

From: [Barry Babcock](#)
To: [*COMM Pipeline Comments](#)
Subject: Comment on Sandpiper Pipeline
Date: Wednesday, May 25, 2016 12:41:45 PM

To Those Concerned:

There are so many imposing dangers to placing oil pipelines through the water rich regions of northern Minnesota that a comment piece could go on for pages but I will specifically talk about the "last remaining wilderness on the Mississippi."

The first forty river miles on the Mississippi, from Itasca State Park to Beltrami County Road 7 is by all accounts, the last remaining wilderness on the 2,550 miles of this great river. Here, the water flows gin clear through boreal forests of jack pine, red pine, and spruce and through some of the richest and most diverse wetlands in North America.

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

A Minnesota DNR inventory has identified species of threatened, endangered, or special concern; Timber Wolves, Trumpeter Swans nests in Beltrami County (protected species), Bald Eagle nests, Bog Adders Mouth (endangered species in Iron Springs Bog in Clearwater County), Hump Bladderwort (rare), Ramshead Orchid (a threatened species in Hubbard County), and two mussels of concern; the Creek Heel Splitter and Black Sand Shell Mussels. Clustered Burr Reed is rare species found here. A geologic feature unique to this area and is the LaSalle Tunnel Valley. The prolific wetlands here are home to a plethora of wetland species like the Virginia rail, which is of special concern, There is also a wide variety of ducks and other waterfowl.

Though the expansive wilderness doesn't compare to the one million acre Boundary Waters Canoe Area, the region still has enough wild and semi-wild lands left to give one the feeling of being in a remote and wild place. What it has that the BWCA does not is a more diverse community of both plants and animals. The region here has seen the deciduous and coniferous forests advance and retreat. With the retreats and advance in the timber line has come and gone the prairie. Three biomes come together here: prairie,

hardwoods, and conifers, which gives the added scope of diversity. The sandy and loamy soils also provide richer nutrients for the base layer on the pyramid of life. Other soils here have been acidified by jack pines for thousands of years, which has hampered diversity, but in turn these soils have become habitat for endangered species such as the Ramshead orchid and other species that favor these acid soils.

That the proposed pipeline route would cross the river within 15 miles of its source, through LaSalle Rec Area, and then run along the edge of Itasca State Park, the crowned jewel of Minnesota's state park system, is a looming threat that we deplore.

This is "Headwaters Country" in north central Minnesota and defines us, our land, our history; both Ojibwe and non-Indian.

The only ethical placement of this pipeline would be well outside of our water rich country of northern Minnesota. Even if the chances of a spill or leak occurring are extremely small, it is still not worth the risk in placing such an important region in jeopardy.

This river and park are not just state treasures, they are national treasures. Do not put in harms way an area that has come down through the ages to us as something that transcends commerce and energy. The ecological and cultural importance of this are vital to the well being of not only us humans but the plant and animal communities that inhabit this beautiful country.

Thank you;

Barry W. Babcock

38998 315th Ave

Laporte, MN 56461

solaris@paulbunyan.net



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

Doris Bandel



Tracking Subsidies, Promoting Accountability in Economic Development

Sign up for E-mail Updates

Support Us



Subsidy Tracker

Accountability Resources

Smart Growth

Investment

Corporate Research, Grants

Publications

Good Jobs New York

[Return to search form](#)

Violation Tracker Parent Company Summary

Parent Company Name: Enbridge

Ownership Structure: publicly traded

Headquartered in: Texas

Industry: pipelines

Penalty total since 2010: \$6,548,688

Number of records: 15

Notes:

The penalty dollar total above may be adjusted to account for the fact that the list of entries below may include both agency records and settlement announcements for the same case; or else a penalty covering multiple locations may be listed in the individual records for each of the facilities. Duplicate penalty amounts are marked with an asterisk in the list below.

Associated Names:

DUFOUR PETROLEUM, LP; Enbridge, ENBRIDGE ENERGY LIMITED PARTNERSHIP, Enbridge Energy Partners LP, Enbridge Energy Partners, L.P., ENBRIDGE G & P (EAST TEXAS) LP; ENBRIDGE G&P (NORTH TEXAS) L.P.; ENBRIDGE PIPELINES (EAST TEXAS) L.P.; ENBRIDGE PIPELINES (OZARK) L.L.C.; ENBRIDGE PIPELINES (TEXAS GATHERING) L.P.; ENBRIDGE PIPELINES (TOLEDO) INC; ENBRIDGE PIPELINES EAST TEXAS MARQUEZ PLANT; ENBRIDGE PIPELINES TEXAS GATHERING LP / TEX OK CMPSR STA

Links:

For an overview of this company's accountability track record, read its Corporate Rep Sheet [here](#).

Subsidy Tracker data on financial assistance to this company by federal, state and local government agencies can be found [here](#).

Individual Penalty Records:

Download results as [CSV](#) or [XML](#)

Company	Facility State	Year	Agency	Penalty Amount
ENBRIDGE ENERGY LIMITED PARTNERSHIP		2012	PHMSA	\$3,699,200
Enbridge Energy Partners L.P.	Minnesota	2010	PHMSA	\$2,400,000
ENBRIDGE ENERGY LIMITED PARTNERSHIP		2012	PHMSA	\$112,500
ENBRIDGE G & P (EAST TEXAS) LP	Texas	2010	OSHA	\$96,480
ENBRIDGE PIPELINES (TOLEDO) INC		2012	PHMSA	\$68,600
ENBRIDGE PIPELINES EAST TEXAS MARQUEZ PLANT	Texas	2012	EPA	\$46,008
ENBRIDGE G&P (NORTH TEXAS) L.P.	Texas	2014	OSHA	\$32,850
ENBRIDGE PIPELINES (OZARK) L.L.C.		2010	PHMSA	\$28,800
DUFOUR PETROLEUM, LP	Mississippi	2011	FMCSA	\$18,010
ENBRIDGE PIPELINES (TEXAS GATHERING) L.P.	Texas	2014	OSHA	\$14,700
ENBRIDGE PIPELINES (EAST TEXAS) L.P.	Texas	2012	OSHA	\$8,800
Enbridge		2014	FRA	\$7,500
ENBRIDGE PIPELINES TEXAS GATHERING LP / TEX OK CMPSR STA	Oklahoma	2012	EPA	\$5,250
Enbridge Energy Partners L.P.		2012	FRA	\$5,000
Enbridge		2014	FRA	\$5,000

Human Rights

Enbridge was a [target](http://www.columbia.edu/~c4/2004-2005/articles/kristen/couster-columbia) of human rights and other campaigners concerned about its role in the OCENSA pipeline in Colombia, where there were reports of environmental damage, displacement of indigenous communities and violence against union activists. Enbridge sold off its interest in OCENSA in 2009.

Late Fees Controversy

In 1994 a class action lawsuit was filed against Enbridge's natural gas operation in Ontario, alleging that it was imposing usurious late fees on customers. After the Supreme Court of Canada [ruled](http://www.ontarioenergyboard.ca/documents/cases/EB-2007-0731/Decision_Enbridge_CASDA_20080204.pdf) in favor of the plaintiffs, Enbridge settled the case for C\$22 million. But it then got [permission](http://www.ontarioenergyboard.ca/documents/cases/EB-2007-0731/Decision_Enbridge_CASDA_20080204.pdf) from the Ontario Energy Board to pass that cost back on to its customers.

Other Information Sources

Violation Tracker [summary page](http://violationtracker.goodjobsfirst.org/prog.php?parent=enbridge)

Watchdog Group and Campaigns

[Beyond Oil Campaign](http://content.sierraclub.org/bev/cndo/content/c%2F%80%99s-time-move-america-beyond-oil)

[Corporate Ethics International](http://www.corporateethics.org/servlet/jsp/365)

[Dirty Oil Sands](http://www.dirtvoilsands.org/)

[Environmental Defence Canada](http://www.environmentaldefence.ca/)

[ForestEthics](http://www.forestethics.org/)

[Greenpeace Canada](http://www.greenpeace.org/canada/en/)

[Honor the Earth](http://www.honorearth.org/)

[Indigenous Environmental Network](http://www.iansearth.org/)

[National Wildlife Federation](http://www.nwf.org/)

[Oil Sands Truth](http://oilsandstruth.org/)

[Oil Sands Watch](http://www.oilsandswatch.org/)

[Pembina Institute](http://www.pembina.org/)

[Polaris Institute](http://www.polarisinstitute.org/)

[Tar Sands Watch](http://www.tarsandswatch.org/)

Key Books and Reports

[Big Oil's Oily Grasp: The Making of Canada as a Petro-State and How Oil Money is Corrupting Canadian Politics](http://www.polarisinstitute.org/bio_of%2F%80%99s_oily_grasp) (Polaris Institute, December 2012).

[Dirty Oil: How the Tar Sands are Fueling the Global Climate Crisis](http://www.greenpeace.org/canada/en/campaigns/Environment/Exposures/Reports/Tar_sands_report) (Greenpeace Canada, September 2009).

[Enbridge Incorporated Hazardous Liquid Pipeline Rupture and Release: Marshall, Michigan, July 25, 2010](http://www.ntsb.gov/docs/reports/2012/PAR1201.pdf) (National Transportation Safety Board Accident Report NTSB/PAR-12/01, July 10, 2012).

[Importing Disaster: The Anatomy of Enbridge's Once and Future Oil Spills](http://www.nwf.org/News-and-Magazines/Media-Center/Reports/Archive/201207-23-12-Importing-Disaster.aspx) (National Wildlife Federation, July 2012).

[Opening the Door to Oilsands Expansion: the Hidden Environmental Impacts of the Enbridge Northern Gateway Pipeline](http://www.pembina.org/sub/1850) (Pembina Institute, January 2010).

[Out on the Tar Sands Mainline: Mapping Enbridge's Web of Pipelines](http://www.tarsandswatch.org/files/Updated%20Enbridge%20Profile.pdf) (Polaris Institute, May 2010; partially updated May 2012).

Pipelines and Salmon in Northern British Columbia (<http://pubs.pembina.org/reports/pipelines-and-salmon-in-northern-bc-report.pdf>)
(Pembina Institute, October 2009).

Note: This page draws from a [corporate update \(URL: http://www.crocodile.com/uk/news/011010.html\)](http://www.crocodile.com/uk/news/011010.html) originally prepared by the author for the Crocodyl website in July 2010.

Last updated April 11, 2013.

From: [Kelsey Barrick](#)
To: [*COMM Pipeline Comments](#)
Subject: Pipeline
Date: Thursday, May 26, 2016 9:45:14 AM

Please do not proceed with this mining project. If you have any soul whatsoever you will see the harm this will cause to our Mother and all its beings.

Peace,

Kelsey

From: [Keith Bartlett](#)
To: [*COMM Pipeline Comments](#)
Subject: Sandpiper and Line 3
Date: Wednesday, April 27, 2016 10:08:58 AM

I feel that a pipeline is the safest way to move the oil through our state. Current increase of oil being moved by rail is very concerning as it increases the chances of a spill by forces out of control by the carrier, by rails shifting causing derailment, by traffic at intersections that could cause derailment are two that come to mind with very little thought.

History has proven that pipeline have had considerable less spills than rail. The rail incidents have often led to intense fires as well as a spill. That would be devastating to the residents of Minnesota when we have a oil train derailment in a city that ignites into a fire.

Environmentally how much damaged is done to Minnesota with the increased rail traffic with that big engine spewing out massive amount of pollution out the exhaust as to compared to a few pumps running quietly in the middle of nowhere.

Keith Bartlett

Branch Operations Manager | Ziegler Cat
3311 Liberty Lane | Brainerd MN 56401
218.829.9800 Office
218.206.3980 Mobile
877.829.9850 Toll Free
218.833.8530 Fax
www.zieglercat.com



Jeff Bergeron
1834 West Chub Lake RD
Carlton, MN 55718

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

Dear Jamie MacAlister:

I am writing in regards to the two proposed lines coming in close proximity of our South Boundary: Sandpiper 668/CN-13-473 and PPL-13-474; Line 3: PL-9/CN-14-916 and PPL-15-137. My wife and I have a one acre lot with three lines running through the west part of our property already. The lines are owned by Trans Canada. These lines are 36" to 42" in size and running at about 900 PSI. I had to contact Trans Canada to pound a fence post into the ground to install a fence for our garden. That just shows how close these lines are to our house.

It comes with great concern that Enbridge is now proposing to put two of their lines which will once again be in close proximity of our South Boundary property. These two lines are very concerning to us as they will have to cross the three lines owned by Trans Canada. I vividly recall in the 1990's when two gas lines located South of Carlton County land fill; South of Highway 210 and west of Highway Interstate 35 rubbed together and ruptured. Debris flew from the leak to both Interstate 35 and Highway 210. I am sure your office has this leak on record? The good news at that time was this area was not populated. However; in this current proposal not only my family but many others are within close range of the crossing of pipeline and I believe is located in Wetlands.

We have lived here for the past 33 years; raised our children and planned to retire in this house we made comfortable for ourselves. My concern and fear has raised to the point of offering Enbridge to purchase our property; not wanting to risk harm to my family if another leak were to occur. Enbridge declined purchasing our property and refused to offer any fair compensation due to their compensation rules.

It would be greatly appreciated and preferred if Enbridge would re-route these lines instead of having to follow utility electrical easement below our home. My wife, children and I would like to go on record as strongly opposing the Sandpiper and line 3 installation.

Sincerely from concerned property owners,

Jeffrey Bergeron

Bobbi Jo Bergeron

Jeffrey & Bobbi Jo Bergeron

218-565-8599

4-23-2016

RECEIVED

APR 28 2016

MAILROOM

From: [Joshua Bernstein](#)
To: [*COMM Pipeline Comments](#)
Subject: Pipeline Comment
Date: Monday, May 09, 2016 12:54:12 PM

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

May 9, 2016

Joshua A. Bernstein, Ph.D.
Assistant Professor
Department of English
University of Minnesota Duluth
410 Humanities, D155A
1201 Ordean Court
Duluth, MN 55812-3041
Office: 218-726-8549
Email: jbernste@d.umn.edu

To the Environmental Review Manager:

As an academic and a parent in Minnesota, I would like to urge you in the strongest possible terms to please reject the two proposed oil pipelines, the “Sandpiper” and “Line 3,” in Minnesota. There is simply no economic justification for the kinds of ecological and human health risks posed by these pipelines, as I believe any honest scientist or policymaker will attest. One need only look at Enbridge’s 2010 Kalamazoo River oil spill as evidence for what will likely occur in Minnesota if these pipelines are built. Apart from the incalculable ecological damage and human health effects caused by that spill, Enbridge, as I understand it, was initially fined only \$3.7 million for the accident, even though the full costs of cleanup were estimated in 2012 to be \$767 million. That ordinary citizens should have to foot the majority of the bill for that accident, particularly after suffering its effects, is, if true, nothing short of appalling. I am even more disturbed that, in light of that accident and many others of its sort, Enbridge could advance its proposals this far in Minnesota.

Although I know Enbridge and other interests have lobbied heavily to make these proposed pipelines in Minnesota sound feasible, please do not be duped by their efforts. The safety and wellbeing of millions of people, including future generations, depend on this decision, and I trust you will act accordingly. Finally, I don’t think you need reminding that the lands potentially affected by these pipelines constitute a national treasure, and, in many cases, the sacred heritage of Native Americans. Please do the responsible thing and reject these proposed pipelines immediately.

Sincerely,
Dr. Joshua Bernstein

From: [pamela bezotte](#)"
To: [*COMM Pipeline Comments](#)
Subject: Pipeline
Date: Tuesday, May 24, 2016 12:15:49 PM

I am writing in regards to the Pipeline proposal by Itasca State Park. I have lived around this area for years and I know the nature of the purity of the area, as well as the precariousness of water purity. Common sense alone speaks to an unwise decision of placing a potential pollutant into an area and at the source of a river that runs through our continent. An accident or leak into a major river straight from the river's source, which is where the pipeline is planned to run would be devastating to the whole continent. The pipeline could run in an area without a major river's source. The groundwater and all aquifers throughout MN are highly subject to pollutants even if the river itself is not seen (which I could not imagine) as a concern. Please listen to reason and common sense and do not risk the death of a major waterway. Thank you for your time.

Pamela Bezotte MSED
Sent from my iPhone

Vicki Bibeau

11 May 2016

I have lived over half of my life bordering the Chippewa National forest. I am a block away from the Mississippi River and a block from the original LINE 3 that runs along Highway 2 to Duluth which is 100 miles from my house in the forest. I have seen the Enbridge fires in Cohasset burning off the oil spill with huge black smoke for days floating west in the sky.

I am aware of the Oil spill in the Prairie River in Grand Rapids that was a major disaster. ^{and} We all should know about the recent oil spill near Clearbrook while there was still snow on the ground.

What about the abandonment of the original LINE 3? Enbridge is calling the proposed new pipeline "Sandpiper" but also wants to put in a new Line 3 along with it? The original LINE 3 along Highway 2 is planned to be abandon and abandoned oil pipes WILL corrode. Enbridge proposes to leave it there with no clean up what so ever? This is abandonment of a ^{soon to be} corrosive oil pipeline, I would compare this man-made problem to Flint Michigan with the lead in their poisoned water. its Pipeline Fatigue- you can't have any new toys until you get rid of the ones that are broken.... I think they should clean up that OLD LINE 3 before they put more pipelines in the ground.

Do we ^{^ All} know that Enbridge has changed their name on this project just for Sandpiper and now refer to themselves as North Dakota Pipeline Company? It might sound more "American" to the average citizen but it is STILL a foreign company from another country, right?

Are we all aware that Enbridge hired an AD company to create the maps that are ^{outside} _{in} this room and DOC is using them as displays?

Are the people who attend these meetings aware that, many times the Union workers (and some are bused in) are not from nor live IN Minnesota? Enbridge also has testified that this job will bring 22 permanent jobs. 22 jobs. That number is from Enbridge's testimony.

I am concerned that the 'hearings' for this new pipeline are only held during fall to spring and nothing in the summer when many people live up here at the lake & cabins and would certainly have something to say.

Most comments[^] on the Rail Road issue seems to be incorrect when I check the facts. The oil company buys the rail cars for the oil. I do know, that I would rather have a RR oil car derailed and spill a certain known amount of oil along a railroad track than a pipeline spill into the earth and water with an unknown amount of destruction creating an impossible total clean up especially in places you cannot get to easily.

I am offended by the "Maps" that Enbridge provides for this project. How can they help the EIS if MOST of the lakes and rivers are not shown on Enbridge's maps that many of their many oil pipelines run through. I suggest to all in this room that you google Minnesota lakes on a Map search and LOOK at the water & lakes. Then compare it to what maps Enbridge provides and posts on their website.

I travel routes that connect the watersheds, the lakes and the rivers, especially for the past two years traveling down to Saint Paul to the PUC's hearings, court battles and motions. It is a 400 mile round trip as so many in these Departments of Minnesota know very well by now.

It is a known fact that Enbridge has NO answers on how they plan to restore the many wild rice beds when a Oil spill occurs. You all do know that natural Wild Rice ONLY grows in Minnesota and along the Canadian and Wisconsin borders, right? You are aware that the black wild rice you can buy in the twin cities is not really Wild Rice from Minnesota, right?

You do understand that wild rice is harvested by two people IN a canoe in our lakes and rivers with 2 long sticks to knock each grain of wild rice into the canoe, right? And you know that people that LIVE up here, eat that rice several times a week if not daily to supplement their existence? It is one of the oldest and most traditional foods known on this continent. And only grows HERE in Minnesota in our lakes and rivers, totally naturally.

You cannot eat or drink oil or money.....

'Water will get you through times of no oil, BUT oil will not get you through times of NO Water'.

The oil spills, leaks, and releases will create a devastation in Minnesota

and down river to the gulf of Mexico that will last longer than your grandchildren's lifetime..... "so when they ask...."

My belief is that YOU as citizens of Minnesota and employees of Minnesota, listen and learn from all of us who come to these hearings and are fearless enough to give comment. WE want to believe that you will do your job and come to the reality that the EIS will show, prove and verify that a foreign oil company (from anywhere) can not buy itself in Minnesota by going through our lakes, rivers and land with destruction that will eventually come,,,,, from proof of the abandonment lines Enbridge could care less about.

This must be the real EIS focus:

The Abandonment RISKS ~vs~ Enbridge profits...

And NOT just construction routes for the Environmental Impact Statement, BECAUSE Enbridge has TWO MORE OLD PIPELINES on Hwy 2 after this, that will also need to be replaced and not abandoned. Thank you.

And when all is said + done and it gets approved by the State of Minnesota it WILL be bigger than Keystone XL.

