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SCOPING AND INFORMATIONAL MEETING
McGREGOR - AUGUST 26, 2015 - 6:00 P.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

McGregor High School
148 South 2nd Street
McGregor, Minnesota

August 25, 2015

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1 MS. TRACY SMETANA: Good evening,
2 everyone, and thank you for coming.

3 My name is Tracy Smetana, I'm the public
4 advisor with the Minnesota Public Utilities
5 Commission. And we are here for a public
6 information meeting regarding the proposed Enbridge
7 Line 3 Replacement Project.

8 The purpose of tonight's meeting is,
9 first of all, to explain the Commission's review
10 process for this project. To provide some general
11 information about the proposed project. To gather
12 information for the environmental review. And to
13 answer general questions about the process and the
14 project.

15 So in the notice we published this
16 agenda, and so you'll see the first 30 minutes or so
17 we do have some formal presentations. After that we
18 will open up the meeting for the main event, your
19 comments and questions. If we are continuing to
20 take comments up to 7:30, we do need to take a break
21 for the court reporter. So we'll break for about 15
22 minutes and then resume with your comments and
23 questions after that.

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 50
2 staff in St. Paul. And we regulate various aspects
3 of utility business within the state of Minnesota,
4 including permitting for pipelines.

5 Before the company would be allowed to
6 build this project, they need some approvals from
7 the Public Utilities Commission.

8 The first is what we call a certificate
9 of need. And that answers the question is the
10 project needed. And there are statutes and rules
11 that govern that process and I've identified those
12 for you here.

13 Likewise, the company would need what we
14 call a route permit from the Public Utilities
15 Commission before constructing this project. The
16 statutes and rules that govern that process are
17 listed here as well.

18 As we work through the process, there are
19 a number of agencies and organizations that are
20 involved so I wanted to give you a little bit of
21 who's who.

22 First of all, we have the applicant.
23 That's what we call the company asking for the
24 certificate of need and the route permit, so in this
25 case the applicant is Enbridge Energy.

1 The Department of Commerce is another
2 state agency, separate from the Public Utilities
3 Commission, and there's two different units within
4 the Department of Commerce that are involved in this
5 process.

6 The first is the Energy Environmental
7 Review and Analysis unit, sometimes abbreviated
8 EERA. And as you might guess by their name, their
9 job is to conduct the environmental review for this
10 project.

11 The other side of the Department of
12 Commerce involved in this process is the Energy
13 Regulation and Planning division. Their job is to
14 represent the public interest when utilities ask to
15 change rates, facilities, services, and so on. And
16 their role in the process is on the certificate of
17 need question.

18 Another state agency, the Office of
19 Administrative Hearings, will get involved in this
20 process as well. They will assign an administrative
21 law judge who will hold hearings, both public
22 hearings along the proposed project route and also
23 in St. Paul, what we call contested case hearings or
24 evidentiary hearings. The judge will collect the
25 evidence, summarize the facts in the record, and

1 ultimately write a report for the Public Utilities
2 Commission.

3 At the Commission there are two staff
4 members assigned to this project. The first is the
5 energy facilities planner. Their job is more on the
6 technical side of the process. Assisting in
7 building the record, providing information to the
8 commissioners about impacts of various decisions
9 options and so forth.

10 The other is the public advisor. Again,
11 that's me. My job is work with people, help you
12 understand what's happening next in the process, how
13 to get more information, where to submit comments,
14 how to submit comments, and so forth. Commission
15 staff are neutral parties. We don't advocate for
16 one position or one party or another, our job is
17 simply to be neutral.

18 As the Commission is considering the
19 question of need, the statutes and rules outline a
20 number of criteria that the Commission must
21 consider. I'm not going to read through these, you
22 have them in your packet, but just so you know,
23 these are the factors they're relying on in making
24 their decision. Likewise, for the route permit,
25 there are a list of criteria the Commission is

1 required to consider.

2 What the statutes and rules do not do
3 with this list is rank them. So throughout the
4 process the Commission will be gathering evidence
5 and information about these various aspects that are
6 important to folks in determining the route permit,
7 if indeed one is granted.

8 Here's an overview of the certificate of
9 need process. I just want to point out a couple
10 things. So we're at this stage right here, public
11 information meetings. And as you can see, there are
12 a number of steps that have to happen before we get
13 to the bottom box, that decision.

14 The other thing I want to point out is
15 there are a number of opportunities for you to be
16 involved in the process along the way, by attending
17 meetings, submitting comments, and so forth.

18 A similar chart for the pipeline route
19 permit process. Again, we're at that blue box, the
20 public information meetings, and there are a number
21 of steps that need to happen before we get down to
22 the decision point. And, again, there are
23 opportunities for folks to participate along the
24 way.

25 Some of the same information in a chart

1 form with some dates. The key word here is
2 estimated dates. At this point in the process, it's
3 still pretty early on and so our best guess is that
4 there could be a decision on the question of need by
5 June of 2016. And some estimated dates for the
6 route permit question as well. Based on what we
7 know today, we expect a decision on the route permit
8 could be made in August of 2016.

9 As I mentioned, there are a number of
10 opportunities for folks to get involved in the
11 process by submitting comments, attending meetings,
12 and so forth. When the Commission has those
13 opportunities available, we do publish a notice to
14 let folks know, hey, we're looking for comments on
15 these issues.

16 So a couple things I want to point out.
17 You can see this is a notice from a couple months
18 back just to illustrate the points you want to look
19 for if you see one of these notices.

20 First of all is the PUC docket number.
21 This is sort of the key to finding anything and
22 everything at the Commission. If you're looking for
23 information or if you're submitting information,
24 it's very important to have these docket numbers so
25 the information ends up in the right place.

1 Next, the comment period. There are
2 deadlines involved so that we can move on to the
3 next step. So it's important to pay attention to
4 those comment periods.

5 The notice will also identify topics open
6 for comment. Again, very important as we move
7 through the process, we're looking for answers to
8 different questions along the way. And so for your
9 comments to have the most impact you want to focus
10 on those topics as much as possible.

11 So to recap the keys to sending comments.
12 Include the docket number, very important. Stick to
13 the topics listed in the notice as much as possible
14 so you can have the most impact at the right time.
15 You don't need to submit your comments more than
16 once. We maintain those records. Once we have
17 them, they're in the record.

18 Verbal and written comments carry the
19 same weight. So, for example, if you speak your
20 comments today, you don't also need to send them in
21 the mail afterwards. You certainly are free to do
22 so, but once they're spoken into the record, they're
23 in the record.

24 The Commission's decision is based on the
25 facts in the record. So keep your comments to the

1 fact as much as possible. The other thing is it's
2 not based on how many people like one option over
3 another, it's really based on the facts. So the
4 more factual information the Commission has to work
5 with, the better.

6 I also want to let you know that the
7 comments you submit are public information. Once we
8 receive them into the record they will be included
9 in our eDocket system, which is an online
10 recordkeeping system. So anyone can go on to look
11 to see what you had to say about this particular
12 project. So I'm just suggesting that you don't
13 include sensitive information or anything that you
14 don't want posted on the Internet. And, again, the
15 comments need to be received before the deadline so
16 we can move on to that next step.

17 Now, if you want to stay informed about
18 the project, there are a number of ways you can do
19 that. As I mentioned, we have this eDocket system
20 where you can look at information that has already
21 been submitted into the record. These are the steps
22 that you would follow from our website to access
23 that information.

24 We also have a project mailing list where
25 you can opt to receive information by U.S. mail or

1 e-mail, sort of the high points of what's happening
2 with the project. You can receive information about
3 project milestones and opportunities to participate.
4 And there's an orange card at the table where you
5 came in that you can complete and return to that
6 table to be added to that list.

7 Now, we also have an e-mail subscription
8 service where you can subscribe to receive an e-mail
9 notice every time something new comes into the
10 record for this docket, for these dockets, I should
11 say. These are the steps that you would follow to
12 subscribe. I do want to point out that it can
13 result in a lot of e-mails. So if you don't want
14 your e-mail box filling up or you just don't like
15 e-mail that well, you may want to go with the orange
16 card version instead. And this is just what the
17 screen looks like when you get to that e-mail
18 subscription service. A lot of folks say it's not
19 super user-friendly so I always like to give you a
20 little picture so you know you're in the right place
21 and you entered in the right information when you
22 get there.

23 And as I mentioned, there are two
24 Commission staff members assigned to the project.
25 The first is the public advisor. Again, that's me,

1 my name is Tracy. The energy facilities planner on
2 this project is Mr. Scott Ek and he is in the back
3 of the room, he's with us today, so if you have
4 questions of a more technical nature that you want
5 to send his way you can certainly catch him on a
6 break or during the comment period.

7 And, with that, I will turn it over to
8 Enbridge. Thank you.

9 MR. MITCH REPKA: Good evening, everyone.

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

13 I'd like to thank the Public Utilities
14 Commission as well as the Department of Commerce for
15 inviting us here to speak today regarding the
16 project and also thank you for taking time out of
17 your busy schedules to be with us today.

18 I would just like to start with a safety
19 moment, which we typically do prior to large
20 meetings, and today that's to talk about driver
21 safety. Most of us have drove here today, so just a
22 couple points there. First of all, make sure your
23 vehicles are being maintained properly, you've got
24 adequate tread depth on your tires going into the
25 winter season, and also all the lights and flashers

1 and that kind of thing are working correctly. And
2 another thing just to note, to eliminate
3 distractions as you drive, as that's one of the key
4 contributors to incidences on the road. So we wish
5 you safe travels as you leave here today.

6 As for the presentation here today, we'll
7 talk about who Enbridge is, I'll give an overview of
8 the history of Line 3 as well as the
9 project-specific details, and we'll also discuss
10 some of the benefits.

11 So who is Enbridge? Enbridge operates
12 the world's longest crude oil pipeline system. It
13 delivers approximately 2.2 million barrels per day
14 of crude and liquid petroleum which satisfies
15 approximately 70 percent of the market demand of the
16 refineries here in the Midwest area.

17 As you can see on the map, the company
18 has a variety of assets. Shown in blue is the
19 liquid pipeline system. In red are the natural gas
20 assets and joint ventures. The company also has a
21 growing portfolio for renewable energy, consisting
22 of 14 wind farms, four solar facilities, as well as
23 geothermal assets.

24 At Enbridge, we operate under three core
25 values: Integrity, safety, and respect. And each

1 of these core values is interwoven in everything we
2 do as an organization, whether it be the planning,
3 designing, the land acquisition, or construction or
4 long-term operation of facilities. Safety is a top
5 priority for landowners, community members, and for
6 Enbridge. And we take that responsibility
7 seriously. Enbridge is committed to the long-term
8 safe and reliable operation of our assets across its
9 system as well as here in Minnesota.

10 The history of Line 3. It was originally
11 constructed in the 1960s and was placed into service
12 in 1968. The line is a 34-inch diameter line that
13 runs from Edmonton, Alberta to Superior, Wisconsin,
14 and is approximately 1,097 miles in length. It's an
15 integral part of the Enbridge mainline system, and
16 as I mentioned earlier, it delivers crude to
17 Minnesota, Wisconsin, as well as other portions of
18 North America.

19 As for the replacement program, the
20 proposed project is approximately 1,031 miles in
21 length in total. It expands from Hardesty, Alberta
22 to Superior, Wisconsin. It's a 36-inch diameter
23 line. Regulatory approvals are currently being
24 sought in both U.S. and Canada.

25 The overall cost of the replacement

1 project is estimated at \$7.5 billion, which makes it
2 one of North America's largest infrastructure
3 projects. Of that total, approximately 2.6 billion
4 is for the U.S. portion.

5 So as for the U.S. portion, it is an
6 integrity- and maintenance-driven project;
7 therefore, the project will result in the permanent
8 deactivation of the existing Line 3. This will
9 reduce the need for ongoing maintenance and
10 integrity dig activity along the existing route in
11 order to maintain the existing Line 3.

12 So the U.S. portion is approximately 364
13 miles in length, 13 of which are in North Dakota,
14 337 here in Minnesota, and 14 in Wisconsin.

15 The certificate of need as well as the
16 routing permit were filed in April of 2015 and,
17 pending receipt of regulatory approvals, we expect
18 construction to begin in 2016 and continue through
19 2017.

20 As for the Minnesota portion of the
21 project, the preferred route is shown in purple
22 here. It must enter in Kittson County in order for
23 it to be tied into the North Dakota segment of the
24 project. It also must go through Clearbrook to
25 allow deliveries into the Minnesota Pipe Line system

1 at our existing terminal facility there. As well as
2 the project must leave in Carlton County to tie into
3 the Wisconsin segment of the project.

4 So as for the segment north and west of
5 Clearbrook, it is 98 percent collocated with
6 existing utility corridors. And there are four pump
7 stations proposed, one in Donaldson, another in
8 Viking, Plummer, and Clearbrook in this segment of
9 the line.

10 As for the south and west portion, where
11 we are today, 75 percent of this route is collocated
12 with existing utility facilities and there are four
13 pump stations in this segment as well, located near
14 Two Inlets, Backus, Palisade, and Cromwell.

15 The overall project is designed to flow
16 760,000 barrels per day. There are 27 mainline
17 valves located along the corridor. And the
18 construction footprint is designed as 120 feet in
19 width in uplands and 95 feet in wetlands. Of that
20 width, 50 feet is for permanent easement, and the
21 remainder is for temporary construction work space
22 used during the construction phase. The overall
23 cost for the Minnesota portion of the project is
24 estimated to be \$2.1 billion.

25 As for the benefits. As mentioned

1 earlier, this is an integrity- and
2 maintenance-driven project; therefore, the existing
3 line will be permanently deactivated and so the
4 landowners along that route will see reduced
5 activity for maintenance and integrity dig activity
6 as well as less environment impacts as a result.

7 The project will also restore the
8 long-term operating capabilities of the existing
9 Line 3 with the new assets, so therefore we'll be
10 able to reduce system apportionment that our
11 customers are currently seeing on the mainline
12 system.

13 Also, as for jobs, there will be
14 approximately 1,500 construction jobs created as a
15 result of the project. Of those, about 50 percent
16 will be from right here in Minnesota. There's also
17 a need for additional long-term jobs with Enbridge
18 in order to maintain the asset once it's in service.

19 Local businesses will also see a direct
20 benefit from the project. As construction ramps up,
21 there will be additional crews and contractors into
22 the area. They'll require housing, they'll need
23 food, they'll purchase gas from local gas stations,
24 buy supplies and materials from the local stores.
25 So those businesses will see a direct benefit from

1 the project as well.

2 And then on a long-term basis there are
3 additional tax revenues also that will result from
4 the project. We estimate approximately \$19.5
5 million will be the increase in additional tax
6 revenue across the state. That funding will go to
7 each of the counties that we operate in and can be
8 used for a variety of things, whether it be
9 infrastructure improvements, highway maintenance at
10 the county, or potential reduction in tax burden for
11 the county members.

12 So with me here today are a few other
13 Enbridge personnel that I'd like them to introduce
14 themselves.

15 MR. BARRY SIMONSON: Thank you, Mitch.

16 Good evening, everyone, and welcome to
17 our second round of public hearings here in
18 McGregor.

19 My name is Barry Simonson, I am the
20 project director for the Line 3 Replacement Project.
21 So in that role I have the ultimate oversight of all
22 activities associated with the project itself.

23 Thanks again for being here.

24 MR. JOHN MCKAY: Good evening, everyone.
25 Thanks for coming again.

1 My name is John McKay, I'm the senior
2 manager for land services for U.S. projects and I
3 provide general oversight of land acquisition
4 activities, construction support, and then the
5 ultimate restoration of the pipeline right-of-way.

6 MR. ARSHIA JAVAHERIAN: Hello, everybody.
7 Thank you for coming out tonight.

8 My name is Arshia Javaherian, I am senior
9 legal counsel, an attorney in-house responsible for
10 the regulatory permitting.

11 Thank you.

12 MR. JOHN GLANZER: Hello, everyone. I'm
13 John Glanzer, the director of infrastructure
14 planning, where we take a forward view of the
15 Enbridge liquids pipeline network to ensure that it
16 continues to be able to supply the evolving consumer
17 demand for energy.

18 MR. PAUL TURNER: Good evening.

19 I'm Paul Turner, supervisor of our
20 environmental permitting team for the Line 3
21 Replacement Project. In that role, I manage and
22 oversee the preparation and submittal of all permit
23 applications necessary for the construction of the
24 Line 3 replacement.

25 MR. JOHN PECHIN: Good evening. My name

1 is John Pechin, I'm the Bemidji area operations
2 manager and I'm responsible for electrical and
3 mechanical maintenance after the project comes into
4 service.

