



(248)608-9250 Fax (844)270-7115  
www.tri-countycourtreporters.com  
depos@tricityreporters.com

## Transcript of the Testimony of

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PUBLIC COMMENTS 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 2:54 p.m.

4 \* \* \* \* \*

5 MS. POLLACK: Good afternoon. I'd like to  
6 begin today by acknowledging the Anishinaabe and the  
7 other Native peoples on whose lands we gather today.

8 My name is Lana Pollack. Between 2010 and  
9 2019, I served as the United States section chair of  
10 the International Joint Commission, the binational  
11 treaty organization responsible for addressing United  
12 States and Canada's shared water issues. During my  
13 tenure, I was fortunate to collaborate closely with  
14 the USACE, so I'm especially grateful for the  
15 opportunity to talk with you about the scope of the  
16 EIS relating to Enbridge Energy's proposed Mackinac  
17 pipeline tunnel under one of our planet's most vital  
18 freshwater channels, the Straits of Mackinac.

19 For the record, I am now retired and the  
20 thoughts I share with you carry the weight of  
21 experience, but not the authority of any government  
22 entity. I offer three points. First, were the  
23 proposed Enbridge pipeline tunnel to be completed, it  
24 would require decades of operation to recover its  
25 capital costs, expanding the use of fossil fuel over

1 time and making it impossible for the United States  
2 and Canada to reach their national clean energy goals.  
3 Therefore, in structuring your EIS, it is incumbent  
4 upon the Corps to thoroughly examine the tunnel's  
5 potential impact on climate change over its entire  
6 operational lifetime.

7 Second, Enbridge has earned its reputation  
8 as a bad actor. Its poor commitment to environmental  
9 safety includes at least 33 ruptures of Line 5, plus  
10 repeated failures to report many other incidents  
11 promptly and candidly. For instance, Enbridge's  
12 negligence includes its failure during 2010 testimony  
13 before Congress to disclose a crack in Line 6B, which  
14 just weeks later ruptured into a tributary of the  
15 Kalamazoo River, a horrific spill. Enbridge failed to  
16 report for 17 critical hours after it had a signal of  
17 a rupture. Therefore, in studying risks associated  
18 with building and operating the proposed pipeline  
19 tunnel, your EIS should consider the Enbridge record  
20 of failures.

21 Third, even the best of neighbors, as the  
22 United States and Canada are, sometimes encounter  
23 conflicting interests. In this case, the Trudeau  
24 government, apparently taking its lead from Enbridge  
25 Energy, is putting corporate interests before that of

1 its commitments under the Boundary Waters Treaty of  
2 1909, the Great Lakes Water Quality Agreement, and  
3 both countries' national and international climate  
4 commitments. The Trudeau government is also pushing  
5 the United States to follow suit in this misalignment  
6 of priorities.

7 In conclusion, recognizing forthcoming  
8 climate change damage if the Enbridge pipeline tunnel  
9 were to be built and acknowledging avoidable damage to  
10 the Great Lakes were the 68-year-old existing pipeline  
11 to rupture, I respectfully urge you to discharge your  
12 EIS responsibilities with nothing less than a  
13 comprehensive alternative analysis, including a no  
14 pipeline, no tunnel, alternative. Thank you.

15 MS. GOOSMAN: This is to the Army Corps of  
16 Engineers. My name is Brenda Goosman. I'll spell it  
17 if you'd like. G-O-O-S-M-A-N. I'm from Gaylord,  
18 Michigan but I'm a lifelong resident of Michigan and  
19 I'm here to talk about why the Line 5 tunnel should be  
20 constructed. And I know so many are concerned about  
21 the environment, as everybody should be, but the  
22 welfare of the people should be the top priority.

23 So many people in Michigan, especially  
24 northern Michigan, have a hard time paying their bills  
25 now due to a lack of high-paying jobs. If the tunnel

1 is not built, the price of energy will skyrocket.  
2 This is proven as in when the oil boom hit in the  
3 northwest and they do not have pipelines and they've  
4 had to truck and train everything and it's so much  
5 more expensive. But this will affect not only  
6 Michigan, but all of the bordering states, plus  
7 Canada.

