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SCOPING AND INFORMATIONAL MEETING  
PARK RAPIDS - AUGUST 19, 2015 - 11:00 A.M.  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION  
AND DEPARTMENT OF COMMERCE

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

MPUC DOCKET NOs. PL-9/CN-14-916  
PL-9/PPL-15-137

Park Rapids Century School  
501 Helten Avenue  
Park Rapids, Minnesota

August 19, 2015

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1 MS. TRACY SMETANA: Good morning,  
2 everyone, and thank you for coming. We are working  
3 on getting some more chairs so those of you that are  
4 standing right now, you will hopefully have a chair  
5 shortly.

6 My name is Tracy Smetana, I am the public  
7 advisor with the Minnesota Public Utilities  
8 Commission. We are here for a public information  
9 meeting for the proposed Enbridge Line 3 Replacement  
10 Project.

11 The purpose of today's meeting is to  
12 explain the Commission's review process. Provide  
13 some information about the proposed project. To  
14 gather information for the environmental review.  
15 And to answer general questions about the process  
16 and the project.

17 As you can see in the notice, there is an  
18 agenda. You can see we will have some formal  
19 presentations that will last roughly 30 minutes. I  
20 will start those off, then Enbridge, and then the  
21 Department of Commerce. Please note that after  
22 about a hour and a half we need to take a break for  
23 the court reporter.

24 So who is the Public Utilities  
25 Commission? We're a state agency. We have five

1 commissioners appointed by the governor, and about  
2 50 staff in St. Paul. And we regulate various  
3 aspects of utility service within the state of  
4 Minnesota, including permitting for pipelines.

5 This particular project requires what we  
6 call a certificate of need from the Public Utilities  
7 Commission before it can be built. The certificate  
8 of need answers the question is the project needed.  
9 And there are statutes and rules that guide the  
10 process.

11 Likewise, the company would need a route  
12 permit from the Public Utilities Commission before  
13 the project could be built. And, again, there are  
14 statutes and rules that guide that process as well.

15 So as we work through the process there  
16 are a number of folks, agencies, organizations and  
17 so on that are involved, so I thought it would be  
18 helpful to give you a little who's who.

19 First off, we have the applicant. That's  
20 what we call the company that's asking for the  
21 certificate of need and the route permit, so in this  
22 case that's Enbridge Energy. The Department of  
23 Commerce is another state agency that is involved in  
24 the process and there are two different arms within  
25 the Department of Commerce that participate.

1                   The first is the Energy Environmental  
2 Review and Analysis unit, you might see that  
3 abbreviated EERA. And as you might guess by their  
4 name, their job is to conduct the environmental  
5 review.

6                   The other side of the Department of  
7 Commerce that is involved in this process is the  
8 Energy Regulation and Planning division. Their job  
9 is to represent the public interest when utilities  
10 ask to change rates, services, facilities and so on,  
11 and they participate on the certificate of need side  
12 of the process.

13                   Later on, we will have the Office of  
14 Administrative Hearings, or OAH, another state  
15 agency involved. They will assign an administrative  
16 law judge who will conduct hearings on both along  
17 the proposed route of the project and also in  
18 St. Paul for what we call evidentiary hearings or  
19 contested case hearings to gather facts, to provide  
20 that information in a report for the Public  
21 Utilities Commission.

22                   At the Commission, there are two staff  
23 members assigned to this project. The first is our  
24 energy facilities planner. I think of that person  
25 as more on the technical side, dealing with the

1 rules and regulations, advising the commissioners on  
2 the impacts of various options and alternatives and  
3 so forth. And then the public advisor, that's me.  
4 My job is to work with people and help you  
5 understand what happens next in the process, when  
6 you can plug in, where you can plug in, how to  
7 submit comments, where to find information and so  
8 on. Commission staff are neutral parties. We are  
9 not advocating for one side or the other, for one  
10 position or another within the process. We also do  
11 not give legal advice.

12 So as I mentioned, there are statutes and  
13 rules that govern the certificate of need process  
14 and there are a number of criteria that the  
15 Commission is required to consider when reviewing  
16 such an application. And, likewise, for the route  
17 permit, the statutes and rules guide the Commission  
18 on the factors they need to consider. I'm not going  
19 to read through this list, you have that in your  
20 packet. However, the rules identify this list, but  
21 they don't rank them, so they don't prioritize one  
22 as being more important than another. So throughout  
23 the process, various folks will be submitting  
24 information to the record about all of these  
25 different aspects and it's up to the Public

1 Utilities Commission to balance all of those factors  
2 and come up with the route permit if one is issued.

3 This is an overview of the certificate of  
4 need process. And the main thing I want to point  
5 out here is right now we're at this blue box, the  
6 public information meetings. And you can see there  
7 are a number of steps before we get to that bottom  
8 box of a decision.

9 The other thing I want you to notice is  
10 there are opportunities for you to participate in  
11 the process and offer input, attend meetings, submit  
12 comments and so forth throughout the process as  
13 well.

14 And a very similar looking chart for the  
15 route permit process. Again, we're at the blue box,  
16 the public information meetings. There are a number  
17 of steps before we get down to the decision point  
18 and there are numerous opportunities for you to  
19 participate along the way.

20 The same information presented in chart  
21 form with some estimated dates. And the key word  
22 here is estimated. Based on what we know at this  
23 point in time, we anticipate a decision on the  
24 certificate of need to be made by June of 2016. And  
25 a similar chart for the estimated route permit

1 timeline. Again, many things could happen between  
2 now and then, it all could be subject to change, but  
3 at this point we anticipate the route permit  
4 decision could be made in August of 2016.

5 As I mentioned, there are numerous  
6 opportunities for you to participate by sending in  
7 written comments or attending meetings and so on.  
8 And when the Commission has those opportunities  
9 available, we do publish a notice to let folks know  
10 what's happening.

11 This is an example. You can see this is  
12 one from April, but just to give you an idea of the  
13 key elements to look for if you do see one of these  
14 notices.

15 First of all, the docket numbers. That's  
16 how we keep track of everything that happens  
17 regarding the process. You can see here there are  
18 two listed. As I mentioned, the company needs to  
19 have a certificate of need and a route permit before  
20 the project can be built and so there's one docket  
21 number for each of those aspects of the process.

22 We also identify a comment period. So  
23 it's not an open-ended, send anything, any time, we  
24 have a specific time period where we're looking for  
25 certain information so that we can move on to the

1 next step in the process.

2 And we will also identify the topics that  
3 are open for comment. You want your comments to  
4 have the most impact at the right time, so it's  
5 important to know what those topics are because  
6 that's what we're looking for help on at that point  
7 in time.

8 So, again, the keys to sending comments.  
9 Include the docket number. Whether you're sending  
10 that information by U.S. mail, e-mail, what have  
11 you, put the docket number on there to make sure it  
12 ends up being filed with the right topic. Try to  
13 stick to the topics in the notice as much as  
14 possible. Again, that's going to provide the most  
15 impact for your comments.

16 You don't need to submit your comments  
17 more than once. Once we have them, we have them,  
18 they're in the record. Verbal and written comments  
19 carry the same weight. So, again, if you speak your  
20 comments you don't also need to send them in in  
21 writing. You certainly are free to do so, but  
22 again, if we have them in spoken form, in written  
23 form, electronic form, they all count the same,  
24 they're in the record.

25 The Commission's decision is based on the

1 facts in the record. It's not based on how many  
2 people like this alternative better than that one or  
3 how many people like this option better than  
4 another, it's really based on the facts in the  
5 record. So as much as possible in your comments,  
6 stick to the facts, that would be the most helpful.

7 I also want to let you know that the  
8 comments you submit are public information. We do  
9 have an eDocket system that is online and so folks  
10 that submit comments either by speaking, by writing,  
11 electronically, what have you, all of those comments  
12 will be added to that system so that people can see  
13 them online. And, again, the comments need to be  
14 received by the deadline so we can move on to the  
15 next step.

16 If you want to stay informed about this  
17 project, there's a number of ways you can do that.  
18 The first is, as I mentioned, we have an eDocket  
19 system where you can look at all the documents that  
20 have been submitted in the case so far. These are  
21 the steps that you would follow from the  
22 Commission's website to do that.

23 We also have a project mailing list.  
24 There's an orange card at the table when you came  
25 in. The simplest way to sign up for the project

1 mailing list is to fill out that card and turn it in  
2 to Jorinda at the table. This will allow you to  
3 receive information about project milestones and  
4 opportunities to participate in the process, sort of  
5 the high points, if you will.

6 Now, if you want to receive notification  
7 every time something new comes into the record, we  
8 have an e-mail subscription service and so you would  
9 receive a notice every time something new happens.  
10 These are the steps you would follow to subscribe  
11 via e-mail. I do want to point out that this could  
12 result in a lot of e-mail, so if you're not a super  
13 fan of e-mail, this might not be the best option for  
14 you. And this is just a picture of what it looks  
15 like when you go to that subscription page. A lot  
16 of people say it's not very user-friendly so I  
17 always like to show you this is what it should look  
18 like when you get there to make sure you put in the  
19 right information.

20 Again, at the Public Utilities Commission  
21 there are two different staff members assigned to  
22 this project. The first, again, is me, my name is  
23 Tracy, I'm the public advisor. And the energy  
24 facilities planner on this case is Mr. Scott Ek.  
25 We're certainly available to answer your questions

1 at any point.

2 Thank you. I'll turn it over to  
3 Enbridge.

4 MR. MITCH REPKA: Hello, everyone.

5 My name is Mitch Repka, I'm the manager  
6 of engineering and construction for the U.S. portion  
7 of the Line 3 Replacement Project.

8 I'd like to start by thanking the Public  
9 Utilities Commission as well as the DOC for inviting  
10 us here today to speak on behalf of the project.  
11 Also to thank you for taking time out of your busy  
12 schedules to be here today.

13 Today we'll go through a number of things  
14 in the presentation. We'll talk about who Enbridge  
15 is, we'll give the history of Line 3, then we'll get  
16 into project specific details, as well as finish out  
17 with a slide regarding the benefits.

18 So who is Enbridge? Enbridge owns and  
19 operates the world's longest crude oil  
20 transportation system. The pipeline system delivers  
21 approximately 2.2 million barrels of crude and  
22 liquid petroleum per day and satisfies approximately  
23 70 percent of the market demand in refineries here  
24 in the Great Lakes region.

25 The company has a variety of assets, as

1 you can see on the map. The liquids system is shown  
2 in blue. The red is our natural gas assets and  
3 joint ventures. The company also has a growing  
4 portfolio in wind, solar, and geothermal energy.

5 At Enbridge, we operate under three core  
6 values: Integrity, safety, and respect. Each of  
7 these core values is interwoven in everything we do  
8 as an organization, whether it be the planning,  
9 designing, land acquisition, construction, or  
10 long-term operation and maintenance of our  
11 facilities. Safety is a top priority for  
12 landowners, community members, and Enbridge takes  
13 this responsibility very seriously and is committed  
14 to the long-term safe and reliable operation across  
15 its system as well as here in Minnesota.

16 As for the history of Line 3. The  
17 original Line 3 was constructed in the 1960s and was  
18 placed into service in 1968. It's a 34-inch  
19 diameter line that runs from Edmonton, Alberta to  
20 Superior, Wisconsin. It's roughly 1,097 miles in  
21 length. It's an integral part of the mainline  
22 system and delivers crude to locations here in  
23 Minnesota, Wisconsin, and other parts of North  
24 America.

25 As for the replacement project, it is a

1 proposed project that runs from Hardesty, Alberta to  
2 Superior, Wisconsin. It's 36 inches in diameter and  
3 approximately 1,031 miles in length. Regulatory  
4 approvals are being sought in both Canada and the  
5 U.S., and the overall cost of the project is  
6 estimated to be \$7.5 billion, which makes it one of  
7 North America's largest infrastructure projects. Of  
8 that total, about 2.6 is for the U.S. portion.

9 So the project is an integrity- and  
10 maintenance-driven project, which means it will  
11 result in the permanent deactivation of the existing  
12 Line 3 once the new line is operational. This will  
13 result in a reduced need for ongoing maintenance and  
14 integrity activities along the existing corridor,  
15 which will reduce the landowner environmental  
16 impacts along that corridor.

17 The U.S. portion of the project is  
18 approximately 364 miles in length. 13 of those  
19 miles are in North Dakota, 337 are in Minnesota, and  
20 14 are in Wisconsin.

21 Enbridge filed the certificate of need as  
22 well as the routing permit in April of 2015 and,  
23 pending regulatory approvals, it expects to start  
24 construction in 2016 and continue through 2017.

25 As for the Minnesota portion of the

1 project. The project must enter Minnesota in  
2 Kittson County to allow it to be tied to the North  
3 Dakota section of the project. It also must go  
4 through Clearbrook to allow deliveries to the  
5 Minnesota Pipe Line system as well as the existing  
6 terminal facility there. It also must exit in  
7 Carlton County to allow it to tie to our Wisconsin  
8 segment of the project into Superior.

9 As for the segment north and west of  
10 Clearbrook, you can see by the orange squares, there  
11 are four pump station planned for the project. Each  
12 of those are on existing sites. This section of the  
13 line is 98 percent collocated with existing utility  
14 corridors.

15 South and west of Clearbrook, you can  
16 see, again, there are four additional pump stations  
17 near Two Inlets, Backus, Palisade, and Cromwell.  
18 This route is 75 percent collocated with existing  
19 utility corridors.

20 The project is designed to flow 760,000  
21 barrels per day of crude. There are 27 mainline  
22 valves located along the route. As far as the  
23 construction footprint, the current footprint during  
24 construction activities is 120 feet in width, 50  
25 feet of which will be permanent easement that will

1 be maintained on an ongoing basis. That footprint  
2 is reduced to 95 feet of construction footprint in  
3 wetlands, again maintaining the 50 feet of  
4 permanent. In locations where we're parallel to  
5 existing Enbridge facilities, we'll require 25 feet  
6 of additional and we'll share the other 25 feet with  
7 the adjacent facility for a permanent easement. The  
8 overall cost here in Minnesota is estimated to be  
9 \$2.1 billion.

10 As for benefits of the project. Again,  
11 as mentioned earlier, it is an integrity- and  
12 maintenance-driven project, therefore it will result  
13 in the permanent deactivation of the existing  
14 Line 3. For landowners along that route, it will  
15 mean reduce maintenance activities as well as  
16 reduced environmental impacts. The project will  
17 also restore the historical operating capabilities  
18 of Line 3, therefore reducing apportionment on the  
19 system which our customers are currently  
20 experiencing.

21 As for jobs, we anticipate 1,500  
22 construction jobs will be created as a result of the  
23 project. About 50 percent of those will come from  
24 communities here in Minnesota along the corridor.  
25 There will also be a need for long-term positions

1 with Enbridge in order to maintain and operate the  
2 new asset once it's in service.

3 Local businesses will benefit from the  
4 project as well. As construction ramps up, there  
5 will be additional labor and crews and material  
6 that's required. So those folks will need housing,  
7 they'll buy food at our local grocery stores,  
8 they'll purchase gas at local gas stations. Other  
9 supplies needed for construction will be purchased  
10 from local businesses throughout the route. So  
11 those benefits will be realized by those businesses.

