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SCOPING AND INFORMATIONAL MEETING  
ST. PAUL - MAY 9, 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

St. Paul RiverCentre  
175 West Kellogg Boulevard  
St. Paul, Minnesota

COURT REPORTER: Janet Shaddix Elling, RPR

## I N D E X - S T . P A U L

	SPEAKER	PAGE
1		
2		
3	Trudy Dunham	4
4	Sharon Seibring	10
5	Jamie MacAlister	16
6	Darril Wegscheid	28
7	John Munter	33
8	Tom Pahkala	36
9	Stan Sattinger	39
10	Winona LaDuke	41
11	Emma Lockridge	46
12	Korey Northrup	49
13	Steve Dilger	51
14	Bob Zelenka	55
15	Phillip Wallace	57
16	John Hudson	61
17	Thane Maxwell	64
18	Dawn Bourdeaux	70
19	Doris Bandel	74
20	Carole Rust	75
21	Doug BusseIman	79
22	Alondra Cano	80
23	Martin Malecha	85
24	Jerry Striegel	89
25	Mahyar Sorour	91

1	Isabel Watson	94
2	Patty O'Keefe	96
3	Thor Underdahl	99
4	Phil Murray	102
5	Jean Ross	104
6	Kathy Hollander	106
7	Lee Samelson	111
8	Willis Mattison	114
9	Tom Watson	118
10	Dennis Ferche	124
11	Eileen Shore	127
12	Don Arnosti	131
13	Audrey Tsinnie	135
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 (Private comments.)

2 MS. TRUDY DUNHAM: Okay. Trudy Clyde  
3 Dunham, T-R-U-D-Y, C-L-Y-D-E, D-U-N-H-A-M. And I am  
4 testifying for the Women's Congress for Future  
5 Generations.

6 Do you want an email address or anything?

7 COURT REPORTER: No.

8 MS. TRUDY DUNHAM: A significant issue  
9 relevant to the proposed pipeline is the impact the  
10 pipeline will have on future generations. The  
11 environmental impact statement should explicitly  
12 address the rights of future generations, the public  
13 trust doctrine, the environmental justice framework,  
14 the precautionary principles, and climate change.

15 The Minnesota legislature has declared  
16 that each person is entitled to the protection,  
17 preservation, and enhancement of air, water, land,  
18 and other natural resources located within the  
19 state. That each person has the responsibility to  
20 contribute to the protection, preservation, and  
21 enhancement thereof. That it is the policy of the  
22 legislature to create and maintain within the state  
23 conditions under which human beings and nature can  
24 exist in productive harmony in order that present  
25 and future generations may enjoy clean air and

1 water, productive land, and other natural resources  
2 with which this state has been endowed. And that's  
3 pretty much Minnesota Statute 116B.01.

4 In order to protect these rights of  
5 present and future generations, the government must  
6 honor the public trust doctrine. The public trust  
7 doctrine has two parts. That community members, all  
8 of us, have an equal access to clean air and water,  
9 productive land where it is safe to grow food and  
10 build homes. The government's main responsibility  
11 is to hold these natural resources, also known as  
12 the commons, in trust for our use. To protect them  
13 from harm and exploitation and pass them on  
14 unimpaired to future generations. The environmental  
15 impact statement should demonstrate that the public  
16 trust doctrine has been met.

17 The argument that portions of our state  
18 with lower population rates are of, quote, low  
19 consequence, and thus can be held to lower standards  
20 of pipeline management, maintenance, monitoring, and  
21 emergency response plans is clearly a violation of  
22 the public trust doctrine that states all community  
23 members have an equal right to clean air, water, and  
24 productive land. It is also a violation of the  
25 environmental justice framework that the Minnesota

1 Pollution Control Agency adopted in December of  
2 2015.

3 The environmental impact statement should  
4 ensure that standards for management, maintenance,  
5 monitoring, and emergency response plans are  
6 consistent with the public trust doctrine and the  
7 environmental justice framework.

8 What are the cumulative impacts of this  
9 pipeline on the health and well-being of the  
10 community and its residents? We know that pipelines  
11 corrode, that they leak, and they rupture. There  
12 have been many examples, including the Kalamazoo  
13 River and the Yellowstone River. We know that  
14 significant spillage can occur before a leaking  
15 pipeline is discovered and repaired. Where the oil  
16 goes depends on whether it is a surface or  
17 underground spill, on how long before it is  
18 discovered, and on our geology, the type of soil,  
19 rock, lake, or river, and aquifers.

20 We know that surface oil spills and  
21 spills in water travel further and are more likely  
22 to form vapor and become airborne or to be dissolved  
23 in water. Exposure of chronic inhalation and direct  
24 skin contact are known to have negative health  
25 impacts. Crude oil contains a variety of toxic

1 chemicals, including benzene, a known human  
2 carcinogen. Breathing fumes from crude oil can  
3 cause respiratory and other health problems. Crude  
4 oil is a known teratogen and can cause birth  
5 defects, changes in fetal development, and decreased  
6 fetal survival.

7 Humans aren't the only ones negatively  
8 impacted by oil spills. The physical properties of  
9 oil interfere with the normal functioning of other  
10 organisms and animals. For example, when coated,  
11 birds lose their capacity to float, stay warm, and  
12 fly.

13 We know that crude oil is not readily  
14 biodegradable and that spills are difficult to  
15 clean. We don't know all the negative effects of  
16 exposure to the toxins in oil production and spills.  
17 Even short-term exposure may prove to be  
18 catastrophic and the consequences may take years to  
19 show up in our society. The effects will likely be  
20 cumulative. We recognize that toxins will likely  
21 interact with other toxins in our environment,  
22 causing complex health and environmental problems.

23 In the face of harm and scientific  
24 uncertainty, we must take action to prevent harm.  
25 We must act ethically to protect future generations

1           rather than waiting until all the evidence is in --  
2           is complete to ban a risky activity.

3                       The precautionary principle states that  
4           when an activity raises threats of harm to human  
5           health or the environment, precautionary measures  
6           should be taken even if some cause and effect  
7           relationships are not yet fully established  
8           scientifically. Let us heed the warnings of prior  
9           oil spills and disasters.

10                      The environmental impact statement should  
11           comply with the precautionary principle to deny an  
12           action when it threatens harm to humans or our  
13           environment. Monitoring for potential harm should  
14           be an essential activity with reports to the public,  
15           the ability to withdraw consent to an activity and  
16           thus end harmful practices and to require the  
17           polluter to pay for any cleanup and damages.

18                      In order to protect these rights of  
19           present and future generations to clean and natural  
20           resources, it is our, the present generation's,  
21           responsibility to slow down and to limit climate  
22           change. An initial consideration should be the need  
23           for the massive and ongoing amount of oil projected  
24           to flow through the pipeline.

25                      In this time of dire climate change, when

1 we should all be working to minimize global warming  
2 and greenhouse gas emissions, when we have pledged  
3 that our nation and our state will meet its  
4 obligations under the Paris Accord, we see no need  
5 to pipe the oil. The oil should remain in the  
6 ground. Before any infrastructure is approved or  
7 developed to transport oil via pipeline or other  
8 means through Minnesota, the environmental impact  
9 statement should demonstrate that there is, one, an  
10 essential long-term urgent need within Minnesota and  
11 the United States for energy that, number two,  
12 cannot be reasonably met by cleaner and more  
13 efficient energy sources. Consideration should also  
14 be given to research on new renewable clean energies  
15 and technologies.

16 In closing, the environmental impact  
17 statement should consider the rights and needs of  
18 future generations to clean air, water, and energy,  
19 to productive land for growing food and living. The  
20 public trust doctrine, the environmental justice  
21 framework, the precautionary principle, and whether  
22 oil is essential to meet the long-term energy needs  
23 of the United States and the availability of  
24 cleaner, more efficient energy sources, including  
25 those in research or development, must be

1 considered.

2 COURT REPORTER: Please state and spell  
3 your full name.

4 MS. SHARON SEIBRING: Sharon Seibring,  
5 S-E-I-B-R-I-N-G.

6 I'm speaking today on behalf of Minnesota  
7 350. And my understanding is that an environmental  
8 impact statement is needed if there is potential for  
9 significant environmental damage or to consider  
10 alternatives.

11 Members of the public have submitted  
12 eight alternative routes through Minnesota. Since  
13 the additional North Dakota and Bakken oil that is  
14 proposed to be transported on the Sandpiper Pipeline  
15 is bound for Chicago, the oil proposed to be  
16 transported in the Sandpiper pipeline does not need  
17 to go through Clearbrook or Superior. And this is  
18 what we are speaking to today.

19 Clearbrook or Superior. We believe a  
20 thorough environmental analysis of each of the eight  
21 alternative routes, with content from the public and  
22 state agencies with environmental expertise, should  
23 be the basis of any decision on pipeline routing  
24 should this brand-new pipeline be deemed by the PUC  
25 to be needed.

1                   Protection of Minnesota's remaining  
2                   highest quality waters, air, and environment, tribal  
3                   rights, and the public's right to use and enjoy the  
4                   commons are of utmost importance, even greater than  
5                   Enbridge's stated need to go through Clearbrook and  
6                   Superior.

7                   In addition, the environmental impact  
8                   statement should acknowledge the route favored by  
9                   Enbridge had been fine-tuned to go around areas  
10                  where problems were found while no fine-tuning was  
11                  done on the alternative routes before they were  
12                  compared to the one favored by Enbridge.

13                  (End of private comments.)

14                  MS. BARBARA TUCKNER: Good evening  
15                  everyone. Welcome. Thanks for being here this  
16                  evening.

17                  My name is Barb Tuckner. I work -- I'm a  
18                  state employee, I'm subcontracted by Commerce to  
19                  help moderate these meetings. And also my  
20                  colleague, Charlie Petersen -- Charlie, where are  
21                  you?

22                  MR. CHARLIE PETERSEN: I'm back here.

23                  MS. BARBARA TUCKNER: Charlie is back  
24                  there. We'll be moderating the meeting this  
25                  evening. So thanks for being here and we hope that

1 this is a -- this is an informative evening.

2 I wanted to, first of all, run through  
3 the process here. We have things that dive off the  
4 walls. Sorry about that. We did the best we could.

5 But from 7:00 to 7:20, going through the  
6 process relative to the environmental impact  
7 statement, and that involves a presentation and so  
8 forth. And then at 7:20 we're going to start with  
9 the public comments. So what we will do is we will  
10 have people come up and speak in the order in which  
11 they placed their card, if you will. That's our  
12 plan. And everybody will get five minutes to do so,  
13 the maximum of five minutes. And we will try to  
14 discuss that process a little bit more in just a  
15 bit.

16 Again, the purpose of this evening is to  
17 have you inform the environmental impact statement.  
18 As you know, the statement, Jamie will discuss more  
19 about the process dealing with that, but we're  
20 really, really keen to get your comments about what  
21 should be included in the environmental impact  
22 statements. So we just really are keen to get that,  
23 because the statement is what's going to drive the  
24 decision in the long run. So we're really  
25 interested in doing due diligence around that.

1           We have several people in the room  
2           tonight that represent different agencies associated  
3           with this project.

4           First of all, we have people from the  
5           Public Utilities Commission. Could you let us know  
6           where you are, PUC people? Are you in the room?

7           MR. SCOTT EK: Right here.

8           MS. BARBARA TUCKNER: Right here, okay.

9           And also the Department of Agriculture,  
10          people from the Department of Agriculture are here,  
11          is that right? The gentleman in the back of the  
12          room. So if you have questions, we're pointing  
13          these people out so if you have questions you want  
14          to direct to them you can certainly do so.

15          We have people from the Department of  
16          Natural Resources, please show us where you are? In  
17          the back of the room, and the woman here in the back  
18          of the room.

19          We also have people from the Minnesota  
20          Pollution Control Agency. Where in the world are  
21          you? All right. Several hands going up.

22          We also have people here from the  
23          Department of Commerce. Commerce, where are you?  
24          There you go.

25          Okay. So, again, we're hoping that, you

1 know, after the meeting, if there's time, or we'll  
2 make the time, if you want to talk to them directly,  
3 you can do so.

4 We already talked about signing up for  
5 public comments. And it's my job also to let you  
6 know that we have a court reporter in the room and  
7 she will be recording everything that you say for  
8 the record, so we will respect her wrists as time  
9 goes on and take a break at 8:15 because that's what  
10 she'll need to do.

11 The restrooms, by the way, are out the  
12 door to the left down a few panels.

13 My job also is to go through the ground  
14 rules and let you know how -- I should also mention  
15 that Enbridge is here, they have a space in the back  
16 of the room. They can answer questions relative to  
17 right-of-way, construction, and easement.

18 All right. So my job is to go through  
19 the ground rules and they're posted throughout the  
20 room, again, they're diving off the wall a little  
21 bit here. But the ground rules are pretty  
22 straightforward. What we're asking people to do is  
23 be respectful, courteous, and patient so everyone  
24 can fully express their thoughts and  
25 recommendations. As I mentioned, these meetings are

1 being held for the purpose of hearing from you  
2 specifically what should be included in the  
3 environmental impact statement. And that will be  
4 written over a course of time and Jamie will go  
5 through those timelines with you. So that is what  
6 we're here for this evening.

7 So we really need to hear people's  
8 thoughts and recommendations. We also know that  
9 there's many opinions in this room about this  
10 project, period. And so we want to emphasize that  
11 this is a democracy, this room is large enough, the  
12 whole building is large enough to hold those various  
13 opinions. So we want them in the room and we want  
14 to hear from you. But we need to be able to hear  
15 you. And particularly the court reporter needs to  
16 hear you. So we're asking for you to allow that to  
17 happen this evening.

18 And that's pretty straightforward stuff  
19 that we all tell our children. We don't interrupt,  
20 remain quiet so others can hear, don't obstruct a  
21 person's view. And then manage your cell phones, if  
22 you will. Turn them off, put them on stun,  
23 whatever, so they don't interrupt the meeting.

24 Okay. So those are pretty  
25 straightforward. Comments are going to be delivered

1 in five minutes and the moderator will keep track of  
2 your time and we'll do it as respectfully as we can.

3 Okay. It's my time now to turn the floor  
4 over to Jamie MacAlister. Is Jamie here? There she  
5 is.

6 MS. JAMIE MACALISTER: I'm here.

7 MS. BARBARA TUCKNER: Jamie MacAlister,  
8 she's the Environmental Review Manager at the  
9 Department of Commerce, she's going to give a brief  
10 presentation of the purpose of the meeting and a  
11 presentation on the proposed pipelines.

12 MS. JAMIE MACALISTER: Thank you, Barb.

13 Good evening, everyone. Welcome. I see  
14 a lot of familiar faces and a lot of new faces.  
15 It's good to actually have so many people here this  
16 evening.

17 As Barb mentioned, my name is Jamie  
18 MacAlister, I'm the Environmental Review Manager for  
19 this project for the Department of Commerce, Energy  
20 Environmental Review and Analysis unit.

21 I would like to go over a couple of  
22 things with you before we get started.

23 First, I hope everyone received a yellow  
24 folder when they came in. What's particularly  
25 useful in that folder is a copy of this

1 presentation, which has all of my contact  
2 information on the last page of the presentation.  
3 So, if nothing else, hang onto this so you know how  
4 to get in touch with me.

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

9 There's also a handout on how to suggest  
10 a route alternative. This serves merely as  
11 guidance, to put some context around how you might  
12 go about doing that. It is not by any means meant  
13 to limit how you submit a route alternative or a  
14 segment alternative. But, again, if you have any  
15 questions on that, please feel free to contact me.

16 There's also some criteria for  
17 alternative evaluations, which I would encourage you  
18 to look at and to take into consideration as you're  
19 providing comments. That's something that we're  
20 really hoping to get feedback on. One of the  
21 reasons it is important is because it will help us  
22 refine the purpose and need statement for each of  
23 these projects.

24 And I would like to remind everyone that  
25 these are two distinct projects and there will be an

1 EIS for each individual project, and therefore the  
2 purpose statement for each project is specific to  
3 that project. So we know that there is some  
4 concerns about the project purpose statement, so  
5 please, again, this is a draft scoping decision  
6 document, we are seeking feedback on that statement.

7 There's also a preliminary table of  
8 contents in your folder that can also help either  
9 flesh out concerns that you might have or perhaps  
10 indicate an area where we need to add something that  
11 we missed.

12 And then you will have two maps in your  
13 folder. One that shows what has been referred to as  
14 the system alternatives, and for historical reasons  
15 we have chosen to stick with that nomenclature. We  
16 realize that a number of people are familiar with  
17 that terminology and wanted to make sure that as  
18 those are considered further in the EIS analysis,  
19 that the terminology there is consistent. As well  
20 as a map showing all of the route alternatives that  
21 have been suggested thus far for both of these  
22 projects.

23 When you come up to speak, I would  
24 encourage you to be sure to clearly state and spell  
25 your name for Janet and that will help save time and

1 prevent her from having to remind you to do so.

2 Okay. So we are here this evening for  
3 the scoping meetings for the Sandpiper and the  
4 Line 3 pipeline projects. These are scoping  
5 meetings, and as Barb mentioned, we are really  
6 seeking feedback on information that you think needs  
7 to be scoped into these documents.

8 As you might imagine, there is a lot of  
9 regulation surrounding these projects. And that  
10 includes the statute and rules for this certificate  
11 of need, the statute and rules for the route permit,  
12 as well as Minnesota Rules 4410 for the preparation  
13 of the environmental impact statements, which I will  
14 refer to as, generically, the EIS.

15 And then once we get through the EIS  
16 process there will be contested case hearings for  
17 both the route and the CN, which will be presided  
18 over by an administrative law judge.

19 As we've been saying in these scoping  
20 meetings, they are really important for us to get  
21 your feedback on the types of information that needs  
22 to be analyzed in the environmental impact  
23 statement. So it helps to -- it helps us identify  
24 additional issues and/or impacts for analysis. It  
25 allows you, the public, or agencies, an opportunity

1 to participate in the development of route and  
2 segment alternatives. And it also informs the final  
3 scope. All of this information that we will get by  
4 the close of the scoping period on May 26th will be  
5 used to develop the final scoping decision document.

6 If you've been following these projects,  
7 I know that many of you have been, you know that  
8 we've had -- this is our third round of scoping  
9 meetings for these projects. And as we have been  
10 out here, the primary issues of concern that we've  
11 been hearing really surround doing some analysis on  
12 concern for groundwater, concerns with water  
13 resources, wild rice, tribal resource concerns,  
14 pipeline decommissioning, jobs and local economies,  
15 and climate change. So while these are not an  
16 exhaustive list, it's obviously just some of the  
17 primary things that we've been hearing over the last  
18 couple of years as we've been out talking with you.

