

From: [Jeanne Gaston](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Line 3 Replacement Project
Date: Tuesday, September 29, 2015 2:42:31 PM

Hi Jamie! Regarding Docket Nos. PL—9/CN14-916, PPL -15 - 137

Please be aware that my husband, Sam and I.... plus 23 neighbors on our beautiful 8th Crow Wing Lake are strongly OPPOSED to Enbridge's LINE 3 replacement.

As an educator who taught thousands of children the importance of "predicting outcomes", our young people are no longer observers. They wish for all of you to do the RIGHT THING!!!

As required by the MEPA and Court of Appeals, we insist that a FULL Environmental Study be completed.

Thank you.

Jeanne and Sam Gaston
22027 Foothill Trail
Akeley, Mn 56433
loononcrow@arvig.net

Jamie Macauster
MN Department of Commerce
85 7th Place East - Suite 500
St. Paul, MN 55101-2198

RECEIVED
SEP 21 2015
MAILROOM

Sir:

My name is Bernard Gearin, I live in the Park Rapids area, and I am writing to express opposition to the pipeline routes proposed by Enbridge Energy for both the Sandpiper and the Line 3 Replacement routes. The proposed routing crosses the cleanest and clearest lakes area in Minnesota as well as an area with the highest susceptibility for ground water contamination. Some of these areas are as follows: 20% to 40% wetlands - wild rice lakes areas - 8 state forests - 3 Wildlife Management areas - 13 trout streams - 2 crossings of the Mississippi River.

Enbridge is a company whose safety record is so bad that the Pipeline and Hazardous Materials Safety Administration held it up as a model of what NOT to do. The specter of a major oil spill flowing into Minnesota's lakes, streams, wild rice beds, wetlands and the susceptible ground water sources is unthinkable.

While I do not believe there is a need for more pipelines at this time, if we must have them then the focus needs to be changed to the 6 alternate routes suggested by citizens, Friends of the Headwaters and the Minnesota Pollution Control Agency bypassing the Mississippi Headwaters and lake country. I also believe that a

full and complete Environmental Impact Study needs to be completed before any further steps are taken.

I thank you for your service to the people of Minnesota.

Respectfully,



Bernard W. Gearin Jr.

20317 Brush Lake Lane

Park Rapids, MN ~~54607~~ 56470

612-219-6270

From: [Kurt Gegenhuber](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: PUC Docket Numbers PI-9/CN-14-916 Certificate of Need PPL-15-137 Route Permit
Date: Wednesday, September 30, 2015 4:20:30 PM

Regarding: PUC Docket Numbers PI-9/CN-14-916 Certificate of Need PPL-15-137 Route Permit

I want to express my strong opposition to the proposed route for the construction of Enbridge Pipeline Line 3, which is currently planned to transport Bakken crude to Lake Superior. Although a Minneapolis resident, I've been visiting the Mississippi Headwaters area and the rest of my state's lake country frequently and with deep appreciation and passion for 27 years. As an independent music historian, I believe the headwaters of the Mississippi are crucial world heritage site -- it is truly where the story of America begins. This perspective, although little appreciated in the past, is the story we will tell ourselves in the future. It's our responsibility to think of this part of the world with more imagination and foresight.

The proposed Line 3 construction would irreversibly degrade the potential of the region as a tourist destination -- to say nothing of the quality of life, health, and dignity of its residents, and the quality of the region's agriculture and natural environment. It is utterly irresponsible to allow Enbridge to route Line 3 through Minnesota's lake country. The company has a catastrophic safety record, and the fossil fuel industry is one of the worst dangers facing the species.

I join Minnesota's Pollution Control Agency, Minnesota's DNR, and the many citizens who have expressed grave concerns over this proposed route. The PUC must seriously consider alternate routes, to respect and protect the public interest, and to continue Minnesota's history of environmental leadership.

Sincerely,

Kurt Gegenhuber

4604 Pleasant Avenue

Minneapolis MN 55419

From: [Tim Gihring](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Public comment regarding Line 3 Pipeline Replacement
Date: Wednesday, September 30, 2015 12:20:49 AM

Dear Jamie,

Thank you for considering the following comments on the proposed Line 3 pipeline replacement.

I oppose the route preferred by Enbridge for co-location of a new Line 3 and Sandpiper pipelines, and I support withholding a certificate of need for the pipelines while a full EIS is prepared, as ordered by the Minnesota Court of Appeals, for the proposed route and alternatives.

Details on the potential issues, impacts to be considered in an EIS, and route alternatives that mitigate these issues are included below.

Sincerely,

Tim Gihring
Minneapolis, MN
612.481.1883

Impacts

Please share your comments on the potential issues and impacts that should be considered in the environmental document to be prepared for this project. If you are commenting on a draft environmental document that has already been issued (e.g., draft EIS, draft site permit), what issues and impacts need to be further addressed?

Regarding the proposed Line 3 Pipeline Replacement, I oppose the route preferred by Enbridge for co-location of a new Line 3 and Sandpiper pipelines, and I support withholding a certificate of need for the pipelines while a full Environmental Impact Statement (EIS) is prepared, as ordered by the Minnesota Court of Appeals, for the proposed route and alternatives.

Here's why, along with the issues and impacts that need to be addressed. I have studied and written about the natural and economic attractions of Minnesota for more than 20 years as a reporter and editor for the Associated Press and Minnesota Monthly. I understand what makes the state unique and inviting to Minnesotans and visitors alike, feeding a multi-billion-dollar tourism industry and, more importantly, defining our heritage. Anyone who's seen our license plates already knows this: the many clear lakes clustered in the North Woods, capable of hosting our state bird (the loon, which only nests on clear lakes, as it fishes by sight) and the

source of America's greatest river, the Mississippi—an attraction and a responsibility. And directly in the preferred path of Enbridge's proposed Line 3 and Sandpiper pipelines.

Perhaps we take our lakes country for granted, but those who preserved them for us did not—Mary Gibbs, who compelled logging interests to spare the few square miles around the Mississippi headwaters, preserving the unspoiled woods and waters as Itasca State Park, was threatened with her life. The water quality of our lakes, once spoiled, cannot be unspoiled—as Peter Sorensen, University of Minnesota fisheries expert explains, spoiled lakes can no more be rehabilitated than a 60-year-old smoker can hope to be restored to an energetic 30-year-old. As this summer's study by the Star Tribune and renowned water-quality researchers from the University of Minnesota shows, much of southern and central Minnesota lakes are now permanently ruined by agricultural run-off. But the largest swath of still-clear lakes, according to the Census of Water Clarity conducted by the U of MN Water Resources Center, comprise Minnesota's renowned lakes country. Centered around the Mississippi headwaters, they are directly within the proposed preferred route of Enbridge's Line 3 and Sandpiper pipelines through Hubbard, Clearwater, Cass, Aitkin and Carlton counties.

The importance of this area to our economy, even for Minnesotans who do not live nearby, cannot be overstated: Fortune 500 companies in the Twin Cities, outdoors stores, lake-home builders, and restaurants serving wild rice all promote the unspoiled nature of this lakes country to their clients and employees. Indeed, Minnesotans strongly spoke in favor of defending this heritage in voting for the Clean Water, Land, and Legacy Amendment by a wide margin in 2008.

A full Environmental Impact Statement should study the impact of the proposed pipeline(s) on the watershed restoration and protection strategies (WRAPS) required by Minnesota's 2013 Clean Water Accountability Act—10 major watersheds that the preferred route of Line 3/Sandpiper would cross are currently being monitored as WRAPS.

An EIS should consider the many water body crossings for which there would be difficult or no access downstream to clean up spills. It should consider the many different soil and wetland types that would be traversed, proximity to aquifers, endangered or sensitive species, proximity to state parks and the impact on recreation, proximity to stands of wild rice, and how surface waters crossed by the pipeline(s) connect to other bodies of water downstream, enabling the spread of oil spills. It should also consider the pipeline's impact on greenhouse gases through forest clearing, the degradation of peat and mineral soils, the calcination of limestone, and the fuel needed to build and maintain the pipeline, and how that aligns with the state's mandated reductions in greenhouse gases established in the Next Generation Energy Act.

Mitigation

Please share your comments on how the issues and impacts you've listed might be mitigated. If this is a project with a route, are there alternate routes or route segments that should be considered that would mitigate impacts? If so, please describe them. If this is a project with a site, are there alternate sites that should be considered that would mitigate impacts? If so, please describe them.

Oil, as we know, is not only big business it is endemic at the present time to our way of life. But fortunately for now we do not have to choose between oil and our lakes country—there are alternative routes.

I support the Alternative 3 and Alternative 4 routes, running south of Enbridge's preferred route have significantly less potential for large-scale economic, recreational, and environmental impacts. These routes have far fewer water crossings and greater access. Alternative 3, passing near North Branch, has seven water crossings with no access compared to 28 for the proposed route, and much smaller wetlands. Alternative 4, running south through the Dakotas and across southern Minnesota toward Austin, would cross no bodies of water without access and only one lake. (It would also negate the proposed pipeline endpoint on Lake Superior, calling into question Enbridge's proposed expansion of the Clearbrook terminal there.) These two alternatives put the least of Minnesota's heritage and economy at risk while still opening the state to pipeline traversal.

In summary, we do not have to choose between oil and Minnesota's own precious resources. There are alternative routes. They should be studied in full, and aligned first and foremost with the long-term interests of the state.

Respectfully submitted for your consideration,

Tim Gihring

Minneapolis, MN

612.481.1883

Comment Form: Scoping
Energy Environmental Review and Analysis

Please provide your contact information. This information and your comments will be publicly available.

Name: Dr. Giniwgiizhiq Phone: 218 252-7533
Street Address: 204 maple Ave NW
City: Cass Lake State: MN ZIP: 56633
Email: captainojihwe@hotmail.com

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the Route Permit)
- Are there any alternatives to the project that should be considered? (Related to the Certificate of Need)

- the pipe line should not be allowed
 - The pipe oil is dirtier than sweet oil
 - Carbon emissions will increase exponentially
 - The commissioners are political appointees of politicians who serve the 1% not the people
 - Global warming will speed up. massive weather changes will happen for the worse
 - Stop the oil and change to alternative fuel
 - we must stop the risk and save the earth
 - we must save our grandchildren
 - This is on tribal land so we have jurisdiction over land not the State
 - The Tribal leaders must take a stand and say "no."
- 8/18/15

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Gragert Wed Sep 30 18:19:10 2015 PPL-15-137
Date: Wednesday, September 30, 2015 6:19:12 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Dolores, Mike Gragert

County:

City: Emily

Email:

Phone:

Impact: Enbridge should not use their proposed route which takes it right through lake country, but rather go south around our lake country on flatter agricultural land. Their proposed route would take it right through the Headwater Springs of Roosevelt Lake which feeds the Mississippi River. Our family have lived on Roosevelt Lake since the mid-thirties and would be sickened by an oil leak into the deep, cold and clear water of this glacial lake. Tar sands oil would sink to the bottom of the lake, if there were a leak and would be impossible to clean-up. Any oil spill to this water-shed would be a disaster to the lake, our aquifer and on down the Mississippi River. A spill would be more easily cleaned-up on flat agricultural land. Please find a safer route out of our precious lake country. Thank You

Mitigation: Please consider a more southerly route away from the lake's area.

Submission date: Wed Sep 30 18:19:10 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

QUESTIONS ON PROPOSED PIPELINE

1. Is it correct that the present pipeline has reached its useful life? Obsolete in danger of failing? ~~NOT FAILING YET,~~
PMSA Reg CFR 49 195.303 4(d)
2. Will the present pipeline have to be shut down?
3. What is the plan for shutting the line down and ensuring it is not a danger to the environment? ~~DECOMMISSIONED~~
DECOMMISSIONED → CLEANED, CATHODIC PROTECTION RETAINED
4. Why can't you shut the present line down and remove it and drop the new line in the same hole.
5 CAN BE DONE, BUT CHALLENGING FROM CONST. & SAFETY STAND POINT
- 5.. If the only reason is economic, I don't think that is a very valid argument. ~~NOT ECONOMIC - VOL. REDUCED CAPACITY TO~~
ADDRESS SAFETY
6. Don't be deceived by the media claims, quoting county officials and buisness and special intrests, that all the people in Clearwater County are in favor of this project.
7. There are some people that have more concern for the mighty dollar then they do for protecting some of the dwindling pristine country in the U. S.

Thank you kindly one
of the muzzled majority

Please provide your contact information. This information and your comments will be publicly available.

Name: LANCE GRIFFITH Phone: _____
Street Address: 8220 INGBERG CT S
City: COTTAGE GROVE State: MN ZIP: 55016
Email: LD GRIFFITH 8220 @ MSN.COM

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the *Route Permit*)
- Are there any alternatives to the project that should be considered? (Related to the *Certificate of Need*)

GOOD OF MN ECONOMY

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 3:04 PM
To: Ries, Natalie (COMM)
Subject: FW: HADFILED

From: michael hadfield [<mailto:50baja@gmail.com>]
Sent: Saturday, September 26, 2015 1:32 PM
To: MacAlister, Jamie (COMM)
Subject: PUC Docket Numbers PL-9/CN-14-916 Certificate of Need PL-9/PPL-15-137 Route Permit

I do not believe Enbridge oil's message of how good their Sandpiper Line 3 replacement pipeline will be for Mn Headwaters lake country region. On the environment: They've hyped their new safety technology as the "be all & end all" for protecting Mn's pristine waters, but they've left their pipelines exposed in the Tamarac and Necktie rivers. Their lack of action does not match their message. On jobs: Enbridge's expert economist reported over 20,000 jobs would be created. However under questioning from the PUC Enbridge claimed only 22 permanent jobs. On taxes: Rosy reports have been issued of the additional property taxes each county will gain. However Enbridge's lawyers and accounts are acting to sue these same counties and demanding refunds on property taxes previously paid. Their actions speak louder than words. Mn's water should not have to pay the price for Enbridge's profits. After all a barrel of water is worth more than a barrel of oil. Respectfully submitted, Michael G Hadfield Park Rapids, Mn

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 3:05 PM
To: Ries, Natalie (COMM)
Subject: FW: HADFIELD2

From: michael hadfield [<mailto:50baja@gmail.com>]
Sent: Saturday, September 26, 2015 12:56 PM
To: MacAlister, Jamie (COMM)
Subject: PUC Docket Numbers PL-9/CN-14-916 Certificate of Need PL-9/ppl-15-137 Route Permit

I believe Enbridge Oil's Line 3 replacement permit should not be granted for the following reasons: This proposed pipeline will run from Alberta Canada to Superior Wisc. A section of this pipeline had already been installed along the US Canadian border by Enbridge in or to avoid the Presidential Permit which is required for pipelines crossing these two borders. The old line 3 is a 34" pipe. The proposed replacement pipe will be 36" and will have an increased daily capacity PUC of 800,000 barrels of toxic crude tar sands oil. Enbridge reports that each county will gain an increase in additional property taxes. When in fact Enbridge Inc has filed a petition with the Mn Tax Court in an attempt to reduce these taxes. Causing 100 of thousands of dollars in property taxes within each County this line will run through. Enbridge inflates the number of jobs line 3 will create. They estimate 20,000. When questioned by the PUC Enbridge claimed only 22 permanent jobs. This pipeline will cause great harm to sensitive and pristine areas. Which are so important to all who live here. Our wildlife, lakes, rivers, streams, aquifers. Not to mention the damage to our economy . Do we really need another pipeline? With oil production down and oil prices plummeting. The oil boom is a bust. Climate change is real. We need to decrease our dependence on fossil fuels and increase our independence with clean energy alternatives. I strongly believe that before this line 3 permit is to be granted a full EIS with a complete risk analysis has to be done.

Respectfully submitted, Jacqueline M Hadfield Park Rapids, MN

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 2:05 PM
To: Ries, Natalie (COMM)
Subject: Public Comment - Docket #14-916

-----Original Message-----

From: Barb Halbakken [<mailto:bhalbakken@aol.com>]
Sent: Wednesday, September 30, 2015 2:02 PM
To: MacAlister, Jamie (COMM)
Subject: Public Comment - Docket #14-916

It is imperative that MN stop Enbridge from constructing a pipeline thru sensitive lake and wetland areas. There are more suitable routes than Line 3.

A comprehensive EIS needs be performed per MN statute.

Thank you very much!

Barb Halbakken Fischburg
1940 Long Bridge Road
Detroit Lakes, MN. 56501
Mobile: 612-669-2346

Sent from my iPad

Please provide your contact information. This information and your comments will be publicly available.

Name: Andrew Hanson Phone: 763-300-2461
Street Address: 1346 138TH Ave NW
City: Andover State: MN ZIP: 55369
Email: _____

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the *Route Permit*)
- Are there any alternatives to the project that should be considered? (Related to the *Certificate of Need*)

- Creates good paying jobs
- Safer than using trains
- helps local economy

Please provide your contact information. This information and your comments will be publicly available.

Name: JERROL V. HANSON Phone: 651-777-9352

Street Address: 1898 BEEBE ROAD

City: MAPLEWOOD State: MN ZIP: 55109

Email: jhanson622@yahoo.com

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the Route Permit)
- Are there any alternatives to the project that should be considered? (Related to the Certificate of Need)

THIS LINE WILL CLEARLY MAKE TRANSPORTATION OF THE OIL SAFER THAN USING EXISTING PIPELINE OR TRAIN CARS.

Please provide your contact information. This information and your comments will be publicly available.

Name: MAUREEN HANSON Phone: 651-269-5705
Street Address: 66 9^{1/2} ST E #2107
City: ST PAUL State: MN ZIP: 55101
Email: mhanson@local 455.com

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the Route Permit)
- Are there any alternatives to the project that should be considered? (Related to the Certificate of Need)

I AM FOR THE REPLACEMENT OF
THIS LINE

IT IS FOR THE SAFETY OF THE
PEOPLE IN MN

ALSO FOR ALL THE GOOD / PAYING
JOBS THAT IT WILL CREATE

MAUREEN HANSON



From: [Jay Hare](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Docket numbers 15-137 and 14-916
Date: Wednesday, September 30, 2015 6:57:52 AM

We have four lots and family cabin on Big Sandy Lake (BSL) and our family has been here since the early seventies as the area was just being developed. We are opposed to Enbridge's plan for Line 3 because it unnecessarily is routed through the BSL watershed and we are concerned about spills and access. As one looks at a map from Grand Rapids to Superior, it would make more sense to route a pipeline along the north of Highway 2 which avoids the Savanna State Forest and BSL watershed and appears to avoid the Mississippi River. Easy and quick access would be eased with such a line and detection improved as well with a pipeline just off a highway with hourly frequency of people versus weekly frequency at best with the current routing. An environmental impact study of the impact to the BSL watershed and the alternative positions that is requested.

Thank you

Jay Hare
651-484-1500

Sent from my iPad



HUBBARD COUNTY HC COLA
P.O. BOX 746
PARK RAPIDS, MN 56470
www.HubbardCOLAmn.org
HCCOLAmn@gmail.com

September 25, 2015

Jamie MacAlister
Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

Re: PUC Docket Numbers PL-9/CN-14-916 and PL-9/PPL-15-137

Dear Ms. MacAlister:

Hubbard County Coalition of Lake Associations ("HC COLA") is a coalition of 29 lake associations and their approximate 2,100 members that represent 37 lakes in Hubbard County. HC COLA's mission is to protect and enhance the quality of our lakes and rivers, preserve the economic, recreational and natural environmental values of our shore lands and promote the responsible use of our waters and related habitats. HC COLA's mission enhances, promotes and protects the interests of lakeshore property owners, lake associations, local government, the general public and future generations.

HC COLA has the following comments and recommendations regarding the Public Utilities Commission's consideration of Enbridge Energy, Limited Partnership (Enbridge) Applications for the Line 3 Pipeline Replacement Project Certificate of Need PL-9/CN-14-916 and Route Permit PL-9/PPL-15-137 (the "Line 3 Project"):

1. HC COLA's Position regarding the Line 3 Project is as follows:
 - a) HC COLA is not opposed to the need for the Line 3 Project or pipelines in general if the need for the pipeline is established by satisfying all the criteria under Minnesota Law and Rules.

b) HC COLA is opposed to Enbridge's proposed route of the Line 3 Project and System Alternative SA-03 Modified as defined in the Sandpiper Project proceedings (PUC Docket PL-6668/CN-13-473) because of the potential significant adverse environmental, human and economic effects of those routes.

c) HC COLA recommends that system alternatives that avoid or minimize the potential for significant adverse environmental, human and economic effects be considered as part of the Line 3 Project, including, but not limited to, SA-03, SA-04, SA-05 and SA-06 as defined in the Sandpiper Project proceedings (PUC Docket PL-6668/CN-13-473).

d) The PUC must conduct an Environmental Impact Statement ("EIS") regarding the Line 3 Project as required by the Minnesota Court of Appeals decision filed on September 14, 2015 in the Matter of the Application of the North Dakota Pipeline Company LLC for a Certificate of Need and a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota (the "Sandpiper Project").

2. The potential significant adverse human, environmental and economic impacts caused by the Line 3 Project must be studied in an EIS, which will include, but not be limited to:

a) The construction, maintenance and potential leaks or spills of the pipeline on Enbridge's proposed route and SA-03 Modified could cause significant and devastating environmental damage to the lakes, rivers, wetlands, trout streams, aquifers, groundwater, drinking water, and agriculture. Also, there could be significant impacts on wildlife, fish and marine life, aquatic vegetation, and the spread of aquatic invasive species. In the event of a leak or spill, the loss of use of the lakes and rivers for recreation, as well as the negative economic impact on tourism revenue, local businesses that rely on tourism revenue, lakeshore property values, and Hubbard County property tax dollars would have a significant adverse human and economic impact.

b) A comparison of the adverse impacts that could result from a leak or spill along the various routes being considered for the Line 3 Project, including the routes described in 1 (b) and (c) above.

c) The need, cost and timing for providing personnel, training and equipment for fire departments, first responders and other critical personnel in order to respond in the most efficient and effective way under the best practices to a leak, spill, fire or other damage causing event along each of the routes under consideration, including the routes described in 1 (b) and (c) above in order to mitigate damage.

The need and cost should be determined over the life of the pipeline and a comparison of all of the routes under consideration should show how much of the costs will be paid for by Enbridge and the source and security of its funding and what cost are left to be paid for by the state, counties, townships, cities and others.

d) The unique significant adverse environmental, human and economic impacts caused by Tar Sands, including, but not limited to, the fact that Tar Sands oil sinks in lakes and rivers making it very expensive and difficult to clean up in the event of a leak or spill and in many situations the damage may be irreversible. This is evidenced by Enbridge's 30-inch pipeline carrying Tar Sands oil which ruptured on July 27, 2010 in Michigan, spilling an estimated at 843,000 gallons. Residents were evacuated (many never returned) and this river, while eventually reopened for recreation, was altered forever.

e) The cumulative adverse effect of the proposed Sandpiper Project and the Line 3 Project in the proposed or alternative pipeline corridors under consideration.

f) The comments of the MDNR and MPCA regarding the Sandpiper Project (received 1/23/2015 PUC Docket PL-6668/CN-13-473) including Enbridge's proposed route apply to the Line 3 Project and should be included in the EIS.

g) Use a method to evaluate the comparative significance or importance of the impact and/or the relative lost value of the target environmental resource from the construction, maintenance, operation, leak or spill or other impact of the various routes under consideration. All impacts on target environmental resources are not equal and should not be treated as equal as the DOC did in its "environmental report."

