
From: Tom Watson [mailto:twatson@iphouse.com]
Sent: Thursday, April 03, 2014 9:30 PM
To: Hartman, Larry (COMM)
Subject: WAPOA Requests Letter - comments re: Sandpiper Pipeline

Greetings Mr. Hartman-
Please find our comment letter re: Sandpiper Pipeline matter deadline April 4

Regards,
Tom
Watson

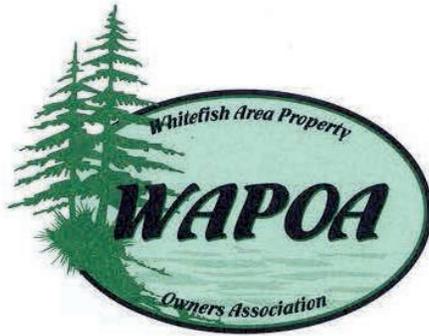
Thomas N. (Tom) Watson
President
Director, Land Use and Government Relations
Whitefish Area Property Owners Association
(WAPOA) 39195 Swanburg Court
Pine River, MN 56474

218-543-6064 (Northern MN office) 612-
751-0124 (cell)

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March 31, 2014

Larry Hartman
Environmental Review Manager
Environmental Review and Analysis (EERA)
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

Re: Public Utilities Commission (PUC)
Docket Number PL-6668/PPL-13-474

Dear Mr. Hartman:

The Whitefish Area Property Owners Association (WAPOA) is a 45 year old 501(c)3 non-profit entity representing the 14 lakes comprising the Whitefish Chain of Lakes in northern Crow Wing County. We have a membership of over 1,000 private property owners and about 50 businesses in this area. The eighth (8th) largest lake system in Minnesota, the Whitefish Chain of Lakes is covers 14,400 acres of open water, 119 miles of shoreline and a catchment area of over 28,000 acres. The proposed Sandpiper Pipeline, if approved and constructed, would directly impact the Whitefish Chain of Lakes and the larger catchment area.

The Whitefish Chain of Lakes is the largest open water system in the Pine River Watershed, a very large watershed composed of over 500,000 acres, over 500 miles of rivers and streams and about 440 lakes greater than ten acres in size. In other words, this area of northern Crow Wing County and southern Cass County has a very significant area of lakes, rivers, streams and catchment areas adjacent to them. The proposed Sandpiper Pipeline, if approved and constructed, would directly impact the Pine River Watershed, the Whitefish Chain of Lakes, and their larger catchment area.

By a unanimous vote, WAPOA's Executive Committee of the Board of Directors approved this letter and our requests of the Minnesota Department of Commerce and the Minnesota Public Utilities Commission.

Post Office Box 342 Crosslake, MN 56442

The proposed Sandpiper Pipeline is a serious environmental matter for the property and business owners of the Whitefish Chain of Lakes area. WAPOA has the following four requests regarding the application by Enbridge Energy Limited Partnership and North Dakota Pipeline Company (collectively, Enbridge) to construct its proposed Sandpiper Pipeline as described in the above referenced Docket No. (Project):

1. **Provide for public comment that includes an opportunity for participation by the directly impacted private and business property owners in this area, including the large number of seasonal residents.**

WAPOA's over 1,000 members include a number of private property owners on the Whitefish Chain of Lakes and the neighboring lake systems. A significant number of our members are seasonal residents and have not had the opportunity to participate in the public forums conducted this winter. The large Whitefish Chain of Lakes and surrounding lake systems that include large amounts of sensitive shoreland and wetlands identified by the Minnesota Department of Natural Resources are directly included in the proposed Enbridge route of the proposed Sandpiper Pipeline across our northern boundary. WAPOA, including our Board of Directors and advisors composed of both permanent and seasonal members, and our members need more opportunity for review and comment on the Enbridge proposal.

