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SCOPING AND INFORMATIONAL MEETING
BEMIDJI - MAY 2, 2016 - 6:00 P.M.
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION
AND DEPARTMENT OF COMMERCE

In the Matter of the Application of North Dakota Pipeline Company, LLC for a Certificate of Need for the Sandpiper Pipeline Project in Minnesota

PUC DOCKET NO: CN-13-473

In the Matter of the Application of North Dakota Pipeline Company, LLC for a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota

PUC DOCKET NO: PPL-13-474

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

PUC DOCKET NO: CN-14-916

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Route Permit for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

PUC DOCKET NO: PPL-15-137

Bemidji State University
1500 Birchmont Drive Northeast
 Bemidji, Minnesota

COURT REPORTER: Janet Shaddix Elling, RPR

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1 (Private comments.)

2 MR. PAUL GUSTAFSON: Gustafson, Paul
3 Gustafson.

4 Yeah, it's just -- well, we had three
5 projects before they all -- before Enbridge decided
6 to shut it down, or, you know, through the Minnesota
7 side. And we had, you know, we had about 100 people
8 lined up to go and do the work. And right now we
9 probably, we're down to like 20, 25 people working.
10 So there's 70, 75 people that are without a job as
11 of right now. And that's just our company. And
12 there's a lot of companies that do the work on these
13 projects, that employ a lot of people.

14 And even like in Clearbrook, you know,
15 where our local lumberyards are affected and the
16 people that they hire for summer work, if there's
17 nothing going on, the local hardware store has a big
18 hit if nothing comes through. There's diners,
19 small-town diners in Gonvick that probably won't be
20 open if the pipeline doesn't come through, they'll
21 just shut their doors down.

22 And with the Minnesota side, you know,
23 there was the Clearbrook West that everyone was
24 hoping to work on. And from what everything I know,
25 it's probably about a two-year project, and we would

1 easily, you know, get back up to that high volume of
2 employees that don't need to go outside the state to
3 find work, they'll be able to be at home, they'll be
4 able to be with their families, they'll be able to
5 make good wages.

6 And by just delaying this project, you
7 know, like small companies like us, when we find
8 good workers we want to keep on to those good
9 workers. And, you know, you want to hold on, like,
10 the company is only as good as your employees are.
11 And if we can't do this work or if we can't get some
12 of the work, you know, you lose out on these good
13 employees. And they have to go somewhere to work,
14 you know, no one can just not work. And so they end
15 up, you know, hooking on to other companies, going
16 to work in other states. And it would just be a
17 really good thing, you know, to keep families close
18 together, keep the money local.

19 And Enbridge does do a good job. Like
20 any time they go in to, you know, environment and
21 safety is their main concerns, and when they go
22 through someone's property or something, you know,
23 they say they put it back to the way it was before
24 they came through. Well, I would say they do a
25 better job than what they say, you know, we're just

1 going to put it back as what it was. Well, usually
2 when they come through, it's better than what it was
3 before they even got there.

4 So when it comes to the safety and
5 environment, and nobody wants that. Nobody wants to
6 have a spill. And our companies are the same way,
7 you know, we want to do a good job working for these
8 people. And they want the finished product to be as
9 good as it can be. And in order to do that we need
10 to do these projects to keep these good employees
11 that will go somewhere else or go out of state.

12 And it's just unfortunate that it gets
13 delayed, because when we got up, our workforce up to
14 100, there was a lot of individuals that were part
15 of that 100 that made a really good team. And if we
16 can't continue with this work, I guess, you know,
17 we're going to lose them. And then it just affects
18 everybody in a negative way.

19 And I think it affects the state in a
20 negative way because you're losing out on all these
21 wages at the same time that these people will be
22 paying into taxes and stuff.

23 And I don't know what else to say other
24 than, you know, it would just be -- the sooner the
25 better would be, I guess is what I would say. And

1 you get it for everybody. I don't see a negative
2 impact at all with any of it. You know, and just
3 delaying it is negatively impacting everybody, I
4 think, and the sooner the project would go, the
5 better for everybody.

6 I don't know what else you want me to
7 say.

8 COURT REPORTER: If that's all you want
9 to say, that's fine.

10 MR. PAUL GUSTAFSON: Sure, that'll work.

11 MR. BRUCE BJERKE: Bruce Bjerke,
12 B-J-E-R-K-E.

13 Well, I'd just like to lend my support
14 for the project. And as a citizen and a manager for
15 Clearwater-Polk Electric in Bagley, the impact to
16 the community is so great with jobs and for
17 businesses.

18 And in my mind there isn't a safer way to
19 transport crude oil. So in my eyes it's kind of a
20 no-brainer to have the project. If they do have
21 problems, it's always taken care of probably better
22 than the land was prior.

23 So, I guess, I am, again, in total
24 support of the project.

25 (Break.)

1 MS. BARBARA TUCKNER: Okay. Good
2 evening, everyone. Thank you for coming. Grab some
3 coffee, get a seat.

4 And what you cannot see is a beautiful
5 view behind you. We're all sort of backed by the
6 beautiful view of the lake. It's very nice.

7 My name is Barbara Tuckner. I will be
8 moderating this meeting this evening. And I'm
9 joined by many people here tonight who also work for
10 the state.

11 We have several people here from the
12 Department of Natural Resources. Do you want to
13 show who you are, folks? They are in the back
14 there. If you have any questions relative to things
15 in their domain, that's who they are.

16 We also have people from the Minnesota
17 Pollution Control Agency. Would you wave? The
18 gentleman over here.

19 We also have people here from Commerce.
20 From Commerce we have Jamie and John.

21 And we also have people here from the
22 Public Utilities Commission in the back of the room.

23 And there are a few people from Enbridge
24 that are back there as well if you have questions
25 relative to the environmental issues.

1 My job tonight is to keep things moving,
2 as well as to just sort of manage the energy in the
3 room, if you will. There's people on every side of
4 the issue here tonight, we know that, and frankly we
5 welcome that.

6 So where we're at at this stage -- and
7 when I say we, I shouldn't speak on behalf of
8 Commerce, I don't work for Commerce.

9 What we're focusing on this evening is
10 really wanting to do due diligence from what you
11 believe we need to include in our environmental
12 impact statement.

13 We've already heard from many of you
14 throughout the state about what you think should be
15 included in the environmental impact statement. And
16 we're adding to that list as we go along. Or if
17 there's a specific thing in there that you would
18 like us to take a look at, we're interested in
19 hearing about that.

20 The environmental impact statement will
21 be used to make decisions about the future of this
22 issue and so we're looking for some good information
23 and feedback around that.

24 We have ground rules for the meeting
25 tonight. They're posted around the room. I didn't

1 think the room would be this big, and they're not
2 meant to be an eye test, but I will run through this
3 briefly.

4 We're asking for people to be respectful,
5 patient, and allow people to express their thoughts
6 and recommendations, particularly their
7 recommendations about what should be included in the
8 environmental impact statement.

9 So, of course, you're welcome to express
10 your opinion about what you believe could and should
11 be done but, again, we're really interested in
12 hearing what should be included in the impact
13 statements.

14 We're asking that you don't interrupt so
15 that others can be heard. And you don't obstruct
16 other people's view. And we're also asking you to
17 manage your cell phone, put it on mute, stun,
18 whatever.

19 When you come up, I call people up in
20 order to provide their statements, and I'll manage
21 the time with you at that time.

22 Okay. I can't think of anything. Did I
23 remember everything? Is there anything else?

24 Restrooms are hard to find here if you're
25 a woman, and I know this. So the women's restroom

1 is right at the end of that wall back there, the
2 men's room is right about here on the other side of
3 this wall.