Thank you for considering HC COLA's comments and recommendations. If you have any questions or want to discuss these matters further, please contact Lynn Goodrich at tripplake1@mac.com.

Hubbard County COLA



Lynn Goodrich
President

From: [Gary Hill](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Comment on docket 15-137 and 14-916 (Line 3)
Date: Wednesday, September 30, 2015 8:30:53 AM

Dear Minnesota PUC Board of Commissioners and Dept. of Commerce,

Enbridge has applied for a Certificate of Need and Routing permit to "replace" their aging Line 3 with a larger diameter pipeline. This pipeline would carry tar sands from Alberta, Canada, through Minnesota and on to ports in the Gulf of Mexico, to be shipped primarily to Asian markets. I strongly oppose this pipeline expansion for many reasons.

First, the only real need involved here is for Enbridge pipeline company to make billions of dollars shipping tar sands for its customers through Minnesota, while we in Minnesota take all of the risks with no significant benefits. Tar sands are an extremely hazardous product containing unknown diluents, transported at very high pressure throughout the course of the pipeline. The extraction process for tar sands is expensive in that it requires an enormous amount of water and energy, up to 4 times that required for crude oil extraction. Furthermore, when an oil spill occurs, the tar sands have a more devastating effect on the environment, as they will sink to the bottom of a body of water and can not be retrieved in the usual manner of clean-up. Enbridge has had a terrible track record of performance in building and maintaining pipelines. The largest oil spill on land in USA history occurred when an Enbridge pipeline spilled nearly a million gallons of tar sands into the Kalamazoo River. The second largest spill on USA soil occurred in Minnesota near Grand Rapids. While they say they have learned a lot since then, and claim that new technology will prevent spills, unfortunately oil spills continue to occur at an alarming rate.

Minnesotans will receive a few million dollars in taxes but this amount pales in comparison to the losses to quality of life and the environment that we will face should a spill occur in our precious lakes, rivers and wetlands. Water is what Minnesota is all about, not oil. Our lakes are iconic for most Minnesotans, and the heart of lake country is not a place for a pipeline. While our county commissioners and some politicians have dollar signs in their eyes, the truth is that the 3-4 million dollars slated to go to Aitkin County, where I live, would not go very far to improve the average citizen's way of life. For example, it costs 2-3 million dollars to build one mile of two lane road, so we could build one or maybe two miles of roadway. Is that really worth the risk? It is also interesting to note that as soon as Enbridge received the Certificate of Need for the Sandpiper, it went to court to try to reduce its taxes, while prior to that they were boasting about the amount of taxes they would pay to the state and counties affected. I am a willing tax payer, largely because I live in place on a lake and feel privileged to have this unique opportunity. Our lives will go the same if this pipeline is NOT built. Enbridge cannot claim that we in Minnesota will receive any direct benefit from the oil being transported through our state. They say there is an indirect benefit because we use oil in some form. This sort of generic statement can justify any pipeline in any state, and provides no useful evidence whatsoever that Minnesotans will derive a benefit from transporting oil through our state.

If the failing Line 3 pipeline is a risk to the environment because of its age, it should be shut down, decommissioned or, better yet, removed entirely to eliminate the threat. There isn't a need to replace it at all with a new pipeline. If you look at a Google Earth map of the existing aging Line 3 pipeline, one can clearly follow the pipeline path from Superior, WI all the way

to Clearbrook, MN. The right of way access is clearly visible and looks nothing like the surrounding natural habitat after almost 50 years. So much for Enbridge's claim that they will minimally impact the environment. Erosion and lack of vegetation after 50 years is a sign that their restoration efforts are a failure. Building another pipeline in a highly sensitive area is not the answer. It is an insane practice to allow abandonment of pipelines and building new corridors. What will our state look like in another 50 years if we keep on this path. There is no urgency here. The oil market is at its lowest level in many years. As the price of oil continues to go down and reserves continue to rise, there is no need for another new pipeline or replacement of an existing failing pipeline. One could argue that it makes good sense to stop the rapid exploitation of the oil resources and instead invest in other sources of renewable energy, rather than continue down the path of exhaustion of the oil reserves in order to make a quick buck. Minnesota has already taken steps in that direction by investing in wind and solar energy sources with a goal of 25% by 2025, thereby reducing carbon released into the atmosphere. Yes, we will continue to use oil in the near future in decreasing amounts. Even the Pope on his current visit to the US has commented how we must take care of the earth and try to reverse the effects of climate change. It was announced today, that TransCanada has pulled out of its lawsuits in Nebraska against landowners opposed to eminent domain, Shell has stopped its \$4.2 billion effort to drill for oil in Alaska and will walk away from it. If this pipeline is NOT built, there will be no negative impact on the people of Minnesota, life will go on as it has, and our lakes and rivers will have a chance at survival as we know them. Greed is the only factor here that can explain the building of another pipeline.

If, in spite of the facts the PUC determines there is a need for a pipeline in Minnesota, then Enbridge, one of the richest companies in all of Canada and can well afford to build a pipeline in an alternative route which does not go through the headwaters of the Mississippi River and the lake district of Minnesota. Enbridge is a foreign company and as such has no right to build a pipeline wherever it chooses to do so in our state. I feel very strongly about this issue. While they may "propose" a route, the decision of where the best place for a pipeline should be in the hands of our experts in the state. The DNR, the Corps of Engineers, the Minnesota Pollution Control Agency and the Environmental Protection Agency should be the ones who make the final determination. The current process seems to largely take the decision making process out of the hands of our "experts" in the state who are charged with protecting its citizens and the environment, and place that decision in the hands of the DOC and PUC who appear to have a bias supporting development rather than protection.

Native American treaty rights have also been disregarded by the whole process. it is imperative that the voice of all bands affected by these pipelines and abandonments not only be heard but respected. I found it very telling at the PUC evidentiary hearing that ,when the attorneys for the bands presented their position, there wasn't a single question posed to them from any commissioner!

Jobs are not the reason we build a pipeline through our state. The jobs associated with this pipeline proposal are temporary at best, with only a handful of permanent jobs. Furthermore, the pipe fitter jobs will go to people outside of our area and the only effect our local economy will experience is a short term boost during construction. It is also interesting to note that while the pipe fitters expressed anecdotal support for Enbridge in our meetings with the DOC in McGregor, there were no facts presented. They praised Enbridge for using "North American" pipe. However, the steel pipe that Enbridge uses is built by the steel and mining giant Evraz Group SA, a Russian company.

I strongly urge you to deny the Certificate of Need (or Certificate of Greed) for the Line 3 replacement project. We don't need another pipeline corridor and certainly don't want a pipeline going though an area of the state we value higher than oil and money.

Do the right thing for the citizens of Minnesota and protect our waters for future generations. If public safety is your main concern, then the safest decision of all is to NOT build another pipeline.

Gary Hill
McGregor, MN

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 1:14 PM
To: Ries, Natalie (COMM)
Subject: Comment for Line 3, docket #15-137 and 14-916

From: Janet Hill [<mailto:janethillnew@gmail.com>]
Sent: Wednesday, September 30, 2015 2:07 PM
To: MacAlister, Jamie (COMM)
Subject: Comment for Line 3, docket #15-137 and 14-916

Dear MN PUC Board,

Thank you for the opportunity to comment on Enbridge's Line 3 proposal. I have the following concerns that I would like the PUC to address:

Please consider that every "pro-pipeline" comment has thus far been from someone who has something to gain from a pipeline project, personally or politically. Not one person or group, except Enbridge, has offered any argument whatsoever that Enbridge's Sandpiper or Line 3 proposals are for the greater good of all Minnesotans. Enbridge claims that Minnesotans will benefit indirectly from this project, but the same can be said about every state, even the ones not risking their natural resources to accommodate a pipeline. County commissioners who approve this project would rather get money from Enbridge than manage their county budgets conservatively and reasonably. They need to realize that many citizens would rather pay higher taxes than live near a pipeline. The money my husband and I have already poured into this pipeline fight could have more appropriately gone toward our property taxes, and I'm sure there are many others who can say the same.

By contrast, those opposed to Enbridge's proposals have nothing personal or political to gain -- in fact, quite the opposite. Citizen groups who oppose Enbridge's proposal will have spent and will continue to spend thousands of hours of volunteer time and thousands of dollars in legal fees to protect our natural resources for future generations and for all of us. None of the tar sands product will come directly to Minnesota, so the PUC cannot argue that by approving this project they will help provide "safe, adequate and reliable utility services at fair, reasonable rates." According to the PUC mission statement, the PUC must "balance the public and private interests affected in each docket," and "make decisions that appropriately balance these interests in a manner consistent with the public interest." There is nothing about Enbridge's proposal that provides a balance: it is all weighed heavily toward Enbridge and their private profits. Even their promised taxes to Minnesota, which is the only "long term" benefit they are offering (and which they are fighting to reduce), are not enough to offset the risks we are taking with our cleanest lakes and rivers.

Also, Enbridge is trying to make it sound like a Comparative Environmental Assessment (CEA) is the same as an Environmental Impact Statement. The PUC needs to be aware that most of us know the difference. An EIS is required by rule of law, and the DOC and PUC must comply.

Thank you for allowing me to comment. I feel very strongly about this issue.

Janet Hill
McGregor, MN

From: [Janet Hill](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Comment for Enbridge Line 3, Docket #14-916
Date: Thursday, September 24, 2015 10:14:31 AM

This written comment is the long version of my much shorter oral comment, given in McGregor on August 25th, 2015.

For the state of Minnesota to approve Enbridge's Certificate of Need application for Line 3, there must be a reasonable balance between risks and benefits for Minnesotans. In their Certificate of Need application, Enbridge lists the following benefits from the Line 3 "replacement" pipeline:

- Jobs
- Economic benefits
- Tax revenues

Here is how each one benefits the state of Minnesota.

Benefit 1: Jobs

Enbridge has been publicly announcing its jobs benefits in local newspapers this past year, suggesting that Minnesota workers will experience hardship if the company's projects fail to be approved, and approved quickly. Enbridge claims that the Line 3 project would create about 1500 jobs: 750 for outsiders, and 750 jobs for Minnesotans.

According to the U.S. Department of Labor Statistics, Minnesota is among the highest employers of pipefitters in the United States, and employment of pipefitters is projected to grow faster than the average for all occupations. Driving the growth in this sector are new septic systems and building construction — not pipelines. According to the U.S. Department of Labor Statistics' report, growth in this sector could be even more robust, but employers are having trouble finding qualified pipefitters. In other words, there is no job shortage for pipefitters in Minnesota, so Enbridge's jobs benefit will have little impact on pipefitter job options.

Also, according to the Minnesota Department of Employment and Economic Development ([MN.gov](#)), employment in clean energy sectors in Minnesota has surged 78 percent since the year 2000, to over 15,000 jobs by 2014, and it's still growing. Biofuels production capacity, energy efficiency savings, and solar and wind installations all had triple-digit percentage growth between 2000 and 2012. Depending on the sector, 23 to 57% of these clean energy jobs are in installation and maintenance, similar to the Enbridge jobs. Northeast Minnesota has seen a 146% increase in regional clean energy jobs since 2000. These are good-paying jobs, too: average annual wages in clean energy were more than \$71,000 in 2013, 42% higher than the statewide average for all jobs (about \$51,000).

Not only is Enbridge's jobs benefit not as beneficial to Minnesotans as the company makes it sound, we could even end up with a net job *loss* in Minnesota if the Line 3 Certificate of Need is approved. Minnesota's tourism industry is largely built on our reputation for abundant, clean lakes. There are currently about 261,000 jobs in the Minnesota tourism industry, and the industry brings in \$13 billion in sales revenue annually. Many of these jobs and this revenue will be at risk if the Line 3 project is approved.

In summary, there is no shortage of opportunities for labor and construction workers throughout Minnesota, and no pressing need for temporary Enbridge jobs. Our tourism industry is much more lucrative for our state than anything Enbridge can offer, and could be harmed if there is an oil spill. The jobs benefit falls far

short of balancing the risk of a pipeline through our lakes country.

Besides, the Line 3 project is not a jobs program, so jobs shouldn't be considered when deciding whether to approve the Certificate of Need.

Benefit 2: Economic Benefits

Enbridge promises the following to Minnesotans in their Certificate of Need application: "The [Line 3] project will stimulate local economies through the purchase of goods and services from local retailers and suppliers of accommodation and food for workers." That's it: that's the economic benefit of Line 3. Once the pipeline is in, that money will dry up, and these towns will be back where they started, except that they'll also be living with the risk of an oil spill. This underwhelming temporary benefit doesn't even come close to balancing the risk.

Nationally, Enbridge claims they will generate \$400 million of GDP in the U.S. each year during the three-year construction phase of Line 3, or 1.2 billion dollars total. To put this figure in perspective, the U.S. Energy Department's National Renewable Energy Laboratory (NREL) did a study in 2012 about the economic impact of projects supported through the federal Recovery Act. They found that in one grant program alone, the design, manufacture, construction, and installation of solar and wind projects resulted in *\$44 billion* in total economic output. And the operation and maintenance of these projects will deliver up to *\$36 billion* in economic output over their lifetime of 20 to 30 years, compared to Enbridge's meager-in-comparison \$1.2 billion. In the changing energy industry, Enbridge tar sands projects are small potatoes compared to clean energy projects, and not worth the risk to our clean water. We need that.

Benefit 3: Tax Revenue Benefits

In 2013, Enbridge promised \$25 million annually in tax revenue to the state of Minnesota for the Sandpiper, to be divided among counties on the route. They used this amount of money in their advertisements, suggesting to Minnesota citizens that they are offering a benefit too good to refuse.

Enbridge is currently in tax court, however, asking Minnesota to lower their \$25 million tax payment. Enbridge can't complete the Line 3 project without using our land, yet they feel \$25 million is too much to pay. To put this amount in perspective, Minnesota's tourism industry generates *\$840 million* annually in sales tax revenue alone and over *\$35 million per day* in gross sales. Enbridge wants us to think we can't live without their yearly tax payment, but we'd truly be better off without it, as their projects threaten the very resources we depend on for our tourism reputation as the Land of 10,000 Lakes.

Summary

In mid-August 2015, in Canada, the Ontario Energy Board made a decision about the \$12 billion Energy East pipeline project, stating, "We have found that there is an imbalance between the economic and environmental risks of the project and the expected benefits for Ontarians . . . These kinds of analyses tend to focus on just the benefits of all the spending and not on the other kinds of costs associated with the project . . . for example costs related to additional emergency preparedness and other infrastructure upgrades." We must also consider the additional costs of cleanup, economic loss, and property value loss when there is an oil spill.

The Energy Board's report will be the basis of Ontario's position at Canada's National Energy Board's hearings on this project. Government agencies elsewhere are starting understand the immense risk that Enbridge's is asking their citizens to take, offering essentially nothing in return, and the Minnesota DOC and PUC need to understand this, too. Enbridge is not a public utility. The tar sands they are shipping are headed to Illinois refineries and Marathon's export markets, not to Minnesotans.

There are no consequences to the state of Minnesota if the Line 3 Certificate of Need is denied, and negative consequences if it is approved. Our state is much richer than Enbridge, and we citizens want to keep it that way.

Janet Hill
50569 218th Place
McGregor, MN 55760

From: [Janet Hill](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Docket 15-137 and 14-916 (Line 3)
Date: Tuesday, September 29, 2015 4:55:59 PM

Dear MN PUC and DOC,

We are writing to support the Sierra Club motion to extend or suspend the comment period for Line 3, for the reasons they specified in their motion of September 23, 2015 (docket [20159-114235-02](#)).

Thank you.

Janet and Gary Hill
McGregor, MN

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 2:09 PM
To: Ries, Natalie (COMM)
Subject: FW: Public Comment for Docket #14-916

From: JANET [<mailto:jlhodnik@comcast.net>]
Sent: Wednesday, September 30, 2015 1:52 PM
To: MacAlister, Jamie (COMM)
Subject: Public Comment for Docket #14-916

Dear Mr. Macalister,

I oppose the Enbridge pipeline plans for Northern Minnesota because it threatens Minnesota's clean water. Now and into the future, clean water will be our state's greatest asset, and the Enbridge track record has not been good for preventing oil spills. Also, I want to see a comprehensive Environmental Impact Statement (EIS) done, according to the rule of law.

Thank you for the opportunity to comment.

Janet Hodnik

Please provide your contact information. This information and your comments will be publicly available.

Name: Curt Holt Phone: 612.616.7555
Street Address: 6335 Langer Ln
City: Lino Lakes State: MN ZIP: 55038
Email: curtholt@thermal.com

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the Route Permit)
- Are there any alternatives to the project that should be considered? (Related to the Certificate of Need)

I support the pipe line because of safety and economic
benefits for Minnesota

Frank Hornstein
State Representative

District 61A
Hennepin County



Minnesota House of Representatives

COMMITTEES: CHAIR, TRANSPORTATION FINANCE
ENERGY POLICY
TRANSPORTATION POLICY
WAYS AND MEANS

September 30, 2015

Jamie MacAlister
Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

Re: PUC Docket Number PL-9/CN-14-916

The following are comments in response to Enbridge Energy's Certificate of Need for a pipeline routing permit for the Line 3 project

1) A full Environmental Impact Statement is warranted, a Comprehensive Environmental Analysis is not sufficient

On September 14th, the state court of appeals ruled that a full and proper EIS is required for a pipeline project of this size and magnitude. I strongly agree with this assertion, and support the arguments of the Minnesota Center for Environmental Advocacy, Friends of the Mississippi Headwaters, and Carleton County Land Stewards. The PUC should delay any further consideration of the Line 3 Certificate of Need until a full EIS is completed, and its adequacy determined

2) There are significant questions regarding the need for this and similar pipeline projects in Minnesota

The September 28th decision of Shell Oil Company to end oil exploration in the Arctic reflects the rapidly changing nature of oil demand. According to the New York Times, in a September 29 article, "the [Shell Oil] announcement also confirmed major oil companies' increasing willingness to turn their backs on the most expensive new drilling prospects in the Gulf of Mexico and suspend projects in **Canada's Oil Sands** (emphasis added).



In addition, there is no evidence to suggest that pipelines are a significant "alternative" to crude by rail transportation. That assertion is inaccurate as MNDOT pointed out in a 2014 hearing before the House Transportation Finance Committee, that freight rail is utilized to transport oil to refineries and ports that are not serviced by pipelines, and that additional pipeline construction will not have a significant impact on crude by rail operations in Minnesota.

3) Spill Response

Enbridge Energy and other pipeline companies strongly lobbied against efforts to update Minnesota's oil spill clean-up and prevention statutes. Their 2014 legislative efforts resulted in an exemption for pipeline companies from contacting and advising first responders within an hour of a confirmed spill as well as numerous other basic and common sense safety and timely clean-up requirements recommended by the Pollution Control Agency and Department of Public Safety. In fact, the Department of Public Safety in its 2015 report on Minnesota's preparedness for an oil spill incident recommended that the legislature close this loophole on spill response provisions.

The PUC must consider the strong resistance of the oil and pipeline industry to basic safety and spill policy updates, and their implications to public safety and the environment

4) Treaty Rights

The proposed route of the pipeline travels through the lands that are covered in treaties with indigenous nations. All decisions concerning the need and environmental impacts of this and other pipelines must honor the spirit and letter of rights guaranteed by treaty regarding indigenous sovereignty.

5) Climate and Heath Impacts

Increased production, transportation, refining and burning of oil has dramatic life-cycle impacts on climate change. The PUC must consider the costs of burning oil on human health, the environment and its effect on greenhouse gas emissions.

Thank you very much for your consideration.

Sincerely,



Frank Hornstein
State Representative

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Houle Tue Sep 29 21:08:05 2015 PPL-15-137
Date: Tuesday, September 29, 2015 9:08:07 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Terry Houle

County: Hennepin County

City: Bloomington

Email: terry99@gmail.com

Phone: 952-686-1493

Impact: PUC Docket Number PL9/CN14916

Due to the recent legal opinions and rulings it is felt that either the comment deadline of September 30, 2015 should be suspended or extended for at least 6 months. A new comment period should be established after the Minnesota Public Utilities Commission has had time to digest and review all the documents and judicial opinions and recommendations. Then again provide direction for public input to provide fair and adequate time for responses by citizens. Anything less taints the process and provides a perception that the Minnesota Public Utilities Commission is not providing for fair hearings with adequate public notice to provide for the health and welfare of Minnesotans.

Mitigation: No comment

Submission date: Tue Sep 29 21:08:05 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Howe Thu Sep 17 18:52:16 2015 PPL-15-137
Date: Thursday, September 17, 2015 6:52:18 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Arthur Howe

County: Hubbard County

City: Louisville

Email: arthurkatyhowe@comcast.net

Phone: 303 704 7203

Impact: My family has owned cabins on Long Lake for 67 years, and we appeal to the PUC not to allow this cherished environment to be put at risk.

Despite all the assurances of Enbridge, it is evident that pipelines are not typically inspected daily, either visually, with satellites or with thermal imaging. I reference the recent Nexen spill which leaked for 2 weeks to cover a large area of land before being detected.

Companies such as Tata Consulting Services provide these inspection services. Has Enbridge committed to such daily inspections? The Nexen Pipe was about 1 year old. This shows that the latest control systems may not detect leaks, and daily inspections are necessary to provide early notification of leaks.

Mitigation:

Submission date: Thu Sep 17 18:52:16 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Howe Sun Sep 20 21:11:18 2015 PPL-15-137
Date: Sunday, September 20, 2015 9:11:20 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Keaton Howe

County:

City: Park rapids

Email:

Phone:

Impact: The regions that this pipeline is proposed to run through impact the watershed and environments of many surrounding ecosystems. As recently seen in Canada's oil leak, even a small hole in a very new pipeline can go undetected despite quality guarantees. As required by law, there must be an extensive environmental impact analysis completed before any proposals can be ratified. The risks of pipeline failure in this region would be catastrophic for surrounding wildlife, fish, tourism, and water supply for miles around.

Mitigation: Alternative routes through North Dakota should be considered where pipeline leaks can be detected and cleaned up in a timely fashion.

Submission date: Sun Sep 20 21:11:18 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

From: [Jim Huhta](#)
To: [MacAlister, Jamie \(COMM\)](#)
Cc: consume.puc@state.mn.us; [Ek, Scott \(PUC\)](#)
Subject: Enbridge Line 3 Replacement
Date: Sunday, August 30, 2015 12:24:33 PM

Minnesota Department of Commerce,

I attended a hearing on the 26th of August and registered some thoughts and concerns regarding the Enbridge project. I've since researched and contemplated the construction further. My foremost concern is how the people in close proximity to the pipe and taxpayers will insure protection from an environmental disaster and expenses incurred for cleanup.

