

WHEREAS, Enbridge was in violation for their spacing requirements of its 1953 easement for Line 5 in 2014; and

WHEREAS, Enbridge was responsible for a pinhole leak in a section north of the Straits in December of 2014; and

WHEREAS, Enbridge was responsible for one of the worst and most expensive oil spills in U.S. history near Kalamazoo, allowing nearly 1 million gallons of tar sands oil to leak for 17 hours; and

CONSEQUENCES

WHEREAS, an oil spill in the Straits of Mackinac, would be disastrous for the environment, for the people who rely on the Great Lakes for their livelihood (tourism, fishing, recreation); and

WHEREAS, tourism is one of Michigan's largest industries, bringing in billions of dollars spent each year; and

WHEREAS, agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and

WHEREAS, in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and

STEWARDSHIP

WHEREAS protection of Michigan's waters, wetlands and resources is better accomplished by prevention of contamination and environmental degradation, rather than an attempted clean-up and restoration after a spill or leak;

WHEREAS, the State of Michigan, by the Governor, has the obligation to protect and preserve the waters of the Great Lakes and the lands beneath them for the public; and

WHEREAS, the State of Michigan through the Governor is the trustee of public rights in the Great Lakes for fishing, hunting, boating, commerce or pleasure; and public to manage these bottomlands and waters for the prevention of pollution

WHEREAS, the State and the Governor have the obligation and authority to protect the natural resource of the Great Lakes

WHEREAS, it is reasonable and prudent to protect the people and the environment of Michigan by restricting the flow of Line 5 to non-oil cargos which in the event of a leak would not contaminate the Great Lakes; and

WHEREAS restricting line 5 to LNG products would not change the tax revenues to communities along the pipeline path or amounts of gasoline and oil for heating and transportation needs.

Resolution asking Governor Snyder to exercise his public trust responsibility to:

Immediately restrict Line 5 to its original design capacity of 300,000 barrels per day and limit its cargo to non-oil products (e.g., Liquid Petroleum Gas, Liquid Natural Gas and Propane) until a thorough review by licensed experts can take place.

HISTORY

WHEREAS, Line 5, now operated by Enbridge Energy Partners, L.P. (hereinafter Enbridge) was built in 1953 and sends crude oil and natural gas across the Upper Peninsula, under the Straits of Mackinaw and through the LP to Sarnia; and.

WHEREAS, the current capacity, 540,000 barrels (bbls) per day, exceeds the original design capacity maximum of 300,000 barrels (bbls) per day; and

WHEREAS Line 5 is more likely to rupture today because of 62 years of corrosion and increased pipeline pressure; and

WHEREAS one of the cargoes, light sour (acidic) crude oil, is corrosive; and is the number one reason that pipelines fail; and

WHEREAS, buffeting effects of strong currents in the Straits, loss of protective covering, structural impacts from zebra and quagga mussels on the pipeline exterior, have taken their toll; and

WHEREAS, Enbridge has failed to provide data showing the pipeline condition under the Straits of Mackinaw and has not provided data to show that Line 5 does not pose a threat to the waters or the public's use

WHEREAS, Line 5 does not meet current design standards and according to Michigan's Attorney General Bill Schuette, "The pipeline wouldn't be built today."

RISK

WHEREAS, according to a University of Michigan study (2004) the Straits of Mackinac is the "worst possible place" for an oil spill to occur in the Great Lakes; and

WHEREAS, the Coast Guard Commandant testified before Congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the heart of the Great Lakes

WHEREAS, the Coast Guard has no recovery plan for the Straits when it is ice covered; and

ENBRIDGE'S RECORD

WHEREAS, Enbridge has a track record of some 1,244 reportable spills, leaks and releases from 1996 to 2013; and

NOW, THEREFORE, BE IT RESOLVED, that on the 8th day of Dec. 2015, Krakow Township because of the imminent hazard of Enbridge's Line 5, Governor Snyder must exercise his public trust responsibility by acting immediately to restrict Line 5 to its original design capacity of 300,000 barrels per day and to limit its cargo to non-oil products (e.g., Liquid Petroleum Gas, Liquid Natural Gas and Propane) by January 1, 2016. This restriction shall remain in effect until a thorough review by licensed experts can take place.

AND BE IT FURTHER RESOLVED, that KRAKOW TOWNSHIP will send a letter to Governor Rick Snyder, Attorney General Bill Schuette, our State Representatives, State Senators and U.S. Senators calling on them to take immediate action to restrict Line 5 to non-oil cargoes as listed above.

PASSED, APPROVED, AND EFFECTIVE on this 8th of December, 2015.

Will Hall Supervisor

Cain M. Moul Clerk