4 Okay. All right. I'm going to turn this
5 over now to Jamie MacAlister. She's the
6 Environmental Review Manager at the Department of
7 Commerce. She's going to give a brief presentation
8 of the context around all of this and then we will
9 turn to the statements.

10 Jamie.

11 MS. JAMIE MACALISTER: Good evening. It
12 sounds like this is working. I can see that we're
13 going to have to stop putting chairs in the back of
14 the room. It seems like we never get anyone to come
15 sit up close. I can't even hardly see back there.

16 Well, thank you, everyone, for coming out
17 tonight. And I know that many of you have traveled
18 quite a distance to be here so we appreciate you
19 taking the time to join us.

20 I do want to give you just a quick
21 overview of -- oh, we've lost the presentation.

22 First, while we're trying to get this set
23 up, I hope everyone received a folder when they came
24 in. You should have a copy of this presentation in
25 your folder. And the only reason that that is

1 important is because the critical contact
2 information is on that page. So hang onto this
3 presentation, if nothing else, so you know how to
4 contact me.

5 You should also have a comment form in
6 your folder which you are welcome to fill out and
7 leave here with us tonight or take it with you and
8 send it in at your leisure.

9 There should be some guidance materials
10 on how to suggest a route or segment alternative.
11 Some alternatives evaluation criteria, which we're
12 very interested in getting your feedback on. A
13 preliminary table of contents for the environmental
14 impact statement. And there should be a couple of
15 maps, a route alternative map and a system
16 alternatives map.

17 Good work, Barb. See, she's been working
18 already.

19 Okay. So we're here tonight for the
20 public scoping meetings for the Sandpiper and the
21 Line 3 projects, take three. So if you've been to
22 some of these others before, you ought to know what
23 you're in for.

24 The regulatory framework that we're
25 working with now are we have some rules for the

1 certificate of need. For the routing of pipelines.
2 And an environmental impact statement -- from here
3 on I'll refer to it as an EIS -- will be prepared
4 according to Minnesota Rules 4410.

5 And once we get through the environmental
6 impact statement process, there will be contested
7 case hearings for the route and the certificate of
8 need that will be presided over by an administrative
9 law judge.

10 You might wonder what the purpose of
11 these scoping meetings would be, but for us they're
12 extremely useful because it provides an opportunity
13 for the public and agencies, tribes, and local
14 governments to give us feedback and help us identify
15 issues and impacts for analysis, to participate in
16 the development of route and segment alternatives,
17 and help us prepare a final scope that will include
18 the issues that have been raised and developed
19 throughout the scoping period.

20 So as you may know, we've been out here
21 for a couple of years holding these meetings. We
22 held a series of meetings for the Sandpiper
23 pipeline, there were also some contested case
24 hearings associated with that. Those were put on
25 hold and we then held scoping meetings for Line 3.

1 We had those last summer. And now we're holding
2 this next round of meetings, so we will have had
3 over 30 scoping meetings by the time we're through
4 with this.

5 And what we have learned as we've been
6 out here is that there are a number of issues that
7 rise to the top. Those would be spills from water,
8 water and surface water concerns, wild rice, tribal
9 resources, pipeline decommissioning, jobs and local
10 economies, and climate change. This list is of
11 course by no means exhaustive, but it does help lay
12 out some of the primary issues that we've been
13 hearing.

14 So here we are. We've been out here,
15 we've been talking with you and with agencies, we've
16 identified a bunch of issues that can be seen on
17 your table of contents in your folder, and we're
18 wondering what have we overlooked, what else is out
19 there that we need to focus on.

20 I'd like to quickly run through what the
21 process for the EIS will be. We are here at the
22 public information and scoping meetings. These will
23 result in a final scoping decision, which will
24 ultimately be approved by the Public Utilities
25 Commission. We will then issue an EIS preparation

1 notice. We will have a draft EIS and draft EIS
2 public meetings. That will be another opportunity
3 for public involvement and comment. There will be a
4 final EIS and a determination of adequacy by the
5 Public Utilities Commission and then move into the
6 contested case proceedings. Ultimately, there will
7 be a decision on the route permit and the
8 certificate of need.

9 We have this EIS sitting out here, and
10 how do we complete this EIS? We need a lot of
11 information to help us complete the EIS. We work
12 with units of government, local, state, and federal,
13 tribal governments, the public, and other interested
14 parties.

15 The Department of Commerce is leading the
16 environmental impact statement effort in
17 collaboration with the Minnesota Public Utilities
18 Commission and the Minnesota Department of Natural
19 Resources.

20 The Department of Commerce serves as
21 technical staff to the Public Utilities Commission.
22 And in this case the Minnesota DNR and Minnesota PCA
23 will serve as assisting agencies to Commerce.

24 The EIS, in turn, will inform the
25 Minnesota Public Utilities Commission, who will be

1 making the determination on these permits, on the
2 certificate of need, and that will inform their
3 permitting decisions.

4 There have been a number of alternatives
5 that have been proposed for these projects over the
6 course of the last couple of years. So you can see
7 that a number would have been formally termed as
8 system alternatives that are here for analysis. We
9 did not term them anything other than system
10 alternatives because we know a number of you have
11 been following them and know them as system
12 alternatives so we thought it would be easier to
13 maintain that terminology, as well as all the
14 proposed route alternatives that have been proposed
15 through Sandpiper and Line 3.

16 So just quickly, the anticipated route
17 permitting schedule is as follows: We would expect
18 a final scoping decision sometime in the summer of
19 2016. A draft EIS in early 2017. Followed by draft
20 EIS public meetings on the draft EIS. And an EIS
21 adequacy determination in the summer of 2017,
22 followed by contested case hearings, and a route
23 permit decision in the fall of 2017. And I would
24 just caution you that, as you know, this schedule
25 has been fluid and this is very preliminary.

1 In terms of receiving your comments here
2 tonight, we will of course be taking your verbal
3 comments up here. And so if you have a speaker
4 card, we'll call your name, and I will ask you to
5 state and spell your name for the court reporter,
6 Janet, or she will kindly remind you to do so.

7 You can also complete and submit your
8 written comment form, leave it with us tonight, or
9 send it in at your leisure. You are also welcome to
10 mail, fax, or email me a comment to the website
11 listed here. And as long as those comments are
12 received by Thursday, May 26th, 2016, we will be
13 taking them and putting them in the record.

14 What you can expect after that is I will
15 take your comments and bundle them, post them on our
16 website, and on eDockets alphabetically if you're
17 looking for your comment.

18 With that, I'm going to hand this over to
19 Barb.

20 MS. BARBARA TUCKNER: Thanks, Jamie.

21 All right. As Jamie alluded to, Janet is
22 the court reporter, and we've situated her so that
23 she's close to the person who is speaking so that
24 she can hear. So that was the intention there.

25 So what we are going to do is bring

1 people up in the order in which they signed up and
2 then we will go from there.

3 All right. And I will call the first
4 name, then the second name so that the second person
5 can scoot on up here.

6 The first person on the list is Terry
7 Langley, and the second person is John Munter.

8 Terry -- and I will time your -- everyone
9 has five minutes.

10 MR. TERRY LANGLEY: Oh, I thought it was
11 30.

12 MS. BARBARA TUCKNER: 30 minutes? No.

13 MR. TERRY LANGLEY: No, I'm kidding. I
14 don't need 30. Thank you.

15 MS. BARBARA TUCKNER: All right.

16 MR. TERRY LANGLEY: Terry Langley,
17 T-E-R-R-Y, L-A-N-G-L-E-Y. I am an organizer for
18 Pipeline Union 798.

19 UNIDENTIFIED: We can't hear.

20 MR. TERRY LANGLEY: How is that? Better?

21 Okay. My name is Terry Langley,
22 T-E-R-R-Y, L-A-N-G-L-E-Y. I am an organizer for
23 Pipeline Union 798.

24 I am urging the Commerce Department to
25 finish their EIS in a timely manner for the

1 Sandpiper Pipeline project. United Association
2 shares the same goal as the Commerce Department to
3 preserve the environment in dispute. Any land areas
4 will be restored to meet the landowner's
5 requirements.

