

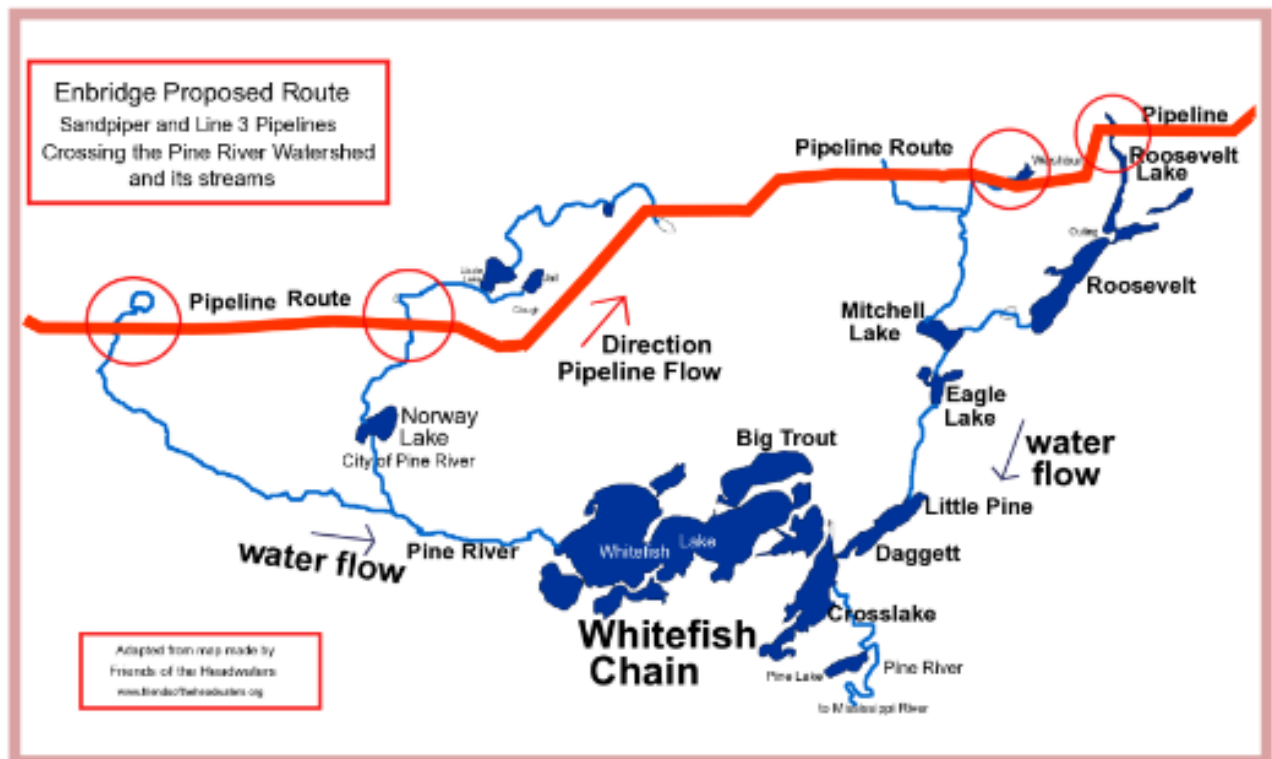
Environmental Impact Statement for Enbridge's Line 3 Pipeline

By Tom Watson, WAPOA President

Crude oil and fresh water do not mix.

We are baffled why Enbridge Energy, a Canadian company that asserts to be “environmentally conscientious”, has proposed constructing a new crude oil pipeline corridor through the clear and clean waters of North Central Minnesota primarily to transport Canadian crude oil to non-Minnesota markets (Enbridge: 85% volume).

The harmful impacts for our natural environment during construction, maintenance, spillage, and repairing “anomalies” have been under-analyzed or ignored. WAPOA submitted comments on July 10th for the Final Environmental Impact Statement (EIS).



