIS should address this.

page 5-454 & -455 5.2.7.4.2 Mitigation

Comment: The first four items listed are "laughable" (i.e. so small that it would seem embarrassing to even put them on paper). Rather, Enbridge's new pipeline (whether APR or SA-04) should be viewed as an "enabler" (i.e. continuing the upstream method of extreme extraction of Alberta tar sands and the downstream end-use of burning a fossil fuel) rather than a true energy bridge to a post-fossil fuel era. This leaves the largely-dismissed in the DEIS, a real "No Build Alternative" as the only meaningful alternative. All others add, not subtract GHG emissions.

page 5-235 Figure 5.2.4-3

Comment: SA-04 avoids all WMAs and Refuges and should be noted as such in the FEIS.

2785-7

page 5-237 Figure 5.2.4-4

Comment: Figure shows SA-04 close to Swan Lake NWR (MN), Upper Miss./Tremelau NF & W Refuges (IA/IL) and Midewin National Tallgrass Prairie Audubon IBA (IL). Seems like all could be avoided by route alteration.

page 5-314 Figure 5.2.5-5

Comment: SA-04 would avoid all (i.e. "moderate, high and outstanding") and FEIS should note this.

2785-8

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Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 5-477 (emphasis added)

The value of the annual lost growth of forested land within the construction work area is approximately \$19,000 (Table 5.3.1-10). Assuming that this value is lost annually over 50 years, the present value of the future growth foregone is approximately \$158,000, with the majority of the impact occurring in Minnesota. When compared to the present value of the timber harvest market over the same time period (50 years, \$662 million), the impact of construction on the associated local timber industry is likely to be long term and negligible.

2785-9

Comment: Stated economic life of L3R is 30 years. Why is 50 years being used?

page 5-506 Construction Impacts (emphasis added):**Construction Impacts**

As discussed in Section 4.3.1, SA-04 would be constructed and operated in the same manner as the Applicant's preferred route. However, the route would be within the jurisdiction of other states and other local governments for approximately 544 miles, or 68 percent of the total route. The system alternative is over twice the length of the Applicant's preferred route and would cross more recreational land and waterbodies than the Applicant's preferred route.

Comment: Agree with first part of last sentence (i.e. the "twice the length"), but feel the FEIS should quantify "more recreational land and waterbodies" than APR, since recreational land such as Itasca S.P. impacted by APR is far different than others. Also Headwaters of the Mississippi River, again, is of a different magnitude and affected by APR in a much different way than other "waterbodies".

Further comment, the DEIS is terribly deficient when it comes to "tourism". DEIS seems to fail in recognizing that "outdoor recreation" is but a part of tourism.

also page 5-506:

At the county level, the majority of the land disturbed during construction (795 acres) would occur in a WMA within Richland County, North Dakota (Table 5.3.2-2). However, a review of national wildlife refuge maps revealed that the disturbed land represents a very small portion (less than one-half of a percent) of the total amount of land that remains available in the WMA. In total, over 185,000 acres of land would remain unaffected and available during construction within the Dakota Tallgrass WMA in Richland County.

Comment: Finally, hidden on page 5-506, the very minor impact on Dakota Tallgrass Prairie WMA is revealed. FEIS should reflect "more realistic" numbers of impacted acres.

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 5-525

Table 5.3.3-3. Populated Areas near System Alternative SA-04

Comment: Table shows 223,526 population for Fargo, West Fargo and Grand Forks (ND) and Mankato (MN). Those 223,526 people represent 81 percent of the supposedly-affected population. It seems like route adjustments near those four cities could shrink the alleged population impact from SA-04 by 80 percent!

pages 5-538 & -539 Construction & Operations Impacts SA-04

Comment: If one is to believe narrative on these two pages, the construction and operations impacts on populated areas would be negligible.

page 5-558

Table 5.3.4-6. Government Revenue in Counties Crossed by System Alternative SA-04

2785-10

Comment: Several ways to view this table. One is the fairly-high (i.e. average of 41 percent) reliance on property tax revenues. A number of county commissioners have gotten all "starry eyed" at the prospect of "more" property tax revenues from an Enbridge pipeline. However, this is a double-edged sword, so to speak. Within the past several years, Enbridge has gone to Tax Court to have counties repay "too high" property taxes paid in the past few years. How can cash-strapped counties repay past revenues they're already spent and don't have current funds to repay? The FEIS should note that Enbridge already seeking repayment of past property taxes paid. Nothing to stop Enbridge from going back to Tax Court in the future. Another way at looking at this is a further dependence of counties on property tax revenue. Though pipeline percentage portions may seem small, the dollar valuations will certainly not be. Is it healthy to have counties even more dependent on Enbridge pipelines when they are on such razor-thin margins for error?

Further, the FEIS should address what happens to these revenues when Enbridge takes a pipeline out of commercial service and impact on property taxes paid.

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Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 5-563 (APR) & page 5-567 (SA-04):

Table 5.3.4-11. Estimated Income Tax Generated from Construction-Related Income for the Applicant's Preferred Route

State/County	Miles of Pipeline through County	Estimated Income Tax Generated from Direct and Indirect Construction-Related Income ^a (\$2016 millions)
TOTAL	380.5	\$103.9

^a The estimates represent a conservative upper bound on the actual values. The underlying data are based on results from an IMPLAN model that uses national data, rather than data at the state level. The national data inflate the results at a more localized level, compared to a state-level model.

Table 5.3.4-12. Estimated Income Tax Generated from Construction-Related Income for System Alternative SA-04

State/County	Miles of Pipeline through County	Estimated Income Tax Generated from Direct and Indirect Construction-Related Income ^a (\$2016 millions)
TOTAL	795.4	\$178.1

^a The estimates represent a conservative upper bound on the actual values. The underlying data are based on results from an IMPLAN model that uses national data, rather than data at the state level. The national data inflate the results at a more localized level, compared to a state-level model.

Comment: Same two footnotes used for both = mumble jumble. FEIS should present aggregated tax data from actual counties and states.

page 5-567

Employment and Income

For the purposes of the analysis, it was assumed that SA-04 would be operated in the same manner as the Applicant's preferred route. Based on Enbridge's estimate that very few permanent workers would be needed for operation of the preferred route, it is expected that SA-04 would similarly require few operational staff. Based on the small number of permanent jobs, it is likely that operation of the pipeline would result in no impact on the per capita household income, median household income, or unemployment rates in the ROI.

Tax Revenues

Since there is likely to be a small number of permanent operational staff, it is also likely that operation of the pipeline would result in a permanent, negligible impact on tax revenues associated with payroll spending (i.e., income taxes) in the ROI.

Property tax revenues are likely to be the largest source of ongoing revenue to the counties in the ROI.

Comment: Again demonstrates how few permanent jobs there would be along either route. Most of ongoing revenue would reside in property tax basket which Enbridge can (will?) challenge.

2785-11

2785-12

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Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

pages 5-574 & -575 (emphasis added);

**Table 5.3.4-13. Summary of Potential Impacts on Employment, Income, and Tax Revenue
for the Applicant's Preferred Route and Certificate of Need Alternatives**

Impact	Applicant's Preferred Route	Existing Line 3	Alternative SA-04
Construction Impacts			
Employment, unemployment, per capita income, median household income	Temporary/negligible to minor impacts <ul style="list-style-type: none"> • 4,800 workers (<u>all workers assumed non-local</u>) • Increase in income/jobs in secondary industries that support construction 	No impact	Temporary/negligible to minor impacts <ul style="list-style-type: none"> • 9,000 workers (<u>all workers assumed non-local</u>) • Increase in income/jobs in secondary industries that support construction
Property tax revenue during construction	No impact	No impact	No impact
Income tax revenue during construction	Temporary/minor to major impacts <ul style="list-style-type: none"> • \$104 million 	No impact	Temporary/minor to major impacts <ul style="list-style-type: none"> • \$178 million
Operations Impacts			
Employment, unemployment, per capita income, median household income	No impact	No impact	No impact
Property tax revenue during operations	Permanent/major impacts	No impact	Permanent/major impacts <ul style="list-style-type: none"> • Longest route, highest property tax revenue
Income tax revenue during operations	Permanent/negligible impacts	No impact	Permanent/negligible impacts

Comment: APR and SA-04 = main contenders as should a true "no build". The other so-called "alternatives" are "straw men" that can be easily blown away/dismissed. Interesting that prior to June 7 meeting in Park Rapids, an Enbridge® mailer touted "an expected 13,600 jobs". The mailer came out several weeks after release of DEIS with "4,800 workers (all workers assumed non-local)". That's almost a 9,000 discrepancy! Is that just one example of how untrustworthy Enbridge-provided "information" is? SA-04 with "longest route - highest property tax revenue" should have county commissioners salivating! Also interesting this table lays to rest Enbridge-assertion of "permanent" jobs!

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

2785-13

Chapter 6 Land Use Zoning Categories page 6-23

"NA" (for Hubbard and Clearwater counties) = "zoning data not available for this county"

Comment: This is a "cop out" dealing only with "zoned" counties. Page ignores "Shoreland Ordinance" in Hubbard County that does "zone" what goes on within 1,000 feet of a waterbody. Overall, DEIS should have made some attempt to obtain land use GIS for Hubbard and Clearwater counties.

page 6-27 "operating impacts" on shoreland

Comment: Tends to severely downplay what impacts there would be for shoreland itself and adjacent water quality.

page 6-415 Audubon IBAs

Comment: Does appear to accurately report which bird species are present. However, I get the impression: "These are just birds. They shouldn't stand in the way of an Enbridge pipeline." Rather, they should be viewed as a valid measure of the biodiversity (i.e. birds don't exist in a "vacuum" but are part of a larger community of plants and animals) that is present. And that shouldn't be subjected to presence of a pipeline.

Still further, Figure 6.3.4-4 shows how close the APR skirts Itasca S.P. itself not only putting the IBA in jeopardy, but important tourist destination that State Park represents.

page 6-487 Table 6.3.5-1

Comment: Dakota Skipper and Poweshiek Skipperling are both very small (i.e. easy to overlook unlike Monarchs or Regal Fritillaries) and very sensitive to habitat disturbances.

page 6-672 begins the 6.5.2 Recreation and Tourism section

Comment: Much verbage is spent on "recreation" which is well and good. On other hand, "tourism" is given short-shrift whereas leaks and spills from pipelines could have multiyear (even decades' long) negative impacts. Yet another shortcoming of DEIS. Remedied in FEIS?

July 5, 2017

TO: Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101-2198

FROM: John Weber *JW*
22382 Glacial Ridge Trl.
Nevis, MN 56467-4018

Subject: Third installment of comments on Line 3 Project

Attached are additional pages of Line 3 comments.

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Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 6-751 6.8 Regulatory Control

Comment: Since Enbridge has been granted pre-emptive powers of eminent domain and supercedes local regs. and ordinances, the FEIS should clearly state the higher standards Enbridge will be held, if a Certificate of Need is granted, to protect the "public health, safety and welfare" of Minnesotans and its environment.

page 8-3 ABANDONMENT

Enbridge Has Filed a Proposed Abandonment Plan per PHMSA Regulations

2785-14

Comment: Since Enbridge probably had a hand in writing the PHMSA regs., FEIS should state who will independently assess Enbridge's Abandonment Plan.

also page 8-3 (emphasis added)

- **Monitoring and Maintaining the Pipeline** – Enbridge would continue to monitor and maintain the abandoned Line 3 right-of-way in accordance with PHMSA regulations indefinitely.

2785-15

Comment: The "indefinitely" is troubling enough by itself. Unless a massive, multi-million dollar trust fund is set up to keep monitoring and maintaining for decades and even centuries down the road, what's to prevent Enbridge from "just walking away"? Also the "in accordance with PHMSA" regs. is equally troubling. Can they be further "watered down" in the future, especially as more and more pipeline companies want to walk away from old pipelines still in the ground?

page 8-4 (emphasis added)

The existing Line 3 is situated between other active oil pipelines within Enbridge's Mainline corridor (see Figure 4.3-2). The distance between pipelines within this corridor varies, but they are generally 10 to 15 feet apart. Enbridge has indicated that abandonment would minimize risk to other pipelines in the

2785-16

Comment: Again another instance where independent assessment needed. Minnesotans for Pipeline Cleanup claim average distance between Line 3 & 4 from Wawina and Grand Rapids is 30 feet. So which is correct?

page 8-5

Table 8.3-1. Potential Impacts of Line 3 Abandonment

Comment: For most resource categories, this phrase appears: "These impacts could be avoided and mitigated through long-term monitoring, adaptive management, and site-specific mitigation measures." What proof will appear in the FEIS that this is not just a glib phrase that doesn't really mean anything?

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 8-5 (continued) further comment:

Short-term cost of \$85 million and annual monitoring estimated at \$100,000. What would an independent cost analysis show? Again, \$100,000 per year sounds like a nice round number. What about inflation, etc.?

Abandonment would contribute to "ongoing stress and anxiety" on one hand seems to be acceptable from Enbridge's side of the "Environmental Justice" equation. But should the PUC accept it?

page 8-6 (emphasis added)**Enbridge Has Developed a Cleaning Protocol to Comply with PHMSA Regulations**

and any other materials on the pipeline walls. The pigs would be propelled through the pipeline by nitrogen gas, and the solvents would consist of water and biodegradable cleaning agents.

Comment: Enbridge's abandonment plan smacks of the proverbial "buying a pig in a poke" (i.e. "you can't open the poke to see the pig, but buy it anyway")

Also, the solvents may start as "water and biodegradable cleaning agents", but what do they end up being?

Further, DEIS states: "Laboratory analysis conducted by Enbridge" should raise red flags. What about independent analysis?

further page 8-6 (emphasis added)**If Effective on Long Pipelines, Enbridge's Protocol Could Minimize Effects on Soils and Waters**

However, the testing done by Enbridge of its cleaning protocol was conducted on a 12-mile length of pipe, and the existing Line 3 in Minnesota is approximately 282 miles long. It is currently unknown whether Enbridge's protocol works on a longer length of pipeline.

Comment: The fact that the 12-mile test is only 4.3 percent of 282-mile length of Line 3 should raise a huge red flag against having Line 3 serve as a guinea pig (there goes a "pig" reference again!). I suspect that Enbridge had a very careful test (i.e. did it "work" the first time? did anyone independent of Enbridge witness it?) What happens if PUC approves abandonment in place and cleaning protocol doesn't pan out? In fact, how would public health, safety and welfare even be protected in this matter?

In fact, the FEIS should make this a strong argument against allowing Enbridge to abandon L3 in place.

page 8-7 Contaminated Sites Plan

Comment: FEIS should state who would require Enbridge to do anything.

