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SCOPING AND INFORMATIONAL MEETING
CARLTON - 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

Carlton County Transportation Department
1630 County Road 61
Carlton, Minnesota

August 26, 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. We are here for a public information
6 meeting for the proposed Enbridge Line 3 Replacement
7 Project.

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

15 So in the notice we did include a meeting
16 agenda. And so the first 30 minutes or so we'll
17 include some presentations. I will talk first about
18 the Public Utilities Commission. Enbridge has a
19 brief presentation, as does the Department of
20 Commerce. And then we'll open it up for your
21 questions and comments. If the comments do continue
22 to 7:30 we will need to take a break for the court
23 reporter so we'll take a 15-minute break at that
24 time and then resume with your comments and
25 questions.

1 So who is the Public Utilities
2 Commission? We're a state agency. We regulate
3 various aspects of utility service within the state
4 of Minnesota, including pipeline permitting. We
5 have five commissioners appointed by the governor
6 and about 50 staff in St. Paul.

7 In order for the company to build this
8 project, they first need what we call a certificate
9 of need from the Public Utilities Commission. As
10 you might guess by the name, it answers the question
11 is the project needed. There are Minnesota statutes
12 and rules that guide that process, and I've
13 identified those here for you if you want to follow
14 up and get some more information on that.

15 The second piece of the puzzle is what we
16 call a route permit. It answers the question, if
17 the project is needed, where will it go. And,
18 again, there are statutes and rules that guide this
19 process as well.

20 As we work through this process, there
21 are a number of organizations, agencies, and so on
22 that do get involved along the way, so I wanted to
23 just give you a little bit of who's who.

24 First of all, we have the applicant.
25 That's what we call the company that's asking for

1 the certificate of need and the route permit. So in
2 this particular case the applicant is Enbridge
3 Energy.

4 The Department of Commerce is another
5 state agency involved in this process. They are
6 completely separate from the Public Utilities
7 Commission. And there are two different units
8 within the Department of Commerce that participate
9 in the process.

10 The first is the Energy Environmental
11 Review and Analysis unit, sometimes abbreviated
12 EERA. And their job is to conduct the environmental
13 review.

14 The other half of the Department of
15 Commerce equation involved in this process is the
16 Energy Regulation and Planning division, and they
17 represent the public interest when utilities ask to
18 change their rates, services, facilities, and so on,
19 and they play a role in the certificate of need
20 process for this particular project.

21 Another state agency, the Office of
22 Administrative Hearings, again separate from the
23 Public Utilities Commission, separate from the
24 Department of Commerce, is also involved in this
25 process. The Office of Administrative Hearings will

1 assigned an administrative law judge to this case.
2 The judge's job is going to be to hold hearings,
3 both public hearings along the proposed route area
4 and also what we call contested case hearings or
5 evidentiary hearings, likely in St. Paul, sort of
6 like a court type proceeding to gather additional
7 facts and evidence for the record to ultimately
8 write a report for the Public Utilities Commission.

9 At the Public Utilities Commission there
10 are two different staff members assigned to work on
11 this project as well. The first is the energy
12 facilities planner. That's more of a technical
13 role, assisting in building the record, provides the
14 commissioners information about the impacts of
15 various decision options. And then there's the
16 public advisor -- again, that's me -- my job is to
17 work with folks, help you understand what happens
18 next in the process, where to get more information,
19 when to submit comments, when meetings are
20 happening, those times of things.

21 In both cases Commission staff members
22 are neutral parties. It is not our job to represent
23 any position or party in the process, we don't
24 advocate for one thing or another, our job is simply
25 to be neutral.

1 So when the Public Utilities Commission
2 is considering this question of is the project
3 needed, the statutes and rules identify the criteria
4 that the Commission has to consider in doing so.
5 And there's a list of those here for your
6 information. Likewise with the route permit, the
7 Commission has a list of things they have to work
8 from according to the statutes and rules.

9 Now, when you look at this list, what the
10 statutes and rules do not do is rank them. So
11 there's nothing that says one of these is more
12 important than the other no matter what. So it's up
13 to the Commission to review the facts that come into
14 the record and sort of balance those out to
15 determine the best route, if indeed a route permit
16 is granted for this project.

17 Here's a brief overview of what the
18 certificate of need process looks like for this
19 particular project. A couple things I want to point
20 out here. So right now we're at the public
21 information meeting, and you can see there are a
22 number of things that need to happen before we get
23 down to that bottom box of the decision. The other
24 thing I want to identify here is there are some
25 opportunities along the way for folks to get

1 involved, by attending meetings, submitting written
2 comments, and so forth.

3 And a similar chart for the route permit
4 process. Again, we're at the public information
5 meeting stage up here, we have a number of steps to
6 get through before we get to that decision. So
7 we're very early in the process in both cases. And,
8 again, there are opportunities for folks to
9 participate along the way. A very important part of
10 the process.

11 Here's that information in a chart form
12 with some dates that we plugged in. The key word
13 here is estimated. You know, we're early on in the
14 process, we don't know exactly how long things might
15 take or exactly when these milestones might be
16 reached, but based on what we know today this is our
17 best guess. So we're thinking by June of 2016 we
18 might have a decision on the certificate of need.

19 And then a similar chart for the route
20 permit. Again, based on the information we have at
21 this early stage in the process, we're thinking a
22 route permit decision could happen August of 2016.

23 Now, as I mentioned, there are a number
24 of opportunities for folks to get involved in the
25 process and participate along the way. And when

1 those opportunities arise, the Public Utilities
2 Commission wants folks to know about that. So we
3 publish a notice to tell you about it. And a couple
4 things I just want to point out on the notice, if
5 you happen to get one on the mail or your e-mail or
6 you see it in the newspaper and so on.

7 First off is what we call the docket
8 number. So you can see here there are two of them
9 on this particular notice because there are two
10 pieces of the puzzle, the question of need, the
11 question of route. And it's very important to
12 remember that information when you're contacting us
13 to get information or whether you're submitting
14 information to us about this project just to make
15 sure it ends up with the right project.

16 The comment period. We have deadlines
17 that we need to meet in order to move on to the next
18 step in the process, and so it's important to pay
19 attention to those deadlines so that your comments
20 can be considered before we move on.

21 We'll also identify the topics that are
22 open for comment. So as we work through the process
23 at different stages there are different questions
24 that we need help answering. And so the notice is
25 going to identify what those topics are at various

1 stages in the process. And you can see, this notice
2 was from back in April, so these questions have been
3 asked and answered, we've moved on from that, so the
4 next notice will have different questions.

5 So to recap, the keys for sending
6 comments. Very important to include the docket
7 number, make sure that it ends up in the right
8 place. Try and stick to the topics listed as much
9 as possible. That will provide the most impact for
10 the comments that you take time to provide for us.
11 You don't need to submit your comments more than
12 once. Once we have them, they're entered into the
13 record, and they're in the record. They're not
14 going anywhere, they're going to stay with the
15 record, we'll have them to refer to. Verbal and
16 written comments carry the same weight. So you
17 don't get extra credit for speaking and submitting
18 it in writing. You certainly are welcome to do
19 that, but there's no requirement or advantage to
20 doing so.

