WISCONSIN DOESN'T WANT LINE 5

Analysis of Line 5 Comments submitted to the Wisconsin Department of Natural Resources

Line 5 DEIS Comment Period

The pipeline, which is long past its lifespan, is currently pumping tar sands oil under expired permits. Despite the Bad River Band of Lake Superior Chippewa's request that Enbridge remove Line 5 and not put a pipeline in the Bad River watershed, Enbridge has moved forward with their reroute just south of the reservation. This expansion is within the watershed, and the risk to the treasured ecosystem remains. Enbridge is seeking permission to build this new Line 5 expansion from the State of Wisconsin and Biden Administration.

From December to April of 2022, the Wisconsin Department of Natural Resources (DNR) collected public comments in response the the Draft Environmental Impact Statement (DEIS) for Enbridge Energy's proposed expansion of the Line 5 pipeline.

A detailed analysis of all the comments that were submitted reveals a number of common concerns and trends. Read on for a description of these findings. While this analysis demonstrates the themes and mass quantity of comments, it does not depict the depth of some of the comments that were received.

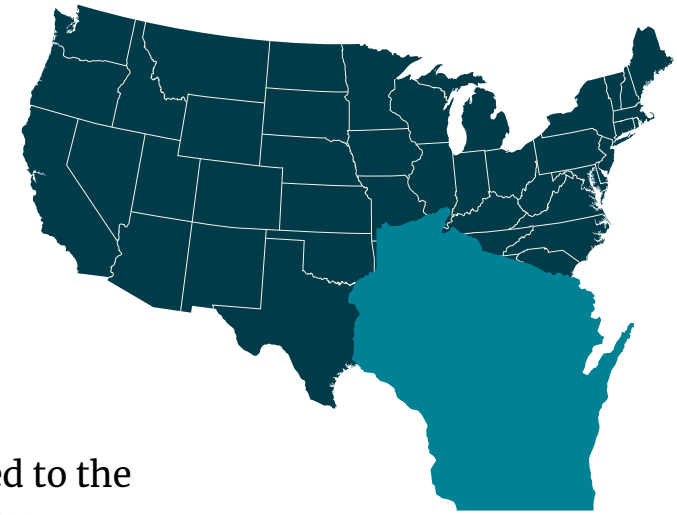
For an in-depth description of the potential impacts of the Line 5 pipeline, read the comments on the DNR's website, especially those submitted by:

- Bad River Band of Lake Superior Chippewa
- Great Lakes Indian Fish & Wildlife Commission
- Midwest Environmental Advocates, et al
- League of Women Voters
- Wisconsin Green Fire
- Wisconsin Wetlands Association
- Wisconsin Trout Unlimited
- Janice Penn

Overview of Comments and Commenters

30,000+
COMMENTS

Over 30,000 comments were submitted to the DNR. The response to the DEIS was unprecedented and demonstrated how concerned people are about this issue.



Comments were submitted from throughout Wisconsin and all fifty states and the District of Columbia.

Line 5 DEIS Comment Analysis

Over thirty Sierra Club Wisconsin and 350 Wisconsin volunteers combed through 98% of the comments and categorized them by themes that have come up, concerns about Enbridge's proposal and general thoughts about the Line 5 pipeline.

Here are some of the top themes that came from the comment review. These are described in detail in the following pages with quotes selected from the submitted comments that represent the sentiment of many of the comments.

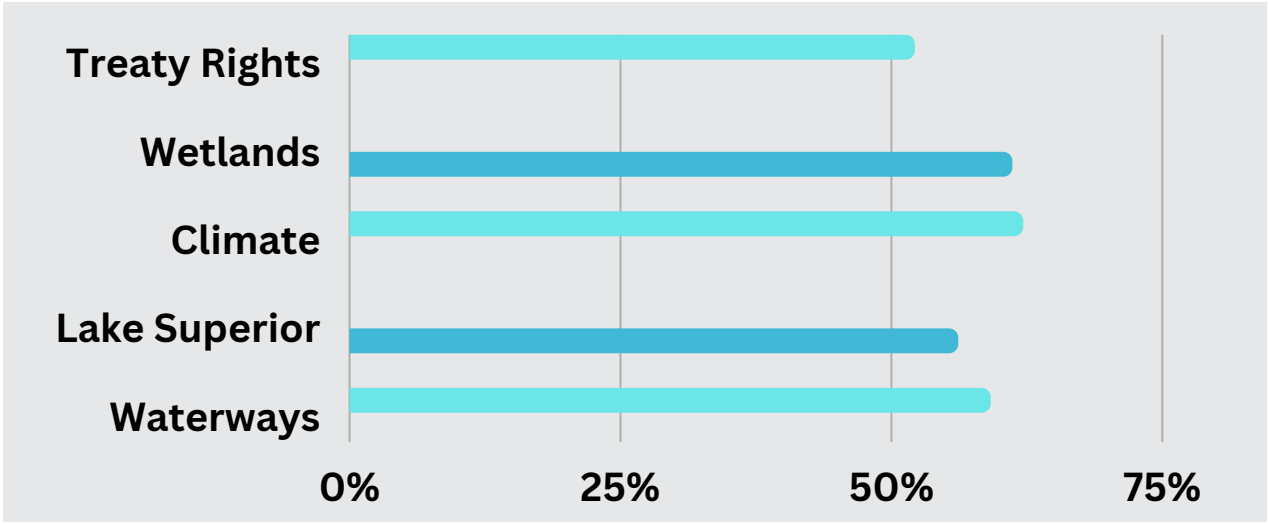
Treaty Rights

Wetlands

Climate Change

Waterways

Lake Superior



Acknowlegements

This project, the report, and the findings would not be possible without the countless hours that volunteers devoted to reading the submitted comments. The level of care and devotion shown by the volunteers is unmatched and greatly appreciated.

A special thank you to **Greg Mikkelson**, Ecological Economist at the Center for the Advancement of the Steady State Economy, who oversaw the project.

