ENBRIDGE’S 2015 YEAR IN REVIEW

This is just in case you forgot how the year went for you down here. I took a reflective view of it and put together, well, something of an annual report for you:

JANUARY 1, 2015: THE YEAR STARTED OFF WITH A BANG FOR ENBRIDGE WHEN 8 TANKER TRUCKS CAUGHT FIRE OUTSIDE YOUR FACILITY IN WILLISTON, ND.

The explosion was a spectacular end to a holiday season with many gifts of lawsuits and spills. One suit, filed by the MN Center for Environmental Advocacy and Friends of the Headwaters, called for a full Environmental Impact Statement for the proposed pipelines in Northern Minnesota. Those smart Minnesotans figured that’s what the law requires. [Article Link]
On your home turf, Enbridge was facing a lawsuit from a 2013 spill that included 42,000 liters of oil and 14,000 liters of toxic brine. Tundra, the company whose line leaked, claims the spill occurred due to improper construction methods Enbridge used on an adjacent line. Article Link.

Enbridge rounded out the holiday season with a 1,350 barrel spill at a pumping station in Regina. Article Link.

Despite these challenges, you moved forward aggressively with plans for a new pipeline corridor in Northern Minnesota. Enbridge and the Minnesota PUC decided to hold a series of public meetings. In the depth of winter. In hard to reach locations. With very little public notice. What Enbridge and the PUC didn’t anticipate was the depth of conviction of our people. So we all went, skated across those scary roads at ten below zero to Crookston and all. And we started meeting your guys — really except Lorraine Little, you’ve got a bunch of, well, white guys who wear tan pants. Nicely dressed bunch they are. Sort of look like... well, some sort of religious group. At these hearings, in case you don’t know how this works... hundreds of people would stand there to talk. Or sign up. Many times, actually getting to talk was, well, sort of like winning the lottery... You were lucky.

We were each given three minutes to ask questions and present our views. We, the people, would cry, explain ecosystems, our culture, our wild rice, treaties, climate change, and scientific data. The Administrative Law Judge, Eric Lipman, would say “thank you” and dismiss us. We did not feel that we were heard and when his report came out, excluding all that we told him, we knew we had not been heard. It was frustrating. Even official representatives of sovereign tribal governments, such as the General Counsel for the White Earth Nation, felt significantly disrespected.

Next, although exhausted from driving all over the state, we prepared for a week of Evidentiary Hearings in St. Paul. There we heard from Enbridge, and more Enbridge, and did not even hear our sacred wild rice mentioned. We still held onto a hope that the Public Utilities Commission could not approve a project that would pump the dirtiest oil in the world through the heart of our lakes and wild rice beds. We sent along our big tough lawyer guy – no, he’s actually really sweet. His name is Frank Bibeau in case you forget.... Sometimes when there's a lot of smoke and mirrors, it's easy to forget. Article Link.
About this same time, you all must have realized at Enbridge that you were not getting too far with the Indians. After all, the Canadian tribes had all come out against the pipelines, and villages in British Columbia were asking why you kept coming back, after they said No. They wondered if you had problems with hearing, or maybe just were daff. So you hired a new contractor, RJ Brankow, to be your Indian Whisperer. This was particularly important because all of Enbridge’s Minnesota lines historically go through reservations and treaty territory; in fact most of the pipelines in North America have to cross Native territories; and the proposed new Sandpiper and Line Three corridor is no exception. Brankow was hired to win over the tribes.

The more people found out about the pipelines, the more people turned out, or wrote letters, or put up billboards.

While it looked like things were going your way in Minnesota, a landmark case was brought up against Enbridge in Michigan. A man claiming to have injuries resulting from their disastrous 2010 Kalamazoo spill won the right to try the case in front of a jury. Article Link.

Back on your homefront, Alberta went through something of a political revolution – no, better to call it a regime change – and Rachel Notley, your new premiere (“the homey in your crib”), came out against that controversial Northern Gateway project. That’s the one that would cross all those pristine mountains and rivers and the Spirit Bear Sanctuary, and then fill oil tankers in the Port of Kitimat, in one the most treacherous coastal areas in the world, covered with countless fjords and islands and massive currents.
Things also began heating up in Minnesota, as the White Earth and Mille Lacs Bands exercised their sovereignty and held their own public Tribal hearings on the pipelines. On June 5, the MN PUC approved the Certificate of Need for the Sandpiper. Immediately following this decision, on June 6th, over 5000 people marched in the Tar Sands Resistance March at the Minnesota state capitol.

Meanwhile, protests against the decrepit Line 5, that runs under the Straits of Mackinac in Michigan, also began heating up. Article Link.