12 Also, on a long-term basis, additional  
13 tax revenue in the amount of about 19 and a half  
14 million dollars will be provided to the counties in  
15 which we operate in. So this is an incremental  
16 increase as a result of the project, this additional  
17 tax revenue. This money will be divided, as I said,  
18 between the counties, and can be used for any number  
19 of things, whether it be infrastructure improvements  
20 or maintenance of the existing structures within the  
21 counties or potential reduction in tax burden of the  
22 county members.

23 Once again, I appreciate you taking time  
24 to be here with us today. I do have a number of  
25 folks with us here today from Enbridge and I'll take

1 a minute to allow them to introduce themselves.

2 MR. BARRY SIMONSON: Okay. Thanks,  
3 Mitch.

4 Welcome, everyone, to Park Rapids. My  
5 name is Barry Simonson and I am the project director  
6 for the Line 3 replacement. In that role, I have  
7 the ultimate oversight over a successful Line 3  
8 project. Anyways, I have ultimate responsibility  
9 for the Line 3 replacement program here in the U.S.

10 Thank you.

11 MR. JOHN GLANZER: Good morning. My name  
12 is John Glanzer, I'm the director of infrastructure  
13 planning for Enbridge. And it sounds like this is a  
14 feedback zone as well.

15 In infrastructure planning we take a  
16 forward view of the network, the Enbridge liquids  
17 pipeline network, with a view to make sure that the  
18 network is evolving along with the market demand for  
19 the transmission of energy.

20 MR. JOHN MCKAY: I'll try it over here.

21 Hello. I'm John McKay, I'm senior  
22 manager of land services for U.S. projects for  
23 Enbridge. And I provide just general oversight for  
24 all the U.S. projects, for land acquisition,  
25 restoration, construction support.

1                   MR. PAUL TURNER: Good morning. Let's  
2 see how this works from here.

3                   My name is Paul Turner, I'm the  
4 supervisor of our environmental permitting team.  
5 And in that role I manage and oversee the  
6 preparation and submittal of all the environmental  
7 permit applications necessary for the project.

8                   MR. JOHN PECHIN: Good morning. My name  
9 is John Pechin, Bemidji area operations manager, and  
10 I'm responsible for electrical and maintenance of  
11 the project when it comes into service.

12                  MR. MARK WILLOUGHBY: Good morning.  
13 Welcome, everyone.

14                  My name is Mark Willoughby, I'm the  
15 director of project integration, ensuring a smooth  
16 transition from construction to operations.

17                  In my prior role at Enbridge, I was the  
18 director of operations for the Superior region,  
19 which includes all of our assets in Minnesota.

20                  Thank you.

21                  MR. ARSHIA JAVAHERIAN: Thank you,  
22 everyone, for coming out.

23                  My name is Arshia Javaherian, I'm senior  
24 legal counsel at Enbridge and I'm the in-house  
25 attorney for this project, responsible for the

1 regulatory permitting as well as land acquisition.

2 MR. MITCH REPKA: Okay. Thank you.

3 We'll turn the presentation over to the  
4 Department of Commerce.

5 MS. JAMIE MACALISTER: Do we need to make  
6 some adjustments here before we get going? No.

7 MR. JOHN GLANZER: Give it a try.

8 MS. JAMIE MACALISTER: All right. Good  
9 morning, everyone. Hopefully we're not going to  
10 have to bring a sound system --

11 UNIDENTIFIED: We can't hear you.

12 MS. JAMIE MACALISTER: We're having  
13 problems already.

14 First of all, I'm Jamie MacAlister with  
15 the Department of Commerce, from the Energy  
16 Environmental Review and Analysis unit. With me is  
17 Larry Hartman, you may be familiar with him from  
18 other projects.

19 They can't hear.

20 Is this any better? Somewhat. Okay.  
21 Hopefully they'll get this figured out.

22 So hopefully all of you were able to pick  
23 up a folder. And in your folder you should have a  
24 copy of the presentations. There's important  
25 contact information in there.

1           Also in your folder you should have a  
2           comment form, as well as a sheet on some guidance  
3           for submitting comments to us. And finally you  
4           should have a draft scoping document in your folder.  
5           And some -- a map. If you're missing any of those  
6           items, please see Jorinda at the front table and she  
7           will help you figure out what you're missing and  
8           make sure you get those items.

9           I also want to mention that we added  
10          another meeting next week on August 27th from 11:00  
11          to 2:00 at the East Lake Community Center in  
12          McGregor.

13          So before we get into this  
14          presentation --

15          (Discussion held off the record.)

16          MS. JAMIE MACALISTER: Okay. So I just  
17          want to give you a brief overview of the permitting  
18          process, talk about the scoping of the environmental  
19          document. A little bit about submitting comments,  
20          route alternatives and segment alternatives. Go  
21          over a couple of examples from some other projects,  
22          and then we'll move into questions and comments.

23          Okay. Well, the routing of pipelines in  
24          Minnesota is governed by Minnesota Statute 216G and  
25          Minnesota Rule 7852. Line 3 is a full review

1 process. And that will include the preparation of  
2 an environmental document. And there will be public  
3 hearings as well for this project presided over by  
4 an administrative law judge.

5 I know Tracy has gone over the permitting  
6 process with you a little bit, but just to remind  
7 everyone that the application was submitted in  
8 April, it was recently approved by the PUC in July.  
9 And we're currently in the public scoping and  
10 information phase of this, gathering your comments,  
11 route and segment alternatives. And those will be  
12 presented to the PUC for them to determine which of  
13 those get carried on for further analysis in the  
14 comparative environmental analysis document.

15 So the purpose of these scoping meetings  
16 is to provide the public agencies, local  
17 governments, tribal governments, an opportunity to  
18 help us identify issues and impacts -- those can be  
19 human or environmental -- for analysis in the  
20 comparative environmental document. Those will  
21 allow everyone the opportunity to participate in the  
22 development of the route segment alternatives, as  
23 well as I would like to just reinforce that those  
24 alternatives that are carried forward for analysis  
25 are approved by the PUC. But all of the route

1 segment alternatives from the Sandpiper Pipeline  
2 were carried forward by the PUC, so not to worry  
3 that alternatives won't be considered.

4 So what is the comparative environmental  
5 analysis? Well, that is the document that is  
6 prepared, the environmental document prepared for  
7 pipelines. It is an alternative form of review and  
8 it was approved by the Minnesota Environmental  
9 Quality Board. And it is designed to meet the  
10 Minnesota Environmental Policy Act requirements.

11 This document is intended to be an  
12 objective analysis of the project. It looks at the  
13 impacts and mitigation measures that can be  
14 proposed. The document doesn't advocate for any  
15 routes or alternatives. And the goal of the  
16 document is really to provide people and  
17 decision-makers with information that they need to  
18 make decisions.

19 So in suggesting your comments or route  
20 or segment alternatives, what's really helpful is if  
21 you provide them on a map. That can be an aerial  
22 photograph, a USGS map, a county map, as well as a  
23 brief description of what it is that you're trying  
24 to avoid or minimize through your alternative. And  
25 as much information as you can provide us so that

1 when we are reviewing these we're not guessing at  
2 the intent of your alternative, so we know exactly  
3 what it was that you were intending when you  
4 submitted that.

5 So your alternatives to the project  
6 really should be designed to mitigate specific  
7 impacts. And those impacts could be aesthetic, land  
8 use, natural resources, health impacts. These are  
9 just the framework which we use to look at your  
10 issues and concerns.

11 Your alternatives also need to meet the  
12 need for the project. So the project has to come in  
13 Minnesota in Kittson County, it needs to go through  
14 Clearbrook, and end in Superior. That's a  
15 requirement.

16 I just want to run through quickly some  
17 examples of route alternatives that were submitted  
18 for a transmission project to avoid specific impacts  
19 or issues. And in this case the avoidance issue was  
20 a historic property. You can see a number of  
21 alternatives were submitted to avoid this property.  
22 In some cases we get comments and alternatives to  
23 keep the infrastructure within existing corridors.  
24 In this case, it's with an existing roadway. This  
25 one is to avoid a memorial site.

1                   And then I'd like to turn your attention  
2                   to the maps in your folder. You should have --  
3                   these maps should be attached to the draft scoping  
4                   document as well as there should be a double-sided  
5                   map in your folder. This map shows all of the  
6                   alternatives that have been proposed for the  
7                   Sandpiper Pipeline. And all of these alternatives  
8                   are being carried forward for Line 3. So the flip  
9                   side shows just a closeup of these alternatives.  
10                  So, in all, I think there are currently 35 route and  
11                  segment alternatives that are being looked at for  
12                  both Sandpiper and Line 3. There were a number of  
13                  minor route and segment alternatives that were  
14                  proposed in Sandpiper that have already been  
15                  incorporated into the preferred route for Line 3 and  
16                  I think there were roughly 23 of those that have  
17                  already been included.

18                  So, just quickly, for the anticipated  
19                  route schedule. As you know, the comment period  
20                  closes on September 30th. We anticipate the  
21                  Commission will be looking at route alternatives to  
22                  be carried forward for analysis sometime in  
23                  November, and we would expect the comparative  
24                  environmental analysis to be released in March of  
25                  next year, with a final decision by the Commission

1           sometime next summer, July or August.

2                       As we move into our question-and-answer  
3 phase here, I would like to remind everyone that we  
4 do have a number of folks here, we have quite a few  
5 speaker cards. With those that have spoken at  
6 previous meetings, I would like to ask that you wait  
7 until the end, if there's time we will take your  
8 comments. One speaker at a time. And please state  
9 and spell your name for the court reporter,  
10 otherwise Janet will ask you to do so.

11                      And in order to accommodate all the  
12 people that would like to speak here this morning,  
13 if you can keep your comments or your questions, if  
14 you can try to keep it to a few minutes that's  
15 helpful so we can get through everyone.

16                      Let's try to maintain some modicum of  
17 respect for one another as we go through this. And  
18 to the extent possible, if you can direct your  
19 comments towards the scope of the comparative  
20 environmental analysis that would also be  
21 appreciated.

22                      So your comments will be, from speaker  
23 card, those will be recorded. You're welcome to  
24 leave your comment form with us before you leave.  
25 You can send them in at your leisure. You're also

1 welcome to e-mail me, call me, fax them. And in  
2 general, if you have any questions about the project  
3 or submitting route or segment alternatives, please  
4 feel free to contact me.

5 All right. Let's start with our first  
6 speaker.

7 MR. LARRY HARTMAN: The first speaker  
8 card I have is for Lowell Schellack.

9 MR. LOWELL SCHELLACK: My name is --  
10 okay, we'll try this one that works.

11 My name is Lowell Schellack, spelled  
12 L-O-W-E-L-L, last name is S-C-H-E-L-L-A-C-K.

13 My wife and I live on Hay Creek in  
14 Section 9, Arago Township, Hubbard County,  
15 Minnesota.

16 The proposed Line 3 replacement project  
17 crosses Hay Creek within one mile of our house. Hay  
18 Creek is a tributary to the Fish Hook chain of lakes  
19 in Hubbard County. The Fish Hook chain of lakes is  
20 comprised of four lakes and connecting streams,  
21 including Island Lake, Eagle Lake, Potato Lake and  
22 Fish Hook Lake. All are premier fishing and  
23 recreation lakes in Hubbard County.

24 Eleven years ago, my wife and I built a  
25 new house on Hay Creek, anticipating living near a

1 stream rich with marine life. At the time we built,  
2 there were already three oil pipelines under Hay  
3 Creek and shortly after a fourth line was installed  
4 in 2005.

5 Enough is enough. We do not need another  
6 oil pipeline crossing Hay Creek in Hubbard County.  
7 The cumulative effect of the proposed Sandpiper and  
8 the Line 3 replacement would be an average flow of  
9 1,035,000 barrels per day. This is in addition to  
10 the four lines already in service.

11 Hubbard County has already -- Hubbard  
12 County already has its share of risk for oil spills  
13 to contaminate its precious water resources. Line 3  
14 must not be relocated through Hubbard County. There  
15 are safer and more environmentally friendly routes  
16 to be considered.

17 A large part of the Line 3 replacement  
18 would be placed in close proximity to high voltage  
19 electrical transmission lines. Recent developments  
20 have suggested that high voltage electrical  
21 transmission lines, stray voltage, has caused  
22 premature deep corroding pits in the Keystone 1  
23 pipeline just built in 2009.

24 Before placing more steel pipe close to  
25 high voltage electrical transmission lines, an

1           exhaustive study must be done to determine the risks  
2           associated with steel pipes near such lines.

3                       The process is moving too fast and a  
4           moratorium on the review of Line 3 is demanded until  
5           conclusive studies have been performed. No studies  
6           have been done to determine the economic and social  
7           impacts of a major spill in the headwaters of the  
8           Mississippi area. At a minimum, 28 water crossings  
9           have been identified on the route as proposed, and  
10          many are inaccessible by road. Responding to an  
11          identified spill would take an unacceptable amount  
12          of time.

13                      An environmental impact statement must be  
14          done to adequately study the feasibility of the  
15          Line 3 Replacement Project. Recent 2015 spills in  
16          California and Canada demonstrate releases continue  
17          to happen, in spite of the industry's claims that  
18          pipelines are safe. Time and time again we are  
19          reminded that the benefits of putting oil so close  
20          to our precious resources is never worth the risk.

21                      MR. LARRY HARTMAN: Charles Burns.

22                      MR. CHARLES BURNS: B-U-R-N-S, the last  
23          name, Burns. Charles.

24                      A comment I'm going to make is going to  
25          go back 65 plus years ago when the first pipeline

1           went to Clearwater County, Hubbard County. I worked  
2           on that pipeline. There was no quality control at  
3           all. The pipe was hauled to the job raw, throw it  
4           on the ground like wood. When they picked it up,  
5           welded it together, there was dirt on it, swept it  
6           off. I've seen pipe in a racking machine that was  
7           on the job. They had a big tank there, it was  
8           doped, they called it, and that was 500 degrees  
9           Fahrenheit. They had a lot of problems with that  
10          with quality control, but at the time that was  
11          acceptable.

12                         And when they crossed roads, they didn't  
13          go under them, they went over them. I could show  
14          you a spot, I don't know if it still looks the same.  
15          How they cross a river, they throw wood in it if it  
16          was too soft, or if it was solid they just went  
17          across it and buried the pipe. That first pipeline  
18          over 65 years ago in comparison to today, there's no  
19          even coming near what was done then as what is done  
20          today.

21                         Those days, if you picked up a pipe,  
22          there would be a drag line with two hooks hooking  
23          into the pipe and lifted it up and throwed it  
24          around. I seen pipes scratched, run up against by  
25          machines, and they accepted it. And that pipeline

1 right now is still pumping oil after 65 years.

2 Now, when they hydro test that pipe, how  
3 do they do it? The same way today, only one  
4 difference. They dumped all that orange juice  
5 reddish water, it looks like orange juice and tomato  
6 juice, mixed right in the ditch and it run down the  
7 hill. I live 1,000 feet from that pipeline and 96  
8 feet below it and that was handy to dump it into a  
9 swamp, which I still live on today. So I knew the  
10 difference and nobody cared. The driveway was fixed  
11 up. Today you wouldn't even now think about that.