Thank you to all the people involved, including: Cecile Bianco, Ben Bishop, Heather Brooks, Cynthia Colombo, Deborah Elsas, Lauren Flottorp, Alex Goetsch, Julie Gutmanis, Phyllis Hasbrouck, Kristy Jensch, Grace Johnson, Sarah Luetzow, Ellen Magee, Karin McAdams, Luke Morris, Rachel Niesen, Ryan Olson, Emily O'Neil, Sabine Peterka, Jadine Sonoda, Raine Streicher, Lisa Szela, Gwen Utnehmer, Mary Jo Walters, Elizabeth Ward, Jennie Watson, Beth Wilmoth, and C. Zook

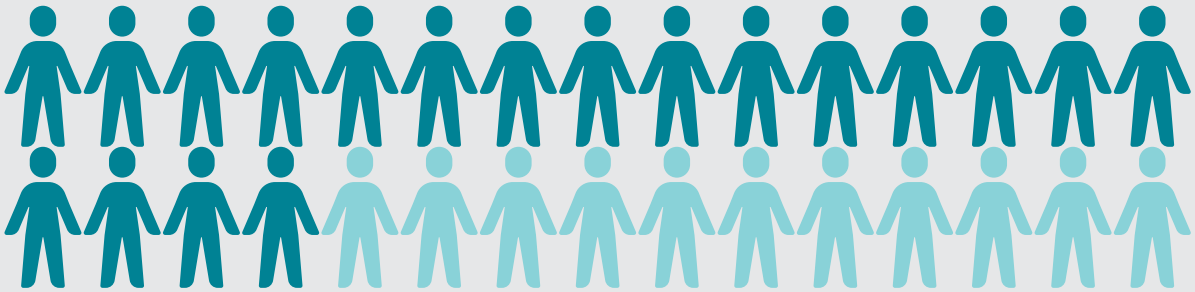
Calls to Reject Line 5 Permits

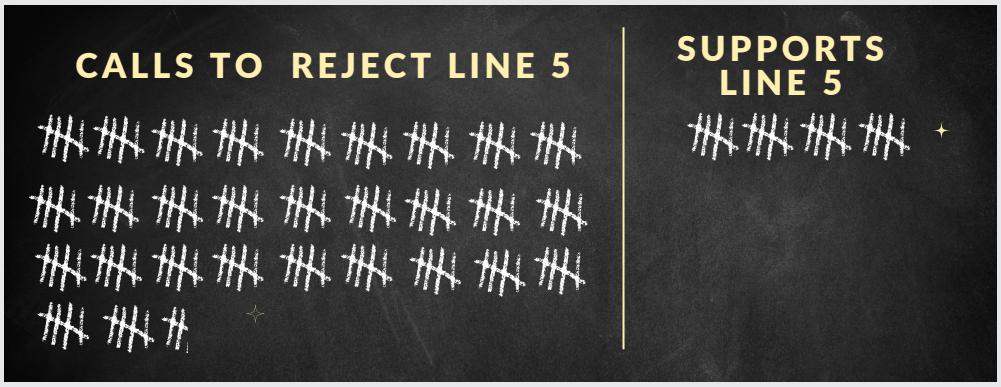
The DNR invited the public to submit comments regarding possible environmental impacts, so that their final Environmental Impact Statement would truly reflect the costs of installing an oil pipeline through the water-rich area just south of Lake Superior. When the final EIS is done, they will decide whether to grant or deny Enbridge the necessary permits.

In addition to submitting comments related to the DEIS, the majority of comments called on the DNR (and sometimes Army Corps) to deny permits for the Line 5 extension.

63.1%

of commenters called on the DNR to reject permits for the Line 5 pipeline





In addition to the written comment period, t**he DNR hosted a 10-hour hearing** that included testimony from over 150 people.

88%

(147 of the 167) of the comments called on DNR to reject the permits.

"The Line 5 proposed pipeline is far too dangerous to humans, the Great Lakes, and the waterways and wetlands in the Great Lakes area. **I urge you to, at the very least, reject the current version.**" - Holly

"We need to divest ourselves from fossil fuels to slow the increase of the world's temperature. Plus, pipelines have a track record of having leaks, so **the risk of line 5 causing irreversible damage to our sources of fresh water is too high for the line to be approved. Please reject line 5.**" - Chris

"**Please DENY line 5**. We DO NOT need fossil fuel, tar sands, etc. We DO NEED clean fresh water. **Preventing contamination is always better for us, our environment, and financially than remediation.** Consider Wisconsin's economy: tourism, agriculture, making beer. You cannot make good beer without clean water. All the water intensive industries are worth more than letting Canada ruin our water." - Natalie

"A detour to Line 5 threatens to break treaty rights and this happens all to often. It also threatens our waterway and that's bad for everyone. **Reject the proposal to detour the line.**" - Mary

Concerns of the Bad River Band

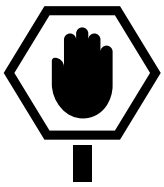
Enbridge's Line 5 expansion is a result of their ongoing conflict with the Bad River Band of the Lake Superior Chippewa (Bad River). The existing Line 5 pipeline illegally flows through the Bad River reservation, despite Bad River not renewing Enbridge's leases and ordering them to discontinue use. In September 2022 a federal judge ruled that Enbridge Energy and its Line 5 pipeline had trespassed on reservation lands and unjustly enriched itself since 2013.

Of the comments that **supported** Enbridge's proposed project, the most common misconception was the idea that Enbridge's proposal avoids sensitive resources and fulfills "the Tribe" or "Bad River's" request.


BAD RIVER BAND OF LAKE SUPERIOR
TRIBE OF CHIPPEWA INDIANS

However, Bad River and the Maxhkiiziibii Natural Resources Department submitted comments that were 70 pages long, with 38 attachments. These documents point out the many failing of the DEIS, and ask the DNR to scrutinize the project much more closely. The Band's comments make it clear that this DEIS is woefully inadequate. Here is a list of just some of the concerns and issues that the Bad River Band raised, quoted directly from Bad River's comments:

"...this project may severely impact the ability of tribal members of many Ojibwe tribes to exercise their off-reservation treaty rights. ***The project will also negatively affect important resources that tribal members hunt, fish, and gather to make a livelihood.***"



"Wisconsin's felony trespass law, which makes it a felony to access the pipeline right of ways, creates a de facto restriction on access to tribal treaty rights. Due to the felony trespass law, ***no matter where the project is located within the ceded territory, it will impact Bad River and other Ojibwe treaty rights****. This...exposes tribal members exercising treaty rights on public lands near such a pipeline to a Class H felony"*

"The project, as proposed, will go through, over, and under numerous waters that flow directly into or are directly connected to waters within the Bad River Band's Reservation. ***The impacts from construction, maintenance, and operation may violate the Band's established water quality standards.*** *The waters within the Band's Reservation are of high quality ...and support numerous tribally designated uses."*

"The situation that the Band's MNRD staff are seeing on the ground right now with ***the current operation of Line 5 will be the future of the Line 5 reroute in only a matter of time...*** *Enbridge's proposal to locate the pipeline around and upstream of the Bad River Reservation keeps it within the Bad River watershed, which has similar environmental baselines that have resulted in* ***the looming disaster of the current Line 5 route****."*