8 In this case, I believe we need to go with  
9 what we know will happen versus what if this or that  
10 happens. I believe that Enbridge can make a perfectly  
11 safe tunnel with all kinds of checks and balances that  
12 I've looked at. With that -- without that, the  
13 tunnel, prices will go up and good paying jobs will be  
14 lost. With the tunnel, it could -- there could, by  
15 chance, a very slim chance, that there might be an  
16 accident. But let's go with what's best for the  
17 people. Build the tunnel.

18 MR. GOOSMAN: I'm Tom Goosman. I'm from  
19 Gaylord, Michigan. I'm a retired petroleum engineer.  
20 I'm here to encourage the Corps of Engineers to  
21 approve the tunnel construction in the Straits of  
22 Mackinac for Line 5. I just put a couple of bullet  
23 points on here. Basically, to protect the environment  
24 in a safer way. By drilling a tunnel to hold the  
25 line, it would contain any potential leaks. Also,

1 monitoring inspection would be a better method.

2 The other bullet point, to save high-paying  
3 jobs, and another bullet point to keep energy costs  
4 down. As a for instance, in North Dakota during the  
5 Bakken oil boom of 2010 to 2015, energy costs for the  
6 entire United States was high, due to the fact of the  
7 high cost of railroad and trucking fees. There were  
8 no pipelines available in North Dakota at that point  
9 in time. To elaborate on that, there were several --  
10 I witnessed several railroad accidents with  
11 catastrophic oil spills and loss of life. One in  
12 particular, an oil tanker -- this doesn't have to be  
13 on there. Yeah, it could be. In this one case, an  
14 oil tanker in Canada, a train overturned in a village,  
15 killed a bunch of people.

16 The other bullet point I put down here, to  
17 protect the low-income people in Michigan and  
18 surrounding states from higher energy costs. With the  
19 continuing cost of living increases with the -- let me  
20 go -- with the cost of living increases, these people  
21 cannot afford any increase of energy cost to heat  
22 their homes, cook their food, heat their water for  
23 showers. So in conclusion, I feel that this tunnel  
24 would be the most commonsense way to help protect the  
25 Great Lakes and still provide less expensive energy to



1 the people. Pretty simple.

2 MR. VELKER: So my name is Matt Velker,  
3 V, as in Victor-E-L-K-E-R. I'm from Toledo, Ohio.  
4 I'm with the United Steelworkers District 1, Local 912  
5 and I work at the refinery, the Toledo Refining  
6 Company. I guess that's my introduction.

7 The stuff I would like to focus on a couple  
8 points, really. The first is that I think there's  
9 this general misconception that the labor movement and  
10 the environmental movement are at odds with each  
11 other. Particularly, within the USW that is  
12 fundamentally untrue. The United Steelworkers were  
13 actually at the foundation and an active participant  
14 in what we call the BlueGreen Alliance, which is,  
15 again, a partnership between environmental groups and  
16 the United Steelworkers. The United Steelworkers are  
17 at the forefront of environmental protection. It's a  
18 fundamental core principle that they truly believe in.  
19 And I think that's why, one of the reasons that we are  
20 so passionate about the tunnel project, because we  
21 understand that there is concern over pipelines in the  
22 water. That doesn't negate the fact that pipelines  
23 are still the safest way to transport petrochemicals  
24 and hydrocarbons; oil; crude oil, if you want; natural  
25 gas, things of that nature. But the tunnel project is

1 an even safer alternative to what already exists and  
2 steelworkers believe in that. Our refinery, even  
3 though it is greatly threatened by the shutdown of  
4 Line 5, believes in that, believes that the tunnel  
5 project is a good thing. We have never stated, nor  
6 will we ever state, that the environmental lobby  
7 should go away and just leave Line 5 alone. We  
8 understand the concerns, we respect the concerns.  
9 Again, we encourage the tunnel project. We have been  
10 very active in studies. We have been very active with  
11 Enbridge. We partnered with Enbridge on a lot of  
12 actions and movements. We are confident that Enbridge  
13 will stand by their position to build a tunnel and  
14 also to replace and increase the wetlands that are  
15 potentially harmed by the build of the tunnel.