21 The Commission's decision is based on the
22 facts in the record. It is not based on how many
23 people prefer option A over option B or vice versa.
24 It's really based on the facts. So when submitting
25 comments, just keep that in mind as well.

1 I do want to let you know that the
2 comments you submit, whether you speak them or you
3 write them, they are public information. So we have
4 an online filing system that we call eDockets where
5 we store everything that happens in this case. And
6 once they're in the record, they go onto this
7 eDocket system. So just be careful not to include
8 sensitive information that you would not want out on
9 the Internet. And, again, your comments need to be
10 received before the deadline.

11 Now, if you want to stay informed about
12 this project, there are a number of ways to do that.
13 The first is, as I mentioned, we have an eDocket
14 system online. And that's the way that you can see
15 all of the documents that have already been
16 submitted in this case. You can go to our website
17 and follow these steps and then you can look at the
18 documents that are out there.

19 We also have a project mailing list where
20 you can sign up to receive information about project
21 milestones, opportunities to participate, and so on.
22 Sort of the high points of the process, if you will.
23 You can choose to receive this information by e-mail
24 or by U.S. mail. And when you came in there was an
25 orange card on the table, that's how you sign up for

1 this mailing list. You can fill that out and return
2 it to Justine at the table and we'll get you added
3 to that list.

4 Now, if you're a big fan of e-mail and
5 you also don't want to miss anything that happens in
6 this case, we have an e-mail subscription service
7 where you can sign up to receive an e-mail every
8 time something new comes in, every time something
9 new is added to the record. Again, from our website
10 you can just self-subscribe to this. These are the
11 steps that you would follow. I do want to point out
12 that it can result in a lot of e-mails, so if you
13 don't like your inbox filling up very fast, you like
14 to keep it really tidy, this might not be the option
15 for you. You might prefer the orange card method
16 instead.

17 And this is just a picture of what it
18 looks like on that e-mail subscription page so that
19 when you get there you know you're in the right
20 place and you've entered in the right information.

21 And as I mentioned, there are two
22 Commission staff members assigned to this project.
23 The first, again, is me, I'm the public advisor.
24 And our energy facilities planner on this case is
25 Mr. Scott Ek and he is here as well. So if you have

1 questions for either of us, we'd be happy to help.

2 And, with that, I will turn it over to
3 Enbridge.

4 MR. MITCH REPKA: Good evening, everyone.

5 My name is Mitch Repka, I'm the manager
6 of engineering and construction for the U.S. portion
7 of the replacement project.

8 I'd like to just start by thanking the
9 Public Utilities Commission as well as the
10 Department of Commerce for inviting us here today to
11 speak about the project, and also thank you to those
12 in attendance for taking time out of your busy
13 schedules today.

14 Typically we like to start with a safety
15 moment for larger meetings. And I just want to
16 mention the emergency exits today in case of a fire
17 or some reason that we need to evacuate. There is
18 an exit in the back corner of the room and also the
19 way you came in as well. And our muster point will
20 just be the grassy area out towards the parking lot.

21 As for the presentation, today we'll talk
22 about who Enbridge is, as well as the history of
23 Line 3, and give some overview information of the
24 project itself and also have a discussion on the
25 benefits.

1 So who is Enbridge? Enbridge owns and
2 operates the world's longest crude oil pipeline
3 system. It delivers more than 2.2 million barrels
4 per day of crude and liquid petroleum and satisfies
5 approximately 70 percent of the market demand for
6 the refineries here in the Upper Midwest area.

7 As you can see on the map, there are a
8 variety of assets across North America. Shown in
9 blue is the liquids pipeline system. In red is the
10 natural gas systems and joint ventures. The company
11 also has a growing renewable energy portfolio. And
12 we've got 14 wind farms, four solar facilities, as
13 well as geothermal assets as well.

14 At Enbridge we operate under three core
15 values of integrity, safety, and respect. And each
16 of these core values is interwoven in everything we
17 do as an organization, whether it be planning,
18 designing, construction, or operation and
19 maintenance of our facilities.

20 Safety is a top priority for landowners,
21 community members, and Enbridge as well. And we
22 take this responsibility seriously. Enbridge is
23 committed to the long-term safe and reliable
24 operations of its assets across the system as well
25 as here in Minnesota.

1 Line 3 was originally constructed in the
2 1960s and was placed into service in 1968. The
3 existing line is approximately 1,097 miles in length
4 and spans from Edmonton, Alberta to Superior,
5 Wisconsin. It is a 34-inch diameter line. The
6 existing Line 3 is an integral part of the Enbridge
7 system and delivers crude to Minnesota and Wisconsin
8 as well as other North American locations.

9 As for the replacement project. This is
10 an integrity- and maintenance-driven project;
11 therefore, it will result in the permanent
12 deactivation of the existing line. So the new
13 project runs from Hardesty, Alberta to Superior,
14 Wisconsin and is approximately 1,031 miles in length
15 and is a 36-inch diameter line.

16 Regulatory approvals are currently being
17 sought in both Canada and the U.S. And overall cost
18 of the project is estimated to be \$7.5 billion,
19 which makes it one of North America's largest
20 infrastructure projects. Of that total,
21 approximately 2.6 billion is for the U.S. portion.

22 So as for the U.S. portion, as mentioned
23 earlier, it is an integrity- and maintenance-driven
24 project and therefore the existing line will be
25 permanently deactivated, which will reduce the need

1 for ongoing maintenance and integrity dig activity
2 along the existing corridor and reduce the
3 environmental and landowner impact along that route.

4 The replacement project is 364 miles in
5 length, 13 of which are in North Dakota, 337 here in
6 Minnesota, and 14 in Wisconsin.

7 The certificate of need as well as the
8 routing permit were filed in April of 2015 and,
9 pending the receipt or approval of those
10 applications, we expect to start construction in
11 2016 and continue through 2017.

12 As for the Minnesota portion of the
13 project. You can see the preferred route in purple
14 here. It enters in Kittson County to allow it to be
15 tied to the North Dakota segment of the project. It
16 travels through Clearbrook to allow deliveries to
17 the Minnesota Pipe Line system at our existing
18 terminal facility there. And also exits in Carlton
19 County, which allows it to be tied to the Wisconsin
20 segment of the project.

21 As for the segments northwest of
22 Clearbrook, this route is 98 percent collocated with
23 existing utility corridors. And there are four pump
24 stations, one located at Donaldson, another at
25 Viking, Plummer, and Clearbrook in this segment of

1 the line. And south and east of Clearbrook you can
2 see there are also four pump stations near Two
3 Inlets, Backus, Palisade, and Cromwell. And this
4 route is 75 percent collocated with existing utility
5 corridors.

6 The project is designed to flow 760,000
7 barrels per day. There are 27 mainline valves
8 located along the corridor. And the construction
9 footprint is designed to be 120 feet in width in
10 uplands and 95 feet in wetlands. Of that, 50 feet
11 will be permanent easement and the remainder is
12 temporary work space to be used during construction
13 activities. The overall investment here in
14 Minnesota is expected to be \$2.1 billion.

