

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SCOPING AND INFORMATIONAL MEETING
PARK RAPIDS - MAY 3, 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

Park Rapids Century School
501 Helten Avenue
Park Rapids, Minnesota

COURT REPORTER: Janet Shaddix Elling, RPR

1 I N D E X - PARK RAPIDS - 6:00 P.M.

2	SPEAKER	PAGE
3	Jamie MacAlister	6
4	Charles Burns	17
5	Lowell Schellack	22
6	John Munter	24
7	Mary Adams	28
8	Hillary Stoltz	32
9	Bob Scribner	35
10	Clayton Johnson	38
11	Florence Hedeem	41
12	Mary Ackerman	43
13	Jeff Mosner	47
14	Lindsey Ketchel	50
15	James Reents	55
16	Sharon Natzel	57
17	Sheldon Monson	61
18	Richard Smith	63
19	Deanna Johnson	66
20	Chuck Diessner	69
21	Willis Mattison	73
22	Michael Dahl	76
23	Jul Prendiz	81
24		
25		

1 MS. BARBARA TUCKNER: Good evening,
2 everyone. Thanks for coming out on such a beautiful
3 night. Appreciate that.

4 My name is Barb Tuckner and I will be the
5 moderator tonight, along with my colleague, Charlie
6 Petersen.

7 And what we want to do is talk a little
8 bit about some of the ground rules and so forth that
9 we're going to be operating around tonight and also
10 the process itself. So we have an agenda up here.
11 It's pretty far away.

12 We completed the open house so we can
13 open that again at the end of the night if you have
14 any questions. And then we're going to spend from
15 7:00 or so, a little while with a presentation that
16 Jamie MacAlister is going to be giving you so it
17 puts the context around all of this. And after that
18 we're going to spend some time with public comment.
19 And then at the end of that, if there's questions, Q
20 and A, we'll do a Q-and-A format if there's time at
21 the end, if there's some outstanding questions that
22 we can help you with.

23 So the purpose of the meeting tonight
24 essentially is to get some feedback from you
25 regarding what should be included in the

1 environmental impact statement. There have been
2 several rounds at the state already around this
3 topic, and the Department of Commerce is getting
4 ready to put together the impact statement and we
5 want feedback from you regarding the elements that
6 should be studied. So Jamie will put more context
7 around that as well.

8 And I want to call out some of the people
9 who are here. First of all, we have a court
10 reporter here tonight, Janet. Janet will be taking
11 your comments as we go along one by one, we have a
12 process for that.

13 We have 18 people that have signed up to
14 speak tonight and we allow five minutes per person
15 and we try to move that along as respectfully as we
16 can so that everyone's comments can be heard.

17 But in the room, in addition to that
18 portion of the meeting, I want to introduce or have
19 the people identify themselves. We have some people
20 here tonight that are representing the Department of
21 Natural Resources. Can you show who you are? Where
22 are you? There's one person here and one person
23 back there. They will answer your questions if you
24 need them.

25 The Minnesota Pollution Control Agency,

1 we have a few people from the MPCA on this side of
2 the room.

3 We have some people from Commerce,
4 Commerce people over by themselves as well, three
5 people.

6 Okay. And then we also have someone from
7 the PUC, the Public Utilities Commission, up here in
8 the front row.

9 And then also, of course, we have
10 Enbridge here, and they are here and can answer your
11 questions regarding right-of-way, construction, and
12 easement.

13 So I want to run through a few ground
14 rules before we move on. And they seem posted so
15 far away but they're around the room as a reminder.
16 We're asking people to be respectful and patient and
17 allow people to express their thoughts and
18 recommendations regarding what should be included in
19 the environmental impact statement.

20 We know that there's various opinions in
21 the room regarding this project, and it's our job to
22 sort of make sure that people's voices are heard,
23 everybody's voice is heard in this process. So
24 we're asking for your help in that.

25 We also are asking that you don't

1 interrupt others, that you remain quiet so others
2 can be heard. And that's particularly important
3 because your statements are being reported by the
4 court reporter and she needs to be able to hear you
5 in order to accomplish that.

6 We're asking that you don't obstruct
7 other people's views. And then we're also asking
8 that you take care of your cell phones. What that
9 means is shut it off or, you know, mute it or
10 whatever so that it doesn't interrupt the meeting.

11 Okay. Now I'm going to introduce Jamie
12 MacAlister. She works with the Department of
13 Commerce, and she's an Environmental Review Manager
14 at the Department of Commerce and she's going to
15 give a brief presentation, as I said, with context
16 around this and then we will get into the statements
17 people want to make.

18 Just note, because we have so many, we're
19 likely going to take a break between several of them
20 so the court reporter has a break and then we'll
21 come back and complete those. Okay?

22 Jamie, it's all yours.

23 MS. JAMIE MACALISTER: Thank you, Barb.
24 Good evening, everyone. Welcome.

25 Can everyone see the screen all right?

1 Are the lights dim enough for the presentation?

2 As Barb has mentioned, I'm Jamie
3 MacAlister, the Environmental Review Manager for the
4 Sandpiper and the Line 3 pipeline projects. And I
5 will be leading the EISs, the environmental impact
6 statements, for both of these projects.

7 Before I get into the presentation,
8 though, I just wanted to make sure that everyone got
9 a yellow folder when they came in. And in your
10 yellow folder you should have a copy of this
11 presentation, which the last page has all of my
12 contact information on there. So if nothing else,
13 save the presentation so you have the contact
14 information and you know when the close of comment
15 period is on May 26th.

16 You should also have a comment form,
17 which you are welcome to fill out and leave here
18 with us this evening. You can mail it in at your
19 leisure. You can take extras for your friends.

20 There is also some guidance on how to
21 suggest an alternative. We are aware that there's
22 some concern that the guidance is confusing and
23 difficult and we want to let everyone know that we
24 will do everything in our power to make sure that we
25 understand any route or segment alternative that

1 gets proposed. And really, again, it is meant as a
2 guide to help you think through the process of what
3 you might want to write to us in selecting a route
4 alternative. It's not by any means meant to be the
5 only way that you can get that information to us.

6 We also have some evaluation criteria for
7 the route alternatives. We're extremely interested
8 in feedback on that. And as well that discusses the
9 purpose statement for these projects. And we're
10 also aware that there is some concern that the
11 purpose statement is not expansive enough or too
12 constrained for some. So, again, we would like to
13 remind people that this is a draft scoping decision
14 document, we are taking feedback on this information
15 and we will be preparing a final scope. So don't
16 feel limited by any of this information.

17 You also have a preliminary table of
18 contents in your folder, which you can use to help
19 organize your thoughts on issues and concerns you'd
20 like us to be aware of, or help flesh some of those
21 out. And then you should have two maps,
22 double-sided, one showing the existing route and
23 route segment alternatives that have been proposed
24 to date for both the Sandpiper and the Line 3
25 project, as well as the flip side should have the

1 alternatives that have been proposed to date for
2 both of these projects.

3 Again, if you're missing any of this
4 information, please see Meg or Ingrid in the back.
5 They will make sure that you get any missing
6 information that you need. We have extra folders if
7 you need them.

8 I would also like to introduce Michelle
9 Beeman, who is the Deputy Commissioner for the
10 Minnesota Pollution Control Agency. So if you have
11 specific questions that you would like to ask
12 Michelle, she is available this evening.

13 I would also like to ask everyone who has
14 signed up to speak to be sure and state and spell
15 their name for Janet, our court reporter. She will
16 be sure to tell you if you are not loud enough or if
17 she needs you to do anything.

18 Okay. So, as you know, we are here for
19 the scoping meeting for Sandpiper and Line 3. You
20 probably have been to the meeting this morning or
21 previous meetings, we've had several meetings in the
22 last couple of years.

23 And if that is the case, you will know
24 that there is a rather extensive regulatory
25 framework that we are working with, including the

1 statutes and rules for a certificate of need, the
2 statutes and rules for the routing of the pipeline,
3 and the EIS rules, Minnesota Rules 4410, which will
4 be used to prepare the environmental impact
5 statement, from here on referred to as the EIS.

6 And then once the environmental impact
7 statement proceedings have been completed there will
8 be contested case hearings for the route and CN that
9 will be presided over by an administrative law
10 judge. Those will not occur until the final EIS has
11 been determined to be adequate.

12 So the scoping meetings are really
13 important to us as agencies to get feedback and
14 comments on issues and concerns that you feel we
15 should be looking at in the EIS. So in addition to
16 helping identify those concerns, it also allows the
17 public and several state agencies, federal, tribal
18 and local governments an opportunity to discuss
19 segment alternatives, and we will take all of this
20 information and fold it into a final scope that will
21 be presented to the Public Utilities Commission.

22 Since we've had so many scoping
23 meetings -- a series of them for Sandpiper, a series
24 of them for Line 3, as well as contested case
25 hearings for Sandpiper -- we know that there are a

1 number of issues of concern out there that we've
2 heard repeatedly. And those would include spills,
3 groundwater and surface water resources, wild rice,
4 travel resources, pipeline decommissioning, jobs and
5 local economy and climate change.

6 So you have a table of contents in your
7 folder, we've shared with you what we see as some of
8 the critical issues of concern that we've been
9 hearing, and we're really interested in is there
10 anything else that we have overlooked? Something
11 out there that you feel you really need to know to
12 help further scope these EISs?

13 I'd like to run through the EIS process
14 quickly with you. We are at the public information
15 and scoping meetings. We will be preparing a final
16 scoping decision, which will be approved by the
17 Public Utilities Commission, which will then, once
18 that's approved, there will be an EIS preparation
19 notice. And we will begin the preparation of the
20 draft environmental impact statement.

21 Once that is released there will be
22 another series of public meetings. You'll get
23 another opportunity to provide feedback on the draft
24 EIS. There will be a final EIS, and then a
25 determination of adequacy by the Public Utilities

1 Commission. And once that has been determined, the
2 contested case proceedings will occur. And then
3 eventually there will be a decision on the route
4 permit and the certificate of need.

5 So we're working on this EIS. And we
6 know that there's some permitting decisions that
7 need to get made, and it can be really confusing as
8 to how all of those things work together.

9 So the Department of Commerce serves as
10 the technical staff to the Public Utilities
11 Commission. And for these projects, we have the
12 Minnesota DNR and the Minnesota Pollution Control
13 Agency assisting us as technical staff on this
14 project. We're also taking all the feedback that
15 we've heard from these meetings -- not just these
16 current meetings, but all the previous meetings --
17 and that will be pulled into the environmental
18 impact statement as well.

19 And the EIS will, in turn, inform the
20 Public Utilities Commission in their decision. And
21 the PUC is the RGU for this project and it will
22 inform their decisions on the certificate of need
23 and the route permit.

