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PUBLIC SCOPING MEETING FOR THE
LINE 5 TUNNEL ENVIRONMENTAL IMPACT STATEMENT

Thursday, September 8, 2022

St. Ignace, Michigan

Little Bear Arena

275 Marquette Street

St. Ignace, Michigan 49781

Lt. Col. Brett Boyle, Commander, U.S. Army Corps of
Engineers, Detroit District

Abbey Ness, Facilitator

Kerrie Kuhne, Chief Western Section, Regulatory Branch

Katie Otanez, Regulatory Project Manager

Recorded by: Marie O'Brien, CSR-8374.

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1 St. Ignace, Michigan
2 Thursday, September 8, 2022
3 5:50 p.m.

4 * * * * *

5 MS. NESS: In the interest of getting as
6 many people the ability to comment as possible, we are
7 going to skip the presentation redux just in the
8 interest of time. If you are new and you missed that
9 presentation earlier, you are welcome to follow Carrie
10 Fox. She's waving her arms in the back. She's
11 wearing white. Carrie, I don't see you. She'll be --
12 there she is. She's waving her arms now; in white.

13 So if you weren't here for that
14 presentation earlier, you're welcome to follow Carrie
15 into the conference room where you can hear a bit more
16 about the purpose of tonight's meeting and how the
17 public comment period is going to work.

18 I do want to make a few reminders before we
19 get started again. If you are later on in the public
20 comment list, we strongly encourage you to consider
21 making your public comments through one of the other
22 methods available tonight. There are four ways to
23 make comments in this meeting. So one is in front of
24 the microphone, and you will have seen the signup
25 table at the back where you can sign up to speak

1 there. But we may not get to everyone tonight, so if
2 you're later in the list we encourage you to visit the
3 stenographer back in the conference room where you can
4 record your verbal comment. You can also visit the
5 computer stations in the conference room where you can
6 submit a written comment on the project website, or
7 you can visit the tables in the back of this room
8 where you can submit a written comment and add those
9 to the ballot boxes.

10 You are, of course, welcome to visit the
11 project website, as well, and submit a comment there.
12 That is line5, as in the number five,
13 line5tunnelEIS.com. There is a menu that says
14 "comment here." You click on that, it takes you to a
15 comment form.

16 As a reminder, the purpose of tonight's
17 meeting is to get your input on potentially
18 significant effects due to the proposed project, areas
19 for in-depth analysis within the direct EIS, the
20 project purpose and need, alternatives to the project,
21 alternative screening criteria, or other relevant
22 points for consideration in the draft EIS.

23 As people come up to comment here, you will
24 have three minutes to submit your comments. We have a
25 timer, a countdown timer here that you'll see. I'll

1 wave this sign when you have 30 seconds left. We ask
2 that you be respectful of other people's time and wrap
3 up your comments in the three-minute mark. And we
4 also ask that you refrain from doing anything loud
5 that might interrupt the speakers so that everyone has
6 the same amount of time and the ability to speak.

7 All right. So we are going to move on to
8 our next public commenter. We are at Pat Egan. So
9 Pat, if you want to come to the microphone. And then
10 on deck we have June Thaden. And we ask that
11 whoever's on deck visit that blue X in the middle of
12 the floor here to get ready to speak afterwards.

13 Thank you.

14 One more thing. Sorry. Thanks for being
15 flexible. One more thing: If you do decide to make a
16 comment through one of the other methods, if you could
17 let that back table know so they can scratch your name
18 off the list so we know not to wait for you. Thank
19 you.

20 MR. EGAN: My name is Pat Egan, P-A-T,
21 E-G-A-N. In this consideration of the scoping part,
22 of the scoping aspects of this project, I would ask a
23 couple of things. One is that you study and determine
24 the real economic benefits of this project locally,
25 particularly, and cut through the promises and

1 indications of Enbridge. Study the reality of this
2 project.

3 Two, determine the actual financial
4 strength -- we've heard this before -- of the safe
5 management and care, Enbridge. Can they do this? And
6 when you consider whether they can do this, whether
7 they handle insurance and bonding, also consider a
8 worst case scenario. What does a worst case scenario
9 do? What does that look like? What's the physical
10 effect of a failed or incomplete project? Who pays?
11 Can they pay?

12 Clearly, as you consider the alternatives,
13 which as you have mentioned, remember that this is a
14 system. It's not a tunnel, just a tunnel. It's a
15 system. So you need to expand the whole idea of the
16 study to consider it as a system, what those
17 alternatives are for crude oil transport and if it's
18 possible, if there are alternatives that don't include
19 the Great Lakes.

20 Finally, I'd ask you to identify as many
21 partners to the area as possible. I -- for instance,
22 I'm a commissioner on the State Waterways Commission.
23 I'm not speaking for the commission, but we have five
24 facilities in the Straits area. We have not been
25 contacted, we have not been talked to about this

1 project. What would the effect be then of
2 difficulties? What would the effect be economically
3 if this were a failed project? So, thank you.

4 MS. NESS: Thank you, Pat. Next speaker is
5 June Thaden, followed by Lynn Chapman.

6 MS. THADEN: Thank you. I'm June.
7 J-U-N-E. Thaden, T, as in Tom-H-A-D-E-N. My first
8 request, please do a thorough, complete EIS while
9 taking the future climate and sustainable energy
10 sources into account. I would like now to
11 (inaudible). To me, the basic truth is water is life.
12 It's not a slogan. To many, water is sacred. But the
13 Great Lakes are 21 percent of the Earth's surface
14 fresh potable water. When the pipeline fails, and it
15 will, in the shifting strong currents of the Straits,
16 Mackinaw Island will be isolated, northern Michigan
17 living critters and plants and humans in towns like my
18 home in Traverse City will lose their source of
19 drinking water.

20 Ultimately, this very precious water is our
21 responsibility. We must protect it. Building this
22 tunnel isn't going to protect it, I fear. I beg you
23 to consider the whole problem as much as possible.
24 Climate, energy sources. No tunnel allowed, please.
25 And Line 5 has to be shut down pretty darn soon.

1 Thank you.

2 MS. NESS: Our next speaker is Lynn
3 Chapman, with Lauren Sargent on deck.

4 MS. CHAPMAN: Hello, my name is Lynn
5 Chapman, L-Y-N-N, C-H-A-P-M-A-N. And I'm here today
6 to urge the Corps of Engineers to please continue the
7 Line 5. I'm from northern Michigan and the Upper
8 Peninsula for most of my life. We are isolated up
9 here from many benefits that the lower part of the
10 state has, such as better prices on goods, gasoline,
11 propane, and natural gas.

12 I know many low income people up here and
13 retirees have struggled with high prices of either gas
14 or propane and natural gas. We had to choose
15 sometimes whether we can go visit somebody or heating
16 our homes, especially in the winter months. I know
17 I'm one of them. So I think when the tunnel is
18 completed, it would help the prices and help everyone
19 up here, including me.

20 We live in a beautiful state, full of many
21 Great Lakes and an abundance of wildlife and fish.
22 I'm an avid fisherman and no one loves these Great
23 Lakes more than me. Just being on the water fishing
24 calms me more than any medicine could, including this
25 troubling world we live in right now. The tunnel

1 would protect all that I love and care about in the
2 Great Lakes and keep retirement safe and (inaudible).
3 And I'm saying this because my husband was in
4 construction for 37 years and he says the tunnel is
5 the best way to secure not having a leak. So I hope
6 you will consider the tunnel for our environment and
7 mankind. And thank you for listening to me.

8 MS. NESS: Thank you, Lynn. Our next
9 speaker is Lauren Sargent, followed by Cecilia
10 Garcia-Linz.

11 MS. SARGENT: Good afternoon. My name is
12 Lauren Sargent, L-A-U-R-E-N, S-A-R-G-E-N-T. I'm a
13 fifth-generation Michigander. I'd like to thank the
14 Army Corps of Engineers, Canadians concerned about our
15 Great Lakes ecosystems, members of the sovereign
16 tribal nations, and our fellow Michiganders for being
17 here. And I also want to urge you to expand the
18 public comment time because it's very difficult for
19 people to get here at 3:00 on a Thursday afternoon way
20 up here in St. Ignace.

21 When I was a kid, the state of Michigan had
22 a license plate, "winter water wonderland." What is
23 at stake here puts that Michigan on the line.
24 Threatened by a decrepit fossil fuel pipeline that is
25 older than I am, and I am old enough for Social

1 Security. It is also a scofflaw in violation of
2 orders from the state of Michigan operated by Enbridge
3 to bring fossil fuels largely through Michigan to sell
4 for profit for the few more years that they can rape
5 profit out of oil. We know that the future is
6 dependent on renewable energy and conservation, not
7 fossil fuels if we're gonna have any shot at
8 surviving. They know it. This tunnel project is, I
9 believe, an attempt to continue Line 5, get the money,
10 and run, and leave us with a stranded asset. We've
11 already heard that this project is uninsurable.
12 There's a reason for that.

13 I also have cousins in Marshall, Michigan
14 where line 6B fouled the Kalamazoo River. That's
15 still not cleaned up and it won't be in my lifetime.
16 Line 5 has already leaked at least 33 times along its
17 life. There are 1.1 million gallons of oil that
18 they've already spilled. Enough is enough.

19 As a retired psychologist, one of the few
20 true laws in my field is the best predictor of
21 behavior is past behavior. The behavior that we can
22 expect from Enbridge is more of the same: More
23 failures and falsehoods. Why would you consider
24 leaving the very lifeblood of this region of our
25 freshwater seas and all the life that depends on that,

1 including ours, in these untrustworthy hands?
2 Decommissioning it would create more jobs than a
3 tunnel, simultaneously protecting more than a million
4 jobs that depend on the Great Lakes. This project is
5 simply not ready for prime time. There is no public
6 need to continue to allow this ticking time bomb
7 through our waters. The option that I urge you to
8 consider is decommission and remove. No tunnel, no
9 pipelines. Thank you.

10 MS. NESS: Thank you, Lynn. Up next we
11 have Cecilia Garcia-Linz, followed by Maryanne
12 Roughton.

13 MS. GARCIA-LINZ: Cecilia Garcia-Linz.
14 I'll correct the spelling of my name. It's
15 C-E-C-I-L-I-A, G-A-R-C-I-A-hyphen-L-I-N-Z.

16 MS. NESS: Thank you.

17 MS. GARCIA LINZ: I'll be brief in hopes
18 that the extra time can go to (inaudible) speaking for
19 the people. I'm a lifelong Michigan resident who
20 inherited the love of this state and I'm passing the
21 resources from generations before me on to generations
22 that are following me. Our responsibility, your
23 obligation, is to protect the natural resources that
24 we have and ensure that we have sustainability in our
25 communities and we have a healthy environment.

1 Enbridge, you can look, they have a history
2 of catastrophe. They operate illegally and with
3 impunity. They do not accept accountability or
4 responsibility and operate in a method of dishonesty
5 with counts for jobs that we know aren't accurate, and
6 an unwillingness to take responsibility. So our job,
7 as stewards at the state of Michigan, as residents,
8 and your job to support Michiganders is not to protect
9 a corporation that we have seen destroy the
10 environment and create unsustainable living situations
11 for those around us, it is to protect the natural
12 resources of our state. It's not to continue to
13 enable fossil fuel industries to use fear tactics to
14 push us back when we need to be going forward with
15 clean energy. Thank you.

16 MS. NESS: Thank you, Cecelia. Next up is
17 Maryanne Roughton; on deck we have Liz Shuga.

18 MS. ROUGHTON: Hi, that's -- I'm Maryanne
19 Roughton, M-A-R-Y-A-N-N-E, R-O-U-G-H-T-O-N. I'm here
20 today to ask the Army Corps of Engineers to protect
21 the health and wellbeing of the people of Michigan and
22 conduct a thorough and complete review of the proposed
23 Line 5 tunnel project. Independent studies have
24 revealed that Line 5 is not a necessary piece of
25 infrastructure and that other options for transporting

1 the products already exist. To say that we only have
2 two options, risky tunnel construction or operating a
3 decrepit tunnel, is a lie. A lie that is perpetuated
4 by Enbridge to fill their own pockets by risking our
5 waters.

6 We need an alternative analysis that
7 includes the no action alternative, which cannot
8 assume that Line 5 will continue to function
9 indefinitely, especially as we move toward safer
10 energy. Additionally, I would add that the no action
11 alternative accounts for the fact that Enbridge is
12 currently operating Line 5 in Michigan without a valid
13 easement.

14 As well as unnecessary to Michigan's
15 infrastructure, the Line 5 tunnel is unnecessary for
16 Michigan's economic needs. Enbridge only employs 116
17 workers and provisioned contractors in Michigan.
18 2,188 more jobs would be created by decommissioning
19 and removing Line 5 than by building a tunnel, which
20 will only create 1,763 temporary jobs. Currently, our
21 oil-free Great Lakes support more than 1.3 million
22 regional jobs and generate 82 billion in annual wages.
23 We cannot risk our current economy with this
24 construction.

25 I would also like to echo previous

1 statements that have been made about Michigan's
2 ability to safely supply energy to our residents
3 without Line 5, but for the sake of time, I'm not
4 gonna talk about that. However, dollars and numbers
5 alone cannot quantify what we lose when we put oil
6 interests above our Michigan waters, especially what
7 our Native peoples lose. Any construction in the
8 Mackinac Straits jeopardizes the Anishinaabek fishing
9 and hunting rights, which are guaranteed by the 1836
10 Treaty of Washington.

11 Additionally, the construction of the
12 tunnel would have potential adverse effects on the
13 indigenous cultural sites in the Mackinac Straits near
14 the proposed tunnel project. Tunnel construction
15 would destroy this world heritage site and important
16 cultural resource as well as put the safety of
17 indigenous women and two-spirit groups at risk.

18 You have heard from tribal leaders today
19 asking you to honor their treaties. Any previous
20 agreements made with Enbridge should be considered
21 void, as they were made on stolen land. Please expand
22 the public comment period so more Michiganders can
23 make their voices heard and do your duty to conduct a
24 thorough and complete review of the proposed project.
25 Thank you.

1 MS. NESS: Thank you, Maryanne. Our next
2 public commenter is Liz Shuga followed by Madison
3 Goff.

4 MS. SHUGA: Hi, I'm Liz Shuga. It's
5 L-I-Z, S-H-U-G-A.

6 Line 5 is an unnecessary piece of
7 infrastructure that threatens our state's human,
8 cultural, and moral health. Construction of the
9 proposed tunnel may destroy a 10,000-year-old
10 indigenous cultural site located on the bottom of the
11 Straits, damaging an important resource for indigenous
12 populations and following a dangerous industrial
13 precedent that undermines and abuses Native groups.

14 Enbridge continues to operate Line 5 in the
15 Bad River Band of Lake Superior Chippewa lands, even
16 after the band evicted them. Enbridge continues to
17 operate, despite not having a valid easement in
18 Michigan. Laws by both groups are planning to
19 decommission the pipeline, which would completely
20 alter the discussion that we're even having, that's
21 even happening right now. Wisconsin Judge William
22 Connolly ruled yesterday in favor of the Bad River
23 Band, instructing Enbridge to reroute Line 5 away from
24 their lands within the next five years. Due to these
25 factors, the no action alternative will benefit

1 indigenous population by eventually, though not soon
2 enough, diverting oil away from their lands, and
3 ideally resulting in the final decommissioning of Line
4 5.

5 In terms of other alternatives, as other
6 speakers have said, we can transport propane through
7 rail or truck, we can use this money to invest in
8 renewable energy. We're not limited to pipelines that
9 unnecessarily invade Native lands. There are people
10 here today who have spoken on these issues more
11 passionately and more intelligently than I'm able to.
12 Listen to them. Consult with them. Indigenous voices
13 should be more important to you than a Canadian oil
14 company.

15 In conclusion, we have alternatives. In
16 not constructing this tunnel, we would support
17 indigenous groups and preserve vital cultural history,
18 acting as just one small push in what is a very long
19 fight to dismantle the pervasive anti-indigenous
20 infrastructure of this country.

21 I also would echo what other people have
22 been saying about having more public comments. It was
23 very difficult for people to get up here today. And I
24 also want to thank everyone who has spoken today. So
25 thank you.

1 MS. NESS: Thank you, Liz. The next public
2 commenter is Madison Goff, followed by Erik McCleary.

3 MS. GOFF: Hi. I'm tall. Can you guys
4 hear me okay?

5 MS. NESS: You can adjust the mic.

6 MS. GOFF: Thanks. I'm Madison Goff.
7 M-A-D-I-S-O-N, G-O-F-F. I am requesting that the Army
8 Corps of Engineers conduct a deeply thorough and
9 complete review of the proposed tunnel as part of its
10 EIS. The Straits of Mackinac are one of the most
11 ecologically (inaudible) areas in the world. It
12 contains 21 percent of the world's freshwater
13 resources. We can't squander that. The Straits
14 support our fisheries, they provide us with drinking
15 water, and they're the basis for our tourism industry.

16 Additionally, as many others have said,
17 it's important for cultural heritage dating back
18 10,000 years on the lake bed and on the ground, on the
19 lands on the north and south proposed sites. Tunnel
20 construction will destroy this world heritage site and
21 important cultural resource. The Army Corps needs to
22 include this site while preparing its cultural
23 landscape study under Section 106 of the Historic
24 Preservation Act.