"...the condition of the current Line 5, which is operating well past its predicted life, and the extensive history that Enbridge has of oil spills in their operations. ***The threat of an oil spill is imminent.*** *The risks of the current Line 5 pipeline are part of the reason why the Bad River Band declined to renew Enbridge's easements.* ***Decommissioning the current pipeline only alleviates the risk of an oil spill if the proposed relocation segment is not built.*** *If the proposed relocation segment is built, however,* ***the risk of an oil spill to the watershed, Kakagon-Bad River Sloughs, and Lake Superior remains.***"

*"Enbridge proposes bedrock blasting in wetlands with seeps, springs, microtopography, and a state threatened plant... **Blasting in these locations is very likely to harm seeps and water flow, sensitive soils, and a state threatened plant.**"*

*"**The proposed project risks harming numerous treaty-protected species across the wetland landscape**, including: • giizhik or northern white cedar • godotaagaagaans or blue bead lily • jiibegob or leatherwood • miishijiiminagaawanzh or swamp red current • pegyunagakwitz or balsam fir • siba' or woodland horsetail • ska'agonmins or muscle wood • wica' or big-leaved avens • wiigwaas or paper birch • wiisagaak or black ash."*

*"**This project will affect many gravesites, numerous sugar bush and hunting, fishing, and gathering sites found throughout the watershed and along the project route.** The area also has special natural features key to the Band's history and culture. These sites are culturally important because they support rare plant and animal species and other natural objects necessary to the continuance of cultural traditions. The most unique wetland area in the watershed is the Kakagon and Bad River Slough...**The proposed project will negatively impact the integrity of the historical, archeological, and cultural character of the area, in addition to changing the integrity of the location, and feeling and association of the area.**"*

*"**The proposed project, if approved, would most certainly create conditions associated with increased demand for commercial sex trafficking.** The DEIS fails to acknowledge the likelihood of increased sexual violence that the proposed project would facilitate. The DEIS further fails to acknowledge that **American Indian women and girls from the Bad River, Red Cliff, Lac Courte Oreilles and Lac du Flambeau Tribal Nations are likely to be targeted as victims of sex trafficking associated with this project.**"*

FACT-CHECKED

This isn't the first time that the Bad River Band has declared their opposition to having Enbridge's oil pipeline running through their watershed.

In 2019, the Bad River Tribal Council passed a resolution in support of removing the Line 5 pipeline from the Bad River Watershed.


BAD RIVER BAND OF LAKE SUPERIOR
TRIBE OF CHIPPEWA INDIANS

" ...to fully comply with the repeated resolutions of the Band, Enbridge must remove the pipeline from the entire Mashkiigon-ziibi (Bad River) watershed. Enbridge's proposal to locate the pipeline around and upstream of the Bad River Reservation still unreasonably interferes with the Band's treaty-protected rights to fish, hunt, and gather, and to control the use of its lands consistent with public health, safety, and welfare."

- Bad River Band of Lake Superior Chippewa comments

Hunting, Fishing, and Gathering Rights

Many of the comments supported and uplifted the concerns by Bad River and the call to remove the pipeline from the watershed. Additionally, the impact of construction of the Line 5 pipeline or of a potential spill on the rights of Tribes to hunt, fish, and gather were mentioned in the majority of the comments. The 1854 treaty protects resources, like wild rice, walleye, sturgeon, etc. for the use of 10 Ojibwe Tribes (including Bad River).

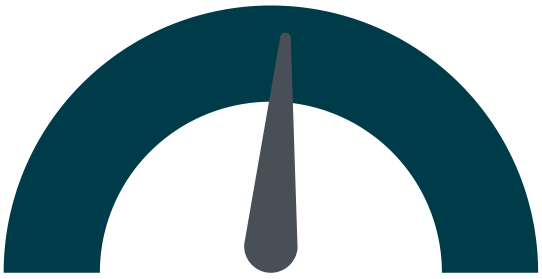
Many Tribes submitted their own comments describing their rights:

"The Nation has cultural interests in the area and wants to alert the Wisconsin Department of Natural Resources ("DNR") to the irreparable harm the project will have on wildlife, woodland and watersheds in the area." **- Ho Chunk Nation**

"The proposed project results in a new pipeline Right of Way that will remove or reduce tribal access to significant public lands and accessible private lands bisected by the pipeline right of way. The areas affected are large intact rare and biologically diverse high functioning unique ecosystems with treaty protected resources and traditional and cultural use. " - **Lac du Flambeau Band of Lake Superior Chippewa Indians**

"Relatively few community members still know how to make traditional lacrosse sticks and ash baskets largely due to the long legacy of colonialism and forced assimilation. This legacy continues today with projects like the LS Project that threaten our traditional ways and the wellbeing of our communities as well as laws such as the Felony Trespass Law that criminalize our way of being." - **Red Cliff Band of the Lake Superior Chippewa Indians**

"Another way of describing this risk is to say that if Line 5 was to be decommissioned, the environmental risk to the ceded territories from crude oil pipeline spills and explosions would be reduced." - **Great Lake Indian Fish and Wildlife Commission**



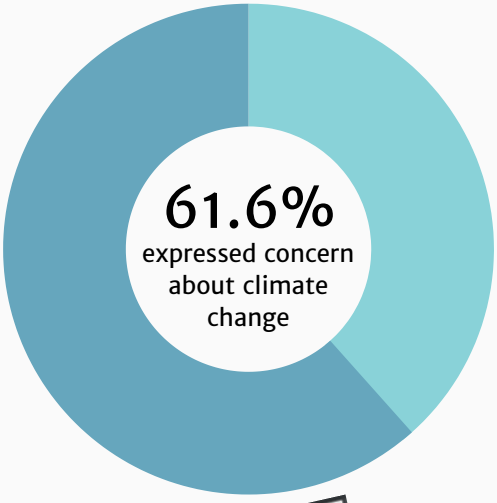
52%
commenters supported the treaty rights of Tribes

"The 1842 U.S. treaty with Chippewa Tribes guarantees them the right to hunt, fish, and gather in ceded territory, through which the Line 5 expansion is routed. **This right is nullified if a spill results in contamination of the resources there.**

The DEIS did not realistically consider the consequences of a (very possible) spill into the Kakagon Sloughs (home of wild rice)" - Rebecca

Climate Change is Key Concern

Of all the issues that were highlighted, climate change was mentioned the most in the comments that opposed the pipeline. Comments emphasized the way new fossil fuel infrastructure will lock in its use.



