

Wednesday, July 18, 2018

Ref: Corps File No. LRE-2010-00463-56-N18

Kerrie E. Kuhne

Chief, Permit Evaluation Western Branch Regulatory Office

Detroit District, Corps of Engineers

477 Michigan Avenue

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Submitted electronically

Dear Chief Kuhne:

On behalf of the undersigned organizations, we are writing to request that the U.S. Army Corps of Engineers conduct a public hearing and an environmental impact study under the National Environmental Policy Act in connection with Enbridge's Energy's application for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

Enbridge is requesting approval to add an additional 48 anchor supports to its Line 5 pipelines in the Straits of Mackinac. The comment period runs through July 18, and the Army Corps has scheduled no public hearing nor has the Army Corps undertaken the kind of comprehensive environmental review required by what is, essentially, the reconstruction of Line 5 in the Straits. The effect of this current anchor request by Enbridge together with previous ones is to divide a larger project into smaller segments to avoid or narrow consideration of impacts, like effects, or alternatives to what is proposed by Enbridge.

We are deeply concerned that these multiple elevated anchor supports may introduce threats to safe navigation in the Straits.

These anchor supports that are being requested were not intended to be used on Line 5 in its original design, and were not used on Line 5 for the first few decades of its operation. Enbridge has known since at least 2014 that the anchor supports are causing coating and raw metal loss and exposure to the pipeline, yet they persist in advocating for this design as mere maintenance—partially in order to prevent any changes or updates to the pipeline from being viewed as new construction, which would trigger a full environmental review of the entirety of Line 5.

Further, Enbridge negotiated the 2016 Line 6B consent decree requiring the installation of anchor screws as a safety measure with full knowledge that this new engineering design was causing pipeline coating loss, and elevating the pipeline off the lakebed floor, increasing the risk of an anchor strike and pipeline rupture. In addition, Enbridge applied for three joint Michigan Department of Environmental Quality and Army Corps

anchor screw permits in 2016, 2017, and 2018 with full knowledge of its defective design. Moreover, Enbridge has never conducted a comprehensive engineering study to evaluate the water's currents and additional stresses on Line 5 with 198 anchors both bracing and elevating it off the lakebed floor. As a consequence, the actual safety of Line 5 is very much in question.

It is imperative that the public has ample opportunity to engage in this process and make comment and there be an environmental impact study under NEPA. We would also underscore that there is no apparent need for these new anchor supports. Enbridge's application only notes a potential need for these supports. Given the fact that past support applications have damaged the line and the question of whether these supports are the safest alternative, the better option is to require an environmental impact study with alternatives before any new additional construction is permitted.

Respectfully submitted,

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