16 We would not put our reputation on the line  
17 if we didn't believe in Enbridge. If we didn't  
18 believe that Enbridge could be true to their word and  
19 will be true to their word, we would not partner with  
20 Enbridge, we would work this from a different angle.  
21 So we are very confident in that.

22 Another point I would like to make is that,  
23 again, another, I think, grand misconception when we  
24 talk about crude oil and we talk about refining is  
25 people hear "oil", they hear "refining", and they

1 think "gasoline." And they think it starts and stops  
2 with gasoline. And the reality is that it just does  
3 not. The things that we make in the refinery, aside  
4 from gasoline and diesel fuel and jet fuel, go to  
5 critical infrastructure and anything and everything  
6 you can think of: Medical supplies, electronics,  
7 clothing, hand sanitizer, the things that we need. So  
8 some people when they look at the effect of Line 5 and  
9 the potential shutdown on our refinery in particular,  
10 they have all these solutions for things like gasoline  
11 and jet fuel. They refuse to acknowledge the damage,  
12 the impact, that losing a refinery, our refinery, any  
13 refinery has on every other aspect of life in the  
14 United States.

15 I think that ties back to the environment,  
16 as well; right? Things like recyclables, recycled  
17 plastic bottles, that's all environmentally friendly.  
18 Refineries in the United States do it cleaner than  
19 anywhere else in the world. And when we talk  
20 politically about the shift in the gasoline market  
21 potentially in the United States, that is specific to  
22 the United States. They are still gonna drive cars in  
23 South America, they are still gonna drive cars in  
24 Mexico, they are still gonna drive cars in Japan, they  
25 are still gonna drive cars in Europe and India. And

1 if they don't get that gasoline from refineries in the  
2 United States, they're gonna get it from places that  
3 do it dirtier and with less regulation. Again, that  
4 is an adverse impact on the environment at a global  
5 level. I know that's not specific to the tunnel  
6 project in Michigan, but when we're talking about when  
7 I hear environmental impact study, I think the tunnel  
8 project and I think everything that results has a  
9 ripple effect if the tunnel project does or doesn't go  
10 through.

11 The last piece, again, environmental  
12 impact, maybe not specific to the tunnel itself; we've  
13 met with representatives throughout Michigan at the  
14 state level and the limited answers that we get on how  
15 they're gonna replace fuels and natural gas and  
16 propane transportation to the Upper Peninsula, we get  
17 very few responses on how they're gonna handle that.  
18 But the ones that we do get all revolve around more  
19 trucks on the road, and pipelines are far cleaner than  
20 trucks moving up and down the expressway. And I say  
21 that as somebody who's going to generate the fuel that  
22 supplies those trucks. I would still rather have it  
23 on the pipeline, still rather have it in the tunnel.  
24 And from the direct environmental impact to the  
25 geography in and around the tunnel, I fully believe

1           that Enbridge will stand by their word and do that as  
2           environmentally sound as possible and to replace and  
3           grow any wetlands that have to be sacrificed for the  
4           tunnel project. I think I've said enough to you.

5                       MR. WELCH: Terry L. Welch. L is my middle  
6           initial and Welch, W-E-L-C-H. I am for the tunnel. I  
7           think it's the most safe and practical way to get gas  
8           from, into Michigan and the U.P. and further helping.  
9           And not having it is gonna cause more hardship on the  
10          people that live up here than not. That's all.

11                      MS. ARNETT: My comments may be a departure  
12          from others, but I ask that you listen with both  
13          educated reason and moral sensibility.

14                      Water and air, not oil, are life. Life  
15          itself. People in positions of power in corporations  
16          and governmental agencies, sometimes with deadly  
17          consequences, make decisions not from a position of  
18          scientific research and responsible decision-making.  
19          Decisions are made because of power, profit,  
20          influence, personal gain, dealmaking, or a fear of  
21          losing one 's job or status if a position contrary to  
22          others is taken. As a result, people are harmed. The  
23          earth is harmed.