"Any more investment in fossil infrastructure will hasten and worsen the utter devastation wrought by global warming."
- Greg

Many comments mentioned Governor Evers' Task Force on Climate Change. The report listed 55 'solutions' to climate change. One of these was to "Avoid All New Fossil Fuel Infrastructure," which specifically noted "Avoid new pipelines. Oppose new or expanding infrastructure who primary purpose is transporting fossil fuels through Wisconsin."

Similarly, President Biden has made strong commitments to combating climate change, a stand that many commenters felt would be contradicted by approval of the Line 5 expansion.

"**Every year we are beginning to literally see, and feel, the consequences of previous choices not to draw down our dependence on fossil fuels.** You may have seen the smoke from the California wildfires from your porch – a friend of mine did. If you are disturbed by this, and all the other news of increasingly powerful hurricanes, devastating floods, and deadly heat waves, you have a potent opportunity here to do something about it.

Frankly, I think it would be ironic, sad, and costly for the "Forward" State to continue investing in fossil fuel infrastructure (new or not), when the transition to cleaner, less-destructive energy sources is already well underway." - Michael

"How will we be carbon-neutral by 2050, as the Paris Accords demand, to avert climate disaster on a massive scale if we don't start instituting some massive cutbacks on our fossil fuel use? **Enbridge's pipeline doesn't assist us in our quest for a sustainable future; it detracts from it.**" - Kirsten

"I am only in my early 20s and **I have a hard time imagining what my future will look like because of the climate emergency that's currently unfolding.** What will the great lakes look like in 20 years? Will they be clear and blue or muddied with oil? This decision right here, right now can help change that future in a drastic and important way. " - Sage

"**The last thing we should be doing right now, as we face an existential climate crisis, is building infrastructure for fossil fuels.** We should especially not be doing this in an ecologically sensitive area, and in violation of treaty rights. It is time for us humans to make new choices, choices that benefit the health of the planet and all of its species." - Lynn

"As a young person and as somebody who will have to grow up with the direct consequences of climate change and environmental destruction throughout my teenage years and adulthood, it is my unchosen and obligatory responsibility to speak out against things that threaten the already increasingly fragile balance of my future and the future of our ecosystems, wildlife, and climate. **To me, and to the dozens of other youth who joined me in our walkout on April 14, the question of whether or whether not Line 5 should continue to exist is rhetorical- and a resounding "no."**"
- Christine

"First, climate change is a real crisis caused by a human industrial civilization emitting greenhouse gases. Species extinction, natural disaster, wildfires, droughts, famines, and wars caused by climate change are increasing rapidly. **Since fossil fuels are increasing these problems, it should mean at the very least no new fossil fuel infrastructure.**" - Ben

"The dEIS assumes that if this pipeline is not built the oil would be carried by some other means and, therefore, the net climate impact of bringing this oil to market is zero. **That rationale is akin to claiming a power plant has no net climate impacts because the power would be generated by some other means anyway.**" - Ho Chunk Nation

"I received an automated text imploring me to ask the DNR to expedite pipeline 5. I fundamentally disagree with this: oi**l and gasoline are not the way forward. As a state, we need to increase funding towards electric, solar, or even wind power--not the fossil fuel industry**. These sources of renewable energy are better for the climate." - Claire

"As a young person and a climate justice advocate, I am incredibly concerned about climate change and the impact that this pipeline will have on the worsening crisis. A**s clearly articulated in Governor Evers' Task Force on Climate Change report, we need to be moving away from fossil fuel infrastructure, not investing in new infrastructure.** The draft EIS claims that the Line 5 expansion would have no effect on climate change because this is a reroute of an existing line. But a whole new pipeline could be built one section at a time, resulting in decades more of fossil fuel use.

Also, they did not consider emissions associated with workers' commuting, the transportation and on-site use of equipment, and the creation of the pipes and other materials." - Rebecca

The Line 3 Experience

We have a model for what Enbridge's impacts will be if the DNR approves this proposed expansion of Line 5 in northern Wisconsin. In 2021, Enbridge installed the "new Line 3," (now called Line 93) through Northern Minnesota, from the North Dakota border to the Wisconsin border. Amid lawsuits and resistance by thousands of people trying to protect the water, Enbridge pushed on, leaving ecological devastation in its wake.

Enbridge's installation of the Line 3 pipeline was frequently referenced in the comments with concerns for the water-rich area in which Enbridge is proposing that Line 5 be built using the same technology that was used in Minnesota – Horizontal Direction Drilling (HDD).

Many of the comments explain:

"Officials should fully investigate the risks associated with HDD. ***This method had a 63% failure rate in Minnesota during Enbridge's construction of Line 3, causing at least 28 frac-outs.*** *Enbridge was not required to disclose which chemical additives were used, or how much drilling fluid they released underground.* ***Geology experts believe that Enbridge may have released millions of gallons of toxic drilling fluid into groundwater aquifers to stabilize the earth during frac-outs.*** *When asked, Enbridge refused to share this data with the Minnesota DNR and lawmakers.*

Enbridge's record shows a clear pattern of illegal action that cannot be tolerated. *In Minnesota, Enbridge violated permit requirements for the depth of its trenches, causing an unlawful aquifer breach and the loss of at least 50 millions of gallons of water. Enbridge didn't report the breach to the DNR when it occurred, rather, actively worked to hide it.* ***The Minnesota DNR recently released details on two more major aquifer breaches, including one near the Fond du Lac Reservation that has so far illegally released nearly 220 million gallons of freshwater. We have no reason to expect different behavior from Enbridge in Wisconsin."***

On October 17, 2022, the State of Minnesota found that **Enbridge "violated a series of regulations and requirements including discharging construction stormwater into wetlands and inadvertently releasing drilling mud into surface waters** at 12 locations between June 8, 2021, and August 5, 2021."

Minnesota Attorney General Keith Ellison announced that Enbridge was facing criminal charges for these actions. Ellison said **Enbridge "admitted that it understood or should have understood that the aquifer breach resulted from its construction activity" and that it delayed notifying state agencies about the breach as required.**

In response to the stories of the damage caused during the construction of the Line 3 pipeline, many commenters called for strong protections to ensure that doesn't happen again in Wisconsin, with the Line 5 construction.

"The impacts of their work in Minnesota are still unfolding. What was once one aquifer breach has become at least three, with more possible. And this is due to careless work and willful flaunting of permits. **Why would we expect them to act any different in Wisconsin?**" - Jadine

"I have heard the tremendous roar of horizontal directional drilling in Northern Minnesota. **I have seen the ruptured land. I have taken water samples where the drilling mud floated on the surface of the rivers.** I have cried for the destroyed forests." - Bernadette

"The Wisconsin Department of Natural Resources has an opportunity to learn from the mistakes of line 3 and prevent the **pollution and contamination that will inevitably occur if the line 5 project moves forward with even the most strict of permit conditions.**" -Rachel

"An actual analysis and description of chemical contamination risk is needed in light of recent experience with drilling fluid spills during the construction of Line 3 in Minnesota. **It is logical to assume that construction of the Line 5 reroute would result in similar releases of drilling fluid given the similar geography and construction techniques.**" - Great Lakes Indian Fish and Wildlife Commission

The comments submitted by the United States Environmental Protection Agency (USEPA) encourage the Wisconsin DNR to discuss with Enbridge what practices they have adopted to ensure this does not happen again.