5 MR. MITCH REPKA: Okay. Thank you.

6 And the Department of Commerce is up
7 next.

8 MS. JAMIE MACALISTER: Hello and good
9 evening, everyone.

10 I am Jamie MacAlister. I'm with the
11 Department of Commerce, Environmental Energy --
12 Energy Environmental Review and Analysis unit. It's
13 been a long day. And with me tonight is Larry
14 Hartman. You may know Larry from other pipeline
15 projects.

16 I wanted to go over a couple things here
17 before we get started. The first is I hope everyone
18 was able to grab a folder when they came in. And in
19 your folder you should have a copy of this
20 presentation, a comment form, and some guidance on
21 submitting comments, as well as a draft scoping
22 document for the comparative environmental analysis,
23 and a map. If you were missing any of those items,
24 if you could please see someone at the back table,
25 they'll help you identify what's missing and get you

1 what you need. This presentation is handy, it has
2 contact information and websites on it, so you might
3 want to hang onto that.

4 I also want to let you know that another
5 meeting has been added on August 27th, that's this
6 Thursday, from 11:00 to 2:00 at the East Lake
7 Community Center here in McGregor.

8 So before we get started here, I just
9 want to let you know that we'll be talking a little
10 bit about the permitting process, the scoping of the
11 environmental document, how you can submit comments
12 and route and segment alternatives, as well as some
13 examples.

14 So pipeline routing in Minnesota is
15 governed by Minnesota Statute 216G and Minnesota
16 Rule 7852. The Line 3 pipeline replacement project
17 is a full review process that does include the
18 preparation of an environmental document as well as
19 public hearings in the spring, which will be
20 overseen by an administrative law judge.

21 As Tracy mentioned, these are public
22 information and scoping meetings. These are
23 different than the evidentiary hearings that will be
24 held next spring. So the purpose of these meetings
25 is to help gather information for the environmental

1 review document. We will then review the route and
2 segment alternatives that have been proposed. And
3 ultimately the Public Utilities Commission will
4 approve which of those segments gets carried forward
5 for further analysis.

6 These scoping meetings are really
7 designed to provide the public agencies, local units
8 of governments, and tribal governments the
9 opportunity to help us identify issues and impacts,
10 both human and environmental, that are important to
11 you, that you would like to see in the environmental
12 analysis. To participate in the development of
13 route and segment alternatives for this project.

14 And, as well, I just want to reinforce
15 that any of the alternatives that come out of this
16 process are approved by the PUC. There were 53
17 route alternatives for the Sandpiper project, 54,
18 actually, and 53 of them were carried forward for
19 analysis.

20 So what is the comparative environmental
21 analysis? Well, it is the environmental document
22 for pipelines. Structurally it looks very much like
23 an environmental impact statement. It is, however,
24 an alternative form of environmental review that was
25 approved by the Minnesota Environmental Quality

1 Board and it is designed to meet the Minnesota
2 Environmental Policy Act requirements.

3 The document is meant to be an objective
4 analysis of the project. We will be looking at
5 impacts and mitigation measures. The document does
6 not advocate for any of the alternatives and it's
7 the intent of the document to help provide
8 decision-makers with the information they need to
9 make decisions regarding this project.

10 So in submitting your comments and
11 alternatives, it's helpful if you can provide a map.
12 That can be an aerial photo, a USGS, a county map,
13 identifying where the route or route segment is to
14 be located, as well as a brief description of the
15 existing environment and as much supporting evidence
16 as you can so that when we're reviewing your
17 comments we're not guessing at the intent of what
18 you were trying to propose.

19 Another thing to consider is that the
20 alternatives to this project really are meant to
21 mitigate specific impacts. Those impacts can be
22 aesthetic, they could be land use, they could be
23 natural resource impacts, they could be health
24 impacts. And of course under each one of these
25 there are many subcategories that could be included.

1 And partially that is addressed in the draft scoping
2 document in your folder, so you can get an idea of
3 where all of these topics and the subtopics will
4 fall.

5 And the alternatives need to meet the
6 need for the project. And essentially that means
7 alternatives need to come into Clearbrook and they
8 need to end up in Superior.

9 I just want to run through a few examples
10 of alternatives that have been proposed for other
11 projects. This happens to be a transmission project
12 for avoidance of various things. This is for a
13 historic property that was to be avoided, there were
14 a number of alternatives suggested for that. Here's
15 one keeping the proposed route in line with an
16 existing corridor, in this case it's the roadway
17 right-of-way. A memorial site. So you can see also
18 that the maps here are very helpful in helping us
19 figure out where the location of the alternative
20 being recommended is located.

21 I would also like to turn your attention
22 to the map that's in your folder. There should be a
23 double-sided map in your folder. And if you were
24 following the Sandpiper project, you know that there
25 were 54 alternatives that were suggested during the

1 scoping meetings for Sandpiper. And of those 54,
2 there are roughly 31 of them that are still under
3 consideration for Line 3. For the portion of Line 3
4 that is collocated with Sandpiper, about 23 of those
5 alternatives were already incorporated by Enbridge
6 in their design for the Line 3.

7 And then there's a close-up of the --
8 someone at an earlier meeting suggested that there
9 wasn't enough detail from the maps. I would like to
10 let everyone know that on eDockets for the Sandpiper
11 project there are detailed maps of every one of
12 these route and segment alternatives.

13 For the route permitting schedule here we
14 show Sandpiper and Line 3. I would like to be clear
15 that the environmental document for Sandpiper has
16 not been completed, and that was not completed
17 because the Commission requested that we not work on
18 that last fall and that was placed on hold.

19 When the Line 3 application came in we
20 had attempted to run the two processes together for
21 the environmental document so that all of the route
22 alternatives can be compared to Enbridge's preferred
23 alternatives, as well as to be able to look at the
24 cumulative impacts of these projects together.

25 So you can see that the route

1 alternatives accepted for consideration for
2 Sandpiper occurred last August. We expect the
3 Commission to be reviewing the alternatives for
4 Line 3 sometime in November, to have the comparative
5 environmental analysis released sometime next
6 spring, roughly in March, and the evidentiary
7 hearings sometime in April.

8 So as we move into the comments and
9 questions portion of this meeting, I would like to
10 request that we have one speaker at a time. That
11 you state and spell your name for the court
12 reporter, Janet, or she will ask you to do so.

13 And try to limit your comments to a few
14 minutes. We do have a few speakers who were willing
15 to come back from the morning session for the
16 evening session, so in order to accommodate everyone
17 that would like to speak it would be helpful if we
18 can keep the comments to a few minutes. And I'd
19 like to also have a modicum of respect for one
20 another for this evening. There are a number of
21 diverging viewpoints here. I understand that, let's
22 just be respectful of one another. And to the
23 extent possible, if you would direct your comments
24 to the scope of the environmental document.

25 So, as we said, your comments, any

1 comments that you make here tonight will be
2 transcribed. You're welcome to leave your comment
3 form with us here this evening or to send it in at
4 your leisure. You are also able to mail or fax your
5 comments to me. Just remember that the comment
6 period closes September 30th, so I need to have your
7 comments by the close of the comment period.

8 So we are going to start our
9 question-and-answer session here for the evening.
10 We're going to start with a couple of speakers from
11 the earlier session.

12 MR. LARRY HARTMAN: The first speaker
13 would be Fred Stein, followed by Harvey Goodsky.

14 UNIDENTIFIED: Speak up. We all want to
15 hear. We want to see and we want to hear.

16 MR. FRED STEIN: Well, good luck.

17 Last name is S-T-E-I-N.

18 I have two questions for the corporate
19 group here. How much of the existing oil that you
20 pump from Canada to your refineries is exported out
21 of the United States and how much is proposed to be
22 exported, percentage-wise, with your new expanded
23 project?

24 MR. JOHN GLANZER: Thanks for your
25 question, Mr. Stein.

1 As far as the disposition of the crude
2 oil flows on the Enbridge liquids pipeline system,
3 it's important to understand that we are a
4 transportation company and we receive nominations
5 for shipping of producer's oil. And we also receive
6 the requested destination for that oil.

7 We then take all those nominations in in
8 a given month, say, and basically schedule the
9 network to achieve those deliveries all in the right
10 places at the right time. So it really is up to our
11 customers or our shippers to direct where the oil
12 goes. But I can tell you that in general terms,
13 certainly up until very recently, all of our oil
14 that we did ship was consumed either in Canadian or
15 U.S. refineries.

16 MR. FRED STEIN: I'm not so much talking
17 about where -- what refineries it went to, 'cause it
18 gets refined there. How much of that end product
19 stays in the United States and Canada and how much
20 is exported to other countries?

21 MR. JOHN GLANZER: Once it's refined into
22 refined products, we lose sight of it at that point.
23 It's the refineries who then produce the refined
24 products and market them to their respective markets
25 and we're actually not involved in that stage of the

1 process.

2 MR. FRED STEIN: Okay. Good evening.
3 Boozhoo. Go ahead.

4 UNIDENTIFIED: Can you remove your hat?

5 MR. FRED STEIN: You want to see if I'm
6 completely bald or just partially bald? Does that
7 satisfy you? Okay. I like him.

8 First off, I want to sit here and tell a
9 little bit of a story about someone from the reserve
10 in Saskatchewan. I'm going to a healing ceremony
11 and we've been going out to northeastern Montana for
12 quite some time. I don't want to sit here and
13 really give my age away, but it's quite some time
14 I've been going out there. And it's a five- to
15 six-day ceremony. Originally the ceremony took a
16 month, so it's pretty serious business.

17 But there was a tall, white-haired
18 gentleman named Alfred MacArthur. And on Saturday
19 night after most of the ceremony is done, generally
20 Alfred would get up and he would speak to all the
21 people who were at the ceremony. And he would say
22 all my relation, it's really good to see you. And
23 then he would also sit there and say, I don't know
24 whether I'll see you next year. And then he would
25 sit there and express his gratitude for all the

1 people who made all the sacrifices throughout that
2 time for that ceremony. And express his gratitude
3 and how it helped his reserve, his people.

4 And so now I, just like Alfred did when I
5 first started going out there, I too will tell you
6 that I don't know whether I'll be here next year.
7 So that's why I sit here now and I speak. I will
8 also let you know that I am considering moving to
9 the state of Minnesota. So some of the people that
10 sit there and say I use oil, well, I use some oil
11 too. But I also sit there and think about Minnesota
12 as being more of a democratic state. I think the
13 citizens here -- who's all from Minnesota? Is there
14 anybody from Minnesota here?

15 MS. WINONA LADUKE: Well, we're
16 Anishinabe.

17 MR. FRED STEIN: Okay. Well, you're
18 staying in the state of Minnesota.

19 I guess what I want to sit here and say
20 is that I think that your state, you may pay more
21 taxes, you may pay more in state sales tax, but I
22 think you're more fair to more people. And from
23 what little I see from what I would consider this a
24 listening session, but this is public information,
25 but it's a listening session, is that I believe that

1 you allow everybody the respect to speak.

2 I also want to let you know that I come
3 from a state that's right directly east from you and
4 I believe that that state has become a
5 corporatocracy, it's no longer a democratic state.
6 It's more of a state that says this is the way it's
7 going to be. So I think you should be grateful for
8 where you're at.

9 And seeing as I'm an elder, I need to sit
10 here and let you know that while I was here before
11 there was a four-year-old, a grandmother, and then
12 there was a young man that came with his infant and
13 future grandfather, he was only about six months
14 old. And when you leave here tonight, there's some
15 people that have either no hair, white hair.
16 There's a lot of people here who have children and
17 grandchildren. I only had one son, he died. The
18 woman that he was with had children, but he and this
19 woman never had children together, so my blood died
20 with him.

21 So for all of you who have children and
22 grandchildren, when you base your decisions on this,
23 base it on the fact of what repercussions are going
24 to happen for your future children and
25 grandchildren, your offspring.

1 That doesn't make any difference which
2 side of town you are. It doesn't make any
3 difference whether you're from a metropolitan area.
4 I believe most of you gentlemen, you're from Canada,
5 I could be wrong. I've been wrong many times
6 before.

7 I hope that when you consider this
8 pipeline, this is just a repetitive of taking off a
9 mineral, which took millions of years to sit there
10 and become what it is. And the faster you take out
11 more volume of the product, the quicker it seems to
12 go away.

13 Has anybody been to Europe in this room?
14 Have you ever been to Ireland? Have you ever been
15 to Ireland in the fall and the winter when it's
16 cold? Have you ever stayed in a hotel in Ireland?
17 The temperature of their shower water is not what
18 you're used to in the United States. The heat
19 control that they have in their hotels is not like
20 you have in your house. They're frugal with their
21 energy.

22 What I will ask you all to do tonight,
23 whether you're going to vote by referendum or
24 whatever it is, consider how you're going to
25 treat -- how you use your energy before you say okay

1 to this decision.

2 Now, if this pipeline -- it's my
3 understanding it's been in place for 40 years and
4 it's already deteriorated. What do you expect from
5 this next project? I'm asking these questions
6 because this is only a temporary thing.

7 You see, I believe that -- I believe it's
8 Johnson Controls in Wisconsin already has come up
9 with a long-life battery for an electric car. So
10 you can eliminate probably, I would say, 65 to 70
11 percent of the use by just going to electric cars.
12 I'm talking about the use of oil. And I'm talking
13 about heating oil. I'm just talking about the grand
14 consumption which we always use to exercise our
15 freedom as citizens, whether we're red people, black
16 people, yellow people, white people. And that's
17 another thing that maybe all makes a difference
18 here, is how much are we using? How fast are we
19 using it? How much do we really need every day?

20 I'm just bringing up these points for you
21 to reflect on on your drive home, whether you have a
22 spouse, whether you're single, whether you're old
23 and maybe somewhat frail like I am. You see, I
24 don't have very much time left. Many of the things
25 on my bucket list -- does anybody know what a bucket

1 list is? Things you do before you kick the bucket.
2 This last year I come to realize that many of my
3 things on my bucket list I'm never going to sit
4 there and attain or achieve. That's for some of the
5 young in this room. There may be a young person
6 here who may be an Anishinabe, and they may be
7 Anglo-Saxon, they may be Latin. But he is going to
8 come up with some of the answers. But I really
9 don't believe that the economy, we're using the
10 economy as an excuse, is necessarily the answer.

11 Hunters, 100 years ago, they might have
12 pulled out their deer with a horse, or more
13 conventionally with their arms and their legs and
14 they'd haul it out how many miles, whatever it is.
15 Now we have a 12 or \$14,000 four-wheeler to drag it
16 out. I think we're getting more used to
17 convenience. I think we're starting to have our
18 children, our grandchildren, forget the meaning of
19 work, hard work.

20 So I'm going to kind of like -- I want to
21 save some time for maybe more elders and some more
22 younger people. And I was really impressed with the
23 very first speaker I heard. He was speaking rapid
24 fire and he threw out all of these environmental
25 facts and he was truly spot on. But a lot of

1 knowledge that I may never be able to retain and,
2 for Pete's sakes, in another week I might not be
3 able to remember it. But I want to let you know he
4 has a child who is like six months old. I believe
5 he was speaking for his child's grandchildren.

6 So when you make your decisions on the
7 issues and many other issues, please think about
8 those future generations. Because right now they're
9 not yet here. And those ones that are that small,
10 they can't voice their opinion like thinking about
11 the future.

12 So, you know, it already sounds to me or
13 appears to me like this is a done deal. Because
14 this old, existing pipeline is getting decrepit.
15 There's a lot of possibilities of failure. When you
16 make your decision on this new pipeline, remember
17 they're expanding and accelerating what they want to
18 produce to get down here. It's not to keep an
19 existing amount. I'd much prefer to see, instead of
20 a 38-inch pipeline, I'd like to see a 16-inch
21 pipeline and have us figure out how we can use less
22 of that fossil fuel and put it on the shoulders of
23 the future workers to eliminate that use of that
24 fossil fuel.

25 Because right now we're way too

1 comfortable. I'm a poor man, I'm not a rich man,
2 I'm not -- I always served corporations using my
3 back, using my arms, and what limited things the
4 Creator gave me.

5 So I believe that there is other people
6 in the room and you need to speak up now. Speak up
7 either for or against. I saw this machinery out
8 here, and it's great machinery. But I think about
9 one-third of those pieces of machinery out there
10 are -- they're not necessary to our survival or our
11 existence.

12 With that, I'll stay quiet and I'll
13 listen. Miigwech.

14 MR. HARVEY GOODSKY: (Ojibwe.)

15 A little bit of Ojibwe for the diverse
16 ears in here. My name is Harvey Goodsky, Junior. I
17 come from East Lake. I moved to this area in 1997.

18 I would like to share my opinion, and I
19 appreciate the members here that allowed me to be
20 able to share my opinions.

21 H-A-R-V-E-Y, G-O-O-D-S-K-Y, J-R.

22 And I would like to say that I'm uneasy
23 about this route, this Sandpiper route, and the
24 route for the Line 3 replacement. And these are
25 based upon the facts of our natural resources.