The other thought I have is that it is a ruse to build another pipe to transport the "tar sand" oil destined for the Keystone XL currently held up in litigation and environmental review by the state department. If that is the case, it would be deceptive and unethical in my view and should be denied unconditionally. If the project is legitimate as they explained, the intent is to replace the pipe. There should be conditions by the state requiring the replaced pipe will not be used for any transport of "tar sand" oil.

Thank you.

Jim Huhta
Cromwell, MN.



This email has been checked for viruses by Avast antivirus software.

www.avast.com

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 2:07 PM
To: Ries, Natalie (COMM)
Subject: FW: Public Comment for Docket #14-916

-----Original Message-----

From: Betsy Jensen [<mailto:jensenbetsyr@gmail.com>]
Sent: Wednesday, September 30, 2015 2:01 PM
To: MacAlister, Jamie (COMM)
Subject: Public Comment for Docket #14-916

I fully support the pipeline. We currently own land with an easement from Enbridge, and I have been very pleased with the maintenance done on the pipeline. As a school board member, I am also please with

--

Betsy Jensen
(218) 689-5375
@jensenbetsyr

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 2:03 PM
To: Ries, Natalie (COMM)
Subject: FW: Public Comment for Docket #14-916

-----Original Message-----

From: Betsy Jensen [<mailto:jensenbetsyr@gmail.com>]
Sent: Wednesday, September 30, 2015 2:05 PM
To: MacAlister, Jamie (COMM)
Subject: Re: Public Comment for Docket #14-916

Excuse my mistake of hitting send too early. As a school board member, I am also pleased with Enbridge's valuations, and the effect on our operating levy. As a volunteer EMT, I feel much safer with oil transported via pipeline versus rail. BNSF is making numerous updates to their rail in my area, but the volume of trains is frightening.

Please, send the oil via pipeline instead of rail. I own land with an existing pipeline easement. I am the school board treasurer. I am a volunteer EMT. All three point towards the pipeline instead of rail.

Thanks,

On Wed, Sep 30, 2015 at 2:01 PM, Betsy Jensen <jensenbetsyr@gmail.com> wrote:

> I fully support the pipeline. We currently own land with an easement
> from Enbridge, and I have been very pleased with the maintenance done
> on the pipeline. As a school board member, I am also please with
>
> --
> Betsy Jensen
> (218) 689-5375
> @jensenbetsyr

--
Betsy Jensen
(218) 689-5375
@jensenbetsyr

From: [Bruce and Linda Johnson](#)
To: [MacAlister, Jamie \(COMM\)](#)
Date: Wednesday, September 30, 2015 3:36:35 PM

Hello,

In regards to PUC Docket Numbers PL-9/CN-14-916 Certificate of Need PL-0/PPL-15-137 Route Permit.

How can a thoughtful Dept. of Commerce representing the people of the State of Minnesota do anything other than also DEMAND an honest and comprehensive EIS on this issue? Are Enbridge and the DOC above the law?.....NO they are not!!

The Court of Appeals has considered this matter and states that an EIS is necessary under MEPA law. This MUST impact the obvious need for a full EIS.

Bruce M. Johnson

September 28, 2015

Jamie MacAlister, Environmental Review Manager

Minnesota Department of Commerce

85 7th Place East, Suite 500

St. Paul, MN 55101

jamie.macalister@state.mn.us

PUC Docket Number PL-9/CN-14-916-Certificate of Need / PL-9/PPL-15-137- Route Permit

Honorable Commissioners:

1. What Human and Environmental Impacts should be studied in environmental analysis?

What is the highest need for the State of Minnesota? I believe protection of our critical water and natural resources are of the most paramount importance in consideration of this high risk pipeline request with potential for severe and permanent damage and consequences to our precious natural heritage and to the economics of this state.

It would be unconscionable for the Public Utilities Commission and the Department of Commerce to grant approval for Enbridge to place Line 3, a large tar sands pipe through Minnesota's pristine lake area and the Headwaters of the Mississippi. This defies common sense with regard to both potential disastrous environmental and financial impacts should a spill occur. Why would State agencies capitulate to the demand of this oil company to define its route through our treasured natural heritage? It is absolutely essential that an EIS under the direction of the EQB be completed for both Line 3 and for the Sandpiper before such a potentially environmentally dangerous project is considered to cross our fragile and precious environment. It is also essential that EIS for these projects receive input, evaluation and opinion of MPCA and DNR staff.

The Line 3 project would create a pipeline corridor which would travel within a few miles of the

Headwaters of the Mississippi and border the park on the east side. This would put in perilous threat the infant Mississippi River and nationally treasured Itasca State Park. Itasca State Park was established in 1891 as Minnesota's first state park and the nation's second state park. The park was established to protect the headwater's basin. Porous soils, such as sand, gravel make up the area near and around the Headwaters and also in Hubbard County where the pipeline would be laid. These soils are more permeable than other soils and are especially vulnerable to impacts from an oil spill. A Full and Complete Environmental Impact Statement must assess leak/rupture scenario impact on these soils which are dominant in this area. A Full Environmental review is demanded to look at a spill and rupture entering the aquifers, lakes and streams and how this would impact our precious resource. Results and methodology used in the environmental analysis must be made public and available for comment and analysis by agencies charged with protection of the environment, the MPCA and the DNR.

We know from the experience of the Kalamazoo spill that a rupture may travel 30 miles. The proposed pipeline route crosses the Mississippi River at least two times and also across La Salle Creek. A spill near the headwaters would ruin and destroy forever, this pristine wonder which is revered for its beauty and wildness. There is not evidence to support Enbridge's claim to care for the environment. Their safety record speaks for itself. For example, there have been exposed pipes on the Tamarac River for years, with pipes being held up with steel legs. We have no reason to expect any better from Enbridge to care for our Headwaters area, wild rice beds or pristine lake country. Currently, there is legislation brought forth by Representative Rick Nolan addressing the issue of foreign steel being used in the production of oil pipes, with the concern being that foreign steel would be of inferior quality to US Steel and also takes away from US jobs, by accessing this steel in foreign markets in which China plays a dominant role. Line 3 will carry corrosive Tar Sands oil. Is Enbridge using less expensive foreign steel in production of pipes and if so, what scientific studies have been completed to address the use of foreign steel in pipeline manufacturing and how much this impacts the safety of our natural environment? Enbridge should be required to provide information to the PUC of its contracts for purchase of steel in production of its pipes. This information should also be available to the public.

This pipeline corridor would cross 28 rivers, lakes and wetlands that are not accessible by road. What are the environmental ramifications of a spill, rupture or leaks in these areas? We know from the Yellowstone River spill, that even in an area that is accessible, oil cannot be successfully recovered. The infant Mississippi River has intermittent areas of fast moving stream which open to increasingly larger bog areas. It is critical for a thorough EIS under the direction of the EQB address this concern with input from professional staff at the DNR and MPCA.

The economic arguments for this project cannot be justified in the face of possible ramifications of a spill or rupture in this area. Even creating the reputation of our lake country being a pipeline corridor could be economically damaging. What are the economic impacts if Park Rapids becomes a city without drinking water? Itasca State Park receives a half million visitors a year, alone. The dollars to our communities from tourism, retirement communities and fishing and other recreation is massive, creating thousands of jobs for Minnesotans. Enbridge's attorney admitted at the PUC Sandpiper hearing that project would create a very scant 22 permanent jobs. These possible economic impacts to our community must be evaluated.

We need to protect Minnesota's water, our life giving resource above all other resources, because surely it is our most valuable resource. The oil boom with end. We all know that reality. We cannot sacrifice the life blood of this state, it's water, for this companies rush to maximize it's profit margin and allow this company to demand where this pipeline should be laid through our precious state.

Sincerely,

Deanna Johnson

15559 Explorer Circle

Park Rapids, MN 56470

Please provide your contact information. This information and your comments will be publicly available.

Name: Ethan Johnson Phone: 681-333-0902

Street Address: 2538 1st Ave E

City: N. St. Paul, State: MN ZIP: 55109

Email: Hockeyfan2537@gmail.com

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the *Route Permit*)
- Are there any alternatives to the project that should be considered? (Related to the *Certificate of Need*)

- creates great jobs
- safer than other transportation
- Better for the Environment

2089 Lake Hattie Dr. SW
Backus, MN 56435
30 September 2015

Jamie MacAlister
Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

Re: PUC Docket PL-9/CN-14-916 and PL-9/PPL-15-137

Dear Ms. MacAlister:

I am a member of the Board of Directors of the Pine River Watershed Alliance and am concerned about the above listed Certificate of Need and Route Permit applications for pipelines through the heart of the lakes country. Our organization works with as entirely volunteer group to preserve the water quality of the Pine River Watershed. This watershed has been designated by both BOWSER and the National Forest Service as the number one watershed for preservation of drinking water in Minnesota.

Line 3 re-build is a misnomer for an enlarged pipeline in a new corridor, which would include the Sandpiper if Enbridge is successful in their petitioning before your Department. The increased flow of tar sands oil will not be of use in Minnesota, and I am attaching a letter I had sent earlier in September concerning the lack of need for this oil.

We should not allow the replacement of Line 3 unless the old line is removed and all contamination is remediated. If left in the ground, the citizens of Minnesota will at some point be left with the removal and clean up, as corporations such as Enbridge will not necessarily be here when the need for removal will be required.

The Appeals Court has recently instructed the PUC to rescind the Certificate of Need for Sandpiper and I feel that there should be no forward proceedings on the Line 3 CON or routing until a full EIS is done for multiple routes for placing this new pipeline corridor. This is a significant opportunity for the citizens of Minnesota to decide whether there is a need for a new pipeline corridor and if so, where the best placement of that corridor is to reduce potential impact to our environment. We should not be placed in a position of opposing a bad route choice because it satisfies the financial needs of a Canadian Corp.

Sincerely,

Gregory L. Johnson

2089 Lake Hattie Dr. SW
Backus, MN 56435
7 September 2015

Burt Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place E., Suite 350
St. Paul, MN 55101-2147

Re: Docket 15-137

I am opposed to the Certificate of Need for Line 3 as a rebuild in an entirely new location. Enbridge has the current right of way for the pipeline and can and should rebuild the line on its current path. I can understand their desire to not remove the old line and replace it as this would cause major loss of revenue and disruption in tar sands bitumen deliveries during the reconstruction, but do not feel this is justifiable reason for placing the line in an entirely new location. If they can dig to examine integrity anomalies they can dig to remove and replace the old line. Removal of the old line should be a condition of permitting for the new line in any eventuality.

Line 3 is an expansion in capacity of the existing line. The major markets for bitumen are in the Gulf Coast as the market for these crude in the Midwest is saturated and with Bakken light crude availability refineries are not making capital expenditures necessary to process bitumen. The Gulf Coast region refined product production exceeds local demand and an increasing percentage is exported making the United States a net exporter of petroleum product. Hence, increased crude delivery of Canadian bitumen to the Gulf Coast will result in either direct export of Canadian crude or refined product and will not assist in meeting demand requirements in the United States.

What this will mean for the Midwest is higher prices for refined product. There is currently an extra differential for Canadian bitumen because of the lack of a direct export pipeline in Canada to either coast. When they are capable of direct export via Canadian ports or via the Gulf Coast, this differential will disappear and our product costs will rise. By granting the CON for this expansion, we are helping Canada and a Canadian company and not the citizens of Minnesota.

Sincerely

Gregory L. Johnson

Comments made in this letter were summarizations of 1. Refining U.S. Petroleum, March 2015 by American Fuel and Petrochemical Manufacturers, 2. Understanding Crude Oil and Product Markets by The Brattle Group of the American Petroleum Institute and 3. North American Heavy Crude Future by IHS

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Johnson Wed Sep 30 16:31:52 2015 PPL-15-137
Date: Wednesday, September 30, 2015 4:31:56 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Linda Johnson

County: Hubbard County

City: Park Rapids

Email: mn_daybreak@yahoo.com

Phone: 218 732 7531

Impact: Please make sure Minnesota law is upheld and enforced by an honest and comprehensive EIS. The Court of Appeals ruled that an EIS was necessary under MEPA law and Enbridge and the DOC have to comply. We are very concerned that Enbridge is pushing for a route through some of Minnesota's most valuable and vulnerable waters and wetlands. We oppose this route, suggesting that other routes can be used that are more appropriate. We are not against jobs or the pipeline, just the placement of pipeline and the leniency being shown to a foreign for-profit business that would never be given others.

Mitigation: Alternate routes have been submitted and described by "Friends of the Headwaters" and others. We also question the need for more pipelines when oil and gas prices are down along with production and our nations goal is to move to a cleaner form of energy.

Submission date: Wed Sep 30 16:31:52 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

Please provide your contact information. This information and your comments will be publicly available.

Name: MARK R JOHNSON Phone: 651)442-3166

Street Address: 3517 LONG LAKE RD E

City: PINE SPRINGS State: MN ZIP: 55115

Email: FISHHAWK1965@YAHOO

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the Route Permit)
- Are there any alternatives to the project that should be considered? (Related to the Certificate of Need)

I believe this project is a win-win for everyone. It replaces an old pipeline, that is beneficial for the environment. It pumps big dollars into the local economies and it provides good paying jobs for the workers.

Please provide your contact information. This information and your comments will be publicly available.

Name: David Johnston Phone: 651-583-2220

Street Address: 36405 Kost Tr

City: North Branch State: Mn ZIP: 55056

Email: _____

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the Route Permit)
- Are there any alternatives to the project that should be considered? (Related to the Certificate of Need)

The pipe line should be built, as it is the
safest way to transport oil & fuels

From: [Matt Karlgaard](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: EIS for Enbridge pipeline
Date: Wednesday, September 30, 2015 4:13:29 PM

Hello Jamie,
Please ensure that a comprehensive Environmental Impact Study is conducted on line 3 relating to the proposed Enbridge pipeline. It is critical that this happens to ensure that critical water is protected in Minnesota.

Thanks,
Matt Karlgaard

From: bkaufman@tds.net
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Public Comment re: PL-9/CN-14-916 and PL-9/PPL-15-137
Date: Tuesday, September 29, 2015 1:43:41 PM

Please distribute as needed. Thank you.

To the Honorable Board, Minnesota Public Utilities Commission:

I am writing in regard to the proposed line 3 “replacement” oil pipeline, docket numbers CN14-916 and PPL15-137. I respectfully ask you to consider all factors, not just the economic concerns of the pipeline and oil companies, as you weigh the applications for certificate of need and routing permit.

First, the border crossing proposed by Enbridge is likely illegal and is currently under litigation. It would make sense not to proceed with state of Minnesota processes until this issue has been resolved in court.

Second, the Minnesota Court of Appeals has determined that the certificate of need granted for the proposed Sandpiper line is void because of lack of a full environmental impact statement. Since Enbridge is proposing that the line 3 replacement follow the Sandpiper route, and since that route cannot be determined until the study is complete and a certificate of need re-granted, if in deed it is, one can conclude that certificates of need and routing for line 3 cannot be granted either.

As you are aware, the proposed routes of both lines will cross environmentally sensitive areas and under or near some of the most pristine waters in the state. Water is iconic for Minnesota. It brings tourism to the region and provides vital income for numerous residents. In addition the Mississippi is a source of drinking water for many communities including Little Falls, St. Cloud and Minneapolis. A spill along the proposed route could therefore have far reaching impact.

I ask you to think ahead more than a few years. The technologies are available to move away from fossil fuels and the climate change to which they contribute. If you approve this line you are encouraging the continuing extraction of tar sands oil, which not only is the most polluting oil in existence, but also is seriously damaging the land and people where it is extracted. A spill of this oil would damage our water and land permanently. Is it worth the risk for oil which will not even be used in this state? Is it worth it to foster still more climate change? Minnesota could be setting the bar for moving ahead to a clean, safe energy future by not allowing this pipeline through our beautiful land.

Finally, rights granted by the Treaty of 1855 allow for ricing, fishing, hunting and gathering for the Ojibwe people off reservation on lands where the proposed lines would run. The construction of pipelines alone would damage these lands and a spill, especially in ricing areas, would end this way of life in the damaged areas. The Public Utilities Commission should be going out of their way to hear what the tribes have to say.

Please consider the “big picture” as you study this proposal.

Thank you,

Barbara Kaufman
Pine River, MN 56474

July 29, 2015

Via electronic mail and/or U.S. mail

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 East Seventh Place, Suite 350
St. Paul, MN 55101

Deborah Pile
Environmental Review and Analysis
Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

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

Docket No. PL-9/PPL-15-137

Dear Mr. Wolf and Ms. Pile:

Kennecott Exploration Company ("Kennecott") is a party to the routing proceeding pending in Docket No. PL-6668/PPL-13-474.¹ In that proceeding, Kennecott submitted a proposed alternative route segment related to North Dakota Pipeline Company LLC's ("NDPC") proposed Sandpiper crude oil pipeline ("Sandpiper Project").² The alternative segment is intended to avoid the Sandpiper Project's impacts on state metallic mineral leases held by Kennecott in Carlton and Aitkin Counties. On August 25, 2014, the Commission issued its *Order Accepting Alternative Route and System Alternatives for Evidentiary Development, Requiring Notice, and Setting Procedures* accepting Kennecott's proposed route alternative for further evaluation.

Kennecott respectfully requests that its route alternative also be fully considered in the Line 3 Replacement proceeding. The preferred route of Enbridge's proposed Line 3 Replacement Project would follow the existing Line 3 route from Joliette, North Dakota to Clearbrook, Minnesota. From Clearbrook, however, Line 3 would follow the Sandpiper Project's preferred route to Superior, Wisconsin. Kennecott's alternative route segment is within the preferred route for both the

¹ On May 11, 2015, Kennecott filed a Motion to Intervene in Docket No. PL-9/PPL-15-137, which remains pending before the Commission.

² A copy of Kennecott's alternative route segment proposal submitted in Docket No. PL-6668/PPL-13-474 is appended as Attachment A.

Daniel P. Wolf
Deborah Pile
July 29, 2015
Page 2

Sandpiper and Line 3 Projects such that adoption of Kennecott's route alternative would mitigate the impact of the proposed pipeline Projects on Kennecott.

Kennecott appreciates the Department's and the Commission's consideration of Kennecott's route alternative and looks forward to working with the Department and the Commission on the important issues raised by the Pipeline Projects' proposed routes.

Please do not hesitate to contact me if you require additional information or have any questions or concerns.

Sincerely,

STINSON LEONARD STREET LLP

Brian M. Meloy

Brian Meloy

BMM/cw
Attachments

ATTACHMENT A
KENNECOTT'S ALTERNATIVE ROUTE SEGMENT

April 4, 2014

VIA E-FILING

Larry Hartman
Environmental Review Manager
Energy Environmental Review and Analysis
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

Dr. Burl Haar
Executive Secretary
Minnesota Public Utilities Commission
121 East Seventh Place, Suite 350
St. Paul, MN 55101

Re: **Kennecott Exploration Company's Proposed Alternative Route Segment**

***In the Matter of the Application of Enbridge Pipelines (North Dakota) LLC for a Pipeline Routing Permit for the Sandpiper Pipeline Project in Minnesota
MPUC Docket No. PL-6668/PPL-13-474***

Dear Mr. Hartman and Dr. Haar:

Pursuant to the Minnesota Public Utilities Commission's ("Commission") February 11, 2014 *Order Finding Application Substantially Complete and Varying Timelines; Notice of Hearing* issued in the above-referenced docket and Minn. R. 7852.1400 Subp. 3, Kennecott Exploration Company ("Kennecott") submits a proposed alternative route segment related to North Dakota Pipeline Company LLC's ("NDPC") proposed Sandpiper crude oil pipeline ("Pipeline Project"). The alternative segment is intended to avoid the Pipeline Project's impacts on state metallic mineral leases held by Kennecott in Carlton and Aitkin Counties.

As discussed below, Kennecott believes the proposed Pipeline Project will adversely affect Kennecott's non-ferrous metallic mineral interests in Carlton and Aitkin Counties, Minnesota (the "Tamarack Project"). The preferred route will intersect and limit Kennecott's access to mineral deposits critical to the exploration and potential development of copper nickel minerals it has leased from the State in Carlton County and adversely affect other environmentally sensitive property acquired by Kennecott in Aitkin County for the Tamarack Project.

Accordingly, Kennecott urges the Department of Commerce ("Department") and the Commission to fully consider the alternative route segment proposed herein. NDPC can, and should, adjust its preferred route to avoid impacting Kennecott's mineral interests by routing its proposed pipeline approximately one and one-half miles south of Kennecott's leases. Attachment A to these comments is a memorandum from Kennecott's consultant, Foth

Infrastructure & Environment, LLC, setting forth an alternative route segment, which avoids Kennecott's mineral interests while limiting environmental impacts ("FOTH Memorandum").

**I.
Kennecott's Mineral Interests in Carlton County**

Kennecott, a wholly-owned subsidiary of Rio Tinto (made up of Rio Tinto plc. and Rio Tinto Limited), explores mineral resources, evaluates mineral deposits, and develops mining properties. Kennecott is actively engaged in the exploration and evaluation of the Tamarack Project. Kennecott has expended tens of millions of dollars, drilled over 200 exploratory borings and conducted geophysical and other exploration, targeted and evaluated mineral deposits, undertaken environmental baseline studies, and acquired additional property in preparation for potential development of a mine at the Tamarack Project site. While still in an exploration stage, Kennecott believes there is significant potential for the Tamarack Project and the state of Minnesota.

The preferred route for NDPC's Pipeline Project may adversely affect or potentially preclude such future development at the Tamarack Project site. As proposed, the Pipeline Project will intersect some of the state metallic mineral leases held by Kennecott and currently being explored as part of the Tamarack Project (the "Tamarack Leases"). The Tamarack Leases which Kennecott believes the pipeline will intersect are identified in Table 1 below.

Table 1: Kennecott State Metallic Mineral Leases

Lease No.	Date of Issuance	Acreage	County
MM-10327	26 Feb. 2010	527.84	Aitkin
MM-9805	14 Dec. 2000	187.28	Carlton
MM-9806	14 Dec. 2000	498.34	Carlton
MM-10176	6 Dec. 2007	650.57	Carlton

The Tamarack Leases generally provide that the state's right to grant leases, permits, or licenses to any portion of Kennecott's mining interests shall not unduly interfere with Kennecott's exploration or mining operations. This restriction is derived from Minn. R. 6125.0700, Section 5 of the Form of Lease "for exploration for, mining, and removing metallic minerals belonging to the state" In the present case, Kennecott indicated in consultations with the Minnesota Department of Natural Resources ("DNR") that it does not believe that the DNR could grant NDPC a lease, permit, or license to route the Pipeline Project through the Tamarack Leases without unduly interfering with Kennecott's operations.