→ That is not a good thing for Minnesota.

A handwritten signature in black ink, consisting of a large, stylized letter 'B' with a horizontal line extending to the right.

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

Re: Comments on Sandpiper/Line 3 EIS scoping , Docket #s PL-6668/CN- 13-473 and PPL-13- 474, Line 3: PL-9/CN-14- 916 and PPL-15- 137)

May 26, 2016

Dear Mr. MacAlister:

Thank you for the opportunity to comment on the proposed Sandpiper and Line 3. I am a professional freshwater ecologist, with M.S. and PhD degrees in Conservation Biology from the University of Minnesota- St. Paul, Department of Fisheries, Wildlife, and Conservation Biology. My professional career has been devoted to protecting clean water, healthy watersheds and aquatic ecosystems. Protecting clean water and healthy lake and river systems benefits both conservation and human welfare in Minnesota (e.g. sense of well-being, long-term social and economic health).

In addition to my professional expertise, I am a landowner on an existing pipeline easement. My property lies on the Todd/Morrison County border crossed by four Koch pipelines that run from Clearbrook to Koch terminal in St. Paul. Koch is currently building a new pumping station on a property adjacent to mine in order to move more oil at higher pressure. Therefore, I have ongoing personal experience with what it means to have one's own private property, which one has attempted to properly steward and care for, appropriated by eminent domain, subject to reduced property values, reduced future options, and living with the ever-present risk. It is even possible that I would be affected personally by at least one of the proposed alternate routes for Sandpiper.

The following comments represent my personal opinion alone--a perspective that is rooted deeply in both my direct experience as a landowner and informed by my professional expertise in the environmental field.

The proposed Sandpiper pipeline consists of approximately 616 miles of new 24-inch- and 30-inch-diameter pipeline, from North Dakota, Minnesota, and Wisconsin and terminating at the existing Enbridge Superior station and terminal facility near Superior, Wisconsin. In Minnesota, approximately 303 miles of new 24-inch- and 30-inch-diameter, underground crude oil (from the Bakken) pipeline would be constructed along the SPP route. In Minnesota, there would be approximately 73 miles of new 24-inch-diameter pipeline (average capacity of 225,000 barrels per day ["bpd"]), beginning at the North Dakota-Minnesota state line near Grand Forks, North Dakota, and extending to a new terminal near Clearbrook, Minnesota. The proposed Sandpiper corridor enters Minnesota just south of Grand Forks,

North Dakota. It heads east to Enbridge's Clearbrook terminal and then south toward Park Rapids along an existing crude oil corridor. South of Park Rapids, the pipeline would follow a transmission line corridor to Superior, Wisconsin. The proposed Line 3 replacement involves approximately 337.1 miles of new 36-inch diameter, underground crude oil (light, medium, and heavy crude) pipeline constructed along the L3R route between the North Dakota/Minnesota border and the Minnesota/Wisconsin border. Both projects involve substantial disturbance along an entirely new pipeline corridor that cuts across what citizens and agencies have all identified as some of the highest quality lake, river, wetland, wild rice, and forested watershed habitats remaining in Minnesota, including areas identified as high conservation priority under the 2015 update to the State Wildlife Action Plan and many, many lakes and watersheds identified as high priorities for protection through the MPCA's recent Watershed Restoration and Protection Strategy development processes being conducted in each of the state's major watersheds.

The EIS has identified issues of concern as limited to (1) Spill analysis, (2) Groundwater, (3) Surface Water Resources ; (4) Wild Rice, (5) Tribal Concerns , and (6) Pipeline Decommissioning.

Certainly each of these is a critical issue and should be thoroughly examined in the EIS. Both the long-term impacts of the pipeline, as well as the potential acute and chronic effects of any releases should be evaluated. The effects of oil releases on aquatic systems may be far-reaching. The EIS should address impacts to habitat, wetlands, lake and river shores, streambeds, and lake bottoms; potential groundwater contamination ; contamination of wildlife; and fate and transfer of spills and degradation products where effects may persist for years, such as marshes, backwaters, and sensitive shorelands¹.

With respect to pipeline decommissioning, I am disturbed that the Line 3 replacement proposal seeks to follow the new Sandpiper route through some of Minnesota's highest quality and highest biodiversity lakes, wetlands, and northern forests, rather than remove and replace the problematic existing pipeline that is being abandoned with completely inadequate monitoring and oversight. This is simply unacceptable.

However, to this list of issues I would add consideration in much greater depth of (7) habitat fragmentation and loss, especially the cumulative effects of habitat fragmentation and loss; and (8) implications for and from climate change.

7) The first issue – cumulative effects of habitat loss – is recognized in nearly every article and conservation biology textbook as one of the most significant threats to biodiversity globally. Ecological research is clear on this point: habitat loss, fragmentation and degradation are one of the most significant issues in natural resources management and conservation². These effects apply to roads and

¹ Pezeschki et al. 2000, Kingston 2002

² MacArthur and Wilson 1967, Ricklefs and Miller 2000, Noss and Cooperrider 1996; Stein, Kutner, and Adams 2000; Forman et al. 2002; Hilty et al 2006; Groves and Game 2015 (Craig R. Groves , Edward T. Game. 2015. Conservation Planning: Informed Decisions for a Healthier Planet. MacMillan Publishing, Greenwood Village, CO.)

corridors and also provide vectors for introduction of nuisance and invasive species. The assessment of the effects of forest and wetland fragmentation should be included, given the amount of new corridor disturbance proposed by this project/route. Public record comments on pipeline projects in the eastern U.S. (including the proposed Atlantic Coast Pipeline (ACP) and associated projects), have included a compelling case for the assessment of cumulative habitat effects, programmatic approaches to large-scale energy infrastructure, and landscape-scale application of the mitigation hierarchy (avoidance, minimization, and measures to offset or compensate) for energy and other infrastructure development. President Obama's Executive Order 13604 and the May 2013 Presidential Memorandum (PM) on "Modernizing Federal Infrastructure Review and Permitting Regulations, Policies, and Procedures" specifically calls for these measures, which should be applied to the Sandpiper EIS also.

8) Implications of Sandpiper and Line 3 for and from climate change. Pursuing the path implied by development of these and other new pipelines—continued business-as-usual in terms of piecemeal projects and infrastructure development aimed at extracting the next big source of potentially economically recoverable fossil fuels-- represents an unsustainable path that in conjunction with all the other projects is propelling us towards the very real possibility of sudden, irreversible, catastrophic and sudden, severe climate change. Nearly all scientists who have looked at the potential paths out of this crisis agree—to avoid calamitous warming beyond 2-4 °C will require making the transition to renewable fuels more rapidly than we have ever previously imagined, along with protecting and restoring a significant amount of "Nature" to reverse the trend and re-capture carbon in storage. I agree with the three basic concerns outlined by MN350, an organization that is providing much-needed leadership on climate change. As an individual and a scientist who has devoted my career and personal life to conservation, environmental and sustainability issues, I consider climate change to be the most significant threat facing humanity perhaps in the entire history of civilization.

Climate change reality and Carbon impacts of Tar Sands Oil

The growing consensus among climate scientists is that in order to avoid the worst case scenarios of runaway climate change (> 10 °C global temperature increases; massive and abrupt sea level rise) we need to shift away from fossil fuels as fast as possible³. Construction of new pipelines to continue extraction of shale oil and tar sands oil from remaining reserves is potentially incompatible with the strategies needed to reduce emissions to a level that may avoid the worst impacts of climate change. The only way to create the demand, the jobs, and the momentum for the transition is to ensure that new fossil fuel developments internalize the cost they are imposing on future generations. Even if there are supply constraints, and prices increase, that would only hasten the reduction in use and the transition to renewable sources.

Oil sands, on a "well-to-wheels" basis, have at least 15 to 20 percent higher greenhouse emissions than conventional oil. In Canada, the region of the world that is being exploited for oil shales is part of the

³ <http://www.theguardian.com/environment/2016/may/23/world-could-warm-by-massive-10c-if-all-fossil-fuels-are-burned>

vast boreal region that has been an essential carbon sink. The very act of developing the infrastructure to extract tar sands in the first place liquidates an enormous carbon sink right off the bat. In 2012, analysis showed Canada failing to meet its globally agreed-to targets for emissions reductions expansion by 50%, primarily because of oil sands expansion.⁴

Water pollution and other waste concerns plague mining-based projects that produce large volumes of tailings that have negative consequences for communities, especially native communities, at the source.⁵ This is also a concern in the Bakken region where water resources are already under significant pressure.

Given the need—universally acknowledged by climate change scientists—to make the most aggressive possible switch to alternative renewable sources of energy and away from fossil fuels as soon as possible, there is significant question as to whether there can be considered any public need or public benefit from new pipeline infrastructure. Given the existing economic climate for fossil fuels, the benefit may not even accrue in the short-term, as these projects may not even really be needed to meet current demand. Enbridge itself has indicated its intent and desire to move beyond oil sands dependency beyond 2019.⁶ Some analysts have projected that long-term demand for oil may be dramatically lower than the oil industry's projections⁷, if the world moves to restrict carbon emissions in the face of rapidly emerging disasters and unfolding evidence. As a result of decades of opposition, Canada appears to be questioning its own decision to pursue tar sands development full-bore. And as price volatility impacts oil producers, often pipeline safety and maintenance are the casualties, compounding the negative impacts. Already Enbridge has shown some signs of vulnerability, both in repeated, demonstrated pipeline safety failures and leaks, as well as its inability and/or unwillingness to responsibly deal with the existing Line 3 by replacing the current failing pipeline, and/or completely removing it and mitigating the damage it has caused. Liability for these damages is also the liability Minnesotans face if Enbridge is unable in the future to honor its financial and legal obligations and commitments with respect to pipeline safety, maintenance, spill prevention (and/or cleanup), decommissioning, and environmental mitigation.

Process concerns

I agree with those who have argued that the responsibility under law and rule of the DOC is to advocate for the public's best interest in matters that could potentially impact water resources that are among the most highly valued assets of Minnesotans in terms of our quality of life, culture, and our economies. I question the DOC's adoption of Enbridge's private purpose route as the "Project Purpose" in the draft Scoping document. The company hired to do the EIS, Cardno, has a longstanding client relationship with Enbridge and as such is not a disinterested party. As early as 2011, a *New York Times* article questioned

⁴ <http://www.pembina.org/blog/668>

⁵ <http://www.circleofblue.org/waternews/2010/world/tarsandsoilproductionisanindustrialbonanzaposesmajorwaterusechallenges/>

⁶ <http://www.nationalobserver.com/2016/02/19/news/enbridge-wants-break-its-oilsands-addiction>

⁷ <http://oilprice.com/Energy/Energy-General/What-The-Oil-And-Gas-Industry-Is-Not-Telling-Investors.html>

the appointment of Cardno to the review of Keystone XL based on demonstrable instances of conflict of interest.⁸ Finally, I am concerned about the lack of assurance that the MPCA and DNR will participate in the preparation of the EIS.

Tribal Rights

I support the full exercise of Tribal and Treaty rights for Native Americans in Minnesota, including the White Earth Band and Leech Lake Band of Ojibwe. The U.N. Declaration on the Rights of Indigenous Peoples requires States to consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them (article 19). States must have consent as the *objective* of consultation before the undertaking of projects that affect indigenous peoples' rights to land, territory and resources, including mining and other utilization or exploitation of resources (article 32).⁹ The proposed pipeline affects many resources (wild rice, fish, gathering) and lands potentially impacted by the new pipeline route. International standards require a prior agreement from the Bands that the process for the EIS will be adequate.

Enbridge Safety Record:

Enbridge has a notably poor safety record. For example, in a document from May 6, 2014, the Pipeline and Hazardous Materials Safety Administration held Enbridge up as the industry model of what not to do.¹⁰ After the fatal accident on Line 3 repairs in November 2007 in Clearbrook, MN, Enbridge was cited for failing to safely and adequately perform maintenance and repair activities, clear the designated area from possible sources of ignition, and hire properly trained and qualified workers. Additional incidents include 6,000 barrels spilled from a pipeline that ruptured in a marsh in Itasca County (July 4, 2002, Cohasset, MN); 8,810 barrels leaked in Plummer, MN September 22, 1998; and 40,500 barrels leaked in Grand Rapids, MN, March 2, 1991. That's not to mention Enbridge's responsibility for the largest release in U.S. history at Kalamazoo, MI, a spill which is still in litigation.

Enbridge has routinely downplayed the actual risks of a spill happening at some point, somewhere, along the pipeline. Regarding the potential risks of the Keystone XL pipeline, Professor Meshkati wrote for the New York Times that "human error" is inevitable in the foreseeable future, despite increasing levels of computerization and automation, given that such complex systems will operate under the centralized control of a few human operators." To improve pipeline safety would require "total systems reorientation through strengthening the regulatory oversight and improving the management of pipeline technology. Above all, we need to devise a robust organizational and operating system, nurture a strong safety culture and improve human-systems integration."^{11,12} UT professor Mohammad Najafi

⁸ http://www.nytimes.com/2011/10/08/science/earth/08pipeline.html?_r=0

⁹ <http://www.ohchr.org/Documents/Issues/IPeoples/FreePriorandInformedConsent.pdf>

¹⁰ <https://www.federalregister.gov/articles/2014/05/06/2014-10248/pipeline-safety-lessons-learned-from-the-release-at-marshall-michigan>

¹¹ <http://www.nytimes.com/roomfordebate/2011/10/03/what-are-the-risks-of-the-keystone-xl-pipeline-project/no-technology-is-risk-free>

asked why we should take the risk, given that “the oil extracted from a sensitive wilderness is not worth the possible costs.”

I think this is a critical juncture for Minnesotans, and the nation as a whole. On behalf of *all* Minnesotans, current and future, we need to ensure thorough and responsible consideration of the project and the alternatives, and choose the best path forward.

Thank you for your service to the citizens of the State of Minnesota.
Respectfully submitted,

Kristen Blann, Ph.D.
40234 US 10
Cushing, MN 56443

From: [Jerry Bond](#)
To: [*COMM Pipeline Comments](#)
Subject: Scoping EIS comment for Sandpiper (13-473 & 13-474) and Line 3 Replacement (14-916 & 15-137)
Date: Friday, May 06, 2016 9:50:07 AM

Dear Ms. MacAlister,

We need safe pipeline infrastructure to safely transport these products! Safer than railway or truck transportation by far. Need independence from foreign gas at oil. Put your money on American construction that is so much safer than previous built pipelines that are in use to this day. Thank you and God bless America

Sincerely,

Jerry Bond
525 Jordan Ct
Olive Hill, KY 41164
jabond63@yahoo.com

Mr. J. MacAlister, Environ. Rev. Mgr.
Min. Dept. of Commerce
St. Paul, MN.

Tuesday 4-12-16
369 A.E. Selvidere St.
St. Paul, MN. 55107

RECEIVED

APR 14 2016

MAILROOM

Ref: Sandpiper: PL-6668/CN-13-473
PPL-13-474
Line 3: PL-9/CN-14-916
PPL-15-137

Dear Review Mgr. Mr. MacAlister,

Environmental Hazard (See enclosed Article of
4-12-16 By Blake Nicholson, Star-Tribune "Keystone Oil
is flowing again after leak, spill") of the
Sandpiper Pipe line Project should not be permitted
to repeat the event described.

The expansion of fossil fuel delivery only encourages
the further use of carbon based pollutants that have
our planet in crisis predicament.

The Sandpiper Pipeline Project should be rejected
in its' entirety.

"Thank You" for your consideration in this matter.

Sincerely,
Robert A. Brode

NATION & WORLD

WEDNESDAY, APRIL 12, 2016

Keystone oil is flowing again after leak, spill

By BLAKE NICHOLSON
Associated Press

BISMARCK, N.D. — TransCanada Corp. has resumed sending oil through the Keystone Pipeline after a weeklong shutdown prompted by a leak and oil spill in southeastern South Dakota.

The pipeline came back online Sunday, but with a reduced pressure under a controlled restart whose terms were ordered by the federal Pipeline and Hazardous Materials Safety Administration. TransCanada also will be reviewing construction records, doing additional inspections of the pipeline and additional ground and air monitoring, spokesman Mark Cooper said Monday.

TransCanada estimated about 400 barrels of oil, or just under 17,000 gallons, spilled onto private land during the leak, the duration of which the company said is unknown. Federal regulators sent the company an order Saturday that said an "anomaly" on a weld on the pipeline was to blame for the leak, but the cause wasn't immediately determined. When a third-party metallurgist hired by TransCanada discovered the leak, it was releasing oil at a rate of about two drops per minute.

State Department of Natural Resources environmental scientist Brian Walsh said oil contaminated only the nearby soil and not any waterways or aquifers. Tainted soil was removed and work will continue to restore the site, Cooper said. The two directly affected landowners will be compensated for their time and any damages, he said.

"We recognize this is a significant inconvenience to their day-to-day lives," Cooper said.

The leak was discovered April 2 on the pipeline that transports crude from Alberta to refineries in Illinois and Oklahoma, passing through the eastern Dakotas, Nebraska, Kansas and Missouri. It can handle 550,000 barrels, or about 23 million gallons, daily.

RECEIVED

MAY 26 2016

MAILROOM

Date: May 25, 2016

To: Minnesota Department of Commerce
Attn: Jamie Macalister – Environmental Review Manager

From: Dawn Bourdeaux
Trustee for Erie – Bourdeaux Family Revocable Trust
MN-CL-011.000, MN-CL-012.000, MN-CL-014.000

RE: Enbridge Sandpiper, Line 3 replacement, Clearbrook West 115 kV Transmission Line and Clearbrook West Terminal (New Tank Farm for Sandpiper)
PUC Docket Numbers: PL-9/CN-14-916
PUC Docket Numbers: PL-9/PPL-15-137
PUC Docket Numbers: ET/TL -14-665
PUC Docket Numbers: PL6668/PPL-13-474

Thank you for the opportunity to comment at the Public Scoping meeting in St Paul.

Can you please put comments in all the PUC Dockets for Sandpiper, Line 3 replacement, Clearbrook West 115 kV Transmission and Clearbrook West Terminal - #PL-9/CN-14-916, #PL-9/PPL-15-137, ET/TL-14-665, PL6668/PPL-13-474?

I am writing in regards to the following properties **MN-CL-001.000, MN-CL-012.000 and MN-CL-014.000 (Erie – Bourdeaux Family Revocable Trust)** off of Taflin Lake Road in Pine Lake Township in Clearwater County. Currently going through the properties are EPP Corridor (7 lines) and NDPC Line 81. With the replacement line 3 and Sandpiper we will have 10 pipelines and they have also a 115 kV Transmission Line going through our properties. We are OVER fatigued with the amount of pipelines going through our properties already. For the Line 3 replacement line they want to change routes when the line leaves Clearbrook, because of fatigued, it is already fatigued before it gets to the Clearbrook Terminal. The route needs to change before you even get to Clearbrook, because of the same reasons Enbridge does not want to follow the current line 3 route to Superior, WI. The line 3 replacement line should follow the current route for line 3 exactly and the old pipes removed.

All the following projects are phased and connected actions and need to be in the EIS (Environmental Impact Statement): Sandpiper – docket #13-474, Line 3 replacement – docket #15-137, Clearbrook West 115 kV Transmission line – docket #14-665 and Clearbrook West Terminal (New Tank Farm for Sandpiper.) All routes and alternatives must be considered in the EIS, for ALL of these phased and connected projects.

Enbridge has purchased the following property MN-CL-013.200 for a new tank farm for the Sandpiper Line. Enbridge can NOT access the Sandpiper Line or NDPC Line 81 on this property. For their tank farm to work, they need to defer the pipes from our properties. Currently **Enbridge has an easement for the Sandpiper Line to go straight through the properties ID # MN-CL-011.000, MN-CL-012.000 and MN-CL-014.000 (as seen on attached map) and want that easement honored and not to follow the proposed sandpiper line to defer the pipes into their new tank farm on ID #MN-CL-013.200.** If they defer the sandpiper line over to the new tank farm, then we are losing valuable farming land, because the land is never the same once they dig. We have lost our valuable soil on other parts of our farms due to Enbridge's digging and them putting the clay base on top. I do not understand why Enbridge would purchase land that they cannot access the Sandpiper Line on their own property. On September 9, 2015 we were asked for even more easement land

because Enbridge wants to have NDPC Line 81 go into the new tank farm. Our family should not have the burden of losing our excellent agriculture land in order for Enbridge to get their new tank farm.