24                      In the history of Enbridge, there have been  
25          too many violations, too many shortcuts, too many

1           poisonous spills, because someone chose profit and  
2           greed over people and good. Too many disasters have  
3           occurred. Water and air are life. I live within four  
4           miles of the Kalamazoo River where the Enbridge worst  
5           inland oil spill occurred 12 years ago. Nearly a  
6           million gallons of toxic oil nearly made it to Lake  
7           Michigan. The stench was nauseating for weeks. The  
8           river will never, I repeat never, be the same, despite  
9           Enbridge's claims. Enbridge was not prepared to  
10          address the line break. Four years after the  
11          disaster, Enbridge was still being required to take  
12          corrective action. Four years.

13                        The Exxon Valdez disaster in Prince William  
14          Sound occurred because of human wrongdoing. Ten  
15          million gallons of crude oil. Thirty years later,  
16          permanent poison remains in the ecosystem. We cannot  
17          repeat this. The Great Lakes contain 20 percent of  
18          the world's supply of fresh water. This is the most  
19          precious resource we have on the planet. It is what  
20          we need most and need desperately. Water wars are  
21          occurring around the entire world as I speak.  
22          Geological studies are far from complete and even so,  
23          neither Enbridge nor the USACA, Army Corps of  
24          Engineers, are god. You cannot predict the earth's  
25          movements. You cannot guarantee anything except

1 unending risk. We, all of us, corporations,  
2 government agencies, and consumers, can do better and  
3 we know we can. No tunnel, no pipeline, no poisons.  
4 Water and air are life.

5 MS. STAMIRIS: My name is Barb Stamiris. I  
6 live in Traverse City. If you came to believe that  
7 the Enbridge tunnel proposal was really a carefully  
8 orchestrated scam, would this EIS be worth your time  
9 and our taxpayer funding? I have come to believe that  
10 Enbridge won't ever build a tunnel. They don't need  
11 to. Just proposing a tunnel meets their goal, which  
12 is to keep Line 5 earning billions by operating as  
13 long as possible.

14 Enbridge knows that its seven-year-old line  
15 around Lake Michigan rebuilt with excess capacity  
16 after the Kalamazoo spill could be adjusted to handle  
17 most of Line 5's oil instead of building a tunnel.  
18 This option, perhaps less profitable, would spare the  
19 Great Lakes. Also, building a four-mile tunnel simply  
20 doesn't make sense when the other 641 miles of a 1953  
21 pipeline is ignored. Enbridge is pulling the strings  
22 and watching us all dance. On June 30, 2020, Enbridge  
23 told Judge Jamo it was losing 1.76 million each day  
24 Line 5 was shut down. So billions is not an  
25 exaggeration for what Line 5 will earn during the EIS

1 review.

2 Enbridge placed escape clauses into the  
3 tunnel agreement so it could back out without penalty.  
4 When Michigan ordered Line 5 shut down, Enbridge  
5 refused, suing to operate Line 5 until the tunnel was  
6 completed. Enbridge committed to shut down the old  
7 Line 5 when the new Line 5 was ready in the tunnel.  
8 But now Enbridge says if the tunnel is not approved,  
9 it will continue to operate Line 5.

10 Clearly, Enbridge has no plan to shut down  
11 Line 5. Can Enbridge ignore an EIS assessment like it  
12 did Michigan's shutdown order? Can the Army Corps be  
13 -- can the Army Corps force Line 5 to shut down if it  
14 rejects the tunnel? Or can Enbridge just litigate  
15 again to keep Line 5 going until it ruptures? Time  
16 will tell. The Great Lakes need your protection.  
17 Thank you.

18 MR. GRUDZIEN: Stewart, S-T-E-W-A-R-T, last  
19 name is Grudzien, G-R-U-D-Z-I-E-N. Okay. I have two  
20 issues I want to discuss. If Enbridge is gonna be  
21 doing a full risk assessment, which they should be  
22 doing, one thing I haven't heard mentioned at all is  
23 they're gonna be outsourcing to contractors and then  
24 to subcontractors and then to other subcontractors.  
25 If they're really doing a risk analysis, they should



1           be -- how can they do that right now? Do they have  
2           all hundreds of them already determined to see or is  
3           price only gonna be used as the discriminating factor  
4           for selection? Or each one of those levels needs to  
5           be able to assign risk to whatever, any environmental  
6           aspects that they could be involved in, and have  
7           controls in place to control them environmentally for  
8           all levels. That would be my one, if that makes  
9           sense.