The intersection of the Pipeline Project with one or more of the Tamarack Leases presents significant operational and safety barriers with the potential to unduly interfere with both future exploration activities and mining operations associated with these mineral resources. Indeed, NDPC acknowledges that “[t]here is a potential that future use of . . . mineral resources will be precluded where the pipeline is installed across these resource deposits.” NDPC Sandpiper Environmental Services Sandpiper Pipeline Project, Minnesota Environmental Information Report (November 2013) (“MEIR”) at 5-7.2.

In its revised route permit application filed on January 31, 2014, NDPC further states at p. 5, that “[a]ny sand, gravel, or metallic mineral deposits located in the operational right-of-way will be unavailable for mining after installation of the pipeline. NDPC will continue to work with the MNDNR, private exploration companies, and affected counties regarding crossings of active mineral leases on state and county lands.” Kennecott requests that the Department and the Commission fully consider the sizeable economic impacts of limiting or precluding access to the mineral resources subject to the Tamarack Leases, including the potential direct investment in the Tamarack Project and royalty payments under the Tamarack Leases to the State.

Furthermore, Kennecott does not believe that the Pipeline Project can be co-located with the Tamarack Project and comply with Mine Safety and Health Administration regulations, particularly safety requirements for mining hard rock deposits under and near pipelines. Similarly, it is unclear whether the Pipeline Project could be co-located with the Tamarack Project and comply with Occupational Safety and Health Administration regulations applicable to pipelines. These and other considerations support Kennecott’s request that the Department and Commission fully consider Kennecott’s alternative route segment.

II.

Kennecott’s Interests in Aitkin County

In addition to the Pipeline Project’s direct impact on Kennecott’s mineral interest in Carlton County, the preferred route for the Pipeline Project intersects environmentally sensitive property in Aitkin County owned by Kennecott (the “Kennecott Property”). Portions of the Kennecott Property are wetland areas that contain cultivated and fallow stands of wild rice, a sensitive native plant species with cultural significance. Kennecott purchased the Kennecott Property in connection with the Tamarack Project as potential wetlands mitigation, and to unify two state wildlife management areas. The use of the Kennecott Property for these purposes in support of the Tamarack Project may be limited or precluded by the Pipeline Project.

In particular, adjacent to the Kennecott Property are two sensitive environmental areas: the Savanna State Forest and the McGregor Wildlife Management Area. While NDPC identifies the Savanna State Forest as a natural area within the preferred route, it does not identify the McGregor Wildlife Management Area and does not describe the environmental impacts specific to either of these natural areas. MEIR at 11-2. Furthermore, the Kennecott

Property has the potential to connect the Savanna State Forest and the McGregor Wildlife Management Area, making it an ideal property for future mitigation. If this connection were made, the Pipeline Project preferred route would cross right through the middle of a larger natural area, instead of just crossing the edge of the Savanna State Forest, a much more intrusive presence on the natural area. Ultimately, these impacts should also be weighed by the Department and the Commission in evaluating NDPC's preferred route.

III.

Legal and Policy Implications that Should be Considered

Kennecott respectfully requests that the Department and the Commission strongly consider the state's public policy favoring mineral deposit development in considering Kennecott's proposed alternative route segment. Minn. Stat. § 93.001 provides that "[i]t is the policy of the state to provide for the diversification of the state's mineral economy through long-term support of mineral exploration, evaluation, environmental research, development, production, and commercialization." Additionally, with respect to nonferrous minerals in particular, Minnesota law specifies that the "business of mining, producing or beneficiating nonferrous metallic minerals is declared to be in the public interest and necessary to the public welfare, and the use of property therefor is declared to be a public use and purpose." Minn. Stat. § 93.43(a).

To this end, Kennecott requested that DNR administer state metallic mineral leases to promote "orderly development of nonferrous metallic mineral mining, encouragement of good mining practices, and recognition and identification of the beneficial aspects of nonferrous metallic mineral mining." Minn. R. 6132.0200. Consideration of these state policies with respect to mineral development support full consideration of Kennecott's proposed alternative route segment.

Importantly, absent the issuance of a surface use authorization from the DNR, NDPC likely could not, upon issuance of a route permit, use its eminent domain authority pursuant to Minn. Stat. § 117.48 to condemn the Tamarack Leases as an alternative means of access to the property and thereby circumvent the "undue interference" standard in Minn. R. 6125.0700. Minn. Stat. § 117.48 states in relevant part,

Any corporation or association. . . engaged in or preparing to engage in the business of transporting crude petroleum, oil, their related products and derivatives. . . is authorized to acquire, for the purpose of such business, easements or rights-of-way, over, through, under or across, any lands, **not owned by the state** or devoted to a public purpose for. . . a pipeline for the transportation of crude petroleum, oil, their related products and derivatives. . . . To such end it shall have and enjoy the power of eminent domain. . . . **Nothing herein shall be construed as authorizing the taking of any property owned by the state**, or any municipal subdivision thereof, or the acquisition of any rights in public

waters except after permit, lease, license or authorization issued pursuant to law.

Emphasis added.

IV. Route Alternative

As discussed above, NDPC's proposed preferred route impacts Kennecott's mineral interests in a material manner. For this reason, as part of the route permit process, Kennecott is requesting that the Commission evaluate an alternative route segment that would ensure that the Pipeline Project is compatible with the state's interest in mineral development. Attachment A, the FOTH Memorandum, includes a Map of Kennecott's proposed alternative route segment submitted in compliance with Minn. R. 7852.2600, Subp. 1. In addition, appended as Attachment B is a more detailed Map showing the proposed alternative route segment with greater specificity.

Included in the FOTH Memorandum is a "desktop" review of the alternative route segment, including a brief description of the environment along the alternative route segment. As discussed in the attached FOTH Memorandum, the alternative route segment evaluated avoids Kennecott's mineral interests and minimizes potential environmental impacts. Finally, pursuant to Minn. R. 7852.2700, Kennecott believes that human and environmental impacts expected from pipeline right-of-way preparation and construction practices and operation would be substantially the same for the alternative route segment as the information provided by NDPC in its application.

Kennecott appreciates the Department's and the Commission's consideration of Kennecott's route alternative and looks forward to working with the Department and the Commission on the important issues raised by the Pipeline Project's proposed route. Please do not hesitate to contact me if you require additional information or have any questions or concerns.

Respectfully submitted,

STINSON LEONARD STREET LLP

Byron E. Starns

Byron E. Starns

Counsel for Kennecott Exploration Company

Attachments

ATTACHMENT A
FOTH MEMORANDUM



Memorandum

Foth Infrastructure & Environment, LLC
2121 Innovation Court, Suite 300
P.O. Box 5126 • De Pere, WI 54115-5126
(920) 497-2500 • Fax: (920) 497-8516
www.foth.com

March 19, 2014

TO: David Simpson, Rio Tinto

CC: Steve Donohue, Foth Infrastructure & Environment, LLC
Andrea Martin, Foth Infrastructure & Environment, LLC

FR: Julianne Hanson, Foth Infrastructure & Environment, LLC

RE: Enbridge Sandpiper Pipeline Route, Carlton County, Minnesota

The objective of this work is to provide an alternative pipeline route and associated narrative and mapping to support KEX's participation in the Minnesota Public Utilities Commission public comment process. Foth Infrastructure & Environment, LLC (Foth) was asked to perform three tasks regarding the proposed Enbridge Sandpiper Pipeline (Sandpiper) route and potential impacts to KEX mineral title in Carlton County, Minnesota (Figure 1):

1. Perform a desktop data review using readily and publically available data of the proposed Sandpiper route.
2. Suggest a potential re-route alternative that would avoid KEX mineral title and that would avoid or minimize potential environmental impacts.
3. Compare the proposed Sandpiper route with the suggested re-route alternative.

Task 1

The following datasets were loaded into ArcMap and considered as part of this effort:

1. KEX Lease Area
2. National Wetland Inventory (NWI) Wetlands
3. Minnesota Department of Natural Resources (MDNR) Gap Stewardship
4. 1:24,000 Lake/Rivers
5. MDNR Migratory Waterfowl Resting and Feeding Areas
6. MDNR Native American Reservations
7. MDNR National Forest Boundaries
8. MDNR National Wildlife Refuge
9. U.S. Fish and Wildlife Service Critical Habitat (see <http://ecos.fws.gov/crithab/>)

Figure 1 incorporates datasets 1 through 4; items 5 through 9 have no mapped features within the area of interest.

Task 2

The Proposed Enbridge Pipeline route and the Proposed KEX Re-route are presented on Figure 1. Based on a high-level look at the data, a re-route was developed that avoided impacts to:

- ◆ KEX’s mineral title
- ◆ Structures visible on aerial photography

Further, the re-route was sited to avoid and minimize impacts to:

- ◆ NWI wetlands
- ◆ Stream and river crossings
- ◆ Areas with standing water visible on aerial photography

It should be noted that actual wetlands in the area could vary significantly from the NWI data. Only a full wetland delineation and survey of the area can confirm the presence, type, function, and value of wetlands within the area of interest.

Task 3

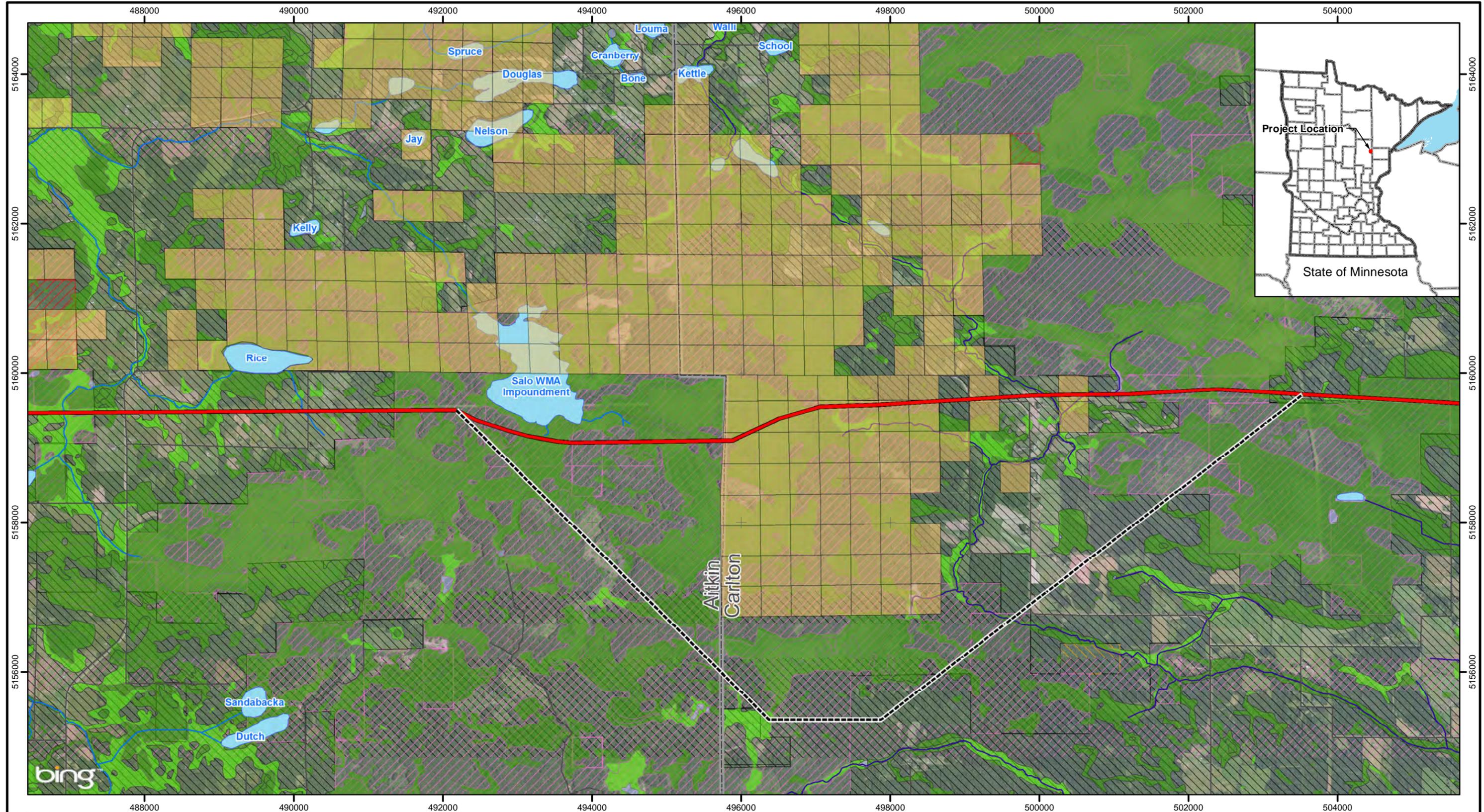
The suggested re-route would cross both state and privately owned lands. Table 1 compares the Sandpiper route and the suggested re-route from several perspectives of interest.

Table 1
Sandpiper and Re-route Comparison

Description	Proposed Enbridge Pipeline Route	Proposed KEX Re-route
Length (miles) between points of re-route (Figure 1)	7.2	9.0
NWI wetlands impacted (acres) ⁽¹⁾	66.7	74.7
No. of stream and river crossings	3	1
KEX mineral title impacted (acres) ⁽¹⁾	57	0
No. of KEX mineral title ¼-¼ sections	12	0

⁽¹⁾Based on an assumed 100-foot right-of-way.

Prepared by: JMH6
Checked by: BJW1



- NOTES:**
1. Imagery basemap from esri.com, courtesy of the Microsoft Corporation and its data suppliers.
 2. NWI wetlands data from the U.S. Fish and Wildlife Service. (<http://www.fws.gov/wetlands/Data/>)
 3. Other base data from Minnesota DNR, (<http://deli.dnr.state.mn.us/>).
 4. Horizontal coordinate system is NAD 1983 UTM Zone 15N (meters).

LEGEND

Proposed Enbridge Pipeline	Mn DNR Gap Stewardship Private	Freshwater Emergent Wetland
Proposed KEX Re-route	County	Freshwater Forested/Shrub Wetland
Tenement - Mn Mineral Lease	State	Freshwater Pond
Streams	Federal	Lake
Lakes/Rivers		Riverine
County Boundary		Other

Foth Infrastructure & Environment, LLC

REVISED	DATE	BY	DESCRIPTION

CHECKED BY: JMH6	DATE: MAR. '14
APPROVED BY: AKM	DATE: MAR. '14
APPROVED BY:	DATE:

KENECOTT EXPLORATION COMPANY

FIGURE 1
KENECOTT PROPOSED RE-ROUTE OF ENBRIDGE SANDPIPER OIL PIPELINE AITKIN AND CARLTON COUNTIES, MN

Scale: 0 2,000 4,000 Feet

Date: MARCH 2014

Prepared by: BJW1 Project No: 08K777



ATTACHMENT B

ALTERNATIVE ROUTE SEGMENT MAP

**BEFORE THE MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION**

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

Docket No. PL-9/PPL-15-137

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the **KENNECOTT ROUTE ALTERNATIVE IN LINE 3 REPLACEMENT PROCEEDING** on behalf of Kennecott Exploration Company has been served today by e-mail and/or U.S. Mail to the following:

ELECTRONIC SERVICE:

NAME	EMAIL	ADDRESS	SERVICE
Julia Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General – DOC 1800 BRM Tower 445 Minnesota Street St. Paul, MN 55101-2134	Electronic
Sarah Beimers	sarah.beimers@mnhs.org	Minnesota Historical Society 345 Kellogg Boulevard West St. Paul, MN 55102	Electronic
Christina Brusven	cbrusven@fredlaw.com	Fredrikson & Byron, P.A. Suite 4000 200 South Sixth Street Minneapolis, MN 55402-1425	Electronic
Randall Doneen	randall.doneen@state.mn.us	Department of Natural Resources 500 Lafayette Road P.O. Box 25 St. Paul, MN 55155	Electronic
Sharon Ferguson	Sharon.ferguson@state.mn.us	Department of Commerce 85 – 7 th Place E., Suite 500 St. Paul, MN 55101-2198	Electronic
Kate Frantz	kate.frantz@state.mn.us	Department of Natural Resources Box 25, 500 Lafayette Road St. Paul, MN 55155-4032	Electronic

NAME	EMAIL	ADDRESS	SERVICE
Travis Germundson	travis.germundson@state.mn.us	Board of Water & Soil Resources 520 Lafayette Road St. Paul, MN 55155	Electronic
Susan Heffron	susan.heffron@state.mn.us	MN Pollution Control Agency 520 Lafayette Road St. Paul, MN 55155	Electronic
Kari Howe	kari.howe@state.mn.us	DEED 332 Minnesota Street, #E200 1 st National Bank Building St. Paul, MN 55101	Electronic
Ray Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce 85 – 7 th Place East, Suite 500 St. Paul, MN 55101	Electronic
John Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General – RUD 1400 BRM Tower 445 Minnesota Street St. Paul, MN 55101-2130	Electronic
Lisa Mandell	Lisa_Mandell@fws.gov	US Fish Wildlife Service 4101 American Boulevard East Bloomington, MN 55425	Electronic
Debra Moynihan	debra.moynihan@state.mn.us	MN Dept. of Transportation 395 John Ireland Boulevard MS 620 St. Paul, MN 55155-1899	Electronic
Bob Patton	bob.patton@state.mn.us	MN Dept. of Agriculture 625 Robert Street North St. Paul, MN 55155-2538	Electronic
Latoya Robertson	latoya.robertson@centurylink.com	Centurylink Communications, LLC Centurylink Drive Mailtop: LA00010100-SE474 Monroe, LA 71203	Electronic
Jamie Schrenzel	Jamie.schrenzel@state.mn.us	MN Dept. of Natural Resources 500 Lafayette Road St. Paul, MN 55117	Electronic
Claudia Schrull	claudia.schrull@enbridge.com	Enbridge Energy Company, Inc. Suite 3300, 1100 Louisiana Houston, TX 77002	Electronic
David Seykora	dave.seykora@state.mn.us	MN Dept. of Transportation 395 John Ireland Boulevard Mail Stop 130 St. Paul, MN 55155-1899	Electronic

NAME	EMAIL	ADDRESS	SERVICE
Janet Shaddix Elling	jshaddix@janetshaddix.com	Shaddix and Associates Suite 122 9100 W. Bloomington Freeway Bloomington, MN 55431	Electronic
Bill Sierks	bill.sierks@state.mn.us	State of MN – MPCA 520 Lafayette Road North St. Paul, MN 55101	Electronic
Mollie Smith	msmith@fredlaw.com	Fredrikson Byron PA Suite 4000, 200 South 6 th Street Minneapolis, MN 55402-1425	Electronic
James Watts	james.watts@enbridge.com	Enbridge Pipelines (North Dakota) LLC 119 N. 25 th Street East Superior, WI 54880	Electronic
Daniel P. Wolf	dan.wolf@state.mn.us	Public Utilities Commission 121 – 7 th Place East, Suite 350 St. Paul, MN 55101-2147	Electronic
Jonathan Wolfgram	Jonathan.Wolfgram@state.mn.us	Dept. of Public Safety 445 Minnesota Street, Suite 147 St. Paul, MN 55101-1547	Electronic

PAPER SERVICE:

NAME	ADDRESS	SERVICE
Army Corp of Engineers	180 – 5 th Street East, Suite 700 St. Paul, MN 55101	Paper
Alice Peterson	24153 – 300 th Street NW Argyle, MN 56713	Paper
Sandy Sterle	2676 County Road 104 Barnum, MN 55707	Paper
Gerald Von Korff	Rinke Noonan P.O. Box 1497 St. Cloud, MN 56302	Paper

/s/ Catherine M. Wood

Dated this 29th day of July 2015

Catherine M. Wood

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Kittilson Wed Sep 30 22:45:28 2015 PPL-15-137
Date: Wednesday, September 30, 2015 10:45:30 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Daniel Kittilson

County: Hubbard County

City: Park Rapids

Email: drkittil@q.com

Phone: 2187325566

Impact: I am writing to address my concerns about Enbridge's proposed route of the Line 3 Project and System Alternate SA-03 Modified due to the potential significant adverse environmental and economic impacts of those routes to our clean lakes and streams in Hubbard County and Northern Minnesota. To address all potential impacts of this proposed pipeline, the Public Utilities Commission (PUC) must conduct an Environmental Impact Statement (EIS) regarding the Line 3 Project as required by the Minnesota Court of Appeals decision on September 4, 2015 in the Matter of the Application of the North Dakota Pipeline Company for a Certificate of Need and the Pipeline Routing Permit for the Sandpiper Pipeline in Minnesota. I strongly urge the PUC to require a full EIS rather than to rely on the inadequate Comparative Environmental Analysis with minimum requirements.

Mitigation: I recommend that the alternate routes for the Line 3 Project including SA-04, SA-05 and SA-06 as defined in the Sandpiper Project be considered as

part of the Environmental Impact Statement for Line 3 Project.

I also ask that the PUC to give consideration toward the comments of the Minnesota Department of Natural Resources and the Minnesota Pollution Control Agency regarding the Sandpiper Project and that these comments apply to the Line 3 Project and should be part of the EIS.

Thank you for your consideration of my comments.

Dan Kittilson

22924 County 7

Park Rapids, MN 56470

Submission date: Wed Sep 30 22:45:28 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

30 September 2015

MN Public Utilities Commission
121 7th Place East, Suite 350
Saint Paul, MN 55101-2147

In the Matter of Application of Enbridge Energy, LP for CON & Routing Permit for the Line 3 Pipeline Replacement Project in MN.

PUC docket numbers:

PL-9/CN-14-916

PL-9/PPL-15-137

My name is Al Klienke, I live on Lake Belle Taine, Nevis, MN in Hubbard County. I have owned this property for over 40 years and I am a Board member of the Belle Taine Lake Association. Additionally, my family has owned agricultural land in adjacent Wadena County, for over 100 years. With this background and experience in lake country of northern Minnesota, I've gained a strong appreciation for environmental preservation and protection while also recognizing the vital need for essential infrastructure necessary to support a healthy socio-economic environment for northern MN residents.

The purpose of this letter is to communicate that while we greatly appreciate and support Hubbard County Coalition of Lake Association's [HCCOLA] efforts in protecting our streams and rivers and lakes, and applaud their efforts in the AIS battle, the Lake Belle Taine Association Board does not support HCCOLA's position on the Enbridge L3 Replacement Project.

The Belle Taine Lake Association is the largest lake association in Hubbard County and, on matters of this type, the Board has a long-standing position that we welcome and respect the individual views of all land owners and we do not take a position, as a Lake Association Board, that would alienate land owners or compromise their views. Accordingly, we encourage land owners to let their individual positions be known by attending public meetings or providing personal comments to the appropriate governmental entities.