24 So next what you have in your packet
25 show --

1 UNIDENTIFIED: What does RGU stand for?

2 MS. JAMIE MACALISTER: It is Responsible
3 Governmental Unit.

4 UNIDENTIFIED: Thank you.

5 MS. JAMIE MACALISTER: So your map in
6 your folder shows all the system alternatives that
7 we have to date. It should be noted that there have
8 been some modifications to SA-03. They don't show
9 up very well on the smaller map, but you can see
10 them more clearly on the larger maps in the back.
11 And then, as well, all of the route alternatives
12 that were proposed during the Sandpiper proceedings
13 and Line 3. There was roughly 30-some-odd route
14 segment alternatives that have been proposed.

15 So the anticipated schedule will be to
16 have a final scoping decision sometime this summer.
17 A draft EIS in early 2017, followed by the draft EIS
18 meetings. A final EIS in the spring of 2017. And
19 the EIS adequacy determination. Shortly thereafter
20 the contested case hearings and hopefully a
21 Commission route or permit decision by the end of
22 next year. And this is all fairly fluid, nothing is
23 set in stone, but we're anticipating that this will
24 take a little more than a year.

25 So you can provide your comments tonight.

1 As I said, you can fill out your comment form, leave
2 it with us in the box. You can fill out your
3 speaker card and we will call you up to give your
4 verbal comments. You're also welcome to e-mail
5 those to me, fax them to me. As long as I get them
6 by May 26th they will be entered into the formal
7 record.

8 And just for your information, the way
9 the comments get prepared is we will be taking all
10 of the written comments, we'll be bundling them
11 together and posted on our website as well as on
12 eDockets, and they will be posted alphabetically.
13 Any of your verbal comments will be posted by
14 location, they will not be alphabetical, they will
15 be in the order in which people spoke. So there are
16 a couple different ways to look for your comment.

17 UNIDENTIFIED: What's the deadline again?

18 MS. JAMIE MACALISTER: May 26th.

19 We will be having two meetings in Carlton
20 on Thursday and we have a couple of meetings
21 scheduled for next week if you're interested in
22 attending additional meetings. So I encourage you
23 to come.

24 And, with that, I'm going to turn this
25 over to Barb.

1 UNIDENTIFIED: Excuse me. Could I ask a
2 question?

3 MS. JAMIE MACALISTER: Yes.

4 UNIDENTIFIED: Could you explain
5 certificate of need? I think there's a great deal
6 of confusion on the part of the public. We would
7 like to assume that it's the public's need, but can
8 you define, in the case of a pipeline, whose need
9 we're actually issuing the certificate of need to
10 and for and what rights that gives the Applicant?

11 MS. JAMIE MACALISTER: What I'd like to
12 do is move -- let people who signed up to speak go
13 ahead and speak. And as Barb mentioned, we will
14 allow time after everyone has had time to speak for
15 a question-and-answer session, a brief one at the
16 end. And if there is not time, we will be happy to
17 stay here and answer questions to make sure that
18 everyone gets that answer.

19 UNIDENTIFIED: I prefer that that happen
20 now because it could affect people's comments.

21 MS. JAMIE MACALISTER: Well, I will just
22 quickly answer. I don't want to get into a large
23 question-and-answer session at this point.

24 The certificate of need, as you may know,
25 there have been -- the Applicant in this case, there

1 are two different applicants. There is Enbridge
2 Energy, they are the applicants for the Line 3
3 certificate of need and the route permit
4 application. And there's the North Dakota Pipeline
5 Company, which is the Applicant for the certificate
6 of need and the route permit for Sandpiper.

7 There are different criteria that are
8 used for the certificate of need and those are in
9 Rule Number 7852.03 --

10 MR. EK: 7853.0130.

11 MS. JAMIE MACALISTER: 7853.0130. Sorry.
12 And the need, the public's need or a regional need
13 or a state need, these are all questions that the
14 Commission has to look at if they determine to issue
15 the certificate of need. And really what this whole
16 process that we're going through is for, in part, is
17 to get that determination.

18 MS. BARBARA TUCKNER: So, Meg, do you
19 want to put up the map?

20 All right. So as a reminder, we're going
21 to start the public comment period. And what we
22 will do is when you come up we will ask you how you
23 want us to manage your time, if you want us to give
24 you a three-minute warning, a two-minute warning,
25 whatever. And what I will do is let you know who

1 the person is following that person so you have a
2 heads up.

3 The first person who is coming up is
4 Charles Burns. Charles. And after Charles we have
5 Lowell Schellack.

6 So, Charles, do you want us to give you a
7 one-minute warning or two minutes?

8 MR. CHARLES BURNS: Oh, make it a
9 two-minute warning.

10 MS. BARBARA TUCKNER: Could you state
11 your name and spell it for the court reporter?

12 MR. CHARLES BURNS: Okay. My name is
13 Charles Burns, B-U-R-N-S. I have lived in Hubbard
14 County since 1946.

15 Now, the first one that went through here
16 was --

17 COURT REPORTER: You need to not have it
18 too close to your mouth. There you go.

19 MR. CHARLES BURNS: Pardon?

20 COURT REPORTER: It was distorting, so
21 not quite so close.

22 MS. BARBARA TUCKNER: Not too close.

23 MR. CHARLES BURNS: Okay. How is that?

24 COURT REPORTER: That's perfect. Can you
25 start again?

1 MR. CHARLES BURNS: I worked on that
2 first pipeline in 1954. There was no qualitative
3 control, it was however you could put it together
4 and throw it in the ground. They wrapped it on the
5 job, they put pipe in with hook rollers that were
6 made out of iron and went in the ground. It's still
7 pumping oil right now. 150,000 barrels last year
8 when I was here a month for that.

9 And there's two other lines laying
10 alongside of them. The last one was '07. There was
11 no controversy over that. Nothing. Nobody thought
12 it was wrong. They just laid them and went away.

13 The first pipeline, when they hydro test
14 that and don't get water out of it, you know, they
15 do that and the pipelines are 90 feet in elevation
16 above my house. They run the water down the ditch
17 into a swamp. That's the way they got rid of it.
18 And when they cross the rivers, they just took a big
19 drag line and dug a trench and dropped them in. And
20 there was no backhoes, it was surgical gloves to
21 handle the cable. Everything was done opposite of
22 what they do today. But yet there's so much
23 controversy over today and I don't see where the
24 controversy comes from. When they went across the
25 highways they dug a trench and a detour of the

1 highway. And even in that working on that pipeline,
2 everybody took it for granted.

3 Now, we cannot live without oil. The
4 spot that I live on yet today, from 1946 to 1958 we
5 lived in a house with no plumbing, no running water,
6 we would go down over the hill, and it was tall
7 enough down in the woods. We still were dependent
8 on petroleum. Kerosene for the lanterns and candles
9 for the kitchen table. That was common. But that
10 was still based off a petroleum-based product.

11 And all these pipes gonna blow up and
12 flood our rivers and lakes -- right now, starting
13 opening of fishing season, we're going to pollute
14 more lakes than we ever have. My wife and I used to
15 do housecleaning and yard work. And I took care of
16 these people's gas and oil mixture for these two big
17 boats. They had a 70 horse on a pontoon boat and
18 100-some on another one. They'd go through 25 to 30
19 quarts of oil a summer. Where did that go? Right
20 into the lake. But if you went out there with a
21 quart of oil and dump it in the lake you'd be shot.
22 But put in five gallons of gas, mix it up and run it
23 in your boat, that was acceptable. That was
24 acceptable, 'cause I done it and I seen how it was
25 done by many people.

1 MR. CHARLIE PETERSEN: Two minutes left.

2 MR. CHARLES BURNS: Okay. And you have
3 more of a chance right now, when you leave here
4 tonight of getting injured by some drunken driver,
5 somebody texting on a cell phone, than you have of
6 any pipeline ever blow up in your face. Because
7 that is a fact. Today there's three pipelines that
8 go my house, 1,000 feet. We don't even know they're
9 there. They've been there for 65 years and there
10 has never been no trouble with them. With the
11 modern equipment they got today, what they call an
12 intelligent pig, they monitor that line constantly.
13 And they do the other two, too.

14 So I don't know what this hang-up is.
15 Not from me. I'm 80-plus years old. But I got a
16 grandson. He's going to need oil, 'cause his future
17 is just beginning. The Middle East is so unstable,
18 are we going to buy oil from our enemies? We better
19 not. We have it, let's use it. But so many people
20 are concerned about everything, but the three
21 pipelines laying there now, they don't even know
22 they're there, and they never will. Blowing up is a
23 very thin chance that that will ever happen.

24 You got more danger -- your well water in
25 your house, city well water, than you have on the

1 pipeline. Have you ever had your water in the house
2 tested if you live in the metropolitan area? You
3 better, because the way it's going now, water is
4 going to be more dangerous than any petroleum.
5 'Cause I got friends who live in St. Paul and
6 they're a little bit concerned about the water
7 because everybody is doing the same thing, cutting
8 corners. And you can't do that with drinking water
9 if you got little kids.

10 So I'm going by just what I've done.
11 I've lived here since '46 and I've had experience in
12 working on the pipeline, so I seen what took place
13 then and what is supposed to take place today and
14 there's no comparison. So I don't know why
15 everybody is so excited about it.

16 MR. CHARLIE PETERSEN: You're finished,
17 Charles?

18 MR. CHARLES BURNS: Yeah.

19 MS. BARBARA TUCKNER: You're finished
20 now? Okay. Thank you very much. Thank you,
21 Charles.

22 The next person up is Lowell Schellack.
23 And after Lowell I have John Munter.

24 You can state your name for the court
25 reporter and spell it, please.

1 MR. LOWELL SCHELLACK: I'll give you my
2 sheet when I get done here in case you need
3 anything.

4 My name is Lowell Schellack. First name,
5 L-O-W-E-L-L, last name is Schellack,
6 S-C-H-E-L-L-A-C-K. Okay?

7 Thank you for the opportunity to comment
8 tonight on this very important project.

9 Today the State of Minnesota is entering
10 uncharted waters. An environmental impact statement
11 on pipelines has never been done before in
12 Minnesota.

13 A precedent will be set that will affect
14 the citizens of Minnesota for generations going
15 forward. It is imperative that the process is done
16 in a competent, objective, and a thorough manner.
17 No shortcomings of the process can be tolerated.

18 The Department of Commerce should not be
19 the agency to launch the first oversight of an EIS
20 on pipelines. It is difficult to imagine the DOC
21 will be completely objective in their supporting all
22 elements contained in a robust environmental impact
23 statement. The DOC is charged with promoting
24 business in the state of Minnesota and not to get in
25 the way of performing a fair and comprehensive EIS.