25 Further, the EIS has to thoroughly consider

1 a no pipeline and no tunnel option. This alternative
2 should account for the fact that Enbridge is operating
3 Line 5 in Michigan without easement and in Wisconsin
4 it has been continuing to illegally operate for years
5 after the Bad River Band has (inaudible) to them. So
6 these ongoing lawsuits could soon lead to the
7 decommissioning of Line 5 and so we won't need a
8 pipeline. Therefore, EIS cannot assume that it's
9 gonna end up indefinitely operating. We just don't
10 need it at all. We cannot continue to endanger our
11 environmental and cultural resources by allowing
12 Enbridge to build this tunnel. The importance of
13 treaties and existing relationships with sovereign
14 nations, other sovereign nations, cannot outweigh any
15 corporate interest, especially Enbridge. They're a
16 bad actor in a soon-to-be irrelevant industry. I
17 implore you to heavily and thoroughly consider a no
18 pipeline and no tunnel option. Thank you.

19 MS. NESS: Thank you, Madison. Our next
20 public commenter is Erik McCleary, followed by Gregory
21 Alexander.

22 MR. MCCLEARY: Hi, my name is Erik
23 McCleary. That's E-R-I-K, M-C-C-L-E-A-R-Y. Thank you
24 for allowing the opportunity to comment today. My
25 name is Erik McCleary again. I'm the southeast

1 Michigan program organizer for Clean Water Action. We
2 represent over 135,000 Michigan residents who value
3 our Great Lakes and don't want to see them continue to
4 be put at risk by an oil company's profits.

5 I urge the Army Corps of Engineers to take
6 a broad view of Enbridge's tunnel proposal. A project
7 of this magnitude must be carefully reviewed. Other
8 agency reviews, including the Michigan Department of
9 Environment, Great Lakes, and Energy and the Michigan
10 Public Service Commission have not considered all of
11 the pertinent details and possible outcomes of the
12 proposal. The Army Corps must conduct a more thorough
13 and expansive review. Otherwise, this project could
14 avoid necessary regulatory scrutiny.

15 First, the Army Corps must conduct a
16 complete, prudent, and feasible alternative analysis,
17 taking into consideration the fact that Enbridge's own
18 experts have shown through studies filed in *Bad River*
19 *Band of Lake Superior Chippewa v. Enbridge* that the
20 tunnel and the existing Line 5 pipeline aren't
21 necessary. Safer transport options are readily
22 available, such as utilizing the excess capacity that
23 already exist within the pipeline system and a very
24 limited truck and rail transport. To bring this issue
25 down to the existing pipeline versus a tunnel as the

1 only two alternatives would be disingenuous and would
2 not serve the public interest.

3 Second, the Army Corps must fully consider
4 the cumulative impacts of this project, including all
5 climate impacts. Upstream impacts of drilling oil,
6 downstream impacts of refining it, the total impact of
7 keeping this pipeline functioning and building new
8 infrastructure versus utilizing the pipeline --
9 utilizing the passing within the pipeline network and
10 limited use of other transport options.

11 In the NPSE contested case, experts
12 conclude that this project would come with additional
13 greenhouse gas emissions of roughly 27 new coal fired
14 power plants annually. Further, the Line 5 tunnel
15 proposal is not happening in a vacuum. At the same
16 time that Enbridge is seeking approval for this,
17 they're also seeking approval to reroute Line 5 in
18 northern Wisconsin where they're currently trespassing
19 on Bad River reservation lands.

20 There are many other factors that ought to
21 be considered in the environmental impact statement
22 for the Line 5 tunnel and we'll provide more details
23 in those substantive written comments at a later date
24 as Clean Water Action. But in conclusion, a proposal
25 of this magnitude, including such a high risk of

1 damage to the ecosystem as sensitive as the Straits of
2 Mackinac, deserves the utmost scrutiny from the Army
3 Corps. Limiting the Corps' review of this proposal in
4 any way would constitute a breach of the public trust
5 and would be contrary to the public good that you seek
6 to serve. Thank you.

7 MS. NESS: Thank you. Our next public
8 commenter is Gregory Alexander, followed by Dharma
9 Montagno.

10 MR. ALEXANDER: Hello, everyone. My name
11 is Gregory Alexander. G-R-E-G-O-R-Y,
12 A-L-E-X-A-N-D-E-R. I was named after Gregory Peck and
13 Alexander the Great. So, okay.

14 Anyways, I'm here today to talk about how
15 we are just literally inches of way from an ecological
16 disaster the like of which we have never seen before
17 in the history of the Great Lakes region and beyond.
18 In fact, not just inches, less than an inch. That's
19 right. About the thickness of your finger is the
20 thickness of the aging Line 5 pipeline, according to
21 mininggazette.com, April 14, 2021.

22 By the time this multibillion-dollar
23 boondoggle project is completed within seven to ten
24 years, renewable energy will be cheaper and surpass
25 fossil fuels, making the tunnel totally obsolete.

1 Renewable clean energy is already at par with crude
2 oil in certain cities and countries, and even parts of
3 Puerto Rico.

4 So my two questions today: Who's gonna
5 address this problem of this tunnel and filling in and
6 decommissioning it before it gets even completed,
7 about this crazy tunnel pipe dream? Also, what about
8 plate tectonics if they go through with the drilling,
9 the impact that it has on the kind of wildlife who
10 depend on sound for their existence? And sound
11 travels eight times further in the water than the air.
12 And what about the release of radon gas from
13 construction and digging and release of the
14 groundwater in the air? Radon gas is known as the
15 number two lung cancer killer in the United States.

16 Finally, numbers don't lie. Greedy people
17 and corporations do. That means that I did some
18 calculations about this Line 5 tunnel. Based on the
19 Windsor-Detroit tunnel, its liquid volume is 15
20 million gallons. Line 5 would hold five times that,
21 or 75 million gallons. Therefore, if there was a
22 breach in the pipeline through either operator error;
23 sabotage; terrorism, which is a real threat; or a
24 natural disaster, the pipeline with the flow rate of
25 46 million gallons a day, it would take less than 48

1 hours -- actually, 40 hours -- to fill the entire
2 tunnel completely engulfed in crude oil, tar sands
3 overflowing on both ends of the tunnel. This is
4 totally unacceptable and it is an existential threat
5 to us all. This is why we call it crude oil, because
6 it's crude and deadly to all living things.

7 MS. NESS: Thank you, Gregory. Our next
8 speaker is Dharma Montagno, followed by Duncan
9 Donahue.

10 MS. MONTAGNO: Hi, my name is Dharma
11 Montagno. It's spelled D-H-A-R-M-A, M-O-N-T-A-G-N-O.
12 Hi. This is not the first time that many of us have
13 voiced our concerns about the Line 5 tunnel issue, but
14 each time we do, our concern and the urgency grows.
15 I'm not gonna say anything you don't already know.
16 You know the Line 5 project is a massive risk to our
17 health and our safety. You know they're building a
18 shoddy piece of infrastructure around an already
19 existing piece of infrastructure from 1953. It's a
20 cheap, shortsighted response in an attempt to avoid
21 the greater problem.

22 There are negative benefits to continuing
23 operating the outdated system but there are -- sorry.
24 There are many benefits and there are absolute
25 negative risks and no benefits. We know from the

1 existing, though limited, geotechnical analysis that
2 there is significant risk of explosion when operating
3 within a subterranean tunnel. We know that in April
4 2018 an anchor dented the Line 5 tunnel or the Line 5,
5 and in the two days it took to discover that this
6 incident had occurred, 800 gallons of oil were
7 released into the Straits of Mackinac. Any bigger
8 spill could result in a potential risk area of 17,000
9 square miles.

10 Given these existing risks that we already
11 know, we should stop any future endeavors that would
12 justify Line 5 operation. I know that we believe this
13 analysis could find the exception to these potential
14 risks, but there are no exceptions. It is a dangerous
15 project. There is no need for the Line 5 tunnel.
16 Michigan can be and will be carbon neutral by 2050.
17 There is no need for oil in our future. Our Great
18 Lakes represent over 20 percent of the world's fresh
19 water and it is our responsibility to ensure that it
20 stays fresh water. We can do that by not proceeding
21 with this project and moving Michigan into the future.

22 MS. NESS: Thank you, Dharma. Our next
23 public commenter is Duncan Donahue. On deck is Tim
24 Langholz.

25 If you could spell your first and last name

1 for us, please.

2 MR. DONAHUE: Hi, my name is Duncan
3 Donahue. D-U-N-C-A-N, D-O-N-A-H-U-E. So my name is
4 Duncan and I'm originally from Midland, Michigan.
5 It's about two hours south of here. And in 2017 in
6 Midland, I was on (inaudible). And I remember, you
7 know, being in a church basement being woken up by my
8 brother shaking me awake and saying, "Duncan, Duncan,
9 get up. Your room's underwater." And I remember, you
10 know, pushing him away, thinking it was just a little
11 brother thing, and rolling over to go back to sleep.

12 Five minutes later, my mom calls. "Don't
13 freak out; your room is underwater." What had become
14 -- what was a creek in my backyard quickly became a
15 river and then turned into a lake, putting five feet
16 of water in my room. I remember coming home and
17 picking up the pieces of my grandfather's coin
18 collection and having to stop to take out fish every
19 once in a while because my room and the carpet was
20 full of fish. You know, I remember this overwhelming
21 feeling of powerlessness and anger at how this could
22 happen, and people telling me, "It's a
23 once-in-a-century event. It'll be okay. This won't
24 happen again."

25 That was a lie. In 2020, two dams burst

1 north of Midland and it caused over 80,000 people to
2 have to evacuate. I remember huddling with my family
3 as apocalyptic texts came in, all caps: "Dam failure,
4 urged evacuation now." Knowing you couldn't leave
5 because the road was flooding.

6 You know, it makes a lot more sense to
7 think about those events in my life when you realize
8 that due to, you know, anthropogenic climate change,
9 every degree Celsius raised in the average air
10 temperature, the amount of water vapor in the air goes
11 up by seven percent. So when I hear that Enbridge
12 wants to build a pipeline that would increase our CO2
13 emissions by 27 million metric tons a year, I'm angry.
14 I feel pain. Because I know that what my family went
15 through, others are gonna have to go through due to
16 increased extreme weather due to climate change. I'm
17 angry because I think of Pakistan, the fifth most
18 populous country in the world. One-third of it is
19 underwater. Our planet is burning. This is not down
20 the line. This is now. This pipeline is killing
21 people around the world now.

22 I just got home from visiting my
23 grandmother in the river valley in Montana and she's
24 getting up in there in age and her health is failing
25 her. And watching her breathe in, you know, the

1 poison air as the smoke plumes roll over the mountains
2 from the forest fires, I know that she is being
3 poisoned; poisoned by a crisis that's made a few rich
4 at the expense of many.

5 Oil might be practical for a small few in
6 the short term, but as many before me have expressed
7 today, water is life. I urge the U.S. Army Corps of
8 Engineers to conduct a thorough and complete review of
9 the proposed project that accounts for the
10 long-lasting and far-reaching impact of the project's
11 carbon emissions as a key component of its overall
12 environmental impact. Thank you.

13 MS. NESS: Thank you, Duncan. Our next
14 public commenter is Tim Langholz, followed by
15 Christine Engels.

16 MR. LANGHOLZ: Tim Langholz, T-I-M,
17 L-A-N-G-H-O-L-Z.

18 Good evening, Lieutenant Colonel and staff
19 members. Like I said, my name is Tim Langholz. I'm
20 the assistant state director in Michigan for the
21 National Federation of Independent Business, or NFIB.
22 NFIB is a member-driven organization advocating for
23 America's small and independent business owners in
24 Washington, D.C. and all 50 state capitals, and have
25 been doing that for over 75 years.

1 NFIB in Michigan has approximately 10,000
2 members; across the country, approximately 300,000
3 members. And our members are the businesses that make
4 up our main streets. They're our friends, parents,
5 and neighbors. And it's on behalf of those members
6 that we ask you to approve the permit of the Line 5
7 tunnel.

8 I mentioned how NFIB is member-driven. We
9 value our members and base our policy decisions off of
10 their responses. When asked if Line 5 should be shut
11 down, 70 percent of our members said Michigan should
12 keep Line 5 operational. And that was before the
13 pandemic. Many small businesses across Michigan are
14 still working to recover from government closures in
15 2020 and 2021. Rising fuel costs, inflation, labor
16 shortages, they are only adding to the pressure. If
17 Line 5 were to shut down, it only increases the burden
18 that our main street businesses face and it may be the
19 thing that leads to their demise.

20 If Line 5 shuts down, nobody wins. The
21 alternative would be use trucks to haul fuel, which
22 increases costs and it increases emissions, in
23 addition to the fact that it would be burdening our
24 already crumbling infrastructure. The building of a
25 safe and secure tunnel protects our Great Lakes and

1 ensures energy supplies are available to those small
2 businesses and communities who rely on it. On behalf
3 of NFIB members, small businesses across Michigan who
4 would ask the Army Corps of Engineers to approve the
5 permit for the construction of the tunnel. Thank you.

6 MS. NESS: Thank you, Tim. The next public
7 commenter is Christine Engels. Christine, if you're
8 in the room, will you make your way to the front,
9 please? On deck we have Arthur Hirsch. Christine?
10 Arthur, you're up. Oh, are you Christine?

11 UNIDENTIFIED SPEAKER: No.

12 MS. NESS: Okay. Arthur, you are up next.
13 On deck we have Jennie Hoffmann.

14 MR. HIRSCH: Hello, my name is Arthur
15 Hirsch. A-R-T-H-U-R, H-I-R-S-C-H. And I represent
16 the Climate Reality Project, west Michigan chapter. I
17 am an environmental engineer with a wildlife and
18 engineering degree from Michigan State University and
19 the University of Colorado. My expertise is in the
20 area of environmental impact statements studies, water
21 quality, and climate change.

22 I live in Pentwater, Michigan. I believe
23 that water is the essence of all things. Therefore,
24 I'm against the construction and operation of the Line
25 5 tunnel. I have numerous concerns that I want to

1 express to the Army Corps of Engineers about the
2 proposed construction and operation of the tunnel.

3 First, the purpose and need of the proposed
4 tunnel is poorly written. It needs to be
5 significantly modified that identifies the real
6 problem this project tunnel will satisfy. The
7 statement must identify the real need of the Line 5
8 tunnel and the pipeline transporting the crude oil
9 within the tunnel. I can see where the Corps would
10 have a problem with writing this because there really
11 is no need for this project.

12 The listing of potential alternatives is
13 absent in the Corps' website. The Corps must include
14 all potential alternatives beyond just a tunnel, such
15 as, but not limited to, the no-action option, the
16 shutdown of the Line 5 pipeline, and using other
17 existing pipelines with existing capacity. Since the
18 Corps has not yet posted a realistic purpose of need
19 statement and alternatives, it would be impossible for
20 the public to comment and react to them until the
21 development of a draft EIS, which is much too late.
22 The Corps must allow the public to review and comment
23 on these critical EIS foundation items sooner rather
24 than later.

25 The Corps must properly use the

1 alternatives analysis that selects the least
2 environmentally damaging and practical alternative,
3 using established counsel of environmental quality and
4 Army Corps criteria. This alternative needs to be
5 established in the draft EIS statement for public
6 review and comment, and not wait to be put into the
7 draft, excuse me, the final EIS. Again, sooner rather
8 than later. The alternatives analysis must consider
9 the potential risk to the Great Lakes environment and
10 the long-term Michigan economy, including tourism
11 jobs. A robust analysis needs to be performed on
12 community impacts from the tunnel project to address
13 its propane availability and security options, such as
14 those developed by the state of Michigan's work group
15 on propane energy security. And finally, an economic
16 analysis needs to be performed on a number of
17 temporary and long-term jobs that would be created for
18 Michigan citizens. How long would those jobs last?
19 Would there be Michigan labor? Would it be union
20 labor?

21 MS. NESS: Please wrap up your comments.

22 MR. HIRSCH: Is it guaranteed to be used by
23 Enbridge in a broad labor way? Thank you.

24 MS. NESS: Thank you, Arthur. The next
25 public commenter will be Jennie Hoffmann, followed by

1 Barbara Brown.

2 MS. HOFFMANN: Hello, my name is Jennie
3 Hoffmann. J-E-N-N-I-E, H-O-F-F-M-A-N-N. And I live
4 here in Moran Township. The front yard of my house
5 has Line 5. The backyard of my house is the future
6 site of the tunnel. So I have a vested interest in
7 your study and I appreciate that you are trying to do
8 your due diligence.

9 I spent probably several years during the
10 Snyder administration following around shows like this
11 where the public comes up and tells you their
12 concerns. Invariably, the public is concerned about
13 the environment. So in 2018 when Governor Snyder
14 signed a back room deal with Enbridge, he said too
15 that was why he did it, because they too are concerned
16 with the environment. So ideally, everyone here is on
17 your side. We are all concerned about the
18 environment.

19 It's imperative for you to be brutally
20 honest with all of us. When we talk about the
21 environment, when I talk about the environment, the
22 big elephant in the room is the water. We're talking
23 in some of the plans I have read -- and I'm not an
24 expert -- that Enbridge with this project will take
25 five million gallons of Lake Michigan water, which I

1 look at every day, and do something with it, mix it
2 with solvents, mix it with chemicals, and put it back.
3 If you do five million gallons over a year, you're
4 talking billions of gallons of water. So what I would
5 like you to do is take into consideration that we here
6 in the Straits, we are ground zero. We are the
7 environment. What would be our cancer risks? We are
8 going to be eating, drinking, and breathing the
9 tunnel. For how many years? What is that impact on
10 us and our health? Please be brutally honest and do
11 your job for all of us because we all are on the same
12 page with this. Thank you.

13 MS. NESS: Thank you, Jennie. Our next
14 commenter is Barbara Brown, followed by Paul Prebay.

15 MS. BROWN: Thank you. My name is Barbara
16 Brown, B-A-R-B-A-R-A, B-R-O-W-N. And I would like to
17 thank the Army Corps of Engineers for coming up to the
18 Straits of Mackinac and giving us this opportunity to
19 speak to you.