15 So as for the benefits. As mentioned
16 earlier, the line is an integrity- and
17 maintenance-driven project; therefore, the
18 landowners will see reduced maintenance activity
19 along the existing route. The historical operating
20 capabilities of Line 3 will also be restored. This
21 will allow the apportionment of the current system
22 to be reduced, therefore meeting more of our
23 customers' demand in the market.

24 The construction jobs produced as a
25 result of the project are estimated to be 1,500. Of

1 those, 50 percent will come from local labor sources
2 here in Minnesota. There will also be a need for
3 long-term, full-time positions with Enbridge to
4 allow for the continued operation and maintenance of
5 the new line.

6 Local businesses will see a direct
7 benefit also from the project. As construction
8 ramps up, we'll see an influx of labor personnel and
9 need for supplies and equipment. So those workers
10 will need housing, they'll need food, they'll need
11 gas, et cetera, from local businesses. And so those
12 folks will see a direct benefit from the project.

13 There is also long-term benefits
14 associated with the project in the form of tax
15 revenue to each of the counties. We estimate
16 overall about \$19.5 million in increased annual
17 taxes spread across each of the counties that we
18 operate in. This money can be used for a variety of
19 things at the county's discretion, whether it be
20 infrastructure improvements, maintenance of existing
21 infrastructure, or reduction in tax burden of the
22 county residents.

23 So with me here today are a few other
24 Enbridge employees. I'd just like to take a moment
25 for them to introduce themselves.

1 MR. BARRY SIMONSON: Thanks, Mitch.

2 Good evening, everyone.

3 My name is Barry Simonson, I'm the
4 director of the Line 3 replacement program here in
5 Minnesota as well as North Dakota and Wisconsin. So
6 in that role I have the ultimate oversight on all
7 activities associated with the project itself.

8 So thank you very much.

9 MR. JOHN GLANZER: Good evening. Thanks
10 for coming out.

11 My name is John Glanzer, I'm the director
12 of infrastructure planning. In the department we
13 take a forward-looking view of the Enbridge liquids
14 pipeline network and make sure that new projects are
15 optimized and are an appropriate fit for the rest of
16 the network.

17 MR. JOHN MCKAY: Good evening, everyone.
18 Thanks for coming out tonight.

19 My name is John McKay, and I am the
20 senior manager for land services for U.S. projects
21 and I provide oversight for the acquisition of the
22 easements.

23 MR. ARSHIA JAVAHERIAN: Good evening.
24 It's a pleasure to be here tonight with everybody.

25 My name is Arshia Javaherian, I'm senior

1 and we'll turn it over to the Department of
2 Commerce.

3 MS. JAMIE MACALISTER: Hello and good
4 evening.

5 My name is Jamie MacAlister, I'm the
6 environmental review manager for this project. And
7 with me tonight is Larry Hartman. We're with the
8 Department of Commerce, Energy Environmental Review
9 and Analysis unit.

10 I'd like to go over a couple things
11 before we begin the presentation. The first is
12 hopefully everyone grabbed a white folder on their
13 way in. You should have a copy of the presentation,
14 which is handy for contact information, a comment
15 form, and a sheet on how to submit comments, a draft
16 scoping document, and some maps. So if you're
17 missing any of those items in your folder, let us
18 know and we'll help you get what you need.

19 The other thing I'd like to mention is we
20 will be having another meeting tomorrow at 11:00,
21 from 11:00 to 2:00 at the East Lake Community Center
22 in McGregor.

23 And I'd like to give you a brief overview
24 of the permitting process, talk about the scoping of
25 the environmental document, how you can submit

1 comments, and then we'll move into the
2 question-and-answer portion this evening.

3 So the routing of the pipelines is
4 governed by Minnesota Statute 216G and Minnesota
5 Rule 7852. The Line 3 replacement is a full
6 permitting process and that will include the
7 preparation of an environmental document.
8 Afterwards there will be public hearings sometime
9 next spring presided over by an administrative law
10 judge.

11 I know Tracy talked about the process a
12 little bit, I wanted to just go through some of the
13 environmental review aspects. We're here at the
14 information and scoping meeting, we will be
15 collecting your comments until September 30th, and
16 we will be sending that over to the Public Utilities
17 Commission and they will determine which route and
18 segment alternatives are carried forward for further
19 analysis. We would expect the comparative
20 environmental analysis, which is the environmental
21 review document for this project, to be released
22 sometime next spring.

23 These scoping meetings are intended to
24 provide the public agencies, local units of
25 government, the tribes, an opportunity to identify

1 issues and impacts that are important that you would
2 like to bring forward to us. They can be human or
3 environmental that you would like to see developed
4 in the comparative environmental analysis, to allow
5 everyone the opportunity to participate in the
6 development of route and segment alternatives. And,
7 again, these route and segment alternatives are
8 ultimately approved by the PUC.

9 So what is the comparative environmental
10 analysis? Well, it is the environmental document
11 that is prepared for pipelines. It is an
12 alternative form of environmental review that's been
13 approved by the Minnesota Environmental Quality
14 Board. And it's designed to meet the Minnesota
15 Environmental Policy Act requirements.

16 This document is an objective analysis of
17 the project, of the alternatives, the alternative
18 routes, and the preferred route. We will look at
19 the impacts and mitigation measures for those. The
20 document does not advocate for any route. We're
21 really trying to provide the facts so that there can
22 be informed decision-making.

23 So if you choose to submit comments and
24 route alternatives to us, it's helpful if you
25 include a map. That can be an aerial photo, a plat

1 map, a USGS map, identifying your proposed route and
2 route segment. A brief description of the
3 environment of that route and as much supporting
4 information as you can so that when we are reviewing
5 these we are not guessing as to your intent.

6 Additionally, alternatives to the project
7 need to mitigate specific impacts. Those can be
8 aesthetic impacts, land use impacts, natural
9 resource impacts. Some examples of those might be
10 wetlands, native plant communities, wildlife,
11 specific property concerns that you might have,
12 agricultural issues.

13 And they also need to meet the need for
14 the project. So the need for the project as
15 submitted by Enbridge is the project has to come to
16 Clearbrook and it needs to end up in Superior.

17 I want to run through just a few quick
18 examples of alternatives that have been submitted to
19 us for other projects to avoid specific impacts.
20 For example, for a historic property we received
21 route alternatives for avoidance. We received route
22 alternatives to keep projects within existing
23 corridors, be they utility corridors or road
24 right-of-ways. Avoiding a memorial site.

25 And then now I'd like to turn your

1 attention to the maps that are in your folder. This
2 first map shows all of the route and segment
3 alternatives that were proposed for the Sandpiper
4 Pipeline. The flip side of your map should be a
5 close-up of that. There are approximately 30-odd
6 route segment alternatives that were proposed and
7 approved by the PUC last August, and all of those
8 route segment alternatives are on the table for
9 review in the comparative environmental analysis.
10 So if you made any of those suggestions via
11 Sandpiper, we want to let you know that they're
12 still being carried forward.