1 I believe the oversight of the EIS on
2 Sandpiper and Line 3 should be placed in the hands
3 of the Department of Natural Resources and the
4 Minnesota Pollution Control Agency. I believe they
5 have the skills and the resources to conduct an EIS
6 that will best serve the state of Minnesota.

7 Selection of a route for pipelines cannot
8 be based on economics, which has a clear potential
9 of compromising the environment of our state. If
10 Sandpiper and Line 3 are approved, the State of
11 Minnesota will be a conduit for over a million
12 barrels of crude oil per day.

13 There will be no direct benefit to
14 Minnesotans, as the oil is destined for points east
15 and south. The State of Minnesota has no obligation
16 to cave into the demands of a foreign company and
17 approve a route to Enbridge that is most economical
18 to them.

19 The interests of Minnesota and its
20 residents must be placed first in any routing
21 process. Future generations are depending on us to
22 get this right. If approved, the pipes will be in
23 the ground and flowing crude oil for many years. It
24 is incumbent on the State of Minnesota to get it
25 right in performing a precedent-setting EIS that

1 will be a blueprint for any future projects.

2 Thank you very much for the opportunity.

3 MS. BARBARA TUCKNER: Thank you, Lowell.

4 John Munter is the next one up. And
5 after John, it's Mary Adams.

6 MR. JOHN MUNTER: My name is John Munter.
7 Is this a good distance? You can hear me?

8 John Munter, J-O-H-N, M-U-N-T-E-R.

9 We're excited about pipelines because
10 they'll be in the ground forever until they break or
11 leak. We have many 60-year-old pipelines. And if
12 Enbridge is excited about the health of the Line
13 Number 3, then you dig it up with the 900 anomalies
14 and test it and see where it has leaked and they can
15 replace it in its own footprint and not put it in
16 some other corridor.

17 So there is no economic justification at
18 all for more pipeline infrastructure with the Saudi
19 infusion of oil. I am afraid that when the new
20 Department of Commerce economic analysis comes out
21 it will read like an economics class.

22 COURT REPORTER: You're going to have to
23 slow down.

24 MR. JOHN MUNTER: Okay. I'm afraid it'll
25 sound something like this. Economic cycles go up

1 and down. The Saudis can't keep pumping cheap oil
2 forever because of domestic instability and peer
3 pressure. The Mackenzie County and the Bakken's
4 break-even point is \$29 a barrel with big efficiency
5 gains. The huge drop in oil drilling will force the
6 price up next year, and companies can easily retool,
7 come out of bankruptcy, and will need the pipeline
8 capacity in five years.

9 Well, that's all history happy talk,
10 cancerous optimism, looking at things from our
11 perspective. The Department of Commerce should
12 employ an international economist since we live in a
13 world economy which is not just classroom economics
14 but involves real people with real agendas, like the
15 Saudis.

16 The problem is that we live in a weak
17 global economy led by China and Japan and we are
18 completely dependent on whatever the Saudis want to
19 pump, so we should understand them.

20 They have several proxy wars going in
21 Yemen and Syria against the Iranians and Russians,
22 and low oil prices hurt their enemies. These
23 conflicts could go on for years.

24 More importantly, perhaps, they have a
25 huge climate change problem brought to the fore late

1 last year by one study saying areas of southwest
2 Asia could become unlivable due to the heat. Most
3 recently, the Max Planck Institute confirms that.
4 Even now in Riyadh, daily summertime high
5 temperatures at night stay above 86 degrees
6 Fahrenheit and daily highs can exceed 104 degrees
7 Fahrenheit during the entire summer. Even if we
8 curb emissions, heat waves will go from 15 days now
9 to 83 days in 2050. If we don't curb emissions
10 summer heat waves will go to 118 days and 204 days a
11 year by century's end, which would be something like
12 114 degrees or 122 degrees.

13 This is why the Saudis are totally
14 retooling their economy led by the brilliant
15 30-year-old Prince Muhammad Bin Salman, the power
16 behind the throne of his father, King Salman.
17 Prince Muhammad is not only defense minister, and
18 second in line to the throne behind a cousin who is
19 25 years older, but he's also the economics
20 minister.

21 Saudis are planning to go public with
22 5 percent of Saudi Aramco, their oil company, and
23 using the proceeds to invest in mining,
24 petrochemical, and oil refining, and renewable
25 energy. Chairman Khalid al-Falih says, many

1 policymakers in Saudi Arabia think that because of
2 climate change, rising fuel efficiency, and other
3 factors, oil demand will probably peak before the
4 supply starts to run out. They're investing in the
5 whole production change of oil used for feedstock
6 for advanced materials, petrochemicals, and
7 plastics. So the Saudis see the oil pie shrinking
8 with renewables so that is why they want the biggest
9 seat at the table of a smaller pie. U.S. producers
10 cannot hope to compete with Saudis who can pump oil
11 for \$3 a barrel and make a profit.

12 Will they become unstable? Prince
13 Muhammad says they have the third largest budget
14 reserve in the world, increased their non-oil
15 revenues 29 percent last year, are going to
16 institute a VAT, value added tax, plan on a \$100
17 billion non-oil revenue, as well as privatizing
18 health care, education, some military functions.
19 They expect revenue from mining, subsidy reform,
20 expanding religious tourism, and increased
21 employment. If they are really stretched thin they
22 could boot out their 10 million foreign workers.

23 So low oil prices for the Saudis hurt
24 their enemies, bankrupt their competitors, provide
25 the world with fewer greenhouse gas emissions than

1 relying on Bakken and Alberta, and position
2 themselves with a bigger seat at an ever smaller oil
3 profit table. It is a win-win for them all the way
4 around as it forces them to diversify their economy
5 which they have the money, the brains, the plan, the
6 options, and the control to accomplish.

7 Competing with the Saudis to build more
8 pipeline infrastructure is a foolish gamble and
9 serves no public purpose.

10 MS. BARBARA TUCKNER: Thank you, John.

11 The next person up is Mary Adams. And
12 after Mary is Hillary Stoltz.

13 State your name and spell it for the
14 court reporter.

15 MS. MARY ADAMS: Mary Adams, M-A-R-Y,
16 A-D-A-M-S.

17 This is the first pipeline EIS that has
18 been Court-mandated by the State of Minnesota.
19 Minnesota Statute 1160, MEPA, states where there is
20 potential for significant environmental effects from
21 any governmental action, the action shall be
22 preceded by a detailed EIS.

23 Three years later, here we are. That
24 brings us to the present. We have a Canadian
25 company determined, determined to transport Bakken

1 oil and tar sands oil in the Sandpiper and Line 3
2 from Clearbrook to Superior, Wisconsin.

3 So I've been thinking about this, what's
4 the purpose, what's the deal, what's all this
5 eminent domain stuff, and I stumble in that regard.
6 My thoughts are there is a difference between
7 private purpose and public purpose. Profit is not
8 the same as public good.

9 Eminent domain is not only for pipelines
10 and corporations because it's good for them
11 economically. It is also for the public good. That
12 public good is not necessarily defined as profit. I
13 believe eminent domain must serve a public purpose
14 clearly separate from the purpose of the Applicant's
15 project. Their private purpose is not a public
16 purpose, necessarily. Enbridge wants the shortest
17 route. Economically it's more feasible for them,
18 consequently other alternate routes are dismissed.

19 On page 6 of the scoping document in the
20 Sandpiper they talk about the alternatives. First
21 it says alternatives must meet the need of the
22 project. Enbridge states the oil must go from the
23 Bakken to Superior and connect to Midwest refineries
24 and beyond. That's a private purpose. Citizens in
25 this state have been asked to come up with

1 alternative routes. That has been done. Most of
2 the routes have been dismissed, even though these
3 routes would meet a public purpose and would still
4 get the oil to Illinois.

5 Also on page 6. Alternate routes would
6 have to be environmentally -- have environmental
7 benefits compared to the proposed routes. Well,
8 according to the University of Minnesota Resource
9 Center, the water clarity and the clearest lakes in
10 the state are up here. Tribal lands and traditional
11 cultures are here. These will go through wetlands,
12 forests, et cetera, et cetera.

13 And I have to agree about something. I
14 went to also -- my concern is then how will this
15 MEPA law protect Minnesota's environment? How is
16 that going to be guaranteed in this EIS?

17 I read no field data collected will be
18 performed for any of the route alternatives. And
19 the previous paragraph on page 15 they said it was
20 difficult to get done, but this is the sentence that
21 got my attention. Field data for the Applicant's
22 preferred route has been completed by the Applicant.
23 Has that data been verified? Have scientists been
24 involved in verifying? Have any responsible outside
25 groups or individuals said it makes sense? It's

1 good research?

2 So my question is, at what point does one
3 choose not only to gather data on proposed
4 alternative routes, but surely I believe if the will
5 to gather the data is evident it can be done and
6 ought to be done by experts in their field.

7 Also, on page 12 North Dakota Pipeline is
8 requesting a 750-foot swath in order to install the
9 lines. And I was sitting at my table saying how
10 long is 750 feet? Do you know that's longer than
11 two football fields? That certainly will affect
12 property values and aesthetics. Also, to me, not in
13 a very positive sense.

14 This also will impact minority and
15 low-income populations. And according to the EQB
16 documents, that needs to be assessed and described
17 in the EIS. How will that be done?

18 The EQB projects have to -- am I done?

19 MR. CHARLIE PETERSEN: Please complete
20 your thought.

21 MS. MARY ADAMS: I will. My thought is
22 nobody has mentioned the dilbit study of the
23 National Academy of Scientists. We read that
24 massive document, some of us. It states that tar
25 sands oil is a different kind of oil. It's high in

1 density, the viscosity is like peanut butter, and it
2 sinks to the bottom.

3 Quote, scientists' spill recovery is
4 highly problematic because there are few effective
5 techniques for recovery of submerged oil. Line 3,
6 176 -- 760 barrels of oil per day, Sandpiper has
7 many barrels per day, 48 million gallons of oil
8 flowing through headwaters country. Remember that.

9 You have a big job to do. Do it right.
10 Our future depends on it.

11 Thank you.

12 MS. BARBARA TUCKNER: Thank you, Mary.

13 Hillary Stoltz is the next person up.

14 And after Hillary we have Bob Scribner.

15 MS. HILLARY STOLTZ: Hillary Stoltz,
16 H-I-L-L-A-R-Y, S-T-O-L-T-Z.

17 I did not prepare a lengthy presentation.
18 I did fill out a comment form to give to the
19 Department of Commerce tonight. And I think I'll
20 just read it and perhaps it will touch base with
21 some people. The first fellow, Charles was it, that
22 spoke that's lived in Hubbard County for all these
23 years said a couple things, I wasn't sure where he
24 was going to go with his presentation or his
25 comment, first, that when he worked on the pipeline

1 way back when there was no quality control. And
2 then I thought perhaps it's going to be totally
3 against the pipeline because there have been leaks,
4 ruptures, things that have happened through the
5 years not only in Minnesota, but in other states
6 that have pipelines that are crossing their borders.