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 8-7: (emphasis added)

manage, and mitigate historically contaminated soils and waters. Such a plan would require them to identify potential contamination sources along abandoned Line 3 and coordinate with resource agencies and authorities to determine appropriate mitigation measures (see Sections 5.2.1.1, 5.2.2, 6.3.1.1, and 6.3.2).

Comment: What resource agencies and authorities? With current assault on State agency funding and staffing, what agencies and staff would still be around to "coordinate"?

page 8-7 (emphasis added)

through existing Line 3 are anticipated to be minimal. As Enbridge acknowledges in its plan, however, additional segmentation locations require further study. Additionally, water resources may be identified

Comment: Doesn't sound as though Enbridge really has a "plan".

page 8-8 (emphasis added)

Enbridge's analysis indicates that it would take a minimum of 506 years for the abandoned Line 3 to fail under typical highway loads and 87 years to fail under typical railway loads. How much subsidence

Comment: Again, it's "Enbridge's analysis", not independent assessment.

page 8-9 (emphasis added)

length of the existing Line 3 and the variety of resources along it, the primary mitigation strategy would be effective monitoring and adaptive management.

Enbridge's analysis also indicates that impacts on public safety are anticipated to be minimal in the near term, but that the potential exists for significant impacts on highway, railways, and other utilities, absent monitoring, adaptive management, and effective mitigation measures. Subsidence of highways and railways could result in significant adverse impacts, and avoiding and mitigating these impacts is a site-specific and authority-specific endeavor. Initial analysis by Enbridge indicates that the existing Line 3 crosses under 297 roads and 17 railways.

Enbridge notes that tolerable subsidence levels for roads, railways, and utilities have not been established with respect to pipelines.

Comment: "Effective monitoring and adaptive management" seems a constant mantra for Enbridge. But what does it actually mean? And then in same section, Enbridge admits "tolerable subsidence levels ... have not been established with respect to pipelines." Seems like they should be before abandonment in place is granted!

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 8-9 (emphasis added)**Exposed Pipe Could Affect Streambeds and Cause Erosion, but Locations Are Difficult to Predict**

If the abandoned Line 3 became buoyant, the exposed pipeline could adversely affect natural resources, including soil erosion and impacts on streambeds. Because of the length of Line 3, the variety of resources crossed, and the number of variables that determine whether a specific segment of pipe will become buoyant, it is difficult to predict where buoyancy and exposed pipe will occur. Accordingly, the primary mitigation measures are monitoring and adaptive management.

In the CNEB report, Enbridge indicated that it would conduct a preliminary buoyancy analysis of Line 3 in Canada to determine areas where there might be pipeline buoyancy issues. Buoyancy analysis may also be required by PHMSA. Enbridge noted that it would use a variety of mitigation measures to address exposed pipeline, including weights or engineered fill, placing additional cover over the pipeline and, in some circumstances, removing segments of the pipeline.

Comment: Again, Enbridge defaults to "monitoring and adaptive management" fall-back position. As of the release of the DEIS, Enbridge apparently had not performed a preliminary buoyancy analysis on Line 3 in Canada. PHMSA "may" require buoyancy analysis. And still Enbridge goes into fall-back mode again -- i.e. "a variety of mitigation measures."

back to page 8-8:

The Longer the Pipe Is in the Ground, the More Likely It Is to Fail

Comment: Seems like this would be a strong case for removing Line 3. In many ways, Enbridge's so-called "Abandonment Plan" has more holes than Swiss cheese. At best, it seems too lame. At worst, it would place miles of Minnesota in jeopardy, not only for decades, but centuries!

page 8-10 (emphasis added)

responsible for issues that involve crossing the state's waters. Buoyancy is a phenomenon that occurs near and within water resources, making it more likely that mitigation measures designed for specific exposed segments of pipeline would involve working with the Department of Natural Resources.

Comment: MN DNR cited as responsible State agency. As I questioned earlier (my page 18) would future funding and staffing enable the MN DNR to carry out this role?

page 8-10

Short-Term Cost of Abandonment Estimated at \$85 Million

Comment: How "short-term" is the \$85 million figure given for? Again, an independent assessment of cost should be included in FEIS along with basis for \$100,000 per year monitoring. (Given the cost of things, seems like \$100,000/year is a low-ball number.)

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- John Weber comment

page 8-10 cost comment (contin.):

Further comment: FEIS should state that if Enbridge is allowed to abandon L3 in the ground, it would expect in the future it would also abandon Line 1, 2 & 4 in the ground. How much of "unpaid" \$1.28 billion bill will be borne by present and certainly future generations if L3 abandoned in place?

page 8-11

Cost	Enbridge estimates the cost of removing Line 3 at approximately \$1.28 billion. Enbridge estimates the cost per-foot for removal at about \$855. ^a
Environmental Justice	Communities with potential environmental justice impacts related to the Line 3 Project are discussed in Chapter 11. Removal of the existing Line 3 could positively affect these communities by removing stress or anxiety related to the presence of the abandoned pipeline and ongoing risks related to water flow, soil and water contamination, and subsidence.

^a Communication with Enbridge, March 10, 2017.

Comment: Another example of need for an independent cost estimate. "Environmental Justice" would be served by removal.

page 8-12 (emphasis added)**Primary Challenge Is Proximity of Other Pipelines, but Mitigation Measures Would Be Used**

The primary challenge in removing Line 3 is that it is situated between other active oil pipelines within Enbridge's Mainline corridor (see Figure 4.3-2). The distance between pipelines within this corridor varies, but they are generally 10 to 15 feet apart. Enbridge has indicated that there is a significant risk that pipeline removal activities could damage an active pipeline and cause an accidental release. Damage could be caused by striking a pipeline with equipment or by the weight of the equipment as it works above operating pipelines. This damage would be immediately apparent if equipment struck a pipeline, or observable later if the pipeline was damaged and only leaked in the future.

Comment: Seems curious that Enbridge was able to "pack" these pipelines close together, but claims too difficult to remove one now. What about other pipes in Mainline Corridor. Are they going to be permitted to decay in place once economic usefulness exhausted? Again the Enbridge-reported "10 to 15 feet apart" figures repeated. What about an independent assessment of actual distance? Same goes for having independent risk assessment done.

page 9-23 Tribal Resources Chapter 9 (emphasis added)

The tribes look at not just the immediate impacts but what is going to affect future generations; they are taught to project to seven generations in the future. Any major changes to the environment affects not

Comment: It should not be limited to the tribes to project to seven generations in the future, but the PUC CN process should look far beyond Enbridge's "30-year economic" horizon for L3R since far beyond that narrow timeframe, impacts will be registered.

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 9-27

9.6.1 Climate Change

The Fond du Lac band elaborated on the cumulative effect of climate change from the Project, including the cost of petroleum extraction, the cost to the climate from production of the steel used to transport the oil, the cost of pumping the oil, the cost of trucking to transport the pipe and other assorted materials used in construction of the pipeline, the cost of the refining process, and the cost of using the oil once it is transported and refined.

Comment: I'd say the tribes made an excellent start to identifying cumulative effects of L3R. I would say the DEIS has only given cursory, lip-service to the magnitude of impacts on society and the environment that the Project is enabling.

page 9-28

9.7 SUMMARY

This chapter provides an American Indian perspective on the construction and operation of a new pipeline. From this perspective, any route, route segment, or system alternative would have a long-term detrimental effect on tribal members and tribal resources. The impacts cannot be categorized by duration (short term or permanent) or by extent (region of interest, construction work area, permanent right-of way). It is also not possible to determine which alternative is better when each alternative affects tribal resources, tribal identity, and tribal health.

Comment: How true! Impacts aren't limited to "duration" nor "extent". However, there is one alternative -- a true "No Build" -- that hands down is "better" though DEIS largely ignores or even dismisses. All other alternatives, including APR and SA-04, are really bad choices, but the "process" wants to box them in as only possibilities to pick from.

page 10-10

Figure 10.2-1. Seven Sites Evaluated in Stantec et al. 2017 Study

Comment: There are so many flaws that one wonders where to begin?! For starters, who is this "Stantec"? Has Stantec ever done work for Enbridge? Does it hope to do work for Enbridge in the future? Seven sites are way too few. None on SA-04. Also who is "Barr Engineering"? Has Barr previously done work for Enbridge? Does it hope to do more in the future? The list could go on and on. Hopefully other commenters will add many more.

July 7, 2017

TO: Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101-2198

FROM: John Weber *JW*
22382 Glacial Ridge Trl.
Nevis, MN 56467-4018

Subject: Fourth installment of comments on Line 3 Project.

Attached are the final pages of comments on the DEIS that
hasty July 10, 2017 deadline allows me to make.

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Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

Chapter 10: Accidental Crude Oil Releases

Comment: My understanding is that Enbridge redacted numbers used to calculate spills impacts from the DEIS and is fighting with State of Minnesota to keep the public from seeing them. What has Enbridge to hide? Also, a FEIS should not be issued until those numbers are made public.

page 10-19 (emphasis added)

Table 10.2-2. Annual Failure Probabilities and Recurrence Intervals for Small, Medium, Large, and Catastrophic Spills for the Applicant's Preferred Route and System Alternative SA-04

Calculations are based on Enbridge incident failure rates presented in DOS 2017: Table B-2.

Comment: Again Enbridge as a "sole source". Are these "reported" incidents only?

page 10-23 (emphasis added)

10.2.5.2 Regional Comparisons of Failure Probabilities for SA-04

The estimated AFFs and annual probabilities for the Applicant's preferred route, SA-04, and the route alternatives were considered within the same regional context. The AFF values were identical for the route alternatives, but differences in annual incident probability estimates result from differences in the miles of wetlands, open water, and uplands traversed by each route, as well as the total distance of each route. The incident probabilities are slightly lower, but generally within the range of values developed using the data for Minnesota, North Dakota, and Wisconsin, as described above for the existing Line 3 pipeline (Section 10.2.4.1).

Comment: FEIS should state why slightly lower.

also page 10-23 (emphasis added)

The route alternatives exhibit annual incident probabilities that are lower compared to those of the Line 67 Expansion (DOS 2017). The annual incident probability for SA-04 (0.568 incidents per year) is higher than other routes examined. This appears to largely result from the 795-mile length of SA-04.

Comment: FEIS should provide an explanation other than "appears". It appears to me that Enbridge may have produced a flawed analysis ... or was an analysis even done?

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

page 10-43

Table 10.4-2. HCA Unusually Sensitive Ecological Areas within 2,500 Feet of the Centerlines of the Applicant's Preferred Route and Certificate of Need Alternative Routes (acres)

2785-18

Applicant's Preferred Route	Continued Use of Existing Line 3	System Alternative SA-04	Transportation by Rail	Transportation by Truck	Existing Line 3 Supplemented by Rail	Existing Line 3 Supplemented by Truck
6,903.4	19,045.5	10,530.3	17,960.0	26,016.8	37,005.4	45,062.3

Source: Enbridge 2016c.

HCA = high consequence area

Comment: Again, surprise, surprise!, another Enbridge provided data set. FEIS should further convert raw acres to average acres per pipeline mile. This would provide a bit more apples to apples comparison. By converting,

SA-04 becomes 13.25 acres per mile, and
APR becomes 20.3 acres per mile

By doing so, it is revealed that APR is 53 percent more than SA-04!

page 12-4 (emphasis added)

Table 12.2-1. Reasonably Foreseeable Actions Considered in the Analysis

9. Addition of pipeline in same corridor	If a new pipeline corridor is permitted for this Project, outside of the existing Enbridge Mainline, the new corridor creates an opportunity for future corridor sharing that could ultimately result in accumulation of multiple pipelines within the corridor chosen for the Line 3 Replacement Project. <u>This analysis considers the future addition of another pipeline to a new Line 3 pipeline corridor.</u>	Crude oil pipeline
--	--	--------------------

Comment: Instead of being relegated to #9 in the lineup, should have been #1. Analysis supposedly based on "addition of one pipeline to new corridor. How many other pipelines would still fit into that corridor? Would they be allowed to be packed in so tightly that "only option" available in future would be to abandon in place, not remove?

-24-

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137 - John Weber comment

page 12-35

12.5.2 Potential Impacts of Climate Change on the Project

Comment: Section totally ignores the real possibility that climate change impacts would spur saner heads to adopt a "carbon tax" or other meaningful "carbon pricing" putting onus of SCC (social cost of carbon) more appropriately on the fossil fuel industry unlike the past two centuries when the industry merrily passed off the SCC. The FEIS should factor in what meaningful "carbon pricing" would mean for oil shipment demand for L3R.

page 13-1

13.1 STATE AGENCIES

The Department of Commerce, Energy Environmental Review and Analysis Division (DOC-EERA) was the lead agency on behalf of the Minnesota Public Utilities Commission. The Commission is the Responsible Government Unit for the EIS. The Minnesota Department of Natural Resources and Minnesota Pollution Control Agency acted as assisting agencies throughout the process.

Comment: After thousands of pages, suddenly the DEIS becomes very skimpy on details. FEIS should state 1) qualifications and 2) past experience of DOC-EERA working on oil pipeline EIS. Also specificity of what assistance MDNR and MPCA provided 1) during scoping and 2) the development of DEIS. Plus how that assistance was utilized?

also page 13-1

13.2 ENVIRONMENTAL IMPACT STATEMENT PREPARATION TEAM

DOC-EERA was supported by Cardno, Inc. in preparing the EIS. Cardno's team included project management, a range of resource specialists, technical writers, and geographic information system analysts.

Comment: Interesting that under "Who prepared the EIS?" blurb on ES-3 page, no mention of Cardno, Inc. FEIS should specify Cardno's qualifications, selection process used to hire and spell out any past work done for applicant Enbridge. Further, FEIS should state the percentage/proportion of the DEIS that Cardno actually prepared. (Again page ES-3 gives impression that EIS was "prepared by (DOC-EERA) in consultation with the Commission's Executive Secretary" and with assistance of DNR and MPCA. No where is Cardno, Inc. mentioned.)

-25-

Line 3 Project

Docket Nos. CN-14-916 and PPL-15-137

- John Weber comment

Final overarching comment: How can meaningful consideration and incorporation of thoughtful public comments that improve the usefulness of the DEIS for the decisionmaking of the PUC Commissioners be achieved by the hasty issuance of a FEIS on August 10, 2017??? Is this "rush to judgment" in the best interests of Minnesotans and their environment???

