



environmental
defence
INSPIRING CHANGE

Ref: U.S. Army Corps of Engineers Project LRE-2010-00463-56-A19

I am writing this letter to you today, concerning the proposed tunnel that Enbridge Inc. would like to blast/build through the ecologically sensitive Straits of Mackinac. I am writing to request that the U.S. Army Corps of Engineers conduct a thorough and complete review of the proposed project as part of its Environmental Impact Statement under the National Environmental Policy Act.

Relevant credentials/context about myself:

I am a long time advocate for protecting the natural world, advancing action on addressing the climate crisis/breakdown, and addressing environmental injustices and harms. I am a born water protector with mixed native and settler background - Métis and English-Canadian to be specific. I grew up in Southern Ontario and have spent a significant amount of time on and around the Great Lakes, especially Lake Ontario, Lake Erie, and Lake Huron. Some of my original Kanien'keha:ka (Mohawk) ancestors from Akwesasne (St. Regis Mohawk Reserve in New York state) and Kahnawake (a Mohawk nation beside Montreal), lived along and cared for the St. Lawrence River for over 14,000 years. My ancestors then made the journey along the awe inspiring Great Lakes out West and eventually settled and established a Métis community in a place the Cree call Manitou Sakhahigan, which is a name that is thousands of years old and means Spirit of the Lake. This place is also known as Lac Ste Anne and is not too far from Edmonton, Alberta.

As you can see, I have strong historical and deep rooted connections to the Great Lakes region within my own bloodline and the water of my body, *and* I also have strong and deep rooted connections to the lands and waters of Alberta. For the fossil fuel industry, these places represent 1) the heart of Canada's fossil fuel production capital the tar sands, that connects via pipeline and rail networks such as the Alberta Clipper to 2) the Mainline system which is at heart of the fossil fuel arteries and automotive centre of North America and spans across the Great Lakes region. It gives me great distress and upset that the fossil fuel economy has and still is causing irreparable harm to these places. The industry must be held accountable and prevented from causing further ecological devastation that will push us past a tipping point that we are unable to recover from as a species.

Fossil fuel corporations such as Enbridge continue to harm the Great Lakes basin via climate change impacts, oil and gas spills, air pollution, and all of the toxic chemical byproducts of the industry that make their way into the environment. A prime example of this is with the ecologically, economically, and culturally devastating Line 6B spill into the Kalamazoo River that

happened in 2010 and that Enbridge is responsible for. Another example are the [“sacrifice zones” of the industry such as Aamjiwnaang FN in Sarnia, Ontario](#) where the petrochemical industry and refineries have led to increased health issues for the community and it is referred to as Chemical Valley. Chemical Valley houses over 40 per cent of Canada’s petrochemical industry (that’s over 60 plants in a 25-kilometre radius). Another sacrifice zone in the Great Lakes basin is [Superior, Wisconsin](#).

The fossil fuel economy is also wreaking devastating havoc in regions such as Alberta to the surrounding natural world and communities who live there. A prime example of this devastation is from the tar sands and the [toxic tailings ponds](#), which should not even be referred to as “ponds” due to the sheer magnitude and size of these toxic soups. In 2020, the total tailings area was over 300 km², which would cover the city of Vancouver over 2.6 times. The total tailings footprint has grown nearly 300 per cent in the last 20 years.

I will also note that I grew up the kid of an automotive worker. My dad worked for over four decades in this industry so my family’s needs were supported by an industry that required fossil fuels (and still does require fossil fuels while we phase out internal combustion engine vehicles and improve the electrification and connectivity of public transit). I mention this because I am acutely aware of the sensitivities of phasing out fossil fuels and the necessity to get it right when it comes to having a Just Transition Plan and adequate resources in place to support the workers impacted by the phasing out of fossil fuels.

I also have an [interdisciplinary background of education and experience that relates to the Great Lakes basin and transboundary water governance issues](#). I have worked for organizations such as the Canadian Environmental Law Association, the Great Lakes Policy Research Network, the International Joint Commission, and the U.S. Consulate General’s office in Toronto on various Great Lakes issues. In my current professional role, I have been serving as the program manager of freshwater protections and the Great Lakes at Environmental Defence Canada. Within this role one of the main things I have been working on is helping to lead efforts in Canada (alongside the Tribes in the U.S. and U.S. ENGOs) to have Line 5 permanently decommissioned. In fact, in September I travelled from Toronto, Ontario to St. Ignace, Michigan on September 8th to give comment in person at the USACE public scoping meeting for the Line 5 tunnel EIS. Perhaps someone reading this was there and heard me speak and I did notice that one of the Army Corps staff made notes when I spoke, particularly about alternatives.