13 Additionally, I should say there were a
14 total of 54 route segment alternatives that were
15 proposed for Sandpiper. And of those, approximately
16 23, I believe, have been incorporated already into
17 the preferred route for Line 3. And all of those,
18 of those 54, 53 of them were approved by the PUC for
19 review in the CEA.

20 And just quickly, if you've been
21 following the Sandpiper and wondering where that is
22 in the process, as you know, the process for the
23 route permit was halted last fall by the Public
24 Utilities Commission and it was restarted in June of
25 this year.

1 In the meantime, Line 3, the Line 3
2 application has come in and we are now here doing
3 the information and scoping meetings for Line 3.

4 We would expect that the Public Utilities
5 Commission would look at the alternatives in
6 November, at which point the Sandpiper and the
7 Line 3 environmental review will be on a parallel
8 track so that we can do all of the environmental
9 review for both projects and be looking at the
10 cumulative impacts.

11 So as we move into the question and
12 comments portion of this evening, I have a few
13 requests. We prefer one speaker at a time for the
14 court reporter. And if you can please state and
15 spell your name for the court reporter, she will
16 appreciate that. She will also remind you if you
17 forget.

18 We'd like to keep people's comments
19 limited to about five minutes so we can get through
20 everyone's comments and give everyone the
21 opportunity to speak.

22 We would also like to ask that we have
23 some respect for all speakers. And that you direct
24 your comments to the extent possible to the scope of
25 the comparative environmental analysis.

1 And, again, your comments here will be
2 transcribed. You're also welcome, if you did not
3 fill out a speaker card and are interested in
4 speaking this evening, you're welcome to leave your
5 comment form with us this evening, mail it in at
6 your leisure, or you can e-mail them or fax them to
7 me.

8 And, with that, we will take our first
9 speaker of the evening.

10 MR. LARRY HARTMAN: The first speaker
11 would be Brenda Schillo, please.

12 MS. BRENDA SCHILLO: Hi. Is that good?
13 My name is Brenda, B-R-E-N-D-A, Schillo,
14 S-C-H-I-L-L-O.

15 And I actually have a question. In the
16 last PUC meeting I was at, Enbridge was sitting up
17 here and not over there, can I still ask a question?

18 MS. JAMIE MACALISTER: Yes, you may.

19 MS. BRENDA SCHILLO: Okay. Regarding the
20 Sandpiper Pipeline, the Department of Commerce
21 recommended that the Commission make clear that
22 NDPC, North Dakota Pipeline, was financially
23 responsible for the cleanup and any spills. And as
24 a result, Enbridge Energy has negotiated with the
25 state to come up with a financial assurance plan.

1 As far as I understand, it is still in the process,
2 Enbridge has 60 days to file the response. And what
3 I am curious is, is this same financial assurance
4 going to apply to Line 3?

5 MR. ARSHIA JAVAHERIAN: Thank you.

6 Arshia Javaherian with the company.

7 The financial assurance for the Sandpiper
8 Pipeline is with NDPC and its parent company. The
9 Line 3 is owned and operated by Enbridge Energy,
10 Limited Partnership, who is currently Enbridge
11 Energy Partners, which is a publicly traded company,
12 and so -- and it's not jointly owned by any other
13 company. So there's a different relationship there
14 and Enbridge Energy Partners is responsible and
15 Enbridge Energy Limited Partnership is responsible,
16 so the relationship there is different, a different
17 company, and there is no joint agreement as there
18 was with the Sandpiper Pipeline.

19 MS. BRENDA SCHILLO: I guess I would like
20 to go and comment, written down and comment, that
21 the DOC should recommend the same financial
22 assurance for Line 3, whether it be the replacement
23 line. Or if Line 3 is not removed but simply
24 deactivated, I would expect the same financial
25 assurance for that deactivated line.

1 MR. SCOTT EK: My name is Scott Ek, I'm
2 with the Public Utilities Commission.

3 And of course at this time I can't say
4 what's going to happen. You know, we're very early
5 in the process. But logic would dictate that if the
6 Commission requested and ordered that to happen in
7 the Sandpiper case, it would more than likely be
8 ordered in the Line 3 case if the Line 3 was issued
9 a certificate of need by the Commission. So I can't
10 say yes 100 percent, but logically that would make
11 sense.

12 MS. BRENDA SCHILLO: That would be
13 logical.

14 MR. SCOTT EK: Yes.

15 MS. BRENDA SCHILLO: But as the attorney
16 just said, legally they're different entities, so it
17 doesn't apply. So I would like to request that the
18 DOC do the same thing for Line 3 with the financial
19 assurance.

20 Thank you.

21 MS. JAMIE MACALISTER: Thank you.

22 MR. LARRY HARTMAN: The next speaker card
23 I have is for a Russell Pollak.

24 MR. RUSSELL POLLAK: It's Russell,
25 R-U-S-S-E-L-L, Pollak, P-O-L-L-A-K.

1 Well, my comment here is for Enbridge.
2 We were here less than a year ago, correct, with the
3 Sandpiper issue. And you sat here in this room
4 right up here and said that you didn't anticipate
5 any more lines on this new route in the near future,
6 yet you already knew the Line 3 had to be replaced.
7 What I don't understand is why don't you just come
8 right out and tell us what you are planning to do.
9 Why do you hide it? Because too many people are
10 going to bellyache?

11 And as far as the new route, I don't know
12 what anybody else in this room knows or thinks, the
13 certificate of need is going to go through, I
14 already know that. You're going to get a pipeline
15 in somewhere. My whole beef is the new route. You
16 have a corridor, use it.

17 And that's all I got to say. Stick to
18 it, keep cleaning it up behind yourselves, and don't
19 leave it for us to clean up in the future, or our
20 grandsons or granddaughters. And that's it.

21 MR. LARRY HARTMAN: The next speaker is
22 Joel Reed.

23 MR. JOEL REED: Hello.

24 My name is Joel Reed, J-O-E-L, R-E-E-D.
25 I want to thank you for the opportunity for me to

1 speak this evening.

2 It is a known fact that America has an
3 appetite for oil and that will continue. It's a
4 known fact that transporting this oil is safest by
5 pipeline. It's a known fact that construction of
6 the pipeline creates low risk, well-paying
7 construction jobs. We all ought to agree with that.

8 It's also a known fact that there's
9 already an established industrial corridor
10 transversing northern Minnesota that has numerous
11 pipelines in it. It is also a known fact that
12 Enbridge has offered great sums of money to 95
13 percent of the landowners that already signed
14 easements for the new corridor, money that most
15 people cannot refuse.

16 You as commissioners tonight and in the
17 future have an opportunity to keep all future
18 pipelines together in an industrial -- in an
19 established industrial corridor.

20 Now, there may be some challenges on
21 Enbridge's areas for area constraints where the
22 existing corridor goes through towns, Bemidji and
23 Grand Rapids, but these can be overcome. The
24 benefits to keeping one corridor outweighs
25 establishing a new industrial corridor. So please

1 keep all these pipelines together in one established
2 corridor.

