

#REJECTLINE5

for our water, wild rice, and climate

Army Corps of Engineers accepting comments on Enbridge's Line 5 Proposal

On January 6, the Army Corps of Engineers (a federal Agency within the Biden Administration) announced that it would be doing an individual permit on Enbridge's application for a permit to fill wetlands and do horizontal directional drilling on the White River.

Read Enbridge's Application and the Army Corps Notice [here](#).

The Army Corps is accepting public comments through March 7. Comments can be sent to:

- Electronic comments may be submitted via email:
CEMVP-L5WSR-PN-Comments@usace.army.mil

OR

- St. Paul District Corps of Engineers,
CEMVP-RD
180 Fifth Street East, Suite 700
Saint Paul, MN 55101 1678.

They have not announced a public hearing, but a number of people and organizations are requesting one, so we're hopeful we'll have that opportunity later.

Background

Enbridge's Proposal

The Line 5 Pipeline threatens Tribal land, Treaty Rights in the ceded territory, the Great Lakes, and the climate. The pipeline, which is long past its lifespan, is currently pumping tar sands oil under expired permits. Despite the Bad River Band of Lake Superior Chippewa's request that Enbridge remove Line 5 and not put a pipeline in the Bad River watershed, Enbridge has moved forward with their reroute just south of the reservation. This expansion is within the watershed, and the risk to the treasured ecosystem remains. To learn more or find additional resources, visit tinyurl.com/rejectline5

To learn more about the existing pipelines and the concerns with it, [visit Bad River Band of the Lake Superior Chippewa's website](#) where they detail the concerns of the existing pipeline and their decision to not extend Enbridge's lease.

Talking Points

1. A serious rupture of Line 5 into Lake Superior would cause economic and environmental devastation. The report by professors at Michigan State University titled "[Estimates of the Economic Damages of an Oil Spill in the Straits of Mackinac in Michigan](#)," is a good example of the depth of rigorous investigation that you should make regarding an Enbridge oil spill from the proposed Line 5 expansion into Lake Superior.
2. Would shipping in the Great Lakes be impacted by an oil spill into Lake Superior? Considering the supply chain problems that already exist, what might a stoppage of ships out of Duluth and Superior mean for our regional and national economy?
3. To avoid climate catastrophes much worse than what we suffered in 2021, we need to stop burning fossil fuels. It makes no sense to approve any new pipelines or pipeline reroutes. The Army Corps must see the bigger picture and do its part to bring its rulings into alignment with Pres. Biden's goals to drastically reduce carbon emissions.
4. The construction of the Line 5 expansion would damage water quality. All of the 186 water bodies that would be crossed flow into the navigable waters of Lake Superior. Trout Unlimited's [2019 report](#) concluded that detrimental effects of laying pipelines "include increased sedimentation and erosion; inadvertent returns of drilling fluid at river crossings; and reduction of important aquatic life habitat through the removal of vegetation, disturbance to substrates, sedimentation, and placement of structures." This would result in fewer fish and the loss of nutrition and economic opportunities for the surrounding area. Given Enbridge's recent record of apparent indifference to the ecological harm it has caused in MN, the Army Corps should deny its permit application.
5. Enbridge proposes temporary discharge of dredged fill material into over 100 acres of wetlands and waters. While the storage of fill material may be temporary, the resulting damage may be long-lasting or permanent. We urge you to analyze the potential long-term and permanent storage of fill in these vulnerable ecosystems.
6. Enbridge breached an aquifer in MN in a violation of their permit. Near Clearwater, MN, Enbridge, given a permit to dig a trench 8 to 10 ft. deep, dug a trench 18 ft. deep, and then drove pilings down to a depth of 28 ft., which breached the aquifer. Since that time in January 2021 until it was fixed on Jan. 18, 2022, about 100,000 gallons of groundwater per day gushed out of it.

Sample Comment to the Army Corps of Engineers, Jan. 2022

(feel free to share [Sierra Club](#) or [350's](#) alerts)

Thanks for deciding to evaluate Enbridge's proposed Line 5 expansion in WI under the individual CWA 404 permit program. Adding a virtual public hearing and a comment period for a draft EA would be even better. A project that endangers the Great Lakes deserves an extremely thorough review.

Given the welcome steps that Pres. Biden took to restore the National Environmental Policy Act (NEPA) regulations, I hope that your review will consider, at least: (1) the direct, indirect, and cumulative impacts, (2) all connected actions, including the proposed Line 5 tunnel under the Straits of Mackinac; (3) the GHG emissions projections for the continued use of the entire Line 5, which this new segment would allow, and (4) alternative approaches – including a decommissioning alternative – that would minimize environmental and public health costs.

I urge you to review Line 5 in its entirety, since no EIS was prepared in 1953. Please ensure that tribes and local communities can meaningfully engage with the Line 5 permitting process and that climate change and environmental justice goals are fully considered.

Regarding the navigable waters of the U. S., the Corps should consider potential impacts to the White River, where Enbridge plans to use horizontal directional drilling (HDD). Using it in the recent installation of the new Line 3 in MN, Enbridge caused at least 28 frac-outs, where drilling fluid, mixed with fine-grained bentonite clay, escapes onto land, into surface waters and underground spaces. These releases of drilling fluids cause a host of adverse impacts to waterways, including the smothering of aquatic organisms and the reduction of food availability and fish spawning and refuge sites.

The Corps should investigate the cause of the frac-outs, and whether there are any mitigation measures that might prevent frac-outs or reduce the severity of the impacts, before blindly approving a project that could cause the same irreparable damage. Regardless, the risk is too dangerous to take. The 2018 Greenpeace report "[Dangerous Pipelines](#)" concluded that an Enbridge pipeline leaks or ruptures every 20 days on the average. Based on the numbers of frac-outs, spills, and aquifer breaches on the recently built Line 3 pipeline in MN, Enbridge has proven that it cannot be trusted to protect WI's precious water resources.

The Corps should consider climate change. Pres. Biden has a goal of cutting our CO2 emissions in half by 2030, but they're still rising! If you grant a permit for this expansion, you'll be locking in an aging fossil fuel pipeline for decades to come, just as we need to drastically cut back on

fossil fuel combustion. The WI DNR's draft EIS claims that since this project is a reroute, it won't affect the amount of fossil fuels burned. But if you accept that logic, Enbridge can replace an entire line, section by section, resulting in decades more of fossil fuel use.

Sample Introduction to the sample comment

Tell the Army Corps to Reject Line 5!

We have another chance to derail Enbridge's Line 5 expansion project in Northern Wisconsin, and that is by urging the U.S. Army Corps of Engineers to reject its 404 Clean Water Act permit. In the past, many such projects were granted a "general permit," meaning that there was no scrutiny of their plan or of opponents' concerns. But on Jan. 6, the Army Corps announced that they would evaluate whether to grant Enbridge an "individual permit."

Help us by voicing your concerns over this dangerous project, and showing the Corps it should be denied. The public comment period has started, and **will end at 11:59 p.m. on Monday, March 7**. We've made it easy for you by providing a sample comment, plus talking points that you can use to create your own comment. If you are very pressed for time, you can just use our sample, but please start it with a couple of sentences about your main reason(s) for opposing a permit for this project. There is a character limit on our action page, so you may have to cut some words to insert your own.

Thank you for helping to protect Lake Superior, Copper Falls State Park, the Kakagon Sloughs, and more!