Levi, Andrew (COMM)

From: Darril Wegscheid <djwegscheid@earthlink.net>
Sent: Monday, July 10, 2017 7:47 AM
To: MN_COMM_Pipeline Comments; MacAlister, Jamie (COMM)
Subject: Docket Numbers: CN-14-916 and PPL-15-137 - Additional comments of July 10, 2170
Attachments: MN PUC LINE 3 ADDED COMMENTS as of Jul 10 - WEGSCHEID.docx

Ms. MacAlister - Good day,

Here are further comments concerning the Enbridge dockets

Regards,
Darril

July 10, 2017

Re: Docket Numbers: CN-14-916 and PPL-15-137

Additional Comments of PM July 10, 2017

Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Good day,

I believe that there needs to be some honest independent reality / perspective given to the numbers and perspectives in the Enbridge-drafted DEIS.

The DEIS must be revised to quit ignoring key policy issues that must be addressed in much more detail, by independent experts.

The EIS must be corrected for this significant bias and misleading perspectives.

The report presents terrible, and terribly self-serving projections of demand for carbon molecules along the Enbridge system / routes/ corridors.

There is literally NO demand for crude oil along the Enbridge System! There is no Minnesota use along this corridor. Every operating site along their route is of their choosing for receiving and dispatching to further locations – there is not a true source for any supply of the oil, nor any true destination for any use of the oil along this corridor. Thus, there is no need in MN for the pipeline.

There is only the Enbridge effort to limit the analysis of the CN and the routing to limit it to ‘sub-optimal’ segments, and thereby to ignore the obvious options to more correctly move crude oil in a straight line from Alberta and Western North Dakota to the REAL destination – the oil refineries in the Chicago area.

And beyond that Chicago site, some of the oil flows into the pipeline systems to get to refineries further South and West of Chicago. That is a truly wiser and more direct route (aka SA-04) that also avoids Northern MN, Northern Wisconsin, Central Wisconsin, and Michigan, and is more on solid ground and less on wetlands and waters.

If Enbridge pumps more oil into Superior, they will need to upgrade and impact pipelines in Wisconsin and / or Michigan to further push the increased flows.

This Enbridge advocacy document presents virtually zero credible, independent, observable numbers to be reviewed analytically, that demonstrates that the state of Minnesota or its citizens NEED this pipeline. There is much wording pleading to give the company more territory to do its business, but not the need for the State of Minnesota to survive without such capacity. The EIS needs to present credible economic projections that can be seen to qualify this pipeline in a capacity that, if not satisfied, would harm Minnesota.

Thus, for starters, there needs to be that independent study of the economic demand for energy and the carbon molecule. This should be a nothing less than a credible econometric model assessment by independent experts that looks at reality now, and out over several decades. It needs to consider factors of total energy usage and the transition of alternative sources. It also needs to “carbon molecule” demand for industry, etc.

If a truly independent Energy Vision and Strategic Analysis (by a broadly-based panel of Global energy experts) sees an existing crisis of supply, or a credible view that a carbon-molecule supply crisis would occur during the time proposed to build this, then a VERY limited Certificate might be granted to Enbridge - but only then.

Lacking that, the requirement must be that Enbridge be responsible, and be limited and required to replace the existing Line 3.

And if they want to operate any pipeline in the future, it can only be operated within the existing corridor in MN. Enbridge needs to manage Minnesota's resources to the advantage of Minnesotans.

If those Independent and Qualified experts are unable to attest to that, then the State of Minnesota should NOT grant a CN at this time, at least not for anything other than modest adjustments along the existing route to allow replacing the operating capacity of Line 3.

NO WORN-OUT PIPE TO BE ABANDONED AND NO NEW CORRIDOR TO BE ALLOWED:

Over the years, the Enbridge effort to 'break out' a pipeline from their poorly managed corridor along Highway 2 is but their first (likely) step in the near future, to sequentially shut-down their other old and failing pipes in that corridor, abandon those damaged areas and simply move all of that operation into - and to subsequently further abuse the environments along any new corridor.

The State of Minnesota should clearly see that as their game plan.

Thus, the EIS must require truly independent, comprehensive systems modeling and analysis that can be reviewed and critiqued as to the demands, sources, flows, alternative pipelines and alternative sources to meet the demands at the actual refineries – not at an intermediate intersection of Enbridge pipes. That system analysis needs to demonstrate the “all-sources” distribution capacity of the Region, and determine that THIS specific route is truly needed, needed in Northern Minnesota, and needed – even in the next ten years, and needed into the future to meet Minnesota's “carbon molecule” demands. This report fails to provide such adequate analytical, observable, and independent numbers. It does NOT make the case for NEED in Minnesota. And it sets the trap to open a wholly new corridor for future disruption in Minnesota.

2285-1

Enbridge has been allowed for some 50 years to use the current right of way along Hwy 2 to transport crude oil. Essentially, they have added more pipelines when and as they wanted, and apparently made no 'strategic' nor even 'tactical' managerial nor common-sense provisions / allowance for a responsible plan to remove old and broken pipes.

Enbridge failed to manage their system of pipelines that were aging in the corridor. They failed to properly manage their capacity as and while that had 'easy room' to do replace them. Now, they propose to dump and run - to treat that corridor as a disposable 'Dixie Cup' environment, and discard it. They must be held / limited to that corridor, if they wish to operate in Minnesota.

And in any case, they need to remove abandon lines as they occur – and clean-up the same as the law requires for “Leaking Underground Storage Tanks”.

Enbridge reportedly has 'repaired' anomalies along Line 3 when failures have disrupted their economic cash flows. Now, having allegedly packed that corridor with pipes (and complaining about their own failings), they are proposing to have the state of Minnesota grant them yet another / different corridor to begin their irresponsible practices of trashing the environment – all the while stating in their “plans” to abandon what they have desecrated and ruined in that corridor.

Enbridge's threat to additional vital resources in any of the major corridors through Northern Minnesota should more likely be prosecuted, than it should be considered for further environmental risk and certain damage. Like "Leaking Underground Storage Tanks" that the State of Minnesota dealt with in the 1980's, this needs to be confronted, and now.

Enbridge seems to make it very clear that they intend to abandon the existing Line 3, all other lines across MN, and initiate a new corridor through fragile eco-systems and natural resources.

If allowed to develop it, Enbridge appears quite ready to abandon THAT new corridor as well - whenever it is no longer "economically viable" – that is, whenever it suits their economic parameters to walk away.

IF ANY ROUTE IS GRANTED, THE STATE OF MINNESOTA SHOULD NOT DELEGATE ANY ASPECT OF EMINENT DOMAIN TO A FOREIGN CORPORATION, BUT THE STATE SHOULD REMAIN IN CONTROL AND EXECUTE SUCH AUTHORITY ITSELF, AND ONLY AS NEEDED TO MEET ITS ROUTE DESIGNATION.

THE ECONOMIC DATA FOR PROTECTING THE CORRIDOR FAR OUTWEIGHS THE ALLEGED ENBRIDGE RISKS / PROMISES:

The economic 'siren-song' that Enbridge is playing is so full of holes, if anyone looks at it, it should be material for a vaudeville act.

The effort to simplistically talk of "jobs" - and trying to make-believe these are anything other than temporary and passing workers – is a farce. That misleading practice can be easily addressed:

CHANGE THE EIS DISCUSSION TO TERMS OF "HOURS OF EMPLOYMENT, BY MONTH, FOR THE PROJECT", AND NO LONGER USE "JOBS" AS THE FOCUS.

2285-2

SHOW WHICH "PERMANENT JOBS" WOULD EXIST AND WHERE AND DOING WHAT OVER WHAT TIME PERIOD

THE ENBRIDGE COST FOR THE ENTIRE PROJECT IS MINISCULE IN COMPARISON TO THE VALUE OF PRODUCT THEY PLAN TO TRANSPORT OVER THE ECONOMIC LIFE OF THE PROJECT

Let me use the following 'assumptions' – these are values taken verbatim from the DEIS or experts:

- A "barrel" is 55 gallons;
- This project will "last" as constructed for 50 years, maintenance is undifferentiated by route;
- Routing of the proposed pipeline is assumed to have no differential operating costs (a stand-alone issue);
- Assume that the 'average price' per barrel of crude is \$60.00 per barrel for the next 50 years;
- The proposed cost of the ENTIRE project is estimated at \$7,500,000,000;
- That cost is in USD;
- At 760,000 barrels per day, 365 days per year, for 50 years, this will move some:
 - 13,870,000,000 barrels @ \$60 USD per barrel, which is:
 - \$832,200,000,000 of value / product, and is:
 - \$0.0098 per gallon piped – less than 1 cent per gallon for the entire project

YES, LESS THAN ONE (1) PENNY PER GALLON OF CRUDE TRANSPORTED COVERS THE ENTIRE PROJECT.

That said, and to repeat it: that covers the entire project construction (in USD) as proposed for less than 1 cent per gallon of crude over the expected life of the operation. If that \$7.5 Billion estimate is in Canadian Dollars, the entire cost per gallon of crude would drop by approximately another 25%.

THE EIS NEEDS TO ALSO ADDRESS / ANSWER THE FOLLOWING:

What aspect of the environment, wildlife, waters, and economic engine of this North Central Minnesota region can we afford to “throw” to Enbridge for less than a penny per gallon?

What trade-offs demand public risking and giving-up those critical Minnesota values of these critical ricing lakes, the fishing lakes, tourism, the businesses and vacation resources of the area designated as “Applicant’s Preferred Route”?

The EIS must clearly identify, quantify and designate which resources are worth less than 1 penny.

Darril Wegscheid
PO 251
Emily, MN 56647

- VITA:
- Bachelor degree in Mathematics
- Master degree in Operations Research and Statistics
- 31 years of Logistics Modeling at a Fortune 100 international Company
- 8 years of Operational Modeling at a top-5 USA airline
- 6 years in MN State Senate – 1982- 1986
 - Commerce and Economic Development Committee
 - Agriculture and Natural Resources Committee
 - State and Local Government
 - Government Operations
 - K-12 Education

Levi, Andrew (COMM)

From: Stephanie White <stephwhite86@gmail.com>
Sent: Monday, July 10, 2017 12:20 PM
To: MN_COMM_Pipeline Comments
Subject: Pipeline Comments

Dear Environmental Review Manager,

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? They need to be included in the Final EIS. 2293-1

Thank You,

Stephanie White
515 N. 8th St.
Brainerd, MN 56401

Levi, Andrew (COMM)

From: Stephanie White <stephwhite86@gmail.com>
Sent: Monday, July 10, 2017 12:22 PM
To: MN_COMM_Pipeline Comments
Subject: Pipeline Comment

Dear Environmental Review Manager,

Crow Wing Watershed District has recently had a hard working committee put together a WRAPS. These actions are mandated by the state of MN to protect our overall water quality. As individual watershed districts within the Mississippi River Basin are working hard to improve water conditions and protect existing clean water resources, what protections are being offered for those efforts? I do not see any indication within the draft EIS, about the effects of a spill or construction through pristine clean water ecosystems, and how that will effect the efforts and money being invested on a local level? How does the applicant plan to work with the local watershed districts? How will they compensate for these local investments in the case of a release?

The state has mandated the MPCA to review the quality of MN water bodies, and set forth recommendations to achieve the goal of protecting MN's existing clean water resources. These bodies of water are scare worldwide. Protecting them has been deemed by the MPCA to be the best course of action. Prevention is less costly than a clean up effort. The state is supposed to be following these recommendations to protect existing clean water in Northern MN. Southern MN does not have much hope of ever recovering those bodies of water. How does this project fit into the model of preventing these clean bodies of water in the north from being contaminated? This conflict needs to be addressed in the final EIS.

Thank You,

Stephanie White
 515 N. 8th St.
 Brainerd, MN 56401

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MR. TOM WATSON: Good evening. My name is Tom Watson, spelled T-O-M, W-A-T-S-O-N. I'm here on behalf of the Whitefish Area Property Owners Association, of which I'm the president. For the record, it's the largest lake association of its kind in Minnesota. 50 years old. You know it up in the Crosslake area. It's 14,000 acres of surface water; part of the Pine River Watershed, which is half a million acres of land and water.

I want to be clear that we're not opposed to using pipelines to transport oil. We are opposed to putting pipelines in a water-rich area that, as Mr. Raedeke pointed out very correctly --

1 he took half my words -- is the essence of the
2 economy of the northern part of Crow Wing County,
3 Southern Cass, Hubbard, Aitkin County, et cetera.

4 Comments specifically about the DEIS.
5 I don't know how many years it's going to take to
6 get through 5,000 pages, but I'm trying to read
7 fast. But a couple of comments on the content of
8 the document.

9 Section 116(d)(04), which is the
10 description of the law covering environmental impact
11 statements, speaks to the fact that these documents
12 are supposed to be analytical, not Encyclopedic.
13 This document is full of Encyclopedic information to
14 tell me how to define soil, how to define a walleye,
15 how to define water. The analytical part is to take
16 the current experience and apply it. And this
17 document is woefully inadequate in doing the
18 analytical piece.

19 But we have a lot of redundancy, so I
20 know -- I now know how to define a certificate of
21 need. Commissioner Grant hit that one very quickly,
22 in terms of the process. But just for the public to
23 understand, a certificate of need actually requires
24 the RGU, which in this case is the Minnesota Public
25 Utilities Commission, to actually make a decision to

1 determine that the benefits to the public of
2 Minnesota exceed the costs associated with this
3 project. The costs of this project include the
4 things that are negative, oil spills, et cetera.

5 Let me comment on section --
6 throughout this document, but particularly Chapter
7 4, Section 4.1, which has a reference to it that
8 talks about the fact that the economic and --
9 economic analysis and the technical information
10 relative to jobs, employment, tax revenue, etcetera,
11 will be provided by the Applicant, other parties,
12 and the public that are participating in the
13 contested case hearing. I'm sorry, the law says
14 that the independent body retained to consult and
15 advise the Public Utilities Commission is to do that
16 work. You don't ask the Applicant to do that.

17 If it looks like a postcard that's
18 arrived in our area, the data is totally
19 misrepresented about how much revenue they're going
20 to generate, etcetera -- this document talks about
21 \$100 million worth of tax revenue. The postcards
22 I've seen are numbers that are two and three times
23 that. So you don't want the Applicant to do that.
24 You know, they've got a dog in this battle. We need
25 the independent bodies be doing that.

0925-1

1 I want to speak to Section 5 on water
2 resources. A comment was made earlier about the
3 amount of water we've got in the district. We're
4 part of the Pine River Watershed, which is in the
5 south end of Hubbard, a small part of the south end
6 of Cass, most of northern Crow Wing, and a little
7 bit of Aitkin County. 5,400 acres of land and
8 water. It turns out in that particular area
9 40 percent of it is wetlands, open rivers, creeks,
10 and streams. 51 percent is land. Others are roads
11 and matters such as that.