19 So since we will have over 30 scoping  
20 meetings when all is said and done here, we're  
21 having these scoping meetings, meeting with tribal  
22 governments, local units of government, and state  
23 and federal agencies, we're really asking you now,  
24 is there an issue that has been overlooked. Is  
25 there something that we have missed along the way

1 that we need to know for these analyses.

2 I'd like to just briefly run through a  
3 little bit of the EIS process that we'll follow  
4 here. We are now at the public information and  
5 scoping meetings. And there will be a final scoping  
6 decision at the end of these -- the comment period,  
7 and that will be approved by the Public Utilities  
8 Commission. Once that is approved, there will be an  
9 EIS preparation notice issued, which will give us  
10 280 days to complete the EIS.

11 Once that occurs, we will have a draft  
12 EIS. And followed by draft EIS public meetings  
13 where there will be another opportunity for you to  
14 give us comments on the draft EIS. And we will have  
15 a final EIS and a determination of adequacy. And  
16 from there the process will move into the contested  
17 case proceedings, and a decision on the route and  
18 certificate of need permit.

19 So we have this EIS floating around out  
20 there, and we know that there is a permit decision  
21 that gets made and it can be really confusing to  
22 figure out who is doing what in this process.

23 So the Department of Commerce serves as  
24 the technical staff to the Public Utilities  
25 Commission. And for this project, the Minnesota DNR

1 and the Minnesota Pollution Control Agency will be  
2 serving as assisting agencies to us. And, of  
3 course, we're working with local, state, and federal  
4 governments, tribal governments, and the public and  
5 other interested parties. All of this will feed  
6 into the EIS. It will, in turn, inform the  
7 Minnesota Public Utilities Commission, which is the  
8 responsible governmental unit for making these  
9 permitting decisions. So the EIS is very important  
10 because it ultimately informs the decision-makers  
11 that will be determining the permits for these  
12 projects.

13 And, again, as the maps in your folder  
14 indicate, a number of system alternatives were  
15 proposed during the Sandpiper proceedings. They  
16 were also, again, proposed during the Line 3  
17 proceedings. And they are now being moved forward  
18 for consideration in the EIS. And the same is true  
19 for all of the route alternatives that have been  
20 proposed through these proceedings.

21 So, roughly, the anticipated permitting  
22 schedule is to have a final scoping decision by this  
23 summer, summer of 2016. A draft EIS early in 2017,  
24 followed by draft EIS public meetings. A final EIS  
25 and an adequacy determination sometime in the summer

1 of 2017. Contested case hearings in the summer of  
2 2017. And potentially a route permit decision in  
3 the fall of 2017.

4 I know most of you are here tonight to  
5 either provide us comments or listen to the comments  
6 of others. You are welcome to give us your comments  
7 verbally. You're welcome to send them to me by the  
8 comment form that you have. So by mail, email, fax.  
9 And as long as I get your comments by May 26th, they  
10 will all be taken into account to help us develop  
11 the final draft, the final scoping decision  
12 document. So, again, just a reminder that that  
13 comment period closes Thursday, May 26th, so please  
14 make sure we get your comments by then.

15 So, with that, I am going to turn this  
16 over to Charlie.

17 And I would also just like to mention  
18 that we have Michelle Beeman in the room, the Deputy  
19 Commissioner for the Minnesota Pollution Control  
20 Agency, as well as Bill Grant, the Deputy  
21 Commissioner for the Department of Commerce here,  
22 and they are available to answer further questions  
23 if you have any.

24 MR. CHARLIE PETERSEN: Now it's time to  
25 hear from you.

1 I want to take a couple of minutes and  
2 just sort of go through the process, Barb alluded to  
3 it. The first piece is that this is nine out of 12,  
4 10 out of 12 meetings that we've had. At a lot of  
5 those previous meetings folks came up and said I  
6 support or I oppose, and that's fine.

7 What we're looking for in the EIS, in the  
8 environmental impact statement. My vision of it is  
9 sort of the seasoning aspect, seasoning of the soup.  
10 We're looking for the issues and impacts to you, for  
11 your community, to your area that these pipelines  
12 may have.

13 Secondly, we're also looking for any  
14 options. Basic options or wacky, off-the-wall  
15 options, for how to mitigate those issues and ideas.

16 Thirdly, we're looking at a collection of  
17 routes. The map has disappeared. And there's in  
18 your folder a collection of criteria for looking at  
19 those routes. So look through those and give us  
20 your comments back on if there are additional  
21 criteria that need to be added, what criteria are  
22 for you is a good criteria for selecting a route,  
23 what criteria may be not as good of a piece for  
24 looking at the routes.

25 So we're looking for primarily three

1 things. Issues and impacts, ways to mitigate or  
2 address those impacts, and then the route criteria.  
3 So just be thinking of those as you're doing your  
4 comment. You don't need to focus on those, but  
5 that's just to help you think through the process.

6 We'll call the names that were put on the  
7 cards in the order that they were submitted. We'll  
8 have you come up front and make your comments to the  
9 group and to the court reporter. We will give you  
10 five minutes to provide your comments. I've got an  
11 iPad here with a timer that has a little clock so  
12 you can watch the time on that. If you would like,  
13 I will give you a two-minute and a one-minute  
14 warning. I will ask you that when you come up.

15 For folks that have been to the other  
16 previous nine meetings, we are going to stay, I  
17 think, with the ability to provide five minutes for  
18 comments. We've got about 33 to 35 cards, so the  
19 time will work and we'll probably go past 9:00. I  
20 apologize for that. But we're going to try to get  
21 all the comments in as possible.

22 The second thing is that at some of the  
23 other meetings we've gotten through early so we've  
24 been able to come back, we've been able to allow  
25 people to come back for what I call the second bite

1 at the apple, come back and comment again. I don't  
2 think we're going to have the opportunity to do that  
3 tonight.

4 So as you're coming up, as you're sort of  
5 planning your piece, try to get in as much in that  
6 five minutes as possible in a fashion that Janet can  
7 hear and understand.

8 I'll take the opportunity now. Janet is  
9 the court reporter. She's getting the information.  
10 She needs to hear. She needs to be able to enter it  
11 in. If she doesn't do that, she's going to get mad  
12 at me. I don't like people mad at me, so I'm going  
13 to have you slow down or, you know, do something so  
14 she can hear your comments. Because she's making  
15 the official minutes for these meetings.

16 Also, in previous meetings we had just  
17 asked for a poll of people that would come up front  
18 because we had extra time. I think at this point in  
19 time we are going to stick with only the people that  
20 submitted cards.

21 Jamie has got one other comment.

22 MS. JAMIE MACALISTER: I forgot to  
23 mention that when you submit your comments,  
24 depending on how you submit your comments will  
25 determine how to locate them at the close of the

1 comment period. Any comments that we receive in a  
2 written format, either by email, or if you send them  
3 in, we will be bundling those comments together and  
4 posting them on our web page and on eDockets in some  
5 alphabetical fashion.

6 If you chose to give a verbal comment  
7 only, those comments will also be posted on our  
8 website and on eDockets; however, you will have to  
9 look for the transcript at the location in which you  
10 spoke.

11 So there will be two different sets of  
12 comments, depending on whether they were verbal or  
13 written. So I just wanted to make sure everyone  
14 knows how to look for the comments once we get them  
15 posted.

16 MR. CHARLIE PETERSEN: Thank you.

17 For those of you, you can sort of see the  
18 handy-dandy timer. I will call out a first and  
19 second person like in baseball, the first person is  
20 up, the second person is on deck so you know the  
21 next person that is coming up.

22 As we stated earlier, roughly at about  
23 8:15 Janet needs to take a break. Her fingers can  
24 only handle so much so we'll take a 15-minute break  
25 at that point in time. When you come up, we will

1 ask you to state your name and spell your name so it  
2 gets into the record, or into the minutes directly.

3 Also, if you are reading from something,  
4 like I'm doing here -- if you're reading from  
5 something we may ask you for that written document.  
6 Again, it's trying to get the record as clear and as  
7 exact as possible.

8 So those are just some things as we go  
9 through the process tonight.

10 I think that's it.

11 So the first person up is Dale Wegscheid.  
12 Am I close?

13 MR. DARRIL WEGSCHEID: Wegscheid.

14 MR. CHARLIE PETERSON: Wegscheid.

15 Okay. The next person up is John Munter.

16 MR. DARRIL WEGSCHEID: First of all,  
17 hello to everybody.

18 MR. CHARLIE PETERSEN: Get closer to the  
19 mic. You can pull it closer.

20 MR. DARRIL WEGSCHEID: I always can use  
21 some coaching. Thank you.

22 My name is Darril Wegscheid, D-A-R-R-I-L,  
23 W-E-G-S-C-H-E-I-D. And I'll try not to mumble,  
24 that's my tendency.

25 Quickly, I'm a former state senator. I

1 served in the legislature in the mid-'80s. I served  
2 on the Department of Commerce on development as well  
3 as the Department of Natural Resources.

4 The EIS was developed during that period  
5 of time with some good minds with the idea of trying  
6 to find a balance between trading off economic and  
7 environmental issues.

8 So the other real job was as a logistics  
9 analyst for a major international company. In that  
10 situation I modeled supply chains, et cetera. So we  
11 had modeling issues as well as supply chain.

12 The question is the system. Either you  
13 have two EISs or one very large EIS. But you have  
14 two different pipelines starting at two different  
15 places supposedly going, with different products,  
16 going to same or different destinations. They come  
17 from oil fields and they go to refineries. That's  
18 the system, okay.

19 And to start with when Enbridge has a  
20 system they want to study is a false starting point,  
21 and that's where we got into trouble and the Supreme  
22 Court said go back and do an EIS. So, to me, every  
23 one of those routes on that map is available because  
24 you start discharging routes without doing an EIS on  
25 the pluses and minuses. And you need to do that.

1           So you either have two EISs or you have one  
2           comprehensive EIS.

3                       Quickly, in terms of the flows, when I  
4           look at the combined Sandpiper and Line 3  
5           replacement, first of all, Line 3 is not a  
6           replacement, it's a major addition in terms of  
7           you're taking the existing capacity, which has been  
8           denigrated because it leaks all over the place, and  
9           you're stepping it up to a larger diameter.  
10          Everybody knows that the volume through a double  
11          diameter will be four times the amount of volume.  
12          This is not double, but it's at least another third,  
13          so that's more volume. And you're changing the  
14          route. So that by itself is a different location,  
15          it's coming in from a different point and going to  
16          another point. So I think it needs to be part of  
17          the EIS statement that they both have an analysis of  
18          the petroleum flowage in Minnesota. Where it's  
19          coming from, where it's going to. Because this  
20          stuff is going to Chicago or going to Oklahoma.  
21          It's going into the south, which you can go straight  
22          down south through the Dakotas, you don't need to  
23          come to Minnesota to get to Superior, you can go  
24          south.

25                       Another issue, these are connected issues

1 under the EIS definition and they're phased issues.  
2 Again, the EIS needs to cover both of those. You  
3 cannot take it sequentially like Enbridge wants us  
4 to do. You've got Sandpiper and all of a sudden  
5 here's Line 3, you can't have the same line without  
6 studying either one of them. I mean, that's not the  
7 purpose of the EIS.

8 And then the issue of leaks. In 1980  
9 Enbridge had a leak in northern Wisconsin, they  
10 leaked five barrels of oil and they said it was  
11 cleaned up. The National Forest Service found that  
12 in 2013. They went in and took out 68,000 tons of  
13 dirt for that one barrel that was spread on the  
14 land. You put that land in water, and like  
15 Kalamazoo, they can't clean it up. There is no  
16 EPA-approved process to clear up tar sands in water.  
17 And this route that is their favorite goes right  
18 through the wettest area of Minnesota, the whole  
19 funnel for the Mississippi River.

20 And then, finally, two things. The  
21 siting process that they're proposing here, they  
22 said, well, it follows the power line siting  
23 process. Trust me, a power line environment is not  
24 the same as an oil pipeline. And so when you sited  
25 that on the power line corridor, now we've got a

1 right-of-way. You've got to go through a very  
2 detailed analysis.

3 And that gets you two things. My wife  
4 and I have property in Roosevelt and we are -- Lake  
5 Roosevelt happens to flow to several sources. One  
6 is Spire Valley. And Spire Valley is one of two  
7 Minnesota DNR fish hatcheries, it's probably the  
8 only trout hatchery in the five-state area. And  
9 it's spring-fed. You come digging a trench through  
10 there, you just wiped out the DNR's fish hatchery.  
11 That one has got to be ruled out.

12 And then in a modeling sense, talking  
13 with the PCA people and they're working with new  
14 technology models, you've got to run a lot of  
15 simulations. And the issue is they oftentimes run  
16 them, and today they run them for the duration when  
17 it happens, but you've got to run them for days and  
18 days and days after a spill to wind up with a final  
19 analysis on where that will end up.

20 Thank you. Appreciate your time.

21 MR. CHARLIE PETERSEN: Thank you very  
22 much.

23 After John is Tom Pahkala. Hang on just  
24 a second. We're getting all of our technology and  
25 everything ready to go.

1                   Are you ready?

2                   MR. JOHN MUNTER: My name is John Munter,  
3 J-O-H-N, M-U-N-T-E-R.

4                   The fact that we do not know where the  
5 oil is going after Superior is completely ridiculous  
6 at this point. After all the meetings last year,  
7 all the meetings this year, I think that this panel  
8 here is crazy. It is connected to Line 61 and  
9 obviously there's other connecting projects that  
10 should be part of the EIS.

11                  The fact that we don't know this means  
12 there's no public purpose. We don't know what the  
13 public purpose is for domestic consumption and  
14 international consumption, therefore there's no  
15 public purpose. And eminent domain should not be  
16 employed to take this and routes should not be  
17 eliminated until we know where this oil is going,  
18 what the public purpose is, and what the best  
19 ecological routes are. Chances are, Enbridge will  
20 diversify these routes, potential routings,  
21 therefore we should include in the EIS all these  
22 routings from Alberta to the Gulf and Alberta to  
23 East Coast refineries. There aren't that many great  
24 routings, probably. The public need should be based  
25 on a risk assessment.

1           The Superior refinery can easily be  
2           supplied with two railroad tank cars a day so that  
3           the old Line 3 with 900 anomalies and the proposed  
4           new Line 3 running 760,000 barrels per day are  
5           unwarranted risks to the environment. All train  
6           cars are being upgraded to new DOT 117 standards  
7           with jackets, thermal insulation, full height  
8           guards, and better release valves to make them  
9           puncture resistant.

10           Now, we know all pipelines will leak for  
11           two basic reasons. One is the wear and tear of the  
12           seasons, high pressure and caustic nature of the  
13           product, and human error. The other is the fact  
14           that Enbridge will never dig up a pipe, as proved by  
15           many 60-year-old pipes going through Red Lake, under  
16           the Mackinac Straits, and refusal to remove the old  
17           Line 3 with 900 anomalies. This is also proved by  
18           the laxity of regulators. All Enbridge pipes will  
19           remain active until they break or leak so the  
20           chances of the leak are 100 percent. Even though  
21           there's no history in terms of trains on the DOT  
22           117, a risk assessment should be based on the rail  
23           transport versus the constantly aging pipeline  
24           infrastructure of a much higher volume in place for  
25           a long era of inevitable fragility. The likelihood

1 of a pipeline break would have to then be considered  
2 100 percent compared to the replaceable and upgraded  
3 tank cars which may have less than a 100 percent  
4 failure rate.

5 A risk assessment should also be made on  
6 where pipeline failures happen. What percentage  
7 risk is there of a break into a waterway or aquifer  
8 versus on farmland, for example. A risk assessment  
9 of spills should be done on the Alberta to Superior  
10 to the Flanagan South to Cushing to the Gulf versus  
11 going from Alberta through southern Minnesota to the  
12 Flanagan South and the Chicago area refineries  
13 versus going from Alberta south through the Dakotas  
14 to Cushing and to the Gulf. The content would have  
15 to be included -- the content also would have to be  
16 included with sinking-to-the-bottom tar sands of  
17 Alberta in comparison to the float-on-water Saudi  
18 crude.

19 Risk assessment could easily be done on  
20 Bakken and Alberta oil versus Saudi crude in terms  
21 of greenhouse gas emissions. The 10 percent methane  
22 leakage discovered from a satellite in 2013 of the  
23 Bakken could be used for the Bakken crude and  
24 updated White House figures on methane emissions are  
25 applicable as well.

1           A study done by Howarth and Santoro --  
2           I'll provide this later -- from 2010, it's published  
3           on springerlink.com. Springerlink.com finds these  
4           methane emissions are at least 30 percent more than  
5           perhaps more than twice those of conventional gas  
6           out of the Bakken. And their overall conclusions  
7           for the footprint for shale gas is greater than that  
8           for conventional gas or oil viewed on any time  
9           horizon. But particularly so over 20 years, which  
10          is really important for us in our greenhouse runaway  
11          problem.

12                 Compared to coal, the footprint of shale  
13          gas is at least 20 percent greater and perhaps more  
14          than twice as great on the 20-year horizon as is  
15          comparable when compared over a 100 years.

16                 Thank you.

17                 MR. CHARLIE PETERSEN: Okay. Thank you.

18                 Tom Pahkala. And the next person up is  
19          Kevin Whalen.

20                 MR. TOM PAHKALA: Good evening. My name  
21          is Tom Pahkala. That's Tom, T-O-M, Pahkala,  
22          P-A-H-K-A-L-A.

23                 I work for the Minnesota pipe trades and  
24          I've been a plumber for 20-plus years. And in my  
25          career in plumbing I've worked on a lot of buildings

1 and a lot of infrastructure, from the IDS Tower and  
2 family farms in southeastern Minnesota.

3 And the one thing that I've seen on every  
4 job that I have been on, guys, is that leaks are  
5 caused by common faulty infrastructure. Anomalies.  
6 Anomalies end up being weak spots in pipelines in  
7 pipes from anything from a kitchen sink drain to a  
8 storm sewer 100 feet below the City of Minneapolis.

9 When we have weaknesses in our lines they  
10 tend to break. When we replace those lines with new  
11 pipes we get rid of those weaknesses and it's a good  
12 thing for everything. For the environment and for  
13 jobs.