20 We are rapidly moving toward alternative
21 forms of energy. Enbridge already has in line 78 an
22 alternative route of delivery. What we do not have is
23 an alternative to water. Ninety-seven percent of the
24 world's water is salty. Two percent of the water is
25 frozen and in our icecaps and glaciers. The remaining

1 mere one percent of the world's water is fresh and
2 consumable by humans and animals. Of that mere one
3 percent of world's fresh water, 20 percent is located
4 in the Great Lakes. We are sitting today at the very
5 heart of 20 percent of the world's fresh surface
6 water. With much of humanity and the animal world on
7 the brink of death for want of water and we, being at
8 the center of the largest body of fresh surface water
9 on the planet, it is bordering on the immoral to even
10 entertain the unnecessary continued operation of Line
11 5 through the Great Lakes, whether by pipe or tunnel.
12 Thank you.

13 MS. NESS: Thank you, Barbara. Our next
14 speaker is Paul Prebay followed by Mike Love.

15 MR. PREBAY: Hello, my name is Paul Prebay,
16 P-A-U-L, P-R-E-B-A-Y. I am a member of the Laborer's
17 International Union of North America. We are 14,000
18 members across Michigan. We represent construction
19 craft laborers who are doing the work of building the
20 Line 5 tunnel in the trench doing the digging. We
21 maintain pipelines, we maintain windmills, we build
22 solar farms. We are an all-of-the-above energy
23 believer and we believe that Michigan needs more
24 energy to grow and for our businesses to thrive and
25 for us to take in the -- I will call them the

1 immigrants of climate change. All over the country,
2 you hear people talking about how certain climates are
3 unlivable, certain areas are too heavily affected by
4 climate change. Climate change is real and we see
5 that its impact is going to be coming to a head in
6 population explosion in Michigan that we need to be
7 prepared for.

8 The future of Michigan looks brighter than
9 it has in any time in the past because we have an
10 opportunity here to grow and be a major player. But
11 we need infrastructure to do that. We need power and
12 we need to be -- beyond the capacity of what we need,
13 we need it to be available. To figure out the
14 problems of green energy, to make it affordable, we
15 need people to have heated homes and schools that can
16 function properly and supplies that are affordable.
17 We need to have a functioning society to solve the
18 problems of tomorrow and we believe in having energy
19 available and building, and we want to be the ones out
20 there doing the work.

21 To be a hundred percent honest, this is
22 good work for our members, this is man hours, and
23 these are people who live here in Michigan in the U.P.
24 who are your friends and neighbors. We love the
25 water, we love the kids, we love all of this. We also

1 understand that we need to grow and we need to be
2 ready for the challenges of tomorrow. So thank you.

3 MS. NESS: Thank you, Paul. Our next
4 public commenter is Mike Love followed by Katie
5 Bargline.

6 MR. LOVE: Good afternoon. My name is Mike
7 Love. M-I-K-E, L-O-V-E. I'm a 17-year member of the
8 Local 324. We have over 15,000 operating engineers
9 that we represent from Marquette to Monroe. I'm also
10 a full-time instructor at the Local 324. We have four
11 training sites around the state of Michigan that
12 includes our 600-acre campus that's in Howell,
13 Michigan that our classrooms are running year-round.
14 That means our members are the ones that are repairing
15 and rebuilding the roads, the bridges throughout the
16 state. We build power plants, we build wind farms,
17 airports, skyscrapers, and yes, we do build pipelines.

18 Operating Engineers Local 324 supports Line
19 5 and we do want to see the tunnel built and built
20 safely by operating engineers that support the trades
21 they're gonna be working with. Building the tunnel
22 will provide hundreds of workers opportunities to work
23 on one of the greatest projects in our time.
24 Tunnelling and pipelining is a skilled work and to do
25 that successfully requires the most skilled trained

1 people and professional workers. We know that
2 building this pipeline and tunnel will employ some of
3 the greatest tradesmen Michigan has to offer.
4 Hundreds of skilled tradesmen from our communities
5 will be working on this project and if that was the
6 only impact on us, it would be enough. We know
7 putting pipeline into a state-of-the-art concrete
8 tunnel under the Straits is better for the lakes. But
9 there's an unnecessary advantage here, as well. Line
10 5 supports fuel, it takes a run through the equipment
11 that we use every day to work on our roads. Several
12 studies already show that interruption in Line 5 would
13 be a serious economic impact for the cost of fuel in
14 Michigan. It takes fuel to run our bulldozers, our
15 excavators, our trains, our trucks that make it
16 necessary and safe for our families to drive on these
17 roads. In short, it requires fuel for not only
18 operating engineers, but tens of thousands of skilled
19 workers throughout the state of Michigan. My
20 experience is trucking. I owned and operated my own
21 trucking business for ten years and I too used the
22 fuel that goes through these lines.

23 MS. NESS: Mike, please wrap up your
24 comments.

25 MR. LOVE: So at Local 324, we do support

1 Line 5 and the tunnel project. Thank you very much.

2 MS. NESS: Thank you, Mike. Our next
3 speaker is Katie Bargline followed by Brandon Cooper.

4 MS. BARGLINE: Good evening, everyone.
5 Katie Bargline. Do a little spelling correction:
6 K-A-T-I-E, B-A-R-G-L-I-N-E. Thank you so much for the
7 opportunity to be here.

8 I am also a proud member of the Laborer's
9 International Union of North America and we came out
10 in large numbers today wearing orange shirts that say,
11 "I support energy." I'm just here today to tell you
12 why. Our union represents over 14,000 skilled trade
13 men and women around Michigan. Many of our members
14 devote their careers to working on, building, and the
15 maintenance of pipelines, as well as underground
16 infrastructure like tunnels. So our union has a huge
17 interest in this, and myself included in that. I was
18 born and raised in the Upper Peninsula and I want
19 what's best for our state.

20 To touch on our union, we have training and
21 a registered federal apprentice citizenship program
22 that is like no other. We have four training
23 facilities throughout Michigan, one of them here in
24 the Upper Peninsula in Iron Mountain, and our numbers
25 are highly skilled, highly trained, and they continue

1 their education on pipeline technology. And they are
2 safety experts, so that's why I put my trust in them
3 to keep our water safe, to keep pipeline safe, because
4 I know who is out there maintaining Line 5 right now.
5 They're my brothers and sisters (inaudible).

6 We also want to touch on having the skilled
7 workforce ready to do a project like this. This would
8 bring huge opportunities and we are ready to get to
9 work on the Line 5 tunnel and bring the best
10 solutions.

11 Next I do want to touch on keeping the
12 Great Lakes safe. It's something none of us want to
13 ignore. Like Paul Prebay mentioned earlier in his
14 comments, we too enjoy the waterways. We hunt, we
15 fish, we enjoy our time off in doing these things.
16 Pipelines are the safest way to transport oil.

17 And one thing I'm not hearing is the
18 alternatives like railcars, trucks, barges, they're
19 risky and we don't have the infrastructure in place
20 for those alternatives. So it's really important to
21 consider what we have in front of us. The opportunity
22 to build a Great Lakes tunnel to put jobs and
23 opportunities out there, it's something that we can't
24 just pass by. We look at the safest way to get oil
25 through the pipelines today, tomorrow, and for our

1 future.

2 The last thing I want to hit on is women in
3 construction. We've been underrepresented for all of
4 history in construction and we're starting to see our
5 numbers increase. I'm out there every day talking to
6 women and trying to get them involved in the trades.
7 This project would bring an opportunity like no other
8 for women who are not trying to go to college and have
9 student loans. We pay you to train. You have us, we
10 train, you learn a skilled trade with good
11 family-sustaining wages with healthcare and pension
12 benefits and the training that you need to live a very
13 comfortable life and retirement. That's all I have
14 and I thank you so much for your consideration.

15 MS. NESS: Thank you, Katie. The next
16 commenter is Brandon Cooper followed by Reverend Deb
17 Hansen.

18 MR. COOPER: Good evening. My name is
19 Brandon, B-R-A-N-D-O-N, Cooper, C-O-O-P-E-R. Sorry
20 about that; this thing's really loud.

21 Thank you for your time and consideration.
22 I'm a lifelong resident of Michigan, born and raised
23 downstate in Berrien County. My parents were hunters,
24 fishermen, and lake property owners. Every year they
25 would go up north to a secret location to pick and can

1 morel mushrooms. Through my parents, that legacy has
2 been passed down to me and I feel a responsibility to
3 pass it down to my grandchildren, as well.

4 I grew up on the water. I grew up in the
5 water. To me, as to many of us here, water truly is
6 life. How much time do our Great Lakes have left?
7 There are many threats to our pristine and fragile
8 Great Lakes ecosystem. Some threats are beyond our
9 control or difficult to control. But the threat the
10 70-year-plus-old pipeline that statistics show is
11 going to leak in just a matter of time is different.

12 My daughter was in Kalamazoo at Western
13 Michigan University ten years ago when the largest
14 land-based oil spill in the country happened under
15 Enbridge's delinquent watch. She knows firsthand the
16 catastrophic damage it caused. That's why I believe,
17 as citizen stewards of our environment, we need more
18 time for consideration. There are so many questions
19 as to the environmental impact of the existing
20 pipeline, as well as the proposed new tunnel.

21 I understand that the drilling process to
22 create the new tunnel will move incrementally slowly
23 and that the existing tunnel's viability is already
24 out of time, as its safety ended over 20 years ago.
25 By the time a new one is installed and put into

1 service, won't we be well on our way to a greener
2 future? Will we need dirty tar sands oil by then or
3 even now as the production of this oil is energy
4 negative? It takes more energy to mine and refine
5 than the energy that it produces. Not to mention the
6 disruption of the environment in Alberta. Why does
7 the pipeline go under our Great Lakes when the main
8 benefit is to a Canadian company? I understand that
9 there around two percent of this oil goes to a
10 refinery in Detroit and the rest goes from Canada to
11 Canada. Wouldn't it make more sense to run it under
12 Canada's Hudson Bay? Why our Great Lakes? Or
13 wouldn't it be faster and easier to go around the
14 lakes on Canadian soil? What effect would the
15 drilling process have on the wildlife in the area?
16 Will there be zoological disruptions from this
17 drilling process that I understand has never been
18 attempted before? Earthquakes, perhaps? Why would we
19 want to sign a 99-year lease when the future of oil is
20 effectively finite.

21 We need time to have these and many other
22 questions answered. We ask you only for a fair
23 reading of the facts gathered diligently and
24 transparently. We also ask you for more time, more
25 time for the process of public commenting, including

1 in other areas of our state that will be affected, as
2 well. Water is life. Please take the time required
3 to make the best decision for all of the citizens of
4 Michigan and our region. It is not just --

5 MS. NESS: Wrap up your comments, please.

6 MR. COOPER: -- an effective marketing
7 campaign. Please keep pure Michigan pure.

8 MS. NESS: Thank you, Brandon.

9 Just as a reminder, please refrain from
10 applauding during the speakers' comments. We do want
11 to make sure that everyone has the equal opportunity
12 to speak and also that our stenographer up here can
13 actually hear what they're saying to get it down in
14 the written public record. Otherwise, it will be
15 marked as "inaudible," which would not accurately
16 represent the comments. So thank you for
17 understanding.

18 All right. Our next speaker is Reverend
19 Deb Hansen followed by Edward Veenstra.

20 MS. HANSEN: Thank you. Is this good?

21 MS. NESS: Can you start by spelling your
22 first and last name?

23 MS. HANSEN: Deb, or Deborah, D-E-B,
24 Hansen, H-A-N-S-E-N. It is spelled correctly.

25 MS. NESS: Thanks.

1 MS. HANSEN: I am here on behalf of the
2 children and I'm here on behalf of my relatives that
3 may soon be gone, as we are in the sixth mass
4 extinction. I feel that our primary responsibility in
5 all things is to respect life and to pass it on, whole
6 and healthy, to future generations. I wake up every
7 day in a state of grief because I look around me and I
8 see systems that are not able to stand up to the
9 challenges that we have right now.

10 We've done a lot of reports on Line 5.
11 This is -- to me, this is not rocket science. Is it a
12 good idea to be pumping 23 million gallons of crude
13 oil through 21 percent of the world's fresh surface
14 water? I don't need a study to say no, this is not a
15 good idea. And now it's not clear that our species
16 has much of a future. There's one estimate that's not
17 as rosy as the international panel on climate change,
18 which is already dire. They are projecting -- this
19 needs to be the context of any work related to fossil
20 fuels -- that half of the human population on the
21 globe will be dead by 2050 and it may take another 20
22 to 30 years to finish us off. I can't take that. And
23 we have an economic system that is quite literally at
24 war with life, and winning. Okay?

25 So as a chaplain, as a spiritual care

1 professional, I always like to say what is the heart
2 of the matter? As Arti Practal (phonetic) likes to
3 say, we in the modern culture are a people who've
4 forgotten or who refuse to kneel down in front of all
5 that brings life and that we depend on every day.
6 There's been a lot of talk on water. We need water.
7 But it's not only water. Healthy soil, clean air, and
8 climate that is stable enough to allow us to grow
9 food. Should there be a study to ask whether an oil
10 tunnel is a good idea? There is an initiative that's
11 called the Fossil Fuel Nonproliferation Treaty and I
12 would encourage you to look at these types of things.

13 MS. NESS: Deb, please wrap up your
14 comments.

15 MS. HANSEN: I will. Thank you. This for
16 me is not consideration. To be investing in fossil
17 fuel infrastructure, which is the number one
18 contributor to climate destabilization, it's not
19 (inaudible) from us. Thank you.

20 MS. NESS: Thank you, Deb. Our next
21 commenter is Edward Veenstra, followed by Paula Leach.

22 MR. VEENSTRA: My name is Edward Veenstra.
23 E-D-W-A-R-D, V-E-E-N-S-T-R-A.

24 Let me begin by saying that I grew up in
25 this area. I was born and raised near Charlevoix, so

1 I know the water intimately. We have heard it so many
2 times before already today: Water is needed for all
3 life, including human life. So the fact that we would
4 put this amazing, beautiful freshwater resource in
5 danger for a fuel source that is archaic and dirty and
6 not worth our time or money anymore is a travesty. We
7 live in a climate refuge here. We are in one of the
8 few places that might stand a chance because of our
9 water, because of our climate. And for those climate
10 refugees that will be coming here because we actually
11 have water still, we cannot put that at risk.

12 When I hear people say, "This will create
13 jobs," we've heard it already. It will destroy
14 livelihoods, it will destroy cultures, it will destroy
15 ecosystems. Oh, yes. Really. We need you to look at
16 the purpose and need statement. We need you to look
17 at the energy needs that we have and how they're being
18 met in ways that do not adversely affect our
19 environment or our tribal resources. Because I
20 support energy, too. We all need energy to live. But
21 I support an energy that does not put so much at risk,
22 that does not put our tribal resources at risk, our
23 environmental resources, our livelihoods, our beauty
24 that is inherent in this area.

25 So as far as alternatives are concerned,

1 one is to shut down Line 5. Let's be adults about
2 this. A child could see that this is a bad idea. We
3 need to invest in renewable energy, which we already
4 have going on. We need to put more into it. And more
5 than that, we need to take a real hard look at how we
6 use the energy we already produce. We can do a lot
7 better with better community planning and better use
8 of our resources. So I really hope that you take a
9 good hard look at that water out there. Look at the
10 sand on my shoes and know that I want to keep going
11 into that water. I want my children and my
12 grandchildren to go into that water without being
13 poisoned. Thank you.

14 MS. NESS: Thank you, Edward.

15 Just as a reminder, this is not a space for
16 debate. This is a space for offering public comment.
17 So we want to make sure that we capture everyone's
18 opinion here or at the computer stations with the
19 stenographer, with the written public comments at the
20 back of the room. If you feel like you're not being
21 heard, there are multiple opportunities to be heard
22 tonight, but not in the audience. Thank you for your
23 cooperation and for respecting other people 's time.

24 Our next commenter is going to be Paula
25 Leach and then we are going to take a ten-minute

1 break.

2 MS. LEACH: Hi, my name is Paula Leach.
3 P-A-U-L-A, L-E-A-C-H. I am a retired manufacturing
4 operations manager and property owner in northern
5 Michigan. I oppose Line 5. It needs to be shut down
6 immediately for just so very many reasons and so much
7 of that we've heard today. Enbridge is a proven
8 environmentally irresponsible company. Fact. The
9 climate impact from this tunnel is unacceptable. In
10 the Eagle review of the tunnel proposal, it was
11 revealed that there are substantial explosion risks
12 that must be vetted, not ignored. Enbridge's
13 continued operation of Line 5 directly undermines
14 tribal sovereignty and that of the state of Michigan.
15 How they're assuming justification to ignore First
16 Nation treaty rights, I don't know.

17 I'm about to have my first grandchild and I
18 would like her to know and love our wondrous natural
19 resources as I do. Frankly, it is ridiculous that in
20 the middle of -- in the midst, excuse me, of absolute
21 global climate crisis, we even have to have this
22 conversation. The future is not fossil fuels and this
23 project is the perpetuation of the death of our
24 planet. The Great Lakes are a worldwide,
25 irreplaceable treasure, 20 percent of the planet's

1 fresh water, and that must be protected, not put at
2 risk by a demonstrated greed-driven company. No
3 tunnel, shut down Line 5. Thank you for your
4 attention.

5 MS. NESS: Thank you, Paula. At this time,
6 we're going to be taking a quick ten-minute break. As
7 a reminder, there are restrooms located in the hallway
8 that you came into the room through. There are water
9 fountains in the back left corner. Our speaker after
10 the break will be Ashley Soltysiak. Thank you.

11 As a reminder, this forum here is for
12 public comment. If you would like to make additional
13 conversation, you may do that in the free speech area
14 outside the facility. And, of course, we have many
15 ways to submit public comments tonight by visiting the
16 stenographers in the conference room, by visiting the
17 computer stations in the conference room, or by
18 submitting a written public comment. Thank you.