Are WAPOA members concerned about the Line 3 proposal?

YES; after Enbridge's Project Manager told the Brainerd Lakes Chamber of Commerce in December 2014 their engineering firm (Barr Engineering) reported that constructing and operating crude oil pipelines was risky for the Whitefish Chain of Lakes (the ninth (9th) largest lake body in Minnesota), Norway Lake and Roosevelt Lake.

This map shows the proposed Line 3 pipeline route that crosses about 35 miles of the northern part of the Pine River Watershed, which includes these three lakes.

Why is WAPOA interested in this EIS?

WAPOA presented the following items in our July 10th letter about the Draft EIS (DEIS):

1. **Line 3 Oil Pipeline Need.** The Minnesota Public Utilities Commission (PUC), to approve or deny a permit for Line 3, must first affirm the pipeline need, or a Certificate of Need (CON). After the CON, a second decision is the route permit.

Minnesota law for determining pipeline need:

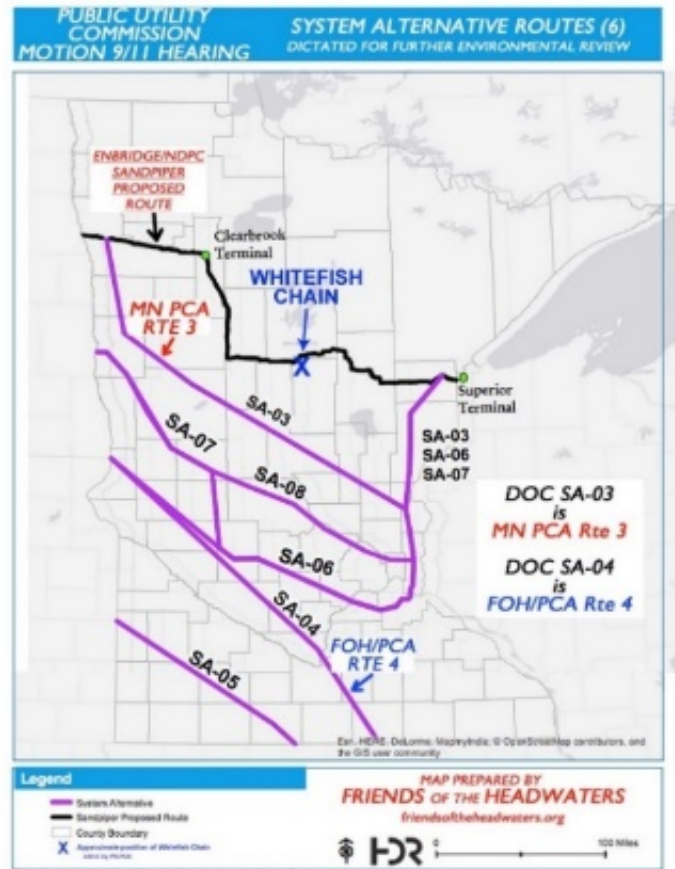
- a. MN Statute 2017, Section 216B.243 states --- “ . . . the commission shall evaluate (1) the accuracy of the long-range energy demand forecasts on which the necessity for the facility is based”
- b. MN Administrative Rules Sec 7853.0130 states that the CON shall be granted “A. if the probable result 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”
- c. **Comment:** Enbridge must address the demand forecast, Minnesota crude oil needs, and energy conservation improvements.