1 And I do believe that Enbridge is a very
2 talented energy resource corporation. I do believe
3 that. You have plenty of resources.

4 And, you know, me being an Ojibwe person,
5 that's the diversity, there's a difference between
6 the importance of resources. The important resource
7 that you would like to transport is oil. The
8 important resources for us as Ojibwe people would be
9 the water that we drink to stay hydrated, the food,
10 the medicines that are in our area here. And that's
11 pretty much the main reason why we stayed around
12 here. I do believe my ancestors had that belief.

13 And, you know, the logging company came
14 here a while ago and, you know, with the different
15 corporations that are coming through with different
16 plans to be able to improve technology and life, you
17 know, it's really hurting our ozone. You know, it
18 really is. The trees create the CO2 and that's part
19 of our environment and that's where the environment
20 ties into.

21 And another thing about our Ojibwe
22 lifestyle and an important key would be the
23 preservation of life. That's a very important
24 aspect to my teachings. I do believe that. And the
25 preservation of life is, I do believe, the decisions

1 that you make in your life will increase or decrease
2 your chances of preserving life overall.

3 So I believe that these routes are a bad
4 decision. But I would like to entice you with a
5 better idea, and improving applications for
6 agricultural resources, to be able to expand your
7 business beyond natural gases, beyond the
8 transporting, but into what's really important, the
9 necessities in life, which is the sustenance that
10 runs our body, runs our life.

11 You know, we say that, you know, we need
12 to get here, we need gas, but we do need breakfast
13 in the morning to be able to think positive.

14 I'd like to thank you all for your time
15 and your patience and your understanding. And
16 that's all I have. Thank you.

17 MR. LARRY HARTMAN: John Munter.

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

20 I'm glad to see the Department of
21 Commerce here because I'm addressing many of my
22 comments to them today.

23 Pipeline mania began a number of years
24 ago when the U.S. had little domestic production, it
25 looked like oil was a finite resource, and we

1 thought it would be cool to be independent of oil
2 from countries where people hate us.

3 How times have changed. Domestic
4 production is booming. Our good friends, the
5 Saudis, are flooding us with cheap oil, and we know
6 there is way more oil in the ground than we can
7 possibly consume and preserve the planet.

8 Projections were at that time that the
9 million barrels of oil production from Alberta would
10 soon double and triple and we just needed safer
11 pipelines to deliver it for U.S. needs since it
12 would get out of Alberta some way or another if not.
13 All those assumptions have proven to be fairly
14 faulty.

15 All the new pipeline projects going east
16 and west in Canada are being fought tooth and nail
17 by indigenous peoples and environmentalists. The
18 tar sands are really being planned for export
19 outside the United States. The Kalamazoo spill and
20 many others have shown the pipeline dangers. The
21 tar sands have shown themselves to be an obsolete
22 option with their high carbon emissions and high
23 cost of production. The truth is, there's no
24 economic justification for more pipeline
25 infrastructure.

1 It looks like cheap oil will be here for
2 the indefinite future. The Saudis have shown no
3 inclination to cut production any time soon. Iran
4 may be soon be at full production and export even if
5 the U.S. Congress doesn't go along with the nuclear
6 deal. Obama could provide successive 180-day
7 waivers for Iran to export and/or just turn a blind
8 eye with full international support as long as Iran
9 adheres to nuclear inspection protocols.

10 The world economy is also showing no
11 signs of chowing down on the big surplus of oil
12 production either. Even though the U.S. and Europe
13 are not in recession, the emerging nations, the
14 Asian nations, and the oil exporting nations are all
15 hurting a great deal.

16 China, the second biggest economy and
17 second biggest trading partner of the U.S. and
18 Europe, is currently going through a market crash
19 and a period of slow economic growth.

20 Chinese markets ballooned \$6.5 trillion
21 in a year, which was 70 percent of China's gross
22 domestic product, and then lost about three trillion
23 of it since June 4th. After the markets stabilized
24 in July they lost 11 percent of their value just
25 last week and more this week.

1 The problem with the bubble was that it
2 became a village phenomenon where all these little
3 villages have stock market centers. Two thirds of
4 its investors don't even have a middle school
5 education and borrowed money to invest to boot.

6 Instead of allowing the bubble to find
7 its natural bottom and hurt a lot of people in the
8 process, it double-downed when the collapse began
9 and cut lending rates, then allowed the national
10 pension fund to buy stock, then they forbade the
11 national social security fund to sell stocks, then
12 it got the central bank, the People's Bank of China
13 to buy stocks, then began allowing people to use
14 their apartments as collateral. At one point one
15 half of the stocks had suspended trading. Now
16 they're using up the money so people can go more
17 into debt.

18 This crazy 1929 scenario that the world's
19 economy is dependent upon in China is worrisome,
20 especially in light of the weak Chinese economy.
21 While the official growth rate is seven percent,
22 always seven percent, the real rate is somewhere
23 between one percent and four percent. The
24 manufacturing numbers have dipped to their lowest
25 point in 77 months. Their housing and profit

1 figures are down.

2 With India and Malaysia and other Asian
3 economies in recession along with other emerging
4 nations like Brazil and other small oil producing
5 countries also losing revenue, there won't be a big
6 world market for oil. But there will be a big
7 incentive for little producers of oil to keep
8 cranking out as much oil as possible to make up the
9 revenue shortfall.

10 This is, perhaps, why the EIA has lowered
11 their estimate for the global oil price in 2015 to
12 \$49 a barrel and projects oil in 2016 to be around
13 \$54 a barrel. They had been predicting oil to reach
14 \$73 a barrel by 2020, but that may have to be
15 revised down now as well. Now in the third week of
16 August of 2015, U.S. oil prices have dipped below
17 \$40 a barrel and speculation is the price could fall
18 below \$30 a barrel.

19 The current world price of oil is a real
20 problem for Alberta. While some of their
21 steam-assisted tar sands can produce oil at \$44 a
22 barrel and many more wells under \$60 a barrel,
23 Scotiabank Economics in 2014 estimated that the
24 in-situ or steam-assisted gravity drainage wells
25 average break-even point for profitability is

1 between \$63 and \$65 a barrel in Alberta. The
2 current surface-mining operations are at about that
3 same break-even too, but the new surface mining
4 projects are not even in the game at \$100 a barrel
5 to break even. Wood Mackenzie estimates the new
6 in-situ or steam-assisted wells break even at about
7 \$65 to \$70 a barrel.

8 So the current in-situ mining is only
9 about half of Alberta's production and is projected
10 to be 75 percent in 2020, but with the current price
11 of oil in-situ would have to become 100 percent at
12 some point when the old mining sites play out.

13 But, even with a \$64 a barrel cost, new
14 investment would require a \$15 a barrel add-on to
15 ensure some profitability. That would require a
16 world oil price of \$78 to \$85 a barrel to make new
17 projects make sense. But as we have seen, the EIA
18 is only projecting \$73 a barrel of oil by 2020.
19 Meanwhile, Citigroup suggested on August 19th that
20 oil could fall to \$32 a barrel relatively soon.

21 In-situ mining, however, doubles down on
22 climate destruction. It creates two and a half
23 times more carbon in the atmosphere than other oil
24 production since it takes two barrels of steam
25 produced by natural gas to make one barrel of oil.

1 Political pressures will only intensify over the
2 coming years to avoid Alberta tar sands altogether.

3 The Saudis are losing a lot of money and
4 there is no indication they will stop pumping oil
5 until they are successful in forcing a retrenchment
6 of the North American oil industry. It is the
7 poorer oil exporting partners who will keep pumping
8 oil because they are poor. North American oil wells
9 will keep pumping as long as they can because their
10 investments have already been made. Oil will keep
11 piling up in reserves and the price will keep going
12 lower with most countries in a recessionary trend.

13 Indeed, pipelines are not needed since
14 tanker cars can take up all the slack. Jim Foote,
15 Vice President of Canadian National Railway, says
16 that rail can deliver cheaper than the \$17.95 per
17 barrel price that pipelines charge. He believes
18 transporting four million barrels of oil a day is
19 possible.

20 Rail delivery is more flexible and can be
21 set up in a few months to deliver oil to where there
22 are no pipelines, such as to Canada's west coast,
23 giving them access to lucrative Asian markets.

24 Rail has taken its hits from the public
25 for employing bomb trains that have not been

1 upgraded to safer standards, but the U.S. DOT on
2 May 1st, 2015, mandated all new tanker cars be up to
3 the standards of the DOT 117, which are double
4 hulled, they have thicker steel, better valves, head
5 shields front and back.

6 MS. JAMIE MACALISTER: I need to
7 interrupt you here. You know, if you have multiple
8 pages of things, I do encourage you to submit this
9 into the record. But if you have specific questions
10 that you would like to ask, please ask us those
11 questions. Otherwise I would prefer if you submit
12 that into the record.

13 MR. JOHN MUNTER: I'd be happy to end
14 now. If we have more time at the end --

15 MS. JAMIE MACALISTER: If we have time at
16 the end I will gladly let you continue.

17 MR. JOHN MUNTER: Okay. I will be happy
18 to come back.

19 MS. JAMIE MACALISTER: Thank you.

20 MR. LARRY HARTMAN: The next speaker card
21 is Laurie Westerlund.

22 MS. LAURIE WESTERLUND: Good evening. My
23 name is Laurie Westerlund, I'm an Aitkin County
24 commissioner. L-A-U-R-I-E, W-E-S-T-E-R-L-U-N-D.

25 Enbridge has been very good at helping us

1 understand the process, the safety issues. As you
2 know, we have a lot of rail in Aitkin.

3 I am speaking on the board's behalf this
4 evening. We're mostly concerned with the safety
5 issues and I think you have put that to rest. You
6 can only be as safe as you can be.

7 We have a lot of wetlands, obviously the
8 environmental impacts are huge. I don't think
9 building a road in Aitkin County is any less crazy,
10 going through all the environmental impact
11 statements, et cetera.

12 We're happy to have you here. The
13 economic benefits are going to be huge for Aitkin
14 County.

15 And I really don't have any questions
16 other than we do support this.

17 Thank you.

18 MR. LARRY HARTMAN: The next speaker card
19 I have is Tom Pahkala.

20 MR. TOM PAHKALA: Good evening.

21 My name is Tom Pahkala, P-A-H-K-A-L-A.

22 I'm a proud member of the UA, United
23 Association of Plumbers, Pipefitters, Welders, Steam
24 Fitters, HVAC Technicians. I have been a member for
25 20-plus years and an instructor for over ten.

1 First I'd like to take the opportunity to
2 again thank the DOC and the PUC for the opportunity
3 for everyone to make comments and the dedication
4 shown to hear all sides of the issues at hand.

5 A little background of myself is I worked
6 in the environmental department in the City of
7 Minneapolis for years enforcing a portion of the
8 Clean Water Act. And in the process ended up
9 working quite a bit with the infrastructure and
10 issues related to the infrastructure within the City
11 of Minneapolis.

12 I can attest firsthand for the need for
13 projects to improve our nation's infrastructure. I
14 also authored a letter from the city to the state
15 plumbing board to activate new green initiatives to
16 allow rainwater reclamation in the state. Which, by
17 the way, is going into the approved new plumbing
18 code. But I digress.

19 I'm here to support the replacement of
20 aging pipelines and infrastructure in general before
21 failures can occur. Line 3 is an existing aging
22 pipeline with many integrity digs happening and
23 projected into the near future. It only makes sense
24 to replace this line.

25 I'm not here to support any particular

1 route for the Line 3 project. I believe that is for
2 every one of us sitting in the audience here tonight
3 and every other person in the state of Minnesota and
4 every other person that's concerned about the routes
5 to propose alternate routes to the preferred route
6 as they see fit.

7 And in general I just want to say that I
8 am in full support of replacing an aging
9 infrastructure that needs to be replaced before it
10 fails.

11 Thank you.

12 MR. LARRY HARTMAN: Jeff Gurske.

13 MR. JEFF GURSKE: Good evening.

14 Jeff Gurske, G-U-R-S-K-E.

15 Myself, like Tom, I am also a member of
16 the United Association of Plumbers and Pipefitters
17 and Pipeline Workers.

18 One of the things that we do, I work, I
19 am a member of the UA and I also work for the
20 Minnesota Pipe Trades. And what we do on projects
21 like this proposed project is they hire local people
22 that live within the state. And if we don't have
23 enough union members that do that, part of my job is
24 to go out in the community and find qualified
25 workers to work on these jobs.

1 Also, you know, we talk about the oil, we
2 all need it, we all use it, we all know that. I
3 don't think anybody here disagrees with that. I
4 also don't think anybody in here disagrees with the
5 importance of the environment, and nobody wants to
6 ruin the environment. And I do appreciate the work
7 of the environmentalists and everybody that's
8 involved because you do create work for the UA.

9 I've worked on Enbridge pipelines, I've
10 worked on refineries. I've actually got many, many
11 hours with the work in doing updates on refineries
12 producing a cleaner fuel, and we need to keep that
13 vigilance up. It's good for the environment, it's
14 good for the jobs.

15 And one of the reasons that I also
16 support the replacement of Line 3 is the integrity
17 digs. You're looking at a lot of different digs
18 coming in there. And from what I understand, the
19 integrity digs, when they run their smart pigs
20 through there, it identifies potential problems.
21 And then before it becomes a problem, they have to
22 go in, whether it's wetlands, whether it's
23 hardwoods, whatever it is, they have to go in there
24 and repair that before it becomes a problem. That's
25 an ongoing thing, that's part of this whole driven

1 process, from my understanding.

2 And also, while I was a member of the UA,
3 I do teach, or I did teach safety programs for our
4 members. And I know last night there was some
5 questions on, you know, not knowing what their
6 product is, the workers didn't know what their
7 product is. But every time you go on a project, an
8 Enbridge project or any other project, you get an
9 MSDS, a material safety data sheet. And it tells
10 you exactly what the product is you're working with,
11 what's the long-term effects, what's the short-term
12 effects and how to handle it safely.

13 And granted, this is not a safe product,
14 but then you look at the point -- was it 2 point --
15 2 million miles of pipelines in this country right
16 now. And Enbridge has -- they have up on their
17 thing there, 2 point -- million barrels of oil per
18 day goes through the pipeline. If you consider the
19 amount of miles of pipeline, and there is some
20 spills. There shouldn't be any, but there is some
21 spills.

22 Compare that to rail systems. Somebody
23 else mentioned the other night about the safety of
24 between pipelines and rail systems. Just as simple
25 as waiting to get across a railroad crossing for 20

1 minutes for a train block, and a family member or
2 somebody suffered from a heart attack or some type
3 of medical problem.

4 I'd also like to ask Enbridge, as far as
5 once I worked on pumping stations, and it goes
6 through quite a process to get the work done on the
7 welding. You've got to pass an x-ray test, you've
8 got to pull straps apart, and once that pipe is
9 fabricated and goes in the ground, it's retested for
10 coating. And once it goes into the ground, it goes
11 to a hydro test. Basically, typically, that's one
12 and a half times or two and a half times the working
13 pressure, is that correct?

14 MR. MITCH REPKA: Yes. The line will be
15 tested in excess of 2,100 pounds per square inch.

16 MR. JEFF GURSKE: Thank you.

17 So that's a test that, they don't just
18 pump it up there and leave it there either. I've
19 been on tests where you had to keep that and hold it
20 for 12 hours, 24 hours sometimes. So it will be the
21 safest modern technology we have. And the gentleman
22 mentioned the other night, some of this stuff, it's
23 not 100 percent guaranteed, nothing is in this
24 world.

25 And I also think I would like the

1 Commission to take into consideration, when they do
2 their environmental study, what -- if this pipeline
3 doesn't get replaced, eventually gets shut down,
4 what percentage of that oil is going to be coming
5 from foreign countries in the form of crude oil or
6 possibly gasoline. The finished product, in the
7 United States we have the safest refineries in the
8 world. You get over in third-world countries, they
9 don't have environmentals, they're not putting
10 scrubbers on their facilities. Unfortunately, that
11 all comes back to our precious lakes and waters. So
12 I'd like to also have them look at that as part of a
13 study.

14 And another thing I would like to
15 mention, I'm a veteran, I have family members that
16 are veterans, everybody knows a friend or somebody.
17 This is foreign oil coming in from Canada, we all
18 know that. But it's not a hostile environment where
19 the oil is coming from.

20 Thank you.

21 MR. LARRY HARTMAN: The next speaker card
22 is Bob Munneke, M-U-N-N-E-K-E.

23 MR. BOB MUNNEKE: My name is Bob Munneke,
24 M-U-N-N-E-K-E. I live in Aitkin. Also, our family
25 for 100 years has had a cabin over in Cass County on

1 a beautiful lake. The last I heard, the clarity was
2 27 feet.