19 (Break from 7:01 p.m.-7:11 p.m.)

20 MS. NESS: We'd like to make an
21 announcement. We are going to extend the public
22 comment time beyond 8 p.m. However, we are cutting
23 off public comment signups. So we are going to try to
24 get as many people as we can to have time to speak.

25 Ashley Soltysiak is our next speaker. On

1 deck we have Olivia Rollinger.

2 Okay. One second, if you would. We're
3 waiting on one more Corps member to join us. Okay,
4 Ashley.

5 MS. SOLTYSIAK: All right. Good evening.
6 My name is Ashley Soltysiak. That's spelled
7 A-S-H-L-E-Y, the last name is S-O-L-T-Y-S-I-A-K. And
8 I'm the climate and environment program director for
9 Groundwork Center For Resilient Communities. I really
10 appreciate the opportunity to offer our comments on
11 the Army Corps EIS scoping period and will be offering
12 comments on behalf of both the Groundwork Center For
13 Resilient Communities and the Michigan Climate Action
14 Network.

15 First, we believe the purpose and need of
16 the EIS as drafted is fundamentally flawed. This
17 issue should not be framed as a decision between an
18 unsafe existing pipeline and an unvetted and
19 unnecessary tunnel proposal. Instead, we urge the
20 Army Corps to consider the feasible and prudent
21 alternative of shutting down Line 5, an alternative
22 that Enbridge's own experts have testified under oath
23 can happen with minimal economic impact to the region,
24 including only a half-cent rise in gasoline prices per
25 gallon.

1 Additionally, the purpose and need should
2 be amended to ensure that the energy needs of the
3 region are met over the next 40 years, not simply to
4 maintain the status quo for certain downstream
5 refineries. The project must also prioritize
6 minimizing the adverse effects of this energy delivery
7 to environmental and tribal resources. The Army Corps
8 must also include, incorporate an adequate analysis of
9 climate impacts of the proposed tunnel.

10 Expert testimony in recent Michigan Public
11 Service Commission docket on this matter revealed that
12 the climate impacts of the proposal would be
13 substantial. Those experts testified that the tunnel
14 proposed by Enbridge would contribute an estimated 27
15 million metric tons of carbon dioxide emissions.
16 That's the carbon equivalent ten coal fired power
17 plants annually and would cost an estimated 41 billion
18 in that climate impact.

19 While we acknowledge that the Army Corps
20 has included climate as a component of the scoping
21 process, we believe that the current scope is
22 insufficient for a construction project of this
23 magnitude. It's worth noting that the construction of
24 the Line 5 oil tunnel would undermine existing state,
25 federal, and local objectives to combat the climate

1 crisis. Now is simply not the time to invest in oil
2 infrastructure slated to last 99 years.

3 Finally, I'd like to note that Enbridge has
4 repeatedly and flagrantly violated the laws of both
5 Michigan and Wisconsin in their continuing illegal
6 operation of Line 5. Enbridge has a lengthy track
7 record of failure in both states with numerous oil
8 spills along the length of the pipeline and even an
9 anchor strike by Enbridge's own fleets to the existing
10 dual pipelines in the Straits of Mackinac, all of
11 which is nothing more than gross negligence. The Army
12 Corps must not enrich the continued opportunity to
13 jeopardize the vitality of the Great Lakes, the health
14 of our regional economy, a livable climate future, or
15 the sovereignty of tribal nations in the state of
16 Michigan. I really appreciate the opportunity to
17 offer these brief comments this afternoon and look
18 forward to submitting more detailed comments during
19 the public comment period. Thank you.

20 MS. NESS: Thank you, Ashley. Our next
21 commenter is Olivia Rollinger, followed by Eric
22 Wegner.

23 MS. ROLLINGER: Hi, my name is Olivia
24 Rollinger. O-L-I-V-I-A, R-O-L-L-I-N-G-E-R. And I'm a
25 lifelong resident of Michigan. I grew up downstate

1 and I'm a transplant and now live up here in northern
2 Michigan. I wanted to talk because I love our natural
3 resources and the plentiful recreational opportunities
4 that are up here. I love to kayak and swim in
5 Wilderness State Park, which is not ten miles from the
6 pipeline and the proposed tunnel. It's my favorite
7 place in Michigan. And right now it is in so much
8 threat; right? Line 5 directly threatens all of the
9 things that I love in this state and all of our water,
10 our environment. I believe that the Army Corps has a
11 responsibility to me and every other person in this
12 state to not only protect our clean water, our healthy
13 environment, but to also include all climate impacts
14 in a proper EIS scope. I know that the legal process
15 is long and detailed, but what we include now in the
16 scope will affect the alternatives available in the
17 future, my future, and the future of every other
18 person in our state.

19 I am here to give my voice as youth and for
20 the youth that cannot speak up for themselves here
21 today, for those that are not able to or are not born
22 yet. We implore you to rethink the purpose of need
23 statement. The imperative need is not to build a new
24 Straits crossing, but rather to ensure that our energy
25 requirements of those currently served by Line 5 meet

1 -- or are met, excuse me -- that the energy
2 requirements, to assure our energy requirements are
3 met and with minimum effects on our environment and
4 our tribal resources. I believe we can do that using
5 clean energy resources. So rather than seeking
6 alternative paths to operating a crude oil pipeline
7 across the Straits to serve downstream refineries at
8 current levels, I ask that the Army Corps scope must
9 make all reasonable ways to meet whatever energy needs
10 we will have over the next 40 years.

11 And I would also like to stress that the
12 Eagle review of the tunnel proposal revealed that
13 there are substantial explosion risks that need to be
14 vetted. Please protect our natural resources. Shut
15 down the tunnel, shut down Line 5, and do not allow
16 this project to continue. Thank you.

17 MS. NESS: Thank you, Olivia. Our next
18 commenter will be Eric Wegner, followed by Matt
19 Pietscher.

20 MR. WEGNER: Hi, my name is Eric, E-R-I-C,
21 Wegner, W-E-G-N-E-R. I am a lifelong resident of
22 Michigan. I am in support of the Enbridge tunnel
23 because they bring approximately 65 percent of the
24 propane and other fuels to our area in northern
25 Michigan. Many people that are here state we need to

1 eliminate fossil fuels. Enbridge is currently
2 spending millions of dollars each year on green
3 initiatives to help stop the dependence on fossil
4 fuels. Enbridge has proposed the tunnel to continue
5 to run the state's pipeline. Enbridge has spent over
6 one million dollars to clean up the Kalamazoo River.
7 They did not just throw their hands up and file for
8 bankruptcy like many other companies have done.
9 Enbridge is very concerned about safety as well as the
10 environment and many of our employees have been second
11 and third generation employees. It's for these
12 reasons I ask you to approve the building of the
13 tunnel to keep Line 5 safe for years to come. Thank
14 you.

15 MS. NESS: Thank you, Eric. Our next
16 speaker is Matt Pietscher, followed by John Healy.

17 MR. PIETSCHER: Hi, I'm Matt Pietscher.
18 M-A-T-T, P-I-E-T-S-C-H-E-R. First off, thank you
19 folks at the Corps of Engineers for your service to
20 this country and I appreciate the time to talk to you
21 today.

22 I'm a Michigander and a proud member of the
23 United Steelworkers Local 912. My career and
24 livelihood are directly impacted and dependent upon
25 the vital feedstocks that are transported on Line 5.

1 Roughly half of our required feedstock comes from Line
2 5. Those feedstocks and our refinery are located just
3 over the Michigan/Ohio border to produce jet fuel,
4 gasoline, diesel, and chemicals from which countless
5 products are derived. Everything from glass in
6 containers to medicine, clothing. We are proud of the
7 hard work we do to ensure the folks living in the
8 midwest have everything they need to live a complete
9 and comfortable life.

10 As a Michigander who loves the great
11 outdoors and everything that pure Michigan has to
12 offer, I am very sensitive to anything that could
13 impact our great natural resources. That is why I'm
14 here today. I want to ensure that people understand
15 that as we transition to cleaner fuels and products,
16 we need to supply demand for our current needs for
17 decades to come. But we should do that in a way that
18 not only protects our jobs and protects the
19 environment, and we can do both.

20 Although the current pipeline that crosses
21 the Mackinac Straits does not pose an imminent risk,
22 building this tunnel project lowers that risk to zero
23 statistically. If we can do better, we should. We
24 advocate for an expeditious permitting process that
25 results in a win-win for the state, the region, and

1 the country. Building the tunnel will achieve all of
2 the same objectives for those concerned, with
3 negligible impact to the environment. There is almost
4 no impact to wetlands and no impact to the lake
5 proper. That's why the tunnel was chosen by the state
6 of Michigan after numerous studies. This should be
7 fast-tracked to be approved. Avoidance or
8 jeopardizing the tunnel project and we will be left
9 with fuel pipelines which are safe, but not as safe as
10 a tunnel because of the secondary containing aspects
11 the tunnel provides. That is why I implore you as a
12 concerned Michigander to move swiftly to approve the
13 permitting of this vital, important project. Our
14 jobs, our lifestyle, the environment, are all
15 depending on it. Thank you.

16 MS. NESS: Thank you, Matt. Our next
17 commenter will be John Healy, followed by John Kehoe.

18 MR. HEALY: Hi, my name is John Healy. I'm
19 with the Pipeliners Union 798. John is J-O-H-N,
20 Healy, H-E-A-L-Y. We're out of Tulsa, Oklahoma and
21 it's our, some of our people that were involved in
22 constructing this project in the first place.

23 I'd like to just say that I resent the fact
24 that some of these people that spoke think that
25 (inaudible) workers would be raping and pillaging

1 Native women and (inaudible). I don't even know what
2 that means, but I respect it whatever that is. We
3 respect all creed, color, religion. And I want to say
4 we need this even as a national security standpoint.
5 The idea that this energy is from Canada going to
6 Canada is (inaudible). It certainly comes to market
7 for this nation for the most part. And the reason why
8 it's not piped around the Great Lakes is due to the
9 fact that it's all rock up there and it's not gonna
10 work. I would say that the average needs of this
11 country are great and I think the Colonial pipeline
12 showed that and is -- if this pipeline, if they
13 succeed in shutting it down, I don't believe it'll be
14 long in turning it back on. It'll be catastrophic. I
15 think the technology in the future may well produce
16 clean energy without fossil fuels and when it does,
17 we'll be ready for it. But that technology is not
18 here yet. And I would say the trouble with
19 communication is the illusion that it is taking place.
20 That speaks true tonight, but that's democracy.

21 Thanks for being here. Nice to see the
22 Corps in uniform show up. We support this project.
23 We will be here to build it. Thank you.

24 MS. NESS: Thank you, John. Our next
25 commenter will be John Kehoe, followed by Nancy

1 Perham.

2 MR. KEHOE: Hello, my name is John Kehoe.
3 J-O-H-N, K-E-H-O-E. Thanks for having me here.

4 Fifty years ago, I was running concrete
5 crews on a series of bridges on a tollway project and
6 I drive below those bridges now and they're falling
7 apart. Fifty years sounds like a long time; it goes
8 pretty quick once you get there. And 50 years ago I
9 moved to Sault Ste. Marie to be among one of the most
10 beautiful places in the world. I'm getting a little
11 emotional thinking about it.

12 But these Great Lakes, there's one place in
13 the world that has the Great Lakes. It's right here.
14 Right here and this is the center right here. Right
15 there. And if we commit to a Line 5, we're committing
16 to another two, two and a half generations of people
17 that will be influenced by this Line 5. And it's
18 really time for us to get into the 21st century and
19 realize that there are other options out there. And
20 we have to really be serious about doing it.

21 To commit to a situation, what we've all
22 been talking about today, is like what did Einstein
23 say? To try and produce things doing the same thing
24 is the definition of insanity. But it really is.
25 It's time for us to become adults and deal with the

1 real problems that we have, and we have some real
2 serious problems out here in the whole world. Right
3 here is where fresh water is and we're talking about
4 the possibility of wasting this beautiful resource.
5 Thank you.

6 MS. NESS: Thank you, John. Our next
7 speaker is actually going to be Michelle Woodhouse
8 with Beth Wallace on deck.

9 MS. WOODHOUSE: Hi. Hello? Hi. My name
10 is Michelle Woodhouse. M-I-C-H-E-L-L-E,
11 W-O-O-D-H-O-U-S-E. I'm want to talk with you today
12 from Ontario, Canada so that I can provide testimony
13 as a Canadian citizen and a citizen of the Métis
14 Nation about the dangerous Line 5 pipeline and the
15 proposed solution by Enbridge to blast a tunnel
16 through the Straits of Mackinac.

17 I grew up in a small town in Ontario and I
18 was the kid of an automotive worker, and I very much
19 understand the sensitivities of (inaudible) fossil
20 fuels. I also understand the urgency to protect our
21 water, act on climate change, and uphold indigenous
22 sovereignty. Line 5 is, and has always been, an
23 ecological disaster in the making. Humans have a bad
24 habit of not learning from our mistakes and the truth
25 is that a lot of the environmental disasters that we

1 see happen are preventible if we take the proper
2 actions before it's too late.

3 Major spills have already happened on Line
4 5's route and ongoing safety violations have made it
5 clear that this pipeline puts over 80 percent of North
6 America and Turtle Island's most precious freshwater
7 resource at risk. Multiple expert analyses now exist,
8 including those commissioned by myself and
9 Environmental Defence Canada, and also separate
10 analyses commissioned by the Bad River Band of the
11 Lake Superior Chippewas.

12 These analyses were done by industry
13 experts themselves and they prove that we can handle
14 the economic impact of shutting down the pipeline and
15 still secure a reliable energy supply while we move
16 towards phasing out fossil fuels. Alternatives to the
17 project are completely feasible and within reach for
18 us to implement, as these multiple industry expert
19 analyses show.

20 Ontario and Quebec, the two main regions
21 served by Line 5, as well as the U.S. states that are
22 served by Line 5 to a much lesser degree, do not need
23 this pipeline to meet their crude oil and natural gas
24 needs. These multiple expert analyses show that Line
25 78, another pipeline, has greater capacity to recoup

1 the majority of any shortfall caused by a Line 5
2 closure and many upgrades could be done to accommodate
3 for the necessary product that needs to get through
4 the pipeline.

5 An additional one to three rail trains a
6 day on routes that already move crude oil can account
7 for the remaining crude oil shortfall, and the experts
8 have also found that there are plenty of options for
9 natural gas to make it to the market. These
10 alternatives will take less time to implement than the
11 tunnel construction project. There is no need to
12 build a dangerous tunnel through the Straits of
13 Mackinac and invest in new fossil fuel infrastructure
14 amidst a climate emergency and have this tunnel
15 desecrate sacred Anishinaabek artifacts when we don't
16 need to.

17 The tunnel also does not address the major
18 threat that the entirety of the pipeline poses across
19 the Great Lakes basin, including to the Bad River Band
20 Watershed, where serious public safety concerns have
21 been documented. Any decisions about this pipeline
22 and proposed tunnel must take all of these factors
23 into account and let it be known that the Canadian
24 government and Enbridge do not represent all Canadians
25 when it comes to Line 5. There are Canadians like

1 myself and indigenous peoples like myself on Canada's
2 side of the border that support Line 5's planned and
3 permanent closure and demand that we honor the
4 treaties. Thank you.

5 MS. NESS: Thank you, Michelle. Next
6 commenter is Beth Wallace, followed by Michael Smith.

7 MS. WALLACE: Beth Wallace, B-E-T-H,
8 W-A-L-L-A-C-E. Hi, my name is Beth Wallace and I work
9 for the National Wildlife Federation Great Lakes
10 office. Thank you for the opportunity and I hope that
11 you'll consider more sites for in-person comments
12 during the scoping period.

13 Like many others, I think it's important to
14 emphasize that during the climate crisis and, I would
15 argue, a water crisis, we're talking about blasting
16 oil into the largest body of fresh water in the world
17 for a pipeline that should have never been built and
18 should have been shut down years ago, and for a
19 corporation that can't be trusted.

20 My work on Line 5 started over a decade
21 ago. I grew up in Marshall, Michigan, now home to one
22 of the largest oil disasters in U.S. history caused by
23 another oil pipeline owned by Enbridge. During that
24 spill, I witnessed Enbridge abuse landowner rights,
25 totally fumble their response and promises -- and the

1 promises that they committed to time and time again,
2 thousands of wildlife died, hundreds of families fled
3 their homes. The water that was destroyed included
4 protected, tribal protected waters and the river
5 system was filled with toxic crude for 40 miles.

6 Since that horrible event, Enbridge has
7 spent millions in PR claiming they've learned a
8 lesson. Enbridge's actions for the past 12 years
9 prove exactly the opposite. Right now today we're
10 seeing ongoing damage to critical aquifers along Line
11 3, over a year post-construction; harm that was
12 predicted and maybe warned against, which Enbridge
13 ignored and claimed that it would not occur. Now it
14 appears they can't stop it.

15 Enbridge has violated the 2010 spill
16 consent decree multiple times, which was set up to
17 protect against Enbridge's culture of deviance
18 following the 2010 spill. Enbridge is also refusing
19 to adhere to legal contracts in both Michigan and
20 along the Bad River Band Reservation. And just today
21 we are seeing the breaking news that Enbridge has been
22 charged with trespass in the Bad River Band case where
23 the judge was scathing against their abusive tactics
24 and claims that Enbridge is -- in their claims which
25 Enbridge has deployed to attempt to overpower tribal

1 rights. Not only is Enbridge refusing to comply with
2 the legal agreements or tribal treaty rights, they are
3 currently in court trying to dismantle those core
4 water rights for tribes in states that are put in
5 place to protect the citizens in this room.