12 The critical thing that I find
13 objectionable in this document is that of the
14 338 miles of pipe that are being proposed with the
15 Company's preferred line, 100 miles of that -- about
16 110 goes through an area that's never had a pipeline
17 through it before. We have no research. We have no
18 data. That goes from Park Rapids essentially to
19 about ten miles east of -- or west of Duluth.

20 What we have in that area is a
21 high-voltage power line. We have a lot of water.
22 We have a number of things in that particular area.
23 If I had the time, I'd show you a map. But a part
24 of that I want three things to be touched on real
25 quick.

1 Groundwater is totally inadequate in
2 this area in the report. It doesn't address the
3 fact that a vast majority of people in that
4 particular area depend on groundwater for
5 consumption, for bathing, for a variety of human
6 use.

7 I've been a mayor in the Twin Cities,
8 and I went through an environmental spill, and I
9 know what that's like to deal with that with the
10 public.

11 The other thing that's not in this
12 document is addressing watersheds. This area is
13 rich with watersheds. It's important to understand
14 why watersheds exist. We have a report that I'm
15 happy to provide the Department of Commerce produced
16 by the DNR. It's called lake trout -- Protection
17 Strategies for Big Trout Lake, which is one of the
18 few lake trout lakes away from the Canadian border.
19 In the report we have decreasing water quality.
20 Their researcher, Pete Jacobson out of Park Rapids,
21 indicated that we should have 2,000 -- 250 acres of
22 private forested land under protection to manage
23 that rainwater that's flowing into these bodies of
24 water. Can you imagine what that would do with a
25 pipeline spill in that area?

0925-2
Cont'd

0925-3

1 Very last comment. The document does
2 not tell you anything about the Enbridge history
3 with oil spills. We have an awful lot of engineered
4 data in there about the probability of spilling
5 occurring at certain times.

6 Let me tell you what the experience is
7 in their annual report. From 2004 to 2015 --

8 FACILITATOR: Tom, it's been six
9 minutes.

10 MR. TOM WATSON: -- they talk about
11 850 spills in an 11-year period. I'm a dumb kid
12 from International Falls, but I can tell you it
13 turns out to be 1.6 spills a week. And that was
14 160 barrels per spill. Translated, that's two
15 spills a week. That's 300 barrels a week in
16 11 years. These are not the de minimis spills.
17 These are not the little spills.

18 FACILITATOR: Tom, if you could wrap
19 it up.

20 MR. TOM WATSON: These are the spills
21 reported to the EPA and the state agencies,
22 etcetera.

23 Thank you.

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MR. TOM WATSON: Tom Watson

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is the

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name. T-O-M. W-A-T-S-O-N. I'm a resident of Crow Wing County and also representing the Whitefish Area Property Owners Association in Crow Wing County, and I'm their president. And for the record, we're 1,200 members and basically involved with the northern part of Crow Wing County and the very southern part of Cass is our district.

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I appreciate the opportunity to speak to this matter. I want to begin by a couple of items that I would ask Jamie to reinforce as we do this. I served as an elected official in local government, in city government, so I've been through an EIS as part of the responsible government unit. This is a difficult task.

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The important thing to remember on a certificate of need, to be real clear about that, is to describe a process that is to result, thus, in a decision that evaluates the benefits to the

1 residents of Minnesota. Not the residents of
2 Brainerd, Little Falls, Cass Lake, Aitkin; the
3 benefits to Minnesota versus the costs to the
4 residents of Minnesota. Everybody. This is not a
5 vote on Enbridge. It's not a vote on any of those
6 kinds of matters. It's really -- as I've said to
7 somebody the other day, take a piece of paper,
8 strike a line down the middle; on one side put
9 pluses, there's your benefits; on the other side put
10 minuses. And when you're all done, take a look and
11 see whether you've got more pluses or minuses,
12 because ultimately that's the decision the Public
13 Utilities Commission is going to have to make.

14 I'm not going to repeat some things.
15 I did testify in Brainerd. But I do want to address
16 some items that specifically are not in this
17 particular document. As Ms. MacAlister indicated,
18 it's important to describe things not whether you're
19 for or against, but what's not in this document that
20 would help make that decision for you or any other
21 reasonable individual.

22 Chapter 4 is a chapter in the draft
23 EIS relative to alternates. There needs to be a
24 section that very clearly describes what happens
25 when the benefits do not exceed the costs to the

1 public. It's called a no-build option. What
2 happens in that case?

3 Enbridge has been mailing out
4 literature and postcards and communications to
5 taxpayers throughout all of these areas in which
6 these hearings are being held. They're giving them
7 \$20 gas certificates in Park Rapids, for example,
8 and indicating but for them they wouldn't be buying
9 gas in Park Rapids. That's just hogwash.

10 And so that no-build option really
11 needs to define what happens. Are we going to be
12 leaving people in Park Rapids and Cass Lake and
13 Little Falls, et cetera, without a gas station?
14 Because that's kind of the implication.

15 Chapter 5 covers a lot of conditions.
16 And the argument that I have with that -- I made it
17 in Brainerd and I'll repeat it here -- the document,
18 in a sense, indicates that Enbridge and the
19 Applicant will provide all the data relative to
20 current conditions; current environmental
21 conditions, current economic conditions, current
22 employment conditions, et cetera, et cetera. That's
23 fine. I'm glad they're doing that.

24 The problem is that the law on
25 environmental impact statements, the document is to

1 be prepared by the State of Minnesota as an
2 independent body. It doesn't mean that all of us
3 can't contribute to this. Enbridge can contribute
4 to it. But the document needs to be prepared by an
5 independent body. Enbridge, unfortunately, is not
6 an independent body, and they need to put that data
7 out there.

8 And to give you an example, I've been
9 along on this thing for about three or four years.
10 One day I hear that they're going to employ a
11 thousand people and they're going to generate \$2
12 billion worth of economic benefit to Minnesota. The
13 next day I hear it's 2,500. The next day I hear
14 it's \$20 million. The next day I hear it's
15 \$200 million. The State's job is to figure out
16 exactly what that data means.

17 I'll give you a comparison. In our
18 area, for example -- and if I include Morrison
19 County, if I include Cass, Crow Wing, Hubbard,
20 Aitkin County, travel tourism second home owners,
21 the income associated with people who visit up here,
22 who live here, who reside here, who own second homes
23 in this area, the economic benefits -- and I can
24 give you all data; comes from the State of Minnesota
25 itself -- the economic benefit in those areas is

1 only exceeded by Hennepin and Ramsey County. Tax
2 revenue, jobs, primary and secondary jobs. So this
3 is somebody who lives here who works at the hardware
4 store, is a cashier at the bank, et cetera. They
5 have a job in many cases because there is the
6 primary visitor who also spends money in the area.
7 It's significant.

8 Water resources, in my opinion, is not
9 well described in this particular document for two
10 reasons. There is no section specifically on the
11 hydrology of the area, which is a mistake. The
12 critical thing about hydrology, at least in our area
13 in northern Crow Wing County, the water table is at
14 30 and 40 feet. It's all sand. Any kind of product
15 that will spill into the ground or anything else
16 will be in your drinking water system, in your well,
17 you'll be using it for human consumption, you'll be
18 taking a bath in it, you'll be washing your
19 vegetables and preparing your foods with that
20 particular material. I suspect you don't want to do
21 that.

22 If you were living in the Twin Cities,
23 it's different. You got a rock orgini-- rock
24 operation in that ground condition down there, you
25 got aquifers that are 200 feet down. That's not the

1557-1

1 case up here.

2 Number 3, in this particular
3 section -- and this would apply both to Chapter 5
4 and 6 -- there's a corridor from Park Rapids to
5 Carlton County that is -- right today is essentially
6 a wooded area. There's wetlands in that area,
7 there's habitat for migratory birds, et cetera.

8 This particular document has sprinkled
9 through all 5,000 pages information to tell you --
10 if you can figure it out and you got enough patience
11 and you're going to live long enough to finish
12 reading it, tell you what's going on from Park
13 Rapids through Backus on to Outing on to Carlton
14 County. It's an area in which there is no pipeline
15 corridor today. It's 120 -- about 110 or 120 miles.
16 Enbridge has proposed to run Line 3 preferred route
17 that's 334 miles. In other words, this a third of
18 the distance.

19 I've asked the State that there needs
20 to be a separate chapter in which all of the
21 cultural, historic, environmental, economic, water
22 resources conditions are fully disclosed, rather
23 than have to pick and choose. I don't know about
24 you, but I've been reading at this sucker, and I'm
25 not very far along, and I can't -- I can't do that.

1557-2

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MR. TOM WATSON: Thank you very much.

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24 MR. TOM WATSON: Again, Tom Watson,

25 Pine River, Minnesota, president of Whitefish

1 Property Owners Association in Crow Wing County.

2 I have a couple, three, four more
3 items that I want to address. But I want to start
4 by saying let's remember one of the decisions
5 hopefully the State will make in this particular
6 matter, which is our environmental policy. Let me
7 just read it, because I think it's important that we
8 all have a context for that decision.

9 And that is: To create, maintain
10 conditions under which human beings and nature can
11 exist in productive harmony and fulfill the social,
12 economic, and other requirements of present and
13 future generations of state's people.

14 That's one of the requirements of the
15 Public Utilities Commission in making this decision.
16 And I trust that Jamie would say that that's
17 obviously farmost in the minds of their staff, as
18 they're working on preparing an Environmental Impact
19 Statement.

20 What I want to comment on is two other
21 items that I think belong in Chapter 5 and, by
22 extension, would obviously continue into Chapter 6,
23 which is -- 5 is really dealing with the certificate
24 of need in current conditions; 6 is really dealing
25 with the routing question.

1 In Minnesota there's a little fish
2 called a walleye and some cold water fish that we
3 know pretty well. Any fishermen in the room?
4 Anybody goes, eats walleye, catches fish? What you
5 might want to know is that one of the largest fish
6 reproduction management centers is Brainerd,
7 Minnesota. A large walleye stripping operation, the
8 stripping operation on the Pine River, which
9 somebody mentioned earlier actually, this proposed
10 pipeline crosses two forks of the Pine River, the
11 north and the west and would be within about three
12 to four miles literally by the way the crow flies --
13 I didn't measure the curves in the river -- from
14 that stripping operation. 75 million eggs are
15 produced and about 50 million of those turn into fry
16 and/or fingerlings that get introduced into our
17 lakes. That's every year for a period of about two,
18 three weeks. It's significant.

19 The hatchery isn't sitting at the
20 mouth of the Pine River. The eggs are transported
21 to Brainerd, they're transported to St. Paul, and
22 they're grown there. The report doesn't have a
23 single word on that subject. Not a single word.
24 That's an important resource in Minnesota to
25 identify who we are.

1558-1

1 Hell, we even had a governor on Time
2 Magazine holding up a northerner, for god's sake, if
3 you remember long enough.

4 Mr. Schumacher, you and I would
5 remember those things, because we're just a little
6 over 47 years old, aren't we?

7 MR. SCHUMACHER: Try about 77.

8 MR. TOM WATSON: The report does talk
9 about Spire Valley. It does talk about a couple
10 others, which are known for raising lake trout,
11 steelhead, et cetera. But the hatchery is right
12 there, and this pipeline would go just south of
13 that.

14 And my question in this case isn't
15 opposed to pipelines. The question really is a
16 serious question about do we have a need; does it
17 benefit Minnesota? That's the question. It's not a
18 question of whether we're going to be driving cars
19 and all those kinds of things. The benefit is to
20 Minnesota and how does that compare to the costs?

21 My organization is not opposed to
22 using pipelines. The piece I can't figure out,
23 Enbridge will offer a \$2 million economic benefit to
24 Minnesota during a couple of years of construction,
25 18 months, whatever. The industry that I mentioned

1 earlier is three-quarters of a billion dollars a
2 year already. That's the people who come and visit
3 up here. Why do they come here? It's the same
4 reason my six-year-old -- five-year-old
5 granddaughter says, I go to see grandma and grandpa
6 because of the water; I get to swim; I can't do that
7 in Minneapolis.

8 We have a lot of people that get to
9 come up here. There's 18,000 jobs that are created
10 that are seasonal, related to travel, tourism, and
11 people coming up for conventions and going to a
12 fishing tournament, et cetera.

13 Do you know what the impact is on
14 Mille Lacs Lake at the moment, as a result of all
15 the nonsense and disaster we've got over there with
16 fishing problems and god knows what AIS is in that
17 lake, even what's been found and what's not? I've
18 already taken a look at property values in the six
19 communities on the south end of Mille Lacs Lake --
20 so that would be East Shore, Isle, and around to
21 Kathio, Wahkon, South Shore. Tax year '14, paid
22 '15, compared to tax year '15, paid '16, those six
23 communities -- let me tell you what the bad news is.
24 The entire Mille Lacs County, which goes all the way
25 to Princeton, properties that's commercial and

1 residential seasonal dropped \$8 million. Those six
2 communities dropped 30 million. 30 million. And
3 what those -- that is the basis of real estate
4 transactions of people buying and selling homes and
5 businesses and other ways. We don't want that kind
6 of thing in Minnesota.

7 So, by extension, are we willing to
8 take the risk? A section that's not in this report
9 is a section on risk analysis. I heard somebody
10 talk about, you know, is Enbridge going to be around
11 and do all these kinds of things. You guys know how
12 they organize these companies? Enbridge is not a
13 single company owning pipeline. Enbridge has a
14 zillion little subsidiary corporations that owns
15 sections of pipelines in Minnesota. The corridor
16 from Calgary, Alberta, to south of Chicago, the last
17 I checked, has about six different little companies.
18 In other words, if something goes wrong, what you do
19 in the United States is you go visit the federal
20 bankruptcy court. And guess who pays for that? I
21 think we need a section here on risk.

22 We are going to have some risks. I'm
23 not being negative about it. I'm a businessman.
24 But we sit down and look at risks when we're looking
25 at benefit, isn't that one of those costs.

1 I've got two other things to say.
2 Somebody talked about paddling the Pine River, and I
3 know probably where you are. This report does not
4 have a study such as this in it. Doesn't address it
5 at all. This (indicating) happens to be called A
6 Sensitive Shoreline Survey, which was done for us in
7 the Whitefish Chain and finished up in March of
8 2012. The work was done in 2011. Last I know
9 there's probably ten of these done in Minnesota.
10 Don't ask me right now what all of them are. I
11 can't tell you that. But what it's doing is it is
12 doing an inventory on every piece of plant and
13 wildlife, animal or otherwise, that exists around
14 lakes in Minnesota. It's addressing the migratory
15 birds. It's addressing frogs. It's addressing
16 fish. It's addressing plant materials. I think
17 there should be an inventory of that in the current
18 situation section when we're talking about need,
19 when we're talking about routing.