6 These delays only serve to prevent access
7 to this bountiful source of energy and produce
8 uncertainty about America's energy future.

9 This project has many economic benefits
10 to the state of Minnesota, like thousands of
11 construction jobs from right here in Minnesota. Not
12 only the jobs would we lose, but the estimated
13 millions of tax revenue that the state would lose.

14 I'm asking that the Commerce Department
15 complete its review so that we can begin working on
16 this priceless project.

17 As you conduct this EIS, please consider
18 the impact of delay on Minnesotans.

19 Thank you.

20 MS. BARBARA TUCKNER: Thank you very
21 much, Terry. Thank you.

22 The next person up is John Munter. And
23 after that we have June Wynne.

24 State your name and spell it for the
25 court reporter, please.

1 MR. JOHN MUNTER: John Munter, J-O-H-N,
2 M-U-N-T-E-R.

3 Last year we could reasonably make the
4 argument that -- or people could, that trains were
5 better than pipelines. But that whole scenario has
6 changed. I don't believe we can any longer make
7 that argument.

8 The biggest factor in this is the upgrade
9 of the DOT standards, to the DOT-117 tank car.
10 Previously we've had the DOT-111s out there, which
11 are called the bomb trains. We've had the CFC-1232s
12 out there. They're slightly upgraded. Those were
13 also involved in the catastrophic accident in Canada
14 that killed 47 people, so they also need to be
15 upgraded as well.

16 But last year now we have this DOT-117
17 and all the cars will be replaced or they will be
18 retrofitted. The new car, for example, will be
19 jacketed thoroughly, insulated in shells of 9/16ths
20 steel, full height half-inch-thick head shields, it
21 will be sturdier, reclosable pressure relief valves
22 and rollover protection for top fittings. It'll
23 cost about \$2.5 billion to do this total retrofit
24 here of the cars and the new cars.

25 In addition, there will be re-engineering

1 of the brakes. Apparently they'll have an
2 electronically-controlled pneumatic braking system
3 by January 1st, 2021 for all the vehicles.
4 Actually, 2023. Nearly 1,000 of these cars have
5 already been sold by the Greenbrier Company, which
6 produces them, as of 2014 for Class 3 flammable
7 liquids service trucks of North America, with orders
8 placed for more than 2,500 cars of the DOT-117.

9 MS. BARBARA TUCKNER: Three minutes.

10 MR. JOHN MUNTER: All right. And they
11 can retrofit, also, cars. They have retrofit
12 capacity to retrofit at least 8,400 to 19,600 cars
13 per year.

14 With this manufacturing capacity at these
15 levels, the Cambridge Report observes that the
16 entire tank car fleet that is currently operating
17 without the advanced safety features could be
18 replaced in less than five years for safety.

19 Beyond that, trains will -- if you ask
20 Enbridge and Koch Refining Company, for example, oil
21 pipelines won't ever reduce the train use. That's
22 their opinion. Trains are here to stay. Burlington
23 Northern Santa Fe spent millions on tracks and
24 improvements, for example, recently. And they're
25 also, even despite the increase in the oil drilling

1 in the Bakken, they are still going to be spending
2 \$500 million in the Bakken for trains. East Coast
3 has 13 rail unloading terminals that they built and
4 of course didn't use them.

5 Rail uses less fuel, for example, so it's
6 less expensive. You have to use a 30 percent
7 diluent for pipes. Rail has no take-or-pay
8 contracts like Sandpiper does. They can be very
9 flexible depending on the price in any particular
10 area of the country. A lot of pipelines don't go
11 east and west, but trains do go east and west where
12 there are few pipelines and can deliver and can also
13 set up shop easily.

14 Price dictates pipelines. Price dictates
15 whether people use pipelines or rail or barges. And
16 so I think the idea that the Bakken is declining,
17 these oil wells only last about three years in the
18 Bakken, so with the declining production in the
19 Bakken, we're not going to need more than the trains
20 we have already -- trains already carry 60 percent
21 by rail, and with declining volumes in the Bakken
22 over three years we're not going to have a need for
23 more pipeline infrastructure.

24 Thank you.

25 MS. BARBARA TUCKNER: Thank you, John.

1 One of the things I didn't mention is
2 that after everyone has had a chance to speak if
3 they provided a green card, we will see if anyone
4 else wants to come up again, if we still have time.
5 We are here until 9:00.

6 All right. The next person is June
7 Wynne. And after June we've got Michael Johnson.

8 State your name and spell it for the
9 court reporter. Thank you.

10 MS. JUNE WYNNE: My name is June Wynne,
11 W-Y-N-N-E. That's it.

12 I don't have a prepared statement with
13 me. Can you hear? Closer? There.

14 I got a letter in the mail probably
15 because I'm a member of the Sierra Club, which is
16 either a really good thing or a really bad thing in
17 this room.

18 And I am concerned that we have enough
19 pipelines crossing this state. I don't think we're
20 getting the benefit of any of this oil just going
21 from North Dakota to Wisconsin, it's just taking a
22 shortcut across our land. And the oil spills that
23 come from pipelines are much worse than an oil spill
24 that comes from a train that tips over. You know,
25 the difference between what is -- what's on a train

1 and what's pumping through those 30-inch pipelines
2 is huge.

3 And so I wanted to ask a question. Is
4 this a done deal already and we're just trying to
5 decide on the route? Or is there a chance that this
6 might not take place?

7 MS. BARBARA TUCKNER: I can tell you that
8 this meeting is about what should be included in the
9 environmental impact statement. So, no, again, the
10 decision, the impact statement will be provided and
11 a decision will be made after that.

12 MS. JUNE WYNNE: Okay. Thank you.

13 MS. BARBARA TUCKNER: Thank you.

14 The next person up is Michael Johnson.
15 And after Michael is -- I think it's Barrett
16 Osmonson. I'm not sure if I said that right.

17 State your name and spell it for the
18 court reporter, please.

19 MR. MICHAEL JOHNSON: Thank you, Barb and
20 Jamie.

21 My name is Michael Johnson,
22 M-I-C-H-A-E-L, J-O-H-N-S-O-N. I'm from rural
23 Gonvick.

24 Since the 1950s, Canadian pipelines have
25 gone across our families' farms. They've been good

1 stewards of land and good stewards of their
2 right-of-way.

3 I remember when I was a young child and
4 my grandparents were so excited about the terminal
5 being built in Clearbrook,, which was Lakehead
6 Pipeline then. They've been a good partner to our
7 community.

8 I remember a couple years ago at one of
9 these hearings in Clearbrook somebody complained
10 about the hazard of bentonite. Bentonite is used by
11 pipeline contractors when they drill underneath
12 rivers and roads. And bentonite is a clay material
13 that's made into powder and it's mixed with water
14 and becomes wet. Well, well drillers, when they
15 drill wells for our water, they use bentonite. So
16 when you mix it with your bore, it becomes slippery,
17 the hole does, and it pulls the pipe through very
18 easily without damaging it. And if well drillers
19 use it for our water, it's safe.

20 Anybody who has any knowledge at all
21 knows that pipelines are way more efficient than
22 railroads. And they're the safest. I can't imagine
23 how much fuel a train will use traveling 1,000 miles
24 and then return empty again back to the terminal to
25 get reloaded. I suppose somebody here can figure

1 that out.