An EIS (Environmental Impact Statement) study needs to be done first on Enbridge's new tank farm on MN-CL-013.200, before a Certificate of Need or Route Permit is issued. There are two lakes very close to the proposed new tank farm and are the Erie Lake and Klongerbo Lake. Currently on the Erie Lake there are 12 trumpeter swans. Each year more trumpeter swans are on Erie Lake. We also have eagles between the lakes and even an eagle nest on property MN-CL-011.000. Also there are all kinds of wildlife on these properties. On Lake Erie we have springs and a hot springs. The springs stay open year round. The temperature does not matter; they are always open, even when it is 60 below 0.

Property ID # MN-CL-014.000 is going to be a CENTURY FARM for our family in January 2017.

Between the Sandpiper line being very close to the homestead building site and power lines that would start to go through the homestead that Enbridge and Minnkota Power want. It has been in our family planning that we are going to be rebuilding on the old homestead in the next 5 years. Currently the old farm house is standing. The farm is so important to our family and our heritage. Our family wants to keep our farm homestead (future century farm) free of power lines and pipelines. **The land has provided our family an agriculture living for 99 ½ years.** It will soon be a Century Farm in the State Of Minnesota and we need to be able to receive that honor and be able to pass the farm down to future generations.

On Line 3 replacement line move the workstation over to Enbridge property ID # MN-CL-013.200 and not on Erie – Bourdeaux Family Revocable Trust property ID # MN-CL-014.000.

Currently we are waiting to be paid for two death certificates for my mother Marilyn Erie (passed away April 8, 2014), which have been given to Enbridge and they even asked for a third certificate because they have missed place two death certificates already. I have been called my mother name just in August 2015, which is very difficult. Why can't Enbridge get their paperwork correct, especially since they have received death certificates? Also we are waiting on payment for crop damage back in 2013. Enbridge has said they want to put the crop damage payment into the new proposed easement for the new tank farm. Why should we have to wait for crop damage money, when we have turned in the paperwork for the damages? Also my father Harvey Erie was told if we sign the easements for the new proposed sandpiper line to go into Enbridge new tank farm, we would get the hay crop for 2015 off of Enbridge's property MN-CL-013.200, when the agent left, my father went to check the cattle and the previous renter was already cutting the hay on Enbridge's new tank farm property. Enbridge never planned on the Erie – Bourdeaux Family Revocable Trust to receive the hay off their property (MN-CL-013.200) in 2015 as part of the easement agreement, because nothing was ever in writing, just verbal by Enbridge. Enbridge representative did not bring anything in writing from Enbridge and would not put anything in writing for the hay crop land, but kept telling my dad we could have the hay crops off the land for 2015 for us signing the easements that day.

With ALL the tanks at the Clearbrook Terminal and the new Clearbrook West Terminal and pipelines, SAFETY NEEDS TO BE ADDRESSED. When my mom passed away on April 8, 2014, there were no Fire Fighters from the Gonvick Fire Department to come out for the call. **ALL the fire fighters are volunteers and we understand they cannot be available at all times.** They need to make a living to support their families. Just south of Clearbrook two men lost their lives due to an explosion while repairing a line. **Need to have first responders available at ALL times to handle any kind of emergency from the pipelines, tank farms, transmission lines and etc.**

I do not feel that Enbridge can put up a new tank farm on property ID # MN-CL-013.200, when they cannot access the Sandpiper Line or NDPC Line 81. By looking at the maps, Enbridge knew they could not access the Sandpiper Line or NDPC Line 81 on the property ID # MN-CL-013.200 they purchased. **Enbridge needs to honor the easement that they asked for and received by Harvey and Marilyn Erie back in November 2013 for the Sandpiper Line to go straight through the Erie – Bourdeaux Family Revocable Trust properties.** Also an Environmental Impact Statement needs cover the connected projects for the new tank farm & Clearbrook West 115 kV Transmission Line before a certificate of need or route permit are granted.

Also we have concerned with the EPP Corridor (7 lines, 8 with replacement line 3), Line 81 and Sandpiper with the amount of pipe and the 115 kV transmission line for stray voltage. Also have great concern with paralleling pipelines with transmission would lead to corrosion of the pipeline.

Animal disease from property # MN-CL-015.000 to our property. Well need to work with the MN State Veterinary and make sure no animal disease get on our property. All equipment will need to be cleaned and cannot come back and far between the properties. Soil cannot be exchange or moved. Our breeding of cattle can go back just as far as our old farm (MN-CL-014.000) will be a **CENTURY FARM** in January 2017. You cannot replace our herd of cattle or our century farm.

On Erie Lake (MN-CL-013.000 and MN-CL-014.000) and Klongerbo Lake (MN-CL-014.000) we have shoreline rules. On both Erie Lake and Klongerbo Lake we have 150 feet setback around all the lakes. Also the wetlands connected to Erie Lake. Also on properties MN-CL.011.000, MN-CL.013.000 and MN-CL-014.000 have restricted use. Lake Erie provides fresh water for wildlife (Swans, Ducks, Deer, Eagles, Beavers, etc.) and the beef cattle.

Minnesota needs to also include LANDOWNER PROTECTIONS rules/terms/conditions. Example Iowa Utilities Board placed terms & conditions, along with \$25 million on their permit for the Dakota Access Pipeline. Landowners need to have protection for their property.

Environmental:

- Consider the corrosive nature and impacts of electrical transmission when run parallel to pipelines.
- Proposed route – 900 foot route (Clearbrook West 115 kV Transmission Line) route width on Erie-Bourdeaux Revocable Trust property demonstrates routing challenges in appropriateness and Minnkota's proposed route.
- Safety to access powerlines and pipelines.

EIS (Environmental Impact Statement):

- Protections of ALL Lakes and Wetlands.
- Human Settlement
- Cultural Values
- Tourism
- Long term farming
- Century farm for Erie – Bourdeaux Families
- Long Standing Family Farms
- Loss of two home sites
- EIS address displacement of livestock, pasture and loss of pasture land.
- Noise

- Public Health and Safety
- Recreation
- Socioeconomics - EIS to address loss of building sites, loss of property value, loss of value as residential and future development, loss of value for agricultural production and gravel mining.)
- Land Base Economies (Agriculture, Forestry, Mining)
- Timing of Projects (If all projects are going at once, we will be unable to farm the land and have no crops or hay for cattle.) Puts our farm out of business.
- Air
- Geology
- Groundwater – high water tables. Showing links between groundwater, surface water and wetlands. Includes the springs and hot springs on the Erie – Bourdeaux Property.
- Rare and Unique Resources – including sensitive/protected resources.
- Vegetation – clearing impacts, potential pesticide use on RoW.
- Wildlife and Wildlife Habitat. Also address potential for USFWS recommendation of eagle take permit and bat take permit. Eagles nests on Erie – Bourdeaux property.
- EIS address that Minnesota Pollution Control Agency recommended consideration of alternative for tank farm near Crookston for the Sandpiper Terminal and Pumping Station proposed for Clearbrook West Terminal.
- **Pipeline Route Alternatives – FOH SA-04 and MPCA SA-03**

I have also attached maps of the property's, letter, water feature maps, USDA map, and route alternatives being discussed in this letter.

Thank you for your time and consideration in this matter.

Sincerely,



Dawn Bourdeaux

Trustee for Erie – Bourdeaux Family Revocable Trust
 31187 151st Street
 Princeton MN 55371

Enbridge Sandpiper & Line 3 replacement
 PUC Docket Numbers: PL-9/CN-14-916 Certificate of Need
 PUC Docket Numbers: PL-9/PPL-15-137 Route Permit
 PUC Docket Numbers: ET/TL -14-665 Clearbrook West 115 kV Transmission
 Clearbrook West Terminal
 PUC Docket Numbers: PL6668/PPL-13-474

Exhibit A

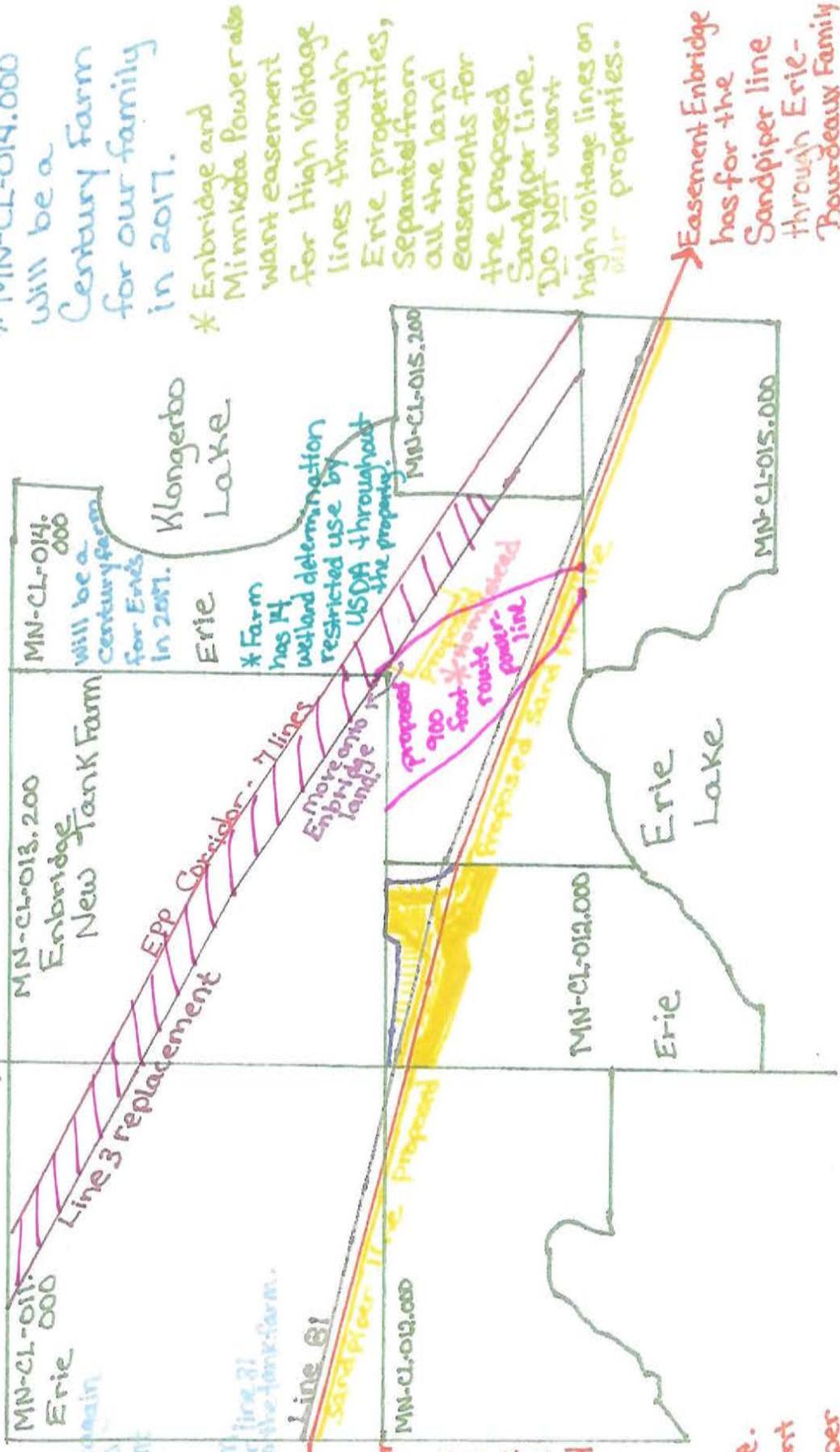
- Property Maps
- Enbridge to honor easement already given to go straight through the Erie – Bourdeaux property and not have lines go into the New Clearbrook West Terminal.
- Alternative Route A & B for Sandpiper and Line 81 going into and out of the New Clearbrook West Terminal.
- Letter written by Mark Erie
- Erie – Bourdeaux Soil – given out at family reunion.

PUC Docket Numbers: PL-9/CV-14-916
 PL-9/PPL-15-137
 C N-13-473
 PPL-13-474
 Docket # 14-605
 ET-6/PZ-14-605

Erie - Bourdeaux Family
 Revocable Trust
 MN-CL-011.000
 MN-CL-014.000
 MN-CL-013.000

- Yellow** - Sandpiper proposed route
- Orange** - Easement already given for Sandpiper line
- Silver** - line 81
- Dark Red** - line 3 replacement
- Red** - EPP corridor

* Homestead on Old Farm



* MN-CL-014.000 will be a Century Farm for our family in 2017.

* Enbridge and Minnkota Power also want easement for High Voltage lines through Erie properties, Separated from all the land easements for the proposed Sandpiper Line. **DO NOT** want high voltage lines on our properties.

→ Easement Enbridge has for the Sandpiper line through Erie - Bourdeaux Family Revocable Trust properties.

* Enbridge just asked for more easement on line 31 in MN-CL-012.000 because they want a line 31 into the New Tank Farm. Management for the Sandpiper line is the New Tank Farm.

Easement given to Enbridge for the Sandpiper line, by Harvey + Marilyn Erie Nov. 2013. Want Enbridge to follow the easement they already have and not to follow the proposed Sandpiper line. **DO NOT** want the Sandpiper Proposed line/centerline. Enbridge wants way to much easement for the Sandpiper line to go straight through, that easements Erie's already given easement for the Sandpiper Proposed line to happen, need to follow easement already have. needs to be horizontal and not to let the Sandpiper Proposed line to happen, need to follow easement already have.

Erie - Bourdeauy



Legend

- Sandpaper Proposed Centerline
- Line 3 Replacement
- Sandpaper ATWS
- Line 3 Replacement ATWS
- Sandpaper TWS
- Line 3 Replacement TWS
- Tract Boundary

*** gravel pit would be about here**
 Harvey Erie Tracts

NORTH DAKOTA PIPELINE COMPANY LLC
 Proposed Sandpaper Alignment

0 100 200 Feet

Yvonne G. Johnson, a single person, Life Estate
 MN-CL-015 230

EEP Corridor

MN-CL-011 000
 Harvey R. Erie

NDPC LINE 81

MN-CL-010 000
 Dean A. Hammes

MN-CL-013 000
 Harvey R. Erie

MN-CL-014 000
 Harvey R. Erie

MN-CL-015 200
 D. Bruce Swick

MN-CL-013 000
 Jake H. Mast

MN-CL-018 000
 Thomas A. Anderson

Erie
 Century Farm 2017

Erie Lake

Erie 3

Erie

home Stead

gravel pit
 →

Erie-Bourdeaux



NORTH DAKOTA
PIPELINE COMPANY LLC
 Proposed Sandpiper Alignment

Legend

- Sandpiper Proposed Centerline
- Line 3 Replacement
- Line 3 Replacement ATWS
- Sandpiper ATWS
- Line 3 Replacement TWS
- Sandpiper TWS
- Tract Boundary
- NDPC Line 01
- EEP Corridor
- Harvey Eide Tracts

** We want Enbridge to honor the easement that they asked for and signed by Harvey + Marilyn Erie for the Sandpiper to go straight through our property. Enbridge to honor easement for Sandpiper signed for already.*

Erie-Bourdeaux properties

(A)

Route Sandpiper Alternative and Line 81



NORTH DAKOTA PIPELINE COMPANY LLC
 Proposed Sandpiper Alignment

Legend

- Sandpiper Proposed Centerline
- Sandpiper ATWS
- Sandpiper TWS
- Line 3 Replacement
- Line 3 Replacement ATWS
- Line 3 Replacement TWS
- NDFC Line 81
- EEP Corridor
- Tract Boundary
- Harvey Erie Tracts

* MN-CL-013.000 is our best agricultural field.

Eric
Bourgeois
Properties

Route Sandpiper + Line 81 Alternative **B**



Legend

- Sandpiper Proposed Centerline
- Sandpiper ATWS
- Sandpiper TWS
- Line 3 Replacement
- Line 3 Replacement ATWS
- Line 3 Replacement TWS
- NDCP Line 81
- EEP Corridor
- Tract Boundary

Route Alternative would not have Sandpiper and line 81 on MN-CL-013.000.

NORTH DAKOTA
PIPELINE COMPANY LLC
Proposed Sandpiper Alignment

* MN-CL-013.000 is our best agricultural field.
 * Miss wetlands
 * Miss Century Farm Homestead

* Timing of projects still would have all MN-CL-013.000 to farm and more pasture land.

Fire-
beamix

Powerline - 115 kv transmission - 900ft - wetland



Google ea

Imagery Date: 4/14/2015 47°42'32.29" N 95°29'08.05" W elev 1294 ft eye alt 5276

1991



Google earth

miles
km

1

What the Farm Means to Our Family

Some say Farmers don't care about their land and are consistently aiming to make it the more productive without considering the impacts. This couldn't be farther from the truth for our family farm. The original Farmstead has been in our family for almost 100 years. It's been our pride and joy and its part of my families past, present, and future.

Watching a sunset with cows and crops filling the view is so extremely peaceful. Or seeing a deer in the distance or a bald eagle flying overhead and then my favorite a white swan swimming in the lake always makes me feel very privileged to be stewards of such a beautiful piece of land.

As a kid I spent a lot of time with my grandpa and his passion for the land was passed down to my dad and my siblings. And grandpa probably got his passion from great grandpa. I have deep and wonderful memories of being on the farm. Respect for the land runs deep in my family.

Written by:
Mark Erie

Erie-Bourdeaux Soil

This soil is from the Erie Family Farm.
It is rich in success, hard work, and
family love. Spread this dirt in your
flower garden and you will always be
close to your Erie heritage and home.

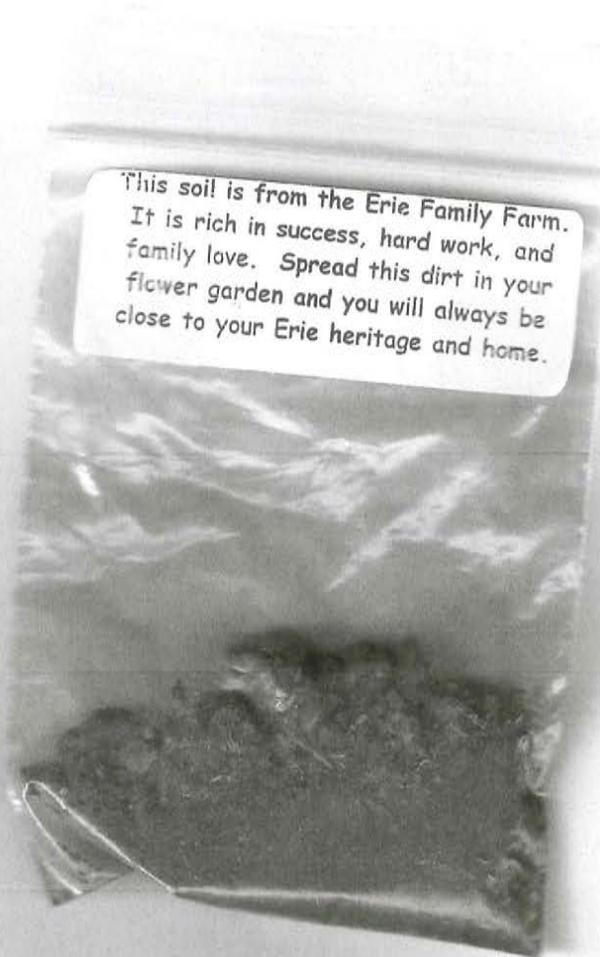
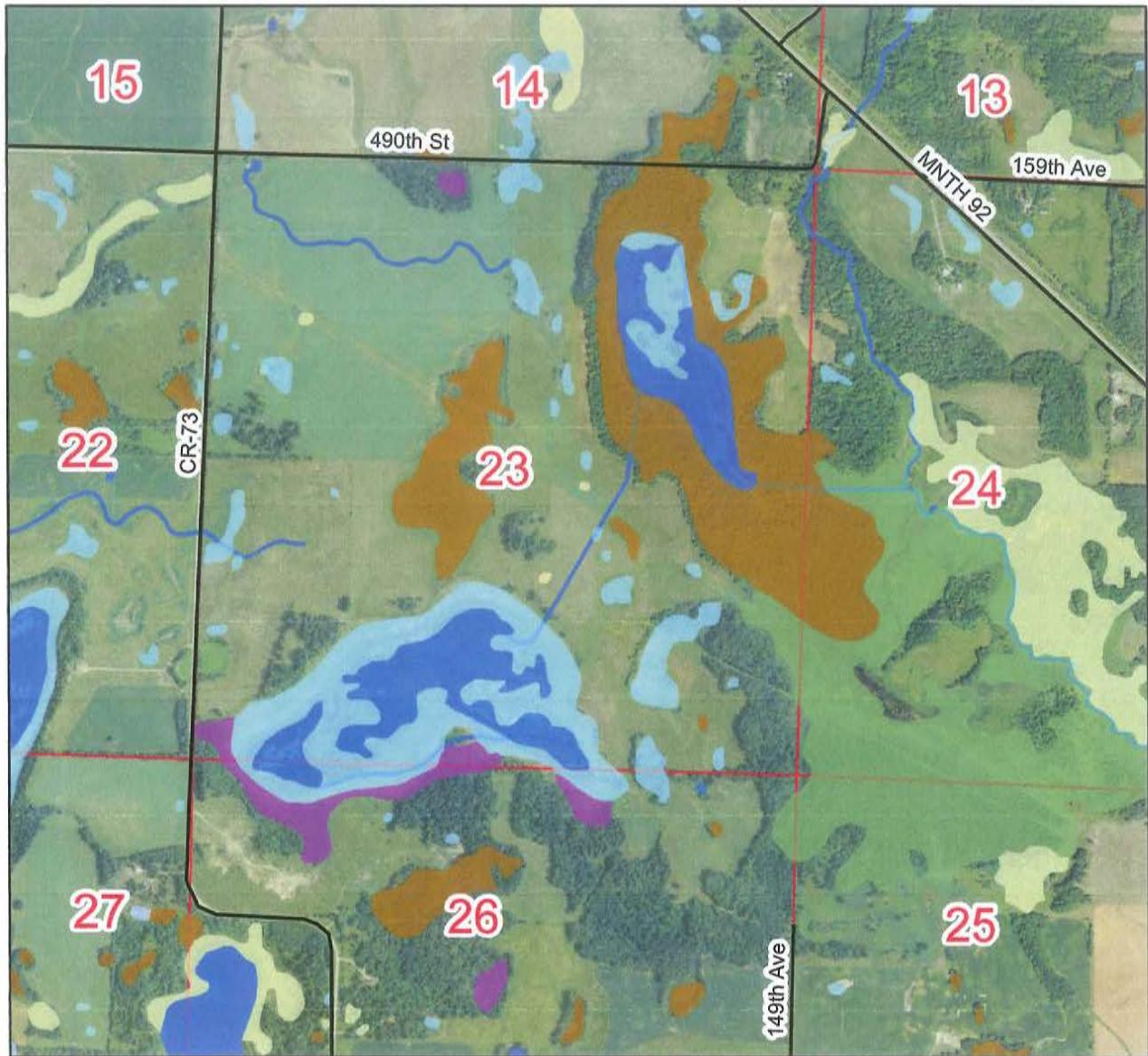