20 Very last comment. Every one of these
21 lakes in Minnesota -- I don't care whether you're in
22 Morrison County or where I grew up in Koochiching
23 County or Crow Wing County or any other, we are now
24 trying to manage watersheds. This report doesn't
25 have a single word on watersheds. We're trying to

1558-2

1 manage a half a million acres of watershed, which is
2 what surrounds the Whitefish Chain itself. Half a
3 million acres of land and water, 40 percent of which
4 is water. But we're trying to manage upstream flows
5 and otherwise to try to manage the runoffs into our
6 lakes. So we filter them.

7 I don't care who you are in Minnesota,
8 but every one of our public bodies of water, the
9 water quality isn't improving. If it is, it's only
10 because you got overabundance of zebra mussels that
11 have eaten all the plant materials so the clarity
12 really looks good. The phosphorus won't be very
13 attractive, however.

14 So we need a section on that whole
15 watershed piece, because that's as critical to this
16 thing and to sustaining water in Minnesota as is it
17 to managing roads and building bridges.

18 FACILITATOR: It's been eight minutes.

19 MR. TOM WATSON: Oh, did I say that?
20 Old politicians can't shut up. Thank you.

Levi, Andrew (COMM)

From: Tom Watson <twatson@iphouse.com>
Sent: Monday, July 10, 2017 11:49 PM
To: MN_COMM_Pipeline Comments
Cc: MacAlister, Jamie (COMM)
Subject: Whitefish Area Property Owners Association (WAPOA) Comments on Line 3 DEIS
Attachments: WAPOA Comment MN DOC re Enbridge Line 3 Expansion and Replacement DEIS.pdf;
Take time to get Sandpiper pipeline route right - StarTribune_com.mht

Please find our comments attached.

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Ms. Jamie MacAlister
 Environmental Review Manager
 Minnesota Department of Commerce
 Energy Environmental Review and Analysis
 85 7th Place East, Suite 500
 Saint Paul, MN 55101-2198

July 10, 2017

Re: Line 3 Expansion and Replacement Pipeline Project Draft Environmental Impact Statement
 – PUC Dockets CN-14-916 and PPL-15-137

Dear Ms. MacAlister:

On behalf of the 1,150 members of the Whitefish Area Property Owners Association (WAPOA), a nonprofit Sec 501c3 member association located in northern Crow Wing County, we have read and reviewed many sections of the Draft Environmental Impact Statement (DEIS) prepared for Enbridge Energy Ltd's (Enbridge) proposed Line 3 Expansion and Replacement Pipeline Project, attended several of the public hearings conducted about the DEIS, and submit the comments in this letter about the content of the DEIS.

The applicant Enbridge espouses "Corporate Values" for employee safety, environmentally conscientious, integrity, and respect. WAPOA appreciates those Values. Enbridge met with our Board of Directors one time several years ago, after filing their application for Sandpiper, and they have never contacted us again. WAPOA has values too, which are outlined and briefly described in the next section of this letter.

Then Enbridge Project Manager Paul Eberth in December 2014 reported to the Brainerd Lakes Chamber of Commerce, where Enbridge was a new member, that their engineering firm (Barr Engineering) reported about the risk three lakes/lake systems in our area, including the Whitefish Chain of Lakes, the ninth (9th) largest lake body in Minnesota, from constructing and operating crude oil pipeline.

Enbridge got our attention and apparently lacked the "integrity and respect" to address directly with us. Crude oil and fresh surface and ground water do not mix. We are puzzled how an "environmentally conscientious" foreign corporation (Canadian) would propose a new corridor easterly from Park Rapids for crude oil pipelines through an area of North Central Minnesota to transport crude oil primarily to non-Minnesota markets (85% by Enbridge data) and pose real

Post Office Box 342 Crosslake, MN 56442

ARROWHEAD MUD BIG TROUT ISLAND LOON UPPER WHITEFISH LOWER WHITEFISH RUSH HIDDEN DAGGETT LITTLE
 PINE BERTHA CLAMSHELL PIG CROSS LOWER HAY UPPER HAY STAR CLEAR KIMBLE OSSAWINNAMAKEE EAST FOX
 WEST FOX GOODRICH O'BRIEN OX BASS DUCK

negative impacts to the natural environment during construction, during maintenance and spillage during operation, and additional construction for repairing “anomalies” after spills.

Enbridge got our attention after their one and only meeting with us.

Why is the Whitefish Area Property Owners Association (WAPOA) interested in this DEIS?

1. Enbridge’s preferred route would traverse about 35 miles of the Pine River Watershed through southern Cass County (starting west of MN Highway 371), northern Crow Wing County, and continue in southern Cass County ending east of MN Highway 6 and east of the City of Outing.
 - a. Enbridge’s preferred route would cross or be below the west and north branches of the Pine River, which flow directly into Upper Whitefish Lake, one of 14 lakes in the Whitefish Chain of Lakes; and
 - b. Enbridge’s preferred route also would cross or be below the streams and waterways in Fifty Lakes that flow into Daggett Brook and enter the Whitefish Chain of Lakes via Little Pine and Daggett Lakes;
2. The Whitefish Chain of Lakes is the ninth (9th) largest lake in Minnesota, consisting of:
 - a. 14 interconnected lakes, 14,200 acres of surface water, 119 miles of shoreland, and
 - b. the largest component of the Pine River Watershed, a 500,000 acre watershed composed of land and water; and
3. The Whitefish Area Property Owners Association (WAPOA) is one of the largest and oldest (if not the oldest) tax exempt, nonprofit lake associations providing services not only for the private property owners and businesses about the 14 interconnected lakes of the Whitefish Chain of Lakes, but also “partnering” on water quality matters with another twenty-five (25) lakes in the Pine River Watershed.

Since 1973, WAPOA continues to serve the following mission filed with our charter:

Stewardship of the natural world throughout the Whitefish Area and the Pine River Watershed is the mission of Whitefish Area Property Owners Association.

The Association shall lead and work with citizens, groups, associations, and government units to conserve and improve the quality of our waters, shoreland, fishery, wildlife resources, and general welfare for the benefit of present and future generations.

Applicants who desire to construct and operate oil pipelines through the northern parts of Minnesota, especially areas of North Central Minnesota, do and did get our attention prior to the Sandpiper application and now with the Line 3 Expansion and Replacement Pipeline Project.

WAPOA fully supported and agreed with the September 2015 Court of Appeals decision requiring the Environmental Impact Statement (EIS) on oil pipelines prior to a certificate of need (CON) decision. Along with other organizations, we advocated for the completion of an

EIS on the two (2) Enbridge pipeline proposals, both individually and cumulatively. Of course, we understand that Enbridge “suspended” the Sandpiper Project. The Minnesota Court of Appeals decision, reversing the District Court decision, together with the Minnesota Supreme Court decision to not review or consider the Court of Appeals decision, ruled on not only requiring an Environmental Impact Statement (EIS) be completed prior to any CON decision, but also ruled on the importance of the EIS for large oil pipeline CON decisions as follows:

“ . . . decision to grant a certificate of need for a large oil pipeline constitutes a major governmental action that has the potential to cause significant environmental effects.”

[Judge Klaphake opinion Sept 14, 2015: STATE OF MINNESOTA IN COURT OF APPEALS A15-0016]

Is WAPOA opposed to transporting oil by pipeline? We advise that the Minnesota Department of Commerce (MDOC) and Minnesota Public Utility Commission (MPUC) fully, thoroughly, and accurately apply the Minnesota Environmental Policy Act (MEPA), other applicable Minnesota laws, and applicable administrative regulations to this Line 3 application and all future oil pipeline applications proposed to be placed on or in Minnesota soil and waters. Minnesota, as we all know and may need to be reminded at times like this, is the “Land of 10,000 Lakes”. That vision of Minnesota is who we are and what is important to the majority of our citizens!

The Whitefish Area Property Owners Association (WAPOA) provides the following specific comments, suggestions and recommendations regarding the content of the DEIS:

1. The Project “Title”

- a. Chapter 1, Page 1-1. *“This EIS generally refers to the Enbridge proposal as the “Line 3 Project.” Enbridge refers to their proposal as the “Line 3 Replacement Project,” a term that is also used periodically in the EIS.”*
- b. **Comment and Suggestion: This Project should be labelled what it really is - Proposed Line 3 Expansion and Replacement Pipeline Project.**
 - i. Math alone would indicate to a casual reader of the DEIS that it not only proposes to replace existing Line 3 in the Mainline Corridor (that is to be determined yet), but also (1) increases the pipe diameter by 2 inches from 34 inches to 36 inches and (2) increases the pipe capacity from a “present” capacity of 390,000 barrels per day to at least 760,000 barrels or more per day. That is called “expansion” and MDOC should label this Final EIS correctly for all readers, reporters and advisors.

2296-1

2. Enbridge Project Purpose

- a. Chapter 1, Section 1.1
 - i. *“ . . . in its CN application, Enbridge indicated that it proposes to replace the existing Line 3 pipeline for three main reasons. First, according to Enbridge, the*

Project would avoid the integrity risks associated with the existing Line 3 by replacing it with a new pipeline that uses new technology and materials (instead of continuing their ongoing dig and repair program). Second, Enbridge indicated that the new pipeline would improve their ability to fill all of the requests to ship Western Canadian crude oil on their system by allowing throughput of 760,000 barrels per day and improving the line's capacity to carry heavy crude oils. Third, Enbridge indicated that the new pipeline would reduce the amount of power used per barrel for Line 3 and on the Enbridge Mainline system (Enbridge 2014).

- b. Chapter 1, Section 1.2 (paragraph 2)
 - i. *"The Enbridge Mainline system, together with four Minnesota Pipe Line Company pipelines that carry crude oil south in a corridor from Clearbrook to the Twin Cities area, supplies approximately 400,000 barrels of oil per day to Minnesota's two petroleum refineries. These refineries use about 15 percent of the crude oil crossing into the state, with the bulk of the products refined from Canadian crude oil. Nearly all the heavy crude oil refineries in the Upper Midwest receive a portion of their crude oil, either directly or indirectly, from the Enbridge pipeline system that crosses Minnesota."*
- c. Chapter 2, Section 2.2 (paragraph "Enbridge has Indicated that Expanded Capacity Would Reduce Curtailment and Improve Operational Flexibility")
 - i. *"Enbridge's objective for the proposed Line 3 Replacement project would be to restore the capability of this line to carry heavy crude and increase capacity, which would allow operational flexibility to the Enbridge system. This would reduce ongoing and forecasted apportionment to the refining industry in eastern Canada, the Gulf Coast, and the Midwest, including the Flint Hills and Northern Tier Energy refineries in Minnesota. Although the increased capacity of the Line 3 Replacement pipeline would not be sufficient to meet all of the demand noted, Enbridge's goal would be to increase its ability to respond to fluctuating demand of different refineries in the United States in general and in Minnesota in particular."*
- d. **Comment and Suggestion:** The definition of the purpose of the Line 3 Expansion and Replacement Pipeline proposal must be defined more broadly than from Neche, North Dakota and extend 365 miles across Minnesota to the Superior terminal at Superior, Wisconsin to conform to Enbridge's plan to get "Canadian crude oil to market", enable a "true" definition of "need for Line 3", and allow consideration and analysis of all reasonable alternatives to Enbridge's preferred route and new corridor for transporting this crude oil on existing lines and corridors.

2296-2

- i. Defining the purpose as a system to transport oil from Clearbrook, MN to Superior WI is not reasonable considering the market for the petroleum products proposed for transport via these proposed pipelines. The applicant Enbridge and its related companies have proposed the “narrow” purpose so as to exclude significant, functional, and environmentally appropriate alternatives with destinations that leave Minnesota and the Upper Midwest and are destined for foreign markets and company operations in eastern and southern parts of the United States.

- Please confirm the distance/length of the Applicant's Preferred Route plus the length of Line 61 to Joliet, Illinois and compared it to the length of SA-04; 1551 miles vs 1552 miles; really the SAME!

2296-3

- ii. MN Administrative Rules 4410.2300 requires an EIS “. . . shall compare the potentially significant impacts of the proposal with those of other reasonable alternatives for the proposed project”. That clearly does not limit the scope of an EIS to a project purpose proposed by an applicant.

- iii. Enbridge’s representative Paul Eberth is quoted as stating:

“many of the alternate routes that veer west and south of the state's northern lakes country would cost more”

- iv. Minnesota should not allow the applicant to limit project scope, which is a strategic business decision for the applicant to reduce its capital investment with significant disregard for the quality of this state’s natural resources.

- v. Might this proposed Enbridge preferred route from North Dakota to Superior actually be a financial risk avoidance strategy? How many subsidiary and partnership companies will own the segments of the Line 3 Expansion and Replacement pipeline?

2296-4

- vi. Is it realistic that Enbridge will be refining this Canadian crude oil (there estimate is 15% of daily quantity serves the “area needs”), in a small refinery in Superior, after subtracting the 400,000 bpd transported from Clearwater by Minnesota Pipe Line Company (MinnCan) to Twin Cities refineries?

3. Certificate of Need (CON)

- a. Paragraph 2, Opening Section (“Aside from Federal . . .”) of Chapter 3, page 3-1.

- i. **Comment and Suggestion:** The third sentence should be corrected, consistent with the referenced federal and state regulations, as shown with the “red-lined” addition we propose:

2296-5

“As a result, states regulate the project need, routing and construction of oil pipelines through a variety of approvals, permits, and licenses.”

