

HUBBARD COUNTY HC COLA

P.O. BOX 746

PARK RAPIDS, MN 56470

[www.HubbardCOLAmn.org](http://www.HubbardCOLAmn.org)

[HCCOLAmn@gmail.com](mailto:HCCOLAmn@gmail.com)

Sept 27, 2017

Scott Ek  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101

Re: Line 3 Project Final EIS Adequacy and PUC Docket Number 14-916 and 15-137

Dear Mr Ek:

Hubbard County Coalition of Lake Associations ("HC COLA") is a coalition of 29 lake associations and their approximate 2,100 members that represent 37 lakes in Hubbard County. HC COLA's mission is to protect and enhance the quality of our lakes and rivers, preserve the economic, recreational and natural environmental values of our shore lands and promote the responsible use of our waters and related habitats. HC COLA's mission enhances, promotes and protects the interests of lakeshore property owners, lake associations, local government, the general public and future generations.

***Our goal in commenting is to ensure that the EIS for the Line 3 Replacement oil pipeline crossing Minnesota fully complies with all State laws and provides for the highest level of protection of its natural resources.***

Hubbard County is blessed with an abundance of natural resources, and is especially noted for its clean lakes and rivers. The proposed route of the new Line 3 Replacement pipeline, if approved, would be exposed to 760,000 barrels of Canadian heavy crude oil per day for the project lifetime. A spill of diluted bitumen which sinks in water demonstrated by the 2010 Enbridge spill in Kalamazoo, MI would be catastrophic to this pristine environment, its waters, wildlife, land, and inhabitants.

The Hubbard County Coalition of Lake Associations ("HC COLA") Board of Directors reviewed the Final EIS responses 2764-1 through 2764-5 to our "Substantive" comments below. The HC COLA BOD does not find that the Final EIS provides responses to the "substantive-defined" comment received during the Draft EIS review concerning issues raised in scoping for FEIS 2764-2.

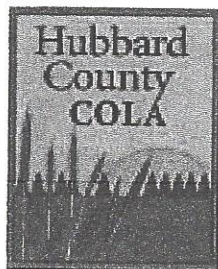
Thank you for considering our feedback.

Sincerely,

*The Hubbard County Coalition of Lake Associations Board of Directors*  
The Hubbard County Coalition of Lake Associations Board of Directors

Attached:

- 1) 7/7/2017 HC COLA Draft EIS Comments with the Substantive Comment Numbering by Dept of Commerce for the Final EIS
- 2) The Dept of Commerce Final EIS Numbered Substantive Comments



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July 7, 2017

Jamie MacAlister  
Environmental Review Manager  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East, Suite 280  
St. Paul, MN 55101-2198

Re: PUC Docket Numbers CN-14-916 and PPL-15-137; Public Comment: Line 3 Project (CN-14-916 and PPL-15-137)

Dear Ms. MacAlister:

Hubbard County Coalition of Lake Associations ("HC COLA") is a coalition of 29 lake associations and their approximate 2,100 members that represent 37 lakes in Hubbard County. HC COLA's mission is to protect and enhance the quality of our lakes and rivers, preserve the economic, recreational and natural environmental values of our shore lands and promote the responsible use of our waters and related habitats. HC COLA's mission enhances, promotes and protects the interests of lakeshore property owners, lake associations, local government, the general public and future generations.

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On May 15<sup>th</sup>, 2016, HC COLA requested the following as part our EIS scoping comments:

1. The Memo of Understanding (MOU) with the MN Department of Natural Resources (DNR) and the MN Pollution Control Agency (PCA) should be strengthened by the inclusion of specific provisions and tasks that turn potential assistance and oversight into actual assistance and oversight. Currently marginalized by the Department of Commerce, scientists, specialists and managers at the MPCA and the MN DNR should have active opportunities to monitor and supervise the EIS.
2. As authorized by MEPA, we request the establishment of an expert panel to provide oversight and assistance with the scientific, economic, technical and procedural aspects of EIS scoping.
3. Any outside consultant contracts used in the EIS scoping should be awarded based on an open, unbiased bid procedure.
4. All "system alternative routes" submitted for this pipeline corridor should be included and compared in the EIS analysis.



After reviewing the draft EIS, it is evident that our scoping EIS comments / recommendations were not heeded. The Draft EIS of the potential environmental, human and economic impacts of the Line 3 Project and its proposed routes is inadequate due to the following issues directly affecting water resources:

1. Chapter 10 Accidental Crude Oil Releases comments 2764-1
  - a) The oil release (spill) analysis was supplied by Enbridge, and their paid contractors who were also hired by the State to formulate the EIS. This is an obvious conflict of interest. The spill analysis was done without an independent 3<sup>rd</sup> party analysis.
  - b) The numbers used to calculate the spill scenarios were redacted; limiting the public to incomplete analysis and understanding.
  - c) The oil spill analysis was limited to only 7 sites, all along Enbridge's proposed route. This is insufficient as it does not represent all of the topographical features found on their proposed route nor features found on route alternatives.
  - d) The long term risk assessment for the life of the project is missing; this project life is at least 50 years based on the current age of Line 3.
  - e) There is no long term risk assessment of leaving the pipe in the ground indefinitely.
  - f) Missing winter spill analysis with the complexities of cleaning a river or lake covered by ice.
  - g) Missing the effect on a spill site where first response personnel are hampered from accessing the site of a spill where there are no existing roads.
2. Chapters 5, 6, 7, 9, and 11 in addition to 10 above -- Economics-related comments 2764-2
  - a) The oil release (spill) analysis is missing the economic analysis of the damage to our natural resources:
    - i. Tourism
    - ii. Itasca State Park
    - iii. Property Values
  - b) Post construction impacts and costs to our natural resources
3. Chapters 5, 6, 7, 9, and 11 -- Environmental-related comments 2764-3
  - a) Considering there are 192 water crossings in Minnesota via the proposed route, there appears to be no apparent usage of the MN PCA comprehensive water crossings report done for the Sandpiper, which follows the same proposed route in Minnesota. This is a gap.
  - b) There is no disclosure (or analysis) of hydraulic drilling fluids used to tunnel under streams, but which are known to be toxic to aquatic life.
  - c) Water body analysis appears only quantitative, not qualitative -- resulting in shallow lakes being equated with water-filled ditches.
  - d) In addition we found insufficient analysis of pipeline construction impact regarding the potential spread of invasive species. 2764-4
4. Chapters 4, 5, 6, 7, and 9 -- System Alternative SA04 and Line 3 comments 2764-5
  - a) The System Alternative SA04 that bypasses the Mississippi River and the clean lakes region of Northern Minnesota was not adequately considered.
  - b) Minor route alternatives which resulted in reduced impacts of proposed Line 3R were not considered in SA04 like bypass karst areas
  - c) The construction impact on ground water discrepancy of 1000 ft Line 3R versus 2500 ft for SA04

Thank you for considering our Hubbard County Coalition of Lake Associations comments on the Draft Environmental Impact Statement. If you have any questions or want to discuss these matters further, please contact our current HC COLA President, Sharon Natzel, at email address [hccolamn@gmail.com](mailto:hccolamn@gmail.com).

Sincerely,

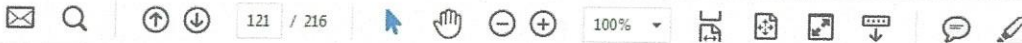
*The Hubbard County Coalition of Lake Associations Board of Directors* SN

The Hubbard County Coalition of Lake Associations Board of Directors

# FEIS Comments re HC COLA

Thursday, September 28, 2017  
7:34 AM

Line3 FEIS ApT-2 R... x



## Appendix T-2- Responses to Comments

### Responses to Comments - Citizen

Response#	Commenter	Response
2764-1	Hubbard County Coalition of Lake Associations	Thank you for your comments on the Draft EIS. The FEIS acknowledges the spill model runs were not intended to be a prediction of all possible spills, but to show fates and trajectory for the types of oil in different environmental conditions within the first 24 hours of a release. The spill model does include winter, spring and summer conditions. Case studies of several significant spills and discussion of their impacts to various resources have been included. Discussion of access and weather conditions impacts to response times is included in the FEIS.
2764-2	Hubbard County Coalition of Lake Associations	State plan/recreational areas, State parks, Wildlife Management Areas (WMAs), and Waterfowl production areas are included in the assessment crude oil exposures and impacts.
2764-3	Hubbard County Coalition of Lake Associations	Thank you for your comment. Each project presents its own unique characteristics. Relative to water crossings, project-specific information is required and relevant for assessing impacts or required mitigation measures.
	Associations	measures.
2764-4	Hubbard County Coalition of Lake Associations	Section 5.2.3 - Vegetation, Section 6.3.3 - Vegetation, and Chapter 7 of the DEIS all address specific potential direct and indirect impacts to terrestrial vegetation in terms of potential impacts from spread of noxious and invasive plant species. The analysis is quantified to the degree possible by noting the specific known locations of state-listed noxious weeds, and invasive plant species, within the ROI of the Proposed Project as well as alternative routes. The impact analysis integrates the plan for preventing the spread of invasive species, as addressed in Section 1.6 - Controlling Spread of Undesirable Species, of the Environmental Protection Plan (EPP), Appendix E of the DEIS. Appendix A to this document lists the known State-listed noxious weeds, and invasive terrestrial and aquatic plant species, as well as invasive fish and invertebrate species known to occur within the vicinity of the Proposed Project and alternative routes, by state. The EPP outlines construction-related environmental policies, procedures, and protection measures that would be implemented during project construction and operation specifically to avoid introduction and spread of noxious weeds.

## Appendix T-2- Responses to Comments

### Responses to Comments - Citizen

Response#	Commenter	Response
2764-5	Hubbard County Coalition of Lake Associations	SA-04 is a system alternative evaluated to aid the Commission's evaluation of whether or not to grant a CN for the proposed project. A system alternative is not a routing alternative, as no entity has proposed to build such a pipeline, detailed routing and design have not been conducted, and a route permit could not be issued for SA-04. Instead, a system alternative is a serves as a broader level point of comparison to the Applicant's Proposed project and the other CN alternatives. The level of analysis of SA-04 is in line with this concept.
0694-1	Hughes, Joan	Thank you for your comments on the Draft EIS. The 30-year timeframe was chosen to match the economic life of the project indicated by the Applicant. For purposes of comparison across alternatives, the EIS targets