2 Isn't it in our country's interest to try
3 to become more efficient? So that should be
4 self-explanatory.

5 And isn't it why we have pipelines?

6 MS. BARBARA TUCKNER: Three minutes.

7 MR. MICHAEL JOHNSON: Okay. Isn't that
8 why we have pipes in our houses? Would you want to
9 go back to carrying water into your house by hand?
10 No. Pipes are handy.

11 And we should be buying oil from our
12 friends, like the people of North Dakota and people
13 of Canada. And the people who like to protest, they
14 should go to our shipyards where supertankers from
15 the Middle East bring oil into our country.

16 So my last thought is people in Minnesota
17 need to approve this responsible, good project.
18 It's been around for years. And they should do it
19 soon, otherwise it could destroy it.

20 And they should approve the shortest
21 route. You wouldn't jump into your car and take the
22 longest route to where you're traveling to.

23 And my last thought is the Vikings
24 stadium, which was over a billion dollar project,
25 and a third of it is supported by the Minnesota

1 taxpayers. Well, our governor, he was adamantly
2 supportive of that. And the Sandpiper project is
3 over a \$6 billion project and where is he? You
4 know, why isn't he, you know, approving this? But I
5 do remember a comment he made. We do need to make
6 oil pipelines safer. Well, that was an educated
7 statement.

8 But thank you very much.

9 MS. BARBARA TUCKNER: Thank you, Michael.

10 The next person up is Barrett Osmonson.
11 I'm not sure if I said that right. And then the
12 next person after that is Miles Kuschel. I don't
13 know if I said that correctly.

14 If you could state your name and spell it
15 for the court reporter.

16 MR. BENNETT OSMONSON: My name is Bennett
17 Osmonson, B-E-N-N-E-T-T, O-S-M-O-N-S-O-N.

18 MS. BARBARA TUCKNER: I'm sorry. Thank
19 you.

20 MR. BENNETT OSMONSON: I live north of
21 Fosston toward the Gully area, and there's both the
22 number 3 pipeline and then there's other pipelines
23 that have traversed through that area. And I've
24 witnessed the construction and I've witnessed the
25 maintenance that's happened with those pipelines and

1 I am very confident in the ability of the companies
2 to maintain them.

3 I have several relatives that work in the
4 pipeline industry, both welding and doing other
5 things. And I think the employment that's available
6 because of that is important.

7 I'm also a farmer and I do farm the land.
8 I do need a fair amount of energy to operate my
9 farm. And, yes, fuel production is, barrels and
10 stuff, at an all-time low now, it is creeping back
11 up again. But as the demand keeps on, we're in kind
12 of a low period now, but I think it'll pick up again
13 as time goes on. And the reason we've got lower
14 prices now is because of the energy that did come
15 from the Bakken.

16 And, again, the most efficient way to
17 move that is the pipeline. Irregardless of what the
18 railroads can do, they have a tremendous investment
19 going back into creating these new tankers and
20 everything else to make that work. And then they've
21 got to cross a lot of public highways, a lot of
22 other lands that they have to traverse. And it's
23 not just the safety of a tank leaking, but it's the
24 collisions that are happening in different
25 intersections.

1 There is quite a benefit to our area in
2 the taxes that are collected from the pipelines
3 passing through. They support the school districts
4 and other county government, things like that. And
5 we do have a society that now wants to tax all of
6 our energy, whether it's the power production, the
7 coal production, but the net effect is the more
8 energy that we can have access to we become more and
9 more efficient in how we use it. It's important for
10 food production, it's important for transportation,
11 it's important for heating our homes and many other
12 things that are involved with it.

13 Our economy in the state of Minnesota is
14 very diverse. We have lots of minerals and
15 different things in the soil. And because we've
16 been given a mandate to harness and use those
17 resources that we have in a wise way, I think it's
18 only prudent that we do it the most efficient way.

19 I thank you for your time.

20 MS. BARBARA TUCKNER: Thank you, Bennett.
21 Thank you very much.

22 So the next person up is Miles Kuschel,
23 you will have to correct me if I didn't say that
24 right. And then after that is Harry Hansen.

25 MR. MILES KUSCHEL: Good evening. Miles

1 Kuschel, and Kuschel is K-U-S-C-H-E-L.

2 As a beef rancher near the proposed route
3 we have seen our input costs in the last few years
4 rise exponentially.

5 UNIDENTIFIED: Can't hear you.

6 MR. MILES KUSCHEL: Sorry.

7 Many of our feed products and fertilizers
8 travel by rail. The pipeline will alleviate much of
9 the rail congestion.

10 Many of our products that we use in our
11 everyday lives come from petroleum products,
12 especially on our ranch from bale twine and net wrap
13 to veterinary products made of plastics.

14 The pipelines are the fastest, most
15 economical and safest way to transport this type of
16 oil.

17 I urge the PUC to consider all the
18 negative impacts of delaying the EIS that has
19 already occurred and urge the PUC to consider the
20 positive aspects of creating jobs, generating taxes
21 for our local communities, and being the most
22 environmentally friendly option we have to date.

23 Thank you.

24 MS. BARBARA TUCKNER: Thank you very
25 much, Miles.

1 Harry Hansen is the next person up. And
2 then after Harry is Willis Mattison.

3 State your name and spell it for the
4 court reporter, please.

5 MR. HARRY HANSEN: Harry Hansen,
6 H-A-N-S-E-N.

7 And I'd like to address this issue to the
8 critical concerns on the papers from Commerce. I
9 seen on the screen you had global warming, but it's
10 not -- it's omitted on the printed-out sheet.
11 That's kind of convenient.

12 As far as safety goes on the pipelines,
13 what's going on in the Kalamazoo River, after 1.1
14 million gallons of oil from the Enbridge line,
15 nobody says nothing about it.

16 What about here on the concerns of
17 surface water, groundwater? It says lakes. What
18 about the Mississippi River? How many times does
19 the pipeline cross the Mississippi? The beginning
20 of the Mississippi. What happens here goes
21 downstream and affects millions of people.

22 What about the lake? What about our
23 tourist industry? Who is going to come up here and
24 fish in polluted waters? What's going on?

25 It should stay in the ground. Every

1 scientist, most every scientist says leave it in the
2 ground. There is solar. There is wind. But money,
3 what is money? Right? That seems to be the thing.

4 There are so many alternatives that have
5 been suppressed in this country. We have to leave
6 it in the ground. The canoe has already tipped, or
7 haven't you noticed the straight line winds?

8 What about Texas? The poor people there,
9 12 inches of rain in 24-hour periods over and over.
10 Half of the invertebrate animals are gone in a
11 period of a little over 40 years.

12 As far as what's made from petroleum
13 products, I can really do without the plastic bags.
14 There's a whole island, almost the size of Rhode
15 Island, floating in the ocean of plastic.

16 I am so against this. It's -- come on.
17 Water. Think of water. Are you going to drink oil?
18 Uh-uh.

19 That's all I got. Thank you.

20 MS. BARBARA TUCKNER: Thank you very
21 much, Harry.

22 The next person up is Willis Mattison.
23 And after Willis is James Reents.

24 MR. WILLIS MATTISON: My name is Willis
25 Mattison, W-I-L-L-I-S, M-A-T-T-I-S-O-N.

1 I'm about a 40-year veteran practitioner
2 of environmental review documents and very familiar
3 with both federal and state rules. I'm particularly
4 concerned about the framing of the draft document
5 that precludes certain alternatives for the project.

6 I've talked to Commerce and PUC staff
7 about the issue of drafting the purpose of the
8 project to transport oil from North Dakota to
9 Superior, Wisconsin and then to pipeline hubs in the
10 Midwest near Chicago.