2296-5
Cont'd

b. Section 3.1; Certificate of Need; page 3-3

- i. This Section does briefly identify the fact that the Certificate of Need (CON) decision must precede the routing decision.
- ii. **Comment and Suggestion:** The header of this Section should more accurately be restated, as shown with our proposed “red-lined” changes, to avoid the confusion in that there can be NO routing decision without a positive CON decision and they are not simultaneous decisions that could be conveyed with the header below in the DEIS:

2296-6

“A CN Is the first Required Decision for the Proposed Project, ~~and This EIS Addresses Both CN and Routing Permit Issues~~”

c. Section 3.1.1; Certificate of Need Criteria; pages 3-3 and 3-4

- i. The four criteria listed in this Section of the DEIS is terribly incomplete list of the CON criteria required by MN Administrative Rules Section 7853.0130.
- ii. **Comment and Suggestion:** This Section should fully repeat the detailed criteria for each of the Criteria A through D, so there is no confusion, mistake or limitation in the need to apply each of the specific additional thirteen (13) detailed criteria required for Criteria A through C., including:

2296-7

“A certificate of need shall be granted to the applicant if it is determined that:

A. the probable result of denial would adversely affect the future adequacy, reliability, or efficiency of energy supply to the applicant, to the applicant's customers, or to the people of Minnesota and neighboring states, considering:

- (1) the accuracy of the applicant's forecast of demand for the type of energy that would be supplied by the proposed facility;*
- (2) the effects of the applicant's existing or expected conservation programs and state and federal conservation programs;*
- (3) the effects of the applicant's promotional practices that may have given rise to the increase in the energy demand, particularly promotional practices that have occurred since 1974;*
- (4) the ability of current facilities and planned facilities not requiring certificates of need, and to which the applicant has access, to meet the future demand; and*
- (5) the effect of the proposed facility, or a suitable modification of it, in making efficient use of resources;*

B. a more reasonable and prudent alternative to the proposed facility has not been demonstrated by a preponderance of the evidence on the record by parties or persons other than the applicant, considering:

- (1) the appropriateness of the size, the type, and the timing of the proposed facility compared to those of reasonable alternatives;*

(2) the cost of the proposed facility and the cost of energy to be supplied by the proposed facility compared to the costs of reasonable alternatives and the cost of energy that would be supplied by reasonable alternatives;

(3) the effect of the proposed facility upon the natural and socioeconomic environments compared to the effects of reasonable alternatives; and

(4) the expected reliability of the proposed facility compared to the expected reliability of reasonable alternatives;

C. the consequences to society of granting the certificate of need are more favorable than the consequences of denying the certificate, considering:

(1) the relationship of the proposed facility, or a suitable modification of it, to overall state energy needs;

(2) the effect of the proposed facility, or a suitable modification of it, upon the natural and socioeconomic environments compared to the effect of not building the facility;

(3) the effects of the proposed facility or a suitable modification of it, in inducing future development; and

(4) socially beneficial uses of the output of the proposed facility, or a suitable modification of it, including its uses to protect or enhance environmental quality; and

D. it has not been demonstrated on the record that the design, construction, or operation of the proposed facility will fail to comply with those relevant policies, rules, and regulations of other state and federal agencies and local governments."

Statutory Authority: MS s 216B.08; 216B.2421; 216B.243; 216C.10

4. Need for the proposed Enbridge Line 3 Crude Oil Pipeline

- a. Section 1.4.1.1 of course says "The EIS does not determine need for this Project". We understand the need decision is the ultimate responsibility of the MPUC.
- b. But, MN Statute 2017, Section 216B.243 states --- "... the commission shall evaluate (1) the accuracy of the long-range energy demand forecasts on which the necessity for the facility is based"
- c. Check the next several items in Section 216B.243. Who provides the demand forecast, overall state energy needs, feasible combination of energy conservation improvements, etc? Obviously we don't have it in the DEIS.
- d. As stated in Criteria A of MN Administrative Rules Section 7853.0130, "*the probable result of denial would adversely affect the future adequacy, reliability, or efficiency of energy supply to the applicant, to the applicant's customers, or to the people of Minnesota and neighboring states*"
- e. **WHY is the NEED for this pipeline project NOT being considered in this EIS?**
Applying the above referenced CON criteria, the Commission is required to first consider the underlying need and related economic drivers for the proposed pipeline and prior to any consideration of a routing decision.
- f. Applying MN Statutes 2017, Section 216B.243, MN Administrative Rules Section 7853.0130, and MN Statutes 2017, Section 116D.04, Subd. 2a., the MDOC is

required to provide and analyze data to address in the EIS the specific CON criteria and the EIS “. . . shall be an *analytical rather than an encyclopedic* [note: *emphasis added*] document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated.”

- g. **Comment and Suggestion: We do not find the “NEED” to be adequately addressed and lacks specific details to address and/or provide data to answer the criteria for MPUC’s CON decision.**
- i. MDOC must obtain and provide data and analyze the completeness and accuracy of factors such as and not limited to – (1) present crude oil contracts, terms and demand, (2) future crude oil contracts, terms and demands, (3) state (Minnesota) energy need and changes in demand, (4) industry demand and supply facts, and (5) energy conservation improvement projections -- so as to clearly and accurately provide and quantify the “need” that would/should enable proper analysis as required by Minnesota law so that the MPUC may rely on this need analysis for their CON decision.
 - ii. MDOC must identify data and provide analysis that is sufficient to address the criteria items in Minnesota law and administrative rule, including these following items in Criteria A of MN Administrative Rules Section 7853.0130:
 - future adequacy, reliability, or efficiency of energy supply to applicant
 - future adequacy, reliability, or efficiency of energy supply to applicant's customers
 - future adequacy, reliability, or efficiency of energy supply to the people of Minnesota
 - future adequacy, reliability, or efficiency of energy supply to the people of neighboring states
 - the environmental, economic, employment and sociological impacts that must be thoroughly analyzed.
 - iii. MDOC must identify specifically what is the “market” for the energy supply that directly benefits Minnesota
 - iv. MDOC must identify clearly who are our neighboring states; e.g. Wisconsin and Iowa; North and South Dakota
 - v. What is the measure of the energy supply that satisfies the CON criteria on the matter above?

2296-8

5. DEIS Chapter 4, Section 4.1. CN and Route Permit Alternatives Are Addressed Separately (DEIS page 4-2)

- a. The referenced section includes the following statement in paragraph 2: “This EIS focuses on providing the applicable environmental information for the CN, the route permit, and other agency decisions. The next section, Section 4.2, describes the alternatives evaluated in the EIS for the CN decision. **The majority of the economic analysis and other technical information for the CN decision will be provided by the Applicant, other parties, and the public that are participating in the contested case hearing.**” [note: color emphasis added]

b. Comment and Suggestion:

- i. Certainly other parties and the public will participate and provide the information; yes, that is very probably accurate.
- ii. The MPUC has ordered MDOC-EERA to prepare an EIS. We believe that MN Administrative Laws, Section 4410.2300, Content of EIS (provided below) is applicable to who should be providing this information, analyzing the data and information including that provided by the Applicant Enbridge, and provide with the Final EIS:

H. Environmental, economic, employment, and sociological impacts: for the proposed project and each major alternative there shall be a thorough but succinct discussion of potentially significant adverse or beneficial effects generated, be they direct, indirect, or cumulative. Data and analyses shall be commensurate with the importance of the impact and the relevance of the information to a reasoned choice among alternatives and to the consideration of the need for mitigation measures; the RGU shall consider the relationship between the cost of data and analyses and the relevance and importance of the information in determining the level of detail of information to be prepared for the EIS. Less important material may be summarized, consolidated, or simply referenced. The EIS shall identify and briefly discuss any major differences of opinion concerning significant impacts of the proposed project on the environment. [Note: emphasis added]

- iii. We find that the MDOC-EERA should be providing the analysis of the “... significant adverse or beneficial effects ...” of the environmental, economic, employment, and sociological impacts; and NOT Enbridge.

6. Connected Actions; How many pipelines are expected to be added over a period of time such as the “life” of a new or existing oil pipeline corridor?

- a. Connected actions are defined in Minnesota Rules 4410.4300 Subpart 9. Two projects are "connected actions" if a responsible governmental unit determines they are related in any of the following ways: (A) one project would directly

induce the other; (B) one project is a prerequisite for the other and the prerequisite project is not justified by itself; or (C) neither project is justified by itself.

- b. Section 2.10; pages 2-43 to 2-44. Identifies the issue, but provides no details for connected actions. We understand that additional pipelines would be a new permit. That does not address the subject.
- c. The Enbridge Mainline Corridor has six (6) oil pipelines, the Minnesota Pipe Line Company (MinnCan) corridor has four (4) oil pipelines serving the Twin Cities refineries, and each corridor started with a lesser number of oil pipelines before increasing the quantity of oil pipelines in both corridors.
- d. **Comment and Suggestion:** It would seem only reasonable that the Final EIS include the MDOC analysis of the proposed Enbridge preferred route and each alternate route for the “connected actions”, based on clause (A) above, of additional oil pipeline applications to be placed in the proposed NEW Line 3 pipeline corridor, and other existing oil corridors. For example, we find no analysis for two, three, four or six oil pipelines, likely each a larger diameter pipe with greater “through-put” capacity than present pipelines, in the proposed Enbridge new corridor. The analysis should be completed and provided in the Final EIS.
 - i. During the EIS scoping hearings, a number of “Lake District” testifiers asked if the new corridor for the Enbridge Preferred Route (APR) would become the location for more replacement and expansion pipelines. Enbridge has not denied this in their materials or testimony.
 - ii. Alternately, is Enbridge committing during this application and CON process that, if it were approved, there would never be more than Line 3 in this new corridor?

2296-10

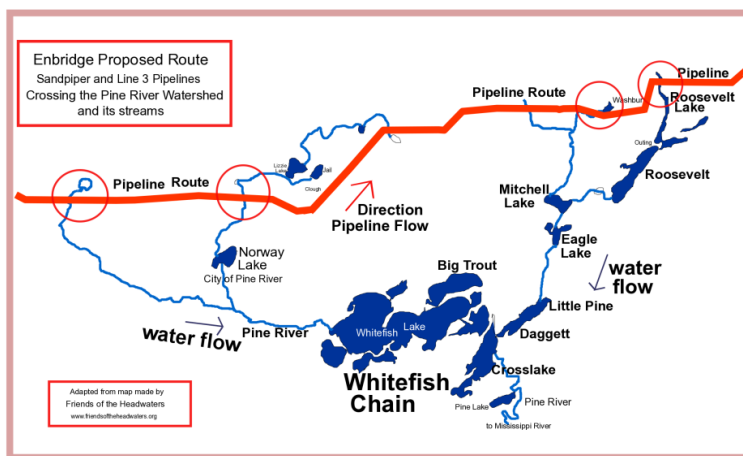
7. “Lake District” Analysis

- a. Section 1.4.2.1 refers to:

“During the scoping of this EIS, many public comments raised concerns about the establishment of a new pipeline corridor – in the Mississippi River Headwaters area specifically, and in the “Lake District” generally.”
- b. We have not been able to find in the DEIS what area is specifically referred to as the “Lake District”.
 - i. **Comment and Suggestion:** Please define specifically the area of Minnesota you refer to as the “Lake District”.

2296-11

- c. "Lake District" as we have testified and defined it were the Minnesota Counties of Hubbard, Cass, Crow Wing and Aitkin.
- d. Applicant (Enbridge) Preferred Route (APR): The applicant Enbridge Energy has proposed creating a new 220 mile crude oil pipeline corridor [reference: DEIS page 2-1] starting at Clearbrook south to Park Rapids in Hubbard County and continue easterly through southern Cass County, northern Crow Wing County, and northern Aitkin County and reconnect with the Mainline Corridor near Carlton.
 - i. This 220 mile segment, or about 2/3 of the 340 route miles in Minnesota, of the APR does not now and never has had an oil pipeline of any kind in this APR segment.
- e. This corridor from Park Rapids to the intersection with the Mainline system in Carlton County will traverse about 35 miles through the northerly part of the Pine River Watershed and cross rivers and streams that feed into the Whitefish Chain of Lakes, including the west and north branches of the Pine River that flows into Upper Whitefish and the Daggett Brook on the east that flows into Little Pine, Daggett and Cross Lakes, as shown on the map below:



- f. Enbridge Project Manager Paul Eberth made a presentation December 18, 2014 to the Brainerd Lakes Brainerd Lakes Chamber of Commerce members at Breezy Point Resort. During the presentation, as reported in the December 31, 2014 Brainerd Daily Dispatch and Pineandlakes Echo Journal editions, Eberth said, "We've employed many engineers and scientists to study the route. Barr Engineering did some studies on the route and studied which watersheds we would cross, and which lakes we would potentially impact, should there be an impact, and the results were that we do cross about 14 different watersheds, but really, we only have the connectivity to about 3 percent of lakes in those watersheds." Further Eberth reported that Barr has identified Norway Lake, the

Whitefish Chain and Roosevelt Lake as three lakes within the lakes area that are at risk along the Sandpiper (which is also the proposed Line 3 route) route, though many other lakes would not be connected to the Pine River, and therefore, less at risk. [Reference: <http://www.pineandlakes.com/news/3645448-enbridge-representatives-meet-chamber-members>]

- i. “Norway Lake, the Whitefish Chain and Roosevelt Lake as three lakes within the lakes area that are at risk” with the Enbridge APR!!
- g. **Comment and Suggestion:** This is a very serious matter to WAPOA, the property owners, businesses, and visitors to the Whitefish Lakes area, and our neighbor lakes and lake associations. Rather than a “generic EIS” as commented in Section 1.4.2.1. (page 1-7), the Final EIS should provide a comprehensive summary in both Chapter 5, Existing Conditions, Impacts, and Mitigation – Certificate of Need, and Chapter 6, Existing Conditions, Impacts, and Mitigation – Route Permit, for the new corridor (we will label it “Lake District Corridor”) proposed by Enbridge from Park Rapids easterly through Carlton County.
 - i. The “Lake District Corridor” is unlike every other present corridor and pipeline where the State of Minnesota, MPUC has completed a Certificate of Need and Routing Permit at some time or other, and likely with upgrades in recent years, for the present pipelines and corridors.
 - ii. Enbridge’s Eberth, the Project Manager, reported that their contract engineering firm, Barr Engineering, identified “. . . Norway Lake, the Whitefish Chain and Roosevelt Lake as three lakes within the lakes area that are at risk . . .” as a result of the installation of crude oil pipelines, which at the time of the Eberth statement, involved the lesser volume proposed Sandpiper Pipeline serving the Bakken area of North Dakota.
 - iii. The Whitefish Chain of Lakes, the ninth largest lake body in Minnesota measured by surface water area, is an interconnected navigable group of 14 lakes consisting of 14,280 acres of surface water.
 - iv. The Whitefish Chain of Lakes is the largest body of water in the Pine River Reservoir (Army Corps of Engineers responsibility) and the 500,000 acres of land and water in the Pine River Watershed, through which Enbridge as proposed to route Line 3 in the “Lake District Corridor”.
 - v. The economic significance of the lakes in North Central Minnesota for travel, tourism, conventions, destination weddings, and second homeowners is over \$700 million including Hubbard, Cass, Crow Wing

2296-12

and Aitkin Counties. [reference: Source: Univ of MN, Extension Service, June 2007-May 2008, Davidson-Peterson Associates]

- This fact and supporting data analysis is provided in Section 10 of this letter report.
- vi. There is nothing in the DEIS that addresses in detail the existing conditions that are specific to this totally new “Lake District Corridor”.
- The Natural Environment section (DEIS Section 5.2) provides an “encyclopedic” address of water, geology and soils, vegetation, fish and wildlife, and more. There is little to no analysis for the APR and the alternates. Terrible work and it fails to include some relevant work addressing natural resources issues within the Watershed and the greater Whitefish Lakes area.
 - We have addressed these deficiencies in the Sections 8 and 9 of this letter report.
- vii. Considering that a reported 92 miles of the proposed “Lake District Corridor” would have the expanded Line 3 replacement pipeline co-located with a high voltage powerline is a problem. We read the disclosure of this co-location, but without any analysis of their compatibility. During the public hearings and no doubt in the comments submitted, the research on the co-location of high voltage powerlines and oil pipelines will be provided, which must also be addressed in the Final EIS.

