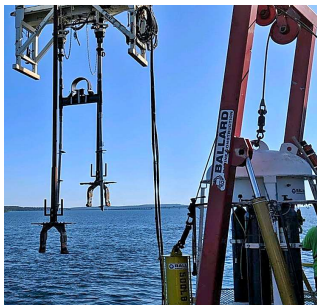


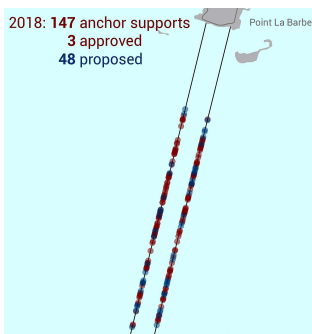
# Enbridge Line 5 Update

## INSIDE THIS ISSUE:

Chair's Message	2
Myth of the Tunnel	2
Legal Challenges	3
Current Monitoring Network	3
Who We Are	4
How You Can Help	4



Typical Line 5 screw anchor  
courtesy Enbridge



Screw Anchor Locations

## Anchor Support Damage

Line 5 is now supported by over 200 mechanical “screw anchors” keeping more than 50% of the two submerged lines dangerously off of the bottom. The submerged pipeline was designed to lay directly on the bottom to support its weight, to allow for thermal expansion and contraction and to be out of bottom currents.

Now more than half of the twin pipelines are off of the bottom in high currents causing unanticipated new stresses. Approval of this fundamental design change by the State of Michigan has been contested by the Straits of Mackinac Alliance (SMA) for the last 27 months.

We have been concerned that the agencies that approved Enbridge’s permit requests failed to conduct an impartial engineering evaluation of this new design for the underwater segment of Line 5. Furthermore, the State failed to comply with the requirements of its own Submerged Lands Act of 1955 which requires analyses of alternatives and environmental impacts before any construction can occur.



Displaced screw anchor; courtesy Enbridge

On April 1, 2018, both underwater pipelines were gouged by an anchor strike from a passing freighter that could have severed both lines. In June 2020, Enbridge reported to the State that one of its screw anchors on the east pipeline had been displaced. This event pushed the State to shut down both submerged lines. It took judicial action to reopen the west line.

Enbridge recently released its own report blaming this displacement on a contractor working on the pipeline. There has been no impartial assessment of this damage by state or federal agencies. It is plausible that bottom currents could have shifted the supported pipelines. We need an honest answer on how this occurred and whether other anchor supports are compromised.

## SMA Line 5 Webinars Scheduled

We are planning to conduct three free webinars to present facts about Line 5. The subjects and dates for these webinars are as follows:

***Integrity of the Straits Crossing – Monday, October 12, 2020 @ 7:00 pm EDT featuring Dr. Edward Timm, PE***

***The Tunnel Myth – Wednesday, October 21, 2020 @ 7:00 pm EDT***

***Legal Challenges and Agency Actions – Friday, October 30, 2020 @ 1:00 pm EDT***

To register for these webinars, visit: [www.straitsalliance.org](http://www.straitsalliance.org)

## Chair's Message



Patty Peek, Chair, SMA

When we built our home on the Straits 13 years ago, we had no idea that Line 5 was our next-door neighbor. Following the Kalamazoo spill in 2010, we learned of the dangers of antiquated pipelines. We also learned that Enbridge has not been a good neighbor. For years, Enbridge has violated the 1953 easement. I knew we had to act but I was not sure how to make a difference.

I am grateful to the founders of the SMA, Roger Gauthier, Leonard Page and Gary Street, for their early work to inform property owners about the risk of Line 5.

Despite being a young organization with no paid staff, the SMA has had a big voice over the last two years. We have spoken at every hearing on Line 5, written countless letters and editorials and provided free educational seminars. Our legal efforts also are at the forefront of the campaign to shut down Line 5.

We are in the fight of our lives. The hard work to preserve our precious waters is worth it. I thank you for being a part of this organization. Your voices and financial support are vital to our success.

## Myth of the Tunnel

***“...the real myth here is that the tunnel is needed and will ever be built.”***



Enbridge Tunnel Rendering

The Line 5 tunnel alternative was first mentioned in the Dynamic Risk report on alternatives to Line 5 for the State of Michigan in 2017. Enbridge's published comments initially were negative on this alternative at the time due to technical concerns, including construction problems and risks, project costs, anticipated permitting delays, community disruption, etc., and even “overstated” economic impacts and benefits.

In late 2018, the Michigan legislature rushed passage of authorizing legislation to allow for construction of a multi-use tunnel. The law projected a 10-year build and ownership transfer to the State with a 99-year lease. Recently, Enbridge claimed the tunnel could be in operation by 2024. There is no enforceable timeline or penalties for Enbridge delays. Meanwhile the State agreed to allow Enbridge to keep pumping commodities through the twin pipelines until the tunnel project is completed. The diameter of the tunnel has also been increased from its original ten-foot diameter to twenty-foot. This means excavating and disposing of four times as much material from the lakebed and greatly increasing construction costs. With demand for western Canadian oil decreasing, the real myth here is that the tunnel is needed and will ever be built. Many suspect the indefinite tunnel project is only an excuse to keep pumping oil across the Straits until the line fails.

Alliance expert Gary Street has noted that Line 5 would continue to pump highly volatile natural gas liquids (NGLs) through a confined tunnel space twenty percent of the time. Since NGLs are heavier than air, any leak would collect at the lower portions of the tunnel and create a huge explosion if ignited. Street noted that he has NOT found a tunnel under any waterway on the planet that allows for transportation of propane.

Multiple agencies require Enbridge to submit applications for a tunnel build and to replace the pipeline section. The SMA provided written and verbal comment to the U.S. Army Corps of Engineers, the Michigan Public Service Commission and EGLE. We will continue to be your voice at every opportunity possible.