14 Pipelines provide good paying jobs for  
15 people across the country and for people in our own  
16 back yards. They support middle class families with  
17 living wages.

18 They also provide open spaces in areas  
19 that normally don't have open spaces through the  
20 woods of northern Minnesota, and we end up with  
21 edges that a lot of the wildlife we have in  
22 Minnesota enjoys. We all enjoy looking at a  
23 whitetail deer in the springtime or a fawn when it's  
24 frolicking around, and whitetail deer are edge  
25 creatures. The more edges we have, the better the

1 whitetail deer likes it.

2 In conclusion, I'd just like to say that  
3 I support replacement of Line 3 and the Sandpiper  
4 line, and would like to see in the EIS a study on  
5 the benefits to the wildlife in the state and not  
6 just the impacts on the water.

7 Thank you for your time and  
8 consideration. And thanks to the Department of  
9 Commerce and the Public Utilities Commission for  
10 giving all the people in Minnesota a chance to  
11 comment and for providing a nurturing place that  
12 people feel comfortable in commenting.

13 Thank you.

14 MR. CHARLIE PETERSEN: Thank you very  
15 much.

16 The next person up is Kevin Whalen.

17 UNIDENTIFIED: Charlie, he had to leave.

18 MR. CHARLIE PETERSEN: Okay. Was he  
19 going to come back?

20 UNIDENTIFIED: I don't think so.

21 MR. CHARLIE PETERSEN: Okay. I will hold  
22 the card here just in case.

23 UNIDENTIFIED: Thank you.

24 MR. CHARLIE PETERSEN: The next person up  
25 is Stan Sattinger. And after Stan is Winona LaDuke.

1                   MR. STAN SATTINGER: My name is Stan  
2                   Sattinger. That's S-T-A-N, last name,  
3                   S-A-T-T-I-N-G-E-R.

4                   I'm a registered mechanical engineer and  
5                   a resident of Minneapolis. And I'm thankful for the  
6                   opportunity to testify -- to comment on the scoping  
7                   of the environmental impact statement for the  
8                   Sandpiper and Line 3 replacement.

9                   We need to have the EIS consider the one  
10                  environmental impact of the proposed projects that  
11                  surpasses all others in importance. The expedited  
12                  release of methane from melting permafrost  
13                  formations in the earth's northern latitudes.  
14                  Methane release would be a trans-boundary impact  
15                  because it won't matter where the release occurs, it  
16                  will jeopardize life everywhere.

17                  We've come to associate climate change  
18                  with discharges of CO2 in the atmosphere, but  
19                  methane is a far more powerful greenhouse gas than  
20                  carbon dioxide. It's about 30 times more potent in  
21                  warming the earth.

22                  The April 9th, 2014, issue of the British  
23                  publication, The Register, describes the methane  
24                  risk as the climate feedback cycle of increasing  
25                  temperature which melts more permafrost, which

1 releases more methane, which raises temperatures  
2 further, which melts more permafrost, et cetera. If  
3 the global climate warms another two-tenths of a  
4 degree, a large expanse of the Siberian permafrost  
5 will start to melt uncontrollably. We are steadily  
6 approaching this irreversible tipping point.

7 As a safeguard, the EIS for these  
8 projects should forecast the increase in global  
9 average temperature due to just the CO2 emissions to  
10 be generated by use of the combined 1.1 million  
11 barrels per day of conveyed crude oil over the  
12 lifetimes of these proposed pipelines. This is  
13 doable, it's been done frequently.

14 It should then -- the EIS should then use  
15 this projected warming to assess the projects'  
16 impacts on permafrost melting. Failure to include  
17 these forecasts in the EIS could allow climatic  
18 conditions to be exacerbated such that our rights to  
19 life under stable climate conditions with  
20 predictable and dependable supplies of food and  
21 water would be at risk.

22 I have a right and a duty under law to  
23 see that my children's and grandchildren's futures  
24 and those of future generations are protected from  
25 this terminal outcome.

1 I will be submitting these comments by  
2 email.

3 MR. CHARLIE PETERSEN: Thank you very  
4 much for your time.

5 MR. STAN SATTINGER: Thank you.

6 MR. CHARLIE PETERSEN: The next person up  
7 is Winona LaDuke. And then Emma Lockridge.

8 MS. WINONA LADUKE: (Ojibwe.) My name is  
9 Winona LaDuke, W-I-N-O-N-A, L-A-D-U-K-E. I  
10 represent Honor the Earth, but I'm from the White  
11 Earth Reservation.

12 MS. BARBARA TUCKNER: Can you hear?

13 MR. CHARLIE PETERSEN: Some people are  
14 having trouble hearing.

15 MS. WINONA LADUKE: Oh, so don't mumble?  
16 Is this better?

17 Okay. Thank you.

18 So my name is Winona LaDuke, and I'm  
19 Anishinabe from the White Earth Reservation in  
20 northern Minnesota.

21 First I want to say that this process  
22 does not constitute consultation with tribal people  
23 or tribal governments. There is a different process  
24 which needs to be undertaken with tribal governments  
25 and with tribal communities and this does not

1           constitute that, but I'm here to testify.

2                       Second, I want to say that I'm testifying  
3 with some duress. I have really low blood pressure  
4 right here and I say that because we had to -- the  
5 state citizens had to sue in order to get this  
6 consideration by the Public Utilities Commission.  
7 And we are grateful that there are now some hearings  
8 on the environmental impact. But the fact that we  
9 had to sue the state, the PUC, to get that, it was  
10 required by the Court, means that we feel that  
11 that's not necessarily the best form. And so we  
12 continue to believe that there should be a different  
13 responsible government unit for this process.

14                       So I'm here within that context to say  
15 some things. I feel as if, to be honest with you,  
16 that I was in Canada and one of my friends said they  
17 were having meetings and talking to their Canadian  
18 government, and it was a little bit like making  
19 small talk with a camel. That you could say  
20 whatever you wanted, but in the end you knew exactly  
21 what they were thinking. And that is a little bit  
22 what we feel like here as Native people, as citizens  
23 of this state feel. You come here and you feel like  
24 you're talking with a camel, and you know exactly  
25 what they're thinking.

1           So I'm going to tell you where I come  
2           from and I will testify and I have longer testimony,  
3           but what I will say is that the universe that I come  
4           from is a universe that has lived here for 8,000  
5           years. And in my universe there are four layers  
6           above and four layers below. There are beings that  
7           we see, the are beings that we do not see. There  
8           are beings that we know they're there, and in our  
9           world the word asin and the word stone is here right  
10          now. And we live in a world that is different from  
11          the world of the Public Utilities Commission and  
12          different than the world that most of the people in  
13          the state of Minnesota experience, particularly if  
14          you live on the reservation. So that would be  
15          called a tribal thinking, a little bit of what  
16          tribal people think. I don't know if that is  
17          exactly how you want to call it, but it needs to be  
18          considered in your process. And I don't know how  
19          you are going to deal with that.

20                 But what I will say is a couple of  
21                 things. I have a report here that I'm going to give  
22                 you, which was issued with the support of the  
23                 Environmental Protection Agency, that includes 180  
24                 sacred sites, cultural sites, areas of great  
25                 significance to our tribal people that are directly

1 along the Enbridge Sandpiper route. We believe this  
2 should be considered. This is not a place to put a  
3 route, where our sacred items are and where our  
4 sacred life is. I don't know how to quantify it.

5 Second, I would say that the duress on my  
6 community is immense. And the fact is that we  
7 already have a suicide epidemic on my reservation.  
8 We have a meth epidemic, we have a heroin epidemic.  
9 If you shove a pipeline down our throats that will  
10 get worse.

11 Recently the Canadian Post reported  
12 incidents in Cross Village, a Pimicikamak village, a  
13 project put in there by Manitoba Hydro to serve  
14 consumers here, Xcel consumers. That community  
15 experienced -- had 180 people attempting suicide,  
16 and six youth suicides in three months, 100 kids are  
17 on a suicide watch. The Pimicikamak community has  
18 an 8 percent unemployment rate and a dam that is in  
19 their village. They have got 11 suicide attempts in  
20 the last two months. What I'm saying is that this  
21 project, these projects will cause great duress in  
22 our communities. And I will guarantee you people  
23 will die as a consequence of this. I don't know how  
24 you count that, but what I'm saying is that an  
25 environmental impact statement must include the

1 first impact of the wells, whether they are in the  
2 Bakken with the methane releases or the fires we see  
3 burning in Alberta today, when we see a red sun in  
4 northern Minnesota from those very fires. That is a  
5 part of the impact of this pipeline and that should  
6 be included, as well as our health.

7 All along the line the short-term and the  
8 long-term impact must be included, including the  
9 massive waste of money on these pipelines when there  
10 could be many more jobs created in the cleanup of  
11 the new pipelines.

12 Finally, my colleague is coming up from  
13 Michigan to speak, and that is Emma Lockridge. And  
14 I just want to say we asked her to come up because  
15 we wanted to know where the oil was going and who  
16 were the people that would see that. And that  
17 company, Marathon Oil, one-third owner of this  
18 pipeline, had a spill of 50,000 gallons about a  
19 month ago in Illinois. In that spill they recovered  
20 no oil whatsoever. We believe that is too big of a  
21 risk for our community.

22 Thank you.

23 MR. CHARLIE PETERSEN: Thank you very  
24 much.

25 The next person up is Emma Lockridge.

1 And then Korey Northrup.

2 MS. EMMA LOCKRIDGE: Good evening. My  
3 name is Emma Lockridge, and I am a resident of  
4 Detroit, 48217, which is the most polluted zip code  
5 in the entire state of Michigan.

6 The EPA issued -- the University of  
7 Michigan did a study to rank pollution throughout  
8 our state. And the lower your number, that meant  
9 the cleaner your air, so 50 was pretty good.

10 Well, for us our number is 2,500. And  
11 one of the primary reasons it's so bad is we're  
12 surrounded by a lot of industries, but primarily the  
13 largest polluter in Detroit, 48217, is Marathon  
14 Petroleum Corporation.

15 When you think about a pipeline, when you  
16 put oil in it, it doesn't stay in the line, it  
17 moves. And where does it move to? It doesn't move  
18 to communities that look like you, it moves to  
19 communities that look like me.

20 Marathon Petroleum invested \$2.5 billion  
21 to process tar sands in our community. And in 2012  
22 it went online and our lives have never been the  
23 same. At night, that's why my friends are standing  
24 there. Many nights I have to sleep in this mask now  
25 because of the emissions that come in and engulf my

1 home and other neighbors. We are sick. We are a  
2 very sick community at this point.

3 The benzene releases are tremendous.  
4 Everyone around me is sick. We are all sick. I  
5 have had a kidney transplant from growing up near a  
6 refinery. My sister died on dialysis. My next-door  
7 neighbor is on dialysis. The person across the  
8 street from me died on dialysis. And my little  
9 handyman from around the block was just diagnosed  
10 with kidney failure last week. This is one of the  
11 impacts of the illnesses that we fear.

12 We have -- I have non-Hodgkin's lymphoma.  
13 No one in my family has that disease. No one in my  
14 extended family has kidney disease. I have over 30  
15 first cousins, but my sister and I became ill  
16 because of where we live.

17 When you decide to put oil through a  
18 pipeline, you have to consider where it starts and  
19 where it ends. And in Alberta, Canada, you've  
20 already destroyed and raped that land and harmed  
21 those people, especially the First Nations. And  
22 when that filthy, nasty oil makes its way to our  
23 community, it is killing us.

24 If you could only imagine going to sleep  
25 at night and you have an odor in your house that's

1 so horrific that you literally have to put a mask on  
2 and put a pillow over your head so you can sleep, so  
3 now our home's value -- we can't move. My house is  
4 worth \$15,000. It's been paid off for 20 years.  
5 Where are we going? My neighbors can't move because  
6 we can't sell the houses and now we're stuck in a  
7 refining community. And this is insanity for us.

8 And, by the way, let me say this about  
9 Marathon, who is a partner in this. When they  
10 decided to do the upgrade on the refinery, they  
11 bought out the white citizens who lived on one side  
12 of the refinery, over 200 homes, but they left us  
13 there to die. And until today they refuse to buy  
14 our homes. So that's the kind of corporation you'll  
15 be dealing with.

16 And then the reason I'm doing this is  
17 because I think about my sisters and brothers on  
18 White Earth. Those same toxic chemicals that kill  
19 us will end up in your lakes, in your rice, and they  
20 will kill you too.

21 And on a final note, you know, when you  
22 say, well, there's no spills or anything, I mean,  
23 just say the word Hiawatha, you know, and talk about  
24 Kalamazoo. But I'll just end with saying that since  
25 2010, the Center for Effective Government has said

1 that there have been 3,300 incidents of crude oil  
2 and natural gas spills and ruptures. Liquefied. 80  
3 people dead, 389 injured, 2.8 billion lost.

4 We've got to think of cleaner ways and  
5 smarter ways to do this. I don't want to put anyone  
6 out of work, but at the same time, we deserve to  
7 live just like your children and your families  
8 deserve to live too.

9 Thank you.

10 MR. CHARLIE PETERSEN: Thank you for your  
11 comment.

12 The next person up is Korey Northrup.  
13 Followed by Steve -- is it Dilger?

14 Korey. Okay, Korey.

15 MS. KOREY NORTHRUP: Hello. I'm Korey  
16 Northrup, K-O-R-E-Y, N-O-R-T-H-R-U-P.

17 First of all, I'd like to thank Emma for  
18 coming and speaking. It's nice to understand where  
19 this oil is going to end up and how it affects those  
20 people down there. We can't just consider one spot,  
21 we're only one small piece in a larger puzzle. So  
22 it's important to remember those kinds of things and  
23 I'd like to thank Emma for coming out and speaking  
24 on that.

25 The next thing I'd like to talk about is

1 the sugar bush. The sugar bushes, every year around  
2 Easter time, we partake in the tapping of maple  
3 trees and we use that to make maple syrup and sugar  
4 cakes, and it's a great time for everybody to come  
5 out and start to see each other after wintertime.

6 And right here is where my sugar bush was  
7 this year on the Enbridge corridor. This is some  
8 photographs that we have of the line that sticks out  
9 currently that was supposedly buried in wetlands.  
10 But as you can see, it obviously is not buried. And  
11 they want to abandon this, which for me is a safety  
12 issue, considering the fact that that's where we  
13 gather our food. And I give that to my elders, to  
14 my community members, and children eat that. And  
15 whatever is leaking out of that pipeline or  
16 whatever, that pipe is going to put oil in the  
17 ground, is going to go in that food that we give to  
18 so many people all around.

19 So these pipelines, they violate our  
20 treaty rights because they endanger our resources.  
21 They take away wetlands and things that we need in  
22 order for us to function as humans. Not just us as  
23 Indigenous people, but everybody.

24 And the treaty rights that we find most  
25 important is being out there to be able to gather

1 medicines, our maple syrup, our fish, keep our water  
2 clean, have our wild rice. And it's very hard for  
3 us to understand why still, after all this time, we  
4 still have to fight for our right just to be here  
5 and live our way.

6 So as I -- as I assert myself as  
7 Anishinabe and take my place in our society, I feel  
8 it's very important to comment, to come out and  
9 speak out and make people aware that it's not only  
10 us that we're asking these things for, we're asking  
11 this for everybody. For everybody that's in this  
12 room, for everybody that's not in this room, for  
13 everybody that will come and, you know, our seventh  
14 generation.

15 So I really appreciate everybody  
16 listening to me, and thank you.

17 MR. CHARLIE PETERSEN: Thank you very  
18 much.

19 The next person up is Steve Dilger. And  
20 after that is Bob Zelenka.

21 I'll ask you to state your name and spell  
22 it. Do you want a two- or a one-minute warning?

23 MR. STEVE DILGER: I'm good, I can see it  
24 from here.

25 MR. CHARLIE PETERSEN: Yeah, you can see

1           it.

2                       MR. STEVE DILGER: Good evening. My name  
3 is Steve Dilger, D-I-L-G-E-R.

4                       I just want to say thank you for putting  
5 this on tonight. And I really appreciate the fact  
6 that everybody is held to a strict five-minute time.  
7 From some of the meetings in the past, this is a  
8 welcome addition.

9                       So, gosh, after listening to the last  
10 couple of speakers it looks like I'm probably one of  
11 the worst people on the planet. What I am is an  
12 organizer with United Association of Plumbers,  
13 Sprinkler Fitters, HVAC Technicians. And we  
14 represent about 350,000, roughly, it's growing every  
15 day. As an organizer, I take pride in that. About  
16 350,000 professionals throughout the United States  
17 and Canada.

18                      Our men and women install and service and  
19 maintain piping systems from in your household --  
20 yes, believe it or not, everyone in this room uses  
21 our services. We prepare HVAC systems all the way  
22 up to nuclear power plants and everything, literally  
23 everything in between.

24                      I'm a member of Minneapolis Pipefitters  
25 Local 539, that's my home local. I mostly am a

1 husband just like many other people in this room.  
2 People that don't agree with what I'm saying, I'm a  
3 father. Don't tell anybody 'cause it's supposed to  
4 be a secret, but I'm going to be a grandfather as  
5 well pretty soon.

6 But I'm also an environmentalist. And I  
7 do believe in global warming and I do believe that  
8 something is happening with our planet. This  
9 environmental statement is going to decide if we do  
10 what we do as a society safely and to leave things  
11 better for our children and grandchildren in the  
12 future.

13 Just a quick show of hands. Anyone in  
14 this room remember back in the '80s when we were  
15 talking about Freon? Nobody remembers Freon? I  
16 remember Freon very well. I taught a class, 49  
17 Association, on global warming and Freon. We  
18 trained our members to take that problem that was  
19 killing our ozone layer, it was warming up our  
20 planet, they recognized that as a problem, we  
21 trained our members how to recover Freon safely, how  
22 to install the new systems, how to work with the new  
23 refrigerants. We got that problem solved. That  
24 problem was quite literally a drop in the bucket  
25 compared to fossil fuels and that, though. We'll

1 get there.

2 But I think as we get there we need to  
3 understand that we're not going to do it overnight.  
4 Let our men and women, our professional men and  
5 women install pipelines like this so we can get the  
6 old pipelines out of the ground -- thank you -- we  
7 can get them at least out of service. It's going to  
8 help us all in the long run.

9 Because if anybody in this room,  
10 environmentalist or not, I consider myself an  
11 environmentalist, but I'm also going to call myself  
12 a hypocrite. You know, I would like to see fossil  
13 fuels turned off, I would like to see the  
14 environment clean, as clean as it possibly can be.  
15 It's not going to happen overnight.