12 So what is the people's concern today?  
13 They should have been around 65 plus years ago and  
14 voiced their concerns. But nobody was around. They  
15 crossed swamps, they throw in a bunch of timber,  
16 dirt over it, and went across. And in some places  
17 they left it or they gouged it out with a big drag  
18 line. Well, what people want to remember? When you  
19 pull into this school, what do you see out there in  
20 that parking lot? A big tank. That's not water in  
21 that tank, that's LP. Everything we touch and we go  
22 for comes from crude oil.

23 That pipeline that's behind my place  
24 hasn't never sprung a leak and I don't even know  
25 it's there. There's three more since then. So I

1 don't see no problem with it. I see a problem with  
2 people that the pipe is going through their land and  
3 not making no money. That's the problem. Because  
4 some people made a lot of money off of that when  
5 they owned a couple hundred acres of land and it  
6 went through the center of it.

7 So why would we block it? We've got to  
8 be independent in oil. If we depend on other people  
9 we're going to be in trouble. If we can't use it,  
10 it's hundreds of thousands of years old, just hold  
11 it and then bring it forward. But I talked to a  
12 representative the other day and he says he talked  
13 to Koch and they're still using that pipeline from  
14 65 years ago.

15 So today they don't -- they go under the  
16 highways, they don't go over them. And the kind of  
17 quality is far superior over what they had then. So  
18 I don't see no problem. Why are people getting  
19 excited? People in Bemidji, Bagley, Fosston, they  
20 don't want the rail to haul oil because if they do  
21 they're in trouble. Because the rail system is the  
22 most hazardous way you can haul petroleum. And you  
23 take a look at the map. From Williston to Superior,  
24 it's a direct route if the railroad decides to take  
25 that. And so far they're trying to get in.

1                   One thing you remember about the  
2                   railroad, nobody controls, absent congress. States,  
3                   cities, can't even talk to them. So the pipeline as  
4                   of now costs the people money until it's pumping  
5                   oil. Hubbard County collects \$3 million a year when  
6                   that's pumping oil, on revenue. Every county  
7                   through the line will make money off that pipeline.  
8                   Right now, as it's stacked up, all that pipe in Lake  
9                   George, how can they afford that? They can easily  
10                  because they write it off until the pipeline is  
11                  done. People don't realize economics or the need.

12                  So if you don't want oil, quit driving  
13                  your car, disconnect electricity, disconnect the LP,  
14                  if you use it, and live like I've lived for 14 years  
15                  in a house with nothing but candles. Walked 100  
16                  yards out in the swamp with a pitcher pump to get  
17                  water, outside toilet. How many people do that  
18                  today? None. So oil is part of our life, like it  
19                  or not.

20                  And we got the oil in North Dakota, let's  
21                  use it instead of trying to block it. Because  
22                  blocking it will just make the situation worse. And  
23                  I don't know of any leaks in Hubbard County or  
24                  Clearwater County. They've had accidents, but it  
25                  wasn't the cause of the pipe.

1           So next time you turn your thermostat up,  
2           remember what you're heating with, with oil or gas,  
3           and where did that come from?

4           So like I said, the quality control in  
5           the beginning didn't exist and today the difference  
6           is a thousand percent difference. You can't put  
7           pipe on the line with rust on it and scratches and  
8           everything, it's prewrapped and brought to the job.  
9           Today it's not freehand welding. It's robot  
10          welding, I'm pretty sure, I've seen pictures of it  
11          that does a much better job. In those days they had  
12          a guy out there, he was a welder, and then they  
13          x-rayed it. And it laid on the ground, three in a  
14          row, the first guy picked it up, the second one  
15          pulled the dope off and it looked like a chair in a  
16          ski lodge. Then this third one had a big trailer  
17          where the wrapping paper is at and plunked it down,  
18          down it went and they buried it. And that pipe is  
19          still there and it hasn't blown up or hasn't caused  
20          anybody to run for their life. And there's two to  
21          three more since then. Their quality is a little  
22          better, but I'm sure the quality is far superior,  
23          much better.

24                 So if you don't like oil, shut your house  
25                 down. Get a cutting shack, a logging like shack,

1           like years ago. It was just a square building and a  
2           bed to sleep in and everything else you had to  
3           scratch for yourself. Because we live off of oil.

4                        Go to the grocery store and buy a carton  
5           of milk. That's oil. That paraffin wax is what's  
6           on that carton and it has to be. Hardware,  
7           everything is oil. I heat my house with LP, I  
8           wouldn't heat my house no more with wood because  
9           it's too much work and I'm 80 years old and I can't  
10          handle that anymore.

11                      So let's either get with it or, if you  
12          don't like it, shut your house down so you can say I  
13          don't use oil. Put new tires on your car, that's  
14          oil, not rubber. So everybody is getting excited  
15          because pipelines blow up. No. I'm sure that any  
16          company, they very much want to monitor that.  
17          Clearbrook has a system that if there's a leak, they  
18          shut down. A railroad has a derailment, one of the  
19          tank cars, all 50 or 100 pile on top of each other  
20          and catching fire, you've got a mess, you've got to  
21          run for your life.

22                      In the last five years over 45 people  
23          have died from rail/oil accidents. In Canada, 40  
24          people have died in that town. Go to Castleton,  
25          North Dakota and ask them how they like the rail

1 system for hauling oil, because the railroad can be  
2 governed by only this federal government. So think  
3 about it.

4 How is that?

5 MS. JAMIE MACALISTER: Perfect.

6 MR. LARRY HARTMAN: The next speaker is  
7 John Weber and Marlene Weber.

8 MR. JOHN WEBER: Good morning. I'm going  
9 to pause at times because I'm going to pose some  
10 questions, and there are some knowledgeable people  
11 in the room, so maybe they can provide some answers.

12 One version of the military phrase,  
13 quote, R and R, unquote, stands for remove and  
14 replace. I contend that the Line 3 application  
15 does -- or applications, plural, do neither.  
16 Rather, the old Line 3 would be abandoned, not  
17 removed, and from Clearbrook, Minnesota to Superior,  
18 Wisconsin would entail a new, larger 36-inch 55 mile  
19 longer line in a new corridor. That doesn't sound  
20 like replace to me, but new.

21 PUC staff briefing papers on July 1st,  
22 2015 said, quote, Enbridge explained that it chose  
23 not to locate the new pipeline in or near the  
24 existing Line 3 right-of-way from Clearbrook to  
25 Superior because the existing pipeline is too close

1 to other Enbridge pipelines to be safely excavated.

2 Here's the first question. Who let this  
3 happen? I guess no one is claiming anything has  
4 happened.

5 Further, has any agency not connected  
6 with Enbridge proven that this is indeed the case?

7 MS. JAMIE MACALISTER: I'm not clear on  
8 what your question is.

9 MR. JOHN WEBER: Well, okay. In the  
10 staff briefing paper it said that Enbridge claimed  
11 that line -- the existing Line 3 was too close to  
12 other pipelines and could not be safely excavated.

13 Has any outside agency not connected with  
14 Enbridge determined that is indeed the case?

15 MS. JAMIE MACALISTER: I don't think  
16 that's been fully determined. I think that the  
17 preference of Enbridge would be, because it would be  
18 challenging for them to replace Line 3 because it is  
19 in the middle of the other lines, their preference  
20 would be not to replace it.

21 MR. JOHN WEBER: Excuse me. How many  
22 more pipelines could be squeezed into the proposed  
23 Sandpiper/Line 3 corridor from Clearbrook to  
24 Superior? How many more pipelines could be squeezed  
25 in there?

1 MS. JAMIE MACALISTER: That I can't  
2 answer.

3 MR. JOHN WEBER: Can anyone from  
4 Enbridge? I'm sure you've been planning down the  
5 road here. How many pipelines could you squeeze in?

6 MR. LOWELL SCHELLACK: They could squeeze  
7 in as many as they want to, because there is land to  
8 move over to the east side of the pipeline. And  
9 that's where the pipeline is going, on the east side  
10 of the original pipes. Because I've had pretty good  
11 knowledge with Enbridge, and that pipeline is going  
12 through my property, and I'll admit it, is 1,250  
13 feet away from the original. And as it goes north  
14 it stays clear to the east side of all those  
15 existing pipelines. They know where it's at, it's  
16 all been marked out. There's been surveyors in  
17 there and people working on that for all summer  
18 long.

19 MR. BARRY SIMONSON: I can answer that  
20 the best I can. In terms of routing, we're here for  
21 the Line 3 replacement, we're not here to talk about  
22 any other projects that hypothetically could be  
23 built in the state of Minnesota.

24 But in terms of routing Line 3, we  
25 looked at many factors in terms of routing. We

1 looked at the existing Enbridge corridor, which you  
2 alluded to earlier, where the existing Line 3 is  
3 operating. And if we were to put this line in that  
4 corridor, the corridor right now from Clearbrook  
5 north is seven pipelines that Enbridge owns and  
6 Clearbrook south has six.

7 Now, what's happened since Alberta  
8 Clipper was built back in 2009, there were four  
9 pipelines, now there's six. And that route goes  
10 through cities such as Bemidji, Cass Lake, Grand  
11 Rapids. And over time there has been other  
12 infrastructure that's been built. High voltage  
13 transmission lines were put in back in 2010 from  
14 Bemidji to Grand Rapids. There are schools,  
15 businesses, that have been built up and around  
16 pipelines, and homes. So we look at routing in  
17 terms of a balance between the environmental effect  
18 of pipeline construction as well as human  
19 settlement. So that's why we did choose to go south  
20 from Clearbrook to Park Rapids and then east to  
21 Superior, Wisconsin.

22 MR. JOHN WEBER: But you're proposing to  
23 go along the Sandpiper proposed corridor. And  
24 that's -- my question is, Sandpiper, new Line 3, how  
25 many more pipelines could be squeezed in that

1 corridor that has been proposed?

2 MR. BARRY SIMONSON: That's a  
3 hypothetical question I can't answer because we're  
4 not proposing any more pipelines as the applicant  
5 within that corridor.

6 UNIDENTIFIED: Do you promise that there  
7 won't be any other pipelines in there? Can you  
8 promise that?

9 MR. BARRY SIMONSON: I can't promise you  
10 anything in the future.

11 UNIDENTIFIED: Exactly.

12 MR. JOHN WEBER: Moving on.

13 Okay. And if squeezed in tightly enough,  
14 would that preclude there ever being, quote, safely  
15 excavated, end quote? If new Line 3 is built and  
16 deemed, quote, operational, unquote, what assurance  
17 does the public have that old Line 3 will indeed be,  
18 quote, permanently deactivated, end quote, rather  
19 than continue to be used for transporting other  
20 products requiring lower pressure than needed to  
21 move tar sands oil?

22 MR. MITCH REPKA: Thanks, Mr. Weber, for  
23 your questions on deactivation. And, you know, the  
24 intent is for the line to be permanently  
25 deactivated, and therefore it will not be used for

1 transportation of other product beyond the  
2 completion of the permanent deactivation.

3 MR. JOHN WEBER: Now, who will assure  
4 that that actually happens?

5 MR. MITCH REPKA: As part of the permit  
6 deactivation process, the line will be permanently  
7 disconnected from any other sources of crude, so our  
8 pumping stations will be -- the line will be  
9 permanently disconnected there. The line will be  
10 purged of the product initially. And then we will  
11 clean the internal diameter of the pipeline through  
12 a cleaning process. Like I mentioned earlier, it  
13 will be disconnected. The corrosion controls that  
14 are existing on the line will remain in place to  
15 ensure the integrity of the pipeline. The  
16 right-of-way will continue to be monitored as it is  
17 today. As mentioned earlier, it's in the middle of  
18 a multiple-pipeline corridor, so all the line  
19 markers, you know, the locating of the facility will  
20 continue to take place. We'll have an ongoing  
21 maintenance program that will include the  
22 deactivated line.

23 MR. JOHN WEBER: Anyway, what's the rush  
24 on this? Though the projected economic life of the  
25 new Line 3 is somewhere probably between 20 and 30

1 years, in reality the inactive life could span  
2 decades and even centuries if Sandpiper and new  
3 Line 3 are abandoned, as it appears will be the fate  
4 for old Line 3. Is the whole permitting process so  
5 flawed that applicants cannot be required to  
6 excavate old pipelines rather than leaving them  
7 underground to rot, contaminating soil, water, and  
8 air alike?

9 And I guess I'd be directing this to the  
10 PUC. Is there anything that can preclude this?

11 MS. JAMIE MACALISTER: Are you asking if  
12 there's anything in the permitting process --

13 MR. JOHN WEBER: Yes, that requires the  
14 applicant to excavate an old, unused pipeline.

15 MS. JAMIE MACALISTER: No, there is not a  
16 requirement for them to excavate and remove the old  
17 pipeline. They would, of course, be held in their  
18 permit conditions to decommissioning the old Line 3,  
19 as they have stated, and to maintain that line.

20 MR. JOHN WEBER: Forever and ever?

21 MS. JAMIE MACALISTER: Yes.

22 MR. JOHN WEBER: I mean, even hundreds of  
23 years into the future?

24 MS. JAMIE MACALISTER: As long as  
25 Enbridge is an entity, they would be responsible for

1           that line.

2                       MR. JOHN WEBER:   So if they happen to go  
3 out of existence, then the slate is wiped clean? Is  
4 that true? Who would pick up the pieces if Enbridge  
5 isn't around?

6                       MS. JAMIE MACALISTER: Well, that's a  
7 question I cannot answer. I can assume that --

8                       MR. JOHN WEBER:   Okay.

9                       MS. JAMIE MACALISTER: -- if that  
10 happens, we'd have a lot of other issues as well.

11                      MR. JOHN WEBER:   It seems like now is the  
12 time to plan for that.

13                      Anyway, it's a legal charade to contend  
14 that Sandpiper and the new Line 3 have, quote,  
15 different and distinct, unquote, applicants, when in  
16 the real world there is only one, Enbridge. The  
17 same Enbridge that over the past several years has  
18 much, quote, river of oil, unquote, flowing through  
19 northern Minnesota as it can push through the  
20 permitting procedures that are rigged in its favor  
21 over the health and welfare of the public and the  
22 natural environment. Enbridge is not the only  
23 company with big pipeline expansion plans. Someone  
24 needs to say, quote, time out, unquote, we need time  
25 to study what the collective impacts will be of all

1           these energy corridors.

2                     Thank you.

3                     MS. JAMIE MACALISTER: Thank you.

4                     MS. MARLENE WEBER: Okay. My name is  
5           Marlene Weber and I live on a lake in Hubbard  
6           County. And as I've been following the Enbridge  
7           pipeline situation, it seems to come down to one  
8           thing. Money. If money can be made it doesn't  
9           matter if we rape the environment.

10                    We want to consider an alternative route.  
11           It seems our water, lakes, rivers, wetlands, rice  
12           beds, and the people and critters that live here  
13           don't matter if money can be made. I think the kind  
14           of world we leave our children and grandchildren  
15           does matter.

16                    The time has come to make a change and to  
17           say let's protect our water and land. You all  
18           should make every effort to do this, and that means  
19           making sure a full EIS is done.