Exhibit B

Wetlands

- Surrounding Areas of Erie-Bourdeaux Family Revocable Trust Properties – MPCA
- Clearwater County GIS Map showing wetlands layer

Erie- Water Features: Surrounding Area of Bourdeaux Properties



* Springs on
Erie Lake
* Hot Spring
on Erie
Lake

Legend

-  Flowline - Nat'l Hydrological Data
-  Road
-  Section Line

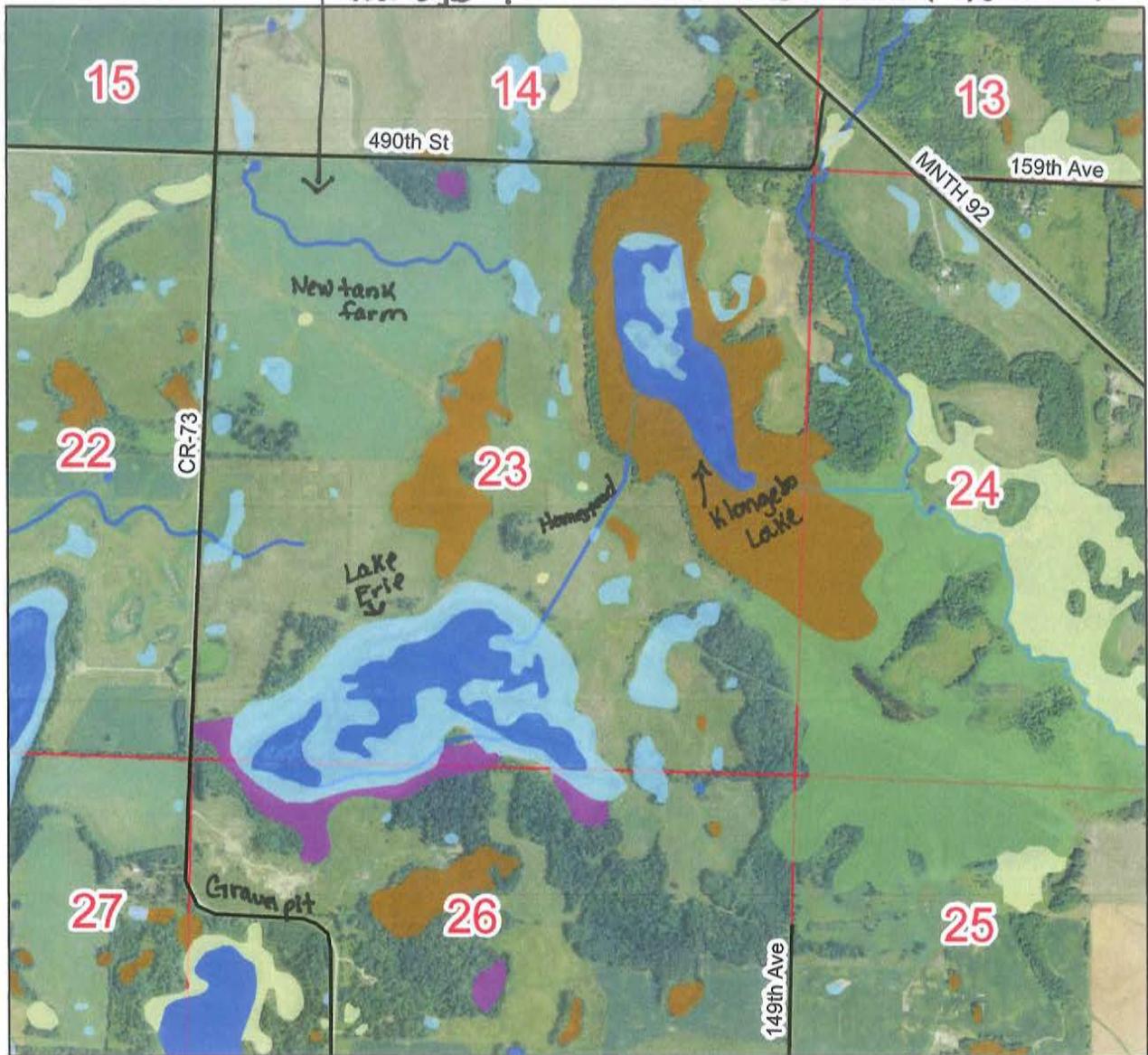
NWI - Circular 39 Classification - Polygons

-  1 - Seasonally Flooded Basin or Flat
-  2 - Wet Meadow
-  3 - Shallow Marsh
-  4 - Deep Marsh
-  5 - Shallow Open Water
-  6 - Shrub Swamp
-  7 - Wooded Swamp
-  8 - Bogs



Water Features: Surrounding Area of Bourdeaux Properties

Erie-
Enbridges propose West Clearbrook Terminal



* Springs on Erie Lake
* Hot Spring on Erie Lake

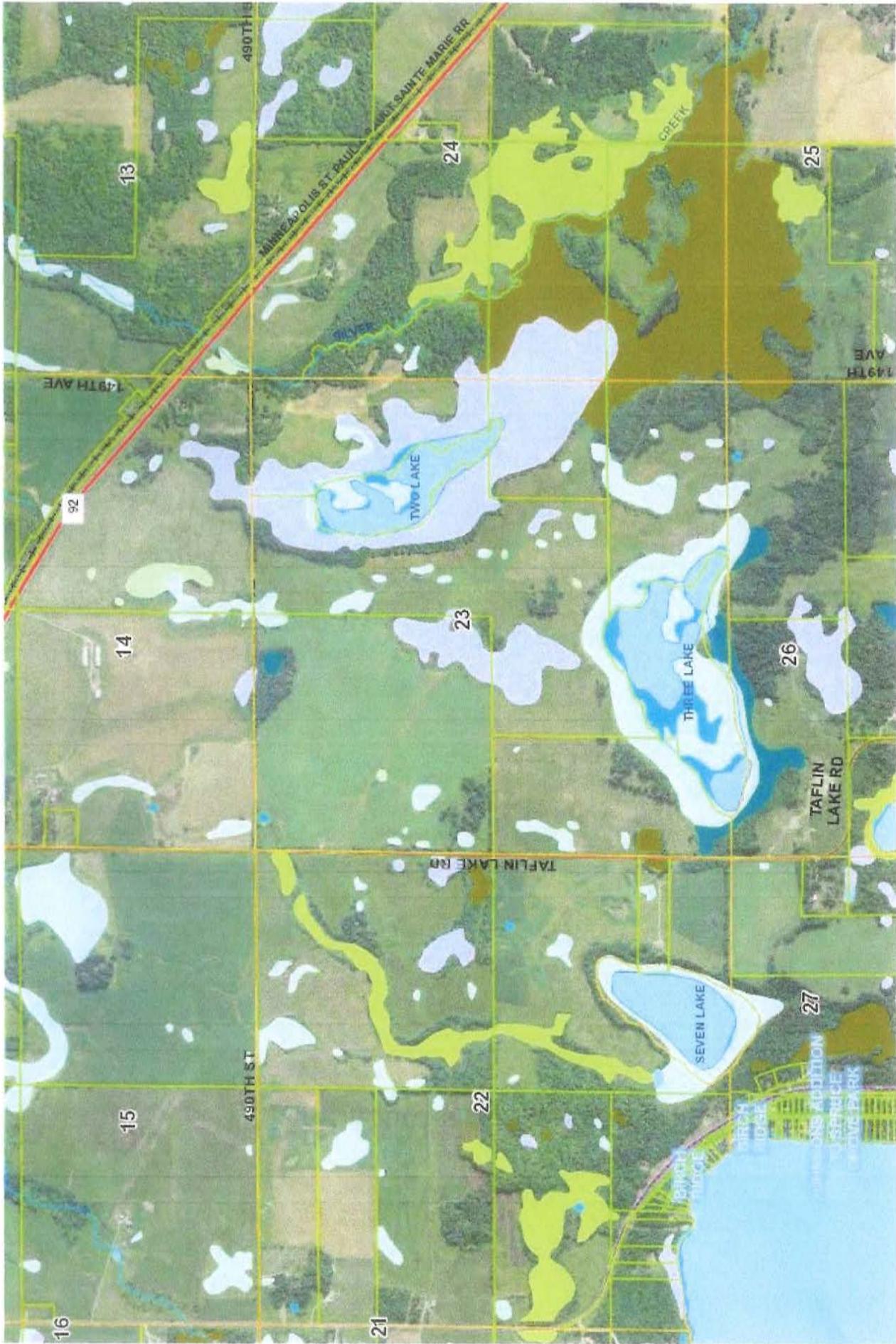
Legend

- Flowline - Nat'l Hydrological Data
- Road
- Section Line

NWI - Circular 39 Classification - Polygons

- 1 - Seasonally Flooded Basin or Flat
- 2 - Wet Meadow
- 3 - Shallow Marsh
- 4 - Deep Marsh
- 5 - Shallow Open Water
- 6 - Shrub Swamp
- 7 - Wooded Swamp
- 8 - Bogs





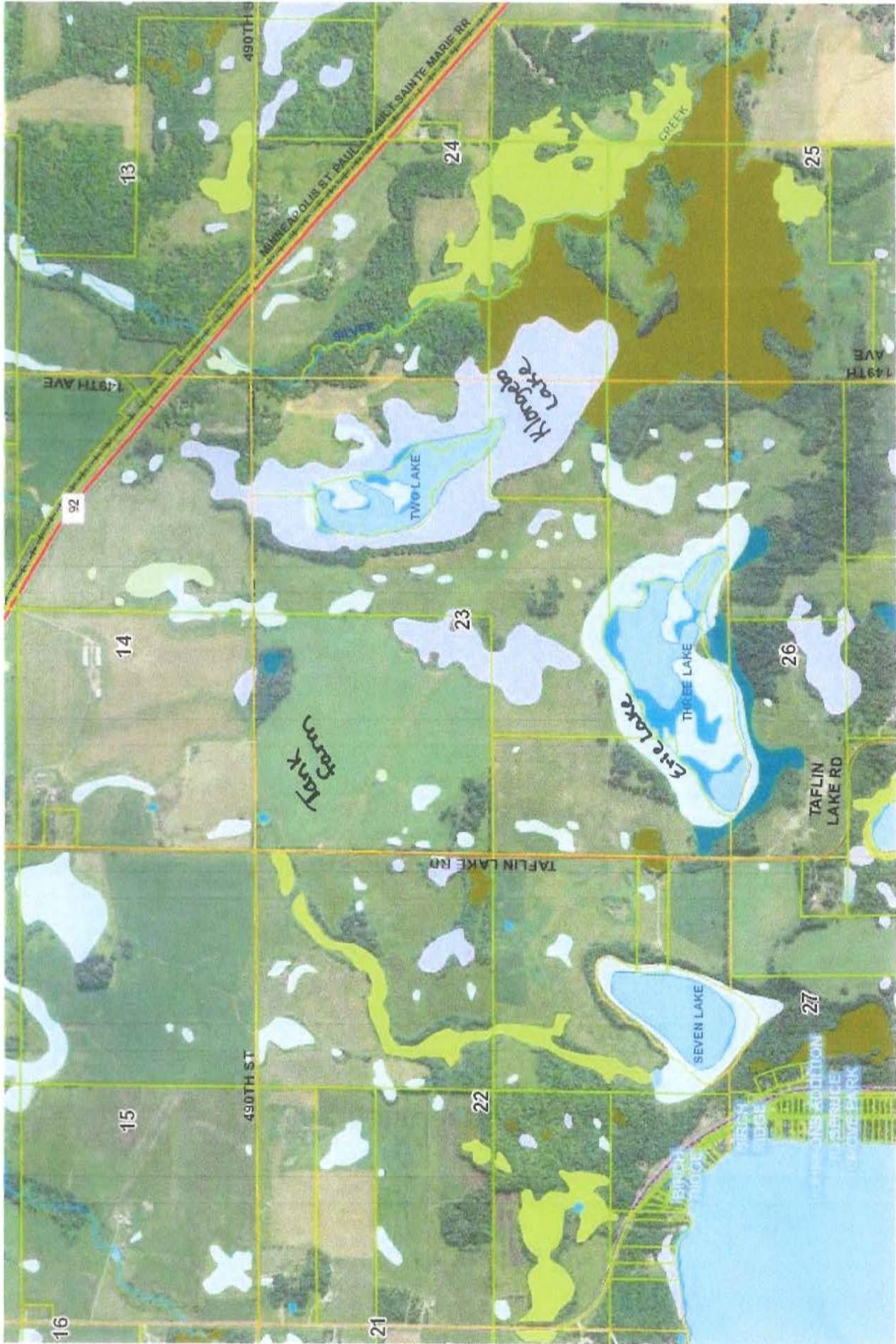


Exhibit C

- Minnesota Pollution Control Agency Letter – regarding West Clearbrook Terminal – new tank farm.



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

August 6, 2014

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

Dear Mr. Haar:

RE: Enbridge Sandpiper Pipeline Project, Docket No PL 6668/PPL-13-474

The Minnesota Pollution Control Agency (MPCA) has reviewed the comments and recommendations submitted by the Department of Commerce (DOC) on July 16, 2014, which will be considered by the Public Utilities Commission (Commission) at the August 7, 2014, hearing for the Enbridge Sandpiper Pipeline project. The MPCA offers the following comments on the project and the DOC's July 16, 2014, recommendations.

The recent boom in the production of oil and gas in North Dakota and surrounding areas has brought about an increase in the number of planned and proposed projects in Minnesota for the transportation, storage, and processing of these resources and their related products and uses. This activity has increased citizen and Agency interest in the amount and quality of information available to adequately assess the individual and cumulative environmental impacts of these projects and to fully inform decision-making processes.

Many alternatives to the proposed Sandpiper project and route have been suggested in the routing (PPL-13-474) and certificate of need (CN-13-473) proceedings, including rail transport, trucking, and numerous pipeline routes. The Commission will determine which alternatives are to be addressed in greater detail as the environmental review, certificate of need, and permitting processes move forward.

Given the high potential of additional pipelines and replacement or upgrading of existing pipelines in the near future, and within the same corridors, it is critical that the current effort consider multiple alternatives, including both route and system alternatives. For the reasons outlined below, limiting the alternatives to route options alone at this stage would unnecessarily narrow the scope of project options to reduce environmental and public health risks.

In our comments, the MPCA has suggested both route and system alternatives; these are discussed in the DOC's July 16, 2014, filing. I am concerned that the system alternative recommended for consideration by the MPCA may not be evaluated in these proceedings, since it does not include the Clearbrook terminal. The DOC evaluated the MPCA's system alternative, SA-03, and developed a connector segment to Clearbrook that would convert SA-03 into a route alternative. The MPCA supports inclusion of the SA-03 route with the connector segment developed by DOC as a less environmentally harmful route alternative than the proposer's route.

The MPCA's view is that the environmental impacts of system alternatives need to be considered as well as route alternatives. A system alternative that will transport oil to an alternative terminal with significantly less environmental harm should be evaluated in these proceedings.

My understanding is that system alternatives are considered in the Certificate of Need (CN) proceeding for this project. I also understand that DOC conducts environmental review of system alternatives in High Voltage Transmission Line certificate of need proceedings in the form of an Environmental Report (ER), but that this review is not conducted for pipeline certificate of need proceedings. The MPCA respectfully requests that the Commission request the DOC to prepare an ER-type review of alternatives to the project, including SA-03 as originally proposed by the MPCA without the connector segment to Clearbrook, for introduction into the CN proceeding. This position is based on MPCA's understanding as follows:

1. The project purpose can be met without constructing new storage capacity in Clearbrook. If the new terminal were to be built at a more westerly location, such as Crookston, a 75-mile long pipeline to Clearbrook could be constructed for the purpose of sending the oil that Enbridge is contractually obligated to send through Clearbrook (for transport to St. Paul refineries), while the remainder of the Bakken crude could be sent via a less environmentally harmful route well to the south of the sensitive water resources, and then on to the Superior, Wisconsin terminal.
2. Locating terminal facilities near Crookston, or at another site closer to the border of North Dakota, could offer other pipeline routes as viable alternatives, such as the proposed "System Alternatives" identified in the July 16, 2014, DOC recommendations. A terminal closer to the Minnesota/North Dakota border could be the point of origination for future pipelines that would travel to the south and avoid the potential threat to sensitive water resources that the MPCA has identified as being associated with the currently proposed Sandpiper route.

Thank you for consideration of our request.

Sincerely,



John Linc Stine
Commissioner

JLS:bt

Exhibit D

- USDA – Clearwater County: Wetland Determination/Restricted Use
- Springs and Hot Spring
- Shows Transmission Line (900 Foot) through wetlands.