8. DEIS Chapter 5, Existing Conditions; Section 5.1. Introduction

- a. In the second paragraph, third sentence (DEIS page 5-1) it reads -- “The chapter evaluates potential impacts on various resources associated with the natural environment, socioeconomic environment, and cultural resources.”
- b. **Comment and Suggestion:**
 - i. “Various resources”??? We believe you understand the specific criteria for the CON in MN Administrative Rules Section 7853.0130. We assume and trust that these specific criteria will be applied to this pipeline application.
 - ii. Missing: a section that addresses the existing conditions for a section of Enbridge’s preferred route through North Central Minnesota, including over 100 miles from Park Rapids to Highway 2 in Carlton County; this is an area with no oil pipeline history for the new 340 mile preferred route or the 282 miles of the present Line 3 route.

2296-13

- iii. Missing: a section that addresses the 30-35 miles through the Pine River Watershed, which extends through the Pine River Watershed from the south end of Hubbard County to western part of Aitkin County and includes northern Crow Wing County and southern Cass County.
- iv. Please refer to Section 7 – “Lake District Analysis” – for more details on these two (2) omissions that need to be specifically addressed in detail.

2296-14

9. DEIS Chapter 5, Section 5.2.1. Water Resources

Today, Crow Wing County and the areas of the “Lake District” (as identified in the DEIS and noted previously) of North Central Minnesota continues to attract people of all ages.

- a. Approximately 28 percent – or 209,211 acres - of Crow Wing County is covered by lakes, streams and wetlands, and another 50 percent – or 374,488 acres - is covered by forests.
- b. The Pine River Watershed encompasses 504,000 acres primarily in northern Crow Wing and southern Cass Counties with a smaller portion in Hubbard and Aitkin Counties. The Pine River watershed contains 586 stream and river miles of various sizes, and 441 lakes greater than 10 acres.
- c. The Watershed is 51% forested, 21% wetlands, 13% open water, and includes several heavily developed lakes. The majority of the lakes are important recreational resources and provide significant economic benefits to the immediate area, the Counties in the “Lake District”, and the State of Minnesota.
 - i. The importance of watersheds is not addressed, and is an integral natural environment component in Minnesota and the “Lake District” in particular.
 - ii. To illustrate the importance of this matter: The presence of at least two (2) coldwater lakes with lake trout and ciscos that are warming, oxygen quantities decreasing, and existing oxygen levels rising to shallower lake depths, is the subject of a 2015 MN DNR plan – “Lake Trout Habitat Protection Strategies for Big Trout Lake”, lead by Peter Jacobson, MN DNR fisheries biologist. The key recommendations presented below point out the importance of the watershed, which should be addressed in the Final EIS.

Key recommendations include:

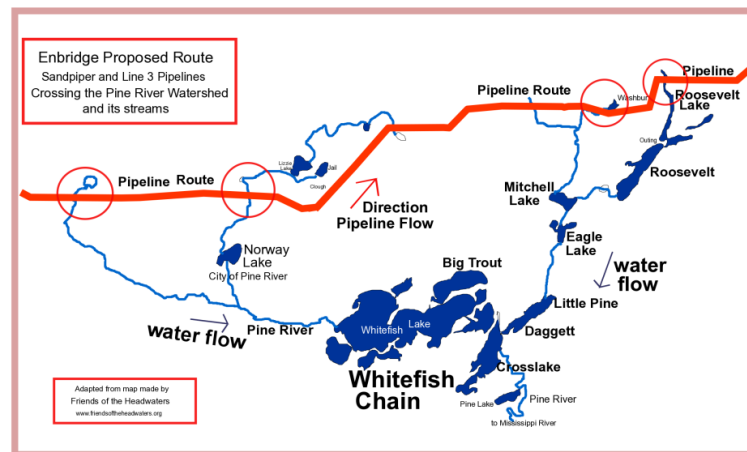
- Protect 2,250 acres of private forest land in the watershed with conservation easements or acquisition. This will protect critical groundwater infiltration areas and minimize surface runoff of nutrients

2296-15

and sediments. This will require an investment of \$3.25 million (or \$650,000 annually if spread across 5 years). Likely sources of funding include the Outdoor Heritage and Clean Water Funds.

- *Explore opportunities to protect the last remaining undeveloped shorelines on the lake. Protection could include conservation easements with willing landowners.*
- *Educate landowners on the benefits of native plants on shorelines and how to restore shoreline buffers.*
- *Implement Best Management Practices on portions of the watershed that have been developed to reduce runoff of sediment and nutrients. The ongoing project to capture and divert runoff from County Highway 66 is a good example of such a project.*
- *Continue developing consistent and effective shoreland zoning regulations among the several LGUs that have jurisdiction for Big Trout Lake.*
- *Develop a high resolution LiDAR-based watershed model that will provide specific and detailed recommendations on where restoration and protection efforts should be targeted.*

- d. As noted with the DEIS, Enbridge proposes its preferred route to cross an area of North Central Minnesota that does not have petroleum pipelines in it at this time. This over hundred (100) miles corridor from Park Rapids to Carlton County, also traverses about 35 miles of the northerly part of the Pine River Watershed and cross rivers and streams that flow into the Whitefish Chain of Lakes; see map.



- e. Water Quality. The DEIS fails to address the subject of water quality that is very important to persons in the “Lake District” of North Central Minnesota.
- i. WAPOA manages an annual 39 lake and at least six streams (all located in the Pine River Watershed) water quality testing program with water testing completed monthly from May through September, with water quality measured by the Trophic State Index (TSI) that is a measure of water clarity, phosphorus, and chlorophyll-a,

- ii. The TSI data for these 39 lakes is submitted to the Minnesota Pollution Control Agency (MPCA).
 - iii. There is no measure or analysis of water quality in the DEIS, especially for the new corridor, that we have labelled "Lake District Corridor".
- f. Walleye Management. The Whitefish Lakes and the entry of the Pine River in Upper Whitefish is the site for the annual spring walleye egg harvesting. Annually, this operation of the Brainerd Office of the MN DNR produces 25 to 70 million walleye fry that are grown in area lakes and rearing ponds and stocked as fingerlings in area lakes and other lakes in MN.
 - i. While there is information about Spire Valley addressed, the Pine River walleye management operation and hatchery is not addressed.
 - ii. As proposed, the Enbridge APR would cross the North and West branches of the Pine River, the site of the annual and important egg harvesting operation, and there is no information about the impacts from construction, maintenance, repairs, and oil spills.
- g. Sensitive Shorelands. Again, this is an area that has been and regularly studied for habitat management relative to fish, migratory waterfowl and birds, and other aquatic plants and animals.
 - i. Paul Radomski, DNR aquatic biologist, was the lead researcher on the Sensitive Lakeshore Survey, a study of the Whitefish Chain of Lakes, in northern Crow Wing County, completed March 2012.
[Reference:http://files.dnr.state.mn.us/eco/sli/whitefish_lakereport_2012.pdf]
 - ii. This survey report identified the diverse aquatic plant and animal communities in the 14 lake Whitefish Chain of Lakes. Applying their ecological model, the DNR not only identified numerous species, but also pointed out "... 10 primary sensitive shoreland areas to be considered for potential resources protection districts ...".
- h. Watersheds
 - i. Watersheds are not addressed at all; and MUST be. Major and minor watersheds in this area are extremely important to managing, sustaining and restoring water quality in this area.
 - iii. As required "the potentially significant human and environmental consequences", EIS must include the analysis, not repeating only descriptions, of these watersheds, especially those where there are no pipelines and contrast with the impact on present watersheds on the

present Line 3 and Mainline Corridor (won't only be Line 3 if preferred route approved)

[Reference: <http://www.dnr.state.mn.us/mcvmagazine/issues/2016/may-jun/refuge-lakes.html>]

h. Critical Habitat Protection Planning.

- i. In 2014, the Leech Lake Area Watershed Foundation (LLAWF) in partnership with Minnesota Land Trust and MNDNR Fisheries launched the LLAWF Clean Water Critical Habitat protection campaign. This effort has numerous partners include Lake Associations, Conservation Districts and the MN Board of Water and Soil Resources (BWSR). The focus of our program is 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 (APR). The LLAWF 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.
- ii. 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, a large number of these thirty (30) lakes in the Enbridge APR or the watershed in which the APR would be constructed.

i. Comment and Suggestion:

- i. The DOC-EERA should (MUST) require a section that FULLY analyzes "the potentially significant human and environmental consequences" of this section of North Central Minnesota. Why?

- The information and facts presented in this part of our letter report and comments should be sufficient to emphasize the importance of water resources, water quality and the active research and management in this area.

2296-16

- Water Quality is not addressed in the DEIS and should be analyzed and presented with the Final EIS. The analysis should report the data for each of the lakes along the proposed APR, but also the impact of construction, maintenance, repairs and oil spills (anomalies).
 - Groundwater significance not fully addressed in an area with shallow aquifers and heavy use of groundwater for human use and consumption. The material does not describe or analyze the impact on populations (quantity, age, young and older, water groundwater quality among other items) for our area.
 - Watersheds are not addressed at all; and MUST be. Major and minor watersheds in this area are extremely important to managing, sustaining and restoring water quality in this area. Must be addressed, especially where they involve proximity to large lakes and water bodies.
- ii. Effect of high-voltage powerlines on oil and oil pipelines in the Enbridge preferred route and the corridor in this area must be analyzed carefully.
- iii. Combining each of the points we identify in our comments about Chapter 5, Water Resources Section, the DEIS is woefully inadequate in its analysis along the new "Lake District Corridor" and fails to utilize referred research reports and studies completed by the Minnesota DNR.
- iv. This same analysis should be provided for the only system alternative SA-04.

10. DEIS Chapter 5, Section 5.3. Socioeconomic Environment

a. Section 5.3.2. Recreation and Tourism

- i. As a result of "good, quality lakes", regions of Minnesota such as North Central Minnesota, Crow Wing County and the greater Whitefish Area Chain of Lakes are highly sought-after destinations. The local economy of the region, county, and the Whitefish Area benefits significantly from travel, tourism, second homeowners and the expenditures they make.
- ii. How significant are "good, quality lakes" to the local economy? The greater Whitefish Chain of Lakes area, along with Pelican Lake that is also located in the Pine River Watershed, is a major tourism area in Minnesota and drives the economy of this northern Crow Wing County area. "Going to the lake"

or “going up north” is a Minnesota quality of life feature, and according to the research “good, quality lakes” are the attraction.

- iii. What is the tourism economy in our area – northern Crow Wing County, southern Cass County, and Hubbard County? Water is the attraction and key element for the tourism industry in this area year-round, but especially in the summer season. Based on research completed by the University of Minnesota, Extension Service, during a recessionary period, travel and tourism spending was nearly \$300 million in Crow Wing County, the third largest spending outside of the Twin Cities seven county area only after Olmstead and St. Louis Counties, as shown in the table below.
- iv. Travel and tourism in 4 Counties (Aitkin, Cass, Crow Wing and Hubbard Counties); over \$700 million annual spending on travel and tourism
 - During the recession (2007-08) travel and tourism spending was nearly \$300 million in Crow Wing County and over \$700 million in the four (4) counties of North Central Minnesota, as shown:

<u>2007-08</u>	<u>Traveler Exp</u>	<u>State Revenue</u>	<u>FTE Jobs</u>	<u>Direct Jobs</u>	<u>Indirect Jobs</u>
Crow Wing	\$294,295,204	\$135,953,389	7,218	5,029	2,189
Aitkin	74,257,356	30,992,479	1,556	1,158	398
Cass	245,867,979	113,581,822	6,033	4,202	1,831
Hubbard	99,248,707	45,849,199	2,431	1,692	739
Total	\$713,669,246	\$326,376,889	17,238	12,081	5,157

Source: Univ of MN, Extension Service, June 2007-May 2008, Davidson-Peterson Associates

- In fact, the combined travel and tourism annual expenditures in Aitkin, Cass, Crow Wing and Hubbard Counties exceeds every Minnesota county except Hennepin and Ramsey Counties.
- b. Section 5.3.4. Employment, Income, and Tax Revenues
 - i. This Section understates horribly and totally inadequately analyzes the “true and real” economic impact of the Enbridge preferred route through North Central MN. It looks and reads like it was prepared by Enbridge or its PR firm.
 - ii. We agree that there would be added employment primarily during the two (2) years of construction, additional local spending during construction, and some increased property and sales tax revenue.
 - iii. This section does not include:
 - Local economy data and analysis; a water and recreation based economy

- Travel and tourism in 4 Counties (Aitkin, Cass, Crow Wing and Hubbard Counties); over \$700 million annual spending on travel and tourism, as noted in the data and comment above
- Seasonal, second homeowners in this area and North Central MN
 - Largest increasing impact on the local economy
 - Impact of Second Homeowners; own the largest number of homes (shown in the table below as Non-Commercial Seasonal Residential and Recreational (“Non-Comm'l Season Res & Rec”), which also have the largest EMV; exporter of property tax revenue to other parts of State of MN

Economic Market Value for Cities and Counties. Assessment Year 2015 for taxes pay in 2016

City of CROSSLAKE *plus* Timothy, Jenkins, Ideal, 50 Lakes, Manhattan Beach

Type	Property Type Name	Economic Market Value	% of Total Econ MV	% of CW County
01	Residential	\$728,685,619	28.4%	15.8%
03	Non-Comm'l Season Res & Rec	\$1,667,931,773	65.0%	41.5%
06	Commercial	\$57,910,536	2.3%	7.5%
14	Comm'l & Resort Season Rec	\$27,401,800	1.1%	25.4%
97	Total Agriculture	\$72,335,646	2.8%	10.5%
	Other	<u>\$12,038,277</u>	<u>0.4%</u>	<u>5.0%</u>
		<u>\$2,566,303,651</u>	<u>100.0%</u>	<u>24.5%</u>

- Negative impact of oil spills that might impact water resources (lakes, rivers, streams, groundwater, etc)
 - How about property values in the 2010 Kalamazoo Michigan area? That should be available after 7 years for the MDOC-EERA to analyze as a measure of economic impact.
 - Unrelated to oil and oil spills, MN has the Mille Lacs Lake experience of bad walleye and fishing decisions, non-native AIS, and resultant decline in travel and tourism at resorts, and second homes.
 - Illustration of Negative Impact to Lakeshore/riparian property values. Six local government units/districts in Mille Lacs County (south end of lake): property values for property tax purposes decreased \$29M from 2014-15 to 2015-16; that is

one year only and represented 30% of the taxed parcels in the Mille Lacs County.