20                    Thank you.

21                    MR. LARRY HARTMAN: Irene Weis is the  
22           next speaker.

23                    MS. IRENE WEIS: My name is Irene Weis,  
24           I-R-E-N-E, W-E-I, S, as in Sam.

25                    My husband and I live on County 40,

1 Hubbard County, Lake Hemma Township, on Big Sandy  
2 Lake. I am also a township supervisor for Lake  
3 Hemma Township. And part of our area is Potato  
4 Lake, which is in a direct line down from the  
5 Sandpiper route and the 3 one that we're talking  
6 about today.

7 My main point is I strongly request a  
8 full impact, environmental impact statement. We  
9 have so many complex parts of this problem to  
10 consider, that mainly there is a lot of  
11 misinformation out there that we're asked to take in  
12 as true facts and of course it's not.

13 Also, the township that I live in and  
14 work for, much of their revenue is generated by  
15 property taxes. If this area is spoiled, which is a  
16 possibility, it would have a huge impact on  
17 everybody and everything here.

18 We have the cleanest lakes in Minnesota.  
19 We lived in Wadena for 20 years before we moved here  
20 in 1997. My husband is still employed at his  
21 business in Wadena. And it is like three to ten  
22 feet away from the Burlington Northern railroad  
23 tracks. There's always been trains in Wadena,  
24 they've been an asset, but now, however, it is  
25 causing huge problems. Of course, with the noise,

1 the pending danger of an explosion, which there was  
2 a derailment just three miles down the road, there  
3 was no oil on that train, but it was.

4 So now we're told that if we build these  
5 pipelines then we won't have to deal with exploding  
6 trains. Well, of course that's not true. The  
7 trains will be going to the coasts, either of the  
8 coasts, and they'll continue to do that.

9 Now, Line 3 probably doesn't have an  
10 effect on the train issue, I don't -- I'm not quite  
11 sure. But the overall problem that we're dealing  
12 with is how do we extract oil, use oil in a good and  
13 efficient manner and still be able to retain our  
14 livelihoods and our environment, because many of  
15 those cannot be gotten back if they're spoiled.

16 Thank you.

17 MR. LARRY HARTMAN: The next speaker card  
18 I have is Nancy Terhark.

19 MS. NANCY TERHARK: Thank you. My name  
20 is Nancy Terhark, T-E-R-H-A-R-K. And I'm speaking  
21 on behalf of Melodee Monicken, M-E-L-O-D-E-E,  
22 M-O-N-I-C-K-E-N. And she's not able to be here  
23 today so she asked me to read this to you.

24 Friends of the Headwaters believes that  
25 the State of Minnesota, the Minnesota Public

1 Utilities Commission, and the Minnesota Department  
2 of Commerce are premature in having scheduled a  
3 series of public meetings on Enbridge's pipeline  
4 company's proposed Line 3 replacement.

5 Given the data and evidence from recent  
6 spills and corrosion studies on young pipelines,  
7 Friends of the Headwaters is urging a moratorium on  
8 the Sandpiper and Line 3 approval process until  
9 Minnesota has studied and analyzed the impact of  
10 high voltage electrical transmission lines near  
11 pipelines.

12 This study is critical because Enbridge  
13 plans to use existing high voltage transmission line  
14 corridors for much of the Sandpiper pipeline  
15 corridor. And Enbridge wants to place the new  
16 Line 3 rebuild adjacent to the Sandpiper from  
17 Clearbrook to Superior, Wisconsin, a distance of  
18 nearly 240 miles.

19 Their preferred route winds through  
20 sensitive aquifers and valuable wild rice beds,  
21 through some of Minnesota's most pristine lake  
22 country and within one mile of Itasca State Park and  
23 the Mississippi headwaters.

24 Recent events suggest that new technology  
25 and new pipelines are not the remedy pipeline

1 companies think they are. The Keystone pipeline  
2 built in 2009 was found three years later to have  
3 developed deep corrosion pits, in spite of modern  
4 high-tech cathodic protection coating similar to  
5 those touted by Enbridge as protection against such  
6 corrosion. These pits have corroded almost through  
7 the pipeline wall. They were caused by stray  
8 electrical voltage.

9 And last month the one-year-old pipeline  
10 in Alberta ruptured. This double-walled pipe leaked  
11 over 1.3 million gallons of hot tar sand oils into  
12 waters and wetlands. Despite a new automatic  
13 monitoring system, that rupture might have gone  
14 undetected for as long as two weeks. Unfortunately,  
15 no study has yet been done by any Minnesota  
16 government agency to determine if Enbridge's new  
17 pipelines could have similar issues.

18 In fact, Friends of the Headwaters  
19 detailed recommendations regarding the need for  
20 analysis and risk assessments have so far been  
21 ignored. With the notable exception of people under  
22 contract to Enbridge, environmental experts  
23 including specialists in the Minnesota DNR and PCA  
24 have all expressed concerns about the potential  
25 cumulative impacts to water and other natural

1 resources along Enbridge's proposed route.

2 During the current and ongoing Sandpiper  
3 review, experts encouraged a careful look at more  
4 southern routes that went directly to the Bakken oil  
5 destination, the pipeline and refinery connection in  
6 Illinois. But neither the PUC nor the Department of  
7 Commerce has ordered the thorough environmental  
8 assessment advocated by environmental experts.

9 Friends of the Headwaters has requested a  
10 full environmental impact statement for Sandpiper  
11 and Line 3. This topic is in litigation on the  
12 Sandpiper. However, regardless of a court's  
13 decision regarding the need for an EIS, Minnesota  
14 can order proper risk and consequence assessments  
15 similar to what was accomplished on Keystone.

16 Such studies are entirely relevant to the  
17 permitting and location decisions and the pipeline  
18 approval process. And under existing regulations,  
19 they are within the purview and prerogative of the  
20 PUC, the DOC, and the Minnesota Environmental  
21 Quality Board.

22 Minnesota citizens have a right to expect  
23 that the concerns of people charged with protecting  
24 our land and water resources, many of them  
25 experienced specialists in our lead environmental

1 agencies, will have a role in determining whether  
2 the proposed Enbridge pipelines could jeopardize  
3 Minnesota lake country, the Minnesota economy, and  
4 the source of drinking water for millions of people.

5 And Friends of the Headwaters wants to  
6 believe there are honorable public servants in  
7 Minnesota government who want to protect Minnesota's  
8 future.

9 Thank you.

10 MS. JAMIE MACALISTER: I would like to  
11 respond to a couple of those comments.

12 First of all, as you may recall, the  
13 Sandpiper docket and the routing portion of the  
14 Sandpiper docket was stopped by the PUC last fall,  
15 which is why there has been no environmental  
16 analysis done on that project.

17 And currently, when the Line 3 came in,  
18 we have made a decision in order to get at the  
19 cumulative impact to try and run the permitting  
20 processes together at this point so we can do the  
21 environmental analysis together.

22 The risk analysis, all of these things,  
23 none of those have been completed at this point  
24 because we have not started that process. This is  
25 the first step in the process, trying to get

1 information on scoping that document. This is what  
2 we are here for.

3 So all of that information will come out  
4 in the comparative environmental analysis, which  
5 structurally is very similar to an EIS.  
6 Procedurally it is not an EIS, but structurally it  
7 is. And all of those issues will be covered in that  
8 document.

9 So I just wanted to clear up any  
10 misconception as to why that information hasn't been  
11 prepared yet. Because we were ordered to not work  
12 on that, and to run these processes in tandem so we  
13 can get at this information that everyone is getting  
14 at the same time.

15 MR. LARRY HARTMAN: The next speaker card  
16 I have is Edna Underwood.

17 MS. EDNA UNDERWOOD: Edna Underwood,  
18 U-N-D-E-R-W-O-O-D. This is the first meeting we've  
19 been to. We're snow birds.

20 I am really disappointed that we don't  
21 have all the information like the other speakers  
22 have even said. And years ago my husband and I  
23 built a log home and hoped that it would be  
24 something that would be able to be passed on to our  
25 grandchildren, great-grandchildren. And I just hope

1           that they will be able to have their grandchildren  
2           and great-grandchildren here.

3                       I think we're stewards of the land. And,  
4           you know, if we don't preserve it, who is going to?  
5           And I'm wondering if any of the executives of  
6           Enbridge have ever been in this part of the country  
7           and realized what in the heck they're doing? I  
8           mean, who has walked across the Mississippi? Who  
9           has seen these beautiful homes up here? We're here  
10          for a reason. And I just think that we must  
11          preserve what we have.

12                      And there's too many -- it's not going to  
13          probably happen in the first few years. Like one  
14          speaker said, 65 years ago, it might be 100 years,  
15          and then how do you repair it? So I think we have  
16          to really take time.

17                      What if Teddy Roosevelt wouldn't have  
18          taken time to preserve some of our federal parks?  
19          We wouldn't have Yellowstone or all of these nice  
20          things.

21                      So, yes, we will have to have the  
22          pipelines, but I don't believe they have to go  
23          through our pristine, beautiful, north Minnesota  
24          land. And, thank you, I just think we need to stop  
25          and realize what we're doing and don't let money

1 talk.

2 MR. LARRY HARTMAN: The next speaker card  
3 I have is Dr. Wilbert Ahern.

4 DR. WILBERT AHERN: Thank you for this  
5 opportunity to speak. My name is Wilbert,  
6 W-I-L-B-E-R-T, Ahern, A-H-E-R-N.

7 I am an Emeritus alumni professor of  
8 history at the University of Minnesota - Morris, and  
9 for the last five years have permanently resided in  
10 Hubbard County, where I'm also the president of the  
11 Palmer Lake Association.

12 And I'd like to offer some historical  
13 perspective on the situation we're in. I think we  
14 are -- in the particular proposal before us, we face  
15 some tensions, real conflict between long-term  
16 resources and short-term resources. Long-term  
17 resources that have characterized Minnesota from  
18 even when the Anishinabe came here from the east, is  
19 water. The water quality is caught up in the name  
20 of our state, we call this the Land of 10,000 Lakes,  
21 we know there are actually more than 10,000 lakes,  
22 but what that symbolizes is this special water  
23 quality. And nowhere more characteristics of that  
24 water quality and indeed more crucial to the overall  
25 water quality not only of Minnesota, but of much of

1 the mid-continent, are the waters in this particular  
2 area, Hubbard County and the surrounding waters, the  
3 Mississippi River, of course, being the most  
4 concrete example of that.

5 So for centuries that is the value of the  
6 resource. It is a resource that becomes even more  
7 valuable as time passes. And the challenges to  
8 global water quality and especially fresh water. So  
9 that's on the one hand.

10 On the other hand, we have the resource  
11 of petroleum. What a wonderful resource it has  
12 been. But we need to remind ourselves of how brief  
13 it has been with us. In 1900, petroleum was  
14 virtually unknown. It really came to its age  
15 beginning in World War I, but really through World  
16 War II. And it's allowed many things. It's also  
17 brought some severe environmental consequences. And  
18 if we look at the long sweep of history, our  
19 reliance on resources change. And, indeed, many of  
20 us have seen charts that point out already how we  
21 are moving away from petroleum, the investments in  
22 the energy sphere are moving to alternative ways.

23 So we have the age of petroleum, I would  
24 suggest that it is in its downward phase, the  
25 constant is water. These are in conflict because --

1 and I won't go into the details, you have received  
2 many studies of this and I think most of the folks  
3 in the audience have seen them, of tensions between  
4 the quality of this water and the dangers from oil  
5 spills which could have a permanent impact on that  
6 quality.

7 I urge you to take the long view. You  
8 know, it's not so much that you have to -- in taking  
9 the long view you have to sacrifice any intention of  
10 petroleum. I think there have been alternatives  
11 proposed that allow oil pipelines to continue to be  
12 their sources, whether it's refineries or shipment  
13 overseas, that do not go through this particular  
14 area of water quality. And I urge you to take that  
15 into account.

16 The short-term pressures are upon you.  
17 We see the graphics about jobs, about tax revenues.  
18 Those are very incomplete graphics, and to the  
19 extent that they suggest that rerouting both  
20 Sandpiper and Line 3 undermine those, I think that's  
21 a false choice. In the long sweep of things, water,  
22 and particularly the source of so much of America's  
23 fresh water coming out of this particular spot in  
24 the continent, demand that we avoid sacrificing it  
25 for short-term pressures.

1 Thank you.

2 MR. LARRY HARTMAN: The next speaker card  
3 I have is Mary Adams.

4 MS. JAMIE MACALISTER: We will need to  
5 take a break in about 10 minutes. So let's try and  
6 get a couple more speakers in before we take a  
7 break.

8 MS. MARY ADAMS: My name is Mary Adams,  
9 M-A-R-Y, A-D-A-M-S.

10 I think of one word, and as Webster  
11 defines it, the word is trust. That is a firm  
12 belief in the honesty and reliability of a person or  
13 thing.

14 A couple years ago, League of Women  
15 Voters, when we heard there might be a pipeline  
16 coming through this area, established a forum, and  
17 there were many people there. At that time we were  
18 told there would be one pipeline, the Sandpiper. We  
19 were told the need for this oil was for energy  
20 independence. None of this oil would be exported.

21 I went back to my notes. We were told  
22 there would be no tar sands oil coming through this  
23 area. We were also told the likelihood of any of  
24 this oil being shipped on barges across Lake  
25 Superior probably wasn't going to happen.

1                   And now we have a couple pipelines,  
2 chances are pretty good some of this oil is going to  
3 be exported heading over to Superior, and now we're  
4 stuck with this dirty tar sands stuff. So where is  
5 the evidence of need? Do we really need this? Do  
6 we really need more oil?

7                   The global market, the breaking point,  
8 has been met. There is a glut of oil on the global  
9 market. But then we talk about what is this tar  
10 sand stuff coming in here? Tar sands is a very  
11 special kind of oil. It's heavy, it's highly  
12 corrosive, it's thick like (inaudible) water. The  
13 only way it gets through the pipes is to mix that  
14 toxic benzene to get it to flow through the pipes.

15                  I heard this morning, 760,000 barrels a  
16 day, plus 50 million barrels of oil -- gallons of  
17 oil per day will be coming through our headwaters  
18 country. That is a lot of goop.

19                  Minnesota has done very well. It is one  
20 of the states in the union that has decreased its  
21 reliance on fossil fuel. I think Line 3 with the  
22 tar sands oil poses considerable risks to the  
23 Mississippi watershed, to our shallow, sandy  
24 aquifers, our pristine lakes, to our friends the  
25 Ojibwe over on White Earth, the wild rice beds, to

1           our trout streams, our wetlands, our porous sandy  
2           soil.

3                       Enbridge's safety record is far from  
4           stellar. A spill, a leak, a rupture would be  
5           catastrophic up here.

6                       So I've been thinking, how in heavens's  
7           name does this, quote, unquote, need for tar sands  
8           oil and the millions of gallons of Enbridge spills  
9           for the last ten years, how does that balance the  
10          long-term environmental well-being of this area?

11                      We all know not all lakes and rivers are  
12          created equal. Not all soils. They might have been  
13          created equal, but they no longer are. They're not  
14          equal. All wetlands are not equal. Many of them  
15          have been compromised. Look at portions of our  
16          state, what has happened to the rivers, to the  
17          wetlands? Why would we agree to a pipeline corridor  
18          in this pristine area of the state?

19                      Eminent domain. Eminent domain is not  
20          only for corporations, government entities, because  
21          it's good for them financially. It is also for the  
22          public good. That must not always be defined by  
23          profit. I believe this whole process threatens our  
24          major public resources.