11 I agree with the previous person who
12 testified that a straight line distance between
13 North Dakota and Chicago doesn't run through
14 Superior, it would run along another route. But if
15 the definition of the purpose of the project
16 includes Superior, it prejudiciously precludes
17 routes that do not go to Superior and so I strongly
18 suggest that that language be changed.

19 The oil originates in the Bakken and it
20 is not refined or processed here in Minnesota, but
21 either goes through a pipeline hub or a refinery in
22 the Midwest. So any route that accomplishes that
23 purpose should serve the public need.

24 The company, by their rights, can propose
25 a particular way of performing that public purpose.

1 If their particular purpose or project happens to
2 route it through high hazard areas and high value
3 resources, it behooves the agencies examining this
4 through the EIS to look at these routes that would
5 accomplish the need yet deliver the oil where it is
6 supposed to be -- supposedly needed. The EIS, of
7 course, should answer that question again, as well
8 as to whether or not the petroleum oil of this
9 volume and time is actually needed.

10 The second issue that narrows the scope
11 of the EIS as proposed is the geographic boundaries
12 of the aesthetic area being constrained within the
13 borders of the state of Minnesota. This is not
14 allowed by the Minnesota Environmental Policy Act or
15 the EQB rules.

16 The boundaries of a study area for an EIS
17 must be determined by the natural resource impact
18 area. I give you, for example, the Red River of the
19 North. The pipeline crosses the Red River south of
20 Grand Forks. If you're going to evaluate potential
21 threats to the Grand Forks water supply, you might
22 have a spill on the North Dakota side of the border
23 that would impact that same water supply. So you
24 must extend your area of impact at least to the
25 western boundary of the Red River of the North basin

1 in order to adequately consider those impacts.

2 Likewise, if it goes to Superior, the
3 potential, future potential for possible shipment of
4 oil on Lake Superior needs to be examined. We know
5 at one time there was a proposed shipping outlet for
6 oil in Superior, that needs to be reexamined and, if
7 necessary, a commitment from the Applicant that if
8 the oil goes through Superior that it would not
9 utilize shipping on the lake. Otherwise that impact
10 would have to be assessed as well.

11 I do want to point out that the reason we
12 are here today, after having been here two years
13 ago, is not as a result of delay caused by
14 objections. The delay is caused by a procedural
15 problem that the process went into. It proceeded
16 illegally to utilize an alternative review process
17 that citizens objected to from day one, that it
18 should have been a full environmental impact
19 statement. Citizens cannot be held accountable for
20 the mistakes of the agencies that initiated the
21 incorrect process. So we're here starting over
22 because of a mistake that was made by others, not by
23 citizens who don't necessarily oppose the project,
24 but want to be sure that need is firmly established
25 and then the proper route is chosen. And a full EIS

1 was the only product and process by which that could
2 be determined.

3 I'm glad to see that we are now started
4 on the right path, but there should be no mistake
5 about why we are here two years later starting over.

6 Thank you. I may have to return to
7 finish my comments.

8 MS. BARBARA TUCKNER: Thank you, Willis.

9 All right. The next person up is James
10 Reents and after that is Mary Ackerman.

11 MR. JAMES REENTS: James Reents,
12 R-E-E-N-T-S.

13 I come before you as the Pipeline Working
14 Group Committee of the Northern Water Alliance of
15 Minnesota. I will try to limit my comments to those
16 of scoping only.

17 I would like to see within the
18 environmental impact statement a full economic
19 analysis not only of the proposed transport of oil
20 through the state, but the potential economic losses
21 if there are pipeline spills.

22 I feel that it's necessary that we
23 include climate change as an evaluation criteria
24 within the environmental impact statement, not only
25 from the issue of the burning of carbon and fossil

1 fuels, but also just in the matter of construction
2 of pipelines in a rapidly changing environment.

3 I don't see references in the
4 environmental assessment worksheets about the
5 abandonment of Line 3 with the proposed relocation
6 and building of a new Line 3. And I think that that
7 needs to be taken into account within the
8 environmental impact statement and what hazards do
9 or do not present themselves with that.

10 There is an issue specific to Line 3 --

11 MS. BARBARA TUCKNER: Three minutes.

12 MR. JAMES REENTS: -- that there is no
13 current, according to the National Science
14 Foundation, no current cleanup process for tar sand
15 oil. Specifically, tar sand oil spilled on water,
16 That all of the current technology is based on oil
17 floating on water rather than not.

18 I believe we need an evaluation of the
19 carbon cost impact of the transported oil, as well
20 as stranded assets, specific, primarily -- well, I
21 would say to both lines, if the estimate is 20 years
22 worth of oil supply out of the Bakken, and currently
23 only a 10 percent, approximately 10 percent of the
24 tar sand being actually utilized.

25 The EPA proposes that the environmental

1 impact statement also look at the impacts on a wide
2 range of resources, both natural and human,
3 including the resources of interest to tribes, and I
4 would propose that tribal involvement is key in
5 this.

6 I see nothing in the EAW that speaks to
7 spill modeling, and I would propose that spill
8 modeling should take place on every major river
9 watershed throughout all of the proposed routes.

10 And, again, I would echo Willis'
11 statement saying the scope of evaluation needs to be
12 beyond that of the Minnesota boundaries so that we
13 have an appropriate selection or decision on routes
14 if, in fact, that comes to pass.

15 Thank you for your time.

16 MS. BARBARA TUCKNER: Thank you, James.

17 The next person up is Mary Ackerman. And
18 after that we have Bill Batchelder. Sorry if I
19 ruined that one.

20 MS. MARY ACKERMAN: My name is Mary
21 Ackerman, and I'm here representing myself as well
22 as the Northern Water Alliance of Minnesota.
23 A-C-K-E-R-M-A-N.

24 There are a couple of things that I want
25 to say briefly. And that is I know this is a

1 scoping discussion, and I'll put a couple of
2 background comments in, but the importance of really
3 good scoping is going to be imperative because it's
4 going to be a model that may be used over and over
5 again.

6 We've never done a full environmental
7 impact study on such a pipeline, either one,
8 Sandpiper or Line 3, and the critical issue of
9 modeling an appropriate environmental impact
10 statement is really important. So trying to get it
11 right -- I'm glad you're listening, but trying to
12 get it right is going to be very important to all
13 residents in Minnesota.

14 My first comment is that I am not against
15 pipelines. I appreciate the products that they
16 bring. I'm using the products that they bring.

17 The route that we currently have proposed
18 by Enbridge is an inappropriate route for the state
19 of Minnesota. When I had a conversation with one of
20 the Enbridge fellows early in the Sandpiper
21 discussions, and I said tell me about your most
22 important -- what would be the ideal route? And
23 what he said to me was, well, let's see. And he
24 listed about 12 things that would be critical to his
25 ideal route, none of which are part of the sensitive

1 area of northern Minnesota. They all go
2 north-south, straight down pretty much the state
3 line. That would be their most ideal route.

4 We know that the routes that have been
5 proposed by the Minnesota Pollution Control Agency
6 and the DNR have nothing to do with these routes for
7 Sandpiper or Line 3. They have pushed a very
8 different route that they would recommend, not the
9 current routes being proposed.

10 One of the things I would ask you to put
11 into your study is that the U.S. Department of
12 Geological Services has spent 30 years looking at
13 the Straight River aquifer. I do not believe that
14 that has been part of any of -- to date, any of the
15 environmental studies or scoping. So if they can
16 spend 30 years on that kind of a study for an
17 aquifer, I would suggest it's probably important.

18 We know that within 14 years we will have
19 a drinking water shortage. We can look at all of
20 the routes and they cover aquifers, wetlands,
21 rivers, lakes. This is not an appropriate route.