7 But what I wanted to say tonight was that
8 driving to Bemidji I seen 24-hour, 7-day-a-week
9 trucks coming in with huge pipes being delivered and
10 stored out along Highway 71. And I am assuming that
11 Enbridge also assumed that they could just forge
12 ahead and install the Sandpiper pipeline wherever
13 they desired across Hubbard County. And I guess
14 this assumption was not going to be correct when the
15 Courts ordered an EIS prior to approvals for them to
16 go forward. They're certainly poised and ready to
17 go forward by store-housing all of these pipelines
18 in our back yard.

19 It's fortunate that through the vigilance
20 and the diligence of a few educated volunteers who
21 have given an enormous amount of time and thought
22 and education in their own right, that the public
23 and the residents of Hubbard County have been
24 allowed to give reasonable input, as we are able to
25 tonight, about the proposed route. If, in fact, the

1 pipeline truly is needed and our input is not going
2 to be able to counter that assumption as being fact,
3 then we really do have reason to be giving our input
4 on the location of the proposed route.

5 My personal fear is that it's not
6 possible to compete on a level playing field with a
7 billion dollar foreign corporation that's throwing
8 millions of dollars and using lobbyists to deal with
9 the public agencies that have been put to task to
10 deal with this approval process. But -- and they
11 are very much indeed able to do a lot in terms of
12 lobbying and providing spin on what we need.

13 But avoiding the pristine areas of
14 Hubbard County and the adjacent counties where there
15 are very sensitive sandy soils that cannot absorb
16 the leaks, and if there are ruptures and small leaks
17 they cannot be contained in our sandy soils. I've
18 been to several presentations by hydrologists that
19 work for the DNR and their recommendations and
20 warnings are very much taken seriously by me. And I
21 believe that they are the experts that have given me
22 the opportunity to consider these different routes.
23 And looking at all of the maps that have been
24 presented for alternative routes, the only routes
25 that I believe I could endorse and should be looked

1 at very carefully were SA-05 and SA-04, which would
2 avoid a lot of the sensitive areas that the
3 hydrologists have warned us cannot absorb any kind
4 of ruptures and leaks.

5 I'd like to see unbiased evaluations by
6 third-party scientists and that are really
7 knowledgeable and that have no vested interest or no
8 conflict of interest and I'd like to see an honest
9 environmental impact statement.

10 MS. BARBARA TUCKNER: Thank you, Hillary.
11 The next person up is Bob Scribner.

12 MR. BOB SCRIBNER: Bob Scribner,
13 S-C-R-I-B-N-E-R.

14 MS. BARBARA TUCKNER: Are you ready to
15 go, Bob? I had a man come to me and say he has to
16 leave shortly and asked if he could be pushed ahead
17 in the queue a little bit. Is that okay with you?
18 I see nodding heads.

19 All right. The next person up after you
20 will be Clayton Johnson.

21 MR. BOB SCRIBNER: First, I'd like to
22 thank you for this opportunity to address the
23 people. And I'm not anti-pipeline at all, it is
24 just the location that they want to bring this
25 pipeline through.

1 The State of Minnesota spends millions of
2 dollars each year on tourism and --

3 UNIDENTIFIED: Who is speaking, please?

4 MS. BARBARA TUCKNER: Excuse me, what did
5 you ask?

6 UNIDENTIFIED: Who is speaking, please?

7 MS. BARBARA TUCKNER: Could you state
8 your name for the group? They didn't hear it. It's
9 Bob Scribner.

10 MR. BOB SCRIBNER: Scribner,
11 S-C-R-I-B-N-E-R.

12 MS. BARBARA TUCKNER: Sorry about that,
13 we didn't have the microphone on at the time.

14 Go ahead.

15 MR. BOB SCRIBNER: My first real
16 question, I guess, is what is the benefit of this
17 pipeline to the state of Minnesota? Is it going to
18 feed any refinery in Minnesota? Or is the oil that
19 comes through going to go just to Superior and on
20 east to Chicago? Will the State of Minnesota get
21 any kind of a benefit financially from this
22 pipeline? From what I've heard, no, they will not.

23 If we have -- and I guess I shouldn't
24 even say if we have, but when we have a pipeline
25 rupture, it will go in through the proposed route

1 that Enbridge has put forward to us, there will be
2 financial hardships by probably 100, 200 people at
3 least in the area where it's at.

4 First -- the second way the pipeline is
5 going across the Mississippi River, it runs very
6 close to the headwaters. What if there is a break
7 going across the Mississippi? That will pollute
8 water from here clear to New Orleans.

9 So I am basically, you know, not against
10 the pipeline, let's run the pipeline down through
11 SA-05, SA-06, which is basically farmland. It will
12 not get into our waterways and contaminate that.
13 And, you know, the tourism is a big product for the
14 state of Minnesota.

15 Thank you.

16 MS. BARBARA TUCKNER: Thank you, Bob.

17 Are people cold in here?

18 UNIDENTIFIEDS: Yes.

19 MS. BARBARA TUCKNER: All right. I've
20 been asked to ask someone to turn up the heat.
21 Maybe someone can scoot out there. Thank you, thank
22 you, Meg.

23 All right. Next we have Clayton Johnson.
24 And after Clayton we've got Florence Hedeem.

25 State your name and spell it for the

1 court reporter.

2 MR. CLAYTON JOHNSON: Clayton Johnson,
3 C-L-A-Y-T-O-N, J-O-H-N-S-O-N.

4 All right. I'm originally from
5 Clearbrook, Minnesota. And we have pipeline that
6 run through our property. And they've always been
7 good to us and good stewards of the land, you know.
8 And they, you know, make sure that everything is
9 taken care of very well.

10 I'm not a public speaker, so bear with
11 me.

12 70 percent of our oil and natural gas is
13 transported through pipelines and 3 percent is
14 transported by trains. Since the last oil boom in
15 North Dakota the oil transported by railroad has
16 increased significantly. Since this time America
17 has never faced the amount of oil spills by
18 railroads ever in history.

19 Our country and every other country in
20 the world has a high demand for oil. One way or
21 another it needs to be transported. Pipelines are
22 getting safer every year because of new technology.
23 And this technology is improving every year as well.
24 I've been working on pipelines all over the country
25 for the last 10 years, a lot of which has been

1 maintenance work. It has kept me very busy the last
2 few years due to the government and DOT cracking
3 down on oil and gas companies to make sure their
4 pipeline is safe.

5 Nothing is perfect when it comes to
6 transporting oil, but it is a fact that it will be
7 transported one way or another. The pipeline
8 companies use what is called smart pigs, which run
9 through the pipeline and collects data of defects
10 throughout the pipeline. True, they have to come
11 and fix it in the affected area. That's a lot of
12 what I do. And Enbridge does a massive amount of
13 work right here in our area to ensure the safety and
14 reliability of our pipelines.

15 It is very hard to put a price on human
16 life. There has been more employee deaths working
17 on the railroads than pipeline projects. That's a
18 fact. Look that up.

19 Let's not make it worse by putting more
20 pressure on railroad companies to do dangerous
21 projects when we can do it a safer way and more
22 efficiently.

23 And I, you know, hear you guys ask, you
24 know, whether it's going to affect us in a good way.
25 You know, Bemidji, you know, a few years ago when

1 you guys ran that pipeline in Hubbard County,
2 there's an article they have on local businesses are
3 thanking the pipeline that came through. It was
4 very good for our economy. We needed it, you know,
5 everybody was hurting. I needed it. And it was
6 very special to me.

7 And it's, I mean, Enbridge is probably
8 one of the most environmentally picky buggers I've
9 ever worked for. And safety. And it's kind of a
10 pain in the butt for an employee, but they are one
11 of the safest companies that I've ever worked for.
12 And I know that they will do this in a safe way.

13 And I would just like to make sure that
14 the steel that you're using on the pipe is good.
15 I've worked on projects where the steel was crap
16 and, you know, I'm a welder, and it's made my life
17 hard. And, you know, repairs, you know, we x-ray
18 every single one of our welds. And if there's
19 anything wrong at all, I got to go back and fix it
20 and be embarrassed by it being the welder there.
21 But everything, yeah, they x-ray every weld and it's
22 a perfect weld. They never did do that back in the
23 '50s. They'd slam it together. Now it's 100
24 percent penetrated, it is a perfect weld. And the
25 only other thing that happens sometimes is the size

1 of the pipe could be wrong, you know, and I've seen
2 steel from other countries that's been awful. You
3 know, American-made steel is the best. I think, or
4 Canada, Canada is good too. So it's -- that's what
5 I have to say.

6 MR. CHARLIE PETERSEN: Your time is up.

7 MR. CLAYTON JOHNSON: And we have swamps
8 that go, you know, that the pipeline runs through on
9 our land and we can't even tell they're there. And
10 I would never worry about a pipeline exploding
11 anymore because of these smart pigs that we have
12 nowadays, it's just phenomenal how GPS, the exact
13 spot where that defect is, and we got to come in and
14 dig it up and look at it and sometimes they won't
15 even take defects in the pipe, it's just coating.
16 Recoat it, perfect, there you go.

17 All right. Thank you.

18 MS. BARBARA TUCKNER: Thank you, Clayton.

19 The next person up is Florence Hedeem.
20 And after Florence we have got Mary Ackerman.

21 State your name and spell it for the
22 court reporter.

23 MS. FLORENCE HEDEEN: My name is Florence
24 Hedeem, F-L-O-R-E-N-C-E, Hedeem, H-E-D-E-E-N.

25 I'm not convinced that oil out of the

1 ground is better for anybody. At this point our
2 greater concern is what that oil is bringing to our
3 environment.

4 The environment is that which serves all
5 of us. And we see huge environmental impacts from
6 the kinds of pollution that comes from petroleum
7 products. So my concern is that the oil stay where
8 it's at and that we concentrate on building
9 alternative energy forms that will not pollute in
10 the same way. We have the capability, we have the
11 technology, we are smart people. We do not have to
12 rely on dirty oil anywhere, from anywhere in the
13 world.

14 Renewables are a very adequate
15 alternative. We also are smart enough people to
16 know how to change our habits so that we don't have
17 to destroy the world.

18 For sure it is not an even playing field
19 where folks like us, to be talking to companies with
20 multi billions of dollars to put into the thing that
21 they want very desperately. They're going to make
22 money off of that, off of us, and off of this
23 project and that's why it's here. And the more
24 money that they can make off of it means that they
25 have more than we will have as a result of the oil

1 coming out of the ground.

2 So I think that the most important part
3 of this is to remember that oil is not an absolute
4 end need for anybody. Yes, we've learned how much
5 we want it, but it isn't because we can only live
6 because of it.