25                      We hear the need for this pipeline, but I

1 live up here, many of us do. Our need up here is  
2 for clean, wonderful rivers, waters, and wetlands  
3 that do not become compromised.

4 Now, how about the jobs? Jobs come with  
5 construction projects, that goes without saying.  
6 But I also know that the guys and the gals, the good  
7 people who work the job site, they go to the job  
8 site, they come in state, they go out of state, they  
9 go where the work is. They're good paying jobs.  
10 Bless their hearts. In fact, when the time is more  
11 appropriate, giving credence to some of the  
12 alternate routes that some people around here have  
13 created and put before the PUC, that would even be a  
14 little greater distance for these pipelines to grow.  
15 I look at that as a benefit for these laborers.  
16 Work a little longer, put in a few more miles.

17 So I request a full environmental impact  
18 statement. You've heard that before a couple times.  
19 A project of this magnitude absolutely demands that  
20 this is done, it would be based on science, it would  
21 be based on research, it would be based on competent  
22 data, and transparency. Why do I think an EIS  
23 should be done?

24 And I think we need to get DNR and the  
25 Minnesota Pollution Control Agency, we need to get

1 people involved in that process. We need a  
2 responsible government unit to do this.

3 And if they did, number one, what would  
4 happen? A detailed EIS would note the significant  
5 impacts of this pipeline and it would suggest  
6 alternatives to the proposed action. Number two, it  
7 would explore the methods by which adverse  
8 environmental impacts could be mitigated. Number  
9 three out of four, it would analyze economic,  
10 employment, and sociological effects. And number  
11 four, they would prepare it early and in a timely  
12 basis resulting in total transparency.

13 So I go back to two words. T for trust,  
14 T for transparency. I urge you to deny the  
15 certificate of need.

16 And thank you for the opportunity to  
17 testify, it's appreciated.

18 MS. JAMIE MACALISTER: Bob Schoneberger.

19 MR. BOB SCHONEBERGER: Thank you.

20 Bob, B-0-B, Schoneberger,  
21 S-C-H-O-N-E-B-E-R-G-E-R.

22 Because I have a little story, I just  
23 thought I might say it. You know, I live in Park  
24 Rapids, I live in the Park Rapids area, but my roots  
25 are very deep here. My mom and dad are buried here,

1 I have two sets of grandparents buried here, three  
2 aunts, two uncles, one cousin. My one brother has a  
3 cabin up by Nisswa, another brother living up by  
4 Bemidji. I'm also a contractor and we do a lot of  
5 work on pipelines.

6 So with that, I'd like to ask the  
7 Commission to look into and make sure that they're  
8 comfortable with, before they issue any permit,  
9 comfortable with the training that Enbridge provides  
10 their people with regard to safety, operations and  
11 emergency response. There's a lot of things that  
12 can be done, I know they're required by law, but  
13 look into that and make sure that they do that and  
14 assure the public that that's done properly.

15 Also, and I'm going to apologize in  
16 advance to anybody who was involved with it, any  
17 people on the Commission that was involved with  
18 writing of the draft report on the EQB on the  
19 pipelines in the state of Minnesota. I've read that  
20 report, 123 pages, I don't recall. But anyway,  
21 there's little or nothing in that report that's of  
22 real use. I've read it, there's inaccuracies in it,  
23 there's misstatements in it, there's technical  
24 errors that are just completely and totally wrong.  
25 And I would hate to see that misinformation used

1           improperly.

2                       I think that report doesn't do anybody  
3 any good, it doesn't do people that are for this  
4 project any good because it's bad information. You  
5 know, if you're in opposition of it and you get bad  
6 information or you read it on the Internet or  
7 whatever, it doesn't help their case. It doesn't  
8 help their case, it doesn't help the people that are  
9 for it as well, because they're put in the position  
10 that they have to defend something that's wrong.  
11 And I think that's such a waste of time.

12                      And I guess for what it's worth, I've got  
13 written comments on the record for the draft EQB  
14 report. I've read a lot of the pages, I probably  
15 could have read a lot more, but I've got 11 pages on  
16 that 120-page document, so I encourage everybody to  
17 take a look at that. Not everything in there is  
18 supported by real fact and real true information and  
19 real true comparison.

20                      Lastly, I want to maybe just expand a  
21 little bit on the comments of the gentleman down  
22 here. You know, I think one of -- the beauty of  
23 this process, in my mind, is relevant talk. And  
24 maybe we talk about things that maybe don't  
25 necessarily pertain to the project specifically or



1 please either have these conversations outside of  
2 the room or after the meeting so that our speaker  
3 can have his comments?

4 MR. DAVID LAMASTER: Yes. David  
5 LaMaster. We live on the lake at Osage. We came up  
6 in 2001, and appreciated how we have learned to  
7 appreciate the environment, the physical  
8 environment, nature in the state and the sensitivity  
9 that citizens here have had to the area. So it  
10 always was an education for us.

11 We lived on the lake for about 11 years  
12 and realized there were some things that we needed  
13 to do and not to do as residents to be good stewards  
14 of that residence and the lake itself. So we have  
15 that sort of ethic and concern throughout our  
16 communities and we've appreciated it.

17 I guess all that I can say is that I want  
18 to keep informed on the process here. I was not  
19 aware of what that process was, but like many, many  
20 people here, I have a very deep concern about the  
21 physical environment and how we can protect that to  
22 the best of our ability.

23 Thank you.

24 MS. JAMIE MACALISTER: Dave Leshner.

25 MR. DAVE LESHER: My name is Dave Leshner,

1 I'm from Columbus, Ohio. Three generations of my  
2 family have come up here and I've been coming up  
3 here for the last 61 years and enjoying the area for  
4 the pristine lakes.

5 It's hard to see all the concerns  
6 expressed from the speakers who've already been up.  
7 I've been a activist my whole life and I've seen  
8 corporate and business interests prevail without the  
9 public's interests fully considered. So in this  
10 case I back the full environmental study and  
11 considerations of some of the concerns.

12 I kind of watch online, on the Internet.  
13 I've read the Friends of the Headwaters draft and  
14 written about that. I'm really concerned about the  
15 area and its importance. It's part of nature and  
16 just people's peace of mind and purity in the area.  
17 I've been up to Itasca and I've stayed in Hubbard  
18 County for a long time so I think it's really  
19 important for those to be considerations. And a  
20 least environmentally impactful route to be  
21 considered and taken would be my concern for the  
22 study, or a moratorium until that study was done  
23 would be in the best interest. With corporate  
24 trends what they are, we're being overrun by  
25 businesses. It's wonderful to hear the speakers and

1 see input of the concern that's here.

2 We just discussed the whole meeting has a  
3 Norman Rockwell, democratic flavor to it and that's  
4 good. And we want to move in that direction rather  
5 than ignoring the citizen, really, when it comes to  
6 it. It's what's great about the country and this  
7 region, and so I just wanted to give those concerns  
8 as an outsider and hope everybody sticks to the  
9 democratic road and follows their heart when  
10 preserving the environment and quality of life. The  
11 economic impact is considerable. I don't think the  
12 area would survive a spill, which might come up in  
13 time, and nobody wants that.

14 So those are my concerns. It's a great  
15 forum to see from a distance in Ohio. I'll continue  
16 to watch that.

17 So thanks to everybody.

18 MS. JAMIE MACALISTER: Thank you. Jeff  
19 Gurske.

20 MR. JEFF GURSKE: I spoke before, so I'd  
21 like to yield for people that haven't.

22 MS. JAMIE MACALISTER: Okay. Barry  
23 Babcock. Is he here?

24 I guess before we get any further, I  
25 would like to know if there is anyone that needs to

1           leave right away that has not had a chance to speak  
2           yet? All right.

3                         MR. BARRY BABCOCK: I'm Barry Babcock and  
4           I live in the northeastern part of the county.

5                         And before I get into my testimony I just  
6           have to respond to what somebody said earlier about  
7           people living without any gas or oil or off the grid  
8           or whatever the nature is. Is there anybody around  
9           that lives that way anymore? I live that way. I'm  
10          off the electric grid. We have all of our  
11          electricity generated by the sun, we have a small  
12          solar electric system. That costs me, nuts and  
13          bolts and everything included, it was \$7,000. I  
14          have upgraded a little bit. But we rarely even have  
15          to run or start a generator, maybe once or twice  
16          during the winter. Our problem is, is we don't have  
17          enough battery storage, we have more electricity  
18          than we can use.

19                        Although I know that oil isn't a big fuel  
20          source for generating electricity, it's mostly used  
21          for other things like automobiles. But we really  
22          minimize the number of trips we make in our car.  
23          We'll make up a list, and we live closer to Bemidji  
24          than we do Park Rapids. There's just a lot of  
25          things we do. We have probably the smallest carbon

1 footprint in the county and it's not a problem at  
2 all for us.

3 I think that this is coming. It's  
4 inevitable, it's going to happen, the fossil fuels,  
5 the days are numbered, it's just is it going to be  
6 sooner or later. I've been an environmentalist here  
7 in northern Minnesota for I don't know how many  
8 years, you're talking decades now, and I kind of  
9 feel pretty beat up. We don't win too much these  
10 days. I kind of feel kind of like Tim Laudner, the  
11 catcher for the old '87 Minnesota Twins World  
12 Champions. He was a .190 hitter, but he was in the  
13 starting lineup and once in a while he got a key  
14 hit. So that's all we can look forward to as  
15 so-called environmentalists.

16 And all these terms are pretty amorphous.  
17 Like environmentalist, I mean, I'm a hunter, a  
18 fisher, I'm an avid canoeist. That's why I'm  
19 opposed to this pipeline, is some people have said  
20 that I'm probably the most knowledgeable person  
21 about the headwaters of the river that's above  
22 ground.

23 And I've guided a number of groups down  
24 the Mississippi headwaters from the park as far as  
25 Big Winnie. Legislators, environmental groups, the

1 Audubon art flotilla back in about '98 or '99. I've  
2 guided film crews down. In fact, the film that they  
3 show at the Great Mississippi River Museum in  
4 Dubuque, Iowa, I guided the folks that filmed the  
5 river up here from the park all the way down to  
6 Itasca. I don't know how many days I spent with  
7 them, and I never got a cent for it, but.

8 Well, you know, when you're on these  
9 rivers up here, all of them, they're basically what  
10 geologists call tunnel values. They were born  
11 during the last ice age, they are underwater rivers.  
12 And they're all pretty typical. You'll have these  
13 straight, fast stretches, narrow rivers with high  
14 banks, and then they open up into these vast  
15 wetlands. Some of them look like, with all the  
16 emerging vegetation, they remind me of an oats field  
17 out in North Dakota, you can hardly see across them.

18 When you go down these rivers early in  
19 the year, right after the ice goes out and we've had  
20 a lot of snow, they're inundated, they look like  
21 huge shallow lakes. And I often thought about that  
22 an oil spill, what they'd do to these reservoirs.  
23 This is the headwaters and the waters appear, feed  
24 the river all the way down, you know, the water, the  
25 drinking water in Minneapolis and far beyond. Our

1           waters, these waters up here are still pristine.  
2           You don't have to get too far down in Minnesota  
3           before the waters become polluted. I mean, there's  
4           places up here where I wouldn't be afraid to drink  
5           out of the river, not lakes that are developed, but  
6           some of these small isolated lakes in state forests.  
7           They're just so important.

8                     Bear in mind, I mean, I've been around  
9           for a long time. I'm 67, and to see what things  
10          have changed in nearly seven decades up here.  
11          Northern Minnesota is no longer out close to Alaska  
12          here. The amount of wild lands that we have left,  
13          which is the goose that lays the golden egg for your  
14          economy up here.

15                    We hear all this talk about the income  
16          that the counties are going to get, the tax revenue  
17          and stuff from Enbridge, and the jobs they're going  
18          to create. When you really think about it, the  
19          Public Utilities Commission, in my perspective,  
20          should be advocating for alternative sources. We  
21          should be getting away from oil. Every day I turn  
22          on the news and, I mean, with the fires out west,  
23          the droughts in California, the droughts and heat  
24          that they're having in the Soviet Union, and floods  
25          in Pakistan, I mean, it's just these once in 500

1 year events are becoming once every 10 year events  
2 now. So how can anybody deny the climate change?

3 It should be the responsibility of our  
4 government agencies, although they're not. It  
5 should be them to be advocating for clean energy, to  
6 get away from oil, to get away from these pipelines.  
7 Especially the harmful pipeline of this tar sands.  
8 It's just that the economy is so based on people  
9 coming up here to enjoy clean water, clean forests.  
10 If we jeopardize that, we're jeopardizing the very  
11 essence of what makes northern Minnesota so  
12 important.

13 We've given, you know, I'm not -- I'm not  
14 against oil. I'm not against gasoline. I mean, I  
15 wouldn't have been able to drive down here today, it  
16 was a 45-mile drive to get here from where I live.  
17 I wouldn't be sitting here today if I couldn't put  
18 gas in my car. We rely on timber extraction, we  
19 build our homes out of wood, we need wood. And we  
20 need a certain amount of mining.

21 But what's happened in our country today  
22 is that these mining companies, oil companies and  
23 big timber companies are just looking at massive  
24 amounts of profits in a short time frame. I mean,  
25 like drilling this oil, and I can't give you the

1 statistics right now, that -- maybe it's already  
2 been said here today, but we need to slow down. We  
3 don't need to be pumping the oil at the rates we are  
4 out of these Bakken fields. And even worse yet, I  
5 mean, these tar sands up there, I heard -- this was  
6 probably five, six years ago, a report that strip  
7 mining and the refinery structures up there cover an  
8 area in Canada the size of Vermont. And the Native  
9 peoples up there have been displaced by this.

10 But anyhow, I just feel the danger today  
11 is like déjà vu all over again. And I don't enjoy  
12 coming to these anymore because I don't feel like  
13 we're having, at least people from my point of view,  
14 are having an impact on the Public Utilities  
15 Commission. When I see, you know, approving the  
16 certificate of need and that the routing doesn't  
17 look good right now, the route that was recommended  
18 that it would go south of lake country that would  
19 place our country out of danger isn't even on the  
20 table anymore.

21 So anyhow, that's my two cents for today.  
22 And I hate to see it, I hope that this doesn't go  
23 through. We have so little of these precious lands  
24 here left, it won't be the same without them.

25 Thanks.

1 MS. JAMIE MACALISTER: Maurice Spangler.

2 MR. MAURICE SPANGLER: My name is  
3 Maurice, M-A-U-R-I-C-E, Spangler, S-P-A-N-G-L-E-R.

4 I've lived on Fish Hook Lake for 42 years  
5 and I'm concerned about the probability of a severe  
6 oil spill into the lakes and aquifers of northern  
7 Minnesota if the proposed Line 3 revision is put in  
8 place.

9 A recent Minneapolis StarTribune article  
10 by a retired MPCA staffer said that the northern  
11 Minnesota lakes, from Park Rapids and Bemidji to the  
12 northeast border, are clean and can be protected  
13 from deterioration. We in northern Minnesota spend  
14 much time, effort and money to protect our waters.  
15 Preventing invasion by exotic species, rules on  
16 shoreland development, attempts by farmers to reduce  
17 fertilizers, for instance.

