

USACE Project LRE-2010-00463-56-A19

Dearest Army Corps of Engineers,

I write today about the current state of Enbridge's Line 5 Pipeline and their proposed tunnel. In our history, there has been a lack of proper studies and community led research. For starters, It appears that we, as a community, are playing with a "stacked deck" otherwise shutdown procedures of the existing Line 5 pipeline would already be taking place. Usually, when someone in this country is acting illegally, they are stopped and even arrested with criminal charges creating a remedy which will hopefully stop the criminal activity in the future. Does the Army Corps involve itself in criminal enforcement? Does any state or federal enforcement team involve itself with criminal enforcement of Enbridge? Since I'm aware that there is No criminal enforcement, how is Enbridge even allowed to operate in the United States. Are they above the law? Are they even responsible to carry insurance? Just as a starting process, this seems to be futile on "fair play." **Legal and financial accountability and criminal enforcement should be included in the scoping of the Line 5 Tunnel project.**

It is my understanding that ACE looks at pipeline construction, section by section. That is not reasonable for a proper environmental study. In looking at the environmental impact of a project, the whole project should be studied as it has cumulative impacts throughout the project. If other sections of the project do not fall within ACE jurisdiction, the project should be halted for lack of regulatory oversight until a solution is created. If ACE is aware of this problem, as I believe you are, we expect that you will take steps to assure a solution. **The proper scope for this EIS should include the whole length of Line 5.**

**Other studies that need to be represented include sound effects of drilling activities within the great lakes.** The effects of sound itself has been its own debate, unexplored until more recently, as enough scientific studies have been allowed to be established. We have sound-based warning systems for our human population for emergencies. The military industrial complex uses sound as a weapon. So how does it affect aquatic life? If you were to have a drill running nonstop for 2 years, how do you think it would affect you? When you step on that branch in the woods and the deer runs, do you think it was the sound that caused that reaction to the wildlife?

The Great Lakes is a sensitive ecosystem that has already been affected by industry in general causing problems from algae blooms to invasive species to the Flint Water Crisis. And not just within the Great Lakes themselves, but within the whole Great Lakes Region. Are there any studies towards what fish species went extinct due to the 2010 Kalamazoo Oil Spill by Enbridge? What about the 1991 Enbridge Spill in Grand Rapids Minnesota? What is the criminal penalty to killing off a species? Presently speaking, the Asian Carp have been on a rise in the Great Lakes. Red crawfish too. And whereas carp may be able to live past an oil spill, most other indigenous species will not. What did happen to the local Crappie fish population that used to be found in the Straights of Mackinaw in the 90s? Upon acknowledgement that the croppy population had diminished, fishing became no longer allowed in the Straights. Was it overfishing that created the Crappie population to disappear? Has the population of croppies returned? Or

was it because the active Line 5 has slow leaks that no one knows about because we trust that Enbridge is providing us all the information. Has anyone at the actual Army Corps of Engineers even traveled down to the Straights to inspect Line 5, or do we expect 3<sup>rd</sup> parties that are paid by Enbridge to be self-reporting?

And then what about the vibrations? When the earth vibrates, we usually call it an earthquake. Do we know what earthquakes do to our tectonic plates, underground water systems, structure of buildings, and migration patterns? The vibrations that will be created through this construction will undoubtedly affect the environment around it. It could, and probably will, even create future earthquakes. How would an earthquake affect the tunnel? The Mackinaw Bridge? And the Great Lakes? And what about the heat generated by the process? Vibrations create heat as well as the water that is used to cool the drill that is to be returned to the watershed. How has this heat contributed to our growing problem of algae blooms within the Great Lakes.

**Archaeological research.** Citizen monitors have already discovered 1 Archeological site that dates back to nearly 10,000 years. What of the rest of the floor of the Great Lakes? Quite honestly, the floor of the Great Lakes is a plethora of archeology that has yet to be studied. It's home to humanity's creation story. Do we really think that Enbridge would stop their construction if they found any other sites? We know thus far, the Great Lakes used to be an ocean. Michigan is now built upon a block of salt. Salt caverns stretch miles across Michigan and even into Canada. What would happen if during the process a sinkhole were to connect to one of these caverns? Unfortunately, it could effectively drain the Great Lakes, causing damage that is barely imaginable. Some of these caverns are used for natural gas storage. Can you imagine the explosions?