16 I use fossil fuels every day, like  
17 everyone else in this room uses fossil fuels every  
18 single day. Another show of hands, is there anybody  
19 who is willing to pay \$10 for a gallon of gas? You  
20 are? Good. You're in the minority. How about \$25  
21 for a bottle of face scrub that has oil inside of  
22 that? Everybody willing to pay that? I don't think  
23 the vast majority of people are willing to do that.

24 So I just want to say to the people who  
25 are making decisions on the environmental impact

1 study, let's just do our jobs. For goodness sakes,  
2 it's been 34 meetings in two and a half years.

3 Thank you. Let's make a decision.

4 At the beginning of this -- I've been to  
5 a lot of these hearings. At the beginning of this  
6 it was supposed to be a quick process like a year,  
7 year and a half. Now they're talking at least  
8 another year and a half. They're supposed to have  
9 280 days to do the environmental impact statement.  
10 I'd like to have the clock start as soon as it  
11 possibly could so we can get our men and women out  
12 there to help fix the environmental problems that  
13 we've got in this country, one of them being leaking  
14 pipelines. Let us get in there, do our job, clean  
15 up the environment together, laborers and the  
16 environmentalists.

17 Thank you.

18 MR. CHARLIE PETERSEN: Thank you very  
19 much for your comments.

20 The next person up is Bob Zelenka,  
21 followed by Phillip Wallace.

22 State your name, spell it. Do you want a  
23 two-minute or a one-minute warning?

24 MR. BOB ZELENKA: None.

25 My name is Bob Zelenka, B-0-B,

1 Z-E-L-E-N-K-A.

2 I'm the executive director of the  
3 Minnesota Grain and Feed Association. Our  
4 association represents grain elevators and feed  
5 mills in the state of Minnesota. We have 600 grain  
6 elevators and feed mills through Minnesota. We have  
7 approximately 150 grain elevators located on rail.

8 Our concern --

9 And again, I want to thank the Department  
10 for moving forward with the EIS scoping process. We  
11 urge you to keep the scope for the EIS to a  
12 reasonable level of detail. It's obviously  
13 important to inform the public. Pipelines are safe,  
14 pipelines are efficient, and from our standpoint  
15 pipelines are a safer way to move oil.

16 We have several hundred, close to 1,000  
17 employees that work within 100 feet of the rail  
18 lines. Many of those have oil trains going by on a  
19 regular basis. So safety is a big concern for us.

20 More importantly, congestion on the rail  
21 has been a big problem for us, particularly two  
22 years ago, we had a perfect storm, if you will, coal  
23 moving, grain wanting to move, we had a propane  
24 crisis, we had thousands of -- actually, millions of  
25 dollars in losses for farmers as well as grain

1 operators as a result. So that's our concern, is  
2 from a safety standpoint and a congestion standpoint  
3 on rail. If the product is going to move, from our  
4 standpoint it would be better to move it safely  
5 through a pipeline than what is currently happening  
6 with moving this product on rail.

7 Again, thank you for the opportunity and  
8 we certainly encourage you to move forward with the  
9 EIS scoping process so that, you know, a good  
10 evaluation will hopefully get this project moving  
11 along.

12 Thank you very much.

13 MR. CHARLIE PETERSEN: Thank you very  
14 much for your comments.

15 We've got time for roughly about three to  
16 five more folks to come up and speak before we take  
17 a break.

18 Mr. Wallace. And then after Phillip is  
19 John Hudson.

20 State your name, spell it. Do you want a  
21 two-minute, a one-minute warning?

22 MR. PHILLIP WALLACE: Sure.

23 MR. CHARLIE PETERSEN: Whenever you're  
24 ready.

25 MR. PHILLIP WALLACE: Phillip Wallace,

1 P-H-I-L-L-I-P, W-A-L-L-A-C-E.

2 And I'm not here to comment on the route,  
3 I'll leave it up to the people that are  
4 professionals on that part of it. But I am here to  
5 comment on the environment and public safety.

6 I am the business agent for Pipeliners  
7 Local 798. I represent the pipeliner welders,  
8 welder helpers, and pipefitters in the state of  
9 Minnesota that will help build the Sandpiper  
10 pipeline and the Line 3 replacement if the permits  
11 are issued.

12 Enbridge's environmental program is  
13 second to none in the pipeline industry. The state  
14 of Minnesota is what I call their home base in the  
15 United States. Enbridge spares no expense in  
16 choosing the contractors to do their work in  
17 Minnesota with trained workers from all of the four  
18 union crafts. My craft of pipeline welders do all  
19 the welding with the latest technology in the  
20 welding field, with the best training facilities all  
21 over the U.S., all over the United States and  
22 Canada. While the Operating Engineers,  
23 International Laborers, and Teamsters do the dirt  
24 work and all the environmental work from the very  
25 start of the job to the final restoration where they

1           leave the land and streams as good as or better than  
2           when they started. These workers have extensive  
3           training in the environmental field where they  
4           specialize in that type of work.

5           The environment and public safety is at  
6           risk when this crude oil is transported by rail or  
7           truck. The safest way to transport any liquid  
8           product is by a new, state-of-the-art pipeline built  
9           with the best materials, best craftsmanship, and a  
10          maintenance program to monitor its performance 7-24.  
11          Enbridge's pipelines are engineered and designed  
12          with emergency shutdown systems and backup emergency  
13          plans. Put the liquid product in a steel pipe and  
14          take it out hundreds of miles away without any  
15          exposure to the environment or the public. That's  
16          the goal. The Sandpiper pipeline will bring  
17          American crude from the Bakken oil field in North  
18          Dakota to be marketed in Superior, Wisconsin.

19          Enbridge is also wanting to replace an  
20          old, outdated pipeline, the Line 3 replacement  
21          project that runs across Minnesota. This pipeline  
22          will be taken out of service and replaced with a  
23          brand-new pipeline to move crude to market so the  
24          U.S. can keep prices cheaper at the pump for us all.

25                 The issue here is what can be done to

1 help the Minnesota Department of Commerce have new  
2 ideas to draft an EIS. I think the best idea for  
3 the environment and public safety is to put it in a  
4 pipeline and keep it off of the rail and road.

5 I ask for the decision of the Utility  
6 Commission to have the decision made within the  
7 280-day clock.

8 You know, this crude is going to be  
9 moved. Everybody here burned crude oil coming here  
10 tonight. If you didn't, you know, electric cars,  
11 you know, I like that idea. But we're just not  
12 there yet. Someday we will be, hopefully. But we  
13 got to have this crude for our farmers to farm, we  
14 got to have it to survive.

15 You know, we're surviving right now with  
16 OPEC oil, we're flooded with OPEC oil. I want to  
17 stop buying that from the countries that are our  
18 enemies. You know, I want to use American crude or  
19 Canadian crude, you know, for this country to  
20 survive.

21 So I want to ask -- I want to thank you  
22 all for having this meeting, for letting the public  
23 comment. And that's all I got to say tonight.

24 Thank you.

25 MR. CHARLIE PETERSEN: Thank you very

1 much for your comments.

2 We will take two more comments. John  
3 Hudson, then Thane Maxwell.

4 MR. JOHN HUDSON: John Hudson,  
5 H-U-D-S-O-N. I'm a member of the Teamsters Union.  
6 And I'm certainly for this because of the jobs and  
7 things.

8 But what I'd like to do, I'd like for  
9 everybody when they leave tonight to just think  
10 about how many pipelines they cross. We're sitting  
11 in this building with warm heat because the  
12 pipelines has brought this to us. Our water, we're  
13 sitting here because of pipelines. Back in the old  
14 days we got in caves and burnt wood. Because of  
15 pipelines and things, now we can set here and have  
16 these meetings and agree and disagree with each  
17 other.

18 All of our gas, I don't know for sure,  
19 but I don't think any is made in the state of  
20 Minnesota, it comes in pipelines from mostly Texas  
21 and the refineries and things. What would we do  
22 without these pipelines, ladies and gentlemen?

23 I went to a meeting last week and there  
24 was a gentleman there and he said, and I thought it  
25 was very interesting, he said in 1947 I went to a

1 meeting with my father. And they were trying to put  
2 up high-line things where they could bring  
3 electricity to the state. And the people were  
4 saying, oh, my God, don't do that because all the  
5 cows are going under the high-line wires and are  
6 going to die. But we see where we're at today,  
7 because of the high-line wires we have electricity  
8 here and things.

9 Enbridge has one of the best  
10 environmental pipeline companies in the world. They  
11 work at being environmental friendly. It is part of  
12 our culture as union people, we are trained to take  
13 care of the environment, to put things back the way  
14 we found them and to make it even better.

15 And as I said, when you go home tonight,  
16 I would bet anybody here crosses at least 50, maybe  
17 100 pipelines that hasn't caused any problem at all.

18 The gentleman made a good point there a  
19 while ago, he said about methane in the pipeline.  
20 The biggest contributor of methane in the world is  
21 cattle. Cattle make more methane than anything in  
22 the world, but we're not going to do away with dairy  
23 cattle, so why would we want to do away with  
24 pipelines?

25 Again, I'll close this by saying

1 pipelines have helped us, they're going to in the  
2 future. It creates jobs, it cuts down the costs of  
3 delivery and things. And, again, Enbridge is one of  
4 the very best. I work with them nationwide, and  
5 it's not only Minnesota that they have a commitment  
6 to the environment, they have a commitment  
7 nationwide to the environment to do it right.

8 These people that I work with, they are  
9 professionals. The operators can take that dirt and  
10 move it here and put it back and you won't even know  
11 it was there. The operators and laborers, these  
12 welders are the very best. They're like your  
13 special forces coming out here and building a  
14 pipeline. You're not getting a bunch of people that  
15 sit here and make a mockery out of it. We do this  
16 for a living. We're proud of what we do for a  
17 living, guys and girls.

18 And having said that, we'll do the best  
19 job that can ever be done up here, and I guarantee  
20 you Enbridge will make sure that this is one of the  
21 most environmentally friendly pipelines that's ever  
22 been laid in the state of Minnesota.

23 And I thank you.

24 MR. CHARLIE PETERSEN: Thank you.

25 The next person up is Thane Maxwell and

1 then we will take a break at that point in time.

2 State your name and spell it.

3 MR. THANE MAXWELL: Hi. Thank you very  
4 much for the opportunity to speak.

5 My name is Thane Maxwell, T-H-A-N-E,  
6 M-A-X-W-E-L-L.

7 First of all, I just want to respond to  
8 some of the comments from our union brothers and  
9 sisters here. We do not think you are bad people.  
10 I just want to say again, we do not think you are  
11 bad people. We know that you're highly skilled and  
12 we know that you're extremely competent and we know  
13 that you're extremely careful and we know that you  
14 care about the environment too. This is not about  
15 thinking that you're not good at your job or that  
16 you don't care or that you're not environmentalists.  
17 We know that you love this land as much as we do.

18 The fact is, we know that Enbridge loves  
19 this land. We know that Enbridge doesn't want a  
20 spill. We know that you don't want a spill. The  
21 fact is these things leak and they spill. It's  
22 inevitable. And the consequences are just too  
23 great.

24 So, you know, we want to break that bond.  
25 We want to work with you to fix up this old mess, to

1 clean up the old mess, to dismantle the old lines,  
2 and find those puddles of oil sitting under them and  
3 clean them up. We think Minnesotans should be put  
4 to work doing that for a job. And Enbridge should  
5 not be able to walk away from Line 3 or any of the  
6 other lines that they plan to walk away from after  
7 that because they are crumbling and full of holes.  
8 That they should have to deal with that and that  
9 that is actually a job creation opportunity.

10 Another thing I want to talk about is the  
11 definition of the project purpose. Now, my friend  
12 John Munter spoke about this, he was one of the  
13 first people to testify tonight. He's a very smart  
14 guy, he might have gone a little too fast, I just  
15 want to break it down for you.

16 The entire scope, the draft scope for the  
17 EIS that we have been presented with here and we are  
18 asked to comment on is based on a definition of the  
19 purpose of this project and it is defined as getting  
20 oil to Superior, Wisconsin.

21 Now, what John was trying to say is that  
22 that is not a public purpose that warrants  
23 condemnation of private land through eminent domain.  
24 That is a private purpose. That is Enbridge's  
25 desire. That is not the purpose. The purpose, the

1 public purpose, and I agree with what you all are  
2 saying, we all use oil, right. There is a purpose  
3 to this pipeline and the purpose is to get product  
4 to market. The purpose is to get product to  
5 refineries and after the export ban is lifted in  
6 this country, which Enbridge lobbied very hard to  
7 get, to export it to other countries.

8 And so if the purpose is to get oil from  
9 the Bakken or from Alberta to refineries and ports,  
10 then that should be defined as the foundation of  
11 this entire document that we're asked to comment on  
12 and the scope of the impacts that we're looking at,  
13 as well as the possible routes that we're looking at  
14 to do it.

15 Now, there's been a lot of confusion  
16 because the purpose statement in the draft scope is  
17 basically only for Sandpiper. And, you know, we're  
18 told that there will be two EISs with two different  
19 purposes, and that Sandpiper is a new line, so maybe  
20 you have some room to talk about, you know, another  
21 set of alternatives, but that Line 3 is a  
22 replacement and so that's a fixed route, we have to  
23 stick to Superior on that.

24 Well, we want you to know we disagree  
25 with the definition of Line 3 replacement project as

1 a replacement project. It is a new line and a new  
2 corridor, it is bigger in diameter, it has larger  
3 capacity, and in the National Environment Protection  
4 Act it specifically says that if you move to a new  
5 place, it's a new project and it needs a new  
6 Presidential Permit. So we disagree with the fact  
7 that the two lines are being collocated and defined  
8 as the same purpose as getting oil to Superior.

9 We need to -- as John was trying to say,  
10 we need to take a step back and look at where this  
11 oil is going and what is the best way to get it  
12 there, not just what does Enbridge want. Thank you.

13 The other thing I want to point out is  
14 something that hasn't been mentioned yet. The  
15 consulting firm in charge of this Cardno. Now, we  
16 have never seen -- the public has never seen the  
17 contract that the Department of Commerce has with  
18 Cardno defining their relationship to perform this  
19 study. I have asked for that and I was told I'd  
20 have to do a Data Practices Act to see it. So the  
21 public is not informed about what that relationship  
22 is and what this company's parameters are for doing  
23 the study.

24 What should have happened -- and they've  
25 also been hired prematurely. What should have

1           happened is there should have been a request for  
2           proposals sent out with public access so that the  
3           public could have a say on who is in charge of the  
4           EIS. How can you hire the company doing the EIS  
5           before you have scoped the EIS? If you don't know  
6           what impacts you're looking at, what geographic area  
7           you're looking at, how are you going to decide who  
8           is qualified to do the study? That doesn't make any  
9           sense.

10                         So what the DOC has done is they've  
11           revised their contract with Cardno that they had  
12           before the alternative environmental review was  
13           overturned by litigation, and we won this EIS,  
14           right? They just revised that old contract and kept  
15           moving forward. And I spoke with them at the last  
16           hearing and they told me that they feel rushed, that  
17           they don't even feel like they've had enough time to  
18           do it right. Well, we feel rushed too.

19                         And if the consulting firm is, you know,  
20           this one talks about the project purpose segment,  
21           the purpose is defined as getting oil to Superior  
22           and you've got routes on this map that don't go to  
23           Superior. I asked them why that is, that's very  
24           confusing to citizens. They're asked to comment on  
25           a project that has alternative routes that don't

1 meet the project purpose. And they said, yeah, we  
2 realize it's very confusing, we've been rushed.

3 MR. CHARLIE PETERSEN: Please complete  
4 your thought.

5 MR. THANE MAXWELL: Yes. Thank you very  
6 much.

7 So what I'm trying to say is that there's  
8 been a very dysfunctional process, a very thoroughly  
9 flawed process, and it continues.

10 Thank you.

11 MR. CHARLIE PETERSEN: Thank you very  
12 much.

13 It's about 18 after 8:00. So let's say  
14 at 8:33 we'll start up again.

15 (Break taken.)

16 MR. CHARLIE PETERSEN: Let me try this  
17 again. I'd like to get people to take their seats  
18 so we can get started. We have at least 23 cards  
19 left. We are hoping to be out of here by 10:00,  
20 we're going push it, so I don't know that we're  
21 going to hit those windows, but I will work to try  
22 and move this along. So if we could take our seats,  
23 please, and get this going.

24 The next two people up are Dawn  
25 Bourdeaux, followed by Doris Bandel.

1                   If I could have folks -- just to sort of  
2 speed up the time in between, I'll call out the  
3 first name and the second person can come up and sit  
4 somewhere here and be ready to get up and ready to  
5 speak when their turn comes. That would just simply  
6 help speed this process up a little bit.

7                   I also have to be cautious of Janet's  
8 time, too, because that's her time to sort of -- for  
9 her getting her final edits in.

10                  So is Dawn Bordeaux here? The next  
11 person up is Doris Bandel and you're right here,  
12 perfect.

13                  If I could get folks to take your seats,  
14 we will get started momentarily.

15                  State your name, spell it. Do you want a  
16 two-minute, one-minute warning?

17                  MS. DAWN BOURDEAUX: Um-hum.

18                  MR. CHARLIE PETERSEN: Both? Okay.  
19 Again, folks, if I could have as much quiet as  
20 possible so we can hear. Thank you very much.

21                  MS. BARBARA TUCKNER: The voices in the  
22 back of the room come right up to the front. Thank  
23 you.

24                  MS. DAWN BOURDEAUX: Dawn Bordeaux,  
25 D-A-W-N, B-O-U-R-D-E-A-U-X. I represent the

1 Erie-Bourdeaux Family Revocable Trust.

2 We are probably one of the most affected  
3 landowners for the Sandpiper, Line 3. Connected  
4 projects will be the new tank farm, West Clipper,  
5 and the high voltage docket number is 14-665. When  
6 this is all said and done, our family farm, which is  
7 property number MN-CL-014.00, will be a Century Farm  
8 in January. It's been part of our family's past,  
9 our present, and our future.

10 With that, on the Erie Lake there are  
11 springs that we need to address, along with a hot  
12 spring. With the high-voltage power lines and with  
13 having ten lines, nine active and one abandoned, and  
14 having a 115 cable transmission lines paralleling  
15 with the pipelines, we want to address the corrosion  
16 in the pipelines.