2016 Program Year

Map Created December 17, 2015



Unless otherwise noted: crops are non-irrigated

- Corn = yellow for grain
- Soybeans = common soybeans for grain
- Wheat = HRS for grain or HRW for grain
- Oats and Barley = Spring for grain
- Rye = for grain
- Peas = process

- Alfalfa, Mixed Forage AGM, GMA, IGS = for forage
- Beans = Dry Edible
- NAG = for GZ
- Canola = Spring for seed
- Sunflower = oil or non-oil for grain

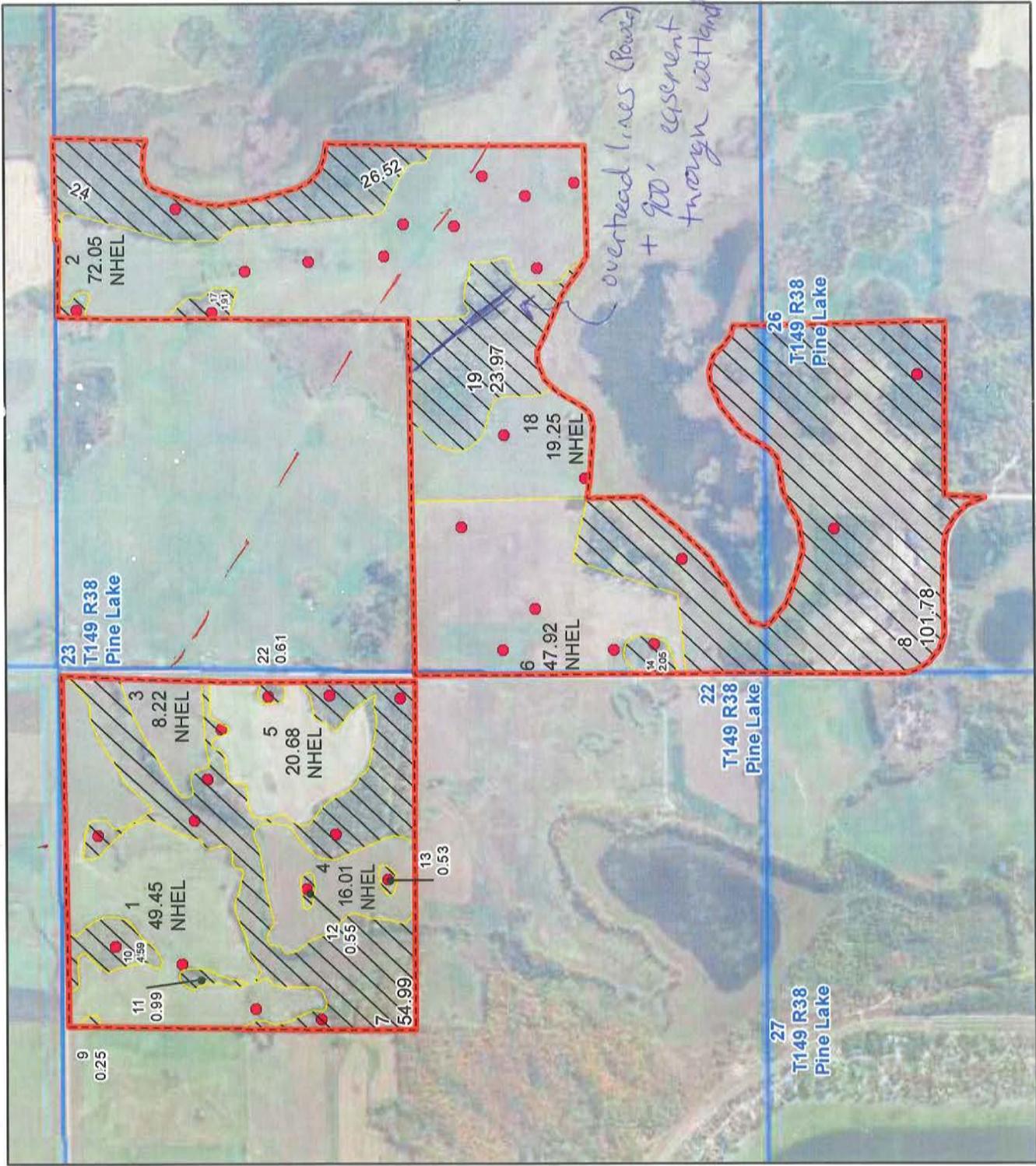
going in
Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- PLSS

Wetland Determination
Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 233.58 acres



USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2015 NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.

Cari Reepke - NRCB 218-6074 0084 541 121
Farm 2327

Haney wants to make...

Tract 13135



2016 Program Year

Map Created December 17, 2015



Unless otherwise noted: crops are non-irrigated
 Corn = yellow for grain
 Soybeans = common soybeans for grain
 Wheat = HRS for grain or HRW for grain
 Oats and Barley = Spring for grain
 Rye = for grain
 Peas = process

Alfalfa, Mixed Forage AGM, GMA, IGS = for forage
 Beans = Dry Edible
 NAG = for GZ
 Canola = Spring for seed
 Sunflower = oil or non-oil for grain

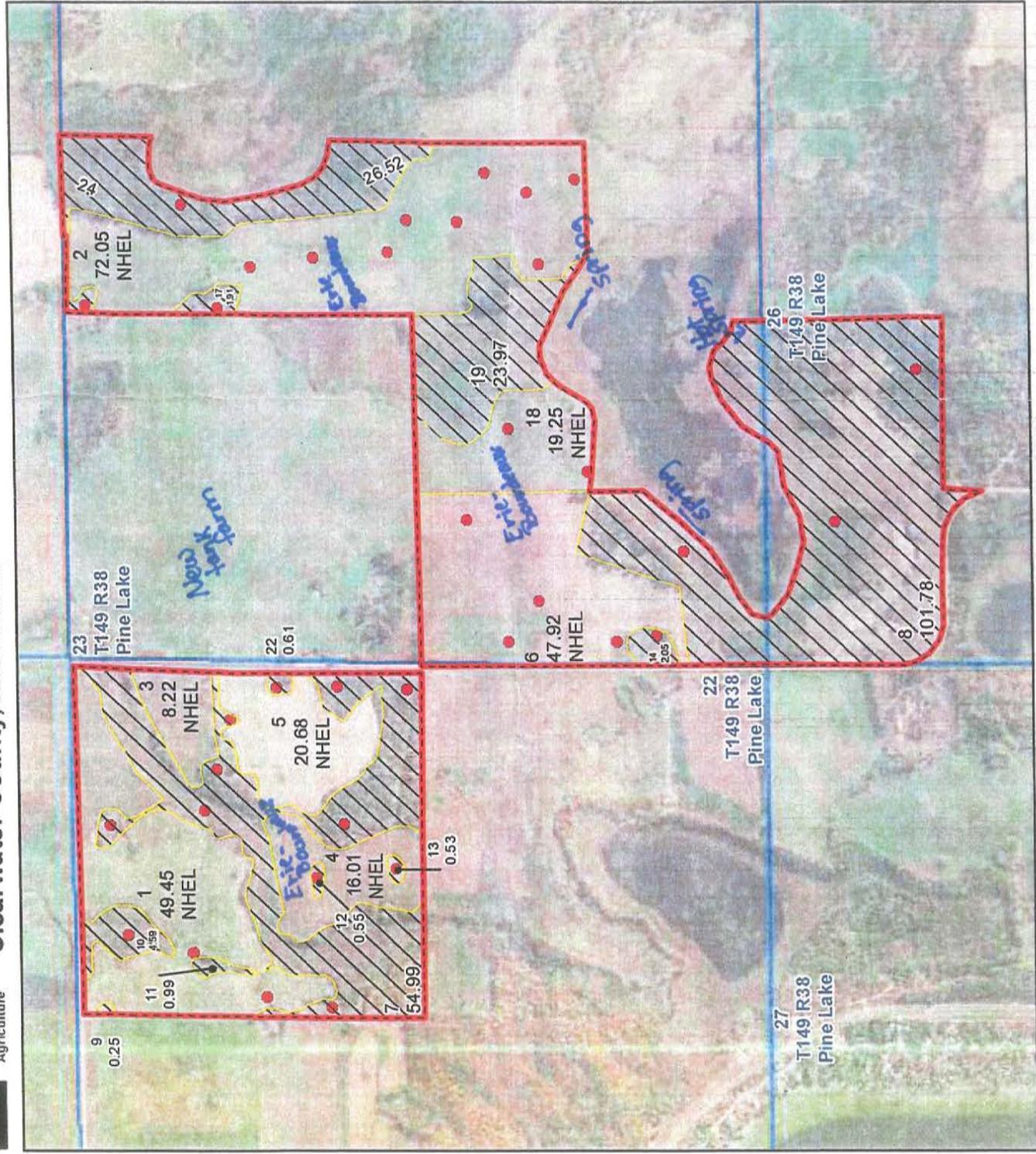
Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- PLSS

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 233.58 acres



USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2015 NAIP imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.

Exhibit E

- Erie – Bourdeaux Aggregate Mine

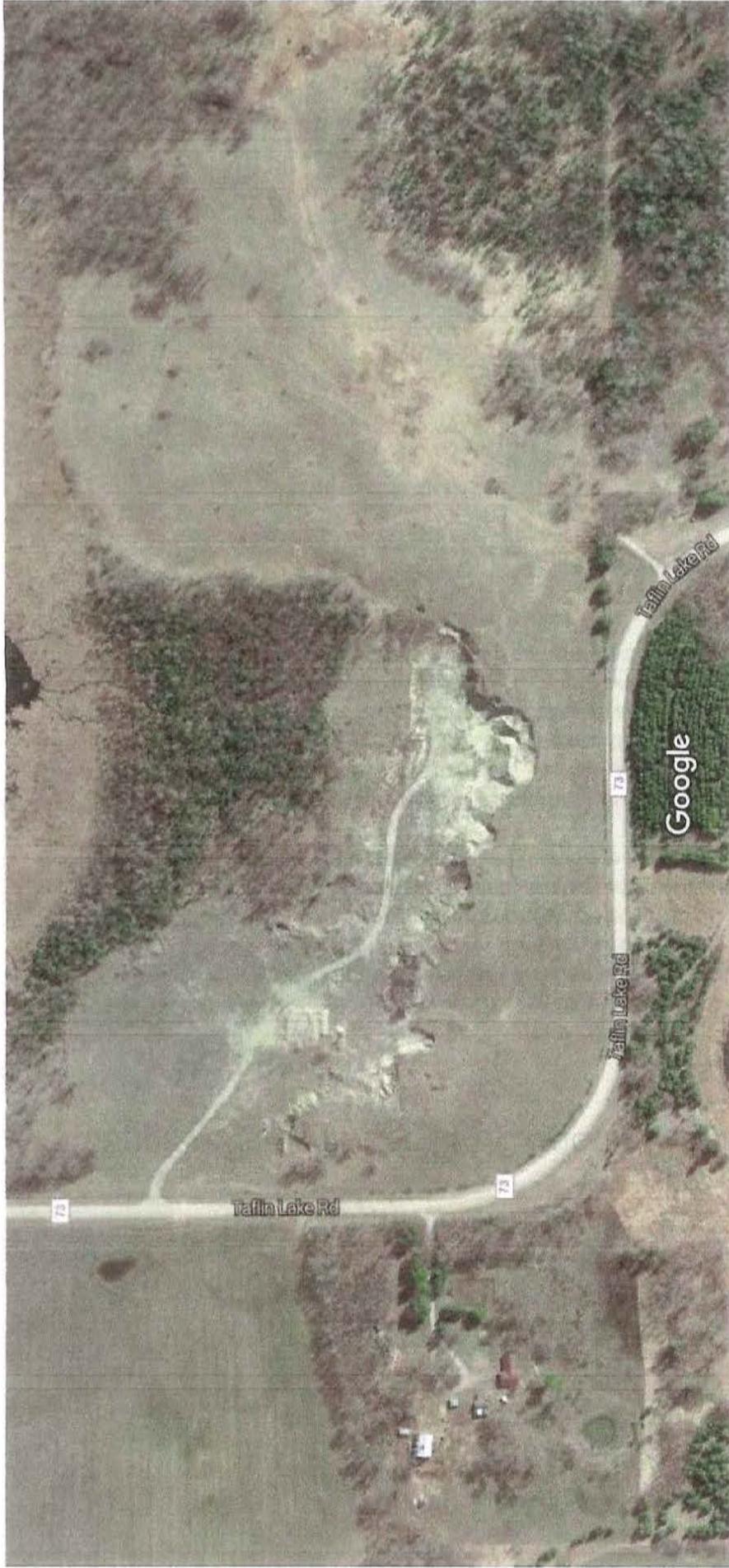


Exhibit F

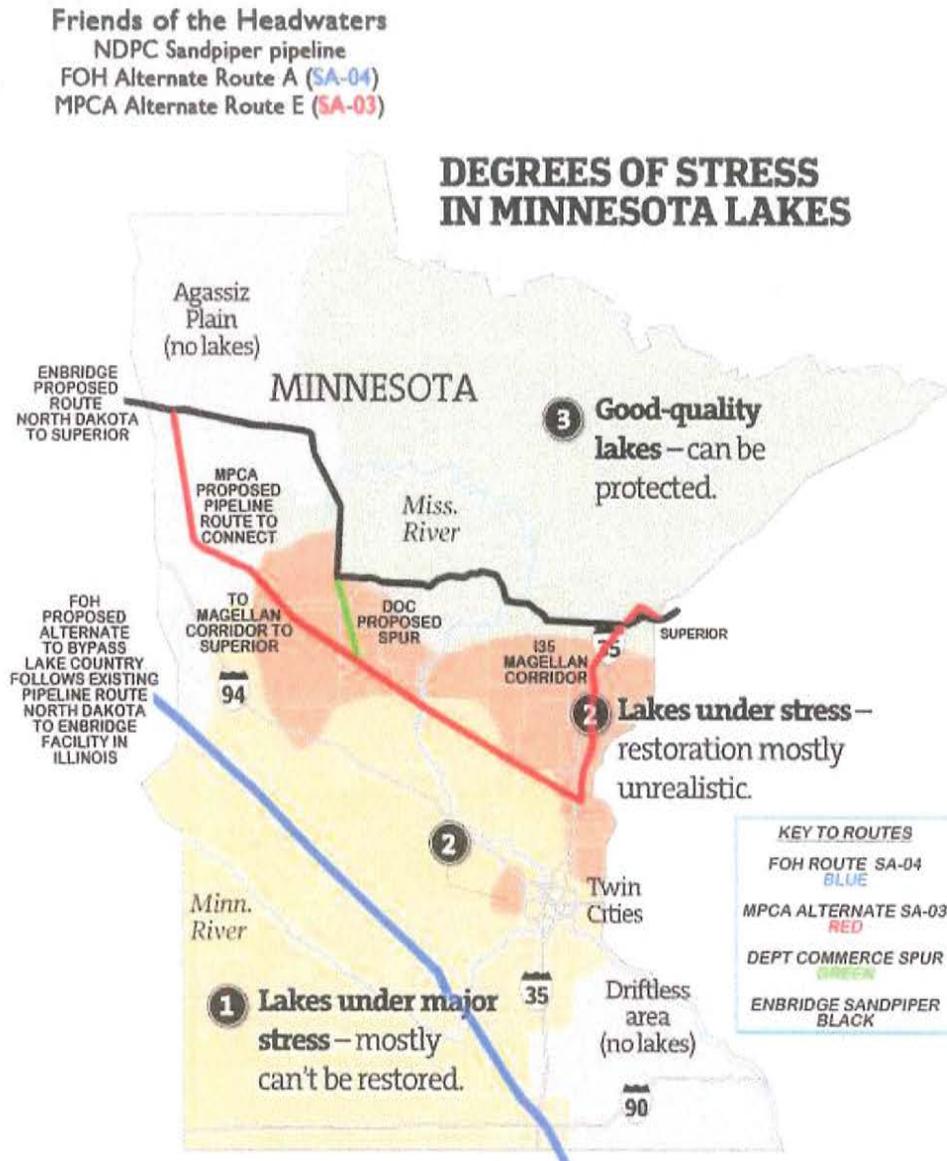
Route Alternatives

- FOH Alternate Route A (SA-04)
- MPCA Alternate Route E (SA-03)

[Click here](#) for a description of the Line 3 Project and detailed information needed to submit comments to the PUC.

Consider using information from the following to bolster your own personal comments:

1. Maybe you saw the [recent article in the STRIB](#) about how stressed MN lakes are. FOH has employed that map to make our case. Minnesota's best-quality waters would be jeopardized by these pipelines.



Source: Provided by Ron Way using information from the Minnesota Department of Natural Resources and the U.S. Environmental Protection Agency

MARK BOSWELL • Star Tribune

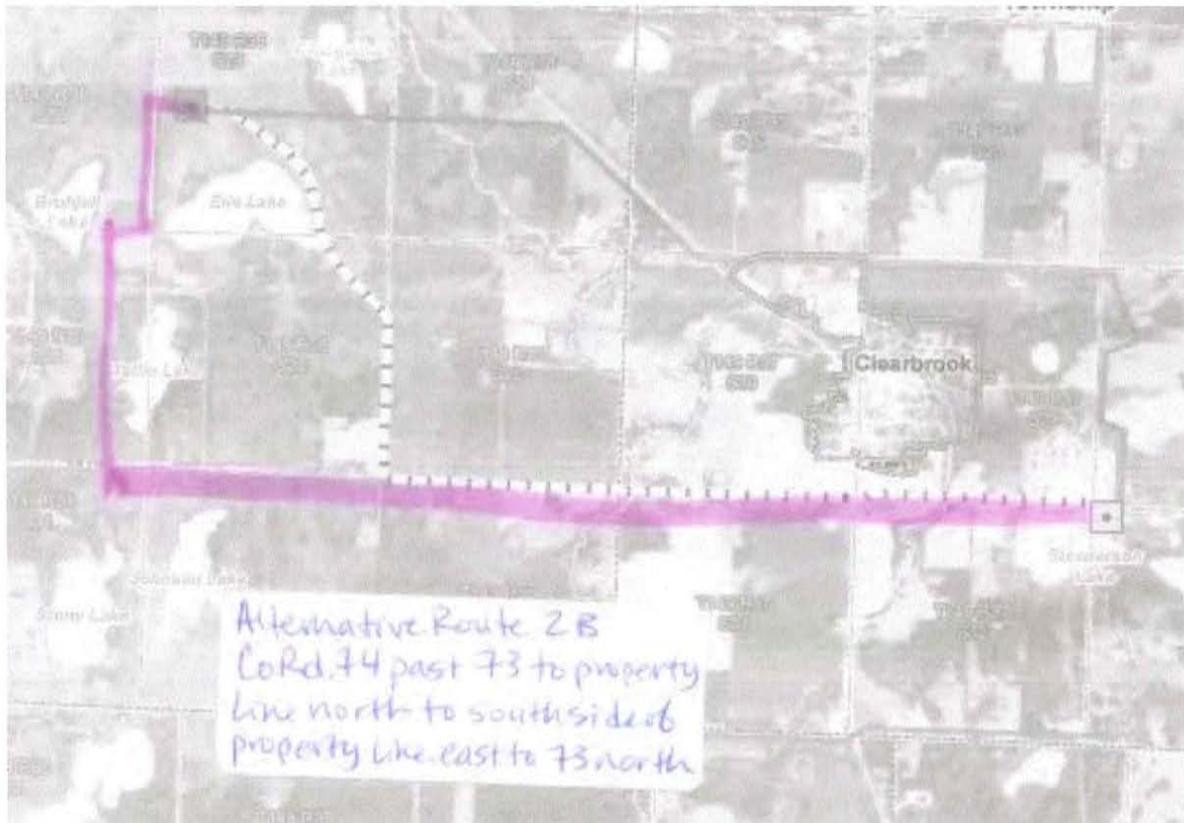
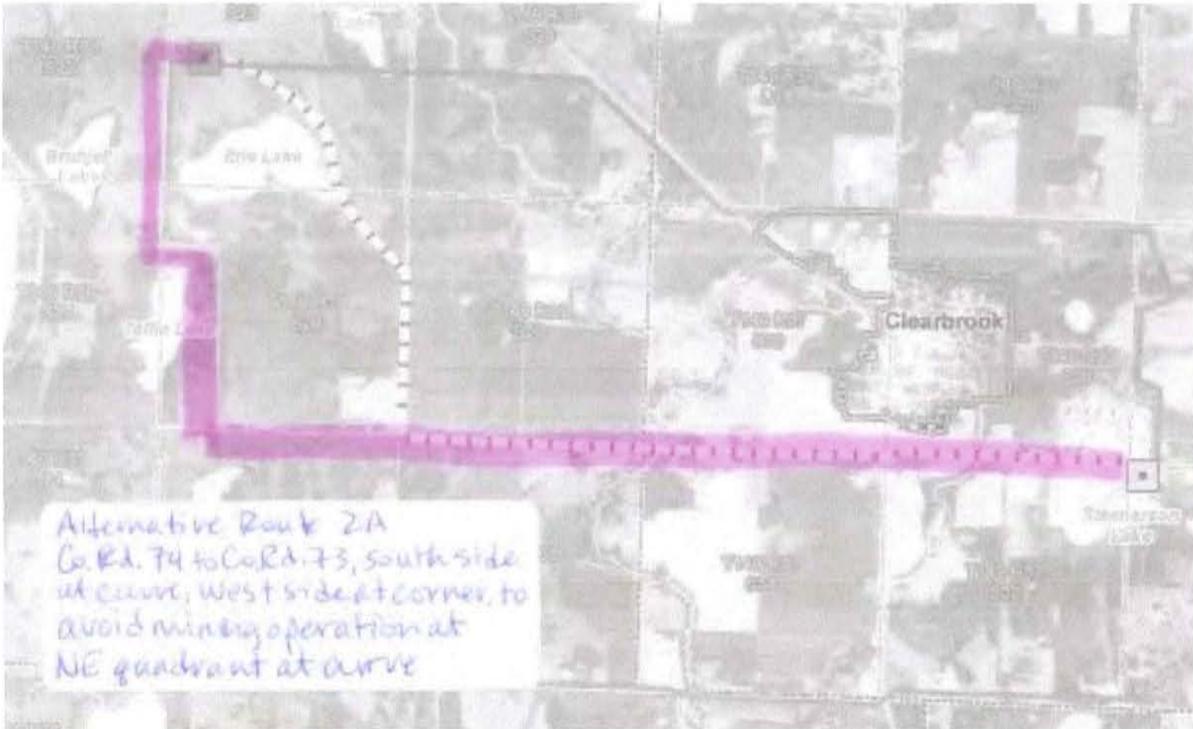
Exhibit G