18 There is an attempt by Enbridge to expand  
19 the pipeline corridor in western Hubbard County that  
20 goes through sensitive lakes, wetlands, wild rice  
21 beds and aquifers. The MinnCan line was constructed  
22 in 2007, 2008 before there was much public awareness  
23 of the problem of pipeline leaks. Since then, a  
24 massive Enbridge pipeline leak occurred near  
25 Kalamazoo, Michigan in 2010. And there have been

1 other huge leaks in Montana and California.

2 Line 3 would carry Canadian tar sands  
3 oil. Similar tar sands lines, TransCanada's  
4 Keystone one in Missouri and Exxon's double-hulled  
5 pipeline in Alberta, have either developed  
6 significant erosions of pipe or have actually  
7 spilled oil despite their companies' assertions that  
8 state-of-the-art equipment and monitoring was used.

9 The public has now become very aware of  
10 the problems of pipeline oil spills and the  
11 devastation. And I do want to thank Mr. Burns for  
12 his description of how the earlier pipelines were  
13 put in. That's really scary.

14 As a retired physician, I've always  
15 believed that it is healthier and less costly to  
16 prevent the disease than to treat the consequences  
17 of the disease. Oil pipelines through sensitive  
18 water resources can be likened to a disease. A  
19 massive leak can be likened to a heart attack. If  
20 it happens, it's better for it to occur in a place  
21 where emergency personnel are readily available,  
22 rather than in a remote area with difficult access.  
23 It's better for a pipeline rupture to occur in  
24 agricultural land with quick access to the leak  
25 rather than occurring in the wetland, lake, or

1 river, for instance.

2 Enbridge thinks that their number one  
3 priority is, quote, the safety and reliability of  
4 our operations, unquote, and, quote, nothing is more  
5 important to us than the safety of our pipelines,  
6 our communities, and the environment, unquote, on  
7 their website. What nonsense.

8 The number one priority of a corporation  
9 is to make money. But they do spend money and they  
10 know that spending money on public relations gets  
11 the results they want, acquiescence and acceptance  
12 of their plans. Enbridge is a master of public  
13 relations. It pours money into Park Rapids to  
14 ingratiate itself into our community. Free public  
15 dinners and entertainment, financing worthy  
16 projects, to prominently storing their pipes near  
17 Lake George for all to see and be duly impressed.  
18 They tell us not to worry, everything will be fine.  
19 They'll take care of any problems. We'll get lots  
20 of jobs and tax money and so forth.

21 How do we know what they're saying is  
22 true? Do we have the independent analyses of their  
23 products and assertions, such as why they can't  
24 replace Line 3 where it lies?

25 They can't guaranty a spill will never



1 really have anything written down, but I feel like I  
2 need to register my feelings.

3 I am fearful. I am frustrated. I am  
4 concerned. I feel like we're being given PR BS.  
5 Driving from Bemidji I saw the pile of pipes. Hmm.  
6 We're assuming that it's going to happen. Across  
7 from Calvary there is a building that says Enbridge,  
8 we're here. I see in the paper good projects that  
9 they're doing to buy people's okay. I'm concerned  
10 for the Native American folks who have had very  
11 little power, their rice lands are going to be hurt  
12 if there is a spill, they depend on those rice  
13 lands.

14 Please find another route. Thank you.

15 MS. JAMIE MACALISTER: Claudia Shogren.

16 MS. CLAUDIA SHOGREN: First of all, I  
17 wanted to thank you for the opportunity to speak  
18 today. And my name is Claudia, C-L-A-U-D-I-A, last  
19 name is Shogren, S-H-O-G-R-E-N.

20 I'm from Park Rapids. I was confirmed at  
21 Calvary Lutheran Church. I have a great feeling for  
22 Park Rapids and the area and the water system and  
23 the tourist industry.

24 So I want to thank both Mr. and  
25 Mrs. Weber earlier for their thoughtful and germane

1           comments. Those comments are also related to my  
2           question, which is route number 3. And I'd like a  
3           follow-up regarding the materials and the quality  
4           and the integrity of the pipe itself.

5                     Thank you, gentlemen.

6                     MR. MITCH REPKA: Thank you for the  
7           question regarding the quality of the materials. At  
8           Enbridge, quality of materials is taken very  
9           seriously. We've got, from a pipe standpoint, the  
10          pipe is being produced in Portland, Oregon. We've  
11          got on-site inspection staff there overseeing the  
12          process, ensuring that there is, you know, proper  
13          quality procedures in place there at the mills. You  
14          know, we work very closely with our vendors that  
15          supply the materials, the valve manufacturers and  
16          various other components of the pipeline itself.

17                    And as far as construction practices, the  
18          quality of the construction is paramount to us.  
19          It's important that, you know, everyone here  
20          understands that we're in it -- we need the best  
21          quality to protect your resources, protect your  
22          land, and also to protect our asset to flow very  
23          safely and effectively.

24                    So we have oversight over the entire  
25          construction process. A third-party inspection

1 staff is there, they're independent inspectors who  
2 are intended to oversee the work that our  
3 contractors do on our behalf. There are audits of  
4 those procedures and policies in place, as well as  
5 there's federal codes and requirements at the  
6 federal level. And they also audit our processes as  
7 well to ensure that we're complying with all the  
8 codes. And in many cases the Enbridge internal  
9 policies are stricter than the federal policies.

10 So as to the quality, it's paramount for  
11 us and it goes hand in hand with safety. So we do  
12 take a strong effort to ensure that we've got all  
13 the processes in place.

14 MS. BARBARA PERKINS: I have a follow-up  
15 to that. Is the pipe itself out of steel? Is it  
16 steel?

17 MR. MITCH REPKA: Yes.

18 MS. BARBARA PERKINS: You said it's  
19 produced in Oregon. Is it actually the raw  
20 materials produced in Oregon or do they come from  
21 China?

22 MR. MITCH REPKA: Yeah, the materials for  
23 the pipe are made from recycled scrap steel from the  
24 U.S. and Canada.

25 MS. BARBARA PERKINS: And are they

1 actually processed in Oregon or overseas?

2 MR. MITCH REPKA: Yes, the pipe is  
3 manufactured in Oregon.

4 MS. BARBARA PERKINS: Okay. And what  
5 about all the other materials, are any of those  
6 coming from China?

7 MR. MITCH REPKA: We're still in the  
8 process of procuring our, you know, some of our  
9 valves yet. But, you know, we have --

10 MS. BARBARA PERKINS: So the answer is  
11 probably yes, right? I mean, you're kind of hemming  
12 and hawing.

13 MR. MITCH REPKA: China is not in our  
14 supply chain for valves or for pipe.

15 MS. BARBARA PERKINS: Any other foreign  
16 countries outside of Canada and the United States?

17 MR. MITCH REPKA: Not that I'm aware of.

18 MS. JEANNE GASTON: I'm sorry. What do  
19 you mean by scrap metal? It comes from U.S. steel,  
20 it comes from Canada?

21 MR. MITCH REPKA: It comes from a variety  
22 of sources, it could be old railroad ties, it could  
23 be vehicles, it could be, you know, any numerous  
24 supplies of scrap steel.

25 MS. JAMIE MACALISTER: Okay. Greg Price.

1 MR. GREG PRICE: Greg Price, G-R-E-G,  
2 P-R-I-C-E. I'm a resident of the Osage area, I'm an  
3 organic farmer with irrigation. And that is my  
4 livelihood. Good, clean water.

5 Very few people probably want a pipeline  
6 in their back yard. I'm not anti-pipeline. If done  
7 properly, it may be the safest and most economical  
8 means we have to transport oil. The jobs are going  
9 to be there wherever it's built. The fact of the  
10 alternatives routes proposed, the jobs may last  
11 longer and bring more money into the state of  
12 Minnesota.

13 What I am questioning is the proposed  
14 route choice for this pipeline. Because of the  
15 product that will be flowing through the line and  
16 product the company will not even disclose all the  
17 chemicals that are used and may be contained in this  
18 oil. Before the law was changed, an EIS was  
19 mandatory on this kind of project. The magnitude  
20 and environmental risk of this project demands an  
21 EIS.

22 The DOC or the EQB, my understanding, can  
23 require an EIS. We don't need your tax dollars. We  
24 need a safe place for the kids to play and grow up  
25 in.

1                   And I have a couple of questions I'd like  
2                   to leave for the company.

3                   First one, what are you afraid of by  
4                   doing an EIS? And number two, is there something  
5                   you know about and are afraid of being disclosed in  
6                   an EIS?

7                   Thank you.

8                   MR. PAUL TURNER: Thank you for your  
9                   questions. Paul Turner.

10                  As the company, as the applicant, we are  
11                  following the process before us with the state of  
12                  Minnesota and other agencies that we require permits  
13                  from before we can actually construct. So an EIS  
14                  versus, like she's explained earlier, the  
15                  comparative environmental analysis, are very, very  
16                  similar. The CEA that is going to be produced for  
17                  this project is a robust study of all the concerns,  
18                  and that's the main reason why we're here today and  
19                  the other venues, is to collect everybody's  
20                  concerns, comments, suggestions, so that we don't  
21                  have anything to hide, it's all going to be looked  
22                  at through this process.

23                  MR. GREG PRICE: But it is different than  
24                  the EIS. The EIS is more involved.

25                  MR. PAUL TURNER: The scope of the CEA

1           versus the EIS is very similar. It's the procedure  
2           side of it that's a little different as far as  
3           public comment periods and other things.

4                       MS. JAMIE MACALISTER: Yeah. And what I  
5           would like to add, the major difference between the  
6           document procedurally is that there is not a draft  
7           comparative environmental analysis like there is a  
8           draft EIS.

9                       The information and the level of detail  
10          that will be in the comparative environmental  
11          analysis is exactly what you would get in an EIS.  
12          What is different is that there will not be a draft  
13          document. What will happen is that when we -- the  
14          comparative environmental analysis, that will be  
15          released well in advance of the public hearings so  
16          that everyone has that information available to them  
17          to take to the public hearings. That is the major  
18          difference that we're talking about here.

19                      I don't have the authority to request  
20          that an EIS be done. We're following the rules and  
21          statutes that are laid out for us. There is  
22          litigation currently to get an EIS, to make that a  
23          mandatory requirement, but currently this is the  
24          process that is in place for that. And as Paul  
25          stated, this is the work to do, is to try and get as

1 much information as we can at the local level to  
2 ensure that we're doing the analysis and being able  
3 to compare all of the alternative routes and route  
4 segments that come up at these meetings for the  
5 applicant's preferred route. That's the whole  
6 purpose of this.

7 UNIDENTIFIED: May I interject?

8 MS. JAMIE MACALISTER: One moment.

9 MS. LADONNA CLAYBURN: My name is LaDonna  
10 Clayburn, with a C.

11 My question to you is who does have the  
12 authority to request an environmental study? Who  
13 has it? If you say you don't, who has the authority  
14 to request it? Who has it?

15 MR. LARRY HARTMAN: I'll endeavor to  
16 answer that. Many of the statutes governing  
17 pipelines in Minnesota were enacted after the  
18 Governor's Commission on Pipeline Safety in '85 or  
19 '86. And that statute directed -- created the  
20 permitting process for pipelines. And subsequent to  
21 the enactment of the statute, rules were adopted.  
22 The statute 216G.04, and I forget what subpart of  
23 that, by statute indicated that a permit, if there's  
24 a certificate of need involved, that a permit was to  
25 be issued within 270 days, which established kind of

1 a permitting time frame.

2 Well, if you look at -- I guess if you  
3 look at the environmental review requirements in  
4 Minnesota Rules, 4410, which describe what's to be  
5 included in environmental review, we endeavor to  
6 kind of incorporate those requirements into the  
7 pipeline permitting process with the idea that the  
8 process would be complete within 270 days as  
9 directed by statute. Again, in this case the  
10 Commission, for cause, has extended that time frame.

11 Does that answer your question, ma'am?

12 MS. LADONNA CLAYBURN: With all due  
13 respect, no, it doesn't. Who has the authority?

14 MR. LARRY HARTMAN: Originally the  
15 Minnesota Environmental Quality Board had the  
16 authority. As a result of the legislative change in  
17 2005, that regulatory responsibility was transferred  
18 from the Minnesota Environmental Quality Board to  
19 the Minnesota Public Utilities Commission. And with  
20 that, then staff on the EQB who worked in Energy  
21 Facility Permitting were transferred to the  
22 Minnesota Department of Commerce.

23 So at this juncture the Minnesota Public  
24 Utilities Commission is the responsible governmental  
25 unit for preparation of an environmental document

1 for pipelines, as it is for large scale wind farms,  
2 high voltage electric transmission lines, and large  
3 electric power generating plants, whether it be  
4 nuclear, coal, or natural gas.

5 MR. GREG PRICE: So it's not law, but  
6 it's a discretionary decision, then, with the  
7 Department?

8 MR. LARRY HARTMAN: I'm not sure I --

9 MR. GREG PRICE: For the EIS? A  
10 discretionary decision?

11 MR. LARRY HARTMAN: It's not  
12 discretionary, it's required, sir.

13 MS. GREG PRICE: It is required?

14 MR. LARRY HARTMAN: Yes. And we call it  
15 the comparative environmental analysis. We went  
16 through, when the rules were done, and I happened to  
17 work on those, I worked hand in hand with the  
18 environmental review staff at the EQB. And there's  
19 a procedure in environmental review, 4410.3600, that  
20 provides for an alternative form of review.

21 So when the rules were developed they  
22 were done with the idea that we couldn't meet the  
23 timeline. The EIS timeline is different than the  
24 statutory timeline prescribed by statute for issuing  
25 a permit. So what we tried to endeavor to do was

1 take the requirements of what we generally do for  
2 electric facilities and incorporate environmental  
3 review requirements.

4 So initially the rules were adopted by  
5 the EQB and a month later we came back to the EQB  
6 with the idea that they met the requirement to  
7 qualify as a form of alternative review rather than  
8 an EIS. We just called it something different  
9 because we couldn't call it EIS, so we gave it a  
10 different name.

11 MS. BARBARA PERKINS: Barbara Perkins.  
12 It's my understanding -- and anybody here, correct  
13 me if I'm wrong -- the legislature, the state  
14 legislature in Minnesota is the one who enacts the  
15 laws under which these administrative agencies have  
16 the delegated power to enforce and enact  
17 regulations. It's the legislature who really has  
18 the ultimate authority.

19 I don't know if there would be any  
20 grass-roots organization wanting to demand a special  
21 legislative session or anything like that, but it is  
22 the state legislature, who apparently the members of  
23 which got sizeable lobbying donations from Enbridge,  
24 who really that's where the buck stops.

25 I feel for these people here today. I

1           asked and I was told that the five members of the  
2           Public Utilities Commission are not here. These are  
3           the people with their marching orders. And I  
4           suspect that the people from Enbridge are the people  
5           with their marching orders. Today we're not talking  
6           to anyone who has any authority.

7                     Thank you.

8                     MR. WILLIS MATTISON: Excuse me. My name  
9           is Willis Mattison.

10                    I was going to prepare remarks for  
11           tonight, but since this topic came up and we're deep  
12           into it, it is more timely to investigate this right  
13           now.