7 Thank you.

8 MS. BARBARA TUCKNER: Thank you,
9 Florence.

10 The next person up is Mary Ackerman.
11 After Mary is Jeff Mosnev -- Mosner, excuse me.

12 MS. MARY ACKERMAN: Mary Ackerman,
13 A-C-K-E-R-M-A-N.

14 I'm here as a private citizen and a
15 resident of Cass County. I am also one of the
16 founders of the Northern Water Alliance of Minnesota
17 and can speak for our membership on the scoping of
18 the EIS.

19 First let me say that I'm not against
20 pipelines, per se. I drove here, I enjoy way too
21 many products produced with petroleum. I am,
22 however, totally against the route Enbridge is
23 proposing for Sandpiper and now a new route 3.

24 The two lines create a new energy
25 corridor across sensitive lands and water. Earlier

1 in one of the Sandpiper information sessions in Pine
2 River I asked an Enbridge fellow what his ideal
3 route for a pipeline would be. His answer was, as
4 straight as possible, on flat land, soil conditions
5 as impermeable as possible, clay or other hard soil,
6 and near other corridors where anomalies might be
7 taken care of quickly and efficiently. This sounds
8 nothing like the proposed energy corridor. An EIS
9 should make a comparison of his ideal routing and
10 the proposed route.

11 Early in the Sandpiper process, both the
12 MPCA and DNR and Friends of the Headwaters proposed
13 two alternate routes that I believe should be part
14 of the EIS scoping, if we are to believe they might
15 actually be considered. Those two routes pose far
16 fewer environmental problems, but would be
17 environmentally challenging as well.

18 To your points, spills. We know spills
19 are part of any pipeline. They are not anomalies.
20 A complete EIS will include a modeling analysis for
21 any river crossing, lake crossing, wetland crossing,
22 or stream crossing. These are tricky analyses
23 because of the dynamics of water. Involvement of
24 the USGS, Army Corps of Engineers, EPA, would make
25 sure this EIS is thorough. I don't believe there

1 has been an analysis yet that distinguishes between
2 road ditches and wild rice wetlands.

3 Groundwater. The USGS has done a 30-year
4 history of the Straight River Aquifer. This
5 information must be part of this EIS. Northern
6 Minnesota has three of the four major water drainage
7 systems in all of North America going to the Gulf,
8 Hudson Bay, the Atlantic. A complete EIS will make
9 sure the modeling for a spill takes into account the
10 drainage of our waters and the potential groundwater
11 impact across many state lines.

12 Surface water. In this context I ask
13 that the economic impact of potential spills be part
14 of the EIS. Minnesota's tourism industry is largely
15 built upon our reputation for abundant and clean
16 lakes. There are currently 261,000 jobs in our
17 tourism industry and this industry brings in \$13
18 billion in sales revenue annually. Clean water is
19 not an option.

20 Wild rice. A thorough EIS will include
21 the experts on this important grain. From the
22 agricultural point of view, it's an annual grass
23 only distantly related to the cultivated wild rice
24 you see in some grocery stores. Once a wetland is
25 disturbed, that rice cannot come back.

1 The cultural aspects of wild rice cannot
2 be ignored and it's a sacred food for Native
3 Americans. A full EIS will consider the cultural
4 aspects of any disturbances to our wild rice.

5 Legacy. This is not on your list. The
6 Department of Commerce and the State of Minnesota
7 have a lot at stake. This is a new energy corridor,
8 it will pump considerably more oil than the
9 Keystone XL. We need a quality EIS with the
10 expertise the caliber of Atel (phonetic) that did
11 the EIS for the Keystone. Expertise should not be
12 chosen or influenced by the Enbridge Corporation,
13 whose route is at stake.

14 I said it was a legacy issue, let's be
15 sure the bar is high on this EIS. This is
16 Minnesota, we can do it, and we have to do it right
17 so other states will be able to model an EIS after
18 the good one that we are hoping and you can ensure
19 is done.

20 Thanks.

21 MS. BARBARA TUCKNER: Thank you, Mary.

22 The next person up is Jeff Mosner. And
23 after Jeff we have got Lindsey Ketchel.

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

1 MR. JEFF MOSNER: My name is Jeff Mosner,
2 J-E-F-F, M-O-S-N-E-R.

3 I can make these available if you need
4 it.

5 This has become a divisive issue in this
6 community and around the state. But I think there's
7 something we all desire, and that is a thorough
8 process that looks forward to the decision.

9 This is the third public hearing to have
10 been held in Park Rapids on this pipeline. My hope
11 is that you truly listen and carefully consider the
12 suggestions brought forth.

13 This hearing is about your role as a
14 Responsible Government Unit for an EIS on an oil
15 pipeline, something you have no experience doing.
16 As you know, whether you retain that role will be
17 determined on May 18th by the EQB.

18 If you do end up the Responsible
19 Governmental Unit for this process you need to be
20 thorough. My dad used to tell me that any job
21 you're doing is worth doing right. You cannot treat
22 this EIS as you would another CEA.

23 So here are my suggestions.

24 First and most important, you need to
25 admit that you are going to need help. And while

1 you may think that asking the public for their input
2 suffices, the fact is few in this room know what
3 makes up a thorough EIS. So, first off, we should
4 compile a list of outside experts that would
5 comprise an advisory panel to assist in what will be
6 an extremely complex task. These experts should
7 have extensive experience in executing a proper EIS,
8 pipeline construction, risk analysis, hydrology,
9 economics, geology and chemistry, people who
10 understand the risks of hydrocarbon contamination.
11 I suggest you ask the intervening parties for viable
12 candidates for this panel.

13 Second, I mentioned economics. You do
14 need to include a no-build option in the analysis.
15 Governor Dayton has set goals that, if followed,
16 will move us away from our reliance on dirty fossil
17 fuels towards clean sources of energy. Someone
18 needs to look at that, the economics of building yet
19 another pipeline corridor across Minnesota in a
20 market of slowing global demand for oil and rising
21 supply. The U.S. is awash in oil, as evidenced by
22 the price of oil being the lowest in 10 or 11 years.
23 No wonder Congress just gave in to the oil lobby
24 allowing the export of our crude to foreign markets.
25 An objective analysis needs to be done to determine

1 if the benefits of another pipeline corridor is
2 worth jeopardizing our precious water resources.

3 The other reason you need to include a
4 no-build option is from an environmental stewardship
5 perspective. Earlier this year 165 nations,
6 including the United States, signed an agreement in
7 Paris to limit the amount of greenhouse gas we are
8 emitting to our atmosphere. The extraction of oil,
9 especially through hydraulic fracturing and the
10 steaming of tar sand oil, the two types proposed to
11 cross our state, add enormous amounts of greenhouse
12 gas to our atmosphere.

13 According to a new study, it was
14 published Friday in the Journal of Geophysical
15 Research, oil and gas production in North Dakota's
16 Bakken formation is the key culprit in a worldwide
17 rise in atmospheric levels of a potent greenhouse
18 gas that also contributes to ozone formation near
19 the Earth's surface. This study found that
20 emissions measured over the Bakken are 10 to 100
21 times larger than producers have been reporting to
22 regulators. Someone other than Enbridge, whose only
23 goal is profit, needs to take a very hard look at
24 the global costs and benefits of our continuing
25 reliance on these dirty fuels.

1 And last, you need to include the system
2 alternative routes, routes that end in Superior as
3 well as routes going more directly to Illinois,
4 which is where most of this oil is headed. If this
5 is indeed a public utility, giving Enbridge the
6 right to usurp a landowner's land, then the state
7 should be allowed to determine the best route.

8 I am reminded of what PUC Commissioner
9 Tuma recently said. He said we are talking about a
10 lot of oil going into this state, we need to get
11 this right. And I will add that if you don't get
12 this right you risk delaying the process further by
13 opening yourself up to more litigation. And I think
14 we can all agree that that's not in anyone's best
15 interest.

16 MS. BARBARA TUCKNER: Thank you, Jeff.

17 We'll take two more before we take a
18 break. The next person up is Lindsey Ketchel.
19 After Lindsey, we have Jim Reents.

20 MS. LINDSEY KETCHEL: Okay. Lindsey
21 Ketchel, L-I-N-D-S-E-Y, K-E-T-C-H-E-L. And I am the
22 executive director of the Leech Lake Area Watershed
23 Foundation. Our office is in Hackensack, Minnesota.
24 And we work for four counties, Hubbard, Aitkin, Crow
25 Wing and Cass.

1 And our whole emphasis has been
2 protecting lakes and protecting water quality, which
3 is one of the reasons why we have such great lakes
4 and water up here. We've been doing it for about 20
5 years.

6 I do have to say, though, I am going to
7 request that there's an extension on the comment
8 period. I went to Cass County offices and there's
9 no information available to any resident at all on
10 this project.

11 If the whole point of MEPA is to involve
12 the average individual to find their voice and to be
13 a part of the solution, not being even able to look
14 at the materials to prepare comments for this
15 meeting I find inappropriate and unacceptable. So
16 that is a formal request.

17 I also, with my organization, have asked
18 for a change in the RGU status. It's not
19 necessarily that I think the Department of Commerce
20 are bad people, this is such a critical issue that
21 we believe that the Department of Natural Resources
22 and the Minnesota Pollution Control Agencies are
23 people who really understand this region and
24 understand what's important to this region.

25 I have to tell you that when I saw this

1 map, the fact that Leech Lake is not even indicated
2 as a major lake in this region is an insult. It's
3 an insult to anyone who cares about fishing and
4 water quality. And no other lakes appear. That's
5 what this region represents. It shows again this
6 lack of understanding and empathy for our challenges
7 and our concerns when folks come up here.

8 I will also say I spent a good deal of
9 time dealing with EISs as the executive director of
10 an organization in Alaska. Scoping comments give
11 you the framework and the body that you work from.
12 The intent, the scope, the intent of the project.
13 Your scoping comments or documents are so misleading
14 and confusing that the average individual wouldn't
15 even know how to respond whether a system
16 alternative is available. What are those options?
17 So I have to say that we're starting off a little
18 rocky. And I hope we can get this right. As was
19 mentioned earlier, litigation can be down the road,
20 you hate to see that happen. I would like to make
21 sure that Line 3 and the replacement of Line 3 right
22 in that same location is considered an alternative.
23 I feel that when that line went in the company
24 didn't think about replacing it. That's their job,
25 not my job. We've got sacrificial zones here,

1 maximize those sacrificial zones.

2 The other issue we have is wind climate
3 and climate challenges, whatever are causing them.
4 People are going to be migrating, human migration is
5 going to be occurring, and food migration will be
6 changing in the next 20 to 35 years. So when you're
7 looking at populations, you've got to continue to
8 look at climate modeling and how is it going to
9 impact how many people will be moving here.