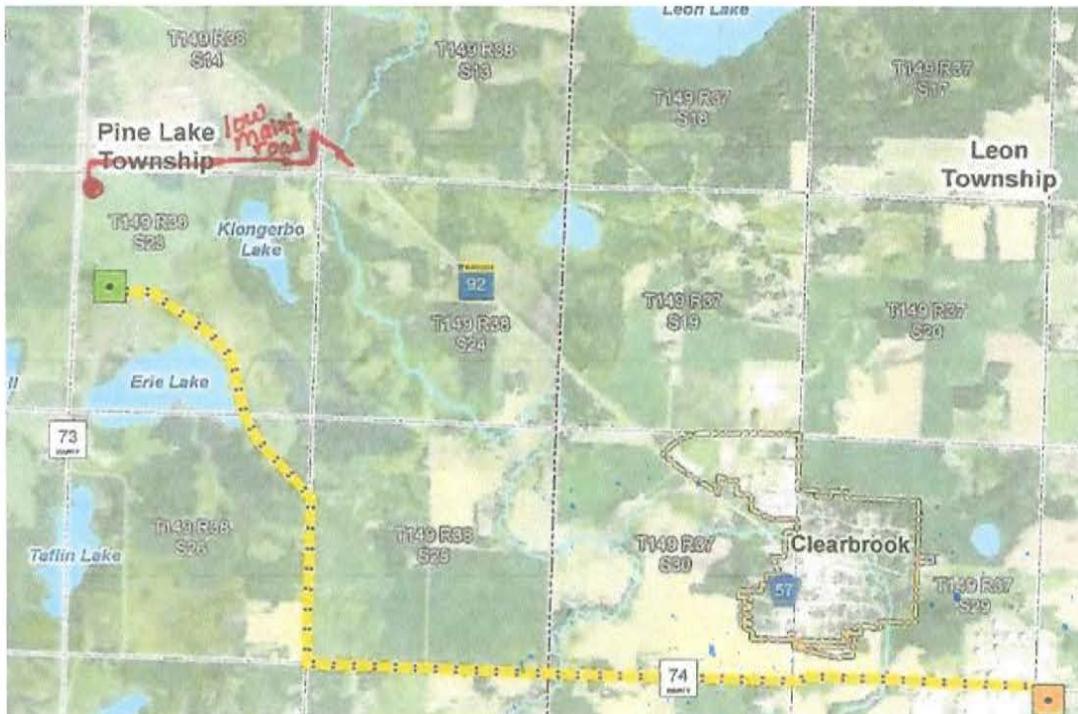
- Route Alternatives for Clearbrook West 115 kV Transmission Line

Transmission

and 4A

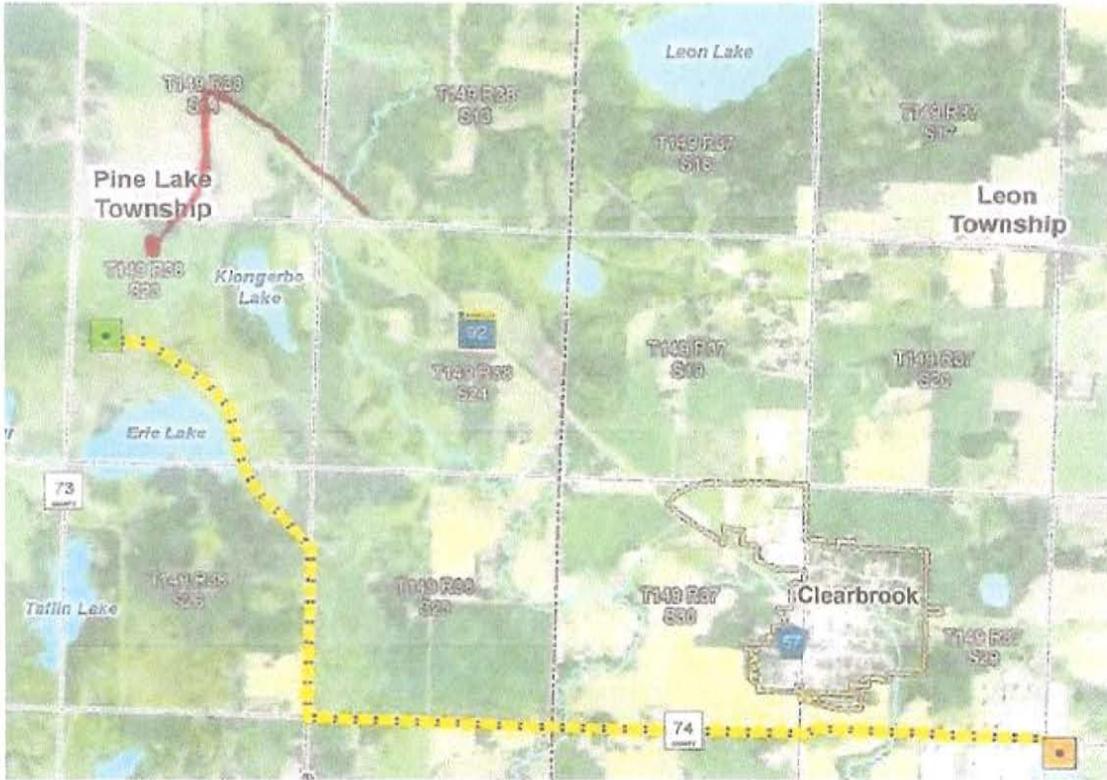
Alternate Routes – Alternate Routes 2A, 2B and 3A, 3B and 3C (see rationale below):





3B
Follow 92
NW to
Low Maint.
Road

3C Follow 92 NW



4A



Alternative Route 4A

Co. Rd. 74 to 159th Ave

(turn before cemetery R16.025.300)
to 92 NW to Taflin Lake Rd,
South on east side of Taflin
to Tank Farm | terminal.

From: [Terry Brumfield](#)
To: [*COMM Pipeline Comments](#)
Subject: Scoping EIS comment for Sandpiper (13-473 & 13-474) and Line 3 Replacement (14-916 & 15-137)
Date: Monday, May 09, 2016 5:20:07 PM

Dear Ms. MacAlister,

The U.S. people need to be independent of foreign oil and gas. If we develop oil and gas in this country, that means jobs, that means tax dollars for this country. We need to take care of this country FIRST!!
With the help of the gas and oil companies using UNION LABOR to build these projects, we can insure a project DONE RIGHT!!!

Sincerely,

Terry Brumfield
1516 Katie Ln
Enid, OK 73701
terrybrumfield61@yahoo.com

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

Name: Sharon Bring Phone: 218-874-3113
Street Address: 20897-360th St NW
City: Strandquist State: MN ZIP: 56758
Email: spring@wiktel.com

My comments pertain to:

- Sandpiper Pipeline Project
- Line 3 Replacement Project
- Both Projects

I'm a County Commissioner for Marshall County.

I see these projects are extremely important to our economy as it provides jobs to people who may choose to live elsewhere without it.

It is important to our tax base for our small communities as our school district, townships and small cities benefit tremendously and help rural Minnesota stay alive. We can offer better schools which brings students in from other areas and more young people want to move into our school district. It provides workers with local food from cafes and patronize our gas stations. Another concern for our citizens is the roads as we have a harder time getting funding to maintain. It is important to keep the oil in the pipelines as our rail and road infrastructure are overloaded now. Our farming communities have many more permits trailers on our roads which is also important for the farmers but thereby requires more road maintenance.

It is also important to keep the oil industry as important to keep in our rural areas and not depend on fossil fuel.

We are a largely agricultural area and farmers provide the food for the majority of our wildlife. Whether it is stocked hay bales that the wildlife eat or a feast out in our fields the wildlife are fed well which provides another source of income for those benefiting from hunters, birdwatchers etc.

Craig Bunness

April 16, 2016

Dear Governor Dayton:

We are County Commissioners from counties along the Enbridge Mainline system and the Sandpiper Pipeline and Line 3 Replacement Project routes in northern Minnesota. We requested a meeting with you several weeks ago in the hope of sharing our support for these projects and how important they are to our constituents; the Minnesotans who have lived and worked alongside Enbridge's existing pipelines for 65 plus years. We understand that your schedule didn't align with our request and would like to thank your Chief of Staff for meeting with a few of us.

First, we would like to thank you for your continued support. We appreciate that you understand how important these projects are to our economy and the safety of all Minnesotans located along the oil train routes that cross our state. Every day of further delay is another day that more oil is unnecessarily crossing our state on trains instead of in pipelines where it belongs.

Millions of dollars in local property tax revenue and thousands of jobs are at stake. Our area businesses benefit greatly when projects like these are constructed. Sometimes these projects are the difference between businesses closing or staying open for the area. Delays by agencies can kill projects like these. Local support for these projects is strong in our counties and we want to make sure you are aware of that.

We ask you and your agencies to work as expediently as possible in supporting the PUC so they can review and permit these projects in a timely manner. The jobs and tax and economic benefits from Sandpiper are past due and Line 3 has already lost months in the process.

We invite you, your staff or the Lieutenant Governor to visit with us and our constituents in our home counties anytime so we can further talk about how these projects would benefit our area and the state. Thank you for your time Governor Dayton.

Sincerely,

Joan Lee
Craig Bunness
Nick Nicholas
Don Diedrich
Warren Strandell
Polk County Commissioners

Ken Borowicz
Sharon Bring
Gary Kiesow
Rolland Miller
LeRoy Vonasek
Marshall County Commissioners

Neal Illies
John Nelson
Dean Newland
Daniel Stenseng
Arlen Syverson
Clearwater County Commissioner

Cody Hempel
Don Jensen
Neil Peterson
Oliver "Skip" Swanson
Darryl Trveitbakk
Pennington County Commissioner

John Anderson
Joe Bouvette
Leon Olson
Craig Spilde
Betty Younggren
Kittson County Commissioner

Anthony "Chuck" Flage
John Lerohl
Charles Simpson
Dave Sorenson
Ron Weiss
Red Lake County Commissioners



Aug. 4, 2014

Minnesota PUC

The Polk County Board of Commissioners is on record — in a unanimous action — in support of the proposed route of the Sandpiper Pipeline. We believe that the route developed by Enbridge, in conjunction with local governments, not only makes sense but meets all rules and regulations regarding safety and the protection of the environment.

Any delay in the construction process must be avoided.

The Sandpiper is the best method for the delivery of oil to refining facilities at Superior, Wis., and to the East. The proposed route crosses the entire width of Polk County. The message that we are hearing from constituents is that there is strong support for the project. The only concern that we hear — one that we as commissioners share — is that all existing rules regarding safety and the protection of the environment are followed.

Polk County could benefit greatly from the Sandpiper. Enbridge is already the top property taxpayer in the county at close to \$2 million a year. This is about 10 percent of our total county tax levy. The Sandpiper would add to that total. Like all local government units, Polk County could make good use of additional revenue to provide better services without a tax consequence for property owners. It is estimated that local units of government in Minnesota would see an additional \$25 million in property taxes from the Sandpiper.

Should the oil that is scheduled to be delivered to the Superior, Wis., terminal be shipped by truck instead, we could see 1,300 trucks a day going down U.S. Highway 2... right through Polk County and right through many of the lands that opponents want avoided. That could occur sooner rather than later if there is a route change that would further delay construction of the pipeline. Beyond the serious safety issue that this would present is the fact that the heavy traffic would raise havoc with road systems all the way across the state.

The use of railroads to transport oil is not a good option. Beyond the safety issues that have occurred recently is the fact that the extensive use of rail for the movement of oil has created a very serious problem for agriculture in that it has become extremely difficult to arrange trains to move grain to market. Because of this, huge amounts of last year's crop still remain in storage on the farm or at country elevators. Virtually all existing storage is full. There is no room for this year's crop. This already a critical situation that is only going to get worse until a new pipeline is in place for the moving oil to refineries.

OPINION > COLUMNISTS

Jim Stratton: A 'silent wall of disdain' at Minnesota regulatory agencies?

By JIM STRATTON |

February 18, 2016 | UPDATED: 18 hours ago

Recent reports disclosing the discovery of pejorative emails by a Minnesota Pollution Control Agency regulator pertaining to the Sandpiper oil pipeline are deeply concerning and raise serious questions about the fairness, objectivity and ultimate credibility of state agencies on regulatory matters.

The Sandpiper project is a key component of the economies of numerous counties, cities, townships and school districts along its route. It has strong support in Greater Minnesota, not only because of the jobs, sturdy tax base and other economic benefits it delivers, but for the ecological benefits it provides as a safe, environmentally sound alternative to hauling Bakken light crude by rail through our towns, or over our already congested and aging highway system.

We have wondered with frustration at the delays in approving this project and the benefits it would provide to local communities across the state. If these delays are in any way attributable to the personal beliefs of staff within the department — who are actively working in opposition rather than in strict adherence to applicable rule and law — those individuals need to be identified and weeded out of the process.

Our regulatory process relies on the confidence that it is administered by state-agency staff who are impartial and not motivated to put personal political philosophies ahead of a strict adherence to the laws of the state.

The revelation that a state regulator would be working in active opposition to a permit application is a startling development that raises a disconcerting but critical question about how deep this problem runs within the agencies of the state.

I hope Gov. Dayton and legislative leadership can appreciate the gravity of the concern that exists over this discovery. It tempers a notion that is widely held among public- and privately held organizations alike, which understand — but are afraid to say — that a silent wall of disdain exists deep within the regulatory agencies for projects that would deliver positive economic benefits to Greater Minnesota.

There is a clear and growing perception that you cannot build in this state anymore, because it is becoming exhaustive and far too costly to run the precarious obstacles of the bureaucratic minefield if your project is out of favor with the political beliefs of agency regulators.

This is a circumstance that did not always exist and raises real questions about the type of employee the agencies have been hiring over the last 10 to 15 years. Any investigation should take a long look at correcting an imbalance in hiring practices that do not recognize the value of a candidate who understands economic development and environmental protection are not mutually exclusive.

The Minnesota Rural Counties Caucus supports the request for a full and independent investigation into this incident by the Office of the Legislative Auditor, and encourages any investigation into whether other employees are working in advocacy roles against good projects, rather than abiding by standards established under the law.

Jim Stratton of Alexandria is chair of the Minnesota Rural Counties Caucus and a Douglas County Commissioner.



Jim Stratton



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452
Phone: (218) 281-5408
Fax: (218) 281-3808
www.co.polk.mn.us

COMMISSIONERS
CRAIG BUNESS, Crookston
WARREN STRANDELL, East Grand Forks
NICK NICHOLAS, Crookston
WARREN AFFELDT, Fosston
DON DIEDRICH, Warren

COUNTY ADMINISTRATOR
CHARLES S. WHITING

June 24, 2014

Letter to the Editor:

It is very concerning that the public comment period for the Sandpiper Pipeline project through Minnesota has been reopened and extended beyond the end of the original period. Any delay in the approval process must be avoided. This project needs to be decided on its merits and by compliance with all existing rules and regulations; not extended and/or delayed because of the highly organized efforts of a few opponents who keep repeating their views at every possible hearing and opportunity.

The Sandpiper is the best method for the delivery of oil to refining facilities at Superior, Wis., and to the East. The proposed route of this pipeline crosses the entire width of Polk County. The message that we are hearing from residents is that there is strong support for the project. The only concern that we hear — one that we as commissioners share — is that all existing rules regarding safety and the protection of the environment are followed.

The nation needs the Sandpiper, along with the Line 67 upgrade and the Keystone, as a way to provide jobs, to bolster the economy and to eliminate all importation of oil from countries that would do us harm.

Polk County needs the Sandpiper, too. Enbridge is the top property taxpayer in the county at close to \$2 million a year. This is about 10 percent of our total county tax levy. With the construction of the Sandpiper, tax revenues for local governments — and this is by Enbridge Company estimate — could increase by \$4 million in the first year alone. This revenue would go a long way toward providing better services without a tax consequence for our property owners.

While opponents are citing situations — most of which are no more possible than lightning strikes — that could cause environmental damage, we believe the frequency of these possibilities is highly unlikely and that pipelines are the safest and most efficient method for moving the needed oil product.

Should the oil that is scheduled to be delivered to the Superior, Wis., terminal be shipped by truck alone — with the Bakken now producing a million barrels a day — we could see 1,300 trucks a day going down U.S. Highway 2... right through Polk County and right through many of the lands that opponents want avoided.

Beyond the serious safety issue that this would present is the fact that the heavy traffic would raise havoc with road systems all the way across the state.

The use of railroads to transport oil is not a good option either. Beyond the safety issues that have occurred recently is the fact that the extensive use of rail for the movement of oil has created a very serious problem for agriculture in that it has become extremely difficult to arrange trains to move grain to market. Because of this, huge amounts of last year's crop still remain in storage on the farm or at our country elevators. Virtually all existing storage is full. There is no room for this year's crop. And this already critical situation is only going to get worse until another method of moving oil to refineries is in place.

The safety record and efficiency of pipelines makes it the best alternative. The State of Minnesota needs to keep the approval process on schedule to make it happen within all existing rules and regulations; not allow the procedure to be extended beyond the normal process or otherwise be delayed.

Sincerely,

Craig Bunes
Polk County commissioner, Dist. 1

Warren Strandell,
Polk County commissioner, Dist. 2

Nick Nicholas
Polk County commissioner, Dist. 3

Warren Affeldt
Polk County commissioner, Dist. 4

Don Diedrich
Polk County commissioner, Dist. 5

From: [Bobby Carroll](#)
To: [*COMM Pipeline Comments](#)
Subject: Scoping EIS comment for Sandpiper (13-473 & 13-474) and Line 3 Replacement (14-916 & 15-137)
Date: Friday, May 06, 2016 10:40:07 AM

Dear Ms. MacAlister,

we support

Sincerely,

Bobby carroll
8373 Highway 200
Lexington, TN 38351

From: [Rosanne Caughey](#)
To: [*COMM Pipeline Comments](#)
Subject: pipeline scoping
Date: Tuesday, May 24, 2016 10:48:56 AM

Jamie MacAlister and Department of Commerce staff,

The Sandpiper and Line 3 Replacement projects are both vital to the state of Minnesota. By moving forward with the development of these two projects, we are ensuring job creation, the safe distribution of petroleum, and a boost to our local economy.

As the President of the Crow Wing County Farm Bureau, I understand firsthand how vital these two projects are to our state. The agriculture industry would benefit greatly from these two projects, allowing for more agricultural products to be shipped on trains. We have been blessed on our farm to grow more grain than our animals can eat and would be very happy to be able to share the surplus with hungry people in an affordable manner.

A fair, timely, and final evaluation of these two projects has been delayed for far too long. In order to continue attracting business to our state, we need to maintain a timely and predictable regulatory process. I ask that the Department of Commerce adhere to the 280-day time limit to prepare the EIS in order to keep these projects on track.

The scope of the EIS should not be overly broad, nor should it be too narrow as to be inadequate.

Additionally, it should serve both the public and the private purpose of the two projects. This important balance must be met.

Thank you for the work you do for the state of Minnesota and thank you for your dedication in moving these projects forward.

Sincerely,
Rosanne Caughey
Crow Wing County Farm Bureau

Leroy and Janice Chief
14633 Forest Dr.
Park Rapids, MN 56470

5/12/16

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

Subject:

- Sandpiper PUC Docket Number PL-6668/CN 13-473 & PL-6668/PPL-13-474
- Line 3 PUC Docket Number PL-9/PPL-15-137

This letter is in regard to the pipeline operations planned over a part of our area that we live in. The subject of the proposed pipeline continues to crop up and we continue to be deeply concerned on the impact such an operation will have.

We have heard much that the pipelines are constructed, double welded, inspected and passed to be safe for the environment, yet we hear or read of spills in our water systems, lakes and rivers that cause damage and endanger the safety of people, animals, and plant life as we see it. Think of the damage to the Aquifer Systems. This damage extends to households, irrigation systems, animal and plant life.. These leaks, breaks are a reality and not "if" there is a leak/break but "when!" This area would be impacted for a long time if that were to happen.