3 We are kind of concerned that it's not
4 too far from the Enbridge proposed line and it's
5 just kind of scary thinking about the oil line
6 coming through these sensitive water areas.

7 Here in Aitkin and McGregor area is some
8 of the most valuable real estate in the state, which
9 makes for a good tax base, which makes for funds to
10 carry out the services to the people in the
11 community. But nobody is going to invest in real
12 estate if there's oil in the water. So we want to
13 make sure that the water is protected. And I think
14 it's not good planning to have oil pipes going
15 through sensitive areas.

16 Also, recently there was an article in
17 the paper about a number of people moving up to the
18 area in the future, to their second home, moving
19 from their first home and retiring and coming up to
20 their second home. And nobody is going to be
21 wanting to do that if the lakes are oily. So I
22 think we want to make sure that we're in a position
23 where the water is taken care of and protected well.

24 I think the oil companies make good money
25 on their pipelines, so I think in good conscience we

1 can ask the oil companies to be careful, really
2 careful where oil pipelines are placed. And it
3 costs more, probably, to do that, but I think that
4 in good conscience, because of the profits oil
5 companies make, we can ask them to do that. Take a
6 different route instead of going through areas that
7 are sensitive areas of water.

8 You know, in the Bible, in the Creation
9 story, after the Lord God creates the earth, he gets
10 the people together and says, okay, listen up. You
11 know, I've created this beautiful place and now
12 maybe you guys are responsible for taking care of
13 the place so this can be a good place to draw forth
14 a good life for generations, for as long as time
15 lasts.

16 So we want to make sure that we're not
17 just thinking about tomorrow, we're thinking about
18 the long run, about future generations, and asking
19 all of us to be careful. Be careful of what we do
20 so we don't mess up our water resources, our air
21 resources, our land resources. 'Cause it's not, you
22 know, they're not making that stuff anymore. So we
23 want to be careful and be good stewards of this land
24 where God has placed us.

25 Thank you.

1 MR. LARRY HARTMAN: The next speaker is
2 Norley Hansen.

3 MR. NORLEY HANSEN: Good evening.

4 My name is Norley Hansen, N-O-R-L-E-Y,
5 Hansen, H-A-N-S-E-N. And I came down from Cohasset
6 area where we have lots of pipelines.

7 And I guess I am a little bit amazed that
8 we're looking at a new corridor. I really would
9 like to see something a little different than having
10 the corridor that is now proposed. The reason I say
11 that is that Line Number 3 is going to be shut down
12 and it's going to be replaced. I'm not sure why
13 they can't take out the pipe and put in a new pipe
14 and leave it right where it's at, and we might as
15 well put in the Sandpiper right alongside that. It
16 makes it a lot more sense, I would think.

17 And then, you know, after I say that, I'm
18 not real in favor of being in pipeline country. You
19 know, there are a lot of things that happen with
20 pipelines. From my farmstead there have been three
21 what I call major oil leaks within about ten miles.
22 Cohasset had that major leak here a few years ago
23 that had in excess, from what I hear, of a million
24 gallons spilled. Toward Deer River there was
25 another one, and that was discovered because of a

1 fire that we had. And then there was one on the
2 Prairie River right through the east of Grand
3 Rapids. And, of course, you know, you don't want to
4 forget the Kalamazoo spill. This is one that they
5 are still cleaning up. And, of course, you know,
6 when I mention the one right by my farmstead, that
7 one has never been totally mitigated either.

8 So, you know, some of these things are,
9 you know, what you want to think very carefully.
10 That's the reason I really think that an existing
11 corridor probably is the right answer. And then,
12 you know, after I say that, you know, you get a lot
13 of things that are not real nice to the people that
14 live along pipeline corridors.

15 In fact, Enbridge, on their Line Number
16 2, which is on the south side of my property,
17 they're going to be hydro-testing that now sometime
18 this fall. And I have been told that they do not
19 want me to be within -- or I should say more than
20 100 feet of their right-of-way. Now, this is
21 something that they have never agreed to compensate
22 me for or anything like that. I have a little bit
23 of a problem with that.

24 So these are some of the things that I
25 think you should think very carefully about, and I

1 would hope the PUC would really look at some of
2 these issues.

3 Thank you.

4 MR. LARRY HARTMAN: The next speaker is
5 Frank Bibeau.

6 MR. FRANK BIBEAU: Good evening.

7 My name is Frank Bibeau, and I'm plugged
8 into a number of roles here, so I'll talk about them
9 a little bit to try to -- I don't know if it
10 eliminates confusion.

11 But I do represent Honor the Earth with
12 Winona LaDuke, in the PUC against the Sandpiper.
13 And so we've been in that process for about a year
14 and a half. We've learned an awful lot about how
15 things do and don't work and which ends look good
16 but apparently doesn't go up.

17 I wanted to make a couple of comments. I
18 was surprised in some ways by the Aitkin County
19 commissioner, not because they want the money, and
20 not because it's easy, but whenever I hear a woman
21 say as safe as safe can be, I always think of
22 abstinence and pregnancy. And I can say that. I
23 mean, I can't get pregnant, but I have a sister, I
24 have a mother, I had a grandmother. I mean, I have
25 many friends. And so safe as safe can be isn't what

1 anybody is talking about right now.

2 Now, I also like -- is it Norley, is that
3 how you say it, Norley? I live up that way also, I
4 live up on Highway 2 up in Ball Club. I'm very
5 familiar with the spills and leaks and damages that
6 you're talking about. And so that's really my
7 concern and that's why I came to Rice Lake Community
8 Center over on White Earth a week ago and why I'm
9 here at Rice Lake here as well.

10 And I would tell you that there's some
11 interesting comments that get thrown around. I
12 don't know what was meant by not hostile oil,
13 because I don't think you could say that in
14 Kalamazoo. I think everybody there thought all of
15 that tar sands oil was hostile to their environment.
16 And so it doesn't matter what you think Canada is, a
17 good neighbor and good people and friends and go to
18 war and everything with us. Once it's released,
19 it's all hostile.

20 So I also wanted to point out that
21 there's a lot of railroad tracks conversation that
22 try to mislead people. And everything I've seen
23 suggests that it's a 50/50 deal. There's more pipe,
24 less railroads. Depending upon what's going on, or
25 more railroads. You look at it all and you figure

1 out the volume and the amount, it's really not that
2 much different, it's just a question of where it
3 happens. Waiting for the train for 20 minutes,
4 that's the least of your concerns. You should be
5 thankful you're waiting 20 minutes as the train went
6 by.

7 I'm listening to this stuff and it all
8 sound backwards in here. I don't know what to
9 think. Even Enbridge, as I recall, testified in the
10 Sandpiper that putting the pipeline in was no
11 guarantee of any reduction in rail traffic. Because
12 when it becomes affordable, people buy it. If they
13 can afford to ship it, they're going to ship it.
14 These people are in it for the money, so they're not
15 looking at things the same way we do.

16 And that comes back to when we pulled in
17 here and there was a comment about all those
18 vehicles, I guess, I'll call them, generally out in
19 the parking lot. My wife asked me, she says, what's
20 that? I said, that's all the things Indians don't
21 use.

22 I don't know what to think about it.
23 Those things destroy the earth. They take many,
24 many trees at one time. And to park them out there
25 like some environmentally ecofriendly thing we

1 should be concerned about making sure we continue?

2 You know, I went to the PUC hearings when
3 they were talking about expanding the timber harvest
4 so that they could support the timber industry. And
5 they knew then that it was only going to last for
6 seven years and then they were going to be out of
7 business. Where is Potlatch? Where are these
8 companies? They're gone. What's left behind?
9 They're not forests. They're places that have trees
10 in them, but they're not forests.

11 You know, everything is being altered up
12 here. When I was a kid you couldn't see a mountain
13 from Nashwauk and Hibbing. It's pretty scary around
14 here. And we're expecting to live here forever.
15 And so we're working on our treaty rights in a way
16 that other people haven't been able to and we
17 believe we're going to be able to stop these
18 pipelines from coming through these new territories
19 with all this wild rice.

20 We just came across through Palisade. I
21 would tell everybody, if you don't understand what
22 I'm talking about, go through Palisade and you'll
23 see some wild rice and you'll see some nice places.
24 Any of those would be terrible to see destroyed.
25 It's going to be imminent here. It's going to be

1 imminent all the way across.

2 Talking about the old pipeline, and
3 that's, you know, what I said in the other public
4 hearing, and tonight, just to make sure you
5 understand, even though I'm still Frank Bibeau, I'm
6 really here under the 1855 treaty authority and I
7 want you to know that all of us, there's many, many
8 Indian people in this room, and even though we don't
9 all live here, we are all family and we are all part
10 of the 1855 and we are all part of the Chippewa and
11 Mississippi. And that's a big territory. And we're
12 going to defend that. And that's what you're going
13 to be seeing.

14 So it's not as simple as saying,
15 Enbridge, give me the money, please make a couple of
16 tinkering things so we're as safe as safe can be,
17 and don't worry about the hostile oil that comes
18 through. I beg you to think about reality here.
19 There is nothing going on that we need. We don't
20 need anything that we saw out there. We might need
21 to drive home once in a while, we might still need
22 oil for a while, because we're stuck in this
23 paradigm. There is no quick way out.

24 I would tell you, just as an aside, what
25 is it now, 35 years ago? When I was a young man I

1 quit driving for other reasons and I found out by
2 not having a car and not having to pay for oil, I
3 could hitchhike all over. I hitchhiked the 48
4 states and then I hitchhiked to Alaska and back.
5 You don't need a car. They make you think you need
6 a car.

7 All those things you saw in the parking
8 lot, you look back to New York and Long Island,
9 those are shiny beads and trinkets. They're just
10 tricking you into thinking those are good things.
11 You don't want them in your yard, you don't want
12 them coming in and mowing your trees down like a
13 lawn, you don't want them digging up places. I
14 don't even know why they're there.

15 So I've enjoyed what I've heard so far
16 and I've heard some good things said. And I'm going
17 to leave some time for some other people. But I can
18 tell you right now, I don't think it's going to
19 happen.

20 So board commissioners can be wishing for
21 money and seeing what happens at the next election,
22 but I don't think what people are hoping for for
23 free money is going to happen.

24 Thank you.

25 MR. LARRY HARTMAN: The time has come for

1 a court reporter break, so we'll reconvene at 7:45.
2 And when we reconvene the first speaker is Kevin
3 Miller, followed by Janet Hill.

4 (Break taken from 7:28 to 7:48.)

5 MS. TRACY SMETANA: Mr. Miller.

6 MR. KEVIN MILLER: Kevin Miller,
7 K-E-V-I-N, M-I-L-L-E-R.

8 My name is Kevin Miller, I'm a special
9 pipeline representative with the International Union
10 of Operating Engineers. For those of you that are
11 not familiar with that, we are the -- primarily
12 we're the heavy equipment operator sector of the
13 unions.

14 I want to speak just on a few points.
15 One is about the integrity. As a hunter and
16 fisherman myself, I've always loved the outdoors, I
17 was born and raised in that type of style. Nobody
18 in this room wants anything to happen to the
19 wetlands, to the waters, to the woods here or on the
20 East Coast or on the West Coast. It's our country.
21 I think we've got to get back to this mindset of
22 it's a we thing is this country and it's not just
23 about me in this particular area.

24 When we talk about climate change, that's
25 a global thing. And although the United States is

1 doing great things, and Canada, Europe, there's a
2 whole bunch of the other parts of the world that
3 really need to be corralled in. We've got room for
4 improvement always here and I think it's a great
5 thing that we live here in America, that gives us
6 the right to speak up and have meetings like this.
7 'Cause there are places, well, including in this
8 state -- or in this country, excuse me, such as
9 Wyoming, Texas, Mississippi, these open public
10 hearing comments, most of the time it's not likely.

11 So even though there may be imperfections
12 here with the PUC's process, it is a huge, huge
13 upgrade from places that I've seen in the country in
14 this ten-year -- my ten years of being a pipeline
15 representative. I've sat and dealt with various
16 companies, not always in agreements with them
17 either, from the Appalachians to the Pacific Coast,
18 and from the southwest desert up here to the north
19 country.

20 Excuse me. I don't know why I'm getting
21 a little bit emotional. I'm not really sure about
22 that.

23 I want to talk about integrity of the
24 pipe, safety on these pipelines. And just for our
25 own peace of mind, that they can cross wetlands and

1 sensitive environments. I don't care how dry the
2 country is, to me it's all sensitive. There are
3 some factors that need to be taken into
4 consideration and I do believe that Enbridge is
5 pushing all of these and making sure that mistakes
6 that have happened in the past don't occur with them
7 again.

8 The biggest one, I kind of hit on it, was
9 public input. People need to stay -- need to pay
10 attention, I'll simplify it. Know what's going on,
11 care about what's going on, and insist, insist that
12 your local, state, and federal lawmakers are
13 upholding the laws and regulations and standards
14 that are in place in every freaking state in the
15 country. So keep that in mind. And the people that
16 act like they don't care, well, lack of oversight,
17 lack of the people giving a crap, and that is very
18 blunt in layman terms.

19 That's where they're going with these
20 projects. I don't want to see it, Enbridge doesn't
21 want to see it. The industry is scrutinized and
22 it's tough. There are companies like Enbridge,
23 although not perfect, 'cause none of them are, that
24 are striving to improve, while there are others out
25 there that are not getting any oversight and getting

1 away with it and still making mistakes today, I
2 assure you. And it's tough for me not to just throw
3 out names just for the fact that it's true what I'm
4 saying.

5 However, the quality, aside from the
6 people, in my opinion it will always be -- it'll be
7 up to us to control the destiny on how this stuff is
8 looked after. The quality of that pipe, this is
9 North American pipe made in Portland, Oregon, is the
10 coating, that coating is vital. We're talking
11 little pinhole-sized stuff. The right experienced
12 personnel, the stuff that's caught before it is put
13 into the ground. The use of qualified contractors
14 with solid reputations that can show a history and
15 lay it down. Those are the ones that should be
16 building projects. And I don't care if they're
17 freaking 48 inches or if they're down to 6-inch
18 lines. They can all make a mess. People tend to
19 forget that.

20 And also, governments, both state and
21 federal, they tend to -- there's a double standard
22 on the lines in this country, no matter what's going
23 through them, okay. Pay attention to the small
24 lines. Because a lot of times they slip under the
25 radar. Okay? That's just an FYI.

1 The other ones, the other parts, the
2 weld, you got to have the best. Quality,
3 nondestructive testing, and responsible inspection
4 personnel on that job covering and making sure that
5 every aspect of that, from environmental to the
6 restoration process is done and done in accordance
7 with standards and specifications.

8 Now, from a routing perspective, as
9 unions, the operating engineers specifically, we
10 don't really have an exact opinion per se as to what
11 route should be approved. But it does seem to make
12 a lot of sense, since Enbridge has dumped over
13 150,000 man-hours into the research and surveying,
14 which is an astronomical amount in advance of any
15 pipeline project, that it quite possibly is a
16 legitimate right-of-way option. With total
17 understanding that there are certain line deviations
18 most likely that are going to come into play
19 somewhere down the line.

20 Second, they're going to take that risk
21 and they're spending 150,000 man-hours in the
22 research and the surveying. What they are telling
23 me, I, Enbridge, am willing to take full
24 responsibility of anything and everything in that
25 rare event something was going to go wrong.

1 I've never seen, and I get tired of
2 hearing the Kalamazoo thing, but it's good that we
3 hear it and it's good that they're reminded of it,
4 and I don't think they need to be prompted to
5 remember. They don't want that to reoccur again.
6 That was a new awakening for them. It's never done.
7 Just because the EPA makes a claim that it's been
8 cleaned up or whatever. I don't believe that if you
9 ask any Enbridge employee I don't think you're going
10 to get them to say, yeah, we're done with it, we
11 have no responsibility. I don't think that ever is
12 the case.

13 I do have a question. Oh, there she is.
14 I do have a question for you. There's this debacle
15 of which methods of study to be done, whether it is
16 an environmental impact statement or your
17 comparative environmental analysis. I've heard it
18 so many times and I'm really kind of confused.

19 Do the two processes differ much at all?
20 I'm not asking for details into it, but I've never
21 seen anybody -- I've heard people complaining and
22 insisting upon an EIS, which I instantly attribute
23 to FERC, but they're the typical. Just in general,
24 is it a similarity? Very similar to your process
25 versus what you call a standard EIS?

1 MS. JAMIE MACALISTER: As I've said at
2 previous meetings, structurally the comparative
3 environmental analysis is much like an EIS. If you
4 look at the draft scoping document in your folder
5 you will see that the outline and the structure of
6 the comparative environmental analysis does not
7 really differ from an EIS. What does differ is
8 procedurally how the EIS and the comparative
9 environmental analysis make their way through the
10 regulatory system.