10 The other issue I notice when you're
11 looking at your scoping, you can't look just at the
12 damage that's going to be occurring within the
13 right-of-way sections of these pipelines. The
14 impacts of the natural resource analysis has to be
15 much broader and much more wider, so that when these
16 spills do occur we truly are evaluating what
17 cultural resources we are putting at risk. This
18 puts a lot at risk right now.

19 Now, I do want there to be jobs for you
20 folks. I want to develop green infrastructure. I
21 understand, I drove here, we need pipelines. This
22 is probably the worst possible location anyone could
23 think about putting a pipeline. So it's not that
24 we're opposed to Enbridge or pipelines or jobs, we
25 want to be as smart as we can.

1 Because up here we are poor. The average
2 income resident in my county is like \$19,260. I beg
3 any one of us to try to live on that per year with
4 35 degree temperatures, it's freezing cold. We're
5 poor, that's why we're so open to letting other
6 things come in like these pipelines. But we have to
7 understand, we've got to build real economies, not a
8 boom and bust so we'll have the pipeline workers for
9 two years, that's not what we deserve. And when it
10 comes to the climate modeling, I notice the spill
11 modeling efforts out here.

12 We'll be providing written comments also,
13 because five minutes really isn't enough time to
14 talk extensively about this. It actually does a
15 disservice to the average individual who truly wants
16 to be engaged in this process. Five minutes, you
17 can't even get anything done in five minutes. But I
18 do request there is a delay on the timeline. I do
19 know that people do want to provide comments, they
20 want to be thoughtful about it, but if you don't
21 have the materials to read it, how can you provide
22 the response?

23 I'll leave it at that.

24 MS. BARBARA TUCKNER: Thank you, Lindsey.

25 The next person up is Jim Reents and then

1 we will take a break.

2 MR. JAMES REENTS: James Reents,
3 R-E-E-N-T-S. I'm here as a citizen of Minnesota, a
4 citizen and resident of Cass County, and also as the
5 Chair of the Pipeline Work Group of the Northern
6 Water Alliance of Minnesota.

7 First of all, I'd like to thank
8 Ms. MacAlister for the clarification on a
9 certificate of need. I was both heartened and
10 relieved to hear that the definition that she gave
11 was that the need is that of the local, regional,
12 and statewide public interest. And I hope we all
13 keep that in mind throughout this process.

14 I have one comment on Appendix B that was
15 provided by the Department of Commerce. Although we
16 have a map, two-sided -- one is proposed route
17 alternatives, the opposite side is proposed system
18 alternatives -- within the preliminary table of
19 contents, Section 3, Alternatives Screening, it
20 makes no distinction between project alternatives
21 and system alternatives, nor does the term system
22 alternatives show up anywhere within the table of
23 contents in either Section 3 or 4. And I would urge
24 the Department of Commerce to correct that so that
25 we can clearly understand both system alternatives

1 and route alternatives are both being considered.

2 Addressing those things that I feel are
3 imperative to be included in the scoping of the
4 environmental assessment and ultimately the EIS, we
5 need a full economic analysis of need for additional
6 oil transportation through Minnesota. Climate
7 change needs to be integral to the EIS, most
8 especially regarding construction, construction
9 techniques, and severe weather events. We need to
10 consider things differently than we have in the past
11 because we are in a changing environment.

12 Evaluation of the cost of carbon
13 mitigation of the proposed trans shipped oil in
14 light of both climate change and atmospheric carbon
15 reduction goals, both statewide and nationally, and
16 also those targets committed to by the United States
17 in the 2015 Paris accords should be considered with
18 regard to how this pipeline would feed or meet those
19 goals.

20 I would ask that the EIS consider what
21 will become of stranded assets? Current estimates
22 on the Bakken and Williston Oil Basins is that they
23 will be depleted in 20 years. What's to become of
24 the infrastructure? Will it be removed? Will it be
25 abandoned? What other proposed uses does the

1 Applicant have?

2 The same can be said of the tar sands
3 oil, with most major projects there being either
4 delayed, put on hold, or in some cases major players
5 such as Statoil of Norway have pulled out completely
6 of tar sands. Do we truly need additional tar sands
7 pipelines? I would look for the EIS to address
8 these issues.

9 Also, the proposed Line 3 replacement is
10 a 36 diameter -- 36-inch diameter pipeline. By
11 volume, that's 12 percent larger than the existing
12 Line 3. Is this new pipeline and, if so, does it
13 need additional review and approval?

14 Thank you.

15 MS. BARBARA TUCKNER: Thank you very
16 much, Jim.

17 All right. We've been asked for a break
18 so we're going to take a 15-minute break so we'll be
19 back, according to that clock, 8:33, or 15 minutes,
20 add it to your watch, and complete the green cards,
21 and we'll open it up for Q and A if we have time.

22 (Break.)

23 MS. BARBARA TUCKNER: The next person up
24 is Sharon Natzel.

25 MS. SHARON NATZEL: Okay. My name is

1 Sharon Natzel, and that's S-H-A-R-O-N, Natzel is
2 N-A-T-Z-E-L.

3 My comments focus on the draft scoping
4 decision documents. The detailed environmental
5 social and economic analysis section, and also the
6 environmental assessment documents, county zoning
7 and land use for the Sandpiper and the Line 3
8 replacement project. And I have extras of these, I
9 can give you one.

10 My comments are based on the United
11 States Geological Service, November 2010, National
12 Research Program document. It's entitled Water
13 Security, National and Global Issues. And I have a
14 link in my written comments tonight and I have a
15 handout that I want to enter into the record. And I
16 would like that to be utilized in the EIS and also
17 considered in the environmental analysis.

18 I also would like you to consider the
19 Hubbard County local water plan for 2016 to 2026.
20 It's also a lengthy item in my submitted comments
21 tonight and I have partial documentation that's a
22 number of pages, I didn't print the whole thing. I
23 ask that this information contained in these two
24 documents would become part of what must be analyzed
25 and thoughtfully considered in the EIS for the

1 proposed preferred routes by the Applicants and also
2 all of the Sandpiper previously accepted system and
3 route alternatives, especially SA-04 and RA-15.
4 RA-15 is part of the DNR's Straight River Pilot
5 Groundwater Management Area.

6 The USGS document states that the United
7 Nations environmental program projects, projects
8 that by 2025 global fresh water stress owing to
9 increased population on water use will increase
10 significantly, especially in northern Africa,
11 Eurasia, the Middle East and even the United States.
12 And by 2050 nearly five billion people will be
13 affected by fresh water scarcity. By 2025, across
14 the United States, the water withdrawal as a
15 percentage of the total available water is projected
16 to be 20 to 40 percent. The USGS report points out
17 that the amount of fresh water is finite and makes
18 up approximately 2.5 percent of all water. And as
19 Minnesotans we know that a large amount of fresh
20 water is contained in Minnesota and Lake Superior
21 and we don't want it polluted. The water threats
22 and the hazard triad described in Table 2 by Tindall
23 and Campbell shows the most common hazards affecting
24 water security, supply, and sustainability are
25 man-made, natural, and technological.

1 Several of these hazards should be
2 analyzed especially in the EIS, including terrorism
3 through cyber and industrial sabotage. And also we
4 need to look at the chemicals that are introduced
5 with a pipeline chemical spill, like benzene. That
6 occurred in the Yellowstone River 2015 pipeline
7 spill under the ice near Glendive, Montana. And
8 their pristine water had to be replaced with
9 truckloads of fresh water. So I would like to have
10 the -- one minute? Okay.

11 I would like to have the EIS look at the
12 negative impact to the frozen rivers when there
13 would be a spill. For example, the Mississippi
14 River provides the drinking water for St. Cloud,
15 Minneapolis, and St. Paul. So where the pipeline
16 crosses the Mississippi, like the one near McGregor,
17 that would be especially important to study in the
18 EIS. And for a spill under the ice similar to what
19 happened on the Yellowstone. So that would be a
20 spill scenario.

21 Thank you.

22 MR. CHARLIE PETERSEN: Thank you.

23 MS. BARBARA TUCKNER: Thank you, Sharon.

24 The next person up is Sheldon Monson.

25 And after Sheldon we have got Richard Smith.

1 MR. SHELDON MONSON: My name is Sheldon
2 Monson, S-H-E-L-D-O-N, M-O-N-S-O-N.

3 I grew up in Minnesota, less than about a
4 mile from Line 3. Every day a school bus crosses
5 Line 3 approximately four times going to school. We
6 were very appreciative of the jobs that were brought
7 into the community. I'm very aware of Enbridge's
8 safety record, and I'm very impressed with the
9 technology that they have developed for safety and
10 testing other pipelines and their commitment to
11 safety is second to none.

12 I believe that we do need to be looking
13 at where this pipeline does get placed in regards to
14 the wetlands and the watershed. That is very
15 critical to our state and our communities.

16 Currently I'm living in Wadena and I live
17 less than a mile from the railroad. And my kids all
18 went to Wadena High School, every day they saw those
19 trains going by, 60 miles an hour, with those oil
20 cars. And how many of you would like to have those
21 rail cars going by your school day after day with
22 the potential of one of those rail cars coming off
23 the track and coming into your school.

24 So I speak on behalf of my friends and
25 neighbors that live along those railroad tracks

1 where they have all these oil trains going by every
2 day of the week, and I firmly believe that moving
3 oil through a pipeline is much safer than rail cars.

4 And I look at the long-term economic
5 benefit. Wadena County has the second highest
6 property taxes in the state of Minnesota, the second
7 highest. And I've inquired, what would this
8 pipeline benefit, what do you tell them? The
9 Sandpiper project is about \$500,000 in taxable
10 revenues for Wadena County. If Line 3 is routed
11 through there it will be another three or four
12 hundred thousand.

13 Wadena County has the second highest
14 property taxes in the state, where they levy eight
15 million dollars of property taxes a year.
16 Increasing some taxable revenue from a pipeline to
17 give some tax relief to the citizens of Wadena
18 County is a huge long-term economic benefit.

19 Enbridge gave approximately \$34 million
20 in property taxes. With Sandpiper it would increase
21 by 25 more million and it's expected with the Line 3
22 replacement of another \$19.5 million in taxable
23 revenues to the state. So long-term economic
24 benefit to the state is huge.

25 And I do believe in renewables. Solar,

1 wind. You know, but it is going to be a while
2 before we're going to be energy independent of oil.
3 In the meantime, we do need to build it safely to
4 transport it. And I'd much rather have a pipeline
5 in my backyard than a train flying by at 60 miles an
6 hour on the railroad track.

7 Thank you.

8 MS. BARBARA TUCKNER: Thank you, Sheldon.

9 The next person up is Richard Smith. And
10 after Richard we have Deanna Johnson.

11 MR. RICHARD SMITH: Well, I have to be
12 careful with my notes. 'Cause everybody was so good
13 in front of me, I don't have anything else to say.
14 But I'm going to say something, Janet, so don't
15 worry.