July saw a unified statement against the Enbridge pipelines in Minnesota and Wisconsin by the National Congress of American Indians. This statement also called for a full environmental review of Enbridge’s proposals and formal cooperation with tribal governments. Article Link.

Around this time, Enbridge was also named in a $1.2 million lien in Illinois. While the details of the dispute are unclear, it appears that a subcontractor was not fully paid for work conducted for Enbridge. Article Link.

Over in Wisconsin, Enbridge also began to face serious insurance issues in Dane County. Worried about potential spills, the county board asked Enbridge to establish a $25 million trust fund to cover damages. Article Link.

Luckily for you, Big Oil still owns the Wisconsin legislature, and was able to secretly shove a bill down the state's throat that took care of that problem temporarily. Close call.

As the legal challenges accumulated, you also caught a break in August when a judge ruled that Enbridge, a Canadian corporation, should be able to use eminent domain to condemn the land of North Dakota farmers that refused to allow your pipeline on their land. That’s our friends James and Krista Botsford. Now I can’t really say what justice looks like in North Dakota, but I can say, it’s not nice what you are doing, and the Botsfords are appealing the case. Article Link.
On August 18, Honor the Earth began our third annual Love Water, Not Oil Ride for Mother Earth, traveling along the proposed Sandpiper and Line 3 route by horse and canoe. It was a beautiful time on the land together, honoring the best wild rice harvest in recent memory. The MN PUC conveniently scheduled public hearings on the new Line 3 proposals at the same time. Not missing a beat, we attended several hearings, only to once again not have our voices heard or questions answered. But we visited with a lot of people who are pretty concerned about the pipelines and your behavior. Here’s a really cool video we did of the tour in case you missed it. Oh and make sure you check out 13-year old Dante Benjamin’s testimony at the PUC hearing for Line 3, in McGregor MN.

In September, the Minnesota Court of Appeals ruled that the PUC had violated state law (the Minnesota Environmental Policy Act) by granting a Certificate of Need for the Sandpiper project without doing a full Environmental Impact Statement (EIS). The court revoked the Certificate of Need and told the PUC to start over. Now I don’t want to be saying, ‘We told you so…,” because we know that oil money buys a lot of political favors, but it is nice to know that sometimes the legal system works. Article Link.

Around this same time, papers in Michigan began reporting on Enbridge’s illegal actions during the construction of a new tank farm. Construction was started without the proper permits, and Enbridge later sued Ingham County to prevent them from applying zoning laws. Article Link + Article Link.

Poor Enbridge: it just wasn’t your year: To add to your troubles, in late September you had a spill during the hydrostatic testing of Line 2. That didn’t look too good, all that dyed toxic water spurting all over the place and draining into our drinking supply. But we were sure glad it wasn’t oil. Article Link.
Then in Canada, there was an election. You may remember it. It was pretty bad news for oil companies. Steven Harper, is he a friend of yours?... was taken out of power. How did this happen?

Well, the highest voter turnout in Canadian history, and by far the highest aboriginal voter turnout in Canadian history. Besides saying, "Hit the Road, Stephen!" ten indigenous MP’s were elected, along with many women and pro-environmental candidates.

The fact is, it was the hateful and reckless actions of the Harper administration that spurred the Idle No More Movement, and now First Nations have taken his Conservative Party out once and for all. Justin Trudeau, your new Prime Minister, has been very supportive of First Nations, made a very strong appearance in the Paris Climate talks, and immediately banned tankers on British Columbia’s west coast. This was likely the death knell for your Northern Gateway pipeline fantasy.

Enbridge posted $609 million losses for the third quarter, and announced 500 layoffs. You hired a new Indian Whisperer down here south of that invisible border — Cindy Ellis is your gal now. We hope she’s paid well, and makes sure we can get a clean up of that Line 3 fiasco you’ve got here, with 900 anomalies on a 50 year old line. That would be a good thing for her to do for her people.

**What a bad time to get hit with a scandal!** About this time, reports began coming out examining Enbridge’s contributions to the University of Calgary. Not only are you accused of trying to control the actions of that university, but it appears you were also using the UC to launder PR money to the Central Michigan University. Rumor is that Enbridge was trying to buy off CMU, as the university is located in Kalamazoo, home to your 2010 spill, the largest inland oil spill in US history. Now I don’t know too much about this, but sure would be interested in hearing more.
Meanwhile in Minnesota, people started moving the conversation out of the dysfunctional PUC process, and asking you directly for the respect we deserve. In November, a group of peaceful protestors took over your Duluth, MN office, and brought you a letter requesting tribal consultation.