- Recognition of how the MN property tax and aid to local governments works for areas of MN that have lesser property values and real estate equity
 - Taxpayers in property-rich areas are taxed and tax revenue redistributed through local government state aids

c. Comment and Suggestion: The Final EIS must address the economic, employment impacts the pipeline proposals, including Enbridge's APR and all reasonable route alternatives and system alternative SA-04 for the proposed project.

2296-18

- i. How large is the impact of travel and tourism on the local economy?
Statewide, travel/tourism industry gross sales was \$13 billion in 2013. In the Central Minnesota region, the spending in Crow Wing County was 18% of the regional total; the county with the most travel and tourism spending in the region. The Leisure and Hospitality industry consists of accommodations; food and beverage businesses; and arts, entertainment and recreation. As you can see, travel and tourism spending is a significant contributor to sales, employment, and taxes in Crow Wing County and our area as shown in these two measures.
- ii. For second homeowners, the single largest annual expenditures are for home improvements, remodeling and home construction; about sixty (60%) percent of their annual spending. Food, utilities, entertainment, and local purchases account for the remaining forty (40%) percent.
- iii. Yes, Enbridge indicates that they will have a one billion dollar (\$1B) impact on the economy along the ENTIRE proposed pipeline route, and this amount has varied with each report. The report Enbridge paid to have the University of Minnesota-Duluth prepare using Enbridge data on employment, tax revenue, and economics is limited to a two (2) year period, largely the construction period. This projected economic benefit reduces, according to the report, and provides much less tax revenue, economics and employment after construction and during operation.
- iv. How does the present over \$0.75 billion annual economic benefit in ONLY four (4) counties (annual expenditures) compare to Enbridge's economic benefit over the ENTIRE route (can't be sure if it the 340 miles in Minnesota

or the 1,000 miles from Alberta)? The Final EIS must provide the accurate data and a comparable analysis of employment, taxes, and economic impacts.

11. Chapter 10. Accidental Crude Oil Releases.

As we have described several times in this letter report with our comments, this area of North Central Minnesota (“Lake District”) has very important and significant natural resources among plants, animals, fish, and lake-based ecosystems and sensitive areas for these natural resources. WAPOA cannot imagine a project that has more potential for “significant environmental effects” than these pipeline projects and this Line 3 proposal. The lakes of and about the Whitefish Chain of Lakes and the Pine River Watershed, which are some of the clearest and cleanest in Minnesota, along with the area rivers, creeks, and wetlands are all extremely vulnerable to adverse impacts from construction, leaks and spills from these pipelines. Our water resources, including both surface and ground water, are extremely vulnerable to these adverse impacts and threats from construction and spills. Actual incidents that are highly predictable could be devastating to these public waters. The forests, lands and wildlife in the area of the proposed Pipeline are also vulnerable to adverse impacts from predictable oil spills that should be analyzed thoroughly.

- a. WAPOA has a major concern about safety. We know that pipeline spills, leaks, fires and other pipeline breaches have occurred in Enbridge operations (over 800 in twelve years). In recent years including this year 2017, Enbridge has had oil spills in Kalamazoo, Michigan (over 1 million gallons of crude oil), Montana, Illinois, and Grand Rapids, MN.

Table 1. Total Spills on Enbridge Pipelines (Canada and U.S.), 1999 - 2010¹⁷¹

Year	Number of spills	Quantity of barrels spilled
1999	54	28,760
2000	48	7,513
2001	34	25,980
2002	48	14,683
2003	62	6,410
2004	69	3,252
2005	70	9,825
2006	68	5,734
2007	65	13,777
2008	92	2,842
2009	103	8,441
2010	91	34,258
Total	804	161,475 (Approximately 25.67 million litres, or 6.8 million gallons)

- b. **Comment and Suggestion:** The EIS must address impacts of the predicted spills associated with this Line 3 oil pipeline proposal, including all reasonable alternatives to the proposed project.

- c. While we have reviewed most materials submitted by Enbridge, we believe strongly that proposed prevention and safety measures for protecting our wetlands, rivers, lakes and environmentally sensitive lands and areas from the construction and operation of the proposed Sandpiper Pipeline must be factored in the economics of this proposal.
- d. The Final EIS should provide the oil spill history of Enbridge and the resolution of the major spills, example Kalamazoo.
- e. We are also providing the attached article printed in the Minneapolis Star Tribune entitled "Take time to get Sandpiper pipeline route right". This same argument applies to Line 3 replacement pipeline.

2296-19

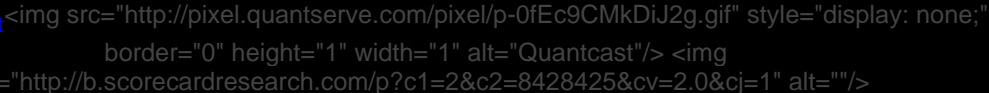
WAPOA appreciates this opportunity to submit our comments and suggestions about the content of the DRAFT Environmental Impact Statement (DEIS) and matters that need to be addressed in the FINAL EIS.

Regards,

Thomas N. Watson
 President
 Whitefish Area Property Owners Association
 39195 Swanburg Court
 Pine River, MN 56474

cc: WAPOA Board of Directors
 Minnesota State legislators representing the WAPOA area
 Local government mayors in the Whitefish Lakes area
jamie.macalister@state.mn.us

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COMMENTARY

Take time to get Sandpiper pipeline route right

Landowners cheer Court of Appeals' call for an environmental-impact statement.

By Tom Watson

OCTOBER 18, 2015 — 7:07AM

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Share on: Copy shortlink: Purchase: [Order Reprint](#) On Sept. 14, the Minnesota Court of Appeals reversed the Public Utilities Commission's June decision approving Enbridge's Sandpiper pipeline certificate of need. Our 1,200-member, nonprofit lake association is pleased with the court's decision requiring an environmental-impact statement to be completed before making the next pipeline decisions. We are joined with all lake associations, Friends of the Headwaters and others concerned about the risks to the quality waters of our area in north-central Minnesota, and all good and high-quality lakes areas.

Recently, House Speaker Kurt Daudt, R-Crown, and his GOP caucus expressed their displeasure with the court's decision, complaining about the jobs and property tax revenue negated by it. We communicated with Daudt and expressed our displeasure with their failing at their news conference to address all of the relevant environmental and economic considerations for our area, along with providing misleading jobs and tax data.

We are not opposed to pipelines, but we are opposed to approving pipeline routes in an area of high-quality lakes and waters that have major significance to the Minnesota travel and tourism economy. Pipelines are not DFL or GOP, the last I checked.

Travel and tourism and second homeowners provide over \$600 million in annual expenditures and over \$300 million in annual tax revenues in Hubbard, Cass, Crow Wing and Aitkin Counties combined, an area through which Enbridge proposes not one or two but multiple pipelines.

Travel and tourism also provide an estimated 17,250 jobs. This travel and tourism employment is more than 10 times the 1,500 jobs that Enbridge projects for work to be performed along the proposed route from North Dakota to Superior, Wis., which is not limited to the four counties mentioned above. Enbridge testified at an Aug. 24 hearing in Pine River that it expects 20 to 25 jobs would be long-term along the entire pipeline route.

Because unanticipated environmental consequences can be costly to undo and environmentally sensitive areas impossible to restore, environmental review creates the opportunity to anticipate and manage these issues before projects like pipelines are built in significant "environmental, social, and economic" areas. The more-comprehensive EIS, compared with the limited environmental assessment analysis, also should examine whether there are alternative project designs or locations or existing pipelines that would result in fewer environmental impacts.

This should have been completed long before now — based on my 18 years' experience as a mayor and an elected municipal government official in Ramsey County — when considering local land-use decisions and comprehensive plans, managing actions to sustain quality water and addressing dangerous chemicals in groundwater.

We agree that the estimated \$25 million in annual property taxes and 1,500 jobs are important, but small compared with the consequences of a negative event (for example, oil spills, breaches or “Enbridge anomalies”), considering that Enbridge has experienced 800 spills, or more than 1.5 per month. That’s about 200 barrels per each spill or anomaly in the past 10 years.

Daudt should know that the estimated jobs and taxes will be realized wherever a pipeline is constructed. But we can’t predict when and where spills will occur. They will occur. Enbridge does not deny that. Incidentally, a pipeline using the southern Minnesota existing corridor to Enbridge’s Chicago destination — as recommended by Friends of the Headwaters and others — and not through Superior would produce more jobs and more tax revenue along this route in an area with lakes under stress that mostly likely can’t be restored, as the Minnesota Department of Natural Resources and the U.S. Environmental Protection Agency report.

The EIS is critical before any decisions are made, as Gov. Mark Dayton implied.

We encourage Daudt, the House GOP, and all of our legislators and regulatory agencies to consider all relevant environmental, social, economic and routing alternatives during the preparation of the EIS and before any pipeline decisions are made.

Tom Watson, of Crosslake, Minn., is president of the Whitefish Area Property Owners Association.

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Levi, Andrew (COMM)

From: Julia Wilber <juliaannwilber@gmail.com>
Sent: Friday, June 30, 2017 10:12 PM
To: MN_COMM_Pipeline Comments
Subject: Re the Line 3 Draft Environmental Impact Statement (DEIS): Docket numbers CN-14-916 and PPL-15-137

Dear MN Department of Commerce,

I find the Enbridge Line 3 Draft Environmental Impact Statement to be unacceptable for the following reasons and request that you offer thorough and comprehensive responses to each concern.

Thank you,

Julia Wilber

Marine on St. Croix, MN

1. DEIS Chapter 5.2.1.4

During pipeline construction and maintenance, Enbridge plans to store and apply petroleum products and hazardous chemicals 100 feet from surface waters.

This is an unacceptable risk to MN waters. For comparison, the Boundary Waters Canoe Area Wilderness rule for protecting water is to keep dish soap 150 feet from shore.

1089-1

2. DEIS Chapter 5.2.1.2.4

Horizontal Directional Drilling (HDD) will be used to cross under our most pristine, most sensitive waters, and anywhere there is flowing water, which describes most of the route. The potential exists for contamination through release of drilling fluid to the ground and/or water, termed a "frac-out." The DEIS cites a 35 mile section of Enbridge pipeline in Michigan where there were 11 HDD crossings, multiple minor releases and 2 major frac-outs. MN will not accept the risk of a frac-out every 5.5 river crossings.

3. DEIS Chapter 10.2.4.1.1

"The annual probability of a spill incident for the Applicant's preferred route was estimated as 0.249 incidents per year with a recurrence interval of 4.0 years."

Every year there would be a 25% risk of an oil spill, which means a risk of one spill every four years. We should not accept this high risk probability.

4. DEIS Chapter 10.4.1

Regarding river oil spills, the DEIS uses a 10 mile Region of Interest (ROI), when we know that an oil spill can pollute more than 35 miles downstream (Enbridge's oil spill in the Kalamazoo was 35 miles). The ROI in the EIS should include at least 35 miles of impact.

1089-2

Risk from Line 3 is in conflict with several of our Minnesota Statutes:

1. MN Statute 103F.305 Scenic River Protection Policy

<https://www.revisor.mn.gov/statutes/?id=103F.305>

2. MN Statute 116D.02 Declaration of State Environmental Policy

<https://www.revisor.mn.gov/statutes/?id=116d.02>

--

Julia Wilber

"There is a crack in everything. That's how the light gets in." --Leonard Cohen

Levi, Andrew (COMM)

From: Julie Wissinger <julieww951@gmail.com>
Sent: Tuesday, July 04, 2017 1:31 PM
To: MN_COMM_Pipeline Comments
Subject: Line 3 Draft Environmental Impact Statement (DEIS)

Dear MN Department of Commerce:

I find the Enbridge Line 3 Draft Environmental Impact Statement to be unacceptable for the following reasons.

1. During pipeline construction and maintenance, Enbridge plans to store and apply petroleum products and hazardous chemicals 100 feet from surface waters. This is an unacceptable risk to MN waters. For comparison, the Boundary Waters Canoe Area Wilderness rule for protecting water is to keep dish soap 150 feet from shore. 1091-1
2. Horizontal Directional Drilling (HDD) will be used to cross under our most pristine, most sensitive waters, and anywhere there is flowing water, which describes most of the route. The potential exists for contamination through release of drilling fluid to the ground and/or water, termed a "frac-out." The DEIS cites a 35 mile section of Enbridge pipeline in Michigan where there were 11 HDD crossings, multiple minor releases and 2 major frac-outs. MN will not accept the risk of a frac-out every 5.5 river crossings.
3. "The annual probability of a spill incident for the Applicant's preferred route was estimated as 0.249 incidents per year with a recurrence interval of 4.0 years." Every year there would be a 25% risk of an oil spill, which means a risk of one spill every four years. We should not accept this high risk probability.
4. Regarding river oil spills, the DEIS uses a 10 mile Region of Interest (ROI), when we know that an oil spill can pollute more than 35 miles downstream (Enbridge's oil spill in the Kalamazoo was 35 miles). The ROI in the EIS should include at least 35 miles of impact. 1091-2
5. Risk from Line 3 is in conflict with our Minnesota Statutes:
 MN Statute 103F.305 Scenic River Protection Policy
<https://www.revisor.mn.gov/statutes/?id=103F.305>
 MN Statute 116D.02 Declaration of State Environmental Policy
<https://www.revisor.mn.gov/statutes/?id=116d.02>

Please take these concerns into your consideration.

Sincerely, Julie Wissinger
 951 Nason Hill Rd N
 Marine on St Croix, MN 55047
 651-433-4324