Depiction of aquifer breach caused by HDD: with the Line 3 construction

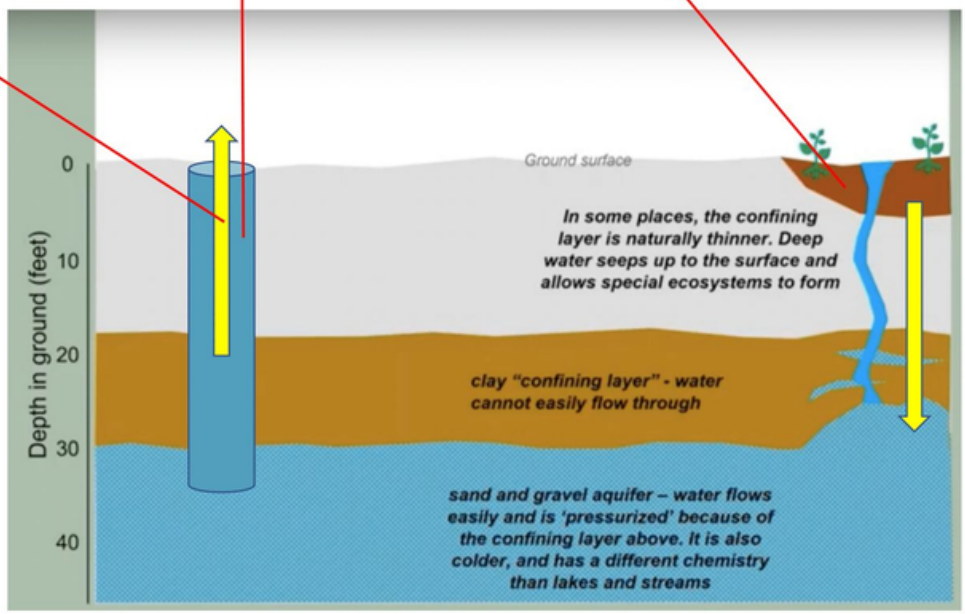
Enbridge violates DNR permit and digs 10 feet deeper than the approved 8 feet. They breach confining layer in late **January 2021**.

Aquifer provides water for nearby **calcareous fens**: "They are among the rarest freshwater ecosystems," Laura Triplett, Geology Chair, Gustavus, Adolphus College. Depressurization of the aquifer could lead to loss of these ecosystems.

Aquifer is naturally pressurized. The breach immediately leads to significant outflow of about **100,00 gallons** of water per day.

Breach occurs very near Mississippi River headwaters

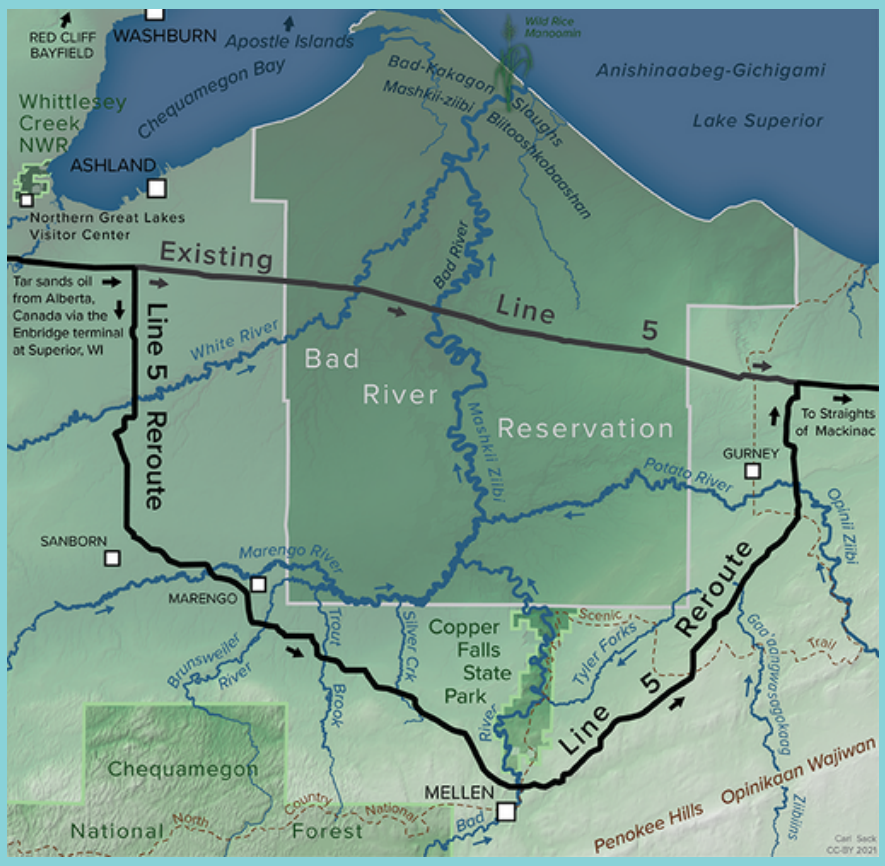
- Site of aquifer breach
- Line 3



About **25 million gallons of water** were lost between January and October, 2021. The DNR was not made aware of the breach until July, 2021

Concerns for our Waterways

The majority of comments described concern for the potential impacts of the pipeline on local waterways, wetlands, or aquifers. Enbridge's proposal is only 41 miles long, but would cross 186 water bodies, 3 aquifers, and 885 wetlands. Some of these waterways are well known as critical to the area, including the Bad River, Brunsweiler River, Marengo River, Tyler Forks, and the White River. All of these water bodies drain into the Bad River reservation and Lake Superior.