As others have discussed, **the scope must address prevention of Missing and Murdered Indigenous People epidemic that comes with creation of Man Camps for Enbridge workers.** Again, the concerns have now been proven. During the construction of the Line 3 replacement project, it was agreed upon that law enforcement would do some stings for human traffickers. They did 2 stings during construction. Both stings caught Enbridge construction workers, who made up 30% of the arrestees.

<https://www.duluthnewstribune.com/news/2-arrests-in-human-trafficking-sting-were-line-3-workers>

<https://kstp.com/kstp-news/local-news/6-arrested-in-human-trafficking-sting-including-2-enbridge-line-3-pipeline-workers/>

<https://www.theguardian.com/us-news/2021/jun/04/minnesota-pipeline-line-3-sexual-women-violence>

It was agreed upon by Enbridge to do human trafficking awareness programs with construction workers which apparently did Not work. As one arrestee, Enbridge worker Michael West, stated to officers after he was arrested, he had "heard about the website where he found the ad from rumors at work." Another, Matthew Hall, told officers "he knew that he responded to an

advertisement and knew the person offering sexual acts for money was under 16.” “He said he wanted to have sex with the person and was going to pay between \$80-\$100.” Both of those arrestees were also found with loaded illegal pistols. One of the arrestees from June has skipped bail and has a warrant for their arrest. Enbridge refused to provide names of their employees and even though they say they fired them, they have allowed them to continue their predatory behavior. No charges were brought against Enbridge for harboring criminals.

Although there is some appreciation for officers doing stings with prostitution, it is only the tip of the iceberg of human trafficking and the Missing and Murdered Indigenous epidemic that inevitably worsens where mancamps are present.

<https://www.niwrc.org/restoration-magazine/june-2020/mmiw-understanding-missing-and-murdered-indigenous-women-crisis>

Man Camps are protected by both private security agents as well as law enforcement. As far as Law Enforcement is concerned, during the construction of Line 3, they received an amount over \$8.6 Million from Enbridge to “protect Enbridge workers.” The way this breaks down is that any illegal activities that happen inside a mancamp have police protection. It is not shocking that the stings were short lived once Enbridge workers were caught in them. During the second sting, only citations for misdemeanors were given...

**Alternatives.** For 1, Enbridge along with several other pipeline companies have a vast network of pipeline systems that have sufficient capacity to handle the flow. It is ironic that Enbridge uses a narrative that those who want to stop the flow of Line 5 are willing to freeze out Upper Peninsula residents because they rely on the propane extracted from it. But local communities have already stepped forward to state that they would not only be able to fulfill the supply of propane, it would support their local business to do so. Without the proposed tunnel, Enbridge would be leaving their pipeline in place which could continue to supply propane, but the company decided it's not worth it financially to do so if they stopped at the straits. Enbridge is not only refusing to supply propane to the upper peninsula but using fear tactics to force the approval for the continuous flow of crude back to Canada, for their own export and financial gain.

Next, is how we got into this problem in the first place. The diesel motor was invented in 1893, and ran on peanut oil. As a matter of fact, it could be run on all sorts of plant oil even today.

[https://www.agupdate.com/news/crop/henry-ford-and-the-soybean-set-the-stage-for-deadly-supergutbugs/article\\_ae149bbe-9e1a-11e7-b351-bfe8db5efafb.html](https://www.agupdate.com/news/crop/henry-ford-and-the-soybean-set-the-stage-for-deadly-supergutbugs/article_ae149bbe-9e1a-11e7-b351-bfe8db5efafb.html)

The development of using oils from farms was not supported as greedy people wanted society to rely on them rather than their local community resources. Instead, the fossil fuel oil boom began with No thought of our environment. Nowadays, our society needs to take an active role in cleaning up the contamination of the fossil fuel industry. Corporations, however, have proven themselves not to be trusted and rely on de-regulation rather than regulation. Hemp has been proven to be a remediator that would help with this process as well as be used as fuel (it's hard

to even call it an alternative fuel when the diesel motor was in fact designed to run that way). So why, if we don't (and never really did) need to rely on fossil fuels, why would we be building new fossil fuel infrastructure that has been destroying our environment?