11 MR. KEVIN MILLER: Okay. I've taken up
12 enough time.

13 In closing, I do want to urge that the
14 DOC and the PUC take into great care and look at all
15 the route options and ecological items in detail.
16 But remember that for this country's best interest,
17 the project needs to move forward. This is a
18 responsible company in Enbridge.

19 Thank you.

20 MR. LARRY HARTMAN: The next speaker is
21 Janet Hill. And Ms. Hill will be followed by Donati
22 Benjamin.

23 MS. JANET HILL: My name is Janet Hill,
24 J-A-N-E-T, H-I-L-L. And I'm the latest resident on
25 Lake Raspberry Island, after thousands of years, and

1 I'm on Big Sandy Lake.

2 I have a lot to say, but I'm going to
3 focus only on the Enbridge's stated benefits for
4 Line 3. There needs to be a reasonable balance
5 between economic benefits to Minnesota. In exchange
6 for our taking a risk with Line 3 are jobs, economic
7 benefits and tax revenue, as you said.

8 First the jobs. Enbridge said that the
9 Line 3 project would create about 750 jobs for
10 Minnesotans. I looked up some jobs data and was
11 relieved to learn -- am I too loud? I was relieved
12 to learn that Minnesota is among the highest
13 employers of pipefitters in the U.S. The U.S.
14 Department of Labor statistics report that
15 employment for pipefitters is projected to grow
16 faster than the average for all occupations. And
17 it's not pipelines they're building, it's new septic
18 systems, it's building construction. Construction
19 is driving the growth in this sector.

20 According to this report, growth could be
21 even better, but employers are having trouble
22 finding qualified pipefitters. Enbridge makes it
23 sound like their Line 3 jobs are rescuing
24 pipefitters from the unemployment line. So it's
25 good to know that there is no job shortage for

1 pipefitters. It looks they are just fine without
2 these benefits and, besides, Line 3 should not be
3 considered a jobs program.

4 As for economic benefits. Enbridge
5 promises the following to Minnesotans in their
6 application. Quote, The Line 3 project will
7 stimulate local economies through the purchase of
8 goods and services from local retailers and
9 suppliers of accommodation and food for workers, end
10 quote. That's their economic benefit. Workers
11 spending money in towns along the route during
12 construction. It think that it might be a good
13 thing to compare the riches we're being asked to
14 risk and what's great for Enbridge is that it won't
15 cost them a dime. Once the pipeline is in, that
16 money will dry up and these towns will be right back
17 where they started except now they will have a
18 pipeline to worry about.

19 As for tax revenue. In 2013 Enbridge
20 promised \$25 million in annual tax revenues in the
21 state of Minnesota for the Sandpiper, to be divided
22 among the counties on the route. Many county
23 commissioners, like the one you saw tonight, are
24 thrilled to lend their support, and started making
25 plans for their windfall. In Aitkin County they

1 Canada, the Ontario Energy Board made a decision
2 about the \$12 billion Energy East Pipeline Project,
3 stating we have found that there is an imbalance
4 between the economic and environmental risks of the
5 project and the expected benefits for Ontario. The
6 Energy Board's report was the basis of Ontario's
7 position on Canada's National Energy Board's hearing
8 on this project.

9 Government agencies are finally seeing
10 the truth about the expensive damage of tar sands.
11 Why aren't the Minnesota PUC and the Department of
12 Commerce seeing it too? Why are you treating a
13 profitable Canadian conglomerate as though it's a
14 public utility when this oil is headed to Illinois
15 refineries and Marathon's export markets?

16 After all the risk and benefits are
17 weighed, there is no benefit to Minnesotans from tar
18 sands. In fact, there are no consequences in
19 denying their certificate of need. If the
20 administrative law judge and the PUC board dismiss
21 our legitimate, reasonable concerns like they did
22 with the Sandpiper certificate of need, there will
23 be no rest because more and more Minnesotans who are
24 becoming educated about this issue will not be
25 backing down.

1 Thank you.

2 MR. DANTE BENJAMIN: Hi. My name is
3 Dante Benjamin, D-A-N-T-E, B-E-N-J-A-M-I-N.

4 I know we all -- I know we all don't want
5 this pipeline here. I'm just a kid and I don't want
6 to grow up with black water. And I just think that
7 I'm still trying to learn these traditional ways of
8 ricing, but that it's going to go away and I don't
9 want that. I want to eat the rice, I want to hunt.
10 All our animals could die. But I just hope this
11 never -- this pipeline can get cancelled.

12 Let's see. If this goes into the
13 Mississippi River, it's going to go to the ocean.
14 It's going lead to no fish and everything that's in
15 the ocean is going to die. I don't want that to
16 happen. And this pipeline should be gone. This is
17 just nonsense that you're bringing this pipeline
18 into our community.

19 I've tried to be doing this for so long
20 and I still want to learn about ricing. Ricing is a
21 good thing for our community. The rice that we
22 have, we can give a lot. We give it away to the
23 elders and the elders won't have anything like that
24 when this pipeline comes.

25 I want to thank everybody for teaching me

1 these traditional ways of the community.

2 Let's see. Just please stop this
3 pipeline. I'm -- I'm young, and I know you guys
4 won't listen to me 'cause you think I'm young and
5 stuff like that, you know.

6 But, miigwech.

7 MR. LARRY HARTMAN: Winona LaDuke.

8 MS. WINONA LADUKE: Hi, guys. All right.
9 Cookies, thanks, guys.

10 (Ojibwe.)

11 I'm from the White Earth Reservation, I
12 live a little bit northwest of here. And a lot of
13 the people know me 'cause I've testified at almost
14 every Enbridge hearing. I didn't get on the
15 Enbridge party bus yet, so let me know when you're
16 going to let me on the party bus, I want to see what
17 it looks like in there. But we came in on our own
18 party bus today, which was a horse and carriage. So
19 we did not use your petroleum to get here. That was
20 pretty cool.

21 Anyway, is that better? Janet is a very
22 hard-working woman, I've got a lot of respect for
23 her.

24 I want to say I don't intend to make a
25 lot of huge comments. I intend to ask a few

1 questions. 'Cause this is the time when we ask our
2 questions and I started earlier this afternoon.

3 But I wanted to make a couple of overview
4 comments. So a couple things. Unlike the rest of
5 you, I have lived my entire life in the petroleum
6 era. I had pretty good times. I get the whole
7 thing that we all use oil. I get that. We all do.
8 We've lived there, I went to drive-in movies, all
9 kinds of cool stuff, right? Good days, good times
10 that are super cool. Like, wow. I understand that.

11 What I'm saying is I get that we're
12 there, but what I want is a graceful and elegant
13 transition out. Because the fact is that what
14 remains of the petroleum era is a killer. The
15 remaining oil that is there, you've got to either
16 blow up the bedrock in Mother Earth and frack it, so
17 that you destroy the water and the air with a bunch
18 of benzene in North Dakota. Or you got to mine an
19 area the size of Florida up in the Athabaskan River
20 Basin and turn it into a poison waste, full of filth
21 that kills the people and animals and the air and
22 life and everything is dead. Or you've got to go
23 drill in the Arctic, and these people's village, and
24 20,000 feet under the ocean and pretend that that's
25 going to work out. You've entered an era that is so

1 extreme in your behavior that we're at a point where
2 we need to look at our addiction and figure out how
3 to transition away from it because it is incredibly,
4 incredibly dangerous.

5 So I say that with all recognition of the
6 situation we are all in. I get it. We're all here
7 together. I'm an Anishinabe person, that is my
8 nation, but I also live in the state of Minnesota
9 and I would like a regulatory system in the state of
10 Minnesota that was mature, that was elegant, and
11 that made sense. And that was not at the behest of
12 a Canadian corporation.

13 The other thing I want to say about that
14 petroleum era is that the reason I know it's going
15 to end is little efficiency thing. Earlier on
16 people talked about solar energy and electric cars,
17 and that's going to be our policy, and a couple
18 people said that. You know, what I want to say
19 about that, and maybe the Aitkin County
20 commissioners, you know, it would be super awesome
21 if you guys would listen broader, just get out a
22 little bit. Listen to some different opinions, it
23 might help. I'm just going to say this with all
24 love for you. 'Cause I live in Becker County, I
25 spend a lot of time in Hubbard, Clearwater, Mahnomen

1 County. It's not that we just live here and we
2 don't know what's going on.

3 So we're driving these cars, and the fact
4 is that the engine of the car, the combustion engine
5 is 16 percent efficient. For every six gallons of
6 gas you will only need one gallon, is all that
7 actually moves your vehicle. It's a super, super
8 inefficient way to move things around. And that's
9 what we've been doing. But enlightenment and
10 intelligence aside, like ours, or like crafty people
11 from Germany or like Mr. Tesla have moved beyond
12 that to think like the electric engine. That
13 electric engine is 65 percent efficient. That's a
14 lot more efficient than the 16 percent efficiency of
15 a combustion engine.

16 So we're at this moment, all of us,
17 everybody in the room, including Enbridge with a \$4
18 billion wind portfolio and a very large solar
19 portfolio, that we could move into the next energy
20 economy. The one that will not combust us to
21 oblivion and put oil and toxins in our water and
22 rice. It is this moment where all of us in humanity
23 could do this. And it is absolutely this moment in
24 Minnesota.

25 That's kind of like this overarching

1 thought I had, which is let's grow up together.
2 Let's move to the next economy together. And
3 instead of trying to figure out how we're going to
4 poison ourselves and how fast it will be and what our
5 options are in the poisoning, because that seems
6 like a really stupid way to live, and certainly an
7 insane way of public policy. Like should we shoot
8 ourselves in the head with a pipeline or should we
9 wait until a train explodes our town? What kind of
10 choices are those for an intelligent society?

11 So that is the first thing I wanted to
12 say. A second thing I wanted to say is really about
13 the structural position we are in. You know, I
14 spent a lot of time in school, I've been on the
15 streets a lot, I've been around a lot, I'm super
16 privileged. I understand that. I have heard and
17 been with great political leaders. I met Nelson
18 Mandela. That's one cool cat. You know what I'm
19 saying? Bobby Kennedy, Jr. I've met some
20 intelligent human beings. Just think about this.
21 You know, Wonnada Ashieba (phonetic). And what I'm
22 saying is that we're in this moment where what has
23 happened is that the state of technology and the
24 economics of the system and the driving forces of
25 fossil fuels economy or the nuclear economy or the

1 military economy, for all that, are far ahead of our
2 ability to regulate them. So you've got crazy
3 things going on.

4 In this country you have this thing
5 called the Halliburton, which made it possible to
6 frack, without being compliant with the Clean Water
7 Act, the Clean Air Act, the Safe Drinking Water Act,
8 or any other federal environmental laws. Tar sands
9 oil is totally unregulated. These guys are
10 unregulated and it's a rogue industry.

11 We are not regulated for future
12 generations, like this beautiful, beautiful young
13 man who stood here. He said the most intelligent
14 things of any of us. I want to be able to drink the
15 water. I want to be able to rice. I want to be
16 able to hunt. I want to be able to live as an
17 Anishinabe person. That is all we are asking, which
18 is pretty much all everybody is asking.

19 But we as Anishinabe, we have no place
20 else to go. This is the place in the world the
21 Creator put us, where the wild rice is. This is the
22 place the Creator gave us. This is our remaining
23 territory. And as our attorney said, we intend to
24 fight for this because this is all we have in the
25 world. We cannot move someplace else. Enbridge can

1 move anywhere. They are not a person. They are not
2 a nation of people. They're a Canadian oil
3 transportation company. They don't need to be here.
4 They don't need to be asking us for favors. They
5 don't need to be demanding our land and our water or
6 our future, to compromise it.

7 So I look at this and I know where we
8 are. And I'm saying, and, Jamie, these are some
9 questions I'm going to have to ask you, and with all
10 due respect. I know you've had a tough week, you
11 know, and we met earlier in the week. So we have a
12 structural problem in the PUC process, from what I
13 can figure. I observed your slides as you presented
14 them before. You still have the date of September
15 or the fall of 2016 for the completion of a process.
16 But what is clear, that is what it says that you
17 plan to be completed with the process by then.

18 So what is clear from our previous
19 questions or the questions we've asked a couple of
20 times is, one, you don't have a way to make an
21 assessment of how bad the damages are on Line 3.
22 The present environmental impact of Line 3, before
23 you allow the company that has created a giant mess
24 with 900 structural anomalies and leaks throughout
25 the line to move someplace else. A little bit of

1 the cart before the horse there. You know, it seems
2 super baffling to me.

3 Two, why you keep having this thing up
4 here that says September 16th when I know, you know,
5 in '16, 2016, when you get this done, when I know
6 that the Enbridge is telling the Army Corps of
7 Engineers the big plan is to begin construction in
8 2017. Why does Enbridge drive your agenda? When
9 you don't have a regulatory process which either
10 does tribal consultation, as we said before, nor
11 does it have a plan to complete an assessment of
12 Line 3 prior to this.

13 Now, I know that you're just conducting
14 the information meetings, but this is the questions
15 that we have to ask you.

16 The third question I have to ask you, in
17 the regulatory process -- are you okay with me
18 asking three at once?

19 MS. JAMIE MACALISTER: We can break them
20 down again.

21 MS. WINONA LADUKE: Okay. Otherwise, I
22 could go back and forth. Your choice.

23 MS. JAMIE MACALISTER: Ask the third one.

24 MS. WINONA LADUKE: The third one, then I
25 have a few questions for this gentleman here.

1 The third question I have is, okay, it
2 says we, Minnesota citizens, Anishinabe people, must
3 come up with a route that gets from Clearbrook to
4 Superior. Why do we have to do that? Because it is
5 assumed that they will have perpetual need for their
6 pipeline? Why does the public have to come up with
7 a route for the corporation? Why must all our
8 comments fulfill their need? Why don't they not
9 prove to us with the reduced price of oil, that this
10 is a world market, that there is a need, since
11 Minnesota's need has actually diminished. You know,
12 why must they not prove to us that there is a need?
13 Why do we have to go in and come up with a route
14 that meets their specifications? Why is that the
15 burden of the public?

16 So that's the first three questions I
17 have, with all due respect, Jamie, because this is
18 the question time. So I've been through this, this
19 is not my first rodeo.

20 MS. JAMIE MACALISTER: All right. Let's
21 start with the third question.

22 The need for this project has not been
23 determined. We don't have a determination on that.
24 And I would say, in regards to developing route and
25 segment alternatives, that's an opportunity. No one

1 is saying you have to do that, it's an opportunity
2 for everyone here and in all these meetings to
3 develop or propose a route or segment alternative.

4 What I can say is that Enbridge, they get
5 to -- based on the rules, they get to determine what
6 their preferred route is. And if you individually
7 or collectively don't like the route that has been
8 presented, you have this opportunity to say, I think
9 we should do something else. So that's the purpose
10 of allowing everyone the opportunity to come up with
11 alternatives to this. It's not saying that Enbridge
12 has the perfect route. It's saying either we don't
13 agree with this or we think there's another way we
14 could route this pipeline.

15 Of course, that's assuming that a
16 pipeline is needed. And I'm not going to debate
17 whether or not that's needed, that's not for me to
18 determine. So --

19 MS. WINONA LADUKE: So, I mean, back to
20 our initial, if this need is not determined for this
21 pipeline, why are we having a discussion about a
22 route, why does Enbridge not have to prove that it
23 has a continued need for a Line 3?

24 MS. JAMIE MACALISTER: Well, at this
25 point, the need and the routing process are kind of

1 going together. That's how these --

2 MS. WINONA LADUKE: So how is that
3 functional?

4 MS. JAMIE MACALISTER: That's a good
5 question.

6 MR. ARSHIA JAVAHERIAN: Jamie, can I jump
7 in?

8 MS. JAMIE MACALISTER: You certainly can.

9 MS. WINONA LADUKE: You aren't from the
10 PUC. I'm asking a state official, my state official
11 to explain to me a regulatory process. If Enbridge
12 would like to explain why it runs the regulatory
13 process, that might be a different question. But
14 I'm asking my state to tell me why this process is
15 functional, and I think she's asking Mr. Ek to
16 assist her.

17 MS. JAMIE MACALISTER: Yes, I'm asking
18 Mr. Ek.

19 MS. WINONA LADUKE: Hello, Mr. Ek.

20 MR. SCOTT EK: Good evening.

21 My name is Scott Ek, I'm with the Public
22 Utilities Commission.

23 So if I have this correct, you're
24 questioning the process. Okay. We have two
25 processes. The certificate of need, which is one

1 process, and we have the routing process. That
2 process is a process that helps the state determine
3 where the route should go.