14                    The alternative environmental review  
15           process delegated to the PUC and the Department of  
16           Commerce accomplished two things in a totally  
17           different time era of the nation and state in terms  
18           of energy. We were in somewhat of an energy crisis  
19           and projects needed to move through more quickly.

20                    The process of alternative review did two  
21           things. One, it speeded up the time, as Mr. Hartman  
22           pointed out, and also streamlined the process such  
23           that the controlling agency had a much more  
24           arbitrary control over the content and the  
25           disclosure and comment on the documents. These

1           created big flaws in the process, where substantive  
2           comments made on drafts are not responded to, no  
3           matter how authoritative those comments may be from  
4           regulatory agencies or knowledgeable public  
5           citizens, scientists, academic, whatever.

6           So to simply say that all we have done is  
7           shortened the time and eliminated the comment period  
8           is not true. You do not have a peer-review group of  
9           people that will either scope and then ultimately  
10          publish a document that then must stand the scrutiny  
11          of not only public comment, but learned academic and  
12          institutional and agency comment. And that is a  
13          major, major flaw in your process.

14          Your agencies, the PUC and the Department  
15          of Commerce, arbitrarily set standards of scope and  
16          limitations that eliminate reasonable alternatives.  
17          These arbitrary decisions of passage through  
18          Clearbrook and Superior, Wisconsin have been  
19          contested by knowledgeable agencies and refuted  
20          successfully because you have arbitrary control over  
21          that.

22          A full EIS would wrest that arbitrator  
23          control away from the agency interests and put it in  
24          the public sector and in the sector of the more  
25          learned, experienced environmental review agencies

1 of Pollution Control and the Department of Natural  
2 Resources.

3 The other thing is that I think you're  
4 being very disingenuous when you say or refuse to  
5 answer the question of whether or not you have the  
6 discretion or authority to grant a full EIS. I  
7 believe that you do. And if you don't, I would like  
8 you to say so definitively, on the record here, so  
9 that it can be contested.

10 I believe Enbridge could grant their  
11 concession to do a full EIS to the people here  
12 because they're demanding it. You espoused your  
13 responsibility to do that. Let's demonstrate that  
14 by simply saying to take this out of the control of  
15 the regulatory agencies and concede to do a full EIS  
16 so you have the full review of the academic  
17 institutions, the agencies, and the public and do it  
18 in a transparent way.

19 You could grant that. You could simply  
20 say let's dispense with this because it's protecting  
21 you right now. Let's dispense with it, let's step  
22 over as a corporate citizen and say I will fully  
23 expose my project and the process to the  
24 transparency of a full environmental impact  
25 statement and we wouldn't have to argue about this.

1                   Would you, right here, right now, concede  
2                   to prepare for the preparation of a full  
3                   environmental impact statement, including the  
4                   necessary funding of it?

5                   Thank you.

6                   MS. JAMIE MACALISTER: All right.

7                   Well --

8                   MR. ARSHIA JAVAHERIAN: Let me answer  
9                   briefly, Mr. Mattison. Arshia Javaherian. Thank  
10                  you for your question.

11                  I would say that we are in full support  
12                  of the comparative environmental analysis, we are in  
13                  full support of providing all information that is  
14                  necessary to go into that. I don't believe I've  
15                  heard anything as of right now that you believe is  
16                  going in an EIS or should go in an EIS that wouldn't  
17                  be in the comparative environmental analysis.

18                  There is a scope of the environmental  
19                  analysis as part of the docket there, and the  
20                  Department of Commerce will prepare it based on that  
21                  scope, in addition to everything that they hear here  
22                  today and at the other sites as well.

23                  After the comparative environmental  
24                  analysis has been published, anyone, anyone within  
25                  the state and through the country has the right and

1 the ability to then comment on it, come to public  
2 hearings and put their statements on the record, and  
3 that the Commission will have that as part of their  
4 record.

5 So that part of it where you'd like peer  
6 review to happen, I believe that the Commission has  
7 a public hearing process and an evidentiary hearing  
8 process that does that. So I believe we have the  
9 process in place. In fact, by statute, Enbridge is  
10 already paying for the comparative environmental  
11 analysis and has been and will continue to pay for  
12 that as necessary as well, so we've already handled  
13 that part of it.

14 But I think it would be important, if you  
15 want to take the scope out and find things that are  
16 missing in the comparative environmental analysis,  
17 put them on the record. Enbridge is not opposed  
18 with what the scope of the comparative environmental  
19 analysis is. You know, anything that the public and  
20 people feel should be discussed and should be  
21 covered, we're not going to stand in the way of a  
22 full and outright discussion. And we believe that  
23 at the public hearings you're going to have that  
24 opportunity to talk about it, to bring in additional  
25 evidence, to put it on the record. There will be

1 plenty of opportunity for that, which I believe is  
2 what I heard you say was essentially lacking in  
3 that.

4 MR. WILLIS MATTISON: I don't want to  
5 make this a debate, but I do believe this is an  
6 important point. First of all, you refused to  
7 answer my question. I'm going to assume that your  
8 answer was no. But the difference on the comment  
9 period is this. That there's no obligation on the  
10 part of the writers to respond to the comments that  
11 are made.

12 Our experience in the Sandpiper process  
13 was such that we made substantive comments and  
14 criticisms. However, they were not responded to.  
15 There's no obligatory that the Department can  
16 respond, it's only a hearing record that goes to the  
17 PUC. A substantive response is done in an EIS. It  
18 has to credibly address the questions in response in  
19 the written document that would automatically go to  
20 the PUC. So there's a distinct difference in the  
21 coding of the document as a result.

22 So am I correct in understanding that you  
23 would not support a process that would allow for  
24 that kind of draft document, comment, and response?  
25 Is that your position?

1 MR. ARSHIA JAVAHERIAN: Allow me to  
2 correct what you're saying. That process has not  
3 happened yet. The route permit, which produces the  
4 comparative environmental analysis for Sandpiper,  
5 was put on hold, I believe due to comments made by  
6 intervenors in the Sandpiper process. So that  
7 opportunity hasn't happened, so I'm not sure what  
8 you're talking about where you didn't get a chance  
9 to comment on anything and then provide that to the  
10 authors. The authors haven't created anything as of  
11 yet in the Sandpiper or in Line 3.

12 MR. WILLIS MATTISON: You're not hearing  
13 me. The comments were submitted, but there's no  
14 requirement of the authors --

15 MR. ARSHIA JAVAHERIAN: Sir, there's no  
16 document to submit a comment on.

17 MS. JAMIE MACALISTER: I think that  
18 there's a completeness concession and it's what you  
19 submitted comments on. My understanding is that  
20 those comments were submitted to the certificate of  
21 need, not for the routing docket.

22 Any of the information that was gathered  
23 in public information meetings for the Sandpiper  
24 project, as I mentioned earlier, they're still on  
25 the table. That's what that map is. All of those

1 route and segment alternatives are still on the  
2 table. We have not drafted anything for the  
3 comparative environmental analysis. And as I stated  
4 earlier, part of that reason is for us to  
5 accommodate the concerns of citizens and agencies to  
6 be able to do the cumulative impact analysis for  
7 both projects. That's why Sandpiper in part is  
8 still sitting here, so that we can do the Sandpiper  
9 and Line 3 together to do those analyses.

10 MR. WILLIS MATTISON: And it's much  
11 appreciated that it hasn't been expanded to gather  
12 more efficiently. The problem is that the  
13 certificate of need process for Sandpiper  
14 arbitrarily narrowed the alternatives on the record  
15 for going forward into the routing analysis. So  
16 that was one of the major faults. In addition to  
17 there is no risk analysis, no worst-case scenarios,  
18 these kind of things that --

19 MS. JAMIE MACALISTER: We haven't --

20 MR. WILLIS MATTISON: And --

21 COURT REPORTER: Excuse me. I can only  
22 take one person at a time.

23 MR. WILLIS MATTISON: Yes. Please allow  
24 me to finish and then I'll hear your response.

25 The narrowing of alternatives is critical

1 to adequate environmental review. And if that was  
2 done in the certificate of need and will be carried  
3 forward into the CEA, then the CEA is flawed.

4 You received critical comments from state  
5 agencies and learned, experienced people in  
6 environmental review, and they were ignored. So  
7 you're proceeding on a flawed process already.  
8 Unless you're willing to back up and reopen the  
9 alternative reviews that don't allow the company to  
10 claim the end point in Minnesota, Clearbrook and  
11 Superior as required in alternatives, because that  
12 only serves the company's needs, it does not serve  
13 the public need.

14 And that's what the Public Utilities  
15 Commission is commanded to do. You're pivoting on  
16 the company's need to serve particular points,  
17 rather than the public need to have safety and clean  
18 environment and transport oil from the source to the  
19 destination. That's what's flawed about your  
20 process now.

21 MS. JAMIE MACALISTER: First of all, I  
22 would respectfully disagree with many of your  
23 assertions. The first point being that the document  
24 that was prepared last December was for the  
25 certificate of need. And that was looking at system

1 alternatives, that was not looking at route  
2 alternatives. And, yes, many of those system  
3 alternatives other than a pipeline were just that.  
4 That piece of it is over, I cannot do anything about  
5 that.

6           However, they are in the scoping phase  
7 for a comparative environmental analysis. We  
8 currently have over 30 route alternatives on the  
9 table. If you have other route alternatives that  
10 you feel need to be submitted into the record for  
11 analysis, this is what we're here to do. We welcome  
12 any of you to submit those route segment  
13 alternatives to us so we can do that analysis. So  
14 that's the first issue with what you're saying  
15 there.

16           So the second issue that I have, in terms  
17 of the process and what it's predicated on, yes, the  
18 applicant comes in with their application and our  
19 response is we're looking at what they're saying is  
20 their preferred route. We're not agreeing that  
21 that's the preferred route, we're looking and  
22 gathering other route alternatives so that we can do  
23 that comparison to decide whether or not that is the  
24 best route. That has not been determined yet.

25           And how can anyone do an assessment on

1 the need of a project or base that on anything if we  
2 don't have sort of where things could come in?  
3 Line 3 is currently coming in at these locations,  
4 it's currently going to Clearbrook, and it's  
5 currently going to Superior.

6 MR. WILLIS MATTISON: With no  
7 alternatives.

8 MS. JAMIE MACALISTER: You have 35 of  
9 them on the table.

10 MR. WILLIS MATTISON: Those are minor  
11 deviations.

12 MS. JAMIE MACALISTER: Have you looked at  
13 the maps?

14 MR. WILLIS MATTISON: I have. And they  
15 all go through Clearbrook and they all go to  
16 Superior.

17 MS. JAMIE MACALISTER: They do need to do  
18 that.

19 MR. WILLIS MATTISON: Unless you  
20 acquiesce to the company's insistence, we want to  
21 build this project our way and in our location and  
22 nothing else.

23 MS. JAMIE MACALISTER: But it's not your  
24 project and it's not my project.

25 MR. WILLIS MATTISON: Well, it is my

1 project. I'm a member of the public, you're the  
2 Public Utilities Commission. That's why you are the  
3 Public Utilities Commission, because it is to serve  
4 the public, not Enbridge.

5 MS. JAMIE MACALISTER: Enbridge claims  
6 what their need is. I don't get to determine what  
7 the need is, they get to determine what the need is.  
8 Just like if the City of Park Rapids wants to build  
9 a sewer system and they state what the need is for  
10 doing the sewer system. You can say that you don't  
11 agree with that need and you can say that need isn't  
12 there against that. But that is what is stated as a  
13 need for the project and compile the evidence.

14 MR. WILLIS MATTISON: It's a false  
15 comparison because we're not dealing with the City  
16 of Park Rapids, if they need a sewer system it's  
17 going to be in Park Rapids. But the oil comes from  
18 Canada or Bakken and it's going to the Midwest.  
19 There are many, many paths to get there. Enbridge  
20 may not be the one to do it. And if they say we  
21 have to go to Clearbrook and Superior to get it to  
22 the Midwest of the country, they may be the wrong  
23 company to do it.

24 That's what the Public Utilities  
25 Commission should be considering. Is Enbridge doing

1           this in a publicly responsible way, or do we have to  
2           simply say Enbridge is the only show in town and  
3           since they go through Clearbrook and go through  
4           Superior we have no choice but to find a route from  
5           Clearbrook to Superior, which goes right through the  
6           lake country. That's silly. That's inappropriate,  
7           it's irresponsible.

8                        MS. JAMIE MACALISTER: Okay. I'm not  
9           going to debate this further. All I can say is this  
10          is the application that they have stated is the need  
11          and submitted to the state. So, yes, within those  
12          constraints and confines of what we have, what we  
13          can do is look at any other route alternatives, if  
14          you like. If your answer to that is that we don't  
15          need a pipeline, you can go ahead and submit that,  
16          as I'm sure you have done.

17                      MR. WILLIS MATTISON: That's not my  
18          point. But thank you for taking my questions here.  
19          You've been very accommodating and I interrupted and  
20          was out of order.

21                      Thank you.

22                      MR. LARRY HARTMAN: I'd like to add a  
23          couple items. Have you read the recent Commission  
24          orders?

25                      MR. WILLIS MATTISON: Yes, I have.

1                   MR. LARRY HARTMAN: Then you'll know the  
2 comment period for Line 3 ends on September 30th.  
3 We'll be submitting a draft scoping document to the  
4 PUC, they will put that document out for public  
5 review and comment also before it's finalized. So,  
6 again, you'll have another opportunity to review  
7 that when it's available.

8                   MR. WILLIS MATTISON: Thank you,  
9 Mr. Hartman. But in the document you distributed  
10 today you limited comments to any route that will go  
11 through Clearbrook and end up in Superior. That  
12 materially eliminates some of the safest possible  
13 routes of getting oil from Canada or the Bakken oil  
14 fields to where it's going.

15                   So you've arbitrarily limited it to  
16 routes which are highly sensitive and risky. The  
17 public demands that you consider safer routes  
18 without limiting it to those arbitrary points.

19                   Thank you.

20                   MS. JAMIE MACALISTER: And one final  
21 comment that I would like to make is that we have  
22 been working closely with other state agencies. We  
23 are currently working with them on the scoping of  
24 this document. So, again, I would say that it is an  
25 inaccuracy to say that other state agencies have not

1           been involved and are not involved in the scoping of  
2           this document, because that simply isn't accurate.

3                     All right. Our next speaker is Lee  
4           Purrier. Thank you.

5                     MR. LEE PURRIER: It starts with a P.

6                     MS. JAMIE MACALISTER: P-U-R-R.

7                     MR. LEE PURRIER: Yeah, that's easy to  
8           say. Lee Purrier, P-U-R-R-I-E-R. I live in Park  
9           Rapids.

10                    My interest is probably a little  
11           different than others, not the interest, but my  
12           contribution if there is a need is a little bit  
13           different.

14                    I worked for the Department of Defense  
15           for many years, and in the last year or two or three  
16           I was working I was working with the anti-terrorist  
17           group in the Navy laboratory in San Diego. And we  
18           were trying to figure out, always trying to figure  
19           out where terrorists would be most interested in  
20           causing the most damage. Stadiums, airplane  
21           crashes, hijacking trains, aqueducts, and pipelines.