Now from the 1930s to the 1950s, doctors recommended cigarettes as something that was healthy. The only thing healthy about this propaganda campaign was to get society hooked on addiction that supported a healthy corporate gain. Ironically, Soy was pushed as healthy in the 90s. One would think that we would learn from these mistakes but apparently, we are not as smart as we claim to be. Fossil Fuel industry and corporate greed is killing humanity yet it is claimed as our salvation...

Now what about this 99-year contract? It is my understanding that in signing contracts we, as society, are responsible to utilize the tunnel for at least 99 years, otherwise we will be penalized. Is that the case here? Although Enbridge states that they will pay for construction themselves, that is Not part of their corporate model. Corporations only "invest" for their own corporate gain. Costs of construction always get placed on the end user. For reference, we can look at the construction of the Nexus Pipeline which was constructed in 2018 as an Enbridge/DTE Natural Gas Pipeline coming from the Marcellus/Utica Shale through Michigan on its way to Canada. During the process, which utilized eminent domain, corporate officials came to Michigan communities and assured them that No cost of construction would fall on them. Yet Detroit, who has no choice but to rely on DTE for energy because that's their only supplier (also called a monopoly which is illegal under antitrust laws but again, not enforced) of energy, is being subject to pay for it. Although in this case, It's not even falling on the end users...

<https://www.michigan.gov/mpsc/commission/news-releases/2022/07/27/mpsc-approves-costs-related-to-nexus-pipeline>

It also appears that it has already been decided that the old Line 5 would be left in place more commonly known as abandoned. How is it possible that a company can legitimately abandon their trash. This is another overall problem in our history. We have these places now called "superfund sites." They consist of every industrial site in our existence. They are never cleaned up, only "capped."

[https://www.epa.gov/sites/default/files/2015-04/documents/a\\_citizens\\_guide\\_to\\_capping.pdf](https://www.epa.gov/sites/default/files/2015-04/documents/a_citizens_guide_to_capping.pdf)

This process leaves the contamination in place. A trust fund is created (usually funded by local society and almost never the corporation that left the contamination) to "monitor" the contamination for roughly 40 years. After that time I can only glean that the contamination magically disappeared based on a concept of: out of sight, out of mind. It is promoted that our society is getting smarter, yet we still allow this to happen. Minimally speaking, one would expect that construction that creates continuous toxicity in our environment would have a plan in place for cleanup.

So, what is in Line 5 Pipeline? Mostly what is considered proprietary ingredients. So when a spill occurs, we don't even know what to test for, let alone what needs to be cleaned up. There

are certain ingredients that have been released to the public. Everyone of them is considered toxic and volatile. One of the toxic byproducts is the basis of plastic which the industry would normally have to dispose of at a toxic waste site. But instead, they wrap our food in it. Sure, we could make plastics from plant materials, but corporations do not want to support farmers unless it supports them. Farmers are struggling so much that when fossil fuel companies pay them to put their pipelines through their farm, give them discounted nutrients for their crops (again a toxic byproduct of fossil fuels), or even dispose of their toxic waste the farmers believe they are "saving them." I believe they call it the "carrot and stick motivation." Which also happens to be the same issue with inflation and gas prices presently. Does ACE know what's in the pipes?

Last but not least. What are you invested in? What are those providing the studies invested in? Whether it is through a retirement fund or your bank, if anyone is invested in the project while making decisions on the project, they should not be considered independent.

I would also like to request that this comment period is extended and more in-person and/or virtual hearings are made available. As we have seen from the attendance thus far, there is great interest in this project and hearings have been cut short of everyone being able to speak. Fully understanding that your team has allowed for them to stretch past the preselected time parameters which we greatly appreciate.

Feel free to reach out for any clarifications or more details of information.

Sincerely,

Matthew Borke

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