Whatever agency that is selected to give the authority for permits for pipelines to be installed will have a tremendous responsibility. We are looking at the risk factor because of the sheer numbers of spills and leaks that invariably occur at some time during an operation as this. It does not even need to be oil, saltwater or other contaminants will cause immense damage for years to come and most certainly will cause a negative impact on our economy..

At present the designated agency needs to pay close attention to the concerned citizens' that bring the environmental impact to the forefront.

It is not the "haves and have not's" that need the attention, but the common sense that takes these concerns into consideration for the well being , health and safety for all. Thank You

Leroy Chief
Janice Chief

RECEIVED

MAY 17 2016

MAILROOM

From: [Amanda Christ](#)
To: [*COMM Pipeline Comments](#)
Subject: Sandpiper pipeline
Date: Thursday, May 26, 2016 9:43:50 AM

To whom it may concern,

The Sandpiper pipeline is proposed to enter northwest Minnesota, a state I call home. I hope that an honest and comprehensive EIS will provide greater analysis of all potential human and environmental impacts, and potential project alternatives. First, the pipeline is a support system to oil extraction by the method of hydraulic fracturing from the Bakken fields in North Dakota. Catastrophic climate change impacts are already occurring in Minnesota and globally. We should be focusing on curtailing such extraction instead of supporting it. Currently the oil and gas industry enjoys exclusions and exemptions to major federal environmental statutes intended to protect human health and the environment including: Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act; Safe Drinking Water Act, Clean Water Act, Clean Air Act, National Environmental Policy Act, Toxic Release Inventory under the Emergency Planning and Community Right-to-Know Act. As a result of this lack of oversight, human health, wildlife communities and the environment are being endangered. Until more thoughtful state regulations are enacted in North Dakota and until the petroleum industry at large is held accountable to remedy the negative impacts on human health and the environment, Minnesota should not put our human communities, land or water systems at risk of degradation. Fracking and its effects are taking place on public land including our National Grasslands. This act of private gain on public land, especially with such lack of regulation and oversight is abominable.

The proposed preferred Sandpiper route threatens waterways and wetlands in Polk County, and along the entire route. While I am concerned about the pipeline crossing the Red River of the North and Red Lake River watercourses, I am equally concerned about the route crossing the state's most famous river, the Mississippi. Both the Sandpiper and Line 3 replacement are proposed to cross this pristine headwaters area which is a valuable and cherished natural resource to residents of Minnesota and across the nation. The Sandpiper and Line 3 replacement pipelines would also cross Hay Creek, Shell River, Crow Wing River, just to name a few, and numerous sensitive wetland areas. The bounty of freshwater resources in northern Minnesota including wild rice beds, lakes and rivers and fisheries generate \$7.2 billion annually. This doesn't include the tourism industry which grosses \$11.9 billion in sales. These are real and permanent jobs. I am concerned that multiple pipelines will be allowed to follow this corridor if approved. These pipelines threaten not only pristine ecosystems, but also human communities.

The price of oil has dropped drastically from the start of the 'Bakken Boom'. Production of oil in the Bakken region has declined rapidly within the last year, resulting in a steep decline in new wells and infrastructure. Building a pipeline in Minnesota for a waning industry is not sustainable development. The current no build alternative that allows for road or railway transport will continue meeting the need to transport oil to refinery destinations. The Sandpiper will not eliminate or reduce the oil being transported by rail and truck. It will only allow more transportation to occur. Rail and truck transport allow flexibility to reach refineries and are the most feasible method given

the short term production expectations.

The impact on communities in North Dakota associated with the 'Bakken Boom' have experienced unsustainable population growth leading to human trafficking, crime, drug use and trafficking, lack of adequate and safe housing, shortage of police and emergency response workers, cost of living increases and many health problems. This industry does not support the health and wellbeing of our neighbors in North Dakota.

The only thing constant in the 'Bakken Boom' is change. Minnesota's natural resources should not be placed at permanent risk for the economic advancement of the North Dakota Pipeline Company and its desire to transport hazardous material. This project is not in the best interest of current or future citizens of Minnesota, only for those who expect to make money. Instead of muddling along on our current march toward energy independence by evermore domestic production it is time we redefine milestones and work toward a significant transition away from oil.

Respectfully,
Amanda Christ
Current resident of Savoy, Illinois and formerly of Mankato, Minnesota

From: [john cheryl grover](#)
To: [*COMM Pipeline Comments](#)
Subject: PL-6668/CN-13-473 and PPL-13-474; PL-9/CN-14-916 and PPL-15-137
Date: Wednesday, May 25, 2016 11:39:24 AM
Attachments: [Township Officer Letter of Support.docx](#)

Dear PUC Board:

Please find attached a letter of support that has been signed by the Clearwater County Township Association Officers.

At their April 26, 2016 a motion was made and passed as an Association to write a letter of support during this current scoping period.

Thank You.

Sincerely,

Cheryl Grover
Community Ambassador

Dear PUC Board,

We are Clearwater County Township Officers. The Enbridge Mainline System and the Sandpiper Pipeline and Line 3 Replacement Project routes in Northern Minnesota either run through our townships or through neighboring townships. We would like to share our support of these projects, and how important they are to our community, through this current public comment period.

Millions of dollars in local property tax revenue and thousands of jobs are at stake if these new pipelines do not get built. Our area businesses benefit greatly when projects like these are constructed. Sometimes these type of projects are the difference between businesses closing or staying open in the area. Local support for these projects is strong in our communities and we also want to show our support.

We ask you to continue to work as expediently as is permitted on these projects; as the delays in these projects will continue to affect jobs, tax and economic benefits from the Sandpiper and Line 3.

We appreciate that your board understands how important these projects are to our economy and the safety of all Minnesotans located along the oil train routes across our state. Every day of further delay is another day that more oil is unnecessarily crossing our state on trains instead of in pipelines where it belongs.

Thank you for the opportunity to express our concerns.

Sincerely,

Clearwater County Township Officers

Susan Thompson
Wilfred Halberg
Ben Sorom
Jim Peternell
Barb Anderson
Bear Creek Township Officers

Cindy Olson
Larry Olson
Clarence LaCroix
Jim Herman
Copley Township Board Members

Joel Wraa
Bob Wasson
Ken Brien
Bennie Erickson
Clover Township Board Members

Rodney Rhen
David Rongstad
Les Hinrichs,
Dudley Township Officers

Gary Thorson
Tim Shamp
Marilyn Shamp

Larry Lindgren
Mark Larson
Eddy Township Officers

Dennis Pemberton
Ron Knable
Tom Warren
Falk Township Officers

Terry Horn
Duane R. Petterson
Sheryll Petterson
Sheila R. Horn
Sharon Solien
Greenwood Township Officers

Gary Mathis
Arlys Mathis
Kipton Kalamaha
Kyle Kalamaha
Hangaard Township Officers

Jim Chesley
Stephanie Anderson
Bonnie R. Engen
Elwood Nordlund
Larry J. Djernes
Holst Township Officers

Gary Anderson
Kathryn Anderson
Keith DeMaris
Itasca Township Officers

David Engebretson
Mike Torgerson
Jim Aakre
Lori Larson
Leon Township Officers

Pam Janssen
Billy Lanners
Ken Christenson
Janet A. Olson
Harlan Strandlien
Moose Creek Township

Susan Sunderland
Lanny Mathison
Lillian Newland
Natalie Ronning
Kurt Sunderland
Minerva Township Officers

Al Rasmussen
Karla Netland
Paul Netland, **Nora Township Officers**

Don Friborg
Bruce Sly
Robert Dukek
Popple Township Officers

Richard J. Aos
Larry Peterson
Dennis Bergerson
Vernon Hamness
Paul Buer
Pine Lake Township Officers

Robert Lawrence
JoAnn Edevold
Owen Shegrud
Rice Township Officers

John Arneson
Amanda Haugen
Alfred Sather
Fred Halverson
Wesley Luggar
Shevlin Township Officers

Bruce Bjerke
Brooke Pond
Ray Reichert
Gordon Olson
Russ D. Lembke
Sinclair Township Officers

LeRoy Sundquist
Troy Horn
Louise Sundquist
Jason Bakke
Winsor Township Officers

Ingrid Kimball

From: drj@rural-access.com
Sent: Thursday, May 26, 2016 7:29 PM
To: *COMM_Pipeline Comments
Subject: Enbridge line 3

I am writing to support Enbridge line 3. We have owned land that they have lines passing through and this line will be there also. We have had nothing but positive experiences with this company. They are a valuable source of energy for the grid through out the United States. I am also a public official that deals with development through our County. Enbridge provides a valuable source of tax income for our area. We have attended several meetings with them to discuss the line, scope of project and outcomes for our country. I want to be in full support of a company that has a high priority on safety and look forward to them being a viable partner in the Energy field. Thanks for your consideration.

Joe Bouvette
Co. Commissioner Kittson County Minnesota

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

Name: Bryan Connelly Phone: 612-802-9826

Street Address: 901 14th Ave NE

City: Minneapolis State: MN ZIP: 55434

Email: bconnelly@local563.org

My comments pertain to:

- Sandpiper Pipeline Project
- Line 3 Replacement Project
- Both Projects

I support these Pipelines they
produce good well paying Jobs for
people in the Area

Pipeline.Comments@state.mn.us

Subject: Pipeline Scoping

Dear Jamie MacAlister & Department of Commerce staff,

We are pleased that the scoping process for the Sandpiper and Line 3 Replacement projects is moving forward under the authority of the Department of Commerce and the Public Utilities Commission.

As the Executive Director of the Crookston Chamber of Commerce, I understand the impact these projects would have on safely shipping petroleum products underground and on growth of our local economy by creating thousands of jobs. Economies along the route will benefit as well as our state as a whole, and we are excited for the economic development and tax dollars these projects anticipate for our area.

As job creators and entities attempting to conduct business in the State of Minnesota rely on predictable and timely regulatory process, we ask that the Department of Commerce adhere to the 280-day time limit to prepare the EIS to keep these projects on track. In order to understand the impact of these projects, the EIS ought to be thorough but not overly broad or too narrow and should serve the public and private purpose of the two projects. This important balance must be met.

Thank you for the dedication to moving these projects forward in a timely manner and for all the work you do for our state.

Warmest regards,

A handwritten signature in black ink that reads "Amanda Lien". The signature is written in a cursive, flowing style.

Amanda Lien

Executive Director

Crookston Area Chamber of Commerce

From: healingsystems69@gmail.com on behalf of [Kristen Eide-Tollefson](#)
To: [MacAlister, Jamie \(COMM\)](#)
Cc: [*COMM Pipeline Comments](#)
Subject: CURE Comments on the Sandpiper EIS Draft Scope
Date: Thursday, May 26, 2016 8:00:21 AM
Attachments: [CURE Comment to Sandpiper Scoping Final 5-26.pdf](#)

Please find attached CURE's comments to the MN DOC - EERA for the

Draft Scoping Decision Document for the Sandpiper Pipeline Project
PUC Docket No. PL-6668/CN-13-473
PUC Docket No. PL-6668/PPL-13-474

This cover letter identifies these comments as CURE's, and briefly discusses our experience and interest in the proceeding. Please forward and file this cover letter with our comments. As PUC is established as RGU for this EIS, we would like to also e-file our comments. Though we assume that we can file public comments to these dockets, we will inquire further before filing.

CURE represents community members in the Mississippi River Hiawatha Valley in Southeast Minnesota. Anything that affects this principal watershed of the state, affects our 'backyards'. Our "Great River Road" tourist corridor, one of the busiest in the state, is directly connected to the tourist economies of Northern Minnesota, by Highway 61, which runs along the Mississippi River, to Itasca State Park, Bemidji, Grand Rapids, Aikin and Brainerd, through Duluth to the border. <http://www.fhwa.dot.gov/byways/byways/2279/directions>

CURE stands for Communities United for Responsible Energy. Its members have participated in PUC dockets and environmental review proceedings for over 20 years on a wide range of dockets that have to do with the topic of "responsible energy", primarily advocating for community, distributed resources and efficiency as paths to a 'responsible energy future'.

Our participation has included Integrated Resource Plans, transmission plans and projects (including numerous MAPP and Miso meetings); Smart grid and environmental cost dockets; nuclear waste and decommissioning proceedings including the 2009 certificate of need and EIS scoping for the Prairie Island ISFSI expansion. We are familiar with policy, law and agency procedures related to the evaluation of need and environmental review.

We applaud the collaborative approach for this EIS that is being taken by the agency team, under the direction of PUC as RGU, and the lead of DOC. This is a very important docket. We hope it will be, as promised, "the best EIS possible". It needs to be a landmark analysis. The time is past for "business as usual". We must choose our energy future now. CURE contends that building fossil fuel infrastructure for competitive market forces is not "need". The opportunity costs are too great.

Environmental Review and Certificate of Need are the tools we have to align state energy and environmental policy goals with economic decisions involving large energy infrastructure. We depend upon you to make the best use of them, to advance the public interest of the State of Minnesota and protect its natural resource commons.

Most respectfully yours,

Kristen Eide-Tollefson, Frontenac
Sigurd Anderson, Lake City

for CURE - Communities United for Responsible Energy
Goodhue County, Minnesota

2005 Session -- Chapter 97, Article 3, lays out the purpose for transfer from EQB to PUC and DOC, of responsibilities for Siting, Routing and Environmental Review.

Sec. 17. To ensure greater public participation in energy infrastructure approval proceedings and to better integrate and align state energy and environmental policy goals with economic decisions involving large energy infrastructure, all responsibilities, as defined in Minnesota Statutes, section 15.039, subdivision 1, held by the Environmental Quality Board relating to power plant siting and routing under Minnesota Statutes, sections 116C.51 to 116C.69; wind energy conversion systems under Minnesota Statutes, sections 116C.691 to 116C.697; pipelines under Minnesota Statutes, chapter 116I; and rules associated with those sections are transferred to the Public Utilities Commission under Minnesota Statutes, section 15.039, except that the responsibilities of the Environmental Quality Board under Minnesota Statutes, section 116C.83, subdivision 6, and Minnesota Rules, parts 4400.1700, 4400.2750, and 4410.7010 to 4410.7070, are transferred to the commissioner of the Department of Commerce. The power plant siting staff of the Environmental Quality Board are transferred to the Department of Commerce. The department's budget shall be adjusted to reflect the transfer.

The first purpose of this comment is to highlight the purposes and value of “public participation in energy infrastructure approval decisions”. Why is this important? First, because energy infrastructure, and specifically fossil fuel infrastructure, is the most impactful of all human infrastructure. Climate change is hard upon us, and every decision that is made to invest in energy infrastructure will affect the timeline and outcome of those impacts.

Second, because it is the role and responsibility of the public, of the citizens of the state, to articulate the values that guide public decision making. We are, in fact, dependent upon this public perspective, to ensure the accountability of public decision making to public values and priorities. It is the decision makers’ (RGU) responsibility to constructively engage, listen to, and provide channels for “meaningful participation” - defined as ‘having the potential to impact decision outcomes’.

Minnesotans have invested heavily for decades in the quality of Minnesota’s environment. Its character is part of our identity and everyday lives. We have passed a constitutional amendment and multiple packages of legislation to protect and enhance our air, waters, and resources; we dedicate LCMR funds to support our natural and cultural legacies. We fund state agencies, each of which is charged with some aspect of our (human and natural) resource commons. The public investments we make are expressions of public values and to the extent to which they provide public value, they are funded.

In light of these public values and mounting threats of climate change, we make two key requests:

- 1. Scope an inventory of public investments into the EIS:** Many millions of dollars have been invested in enhancing and protecting North Country region parks, trails, waters, wild rice lakes, trout streams etc. Local and regional economies – particularly the key tourism and recreation economies of Minnesota’s “North Country” – depend upon the quality and character of these natural resources. **It is imperative that this environmental impact statement identify public investments -- past, present and planned – in the resources that are potentially impacted by this**

project. Tax monies, federal, state or local that have been used to enhance, protect and repair these resources are eligible; federal, state and particularly agency and non-profit programs.

As complete an inventory as possible is necessary to establish an economic basis for evaluating the balance of costs and benefits. We have given deference for many years, to projects with major potential long term impacts, in exchange for a specific number of high paying and important but temporary construction jobs. It is time to develop a way to better assess claims of **costs and benefits** and allow us to better ‘account’ for the potential economic impact of associated risks to our environment.

**2. Please scope the following into the EIS consideration of climate change factors:
(Appendix B. 6E):**

- According to the testimony of Minnesota’s climate experts, Minnesota is the second most impacted state in the nation; our ecosystems are already challenged and stressed.
- The integrity of social and natural eco-systems significantly increases the chances of human and natural community sustainability and adaptation to climate change;
- Likewise, degradation of the eco-system increases stress and decreases the likelihood of successful adaptation;
- Culture plays an important role in climate change adaptation, particularly for Native American communities;
- The EIS scope should address the effects of both short (construction period) and cumulative, long term potential impacts and risks of pipeline operations – on ecosystem integrity, climate change, and associated stressors to natural and human communities.

Comments to the Scoping Draft Outline:

I. Project Need and Purpose and Alternatives Development

The Needs and Purpose (N&P) Statement of an EIS is central to the ability of environmental review to examine reasonable and prudent alternatives. EQB rule and guidance documents state that alternatives may be excluded if they do not meet “the underlying need for or purpose of the project”*. Section 3.1.2 of the Draft scope elaborates this application of the criteria, and case law upholds its use in the elimination of alternatives.

The present draft scope locates and defines the “underlying purpose of the project” at 3.1.2 under *Criteria for Evaluating Alternatives* included in an EIS. This is not the appropriate location for the Statement. The Preliminary Table of Contents at Appendix B., locates the “Project Purpose” at I.B.

As noted in footnote 14, the current language was adapted by DOC from the project proposer’s CON Notice Plan. It was used as the Statement of Purpose in the previous environmental review document where it drove, as is its purpose, the development and elimination of proposed alternatives to Enbridge’s route. The agency statement reads: *“The purpose of the project is to transport growing crude oil production from the Bakken Formation in North Dakota to the Superior, Wisconsin terminal and then connect to various other pipelines expanding access to refinery markets in the US Midwest and beyond”.*

Brevity is one of the goals of ER documents. However the complexity and controversy generated by this project, and the context of a multitude of existing and potential pipeline projects, requires distinction between the the “underlying” need (e.g transportation of oil from the Bakkan field to markets) and the applicant’s route specific statement of purpose. This is essential for any site alternatives to be considered under 3.2 and to identify and evaluate project, route, and system alternatives -- in addition to the specific project opportunity proposed by Enbridge -- that might fulfill the underlying purpose of the conveyance of oil from the Bakkan to markets.

Specific requests for Scoping document changes:

- Please change the Appendix B. Preliminary Table of Contents – I. B. “Project Purpose” to read: “Statement of Need and Purpose” (see discussion under III)
- Insert a placeholder in the Scope between 2.0 and 3.0. for the Statement of Need and Purpose.
- Identify data and analysis needed to evaluate and update the assumptions of the scoping document Statement of Purpose – specifically the assumption of ‘growing crude oil production’, and the need for ‘expanding access’ to markets.
- Please add the DAPL --Dakota Access Pipeline -- to analysis at 3.2 Alternative Sites. This project was recently (3-10-16) approved for routing through Iowa (see attached maps) <http://wgad.com/2016/03/10/bakken-pipeline-project-approved-in-iowa-branstad-respects-decision/>

The DAPL project FAQ Sheet (dated 11-05-15) at: <http://www.dakotaaccessfacts.com/> notes that the DAPL “ pipeline will transport approximately 450,000 barrels per day with a capacity as high as 570,000 barrels per day or more – which could represent approximately half of Bakken current (sic?) daily crude oil production. Shippers will be able to access multiple markets, including Midwest and East Coast markets as well as the Gulf Coast via the Nederland, Texas crude oil terminal facility of Sunoco Logistics Partners” In analysis for Alternative Sites 3.2 and need claims, PUC should review 2013-2014 FERC discussion of the Enbridge filings for Sandpiper (contentions of no-need) <https://www.ferc.gov/051514whats-new/comm-meet/2013/032113/G-5.pdf> and <https://www.ferc.gov/whats-new/comm-meet/2014//G-1.pdf>

II. Adapting the Statement of Need and Purpose (N&P):

Other guidance documents note that the Statement may need to be adapted as the EIS is developed (though not arbitrarily) in response to comments and subject to agency analysis, to ensure an appropriate fit between the Statement and alternatives analysis -- and compliance with the intent and purpose of the EIS. Care must be taken as to how the Statement is handled in the Scope, *because Minnesota rule (7850.2500 Subp. 2) prohibits changes to the final scoping document without approval of the Commissioner, and permission of the project proposer (4410.2100 Subp. 8).*

Specific Request for Scoping document: Therefore, if there is not concurrence among the EIS agency team as to wording of the Statement of Purpose for the Scope, an appropriately located placeholder should be established, stating that the Statement will be developed as part of the Draft EIS. The EIS draft is subject to public review and comment. This increases transparency and accountability which decreases the likelihood of delays caused by litigation. NEPA litigation frequently involves challenges to an agency’s determination of purpose and need. Finally, in terms of public process, the public will have a chance to review and comment on the decision factors if they are established in the EIS. This is full disclosure.

