



HUBBARD COUNTY COLA

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**STOP AQUATIC
HITCHHIKERS!**

November 15, 2017

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

Re: PUC Docket #: CN-14-916 & PPL-15-137 and OAH Docket #: 65-2500-32764 (CN) & 65-2500-33377 (Route)

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.

HC COLA has the following comments and recommendations regarding the Public Utilities Commission's consideration of Enbridge Energy, Limited Partnership (Enbridge) Applications for the Line 3 Pipeline Replacement Project Certificate of Need PL-9/CN-14-916 and Route Permit PL-9/PPL-15-137 (the "Line 3 Project"). HC COLA's comments and recommendations relate to Minnesota Rule Part 7853.0130: Criteria for Certificate of Need plus Minnesota Rule Part 7852.1900: Criteria for Pipeline Route Selection, Subpart 2. Standard and Subpart 3: Criteria.

1. HC COLA's Position regarding the Line 3 Project is as follows:

- a) HC COLA is not opposed to the need for the Line 3 Project or pipelines in general if the need for the pipeline is established by satisfying all the criteria under Minnesota Law and Rules.

This relates to MN Rule Part 7853.0130 Criteria for Certificate of Need but is not limited to: A(1) the accuracy of the applicant's forecast of demand for the type of energy that would be supplied and A(4) the ability of current facilities and planned facilities not requiring certificates of need, and to which the applicant has access, to meet the future demand.

- I. For example related to A(1): On 9/11/17, the MN Dept of Commerce issued a press release that highlighted Oil market analysis and indicates that Enbridge has not established a need for the proposed project; the pipeline would primarily benefit areas outside Minnesota; and serious environmental and socioeconomic risks and effects outweigh limited benefits. See more here: <https://mn.gov/commerce/energyfacilities/documents/34079/press-release-sept11.pdf>
- II. For example related to A(4), the Associated Press Article 10/16/17, titled "State Department grants permit for Alberta Clipper pipeline" states that "The State Department has granted Enbridge Energy a presidential permit for the final piece of its project to boost the capacity of its Alberta Clipper oil pipeline. Calgary, Alberta-based Enbridge has been operating the pipeline, formally called Line 67, since 2010. The company upgraded its pumping stations in 2014 and 2015 to nearly double its capacity to 800,000 barrels per day. But Enbridge needed the permit for the 3-mile segment that crosses the U.S.-Canadian border near Neche, North Dakota. After nearly five years of review, the State Department said Monday that issuing the permit serves the national interest. Enbridge has been running Line 67 at full capacity by using a short detour into a parallel pipeline for crossing the border. Line 67 carries Alberta crude across Minnesota to Superior, Wis.

- b) HC COLA is opposed to the Applicant Enbridge's proposed route APR for the Line 3 Project and Route Alternative RA-03AM because of the potential significant adverse environmental, human and economic effects of those routes.

This relates to MN Rule Part 7852.1900: Criteria for Pipeline Route Selection Subpart 2. Standard. In determining the route of a proposed pipeline, the commission shall consider the characteristics, the potential impacts, and methods to minimize or mitigate the potential impacts of all proposed routes so that it may select a route that minimizes human & environmental impact.

MN Rule Part 7852.1900: Criteria for Pipeline Route Selection Subpart 3: Criteria. In selecting a route for designation and issuance of a pipeline routing permit, the commission shall consider the impact on the pipeline of the following:

- B. the natural environment, public and designated lands, including but not limited to natural areas, wildlife habitat, water and recreational lands;
- D. economies within the route, including agricultural, commercial or industrial, forestry, recreational and mining operations;
- G. natural resources and features;
- I. cumulative potential effects of related or anticipated future pipeline Construction

The MN Rule Part 7852.1900 also is related to the comment c) below.

- c) HC COLA recommends that route alternatives and system alternatives that avoid or minimize the potential for significant adverse environmental, human & economic effects be considered as part of the Line 3 Project, including, not limited to, SA-04-L3, RA-06, RA-07, and RA-08. See 1 b) above - MN Rule.

2. Also related to MN Rule Part 7852.1900 listed above in 1 b), the potential significant adverse human, environmental and economic impacts caused by the Line 3 Project include, but are not be limited to:
- a) The construction, maintenance and potential leaks or spills of the pipeline on Enbridge's proposed route APR and RA-03AM could cause significant and devastating environmental damage to the lakes, rivers, wetlands, trout streams, aquifers, groundwater, drinking water, and agriculture. Also, there could be significant impacts on wildlife, fish and marine life, aquatic vegetation, and the spread of aquatic invasive species. In the event of a leak or spill, the loss of use of the lakes and rivers for recreation, as well as the negative economic impact on tourism revenue, local businesses that rely on tourism revenue, lake shore property values, and Hubbard County property tax dollars would have a significant adverse human and economic impact.
 - b) A comparison of the adverse impacts that could result from a leak or spill along the various routes being considered for the Line 3 Project, including the routes described in 1 b) and 1 c) above.
 - c) The need, cost and timing for providing personnel, training along the various routes in 1 b) & 1 c).
 - d) Equipment for fire departments, first responders and other critical personnel in order to respond in the most efficient and effective way under the best practices to a leak, spill, fire or other damage causing event along each of the routes under consideration, including the routes described in 1 (b) and (c) above in order to mitigate damage. The need and cost should be determined over the life of the pipeline and a comparison of all of the routes under consideration should show how much of the costs will be paid for by Enbridge and the source and security of its funding and what cost are left to be paid for by the state, counties, townships, cities and others.
 - e) The unique significant adverse environmental, human and economic impacts caused by Tar Sands, including, but not limited to, the fact that Tar Sands oil sinks in lakes and rivers making it very expensive and difficult to clean up in the event of a leak or spill and in many situations the damage may be irreversible. This is evidenced by Enbridge's 30-inch pipeline carrying tar sands oil which ruptured on July 27, 2010 in Michigan, spilling an estimated at 843,000 gallons. Residents were evacuated (many never returned) and this river, while eventually reopened for recreation, was altered forever.

- f) The cumulative adverse effect of the proposed Line 3 Project in the proposed or alternative pipeline corridors under consideration. For example, the Minnesota Pipeline Reliability Project in process currently. <http://www.minnesotapipeline.com/minnesota-pipe-line-reliability-project/>
- g) Use a method to evaluate the comparative significance or importance of the impact and/or the relative lost value of the target environmental resource from the construction, maintenance, operation, leak or spill or other impact of the various routes under consideration. All impacts on target environmental resources are not equal and should not be treated as equal.

Thank you for considering our Hubbard County Coalition of Lake Associations (HC COLA) comments, 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.

Sincerely,

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

CC: Hubbard County Commissioners