I attended the HCCOLA meeting on 9/24/2015, to outline the Lake Belle Taine Board's position and explain our rationale for not supporting the HCCOLA proposed letter to the PUC. Additionally, I informed COLA, that we, the Belle Taine Board, have full confidence in the existing statutory and regulatory process established by the State of MN to address public concerns. We believe this process will result in the best outcome in terms of both personal and environmental safety factors without the need for additional/excessive regulatory burden.

I further advised COLA that we believed the findings of fact and conclusions of law resulting from the public hearings for the Sandpiper Project were a good example of a balanced assessment addressing public need for both human and environmental safety.

Following a discussion of these issues, three additional lake association representatives [within Hubbard County] elected to abstain from supporting HC COLA's outlined position.

From a personal viewpoint, I would submit the following summary:

There is a critical need for petroleum based fuels in the foreseeable future to provide socio-economic benefits for residents of MN. This need impacts all sectors of the economy including tourism, agriculture, public safety (police, fire, road maintenance) public utilities, school system and public transportation (airlines, buses, railroads), and private sector jobs (manufacturing and industry).

It is a proven fact that pipelines are, by far, the safest, most efficient means of transporting crude oil compared with other methods of transport (rail / truck) while providing significant higher protection for both people and environment. In this regard, it is important to note, that during the past 10 years, Enbridge has moved over 13 billion barrels of crude oil with a safe delivery record better than 99.999 percent. Focusing on the future, logic and common sense dictate that replacing an aging pipeline with new design, engineering, surveillance, accident prevention and safety training technology will be superior to the existing L3 pipeline, and will further enhance the ability to achieve the objective of delivering crude oil with a 100 percent safety record.

On balance, I believe the proposed Line 3 Replacement Project is an important and necessary infrastructure project that will provide strong socio-economic benefits to residents in the state of MN for decades in the future. Further, I believe the economic benefits afforded residents in the state of MN by this project and the protection of our natural resources are compatible with the proper use of modern construction, surveillance and maintenance technologies. Your favorable review and consideration is recommended.

Sincerely,

Al Kleinke
24566 Embark Road
Nevis, MN 56467

Please provide your contact information. This information and your comments will be publicly available.

Name: Dennis Kollar Phone: 612-366-7080
Street Address: 15161 Lake Dr NE
City: Columbus State: MN ZIP: 55025
Email: dkollar@trane.com

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the *Route Permit*)
- Are there any alternatives to the project that should be considered? (Related to the *Certificate of Need*)

For A strong USA

Dear Commissioners,

Concerning PL-9/CN-14-916

September 30, 2015

My letter regarding Line 3 of the Enbridge proposed pipeline “replacement” urges you to follow the correct sequence and respect /uphold the court ruling and complete the EIS required by Minnesota law for the Sandpiper. This will influence the direction of Line 3 and most of all give an informed assessment of the environmental risks our state will be undergoing as a result of these pipelines in our geography and allow the wisest route possible to be chosen.

Surely you as commissioners have the best interest of the state of Minnesota and Minnesota law underpinning your decisions. You surely would not further delay the process of your applicant because the process was not followed correctly a second time and have to re-do the Line 3 application because of a lack of proper process regarding the certificate of need for Line 3 as was the case for Sandpiper as ruled by the courts. The Courts have provided a ruling. It needs to be followed to protect the citizens and the state.

I urge you to act prudently and with full appreciation of the seriousness of the process. I urge you to follow the court ruling and conduct the EIS as required by state law –not the CEA which is not giving the full rigor and thus not the best outcome for the protection of the state and its citizens.

We trust you to do the job right as we don’t get a second chance when it comes to destroying our lakes and wild life.

Sincerely,

Mary Kowalski

Lake Roosevelt
Mendota Hts

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Krauz Mon Sep 7 10:20:08 2015 PPL-15-137
Date: Monday, September 07, 2015 10:20:09 AM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Christina Krauz

County: Cook County

City: Grand Marais

Email: ckrauz@boreal.org

Phone:

Impact: I am concerned about the old line 3. How will it be cleaned up? Why shouldn't it be dug up and replaced in same ground? This way disturbing new ground would not be necessary and the old dirty pipe is gone. There should be a way to clean up the soiled area without disturbing a whole lot of new ground.

Mitigation:

Submission date: Mon Sep 7 10:20:08 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

From: [Sandi Krueger](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: An EIS is necessary and Enbridge and DOC have to comply under MEPA Law.
Date: Wednesday, September 30, 2015 3:17:28 PM

We need honest and comprehensive hoops jumped through. An EIS is necessary and Enbridge and DOC have to comply. This fracked oil pipeline proposal through The Lake Country and Tourism, is destructive and can negatively change our lives and too much of our environment forever !

It represents too much risk, and valuable vital finite resources are at stake. Our Future will become Challenged.

We don't need to risk so much at a time when the oil market is not at its highest rate, and different cleaner options and alternatives to oil are becoming embraced and used.

This is a new era, and it is time to clean up what is left of this planet, so the future is healthy and beautiful.

This is a time when more than 56% of the summer population plan to retire here full time in the next 10 years ! Our economy is changing in ways that need to be protected, not threatened with terrifying potential consequences looming at all times, and cutting through the heart of the cleanest lake country !

People expect to retire here for the good old fashioned clean nature world they invested in, and spent summers at for decades.

Polluting and explosive fracked oil could leak at alarming amounts, if a weld or pipeline corrosion from harmful chemicals or other problems like a planned attack, would spill. People will worry about if they will wake up to a black lake or river or drinking water aqua fir, never to recover good enough.

Please be very careful and seek alternative routes. This is Minnesota, The Land Of Ten Thousand Lakes. Northern Minnesota is the last of the cleanest Minnesota water. Our Clean Water is worth Much More than dirty fracked oil of strangers. We are a TOURISM LAKE COUNTRY, NOT INDUSTRIAL. Do not use and abuse our priceless treasures.

Sandi Krueger

From: [Winona Laduke](#)
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Testimony for Scoping Energy Environmental Review and Analysis
Date: Monday, August 31, 2015 3:06:33 PM
Attachments: [Rice Lake Line Three Hearing Final.docx](#)
[Who Owns Abandoned Pipelines.docx](#)
[Mille Lacs hearing submission final.doc](#)

Jamie

I appreciate your hard work. As I mentioned in my discussions with you and testimony, since the DOC has decided to run contemporaneous hearing processes and environmental review in the comparative environmental analysis process, I am submitting both my testimony from the Sandpiper and the Line 3 Hearings. The Sandpiper submission is referred to as the Mille Lacs testimony. To be clear, some of the major concerns that you do not outline in your scoping request include:

Human Health Risk associated with pipelines, fossil fuels and climate change

Cumulative impact assessment or well to wheels impact. It is clear that there is nothing in your scoping outline which restricts testimony or impacts which are not along the pipeline corridor, therefore we are requesting that this is duly and comprehensively considered.

I remain deeply concerned and interested in your tribal community assessment

Your scoping paper in Line V is absolutely unclear as to the process for completing the assessment relating to potential significant impact and as such cannot be discounted by your process, or a truncated process to expedite this critical regulatory process for the Enbridge Company or some other interest.

I believe that a full Line 3 assessment in the present location should be completed far in advance of any new projected route hearings.

I reserve the right to submit more testimony and would be happy to clarify or answer any questions

Miigwech, Winona LaDuke

Honor the Earth Comments to the PUC August 18, 2015



Submitted by Winona LaDuke

Overarching Policy Concerns:

Honor the Earth and the White Earth Band of Ojibwe are pleased that the Minnesota PUC has come to our community. It is interesting that when we requested this hearing for the initial Sandpiper Pipeline PUC process, we were denied such a hearing, but now that at a much larger corridor is proposed, you have come to our people. We appreciate this. ***To be clear, we believe a moratorium on large oil pipelines and projected pipeline abandonment projects is required until such time as a full environmental impact statement is made regarding the multitude of proposed projects, and the intersection of these projects with other mega mining projects and energy projections for the state of Minnesota and through Anishinaabe Akiing.***

In our testimony we will discuss the shortcomings and structural barriers within the present state of Minnesota's regulatory process to address these issues, and the absolute need to create a regulatory system which is secure in advance of a set of mega projects proposed by foreign companies. These regulations need to look at the issues of short term profits at the expense of the people, and ecosystem of Minnesota as well as the Anishinaabe people. We fully recognize the present economic and energy environment which has brought this crisis to the forefront, but also recognize that this is the opportunity for governance and community to lead rather than follow energy interests.

Or perhaps more clearly, it is incumbent upon a people who have lived omaa akiing, here in this Anishinaabe Akiing for over 8000 years to inform you of our observations. We have not seen either a prudent natural resource management by the state of Minnesota in the demise of fisheries, decline of water quality statewide, decline of major fauna, such as the wolf and the moose, and proposals for diminishing water quality in the state regulation of sulfide standards. We do not believe this is prudent management, and see that today the interests of a 65 year old Canadian corporation are not the interests of the Anishinaabe, or the people of Minnesota. We welcome the opportunity to build a collaborative and healthy relationship with the state of Minnesota to protect the water, land and future generations, and insure energy and food security. This is the role of governments.

In each deliberation we must consider the impact upon the seventh generation from now.

The Anishinaabeg people hold this as an essential tenet of behavior for our society, and for public policy. This intergenerational equity, responsibility, and opportunity is upon us now, and it is essential that we undertake this practice to carry on. This is responsible regulation. Anishinaabeg have tenets of sustainable governance that keep of our covenant with the Creator intact through intergenerational considerations of actions. *This was perhaps summarized in the June 4 Hearing held by the White Earth Tribal Government in Rice lake, where tribal member Michael Dahl testified, "We have treaties with creation. We have treaties with the fish, we have a treaty with the rice, [with] that lake. ... When we negotiated treaties with the United States we had to go back and renegotiate our treaties with*

creation. Creation doesn't give a second chance, we can't renegotiate again. Protect the land, live with the land, not off of it."

"Seems like folks don't want to hang around for a 1000 years or so,"

Mike Wiggins, Tribal Chair of the Band River Band of Ojibwe

The fact is that the Anishinaabeg people have lived in this territory for 8000 years, and intend to be here for at least another 1000 years. The short-sighted nature of US Federal oil pipeline regulations (of which there are very few) does not protect future generations from contemporary bad planning. In addition to the faulty siting, planning and oversight of the proposed Line 3 replacement, there is a drastic lack of regulatory authority over pipeline abandonment, a primary issue at stake here in the case of Line 3. This will be discussed in more details later in the testimony, but the underlying principle, that a lack of any regulatory scheme for protection of state assets remains a primary reason why such a proposal for both abandonment and a new pipe should not be forwarded.

In the broader scope, of policy making, internationally, enlightened governments are adopting new regulations which affirm the Rights of Mother Earth, (as enshrined in the Bolivian Constitution) and the Rights of Nature (as used in the Pennsylvania municipality) , and limit the rights of corporations. Prudent governments have also begun to adopt a precautionary principle in public policy. The precautionary principle has received widespread resonance in the European Economic Community, these countries, have longer term public policy and residence that the young United States and younger Minnesota. It is possible to learn from the older nation states in this way. This principle states:

"When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically. In this context the proponent of an activity, rather than the public, should bear the burden of proof. The process of applying the precautionary principle must be open, informed and democratic and must include potentially affected parties. It must also involve an examination of the full range of alternatives, including no action."

Wingspread Statement on the Precautionary Principle, Jan. 1998 (<http://www.sehn.org/precaution.html>):

We advise the state of Minnesota to adopt this principal to protect the public interest, the commons and our collective future.

Formally, Honor the Earth and the White Earth band of Ojibwe are deeply concerned with the proposal for the Line 3 Replacement Project, in light of the lack of state and federal preparation for pipeline management, regulation, and the clear risk posed by the applicant Enbridge to the environment, public health and short and long term economic well being. Both the White Earth Band of Ojibwe and Honor the Earth submitted significant testimony in the previous hearings on the proposed Sandpiper Route. In these proceedings we will refer to that testimony, as the problems are augmented, and represent more than a cumulative impact of risk and direct impact on the health , well being and wealth of our people.

However, there are new, very significant problems which have become apparent in your regulatory process. These include: the inadequacy of the permitting process of oil pipelines

and the lack of any abandonment regulations. As well, the Minnesota Pollution Control Agency needs state primacy in assessment of the environmental impact of this project, as well as federal and tribal jurisdictions. The fact that that present regulations delegate environmental assessment to the Department of Commerce, as opposed to the 950 staffed MPCA is very problematic in terms of capacity. This scale of project would require an integrated environmental, social and economic assessment. The regulatory problems we are facing put us all at risk.

We are at a nexus point of opportunity in Minnesota and nationally, which provides us a chance to examine the infrastructure we invest in. Fifty to sixty years ago, when most of the country's oil and gas infrastructure was being built out, there was not much understanding of sustainable development. As a result, we now have a D in infrastructure. This is a national issue, which causes pipelines to break, bridges to collapse and the loss of millions of dollars of water and gas in aging urban infrastructure. Now, as we look towards a new generation of infrastructure development, we must decide if we want to replace our crumbling infrastructure with more of the same, or invest in the infrastructure for sustainability. This is an excellent opportunity for us all, as tribal governments and as the state of Minnesota.

We believe the state of Minnesota must recognize their inability to regulate a project of this scope and enact a moratorium until a full cost accounting and environmental impact statement can be developed for the various pipeline projects in the works. This action would acknowledge the immense, and intergenerational economic, and health impacts of this project proposal, in terms of not only opportunity forgone benefits (investments which could be made) as well as the implications of oil impacts on the immediate environment and the world climate.

Honor the Earth and the White Earth band are pleased that the Minnesota PUC has come to our community. This is an important step, we must however, recall to the PUC the problem of the general disregard the PUC has exhibited for tribal and non tribal citizens, by allowing the company to classify maps and marketing material, and, securing an unknown amount of insurance during the proposals for the Sandpiper, without a full analysis and disclosure of methodology to the tribes or the citizens of Minnesota. As it is 2015 and not 1889, it is important for the state of Minnesota, in accordance with not only Governor Dayton's executive memorandum on tribal/state cooperation, but as well, as a matter of political respect and decency to address our tribe and the Anishinaabeg with respect.

The absence of transparency by state agencies, has caused a great burden on our tribe, and on citizens of Minnesota, who are then forced to carry out extra work, while the state shields a Canadian Corporation. While we are very pleased to see that the PUC and Enbridge have scheduled a formal hearing in our community, we did not find satisfactory last year's PUC process with regards to the Sandpiper. In turn, the suggestion that this Line 3 proposal should follow the same route, with a skewed and perplexing process for determining "need" that we continue to challenge, without a route approval or any satisfactory conclusion of a Sandpiper process, causes problems for us all.

Honor the Earth had asked that these processes be combined, and a full disclosure of new pipeline projects to be put into this proposed corridor (Lines 2 and 4 are anticipated), to be considered. We requested a **well to a pump impact** assessment as a prudent approach to this project's evaluation.

Prudent regulatory policy would review projects in this manner, as myopic environmental, health, economic, and risk assessments do not result in prudent policy. ***As such, while the PUC seeks to review this project as the Line 3 Project, we will refer to this as the Enbridge Energy Corridor, and understand fully that there are cumulative impacts of the proposal by the Canadian Energy company, which are briefly outlined here. We are very clear that public policy should not be dictated by the needs of a foreign oil company, particularly through the lands of the 1867 and 1855 treaty areas. Indeed policy needs to be in advance of economic or environmental crisis, and the application of the precautionary principle would need to begin prior to the advent of any more permitting.***

In short, the Line 3 Abandonment and Replacement or ***Enbridge Energy Corridor*** is a bad idea that requires a sophisticated level of analysis. To date, we have not seen that level of analysis in any high-profile pipeline projects nationally, or within Minnesota. As a nation of Indigenous peoples recognized as having a right to continue our existence under our own covenant with the Creator, and as well under UN General Assembly passed UNDRIP, we will require a full consideration of the merits of this project, and it's risks, not an expedited process for the benefit of a limited liability Canadian energy corporation.

Comments on the Proposed Project:

The White Earth Band of Ojibwe and Honor the Earth object to this project, the Enbridge Energy Corridor for many reasons. Namely; the Rice Lake and East Lake communities the pipeline passes dangerously close to are communities already at risk; the preferred route would cross the highest concentration of wild rice lakes in the world, and some of the most pristine waters in North America; and finally, the proposed project represents a massive carbon impact on a climate change compromised world, and a short-sighted investment in greed rather than a long-term investment in future generations.

Over the past two years, Honor the Earth has developed several public statements on the various pipeline projects in Minnesota and have submitted several documents to docket PL-6668/CN-13-473. The White Earth band has also consistently submitted to the process. Please apply this previous testimony to this new process.

As suggested, we will address the questions the PUC has placed before the public on this docket, specifically:

- 1. What human and environmental impacts should be studied in the environmental analysis?**
- 2. Are there any specific methods to address these impacts that should be studied in the environmental analysis?**
- 3. Are there any alternative routes or route segments that should be considered?**
- 4. Are there any alternatives to the project that should be considered?**

The first half of the document will answer the first two questions, while the second will cover the second two.

1) Human and Environmental Health Impacts:

To look at the human health impact, it is essential to look at the ***well to the pump impacts*** of tar sands oil, although the primary concern, of the Minnesota PUC is the impact on Minnesota residents. To be clear there are three sets of communities directly impacted by this project: the First Nations Communities in the Athabaskan Tar Sands, the communities along the proposed Enbridge Energy Corridor, as well as the communities around the refineries. Additionally, globally there are numerous communities at risk from continued climate change. Briefly, the three non Minnesota /tribal impacts will be summarized. Convenient and myopic accounting on environmental and public health issues has skewed externalizing losses and impacts. In an actual accounting full accounting, these will be deemed part of the need and consideration.

Athabaskan River Tribal Community Impacts: Ft. Chipewyan

The small community of Fort Chipewyan (or Fort Chip) is on the front lines of Canadian Tar Sands expansions. This community has faced an increased rate of cancer and exposure to a variety of chemicals, far exceeding national and international standards. This impacts include direct impacts on current generations and lingering impacts that will be felt for future generations. HTE is attaching the National Resource Defense Council's fact sheet on the health impacts of tar sands, which includes more information on this community and other impacts of tar sands, including refining.

Excerpted from the NRDC report, *"In a 2009 study commissioned by the governments of Alberta and Canada, scientists studied the incidences of cancer found in the tiny community of Fort Chipewyan. Fort Chip, as it is commonly known, has 1,100 residents and is located where the Athabasca River empties into Lake Athabasca, 124 miles north (downstream) of the major tar sands developments in Fort McMurray. In the report, scientists noted a diagnosed cancer rate from 1995 to 2006 that was 30 percent higher than what would typically be expected for that period of time. Further, certain types of cancers -- biliary tract cancers, blood and lymphatic cancers, lung cancers in women, and soft tissue cancers -- all occurred at rates higher than expected, the government study showed. Scientific studies have linked elevated levels of these specific cancers to exposure to certain constituents in petroleum products and the chemicals produced in petroleum manufacturing. Fort Chip has also gained the attention of the media due in part to concerns raised by an Alberta physician, Dr. John O'Connor, who has called for further investigation of cancer incidences after noting the presence of at least three cases of cholangiocarcinoma in this small town within the past decade. Cholangiocarcinoma is a cancer that typically strikes only 1 in every 100,000 to 200,000 individuals.*

A 2009 study published by the National Academy of Sciences showed that the snow and water in an area extending outward 30 miles from upgrading facilities at Fort McMurray contained high concentrations of pollutants associated with fossil fuels, known as polycyclic aromatic hydrocarbons (PAHs). These chemicals often present serious risks to human health -- some are known to damage DNA, others are carcinogens, and many cause developmental impacts. They also typically accumulate and remain present in the environment over long periods of time, according to research

published by the U.S. Environmental Protection Agency. A follow up study in 2014, published by the National Academy of Sciences, modeled the PAH levels measured in the tar sands region and found that environmental impact studies conducted by the tar sands industry in support of further development have systematically underestimated PAH emission levels and thus did not adequately account for human health risks.

In a landmark study published in the November 2013 issue of the journal Atmospheric Environment, scientists noted the presence of elevated levels of numerous hazardous air pollutants near major upgrading facilities just north of Edmonton. Among the pollutants found at elevated levels, many are carcinogens, including benzene and styrene. The study also noted elevated rates of leukemia and other cancers of the lymph and blood-forming systems in areas surrounding upgrading and petrochemical manufacturing facilities just north of Edmonton. Further, this study also noted that experts have found similar elevated risks in other populations living downwind of industrial facilities with similar emissions, which have also been linked to increased rates of leukemia and childhood lymphohematopoietic cancers.

The impact of increased air pollutants and noxious odors from excavating tar sands has been the subject of significant attention in the remote community of Peace River. There, the Alberta Energy Regulator is finally responding to years of reports by residents that emissions and odors from tar sands drilling and processing are making them sick. According to news reports, public hearings began in early 2014 following complaints that the tar sands operations have caused nausea, headaches, skin rashes, memory loss, joint pain, exhaustion, and respiratory problems, and have forced several families to leave the area.

Pollutants in the water

The majority of tar sands oil production takes place in close proximity to the north-flowing Athabasca River, which eventually flows into the Arctic Ocean (via the Peace, Slave, and MacKenzie Rivers). According to a 2012 study published by the National Academy of Sciences, researchers confirmed through lake sediment sampling and modeling that the presence of elevated levels of toxic PAHs can be traced to the major expansion of tar sands production that began in the 1980s. In particular, certain water bodies within the Athabasca watershed now exceed current Canadian standards for pollutants in sediment for seven PAHs, including benzo(a)pyrene, a chemical that has been linked to cancer, genetic damage, reproductive impacts including birth defects, and organ damage.

In addition, scientists analyzed lake sediments and snow samples and found evidence that tar sands development is leading to increasing amounts of methylmercury in Alberta's waterways and landscape. Specifically, the researchers report an exponential increase in measured methylmercury levels within 30 miles of tar sands upgraders. Methylmercury is a potent neurotoxin that causes developmental and behavioral problems, including lower IQ in children, as well as cardiovascular effects in adults. Methylmercury is known to accumulate in the food chain and can result in unsafe exposures, particularly among populations who consume a lot of fish. This increased presence of mercury in the Canadian landscape poses a unique threat to First Nations who rely on hunting and fishing for sustenance, and whose right to hunt and fish has been guaranteed by treaty and by the Canadian Constitution.

Further health threats arise from ponds full of mining waste. These tailings ponds contain multiple toxic chemicals including arsenic, benzene, lead, mercury, naphthenic acid, and ammonia, according to a Pembina Institute analysis. A 2008 study by Environmental Defence Canada, based on industry data, found that as much as 2.9 million gallons of water leaks from tar sands tailings ponds into the environment every day. Another study, published by the National Academy of Sciences in 2014, shows that extreme concentrations of PAHs present in tailings may lead to the evaporation of those PAHs into the ambient air. Further, the releases of PAHs into the ambient air from tar sands

upgrading facilities discussed above are finding their way into the Athabasca River and its numerous tributaries. While the tailings leakages suggest the possibility of a significant future threat to waterways, emissions from upgrading and evaporating PAHs from tailings ponds appear to already be contaminating water resources with carcinogens and other chemicals linked to negative human health effects."