16 My name is Richard Smith, S-M-I-T-H. I
17 am the spokesperson for Friends of the Headwaters,
18 an intervening party in this process.

19 Friends of the Headwaters has advocated
20 for an environmental impact statement from the very
21 beginning of our involvement with this process,
22 January of 2014.

23 Before I go any farther, I do want to
24 thank Ms. MacAlister and the Department of Commerce
25 and the folks from the DNR and the PCA that are here

1 and making these meetings available. As you know,
2 the purpose of these meetings is to hear and gather
3 our questions, suggestions, and concerns from us,
4 the public, regarding these proposed pipeline
5 projects and what needs to be included in a
6 comprehensive and robust EIS. I wish these meetings
7 had occurred two years ago. I could go back to
8 fishing and making pictures and growing tomatoes,
9 like I like to do. But they didn't. And because
10 they didn't, Friends of the Headwaters had to take
11 the state to Court to make sure they did. So here
12 we are.

13 In court we made the environmental
14 argument, we made the economic argument, we made the
15 scientific argument, we made the legal argument.
16 All these arguments that we used, the PUC and the
17 DOC back then chose to ignore.

18 The Appellate Court saw otherwise and
19 ruled three to nothing in our favor. The Court's
20 ruling restored a crippled Minnesota Environmental
21 Policy Act. The Court ordered the first ever
22 state-conducted environmental impact statement on an
23 oil pipeline. Basically, the Court said essentially
24 and firmly that the environmental business is as
25 important as businesses' business. The Court stood

1 up for Minnesota's water.

2 My message to the agencies that are
3 conducting this EIS is the Court has given you a
4 gift. How you choose to use it will be your legacy
5 from here on out. So one of the questions that you
6 might consider in this EIS is what are you going to
7 do with this gift that's been given to you? How you
8 choose to exercise it will brand you and this
9 administration for decades to come. You can be the
10 leaders who restore MEPA law back to its rightful
11 and original intent. You can be the leaders to
12 protect Minnesota's most precious natural resource
13 for generations to come. You can be the leaders to
14 embrace the Court's ruling and say, yes, it's only
15 prudent that we execute a comprehensive and robust
16 EIS to determine how and where the new oil energy
17 corridor should cross our state. We expect you to
18 use the excellent points that have been mentioned
19 this evening and to use the same arguments that
20 Friends of the Headwaters made in the court case
21 that we won in the development and the execution of
22 this EIS.

23 You've been handed a solution. But will
24 you solve the problem in a reasonable and prudent
25 way for all Minnesotans and not just for the

1 company? Friends of the Headwaters believes your
2 contract is with us. We are your company. We are
3 your shareholders. Your responsibility is to us.

4 Thank you.

5 MS. BARBARA TUCKNER: Thank you, Richard.

6 The next person up is Deanna Johnson.

7 And after Deanna we have Chuck Diessner.

8 Did I say that correctly?

9 MS. DEANNA JOHNSON: Deanna Johnson,
10 D-E-A-N-N-A, J-O-H-N-S-O-N.

11 The draft scoping document before us has
12 much the same context as the previous environmental
13 analysis for the Sandpiper, which was overruled by
14 the Appeals Court. Again, we see a document before
15 us that clearly favors the Applicant by heavily
16 relying on the Applicants' input and general
17 analysis summaries from other projects which were
18 not specific to our environment. Does this meet
19 MEPA law?

20 From the start, the purpose of this
21 project poses many questions. The purpose mentions
22 growing crude oil production from the Bakken
23 formation. This is outdated, as now we see
24 significant decline in Bakken oil production and the
25 Bakken access pipeline has been approved to move oil

1 from the Bakken. That company found it economically
2 feasible to move oil out of the Bakken without
3 traversing Minnesota's water-rich environment.

4 The second purpose statement is to
5 transport oil from the Bakken to Superior,
6 Wisconsin. Is this the route considered by -- is
7 this the route considered by the company to give
8 them the best cost saving? Cost savings for the
9 company do not equal public purpose. Is the company
10 hoping to come back later and ask to ship oil on
11 Lake Superior, which holds 10 percent of the world's
12 fresh water supply? Think about their stated
13 purpose for this project. They want to transport
14 more oil than the proposed -- than proposed for the
15 Keystone XL across our prized headwaters region, our
16 clearest lakes, and our wild rice beds. Then they
17 demand to end this route at Lake Superior.

18 I have to tell you the thought of opening
19 the door to this company to transport large volumes
20 of oil through Superior, Wisconsin is terrifying.
21 Lake Superior is the world's largest fresh water
22 lake. It has been described as the most
23 oligotrophic lake in the world. Water in Lake
24 Superior is retained an average of 191 years. The
25 EIS should be considering the grave implications of

1 allowing this company to demand this route, which,
2 if given, would open up the potential for them then
3 later to ask to ship oil across Lake Superior. How
4 much should we be expected to sacrifice for a
5 company-stated demand and profit margin
6 calculations? There are great risks to our
7 environment and our economic well-being that are
8 being summarily subjugated to the financial requests
9 of the company.

10 Enbridge is given control over much of
11 the information that will inform this study. For
12 example, Enbridge will provide the field study data
13 for its route and there will be no field study data
14 done for system alternatives. Does this indicate
15 safe route alternatives will be summarily ignored?
16 Enbridge will also provide data on maximum spill
17 volume estimates at sites of their choosing. There
18 is not even a mention of the effects of dilbit still
19 in a water environment. Will this factor be added
20 and studied as part of an EIS? It should be, as a
21 tar sands oil spill would create unrepairable
22 devastation to our water-rich environment.

23 Where are the spill study sites? Why is
24 this information not provided in the document? Will
25 maximum spill studies be done for the Headwaters

1 area where the pipe crosses the infant Mississippi
2 at two locations? Will there be a spill study of a
3 sensitive aquifer in Park Rapids? How would
4 carcinogens leaking into aquifers affect the health
5 of our citizens? How would spills in these
6 locations affect the economy in this area? Itasca
7 gets over a half million tourists a year and the
8 Park Rapids area depends on fragile aquifers. What
9 happens to our economy if we lose our water supply
10 or if the Itasca region is devastated by a spill and
11 we lose our tourist attraction?

12 These projects pose tremendous hazards to
13 our sensitive environment, which is also the
14 lifeblood of our economy and are simply too many and
15 too great to be stated here. A full and
16 comprehensive EIS based on science with input from
17 unbiased experts with specialized scientific
18 background is demanded for our precious resources,
19 for the health of our citizens, and for our economy.

20 Thank you.

21 MS. BARBARA TUCKNER: Thank you, Deanna.

22 The next person up is Chuck Diessner.

23 And after Chuck, we have two cards after that. We
24 have Willis Mattison.

25 MR. CHUCK DIESSNER: My name is Chuck

1 Diessner, D-I-E-S-S-N-E-R.

2 I have about three points that I'd like
3 to suggest, or four points that I'd like to suggest
4 be added to the documents called Critical Concerns.

5 It seems to me that we've already lost
6 something in this process. The DOC is telling us
7 that the critical concerns are these items. When,
8 in fact, as far as I know, at every single prior
9 meeting one of the top number one issues was the
10 description of the project. It's not here. They're
11 not telling us that it's a critical concern. That's
12 my number one point tonight.

13 We talk about the DOC wanting to listen
14 to us. They've had two years to listen to us and
15 they still don't hear us. We have spent two years
16 telling the DOC that we need to have system
17 alternatives. They cannot have a line that goes
18 from Bakken to Clearwater to Superior so they save
19 money, they're more profitable. And guess what
20 happens if they don't get that line? They forfeit
21 all the money that they paid out on easements. So
22 they've got a vested interest in keeping this.

23 But even after the two years, the DOC has
24 the nerve to come out with an EIS draft that
25 suggests that the line should be just as Enbridge

1 wants. Why didn't it start the other way around?
2 I'm very skeptical that the DOC is listening. And
3 the DOC has a duty under the law to advocate for the
4 public. I've been to every hearing, I've read all
5 the documents, I've never seen the DOC advocate for
6 the public.

7 The second thing that concerns me a great
8 deal is there is no independent field study. The
9 DOC, advocating for the public, thinks it's a good
10 idea that we rely on Enbridge.

11 Is there anybody here in the public that
12 thinks that we want to rely on Enbridge's
13 information about the environment?

14 UNIDENTIFIEDS: No.

15 MR. CHUCK DIESSNER: I mean, how can the
16 DOC come up with this stuff?

17 MR. CHARLIE PETERSEN: Two minutes.

18 MR. CHUCK DIESSNER: Two minutes.

19 Second item. Well, let's talk about
20 Enbridge. Remember relying on them? They came up
21 with the idea that the best interest of the public
22 was the line that they proposed. They also said we
23 don't need an EIS, it's not required.

24 The third point I'd like to make is the
25 DOC has suggested that the MPCA and the DNR are

1 involved in this process. I am willing to bet,
2 based on actions, prior actions rather than words,
3 the DOC excluded intentionally the DNR and the MPCA
4 in the prior process. The DOC will tell you that
5 there's a memorandum of understanding and that
6 solves it all. If you read that document, do you
7 know what it says? The DOC decides everything.
8 We're right back to where we started from. If the
9 DOC doesn't want the DNR or the MPCA, we don't get
10 them. The DOC gets their way.

11 Now, the most important thing I think
12 tonight is quality. The PUC said we want a quality,
13 robust EIS. We will not get that with the DOC. The
14 DOC spent two years fighting what the public wanted
15 and it is still carried over, those old historical
16 views. They have a conflict of interest. They have
17 hidden documents. If you're interested in what the
18 DOC has been doing, go on the website for the
19 Environmental Quality Board and read the activities,
20 in my opinion illegal, of the DOC.

21 So I would like to ask that the DOC
22 withdraw voluntarily, rather than having citizens
23 have to go forward and ask you to be removed.

24 Thank you.

25 MS. BARBARA TUCKNER: Thank you, Chuck.

1 The next person up is Willis Mattison.
2 And after Willis our last person is Michael Dahl.

3 MR. WILLIS MATTISON: Thank you. My name
4 is Willis Mattison, W-I-L-L-I-S, Mattison,
5 M-A-T-T-I-S-O-N.

6 I find it necessary to make recurring
7 appearances because I keep discovering new,
8 troubling information as the process goes on.

9 Tonight there was an effort to describe
10 the need for the public or private is the goal of
11 the project for the EIS. And I'm not sure that I
12 understood the answer. And I think it would behoove
13 the RGUs to write a clearer paragraph in the draft
14 scoping document as you complete it that does make
15 that in plain English, what is the need for the
16 project. Which is the priority need, the public
17 need or the private need, and which one will trump
18 the other if they come down to conflicting findings.