22 Again, I'm not against pipelines, but the
23 route is not a good one. If a good environmental
24 study is going to happen, it will show. There's too
25 much at stake for Minnesotans' drinking water,

1 health, tourism, jobs. Let it go to a different
2 route, we'll employ lots of pipefitters, but this
3 one is not the right route. A good environmental
4 will show that.

5 MS. BARBARA TUCKNER: Thank you very
6 much, Mary.

7 The next person up is Bill, and you'll
8 have to tell us how to pronounce your last name.

9 MR. BILL BATCHELDER: You did pretty
10 good.

11 MS. BARBARA TUCKNER: And after that is
12 Frank -- is it Bibeau?

13 MR. BILL BATCHELDER: Hello. Thank you.
14 This is my first time doing something like this, so
15 I just got done riding my bike around the lake so
16 sorry if I'm out of breath.

17 So I'm here today because I am also very
18 concerned with the drinking water, but I beg to
19 differ with the last lady. If we have a drinking
20 water shortage in Minnesota in 14 years, I'm not
21 sure what planet we'll be from, because I think we
22 have more water up here. And I think it'll be as
23 clean in 14 years as it is right now.

24 And Governor Dayton called on me a year
25 ago to meet with him and he told me personally that

1 he was going to get this pipeline built, he was
2 going to get it built soon, he was going to get it
3 built efficiently, and it was going to come through
4 northern Minnesota. So I'm wondering what has
5 changed from the time that Governor Dayton came up
6 to Bemidji and met with me personally telling me
7 that this pipeline would be built.

8 So I also have a little bit of experience
9 with pipeline safety and rail safety, and I also
10 know that Governor Dayton is extremely concerned
11 with rail safety because these 100-unit trains that
12 are rolling through these communities in the middle
13 of the night are literally scaring these communities
14 to death.

15 And it's scientifically proven for the
16 volume of oil that a pipeline will carry is
17 enormously safer than carrying the oil in rail cars.

18 I've served on the Bemidji Fire
19 Department for 32 years. I've been to pipeline
20 safety training nearly every year. I've been to
21 train rail safety nearly every year. And both
22 parties will tell you that the rails are very unsafe
23 and the pipeline is the safest method to deal with
24 transportation of this oil.

25 So I for one am pleading with you to

1 expediently get this done. It has a lot to do with
2 our economy, there's a lot of jobs that are created.

3 And I'd like to touch on something that
4 nobody else here tonight has touched on. Thank you.

5 I call this oil coming out of North
6 America peace oil. You turn on the radio and
7 there's another terrorist in a different country
8 blowing up another church or a police station or a
9 school and putting people down in the Middle East.
10 Every single barrel of oil that we get out of Canada
11 or out of the United States or the Bakken, I call it
12 peace oil. It's critically important. For my whole
13 lifetime we've talked about becoming oil independent
14 in the North American Continent. And now it's
15 finally within our sight to become energy
16 independent and less dependent on Mideastern oil
17 where they just take that money and try and
18 accumulate weapons of mass destruction, nuclear
19 bombs, and promote terrorism all over the world.

20 So please take the message back to the
21 state. Let's build this expediently. Let's get
22 some Americans back to work, some good union paying
23 jobs up in North America and in Minnesota.

24 The drinking water is going to be fresh
25 and clean in 14 years. It's going to be fresh and

1 clean in 140 years. It's going to be fresh and
2 clean in 2,000 years.

3 I really get disturbed when people use
4 scare tactics that the world is coming to an end and
5 we're not going to have drinking water in northern
6 Minnesota. In fact, I'm embarrassed that somebody
7 would actually challenge that. Because I've been
8 around a lot of spills and a lot of things and
9 there's scientific methods to clean this up
10 expediently, efficiently, and appropriately. So
11 let's build it and build it quickly.

12 Thank you.

13 MS. BARBARA TUCKNER: Thank you, Bill.

14 The next person up is Frank. And then
15 after that is Ju, J-U, something, P-R-E-N-D-I-Z.

16 State your name and please spell it for
17 the court reporter.

18 MR. FRANK BIBEAU: F-R-A-N-K. Janet
19 knows the rest.

20 Well, I was going to start at the
21 beginning of what I was going to talk about, but
22 Bill's comments were so interesting I thought I
23 would just substitute the United States in place of
24 those brown people over in Saudi Arabia who want to
25 make bombs and torture the whole world, because

1 that's what we do --

2 UNIDENTIFIEDS: We can't hear.

3 MR. FRANK BIBEAU: I'm sorry. I'm sorry.
4 I'll move it real close.

5 I want to make sure I comment on Bill's
6 comments, because it's the United States that's
7 doing all the things that Bill just talked about as
8 terrorism in the United States. And it's the oil
9 companies that want that terrorism so the price of
10 oil goes up. And that means we have to pay for it.
11 So that's bull. But that's just Bill, so that's
12 okay. It's not peace oil. Okay?

13 So we'll go back to the beginning. EIS,
14 scoping.

15 My name is Frank Bibeau, I live in Ball
16 Club, Minnesota. I'm enrolled in the Minnesota
17 Chippewa Tribe. We have treaty rights throughout
18 this territory. These pipelines were running
19 through our territory when we were not able to
20 defend ourselves.

21 Right now my main concern is what happens
22 with decommissioning -- the nice words, instead of
23 abandonment, okay. Because that's the real problem.
24 You say you want work. Let's pull the bad pipes out
25 and then put good pipe in in the same corridor.

1 That shows environmental stewardism if we need that
2 pipe.

3 That pipe has been running at half
4 pressure for years. Obviously we can afford to turn
5 it off for a year to replace it instead of forcing
6 another danger zone in Minnesota's aquatic
7 environment.

8 Now, some people wonder if this is a done
9 deal. I've only seen green pipe coming from
10 Superior to Bemidji by rail and truck and then going
11 down 371 on the routes. I live on Highway 2. If
12 there was any plan to put pipe in on Highway 2, we'd
13 see it just like everybody else. There is no plan.

14 Enbridge wants a free ride right by my
15 house. And then they have two more pipes just like
16 that. And 50 years from now we'll have another set
17 of pipes going down by Park Rapids.

18 So where are these pipes going and what
19 are they doing for us? What if they are abandoned
20 and they leak water all over the place? What is
21 this danger we're willing to risk? You guys are
22 mixed up in some of the things you're talking about.

23 There's two routes. It's going to take
24 twice as much work to do all of this. And you've
25 got two more old pipelines on Highway 2. Now, if

1 you think about this --

2 UNIDENTIFIED: We can't hear you.

3 MR. FRANK BIBEAU: I'm sorry.

4 If you think about this, there was a
5 comment about shipyard protesters. As you saw on
6 CBS, there are hundreds of supertankers anchored in
7 the Gulf of Mexico full of oil because they can't
8 afford to process it, there's no place to ship it.
9 There are no supertankers available. You know.

10 And the railroad cars, it isn't the
11 railroad that buys them. It's the oil companies.
12 And it's the oil companies that are keeping all the
13 farming products off the rail. You want the rest of
14 us to help so the farmers could have cheaper
15 products? That the real tradeoff, right? For real
16 farmers. Real farmers would never say this. I've
17 worked on real farms, no one would ever say this.

18 Okay. The shortest route. Willis
19 already addressed the shortest route. Nobody wants
20 the shortest route or it wouldn't be coming through
21 here.

22 Clearbrook, fire, explosion. Anybody
23 remember that? Highway 2, I remember it. I think
24 it was only about ten years ago. How about
25 Cohasset, 2003, I think. Big flames there, boy.

1 Had to burn that one off. That wasn't too far from
2 the house. You could see that black flume come
3 right over Leech Lake Reservation and drop over
4 Winnie, over Winnibigoshish, over Cass Lake. You
5 don't know what happens when they have to set the
6 stuff on fire.