Source : <http://www.nrdc.org/energy/tar-sands-health-effects.asp>

Marathon Tar Sands Refinery

One of the communities at the end of this proposed pipeline is the Detroit community surrounded by the Marathon Tar Sands refinery. Testimony presented at the White Earth Band of Ojibwe and Mille Lacs Band of Ojibwe regulatory hearings on June 4 and 5 on the proposed Sandpiper project by Emma Lockridge (attached) shows the impact of this refinery. Notably, Marathon, the company which owns this refinery is a one third partner in the Sandpiper. This was the "need" established by Marathon which became the driving force for the PUC to issue a certificate of need. We continue to dispute this "need" in the Marathon case, and wish to offer excerpts from Ms. Lockridge's testimony to this hearing:

"...The refinery emissions are so strong it feels like we live in the refinery, not near it. News reporters have asked me to describe the odor coming from Marathon. I say it smells like death. The odors emitted from the refinery are so toxic smelling that on many nights I am forced to sleep in a mask. I awaken coughing and gagging on the emissions and I have a sore in my nose. The emissions seem particularly strong at night when people should be sleeping. In fact, it has become so unbearable I am looking for a new place to live even though my home is paid off. My home is virtually worthless due to the industrial atmosphere and its proximity to Marathon.

We are sick in my community. My sister had kidney failure and died after several years on dialysis. I have kidney failure and underwent a life-saving transplant, thanks to a kidney donation from my nephew. [It's worth noting that there are no other people in our extended family with kidney issues.] My neighbor who grew up next door to me is on dialysis and the lady across the street suffered kidney failure and died on dialysis. Our community is impacted by respiratory illnesses, kidney failure, autoimmune diseases, such as sarcoidosis and multiple sclerosis, and early deaths. We have a five-acre toxic play field in the heart of our community that is contaminated with such a high level of lead it is on an EPA brownfield list and has been cordoned off with a fence.

I am opposed to tars sands mining and refining and the installation of any new pipelines that carry toxic fuel. It is unconscionable for an oil company to place any more pipelines in Mother Earth, particularly in the sensitive life-giving lake areas where the Ojibwe people live."

The fact is, that the proposed pipeline reroute would continue to worsen the direct health impacts on this community. And, in the opinion of Honor the Earth and the White Earth Band of Ojibwe, this favoring of the rights of a foreign fossil fuel pipeline company over the health and well being of the people, in no way established the "Need" required to issue the certificate of need.

Pipeline Impact on Our Community Directly:

"... The manoomin is our buffalo ,". It is... our covenant with the creator. It is very spiritual...We have a symbiotic relationship with the rice. We don't need to beat aroundthe rice tells the way. That's what he is bred to do.... I will continue ricing as long as I can lift a pole and lift knockers." Faron Jackson, Ojibwe Wild Rice Harvester

" I don't know who in their right mind, thought it was right to make the decision for my children, my grand children , my nieces and nephews and the generations to come after this....."

Algin Goodsky at the Rice Lake Hearing, June 4

Wild rice is an essential part of the spiritual, cultural, historical , nutritional and economic foundation of Anishinaabe well being. The proposed Enbridge Energy Corridor impacts this wild rice more than any proposed mega project in Minnesota, yet in a cumulative effect assessment, the impact on the rice by the other mega-projects must be taken into account. These include the proposed Polymet, Eagle Rock and the continuing interest in the Penokee Hills for taconite . Those mining proposals , although technically outside of the scope of the very limited review this PUC has undertaken so far, also impact our wild rice. This is particularly true, in light of the state of Minnesota's apparent interest in reducing the number of wild rice lakes in the state, so that a sulfate standard would not be applied to these mining operations, and EPA regulations could be skirted. That would not be our approach. The PUC needs to be cognizant of Tribal environmental knowledge and include this knowledge into a cumulative effect assessment.

Let us be clear, this is the only place in the world where there are Anishinaabeg and this is the only place in the world where there is wild rice. We understand that, and fully intend to protect both of those, as essential to our lives as Anishinaabeg people.

Proceeding, with some historic and regional knowledge, the proposed Enbridge Energy Corridor route already caused an immense amount of duress for our community.

"... I am afraid, I am very afraid. But we are Anishinaabeg people, and it is our way that has kept us alive for all these generations and will keep us alive for the next seven, fourteen, twenty one generations to come..." Michael Dahl, White Earth

People are stressed out already, and concerned about the pipeline. National and international studies on the impact of siting proposed megaprojects in communities all show that there is increased psychological and social trauma on these communities. It is important to note, that the most impacted tribal communities in the proposed Enbridge route for Line 3, are those of Rice Lake and East Lake. Both of these communities already suffer from health disparities and duress. The White Earth Tribal Health budget already consumes a vast proportion of the tribal budget in total, and adding more health problems to our community for the benefit of a Canadian Pipeline Company is a violation of state and federal, as well as tribal rights, laws, interests, and sensibilities.

The present mental and physical health conditions of the Ojibwe, in Minnesota has been documented recently to the Minnesota Commissioner of Health, with the Wilder Foundation. The study found:

"The evidence strongly suggests that social and economic conditions and structural racism contribute significantly to the relatively poor health outcomes of the American Indian population in Minnesota. Therefore, we feel that policy makers should take these critical factors into account in a systematic and transparent way when making decisions that potentially have wide ranging impacts..."¹

As can be seen from the following statistics, Tribal communities currently have significant health disparities, which would be exacerbated by the proposed pipeline projects.

Native American youth 15-24 suicide rate more than 3 times more than national average

Suicide leading cause of death for those 10-34

Reservations among the poorest places in the nation

Rates of depression twice national average

Alcoholism 5.5 times national rates

Heart disease twice national average²

In the 2014, Advancing Health Equity Report to the Legislature, the Minnesota Department of Health highlighted structural racism as a key contributor to health inequities in our state: "Structural racism — the normalization of historical, cultural, institutional and interpersonal dynamics that routinely advantage white people while producing cumulative and chronic adverse outcomes for people of color and American Indians — is rarely talked about. Revealing where structural racism is operating and where its effects are being felt is essential for figuring out where policies and programs can make the greatest improvements.

While this may not appear to be a direct interest of the Department of Commerce in these proceedings, the fact that the baseline for the communities to be impacted most heavily by the Enbridge proposed pipeline corridor, means that this additional health burden must be considered by the Department of Commerce. And, although the Minnesota PUC told the Mille Lacs band of Ojibwe that it was not required to consult with tribal governments, as had been outlined in Governor Dayton's Executive Order of 2014 on tribal and state relations, we insist that the Department of Commerce is, not in fact, exempt from that order, and in that, since the state Department of Health has already recognized the underlying structural racism in Minnesota's health disparities, in relationship to First Nations, it is clear that our community is at high risk and that it would be, in fact, reprehensible to attempt to push threat onto our tribal people.

Impact is worsened by Mega Project

The psychological and social impacts of siting a project in an at-risk community is very significant. Widespread studies and stories from Canadian and other Indigenous Nations who have faced or become victims of mega-projects indicates that there is significant social and psychological trauma,

¹ Wilder Letter June 4, 2015

² McLeigh JD. 2014. What are the policy issues related to the mental health of Native Americans? PsycINFO.

resulting in additional deaths from these projects³. For example, more than 43 % of victims of the Exxon Valdez oil spill, compared to 23 % of non-victims, had one or more psychological disorders (specifically depression, generalized anxiety disorder, or PTSD) one year after the oil spill (Palinkas et al. 1993). These psychological consequences persisted; six years later disaster victims had substantially higher than normative rates for depression, anxiety, and PTSD (Arata et al. 2000). Indeed, a review of studies assessing the psychological consequences of disasters invoking human culpability concluded that their psychological consequences are worse than for natural disasters (Norris et al. 2002)⁴.

The scope of oil projects, combined with large scale mining projects will cause significant additional stress on these communities which are already under duress . The pipeline corridor , if routed through the heart of the wild rice country would make the Tribal communities of Minnesota "victims of progress".

Price Tag for the Health Impact?

The State of Minnesota acknowledges that the risk of a pipeline failure would cause significant cost to the State. The State's Department of Commerce has arranged for expanded insurance under the PUC approval authority for a determination of the need for a pipeline disaster. The amount of and terms of the insurance need to be shared with the White Earth , Mille Lacs and other tribal governments and the 1855 treaty authority so that we can see the estimates of potential liability and the terms and limits to this policy. From what we know of the DOC request, there is no acknowledgement that these tribal communities, and those within the 1855 treaty area with their already significant health issues and numerous environmental injustices as a result of this pipeline, will be protected.

What we know is that based on the dearth of assessment by the state of Minnesota, the lack of a rigorous or robust assessment of risk and knowledge of the location of the impact of the pipeline proposal, the lack of integration of state agency cooperation, including , for instance the very accessible Department of Health report, any recommendations for insurance in the Sandpiper line and subsequently Line 3 would be grossly underestimated. The combined or actuarial risk of the Energy Corridor would need to be calculated as discussed elsewhere. We are concerned particularly that the present protection for the State of Minnesota makes no allowances for tribal communities already exposed to social, economic, and structural racism. Nor does it contemplate compensation for these communities in the event of an oil spill along the pipeline or other impacts. The present system allows for the state to protect its interests, but they have chosen not to implement a system to protect Tribal communities against potential loss of life and livelihood. In fact, they appear to be

³ Hoover E, et al. 2012. Indigenous Peoples of North America: Environmental Exposures and Reproductive Justice. *Envir Heal Pers* 120: 1645- 1649.; Tobias JK, Richmond CAM. 2014. "That land means everything to us as Anishinaabe...": Environmental dispossession and resilience on the North Shore of Lake Superior. *Health & Place* 29: 26-33.

⁴ Cline RJW, Orom H, Chung JE, and Hernandez T. 2014. The Role of Social Toxicity in Responses to a Slowly-Evolving Environmental Disaster: The Case of Amphibole Asbestos Exposure in Libby, Montana, USA. *Am J Comm Psychol* 54: 12-27.

choosing to put these Tribal communities at risk and compounding environmental justice issues⁵. At a June 30th Environmental Justice meeting sponsored by Minnesota PCA, the staff identified that Minnesota had subjected its minority population to environmental justice issues and they have born a disproportion of the environmental issues⁶. The White Earth band of Ojibwe and Honor the Earth would like to know the full extent of the insurance agreement between the state of Minnesota and Enbridge, as this is a matter of concern to our people, in the management of the resources and assets of the 1855 treaty area, as well as the precedent it may set. We believe that this issue should be resolved long before any permits are added.

Environmental Risk and Environmental Justice

All of the comments submitted previously by Honor the Earth, as well as related organizations such as the Friends of the Headwaters, and tribal governments, including White Earth, Fond du Lac and Mille Lacs, would apply in the case of Line 3, or the Enbridge Energy Corridor. The environmental destruction from fossil fuels is already documented. The exact figures for the increase in risk by adding mega projects to new corridor, or achieving what Enbridge calls ' pipeline fatigue" have not yet been ascertained, and would require qualified assessment. All of this, should be assessed prior to any approval for a new line, as well, full disclosure by the Enbridge Company, as to potential additional lines in the corridor they hope to secure will need to be reviewed by qualified scientific and Indigenous experts. None of this is in place at present.

Environmental Justice Concerns:

During hearing before an Administrative Law Judge at St. Paul, Minnesota in January, 2015, Enbridge project staff provide testimony and were questioned about the development of this pipeline and pipeline corridor. This is part of the public record, yet transcripts are not available. Specifically, the company considered an alternate route of the pipeline going down Interstate 94 as too dangerous because of the possibility of pipe failure and crude oil flooding the highway, causing accidents and it's routing through populated areas⁷. Enbridge's preferred route place the pipeline is very close in proximity to two tribal communities: Rice Lake Community in Clearwater County and East Lake/Sandy Lake Community in Aitkin County. These two tribal communities are being told they should shoulder the entire risk of the pipeline (which was too dangerous to place along Interstate 94 or larger, non-Indian communities).⁸. At a June 30th Environmental Justice meeting sponsored by Minnesota PCA, the staff identified that Minnesota had subjected its minority population to environmental justice issues and they have born a disproportion of the environmental issues⁹. This process must not continue that discrimination. We believe that this issue should be resolved long before any permits are added.

⁵ In the Matter of the Application of North Dakota Pipeline Company LLC for a Certificate of Need for the Sandpiper Pipeline Project in Minnesota MPUC Docket No. PL-6668/CN-13-473; OAH Docket No. 8-2500-31260 May 22,2015

⁶ MPCA notes of the meeting:
June 30th 2015.

⁷ Testimony of Enbridge Sandpiper Project Officer PUC hearing January 2105

⁸ In the Matter of the Application of North Dakota Pipeline Company LLC for a Certificate of Need for the Sandpiper Pipeline Project in Minnesota MPUC Docket No. PL-6668/CN-13-473; OAH Docket No. 8-2500-31260 May 22,2015

⁹ MPCA notes of the meeting:
June 30th 2015.

Additional Environmental Problems: Dilbit, Carbon and Abandonment

1) Dilbit Corrosion and Special Characteristics

"Dilbit" is the abbreviation for diluted bitumen, the substance Enbridge is currently pumping through the existing Line 3 and would continue to transport in the Line 3 replacement.

Because of the more viscous makeup of dilbit, it must be pumped at higher pressure and at higher temperatures than conventional crude oil. Additional toxic chemicals are added to allow the product flow. Some sand remains in dilbit. A combination of these attributes has led some engineers to compare dilbit to "fast, hot, and toxic liquid sandpaper." Add this to the fact that 41 percent of the pipelines were built to carry conventional crude oil in the 1950's and 1960's. The alarming speed at which tar sands are being added to this pipeline network raise legitimate questions about the likelihood of many more accidents. The environmental group Natural Resources Defense Council (NRDC) notes that pipelines in the upper Midwest that routinely carry oil from tar sands have spilled 3.6 times more oil per pipeline mile than the U.S. average¹⁰.

Carbon

The Enbridge Company, and its subsidiary, the North Dakota Pipeline Company, in Canadian and US regulatory proceedings has wished to only account for the carbon used to power the transportation of the oil through the pipelines it is providing for the extreme extraction process. We reject this suggestion as self serving and inaccurate.

Responsibility for the total carbon footprint of the substance would be required to be considered. It is as if we are saying that in the Nazi Gas chambers, those who operated the railroads to the gas chambers were not complicit in the Jewish holocaust, but instead, only the SS which administered it, would be liable. That is preposterous. This pipeline and the further combustion of high impact fossil fuels, constitute the gas chambers of climate change.

In short, when analyzing the carbon impact of the pipeline, more than just the operational impacts must be calculated. As the pipeline project is being developed to deliver tar sands oil to refineries and foreign markets, the carbon impact of the use of the oil must be included. HTE has done preliminary calculations of this impact and reported to the EPA:

The Sandpiper pipeline will transport 355,000 bl/day, 365.25 days a year the equivalent of 129,663,750 barrels annually. Carbon emissions per barrel per US EPA estimates: .43 metric tons per barrel¹¹. Total annual carbon emissions 55,755,412 metric tons. Cost to remove carbon at

¹⁰ http://www.oilandwaterdontmix.org/the_bigger_picture

¹¹ US EPA Carbon Calculation (Note: Due to rounding, performing the calculations given in the equations below may not return the exact results shown) {5.80 mmbtu/barrel × 20.31 kg C/mmbtu × 44 kg CO₂/12 kg C × 1 metric ton/1,000 kg = 0.43 metric tons CO₂/barrel}

Sources: EPA (2013). Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2011. Annex 2 (Methodology for estimating CO₂ emissions from fossil fuel combustion), P. A-68, Table A-38 and Table A-45. U.S. Environmental Protection Agency, Washington, DC. U.S. EPA #430-R-13-001 (PDF) (429 pp, 10.6MB, About PDF).

present is \$600.00 per metric ton (American Physics Society). Total cost to the atmosphere annually equals \$33.5 billion. The new Line 3 is also proposed to follow this corridor. Line 3 would be a 36" pipe transporting 675,000 barrels of tar sands crude oil daily (Enbridge Number), 365.25 days a year equalling 246,643,750 barrels annually. Carbon emission per barrel of tar sands oil is estimated .51 metric tons per barrel (Extract calculation from the book). Total annual carbon emission is estimated at 125,737,313 metric tons. Total cost to the atmosphere annually \$75.4 billion. The combined cost to the environment is \$181 billion. Compare this to the \$500 million Enbridge proposes to make. These figures do not include the loss of ecosystem services and values that would result from the development of the corridor. Nor does this include project costs of spills. " This also does not include the remaining Enbridge Lines, nor does it include the MinnCan expansion also being considered by the PUC.

Abandonment Problems- Significant in all ways.

In the 1960's, when the original Enbridge Mainline was developed, there was not much public knowledge around the environmental issues of pipeline development. Decades later, after living with the pipeline infrastructure, we have a much better understanding of the impact of these projects. This impacts include the risk of spills, the impact on landscape fracture, and hydrological disturbances. Now, as we move into an era of pipeline abandonment, the potential long-term impacts of leaving this corroding infrastructure in the environment must be analyzed before permitting corporations (such as Enbridge) to walk away from this remaining liabilities. We know that the existing Line 3 has over 900 structural anomalies, which represent increased risk of spills. This is why Enbridge wants to replace the line. However, Enbridge does not want the liability of soil testing and remediating contaminated soil, or restoring historical hydrological regimes. This is why Enbridge is proposing to abandon the existing pipeline in place.

Enbridge Line 3 was placed in by the Lakehead Pipeline Company in 1961 and has experienced significant structural integrity problems. Latest public estimates by the Enbridge Company indicate over 900 integrity anomalies in the pipeline, which spans over 300 miles of northern Minnesota, crossing part of the Red Lake, Leech Lake and Fond du Lac reservations and the 1855 and 1842 treaty areas.

Enbridge has gathered extensive integrity data on Line 3 throughout its years of operation. The integrity data shows a high number of integrity anomalies – specifically, corrosion and long seam cracking. Because of its integrity anomalies, Line 3 has experienced a number of failures during its more than 50-year history. As a result, Line 3 requires a high level of integrity monitoring and an extensive on-going integrity dig and repair program to maintain safe operation of the line. For example, approximately 4,000 integrity digs in the United States alone are currently forecasted for Line 3 over the next 15 years to maintain its current level of operation. This would result in year-after-year impacts to landowners and the environment, and may result in repeated impacts to the same landowners and environmental features. (Enbridge Reports)

If Enbridge is not required to remove the pipeline and restore the damaged ecosystems, there may never be a full accounting of the contamination surrounding the pipeline. This contamination would become the responsibility of nearby landowners , tribal governments, state and federal authorities. Additionally, Enbridge has stated they plan to fill the pipelines with nitirious oxide. This would

constitute an underground storage tank according to Minnesota statute Minnesota Statute § 103I.681¹² We believe that the state of Minnesota will need to regulate the pipeline as such.

In terms of jurisdiction. We find an article in the Oil and Gas Pipeline Journal by David Howell, Senior Right of Way Agent, International Right of Way Association (2009 article), where he notes the problem of jurisdiction is immense and a major concern...

"A dictionary definition for abandonment means to "give up entirely." Defined in terms of federal regulations, abandonment means "permanently removed from service." In federal pipeline safety jargon, an abandoned pipeline is a pipeline that is "physically separated from its source of gas and is no longer maintained," or in another federal agency glossary, "no longer connected to the system and is no longer maintained. The pipeline can be abandoned in place, by removal, or sold." In still another set of federal guidelines, abandoned property means "a property that, because of its general disrepair or lack of activity, a reasonable person could believe that there is intent on the part of the current owners to surrender their rights to the property." All of these definitions apply to gas and hazardous liquid pipelines that are interstate and fall under federal jurisdiction.

However, there are no guidelines for abandoned crude oil pipelines that fall under the jurisdiction of the Interstate Commerce Commission, and, presumably, the agencies that have succeeded to that federal agency's role since it was abolished in 1995, as common carriers. At the state level, there are no abandonment guidelines or definitions for intrastate gas, liquids, or oil pipelines, and there are no abandonment guidelines or definitions for intrastate oil or gas gathering systems. Any mention of abandonment of pipeline procedures follows federal guidelines of disconnecting from active gas service and purging of any hazardous substance."

More information on the issue of abandonment can be found in HTE supplemental Pipeline Abandonment Briefing document.

We have devoted a great deal of our comments to the first question being asked by the PUC and now look at the remaining questions. Many of these questions have been answered in the primary comments on the Sandpiper.

- 2. Are there any specific methods to address these impacts that should be studied in the environmental analysis?**
- 3. Are there any alternative routes or route segments that should be considered?**
- 4. Are there any alternatives to the project that should be considered?**

Methods:

The PUC has appeared to operate in an antiquated system of analysis, which neither is able to offer full assessments, nor able to integrate assessments, whether of the environment or the economy. This is particularly true when pipelines are considered singularly, jurisdiction is siloed, and information is withheld from the review. Governments on a worldwide scale are deploying policy analysis which includes full cost accounting, carbon footprint, social impact assessment, ecological analysis and the precautionary principle. This would offer a more conservative view of choices. We can provide the PUC with methodologies which could be included here. As well, NASA scientists and many others

¹² <https://www.revisor.mn.gov/statutes/?id=103I.681>

have come to understand the essential knowledge of Indigenous people in relationship to the earth. This would require a full quality assessment and full partnership with Indigenous peoples, first nations and the tribes of Minnesota.

Scientifically, there are a number of methods that these potential impacts may be assessed. For ecosystem-level impacts, the Invest GIS modeling tool should be used, along with the UCONN Landscape fracture tool. This will give an estimation of ecosystems impacted. Utilizing ecosystem services valuation will give an economic impact of the loss of these ecosystems services. To look at the human health impact, it must be understood that the impact on the Tribal communities will not be the same as the non-Native communities. When estimating the impact on these communities, a seven generations perspective must be taken, or looking at the cumulative impact over the next 140 years. Past research has shown that the loss of the ability to continue traditional ways negatively impacts the physical and psychological health of Tribal communities. Given the spiritual nature of the wild rice, the loss of the ability to harvest this crop could present a potential loss of the cultural and economic basis of these communities. There is no way to quantify this potential loss. .

Alternative Routes

We do not believe this pipeline is necessary. We believe that Line 3 should be dismantled, and recognize that the economic benefits of pipeline removal, in terms of jobs and long term remediation represent at least four times as many jobs as those proposed by Enbridge for a short term , quick laying of new pipeline, without remediating any of the present pipeline toxicity. This is a significant economic issue, which we believe would benefit the state of Minnesota.