4 At this point we have the rules, 7853,
5 certificate of need, 7852, routing. Now, those
6 rules are made by your legislature. As state
7 employees for the Department of Commerce, for the
8 Public Utilities Commission, we have to follow those
9 rules. We can't change those rules. They were made
10 by the legislature.

11 So first I would say, if you don't like
12 those rules and you want changes, that's something
13 that you need to go to the legislature. Now, with
14 the rules that we're following tonight, we're
15 primarily here tonight for the routing. And they
16 are going together right now. And this is very
17 typical of a transmission line project, a pipeline
18 project, sometimes companies will actually apply for
19 the route before they apply for the certificate of
20 need. And we can go through that whole route
21 process and a determination cannot be made until.
22 So if you get to the end of the route process, the
23 Commission cannot make a determination on routing,
24 so it stops until, if that project needs a
25 certificate of need determination, then we go back

1 and we have to wait for that whole CN process.
2 That's if they're flip-flopped, and it can be and it
3 has happened that way for other projects. So it
4 would have to wait until a need determination.

5 Now, if the Commission says, well, that
6 project is not needed, all that time was wasted for
7 routing. And that's on the company. They're paying
8 the permitting fees for that whole process, so
9 that's their gamble, which way they want to go.

10 As this process has gone, they are going
11 together. The routing, which we're here primarily
12 tonight for, is tonight is the opportunity for
13 people to inform the environmental document. And
14 that environmental document is the CEA, comparative
15 environmental analysis. That is part of the routing
16 process.

17 And what we're asking people to do is to
18 provide us with information on what is problematic,
19 or what they see as problematic with the route that
20 was proposed by Enbridge. What are those
21 environmental problems, where are those in sensitive
22 areas, what do you want the Department of Commerce
23 to study in the environmental document.

24 And that -- and it's an informational
25 meeting as well, to explain the process, to explain

1 the project and so forth.

2 So what will happen now is once these
3 meetings are over, the comment period is closed, I
4 believe September 30th, DOC will go back and they'll
5 put together a scope for that CEA. They will be
6 coming back to the Commission, I don't have an exact
7 timeline for you, oh, and I can get to timelines,
8 too, I believe you brought that up. But I don't
9 have a timeline. I think it was 90 days from the
10 last order and, I'm sorry, I don't have -- so that I
11 think puts it into November, and don't hold me to
12 that because schedules change.

13 The Commission at that time will decide
14 whether to continue with the routing process. They
15 haven't referred routing to the Office of
16 Administrative Hearings. So the routing process
17 could, depending on their decision, be halted just
18 like Sandpiper was.

19 The CN has already been referred, and
20 that is continuing to proceed right now. The CN
21 process doesn't have an information meeting like
22 this. They will go through the process and there
23 will be the public hearings similar to what
24 Sandpiper was when we had that, what, six months,
25 eight months ago.

1 I know it's complicated and the rules
2 aren't easy to follow, and that's unfortunate. And
3 I know it's confusing for folks. I tell people that
4 it gets confusing for us.

5 MS. WINONA LADUKE: I don't know what you
6 do. I'll ask the next question, then I have a
7 couple other things and, you know, there are a lot
8 of other people that want to talk and so I get that.

9 So you are saying that in 90 days you're
10 going to complete a comparative environmental
11 assessment.

12 MR. SCOTT EK: No, no.

13 MS. WINONA LADUKE: No?

14 MR. SCOTT EK: No, no, no. They'll come
15 back with the scope. That's essentially what the
16 comparative environmental analysis will look at.
17 It's kind of the table of contents of what will be
18 looked at. The Commission will look that over and,
19 you know, I'm not quite sure at this point --

20 MS. WINONA LADUKE: And so at what point
21 will the full assessment of the present state of
22 Line 3 and the 900 structural anomalies and the
23 4,000 projected digs be included in the
24 environmental assessment of the project?

25 MR. SCOTT EK: I don't know. That will

1 be determined when the scope comes out, after this
2 comment period has ended, and if that's been brought
3 up right now --

4 MS. WINONA LADUKE: I think it's been
5 brought up a number of times. I guess, you know,
6 Mr. Ek, you know, with all due respect, I feel like
7 the State of Minnesota is looking at four large oil
8 pipelines, that the Enbridge company and the Koch
9 brothers are basically dictating a timetable with
10 which they are hoping to get completed. And they
11 have pipes laying on the corners of my reservation
12 right now which is causing us a lot of duress.

13 MR. SCOTT EK: That's what I was going to
14 get to, the timelines that you brought up. Those
15 come straight from our rules. There are definitions
16 within the rules for these time periods, these
17 milestones in the process. And so when those -- and
18 those are big estimates that we've thrown up there.
19 Trust me, they were put across my desk and I was a
20 little wary. I said these are estimates, so make
21 people know that. Because as we've seen with
22 Sandpiper, this process has changed and it's gone
23 past what's written in rule, and the Commission has
24 made changes to allow more public process, to allow
25 more commenting, which has extended the timelines to

1 where it's hard for us to predict sometimes.

2 MS. WINONA LADUKE: Right. Thank you.

3 I have one other question for you and
4 then I have some questions for the gentlemen of
5 Enbridge, and then just a couple of closing
6 comments.

7 So my understanding is that you guys, the
8 Department of Commerce, and earlier -- I'll ask you
9 another question after this, but have taken over the
10 environmental assessment from the MPCA. That the
11 environmental assessment, the alternative
12 environmental assessment is going to be done by the
13 Department of Commerce.

14 MR. SCOTT EK: The comparative
15 environmental analysis.

16 MS. WINONA LADUKE: And so how many
17 employees do you have in the Department of Commerce
18 that are going to do this study?

19 MS. JAMIE MACALISTER: We will be working
20 with a consultant to complete this document.

21 MS. WINONA LADUKE: Can you speak up?

22 MS. JAMIE MACALISTER: Yes. We will be
23 working with a consultant team to complete the
24 document.

25 MS. WINONA LADUKE: So you're going to

1 hire some consultants to complete the document on an
2 oil pipeline or a couple of oil pipelines that put
3 1.4 million barrels a day of oil across our land,
4 you're going to hire some consultants to do that?

5 MS. JAMIE MACALISTER: That would be
6 correct.

7 MS. WINONA LADUKE: That would be
8 correct. And so the Minnesota Public -- the
9 Minnesota Pollution Control Agency, with 950
10 employees, who is paid by the state, is not going to
11 be involved in that, 'cause you guys have hired some
12 consultants. Is that right?

13 MS. JAMIE MACALISTER: No, that's
14 incorrect, actually. While we will be preparing the
15 document and working with consultants on that, we
16 will also be coordinating with other state agencies,
17 including MPCA and the Minnesota DNR.

18 MS. WINONA LADUKE: Right. But even the
19 last hearings we all just went through, their
20 testimony was entirely discredited and diminished
21 and your testimony was more significant testimony.

22 MS. JAMIE MACALISTER: That's a matter of
23 opinion. I would not --

24 MS. WINONA LADUKE: Well, that's what
25 you're saying.

1 MS. JAMIE MACALISTER: No, I attended
2 those hearings, and I would not say that their
3 testimony was discredited.

4 MS. WINONA LADUKE: But you're the lead
5 agency?

6 MS. JAMIE MACALISTER: Correct.

7 MS. WINONA LADUKE: So that was just, you
8 know, one set of the questions I had on that.

9 And we talked prior, but you have not
10 figured out your process for tribal consultation.
11 In your slide show here, you had tribes listed as
12 participating in your public process. We are not
13 people, tribal governments do not participate in
14 your public process. Tribal governments are
15 governments. And you have listed them. So, again,
16 is there any point that you guys are planning to
17 have formal meetings with tribal governments or that
18 you begin to talk to them, when would that occur, so
19 that I can inform people who need to about that?

20 MS. JAMIE MACALISTER: Well, first, as we
21 have discussed previously, that neither the
22 Department of Commerce nor the Public Utilities
23 Commission has a tribal liaison, per se, as other
24 state agencies like the Minnesota DNR does. So --

25 MS. WINONA LADUKE: So you have no tribal

1 liaison?

2 MS. JAMIE MACALISTER: That's correct.

3 MS. WINONA LADUKE: So how will these
4 discussions between our tribal governments, our 1855
5 treaty authority, our 1854 treaty authority, how
6 will those occur if you don't have a tribal liaison
7 and you have a timetable that is already up there?

8 MS. JAMIE MACALISTER: Well, you know,
9 certainly they can comment on this, anyone is able
10 to comment.

11 MS. WINONA LADUKE: That does not qualify
12 as consultation.

13 MS. JAMIE MACALISTER: I'm not saying
14 that that does qualify as consultation. I'm saying
15 that, as a legal matter, that is not something that
16 I can address at this meeting.

17 MS. WINONA LADUKE: So at what point will
18 we get the answer to that? I know that you have
19 hearings and you have these same questions in two
20 days, but it would be really groovy if we can get
21 some sense of how the Department of Commerce is
22 going to address that they don't have a tribal
23 liaison.

24 MR. SCOTT EK: We have -- if you look at
25 the order that was put out, I wish I had that, I

1 think August 4th, that was put out. The Commission
2 understands and is quite aware of the concern about
3 the tribal consultation. It's in the order. And
4 that order must be followed. It's part of this
5 process. And if it's pointed out that that item in
6 the order hasn't been followed, then there's a big
7 argument there.

8 And in the Department of Commerce's
9 defense and Public Utilities Commission's defense, I
10 am not quite sure yet how we've figured out how that
11 process is going to go. I have not talked to
12 anybody, I don't have that capacity, I don't believe
13 Jamie does either. And you understand that we're
14 not, you know, at the top of the ladder here.

15 I can tell you that it's known, the
16 commissioners are all very well aware that it needs
17 to happen, they're well aware of the letters that
18 have been sent in, so it's on the radar. I can't
19 give you specifics on how yet that might happen.

20 MS. WINONA LADUKE: So part of what I'm
21 dealing with, and I'm a pretty intelligent person,
22 and I know my history, and I know that in 1889 the
23 State of Minnesota -- the State of Minnesota has
24 basically screwed us at every turn. Burning people
25 out of their houses over here in the 1930s. Taking

1 our land. All of Aitkin County was carved out of
2 Indian territory. You know, time after time. And
3 this is not 1889, this is 2015. And so I'm asking
4 for our mature tribal government and our mature
5 state government to deal with the mature tribal
6 government that has been there for a very long time
7 in the state of Minnesota.

8 And I'm wondering what the tribes have
9 asked you specifically, and I've been party and
10 privy to that, it's to put a moratorium on these
11 proceedings until you figure out how to talk to us.

12 MR. SCOTT EK: I understand your concern.
13 Unfortunately, this is the wrong venue.

14 MS. WINONA LADUKE: This is the only
15 place where we are allowed to ask questions.

16 MR. SCOTT EK: This is the place to ask
17 questions about the proposed project. You're
18 talking about a process question. We're not
19 capable, us two folks here, of answering that. We
20 can bring this to the attention of our
21 commissioners, you can bring this to the attention
22 of the commissioners. I believe letters have been
23 sent in to Governor Dayton as well. I understand.

24 The purpose of tonight is to provide
25 comments on the environmental document.

1 Unfortunately, it's not the venue to discuss how,
2 procedurally, the Department of Commerce or the
3 Public Utilities Commission -- we can't answer that,
4 us folks here. And so it does need to go to the
5 head, the commissioners. It needs to go to the top
6 people.

7 MS. WINONA LADUKE: With all due respect,
8 sir, having been in many hearings, and you know
9 this, I know that there is not an opportunity to ask
10 this question at any hearing. In fact, two of us
11 who testified for three minutes and are not allowed
12 to get answers. And previously when we asked
13 questions a couple days of ago, the fine gentleman
14 from Enbridge, we were told not to ask those
15 questions. But we did finally push ahead with some
16 of the questions.

17 So what I'm saying is that the question
18 of process actually precedes the question of which
19 part of the environment we're fighting over
20 protecting, or which part gets screwed. You know,
21 that's part of what we're asking here. And I feel
22 like it is the place to ask it, this is the place to
23 put it out, because I'm saying, with all due
24 respect, we have a public policy crisis in the state
25 of Minnesota. I want public policy that works. Not

1 for foreign oil transportation companies, but for
2 the people of Minnesota and the Ojibwe of Minnesota.
3 I want to trust my state to do the right thing for
4 me. I don't want to raise my blood pressure every
5 time I go talk to you all and I don't want to think
6 that you guys think it's still 1889 and not 2015.

7 MR. SCOTT EK: That's understood, and I
8 understand. Again, though, this is not the venue to
9 be asking process questions about our Minnesota
10 rules, on how they were created by the legislature,
11 how our departments work. We are here simply to
12 inform the public of the project, of this process as
13 it's written. I can't -- I'm sorry, but I can't
14 give you specifics on, you know, those process
15 questions that you would like to see. I don't have
16 the ability to.

17 MS. WINONA LADUKE: Okay. With all due
18 respect, Mr. Ek, I understand your position, and I'm
19 saying that this is a crisis in Minnesota. You're
20 asking us to participate in an extremely
21 dysfunctional process and act as if the process
22 works. And that is a waste of the time of the
23 people of Minnesota 'cause this process doesn't
24 work. So it's really, really important because
25 there is a light that is shining on Minnesota 'cause

1 you guys are at the epicenter of it. And it is
2 really important that you talk to the people
3 upstairs, and also that we figure out together how
4 to make public policy that works in Minnesota.

5 I have a real big interest in having it.
6 I understood your response, but I also understand
7 this is an informational meeting, we're asking
8 questions, you give me timetables, I ask you why the
9 timetable looks like that, why these things are in
10 the timetable. That would seem like the thing to do
11 would be ask that in an informational session.

12 So, you know, you guys take a breath, I'm
13 not going to, you know, chase you down with my
14 wheelchair, okay.

15 You know, I've got some other questions
16 for you guys, gentlemen. I'm sorry, you're not
17 getting off the hook. So, first of all, the fine
18 gentleman -- yes, you -- who is in charge of, I
19 believe -- I forget your name again.

20 MR. JOHN MCKAY: John McKay.

21 MS. WINONA LADUKE: Okay. John, I
22 understand that you -- I believe that you are in
23 charge of, what was it called, like making the
24 right-of-way look good again. Right-of-way
25 restoration. Who is the right-of-way restoration

1 guy? That's you, right?

2 MR. JOHN MCKAY: I work with landowner
3 concerns about restoration of the right-of-way after
4 the project is nearing completion.

5 MS. WINONA LADUKE: So how does -- do you
6 work at all on that Line 3 with all those structural
7 anomalies on it?

8 MR. JOHN MCKAY: Currently I am involved
9 with major projects. I have a history working with
10 Enbridge in operations, though that particular
11 component is handled through Enbridge operations.
12 But I am familiar with integrity digs that you're
13 referring to.

14 MS. WINONA LADUKE: And so how is that
15 getting resolved? Because you guys need a new
16 pipeline 'cause you've got so many, right?

17 MR. JOHN MCKAY: I think that that
18 particular question is more related to the
19 engineering side because of the condition of the
20 pipe, so I probably will be able to hand that over
21 to either Arshia or Mitch.

22 MR. MITCH REPKA: Do you mind repeating
23 the question?

24 MS. WINONA LADUKE: Well, I asked him
25 first, because it wasn't clear, like I was

1 appreciative that you guys all introduced yourself,
2 but, you know, if you're in charge of like
3 beautifying right-of-way restoration. You know, I
4 mean, you know, maybe there's a separate question I
5 should ask you, which is like how you restore a wild
6 rice bed? Maybe that's what I should just ask you.
7 Can you tell me how you do that?

8 I'm sorry, you might have to pass it back
9 to him. That's probably a better question for him.
10 You get the 900 anomalies.

11 MR. ARSHIA JAVAHERIAN: This is Arshia
12 Javaherian. I don't -- so John is in charge of land
13 services, and what that includes is dealing with the
14 landowners and addressing their concerns through the
15 process of restoration. He doesn't physically do
16 the restoration work, his department doesn't
17 physically do that work.

18 The issue of if oil got into a rice lake
19 and affected a rice bed, destroyed a rice bed, it
20 wouldn't necessarily be land, it wouldn't
21 necessarily be this team here that would be part of
22 our emergency response team. And it is not
23 something that Enbridge has had to do. We have not
24 had to work on a rice lake after oil has gotten into
25 it, I don't believe there's been any contamination

1 like that that I know of.

2 However, I'll let Barry talk in a second,
3 but as I understand it through the scope of the CEA,
4 that is part of the analysis. There is discussion
5 in there about spills, or there will be discussions
6 in there about spills and about responses and about
7 the effect on the environment, as well as the
8 cleanup. So it will be part of the CEA and we'll be
9 happy to provide the information that we can. So as
10 of right now, I don't think we have the right person
11 here to answer that, or the experience for that.