3 Thank you.

4 MR. LARRY HARTMAN: The next speaker is
5 Scott Erlander.

6 MR. SCOTT ERLANDER: Good evening.

7 My name is Scott Erlander,
8 E-R-L-A-N-D-E-R. Two Ts on the Scott. I'm a
9 pipefitter, I've been a pipefitter for 37 years. I
10 weld a lot of pipe. I support this certificate of
11 need and the route permit for several reasons.

12 My main reason is this pipeline is old
13 and there are 4,000 digs scheduled in the next 15
14 years to repair the pipe or to check it or just
15 leave it or whatever is decided to do with it. And
16 I'm concerned, and not only consider myself an
17 environmentalist, but I do care about the rice, I do
18 care about the water, the deer, all the animals, our
19 environment. And my main concern is that if this
20 line isn't replaced, this possibility that that old
21 Line 3, it's just a matter of time when that will
22 rupture. And I don't want to see that happen.

23 And the way I understand it, and correct
24 me if I'm wrong, but there's certain spots in this
25 existing corridor that there are other lines

1 enveloping around this Line 3, and to go in there
2 and add an additional line or try to remove it with
3 big, heavy earthmoving equipment that would
4 jeopardize the integrity of other existing lines.
5 Is that correct?

6 MR. MITCH REPKA: Yeah. We needed to
7 evaluate various options, and one of them was the
8 replacement and that's detailed in the application.
9 Certainly accessing that line, it is in the middle
10 of a six-pipe corridor south of Clearbrook and a
11 seven-pipe corridor north of Clearbrook and it is
12 very difficult to do for that length of line.

13 MR. SCOTT ERLANDER: All right. Thanks.

14 This question is for John. You're
15 involved with the acquisition of the land for
16 easements, and like this gentleman said here, I'd
17 like to hear it from you, have you had much
18 opposition or what percentage of the landowners have
19 agreed to sell a portion of their land for
20 easements?

21 MR. JOHN MCKAY: Sure. Again, John
22 McKay.

23 We are, for Line 3, at 94 percent
24 acquired on private easements across private tracts
25 of land. So that's very close, 95 percent is closer

1 for the Sandpiper Pipeline. So that is an
2 indication that we have a great number of people
3 that are in favor of the project. And for the ones
4 that are remaining, we still want to work through
5 the process with them and resolve any issues that we
6 can with remaining landowners.

7 MR. SCOTT ERLANDER: Thank you.

8 Just one other question. If this line
9 remains in the ground, I understand that all the oil
10 will be removed and somehow you wipe the inside
11 clean and you fill it with an inert gas, argon or
12 nitrogen or whatever it is that you use, and you
13 continue the cathodic protection. How does that
14 cathodic protection -- how is that monitored? And
15 just for my own curiosity, how is it attached to the
16 pipe? Are there studs on the pipe with wires coming
17 off, or --

18 MR. MITCH REPKA: As far as the cathodic
19 protection system, there's a number of attachment
20 points to the pipe. There's what we call a
21 Caldwell, it's a wire that's welded to the pipeline,
22 and that would run to a test station box where we
23 can monitor the cathodic protection systems and what
24 kind of voltage is on the line to ensure that it's
25 being protected. Also, the lines are bonded

1 together across the corridor and at crossings so we
2 don't have a different potential at the points where
3 the lines cross.

4 MR. SCOTT ERLANDER: Do you monitor that
5 remotely, wirelessly? Or does someone have to look
6 at a meter or a gauge or something?

7 MR. MITCH REPKA: No, there's continuous
8 monitoring of that remotely.

9 MR. SCOTT ERLANDER: And if that old
10 Line 3 is left in the ground, which is the proposal,
11 that monitoring will go on when my
12 great-great-grandkids are my age, correct?

13 MR. MITCH REPKA: That's correct. There
14 are no changes being proposed to the cathodic
15 protection system as it is today.

16 MR. SCOTT ERLANDER: You'd have to
17 replace the bag once in a while, right? Don't those
18 wires going to some bags?

19 MR. MITCH REPKA: There will be ongoing
20 maintenance and most of it is rectified systems, but
21 certainly, you know, there's maintenance required to
22 maintain the integrity of the system that will be
23 ongoing.

24 MR. SCOTT ERLANDER: And that's your
25 intent. Who polices you? Is that a federal thing?

1 MR. MITCH REPKA: That's correct. The
2 Code of Federal Regulations, Part 195, has
3 requirements for that system.

4 MR. SCOTT ERLANDER: So even if you said
5 that you were going to do that and 50 years from now
6 someone got lackadaisical and thought, well, you
7 know, we're not going to do that anymore, they'd
8 have to because it's under federal guidelines, it's
9 monitored by the feds?

10 MR. MITCH REPKA: Yes. The operating
11 pipelines are monitored by the federal government,
12 that's correct.

13 MR. SCOTT ERLANDER: Okay. The feds.
14 The ones we're all afraid of, right?

15 MR. BARRY SIMONSON: One thing I'd also
16 mention is that in Minnesota, the state of
17 Minnesota, there is an arm of the federal arm, which
18 you mentioned, PHMSA, which is called the Minnesota
19 Office of Pipeline Safety, and that is the arm in
20 Minnesota that regulates or you have to adhere to
21 the federal regulations through the Minnesota arm
22 for the Enbridge system.

23 MR. SCOTT ERLANDER: And as one of you
24 stated before, not only are you adhering to those,
25 you're going above and beyond the requirements?

1 MR. BARRY SIMONSON: That's correct.

2 MR. SCOTT ERLANDER: Thank you.

3 MR. LARRY HARTMAN: The next speaker is
4 Harlan Jensen.

5 MR. HARLAN JENSEN: Hi again. I was here
6 earlier and forgot a couple of questions.

7 My name is Harlan Jensen, I'm Local 49.
8 H-A-R-L-A-N, Jensen, J-E-N-S-E-N.

9 My question is how do you pick these
10 contractors, these mainline contractors? How do you
11 go through that process?

12 MR. BARRY SIMONSON: That's a very good
13 question, no one has actually asked that question
14 before. There are, in the United States, obviously
15 there's many pipelines that have been built in the
16 past and there are many pipelines that are planned
17 to be built in 2016 and '17. So, that being said,
18 there are many specialized contractors in the
19 Midwest and the South and the West Coast. And
20 Enbridge has utilized contractors out of Brownville,
21 Wisconsin, out of Houston, Texas, and out of
22 Eau Claire, Wisconsin in the past. They all have
23 the expertise to work on Enbridge pipelines. As you
24 mentioned before, as part of the application there
25 are seven pipelines to the north, six to the south,

1 and many of those contractors were the ones that
2 built those, either previous companies or they are
3 new companies now, but a lot of the people that have
4 moved up from generations have been in the pipeline
5 industry.

6 When we do pick our contractors we go
7 through a certain bidding process, depending upon
8 who is available. And we measure the contractors by
9 a price, safety, you have to have a safety plan in
10 place that we as a company make sure they adhere to,
11 as well as an environmental plan and a construction
12 execution plan. So there's many facets to choosing
13 a mainline contractor that will work for Enbridge.