10                           And the second issue is I have done  
11           extensive research -- well, this is my belief. First  
12           off, you've got the Great Lakes, which are our  
13           greatest resource ever, basically. And why are we  
14           even considering doing this? Why is it even being  
15           done now? It's for Enbridge to make money, which is  
16           -- now, who owns Enbridge? Well, I did extensive  
17           research and I did through the top ten stocks. Okay?  
18           On the stock market both in the U.S. and in Toronto.  
19           And seven of the ten of those, if you look down  
20           through that, the ownership of seven of the top ten on  
21           the stock side is banks. Canadian banks, believe it  
22           or not, five of them. Well, who owns the Canadian  
23           banks? The Canadian government. Okay?

24                           Now, on the mutual funds, same thing  
25           happened. I looked at the top ten mutual funds on

1 both markets. And in that, six of the top ten have  
2 those -- one of the five or two of the five --  
3 Canadian banks. And I then researched there is a law  
4 -- we don't do that in the United States, but in  
5 Canada, they are allowed, there's a law that allows  
6 the Canadian government to own banks. And they own  
7 that same five. Now, there's a group, an individual  
8 and groups online. They are very interesting and they  
9 are working on it right now. And they have found that  
10 as of last word, 24 percent of Enbridge is owned by  
11 the Canadian government. But that's not -- I'm  
12 waiting for more data and more people involved and  
13 that's what the issue is between the Canadian  
14 government and the U.S. government.

15 And Enbridge owns way more than just this  
16 pipeline. They own over 50 percent of all the  
17 pipelines in North America. And even that percentage  
18 was a little -- so all these things need to be  
19 considered in this. To me, it's so silly. Why is  
20 anybody -- why are we establishing money as opposed to  
21 a natural resource? Why? And who are these people?  
22 I'm just telling you who they are. So, anyways. So I  
23 think they need to do risk on all contractors and  
24 understand who is making money. Who is this? So,  
25 okay. Thank you.

1 MS. MCFARLAND: As I was listening in the  
2 meeting, what struck me was this environmental impact  
3 is mostly for the Straits. And as I understand it,  
4 that they want to build a tunnel and make this  
5 pipeline larger. My concern is it goes straight down  
6 the middle of Michigan through a lot of aquifers until  
7 it gets just north of Detroit and heads over to  
8 Sarnia. If they -- if the pipe is enlarged under the  
9 Straits, would that put more pressure on the old line  
10 that nobody has ever mentioned about checking,  
11 repairing, investigating? So that if that line leaks,  
12 it could affect the aquifers of Michigan. And will  
13 the Corps of Engineers investigate the entire  
14 pipeline, not just under the Straits? That's it.

15 THE COURT REPORTER: That's it, okay. Oh,  
16 could you state your name very quickly for me?

17 MS. MCFARLAND: Oh, Judy McFarland.

18 THE COURT REPORTER: Okay. Thank you.

19 MR. LINDQUEST: My name is George  
20 Lindquest. I live out in the sticks in northern  
21 Marquette County. Grew up Yooper, living close to the  
22 land. I live off grid. I have for the last 40 years.  
23 And the thing is, we've had a solar -- we've had a  
24 wind generator for 25 years, had solar panels for the  
25 last six as part of our power system, and we can't get

1 away from propane, though, because we also need a  
2 generator, and we run that on occasion. And that's  
3 powered by propane. Part of our heat comes from  
4 propane. There are no fuels that can replace it in  
5 any of these, any way, shape, or form. And so the  
6 U.P. already has some of the highest energy rates in  
7 the country, and so putting a further burden on the  
8 Upper Peninsula basically dooms it to any future  
9 growth. So, you know, that means we're tied forever  
10 to tourism without actual stable growth.

