

RE: Governor Whitmer - Responding to Your Message

Gretchen Whitmer <noreply@michigan.gov>

Tue 26/10/2021 3:38 PM

To: Selva Rasaiah <selvarasaiah@hotmail.com>

Dear Selva,

Thank you for contacting my office regarding Enbridge's Line 5 dual oil pipelines in the Straits of Mackinac. I am grateful for your outreach and appreciate the opportunity to respond.

Protecting our Great Lakes has been a priority of my administration from the day I took office. The Great Lakes have 21% of the world's fresh surface water. They supply drinking water to 48 million people, including 5 million in Michigan, and support 1.3 million jobs that generate \$82 billion in wages annually across the U.S., including 350,000 jobs in Michigan. Enbridge's Line 5 dual oil pipelines are nearly 70 years old and lie on or above the lakebed of the Straits of Mackinac, exposed in open water and with no covering shielding them from anchor strikes or other physical hazards. They pose an unacceptable risk to the Great Lakes and to Michigan's residents, environment, and economy. They are a ticking time bomb.

Michigan cannot risk another oil spill in at the hands of Enbridge. In 2010, after claiming their pipeline was safe, Enbridge's oil pipeline in Kalamazoo ruptured and caused one of the worst inland oil spills in American history. That degree of devastation happening in the Great Lakes is unthinkable. As recent anchor strikes against Enbridge's Line 5 dual oil pipelines have made clear, the risk of such a disaster is real and too great to bear any longer.

In 2019, I directed the Department of Natural Resources (DNR) to start a comprehensive review of the dual pipelines and Enbridge's activities in connection with them. That review made clear that there was only one path forward to protect Michigan and our Great Lakes. Enbridge has repeatedly violated the terms of the 1953 easement that allows them to operate the dual pipelines in the Straits, and the pipelines' continued operation is incompatible with the State's duty to protect the Great Lakes. For those reasons, the DNR Director and I took action to revoke and terminate Enbridge's easement, requiring Enbridge to stop operating the dual pipelines by May 12, 2021. Enbridge, however, has refused to do so, and the matter is currently being litigated. I have advised Enbridge that, as of May 12, it is trespassing on state land and unlawfully operating its pipelines, and that the State will seek a court order when appropriate requiring Enbridge to yield any profits from that unlawful operation.

I made sure to carefully evaluate the state's energy needs and supply before taking action to shut down Enbridge's dual oil pipelines. In 2019, I directed the Michigan Public Service Commission to undertake a State Energy Assessment (SEA) to evaluate whether Michigan's electric, natural gas, and propane delivery systems were adequate to account for changing conditions and extreme weather events. I also established the U.P. Energy Task Force (UPETF) to assess the U.P.'s energy needs and create a plan to provide propane in the event the dual pipelines cease operation.

In addition, the State released the Michigan Propane Security Plan, which built on the SEA and the UPETF's recommendations. The plan outlines a five-pronged approach that will protect consumers and their pocketbooks and ensure Michigan's energy needs are met in a safe, efficient, and cost-effective way. The plan protects propane customers from price gouging, encourages market participants to invest in alternative sourcing options, ramps up state investment in rail and propane storage infrastructure, increases state monitoring of potential disruptions with the energy industry, and sets a long-term path to lower energy costs through investments in energy efficiency, weatherization, electrification, and renewable energy.

The State's action to revoke and terminate the easement for the dual oil pipelines does not prevent Enbridge from seeking the necessary legal approvals to construct a tunnel under the Straits. Enbridge has submitted several permit applications. After an extensive public vetting and review process, the Department of Environment, Great Lakes, and Energy approved certain permits for the project in late January. Enbridge must still seek approval from the Michigan Public Service Commission (MPSC) and a federal agency, the Army Corps of Engineers. Proceedings before the MPSC are underway, and I am confident that the MPSC will follow the law and promote public participation while evaluating this proposal. For more information, please visit www.michigan.gov/line5.

I will continue to hold anyone who threatens our Great Lakes and fresh water accountable. I want to express my appreciation for everyone who has made their voices heard on this critical issue. Thank you again for sharing your thoughts. Please do not hesitate to contact me in the future about issues of importance to you.

Sincerely,

Gretchen Whitmer
Governor of Michigan