17 This has been a very difficult process  
18 for my family. My father, who just turned 87, had  
19 Enbridge employees out daily, Minnkota Power people  
20 out daily, and contractors, because on this property  
21 we also own a gravel pit that they want to supply  
22 the tank farm with.

23 With this being a Century Farm, we can  
24 trace breeding back almost 100 years for our cattle.  
25 You can't replace that.

1           As a landowner, we need to look to what  
2           our neighboring sister or state, Iowa, did with  
3           Dakota Access, where they put in 25 million so  
4           farmers who don't get paid, they have a spot to go  
5           to.

6           Also, we need to address safety. The  
7           local fire departments in Gonvick and Clearbrook are  
8           all volunteers. I know firsthand. My brother is a  
9           member of the Gonvick Fire Department. We've had  
10          union people, we've heard environmentalists, but  
11          safety has to be the number one thing addressed.

12          With that, two years ago, my mom passed  
13          away. Not one person could respond from the Gonvick  
14          Fire Department. They're all volunteers. They were  
15          all working other jobs. What happens if we have  
16          something going on, like the explosion of them on  
17          the south side of Clearbrook, where two employees  
18          were preparing a line and they were killed. What  
19          happens if we can't send out people to help? I  
20          remember that night quite well. The sky lit up in  
21          orange. There's safety for everyone involved.

22          Also on the property that they want to  
23          build a tank farm, when it was 1954 it was owned by  
24          Lakehead Pipeline. Lakehead lost a piece of  
25          equipment in a wetland that goes onto our property

1           which will join into the Erie Lake. They could not  
2           recover that. They stuck a pole down 20 feet and  
3           could not touch it. We need to look at our past to  
4           see what happened and we need to prepare for our  
5           future.

6                        There is an abundance of wildlife that  
7           would be affected. And we know from them going  
8           through, the land is never the same. It takes us a  
9           minimum of four or five years to reclaim it back, to  
10          get the same production as the rest of the fields.  
11          Timing will be huge. It will put our farm under if  
12          all of these projects go at once. But all these  
13          four projects need to be looked at together in the  
14          EIS because they are all connected.

15                      Also, we also need to look at the animal  
16          diseases from a neighboring farm and cleanup of  
17          equipment that has happened from land to land. We  
18          cannot replace that breeding of cattle that goes  
19          back 100 years. This is part of my family's history  
20          and is a part of our future that future generations  
21          can use. Clearwater County has 42 Century Farms and  
22          we're asking that we have the same rights as them.

23                      Thank you.

24                      MR. CHARLIE PETERSEN: Thank you very  
25          much for your comments.

1                   The next person up is Doris Bandel. And  
2 then followed by Carole Rust.

3                   If you could state your name and spell it  
4 for Janet. And do you want a two-minute and a  
5 one-minute warning? Thank you.

6                   MS. DORIS BANDEL: My name is Doris  
7 Bandel. And it's D-O-R-I-S, Bandel is B-A-N-D-E-L,  
8 like Handel, the composer, not Mandel.

9                   I'm a member of the North Star Chapter of  
10 the Sierra Club, and in support of a robust and  
11 thorough environmental impact statement addressing  
12 the following issues. I'm a partial owner of a  
13 cabin on Lake Kabetogama near Gamma (phonetic)  
14 Landing.

15                   I've read about previous pipeline spills  
16 in violation that were the responsibility of  
17 Enbridge.

18                   Okay. Sorry if I'm out of breath, I am  
19 with the lady Emma as far as having to have  
20 difficulty breathing. I only have one lung.

21                   Contrary to the gentleman that said  
22 there's been no accidents by the Enbridge Company, I  
23 have here, in a very quick research online, a list  
24 of the problems that Enbridge has had. And roughly  
25 since 2010, \$6.5 billion -- no. Million, \$6.5

1 million worth of damages that they were assessed.

2 It concerns me that not if, but when  
3 there will be another accident. And I would like  
4 the safety record of Enbridge to be part of the EIS.

5 Also, I would like the EIS to address the  
6 impact of a spill on the many watersheds, including  
7 Lake Kabetogama watershed, and what impact this  
8 would have to the walleye fishing of the lakes and  
9 rivers near the pipeline when the spill occurs.

10 Also, I would like the EIS to include the  
11 impact to water quality and direct impact to  
12 communities and tribal lands by this pipeline.

13 As an alternative, we can conserve energy  
14 and leave oil in the ground. I myself use 100  
15 percent wind source energy in my home.

16 I would like to thank you for your time  
17 and consideration.

18 MR. CHARLIE PETERSEN: Thank you very  
19 much.

20 The next person up is Carole Rust,  
21 followed by Doug Busselman.

22 State your name and spell it. Do you  
23 want a two-minute and a one-minute warning?

24 MS. CAROLE RUST: Yes, please.

25 Hi. My name is Carole Rust, C-A-R-O-L-E,

1 R-U-S-T. I'm not a very good public speaker, so  
2 bear with me.

3 I am a grandmother. I have four  
4 grandchildren, two of whom have asthma. And when  
5 they get their problems with asthma they will lie  
6 flat because they can hardly move. The youngest of  
7 the two is four and a half.

8 I am also a person of faith and I am  
9 extremely concerned about the environment, caring  
10 for God's creation, and climate change. That is a  
11 social justice issue as well as an issue of faith.  
12 Climate change is here and it's already affecting  
13 people.

14 The northern part of our state is water  
15 rich. It is precious to all Minnesotans. It is  
16 precious to my family. My two granddaughters were  
17 so excited to hear that they were going to go up  
18 there for vacation, they said it was better than  
19 Disney World.

20 I know that you guys want jobs for pipes,  
21 but we also have natural resources and people that  
22 come for tourism. And those pipelines will break.  
23 They will get old, even if they're made well.

24 Enbridge does not have a good record.  
25 The spill in Kalamazoo over five year ago set that

1 river on fire. They still can't clean it up. If  
2 they keep dredging, they'll do more harm.

3 A farmer had his field end up with oil in  
4 it, he found out while he was doing evening work in  
5 his field. He couldn't figure out what it was when  
6 he smelled the problem. Enbridge had that pipeline  
7 going for 24 hours before they knew there was a  
8 problem. So whatever the problems were where they  
9 were supposed to be able to know about it, they  
10 didn't.

11 There has to be somebody that will be  
12 overseeing Enbridge and their old pipelines, their  
13 new pipelines, and the damage they do when they put  
14 in new pipelines. And the jobs that they get rid of  
15 that are people that are outfitters and other people  
16 that depend on our north.

17 We should also understand -- we should  
18 also understand that our state has not really  
19 thought too hard about oil conservation instead of  
20 building a new pipeline.

21 Our country back in November agreed with  
22 all the other countries in the world that we needed  
23 to do something about climate change and we needed  
24 to do it now. We don't have a lot of years to turn  
25 this around. We need sustainable energy.

1                   And by the way, the oil that might be  
2 transported could be tar sands oil. That's not  
3 regular oil. That includes benzene and other  
4 chemicals in it that are really, really, really  
5 dangerous. We need to know what those chemicals are  
6 and how somebody could possibly clean them up,  
7 because tar sands oil can't be cleaned up well, if  
8 at all.

9                   How you get those -- you can't get a  
10 promise, you have to have something that can tell us  
11 it can't happen. Because once it's done, it's done.  
12 You can't fix it.

13                   As a taxpayer, I would like to know who's  
14 going to pay for it. And do they really have that  
15 much money? And what kind of laws will they have  
16 for all the old pipelines?

17                   I would like to recommend that they try  
18 to find ways to use less oil, more sustainable  
19 energy. That the state of Minnesota look for --  
20 Minnesota has never comprehensively considered what  
21 to do to reduce the state agency oil consumption or  
22 help its residents reduce use of oil. The  
23 environmental impact statement should consider what  
24 oil conservation can do to make Line 3 and Sandpiper  
25 unnecessary and mitigate impacts of the pipelines

1           that are built.

2                     Thank you.

3                     MR. CHARLIE PETERSEN: Thank you very  
4 much for your time.

5                     This is Doug. And followed by Alondra  
6 Cano.

7                     State your name and spell it. Do you  
8 want a two-minute and a one-minute warning?

9                     MR. DOUG BUSSELMAN: I'm Doug Busselman.  
10 Busselman, B-U-S-S-E-L-M-A-N. And I'm the Director  
11 of Public Policy for the Minnesota Farm Bureau.

12                    I would like to express our appreciation  
13 for the Department of Commerce for moving forward  
14 with the EIS scoping process for the Sandpiper and  
15 Line 3 replacement projects.

16                    Minnesota Farm Bureau policy supports the  
17 efficient permitting of Sandpiper and other  
18 pipelines. As the process unfolds for the  
19 environmental evaluation, we would strongly  
20 encourage a vast improvement over the current delays  
21 and uncertainty that have marked the experiences we  
22 have seen.

23                    As this scoping process is considering  
24 aspects for inclusion, we would hope that the  
25 present issue of moving oil in the fashion it is

1 being moved through rail cars is recognized as the  
2 poorest alternative system available, with the best  
3 workable solution found in the approach of the  
4 proposed pipeline and system upgrades. Doing what  
5 is done now is not only a safety issue, but has also  
6 demonstrated negative consequences several years ago  
7 for being able to move grain in a timely fashion  
8 because of the inability to get rail cars in a  
9 system that was over capacity.

10 We strongly encourage those responsible  
11 for carrying out the environmental impact process to  
12 move forward with an efficient commitment to  
13 assurance for completing, and that's been something  
14 that's been missing in the manner that has been in  
15 the case to this point.

16 MR. CHARLIE PETERSEN: Thank you very  
17 much for your comment.

18 Alondra is next. And then Martin, is it  
19 Malecha?

20 State your name, spell it for the court  
21 reporter. And would you like a two-minute and a  
22 one-minute warning?

23 MS. ALONDRA CANO: One minute.

24 MR. CHARLIE PETERSEN: One minute.  
25 Perfect. Thank you.

1 MS. ALONDRA CANO: Buenas tardes. Good  
2 evening. My name is Alondra Cano. And that is  
3 spelled A-L-O-N-D-R-A, last name, C-A-N-O.

4 I am the first Latina and  
5 Mexican/American to be elected to the Minneapolis  
6 City Council. I represent close to 30,000 people  
7 and the nation's largest urban American Indian  
8 population.

9 We know that the American Indian  
10 population in Minnesota depends heavily on the  
11 health and vitality of the wild rice food economy.  
12 Additionally, we know that as Minnesotans the health  
13 of the water impacts everybody. Water knows no  
14 boundaries. So even though Minneapolis is hundreds  
15 of miles away from the proposed pipelines, the  
16 organic body that is connected throughout the state  
17 will have an impact on Minneapolis residents.

18 One of the things I wanted to talk about  
19 was the issue of negatively impacting our water,  
20 knowing the history of the Enbridge Company. There  
21 have been documented hundreds of significant oil  
22 spills over the years and I'm heavily concerned that  
23 this company does not have the integrity to move  
24 forward with this project in a safe and sound way.

25 When it comes to routing criteria, I

1 believe that one of the main components that should  
2 be taken into consideration is ensuring that these  
3 pipeline routes do not go through permeable soil.  
4 Also, they should not be within 100 miles of any  
5 fresh source of water. And currently the route is  
6 proposed to impact the pristine lakes of northern  
7 Minnesota, watersheds, the Mississippi Headwaters,  
8 Crow Wing, Big Sandy Lake, Rice Lake, and many other  
9 bodies of water.

10 When it comes to the issues and the  
11 impact, I think it's really important to acknowledge  
12 that the previous pipelines that have been put forth  
13 by Enbridge are suffering from leaking, cracking,  
14 corrosion, and abandonment. So one of the things  
15 that this study should look at is the Superfund site  
16 that currently the people I represent are connected  
17 to because of the land that holds these pipelines,  
18 pipelines which have surely leaked into the soil.  
19 And we need to go back to those and study them and  
20 understand what is the current negative impact that  
21 is happening to our land and our earth right now  
22 before anything more is given to Enbridge.

23 I also want to encourage us to look at  
24 the disruption on the wild rice beds. If everything  
25 were to go okay with these lines, I also want to

1 know what is the expected impact and cost of cleanup  
2 if all hell breaks loose on these lines. The  
3 economic impact that will happen if the wild rice  
4 food economy is disrupted is important for us to  
5 study. Not only for people in northern Minnesota,  
6 but in the Indigenous communities that live in the  
7 Twin Cities area, as well as the food cooperatives  
8 that sell and have become very popular for providing  
9 wild rice to our Twin Cities communities.

10 It's really important for us to  
11 understand what that economic impact is going to be  
12 on the Twin Cities families who depend on this wild  
13 rice economy, because we are talking about jobs.  
14 Current jobs that are providing livelihoods for  
15 people in the state of Minnesota for the original  
16 inhabitants of this land and suffer from one of the  
17 worst racial inequity disparities in the nation.

18 I also want to talk to you briefly as the  
19 daughter of an environmental justice movement.  
20 Representative Karen Clark, who represents our  
21 community very well at the state capital, who also  
22 has a daughter in many different rights movements,  
23 and somebody who helps to strengthen the unions and  
24 the labor movement by ensuring that immigrant  
25 undocumented people can participate in the process

1 of building workers rights together nationally.

2 I believe we are being bamboozled. We  
3 are being taken advantage of when we're put in a  
4 situation where we have to fight between the  
5 environment and workers rights. I believe that we  
6 need to come up with a Marshall plan to help our  
7 communities transition fully and forcefully into a  
8 fossil-free economy where your children and my  
9 children are going to be doing better than they were  
10 yesterday.

11 I think instead of fighting with one  
12 another, I know nobody here is fighting, we really  
13 do need to look up at their future. You know that  
14 Mother Earth is changing. You can tell by the  
15 growing seasons. You can tell by the lack of snow.  
16 All we have to do is look out our window. So I  
17 encourage us to work together on the bigger and  
18 broader solutions that would be for the people  
19 instead of fighting over the crumbs that fall off  
20 the table.

21 MR. CHARLIE PETERSEN: Thank you very  
22 much for your time.

23 Martin. And then Jerry Striegel.

24 Please state your name and spell it. Two  
25 minutes or one minute? Both.

1 MR. MARTIN MALECHA: Hello. My name is  
2 Martin Malecha, M-A-R-T-I-N, M-A-L-E-C-H-A.

3 And I'm here to ask some questions about  
4 the risk of spills and the consequences. And we  
5 know spills are going to happen, because pipelines  
6 for, among other reasons, unlike ships or railroad  
7 tanker cars, are not double-hulled. So when a spill  
8 happens, out into the environment it goes.

9 2005 to 2015, all oil pipeline companies  
10 combined in the U.S. reported 1,981 spills. And  
11 specifically for Enbridge in the same time period,  
12 178 crude oil release incidents, including, of  
13 course, the 2010 spill of 20,000 barrels into the  
14 Kalamazoo River system.

15 And who will do the assessment? Is it  
16 going to be done by qualified risk assessment  
17 professionals with ecological expertise? That's the  
18 best way to get an accurate evaluation. And will  
19 the EIS look at areas that might be especially  
20 adversely affected in the event of a spill?  
21 Population centers, hospitals, long-term care  
22 facilities, vulnerable populations such as senior  
23 citizens or those with disabilities? What about  
24 drinking water and industrial water intakes?  
25 Federal and state listed threatened and endangered

1 species? And how about the pristine Minnesota lakes  
2 used for wild rice harvesting?

3 And in the event of a spill, will the EIS  
4 look at what needs to be in Enbridge's response?  
5 What equipment is going to be in place? Vacuum  
6 trucks, boats, booms, skimmers, hazmat gear? What  
7 manpower will be available in response to a spill?  
8 And what training will people have? Without  
9 sufficient trained personnel, a spill response will  
10 be ineffective, at best. Will the response be  
11 tailored to the type and toxicity of the oil in the  
12 pipeline?

13 And how about the seasons? Will the EIS  
14 cover all of these issues for both summer and winter  
15 and the seasons in between? The damage a spill can  
16 cause and the appropriate response to a spill vary  
17 greatly if it happens in the middle of the summer as  
18 opposed to the dead of winter.

19 And for specific environmental effects.  
20 How about air quality, will the EIS cover that?  
21 Because we know there are instances of toxic  
22 chemical levels in the vicinity of the Kalamazoo  
23 spill that were multiple times in excess of the  
24 maximum federal safe levels.

25 In addition to endangered and threatened

1 species, what about other fish and wildlife. Will  
2 the EIS look at the effects of a spill on fish,  
3 amphibians, reptiles, birds, mammals? And how about  
4 invasive species, those that could be introduced  
5 into areas as part of a spill response? It may seem  
6 minor, but as anyone who has had to deal with  
7 buckthorn in their back yard knows, invasive species  
8 can be a problem.

9           Recreational resources. The spill can  
10 affect the recreational uses of an area, especially  
11 lakes and streams. And how about the socioeconomic  
12 effects? Both the disruption of use of the land as  
13 well as the decrease in property values for those  
14 that are located near a spill.

15           Soil and topography. A spill is going to  
16 have different effects depending on the soil type  
17 and the topography of the spill site. Will the EIS  
18 include that when reviewing spill consequences?

19           And vegetation. Will it look at the  
20 impacts of a spill on vegetation? And how will the  
21 effect of a spill on vegetation vary depending on  
22 the season? How will different cleanup operations  
23 affect vegetation?

24           And then we have water. So groundwater.  
25 Is the EIS going to look at aquifers that will be

1 affected by the spill? How about public water  
2 supply wells and private wells? How long would  
3 disruptions of water supplies last? And will the  
4 EIS cover that? It needs to.

5 Lakes and streams, how are they going to  
6 be adversely affected by a spill? How long do the  
7 damages last? How long will it affect aquatic life?  
8 Will it affect human use of the resource,  
9 recreational use, tourism? And wetlands. Which of  
10 the wetlands might be affected and how will they be  
11 affected by the cleanup efforts?

12 And finally the cost of the spill. Will  
13 the EIS examine whether Enbridge should be required  
14 to have substantial funds in escrow to use for a  
15 pipeline response recovery and compensation?  
16 Cleanup costs in Kalamazoo, Michigan already  
17 exceeded 1.2 billion as of June 2015 and only about  
18 half of that was covered by insurance, according to  
19 documents filed by the company.