12 MS. WINONA LADUKE: Okay.

13 MR. BARRY SIMONSON: Barry Simonson. One
14 thing I might want to address, though, is the first
15 part that we strive for at Enbridge is prevention.
16 So if you're speaking of the new Line 3 that we're
17 proposing, the wild rice beds, the first question
18 was talking about the integrity digs, correct?

19 MS. WINONA LADUKE: Right, that is right.

20 MR. BARRY SIMONSON: Okay. So, first of
21 all, in terms of -- and I'm not in the operations
22 group, but I'm part of the NP, but we do work in
23 unison with our operations group. Based on our
24 integrity management program that's in place through
25 operations, they have found anomalies on that

1 existing Line 3, which was placed into service back
2 in the 1960s. And by use of the smart tools we
3 talked about earlier, which Enbridge is on the
4 forefront in the technology realm with that, they do
5 find those areas that may be in question. Now,
6 those areas are usually on public and private land
7 because that's where the pipeline traverses. So
8 when those areas are needed for investigation,
9 landowners are contacted, access is provided either
10 by an access road that's existing off an existing
11 right-of-way from a road, and we treat those anomaly
12 digs just like we would with construction itself
13 with regard to topsoil stripping, if needed,
14 excavating down the pipeline and matting over the
15 existing lines or any utilities that might be
16 present in order to get to the pipe and figure out
17 what the issue might be, and fix the issue. And
18 then restoration is conducted as it would be with
19 normal pipeline construction with backfilling and
20 then topsoil and restoration.

21 MS. WINONA LADUKE: Thank you for
22 answering. That was interesting.

23 My question is a little bit more specific
24 and prior to a leak. The fact is is that this is a
25 very delicate aquatic ecosystem up here. You have

1 lakes, you have creeks, you have wild rice, you have
2 places where the cranberries are, you have places
3 where our tamaracks and our other medicines are.
4 It's very delicate. If you put a pipeline or a set
5 of pipelines through that delicate ecosystem where
6 water moves in subsurficial aquifers, moves through
7 creeks, moves through the bogs, you change the
8 movement of that water.

9 And in the case of wild rice, I'm talking
10 about even before a spill. So when you do that, how
11 are you going to restore it before you do it? I
12 mean, you've got this little right-of-way
13 restoration thing. How are you going to restore a
14 wild rice bed? Do you know how to do that? How can
15 you restore a wild rice bed? Anybody know?

16 MR. ARSHIA JAVAHERIAN: Explain how we're
17 damaging the wild rice bed by putting the pipeline
18 in? You're not talking about a spill, right?

19 MS. WINONA LADUKE: Yeah, this is prior
20 to a spill.

21 MR. BARRY SIMONSON: The other thing I
22 want to mention, too, Winona, is that we are in
23 consultation with the Minnesota Department of
24 Natural Resources for permits, which Mr. Turner can
25 answer more specifics than I can, as well as the

1 Corps of Engineers and the Pollution Control Agency.
2 So with that planning for construction, we have
3 certain installation methods that are preferred and
4 alternates that are approved via the permit through
5 the Department of Natural Resources and the agencies
6 I just noted. So part of that is the planning
7 process for construction.

8 MS. WINONA LADUKE: Okay. Thank you.
9 You know, I'm not going to go too much further on
10 this, but I just want to make a note for the
11 record -- I guess you're the record, my dear -- that
12 the Minnesota Department of Natural Resources has a
13 vested interest in diminishing the number of rice
14 beds in the state of Minnesota, because what they're
15 trying to do is not regulate sulfates. And they're
16 trying to count the number of rice beds there and
17 only regulate in rice beds that they actually have
18 listed. So if they make them disappear with a
19 pipeline project or if they just don't count them
20 because they didn't bother to inventory them, then
21 they don't have to protect them from sulfate
22 contamination.

23 So the Ojibwe tribes do not actually have
24 a lot of faith in the state of Minnesota's process
25 of trying to maintain rice beds.

1 I've got just one more comment and
2 question and then I'm going to close up because I
3 know that there are other people that I'd like to
4 hear speak besides myself as well.

5 So, I was listening to the thing on the
6 psi, you know, I get that, a lot of pressure per
7 square inch going through. And I know you guys do a
8 lot of testing. And I totally get that Enbridge
9 would like to be the corporation that doesn't have a
10 leak. I get that. 'Cause it doesn't help you. You
11 know, we don't want you to have a leak either. We
12 don't want any leaks. Except for that the
13 Scientific American reports that you have a 57
14 percent chance of a catastrophic leak. You know, so
15 that's not so great for those of us who actually
16 live here.

17 But having said that, in all of your new
18 tests, you and I know, I'm going to make a leap of
19 faith that you know, that tar sands oil is much more
20 caustic and corrosive than anything that has been
21 going through Line 3 in the past, historically.
22 When we move to tar sands oil then we've got
23 everything breaking down much more rapidly because
24 it's super corrosive.

25 So how are you figuring the psi's over

1 time with a pure tar sands oil run? That's my first
2 question to you, because I'm not feeling too secure
3 with your answers of the 2,100 or 1,600 psi. How
4 long is this line projected to live? If you have a
5 60-year-old line, is this a 20-year-old line you're
6 planning on putting in?

7 MR. BARRY SIMONSON: It seems as though
8 you had a few questions in there.

9 MS. WINONA LADUKE: I sure did. You guys
10 don't answer these questions at the evidentiary
11 hearing, so I thought I'd ask a few of them now.

12 MR. BARRY SIMONSON: That's fine. In
13 terms of -- there's two ways of looking at a
14 pipeline life expectancy. There is one for the
15 business case and there's one for the actual
16 physical life. Now, depending upon the commitments
17 from shippers and producers, a pipeline business
18 life can be between 25 to 100 years. We've been in
19 operation in Minnesota since 1949 with our existing
20 Enbridge corridor. So that all fluctuates.

21 Now, with the new technologies that we
22 have with pipeline steel strength, with coatings,
23 with hydro testing, with all of the preventive
24 measures that we take, a pipeline itself can be -- a
25 lifetime can be indefinite based on the factors that

1 I mentioned between design, engineering,
2 construction, quality, but also in terms of
3 integrity management going forward for the pipeline
4 itself.

5 MS. WINONA LADUKE: Okay. I'm not -- I
6 don't believe you. I just want to say that. Okay.
7 Thank you for your comments.

8 I want to thank you all for your time. I
9 really had to get a little clarity because I've been
10 to a lot of hearings and there's a lot of questions
11 that we haven't had answers.

12 MR. BARRY SIMONSON: Another thing I want
13 to put on the record is that we have been operating
14 our pipelines with oil sands as well as Bakken
15 crude. There is no corrosiveness in the pipelines
16 that we installed based on the products that we do
17 operate our pipelines systems with in those
18 pipelines systems in the U.S. and North America.

19 MS. WINONA LADUKE: Okay. Thank you.

20 MS. JAMIE MACALISTER: I have a question
21 for you regarding --

22 MS. WINONA LADUKE: Oh, my gosh.

23 MS. JAMIE MACALISTER: -- regarding rice
24 beds. And that is, are you saying that there are
25 additional rice beds in this area that have not been

1 identified by DNR that need to be included in the
2 comparative environmental analysis?

3 MS. WINONA LADUKE: That is exactly what
4 I am saying, is that the DNR has severely under
5 estimated the rice beds that are in the area that
6 would be impacted by the Sandpiper.

7 MS. JAMIE MACALISTER: And how would you
8 like us to get that information?

9 MS. WINONA LADUKE: I believe we are
10 working on collecting the ones that are missing with
11 the Environmental Protection Agency. But there
12 needs to be more and there also needs to be time.
13 Because the fact is is that the resources are with
14 those guys. We are scrambling for the resources. I
15 mean, you guys have some limited steps of how, you
16 know, poorly funded a lot of this research is. And
17 yet we are facing the largest oil pipeline company
18 in the world and we are asked to provide all of that
19 and we're saying that you need to slow this process
20 down and not keep with the agenda set by an oil
21 company.

22 MS. JAMIE MACALISTER: And is that
23 information already --

24 MS. WINONA LADUKE: I will work on
25 getting that to you, Jamie.

1 MS. JAMIE MACALISTER: Thank you.

2 MS. WINONA LADUKE: I will work on that.
3 Obviously, it is in our interest to get that, but
4 the state does not have the accurate data.

5 So thank you very much for your time, I'm
6 sorry I took so long with my massive questions.

7 MR. LARRY HARTMAN: The next speaker is
8 Allison Warden.

9 MS. ALLISON WARDEN: Hello. My name is
10 Allison Warden, A-L-L-I-S-O-N, W-A-R-D-E-N. Thank
11 you for having me here.

12 I was asked as part of Honor the Earth to
13 be here. I'm an Inupiat (phonetic) from the Arctic.
14 My people are from an island called Kaktovik, it's
15 located within the Arctic National Wildlife Refuge.
16 If you can see my hand here, this kind of looks like
17 Alaska, and that's where my people are from and
18 where I live. It's an island about 90 miles west of
19 the Canadian/Alaska border. And us, too, on the
20 island, are facing -- they want to drill for oil
21 underneath in the refuge, underneath our village. I
22 have my notes.

23 Up where I'm at, I want to reflect on
24 climate change. The tar sands oil, the impact of
25 that can be felt all over the planet. And climate

1 change is most directly felt by my people and by my
2 land in the Arctic. It's happening very, very
3 rapidly up there.

4 For instance, last December, it should
5 have been about 40 or 60 below zero, which feels
6 pretty good to me. I have, you know, a parka and
7 layers and all kinds of stuff for that. But instead
8 in December, instead of being 40 to 60 below or
9 maybe 100 below with the windchill, depending on the
10 year, it was about 40 above and raining. And it
11 took until about March or maybe late February for it
12 to get cold. So that's a huge change that's
13 happening in my community and the effects of climate
14 change can be felt.

15 And the melting ice, it's not just the
16 melting ice, it's the permafrost underneath,
17 everything in the Arctic is melting and we're really
18 seeing more carbon.

19 And I travel a lot. I'm an artist, I go
20 to communities where I'm invited, or where I feel
21 pulled to go. And indigenous people all over the
22 planet are fighting similar fights like this one.
23 And not just indigenous people, but humans
24 everywhere, no matter what race you are. The planet
25 is at a time right now, it's just a very short

1 window of time where we can really address this
2 climate change.

3 I feel that climate change is the
4 unifying factor that can really pull us all
5 together, the human people on the planet. If we
6 don't address this now, it won't be possible for any
7 of our future generations to live any kind of a
8 life.

9 I went to this really neat meeting in
10 San Francisco and all the smartest environmental
11 type folks were there from all these different
12 organizations. And some indigenous folks, too,
13 about ten indigenous folks. And all these smart
14 scientists and they were all gathered on this
15 climate summit. And I was traveling from a village
16 called Shishmack (phonetic) which I was working with
17 youth, and that village is not going to be here in
18 50 years because of climate change. It is not going
19 to be here in maybe 30 years. It's disappearing
20 because of the storms and the rising waters. It's
21 an island also. And I'm not sure if my own island
22 will be here.

23 Anyway, we're in that room, I had been
24 traveling for like 20 hours to get there because I
25 was in a very remote area, very, very remote in

1 Alaska. And I was really out of it and jet lagged
2 and I had stopped drinking coffee. And so it's like
3 I'm not going to drink coffee, so I was in this very
4 interesting state personally. And I realized I was
5 in a meeting with the top environmental minds on the
6 planet talking about what are we going to do to save
7 the planet.

8 We're in this small window so that we
9 don't get, you know, a larger than two-degree rise
10 in the heat. So that all the oceans don't acidify,
11 so that we don't lose 90 percent of the species on
12 the planet. But they have all the data to back it
13 up, and it was very terrifying for me to hear all
14 this.

15 They were trying to come together as an
16 agreement with all those organizations to say no
17 more, no more new drilling, no more, let's keep it
18 in the ground, let's keep it in the ground.

19 And, you know, I lived like Winona, and
20 I've had a great time, you know, eating exotic foods
21 and mangos and getting -- flying on planes. And my
22 own people, you know, we used to use dog teams and
23 now we're using snow machines.

24 But I love this idea of it's time for us
25 to transition peacefully into the new era. And it's

1 an opportunity for all of us to work together and
2 really look at where we're at right now and say we
3 don't need it. I know that we've been using it and
4 we used it to get here, and I flew on a plane to get
5 here, but we don't need it anymore. We need to
6 think really quickly and be really smart. All of
7 us, all humans, no matter who you are. We really
8 are in that state.

9 And I just want to share that. And if
10 you want to ask me individually about that
11 experience of being in that room with all of those
12 minds and having all the data to back it up and that
13 sense of urgency in that room was tremendous. And
14 it was so humbling to be there.

15 So I don't want to take too long. I'm a
16 performer and I wanted to share a new kind of
17 traditional song of my people, if that's okay. Oh,
18 I forgot that, boo, boo. It's like three minutes
19 total as part of my testimony. And I was asked to
20 do this.

21 MS. JAMIE MACALISTER: I have to
22 interrupt here. We have roughly ten minutes left
23 before the end of the meeting, I don't know how many
24 speaker cards we have left.

25 MR. LARRY HARTMAN: 14.

1 MS. JAMIE MACALISTER: We have 14 other
2 people.

3 MS. WINONA LADUKE: Can you extend the
4 meeting? Because they came all the way from very
5 far away. And I know you've had a long day, but
6 you're asking us to put up a lot, you know, you're
7 asking a lot of our community. And I think that
8 asking you guys to stay a little bit longer to
9 listen to our community talk would be worth it. And
10 not just the Native people, but the other people
11 that are here.

12 MS. JAMIE MACALISTER: Well, I agree.
13 And so for the sake of the other people that are
14 here, I think that if there are other people here
15 that need to speak because they have other things
16 that they would like to do, that we give them that
17 opportunity to do that.

18 MS. WINONA LADUKE: She's asking for
19 three minutes and she came from the Arctic.

20 MS. ALLISON WARDEN: That's correct.

21 MS. JAMIE MACALISTER: Excuse me. No, I
22 cannot. No, this is not --

23 MS. WINONA LADUKE: We can't listen to
24 what she has to say?

25 MS. JAMIE MACALISTER: How you are

1 behaving towards me and to the rest of this audience
2 is completely unacceptable.

3 UNIDENTIFIED: You're the one
4 interrupting all of us.

5 MS. JAMIE MACALISTER: Would you like to
6 continue with this or do we need to be done?

7 MS. WINONA LADUKE: Are you my mother?
8 I'm just saying, could you just let her, she said
9 she has three more minutes and we're done.

10 MS. JAMIE MACALISTER: And she has three
11 more minutes, and I'm asking is there anyone else
12 that needs to speak before we continue? Is there
13 anyone else that has a time frame? Sir?

14 UNIDENTIFIED: We would like to, yes,
15 they have been going for about a half hour here.

16 (Inaudible conversation.)

17 MR. KEN VRAA: Thank you. My name is Ken
18 Vraa, I live in Aitkin County, and I live in Workman
19 Township, so that means the proposed pipeline is
20 near me. V, like in Victor, R-A-A, the first name
21 is Ken. Thank you.

22 A couple questions that I had were raised
23 here. I'm really concerned and I hope that there's
24 additional study. I talked to you gentlemen already
25 privately, about groundwaters and the flows of water

1 and how they will be disrupted, potential for
2 disruption to the flow of the aquifers, and not just
3 the aquifers, but with so many wetlands and bogs and
4 groundwater, I'm real concerned about the disruption
5 of that during the construction process.

6 I noticed in the picture back there in
7 the stripping of all the soils, and you start to put
8 those soils back, they never go back the way they're
9 supposed to go back, they get mixed, and how that
10 will disrupt the water flow, and what that might
11 mean for people who live in the area and to their
12 wells and their septic systems and all those types
13 of things and how it will affect their lives, as
14 well as, you know, the environment itself.

15 So that's one of the major concerns that
16 I have. And I hope that the study will address that
17 and that the Public Service Commission will take a
18 hard look at that as they look at the environmental
19 impact. So that's one of the questions that I have
20 a real concern for. I don't know if the study will
21 be doing that or not. Maybe you want to answer that
22 in some detail.

23 MR. PAUL TURNER: Right. Paul Turner
24 with Enbridge. And we did speak privately at the
25 break earlier.

1 And the groundwater, surface water, those
2 types of things are part of what we do study, we do
3 take a look at. During our previous conversation we
4 talked about all of the preconstruction survey work
5 that we do take into account before we ever get out
6 and do any type of construction. It's all part of
7 the planning process.

8 So your comments here tonight, your
9 concerns -- I'm getting some feedback -- but are
10 good and we appreciate those and this is the venue
11 to make those to make sure that they do become
12 incorporated into the CEA.