22                    And the reason the pipelines are a little  
23           bit more vulnerable, especially the ones that are  
24           buried, is that they go basically unprotected and  
25           unnoticed as far as any kind of human traffic is

1 concerned. Then we take a look at, okay, what areas  
2 would be most vulnerable. Well, you look around the  
3 country and the headwaters pops into mind, the head  
4 of the Mississippi River and all of the lakes and  
5 rivers, all of the water and the aquifer.

6 So that is a potential for causing a lot  
7 of damage and it can be done very acutely. Now, we  
8 know that the terrorists, especially Osama bin  
9 Laden, who could carry out the mission like 9/11,  
10 given two or three years can do a lot of damage and  
11 we don't even know about it. We were taken totally  
12 by surprise and we got knocked down by 19 box  
13 cutters they bought at Home Depot.

14 This is the kind of intelligence and  
15 smarts that come into it. And I'm not trying to  
16 scare anybody. But it is there and it's there  
17 because we are in the headwaters, we are in the  
18 midst of a big vacation area, that if there were a  
19 spill and it did get into our water system, I think  
20 this economy in this area would suffer a great deal,  
21 if not just choke.

22 So that's what I had to say. Thank you.

23 MS. JAMIE MACALISTER: Harold Leshovsky.

24 UNIDENTIFIED: Can we have that speaker  
25 work better?

1 MR. HAROLD LESHOVSKY: My name is Harold  
2 Leshovsky, H-A-R-O-L-D, L-E-S-H-O-V-S-K-Y.

3 I'm a retired project manager and project  
4 engineer and I've been working on a lot of these  
5 things all my life.

6 And I just want to make a few comments  
7 not so much about the project, but about the  
8 comments that were made today. A lot of allegations  
9 were made, opinions were expressed, but no proof.  
10 Just comments.

11 I think as far as it's obvious that the  
12 best method of shipping oil is through a pipeline.  
13 We've heard stories recently about train wrecks, oil  
14 tankers, and if you think about driving on our  
15 highways, the number of trucks that we take to  
16 transport oil, it's tough enough now to drive the  
17 busy highways without the trucks. And if it's  
18 shipped by trucks, the traffic would be tremendous.  
19 And it just wouldn't make sense, it would ruin  
20 roads, we'd have to build new roads and so on.  
21 Trains tying up traffic in the cities, occasionally  
22 they go off the track and spill oil.

23 When it comes to pipelines, it's pretty  
24 rare. When you consider the number of miles of  
25 pipelines we have in this country, it's my

1           understanding we've got a million and a half miles  
2           of pipeline, the incidence of problems are very,  
3           very rare. Every city has a high pressure pipeline  
4           in their streets providing gas for heat. So it  
5           isn't a new thing, it's been around a long time.

6                        They're talking about the only reason  
7           that Enbridge wants to build a pipeline is to make  
8           money. A big issue made of that. I've read it in  
9           the papers, too, that they want to make money. On  
10          the other hand, they're saying they're going to  
11          build a false system, it's going to leak, it's going  
12          to rupture. So you've got the conflicting comments.

13                      They aren't going to build a pipeline to  
14          fail. That isn't their business. I've been around  
15          enough to know that when you build something, you  
16          design it right, and you do your best to build it  
17          right so you don't have problems and so that it  
18          functions as it's proposed. So Enbridge isn't going  
19          to make a lot of money if they're going to build a  
20          system that's going to fail. And they're not going  
21          to build them to fail. Not intentionally.

22                      Now, there's always a chance of a human  
23          error. You want to work on the probabilities, you  
24          can come up with the probabilities that there will  
25          be a leak in some wild land sometime this year, but



1 have an oil glut today worldwide, the price has gone  
2 down. But what were these same people saying a few  
3 years ago when gasoline was \$4 a gallon? What were  
4 they saying when propane was \$4 a gallon? Would  
5 they have been more in favor of pipelines in those  
6 days than they are today?

7 It's all based on supply and demand. One  
8 of these days we'll have prices going back up, I  
9 don't think there's any question about it, and it  
10 may take three years, but supply, and demand catches  
11 up with supply and the prices are going to go up.  
12 So we need the cheapest way we can ship oil and  
13 looking in the long range. In the short range,  
14 yeah, you can come up with an argument, but the long  
15 range picture is different.

16 There was comments made about the climate  
17 change. We shouldn't use fossil fuels because it's  
18 contributing to climate change. Well, you can find  
19 an expert, so-called, on one side, and you'll find  
20 the expert on the other side saying that people have  
21 no effect on climate change. You know, it depends  
22 on whose reports you want to read. But there's no  
23 absolute proof, it's all based on models that the  
24 climate change is going on is from the people, and  
25 it's just a model. I think personally, when an

1 environmentalist can stop a hail storm from coming  
2 into town, then I'll believe they have an effect on  
3 climate change. But until that happens, I think  
4 it's tough.

5 I have a question on recycled steel for  
6 pipes. You have a group of people that are  
7 promoting recycling. We've got to recycle, we've  
8 got to recycle. The question is was that recycled  
9 material? We may not want to use it, it's probably  
10 not as good. You hear both sides. You can build up  
11 an argument for whatever comes to mind, I guess.  
12 But if we didn't have the recycling in steel and  
13 some of the other products the prices would be  
14 considerably higher than they are today because  
15 there would be a shortage, much more of a shortage  
16 than we have.

17 But I do know from experience that when  
18 somebody is going to put a product in the ground as  
19 critical as this is, they're going to have strict  
20 quality control. It has to meet certain standards  
21 or they don't want it, and they'll buy it wherever  
22 those standards can be met. I was at a steel works  
23 one time where steel was coming in from Japan and it  
24 didn't meet the American standards. They didn't use  
25 it. So I'm sure they are going to be pretty

1 concerned about quality because they don't want  
2 leaks, they don't want ruptures.

3 To my understanding of the environmental  
4 report or the environmental impact report -- many  
5 different titles -- initially when that was started,  
6 and this goes back quite a few years, I worked with  
7 these darn things. The sole purpose was to inform  
8 the decision-makers of the impact of that project on  
9 the environment. Just to make sure you are aware,  
10 if you decide to do this, these are going to be the  
11 consequences. If they can be mitigated, fine, but  
12 they at least wanted the decision-makers to know.

13 Over time, it's gotten expanded to where  
14 everybody wants to have a hand in the  
15 decision-making, and we know from experience that  
16 when you get a number of people making the decision  
17 you don't reach one. Everybody has different  
18 opinions. Somebody's got to be given the  
19 responsibility to make decisions. And the impact  
20 was to let them know what the projects impact was  
21 going to be because there were improvements put in  
22 because the city may not be aware of a number of  
23 things. But it's gotten much more volatile over  
24 time.

25 I guess what I would -- final on this

1 would be towards the PUC, to critically review the  
2 comments and for authenticity, to make sure that  
3 they are sound things that you're going to base your  
4 decision on.

5 Thank you.

6 MS. JAMIE MACALISTER: Lois Parsons.

7 MS. LOIS PARSONS: Hello. I'm Lois  
8 Parsons. I was born and raised in Hubbard County  
9 and now residing in Nevis, Minnesota. Lois,  
10 L-O-I-S, Parsons, P-A-R-S-O-N-S.

11 I wonder if anyone has been following the  
12 articles in the Minneapolis StarTribune lately about  
13 the Minnesota waters? I have read at least some of  
14 them and it's quite disturbing. The latest one I  
15 read was about the local lake in Albert Lea being  
16 neon green, and primarily because of the business  
17 interests in that area. And I'm wondering what  
18 happened there, where were the regulatory agencies?  
19 That lake will never recover. The other article --  
20 it's an embarrassment to the people in that city,  
21 but there is scientific evidence that they cannot  
22 recover that lake. I think that's repeated in a lot  
23 of southern Minnesota lakes.

24 The other article that I read was about  
25 how the lakes in the Brainerd area, in the

1 Alexandria area, are no longer clean lakes. They  
2 cannot be recovered either. And why is that? Why  
3 did that happen? The article claimed that the area  
4 from Bemidji to Park Rapids was still pristine on  
5 east through Walker into the Arrowhead, but it will  
6 take a concerted effort, according to the  
7 investigative reporter, to keep those waters clean.

8 So my question is where were the  
9 regulatory agencies during that time? This is not  
10 ancient history, this is current. And it brings to  
11 mind a comment or a line from a famous movie:  
12 Follow the money.

13 Someone has to stand up for our joint  
14 future. For the future of our grandchildren, our  
15 children and grandchildren. This is our joint  
16 health and joint future. Someone has to stand up  
17 for these things. And stand up against power and  
18 money. And you should probably look, all of us, at  
19 ourselves and anyone in a position that has anything  
20 to do to take care of them for our joint future. We  
21 will have to live with these decisions all of our  
22 lives. And the legacy, whichever legacy that we  
23 leave, positive or negative, will be there forever.

24 MS. JAMIE MACALISTER: We have two more  
25 speakers, Jeff Gurske and David Barnett.

1 MR. JEFF GURSKE: I'm Jeff Gurske,  
2 G-U-R-S-K-E, I'm a member of United Association of  
3 Plumbers and Pipefitters and have been a member for  
4 28 years.

5 During that time, I've worked on Enbridge  
6 pipelines, I've worked on hospitals, I've worked on  
7 water treatment plants. And I also have been an  
8 OSHA and NSHA safety inspector.

9 Working on Enbridge projects is by far  
10 the safest requirements that I've seen. Even, you  
11 know, you'd think a water treatment plant would have  
12 a little bit more inspections, that type of thing,  
13 inspectors, they don't. But Enbridge pipeline, when  
14 you're working on their station and stuff,  
15 everywhere you turn around there's an inspector.

16 You know, when you take your welding  
17 test, you don't just go there and hire on, you have  
18 to pass a stringent welding test that gets x-rayed,  
19 and they cut 12 straps out of them, they bend them,  
20 they pull them apart, and that's just part of the  
21 process of even getting hired. So if you break one  
22 of those 12 straps, you don't get hired. So I just  
23 wanted to point that out.

24 And also being a member of the United  
25 Association, I'd like to mention their instructors.

1 We have training centers in Duluth, Detroit Lakes,  
2 and the Iron Range. And these type of jobs do put  
3 food on the table, full benefits, and not only that,  
4 a project like this gets us the younger people into  
5 the job market with full benefits for their family.

6 And also I'd like to just kind of comment  
7 on, you know, what if this pipeline, Line 3, doesn't  
8 get replaced? It's not going to get shut off  
9 immediately, it's still going to operate. You have  
10 continuing maintenance on it, which involves people  
11 going in and out of the area, digging, repairing,  
12 whatever needs to take place. And if it did get  
13 shut down, you'd look on the Internet and see the  
14 imports of U.S. oil.

15 I'd also keep that in mind. If there is  
16 an environmental study, people need to look at what  
17 are the effects of that. If we're going to start  
18 importing more oil from a lot of our enemies that  
19 gets refined in a third world, and that goes right  
20 up into the atmosphere because they don't have  
21 environmental standards there and it ends up in our  
22 pristine lakes here.

23 So I support the Line 3 replacement.

24 Thank you.

25 MR. DAVID BARNETT: Good afternoon.

1                   My name is David Barnett, B-A-R-N-E-T-T.  
2                   I want to thank you for the opportunity to comment  
3                   today on behalf of my members.

4                   I'm a 39-year member of the United  
5                   Association of Plumbers and Pipefitters, we're  
6                   throughout the United States. We have over 350,000  
7                   members nationwide, of which 8,000, over 8,000 live  
8                   here in the state of Minnesota.

9                   I'm the national representative in the  
10                  pipeline department from my organization. That's  
11                  why I'm here, to speak on my members' behalf for  
12                  these jobs. We expect to get over 400 of the 1,500  
13                  jobs that will prosper from the construction of this  
14                  project. This project is a good project moving  
15                  forward, environmentally speaking, but it's also a  
16                  good project for economic reasons.

17                  My members, at any given time within the  
18                  state of Minnesota, there will be 500 to 1,500  
19                  working in the refineries within the state. Many of  
20                  these jobs entail upgrading these refineries so that  
21                  they are more environmentally friendly. EPA sets  
22                  out standards and all these standards are sent down  
23                  to these refineries and we are the folks that  
24                  implement those standards on the job. As well we  
25                  have many members who are currently working within

1 the state of Minnesota doing the integrity digs on  
2 these projects, which PHMSA has handed down, and I'm  
3 proud of the movement that PHMSA has made over the  
4 last ten years on our older pipeline systems.

5 Enbridge has stepped up and decided that  
6 they wish to replace this pipeline with a new  
7 state-of-the-art pipeline. We fully support that.  
8 We think it's the right thing to do as well.

9 As the gentleman before me spoke, there  
10 are vast differences in the way pipelines are  
11 constructed today as they were when the original  
12 Line 3 was installed. Some of those differences are  
13 steel to the hardness of almost double the strength  
14 of what that steel is, as well as the coating that  
15 we use today have been in the use for over 25 years.  
16 It's an epoxy coating that in my 39-year career I've  
17 seen coatings in the first 15 years of my career  
18 come and go. It seemed like every time you went on  
19 a project you were trying to apply a new coating to  
20 the pipe. So that told me that they were still  
21 trying to find a coating that would work. The  
22 coating they use today, basically the epoxy, the  
23 hardened epoxy, as I stated, has been around 25  
24 years, so it's the best coating known to man today  
25 to coat pipelines with.

1           As well as the gentleman stated, 100  
2 percent x-rayed, the pipeline, if not ultrasonic  
3 tested. And we have vigorous repair rate  
4 requirements. If our welders have a fail rate that  
5 is too high, they will be removed from the project.  
6 Third-party inspection oversees this.

7           And so I just want the folks to know  
8 today that Enbridge has a choice in who they choose  
9 as contractors to build their projects. For this  
10 project they've chosen to build with the best  
11 contractors and use the best labor in the world.  
12 And we have the ability to build a safe and high  
13 quality pipeline for your area and we wish to  
14 preserve your water as well.

15           Thank you.

16           MR. GREG PRICE: Can I do a quick  
17 follow-up here?

18           MS. JAMIE MACALISTER: Certainly.

19           MR. GREG PRICE: Greg Price. Hello.

20           All right. I just wanted to reiterate  
21 here that nobody here today is looking to take jobs  
22 away from these gentlemen. These are the best  
23 workers in the world. These UA workers, we got  
24 nothing against them. We want you people to work.  
25 You pay taxes, you pay my Social Security, thank

1           you. But it's just where this project is going to  
2           be. It needs a good assessment, environmental  
3           assessment done on it. Wherever this project is  
4           done, these gentlemen are going to go out there and  
5           they're going to do the best job they can with the  
6           highest technology that's available today. There's  
7           no doubt about that. It's not about them. It's  
8           just about the placement of this project.

9                           Thank you.

10                          MS. JAMIE MACALISTER: Okay. It is after  
11                          2:00 and we do need to end this meeting.

12                          I hope many of you come back this evening  
13                          at this location if you're so inclined. I do  
14                          appreciate you taking the time and coming here and  
15                          providing comments. If you have additional comments  
16                          that you would like to give to us, please send those  
17                          to us. And, again, I do encourage you to develop  
18                          route and segment alternatives and to get those in,  
19                          if that is your primary concern, so that we can  
20                          include that in the comparative environmental  
21                          analysis.

22                          (Proceedings concluded at 2:12 p.m.)  
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