

### **Sandpiper Pipeline Route Status, 12/15/2014**

The Friends of the Headwaters (“FOH”) was successful in educating Hubbard County Coalition of Lake Associations (HCCOLA) Board Members who submitted a resolution to the Public Utilities Commission (PUC) that the Sandpiper Pipeline Route must be relocated in order to protect and preserve the lake country’s natural resources <http://www.hubbardcolamn.org/sandpiper-pipeline.html>. FOH also successfully educated the Hubbard County Board of Commissioners and the County Soil and Water Conservation District (“SWCD”) so that they submitted resolutions to the PUC requesting that it include a non-water alternate route in its proceedings regarding the Sandpiper route.

For the first time in an energy request before the PUC, both the Minnesota Pollution Control Agency (“MPCA”) and the Department of Natural Resources (“DNR”), the state agencies charged with protecting the state’s environment and natural resources, have raised very serious concerns regarding the North Dakota Pipeline Company, LLC, an Enbridge affiliate (“Enbridge”) Route. The MPCA concluded Enbridge’s route is the least environmentally sensitive of 6 of the routes proposed. See <http://www.friendsoftheheadwaters.org/latest-news-and-information.html>.

On September 11<sup>th</sup>, the PUC decided that: (i) as requested by the MPCA, 6 System Alternatives (4 of which were proposed by the FOH and 2 of those were endorsed by the MPCA) will be included in the environmental analysis and the PUC’s process to determine if a Certificate of Need should be issued to Enbridge and (ii) its historical single process will be separated into two proceedings to decide if the PUC will issue the required Certificate of Need and the Route Permit.

The PUC took this unusual action because of strong opposition to the Enbridge Route. Also, the PUC wanted to be sure that (i) the process was fair for the public, (ii) it avoided the confusion of the single process, and (iii) it provided an opportunity for the organizations with limited resources to be able to allocate their resources more effectively in challenging the pipeline.

This is a very important victory for FOH, the MPCA, the DNR, and the other groups that are challenging the Enbridge Route and support some or all of the System Alternatives. Also, the PUC’s decision confirmed that the Sandpiper Pipeline Route is not a done deal as Enbridge and others want everyone to believe. Since July, 2014 this matter has moved into the legal phase regarding the Certificate of Need which is anticipated to be completed about June, 2015. A Route Permit phase for the Sandpiper could take up to an additional nine months or more.

For Enbridge to have its application approved, the PUC must issue both a Certificate of Need and a Route Permit. First the Administrative Law Judge (“A L J”) conducts the public hearings and an evidentiary hearing which is similar to a trial before a judge. After that the A L J will make his recommendations to the PUC. The PUC Commissioners will then make the final decision.

FOH is now represented by the legal team at the Minnesota Center for Environmental Advocacy (“MCEA”). Arguably the most respected environmental stewardship organization in Minnesota, MCEA is staffed with knowledgeable and passionate people fighting for environmental best practices across Minnesota. And they’ve been doing it for 40 years.

FOH continues educating the public and advocating for the relocation of the Sandpiper Pipeline Route to protect our waters and the environment of Hubbard County and Minnesota Lake Country. FOH anticipates the legal costs and expert witness testimony alone will be at least \$150,000 with additional funding needed for expenses such as educational materials and postage. See the FOH organizational information (all volunteers) by scrolling down <http://www.friendsoftheheadwaters.org/index.html>

The PUC has opened the public comment period from 12/8/2014 to 1/23/2015 at 4:30 PM. Topics for public comment for a Certificate of Need for the North Dakota Pipeline Company LLC Sandpiper Pipeline Project in MN, docket 13-473 include:

- Is the proposed project needed and in the public interest?
- What are the costs and benefits of the proposed project?
- What are the environmental and human impacts of the proposed project and how can these impacts be addressed?
- Do any of the factors listed in Minnesota Rule 7853.0130 have particular importance in this case? <https://www.revisor.mn.gov/rules/?id=7853.0130>
- Are there other project-related issues or concerns?

Comment Online: <http://mn.gov/puc/> Select Comment on an Issue, find this docket (13-473), and add your comments to the discussion.

Comment by U.S. Mail: PUC Docket Number PL-6668/CN-13-473, Minnesota Public Utilities Commission, 121 7<sup>th</sup> Place East, Suite 350, St. Paul, MN 55101

Comments will be made public. Read the full MN PUC Notice of Public Hearings issued 12/8/14 here: <http://hubbardcolamn.org/puc-instructions.html>

Review the Factsheet “**Sandpiper – By The Numbers**” for facts such as the number of barrels per day that will pass through Hubbard County. Did you know that **with the Line 3 Pipeline Replacement Project proposed in the same Sandpiper Pipeline corridor, it is more than the amount of oil proposed for the Keystone XL?** [http://www.hubbardcolamn.org/uploads/3/2/6/5/3265696/sandpiper\\_-\\_by\\_the\\_numbers.pdf](http://www.hubbardcolamn.org/uploads/3/2/6/5/3265696/sandpiper_-_by_the_numbers.pdf).

***For your 1<sup>st</sup> Wk of 2015 Calendar:*** Plan to Participate in the very important PUC Sandpiper Pipeline Certificate of Need Public Hearings scheduled the first week in January in 5 MN city locations: <http://hubbardcolamn.org/puc-instructions.html>

**Our Hubbard County Lakes and Rivers & MN Lake Country Need *Us* Now!  
We have a voice! Our lakes can only ripple and wave...**

*"Cherish the natural resources as a sacred heritage,  
for your children and your children's children."  
Teddy Roosevelt*

*There are places  
where a barrel of water  
is worth more than  
a barrel of oil.*

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[friends of the headwaters.org](http://friends of the headwaters.org)



# FRIENDS OF THE HEADWATERS PROPOSED ALTERNATE ROUTE A compared to Enbridge/NDPC proposed route