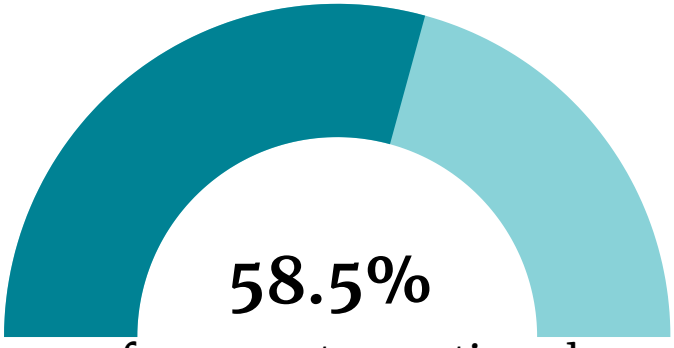


Map shows the flow of waters downstream to Lake Superior. (Map credit: Carl Sack)

" **To expose sensitive waterways and wetlands to toxic fluid spillage**, to the disruption and damage done during construction and subsequent use of a pipeline **is unconscionable**." - John

"**The 'horizontal directional drilling' under the White River is asking for hydrological disaster** for that waterway, and for the Bad River and its eponymous Native American reservation into which it ultimately flows." - Jim

"The people of this region understand all too well that these waterways are prone to flooding. The EIS noted at least three events in the last decade where more than 10 inches of rain fell in the area. T**he sheer abundance of surface water and wetlands coupled with the impacts from high water events are among the factors that makes the proposed route and alternates a poor choice for the location of a pipeline such as Line 5.**"
- Trout Unlimited



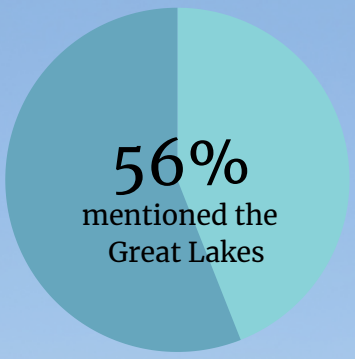
58.5%

of comments mentioned concern for the impacts on these waterways.

*"**Water is essential. Water is life.** We need it to physically survive, along with all the other plants and animals on this Earth. But it is also more. **Our eyes are fed by its beauty. Our ears, by its soothing music. It has the power to make us clean.** Cool us off on a hot day. Carry us to new shores. **To be an enemy of water is to be an enemy of ourselves.**" - Jennifer*

Concerns for Lake Superior

Lake Superior and the rest of the Great Lakes were mentioned in most of the comments. Commenters highlighted the biological, economic, and ecological value. Many talked about the impact of a spill that would contaminate Lake Superior or the other Great Lakes.



"Line 5 poses too large a risk to the Great Lakes and those of us who live here."
- Danielle

"I am a lifelong resident of WI. My family and friends live near Lake Superior. Our livelihoods are made there due in large part to people that travel to the region to appreciate its singular sacredness. This pipeline threatens everything the region represents. This part of the world is one of the final reserves of clean, fresh water" - Jodi

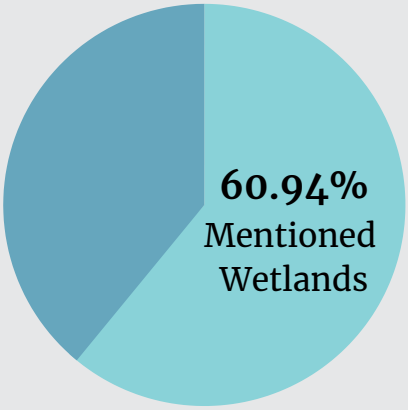
"Cleaning up an oil spill of any magnitude in the Great Lakes region would be a monumental task and leave thousands of clean-up workers with life-threatening conditions caused by the inhalation and skin contact of petrochemical fumes, aerosols, and sprays. The long-term damage to game fish and water fowl food sources would be contaminated for decades." - Gerald

"I grew up in Ashland, Wisconsin, just a few blocks from Chequamegon Bay, in a house on Chapple Avenue. I'm concerned about Enbridge's record of spills, and shudder to think of Line 5 landing squarely within Lake Superior's watershed." - Mary

"Stop line 5. We want to keep the Lake Superior area and all the Great Lakes from the ravages of oil spills. We must cut down on oil consumption now. Keep the water for the people in the Great Lakes region healthy." - Catherine

Concerns for our Wetlands

Among all the waterways threatened by a Line 5 reroute, the 885 targeted wetlands and their need for protection were of great concern, being mentioned by 60.94% of commenters.



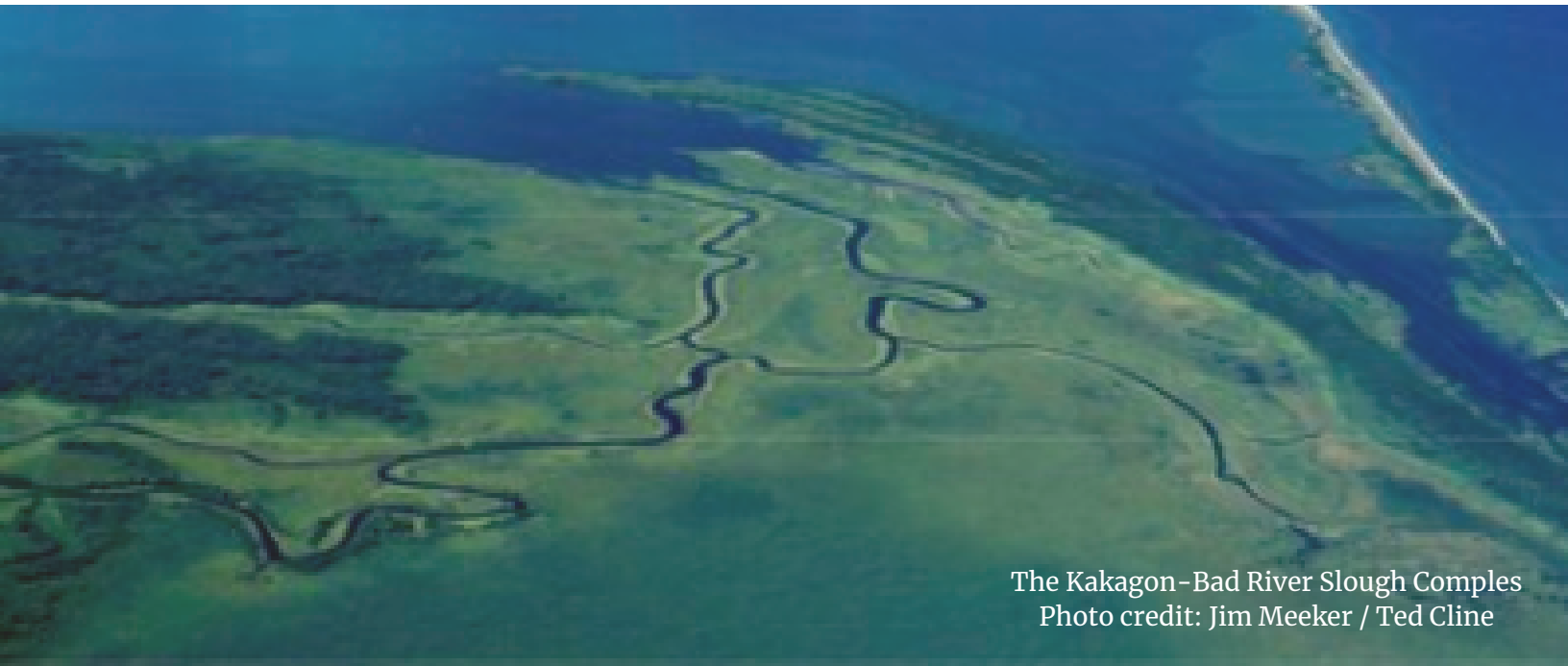
"**This is a region defined by the intricate, fragile interlacing of water and land, yielding a wetlands complex that is vastly more precious than any amount of oil being moved now or in the future through Line 5**. The 'horizontal directional drilling' under the White River is asking for hydrological disaster for that waterway, and for the Bad River and its eponymous Native American reservation into which it ultimately flows. **The route envisions 186 water body crossings, resulting in a massive cumulative loss of wetlands and riparian habitat,** and given Enbridge's record of callous, negligent construction in Minnesota last summer, we can expect a repeat of the sloppy, cost-saving violence against land and water in Line 5 through Wisconsin." - Jim