14 MR. HARLAN JENSEN: Is this going to be
15 all union contractors on this project?

16 MR. BARRY SIMONSON: Yes, it will be for
17 the pipeline construction of Line 3.

18 MR. HARLAN JENSEN: And how about x-ray?

19 MR. MITCH REPKA: Yes, x-ray will be
20 union also, I do believe. I do believe, but I'd
21 have to take that away and answer that question
22 after the break, if possible.

23 MR. HARLAN JENSEN: Okay. I know this
24 last line that was put in, it seemed like Enbridge
25 had to hire contractors after that to do some

1 cleanup for the mainline contractor who didn't clean
2 it up right.

3 MR. BARRY SIMONSON: Well, what we do, it
4 depends on the construction, on when the permits are
5 issued, the optimal time to build the pipeline would
6 be June 1st through the season where it's not cold
7 and it's not snowing. But in Minnesota we have
8 wetlands, we have water bodies, and sometimes
9 construction is imminent in the wintertime for
10 freeze down. So that being said, restoration
11 sometimes happens after the winter season, so then
12 the contractors that we've contracted, they are
13 under contract to perform restoration per our
14 specifications.

15 So the contractors you may have seen
16 after the pipeline was built, it's the same
17 contractor, but they may have subcontractors, too,
18 that are approved by Enbridge that specialize in
19 restoration.

20 MR. HARLAN JENSEN: Thank you.

21 MR. LARRY HARTMAN: The next speaker is
22 Lisa Lawrence Northrup.

23 MS. LISA LAWRENCE NORTHRUP: Hello.
24 Thank you for having me speak. L-I-S-A,
25 L-A-W-R-E-N-C-E, N-O-R-T-H-U-P.

1 I don't go to these meetings but I'm
2 concerned. And I just want to say, I guess, what
3 concerns me is the route that may be going where the
4 wild rice is. I just want to make my concern known
5 that way.

6 I was looking at the different proposed
7 routes and I just really think it needs to be taken
8 into consideration, that the wild rice paddies and
9 the lakes here, there are so many lakes along that
10 Line 3 area, and I think, I mean, I will look into
11 it more, but I think the ones that go up higher,
12 those proposed lines look further away from the rice
13 lakes. That's all I wanted to say. That concerns
14 me. And the wildlife needs to be protected along
15 that route.

16 Thank you.

17 MS. JAMIE MACALISTER: Thank you.

18 MR. LARRY HARTMAN: The next speaker is
19 Joe Moenck.

20 MR. JOE MOENCK: Hello.

21 My name is Joe Moenck, J-O-E,
22 M-O-E-N-C-K. I'm here today representing the
23 Minnesota Pipe Trades Association.

24 I want to go on record stating that I am
25 getting paid to be here today, but I'm going to

1 elaborate a little bit. I want you to understand
2 that our members don't get paid time off. They
3 don't get sick days, they don't get vacation pay.
4 We get paid for the hours we work. If we're not
5 working, we don't get a check. It's really that
6 simple.

7 The 10,000 members of the Minnesota Pipe
8 Trades have chosen me and my staff to speak on their
9 behalf. They understand the importance of this
10 project not only for themselves, but everybody in
11 Minnesota. The funding for my staff comes from my
12 members' hard work and I proudly represent them this
13 evening.

14 Last night I heard testimony on how
15 pipefitters really don't need these pipeline jobs
16 because there's already enough work, it is a record
17 high. Well, they're right on one thing, there is
18 record highs. We're in a boom right now.
19 Construction is a boom/bust industry. And I want
20 the record to reflect that if you were to take that
21 same survey two years ago, you wouldn't get the same
22 result. And two years from now, if this pipeline
23 happens to go through, we see a week like we seen
24 this week where the stock market took a crash and
25 oil markets took a crash and it creates a lot of

1 uncertainty in the industry and we can't predict
2 that construction outlook.

3 But projects like Line 3, that's what
4 keeps my members working. And, again, today we need
5 these kinds of projects. So let's not forget why
6 we're here. We're here to have a 40-year-old line
7 that needs to be replaced. That's why we're here.
8 To determine the need for a 40-year-old oil line
9 that needs to be replaced.

10 As good stewards of our land, replacing a
11 40-year-old pipeline with newer technology is the
12 right thing to do. When we go buy a new truck, we
13 don't ask for the model that was made in 1960. We
14 want the most efficient and the safest and the
15 suitable model for our needs. Pipelines are the
16 same way.

17 I'd like to go off the record as the
18 representative of the Minnesota Pipe Trades and make
19 sure that it's noted that I'm testifying just on
20 behalf of myself.

21 As I mentioned in past testimony, I fish
22 professional walleye tournaments throughout the
23 country. And as you're well aware, Minnesota, we're
24 known for our premier walleye fisheries. One of our
25 stops this year on Cabela's walleye tour was in

1 Walker, Minnesota at the pristine Leech Lake. Leech
2 Lake is arguably one of the best walleye fisheries
3 with some of the cleanest water in the country. And
4 guess what, we have a corridor, a pipe corridor that
5 runs right in between Cass Lake and Leech Lake. Yet
6 today we still get to enjoy the pristine beauty, the
7 fishing, and the harvesting of this lake.

8 As a sportsman and as a pipefitter, I
9 care about our resources. So today I ask two
10 things. First I ask that you study the current
11 pipeline systems installed in Minnesota and their
12 effect on the natural resources. I know we
13 currently co-exist, yet today we still continue to
14 provide and draw tourism from all over the world. I
15 think it will be clear that pipelines and natural
16 resources can and do co-exist.

17 I'd like to submit a photo from June of
18 2015 at one of our tournament stops, it was at Leech
19 Lake. These great fish were caught and released
20 back into Leech Lake. And I want to take note that
21 where the location of this body of water is and the
22 current pipelines that run next to it.

23 Second, as a pipefitter, I know my job
24 well. We have a pipeline that was installed in the
25 '60s. There is very few things that last forever.

1 Pipelines aren't one of them. They need to be
2 replaced.

3 I ask that you grant the certificate of
4 need to replace Line 3. I love and respect our
5 natural resources. I know that people make their
6 living off of them and I know that people depend on
7 them for their food, their medicine, and some people
8 just enjoy them for their natural beauty. But I
9 want the children of the future to have the same
10 opportunities in the Minnesota outdoors that I had.
11 We have an existing 40-year-old pipeline, it needs
12 to be replaced. That's the real issue here.

13 Thank you.

14 MR. LARRY HARTMAN: The next speaker is
15 Elizabeth Jaakola.

16 MS. ELIZABETH JAAKOLA: Good evening.

17 My name is Elizabeth Jaakola,
18 E-L-I-Z-A-B-E-T-H, J-A-A-K-O-L-A. And I'm a
19 Fond du Lac Band member and an educator for 20-plus
20 years.

21 And I'm concerned about the environment.
22 I've been a resident here my entire life. I'm 46.
23 And I have children who practice traditional
24 harvesting and they put food on my table. My family
25 practices traditional harvesting. Many of the

1 people in my community practice traditional
2 harvesting and that's how we feed our elders and our
3 children and that's how we sustain our life ways.
4 It isn't a sport to us, it's about life.