11 And I am concerned about the environment.  
12 I think the sooner we can get this pipeline shut down  
13 across the Straits, the better, which means I'm in  
14 support of having this tunnel built as soon as  
15 possible in the safest manner possible. Tunnels have  
16 been built all over the world for thousands of years  
17 and the technology is there to make it safe, to do it  
18 safely. If you think about it, the Windsor Tunnel  
19 carries thousands of people every day, human beings  
20 going in that tunnel. No one's concerned about that  
21 caving in. We have the tunnel going across from  
22 France to Britain now; thousands of people take every  
23 day. There's a subway tunnel that goes from Newark,  
24 New Jersey to -- I think it's Manhattan. Every day  
25 hundreds of thousands of people take that subway and

1           that's well over 100 years old. People are counting  
2           on that to use it. There's no reason why we can't  
3           build a safe, efficient tunnel here with the latest,  
4           greatest technologies, the safest methods possible,  
5           the greatest monitoring possible. And I think that's  
6           the feeling of a whole a lot of people around the  
7           country and around the state, even though that's not  
8           what we're hearing here today.

9                        MS. HOUSTON: My name is Tira Houston,  
10           T-I-R-A, H-O-U-S-T-O-N, and I am a proud member of the  
11           United Steelworkers Local 912. The PBF refinery where  
12           I work employs over 1,200 full-time hourly, salary,  
13           and contract workers, many who live right here in the  
14           state of Michigan. In the event of a Line 5 shutdown,  
15           myself and all the workers of the Toledo refinery  
16           would be drastically affected. The Line 5 pipeline  
17           supplies the vast majority of the crude oil feedstocks  
18           to the PBF Toledo refinery and there is not a viable  
19           or safe option to deliver this type of crude to the  
20           facility without the Line 5 pipeline or the proposed  
21           tunnel.

22                       As a union refinery worker, part of my job  
23           duties include ensuring the safe and environmentally  
24           sound operation of my unit, which also includes  
25           pipelines like the one in question today. I, along

1 with my brothers and sisters at Local 912, take this  
2 responsibility very seriously. Refinery workers know  
3 that pipelines are the safest, most efficient, and  
4 environmentally sound way to transport crude oil and  
5 other energy products. Even the current secretary of  
6 energy and former governor of this great state,  
7 Secretary Granholm, has been widely cited stating that  
8 pipelines are the best and most critical mode of  
9 transport for fuel and we wholeheartedly agree with  
10 her.

11 Without the Line 5 tunnel project, many  
12 aspects of our daily lives will be affected in the  
13 event of a Line 5 closure. Jobs that provide good  
14 wages and benefits due to years of collective  
15 bargaining will be lost. Communities like where the  
16 refinery is will suffer, fuel cost will rise, and the  
17 environment will be put at risk. Today Line 5 moves  
18 over 540,000 barrels per day of light oils and natural  
19 gas liquids. It would take an estimated 2,100 trucks  
20 or 800 railcars moving across the state of Michigan  
21 every day to do that same job. This increases the  
22 likelihood of spills, safety incidents, and traffic  
23 jams on our roads and in our communities. This is the  
24 equivalent of 90 trucks or 34 railcars an hour leaving  
25 the terminal in Superior, for which current road and

1 railway infrastructure is not, are not sufficient.

2 In addition, the closure of the line  
3 without the completed tunnel project will do nothing  
4 to reduce the energy of fuel demands currently being  
5 met by Line 5. Instead, the resulting closure of the  
6 PBF Toledo refinery would only further reduce our  
7 domestic refining capacity, shifting those burdens  
8 overseas where environmental regulations and labor  
9 standards are weak, at best, if they exist at all.  
10 This increase in reliance on foreign refiners would do  
11 nothing to help address the current global climate  
12 crisis and could have a profound impact on our  
13 national security.

14 In closing, I support the work we are doing  
15 here today to protect our environment and the Great  
16 Lakes. It is imperative that we get this right. We  
17 do not have the choice between the environment, the  
18 economy, and good jobs. The Line 5 tunnel project  
19 protects them all. Thank you.

20 (Commenting ends at 5:43 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