6 For years, Enbridge has consistently lied
7 to the public and officials about this issue of Line
8 5. Everyone now knows that Line 5 is an urgent risk
9 and must be removed immediately, which is why the
10 backdoor deal was pushed with the former Governor
11 Snyder. We can't ignore the risk that 600 miles of
12 inland pipeline poses to the Great Lakes. To date,
13 the pipe has leaked 35 times, releasing over one
14 million gallons of product into the environment. This
15 reflects a failing pipeline that Enbridge has no plan
16 to replace and comes within miles of the Great Lakes
17 for significant portions of the route.

18 Does this sound like a company that
19 deserves the grace to do the right thing? Let's just
20 call this project what it is. The tunnel is
21 Enbridge's last-ditch effort to delay the required
22 shutdown of Line 5 and the project was forced on
23 Michigan in haste in a lame duck deal with the exiting
24 governor to try to tie the hands of the incoming
25 governor. Since the tunnel argue -- arrangements have

1 reached an (inaudible) fallen short, the geotechnical
2 assessments are woefully short and fail to disclose
3 risk and the impact and they are completely
4 disregarding the long-term climate impacts of this
5 project.

6 MS. NESS: Beth, please wrap up your
7 comments --

8 MS. WALLACE: -- has expressed concerns
9 about Enbridge's plans, they are not prepared to --
10 that Enbridge's plans lack safety and that they don't
11 have the regulations in place for a pipeline to
12 (inaudible) in an enclosed tunnel.

13 Last I'd like to say that there is a
14 project being considered along the Line 5 in
15 Wisconsin, the state of Wisconsin, along the Bad River
16 Band. There's no reason why these projects should be
17 broken up as a tactic, which deploys as environmental
18 racism.

19 MS. NESS: Thank you, Beth. Michael Smith,
20 you are our next public commenter. On deck is Ryan
21 Stern.

22 MR. SMITH: Good evening. Michael Smith.
23 M-I-C-H-A-E-L, S-M-I-T-H. The Great Lakes tunnel
24 project was determined by independent experts working
25 on behalf of the state to be the best, most viable

1 solution for meeting environmental protection, energy
2 delivery, and economic prosperity priorities. It will
3 reduce to virtually zero the potential for an oil
4 spill in the Great Lakes and will be owned by and
5 overseen by an independent Mackinac Straits corridor
6 authority once the tunnel is completed. It will be
7 built in compliance with all laws and regulations for
8 protecting the environment and will be paid for
9 entirely by Enbridge without taxpayer dollars, as
10 required under the agreements. The Great Lakes tunnel
11 project will provide next generation infrastructure
12 for serving the utility needs of residents and
13 businesses in both the upper and lower peninsulas of
14 Michigan and throughout the Great Lakes region,
15 employing many local, highly skilled construction
16 workers.

17 I would be remiss if I did not speak to my
18 experience with Enbridge. They have invested
19 financially in our programs to improve, train, and
20 celebrate the next generation of highly skilled
21 craftspersons. In addition, I have toured the
22 Enbridge Mackinac Straits monitoring station. It was
23 impressive to witness the technology and safety
24 redundancies that were employed. Since 2002, Enbridge
25 has invested more than 8 billion in renewable energy.

1 They are a leading developer and operator of local
2 infrastructure with approximately 2,178 megawatts of
3 net generation capacity in operation (inaudible),
4 comprised of North American wind and solar facilities
5 and three European offshore wind facilities in
6 operation, and four more under construction.

7 By transporting cleaner, conventional
8 energy and pioneering new forms of energy, they're
9 working to deliver a safer, cleaner, and affordable
10 energy future and driving society's transformation
11 toward a lower carbon world. Enbridge is targeting
12 net zero emissions by 2050 and have established an
13 interim target of reducing emissions' intensity 35
14 percent by 2030. They have a focused plan fully
15 embedded in operations and capital allocation training
16 for achieving the targets and resiliency through this
17 transition. They are committed to supporting and
18 strengthening the communities near the pipelines and
19 facilities through their dynamic corporate citizenship
20 program, Fueling Futures. Since 2017 they have
21 invested 4.7 million in communities surrounding the
22 issues across Michigan, supporting local food
23 pantries, STEM programs, first responders, health and
24 safety, and it's safer for everyone. As part of their
25 robust giving program, employees are encouraged to

1 donate their own time and treasure with a one-to-one
2 giving match from Enbridge, as well as paid time off
3 for volunteering. The U.P. Construction Council is in
4 full support of this project and ask that the Enbridge
5 permit to officially construct the tunnel to relocate
6 Line 5 under the Straits of Mackinac be approved.

7 Thank you.

8 MS. NESS: Thank you, Michael. Our next
9 public commenter is Ryan Stern. On deck we have
10 Travis Brady. As a reminder, if you're on deck there
11 is a blue X in the middle of the floor. Please go
12 ahead and stand there so that we can move quickly.

13 Thank you.

14 MR. STERN: Good evening. My name is Ryan
15 Stern, R-Y-A-N, S-T-E-R-N. I'm a lifelong resident of
16 Michigan and working in construction. And I've been
17 very skeptical of things in the past, but I've had the
18 pleasure of touring Enbridge's facilities and working
19 on their facilities. Touring their Straits facility
20 here, I realized how much protection they have in
21 place and how concerned they really are with the Great
22 Lakes. Everybody that works with them is an avid
23 boater and a fisherman. They're more concerned with
24 what's going on in the Great Lakes than many people in
25 some of the other areas. You know, they'll have to

1 breathe this stuff every day. Their livelihoods
2 depend on it.

3 For me, it was eye-opening to see how much
4 care the employees of Enbridge actually have for the
5 Straits area. Also, if you monitor the Straits and
6 the boats and everything else that they've been able
7 to help out even with the coast guard, helping them
8 with the ships that are in distress because of the
9 technology that they're using. I'm in support of the
10 tunnel. I've toured the facilities; I think they're a
11 great company. And I know there have been some things
12 in the past, but I hope you push the process forward.
13 Thank you.

14 MS. NESS: Thank you, Ryan. Our next
15 commenter is Travis Brady. Travis, are you in the
16 room? Okay. We'll move on to John Z. Woodward,
17 followed by Monica Knowles. John Woodward? Okay.
18 Monica Knowles? And then on deck we have Beth
19 Lawless.

20 MS. KNOWLES: It's been a long day. My
21 name is Monica Knowles. M-O-N-I-C-A, last name is
22 K-N-O-W-L-E-S. Thank you for your time and giving me
23 the opportunity to speak today.

24 So Line 5 started in 1953 and the agreement
25 was that it would last for 50 years. Obviously,

1 starting in 1953, we're talking old technology. And
2 it has outlasted that life expectancy going 19 years
3 further. I think that one of the things that we're
4 looking at here in terms of the type of risk that we
5 have and who all is involved with it. When we look at
6 Enbridge, a lot of people have talked today about, you
7 know, the Kalamazoo River, the Bad River tribe issues.
8 And we have employees saying, you know, I love my
9 employer. And I get all of that.

10 Enbridge's income in 2019 was \$50 billion.
11 Surely they have a lot of money to throw at this. And
12 I would think that the ability with that kind of money
13 they could also look at alternatives. Because you
14 cannot -- as much as we have some wonderful
15 construction workers here and I'm sure you're gonna do
16 a great job, the fact of the matter is you cannot
17 guarantee me that there is not gonna be a problem in
18 the Straits of Mackinac.

19 We have, you know, this gift of the Great
20 Lakes. And if there's a problem, you don't have the
21 opportunity to put that genie back in the bottle. I
22 work in financial services and in my world, it's all
23 about risk and reward. Now, the fact of the matter is
24 with the risk that we're looking at with water, that's
25 just, that is too big a price. And if anything, if

1 there was ever a doubt, when you look at our fellow
2 citizens in the southwest and the issues that they're
3 having with water today, it just underlines the fact
4 we cannot take water for granted because our future,
5 all of our futures, depend on it. Thank you for your
6 time.

7 MS. NESS: Thank you, Monica. Our next
8 commenter will be Patrick Colb, followed by Barb
9 Stamiris.

10 If you need to have a sidebar conversation,
11 we ask that you leave the room in order to do that.
12 Not only does our stenographer need to hear what's
13 going on, but many people in the audience want to be
14 able to hear these comments, as well. Thank you.

15 Is Patrick in the room? All right. Barb?

16 MS. STAMIRIS: Thank you. My name is Barb
17 Stamiris, B-A-R-B, S-T-A-M-I-R-I-S, from Traverse
18 City. I'm gonna start and end with a question for the
19 Army Corps that I know you can't answer today. If the
20 Army Corps came to believe that the Enbridge tunnel
21 proposal was really a carefully orchestrated scam,
22 would this EIS be worth your time and our taxpayer
23 funding? I have come to believe that Enbridge won't
24 ever build a tunnel. They don't need to. Just
25 proposing a tunnel meets their goal, which is to keep

1 Line 5 earning billions by operating as long as
2 possible. Enbridge knows that its seven-year-old line
3 around Lake Michigan rebuilt with excess capacity
4 after the Kalamazoo spill could be adjusted to handle
5 most of Line 5's oil instead of building a tunnel.
6 This option, perhaps less profitable, would spare the
7 Great Lakes.

8 Also, building a four-mile tunnel simply
9 doesn't make sense when the other 641 miles of a 1953
10 pipeline was ignored. Enbridge is pulling the strings
11 and watching us all dance. On June 30, 2020, Enbridge
12 told Judge Jamo it was losing \$1.76 million each day
13 Line 5 was shut down. So billions is not an
14 exaggeration for what Line 5 will earn during the EIS
15 review.

16 Enbridge placed escape clauses into the
17 tunnel agreement so it could back out without a
18 penalty. When Michigan ordered Line 5 shut down,
19 Enbridge refused, suing to operate Line 5 until the
20 tunnel was completed. Enbridge committed to shut down
21 the old Line 5 when the new Line 5 was ready in the
22 tunnel. But now, Enbridge says if the tunnel is not
23 approved, it will continue to operate Line 5.

24 Clearly, Enbridge has no plan to shut down
25 Line 5. Can Enbridge ignore an EIS assessment like it

1 did Michigan's shutdown order? Can the Army Corps
2 force Line 5 to shut down if it rejects the tunnel?
3 Or can Enbridge just litigate again to keep Line 5
4 going until it ruptures? Time will tell. The Great
5 Lakes need your protection. Thank you.

6 MS. NESS: Thank you. Next commenter will
7 be Kim Gribi. On deck we have Suzannah Tobin.

8 MS. GRIBI: Hi, my name is Kim Gribi,
9 K-I-M, G-R-I-B, as in boy-I. The Great Lakes contain
10 possibly 21 percent of the world's supply of surface
11 fresh water at a time when the United States is
12 already experiencing a water crisis. As members of
13 the United States Army Corps of Engineers, the most
14 daunting responsibility is up to you to ensure with
15 absolute certainty that you conduct an exhaustive
16 environmental impact risk assessment of every possible
17 aspect of Enbridge's proposal that can be subject to
18 fail. Because if you get it wrong, the devastation of
19 this ecosystem and the environment, the people and the
20 economy will be irreversible.

21 David Schwab, key research scientist at the
22 University of Michigan Water Center says the Straits
23 of Mackinac would be the worst place for an oil spill.
24 This is due in large part to the turbulent waters and
25 swift currents where the two lakes meet, as well the

1 vulnerability to anchor strikes, which has already
2 happened. Enbridge's prior record of oil spills
3 include one of the largest inland spills in U.S.
4 history, the Kalamazoo River, already talked about,
5 and their failure to adequately maintain Line 5
6 through the years as promised have to be taken into
7 consideration when reviewing their oil tunnel permit
8 request.

9 I'm a retired human resources professional
10 of 40 years and I'm gonna give you my top interviewing
11 tip right now. Forty years I spent trying to match
12 the best skilled people to the job at hand. And I
13 learned through that process that by asking behavioral
14 situational questions and looking at somebody's past
15 performance, that was by far the best indicator of
16 future performance. I wouldn't hire Enbridge. And
17 according to the hydrogeologist and senior geologist
18 with the former DEQ, Mike Lazinski (phonetic).
19 Enbridge's permit to discharge over five million
20 gallons of wastewater into the Great Lakes every day
21 is unsafe, harms our waterways, and (inaudible) than
22 the current application to ensure that Lake Michigan
23 will be protected from this massive wastewater
24 discharge.

25 Most worrisome is bentonite discharge, and

1 you've already heard about that, so I'm gonna skip
2 that part, with the exception of that nobody talked
3 about it has the ability to impact the drinking water
4 for five million people.

5 The tunnel project is one of the biggest
6 proposed Great Lakes environmental projects in
7 Michigan's history. We've got the independent
8 environmental impact study for the purpose of
9 protecting this finite, irreversible, and
10 life-sustaining resource. I hope that your risk
11 tolerance for this project is a zero because anything
12 less urgent has the potential to be catastrophic for
13 generations to come. As the United States Army Corps
14 of Engineers, why would you accept any risk for a
15 pipeline in which 90 percent of the oil services
16 Canada with less than ten percent of the oil being
17 used in Michigan?

18 And as a final aside, after hearing it here
19 today, I also have concerns about national security.
20 In today's world we have to be able to imagine the
21 unimaginable because plenty of our adversaries do.
22 Continuing to keep oil under the Straits of Mackinac
23 make a security risk and target. How better to harm
24 the United States than to attack its freshwater
25 supply?

1 MS. NESS: Can you please wrap up your
2 comments?

3 MS. GRIBI: Water is life. I hope you will
4 choose to sustain it.

5 MS. NESS: Thank you. Our next commenter
6 is Suzannah Tobin, followed by Kelly Thayer.

7 MS. TOBIN: Hi, my name is Suzannah Tobin,
8 spelled S-U-Z-A-N-N-A-H, T-O-B-I-N. Thank you for the
9 opportunity to share my thoughts and concerns about
10 the existing Line 5 pipeline and the proposed tunnel.

11 I was born and raised in Michigan and I am
12 a licensed architect in the state of Michigan. I have
13 had my own practice in Traverse City for over 30
14 years. I understand how engineers design for loads
15 and stresses. I have great respect for your ability
16 to assess and calculate the factors that will
17 determine the success of the built structure.

18 In 2015, I read a piece in the Traverse
19 City Record-Eagle written by Bruce Trudgen. He was an
20 engineer who worked on the Line 5 pipeline project
21 while it was under construction in the early 1950's.
22 He described the perils of operating these two
23 pipelines beyond the designed criteria that was used
24 for this project. Bruce is no longer alive to share
25 his perspective, so I'm sharing it for him.

1 Quote -- and this is Bruce talking, "The
2 bottom of the straits is not flat. It's hilly.
3 Before we dragged those two four-mile long pipes
4 across in 1953, we dredged trenches through the tops
5 of hills so that as the pipes passed over the hills
6 and across the valleys, they would not be bent more
7 than a 1,700-foot radius and so that unsupported spans
8 would be no more than 75 feet. The lake bottom is not
9 sand, it's red clay, and we didn't anticipate that
10 washouts would ever be a problem. But, over the
11 years, the lake bottom has washed away in places.
12 Some of the unsupported spans have grown to be much
13 more than 75 feet, and the weight of the pipes has
14 bent them downward resulting in increased bending over
15 the hills and across the valleys. The weight of the
16 pipes, underwater and full of oil, is about 55 pounds
17 per linear foot. Now a coating of zebra mussels adds
18 to that weight."

19 "According to experts who studied the
20 pipeline, Enbridge has in recent years put in a number
21 of pipe supports, but these supports do not correct
22 the excessive bending, nor do they prevent lateral
23 bending of the long-unsupported spans. The reversing
24 currents of the straits, caused by changing
25 atmospheric pressure over the two lakes, are bending

1 the pipes from side to side."

2 "Eventually, the bending combined with the
3 loss of strength because of internal abrasion and
4 external corrosion will result in a rupture, spilling
5 millions of gallons of oil into our Great Lakes. This
6 would be the worst ecological disaster in the history
7 of our nation. The lakes would never recover."

8 "Enbridge's optimism is not based on
9 thorough inspections. They do not measure the bending
10 and they have no idea how much strength the pipes have
11 lost over the past 62 years."

12 MS. NESS: Excuse me, please wrap up your
13 comments.

14 MS. TOBIN: "Their optimism is based on
15 blind faith," unquote. So those were Bruce's words.
16 It's now been 69 years. The pipes have gone beyond
17 their designed criteria that was used. They need to
18 be shut down immediately. The tunnel will be obsolete
19 by the time it's finished. We need to do this for our
20 Michigan, for our planet, for our home. Thank you
21 very much.

22 MS. NESS: Thank you, Suzannah. Our next
23 commenter is Kelly Thayer, followed by William
24 Williston.

25 MR. THAYER: Hello, I'm Kelly Thayer. It's

1 K-E-L-L-Y, T-H-A-Y-E-R. Good evening. My name is
2 Kelly Thayer. I am the deputy director of the
3 nonprofit organization For Love of Water, or FLOW, the
4 Great Lakes policy center located in Traverse City,
5 Michigan. Thank you to Commander Boyle and the U.S.
6 Army Corps of Engineer staff, Detroit district, for
7 this opportunity to comment.

8 FLOW has supporters throughout the Great
9 Lakes basin, including right here in St. Ignace. They
10 rely on us to ensure the Great Lakes remain healthy,
11 public, and protected for all. Simply put, the
12 Straits of Mackinac is the worst possible place to
13 build and operate an oil pipeline tunnel. Any
14 rupture, expansion, or other event resulting in a
15 major oil spill in the Straits would contaminate the
16 very heart of the Great Lakes, which hold 95 percent
17 of the fresh surface water in the United States.