When I began to do this work the first question I asked myself was what studies existed that examined the economic impacts of shutting down Line 5 and what alternatives could be pointed towards to meet our crude oil and NGL demands for the broader Line 5 region that are currently served by Line 5.

In order to answer my question I set out in 2021 to find a seasoned industry expert who could perform analysis that would answer my questions. Fast forward to earlier this year in February 2022 when we at Environmental Defence Canada released this analysis that we had commissioned. A breakdown of that [study can be found here](#). Within this public facing report

you will find a link to the raw analysis that the industry expert performed so that you can review the primary data for yourselves. Bad River Band of the Lake Superior Chippewas has also released [multiple analyses](#) that confirm the findings of our expert analysis.

For all of the analyses produced, each has been performed by industry experts with many years of experience directly related to the scope of the analysis. You can find bios for each of the experts at the beginning of each analysis. **The findings and conclusions have been echoed across these analyses - that we can manage without Line 5 and we can meet our crude oil and NGL needs with some retooling of the existing pipeline network and fossil fuel infrastructure network. This means that building a dangerous tunnel is not the only option to remove the threat posed to the Great Lakes basin by Line 5.** This ALSO means that building 65 kms of new pipeline around Bad River Band territory is not the only option to remove the threat posed to the Bad River watershed and Great Lakes basin by Line 5.

By turning to these other alternatives that these analyses point to, we would eliminate the threat that the **entire** Line 5 route poses to the Great Lakes basin. Significant leaks have already happened across the span of the route, [despite Enbridge lying and claiming that the pipeline has “never experienced a leak”](#). This is the same corporation responsible for one of the largest inland oil spills in North America, that to this day the impacted ecosystem has not fully recovered from 12 years later. I have also been told that as part of the settlement agreement with the 200 some odd families directly impacted by the spill, that the families had to agree to not discuss the horrors of what happened to them and to not discuss the terms of the settlement.

We cannot allow Enbridge to believe that it can do the same thing in the case of Line 5 and just buy off the Great Lakes that hold over 80% of North America’s freshwater resources. We cannot put a dollar sign on the value of the Great Lakes. We cannot trust a company that has a horrible track record with oil spills and does not even have proper insurance in place to deal with the impacts of an oil spill. As an example, [in Ontario Enbridge has the most reported oil spills but the Ministry of the Environment does not recover its costs for clean up of these spills -- it is the taxpayers who foot the bill](#).

Unsurprisingly, Enbridge has refuted the multiple analyses that show we can manage without Line 5. The problem with this is that **all of the analyses performed have relied on Enbridge’s own publicly available data that it submitted to the Canadian Energy Regulator**. In the analysis commissioned by Environmental Defence the 2018 data showed that the actual deliveries to Sarnia for that year were 644,000 bpd. This accounted for 181,000 bpd of crude oil that gets offloaded at Stockbridge to feed U.S. refineries served by the Mainline system. Bad River Band’s analyses relied on data from 2021 and showed total deliveries of crude oil to US and Canadian refineries served by the Mainline system to be 861,000 bpd. A difference of only 36,000 bpd between 2018 and 2021.

Things to understand about the analyses:

- Neither Line 5 nor Line 78 are currently operating at full capacity
- Line 78 which is also owned by Enbridge and replaced Line 6B, already has spare *existing* capacity to account for the majority of the shortfall caused by a Line 5 shutdown. Line 78's capacity can also be *expanded* by upgrading pumping stations and perhaps the addition of some new pumping stations.
- 2-3 rail trains a day can be added on routes already moving crude oil throughout the region to account for any remaining shortfall. The number of additional trains depends on whether or not Line 78 is expanded or kept at its current capacity, but either way the number falls within the range of 2-3 additional trains/day.
- Enbridge will argue that Line 78 cannot carry light sweet crude and that it can only carry heavy sour crude. The truth is that Line 78 already carried light sweet crude before and some retrofits can be done quite quickly to allow for it to carry this type of crude oil again and accommodate the necessary product that needs to move through the pipeline.
- Enbridge will argue there isn't enough rail capacity but if you dig into the [Randy Meyer expert analysis](#) that was commissioned by Bad River Band you will see him tear apart bogus claims made by Enbridge about the ability to implement additional rail trains to accommodate a Line 5 shut down.

I sincerely hope that you will all take the time to go through the analyses that I have referenced/hyperlinked and am also attaching so that you can see for yourself that Enbridge has been spreading overblown and inaccurate claims about the true need of the Line 5 pipeline and our so-called energy dependence upon it.