20 Those are my comments. Thank you.

21 MR. CHARLIE PETERSEN: Thank you very  
22 much.

23 The next person up is Jerry Striegel.  
24 And then is it Mahyar Sorour?

25 MS. MAHYAR SOROUR: Mahyar Sorour.

1 MR. CHARLIE PETERSEN: Okay. Thank you.  
2 State your name and spell it for the  
3 court reporter whenever you're ready.

4 MR. JERRY STRIEGEL: Hello, everyone. My  
5 name is Jerry Striegel, J-E-R-R-Y, S-T-R-I-E-G-E-L.

6 Last November, 39 supertankers queued off  
7 the Texas coast with some 28 million barrels of  
8 crude. Their hope was to leave the ranks of the  
9 floating oil armada and find land-based refinery or  
10 storage capacity. Meanwhile, land-based crude  
11 transporters were feverishly trying to establish  
12 pipeline routes to both North America coastlines and  
13 inland-based refineries or storage. We seem to be  
14 witness to a game of stranded asset hot potato. In  
15 early December, a reported 100 million barrels of  
16 crude was afloat at sea. Last week Reuters reported  
17 59 oil and gas company bankruptcies and the Saudis  
18 are planning 2017 IPO of gas company bankruptcies --  
19 or excuse me, of Aramco Company. The world is awash  
20 in crude and the glut continues today.

21 This is relevant to the draft EIS scoping  
22 because combustion of fossil fuel does impact our  
23 environment. If there is to be any hope of  
24 maintaining a human-friendly world, a minimum of 80  
25 percent of today's carbon reserves must remain in

1 the ground. If you place any stock in the  
2 scientific method and have tracked the climate  
3 change discussion, you know that 350 parts per  
4 million of atmospheric carbon correlates to a world  
5 of approximately two degrees Centigrade above  
6 preindustrial temperatures. Today the atmosphere  
7 contains over 400 parts per million. We have  
8 already passed one degree Centigrade of warming and  
9 at current rates the world is expected to reach the  
10 two degree Centigrade threshold by 2040. To take  
11 this a step further, the 350 parts per million of  
12 carbon, of atmospheric carbon correlates to roughly  
13 a trillion tons of atmospheric carbon. We have used  
14 all but 40 percent of the allotted trillion tons.

15 So how does this apply to Line 3 or  
16 Sandpiper? In the case of Line 3, the crude supply  
17 varies from 17 and 22 percent higher atmospheric  
18 carbon loading potential than conventional crude  
19 supplies. As to the Sandpiper, in mid-March the  
20 International Business Times reported the biggest  
21 surprise for us was the lack of transparency in oil  
22 data from the Bakken. That is to say, the data is  
23 not publicly available. What can we -- what can be  
24 said is that the Bakken bankruptcies are rampant,  
25 suggesting higher production energy input per barrel

1 which correlates to higher wellhead to wheel  
2 atmospheric carbon loading. In either case, these  
3 two crude supplies expend the remainder of the  
4 trillion tons quicker than conventional crude.

5 Clearly, we need as much time as possible  
6 to mitigate, adapt and make the transition from our  
7 current energy supplies to sustainable replacements.  
8 So it falls to the EIS, by way of the scope, by way  
9 of our trustee, the Department of Commerce, to  
10 demand a comparison of the environmental impacts of  
11 conventional oil supplies with those supplies from  
12 the Bakken and tar sands. It does matter. It buys  
13 us time.

14 Thank you.

15 MR. CHARLIE PETERSEN: Thank you very  
16 much for your comment.

17 The next person up is Mahyar Sorour, and  
18 then Isabel Watson.

19 State your name and spell it.

20 MS. MAHYAR SOROUR: Hello. My name is  
21 Mahyar Sorour, M-A-H-Y-A-R, S-O-R-O-U-R. I'm an  
22 organizer with the Minnesota Public Interest  
23 Research Group, MPIRG. I live here in St. Paul. I  
24 am here today to express my concerns with the  
25 Enbridge Sandpiper and Line 3 replacement tar sands

1 pipeline routes as stated in the draft scoping  
2 document.

3 It is crucial to have a robust and  
4 thorough environmental impact statement that  
5 considers alternatives to the current pipeline group  
6 that would not pass Minnesota's pristine lakes and  
7 rivers. The Sandpiper pipeline and the replacement  
8 of Line 3, which as we've all stated today would be  
9 a new pipeline, would carry a maximum of 1.4 million  
10 barrels of oil per day across Minnesota. The  
11 proposed route would cross major Minnesota  
12 watersheds such as those of the Mississippi River  
13 and the St. Louis River, posing a great risk to the  
14 drinking water, the wild rice beds, and the  
15 indigenous communities that live along the proposed  
16 route. An increase in oil transported through our  
17 state carries an increase in risk, and these risks  
18 must be comprehensively evaluated along with the  
19 need for this pipeline through the scoping period.

20 A recent report from the National Academy  
21 of Sciences found that cleaning up a tar sands spill  
22 in a waterway is significantly more difficult and  
23 potentially up to 14.5 times more expensive than  
24 cleaning up a non-tar sands oil spill. The 2010  
25 Enbridge Line 6B tar sands spill in Kalamazoo,

1 Michigan made it clear that we cannot afford  
2 pipeline leaks on any scale, especially one that  
3 would cross the Mississippi River, potentially  
4 devastating the entire watershed. The Line 6B tar  
5 sands spill was the largest and most toxic inland  
6 oil spill in our nation's history. And since 2005,  
7 Enbridge has been responsible for at least 763  
8 spills, totaling 93,852 barrels of both light and  
9 heavy crude, including tar sands crude that has  
10 spilled and devastated local waterways.

11 As a young person, I'm concerned with the  
12 detrimental effects these potential pipeline spills  
13 will have on my community, and for future  
14 generations who will have to live with the permanent  
15 damage done. We must pay attention to these  
16 pipeline spills, as we cannot have our pristine  
17 lakes and rivers to be irreversibly harmed like  
18 those in Kalamazoo. The Department of Commerce  
19 needs to scrutinize how spills will be cleaned up,  
20 the permanent damage to waterways, the impacts to  
21 Minnesota's economy, and its threats to the  
22 indigenous culture and wild rice. So I call on the  
23 Minnesota Department of Commerce to ensure a robust  
24 and equitable scoping period to be conducted in a  
25 way that takes into account for risks and potential

1 impact of these pipeline expansions on our drinking  
2 water, our communities, and our climate.

3 Thank you.

4 MR. CHARLIE PETERSEN: Thank you very  
5 much.

6 The next person up is Isabel Watson, and  
7 then Patty O'Keefe.

8 MS. BARBARA TUCKNER: Is Patty in the  
9 room?

10 MR. CHARLIE PETERSEN: Please state and  
11 spell your name.

12 MS. ISABEL WATSON: My name is Isabel  
13 Watson, I-S-A-B-E-L, W-A-T-S-O-N.

14 I'm concerned about pipelines because --  
15 sorry.

16 I'm concerned about pipelines because of  
17 their effects on water and the communities that  
18 surround them. I'm currently a junior in high  
19 school and this is especially concerning to me  
20 because I know it's my generation that's going to  
21 have to clean this up and feel the impacts the most.

22 I think when doing the EIS for the  
23 Sandpiper and Line 3 we need to extend the possible  
24 oil spill scenarios to study all the major rivers,  
25 lakes, and watersheds, not just seven. These should

1 all be analyzed to see the effects a spill would  
2 have on the water and how they will financially  
3 impact the communities around them.

4 Additionally, I think it's good that  
5 climate change is included in the EIS, but it must  
6 be more included in a more scientifically accurate  
7 way. Specifically, when looking at carbon emissions  
8 we must look at the whole process, from extraction  
9 to when it is burned, not just the construction of  
10 the pipelines.

11 Just looking at the images from the  
12 construction is not enough and would not be an  
13 accurate representation of the oil pipelines'  
14 effects on climate change and these should be  
15 compared to the effects of a no-build option in the  
16 EIS.

17 MR. CHARLIE PETERSEN: Okay. Thank you  
18 very much for your time.

19 Patty O'Keefe, great. And then Thor  
20 Underdahl.

21 MS. BARBARA TUCKNER: What's the first  
22 name?

23 MR. CHARLIE PETERSEN: Thor.

24 MS. BARBARA TUCKNER: Is Thor in the  
25 room?

1 MR. CHARLIE PETERSEN: State your name  
2 and spell it. I will give you a two-minute and a  
3 one-minute warning.

4 MS. PATTY O'KEEFE: Okay.

5 MR. CHARLIE PETERSEN: When you're ready.

6 MS. PATTY O'KEEFE: My name is Patty  
7 O'Keefe, P-A-T-T-Y, and then O, apostrophe,  
8 K-E-E-F-E.

9 So I'm here because I think that  
10 Minnesota needs a robust and thorough environmental  
11 impact statement done on these pipelines. It should  
12 assess the possible and probably probable impacts of  
13 a spill on our waterways, the health of our lakes  
14 and rivers, on the plant life and wildlife that live  
15 along the routes.

16 The impacts on public health. I've  
17 talked with people from Kalamazoo, Michigan who have  
18 gotten rare infections and cancers from the oil  
19 spill there. Refining of oil, especially this dirty  
20 tar sands oil, produces pollutants as products,  
21 byproducts of the refining process. And that  
22 pollution contributes to asthma and respiratory  
23 issues and cancers and some of the health impacts  
24 that you heard Emma Lockridge talking about earlier.  
25 So it should include a lot of information on impacts

1 on public health.

2 It should include treaty rights.  
3 Enbridge's consultation of tribes up until this  
4 point has not been working well. To the point where  
5 we have had Native people go to their office to try  
6 and talk with them and hand them letters to tell  
7 them what they think about these pipelines and the  
8 company has refused to meet with them, and then  
9 arrested people who stayed in their office.

10 We need to take into account treaty  
11 rights including harvesting wild rice and game and  
12 there are medicinal plants along the route that  
13 these pipelines would destroy.

14 We should also be taking into account  
15 climate change. And this does not get super  
16 technical, it's really simple. The extraction,  
17 transportation, refining, and burning of oil and  
18 coal and natural gas, but in this case oil,  
19 contributes to greenhouse gas emissions that warm  
20 the planet. And we are currently in a climate  
21 crisis. We are entering into the sixth mass  
22 extinction of species on our planet. We are in this  
23 crisis and we need to deal with it now.

24 I just -- I've been at a lot of these  
25 hearings and I've testified a lot of times and it

1 just feels weird, like I'm -- I'm -- I'm like a  
2 young person, and I just feel like it's crazy being  
3 born at this time right now, knowing that there's a  
4 climate crisis and hearing scientists and religious  
5 leaders and global figures calling for action,  
6 immediate action on climate change. And needing to  
7 reduce emissions immediately to limit as much human  
8 and ecological suffering as possible. And then  
9 sitting in rooms like this and talking to  
10 decision-makers about whether we should be  
11 continuing to build pipelines that transport the  
12 very fuel that's causing the problem. I just -- I  
13 just don't understand it. It's so surreal. And  
14 it's not only surreal, it's so dangerous.

15 This is so dangerous. Not only on a  
16 climate level, but the fact that these spills  
17 happen, this is man-made infrastructure, it breaks,  
18 it crumbles, and it hurts communities and it kills  
19 people. So we need to be talking, we need to be  
20 coming into these rooms and not talking about the  
21 scope and how much we're going to be cutting out of  
22 an environmental impact process, but we need to be  
23 talking about actual, real climate solutions and how  
24 to be creating jobs that contribute to a renewable  
25 energy economy, where everybody can provide for

1           their children and have livelihoods that, you know,  
2           allow you to thrive. And don't hurt people and hurt  
3           the environment. It's possible.

4                        So I think that those are the types of  
5           conversations that we have to be having. I have  
6           other stuff to say, but I think that's it.

7                        Thank you.

8                        MR. CHARLIE PETERSEN: Thank you very  
9           much for your comment.

10                      Thor Underdahl, and then Phil Murray.  
11           State your name and spell it.

12                      MR. THOR UNDERDAHL: Thank you. My name  
13           is Thor Underdahl, T-H-O-R, U-N-D-E-R-D-A-H-L.

14                      First off, I'd like to thank the  
15           Department of Commerce, Deputy Commissioner Grant  
16           and other staff who spend their time sitting through  
17           very long meetings and listening to testimony, and  
18           this is a vital component of the public process and  
19           very important.

20                      I work with Minnesota Power. We also are  
21           residents of northeastern Minnesota and we stand  
22           strongly in favor of a strong, robust, and thorough  
23           EIS process. One that looks at all the factors of  
24           the mitigations that can stand to make this project  
25           successful, and not mutually exclusive between jobs

1 and environment.

2 To ensure regional communities continue  
3 to thrive throughout Minnesota, it is essential that  
4 we invest in infrastructure and transportation of  
5 goods and services. Sandpiper and Line 3 are  
6 projects that demonstrate responsible investment in  
7 transportation and we support these vitally  
8 important projects.

9 We align with Enbridge's commitment to  
10 the environment. Our company understands that you  
11 don't have to have industrial projects or  
12 environmental stewardship, those two can go hand in  
13 hand. We also understand the benefits of  
14 transporting oil by pipeline rather than by rail or  
15 truck. That not only requires less energy and emits  
16 less carbon, but also relieves road and rail  
17 congestion, improving public safety.

18 We support and have confidence in the  
19 regulatory process and our regulators' ability to  
20 make informed decisions. Minnesota policymakers  
21 have demonstrated a history of providing appropriate  
22 oversight on regulation to ensure protection and  
23 preservation of the environment while supporting  
24 responsible private sector growth.

25 Minnesota Power trusts that Enbridge's

1           commitment to the regional communities it impacts  
2           and environmental stewardship will ultimately lead  
3           to successful projects. Our region, state and  
4           nation depends on these resources. We are in a  
5           transformational period, but we also need to be  
6           responsible stewards of the resources that we have so  
7           we have a thriving economy while we make that  
8           transition.

9                         We support this project, we support the  
10           regulatory efforts that are going forward, and we  
11           ask for a fair and timely process for Sandpiper and  
12           Line 3.

13                        Thank you.

14                        MR. CHARLIE PETERSEN: Thank you very  
15           much for your comments. Thank you.

16                        Bill Murray is up next, and followed by  
17           Jean Ross.

18                        Just a second. We've got about 12 people  
19           left to speak after Phil. At that point in time  
20           we'll probably take a break at 9:45, a 15-minute  
21           break, and then we'll come back and complete the  
22           final folks' comments at that point in time. Thank  
23           you for your patience.

24                        State your name, spell it. I'll give you  
25           a two-minute and a one-minute warning.

1 MS. BARBARA TUCKNER: Jean Ross, is Jean  
2 Ross here?

3 MR. PHIL MURRAY: My name is Phil Murray,  
4 P-H-I-L, M-U-R-R-A-Y.

5 I actually came here tonight mainly to  
6 listen and learn a little bit. I was toying with  
7 the idea of maybe saying something so I put my name  
8 in. But I wasn't sure that what I would have to say  
9 or might have to add to the conversation was  
10 particularly relevant to what I thought was the  
11 rather narrow focus of this meeting of trying to  
12 figure out what's the best route to do this pipeline  
13 through.

14 I'm a physician, retired now, but since I  
15 retired a few years ago I've become active and  
16 engaged with the problems, and they are real and  
17 they are multiple, of the public health impacts of  
18 burning fossil fuels on climate change, related to  
19 climate change. That isn't particularly directly  
20 related to what I thought was the focus of your  
21 meeting here tonight. But multiple other people  
22 have addressed the larger question of environmental  
23 impacts, and certainly that question and then  
24 content is relevant to the following information.  
25 This does piggyback on the very actually eloquent

1 and articulate position and thoughts that Patty  
2 O'Keefe just presented, as well as what Emma  
3 Lockridge talked about earlier in the meeting.

4 The public health impacts need to be  
5 considered in the overall big-picture context of  
6 environmental impacts. They are significant. There  
7 are powerful and clear statements about the negative  
8 public health impacts of climate change put out by  
9 the World Health Association, the World Health  
10 Organization, the United Nations, the IPCC, the  
11 Intergovernmental Panel on Climate Change, the  
12 American Medical Association of Minnesota, the  
13 Medical Association of the American College of  
14 Physicians, the National Academy of Sciences and so  
15 on and so on and so on. And they all talk about  
16 this tight linkage and clear causation between  
17 burning fossil fuels, climate change, and adverse  
18 public health impacts.

19 Those include increase in respiratory  
20 disease that people already talked about, asthma,  
21 increased incidences of cardiovascular disease,  
22 stroke, problems with heat events, problems with  
23 flooding, droughts that affect people's health,  
24 problems with dislocation of populations related to  
25 extreme climate events such as hurricanes and so on.

1 So these realities of public health impacts are  
2 affecting our state, they're obviously affecting the  
3 planet, and to the extent that a decision made by  
4 the PUC here regarding the routing or whether or not  
5 a pipeline is indeed a good idea at all, the  
6 realities of these adverse public health impacts  
7 absolutely need to be part of the environmental  
8 impact considerations.

9 Thank you.

10 MR. CHARLIE PETERSEN: Thank you very  
11 much for your comment.

12 Jean Ross. And then Kathy Hollander.

13 State your name and spell it. I'll give  
14 you a two-minute warning.

15 MS. JEAN ROSS: Jean Ross, J-E-A-N,  
16 R-O-S-S, like Betsy Ross or Diana Ross.

17 Okay. And I've lived in Minneapolis for  
18 40-plus years. I'm a member of the Sierra Club,  
19 Minnesota 350 and Vote Climate.

20 As far as items to be covered in the EIS,  
21 I truly believe that the original Line 3 should be  
22 removed and its entire length should be remediated.

23 Enbridge has acknowledged that the  
24 60-year-old pipeline is weeping, which to me means  
25 leaking. They have stated that there are over 900

1 anomalies along Line 3. So these anomalies have  
2 possibly been leaking oil into various shallow water  
3 tables.

4 Enbridge should not be allowed to abandon  
5 this environmental disaster and build a, quote,  
6 unquote, replacement along an entirely different  
7 route. When we were all children, we were taught to  
8 clean up our messes. I believe as part of the  
9 scoping you should consider what it will cost  
10 Minnesota taxpayers to clean up Enbridge's mess that  
11 they want to leave behind. And let's consider  
12 making them clean it up. Then they can put their  
13 replacement pipeline along the same corridor as the  
14 original while they are there cleaning up the old  
15 line, which to me would be the true definition of  
16 replacement.