18 In the best case scenario, Enbridge
19 contracted spill response teams have indicated they
20 would be able to remove no more than 30 percent of the
21 oil spilled into the water. With this in mind, the
22 Army Corps environmental impact statement, or EIS
23 review of the project, should be scoped to eliminate
24 the risk of the pipeline-related oil spill into the
25 Great Lakes. Unfortunately, the draft purpose and

1 need statement limits the range of risk elimination
2 options by focusing only on connecting Enbridge's
3 existing North Straits facility and the Mackinaw City
4 pump station.

5 The purpose and need statement should be
6 revised to eliminate these geographic constraints and
7 focus more generally on liquid petroleum product
8 transportation solutions to approximate the existing
9 capacity of Line 5. The statement should be revised
10 to include both minimizing environmental risks and
11 avoiding any risk of a pipeline-related oil spill in
12 the Great Lakes. The alternatives analysis must
13 include a no action alternative that would use
14 existing capacity in other pipelines and, if
15 necessary, other transportation solutions such as rail
16 and truck transport of natural gas liquids in lieu of
17 building a new pipeline structure.

18 Two, an alternative to that Enbridge
19 Superior, Wisconsin and Sarnia, Ontario terminals
20 without crossing the Great Lakes. And three, a tunnel
21 alternative that fully eliminates the risk of an oil
22 intrusion in the Straits in the event of an explosion
23 or similar event. In performing this alternatives
24 analysis, the EIS must evaluate the environmental
25 risks of the proposed project independently of

1 Enbridge's existing oil pipelines in the Straits.

2 Nearly two years ago, the state of Michigan
3 revoked and terminated the 1953 easement that
4 allegedly authorizes Enbridge to occupy state
5 (inaudible). The relevant risks of the proposed
6 project don't matter when Enbridge is unlawfully
7 operating the existing oil pipeline in the Straits.

8 This is our preliminary comment. We will
9 be submitting a full written comment, as well, by the
10 October 14 deadline. And one thing I'd like to point
11 out in closing is that your slide 15, I believe it was
12 at the start today, states that this tunnel would be
13 encased fully in bedrock. But only Enbridge's ads
14 claim that. Their studies show it's loose and on
15 consolidated soils throughout much of the Straits.
16 Thank you.

17 MS. NESS: Thank you, Kelly. Our next
18 commenter is William Williston, followed by George
19 Lindquest on deck.

20 MR. WILLISTON: Good evening. My name is
21 William Williston, W-I-L-L-I-A-M, W-I-L-L-I-S-T-O-N.
22 Thank you all for taking comments. I appreciate the
23 panel.

24 I got an education in the last few days
25 about tunnel construction, mostly from experts that

1 FLOW brought to the internet. A gentleman named
2 O'Malley spent 100 hours -- he's a tunnel expert.
3 He's worked on tunnels similar to this one around
4 Michigan. And he's talking about the dangers
5 associated with this tunnel. The problem is the
6 methane in the groundwater, the groundwater pressure
7 combined to force the groundwater into the tunnel, the
8 methane becomes airborne, sparks an explosion.

9 This has already happened over in Port
10 Huron five miles underneath the lake. I bet they
11 killed a whole bunch of laborers underneath that
12 tunnel. There was 22 men died in that tunnel
13 underneath Lake Huron. It also happened over in
14 Milwaukee where a tunnel exploded and killed three
15 laborers. Three people were in that tunnel.

16 As we come up the hill from the toll, the
17 tollbooth crossing the bridge there, you can see the
18 rock they're talking about that's solid bedrock. That
19 is not bedrock. That is shells that have accumulated
20 over millions of years. So when they start drilling
21 towards the sand over on the south side of the Straits
22 of Mackinac, they run the risk of sinkholes. And
23 they're gonna build this tunnel right underneath --
24 proposing to build the tunnel right underneath the
25 existing Line 5, which could cause a sinkhole, which

1 could break Line 5. You can have a double disaster.

2 They're also gonna shape this thing like a
3 V. They're gonna go on an angle down towards the
4 middle where they don't know if there's any bedrock.
5 Because this is a tectonic plate, you look at this
6 side and see it raised up over the millennia and on
7 the other side it's flat. They're gonna do a straight
8 line V and then they're gonna go straight up towards
9 the other side, 376 feet. Well, if water starts to
10 flood in on the bottom of that V, any laborers in the
11 upshaft are gonna be trapped and there's nobody coming
12 to get them out.

13 It's a dangerous thing. It doesn't make
14 any sense. We're surrounded by preventible problems
15 and this Line 5 is certainly an example of a
16 preventible problem. I would not want to be in your
17 shoes making this decision, but I'm trusting you.
18 Thank you.

19 MS. NESS: Thank you, William. Our next
20 speaker will be George Lindquest. George, are you in
21 the room? Okay. On deck or next we have Barbara
22 Schneider and on deck we have Judy Childs.

23 MS. SCHNEIDER: My name is Barbara
24 Schneider, B-A-R-B-A-R-A, Schneider,
25 S-C-H-N-E-I-D-E-R. I live in Maple City, Michigan. I

1 came to St. Ignace to comment on the proposed tunnel.
2 I am not an engineer, but I do believe disrupting
3 mother nature is not always a good idea. I'm retired
4 from the school system and one of the 70 percent of
5 Michiganders that want this line shut down, Line 5. I
6 do know about the Enbridge 2010 oil spill in the
7 Kalamazoo River that (inaudible) in one of the largest
8 inland spills in U.S. history.

9 I am fortunate to have been able to live by
10 these beautiful Great Lakes. Enbridge does not own
11 the Straits of Mackinac. The millions of dollars this
12 Canadian company has made from Line 5 should be
13 sufficient. Enbridge will only stand by this pipe for
14 50 years. There are viable alternatives for moving
15 this oil product (inaudible) an almost 70-year-old
16 pipe and trying to build an experimental tunnel.

17 Enbridge's own analysis said the price of
18 gas would raise a half a cent if Line 5 was shut down.
19 This does not justify the environmental risk
20 (inaudible) by a very sensitive ecological area.
21 There are many other ways to produce energy other than
22 fossil fuel. Pushing 22 million gallons of oil
23 through a compromised pipe every day is just a
24 disaster waiting to happen.

25 If humanity is going to exist on earth, we

1 are going to have to wean ourselves off this burning
2 blue fuel that heats the planet to unbearable
3 temperatures, damages the air we breathe and the water
4 we drink. We must decommission Line 5. When we are
5 talking about protecting 20 percent of the world's
6 fresh water, there is no alternative to this. Water
7 is life. Thank you for letting me have my comment.

8 MS. NESS: Thank you, Barbara. Since it's
9 a little after 8, I just want to take a quick moment
10 to announce that we are going to extend the time a
11 little bit to allow for some more public comments.
12 However, we may not get to everyone tonight. So if
13 you want to make sure that your comment is recorded
14 tonight, there are several ways to do that. There are
15 written pieces of paper or blank pieces of paper there
16 at the tables at the back of the room where you can
17 write down your public comment and leave them in the
18 ballot boxes. You may also visit the stenographer in
19 the conference room or give your comments on the
20 computers out there on the public website. And, of
21 course, the public website is also an option for you
22 after this meeting tonight, as well. The public
23 comment period is open until October 14.

24 Judy, thank you for your patience. Judy
25 Childs is our next commenter, followed by John

1 Schieding.

2 MS. CHILDS: Judy Childs, J-U-D-Y,
3 C-H-I-L-D-S. I'm here because I love the Great Lakes.
4 I'm also a full-time Michigander. I'm as old as the
5 tunnel. I mean, the pipeline. You know, that's not a
6 good thing for Enbridge to go, what, 19 years over the
7 deadline. They keep showing over and over that
8 they're not reputable. They are a corporation. They
9 care about themselves and they're a foreign
10 corporation.

11 The pipe, Line 5, goes from Canada to
12 Canada. Why didn't Canada want it on their land?
13 It's no secret how much money they have. Millions and
14 billions and billions and billions. Why don't they
15 build on, in their own country? It's not -- we're not
16 their country. I'm not understanding this. The risks
17 of the Mackinac Straits blows me away. I've learned
18 so much here today. And I'm exhausted and I'm sure
19 you are, also.

20 They have a killer PR firm. Have you been
21 to their website? I would have thought they were
22 environmental. They're talking about the Native
23 people. One thing that they said is building the
24 tunnel will reflect our commitment to protect
25 Michigan's natural resources. Killer PR firm. They

1 didn't protect Kalamazoo. The EPA had to order them
2 back after five years to finish cleaning up. The
3 proof's all over the place. They're worth 82 billion,
4 they're not reliable, they've proven this over and
5 over again. Canada gets the fuel, Michigan gets the
6 risk. Don't, don't risk destroying our Great Lakes.
7 Thank you.

8 MS. NESS: Thank you, Judy. Our next
9 commenter is John Schieding, followed by Thomas Hy.

10 MR. SCHIEDING: My name is John Schieding,
11 J-O-H-N, S-C-H-I-E-D-I-N-G. I've lived here for 35
12 years. I'm also a trained engineer and building
13 contractor for all of my life. I live within a mile
14 of the Enbridge pipeline crossing and within a mile of
15 the other station to the west of me, so I have
16 firsthand knowledge and impact of stress.

17 I am moved to tears today by the wonderful,
18 amazing, and educated comments given by people in
19 opposition to this heinous and threatening act against
20 our country, our region, our state, our nation, and
21 our city. And anyone who supports or backs this is
22 nothing short of a traitor. This is a foreign
23 invasion, at the least. I've seen it with my own
24 eyes. I've been to northern Minnesota. I've been to
25 northern Wisconsin. I've been all across the U.P.

1 seeing this atrocity.

2 So my notes are basically useless to me now
3 because everyone has already pretty much covered
4 everything that I would have said and ten times that.
5 And I'm so proud of everyone that's come forward to
6 speak. Now, in the contrary for a boatload of lies
7 here today by people that just don't know what they're
8 talking about, they have not educated themselves to
9 both sides of the story, which I have. I'm not
10 against oil or pipelines, I'm against this pipeline
11 and future fossil fuel infrastructure and a clearly
12 suffering planet.

13 (Native language being spoken).

14 My name is Little (inaudible). My
15 ancestors have lived here a very long time and my
16 people migrated here from Finland, France, and other
17 places I'm not aware of. We are natives and this is
18 our land. The treaties must be honored to protect
19 what we all live for, what we all look to for the
20 future, and what we all care about. This nation, this
21 country, cannot heal until we re-ratify these treaties
22 and honor them by stopping the resource extraction and
23 violation of our people. We, you and me, are treaty
24 peoples. We signed these treaties with the colonists.

25 MS. NESS: John, please wrap up your

1 comments.

2 MR. SCHIEDING: I hope that everything that
3 goes forward from here takes into account the real
4 impact of the people that live here. That would be me
5 and my descendants. Chi miigwech.

6 MS. NESS: Thank you, John. Our next
7 public commenter is Thomas Hy. On deck we have Nathan
8 Wright.

9 MR. HY: Good afternoon. It's been a long
10 one. Thanks for having us here. We appreciate your
11 attention. My name is Thomas Hy, T-H-O-M-A-S, last
12 name is Hy, H-Y.

13 MS. NESS: Could you stand a little closer
14 to the microphone for us, please?

15 MR. HY: How's this?

16 MS. NESS: Perfect.

17 MR. HY: All right. I don't get perfect
18 very often.

19 Well, I am a civil environmental engineer.
20 I've been in that situation, occupation, for over 40
21 years. I'm also a licensed professional engineer and
22 I've got 40 years of engineering, construction, and
23 project management background on a variety of heavy
24 industrial and environmental projects, including 19
25 years that I spent with the national gas pipeline

1 company headquartered here in Michigan. I've worked
2 on both onshore and offshore pipelines, high pressure
3 natural gas pipelines in the Gulf of Mexico.
4 Constructed, been involved in the construction of
5 platforms, their inspection of pipes and some
6 (inaudible).

7 Now, most of which I was going to speak on
8 has already been spoken about, so -- and more
9 eloquently than I could possibly say myself. But I
10 will say a couple of things. The previous speaker
11 spoke about tunnel disasters and potential explosions.
12 This lack of geotechnical and geo -- hydrogeology is,
13 it's obscene. It should be -- they've only done,
14 Enbridge has only done about ten percent of what's
15 required for a tunnel of this magnitude and this use.
16 So if we talk about a 3.6-mile tunnel, ten percent is
17 .36 miles, which is less than half a mile. Which
18 leaves about, according to my math, 3.1 miles of
19 pipeline geology, bottom line geology has not been
20 looked at. That's just cause for more problems and
21 life, loss of life potentially and environmental
22 disasters.

23 Notwithstanding that, there are climate,
24 climatological impacts. We as a nation and as a state
25 are moving away from petrol chemicals. There are

1 other ways to supply the fuel needed by people in the
2 Upper Peninsula and it doesn't need environmental,
3 environmental disaster to have that happen. Trucks,
4 tank cars, rail, rail operation is all available. So
5 there's really no reason to keep Line 5 operating in
6 its condition that it's in. It's a disaster waiting
7 to happen. We all know that it's lived far beyond its
8 useful life for almost 20 years.

9 MS. NESS: Please wrap up your comments,
10 Thomas.

11 MR. HY: So I'll wrap up here. Again,
12 thank you and that's all I have to say.

13 MS. NESS: Thank you, Thomas. Our next
14 commenter is Nathan Wright, followed by Doug
15 Easterman.

16 MR. WRIGHT: (Native language being
17 spoken).

18 Hi, everybody. My name is Nate Wright. I
19 am with a group called MackinawOde. We're a
20 grassroots group.

21 MS. NESS: Could you please spell your
22 first and last name?

23 MR. WRIGHT: Oh, sure. It's Nathan,
24 N-A-T-H-A-N, Wright, W-R-I-G-H-T. And I'm part of the
25 water protector group known as MackinawOde. We've

1 been around for a few years now. Prior to that, I've
2 been water protecting for this area. And like
3 everyone else here, you know, when you get this late,
4 there's a lot of great speakers that spoke pretty much
5 the same things that you were gonna speak about. So I
6 wanted to just speak a little bit about my own
7 personal experiences with dealing with Enbridge, just
8 peacefully being water protectors and some of the
9 things that we've experienced that may be of interest.

10 I'm also an indigenous herbalist and I
11 exercise my 1836 treaty rights as a result of that.
12 So I have a very close relationship with the land,
13 which is developed through my experiences with being
14 out in the land. So this is one of the reasons why
15 I'm here today. I put all my tobacco (inaudible),
16 which is a tradition that we do. And that respect
17 that I give them is to honor those plants and right
18 now I'm honoring those plants by being here.

19 So I wanted to mention for you that just
20 recently, over here in St. Ignace at the Enbridge
21 pipeline station, they had a couple of explosions that
22 happened that are currently under investigation by the
23 police. We know that a truck exploded, we just don't
24 know the reason why. And these types of mistakes by
25 Enbridge happen all the time, and a lot of times they

1 go unreported. And if Enbridge had its way, they
2 would rarely report them. I remember when there was a
3 pipe that was dropped, they were saying they lost the
4 pipe. They didn't mention it right away. And so it
5 took people like us to mention, hey, these guys are
6 doing this. And then the investigation was made and
7 Enbridge comes out, "Oh, yeah. That's right, this
8 happened."

9 So the point I'm trying to make with that
10 is many of the environmental mistakes that do happen
11 with Enbridge do not go reported to the right people.
12 They will cover it up. We witnessed it ourselves many
13 times. And we peacefully watch them. We just keep an
14 eye because no one else does. To our surprise, we
15 thought the coast guard would be keeping an eye on
16 everything they do. They don't. They are regulated
17 by themselves.

18 So recently they invoked their 1977 treaty
19 rights again that they have for the Line 5 location
20 where it comes in through Wisconsin. And as a Native
21 American who exercises our treaty rights, I say why
22 aren't our treaty rights being respected and looked
23 into? Our 1836 treaty rights. We have treaty rights
24 that include hunting, fishing, harvesting, and these
25 would be greatly impacted if there was an oil pipeline

1 that leaked.

2 Our ancestors also share a story with us
3 about how there's underground caverns that we used to
4 travel in. Now, these are undocumented right now by
5 scientists; however, our oral history, many indigenous
6 science oral history has come to fruition to exist.
7 So how can you look for those pipe -- how can you look
8 for those caverns and find them and how would they
9 affect the tunnel?

10 So in closing, I just want to mention the
11 Paris Accord states that we are supposed to be zero
12 emission by the year 2050. And if we're gonna be in
13 court the next ten years and it's gonna take another
14 ten years to build the tunnel, where are we gonna be
15 at? We're gonna be at 2050. Miigwech.

16 MS. NESS: Thank you, Nathan. Our next
17 commenter is Adelle Easterman, followed by Anabel
18 Dwyer.

19 MS. DWYER: Adelle is no longer here. I'm
20 Anabel Dwyer. My name is spelled A-N-A-B-E-L,
21 D-W-Y-E-R. Please correct the spelling. Thank you.

22 We live on the Straits of Mackinac and I've
23 been involved in various capacities in the effort to
24 end the foolish, unnecessary, and unlawful presence of
25 Enbridge's Line 5. You said that your advice would be

1 that the lack of response to this public notice would
2 be interpreted as meaning there's no objection to the
3 proposed project. Our problem is this bizarrely puts
4 us in the responsibility of trying to comment on a
5 project that is unformed in a way that is very
6 strange. We have, are supposed to be talking about
7 something that is approximately maintaining the
8 capacity of existing Line 5, according to you, with
9 locating our energy in the tunnel as near as possible
10 as Enbridge's existing Line 5 -- that's again a quote
11 from you -- temporarily discharging wetland area
12 approximately 194 yards. In other words, we don't
13 have the specifics to really comment properly the
14 burdens you've put on us, which is unfair and
15 unscientific.

