

# EMPTY THE LINE 3 PIPE YARDS NOW!

DECEMBER 2017



Enbridge has already purchased all the pipe for their proposed new Line 3 pipeline, and it's currently stored in multiple pipe yards across the 1854 and 1855 Treaty Areas of Northern MN. This is illegal. The Construction Stormwater Permits that Enbridge received for the pipe yards from the MN Pollution Control Agency (MPCA) were issued before the environmental review for the project was completed. This means that the permits are invalid, and that both Enbridge and MPCA violated state law. These premature and illegal permits have made a fair regulatory process impossible. The State of MN acknowledges the violations but refuses to do anything about it. So water protectors, landowners, and communities across the Great Lakes are standing up to demand that MN vacate the permits and empty the pipe yards now.

## NO ENVIRONMENTAL REVIEW HAS EVER BEEN COMPLETED FOR EITHER SANDPIPER OR LINE 3!

### STATE LAWS THAT HAVE BEEN VIOLATED:

#### 1) Construction Stormwater General Permit 2013

Requires completed environmental review before MPCA can issue permits (Section 1.B and Appendix A, Section A). The Enbridge pipe yard permits are invalid.

#### 2) Minnesota Environmental Policy Act (MEPA)

This is the law that governs the entire environmental review process for large infrastructure projects. Statute 116D.04 Subd. 2b prohibits the issuance of any state permits before environmental review is complete and deemed adequate.

#### 3) Minnesota Administrative Rules

Rules 4410.0200 and 4410.3100 interpret the relevant MEPA statute in detail and explain that its purpose is to ensure an unbiased environmental review process.

## PIPE YARDS BY THE NUMBERS

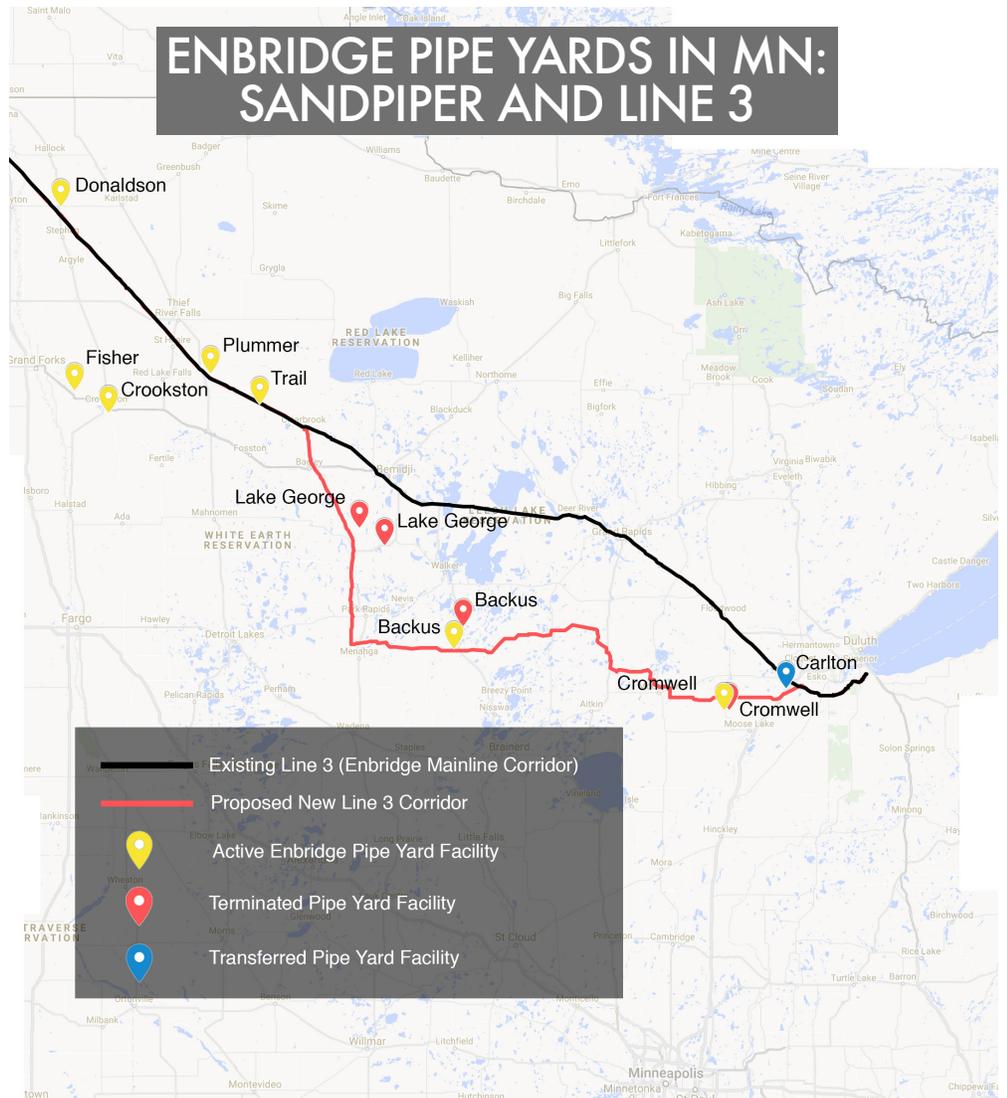
\$300 million	cost for all the pipe for Line 3 in MN
60%	estimated amount of pipe already stored in MN
337 miles	length of proposed new Line 3 route in MN
36"	diameter of Line 3 pipe
12	MN permitted pipe yards for Sandpiper/Line 3
7	MN permitted pipe yards still active, in Enbridge's name



Enbridge spokeswoman Jennifer Smith: "The company obtained its pipe yards before a September 2015 Minnesota Court of Appeals ruling that activated Minnesota Environmental Policy Act review. Statements to the alternative are simply not true and blatantly misrepresent the applicability of regulations at that time." (Duluth News Tribune, 12/18/17)

This is a blatant lie. MEPA always applied, regardless of the Appellate court ruling that simply ordered a different **type** of environmental review. The state agencies acknowledge this fact:

MPCA Attorney Jean Coleman: "It is both the law, and agency practice, that permits are not issued for projects or activities prior to the completion of environmental review, per the Minnesota Environmental Policy Act (MEPA)...The MPCA received a complaint about the Enbridge sites approximately two years after permits were applied for and coverage letters were automatically issued. The MPCA immediately investigated the permits and inspected the sites...The Agency determined environmental review was applicable to several of the pipeyard projects at the time the permit applications were submitted...the Agency determined that no formal enforcement action or penalty would be sought for the violation. Rather, we issued an enforcement letter on 3/3/2017, documenting the facts and restating the prohibition that the company not seek any additional permits for the project, prior to the completion of environmental review." (10/19/17 email response to retired PCA staff Willis Mattison)



In the State of MN's evidentiary hearing for Line 3 in November, Enbridge testified that all the pipe intended for the Sandpiper pipeline has been sold and is currently being transported out of state by truck and rail. Water protectors across the state have confirmed this. Of the 12 total pipe yards permitted for Sandpiper and Line 3, Enbridge has terminated the permits for 4 of them and transferred one permit to a Texas based company, Targa LLC. Seven remain active and in Enbridge's name.

FOR MORE INFORMATION, INCLUDING COPIES OF ALL THE PERMITS, PERMIT APPLICATIONS, AND EMAILS BETWEEN MN AGENCY STAFF AND ENBRIDGE, VISIT: [STOPLINE3.ORG/NEWS/PIPEYARDS](http://STOPLINE3.ORG/NEWS/PIPEYARDS)