5 And being a mother I understand that
6 water is where we carry our children and water is
7 life. And I understand that Enbridge has a history
8 of polluting water, making it unpotable and walking
9 away from those responsibilities and I don't want
10 that to happen here.

11 And, yes, that pipeline does need to be
12 replaced and it needs to be replaced by no pipeline.
13 And I understand that many people make their living
14 off of laying pipe and whatnot, and I think that
15 some of those same skills could be put to work with
16 removing the pipeline.

17 I don't believe we need another one. And
18 I know that there are many people who also hold
19 these beliefs. And I know that they're not here for
20 various reasons, and some of them probably don't
21 have the same practice of speaking in public as I
22 do. But I want you to know that my voice will not
23 be silenced and their voices will not be silenced
24 because this is our home. It's been entrusted to us
25 for thousands of years.

1 And five years ago, over in Kalamazoo,
2 Michigan there was a spill that completely polluted
3 waterways there that is still not cleaned up. And I
4 do not believe that the technology has changed that
5 much to be able to stop those types of spills.

6 So that is the summation of my statement
7 and I do not believe it will ever change because
8 water is life. And I want my children to continue
9 to live the way that was meant to live here.

10 Miigwech. Thank you for listening.

11 MR. LARRY HARTMAN: The last speaker card
12 I have at this time is from Jim -- I can't tell
13 whether it's H-A or H-U, H-D-A.

14 MR. JIM HUHDA: It's H-U. Okay. Jim
15 Huhda, H-U-H-D-A, J-I-M.

16 I guess, you know, I appreciate all the
17 speakers that have preceded me here. And the
18 question that I thought would come up very early but
19 hasn't is what assurance is Enbridge giving the
20 landowners, the townships, the county, the state,
21 when an accident happens? You know, you go ahead
22 and get the easements from all the landowners, you
23 pay them off and stuff like this, and they have a
24 100-year easement or something like that. They
25 inherit the pipe and, you know, a payment.

1 And my question is, you know, when it
2 ruptures. And a previous speaker had mentioned
3 Kalamazoo. I think you've got expenses of 1.2
4 billion in the cleanup process there and it hasn't
5 been completed yet, as I understand it.

6 And I'm kind of skeptical about big
7 business in general because they have a tendency to
8 just go ahead and pull the pin and they have a
9 tendency to file bankruptcy and leave the county and
10 the landowners, and I'll cite Exxon for that. I
11 think the initial settlement, you know, was into the
12 billions, but after a few decades, you know, they
13 settled for maybe a tenth of what the initial
14 settlement was. People that were affected by the
15 fishing industry and stuff like that died before
16 they got any settlement, you know, just a percentage
17 of what they should have gotten. Kalamazoo was
18 another one.

19 But I guess I'd like to, you know, be on
20 the record. You know, a landowner here in Carlton
21 County, if he has a rupture, is he subject to
22 liability? Are you guys going to go ahead and make
23 sure that it's cleaned up and, you know, for the
24 duration, or are you going to bail? You know, what
25 assurance does the county and the state and the

1 landowner have to prevent expenses?

2 MR. MARK WILLOUGHBY: I can address that.
3 My name is Mark Willoughby.

4 And I was at Kalamazoo. That's one thing
5 that Enbridge prides itself, with our core values of
6 safety, respect, and integrity. We're a different
7 kind of company, we're going to make things right.
8 And we have made great strides in Kalamazoo. I
9 think if you were to go online and look at
10 Enbridge's website you can see firsthand some of the
11 testimony from current landowners there in the
12 community that they are satisfied, that progress
13 that's made to date and the commitment that we're
14 going to be there so things are done right.

15 Since then, too, we've made great
16 improvements in design and construction and
17 integrity management, our control room management,
18 and leak detection. So we've learned from it and
19 we're committed to making it right.

20 MR. BARRY SIMONSON: I want to make one
21 other point, too. I've been part of Sandpiper and
22 Line 3 since 2013, maybe. I've been engaged with
23 visiting landowners, townships, counties, Carlton
24 County especially, but I've been throughout
25 Minnesota in terms of the preferred route for both

1 pipelines. And much of that is being able to give
2 the public and the county officials and township
3 officials information on the project, that people
4 that may not know what is a pipeline, how does it
5 operate, what are the design standards that we have,
6 how do you we ensure quality in the pipelines, how
7 do we ensure that the environment is at the utmost
8 importance to our company. I think that bodes well
9 in terms of ensuring the values that Mr. Willoughby
10 just described.

11 We're here for the long haul. We've been
12 in operation for 66 years in the state of Minnesota,
13 I think 65 last year, 66 now. So we're not going
14 away. If there is ever a release, which we strive
15 for zero, and that's part of our preventative
16 maintenance, it's part of the design, it's part of
17 the construction, it's part of the operations and
18 integrity management. So that is a commitment that
19 we have. It's a commitment I have from a
20 professional perspective with this job.

21 MR. JIM HUHDA: I hear good words and
22 everything like this, but I guess the attorney is
23 probably -- should get involved in the conversation
24 here. Because, you know, the legal jargon and stuff
25 like that is basically what we're tied to, you know.

1 And that's what concerns me the most, you know. We
2 hear all these rosy scenarios and stuff like this,
3 but you're the guy that's going to go ahead and, you
4 know, cut the cheese and all this stuff, you know.
5 So I guess I just want to hear, you know, if we're
6 going to be on the hook or, you know, if there's
7 some kind of a legal loophole that's going to be on
8 the horizon or something like that that, you know,
9 the people here don't realize it's coming.

10 I guess that would be my -- I'm skeptical
11 of, you know, United, I had a good retirement plan
12 for the pilots and then they filed bankruptcy, and
13 the PGSB I think is basically the taxpayer that's
14 paying the pilots' pensions now, you know. So you
15 guys have got some pretty good footwork that you've
16 done in previous years, you know, that makes me
17 skeptical, it makes me feel better.

18 MR. ARSHIA JAVAHERIAN: You're right
19 about the cost of the cleanup there at Kalamazoo,
20 over a billion dollars. And every dollar of that
21 was paid for by Enbridge. The cleanup on whatever
22 the property was, public or private property, we
23 paid for the people to go in there, the crews, the
24 equipment, and we cleaned it up. EPA asked for
25 additional work, we paid for that and we cleaned it

1 up as well.

2 You know, we'll continue to clean
3 anything out of Kalamazoo and that would be the same
4 for anywhere elsewhere, you know, where there could
5 be a spill from our pipelines. We are responsible
6 for cleaning that oil in the pipelines, and if it
7 comes out, we're responsible for cleaning it up. So
8 we wouldn't shy away from that. We take enough heat
9 from everybody from Kalamazoo and we're cleaning
10 that up and we have cleaned that up. You know, we
11 don't leave any messes.

12 There is one place in Minnesota where
13 there is some oil currently and that is from 1979
14 and that was oil left in the ground at the request
15 of the United States Geological Survey. Enbridge
16 was ready and willing to clean that up but they
17 asked that it remain because there was no harm to
18 the environment surrounding it and so forth where
19 the spill was, or any lakes, and they've used that
20 as a surveying site and a test site for the last 30
21 years, 35 years, to learn about oil and oil in the
22 environment.