16 Nevertheless, we are making the following
17 comments. The U.S. Army Corps of Engineers operates
18 under the authority for this permit process, among
19 other things, under the Clean Water Act and your duty
20 is to follow procedures under Section 404 of the Clean
21 Water Act. (Inaudible) objective of the act, which is
22 to restore and maintain the chemical, physical, and
23 biological sanctity of the waters.

24 The Army Corps of Engineers is authorized
25 to protect and restore these waters, not to facilitate

1 Enbridge's continuing contamination for short-term
2 profit. Neither the U.S. Army Corps of Engineers nor
3 Enbridge can ignore these underlying principles of the
4 statute that we're operating on, or on the centuries
5 that we've taken this knowledge, which is the
6 foundation for all treaties. Human continuance
7 depends upon sustaining relationships with each other,
8 animals, and plants in and around our common borders.
9 Likewise, the public trust doctrine also is basic and
10 no law can abrogate that. Public officials in
11 Michigan hold the health and safety of the Straits of
12 Mackinac in perpetual trust for common use and
13 enjoyment. This is the agency under which you
14 operate, so we incorporate additional specific
15 comments; oil and water don't mix. The Straits area
16 around us all urge the U.S. Army Corps of Engineers to
17 rapidly and conclusively find that the tunnel project
18 is not feasible and order Enbridge to close Line 5 now
19 before more ruptures.

20 MS. NESS: Thank you, Anabel. The next
21 commenter is David Dwyer, followed by Anne Dwyer.

22 MR. DWYER: Hello, my name is David Dwyer.
23 That's D-A-V-I-D, D-W-Y-E-R. And all you need to know
24 about me is I'm (inaudible) Anabel Dwyer. And I
25 usually say, "Yeah, what she said," but I think I'll

1 add a couple of more things, if you don't mind.

2 One of the tasks of the environmental
3 impact statement is to consider alternatives. Here it
4 is: No tunnel, no Line 5. Why? There's no benefit
5 to the citizens of Michigan. Ninety-five percent of
6 Line 5 oil just passes through the U.S. back to
7 Canada. There will be virtually no increase in gas
8 prices if Line 5 is closed. Remember, if Line 5 is
9 closed, there is no possibility of an oil spill and no
10 risk.

11 Furthermore, we think that Enbridge is
12 using the proposed tunnel project as a means to
13 continue to pump oil for profit. Remember, the demand
14 for oil has already peaked. Remember, in ten years
15 the demand for burning tar sands for energy will end.
16 In ten years, the proposed tunnel project will not
17 have been completed. Why? It will not be needed.

18 Now, please -- and this is what I'm asking
19 you to consider this question: Is Enbridge serious
20 about building a tunnel or is it just using the
21 proposed project to buy time to pump fossil fuels? If
22 your answer is yes, then don't approve the tunnel
23 project. Okay. And that's it. Thank you very much.

24 MS. NESS: Thank you, David. Our next
25 commenter is Anne Dwyer, followed by Bill Latka.

1 MS. ANNE DWYER: Hello. Good evening, good
2 evening. Thank you for being so patient all day. I
3 heard it was a very long day. My name is Anne Dwyer.
4 Anne with an E, the last name D-W-Y-E-R. The two
5 people before me that helped raise me in the south
6 shores of the Straits of Mackinac in the summers. I
7 ran through the woods and splashed in the water,
8 chasing fish and just enjoying the spirit of this
9 area. And I support the people before who have asked
10 you to include in your study the comments of the
11 Native elders and to look at the treaties of Michigan
12 and our indigenous people. I'm sorry; it's very
13 emotional for me, as well.

14 I've seen the disappearance of species of
15 animals and plants. I worry about the trees that are
16 dying because the water is warming, the winter is
17 warming, the cold is not enough to mitigate the pests
18 and diseases that take our trees. I know this area is
19 already under stress and that the present stress of
20 the environment and of the people that are living with
21 the threat of an oil pipeline on a daily basis is not
22 a small thing. How can we add another project of such
23 scope when we are already feeling the impact of the
24 one that we can't seem to get rid of?

25 Enbridge has shown over and over again that

1 we cannot rely upon its company and subsidiaries, the
2 words that they say that do control the impact
3 statement. So look at the inner state of Enbridge.
4 And the things that everyone has been saying is so:
5 They are negligent, they won't clean up, there's no
6 way they can prepare for the impact of an oil spill in
7 these waters. The amount -- we know we'll do better
8 with green energy. We know everyone will thrive if we
9 protect the resource. We can plan for generations to
10 come to use this incredible area for the world's
11 people. But this water is here for all of us.

12 Spiritually, this land speaks to me. It's
13 in my heart when I leave; it's home when I come back.
14 I've only been here 60 years. I have not been here
15 generations and generations back 10,000 years, and I
16 only hope that future generations can enjoy this area
17 the way that I do. It's very special. Thank you all
18 for listening. Please consider what we've said. This
19 is a unique place. It's a one in a hundred place.
20 Thank you.

21 MS. NESS: Thank you, Anne. Our next
22 commenter is Bill Latka, followed by Mike Wrigley.

23 MR. LATKA: Hi, it's Bill Latka, B-I-L-L,
24 L-A-T-K-A. I grew up in Michigan and after graduating
25 from CMU, I went to southern California. After

1 decades of experience working in film and television
2 production, 18 years ago my writing partner and I
3 pitched the Discovery Channel to create a documentary
4 series about how solutions to climate change would
5 unfold in the next 50 years. They said, "Here's \$9
6 million. Go." So we got started.

7 To tell the story, we had to become
8 experts. So for two years we had daily conference
9 calls with experts from the United States and around
10 the world. We studied the reasons for global warming
11 and what the solutions would be. We spoke with
12 climate scientists, rebuilding experts, energy
13 experts, I'd have to say, for two years. I traveled
14 the world and saw firsthand the effects that were
15 already on the climate. I went to the treeless tundra
16 in the arctic circle where they were no trees for
17 10,000 years and saw little trees now growing because
18 of the warming atmosphere. I saw how drought and was
19 turning a tropical jungle into a savannah.

20 That journey opened my eyes and changed my
21 life because of what I learned. Fossil fuels are
22 warming the climate. I became a professional climate
23 change activist. Back then I knew what would happen
24 when the climate (inaudible). I knew that I had to
25 escape southern California. I knew then about the

1 coming droughts, fires, running out of water that's
2 happening now. I moved my family to a place where we
3 could have the best chance of life without climate
4 change: Traverse City, right here in the middle of 21
5 percent of the world's fresh surface water.

6 I cofounded the Oil and Water Don't Mix
7 campaign nine years ago because we are in a climate
8 emergency and we must end the use of fossil fuels.
9 25,000 of our supporters know that we're running out
10 of time, but the fossil fuel companies have used their
11 money and influence to fool us, to fool many of you.
12 Enbridge is looking short-term to move as much of its
13 money-makers and pursue its quarterly profits. The
14 people who want jobs from this tunnel are looking out
15 a few years into the future, at best. Climate doesn't
16 work like that. It's thinking long-term. It's
17 dealing out heat waves, drought, flooding, disease,
18 and pain. You no longer need to be an expert; all you
19 have to do is turn on the TV. The fossil fuels moved
20 in this pipeline and, if Enbridge gets its way, in the
21 tunnel are causing this climate emergency. This
22 tunnel is part of the threat. Unless we take this
23 threat seriously -- I lost my place. Okay -- we can
24 say goodbye to the Great Lakes, your jobs, and your
25 families.

1 But we have a solution. It's getting off
2 fossil fuel as soon as possible and embracing a
3 cleaner, cheaper, healthier, and less damaging clean
4 energy future. We have the technology and it's being
5 deployed now. You want to build something? Build
6 that future. Imagine in ten years what they'll tell
7 us. They'll make their speeches, they'll cut their
8 ribbon, they'll jump into their electric cars to drive
9 to their electric homes powered and heated not by gas
10 and propane, but by clean, renewable energy from the
11 sun.

12 MS. NESS: Bill, please wrap up your
13 comments.

14 MR. LATKA: I ask the Army Corps to fully
15 consider the science behind the climate emergency and
16 the solutions that are rapidly phasing out the use of
17 fossil fuels so that in good conscience you can reject
18 this tunnel permit. Thank you.

19 MS. NESS: Thank you, Bill. Our next
20 commenter is Mike Wrigley. Mike, are you in the room?
21 Okay. Our next commenter is Adam Saari. On deck we
22 have Jody Bond.

23 MR. SAARI: Hello, my name is Adam Saari.
24 It's A-D-A-M, S-A-A-R-I. I'm here to represent the
25 Bricklayers and Allied Craftworkers Local 2 Michigan.

1 I'm here to show support for the Straits tunnel, to
2 keep our Great Lakes safe, and keep supplies of
3 natural resources flowing. I think people don't
4 realize how many petrochemicals are in your life every
5 single day. There will continue to be a need for
6 petrochemicals. I mean, they're in your shirts,
7 they're in solvents, they're in paint. Some of them
8 you don't like, but some of them you need and you
9 don't think of it on a day-in/day-out basis.

10 I'm not only a worker who directly
11 benefitted from the industry in my career, but I also
12 benefitted from major infrastructure projects in my
13 career as a tradesman and I represent the 3,670
14 members of Local 2 to show my support for this tunnel.
15 Our members would not only benefit from the
16 construction of the tunnel, for many of our members
17 regularly perform maintenance at refineries that
18 receive the oil from this pipeline. This current
19 pipeline has provided many jobs for the lifespan of
20 its existence. That's how many people get into good
21 paying, middle class jobs with a pension fund and
22 healthcare. These are people who will not be looking
23 to the state for a handout because they have good
24 careers. I can attest to this because I was a
25 refractory bricklayer for 12 years. I was able to

1 provide my children with a good education, vehicles, a
2 home, and I was able to go above and beyond as a
3 parent for my children. A generation before mine was
4 able to do those things and we need to continue the
5 American dream for our children.

6 I'm not a lobbyist. I live in Marquette,
7 Michigan. I live 100 yards from Lake Superior. I
8 grew up on the lake my whole life. I love the Great
9 Lakes, the smell of them, the sound of the waves when
10 I'm in my yard, the nights and the days on the beach
11 fishing, the general beauty and wonder of what I feel
12 is the greatest resource in the U.S. I'm also an avid
13 sportsman and outdoorsman. And this tunnel, I think,
14 is one of the best ideas we have to create a middle
15 ground between both sides on this issue. And I
16 believe that's what a true democracy tries to do. We
17 come to a middle ground instead of dividing people.

18 That being said, I understand both sides of
19 this issue. This tunnel will help keep our water safe
20 and our economy driving. Just losing the natural gas
21 alone would cripple northern Michigan. Our real
22 estate prices have skyrocketed and any higher cost
23 would hurt our citizens more and more by the day.
24 That being said, I just got done building a green
25 power plant in (inaudible) a few years ago that

1 operates on natural gas, which we have in this tunnel
2 supplying our electric. It helps us lower the
3 greenhouse gases by having these plants and lowers the
4 levels of mercury in our lakes and fish from burning
5 coal.

6 So now the production of electricity in our
7 area depends on this pipeline, also. If the citizens'
8 electric and gas bills go up, it would be catastrophic
9 for the citizens of our great state. I believe the
10 old pipeline that was used in the Straits does need to
11 be phased out. Like I said, I do care about the
12 environment. We're lucky there hasn't been a
13 catastrophic break as is. That being said, let's do
14 this, let's build this tunnel, let's get our pipeline
15 back in order for the great majority of our citizens
16 in the midwest.

17 So as a representative of BAC Local 2
18 Michigan, I would like to thank you for your time to
19 listen and give me a forum to state our support for
20 the tunnel and representing our 3,670 members
21 statewide and around 75,000 members in the United
22 States. Thank you very much.

23 MS. NESS: Thank you, Adam. Is Jody Bond
24 in the room? Okay. We will move on to our next
25 speakers, Reaiah Elseworth and Nookomis. Are either

1 of those folks in the room? Carrie Chesnik? On deck
2 we have Sherry Couture. Are either of those people in
3 the room? Okay.

4 NOOKOMIS: (Native language being spoken).

5 MS. NESS: Could you please begin by
6 spelling your first and last for us, please?

7 NOOKOMIS: Nookomis, N-O-O-K-O-M-I-S.

8 MS. NESS: Thank you.

9 NOOKOMIS: So I'm here to say no, Army
10 Corps. I have too much in my hands here.

11 So first of all, I wanted to say, you know,
12 we came from Fond du Lac, we came from Minnesota where
13 Enbridge has already been through our lands.
14 Commissioner Tuma has told them to watch their backs
15 because if they don't, we are here to watch them and
16 we have been. We have documentation, we have thermal
17 imaging of all that Enbridge has lied about. We came
18 here to show you proof. We've talked to you already.
19 We live off the land. This is why we're here. Maple
20 syrup.

21 What kind of jobs are you gonna have if you
22 don't have clean water; right? Right? It's really
23 that simple. So we have the proof. These pictures
24 are from us. We have gone out to the frac-outs, the
25 aquifer breaches on Fond du Lac. Actually, we'll be

1 there very soon on September 14. We weren't notified
2 by our tribe because they were paid out by Enbridge
3 for \$247 million. We had to find out through the
4 newspaper that there was a breach.

5 So here it is: The headwaters in
6 Mississippi. These are pictures. If we could have
7 them labeled as Exhibit A, B, C, and D. I have hope
8 you all understand that they're not here, they're not
9 here to be your friends. They're not here -- they
10 need to buy you and it's that simple. Right? They
11 don't care that they're poisoning our water, they
12 don't care that they're poisoning your food. They
13 just want the permit to go through. So please, for
14 your future generations, say no. Miigwech for
15 listening.

16 MS. NESS: Thank you, Nookomis. Is Carrie
17 Chesnik in the room? Carrie Chesnik?

18 MS. CHESNIK: My name is Carrie Chesnik.
19 C-A-R-R-I-E, Chesnik, C-H-E-S-N-I-K. I'm Oneida
20 Nation, Wisconsin from the reservation at Green Bay.
21 Our nation is down the lake from you all.

22 (Native language being spoken). Told you
23 all for seven years in hearing after hearing after
24 hearing after hearing. They followed the process and
25 they said no. They told you exactly what was gonna

1 happen. Even Tim Walz's own head of DNR said it was
2 the worst route they could have chosen. I'm not here
3 to discuss that, but we're here to show you that
4 Enbridge cannot be trusted.

5 I have a question for you. Your own Army
6 Corps of Engineers don't even know what that line
7 looks like in the bottom of the lake right now. How
8 many years has Enbridge been doing what to it that you
9 don't even know? Nobody knows. Because they're not
10 telling anybody anything.

11 I've been out on that land, we've all been
12 out on our lands, and this is what we're seeing.
13 Nobody is doing any oversight on that. At the very
14 least, at the very least, I beseech you at least get a
15 grip on what they're really gonna do. Because you
16 don't know. And that's the truth. And you're here to
17 represent something. That's our lives we're talking
18 about. It's water. It's your lives. It's life. You
19 can't.

20 MS. NESS: Thank you, Carrie. We do
21 appreciate the signage, but we did announce at the
22 beginning of the meeting that all signs should be
23 located outside in the free speech area.

24 NOOKOMIS: These aren't signs, these are
25 evidence.

1 MS. NESS: Okay. We have seen those and
2 absorbed those. But just FYI for everyone, we do ask
3 that any -- just make sure that the emergency exits
4 remain clear and that pedestrian traffic is not
5 impeded. Otherwise, those are fine. Thank you.

6 All right. The next speaker will be Sherry
7 Couture or Couture, and then on deck we have Jami
8 Gaither.

9 MS. COUTURE: Sherry Couture, S-H-E-R-R-Y,
10 C-O-U-T-U-R-E. Hello, I am from Minnesota, so some
11 people may be wondering why I'm up here speaking. I
12 am a resident of the (inaudible) known as the Fond du
13 Lac band of Lake Superior. I have treaty jurisdiction
14 in the 1854 known as Minnesota. I have treaty
15 jurisdiction in the 1836 and in the 1837 known as
16 Wisconsin. I also have treaty jurisdiction in the
17 1842 known as Michigan. In other words, I have treaty
18 jurisdiction in three states as an Anishinaabek
19 nation. I see a lot of my relatives sacrificing. The
20 Army Corps of Engineers underneath your review it says
21 that you were supposed to get tribal consultation. I
22 hear my relatives on Line 5 saying gaawiin. That
23 means no. And you guys are continuing on like you did
24 in Minnesota.

25 Article six of the constitution of the

1 United States of America, Mr. Colonel, you're breaking
2 your oath today. That's a very serious article in the
3 United States in the constitution, just as much as
4 your right to bear arms and your freedom of speech.
5 Article six says that treaties are the supreme law of
6 these lands. And we said no. So now here we are in
7 three states. They are Anishinaabek nation going
8 against one foreign lucrative company, while you
9 continue to approve these permits and sign them. For
10 220 years we've been telling the Army Corps of
11 Engineers, don't do that. It ain't a good idea. I'm
12 from Minnesota. I now have no rights, no (inaudible),
13 no sovereignty and I also lost my sovereignty right.

14 In Wisconsin, I go there to fish. In
15 Michigan, I come here to get my moose tanks filled.
16 I'm asking you to one time to honor the treaties and
17 say no. EIS analysis people have asked also to extend
18 the period of the EIS because it doesn't seem like
19 enough people are aware of what's going on. Miigwech.

20 MS. NESS: Thank you, Sherry. Our next
21 public commenter is Jami Gaither with Pam Johnson on
22 deck.

23 MS. GAITHER: (Native language being
24 spoken).

25 MS. NESS: Jami, I'm sorry to interrupt,

1 could you spell your first and last name?