17 We have reduced our petroleum usage here  
18 in Minnesota by 20 percent over the last 10 years.  
19 We are headed towards a bright, shiny future where  
20 we won't be reliant on fossil fuels. Oh, that  
21 gentleman earlier, Steve Dilger, who said that  
22 pipeline should be removed, that's the first time  
23 I've heard that from anybody who works for the  
24 pipeline industry and it made me very happy. There  
25 is lots of jobs to be had removing these old

1 pipelines. So if we're looking for jobs, let's do  
2 the right thing, okay?

3 Building a new pipeline commits us to  
4 another 50 to 60 years of carbon pollution. Let's  
5 not encourage this. That's something we can ill  
6 afford. The area that these proposed pipelines will  
7 take will cross the Mississippi River Headwaters  
8 twice, and the whole north-south vertical line is  
9 within the spillway of the Mississippi River. Any  
10 leak or blowout of a pipeline along that area will  
11 affect the drinking water of everyone downstream,  
12 including the Twin Cities and all points beyond.

13 Thank you very much.

14 MR. CHARLIE PETERSEN: Thank you very  
15 much.

16 Kathy Hollander. And then --

17 COURT REPORTER: And then that's it.

18 MR. CHARLIE PETERSEN: Okay. Sounds  
19 good. She makes the calls.

20 COURT REPORTER: I need a break.

21 MR. CHARLIE PETERSEN: Okay. Sounds  
22 good.

23 Kathy, state your name, spell it. And  
24 I'll give you a two-minute warning.

25 MS. KATHY HOLLANDER: Kathy Hollander,

1 K-A-T-H-Y, H-O-L-L-A-N-D-E-R.

2 This is a wonderful new format. I've  
3 also been to many hearings and this is the first  
4 time I've had the honor of being able to face the  
5 audience. I even asked once if I could face the  
6 audience and I was told no.

7 So hello, people. I love to see you.

8 Anyway, I've crossed out a lot of my  
9 comments because people have already addressed them.  
10 But Jean just addressed demand. If two new  
11 pipelines are proposed, I would like to propose that  
12 the EIS should analyze whether there has been an  
13 increase in demand for crude oil and refined  
14 petroleum products. The EIS should examine such  
15 factors as population growth to see whether or not  
16 that has produced additional demand.

17 The EIS should analyze refinery  
18 utilization rates, in my opinion, across the  
19 country, and compare whether or not there is a  
20 correlation between the timing of the various  
21 pipeline expansion projects that we've had so far  
22 and refinery utilization. Have those increased  
23 utilization rates satisfied growing U.S. public need  
24 for oil, for refined products, or private or  
25 corporate financial need to export and make maximum

1 profit?

2 In addition, is the additional oil that  
3 Sandpiper would bring satisfying Canadian refinery  
4 needs or U.S. demands?

5 I also would like to see the EIS evaluate  
6 independently whether Line 3 can be replaced in  
7 place. Just taking Enbridge's word for it saying we  
8 can't replace Line 3 in the place where it currently  
9 is I don't think is fair to Minnesota.

10 The EIS should have analyses of connected  
11 and phased actions. I believe that if these  
12 pipelines proposed would end up in Superior, this  
13 would certainly have an impact in Wisconsin. And  
14 I'm concerned that pipelines, and more pipelines  
15 getting close to Lake Superior has an inevitable  
16 consequence of proposing shipping on Lake Superior,  
17 which I don't think a lot of people want to see.  
18 And I'm also concerned about the St. Croix Wild and  
19 Scenic Riverway. The Minnesota EIS should be done  
20 in conjunction with the Wisconsin and federal EISs  
21 to consider cumulative environmental impacts across  
22 many states.

23 There's also a cumulative impact. These  
24 pipelines are proposed to go along Koch pipelines  
25 and north of Clearbrook there's already seven

1 existing pipelines. So if they put in a new Line 3,  
2 that makes eight. And you think about the chance of  
3 a spill, but now you multiply that chance, whatever  
4 it is, times eight, and you realize that every  
5 single mile has an increased chance of spills.

6 The EIS must also consider cumulative  
7 potential effects. Some people have mentioned that  
8 there's other pipelines that are aging. Enbridge  
9 also has Lines 1, 2, and 4, which are equally old as  
10 Line 3. And I suspect those pipelines are going to  
11 need to be replaced as well.

12 Minnesota doesn't have something like an  
13 integrated resource plan that will be shared with  
14 our state, that would tell us what does Enbridge  
15 intend to do with their other aging pipelines?  
16 Where are they going to go? We've heard Enbridge  
17 say there's something like 1,400 anomalies on their  
18 lines cumulative, so we know that those lines are  
19 shortly due for replacement.

20 I'd also like to address a couple things  
21 quick. Those who are concerned about the quality of  
22 how you can weld, I believe you. But the public is  
23 concerned because when we hear there's problems on  
24 the Flanagan South pipeline, which is only one year  
25 old, and we see Keystone I had leaked two drops of

1 oil a minute, yet resulted in 17,000 gallons or more  
2 being spilled, this is why the public is concerned,  
3 even though we have excellent welders. What's  
4 happening with Flanagan South? What happened to  
5 Keystone I?

6 I question, too, whether this crude  
7 that's going to be moved, if it's excess crude? The  
8 world has a glut of oil right now, so much that  
9 there are reports of tankers in the Atlantic Ocean  
10 driving around the Atlantic with no place to unload  
11 their oil. There are rail cars sitting around with  
12 oil stored in them. All types of storage in Cushing  
13 is at a maximum. We simply have too much oil in the  
14 world. And we know that China was recently filling  
15 out its strategic petroleum reserves, so that would  
16 have created an artificial need for oil as well.  
17 Why do we need two more pipelines when there is not  
18 an increase in demand of oil? And I have comments  
19 about oil by rail, but my time is up.

20 Thank you very much for listening.

21 MR. CHARLIE PETERSEN: Thank you very  
22 much.

23 With that, I'm going to call this 9:30,  
24 let's come back at 9:45 and we will complete the  
25 final 10. But thank you for your patience.

1 (Break taken.)

2 MR. CHARLIE PETERSEN: Let's go ahead and  
3 get started.

4 The next two folks up are Paul Blackburn,  
5 I think it's Paul, and Lee Samelson.

6 Is Paul here? Paul going once? Going  
7 twice? Okay. I will hold it and check later.

8 Lee Samelson. Are you ready? Okay.

9 MS. BARBARA TUCKNER: And after Lee is  
10 Willis Mattison.

11 MR. CHARLIE PETERSEN: Thank you.

12 State your name, spell it. I'll give you  
13 a two-minute and a one-minute warning. Will that  
14 work?

15 MR. LEE SAMELSON: Yeah.

16 MR. CHARLIE PETERSEN: Thank you. Ready?

17 All right. Any time.

18 MR. LEE SAMELSON: Good evening. I am  
19 Lee Samelson, S-A-M-E-L-S-O-N. And so something  
20 that I -- that I don't think is included in the EIS,  
21 but could really play in, is state Statutes 116D.02,  
22 which is the right of future generations.

23 And in order to carry out a policy set  
24 forth in the laws of 1973, Chapter 412, is the  
25 continuing responsibility of the state government to

1 use all predictable means consistent with the  
2 essential considerations of state policy to improve  
3 and coordinate state plans, functions, programs, and  
4 resources to the end. That the state may fulfill  
5 their responsibilities of each generation as a  
6 trustee for the environment for the succeeding  
7 generations.

8 And with the realities of the climate  
9 crisis in the coming decades, we will barely -- very  
10 likely see an influx of climate refugees from  
11 drought-stricken regions within the United States or  
12 from abroad because of our vital freshwater  
13 resources here in Minnesota. If the pipeline is  
14 routed right through sensitive wetlands, headwaters,  
15 and drinking sources, then that compromises the  
16 rights of the future generations statute,  
17 particularly if we have a repeat of Enbridge's 2010  
18 mishandling of Kalamazoo. But hopefully the  
19 inclusion of the rights of future generation statute  
20 will prevent any pipeline from being routed in  
21 remote -- these remote areas, sensitive areas that  
22 are difficult to access and repair.

23 And hopefully that will address the big  
24 problem we see with the company being allowed to  
25 externalize their costs onto the taxpayers and

1 future generations, which may have played a key role  
2 in inadequate incentive that we've seen in Kalamazoo  
3 back in 2010.

4 And also Minnesota, as a member of the  
5 Midwest Regional Greenhouse Gas Production Accord,  
6 along with six American governors and one Canadian  
7 premier for greenhouse gas reductions, and the  
8 central component of this agreement is the eventual  
9 enactment of a cap and trade, cap and carbon  
10 trading, and perhaps supported by low carbon fuel  
11 standards and other supplemental policies. And does  
12 this come into play for an EIS or does the EIS  
13 consider if the pipeline infrastructure would turn  
14 into stranded assets and then good attempts to  
15 fulfill the Paris Climate Agreement and from  
16 December 2015 involving Governor Dayton with a state  
17 high ambition coalition forming.

18 And I do recall, yeah, there was a  
19 comment earlier on methane and cows. And southern  
20 Minnesota also has a huge water pollution problem  
21 due to these industrial agricultural feedlots that  
22 are producing way more animal waste than they can  
23 possibly manage and dispose of it all in the dark of  
24 the night. Well, if you want to have skilled  
25 construction, engineering, and pipeline jobs, how

1 about building anaerobic digester facilities so that  
2 we can extract the methane from animal waste and  
3 send them through pipelines to use for energy, and  
4 to invest in jobs that turn waste into resources.  
5 That's a win/win situation and solves both problems  
6 all at once. And I know that particular example  
7 might be outside of the scope of this particular  
8 EIS, but the people here really need to be aware of  
9 that nondivisive possibility.

10 Thank you.

11 MR. CHARLIE PETERSEN: Thank you very  
12 much. Appreciate it.

13 The next person up is Willis Mattison,  
14 and then following Willard Cohen (phonetic).

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

17 Several people have spoken to the  
18 extensive time and delay and repetition, and it is  
19 my concern as well on the environmental review of  
20 this project.

21 Two years ago, we started down this road  
22 utilizing the rules and regulations designed for  
23 large energy projects to which pipelines were thrust  
24 inappropriately. And citizens raised from the  
25 beginning issues and constraints on the process

1           which would either prohibit introduction of or  
2           consideration of reasonable alternatives.

3                         The first process that was used was to  
4           define the purpose of the project to ship oil from  
5           one side of the state to the other. There is no  
6           source of oil on the western border of Minnesota and  
7           there is no use of this oil on the eastern border of  
8           Minnesota, so it's an inappropriate project  
9           definition and we objected. However, it stood.

10                        Also, the scope of the project study was  
11           limited by the geographic jurisdictional boundaries  
12           of the state, even though the project extended far  
13           into North Dakota, into Wisconsin, and then to  
14           points south and east. The Minnesota Environmental  
15           Policy Act prohibits segmenting a project that small  
16           when the overall project is large. We registered  
17           those objections then.

18                        The PUC uses a system of criteria for  
19           accepting alternatives which are particularly  
20           stringent and virtually impossible for citizens to  
21           meet, and we objected to that. It was used to  
22           preclude certain alternatives from being considered  
23           on the first go-around during the first two years.

24                        Citizens finally appealed the staff  
25           decision to include those system alternatives and

1 won the right to have those considered in a more  
2 in-depth study. The PUC and Commerce proceeded to  
3 do a rather shallow environmental review that once  
4 again precluded those alternatives from further  
5 consideration, and the PUC then ruled and issued a  
6 permit based on that inadequate environmental  
7 review. That's what led going to court.

8 What citizens don't understand is why  
9 would a state agency narrow the alternatives when  
10 the goal is to hopefully have a project that has  
11 less impact? If a lesser impact alternative exists,  
12 would not the agency serve the public interest and  
13 the company to find that alternative and implement  
14 it?

15 The lawsuit ordered an EIS. As we start  
16 down the EIS process, once again we find ourselves  
17 defining the project as having to ship oil from  
18 south of Grand Forks to Superior, Wisconsin. Again,  
19 precluding alternatives. Once again the study is  
20 being bounded by jurisdictional boundaries of the  
21 state, when MEPA, Minnesota Environmental Policy  
22 Act, and EQB rules require that the project be  
23 considered in its entirety, you cannot segment it.  
24 It is either a phased action, a connected action, or  
25 it is a cumulative action. All three of those

1 definitions require the EIS to be scoped from its  
2 beginning of the project to the terminus of the  
3 project.

4 What I'm trying to say is, Einstein told  
5 us that to keep doing the same thing over and over  
6 and expecting a different result is the very  
7 definition of insanity. In this case, it's the  
8 definition of heading us toward another lawsuit.  
9 Nobody wants to go into court again. Citizens don't  
10 want to have more bake sales to raise more money to  
11 pay an attorney to sue the process and then be  
12 blamed for slowing it down. Why wouldn't we do the  
13 more expensive? Why wouldn't we search hard and  
14 fast for the best possible alternatives?

15 If you narrow the study, you can be  
16 overlooking the perfect alternative. Citizens want  
17 the best alternatives. I would believe the company  
18 wants the best alternative. I believe the  
19 pipefitters would want the best alternative. Yet  
20 the process is working against the citizens' better  
21 interests, the companies' better interests, and the  
22 resources' better interests. I don't understand the  
23 motivation of the regulatory agency acting in the  
24 public interest would have to systematically,  
25 persistently, and repeatedly narrow the scope. One

1 of the rules of the game, in fact, encourage and  
2 support the more expansive approach.

3 Please, let's do this correctly so we  
4 don't have to go back to court again.

5 Thank you.

6 MR. CHARLIE PETERSEN: Thank you very  
7 much.

8 Next up is Molly Wilbur.

9 UNIDENTIFIED: She had to leave.

10 MR. CHARLIE PETERSEN: Let me check.  
11 Paul Blackburn, is he here? And then Tom Watson?  
12 Is there a Tom? Thank you. And Amelia Brandt.

13 UNIDENTIFIED: She had to leave, too.

14 MR. CHARLIE PETERSEN: Okay. Tom Watson  
15 and then Dennis Ferche. Thank you.

16 Okay. Tom Watson. State your name,  
17 spell it, I'll give you a two-minute and one-minute  
18 warning.

19 MR. TOM WATSON: All right.

20 MR. CHARLIE PETERSEN: All right. Thank  
21 you.

22 MR. TOM WATSON: It's 10:00 at night, I  
23 don't know how anxious everyone is to stay here.

24 My name is Tom Watson, I'm here in one  
25 capacity, and that is a old man, grandfather. I

1 heard the qualifications if you're a grandfather and  
2 all those things, maybe you make a difference. But  
3 I'm actually president of the Whitefish Area  
4 Property Owners Association, which is based in  
5 northern Crow Wing County. For the record, it's  
6 part of a watershed that's a half a million acres of  
7 water and land. It's a destination for travel and  
8 tourism in Minnesota and generates significant  
9 revenue and employment for the state of Minnesota.

10 When I first prepared my remarks, I was  
11 prepared to proceed to repeat some things that were  
12 said two years ago as we keep going through this  
13 over and over again. We're like Einstein, we're  
14 just following along this process.

15 But then I got my hands on a document  
16 that was published and produced by the University of  
17 Minnesota - Duluth. It's called the Sandpiper and  
18 Line 3 Replacement Project Economic Study. If you  
19 haven't seen it, you ought to take a look at it,  
20 it's really a dandy.

21 I spent 34 years as a college professor  
22 in finance and strategy, so I just might know a  
23 little bit about the subject. And what basically  
24 Enbridge has done is commissioned UMD to public this  
25 particular document report, and I would say shame on

1 Enbridge for buying off a bunch of college students,  
2 whoever wrote this thing, it's terrible, I would  
3 fail them in the spring semester. And number two,  
4 the information was all supervised by Enbridge. So  
5 the conclusion is \$1.2 billion of economic impact  
6 for two years. It's going to generate 7,700 jobs in  
7 two years. The assumptions are 50 percent of those  
8 jobs will be people who live in the area. Good God,  
9 you know, I wanted to be the Pope one day and I was  
10 hoping I could, but I understand I didn't even have  
11 a 50/50 chance. So 50 percent, where did we get  
12 that information? Land acquisition costs and  
13 easements are not included in this.

14 Let me just not go on any further because  
15 I don't have a lot of time. They indicate in here  
16 this is not to be interpreted as a cost-benefit  
17 analysis, it's not to be interpreted basically as an  
18 environmental impact statement, it's only to be  
19 recognized as an economic impact analysis. Well,  
20 let me just tell you something. I just finished  
21 with 31 college students last week. And if we were  
22 doing something like this, we would teach them  
23 fundamentally two things. When you're going to talk  
24 about the rewards of something such as this for \$1.2  
25 billion, there's actually two other things you take

1 a look at, and that is as the rewards increase,  
2 risks also increase. There's not a word in here  
3 about risk of any kind whatsoever.

4 We know that Enbridge's history, I've had  
5 them at our board meetings, their history is, a  
6 couple years ago, was 800 spills in a 10-year  
7 period. That's a little over one a week, by my  
8 math.

9 The second thing we would have the  
10 students do in doing things like this is to actually  
11 sensitize some of the variables. 50 percent  
12 employment. What would this look like if it was 25?  
13 What would it look like if we imported 75 percent of  
14 the people from Oklahoma? None of that is addressed  
15 in this particular analysis.

16 Let me go on and give you my part of the  
17 pitch. I actually am going to do -- this is  
18 covering, incidentally, 15 counties, from Grand  
19 Forks area to Superior. I'm going to do the same  
20 thing, and I don't know, I looked at the resumes of  
21 people I could find at the Department of Commerce,  
22 the PUC, and whoever this Cardno is, it would be  
23 nice to get their information at some point so we  
24 could actually ascertain whether they really do know  
25 anything about the subject.

1           But the fact of the matter is that in our  
2           area, back two years ago, Enbridge had presented  
3           this kind of information and I actually took a look  
4           at the impact of travel, tourism, seasonal property  
5           owners, or people who simply come for a vacation,  
6           hospitality vacation or conventions and things of  
7           that sort. It generates \$700 million in four  
8           counties. Hubbard County, which is Park Rapids.  
9           Cass County, which is where Walker would be. Crow  
10          Wing County and Aitkin County. And it generates  
11          17,000 jobs. This is by eight-year-old data at the  
12          moment. I'm going to update it for 15 counties  
13          because I'm going to present it to Enbridge. I  
14          actually -- as an organization, we offered to meet  
15          with Enbridge, but Enbridge wasn't interested in  
16          meeting with us. Because obviously this is a  
17          business decision, this line is the shortest route,  
18          it's the cheapest investment for them, and it's  
19          profits in the hands of stockholders that are part  
20          of it.