Kakagon and Bad River Sloughs

A specific set of wetlands, the Kakagon and Bad River Sloughs were highlighted as areas of major concerns. These sloughs are world renowned. Nationally, they are known as the 'the Everglades of the North'. Internationally, they are recognized by the Ramsar Convention on Wetlands as "wetlands of international significance." These wetlands are entirely contained within the Bad River Reservation.

In their comments, the Great Lakes Indian Fish and Wildlife Commission describes them:
"The associated wetland complex includes an intricate arrangement of sloughs and coastal lagoons, comprises more than 16,000 acres of dynamic and diverse wetland habitats that support many species of rare plants and animals. This wetland complex (i.e., Bad River and Kakagon Slough) has been acknowledged nationally and internationally and is the only remaining extensive coastal wild rice bed in the Great Lakes region."

This wild rice is an especially important resource. It's a meaningful cultural resource for the Ojibwe Tribe and serves as an important form of sustenance for nearby residents. Commenters frequently asked the DNR to thoroughly study the risk of a spill in the Kakagon and Bad River Sloughs and the impact it would have on the wild rice that grows there.



The Kakagon-Bad River Slough Comples
Photo credit: Jim Meeker / Ted Cline

Concerns for Copper Falls State Park

The tourism economy in the area and the importance of this industry came up regularly in the comments. Commenters worried that a spill could devastate the important gems in the area. Thousands of people (13% of the comments) specifically mentioned the renowned Copper Falls State Park.

"The area is incredibly watery, fragile, and treasured. **Both construction and spills of a new Line 5 segment could cause devastation to Copper Falls State Park**; the Kakagon Sloughs, aka "the Everglades of the North" where the Bad River Band harvests wild rice; the entire Bad River Reservation (the Band's only home); Lake Superior and the Apostle Islands. The damage to wildlife, clean water, humans, and the **tourism economy would be severe and probably not fixable.**" - Madeline

"The northern parts of Bayfield, Ashland, and Iron counties, where the L5 Project construction is proposed, are heavily reliant on a tourism economy and local food. These two aspects of our local culture are deeply connected to the environment. Tourists come to see the Apostle Islands, anglers' fish on Lake Superior and the many trout streams, snowmobilers and hunters come to enjoy the woods, and our legacy of commercial fishing employs countless families and provides food to families across the Great Lakes basin. A potential oil spill jeopardizes all of this." - Red Cliff Band of Lake Superior Chippewa Indians

"**The new segment also affects the Copper Falls State Park**, the Bad River Reservation, Lake Superior, and the Apostle Islands. The damage to wildlife, clean water, humans, and the tourism economy would be severe and almost impossible to fix." - The Lac Vieux Desert Band of Lake Superior Chippewa Indians

Wildlife is key area of concern

Not surprisingly in an area and a state so invested in the natural world, the damaging impacts on plants and wildlife (especially fish), were a priority concern for many. Comments included concerns for the animals and plants themselves, the impacts on the people who rely on them, and the economy that is fueled by them. A number of endangered species were listed in various comments as well.

Almost 600 people raised these issues in their comments.

"**We have an abundance of wildlife that travel and rely on a clean and pure ecosystem**. These includes Wood Turtles, Trumpeter Swans, Bald Eagles, Sandhill Cranes, Wood Ducks, Otters, Badgers, Beavers and many species of Frogs and Salamanders just to name a few. All nest, raise young and live directly on our property. The trout in our river rely on clean and undisturbed water." - Jeffrey

"**Our wild rice population**, which is unique to the Midwest, **would be put in immediate danger** as well as the many trout-bearing rivers, our lakes and wetlands and the many **beautiful preserved lands for birds.**" - Cai

"**Lake Superior is a beautiful place. The whole area is. If you've never been just know it's amazing and there is tons of wildlife that live there.** And if this line gets built. It will break and contaminate the waters. Those animals and creature need water to survive. And so do you. " - Micky Jo

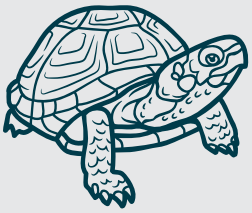
"And what about our wildlife, fishing and outdoor recreation? Now it's so refreshing to wake in the morning; grab a cup of coffee; sit on the steps and watch the deer, bear and turkeys foraging in the fields. Along with the eagles majestically gliding through the air and recently the elk that have been migrating into our fields. **This is the same land were Enbridge wants to disrupt their habitat with their blasting and drilling. Can Enbridge guarantee they'll return to their natural playground and feeding space**?" - Marsha

"If you don't decommission Line 5, the people, **the traditional industries (wild rice harvesting, fishing), the sports recreation, the remaining untouched land, the beings like trees and birds** that cannot write letters to you – **they will suffer.**" - Adriana

Specific species that were mentioned include:

Walleye

Wild Rice



Wood Turtle

Marten

Gray wolf

Impacts on people and health

Over 1,900 comments mentioned concerns about the impacts on human health, including a series of 90 comments that were submitted by healthcare providers.
The health concerns ranged greatly and included:

CLIMATE CHANGE:

"**Over 150 medical organizations representing 650,000+ health professionals agree that climate change is a health emergency**. These harms include heat-related illness, injuries and deaths from dangerous flooding events, illnesses from contaminated food and water, and infectious diseases spread by mosquitoes and ticks. These health harms are serious, impact our healthcare system, and have a financial cost that falls on families and taxpayers." - Julie