2 MS. GAITHER: Right next.

3 MS. NESS: Go.

4 MS. GAITHER: My name is Jami Gaither,
5 J-A-M-I, G-A-I-T-H-E-R. I am not Anishinaabek, nor am
6 I a professional engineer, though I passed the EITS in
7 metallurgical engineer in 1991 from the University of
8 Cincinnati. For 220 years, the U.S. Army Corps has
9 held sway over our futures with a mission to deliver
10 vital engineering solutions in collaboration with
11 partners to secure our nation, energize our economy,
12 and reduce disaster risk. We've got a disaster over
13 here.

14 I testify today as a member of (inaudible).
15 Each week we're discovering more post-construction
16 damages. We're documenting these. I will tell you
17 what Enbridge promised and what they delivered in
18 Minnesota. At Clearbrook Terminal, Enbridge was
19 permitted for a low-risk construction, allowing eight
20 to ten feet for digs. Enbridge dug an 18-foot deep
21 trench and then pounded steel pilings 28 feet into the
22 ground, bursting through an artesian aquifer that
23 feeds local calcareous fens. Neither Enbridge nor
24 their independent environmental monitors noted the
25 breach to the state, though unrelenting water flowed

1 from January 2021 in at least seven reports. It
2 wasn't until mid-June during a lunch that the DNR
3 discovered in a conversation with one of the monitors
4 that this issue was as widespread as it was and they
5 began the regulation impact work.

6 These are not temporary issues. These are
7 long-term and possibly unfixable issues. It will
8 settle badly. A noted location of extreme risk during
9 expert testimony where even Enbridge's own engineers
10 noted a max depth of 20 feet for pilings. Enbridge
11 again, 28 feet. They breached a second aquifer.
12 These are about ten miles apart on either side of my
13 house. As a border to the pipeline, I live with this
14 every day.

15 They reported that this aquifer breach at
16 LaSalle Valley was fixed in late November. A week
17 later, we did a thermal routine flyover and found
18 amazing groundswell of groundwater. You can see in
19 some of the pictures that we have online, we'll be
20 submitting the testimony with more and more data.

21 This outgoing continues today. Now there's
22 a monitoring station in LaSalle Valley that just one
23 of the monitoring stations was reporting about 845,000
24 gallons per month of water being bled from the LaSalle
25 Valley's aquifer. And there is no end in sight. A

1 third breach of the Nagaajiwanaang reservation
2 celebrates its one year birthday this coming week.

3 I ask, if not the U.S. Army Corps, who do
4 Americans turn to for authority over our land and
5 water? And Minnesota continues to ignore our pleas as
6 our data accumulates. Will ACE reduce disaster risk
7 or will the corporation, Enbridge, come in and trample
8 over Michigan just like they trampled over Minnesota?
9 Are we gonna see the same results in Wisconsin and
10 Michigan? I hope not. I hope you guys are waking up
11 to the fact that Enbridge is full of lies. They will
12 promise you one thing, they will do something else,
13 and pay fines 'cause they've got plenty of money.

14 And I know a lot of you guys are here
15 because of jobs. In Minnesota, their first report at
16 the end of the summer of 2020, listed less than 30
17 percent, 28 percent of jobs went to Minnesotans. They
18 promised us 50 percent of the jobs. They promised us
19 two years. We got nine months to build and not even a
20 report on these vital numbers for jobs in their second
21 report because we caught them on the first one saying
22 they didn't meet the standard.

23 MS. NESS: Please wrap up your comments,
24 Jami.

25 MS. GAITHER: Thank you so much for your

1 time.

2 MS. NESS: Thank you. Thank you, Jami.
3 Our next speaker is Pam Johnson with Rick Weiss on
4 deck.

5 MS. JOHNSON: Hi, I'm Pam Johnson. I am
6 with the tribal council of the Little River Band of
7 Ottawa Indians.

8 MS. NESS: Can you spell your first and
9 last name for us, please?

10 MS. JOHNSON: Pam Johnson, J-O-H-N-S-O-N.
11 Building the tunnel under the Straits of Mackinac does
12 not prevent or protect the Straits of Mackinac from a
13 devastating oil spill from Line 5. Replacing one
14 section of the pipeline does not protect the Straits
15 from the blistering crosswinds from here to Superior,
16 Wisconsin and then down to (inaudible) on the St.
17 Clair River. We request that you extend the scope
18 outside the direct vicinity of construction to include
19 cumulative impacts of the entire pipeline. We also
20 ask that you uphold your trust and ensure your
21 responsibilities to protect the hunting, fishing, and
22 gathering rights and the rights in water of all our
23 (inaudible). The proposed construction will include
24 year around hot water (inaudible) that would impact
25 the fish species that we rely on for subsistence and

1 commercial harvest. This also threatens Turtle Island
2 and many cultural areas that our ancestors, much like
3 us today, rely upon for cultural substance use.
4 Mackinaw Island was a meeting place for our nations in
5 the center of Turtle Island, the Straits of Mackinac
6 and surrounding areas, the cultural resource that will
7 be negatively impacted by the tunnel construction.
8 This project will also disturb our ancestors who are
9 resting along the shores of the Great Lakes. Near
10 shore tunneling may impact burial grounds that are
11 currently undocumented. These cultural resources once
12 destroyed will be lost forever.

13 In conclusion, we ask that the IES include
14 the following: Enlarge the scope to include the
15 entire pipeline corridor from Superior, Wisconsin down
16 to Detroit, Michigan; a highly descriptive needs
17 statement that includes a full assessment to determine
18 if there is any need for the Line 5 tunnel; the
19 proposed use of the tunnel, which does not include the
20 use of the tunnel by other utilities. Alternates
21 include shut down Line 5 as part of this need
22 assessment and an in-depth review of potential
23 long-term effects to treaty rights (inaudible). Thank
24 you.

25 MS. NESS: Thank you, Pam. The next

1 speaker is Rick Weiss. On deck we have Jeffry Loman.

2 MR. WEISS: Hello. Thanks for being here.
3 My name is Rick Weiss, R-I-C-K, W-E-I-S-S. I live in
4 Moran Township on Lake Michigan. The pipeline goes in
5 the lake in Moran Township. So I have a concern about
6 not building the tunnel. A lot of people have gave
7 reasons why they don't like the pipeline. It seems to
8 me a concrete tunnel would make a lot of sense, but I
9 have hunting property in the (inaudible) marsh. The
10 pipeline goes across my property. Enbridge takes care
11 of it. They cut the trees down, they keep it mowed.
12 They do a pretty good job of, I think, maintaining
13 their pipeline where it goes on the property.

14 I've lived on the lake all my life. My
15 family is a tribal family. I was on the lake
16 freighters for a while before I met my wife. I love
17 the water. And to put a tunnel, concrete tunnel,
18 underground just makes all the sense to me. But my
19 biggest concern here is the economic impact on the
20 Upper Peninsula and in southern Michigan. Your
21 closest refinery if the pipeline shuts down is in
22 Superior, Wisconsin. Sure, elitists from away can
23 afford gas, propane, or whatever they got there. Most
24 of the people in the Upper Peninsula don't make a lot
25 of money. And I think the economic impact on the

1 locals would be devastating for propane and gasoline.
2 I think that this winter, there's gonna be people
3 having to make a choice between propane, which travels
4 by Line 5, and food.

5 So anyway, thanks for being here.

6 MS. NESS: Thank you, Rick. Our next
7 commenter is Jeffery Loman, followed by George Duchon.

8 MR. LOMAN: Good evening. My name is
9 Jeffery Loman, J-E-F-F-E-R-Y, L-O-M-A-N. Thank you,
10 Colonel Boyle, Charles, Katie, Kerrie, Abbey for
11 hanging in here well past your stated time limit.

12 I drove over from the L'Anse Indian
13 reservation where I was born and am a member of the
14 Keweenaw Bay Indian Community. My tribe has treaty
15 rights that are impacted by things that happen in Lake
16 Michigan, Lake Superior, and beyond. And I moved back
17 home after a long career in the military and with the
18 federal government. I try to help my tribe on things
19 that are important, including environmental issues,
20 but I don't speak for the Keweenaw Bay Indian
21 Community. I have worked on NEPA projects since 1992,
22 30 years, and many, many, many EIS's. I'm glad to see
23 that there are tribes that are cooperating with the
24 agencies. And I was just mentioning that this scoping
25 meeting, long in coming, given the fact that the

1 president announced that he was directing the
2 secretary of the army to prepare this EIS quite a
3 while ago. So I would guess, knowing what I know
4 about NEPA projects, that part of that delay was the
5 work that you had to do to bring these tribes as
6 cooperating agencies on board. I would like to see
7 them at the next big meeting and that's when you
8 release the draft EIS and take comments on that
9 document so that they have meaningful participation.

10 And I'll just leave you with this: The
11 most important thing is to tell our leaders what they
12 need to hear, not what you think they want to hear.
13 One of the EIS's that I worked a little bit on with
14 the Bureau of Ocean Energy Management involved
15 offshore oil and gas drilling. I was in Alaska, not
16 in the Gulf. The folks in the Gulf were reeling from
17 the Deepwater Horizon spill where the leaders told
18 President Obama what they thought he wanted to hear,
19 not that Deepwater drilling, drilling in the arctic,
20 was dangerous. So that's the takeaway for you and I
21 hope that you will keep that in mind as you move
22 through this process and prepare this environmental
23 document. I look forward to seeing the draft EIS and
24 reviewing it with everything I have. Thank you.

25 MS. NESS: Thank you, Jeffery. The next

1 speaker is George Duchon.

2 MR. DUCHON: George Duchon, G-E-O-R-G-E,
3 D-U-C-H-O-N. I have been building pipelines since I
4 graduated high school, (inaudible) with my dad. He
5 tested the integrity them. Bottom line, we all
6 understand it needs to be replaced. If we do not get
7 the tunnel, we're encapsulating it in concrete like
8 we're standing on. If I was to dump a quart of oil on
9 this concrete, it's not going through it. It's the
10 safest and best way to supply propane. Sixty-five
11 percent of our state's propane comes through Line 5.
12 It's just not a tar sands pipeline, folks.

13 What are we gonna do for the heating of the
14 U.P.? Fifty-five percent of those people get all
15 their heat from propane. What are we gonna do for
16 them? I haven't heard any answers on how you guys
17 want to heat them. Or are we just gonna let the kids
18 freeze to death? Last year it got down to negative
19 28. Nobody's talking about how we're gonna replace
20 the heating. Are we gonna put it in the railcars?
21 Have you seen what it's like? An oil spill from a
22 railcar is a catastrophe and it happens way too often.

23 Enbridge, I've worked and tested pipelines
24 for them. It's what I did in my career coming up in
25 the trades. If we spill a capful of oil on the

1 ground, I have to report it, fill out documentation on
2 how much I spilled, dig up around it, put it in a bag,
3 and put it in an environmentally safe container to be
4 shipped off for recycling. I've seen their commitment
5 to quality. They bought a dying system from Great
6 Lakes Energy. It's -- what they bought was dying. It
7 does need to be replaced. And we do need to continue
8 with green energy. It's not just a tunnel for a
9 pipeline. It's gonna bring natural gas to the U.P.
10 and it'll allow us to expand our green energy concerns
11 up into the U.P. so we can run power lines back down
12 to the states, to the lower part of our state. And we
13 will ship green energy down here and not just ship it
14 off to Wisconsin. We can use it here at home. We
15 need this pipeline as an energy corridor, not only for
16 oil, propane, natural gas, but also green energy to
17 expand.

18 Only ten percent of our nation is run on
19 green energy. Ten percent. The rest is coal,
20 nuclear, or oil, and natural gas. If we do not
21 embrace the fact that we can do a lot with this form
22 of energy up here in the U.P., but we have no place
23 ship it, it can come through this tunnel. The oil and
24 propane coming through the tunnel, I say we approve it
25 and get on with the show. We have the contract; it's

1 waiting. The drill is over in Germany. It's
2 something we can get done, it will be done by union
3 members right here in this state and union workers.
4 And that says a lot. We're trained. I got a
5 (inaudible) right here that's trained in this field
6 every day. He's 19 years old. I've seen what we can
7 do and I know we can build the best damn pipelines in
8 the country and we need to approve it.

9 MS. NESS: Thank you, George. Our next
10 public commenter is Amy McCoi. On deck we have Joshua
11 Hudson.

12 MS. MCCOI: Amy McCoi, A-M-Y, M-C-C-O-I.
13 (Native language being spoken).

14 She wants to read her commentary first.

15 UNIDENTIFIED SPEAKER: What if --

16 MS. MCCOI: "What if the pipe leaks oil?
17 It could poison animals. We need our animals to live
18 because they're respectful and without animals, we
19 would be so lonely. And they feed us and plants feed
20 us and we don't want to poison -- we don't want them
21 poisoned. I am a water protector. I am a plant
22 protector. I am an animal protector. I am
23 Anishinaabek friend."

24 So we're thinking about things as
25 Anishinaabek and our obligation and original

1 instructions to live in a respectful way with all of
2 our relatives. We're not ecocentric thinkers. We
3 don't think of the human beings as the center of the
4 universe. We're not the most important. We depend on
5 everyone else. We can't think about what's right in
6 front of our face, we need to think about seven
7 generations into the future. We care about our
8 children, but we need to also care about our
9 children's children and their children and their
10 children. And our decisions now needs to be what's
11 convenient for them, not convenient for us right now.
12 Yeah, so it would be inconvenient if I can't afford to
13 whatever monetarily, to switch from propane or natural
14 gas or maybe if I can't drive my car anymore. But
15 those are big ifs that only matter if you think that
16 the baseline unit of value is the dollar. And that's
17 a fallacy that we've been taught is fact.

18 The baseline unit of value is life and
19 water is life and we have to protect it. In Ojibway
20 we think about seven generations in the future is
21 (inaudible). That's our ancestors in the past seven
22 generations and in the future seven generations, and
23 we are inextricably connected to them. They are us
24 and we are them and we have to do what's right for
25 them.

1 MS. NESS: Thank you, Amy. Joshua Hudson
2 will be our last commenter of the night.

3 MR. HUDSON: Hi there. I didn't know I was
4 going to be the last, so this is a little surprising.
5 My name's Joshua Hudson, J-O-S-H-U-A, H-U-D-S-O-N, so
6 that's my name.

7 I was born in (inaudible) and moved upstate
8 to central Michigan, but now I live in the Upper
9 Peninsula. I just really want to highlight that
10 because I live in Sault Ste. Marie, the Soo Locks are
11 such an important part of Sault Ste. Marie and it's
12 under construction right now by the Army Corps of
13 Engineers. So I really want to highlight that even if
14 we think about the environmental impacts if something
15 will happen, there's, you know, millions of dollars of
16 freight that goes through. I'm not necessarily
17 supportive of a destructive industry, but that doesn't
18 mean it doesn't affect our economy. I am Native, but
19 I also studied public administration and I'm imploring
20 you as our federal stewards forced in the last couple
21 years to protect us. As American citizens, you're
22 being paid by our tax dollars. I want to make sure
23 you're taking into account all of the potential
24 impacts and I want to make a further statement when I
25 want to remind you that as part of the Army Corps of

1 Engineers, as part of the military, you have to
2 prioritize the American citizens over foreign
3 corporations.

4 And so when we have basic conversations
5 about the status of energy and the energy industry, I
6 have not -- I don't know if anyone will honor that,
7 but no one's brought the immense price increases that
8 we've seen across energy, across the board already,
9 and the immense profits that these corporations have
10 been gaining at our expense, you know, no one's
11 raising them. And so I want you to make sure that
12 you're including that in the calculus for your
13 decisions. Because it's not just a simple, oh, we'll
14 let this corporation do this when they show negligence
15 time and time again. Make sure you're taking this
16 into account because that will affect our national
17 security in the future. If our children are drinking
18 water that's laced with contaminants and carcinogens,
19 that's public health. And public health is the core
20 of everything we do. America has a long track record
21 of being one of the leaders, up until very recently,
22 and I really hope that you'll look back on the history
23 and really lean into the (inaudible). Miigwech.

24 MS. NESS: Thank you, Joshua. At this
25 time, we have reached the end of our time together

1 this evening. Thank you so much for your time and
2 your interest in this project. I will now hand it
3 over to Lieutenant Colonel Brett Boyle for closing
4 comments.

5 LIEUTENANT COLONEL BOYLE: I just want to
6 sincerely thank you all for attending the public
7 meeting and for offering your comments and to all of
8 those who made comments and were with us all the way
9 until the end here. It's very important for us to
10 hear everybody's comments, so we extended the time as
11 much as we could to try and get as many people heard
12 as possible.

13 If you have any additional comments, please
14 keep in mind that the comment period is open until
15 October 14, 2022. We've got another virtual meeting
16 that is scheduled already right now for Thursday,
17 October 6, 2022, which is another opportunity to be
18 heard. The website, line5tunnelEIS.com has additional
19 detail on that meeting and how to submit comments.
20 There are multiple ways to do so, as you've heard
21 several times tonight.

22 We will consider all comments received
23 verbally and at our other public meetings, all written
24 comments submitted during the comment period, and all
25 comments previously received during our review of this

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application in preparation of the draft EIS.

Thank you again very, very much for
attending today's meeting.

(The meeting was concluded at
9:09 p.m.)

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CERTIFICATE

STATE OF MICHIGAN
COUNTY OF MACOMB

I, MARIE O'BRIEN, a Notary Public in and for the above county and state, do hereby certify that this proceeding was taken before me at the time and place hereinbefore set forth; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related, nor of counsel to either party, nor interested in the event of this cause.

Marie O'Brien



MARIE O'BRIEN, CSR-8374
Notary Public
Macomb County, Michigan
My commission expires November 9, 2024