I was looking at your Aboriginal People’s Policy, which outlines, “…key principles for Aboriginal relations: Respect for legal rights, traditional ways and land; Heritage sites; Environment; and Traditional knowledge.” It also says “we are committed to forthright and sincere engagement with Aboriginal and Native American people about projects that potentially affect them. We aim to develop mutual understanding through open, timely, two-way communication.” That all sounds great, so we were confused when your staff refused to look at the letter, signed by 5 organizations with tens of thousands of members across the region. Seven people wanted to talk to you so bad, they sat down and were arrested for trespassing. [Article Link]

The University of Minnesota at Duluth also noticed the lack of open dialogue about the pipelines and invited you to participate in a public debate with, well, little old me. They think that a lot of Minnesotans would benefit from direct engagement about these important public policy issues. But unfortunately, after 2 formal invitations and offers from UMD to host and moderate the event, you have not responded. They are surprised and disappointed. [Article Link]

About this time, President Obama denied the permit for the Keystone XL pipeline, in an unprecedented move, citing the lack of economic benefits it would provide and the necessity of transitioning away from fossil fuels in order to combat climate change. [Article Link]

DEAR MR. PRESIDENT BARACK OBAMA WE TRUST YOU WILL #HONORTHTREATIES #VETOKXL

KXL REJECTED!
In mid-December, the COP21 Climate Talks in Paris ended with an unprecedented agreement by 192 countries and a global commitment to cut carbon emissions. In light of this, we decided to tally up the carbon footprint for Enbridge’s proposed pipelines in northern Minnesota. The Honor the Earth Math Department found some appalling figures: the Sandpiper would release 56 million metric tons of carbon annually, the Line 3 Replacement would release 126 million, and an expanded Alberta Clipper would release an additional 149 million, for a grand total of 331 metric tons of carbon each year. To put this in more familiar terms, we prepared an invoice for you, on behalf of The Creator, using National Physics Society estimates for atmospheric carbon removal costs. The price tag, on a low end, is about $222 billion annually. This amount was due upon receipt. Now, you may not have noticed yet, Al, but Mother Earth is running out of patience. And Enbridge is now facing delinquency on this matter.

**Not a good way to end the year! Article Link.**

Also at this time, a report was released in Michigan showing that the imminent catastrophe known as Line 5 could be shut down without affecting oil and gas supplies. I know it’s hard to keep track of all your lines – this is the 60 year old line under the Straits of Mackinac. Article Link. In response, both Emmet and Cheboygan Counties immediately passed resolutions to address environmental concerns about Line 5, and press Gov. Rick Snyder to limit its flow. Article Link. Article Link.

In the midst of so many losses and challenges, Enbridge did enjoy one legal decision in its favor. In White Earth Nation et al vs. Secretary of State John Kerry, a federal judge ruled that the US State Department had no jurisdiction to intervene in the illegal switcheroo scheme at the Alberta Clipper border crossing. Now, I must admit, we are pretty confused about how the federal government has no jurisdiction when a foreign corporation violates federal laws... but then again, the mysteries of white people paperwork have always been baffling to us. Article Link.
The MN PUC wrapped up the year’s Sandpiper and Line 3 proceedings by finally starting that full EIS process that should have been done over a year ago. Your attorneys pushed hard for a schedule that would move the permitting process forward, including public comment on the results of the EIS, before that EIS is actually completed. Yes we are scratching our heads on that one too. But luckily the PUC is so scared of more humiliating interventions by higher courts that they said no. Of course, this decision prompted threats of litigation from your lawyers, but who knows, maybe the PUC is starting to see alternatives to letting you run the show.

Wow, what a year. And I have to say, 2016 is not looking a whole lot better for you. Mid-January’s British Columbia Supreme Court decision was an epic way to kick it off. The court ruled that the B.C. government had violated federal law by failing to consult with the Gitgaat and neighboring First Nations about your proposed Northern Gateway pipeline. This historic case requires BC to begin the review process again, setting the clock back several years on the regulatory process for the Northern Gateway project, with implications for other pipelines as well. Article Link.

Meanwhile, your stock has plummeted and is at an all-time low, along with the price of oil. Drillers, shippers, and investors are pulling out, canceling projects, and laying off people by the thousands. The Bakken is in full-on bust mode. And people are standing up and fighting back like never before.

I have been telling you for years that you are in the wrong business, Mr. Monaco. In fact, it’s almost baffling that your own projections talk about growth in renewables and a decline in fossil fuels. Time to move on. The future has less carbon in it, treats Indigenous peoples with respect, and restores our relationship with Mother Earth. But, I’m just saying. Any time you want to talk about what we think would be good for our land, and our people, please let us know. And since that Canadian dollar is worth so little these days, I may even take you to lunch, because I am not sure you can afford it.

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Winona LaDuke
Executive Director, Honor the Earth
winonaladuke@honorearth.org