2. **Enbridge must address other three (3) criteria before a CON can be approved for Line 3, especially the reasonable alternatives and predictable consequences.**

- “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,
 - C. the consequences to society of granting the certificate of need are more favorable than the consequences of denying the certificate,
 - 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 . . . governments.”
- a. Enbridge’s project manager stated: “many of the alternate routes that veer west and south of the state’s northern lakes country would cost more”
 - b. “Norway Lake, the Whitefish Chain and Roosevelt Lake are three lakes at risk” with the Line 3 route. The new 120 mile pipeline corridor from Park Rapids to Superior, or 1/3 of the 340 route miles in Minnesota has never “housed” oil pipelines.
 - c. Friends of Headwaters (FOH), MN DNR and MN PCA offered alternate routes favoring SA-04, an existing pipeline corridor directly to Joliet, Illinois, Enbridge’s refinery destination; see Alternate Routes map.
 - d. **Comment:** Evaluate SA-04, a 1551 mile route to Joliet, compared to Enbridge’s preferred route, with 1552 miles via Superior to Joliet; only ONE MILE DIFFERENCE!
 - e.

3. **Connected Actions. Is there a possibility that the new corridor would be the location for additional oil pipelines if Line 3 were approved?**

- a. **Comment:** Analyze Enbridge’s preferred and each alternate route for “connected actions”, constructing more oil pipelines along each route, likely with larger capacity, like the present Highway 2 Mainline corridor.



4. Natural environment, socioeconomic environment, and cultural resources in the “Lake District” (likely Hubbard, Cass, Crow Wing and Aitkin Counties); evaluate pipeline impacts for these items:
 - a. Water Quality. The EIS must assess water quality in the “Lake District”.
 - i. WAPOA oversees annual water quality testing on 39 lakes and six streams located in the Watershed. From May through September for 30 years, water quality Trophic State Index (TSI), composed of clarity, phosphorus, and chlorophyll-a, is tested monthly.
 - b. Walleye Management. The EIS omitted information about the MN DNR Brainerd Office’s annual spring walleye egg harvesting at the Pine River in Upper Whitefish. This operation annually produces 25 to 70 million walleye fry and fingerlings that are stocked in MN lakes.
 - i. Line 3 would cross the North and West branches of the Pine River, the site of the vital annual egg harvesting operation.
 - c. Sensitive Shorelands. Areas that have been regularly studied for habitat management for fish, migratory waterfowl, birds, and other aquatic plants and animals.
 - i. The DNR surveyed the diverse aquatic plant and animal communities in the Whitefish Chain of Lakes and stated “. . . 10 primary sensitive shoreland areas to be considered for potential resources protection districts . . .”
 - d. Watersheds. Major and minor watersheds in this area are extremely important to managing, sustaining and restoring water quality and MUST be addressed.
 - i. The Final EIS is required to address “potentially significant human and environmental consequences” of the proposed pipeline and contrast with the present Line 3 Mainline Corridor watersheds impacts.
 - e. Economic. The economic significance of North Central Minnesota lakes must be addressed. Annual expenditures for travel, tourism, second homeowners, conventions, and reunions/weddings - nearly \$300 million annually in Crow Wing County and over \$700 million for “Lake District” Counties; only exceeded by Hennepin and Ramsey Counties. [Source: Univ of MN Extension Service, June 2007-May 2008, Davidson-Peterson Associates]
 - f.

5. Impact of Crude Oil Releases in the “Lake District”

The area lakes, rivers, creeks, wetlands, forests, lands and wildlife are vulnerable to “significant environmental effects” from oil pipelines.

- a. Spills, leaks, fires and other pipeline breaches have occurred in Enbridge operations with over 800 spills in twelve years and over 200 barrels or 8,430 gallons per spill, with large oil spills in Kalamazoo, MI (over 1 million gallons), Montana, Illinois, and Bemidji and Grand Rapids, MN.
- b. Comment: The impacts of the predicted spills associated with this Line 3 oil pipeline proposal, including all system alternatives like SA-04, must be addressed.

The Minnesota Court of Appeals decision ruled that an EIS must be completed prior to any CON decision, and opined on the importance of an EIS for large oil pipeline CON decisions:

“ . . . 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]

We have stated that WAPOA is not opposed to transporting oil by pipeline, but only after a thorough analysis of the Minnesota need and proposed routing.

Minnesota is the “Land of 10,000 Lakes” and that is who we are and what is important to the majority of our citizens!