21                 My last comment about water. Why am I  
22          concerned? Because there's an awful lot of water in  
23          our area. And that water, I'd like to point out for  
24          those that don't know, that water actually flows  
25          into the Mississippi River and the Mississippi River

1 becomes the drinking water system for Brainerd,  
2 Little Falls, Minneapolis, and St. Paul. 50 million  
3 gallons of water a day are consumed in Minneapolis  
4 and St. Paul. How do I know that? Because I spent  
5 18 years in public office here in the Twin Cities  
6 and I got to encounter burying 55 gallon drums of  
7 paint by Whirlpool and Alcoa Aluminum, and what  
8 impact that had on groundwater in this particular  
9 area. You don't want to go there. I'm not going to  
10 live long enough to make a difference.

11 My last comment. I do have six  
12 grandkids, my wife and I. Last year my good friend  
13 Richard Hamilton spent -- sitting on my dock, we  
14 actually had my three-year-old granddaughter come in  
15 and take a swim in July. Richard said to her -- I  
16 didn't pay her, I didn't train her -- Valerie, why  
17 do you enjoy being here? The quality of the water.  
18 The clean water that I get to swim in.

19 MR. CHARLIE PETERSEN: Thank you very  
20 much for your comments.

21 Dennis, is it?

22 MR. DENNIS FERCHE: Oh, me?

23 MR. CHARLIE PETERSEN: Yes, you're up.

24 And then Eileen Shore. Is Eileen here?

25 Okay.

1 All right. Thank you.

2 MR. DENNIS FERCHE: My name is Dennis  
3 Ferche, D-E-N-N-I-S, F-E-R-C-H-E.

4 And I want to thank the staff and the  
5 state of Minnesota here for providing this  
6 opportunity to bring what I think of as new  
7 pathways, new tracks. We've got to go a different  
8 direction. We've got to get things that are  
9 acceptable.

10 So my background was a while back  
11 researching absorption and desorption of gases on  
12 coals and soil components. And at the time I didn't  
13 quite grasp the relevancy of that topic, but it's  
14 there big time.

15 And just a side bar, 125 degrees when I  
16 dehydrate my food, ouch, no go, your hand doesn't  
17 stay there. Buildings cannot be occupied at 125  
18 degrees. You know, we're looking at very important  
19 variables.

20 So researching then, I was a legislative  
21 investigative reporter for a time and I've been a  
22 citizen for quite a while. What I want to share is  
23 a couple experiences and some reports from around  
24 the world.

25 Quite a while back, the reports came out

1 of Alaska correlating earthquakes to the taking of  
2 oil. It shouldn't be any surprise. You take away  
3 the absorption of the energy system from the planet  
4 and things shake. Big surprise.

5 In 2004 I put together a resolution after  
6 23 years of the political process, put together a  
7 resolution calling for off oil in 15 years, the  
8 political process. I raise a garden, that's my  
9 priority for the most part, but I'm still involved  
10 in various things. That resolution got lost, along  
11 with all of the resolutions at the higher level.  
12 Somebody got sick, I was told. Life is supposed to  
13 go on when somebody gets sick, now we've got the the  
14 Centers for Disease Control, look at their  
15 information, they share it regularly. Our longevity  
16 is now going down. We got to get with it.

17 And in 1973, '74, in the legislative  
18 arena I attended a conference on energy matters in  
19 Boston and met up with the energy staff at the  
20 federal level. And the fellow, he says, you know,  
21 the guy was always calling us, talking to us, you  
22 got to see this, it's our future, it's our future.  
23 We eventually went and sat at the table and did  
24 exactly what he said. Made no sound, we just sat  
25 there and kicked out energy. But the response to

1 him was he didn't have any credentials.

2 Now people around the world are finding  
3 their credentials and they're coming up with jobs  
4 worth doing and we better meet that challenge. We  
5 should have met it in the '70s. It's unbelievable.  
6 We've got a fellow in Germany, he's a Steve Jobs  
7 type, he says, yeah, I don't pay for my electric,  
8 not even at night anymore, and the president asked  
9 me to make some of these solar batteries for them  
10 and now the States too, it's ready for the world.  
11 This was about 18 months ago.

12 Where is our legislative staff, where is  
13 our everybody, where is our state agencies digging  
14 into these things? Are they phony or what? I don't  
15 think they are. They're keeping oil out there,  
16 let's end the subsidies, let's got on to doing  
17 things worthwhile.

18 One minute to go? Okay. We hope we have  
19 a minute. I think we got a minute or two anyway.

20 Yeah, so we've got the correlation of  
21 what's going on around the world, the German  
22 inventor and the Chinese inventor, BBC, the guy  
23 reporting was driving a car based on iron, not  
24 poisonous, flammable lithium. We won't have any  
25 jobs left except maybe filling pop bottles, you

1 know. That's not a worthy job. Let's get some  
2 worthy jobs.

3 So let's end those subsidies, let's get  
4 on new tracks, and maybe we won't have to have so  
5 many meetings and maybe go out and have a little  
6 more friendship.

7 When I testified against the state sports  
8 stadium, I said, well, you know, if we pack pop  
9 maybe we don't have to make those seats so big. And  
10 I got a seven to six vote against the stadium from  
11 the governmental operations at that time and the  
12 Governor said, well, I thought that was over with.  
13 Well, if I had more support the stadium probably  
14 wouldn't have been built. A billion dollars should  
15 have gone into this.

16 Thank you for the opportunity.

17 MR. CHARLIE PETERSEN: Thank you very  
18 much for your time.

19 Next up is Eileen Shore, and then Don  
20 Arnosti.

21 MS. EILEEN SHORE: My name is Eileen  
22 Shore, E-I-L-E-E-N, S-H-O-R-E. I live in  
23 Minneapolis. I am a retired environmental lawyer  
24 and have worked with the environmental policy acts  
25 at various times in my career.

1                   These laws were intended to give  
2 governments and citizens a way to independently  
3 examine and analyze projects before they are built.  
4 Before these laws were passed, governments were  
5 dependent on the company proposing the project and  
6 citizens often didn't even know what was going to  
7 happen to their waters and lands until the project  
8 was a done deal.

9                   Over the years, these laws have been  
10 weakened and there has been a return to overreliance  
11 on company information, inadequate public  
12 participation, and unrealistically short deadlines.  
13 Deadlines added in the name of efficiency, but which  
14 are really a way to minimize citizen involvement and  
15 government oversight.

16                   All of these features have been obvious  
17 in the Sandpiper proceeding so far. However, this  
18 EIS process, if it is done right, can correct many  
19 of the worst mistakes that have been made.

20                   At the heart of the EIS process is a  
21 thoughtful and thorough development of alternatives  
22 to industry proposals, and that is what my comments  
23 focus on.

24                   Of course, companies like to keep the  
25 scope of an EIS as narrow as possible, as close as

1 possible to their original corporate plans. In this  
2 case, Enbridge is claiming that a route that was  
3 established before any environmental laws were  
4 passed will protect Minnesota's environment just  
5 fine. So, for example, Enbridge has used its  
6 information table at these public hearings to offer  
7 a brochure titled, quote, Best Proposed Pipeline  
8 Route for Minnesota, unquote. Even now, they just  
9 don't seem very interested in exploring  
10 alternatives. That is why government's role is so  
11 essential.

12 In trying to keep the scope of the EIS as  
13 narrow as possible, Enbridge is continuing to urge  
14 that any pipeline that is proposed must end in  
15 Superior, Wisconsin. So far, the Department of  
16 Commerce has been willing to adopt that position,  
17 both in previous proceedings and in the draft  
18 scoping decision document. That must change if the  
19 resulting EIS is to have any hope of doing its job  
20 and of passing legal muster.

21 For the first time, the state of  
22 Minnesota must separate its process from the  
23 companies' preference and look very carefully at  
24 other pathways the pipeline could follow should the  
25 PUC ultimately find that it should even be built at

1 all.

2 In this case, the state has a substantial  
3 head start in assuring a competent review of  
4 alternatives. We already have alternatives that  
5 have been offered and that received preliminary  
6 environmental review by the DNR and the PCA. One of  
7 the alternatives from Friends of the Headwaters,  
8 known as SA-04, was suggested just about two years  
9 ago. Both DNR and PCA found it environmentally  
10 superior to the companies' preference, and even  
11 better than PCA's own suggested alternative.  
12 Although this and other alternatives were mocked by  
13 the company as simply crayon lines on the map,  
14 according to the state environmental agencies they  
15 showed a viable way to avoid the state's  
16 ecologically fragile areas, which includes the  
17 source of my drinking water. This and other  
18 alternatives must be fully considered in this EIS.

19 There has never been an environmental  
20 impact statement prepared for oil pipelines in  
21 Minnesota. The environmental impact of the  
22 construction activity alone would be gigantic, even  
23 without considering the potential damage of spills  
24 that are sure to follow. Given the fierce political  
25 pressure the industry has brought to bear just in

1 the last two years, this may well be the last oil  
2 pipeline EIS that is ever done here. The pipelines  
3 put into Minnesota ground and its waters, they will  
4 be there for a very long time. 50 years, maybe  
5 longer. A full-hearted consideration that includes  
6 a genuine and detailed analysis of alternatives,  
7 with a full-hearted public participation process,  
8 using methods that bring in the best scientific and  
9 technical minds in this state and in the nation,  
10 this is the least that the citizens should be able  
11 to expect from their government.

12 Thank you.

13 MR. CHARLIE PETERSEN: Thank you very  
14 much.

15 Don is up next. And then Audrey Tsinnie.

16 MR. DON ARNOSTI: Yes.

17 MR. CHARLIE PETERSEN: State your name,  
18 spell it. Two-minute, one-minute warning?

19 MR. DON ARNOSTI: Um-hum.

20 MR. CHARLIE PETERSEN: Perfect.

21 MR. DON ARNOSTI: Hello. My name is Don  
22 Arnosti, A-R-N-O-S-T-I.

23 I'm the Conservation Program Director for  
24 the Izaak Walton League, Minnesota division, and I  
25 want to thank the Department of Commerce for the

1 opportunity to comment tonight. I think it is  
2 appropriate for the public to have these kind of  
3 open discussions of important issues like this.

4 I'd like to focus on a couple of things  
5 that I don't think have been covered extensively  
6 here this evening. And that is the purpose of this  
7 project. Some people have commented on it, but I'd  
8 refer you to the purpose. And if you simply remove  
9 a few words, I think we get to the real point.

10 The purpose of this project is to  
11 transport growing crude oil production from the  
12 Bakken formation in North Dakota to connect to  
13 various other pipelines expanding the refinery  
14 markets in the U.S. and west and beyond. That's the  
15 real purpose.

16 The Superior, Wisconsin terminal is  
17 obviously a way station. There's a small refinery  
18 there that's adequately supplied with petroleum at  
19 the moment. The population of the area is tiny and  
20 is obviously not the purpose of shipping oil there.

21 The Izaak Walton League is very concerned  
22 about water quality and the Great Lakes is the  
23 largest source of clean water we have in this  
24 country. 15 percent of the world's supply of  
25 drinkable clean water is in the Great Lakes.

1                   Previously there was a map up here,  
2                   previously in this hearing, that showed if we focus  
3                   on access to refinery markets in the U.S. and west  
4                   and beyond, it showed two pipelines. One was  
5                   southeast towards Chicago, one was east through the  
6                   Upper Peninsula which then crosses the Straits of  
7                   Mackinac on two ancient pipelines that are more than  
8                   60 years old, where the supports are gone and  
9                   they're just waiting to break and contaminate the  
10                  Great Lakes. So to push more water -- sorry, push  
11                  more oil through those pipelines when, frankly, it  
12                  should be shut down or at a minimum replaced, this  
13                  is a subject for the EIS.

14                  The alternative, a purpose of the  
15                  project, is to ship the oil beyond Superior,  
16                  Wisconsin to the U.S. Midwest and beyond.

17                  We're also very concerned that this is a  
18                  red herring. Why would Enbridge want the oil to go  
19                  to Superior, Wisconsin but to use water transport.  
20                  If you're going to Chicago, SA-05 and SA-04 are much  
21                  preferred routes. And those should be looked at  
22                  because those have fewer water crossings, fewer  
23                  wetlands, fewer risks to our water supplies. And  
24                  those alternatives clearly should be examined in the  
25                  EIS. If they're not interested in Chicago, they're

1           either interested in a pipeline that will cross the  
2           Straits of Mackinac or they're interested in  
3           shipping on the Great Lakes. We do not need the  
4           Exxon Valdez in the Great Lakes.

5                     Our ore carriers that load ore in  
6           Minnesota and Superior, Wisconsin, transit the Sault  
7           Ste. Marie. Oftentimes they have six inches of  
8           water underneath their hull. It's bedrock in those  
9           channels. Now, if one of those ships touches bottom  
10          and you get a tear, what is spilling out of the  
11          bottom of that is a bunch of rock. If you're  
12          shipping oil through those same locks and through  
13          that same shallow river system, what's spilling out  
14          of it is another Exxon Valdez.

15                    We believe this EIS should absolutely  
16          look at the risk of shipping oil both nationally to  
17          the East Coast refineries and internationally, as  
18          Congress has recently allowed, on the Great Lakes at  
19          the risk to the clean water there, additionally the  
20          pipeline that crosses under the Straits of Mackinac,  
21          which is a further pipeline, that the risk of  
22          continuing to ship oil in a more-than-60-year-old  
23          pipeline should also be examined as part of this  
24          EIS.

25                    Thank you for your consideration and the

1 opportunity to comment.

2 MR. CHARLIE PETERSEN: Thank you very  
3 much for your comments.

4 Audrey. And that's the last of the cards  
5 that I have. There are still some folks that we  
6 passed over, I will call their name one more time  
7 after this.

8 State your name and spell it for the  
9 record. And I'll give you a two-minute and  
10 one-minute warning. Does that work?

11 MS. AUDREY TSINNIE: Hi. My name is  
12 Audrey Tsinnie, A-U-D-R-E-Y, Tsinnie, T-S-I-N-N-I-E.

13 I'm Navajo Indian and I'm also Chippewa  
14 Indian from northern Minnesota.

15 I want to share a little bit of my  
16 background. I'm from New Mexico, where we don't  
17 have running water so pipelines are really  
18 important. I'm also a pipeliner by trade. I've got  
19 19 years invested in my career. I believe in  
20 pipelines, I want this pipeline. I also think that  
21 modifications can be made to up the standards, and I  
22 think that Enbridge and our environmentalists need  
23 to be open-minded and hear people out about the  
24 scope limited to our pipeline situation, you know,  
25 specific to the pipeline.

1           Every pipeline is different. I'm a  
2           consumer. I also consider myself as someone from,  
3           you know, the northern Minnesota area. I moved up  
4           here because I was really proud of how proactive the  
5           politics are up here. I wanted my children to learn  
6           how to speak up. As a pipeliner, I really went  
7           against Navajo tradition in becoming a worker in the  
8           pipeliner environment. I see myself a lot of times  
9           saying out of everywhere in the world, this is where  
10          I want to be because I make a difference. I ensure  
11          those pipelines are solid and welded the best they  
12          can be. My name gets signed on some of those welds  
13          and I watched them weld, I watched the coating, and  
14          all the OSHA standards in any places that need to be  
15          watched, I worked with a lot of really good people.

16                 And I feel like Enbridge probably should  
17          find people to share knowledge and also incorporate  
18          opinions as to, you know, how to make things a lot  
19          more understandable as far as what we do to ensure  
20          the soundness of these pipelines. I think the  
21          knowledge is limited. And I think that it's our  
22          duty as humans to protect the environment, take what  
23          we need and not waste and not ruin. And I am proud  
24          that a lot of the pipelines that I have worked on  
25          ensure that.

1 I think there's a lot of miscommunication  
2 and there's a lack of educating ourselves on both  
3 sides. And I think that we're very lucky that we  
4 can come here and express our concerns and work  
5 together and find a better way to make a better  
6 life.

7 I do think that there's always room for  
8 improvement. Most of my career I worked with people  
9 that are interested in making a better decision to  
10 make it safer. That has been my experience working  
11 as a pipeliner. I've learned a lot on the  
12 contractor side because they automatically say, you  
13 know, this is being built as if our children were  
14 going to bed on top of this.

15 So that's the experience I have had  
16 working. And I'm passionate about what I do and I  
17 am thankful that a lot of people believe in what  
18 they're doing as well because we all just want a  
19 better life.

20 You know, coming from a bigger  
21 reservation in the United States, we didn't have  
22 water, we still don't have water in a lot of places.  
23 So our standard of living is a lot higher because of  
24 these pipelines. I'm a consumer of natural gas and  
25 crude oil, you know, I believe in that. And I think

1           that we have a lot of uses every day that are --  
2           that we get from the products that are flowing  
3           through these lines.

4                        So that's all that I want to share.

5                        But, also, I think with Enbridge, they  
6           are proactive in ways. My experience has been that  
7           they have tried to pull in and employ other Native  
8           Americans on jobs that I worked up north and I've  
9           seen people pass those jobs up. So I really  
10          encourage them to keep that up and probably get more  
11          people to present some of the work that goes into  
12          what we do for a living. Because it's really  
13          stressful when we have to come here by ourselves  
14          and, you know, not be ashamed of what we do and not  
15          be worried about being blackballed for trying to up  
16          our standards.

17                       I believe in total replacement instead of  
18          rehab. I do think that more money should be put  
19          into that and we should work more with the  
20          environmentalists to make them be a lot safer.

21                       And I thank you for your time.

22                       MR. CHARLIE PETERSEN: Thank you very  
23          much for your time.

24                       We've gone through all the cards. Again,  
25          the ones that did not respond, Amelia Brandt, Molly

1 Wilbur Cohen, Paul Blackburn, and Kevin Whalen.

2 Okay. Finally, I just want to thank you  
3 all very much. I want to thank everybody, even the  
4 folks that have left, for taking the time tonight  
5 for your comments. This is key, this is critical.  
6 Again, it's getting at issues and the impact aspect  
7 from that. I want to thank you that are still in  
8 the room here now for hanging on through this whole  
9 session. I appreciate it very much.

10 I thank you very much for your time, and  
11 this closes down the public comments. Thanks.

12 (Matter concluded.)

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