In conclusion, this Line 5 tunnel EIS review should be as thorough as possible in scope, including a detailed review of at least all of the following:

A) The tunnel does not address the threat that the entire pipeline route poses, which has [already leaked at least 33 times spilling at least 4.5 million litres of crude oil into the Great Lakes basin.](#)

B) The ongoing operation of Line 5 is an ecological disaster in the making. It would take Enbridge about 13.5 minutes to shut off the pipeline in the event of a rupture. In that time frame, [between 1,078,842 to 1,366,533 litres of oil could be released into the Straits—this is the best case scenario.](#) It took Enbridge 17 hours to detect the Line 6B spill and that was only because a local utility worker reported it. The Straits of Mackinac have currents ten times the strength of Niagara Fall and models have estimated that [up to 1100 kms of Great Lakes shoreline could become engulfed with oil from a Line 5 rupture into the Straits of Mackinac.](#) There is also the fact that crude oil spills into freshwater are already complicated enough to clean up. In the case of Line 5 though, there are several additional complications. This area is often covered in ice for months at a time during the winter. This ice cover makes clean up strategies almost impossible if a spill were to happen during this time of the year. Plus, light crude oil (which is what Line 5 carries) is particularly hard to clean up because some of it sinks rather than floating on the water's surface.

C) [The tunnel will take at least 6 years to complete](#). Within that time frame the Great Lakes will continue to be at imminent risk of a Line 5 rupture. A recent [IISD study also shows Canada needs to plan for a decline in global oil demand by the early 2030s](#). Investing in new fossil fuel infrastructure does not align with projected oil demand over the next ten years and the need to accelerate the transition off of fossil fuels to mitigate the worst impacts of the climate crisis.

D) Comprehensive alternatives analysis: Studies have shown that Line 5 is not necessary and that alternate options for transporting the products exist. The analysis should include an alternative that considers using the existing capacity in Enbridge's other pipelines to transport the petroleum products that the proposed project is designed to accommodate. References: [Environmental Defence Report](#); [Bad River Band analysis](#), [additional Bad River Band analysis](#))

E) Potential archaeological and cultural site: U.S Army Corps of Engineers (USACE) must meaningfully consult with Tribal Nations, the State Historic Preservation Officer, and the Advisory Council on Historic Preservation in the NHPA Section 106 process regarding possible adverse effects to the potentially 10,000+ year-old Anishinaabeg cultural site that has been located at the bottom of the Straits of Mackinac, near the proposed tunnel project. Tunnel construction could destroy this potential world heritage site and important cultural resource for local Tribal nations. All care must be taken to ensure this will not happen.

F) Climate impacts: In Michigan Public Service Commission (MPSC) testimony, experts presented climate impact analyses of this proposal and indicated that [this project would potentially add 27 million metric tons of carbon pollution annually](#). USACE must fully review the potential climate impacts of this proposal to ensure that it adheres to the goals of the U.S. and global climate policy.

G) Cumulative impacts: Regardless of its scope, the Environmental Impact Statement (EIS) must consider all indirect and cumulative impacts of all of the pending proposals to modify Line 5, such as the proposed rerouting of 65 kms of new pipeline around the Bad River Band Tribe's territory.

H) Inadequacy of geotechnical studies: USACE must thoroughly review the complex geological and hydrogeological conditions that exist in the Straits of Mackinac and could preclude the feasibility of safely building a tunnel in this location. Examples: [poor rock boring quality that would compromise the stability of the tunnel](#); [the presence of methane gas that could cause an explosion in the tunnel](#).

I) Drilling slurry: The applicant proposes to use a bentonite drilling slurry in the Tunnel Boring Machine to drill through the Straits of Mackinac. Bentonite drilling slurry is harmful to fish. Bentonite, when released into surface water, expands and can coat the gills of fish, resulting in large fish kills. Given that the Straits of Mackinac are Treaty-protected fishing grounds for local Tribes and are, in fact, the most productive part of the Great Lakes Tribal fishery, the use of bentonite drilling slurry must be evaluated. [Enbridge's track record of recent frac-outs on the](#)

[Line 3 expansion project should call its methods into question.](#) A bentonite slurry spill into the Straits of Mackinac must be avoided at all costs.

Sincerely,

Michelle Woodhouse, Program Manager, freshwater protections and the Great Lakes
Environmental Defence Canada

Important references:

Environmental Defence report -

<https://environmentaldefence.ca/wp-content/uploads/2022/10/Line-5-Report-S20.pdf>

Bad River Band Analyses -

<https://environmentaldefence.ca/wp-content/uploads/2022/06/Report-expert-rebuttal-Band-expert-Graham-Brisben-PLG-1.pdf>

<https://environmentaldefence.ca/wp-content/uploads/2022/06/Report-rebuttal-expert-Band-expert-Randy-Meyer-Third-Rail-Group-1.pdf>