Because the current Statement of Purpose has repeatedly been raised as a point of contention, with claims that it has inappropriately constrained the development and qualification of alternatives, it would be helpful to note in the Scoping Document the role of the Statement of (Need and) Purpose in the evaluation of alternatives. And outline the information (data) requirements that may be necessary to develop a full and sufficient statement of need and purpose for the proposed project (see additional guidance references below).

III. Guidance on the N&P Statement

The need and purpose statement, as discussed in numerous state and federal guidance documents, is critical because it sets the stage for the development and evaluation of alternatives in the Record of Decision. NEPA scoping guidance provides a Summary of Purpose and Need (P&N): “A well crafted, succinct Purpose and Need Statement, drives the range of reasonable Alternatives that can be considered... As such, careful consideration should be given to be clear and accurate, but to allow sufficient flexibility to select Alternative courses of action, as reasonable and prudent. “

The EQB guidance document to RGUs for consultants provides similar advice: “In applying exclusion criteria, *the RGU must not be overly restrictive in defining the project’s purpose and need.* Occasionally, an RGU will claim desirable but nonessential elements as part of the project’s purpose or need, thus eliminating alternatives that should be included. In many cases, these are cost-related factors and, while important, they cannot overrule environmental considerations. At the same time, the RGU should not examine extraneous alternatives just to make an EIS more complicated”. The length of N&P Statements ranges from one paragraph to one page, to 15 pages in a major federal EIS.

IV. Need or Purpose - or - Need and Purpose?

Please note, that in the Sandpiper EIS it is appropriate and important to address both need and purpose for the projects. The MN Court of Appeals has determined that approval of the pipeline and its route would constitute a major governmental action that requires an environmental impact statement.

The ruling specified that the EIS must be completed before a decision is made on the certificate of need, to ensure that “decision makers are fully informed regarding the environmental consequences of the pipeline, before determining whether there is a need for it”. And further, that such action “seems particularly critical here because once a need is determined, the focus will inevitably turn to where the pipeline should go, as opposed to whether it should be built at all”.

Therefore it is essential that the PUC as RGU, its lead and key participating agencies (DOC, PCA and DNR) who have been charged with the preparation of the document, gather sufficient information to enable the purpose of and need for the project to be succinctly stated, so that it can be evaluated and reviewed by the public, other agencies, and interested parties. Please see guidance from other state and federal sources on development of this statement, referenced below.

V. Additional guidance needed?

Because case law upholds using the statement of need and purpose as a criterion for the elimination of alternatives, and the development and evaluation of alternatives is one of the prime purposes of the EIS – it may be necessary to consult other guidance documents to ensure that this statement meets the purposes of the environmental review document.

While EQB guidance documents are clear about the application of need and purpose as a criterion in elimination of alternatives, it is much less helpful in providing guidance for assembling and evaluating the adequacy of an N&P statement. Because this has also been a problem in NEPA, there have been a large number of suits, leading to the development of substantial case law and further guidance by state and federal agencies, an example of which is excerpted from the linked document below:

<https://www.greateratlantic.fisheries.noaa.gov/nepa/docs/nmfsneronepaguidancepurposeandneed.pdf>

***Summary:** “The purpose and need section should be prepared early-on by the manager for the project team, or it should be assembled under the direction of the manager. The preparer(s) should systematically review the needs-related information, and identify the purpose(s) based on both information reviews and input via interagency coordination and external scoping inputs. Consideration also should be given to effective means for communicating the needs and purposes [to the public]. Further, it should be recognized that the “purpose and need” section will need to be revised as the EIS is completed. The draft of the purpose and need section will evolve when the impact study is conducted. In fact, it should be considered as a work-in-progress until the draft EIS is released for agency and public review. The purpose and need section in the final EIS may need to be “fine-tuned” as a result of agency and public input.”*

Finally, the preparation of the description of the underlying need can be aided by the repeated consideration of the following series of questions (Lee, 1997, p.85):

- **“Why?”** For example: what is the basic problem or deficiency with the existing situation? Why is this a problem? ...What facts support the need? If the study has been underway for several years, what steps will be taken to make sure that the data underlying the purpose and need is still valid? How will the supporting information for the purpose and need be documented?
- **“Why here?”** For example: why is this problem or deficiency occurring here? Why not somewhere else? ...Is there a single purpose of the project, or does the project serve multiple purposes? If there are multiple purposes, are some more important than others? What are the true “drivers” of the project? How is the need for this project distinct from the need for other similar projects that are being proposed.
- **“Why now?”** For example: Why does the problem need to be addressed now (urgency)? Why not earlier or later?... If planning decisions are being used to support the purpose and need, how much time has passed since those decisions were made? Is there a need to re-consider or update those planning decisions? What data is available to evaluate the needs for the project area? If there are data gaps, how will those gaps be addressed?... What could happen if the problem were not addressed now? What has happened since it was not addressed earlier, and will happen if the situation is allowed to continue.

VI. **Section 3 - Alternatives Development (see note on 3.2 in section I above)**

Appendix B: Preliminary Table of Contents: There seems to be a discrepancy between this document and the required scope of alternatives to be considered listed in the Draft Scope at 3.1. Can this be assumed to be reconciled in the final scoping document? Where does System Alternatives analysis belong in the outline? Where will the Site Alternatives noted in 3.2 of the Draft Scope be developed in the EIS? Will existing Enbridge pipeline corridors that are being proposed for abandonment, be considered as an alternative route option? If so, why, if not, why not?

VII. **Section 4 - Environmental, Economic and Social Analysis.**

General considerations:

A. In the final Scoping document, please explain how the EIS will:

- Use "an interdisciplinary approach which will ensure the integrated use of the natural, environmental and social sciences" (4410.2200);
- "Identify and develop methods and procedures that will ensure that environmental amenities and values, whether quantified or not, will be given at least equal consideration...." (116D.03);
- "Study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources" (116D.03) -- as this applies.

B. In the final scoping document please explain how the EIS will make recommendations, relative to the two strategies of avoidance and mitigation of potential environmental impacts.

- Establish avoidance as the standard for protection -- for high quality, rare or vulnerable resources -- for instance pristine or groundwater resources
- Ensure that the burden rests upon the proposer to demonstrate that there is no alternative to routes that create hazards and threats to resources identified in the EIS.

4.4.3 Consideration of local and regional economies – As residents of the Mississippi River Valley, we are pleased to see a commitment to analysis of tourism and recreational resources and economies. In this analysis it is critical to recognize the extent to which The health and sustainability of the culture, people, and natural resources of the region are interdependent.

Request for inclusion in Scope: A section on "existing conditions", describing the interdependence of the natural and socio-cultural ecosystems with the region's tourist and recreational economies -- situated between 1.2 and 1.3, or at 4.4 -- would aid in analysis and understanding of potential impacts, including but not limited to the following factors:

- Local and regional economies are based upon the quality of the natural and cultural resources, including some of Minnesota's most pristine and iconic waters, e.g. Source of the Mississippi.
- The resources that may be impacted by the project are central to the identity of "The Land of Sky Blue Waters"; and the identity of Minnesotans in all regions, and beyond.
- The environmental character of Northern Minnesota ("Up North") is its 'brand';
- The cultural heritage of Minnesota's tribes is central to the identity of the region,

4.4.4 Cultural Resources and Natural Resources 4.4.5.4. The Wild Rice lakes of the region are a unique resources that serves as an outstanding example of this interdependence. An interdisciplinary approach that incorporates natural, environmental and social sciences -- is critical to understanding the scope of potential impacts to these lakes for Native American people of the region. As well as to the resource. Wild Rice is an essential part of the tourist economy, character and experience and is valued by the state as part of Minnesota's identity. Minnesota designated **wild rice** as the official **state grain** in 1977. Wild Rice and the Ojibway People by Thomas Vennum, Minnesota Historical Society Press, is highly recommended as a resource for understanding the connection between these cultural and physical resources. <http://www.amazon.com/Wild-Ojibway-People-Thomas-Vennum/dp/087351226X>

Other - Environmental Concerns regarding Unused or Abandoned Pipelines in existing Enbridge corridors: Compared to natural gas, oil is subject to light-handed regulation –No Barriers to Entry: construction and operation of pipelines NOT regulated by FERC – No Barriers to Exit: termination and abandonment of pipelines NOT regulated by FERC. <http://www.ingaa.org/File.aspx?id=18255>

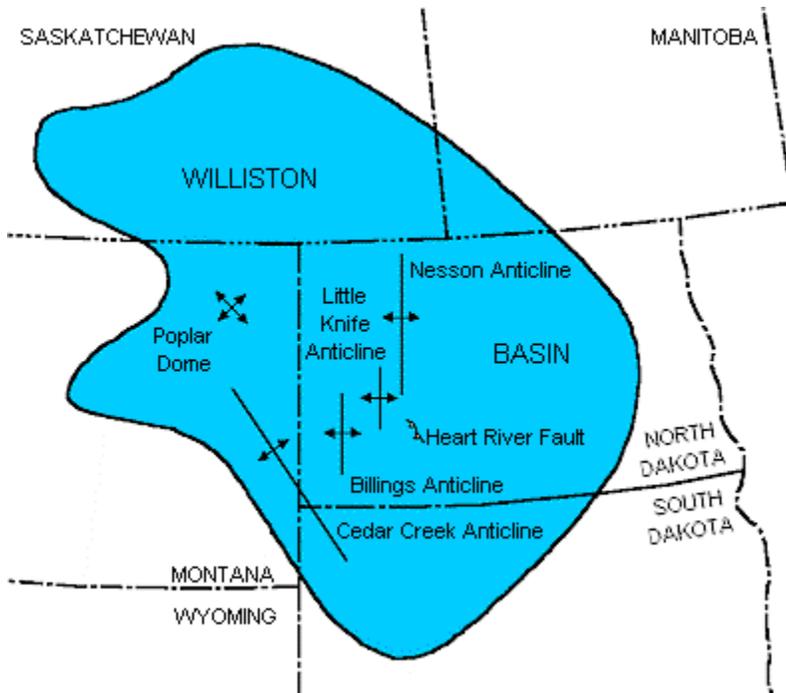
According to articles cited below, there are no abandonment guidelines, other than the federal requirements for disconnecting from active service. Therefore it appears that concerns regarding abandoned pipelines could be addressed in the EIS, as regulation is not preempted by the federal government if the lines are abandoned. The source cited below notes that “it is necessary to know as much information as possible about an abandoned pipeline because most pipeline companies will say any out of use line is only temporarily idled, even if has been out of use for 20 years”. The linked resources document liabilities that fall to landowners for abandoned lines.

Request for inclusion in the Scope: Request a mapped inventory of unused, idled and abandoned Enbridge lines in Minnesota to clarify their status, and showing those corridors which have been discussed in the CON and previous environmental review proceedings. Specify in the inventory which have been formally abandoned, and which are idled or unused and for how long they have been idled; if they have a history of repurposing, to indicate this; and what kinds of liquids have been conveyed or may be conveyed by the lines in the future. Please consider if this issue is appropriate for phased and connected actions and/or cumulative impacts. Please consider this issue for the Environmental Justice section, in response to concerns raised by residents of reservations with abandoned (?) lines.

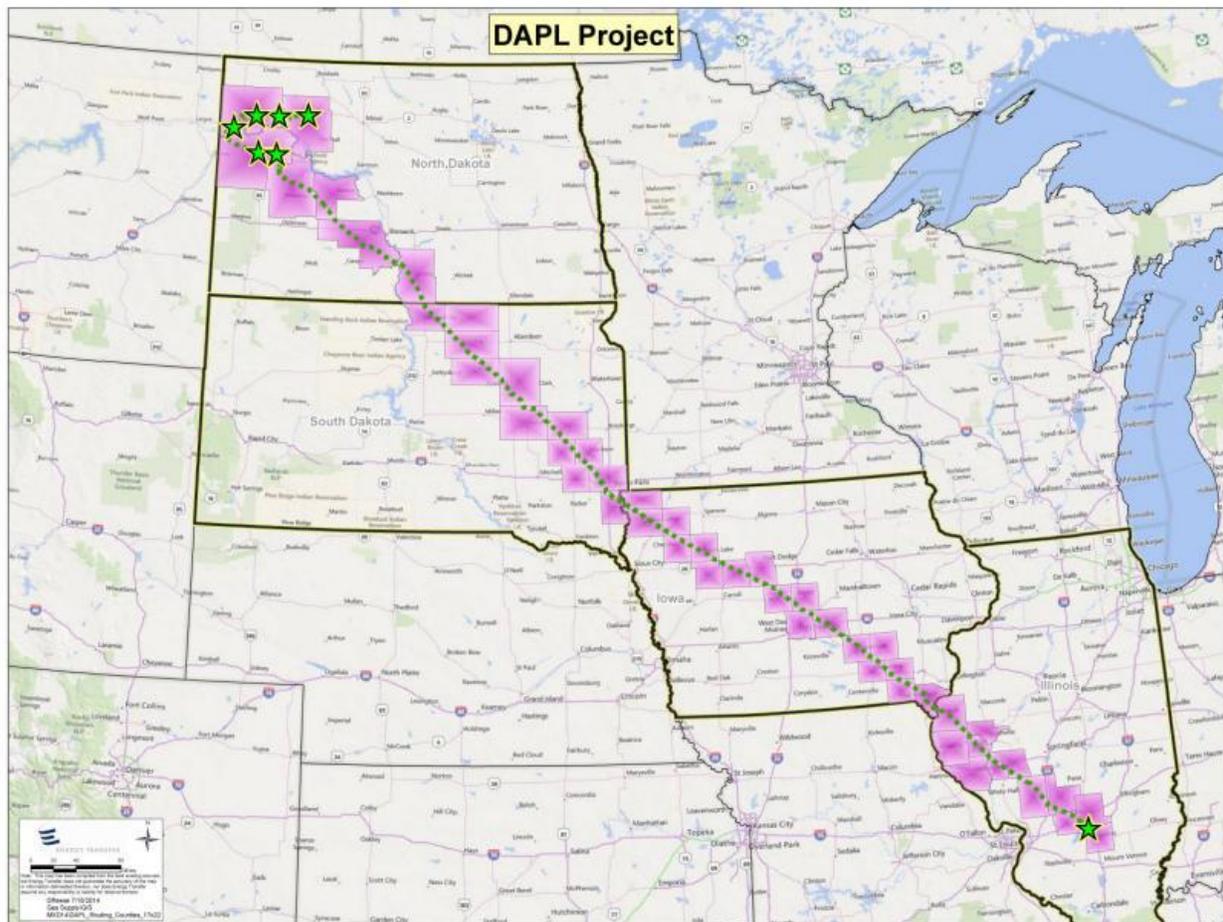
<http://www.pipelinelaw.com/2014/10/10/pipeline-abandonment-safety-supply-concerns-heart-recent-developments/>; <https://pgionline.com/2009/06/10/who-owns-abandoned-pipelines/>

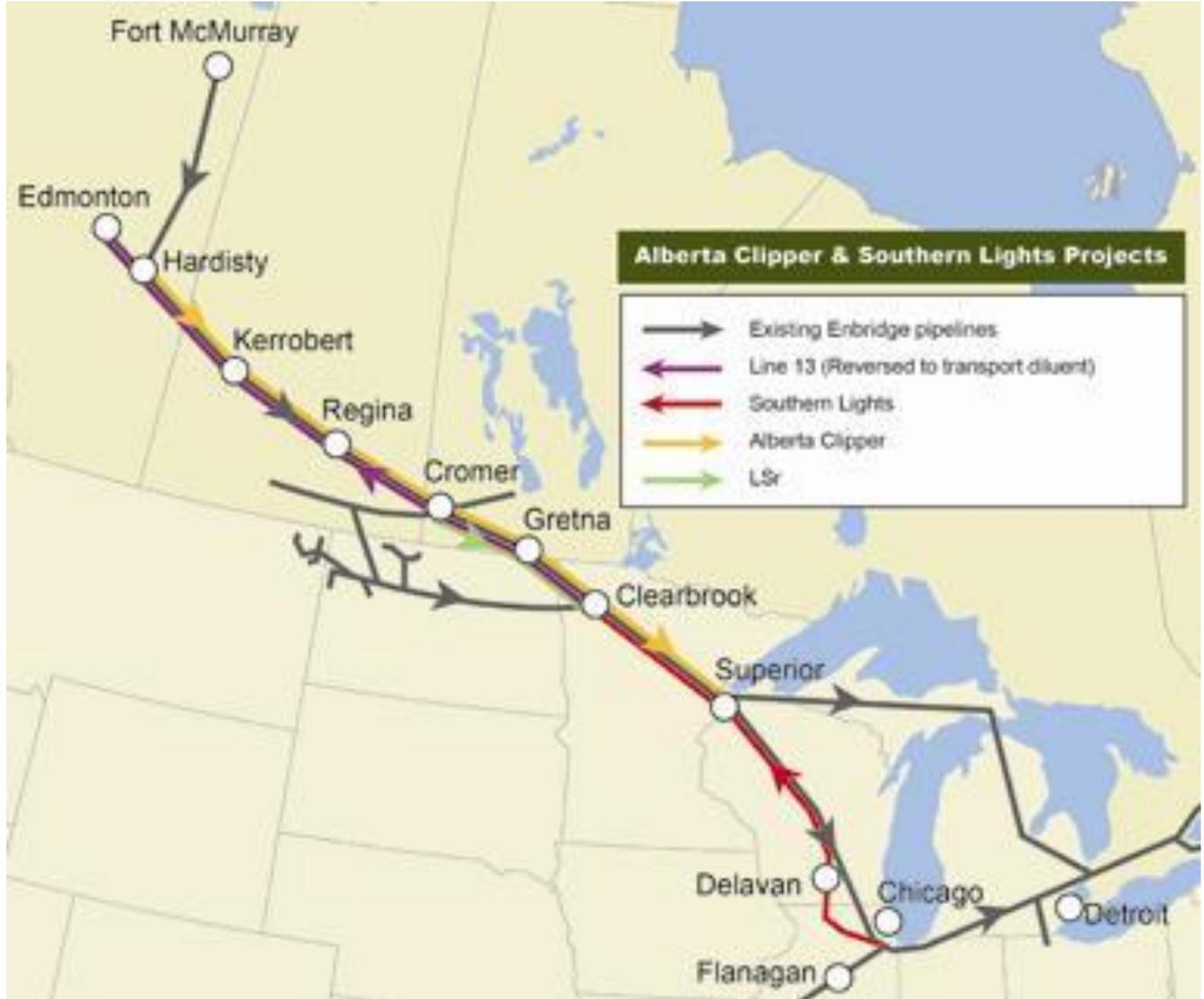
*The following are a number of factors a court or jurisdiction might consider in determining whether an easement or right-of-way (including the buried pipeline) has been canceled, extinguished and thus effectually reverted to the landowner:

1. Whether the line is merely idle or is completely abandoned.
2. The length of time the line has been idled or abandoned.
3. Whether the grantee company continues to maintain, test and /or patrol the line.
4. Whether the company continues to show the line and/or the easement as an asset in its records and/or continues to pay taxes on the line and/or the easement.
5. Whether there are other lines in the same easement which have not been idle or abandoned.
6. Whether the company has constructed or acquired new lines on other routes which make the idle or abandoned line and the easement in which it runs unnecessary.
7. Whether the company has idled or abandoned the facilities at either end of the line thereby making it unlikely that the line would be returned to service.
8. Whether it is cost prohibitive to return the line to service.
9. Whether the company has released or abandoned other segments of the easement thereby making it impossible to use the line or a replacement line at some future time.
10. The company plans for future use of the line or replacement line in the same easement or corridor (citation in link above)



The DAPL Project





RECENTLY COMPLETED ENBRIDGE LINES

Alberta Clipper is a 1,607-km (1,000-mile) crude oil pipeline that provides service between Hardisty, Alberta, and Superior, WI. Initial capacity is 450,000 barrels per day (bpd), with ultimate capacity of up to 800,000 bpd available.

The Southern Lights Project also included the LSr Project, a new 504-kilometre (315-mile) crude oil pipeline from Cromer, Manitoba to Clearbrook, MN. This line was brought into operation in February 2009, and the line was filled with oil shortly thereafter.