The consensus of the Tribes is that this project is not wanted or needed by these communities. As such, Enbridge must find an alternative route that does not cross Treaty protected lands. If we are required to submit a corridor option for a pipeline which we do not see the need for, then the only proposal is that which we have previously submitted: 29 94 to go down major interstates, for the benefit of those who will be able to monitor this pipeline and for the benefit, if there is some of those who will proportionally use and consume this oil.

Frankly, as the Line 3 is scheduled to follow the Sandpiper corridor, which has already been restricted to SA-applicant and SA-03-AM; HTE suggests that perhaps Enbridge shouldn't have invested so much into Clearbrook before they had permits in place for the New Mainline Corridor. Enbridge and other large oil companies have been allowed to develop a (mostly) unregulated expansive network of pipelines and refineries across the country over the last 50-60 years. This is about the life span of most of that infrastructure. That is part of the "need" for this most recent round of pipeline projects. Not that demand has gone up, but that infrastructure has decayed and markets have shifted. While domestically, urban areas are still the largest consumers of fossil fuels, there has finally been substantial movement towards investment in sustainable urban development. A major component of this is investment in public transportation. Often these vehicles do not rely on fossil fuels. Why should we invest in an infrastructure our grandchildren will not need?

Long story short, if Enbridge actually upheld the social conscience which it represents in the annual reports, we would be discussing the expansion of a regional public transportation network, the use of

the Enbridge proposed \$17 billion in oil pipeline additions in Minnesota into a renewable energy infrastructure. We would be discussing the prudent transition to a renewable and efficient energy economy and the reduction of the need for a fossil fuels economy as well as the need to invest in the aging infrastructure of this country. Indeed, just dismantling Line 3 will be a major employment opportunity for the unions of Minnesota, with likely four times the employment ratio that would be needed for the laying of a new pipe. This combined, with new energy infrastructure will insure that there is long term, sustainable benefit from new energy infrastructure in this state, not long term liability.

Ries, Natalie (COMM)

From: Ries, Natalie (COMM)
Sent: Monday, October 05, 2015 2:42 PM
To: Ries, Natalie (COMM)
Subject: FW: comment on pipeline. Submit button does not work.

From: betty larsen [<mailto:blfamfr@hotmail.com>]
Sent: Wednesday, September 30, 2015 1:59 PM
To: MacAlister, Jamie (COMM)
Subject: comment on pipeline. Submit button does not work.

Because the "Submit" button does not work I am emailing you re:
PUC Docket
PL-9/CN/14-916
PL-9/PPL-15-137

Betty Larsen
17166 Dream Catcher Drive
Park Rapids, MN
Hubbard County.

IMPACTS:

Nexen has been ordered to shut down 95 oil pipelines in Alberta after oil leaked for two weeks undetected in July. The one-year-old double-walled pipe was **PURPORTED** to be "fail-safe."
This event clearly points out the danger ANY pipeline, especially a tar sands pipeline, poses to Minnesota's irreplaceable clear lakes and also the the Mississippi headwaters.

MITIGATION:

Reroute the proposed 36" diameter tar sands pipeline ("line 3 replacement") planned to run close to Long Lake.

Clearly nobody was doing a daily inspection of the Alberta pipeline. Daily aerial and satellite surveillance of ANY Minnesota pipeline should be mandated, as offered by Tata Consultancy Services. NOTE THAT EVEN DAILY AERIAL & SATELLITE INSPECTION WILL NOT detect leakage under frozen lakes and snow-covered wetlands. THE SOUTHERN ROUTE OFFERED BY FRIENDS OF THE HEADWATERS -- WHICH CROSSES FARMLAND AND NOT CLEAR NORTHERN LAKES -- NEEDS TO BE THE CHOSEN ROUTE.

PUC DOCKET:
PL-9/CN/14-916
PL-9/PPL-15-137

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: Lavine Wed Sep 30 15:33:58 2015 PPL-15-137
Date: Wednesday, September 30, 2015 3:34:00 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Charles Lavine

County: Hubbard County

City: Nevis

Email: clavine@mailc.net

Phone: (218) 652-3578

Impact: How much clearer does the point have to be made? An environmental Impact Statement (EIS) is required by law prior to the approval of a project as potentially damaging as Enbridge's proposed Line 3 pipeline route is. The PUC has not done its job so far by trying to give approval with only a CEA. Several alternative routes have been proposed that offer significantly diminished environmental impact. These should all be thoroughly considered.

Mitigation: How much clearer does the point have to be made? An environmental Impact Statement (EIS) is required by law prior to the approval of a project as potentially damaging as Enbridge's proposed Line 3 pipeline route is. The PUC has not done its job so far by trying to give approval with only a CEA. Several alternative routes have been proposed that offer significantly diminished environmental impact. These should all be thoroughly considered.

Submission date: Wed Sep 30 15:33:58 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

RECEIVED

SEP 29 2015

MAILROOM

PO Box 2756
Warba, Minnesota 55793
23 September 2015

Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

Re: Comments regarding Alternative Routes, Route Segments, Project Alternatives
PUC Docket Numbers PL-9/CN-14-916 *Certificate of Need*
 PL-9/PPL-15-137 *Route Permit*

I understand that the Public Utilities Commission has determined that certificate of need and route permit applications for replacement of Enbridge's Line 3 pipeline are complete and that, as a result, Department of Commerce Energy Environmental Review and Analysis staff will be preparing an environmental analysis for the certificate of need and for the route permit.

These comments are submitted as they pertain to the environmental analysis to be prepared and any resulting decisions or permits. I understand that comments should be focused on information that will help answer, among other things, the following:

1. Human and environmental impacts that should be studied in the environmental analysis;
2. Any specific methods to address these impacts that should be studied in the environmental analysis;
3. Any alternative routes or route segments that should be considered in the route permit;
4. Any alternatives to the project that should be considered for the Certificate of Need including:
 - whether a different method (for example, existing pipeline, rail, or truck) can meet the need,
 - whether the alternative is feasible and prudent, and/or
 - whether the alternative meets the described need and purpose for the project.

The primary focus for comment in this submittal pertains to the Enbridge proposal to leave the existing Line 3 in the ground after a replacement Line 3 is installed in a different location. Responding in summary form to each of the items mentioned above:

Item 1: This comment relates to both the human and environmental impacts of the project as proposed.

Item 2: Specific methods to address the impacts of concern, which are mentioned later in the more detailed discussion of the comment, would be those methods that are needed to

adequately address the concerns presented, which are both real or potential financial/economic risk or damage to humans (related especially to the financial exposure and encumbrance of both personal and public property through and over which the existing Line 3 traverses) as well as long term real or potential physical/environmental damage or exposure to land use, public safety, surface water, and ground water resources in the event the existing Line 3 is abandoned and not timely recovered/removed by Enbridge.

Item 3: No alternative routes are suggested in this comment; the comments pertain to route segments that would be left in the ground but not utilized or removed by Enbridge as described in their project proposal/permit requests.

Item 4: Alternatives to leaving segments of existing Line 3 in the ground that should be considered include:

- removal from the ground of all line 3 segments proposed to be abandoned/replaced with a new pipeline in a different location;
- compensatory payments to public and private landowners for the encumbrance upon them and their land and/or buildings and/or crops if unused piping is left in the ground; and
- establishment and provision of financial assurance for public and private landowners (including land owned by Enbridge) to cover the public and private costs of non-Enbridge entities of eventually removing unused pipe in the event that Enbridge does not remove the pipe within a time period established in permits and/or to cover public and private costs of environmental damage that may be related to Enbridge's untimely or eventual non-removal of the unused Line 3 pipe.

Discussion:

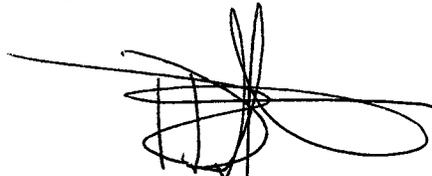
For reasons pertaining to both the human and physical environments, I believe that the Enbridge proposal to leave the existing Line 3 in the ground after it becomes inactive should be part of the analysis, as there is a strong possibility of significant long term negative human and environmental impacts. Primary reasons are as follows:

1. While Enbridge has stated their plan to clean the existing Line 3 and has cited the risks and benefits (from their point of view) of not removing the existing Line 3 in the short term, Enbridge also has indicated that the existing Line 3 will not again be fit for future service. To restate and summarize what Enbridge is saying, they have no intention of ever using major segments of the existing Line 3 nor do they intend to remove it now nor do they propose any plan or intention of removing it in the long term. Despite reasons that Enbridge gives for not removing the existing line at this time and statements that the pipe will be cleaned and decommissioned after cessation of use, de facto this becomes a potentially perpetual abandonment in the ground of a major pipeline, which was not likely part of the permits granted when the pipeline was installed.

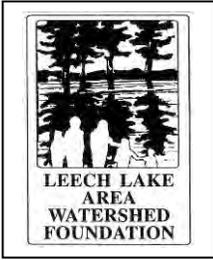
2. Pipeline easement agreements with which I am familiar and which I expect are common in most or all of the easement agreements which were entered by Enbridge and its predecessors describe the easements as “perpetual”; however, they also describe the easement as being to “operate, maintain, inspect (including aerial patrol), remove, replace and reconstruct one or more pipelines”, and “constructing, continuously operating and maintaining multiple pipelines”, both of which envision and grant use for operating pipelines but do not mention, include, contemplate, nor cover short term or long term abandonment of a pipeline in the ground on either public or private property. It appears that Enbridge is attempting to circumvent terms of existing easement agreements and, if permits that have been granted include reclamation or restoration provisions, leaving unused and unusable piping in the ground would appear to violate those permit provisions;
3. My experience is that other major industrial-type projects, especially those with a long term (“perpetual”, as used in Enbridge easement agreements and as described in Enbridge permit documents certainly qualifies the proposal as long term) such as mining projects, are now being viewed as requiring irrevocable financial assurance before a project can proceed. Such significant financial assurance should also be required in this case to compensate private and public landowners for both loss of property value and for eventual pipe removal, and for mitigation of any detrimental environmental impacts that may result from Enbridge’s direct or indirect environmental consequences or failure to remove the pipe under whatever timeframe is determined by the study and permits issued.
4. My experience and perception as a landowner that contends with many miles of Enbridge pipeline on easements across my property is that Enbridge has a history of not fulfilling and complying with laws, rules, and/or contracts. For example, problems that occurred in constructing and starting their Alberta Clipper project in 2008 (seven years ago) have still not been resolved. This is the type of situation, as are such possibilities such as bankruptcy or dissolution of Enbridge itself, that solid financial assurance should be evaluated in the analysis to be done because of the potential human financial impact as well as the potential physical/environmental impact.
5. Public/human safety is another reason that the lack of Line 3 removal should be studied. Buried pipe, even when properly buried using customary methods and good practice, can result in problems: pipe have been observed gradually floating to the surface resulting in myriad problematic situations, especially over the long term.

More discussion would be possible but I hope that the comment offered, when associated with the discussion, will suffice and be helpful as Enbridge’s Line 3 proposal is scoped and studied by the Department of Commerce Energy Environmental Review and Analysis staff.

Thank you.



R. D. Learmont



Leech Lake Area Watershed Foundation

PO Box 455

Hackensack, MN 56452

218-675-5773

www.leechlakewatershed.org

Tax ID # 41-1887906

Jamie Macalister
MN Dept. of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

PUC Docket Number PUC Docket Number PL-9/CN-14-916 Certificate of Need PL-9/PPL – 15-137 Route Permit

Dear Minnesota Public Utilities Commission,

The Leech Lake Area Watershed Foundation (LLAWF) is dedicated to preserving and sustaining the natural resources in the Leech Lake Watershed and neighboring region of North *Central* Minnesota, including Hubbard, Cass, Crow Wing, and Aitkin counties for the use and enjoyment of current and future generations. Since 1997, we have permanently protected over 23 miles of critical shorelands and 3,000 acres of critical habitat lands.

As we stated in earlier correspondence, we are writing to express our concerns about the proposed Enbridge Line 3 relocation pipeline project. While we appreciate the importance of adequate energy resources for the country, the proposed Enbridge Line 3 pipeline route would include a segment through the sensitive natural resources of north central Minnesota's premier lake country where a potential pipeline leak could do serious harm to the ecosystem and the regional economy.

In light of the many complex issues involving the building of a new tar sands crude oil pipeline through a proposed new corridor, we respectfully, but strongly request public review of the environmental analysis after this initial scoping period and before the final version is placed into the dockets for the Public Utilities Commission use in determining the need for this pipeline.

While we appreciate that the PUC is giving consider to alternative routes that pass through less environmentally sensitive regions, it is critical that a full Environmental Impact Statement (EIS) be followed as required under 4410.4400, subpart 24 defining a Mandatory EIS, and the Minnesota Environmental Protection ACT (MEPA) 116.04 subd. 2a.. For the rest of our comments, we will refer to the proposed environmental analysis as an Environmental Impact Statement (EIS), in light of the recent state Court of Appeals ruling. We concur with the court and the arguments of the Friends of the Headwaters and the Carlton County Land Stewards that a full and proper EIS is required by M.E.P.A.

The EIS should include an analysis of water impacts and the Project's full compliance with the Clean Water Act and the new Clean Water Rule. The surface watersheds, rivers, streams which the pipeline route potentially crosses or is in proximity to should be enumerated, with a baseline analysis of their current water quality (including aquatic life) noted. The quality of these waters should be discussed relative to the overall water quality in the state. Recreational uses of these waters, such as fishing and swimming quality and populations that depend on these attributes should be enumerated. The social and economic cost of impairment of these uses should be included. In this region these lakes are the region's economic driver and a full understand of oil spills impact needs to be included. The Project's proximity to drinking water intakes, and the number of people who depend on these water bodies for their drinking water source should be noted. The EIS should clearly evaluate the links between the proposed pipeline, underground aquifers, and distance from the Project to groundwater sources. There should be a baseline analysis done of the current state of these underground aquifers. The numbers of people and animals who depend on these aquifers for their drinking water

should be noted. The impact of a major spill of crude oil, containing benzene (water-soluble carcinogen) should be considered in an EIS. John Stansbury of the University of Nebraska adapted his modeling study done for Keystone XL to a Minnesota scenario, and found that a benzene plume that exceeded EPA allowable levels for drinking water would exist for 280 miles if a large crude oil spill (150,000 barrels) occurs in the Mississippi. The EIS should include analysis of the proposed Project's potential impacts on water resources during periods of extended drought and record heat, especially during periods of hydrostatic testing or during the refining of the oil transported by the Project. The proposed Project should be evaluated in light of the increased risk of damage due to heavy flooding events and related waterbody scouring at waterbody crossing locations.

The United States Geological Survey and scientists from Virginia Tech have discovered elevated rates of arsenic in the underground aquifer at the world famous National Crude Oil Spill Fate and Natural Attenuation Research Site near Bemidji, Minnesota. They found "potentially significant arsenic groundwater contamination".. "Carefully measured samples from the field reveal that arsenic concentrations in the hydrocarbon plume can reach 230 micrograms per liter — 23 times the current drinking water standard of 10 micrograms per liter." The potential for exacerbation of this problem should be analyzed. The EIS should evaluate the impacts of process water demand for tar sands mining in Canada (four to six barrels of water to produce one barrel of tar sands) and contamination of that water.

The potential for water degradation due to hydrostatic testing, and for soil disturbance, topsoil removal and erosion resulting from pipeline construction and persisting until vegetation grows back should also be considered. The EIS should analyze the movement of aquatic invasive species and polluted water between major watersheds caused by hydrostatic testing of pipelines due to water being gathered at one point and discharged at another. Once significant amounts of oil get into water, no company can clean it all up. The EIS should acknowledge the limits to effective remediation of major oil spills and attempt to qualitatively and quantitatively assess the lasting financial, ecological and cultural costs of major oil spills of tar sands oil.

The environmental value of wetlands in their respective watersheds should be discussed, and all wetlands along the various proposed routes should be listed, along with the overall miles of wetlands on the proposed routes. Potential adverse impacts on wetlands functions should be discussed in relationship to the water bodies they help purify. Additionally, the proposed areas of construction zones and rights-of-way for wetland crossings should be identified and the environmental consequence of construction on the specific wetlands along the proposed routes should be reviewed in the EIS. A thorough conceptual wetland monitoring plan, including prairie pothole and bottomland hardwood forested wetlands should be developed for all affected wetlands along the route. Detailed information about which wetland areas would be revegetated, and which wetland areas are considered of "special concern and value" should be included. The EIS should request equal wetland mitigation commitments for connected actions, including additional proposed pipelines, and follow the Clean Water Act and the new Clean Water Rule.

The EIS will allow decision makers a detailed environmental analysis that would take into consideration critical issue like the northern long eared bat. As a conservation organization we believe Federal and State agencies are best equipped to deal with these issues. Additionally, looking at soil types to determine pipeline locations is critical. For example in porous, sandy soils, the aquifer could be quickly contaminated by a slow leak. Some materials from a leak will be incredible difficult if not impossible to clean up. While the average citizen will see the visual clean-up of a spill, liquids like benzene, a carcinogenic chemical that cannot be clean up, will remain invisible but will create a significant environmental hazard.

While not an area we have expertise in, we do hope the PUC will take into consideration oil market trends. We think it is wise to re-evaluate the risk and rewards associated with this potential development. Additionally, if the profit margins on the pipeline remain tight and or become a money losing investment, this would greatly impact Enbridge's ability to maintain the pipeline safety and pay the costs of clean-up and restoration.

We all know that pipelines leak but the industry has tried to paint themselves as learning and growing. The truth is, these leaks are commonplace. The mainstream media is just starting to report on these accidents. These accidents will have environmental and economic impacts. Citizens are realizing there is nothing safe and secure when dealing with the movement of oil. As outlined in a recent EPA Pebble Mine report, "1 failure per 620 miles of pipeline per year can be expected". It's not a matter of when, but how much will be leaked. Knowing the risks we do not see how the potential short term reward could outweighs the risk in a region where our natural landscape is essential to this region's economy.

In some media outlets it has been reported that County governments and landowners along the route support this development. But these entities will be compensated for their involvement with this development. They are interested in income for their personal well-being and or are driven by the potential revenue to County governments. Typically, governments have a difficult time weighting short term gain with potential long term threats. So their support should not cloud how other citizens are looking at the issue and the long term health and wellbeing of this region. One landowner who agreed to the compensation felt he had no recourse and he is 100% opposed to the pipeline development.

The EIS should include an environmental justice analysis. In particular, tribes should be consulted about removing the old Line 3 pipeline from their land, whether the land has been ceded or is within reservation boundaries, and on the avoidance of all 1855 and other treaty land. The Department must properly consult with tribes to address their concerns, engage in official consultation, protect tribal resources, and consider tribal agencies' involvement as cooperating agencies. This should include an equal seat at the table for development of an EIS.

Regarding route LLAWF preference is the line 3 is replaced in its current location. It appears that Enbridge placed pipes in the corridor in a way that makes it difficult to remove and replace pipe. We feel this is their mistake (bad design to not take into consideration pipe maintenance and replacement) and why should Minnesota open its precious lakes and wetlands to more disturbance. Other segments that should be included in the EIS include Friends of the Headwaters SA-04 (also indorsed by the MPCA) and MPCA Alternative SA-03.

In closing, we appreciate the time and energy the PUC invested in hearings on this topic. Thank you for your service to the citizens of the State of Minnesota.

Respectfully submitted,



Lindsey Ketchel
Executive Director
Leech Lake Area Watershed Foundation

From: apache@web.lmic.state.mn.us
To: [MacAlister, Jamie \(COMM\)](#)
Subject: leigland Wed Sep 2 21:43:10 2015 PPL-15-137
Date: Wednesday, September 02, 2015 9:43:11 PM

This public comment has been sent via the form at: mn.gov/commerce/energyfacilities/publicComments.html

You are receiving it because you are listed as the contact for this project.

Project Name: Line 3 Pipeline Replacement

Docket number: PPL-15-137

User Name: Tami leigland

County: Wadena County

City: menahga

Email: Tamiy@wcta.net

Phone: 218-255-2879

Impact: I see no benefit for Minnesota substantial enough to risk the precious and fragile natural resources that this pipeline would jeopardize. Therefore I completely resist this company and their desire to claim eminent domain in America to dishonor the treaties with the Native Americans. There's too much at risk.

Mitigation: I support the alternative routes sought by the friends of the headwaters.

Submission date: Wed Sep 2 21:43:10 2015

This information has also been entered into a centralized database for future analysis.

For questions about the database or the functioning of this tool, contact:

Andrew Koebrick
andrew.koebrick@state.mn.us

Jamie MacAlister
Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

Re: Comments of Bruce and Kathleen Levi, 36545 Wilderness Bay Drive, Park Rapids, MN /
Public Utilities Commission Docket Numbers: PL-9/CN-14-916 – Certificate of Need / PL-
9/PPL-15-137 – Route Permit

Dear Ms. MacAlister,

We recently built a home at 36545 Wilderness Bay Drive, Park Rapids which is near the public access on Little Mantrap Lake, less than two miles (or about a mile as the crow flies) northwest of the proposed Two Inlets Pump Station. We have owned and enjoyed this property since August 2001. We have concerns regarding the placement of what constitutes a new pipeline in the Two Inlets / Itasca area and, in particular, the potential impacts of the proposed Two Inlets pump station. We are concerned as anyone else about ensuring that pipeline failure will never occur; however, we are also concerned with the more subtle impacts such as noise and light that can impact wildlife and substantially degrade the natural setting of the Two Inlets / Itasca area.

For all practical purposes, the Two Inlets / Itasca area will be subject to original impacts as the Line 3 replacement and Sandpiper will constitute new pipeline in very close proximity to Little Mantrap Lake. We are particularly concerned with the cumulative or compounded impacts of the Line 3 and Sandpiper pipelines, particularly the area within close proximity to the Two Inlets pump station in recognition that there will exist inherently higher pressure in that area to move the oil down the pipeline. And, as we've read in newspaper accounts (see, e.g., <http://www.grandforksherald.com/opinion/op-ed-columns/3817608-melodee-monicken-minnesota-slow-down-sandpiper-pipeline>) we share the concern expressed by others of any potential cumulative impacts associated with the pipelines and the current high-voltage electrical transmission lines located near the proposed new pipelines. We request that the environmental analysis consider together these potential cumulative impacts in the Two Inlets / Itasca area; otherwise, the analysis will not provide a realistic assessment of all potential human and environmental impacts.

We request that the environmental analysis model various levels of pipeline failure, from minor to catastrophic, to ascertain potential impacts to ground and surface water in the area.

We organize our comments based on questions posed in the *Notice of Application Acceptance – Public Information and Environmental Analysis Scoping Meetings*.

1 - 2. Human and environmental impacts that should be studied in the environmental analysis, and specific methods to address these impacts

We are particularly concerned about the Two Inlets pump station and have many questions and concerns about the nature and operation of the station. What we know about the station comes from the *Line 3 Replacement Project Summary* from Enbridge, page 21, which is simply an aerial photograph. We have been able to locate online newspaper articles regarding Enbridge pump stations (see, e.g., <http://www.wxyz.com/news/region/oakland-county/homeowners-living-near-enbridge-pipeline-and-pump-station-deal-with-daily-headaches>), which illustrate major public concerns with noise caused by electrical humming and also raise questions as to the elements that comprise the pump station and water and soil disposal and containment issues.