WATER POLLUTION:

I've lived in Wisconsin for 32 years. I'm 36. I'm 5 weeks pregnant. **I'm worried about the health of our water, about drinking water and eating fish contaminated with PFAS**" - Adra

SPILL IMPACTS:

"**Oil and gas are toxic. Benzene, a constituent of both, is a known carcinogen. So obviously we don't want oil to spill into the lakes and rivers that people use and fish in**. People who live close to oil refineries and gas stations have a higher risk of getting leukemia. My husband died of leukemia at age 41. I don't wish this on anyone. Yet furthering oil use does just that." - Lynn

"**Past Enbridge spills were linked to neurological symptoms, cancers, impaired immune systems, and reproductive problems by the Michigan Health Department**. Putting a Line 5 reroute within the Bad River Band watershed violates environmental justice and health equity." - Bad River Band

THREATENED WOMEN:

"**Man camps for building said pipelines put Indigenous women at an even higher risk of being abducted or murdered**. Our earth & the people who live on it are more important than money or fuel." - Katarine

"**Enbridge's crude oil lines have a direct correlation to the heightened instances of missing and murdered indigenous women and children** during the times that their workers are present working on these lines." - Cai

MENTAL HEALTH:

"Pollution from spills threatens drinking water, cultural, medicinal, and subsistence resources. **Loss of cultural food resources and traditions is associated with poor mental health outcomes, such as increased addiction and suicide. Spills also harm physical health.** " - Molly

Commenters believe DNR should rewrite environmental analysis

Many of the comments pointed out incredible flaws in the DEIS, including inaccuracies and missing information. Similarly, commenters called on the DNR to rewrite the analysis before moving forward with permitting of the pipeline.

Strict rules in the Wisconsin Environmental Policy Act (WEPA) indicate what must be included in an Environmental Impact Statement (EIS). The Wisconsin DNR (WDNR) is also required to consult with impacted Tribes and incorporate their feedback as part of the process. Based on the comments that were submitted, this did not happen:

"*The DEIS does not incorporate the feedback the Bad River Band has previously provided... **WDNR and Enbridge did not consult with the Bad River Band or the Tribal Historic Preservation Officer** to consult on cultural, historic, and archeological resources. WDNR and Enbridge did not consult with the Bad River Band on spill risk modeling, assessment, or spill response plans. For these reasons alone, **WDNR must revise and reissue a Draft Environmental Impact Statement that incorporates all of the Bad River Band's rights and resources.***" - Bad River comments

The author of the DEIS (contracted through the DNR), known as TRC, has close ties to Enbridge and the oil industry, a conflict many commenters pointed out.

The United States Environmental Protection Agency submitted comments as well and determined that the DEIS was inadequate. **Its comments included nearly 200 recommendations for the DNR to fix in a later version.**

The letter states:

*"EPA is concerned about likely significant impacts from the proposed project as well as the adequacy of the DEIS. **The DEIS does not fully analyze and disclose spill risks or impacts, nor does it demonstrate that the project proponent is prepared to adequately prevent and address spills.** EPA is also concerned with impacts related to the following: environmental justice, air quality, noise and vibration, transportation, and threatened and endangered species and habitat. **Our enclosed detailed comments recommend that DNR strengthen the analysis of potential direct, indirect, and cumulative impacts and work with Enbridge to consider additional opportunities to avoid, minimize, and mitigate impacts.**"*

"**This DEIS needs to be re-done. It is lacking in many areas and is an insult to tribal members especially.** Please address the many concerns in the DEIS -- and then, once seeing the harmful environmental impacts, reject line 5." - Cassie

"**WDNR cannot move forward until it releases a revised DEIS consistent with the principles of WEPA** for the public and agency decisionmakers to evaluate the environmental impacts of permitting the project." - Bad River Band

"All the streams/rivers that are crossed by the pipeline flow north, jeopardizing the water and wild rice beds the Bad River, Red, Cliff, and many other Tribes rely on. **The DEIS needs to be completely rewritten with their thoughts and comments included.**

The DNR should do another public comment period for a new DEIS before moving forward. Regardless, it's clear that the pipeline is too much of a risk to Wisconsin's wetlands and waterways. The DNR should reject all permits for the Line 5 pipeline." - David

"**Gaa-Miskwaabikaang is deeply concerned with the quality and content of the dEIS. An inadequate dEIS should not have been released.**" - Red Cliff Band of the Lake Superior Chippewa

"The draft Environmental Impact Statement for Enbridge's Line 5 expansion proposal is incredibly inadequate, and **you need to find responsible, unbiased scientists to write a new one.** TRC is obviously in the business of making money by consulting with companies that want to do huge engineering projects like laying oil pipelines." - Phyllis

"**The draft EIS prepared by TRC, which proudly touts its close ties with Enbridge, does not adequately consider the risks of the project for Wisconsin's natural resources and Native people.** " - Michael

"**Unproven statements minimizing grave threats seem to be the norm for TRC,** contracted by the DNR to write the DEIS... **These aren't the result of scientific research and should have no place in a report released by the DNR.**" - Rayna

Conclusions

The unprecedented number of comments alone demonstrates how controversial the proposed pipeline is. The comments submitted to the DNR show a wide spectrum of concerns and a remarkable depth of passion and determination in those who oppose the project. Their point cannot be denied: the DNR's DEIS is inadequate, and must be redone, by unbiased scientists with the technical background to understand the dangers posed.

Given the massive ecological damage caused by Enbridge's hurried and careless installation of Line 3 in Northern Minnesota last year and the very detailed comments that were submitted on the potential impacts of Line 5, the DNR must create a new environmental analysis. Similarly, the Army Corps of Engineers should conduct its own process and create its own Environmental Impact Statement.

The risks Enbridge wants to impose on our climate, Lake Superior, and our waterways require the utmost scrutiny.

First and foremost, the DNR must begin proper consultation with all 11 federally-recognized Tribes in Wisconsin. The new DEIS should not be released without their consultation and consent and all input by the Tribes should be incorporated prior to release.

Ultimately, the concerns demonstrated in the long, detailed comments submitted to the DNR make it clear: **if Enbridge is allowed to construct the proposed segment of the Line 5 pipeline, irreparable harm will likely occur.** The unique, water-rich area cannot afford it, and neither can the state of Wisconsin, the United States, or the world.

After a careful, detailed remake of the DEIS, the DNR will find it has no option but to deny Enbridge permits to build the Line 5 pipeline.

SIERRA CLUB
WISCONSIN CHAPTER