## SMA Legal Challenges

We began our legal challenge to the state permits for more anchor supports in May 2018. The SMA has now exhausted all state administrative remedies and will be seeking relief in Michigan Circuit Court. We are awaiting a declaration from Michigan's Department of Energy, Great Lakes and Environment (EGLE) that our administrative claims have been exhausted. Immediately after, we plan to file a petition in Ingham County Circuit Court to challenge Michigan's approval of the anchor support permits.

Our petition will note that our case is related to Michigan's Attorney General Nessel's pending case seeking to set aside the 1953 Easement permitting Enbridge to operate Line 5 across the Straits of Mackinac. Judge James Jamo of the Ingham County Circuit Court is currently considering motions for summary judgment filed by the State and Enbridge on their respective claims. The SMA petition would establish that the State incorrectly confined its 2018 "review" of the screw anchors permit request to only the one-square-foot area of lakebed disturbed by each screw, ignoring the fundamental design change for the entire pipeline segment under the Straits.

On June 25, Judge Jamo entered an order shutting down both twin pipelines after Enbridge disclosed that an anchor support had been twisted and moved. On July 1, 2020, Judge Jamo modified his order to permit the west line to be reopened after an in-line inspection by Enbridge reported no damage to that line. Interestingly, the Enbridge report indicated that there had been two cable drags apparently from Enbridge contractor boats working on the line. The Judge's order provided that the east line would remain closed pending further investigation by the U.S. federal Pipeline and Hazardous Spills Administration (PHMSA). A new study by SMA member Gary Street shows that there has been no impact on Michigan retail gasoline prices because of the recent shutdowns.

Meanwhile, Governor Whitmer is reportedly reviewing a Department of Natural Resources report on Enbridge's historic violations of the original 1953 easement. The Oil and Water Don't Mix Coalition has been asking Governor Whitmer to terminate the easement based on these historic violations and evolving risks.



Leonard Page, Vice-Chair,  
SMA



Honorable Judge William  
Crane, Rtd, Secretary, SMA

***"We plan to file a petition in Ingham County Circuit Court to challenge Michigan's approval of the anchor support permits."***

## SMA Calls for Straits Current Metering Network

One of the major shortcomings of Michigan and federal review of the integrity of the submerged section of Line 5 is having accurate measurements of bottom currents in the Straits of Mackinac. The original design for the pipeline was based on an anticipated maximum current speed of 2.25 miles per hour. Recent current measurements have shown that this design limit may be exceeded frequently when severe storm fronts pass across the Straits.

The SMA is calling on the government to oversee deployment of six bottom-mounted Acoustic Doppler Current Profilers (ADCP) to operate year-round while the pipeline is still operating. This network would provide critical data for: 1) evaluating the stresses on the pipeline as an elevated structure; 2) provide agencies with real-time data to shut the line down before adverse weather conditions occur; 3) to direct clean-up operations in the case of a failure.



Necessary current measuring sites

## Straits of Mackinac **ALLIANCE**

P.O. Box 384  
Cheboygan, MI 49721

Phone 248-219-4284

E-mail [contact@straitsalliance.org](mailto:contact@straitsalliance.org)



### We're on the Web!

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



**All contributions are tax deductible.**

**The SMA is an IRS-certified charitable non-profit entity.**

**Tax Exempt Number:  
83-0623609**

## Who We Are

The Straits of Mackinac Alliance is a membership organization of individuals and businesses who want to protect and restore the natural resources of the Straits of Mackinac and adjacent waters of the upper Great Lakes. Specifically, we seek to eliminate the threat posed by crude oil and natural gas pipelines under the Straits of Mackinac. We also hope to continue to be viable long after Line 5 is history to foster climate resiliency and rational development of the Straits area.

Last year, we conducted 11 workshops across Northern Michigan to present information on the threat that Line 5 presents to the region. These workshops were held in Hessel, St. Ignace, Petoskey, Harbor Springs, Cheboygan, Indian River, Traverse City, Saugatuck, Rogers City, Alpena and East Tawas. Our membership has now grown to over 300 individuals.

Our main objective since we formed in May 2018 has been to contest State of Michigan permits for additional screw anchors to be placed on the submerged portion of Line 5. Most of our Directors live along the shoreline, so we also have legal standing.

We believe the State failed to enforce its Submerged Lands Act and to conduct its own impartial assessment of the risk posed by an elevated structure on the bottom of the Straits.

We have now exhausted all remedies through the State administration. Our next step is to seek relief through the judicial system. We will sue to shut down Line 5 along with the City of Mackinac Island and the Little Traverse Band of Odawa Indians on the grounds that the elevated structure is a completely new design, not necessarily safer and approved without proper oversight.

## How You Can Help

- ✓ It is important to stay informed; Enbridge's misinformation comes with a steep cost.
- ✓ Please participate in our upcoming webinars; ask questions and discuss your concerns. **You can register on our website.**
- ✓ During the upcoming election, vote for the candidates of your choice as long as they support decommissioning Line 5 and do not support a tunnel replacement scheme.
- ✓ Engage your elected officials in the state legislature, Michigan's Governor Whitmer and Attorney General Nessel to demand they act now to shut down Line 5.
- ✓ Engage your elected officials at the federal level including Senators Stabenow and Peters, your member of the U.S. House of Representatives, and the U.S. Administration to demand enhanced oversight by federal agencies to reduce the risk of a major oil spill catastrophe in the Straits.
- ✓ **Contribute funds to the Straits of Mackinac Alliance through our website or by mail at the addresses above.** Our legal expenses over the next few years are expected to be significant. We believe our chances to shut down Line 5 are good, since we are contesting the operational safety of the elevated pipeline.