We request that the environmental analysis/study be enlarged around the pump stations which have human and environmental impacts beyond those of the proposed pipeline itself.

In the environmental analysis, please consider the following:

a. Nature of the pump station. The environmental analysis should include a clear disclosure of the nature and structure of the pump station. Is it open or closed – how many buildings constitute the station – what environmental and mechanical/operational issues have been experienced in similar Enbridge pump stations and how will those expected issues be addressed / how tall are the buildings and their square footage? Is the risk of catastrophic pipeline rupture appreciably higher in this area in relation to the surrounding environment and what safety precautions must be in place to appropriately address this contingency?

We request that the environmental analysis fully assess the human, wildlife and other environmental impacts and potential impacts of the pump stations, including noise and light, visibility, landscaping, fencing, soil and water disposal and containment, property values and catastrophic scenarios. The environmental analysis should identify safety precautions necessary to ameliorate or eliminate these impacts.

b. Noise and light. The environmental analysis should include a study of expected decibel levels and night sky brightness at the pump stations in relation to applicable regulatory codes, and potential impacts on wildlife and the quiet use and enjoyment by residents to their land and properties. We currently see and hear the eagles, bats, owls, deer, swans, raccoons, loons, fish, turtles and countless other wildlife in the Two Inlets / Itasca area and expect that the noise and light associated with the pump station will impact them or impact the current soundscape.

We request that the environmental analysis include a study of how lighting options, landscaping, and vegetation/trees can ameliorate or eliminate the expected noise and light from the pump stations and be incorporated as conditions for this project.

c. Disposal and containment issues. How will storm water, top and sub-soils and other materials be managed at the pump station to eliminate any risk of water or soil contamination? The environmental analysis should include an assessment of the operational aspects of the pump

stations and potential impacts of those daily operations on the environment, including any potential impacts on groundwater quality.

d. Property values. Clearly, property value impacts related to pump stations are routine in the Enbridge experience. The environmental analysis should include a study of potential impacts of the pipeline on property and land values for property owners, particularly for those in close proximity (within five miles) to pump stations.

3. Alternative routes or route segments

We agree with others who suggest that alternative routes would mitigate impacts to this sensitive area that has not before been subject to major pipeline development. We also agree that alternatives have not been adequately discussed, including following the Enbridge mainline system by actually digging up the old line and putting another in its place, or by adding a new pipeline along that existing corridor.

4. Alternatives to the project

We have no comments at this time on alternatives to the project.

Respectfully submitted,

Bruce T. Levi, JD and Kathleen J. Levi
kblevi@comcast.net

September 10, 2015

RECEIVED

SEP 14 2015

MAILROOM

Jamie MacAlister, Environmental Review Manager

Minnesota Department of Commerce

85 - 7th Place East, Suite 500

St. Paul, MN 55101

PUC Docket Numbers PL-9/CN-14-916 Certificate of Need PL-9/PPL-15-137 Route Permit

This letter is related to the route selected for the Enbridge Sandpiper and Line 3 proposed oil pipelines. This letter suggests that the route selected for the construction of the pipeline be the alternate route SA-04 through the agricultural areas of southwestern Minnesota rather than Enbridge selected route through the lakes and wetlands of northern Minnesota.

The writer of this letter is a retired Chemical Engineer, formally a Professional Engineer with Minnesota certification, and carried the MPCA licenses as a Class A Water Supply Treatment Operator and a Class A Wastewater Treatment Operator. I presently do lake and stream monitoring on four lakes and five streams under the MPCA's CSMP/CLMP programs, and have done so for the last ten years.

The pipeline routing selected by Enbridge runs through an area of clear, pristine lakes and the headwaters of the Mississippi River, plus many wetlands that feed aquifers that supply drinking water to millions of people, to say nothing of the Mississippi River that is the water supply for cities from Minneapolis-St. Paul all the way to New Orleans. A petroleum leak from a pipeline that ran into either the watershed of the Mississippi River or a wetland that fed the aquifers under northern Minnesota would contaminate the drinking water of many people, to say nothing of the economy of the lake areas from tourist dollars that are in north central and eastern Minnesota. There are a lot of sandy soils in north-central Minnesota where anything that falls on the surface of the ground ends up in an

aquifer. Clay soils (more impermeable) are more prevalent in agricultural country.

There is no problem until there is a leak in the pipe, or other spill. Given the 30 to 50 year life of the pipelines, the probability of no failures in the pipe is small, and Enbridge has a poor reputation for not having leaks.

Once petroleum gets on the ground, rain, etc, will wash it to the lowest elevation nearby. In this part of Minnesota, that is likely to be stream that runs into the Mississippi River, a lake, or a wetland. In a wetland, active bugs (bacteria, etc) will adapt to consume the petroleum over time, but slowly. Once the water (plus any contamination) gets into an aquifer, there are no bugs there to consume the organics so that the oil residue will continue to be present wherever that water goes.

On September 9th, I visited the Menahga Conservation Club where there was a speaker from the Friends of the Headwaters, an organization dedicated to protecting the clean waters of north-central Minnesota. They have campaigned for changing the Sandpiper pipeline route from the region of clean lakes and the Mississippi headwaters to the indicated route of SA-04 across the agricultural lands of southwestern Minnesota. Their arguments made sense to me. Instead of fighting the many lakes and wetlands of northern Minnesota with directional boring to cross the many lakes, streams, and wetlands (and maybe big rocks or rock outcroppings) their construction would be easier across relatively flat lands that were already cleared and have relatively few stream crossings. Ease of construction should pay back some of the extra cost that a longer route might cost. The potential problems of cleaning up lake country after a spill or leak would further equalize the cost of a more expensive route. Liabilities for contamination of aquifers would be frosting on the cake.

It sounds like Enbridge may be getting the cart before the horse. They have assumed that the PUC will approve the Superior, Wisconsin pipeline destination (and maybe established contracts on that basis) before the pipeline routing is approved, even though there are public relations problems with local residents along the pipeline route. My information is

that the SA-04 route ends up at an Enbridge facility in Illinois.

A pipeline operated by Koch (Minnesota Pipeline Company) runs across a corner of my land. Based on my experience and the notifications that they send the land owners, they run pressure tests on their pipelines on about an annual basis, and run smart pigs through the lines on something like a monthly basis. I once saw a pipeline crew digging on my land because a pig detected a possible flaw in the pipeline coating during a routine smart pig run. Based on what I heard Wednesday night, I don't know if Enbridge is as diligent in finding and correcting problems with their pipelines. I know that the natural gas pipeline that also runs across my property does not have a similar notification system for the land owners.

When Minnesota Pipeline Co. installed third pipe a couple of years ago, they did some horizontal drilling to install the pipe under a highway intersection. It took several days more than expected because they hit a big rock under the intersection that deflected the drill, so that the pipe path was 30+ feet east of the projected pipeline path. Under the soil, there is a big jog in the pipeline. There are a lot of big rocks buried in northern Minnesota.

Help us keep Minnesota waters clean and safe to drink. Push Enbridge to change the routing of their pipelines to avoid the lake country.

Sincerely



Leofwin Lindblom

10961 State Hwy 87

Menahga, MN 56464

(218)-564-4004

southpaw@wcta.net

Please provide your contact information. This information and your comments will be publicly available.

Name: Bill Lombard Phone: 651-253-5109

Street Address: 4940 115th AVE N.E.

City: BLAINE State: MN ZIP: 55449

Email: LU455TC@GMAIL.COM

Please share your comments on the proposed Line 3 Pipeline Replacement Project.

- What human and environmental impacts should be studied in the environmental analysis?
- Are there any specific methods to address these impacts that should be studied in the analysis?
- Are there any routes or route segments that should be considered? (Related to the *Route Permit*)
- Are there any alternatives to the project that should be considered? (Related to the *Certificate of Need*)

PIPE LINES NEED TO BE SAFE.

OLD PIPE LINES NEED TO BE REPLACED TO PREVENT
POSSIBLE ENVIRONMENTAL DISASTERS.

Long Lake Area
ASSOCIATION



September 28, 2015

Jamie MacAlister
Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

RECEIVED
SEP 29 2015
MAILROOM

Subject: PUC Docket Numbers: PL-9/CN-14-916 and PL-9/PPL-15-137

Dear Ms. MacAlister,

The Board of Directors for the Long Lake Area Association (Hubbard County) Inc. met 9/19/15 and discussed the Enbridge Energy, Limited Partnership Certificate of Need and Pipeline Routing Permit for Line 3 Pipeline Replacement Project. Our comments relate to human and environmental impacts that should be studied.

The Long Lake Area Association (Hubbard County) Inc. Board of Directors is very concerned regarding the proximity of the proposed Sandpiper and potentially Line 3 Replacement Route Alternative RA-15 to Long Lake, 29-0161-00, in Hubbard County between Hubbard, MN and Park Rapids, MN. The MN Department of Commerce maps show RA-15 being very close to Long Lake (see attached DOC maps.) The DOC description of RA-15 does not mention Long Lake which has 500 unique lakeshore parcel owners based on 2013 Hubbard County GIS and Assessor information on Long Lake below. The south end of the lake is in the town of Hubbard MN also. Therefore, we request that the MN Public Utilities Commission and the Department of Commerce be cognizant of, document and consider the sensitive and valuable resource that Long Lake is. This would be especially important when conducting the Environmental Impact Statement (EIS) required per the 9/14/15 Minnesota Court of Appeals decision A15-0016.

Details on Long Lake 29-0161-00 based on 2013 Hubbard County GIS and Assessor information:

Based on 2013 Hubbard County GIS data, Long Lake has 500 unique lakeshore parcel owners. There are 622 parcels on this 1926.07 acre lake. There are 136 residential parcels (full homestead) and 364 non-homestead or "seasonal" residents. There are 5 resorts and 1 campground plus 2 public accesses with parking. Long Lake is the largest of 3 lakes in Hubbard Township. This township is the 4th most valuable (tax base wise) in Hubbard County. It has a taxable market value (TMV) for water-related properties of about \$166M. This is 70% of the TMV of all property in the township. These properties provide almost 71% of the tax revenue. Long Lake is the most valuable lake in the county based on the county assessor data from 2013. The agricultural lands are part of the other 30% of the TMV in Hubbard Township.

Long Lake is part of the MN DNR's Straight River Pilot Groundwater Management Area. The Minnesota Legislature created groundwater management areas as a tool for the DNR to address difficult groundwater-related resource challenges. The goal of the Groundwater Program is to ensure that use of groundwater is sustainable and does not harm ecosystems, water quality, or the ability of future generations to meet their needs.

[Page 2 - Long Lake Area Association (Hubbard County) Inc. comments continued.]

The MPCA 1989 Ground Water Contamination Susceptibility Map depicts this area with the highest susceptibility to groundwater contamination. Private wells surround Long Lake. Some of these wells currently have nitrate problems causing the water to be above the acceptable level for drinking water. Irrigation pivots also dot the landscape as potato crops are raised in part for the largest employer in the area.

A spill or a leak would affect Long Lake, its residents, tourists, the groundwater and sandy soil of the area with a ripple effect on the townships and county. Please be cognizant of these important environmental and pipeline safety concerns.

The MN Environmental Quality Board may be best positioned to coordinate the EIS and consider the cumulative impacts of the proposed Sandpiper and Line 3 Replacement pipeline corridor related to our concerns.

If the Long Lake Area Association (Hubbard County) Inc. can be of assistance, please let us know. Thank you.

Sincerely,

The Board of Directors, Long Lake Area Association (Hubbard County) Inc.
The Board of Directors, Long Lake Area Association (Hubbard County), Inc. *smn*

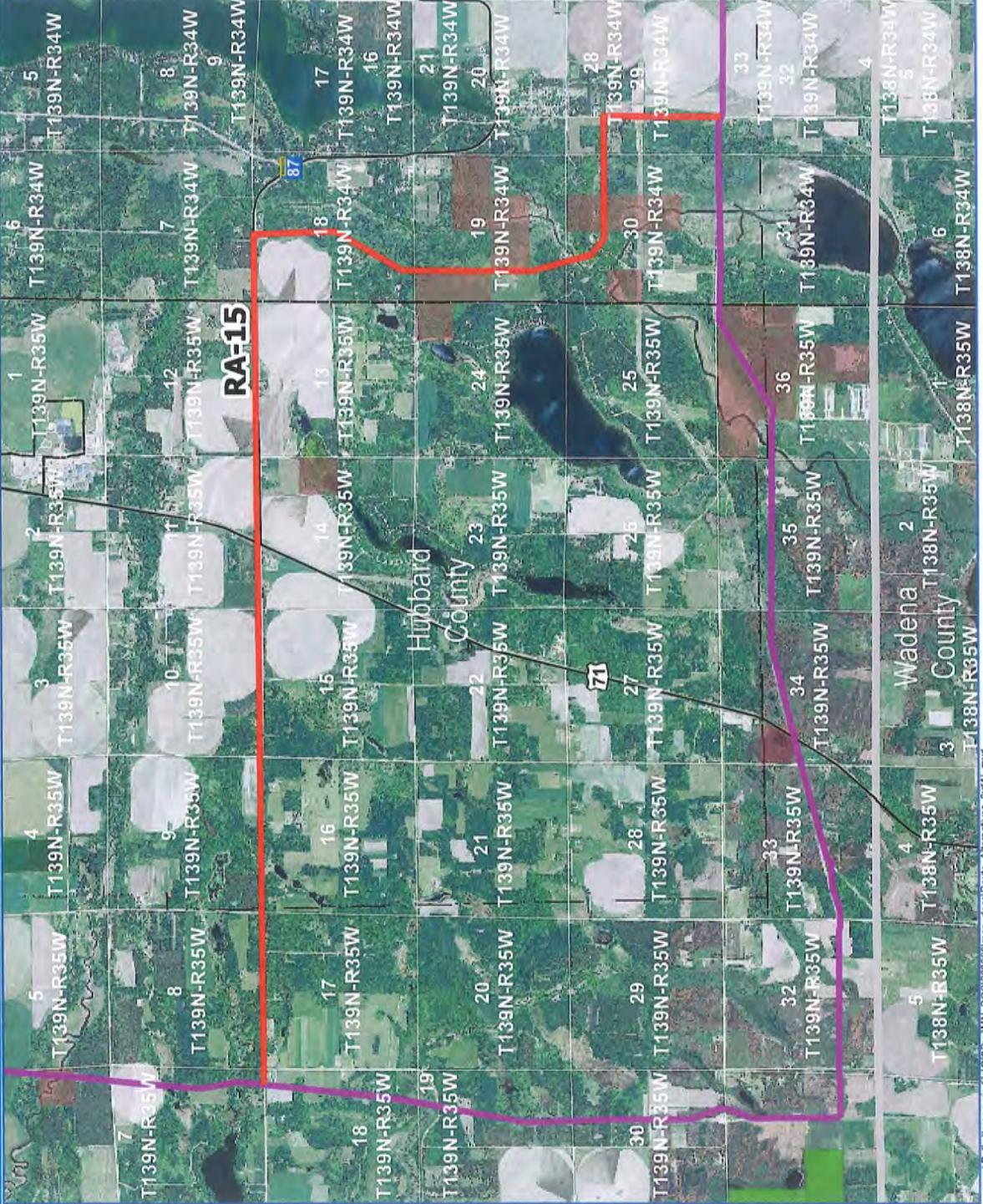
CC: Hubbard County Commissioners, Henrietta and Hubbard Township Supervisors

RA-15
Sandpiper Route Alternatives



Legend

- Sandpiper Route Alternative
- Sandpiper Proposed Route
- Adjacent Route Alternatives
- Reservation Boundary
- Chippewa National Forest
- Scientific & Natural Area
- Wildlife Management Area
- State Forest
- County Boundary
- City / Township Boundary



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Clearbrook to Aitkin County

The Clearbrook to Aitkin County area includes 10 route alternatives.

Route Alternative Number	County	Project Section	Comment ¹	Length (miles)
RA-09	Clearwater Hubbard	Clearbrook to Aitkin County	Alternative route starting in Section 11 of Itasca Township in Clearwater County and Hattie Township in Hubbard County to avoid the Big LaSalle Lake area.	8.05
RA-10	Clearwater	Clearbrook to Aitkin County	Big La Salle Creek alternative, lack of access near crossing of LaSalle Creek could result in delayed spill response times, suggest moving route to a crossing that is more accessible	6.83
RA-11	Clearwater	Clearbrook to Aitkin County	Route Alternative proposed to accommodate a landowner request to avoid the lake.	0.90
RA-12	Hubbard	Clearbrook to Aitkin County	Route alternative is being requested to remove a temporary workspace from adjacent land.	0.34
RA-13	Hubbard	Clearbrook to Aitkin County	Route alternative requested to route through North Dakota Pipeline Company land recently purchased.	0.18
RA-14	Hubbard	Clearbrook to Aitkin County	Route alternative being requested because two property owners want the pipeline further away from structures.	1.57
RA-15	Hubbard	Clearbrook to Aitkin County	Twin Lakes route alternative, lack of access near Twin Lakes and Shell river could result in delayed spill response times. Twin Lakes are identified as wild rice lakes by the DNR.	9.46
RA-16	Hubbard, Wadena	Clearbrook to Aitkin County	Enbridge provided a route to avoid the Crow Wing WMA due to easement restrictions.	10.46
RA-17	Cass	Clearbrook to Aitkin County	Route Alternative being proposed to avoid a large wetland complex in Foot Hill State Forest.	0.41
RA-18	Cass	Clearbrook to Aitkin County	Route alternative requested to accommodate changes to engineering design to add a pipeline inspection gauge launcher and receiver trap.	0.18
RA-19	Cass	Clearbrook to Aitkin County	Route alternative requested that the pipeline be constructed near an existing fence line.	1.11
RA-20	Aitkin	Clearbrook to Aitkin County	DNR requested a wider route south of the Spire Valley Fish Hatchery to minimize impacts the hatchery.	1.25



¹ Comment: The comment column is a summary of the issue that was identified in the comment submitted during notice period.

Rec'd 08-25-15
McGregor 11 AM
**Minnesota
House of
Representatives**

Dale Lueck
State Representative

District 10B



August 25, 2015

Public Utilities Commission
121 7th Place East, ste 350
Saint Paul, MN 55101-2147

MN Department of Commerce
85 7th Place East ste 500
Saint Paul, MN 55101

Re: Line #3 Replacement Project --- Docket PL-9/CN-14-916 & PL-9/PPL-15137

Dear Public Utilities Commission and Department of Commerce,

I urge the need and routing permit for the Line #3 Replacement Project within the route corridor requested be granted without delay.

There is a need to replace aging Line #3 with a new modern pipeline. Failing to replace or delaying replacement endangers public safety by eventually forcing more crude oil onto the rails. Operating an aging pipeline increases the potential for environmental damage.

My testimony and letter on the Sand Piper Pipeline Project of January 9, 2015 concerning public safety remains valid. There is a pressing public safety need to decrease the amount of crude oil transported through Minnesota by rail and truck. GAO-14-667 Oil and Gas Transportation report of August 21, 2014 states the following with respect the public safety aspects of transporting crude oil by pipeline versus other less safe modes of transportation:

"Inherent safety risks: Transporting oil and gas by any means through pipelines, rail, truck, or barge—poses inherent safety risks. However, in January 2013, we found that pipelines are relatively safe when compared with other modes, such as rail and truck, for transporting hazardous goods because pipelines are mostly underground."¹⁹

For example, we found that large trucks and rail cars transporting hazardous materials, including crude oil and natural gas liquids, resulted in far more fatalities and incidents than pipelines."

I urge the Public Utilities Commission and the Department of Commerce to work through the permitting process without delay and give public safety the highest priority.

The technology exists to build and safely operate pipelines through what some would label "ecologically sensitive" areas. However, as I stated in January of this year, we do not have the technology to recover lives lost due to accidents that will surely result if the Commission and Commerce place manageable environmental concerns ahead of public safety.

Secondary to the public safety issue of not replacing Line #3 in an expeditious manner is the risk to the environment of operating an aging pipeline that for many miles runs very close to the Mississippi River between Bemidji and Grand Rapids, Minnesota. The new proposed route for the Clearbrook to Superior segment moves the majority of Line #3 many miles away from the Mississippi River. This route reduces the risk of an almost immediate discharge of crude oil directly into the main body of the river, should a leak occur.



An additional important element of this project is the long term economic benefit this project would bring to the area. An example is the proposed pumping station near the City of Palisade, MN. That would bring both construction related and permanent jobs to the area.

The citizens of Aitkin and Crow Wing County would benefit from increased property tax revenue based on following the route proposed in this application. That would have an especially large and positive impact on the property tax payers within the school districts and townships of Aitkin County.

The additional of new property tax revenue for Aitkin County is estimated to be in the several millions of dollars annually should the proposed route for the Sandpiper and the Line #3 replacement project be followed.

I would also ask both the Commission and Commerce to put the discussion of alternative routes into proper perspective. Some citizen groups, the Minnesota Department of Natural Resources and the Minnesota Pollution Control Agency suggest using completely different routes from that included in the application before you.

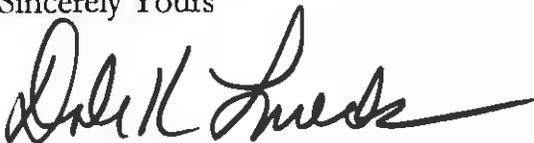
Regardless of where pipelines are routed it will be in someone's watershed and backyard. Pipelines transiting Minnesota will almost always cross some portion of the Mississippi Watershed. I would suggest that the focus should be on ensuring that the best engineering and highest construction standards are implemented with respect to dealing with ecologically sensitive areas, rather than wholesale shifting of the proposed route.

Attempting to significantly shift from the route contained in the application calls into question the efficacy of the permitting process and the role of both the Public Utilities Commission and Department of Commerce, as well as the MN DNR and MPCA as supporting state agencies. Attempting to determine whose backyard is more ecologically sensitive among the citizens of Minnesota quickly takes us down a very subjective and unnecessarily emotionally charged path. Everyone can rightfully claim their backyard is more sensitive.

I ask the Commission and Commerce to place public safety ahead of what are clearly legitimate, but very manageable environmental concerns. It is important to recognize that unwarranted delay in reaching a decision on the matter before you likely means more crude oil on the rails with an increased safety risk to both rural and metro citizens in Minnesota.

We are all interested in ensuring both public safety and protection of our wonderful environment here in Minnesota. Thank you for considering my comments.

Sincerely Yours

A handwritten signature in black ink, appearing to read "Dale K Lueck", with a long horizontal flourish extending to the right.

Dale K Lueck

Copy To:

Commissioner Tom Landwehr, MN DNR, Commissioner John Stine, MPCA