13 MR. KEN VRAA: The other concern I have
14 with that is that we don't look at it in the macro
15 level, but we look at it in the micro level as well.
16 Sometimes we tend to look at large areas rather than
17 smaller pixels of space to see how that will impact
18 certain areas. So I hope that the study, when it
19 does that, doesn't look at too large of an area and
20 will look at smaller transitional zones. So that
21 would be the concerns and the issues I have.

22 MR. PAUL TURNER: Right. And like
23 somebody mentioned earlier, we have boots on the
24 ground, you know, over 150,000 hours worth of time
25 spent out along this corridor taking a look at those

1 features, as well as many others.

2 MR. KEN VRAA: My other comment is in
3 this morning's session people were talking about the
4 jobs aspects and reports of jobs, and I think that's
5 maybe a byproduct of any project. I would hope that
6 that's not the driving force for any type of a
7 pipeline or construction. There's a cost to that,
8 to jobs, it's called externality. It means that
9 other people have to pay. Frequent jobs for some
10 people may mean a decrease in income or revenues or
11 potential risk for others. So I hope that's the
12 understanding that also transitions through here,
13 that where there is a risk for these things people
14 will be paying for it, if there is, in fact,
15 problems. So I'm concerned about that.

16 Thank you.

17 MS. ALLISON WARDEN: (Singing a song.)

18 MR. SCOTT EK: Excuse me.

19 MS. ALLISON WARDEN: (Singing a song.)

20 (Inaudible conversation.)

21 MS. JAMIE MACALISTER: All right. We're
22 going to take a break here and this meeting is going
23 to need to end at 9:30. I don't know if we have
24 anyone else here who has not spoken who would like
25 to speak? Well --

1 UNIDENTIFIED: Right here. Me. I'd like
2 to sing with these two.

3 MS. JAMIE MACALISTER: Okay. Well, you
4 have to wait. We're going to take a break and we
5 will get through as many people as we can by 9:30.

6 (Break taken from 9:02 to 9:12.)

7 MS. TRACY SMETANA: Morningstar
8 Shabaiash.

9 MS. MORNINGSTAR SHABAIASH: Okay. First
10 of all, Morningstar is M-O-R-N-I-N-G-S-T-A-R, no
11 capital letters in it, it's all together, last name
12 S-H-A, B, as in boy, A-I-A-S-H.

13 Sitting here listening to everybody talk
14 about we need the pipeline, we don't need the
15 pipeline, and all the different routes. And what is
16 being talked about is very informational for me. I
17 have -- this is my first time speaking at any of
18 your guys' meetings. Any of your hearings that you
19 had, I've sat back and listened to you guys.

20 Now, my questions -- well, some are
21 questions and some aren't. I may leave some out.

22 What I see, you know, the needs for the
23 oil, what I see are all the motorized vehicles. The
24 ones that were parked outside are all -- on the one
25 side close to the school are almost all

1 recreational, non-needed vehicles. Do you we need a
2 snowmobile? No. Do you need a four-wheeler? No.
3 Do you need a boat, a motorized boat? No, you can
4 have paddles and a canoe. You can swim. You don't
5 need a motorized boat. Other things are furnaces.
6 Yeah, you need oil for furnaces, but also, if you
7 think about it, we've had wood-burning stoves that
8 do not require oil, do not require any of that.
9 Lawn care vehicles, we always hear on the news our
10 lawns need to be taken care of in the cities.
11 Listen, get up, get the old-time fashioned push lawn
12 mower that you push, it goes around, cuts your own
13 grass, you don't need oil.

14 Do we need oil for any of these things?
15 Do you need oil to walk to and from places? Your
16 friend's house, your family member's house, to
17 school, to jobs. It may take you a little longer,
18 but you will get there without oil. You don't need
19 it.

20 Animals. We need animals to survive. We
21 need livestock for food. We need the animals in the
22 wilderness for food. Can they survive on oil? No,
23 they cannot. Obviously, water is one main thing
24 that we need.

25 MS. TRACY SMETANA: Excuse me. That's

1 three minutes.

2 MS. MORNINGSTAR SHABAIASH: That's three
3 minutes?

4 MS. TRACY SMETANA: That's three minutes.
5 Thank you very much. If you have additional
6 comments, please submit them in writing.

7 MS. MORNINGSTAR SHABAIASH: Well, I have
8 it written down, but things need to be heard.

9 MS. TRACY SMETANA: Our next speaker is
10 Tanya Aubid.

11 MS. MORNINGSTAR SHABAIASH: A lot of
12 things get pushed to the side. Just like my comment
13 card. I put my card up there, I signed it. What
14 did you do? I had to come up here and you had to
15 find it. How do I know, if I put this with her,
16 this isn't going to get put over here and go, oh,
17 yeah, we got it, we submitted it. How do we know
18 that's going to happen? You need to prove that --

19 MS. TRACY SMETANA: I understand. Humans
20 can make mistakes, ma'am.

21 And our next speaker is Tanya Aubid.
22 Thank you.

23 MS. MORNINGSTAR SHABAIASH: All right.
24 You guys don't want to hear things that other people
25 have to say. You guys say you need to be out of

1 here by 9:30 or whatever. It doesn't take that long
2 to take down equipment. You said 10:00 out of the
3 building. So what time is it? Almost 45 minutes.
4 And you guys want to keep pushing and pushing and
5 pushing people, you know. It's been happening to
6 our relatives, our ancestors, for many, many years.
7 And now you're trying to do it right now. You're
8 trying to push and push and push. Your ways, your
9 time is how you want it done. Wow, you guys are
10 ridiculous.

11 MS. TRACY SMETANA: Tanya Aubid.

12 MS. TANYA AUBID: Good evening. My name
13 is Tanya Aubid. I live over in Minnewawa area, my
14 hometown is East Lake, Minnesota, also known as
15 Minisinaakwaang.

16 My Indian name is Biidwewegiizhakwe,
17 B-I-I-D-W-E-W-E-G-I-I-Z-H-A-K-W-E. And I thought I
18 had to write it down.

19 Anyways, I have some questions for you.
20 First of all, I would like to know, if Enbridge has
21 those windmills and solar panels, why, as an energy
22 transporting company, you do not transport that
23 around to different areas so that we can be able to
24 sustain our houses and whatnot. And you'd be able
25 to do that. That would be my suggestion as an

1 alternative route.

2 What you see here, what I was chewing on
3 earlier, what everybody may have thought was
4 popcorn, this is wild rice that was picked today
5 from where they wanted to put the pipeline in. The
6 Sandpiper Pipeline. And it is good. It is pipeline
7 free.

8 Now, if Enbridge has a spill or even
9 something that they don't consider a spill goes into
10 the rice, this is not going to be able to return to
11 its natural state.

12 I was told by one of your people over
13 there that wild rice, you can grow it in a ditch.
14 No. It does not. It cannot, will not grow in a
15 ditch. There was a paddy rice field over here north
16 of McGregor, just right outside of town here, and
17 it's no longer operational. I don't see any more
18 rice growing over there as of today. So, no, that
19 does not work.

20 The number's been corrected since January
21 of this year, from the 26th to the 31st. Have those
22 numbers been corrected as far as like an
23 environmental impact statement? And from what I
24 understand, is that Enbridge will not fork over any
25 kind of environmental impact statements. The only

1 time that you'll do it is after a spill? And you
2 want to be able to get those numbers back to what
3 they were, like Kalamazoo? I understand we're not
4 Kalamazoo, but that's where it's leading to. Can
5 you be able to provide me some numbers? I asked
6 this over a year ago, to provide me with those
7 numbers before you put that pipeline in so that I
8 can say, hey --

9 MS. TRACY SMETANA: Excuse me. That's
10 three minutes.

11 Our next speaker is John Cirilli. Thank
12 you.

13 MS. TANYA AUBID: Thank you so much, and
14 I hope to get those answers, too.

15 MR. BARRY SIMONSON: Well, first of all,
16 I don't understand the second question in terms of
17 the numbers and an environmental impact statement.
18 I don't know what you're speaking about, because an
19 environmental impact statement is different than a
20 release and numbers. So I can't answer that because
21 it's not clear. I apologize for that, with all due
22 respect.

23 Back to your first question, the business
24 model for the company, as in our application, we
25 have been in operation now for crude oil pipeline

1 transportation in North America since 1949. Now,
2 the portfolio has changed to be diversified in terms
3 of wind energy as well as geothermal. So we're here
4 tonight to talk about items associated with
5 implementation of the comparative environmental
6 analysis. But I can tell you that we do have a
7 portfolio of wind energy as well at geothermal
8 throughout North America.

9 MR. JOHN CIRILLI: J-O-H-N,
10 C-I-R-I-L-L-I.

11 I have a few specific questions and I'll
12 try to get through them quickly and hope whoever has
13 knowledge and responsibility can answer them
14 quickly.

15 First off, raising the question raised by
16 the gentleman from Cohasset. Is there a reason not
17 to replace the old number 3 line with a new number 3
18 line in the same place? And for that matter, what
19 is the plan as far as the old one? Are you going to
20 dig it up, or leave it there to rust or dissolve or
21 whatever it is old pipelines do?

22 MR. BARRY SIMONSON: To answer your first
23 question, we have done a study, and that is part of
24 the application in front the Public Utilities
25 Commission for in-trench replacement of the existing

1 Line 3. On the record previously, and I'll
2 reiterate again, the fact of the matter is that
3 Line 3, there are seven pipelines north of
4 Clearbrook and there are six south of Clearbrook
5 that Enbridge operates. So if you can think of six
6 pipelines, 1, 2, 3, 4, 5, 6, number 3 is almost in
7 the middle. So there are issues in terms of safety
8 as well as environmental impact for the existing
9 pipelines that are in that area where the six exist.

10 Now, the other aspect, in terms of
11 routing, is that when we chose a route for Sandpiper
12 and Line 3, the fact of the matter is is that
13 there's been corridor fatigue over the years when
14 the last two pipelines that were put in were Alberta
15 Clipper and Southern Lights, so placing Line 3
16 replacement right next to those pipelines wouldn't
17 be feasible from an encroachment perspective, there
18 are homes, businesses, there's Cass Lake, which is
19 very densely surrounded by a channel and Cass Lake
20 itself. So there are many challenges with routing a
21 pipeline down the existing Enbridge corridor.

22 MR. JOHN CIRILLI: I'm sorry, what's
23 corridor fatigue?

24 MR. BARRY SIMONSON: Corridor fatigue can
25 be defined in many ways. It can be public, from a

1 public's perspective you have homes and businesses
2 as a corridor, such as seven and six pipelines
3 you're looking at 2 to 300 feet in width, and over
4 time in areas that are population centers, such as
5 Bemidji, Grand Rapids, there are homes and
6 businesses that either have been existing or they're
7 new, which then begs the question of how wide is a
8 corridor for not only safe construction, but also
9 for the public itself.

10 MR. JOHN CIRILLI: I haven't heard you
11 actually mention a particular problem or difficulty
12 arising from taking out the old pipeline and putting
13 in a new one. A reason why it's either impossible
14 or problematic. And frankly, that's not what we
15 want, but I'll move on to my second question.

16 It sounds like there are studies yet to
17 be done, but what is the worst-case scenario here?
18 Let's say there is, despite your best effort, a
19 massive loss of containment somewhere in this area,
20 what would happen? How would it impact the people
21 and other living things in the area? And what would
22 Enbridge do about it and how long would it take to
23 undo the damage?

24 MR. BARRY SIMONSON: Well, you're
25 speaking of a hypothetical question, but in terms of

1 how we design and construct our pipelines, it's
2 prevention. It's designed using high-quality
3 materials, we use fusion bonded epoxy, which is a
4 new coating -- with all due respect, let me answer
5 your question.

6 MR. JOHN CIRILLI: You're not answering
7 my question, sir. It's not how good is the
8 technology, the question is if something goes wrong,
9 and it could, what are you going to do and how long
10 is it going to take to undo the damage? You can
11 make a good pipeline, you can't make it impossible
12 to break.

13 MR. BARRY SIMONSON: Well, one of the
14 measures that we have in place are section lines and
15 valves that take into account high consequence
16 areas. So part of the prevention is putting in
17 valves at locations that protect, not only the
18 environment, but the public itself. We do have --
19 which is not a regulation -- but we do have power,
20 we have telecommunications, and we have permanent
21 access road to all of our valves. So our control
22 center in Edmonton, which can see the pressure and
23 temperature upstream and downstream of the valves,
24 as well as the pump stations, if they see any
25 abnormality in any of those variables they can shut

1 those lines down immediately at the valve as well as
2 the pump stations upstream.

3 MR. JOHN CIRILLI: And therefore the
4 worse thing that can happen is how many gallons,
5 what -- give me specifics. If something goes wrong,
6 you throw the valves into action, what would happen?

7 MR. ARSHIA JAVAHERIAN: That depends on
8 where the location of the accident is. So the way
9 these valves work is they're spaced out along the
10 pipeline corridor. And so if there is a leak of
11 some kind, the valves are shut off so that only the
12 oil that is in that section of the valve would leak
13 out. And then other things that would slow the leak
14 or stop the leak would be elevation. So, for
15 example, once the power to the pipelines are shut
16 off when a leak is noticed and the valves are shut
17 off, then the oil is no longer flowing.

18 So if the leak happens at the top of --
19 you know, at higher elevation, the oil isn't going
20 to flow uphill and then leak out of there, right,
21 it's going to go back the other way. If it happens
22 at a low elevation, then the oil that is from that
23 valve to the leak would leak out. And so it really
24 depends on any given location of the pipeline.

25 We do have personnel based throughout our

1 area, they live along the corridor, and our response
2 time is half an hour to an hour, depending on the
3 location. That's how long it would take for
4 somebody to get there. But it takes 13 minutes for
5 the valves to close and sectionalize the pipeline.

6 These people are also -- we also have
7 facilities that we call pipeline maintenance shops,
8 which house our emergency response trailers. If
9 there is a leak we deploy an emergency response
10 trailer, as many as we needed to, other vehicles,
11 and we would start the cleanup process right away.

12 MR. JOHN CIRILLI: Okay. Well, as I
13 know, several of you are engineers, you have
14 insurance, I'm sure someone knows exactly how much
15 oil down to the pint could leak out in the
16 worst-case scenario. And that seems like a number
17 you guys should have.

18 Third, my third question is simply, even
19 if we can't get specific about what could go wrong,
20 we all know things could go wrong. Is there any
21 rationale, justification, as to why we who live in
22 the area should accept all the risk? I mean, we get
23 some property taxes, maybe a few jobs in the
24 process, but why do we get saddled with the risk,
25 whereas, if everything goes well, Enbridge will make

1 lots and lots of money, very little of which I think
2 we would ever see, and if something did go wrong --

3 MS. TRACY SMETANA: Excuse me, sir,
4 that's three minutes.

5 MR. JOHN CIRILLI: -- all we stand to
6 lose is money.

7 MS. TRACY SMETANA: Our next speaker is
8 Kuukpik Long, and that'll be our final speaker.

9 MR. KUUKPIK LONG: Good evening. My name
10 is Kuukpik Long, K-U-U-K-P-I-K, I'm from Alaska,
11 right in the heart of the oil field. I was born and
12 raised with oil, a spoonful in my mouth.

13 And it's -- I know you guys are like the
14 biggest oil company or whatever in the world, or
15 something like that, and I don't know the details,
16 but I know things go wrong. It doesn't matter how
17 good your equipment are, it is inevitable. Whether
18 if it's a teaspoon drop or 10,000 gallons. I've
19 seen 10,000 gallons spilled into a lake and 50,000
20 caribou died. And I've seen a spoonful go into an
21 800-gallon tank, and it contaminated the whole
22 thing.

23 And I work with Alaska Clean Seas, the
24 cleanup crew, we were named the A team to clean up
25 oil spills everywhere. And it happens all year

1 long, whether it's a little one or a big one. I
2 worked for AFC Equipment Corporation, Alpine Cleanup
3 Services, and I've seen spills. No matter where it
4 is, how good your equipment is, it will spill,
5 something will go wrong.

6 And check this out. When the oil spills
7 were leaked into the land or water, it's a
8 nightmare. And the worst part of waking up is crude
9 oil in your cup. Crude oil coffee.

10 Thank you.

11 MS. TRACY SMETANA: Thank you, everyone,
12 for coming tonight. For those who did not have an
13 opportunity to speak on the record tonight, you do
14 have the option to submit comments in writing in
15 various ways. In your folder there's a comment form
16 along with some guidance on how to do that. There
17 are also three additional public meetings that
18 you're welcome to attend, two in Carlton tomorrow
19 and one at the East Lake Community Center here in
20 McGregor on Thursday morning.

21 With that, thank you and good night.

22 (Proceedings concluded.)

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