7 You can talk about Kalamazoo, you may as
8 well go right down to where the tanker went ashore
9 in Alaska. That still hasn't been cleaned up. The
10 same thing with the Gulf of Mexico.

11 So when we talk about environmental
12 stewardism, it's not happening. Make better rails,
13 if we really want it. Everybody who wanted the
14 pipeline says the rail is the ultimate end because
15 the pipeline, they put it on the rail, they send it
16 to the refineries anyway. We're just talking about
17 Minnesota. I have eight pipelines, I have two
18 railroads half a mile from my house. I'll take a
19 chance with the railroad. Nothing has happened
20 there yet.

21 I can see all kinds of problems with the
22 pipes. If you guys can't, then you guys shouldn't
23 live in Minnesota. Because we need jobs here, but
24 we need a safe environment, we need strong cleanup
25 rules, and we need people to make sure that we're

1 not letting old pipe stay in the ground just so
2 someone else can get a dime off our back. Because
3 if that's what it is, it's not going to happen.

4 Thank you.

5 MS. BARBARA TUCKNER: Thank you, Frank.

6 The next person up. You can state your
7 name and spell it. And then the last person that we
8 have a card for is Jerry Ryan.

9 MR. JUL PRENDIZ: Good evening, everyone.

10 My name is Jul Prendiz, P-R-E-N-D-I-Z. I
11 reside in Park Rapids, Minnesota here for the last
12 25 years.

13 Excuse me, I'm going to move this.

14 I am a descendant of the Southern Paiute
15 Tribe of Southern California, known to our people as
16 the Land by the Water. I have a loud voice.

17 Paiute, pai meaning water, ute, hence water. We are
18 the people of the water and so are you.

19 I'm not here to address the statement or
20 give my opinions. I'm here to talk about the
21 importance of water.

22 Is that okay?

23 According to H.H. Mitchell, Journal of
24 Biological Chemistry, he states that water is of
25 major importance to all living things. We know that

1 and I'm sure you know that too.

2 A major percentage -- oh, I'm sorry,
3 excuse me.

4 Different people have different
5 percentages of water in their body. We'll talk
6 about babies. The babies have the most, being born
7 at about 78 percent water. In the womb, the fetus
8 is encased in a sac of water to protect it from
9 bacteria. This sac is known as the amniotic sac.
10 The amniotic fluid is water that also protects this
11 baby from injury. All babies.

12 As an adult, the brain is composed of 73
13 percent water. The lungs are about 83 percent. Our
14 skin contains 64 percent water. Water is in the
15 muscles and the kidneys at about 79 percent. Even
16 our bones are water at about 31 percent. Cells in
17 our body are full of water.

18 So with all this being said, there
19 wouldn't be any of you, there wouldn't be me, or
20 animals, any living thing without a clean source of
21 water. Water is life. It's that simple.

22 I'm not here to say don't run the
23 pipeline. I'm here to say reroute it to the
24 furthest route. And we know where that's at. It's
25 away from our lakes, the heartland of lakes, the

1 head of the Mississippi.

2 As my brother stated, we have a spill,
3 it'll go out through all ten states right into the
4 Gulf, Kalamazoo. But we know that Enbridge will not
5 do a proposed route because it costs money. It's
6 not cost-effective.

7 To my pipeline brothers and sisters,
8 proposed route? More pipe, more money, shh. Right?
9 Think about it.

10 That's all I have. Thank you.

11 MS. BARBARA TUCKNER: Thank you, Jul.

12 The last person we have a card for is
13 Jerry Ryan.

14 MR. JERRY RYAN: Thank you.

15 It's Jerry Ryan, R-Y-A-N.

16 Constructed using high-strength steel
17 pipe, the Sandpiper and Line 3 replacement pipelines
18 will be coated with modern fusion-bond epoxy.
19 Service life will be many times greater than
20 previous pipelines due to improvements and coating
21 methods.

22 During construction, directional drilling
23 will leave waterways and environmentally sensitive
24 areas untouched. When placed in service, these
25 pipelines will become safe, unseen, silent lanes for

1 transporting crude oil to market. Many refined
2 products returning back to consumers across the
3 Midwest.

4 Thank you.

5 MS. BARBARA TUCKNER: Thank you, Jerry.

6 I made the offer before. If there's
7 someone from the crowd who hasn't come up yet who
8 would like to come up and provide a statement,
9 you're welcome to do so. Is there anyone in the
10 crowd who would like to do that?

11 All right. Is there someone who spoke
12 earlier who would like to come up again?

13 Okay. And your name is?

14 MR. JOHN MUNTER: John Munter, J-O-H-N,
15 M-U-N-T-E-R.

16 In the introduction, introductory
17 comments, I believe we should have had a
18 clarification that the routing is open to all the
19 routings, not just the Enbridge preferred routing.
20 It seems to be prejudicing the scoping document
21 there. And also maybe at future meetings we could
22 have some clarification there too.

23 We know the PCA and DNR are not
24 necessarily in favor of the Enbridge document, and I
25 think the Department of Commerce also should be

1 neutral, and the PUC.

2 Secondly, the EIS should be done in terms
3 of the environmental all the way to the Gulf, for
4 having oil going all the way to the Gulf from Line 3
5 and the Alberta. Then once we know where the oil is
6 going when Enbridge files their information on that,
7 then the EIS should include the ecology all the way
8 to the Gulf.

9 And then the scoping should also include,
10 I think, thirdly, unseen oil leaks. We know
11 Enbridge runs their pipeline 60 years, at least,
12 several of them here, and that's a danger of slow
13 leaks that are never seen. Because we're not
14 pulling up the pipe ever and retiring these pipes,
15 we're just leaving them in place. We know there are
16 900 anomalies and we want to know how many of these
17 are really leaking.

18 But I mainly want to address the global
19 warming issue. It should be in the scoping
20 document, seriously, because we're losing the Arctic
21 ice completely. Greenland is melting irretrievably.
22 Even Antarctica is melting, we know now from
23 satellites.

24 And Minnesota is concerned about carbon
25 emissions. We have a 2012 study that said we could

1 be totally energy renewable with wind and -- with
2 wind and solar, and yet we're trying to put through
3 these pipelines, the dirtiest oil in the world, both
4 from the high carbon dioxide intensive tar sands
5 from Alberta and also the dirty oil from the Bakken,
6 which has methane and has many leakages that are
7 exorbitant. So the Saudis have much cleaner oil and
8 they're pumping it like crazy. It's \$3 a barrel.

9 And why not, if we're ecologically using
10 Saudi oil rather than the oil from the Bakken, if
11 we're really concerned about climate change, we're
12 going to lose our pine trees pretty soon in northern
13 Minnesota. The wild rice we may lose because of
14 climate change. Tribes have the legal ability to
15 hunt and fish and gather off reservation, and this
16 climate change is degrading the ability of their
17 tribes in the future to hunt, fish, and gather when
18 it degrades the wild rice and it degrades the
19 ecosystem.

20 So that will complete my argument. Thank
21 you.

22 MS. BARBARA TUCKNER: Thank you very
23 much.

24 Willis, do you want to come back up here?

25 MR. WILLIS MATTISON: Thank you for

1 giving me another opportunity.

2 I do want to point out that I was
3 disappointed staff did not attempt to answer the
4 lady's question over here about whether or not the
5 permit for this project could be denied.

6 Correct me if I'm wrong, but as a result
7 of the environmental review and process, if another
8 alternative route or other mode of transporting this
9 oil could be found that has less impacts, the state
10 agencies are prohibited from issuing a permit for
11 the project as proposed. That's one method by which
12 the project could be denied.