WAPOA's seasonal and permanent property owners would appreciate the opportunity to participate in the review and consideration of these matters. Many of our member property owners live along or near the proposed Pipeline Route, the larger catchment area surrounding the proposed route, and the sensitive rivers, lakes and wetlands. A large number are also seasonal residents who have not had the opportunity to participate in the informational and public meetings/hearings because they have been held when those people are not "at the lake." The seasonal residents and the Board of Directors of WAPOA, including seasonal directors, should not be denied the right to obtain all of the information and participate in the limited number of meetings/hearings just because Enbridge selected timing that was advantageous to it.

2. **Extend to August 1, 2014 the public comment period for the opportunity to consider and propose alternative routes or route segments and the detailed environmental information requested.**

Based on the meeting we attended and our review of the available materials, Enbridge has failed to date to provide answers to a number of critical issues

raised by the public. The public and our members need Enbridge's answers to these critical issues so that they will have all of the available information before they provide their comments on the Project, including alternate routes or route segments, safety measures, and environmental impacts.

As examples of some of these critical issues that Enbridge has not addressed, we believe they include (i) the exact, detailed location of the proposed pipeline; (ii) the number and exact location of the additional valves Enbridge said it would provide for additional protection in the sensitive areas of the rivers, lakes and wetlands; (iii) nature, amount and protection of assets set aside to cover direct and indirect public and private costs of a leak or spill; (iv) providing accurate information about safety statistics; and (v) the additional impacts and critical issues resulting from the new information that Enbridge's may use the route for the Project for the replacement and relocation of its Line 3 which new information (i) amounts to a substantial amendment to its application and (ii) is contrary to Enbridge's documents which provide that it has no plans for any other use of the pipeline route than the Sandpiper Pipeline. This conduct by Enbridge has frustrated not only the public and local governmental authorities regarding having adequate time to provide comments by April 4th, but also the various organizations such as WAPOA, agencies and property owners involved in reviewing the proposed Project.

Safety is a major concern to us at WAPOA. We know that pipeline spills and leaks have occurred, both in Enbridge operations and elsewhere. We clearly would like to have more details about prevention and safety measures required and proposed for our wetlands, rivers, lakes and environmentally sensitive lands and areas from the construction and operation of the proposed Pipeline.

Finally, extending the deadline for public review and comment will enable the large number of the seasonal property owners that live along or near the general Pipeline route and sensitive areas along the proposed route. The seasonal residents should be provided an opportunity to obtain all of the information and participate in the requested additional meetings/hearings.

3. Conduct during June and July, 2014 additional public information meetings and hearings in the area of the proposed Pipeline route.

These additional meetings are needed to address the concerns set for the in requests 1 and 2 above.

4. Require that an Environmental Impact Statement (EIS) be prepared for the Project.

Minnesota Statutes 2013, Section 116D.04 includes the following

“Subd. 2a. When prepared. Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. . . .”

WAPOA cannot imagine a project that has more potential for “significant environmental effects” than this Project. The Pine River Watershed and Whitefish Chain of Lakes waters, rivers, lakes, which are some of the clearest and cleanest in Minnesota, creeks, and wetlands are all extremely vulnerable to adverse impacts from construction, leaks and spills from this Project. Our water resources, including both surface and ground water, are extremely vulnerable to these adverse impacts and threats from construction and spills, and actual incidents could be devastating to these waters. The forests and lands in the area of the proposed Pipeline are also vulnerable to adverse impacts that should be analyzed thoroughly.

An **Environmental Impact Statement (EIS)** should be required by the Responsible Government Unit (RGU) for the Project, both as outlined in Minnesota state law and common sense. The magnitude of the proposed Pipeline Project and the potential impacts on these highly sensitive, unique and valuable water, forestry and land resources of the state deserve the highest level of scrutiny and “analytical” review as provided in state law. The EIS analysis is a tool for the RGU, and voluntarily for Enbridge of course, to prepare and provide for all interested parties, citizens, property owners, and regulatory agencies.

Thank you for considering our requests. If you have any questions or want to discuss our request, please call Tom Watson, WAPOA President at 218-543-6064.

Sincerely,

Whitefish Area Property Owners Association (WAPOA)



Thomas N. Watson
President