

RESOLUTION  
of the  
City Commission  
of the  
City of Boyne City Michigan,  
United States of America  
regarding  
Enbridge Energy Pipeline 5

WHEREAS, Line 5 is a 645 mile petroleum pipeline, owned and operated by Enbridge Energy, Limited Partnership of Calgary, Alberta, Canada that transports crude oil and natural gas liquids from Superior, Wisconsin, eastward across Michigan's Upper Peninsula to where a dual pipeline crosses the bottom of the Straits of Mackinac, just west of the Mackinac Bridge continuing south crossing under the Indian River on its route through the Lower Peninsula to its terminus in Sarnia, Ontario; and

WHEREAS, Line 5 became operational in 1953 and carries up to 540,000 barrels or 22.7 million gallons of light crude oil, synthetic crude and natural gas liquids per day; and

WHEREAS, Line 5 was constructed prior to Public Act 247 of 1955 Great Lakes Submerged Land Act as amended which purpose is to protect the waters of the Great Lakes and the Great Lakes bottomlands by requiring a permit when constructing structures in the Great Lakes within Michigan; and

WHEREAS, although properly constructed and maintained pipelines are considered to be the safest and most efficient way to transport oil and gas commodities; and

WHEREAS, although an incident or failure of Line 5 is considered to be a low probability, high consequence event should an event occur the impact can be catastrophic causing significant environmental damage to the Great Lakes and economic loss; and

WHEREAS, the Great Lakes contain the majority of the world's supply of fresh water; and

WHEREAS, the City of Boyne City, Michigan is located on Lake Charlevoix which is directly connected to Lake Michigan; and

WHEREAS, interested governments and parties have been unable to confirm the structural integrity of the entire route of Line 5, due the lack of access to information in a useful format, particularly inline inspection report data; and

WHEREAS, there is limited capacity to effectively respond to a failure of line 5 due to a lack of resources such as emergency response equipment and personnel, and situational conditions such as portions being located in remote areas or the open or frozen water of the Great Lakes; and

WHEREAS, the governments of the United States of America, Canada, State of Michigan, and Province of Ontario have the legal authority to manage the bottomlands and waters of the Great Lakes within their jurisdictions for the prevention of pollution and to protect the associated natural and economic resources; and

WHEREAS, the City Commission of the City of Boyne City, Michigan advocates for the decommissioning of Enbridge Line 5; and

WHEREAS, the City Commission of the City of Boyne City, Michigan recognizes the economic realities surrounding Line 5 and acknowledges that this may not occur in the near term;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Boyne City, Michigan advocates for the following near term actions:

- a) Independent analysis of inline inspection data to assess structural integrity of the pipeline;
- b) Comprehensive and independent risk assessment and alternate analysis for the portion of line 5 in the Straits of Mackinaw;
- c) PHMSA reauthorization with meaningful amendments to improve pipeline safety;
- d) Require approval of all spill response plans by all appropriate federal (US and Canada), state and provincial agencies responsible for responding to a spill, including, but not limited to the Coast Guard, the U.S. Environmental Protection Agency, the Michigan Department of Environmental Quality and their Canadian counterparts;
- e) Implementation of the recommendations made in the Michigan Petroleum Task Force Report;
- f) A pipeline water crossing survey to assess the risks of existing pipeline running under Michigan's rivers, streams and lakes, including those which share boundaries with neighboring states and/or provinces;
- g) Designation of the Great Lakes Basin as a High Consequence Area, subject to the Integrity Management Program; and
- h) Increase emergency response capabilities to promptly be able to respond to problems with Line 5 wherever they may occur including the stockpiling of equipment, training and personnel; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Commission of the City of Boyne City, Michigan does hereby request that the governments of the United States of America, Canada, State of Michigan and Province of Ontario utilize all appropriate authority at their disposal to:

- 1) Implement actions a) thru h) above;
- 2) Immediately restrict Line 5 to its original design capacity and to limit its cargo to non-oil products (e.g., Liquid Petroleum Gas and Propane) until the recommendations within the Michigan Petroleum Pipeline Task Force Report specifically;
- 3) Require an independent risk analysis and adequate financial assurance for the Straits pipelines,
- 4) Require an independent analysis of alternatives to the existing straits pipelines;
- 5) Prohibit the transportation of crude oil on tanker vessels and barges on the Great Lakes,
- 6) Obtain any additional information requested from the report and have it analyzed.

AND BE IT FINALLY RESOLVED, that the City of Boyne City, Michigan, United States of America through its City Clerk/Treasurer send a copy of this resolution to the President of the United States, Prime Minister of Canada, Governor of the State of Michigan, Premier of Ontario, Michigan Attorney General, our Federal and State Representatives and Senators and other interested parties.

As approved by unanimous voice vote of the City Commission of the City of Boyne City, Michigan this 10<sup>th</sup> day of May, 2016.