13 A second way to deny it is simply to find
14 that the overall impacts of the project are greater
15 than the benefits accrued. And if they don't have a
16 better alternative the project could be denied on
17 that basis. It is the very founding purpose of
18 doing environmental review so society can weigh the
19 costs and potential benefits, the harm, and
20 long-term impacts and just making a decision for
21 society in the long run whether this project has
22 merit.

23 Secondly, it's important in the scoping
24 of the document, especially with regard to
25 alternatives, System Alternatives 04 and 05 that

1 the -- most system alternatives extend from the
2 Bakken down to the Midwest near Chicago, to a
3 pipeline hub there, both refineries. In order to
4 compare those system alternatives to the preferred
5 alternative, the impacts of Sandpiper must extend
6 not only to Superior, but from Superior to that
7 point in Chicago similar as the designation of
8 routes 04 and 05.

9 Next, the RGU, the PUC, and Commerce as
10 the delegate of the PUC, cannot claim the lack of
11 resources, funding, or data as a rationale for
12 excluding the review of routes in other states.
13 MEPA specifically prohibits the RGU from using
14 resources that were jurisdictional as a reason to
15 exclude consideration of another route.

16 MEPA also requires the RGU to cooperate
17 with federal agencies to the fullest extent possible
18 to avoid duplication. We are aware that both the
19 Corps of Engineers and U.S. Fish and Wildlife
20 Service, at various segments of this project, are
21 performing environmental assessments under the
22 National Environmental Policy Act. But the company
23 has thwarted the timing of those efforts by
24 withholding the Corps permit process in Minnesota
25 and withholding information from the U.S. Fish and

1 Wildlife Service in North Dakota.

2 I would beseech the RGUs here to exert
3 their authority to override the Applicant's wishes
4 and invite the Corps of Engineers and U.S. Fish and
5 Wildlife Service to the table to accomplish the
6 purpose of NEPA and MEPA to coordinate federal
7 review and thereby amass the necessary resources and
8 data to evaluate all alternatives that may or may
9 not be within the bounds of the state of Minnesota,
10 Such that resources not just limited here to
11 Minnesota are given due consideration to their
12 protection as well.

13 We know Wisconsin is performing an
14 environmental impact statement of just a short
15 segment of their pipeline. That document should
16 have been coordinated with Minnesota. And I still
17 believe that that would be possible.

18 I believe that concludes my statement for
19 now. Thank you.

20 MS. BARBARA TUCKNER: Thank you, Willis.

21 MR. FRANK BIBEAU: Okay.

22 MS. BARBARA TUCKNER: Would you like to
23 come up again?

24 MR. FRANK BIBEAU: Oh, sure. That was so
25 short, you know, that was just to get the stupidity

1 of having to wait until 8:00 at night with a 6:00
2 p.m. notice after traveling an hour to get here
3 because you don't want to have a meeting near where
4 I live.

5 Okay. Back to Line 3.

6 So for scoping, I would like to see the
7 most thorough examination of the environment that
8 surrounds the oldest pipelines along Highway 2. And
9 I would like to see Line 3 taken down and out of oil
10 and then given a water test like they did that
11 popped out in Floodwood so we can see what's going
12 on. Because without knowing about some of these
13 pressure leaks and other things, we really don't
14 know what kind of danger we're in, what kind of
15 danger we're going to try to manage over the next
16 50, 60 years life of the new pipe, and we're at the
17 end of 56 years.

18 So we need to understand, more
19 importantly, what pipeline abandonment does than
20 removing new earth, putting in new pipe, and putting
21 in new product. Because that's got a lot better
22 chance of lasting the next 50 or 60 years. We know
23 it's not a perfect chance because we've had failures
24 already. But the real harm is all going to come
25 from abandonment. And if we're not going to try to

1 prevent new pipelines and if we're not going to try
2 to force replacement of old pipelines, then we're
3 going to be stuck with abandonment. And that is
4 going to be our environmental catastrophe of all
5 time.

6 You've heard all the technocrats talk
7 about it. You've heard John and Willis talk about
8 these things early in all the specs and things.
9 People don't want to pay money for specs. People
10 want money for free. I mean, water for free out of
11 their faucet, we all like that. Everybody wants
12 something for free. They want free jobs. When we
13 were listening to the EQB comments, the county
14 commissioner from Clearbrook said our guys are out
15 of work in the Bakken. We need these jobs.

16 So where is the pipeline going if they're
17 out of work in the Bakken? A pipeline to nowhere
18 just to give jobs to these guys? We need to have
19 jobs for good, smart, future opportunities.

20 Right now there's an article in Forbes
21 that says at the end of this year, probably because
22 of what's happening in the oil industry, there will
23 be more jobs in solar energy than there are in oil.
24 So we need to understand how to transition while
25 we're doing this EIS and do an actual benefit-cost

1 analysis.

2 Because in the prior environmental
3 analysis done by the DOC, there wasn't a no-build
4 alternative. It was going to go no matter what.
5 And that's what everybody resisted, because it was
6 going to go no matter what. When people say is it a
7 done deal, it was a done deal. You saw it granted.
8 And then you saw the citizens stand up and you saw
9 Court say it wasn't done right. Okay? That's how
10 it went. Because it wasn't done right.

11 Now, for my money, I've been through this
12 two years now. I'm tired of doing it with the DOC,
13 and I put in some thorough comments with the EQB on
14 the deadline today for a different RGU. Because I
15 found it frustrating. I don't like how this has
16 gone. I don't like how things are ignored.

17 I realize it's not staff, it's probably
18 more the PUC. But, you know, people are asked for
19 comments repeatedly. And then they're just
20 dismissed. And we've got smart people giving good
21 information and it's just ignored. And that's
22 what's so frustrating. And if we have to continue
23 this fight, then that's what we have to do.

24 But there's a better way to do it, and
25 let science figure it out. Don't let people scare

1 people that they're not going to have jobs. There's
2 always going to be jobs. There's just going to be
3 different jobs. If you can't do a different job,
4 find out how to retire. That's what I'm working on.

5 Thank you.

6 MS. BARBARA TUCKNER: Thank you, Frank.

7 Okay. I think that's it, unless there's
8 someone new that would like to come up? I think
9 that concludes our evening -- the formal part of it,
10 anyway.

11 What we will do is we'll reopen the open
12 house and people from the PCA and DNR and Commerce
13 will be there to take questions and you can meet
14 them out in the lobby, as I mentioned earlier, if
15 you have questions.

16 And we will be here until 9:00. And if
17 you wanted to do a one-on-one, provide a statement
18 to Janet right now, you're welcome to do that.

19 And also as a reminder, we welcome your
20 written comments and you can leave them here with us
21 or you can mail them in in that particular way. Put
22 a stamp on it and send it in.

23 Thanks again, everyone, for coming out
24 and if you have any questions, let us know. Thank
25 you.

1 There's cookies in the back, please clear
2 us out. Thank you.

3 (Break.)

4 (Private comment.)

5 MR. MATT GROSSELL: I'm Matt Grossell,
6 M-A-T-T, G-R-O-S-S-E-L-L.

7 And I guess I'd like to see the EIS, I'd
8 like to see that get completed so that the Sandpiper
9 and number 3 can get going. So that the work can
10 start to come back into the -- come back into the
11 area.

12 I've seen the effects on the communities
13 from everything being delayed, as far as the
14 economic impact, people not being called back to
15 work yet because of the delays.

16 So I would -- I want the survey done
17 good, I want it to be as environmentally friendly as
18 possible, but I'd like to see this get done.

19 And I don't know if it rests on the
20 Governor or who it rests on to get this project
21 moving, but let's get these people to work.

22 That's all I got.

23 (Meeting concluded.)

24

25