19 Secondly, the graphic you put on the
20 screen here talks about 216B and G, and Minnesota
21 Statute 116D was omitted. The past two years were
22 spent under the provisions of 216B and G, which put
23 the burden on the public to come up with
24 alternatives. We see in the information handouts in
25 the packet here still put the burden on the public

1 to suggest alternatives. The Department of
2 Commerce, unfortunately, seems to misunderstand the
3 dictates and requirements of 116D, which puts the
4 burden on the RGU.

5 The statute says that no permit should be
6 issued for a project that has potential for
7 pollution so long as there is a reasonable and
8 prudent alternative. And the burden to find that
9 reasonable and prudent alternative is on the RGU.
10 Yes, the citizens are prepared to offer their ideas
11 of alternatives, but the perfect alternative may
12 still be out there and not have shown on this map.

13 It's imperative that the Commerce
14 Department and PUC demonstrate a search for that
15 perfect route or the most perfect route available.
16 There are some computer technology methodologies to
17 do that.

18 The citizens, when they put these lines
19 on a map, generally just look at where were some
20 other features they could follow. Could they
21 prepare a detailed environmental analysis of those
22 routes? No. There may be far better routes than
23 the ones suggested. And spatial analysis GIS
24 programs are already written and consultants
25 available that others use to route their pipelines.

1 I suggest that since the Enbridge
2 Sandpiper Pipeline has gone through literally three
3 years of iterations of improvements and refinements
4 to minimize the number of encroachments on valuable
5 resources that people object to, not one of the
6 alternatives has been allowed to go through that
7 same refinement process. So they have never been
8 upgraded to the level of refinement that the
9 proposed route has, yet they're going to be compared
10 to the proposed route as though they've been around
11 this whole time and that's not true.

12 But there is a methodology. It was
13 suggested by Friends of the Headwaters in the first
14 comment letter, and I'll submit them to the
15 Department again if you'd like to see the technology
16 of the GIS spatial analysis.

17 MR. CHARLIE PETERSEN: One minute.

18 MR. WILLIS MATTISON: Mr. Diessner made
19 an excellent point. The Applicant needs no
20 advocate. They have a full list of attorneys,
21 engineers, environmentalists, and a number of
22 experts to make sure they understand the law and the
23 process and understanding the impacts.

24 The advocate for the citizens are the
25 state agencies. They should not have to be their

1 own advocate. They are right now burdened to do
2 that. That is out of balance. They, in fact, pay
3 the salaries of the state agencies to be their
4 advocate, to know this stuff, and meet the company
5 face to face on level ground.

6 Citizens should be simply observers of
7 how well you do your job. They should not be the
8 ones twisting your tail to force you to do your job.

9 So please assume the role of the citizen
10 advocate in the process and demonstrate to the
11 citizens that that's how you view your job.

12 Thank you.

13 MR. CHARLIE PETERSEN: Thank you.

14 MS. BARBARA TUCKNER: Thank you, Willis.
15 The last person is Michael Dahl.

16 MR. MICHAEL DAHL: (Ojibwe.) My name is
17 Giikwekii Gabo, G-I-I-K-W-E-K-I-I, G-A-B-O. But if
18 you must, Michael Dahl.

19 I am from the White Earth Reservation. I
20 kind of find it ironic that I'm back at the very
21 beginning. You know, the very first informational
22 meeting was in the little gym over here three years
23 ago. And not much has changed. I can be totally
24 honest, not much has changed as far as the lack of
25 info, the lack of notification, because I found out

1 about it at 2:00 in the afternoon while I was
2 working with Honor the Earth.

3 I am no longer working with Honor the
4 Earth, so what I say does not represent Honor the
5 Earth nor White Earth Reservation. I am my own damn
6 being now, so I don't have to be nice anymore.

7 Here's the thing. We're lacking common
8 sense in this whole process. The Department of
9 Commerce, please do not personalize what I'm saying
10 because this is a personal issue for me, not
11 anything personal to you.

12 You have no business heading this up.
13 Because we are dealing with the Department of
14 Commerce, who are in charge of commerce, of making
15 money, while at the same time we're asking people
16 who are in charge of making money to distinguish the
17 environment.

18 Which they have no idea about the
19 environment. There is no environmental studies
20 class in achieving a business degree or business
21 management or accounting. None of it. Other than
22 your prerequisite of general studies of biology and
23 science in your freshman year of college. You have
24 no idea unless it's a personal endeavor, which this
25 is for me.

1 The thing that I look at here, Department
2 of Commerce, you do not have any business, period.
3 Period. This should be led and totally led by the
4 environmental departments, the Pollution Control
5 Agency, and the thing that I have when I look at
6 this as far as tribal entities, when I talked to the
7 guys back there they said they talked to White
8 Earth. Thank you. Thank you. But here's the
9 thing, you talked to the DNR, White Earth Department
10 of Natural Resources, you did not talk to the people
11 who have indigenous inherent knowledge. Okay?

12 I can tell you right now by going out and
13 looking at the lake on how the rice may be in
14 August. By July I'll be able to tell you whether
15 we'll have a good year or not. By July. Just by
16 looking at what happens with the lilly pads, the
17 gold rushes, and the trees on the shore and what the
18 muskrat is doing. Science cannot do that.

19 If people are looking out for our best
20 interest, then you're going to go to the people,
21 you're going to go to the farmers who are going to
22 reach down and grab the soil right now and tell you
23 it's time to plant. And then you're going to have
24 them go grab the soil over the Alberta Clipper
25 pipeline over in the township where I grew up on the

1 Nari Road, and feel that soil by somebody who felt
2 that soil back in 1975 when I was born. And tell
3 the difference. Because I rode my horse on that
4 pipeline corridor. The berries I used to pick, the
5 duck eggs I used to gather, the turtles we used to
6 trap, and the swamps we used to pick in are gone.
7 That is scoping.

8 Scoping is in this EIS. You go back to
9 that pipeline and walk it with me and I'll show you
10 where I picked raspberries, where I picked
11 cranberries, where i picked duck eggs, and you tell
12 me why they're not there anymore and then justify
13 doing that to another place. You take and you go to
14 Fond de Lac and you listen to the people that are
15 walking, literally kids growing up, balance beams on
16 pipelines and tell me what that's doing to the
17 environment.

18 The other thing you want to look at is
19 what happened there. Why, when we drove a five-mile
20 stretch of the pipeline, why does my horse not eat
21 and in five miles not take a single bite of grass.
22 That's scoping. Get the direction from the people
23 that know the land, don't go into the land and tell
24 the people what they need. I don't need a damn
25 pipeline.

1 The people that are pro this are the
2 people that are getting the limited benefits of it.
3 The people that get jobs. Nobody asked me or old
4 Grandma Joanne what's going to happen to the water
5 at Big Bear Landing, that she still walks a block
6 every day and gets water to make her coffee.

7 There is so much. I had no intentions of
8 talking tonight. You're coming to White Earth,
9 you're coming to Rice Lake, and please, and I'll say
10 this over and over again, the new faces, ask if Mike
11 can get pretty passionate, it's a personal issue for
12 me and for the people that have been here since we
13 walked into the gym three years ago and nothing has
14 changed.

15 Integrity, honesty, and transparency.
16 Reach out to the people that it really impacts. The
17 risk factors, quit treating this like collateral
18 damage. Quit treating the land and environment like
19 collateral damage. Out of sight, out of mind. I
20 don't care. I would much rather have them on trains
21 because now people are thinking about it, they can
22 see the oil going, now they're thinking about it.
23 That's why 50 years ago nobody was thinking about it
24 because nobody could see it. And we didn't have the
25 science that we have today to know the risk.

1 My love to you all. Come over to Rice
2 Lake in a couple weeks, it'll get better.

3 MS. BARBARA TUCKNER: Thank you, Michael.

4 We've exceeded our time, it's 9:10, and
5 what we want to propose is that the question and
6 answer period will happen in the back of the room
7 where you can seek out anyone from the DNR, from the
8 Department of Minnesota -- the PCA, from Commerce,
9 or from the PUC.

10 I thank you all for coming out tonight
11 and we will see you in the next round at Rice Lake.
12 Thank you.

13 Oh, this gentleman wants to speak for
14 three minutes. Okay. We will do that to honor him.

15 MR. JUL PRENDIZ: Thank you. I
16 appreciate it.

17 My name is Jul Prendiz, J-U-L,
18 P-R-E-N-D-I-Z. I live here in Park Rapids and have
19 been for the last 25 years.

20 I am a Paiute Indian from Southern
21 California, known to our people as Land on the
22 Water. I have been to Bemidji this morning, at the
23 Legion here in town. I spoke on the importance of
24 water. I spoke about the 804 spills that Enbridge
25 has, and in a 10-year span nationally it's 904 at

1 this point.

2 I'm here for the water. Clear water.
3 This is from the Headwaters of the Mississippi. I
4 take this right from the rocks. You can see how
5 clear that is. I take it right from the rocks and
6 have been for the last four years.

7 And it's sacred water. And I'll show you
8 why it is sacred water. Water is life and we drink
9 it to sustain life. I got this lid on pretty tight
10 so it doesn't leak in my bag.

11 Cheers. This is Headwaters. I would not
12 BS you.

13 Cheers.

14 MS. BARBARA TUCKNER: Thank you, Jul.

15 MR. JUL PRENDIZ: Hmm. Hmm, hmm, hmm.

16 MS. BARBARA TUCKNER: Oh, are you choking
17 here? You're supposed to say no, no, no.

18 MR. JUL PRENDIZ: You know, there's a lot
19 of impulse in the EIS and the DOC and the IRS and
20 ISS and, oh, my. You know, I'm not anti-pipeline,
21 I'm not pro-pipeline. All I'm saying is I'm
22 pro-Headwaters. Okay?

23 This is a no-brainer. Why would you run
24 a pipeline at the head of the waters of the
25 Mississippi, the great river that runs through 10

1 states? Why would you do that?

2 Let's take an alternative route. It's
3 that simple. I think we can do that, if we'd do a
4 survey with all these children at the school, it
5 would be a no-brainer, you wouldn't be able to stump
6 a fourth grader on this one. I think they all would
7 be down here if we'd tell them what's at stake here.

8 Idiotic. Really. Greedy, too.

9 That's all I got. Thank you.

10 MS. BARBARA TUCKNER: Thank you.

11 All right. As I promised, there will be
12 people in the back of the room that will answer your
13 questions.

14 Thank you all for coming out. And our
15 next meeting is in Rice -- it's in Carlton, I beg
16 your pardon, it's in Carlton.

17 Thank you, have a nice evening.

18 (Meeting concluded.)

19

20

21

22

23

24

25