23 So, you know, I don't want to stand here
24 and say that, you know, we have cleaned everything
25 up, because that was, in fact, in Minnesota and it

1 was left there at the request of the federal
2 government for educational and future purposes.

3 So, but it's our responsibility, we've
4 done it in the past, we continue to clean it up, and
5 we will be there. And as Barry said, we've had 65
6 years, 66 years of operation, and we'll be there if
7 there is another spill.

8 MR. JIM HUHDA: And how many leaks and
9 spills have you had here in the last 30 years, the
10 company of Enbridge?

11 MR. ARSHIA JAVAHERIAN: In Minnesota --

12 MR. JIM HUHDA: Nationwide.

13 MR. ARSHIA JAVAHERIAN: We've had the
14 Kalamazoo. I believe three or four. Does anybody
15 have a better sense? We've had some other minor
16 spills within our facilities, I don't have the total
17 number of that. Spills off of our facilities.
18 Facilities include our pump facilities, which are
19 bermed and designed for in case there is a spill
20 because you've got a lot of mechanical parts, moving
21 parts where it is possible or more possible for
22 there to be a spill even though we design and
23 operate that to the high safety standards.

24 But otherwise we have had a spill in
25 southern Wisconsin that was cleaned up. We actually

1 purchased that land. And it was farmland, we
2 purchased it, cleaned it up, and then the farmer
3 asked if he could buy the land back from us and now
4 has it back in production.

5 There was an accident in Illinois where
6 a water line was constructed close to our pipeline.
7 The water line leaked and it was shooting water at
8 our pipeline and caused there to eventually be a
9 leak in that. We've cleaned that up as well.

10 That was from the last ten years.

11 MR. JIM HUHDA: All right. Well, thank
12 you.

13 MR. LARRY HARTMAN: You're back.

14 MS. DEBRA TOPPING: I'm back. Thank you.

15 MR. LARRY HARTMAN: Debra Topping.

16 MS. DEBRA TOPPING: Debra Topping,

17 D-E-B-R-A, T-O-P-P-I-N-G.

18 So as you know, I was here earlier, and I
19 had a few hours to think about what else I needed to
20 say about this whole situation.

21 Genocide comes to mind. So I looked that
22 word up. I thought, well, let's make sure I know
23 what I'm talking about, right. Genocide, crimes
24 that are committed against a certain group with the
25 attempt to remove the entire group from existence or

1 to destroy them.

2 So if you recall earlier I talked about
3 why we are here. That's the whole reason why we are
4 here, is because of the manoomin, the wild rice.
5 And to destroy that would be to destroy us as
6 Anishinabe people. So you can put that in your
7 pocket, think about it.

8 My next question is for the Department of
9 Commerce. In your presentation you said that it was
10 your job and your responsibility to inform the
11 people, the stakeholders. I know that you are
12 having a public comment at East Lake, which is
13 Native owned and also near White Earth. So my
14 question is why was not Fond de Lac given that
15 opportunity also? We do have a newspaper, some of
16 us do read it. There is the Pine Journal, yeah, and
17 I'm sure you've put some in there, I think it could
18 have been a little more handled better to inform the
19 Fond de Lac Band members.

20 MS. JAMIE MACALISTER: Let me respond to
21 that. You know, some of the feedback that we
22 received from Sandpiper was not only that we did not
23 have enough meetings generally, but we did not have
24 meetings on tribal lands. We had specific requests
25 from White Earth as well as a specific request that

1 came in late from Mille Lacs. And we had
2 accommodated that, but the notice was already -- had
3 already been out for quite some time when we
4 received the Mille Lacs request, and so we have
5 added that meeting for tomorrow. So it's not --
6 it's not anything specific. We are trying to take
7 on meetings where people want to have them.

8 MS. DEBRA TOPPING: Yeah. I would assume
9 that there would be many more Fond de Lac Band
10 members present if it was on the reservation.

11 MS. JAMIE MACALISTER: And I do not -- is
12 there anyone here that can speak to how the notices
13 were published? I believe that we had some notices,
14 and I do not recall specifically which ones, that
15 were refused, actually, to be published in tribal
16 papers. And I don't recall. Do you recall if
17 Fond de Lac was one of them?

18 MS. TRACY SMETANA: I don't know.

19 MS. DEBRA TOPPING: So is that public
20 information?

21 MS. JAMIE MACALISTER: Where we put
22 the --

23 MS. TRACY SMETANA: Yes. After the
24 notices are published in the newspapers, we do ask
25 that the company submit a filing indicating proof of

1 where they were published. So that will be public
2 information in the eDocket system that I mentioned
3 earlier.

4 MS. JAMIE MACALISTER: And I don't know
5 if the refusal for publishing the notices will be on
6 that list or if it's just the published list. But I
7 can tell you that we did have -- and if you need
8 that specific, if you would like those specifics,
9 contact me and I can get that to you.

10 MS. DEBRA TOPPING: Okay, great. Thank
11 you.

12 MR. LARRY HARTMAN: We have another
13 speaker card and it's Scott Sannes.

14 MR. SCOTT SANNES: Good evening.

15 My name is Scott Sannes, that's two Ts,
16 and it's S-A-N-N-E-S.

17 I work for an engineering consulting firm
18 that works on Enbridge projects, but I am not here
19 at the request of Enbridge, nor am I here being paid
20 by my employer, I'm here just as a citizen that
21 supports pipeline development the way Enbridge does.

22 I can attest from the work that we do on
23 Enbridge pipelines, there are environmental and
24 safety commitments. They hire our firm specifically
25 to provide an enhanced level of inspection during

1 the construction of the pipeline corridor itself
2 above and beyond what they're held to in permit
3 conditions to make sure that their contractors are
4 working in a manner that's not only complying with
5 wetland and other requirements that they have in the
6 permits.

7 They also hold us to safety standards
8 that exceeds just about any other company that we
9 work for. That includes mines and other industrial
10 operations. They don't need to do this, they choose
11 to do this. And I'm proud to work for them.

12 The Line 3 needs to be replaced. I
13 believe there's a route alternative here that works.
14 In this case, just from the economic standpoint,
15 Enbridge is about to invest two and a half billion
16 dollars in the state of Minnesota, that's two and a
17 half Viking stadiums, and they have no intention of
18 requesting public money and they'll pay taxes when
19 it's done.

20 So that's my comments for this evening.
21 Thanks for the time.

22 MS. JAMIE MACALISTER: Thank you.

23 MR. BARRY SIMONSON: Jamie, can I answer
24 the question the gentleman asked earlier about x-ray
25 contractors and just to confirm that they are union

1 contractors that we use.

2 MS. JAMIE MACALISTER: All right. Those
3 are all the speaker cards that we have. Is there
4 anyone else that would like to ask a question or
5 make a comment?

6 Well, with that, I will close this
7 meeting. I would like to thank everyone for the
8 thoughtful questions and comments that we've
9 received tonight.

10 Thank you.

11 (Proceedings concluded.)

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