



RESOLUTION NO: 2015-45

**RESOLUTION IN SUPPORT OF DECOMMISSIONING OF  
THE ENBRIDGE LINE 5 OIL PIPELINE AT THE STRAITS OF MACKINAC**

WHEREAS, the Sault Ste. Marie Tribe of Chippewa Indians is a Federally recognized Indian Tribe organized under the Indian Reorganization Act of 1934, as amended; and

WHEREAS, Enbridge Pipelines, Inc. operates Line 5, a 645-mile, 30-inch-diameter pipeline built in 1953 that extends a distance of 4.6 miles beneath the Straits of Mackinac and transports a variety of petroleum products; and

WHEREAS, Line 5 runs across the northern portions of Wisconsin and Michigan, and as it reaches the Straits of Mackinac, the line splits into two, 20-inch-diameter, parallel pipelines buried onshore and tapering off deep underwater, crossing the Straits of Mackinac west of the Mackinac Bridge for a distance of 4.6 miles; and

WHEREAS, the waters that would be impacted by any spilled petroleum from Line 5 in the Straits of Mackinac would include the shoaling, spawning and nursery areas of Northern Lake Michigan and Northern Lake Huron that encompass the most productive fishing areas of the 1836 Treaty area; and

WHEREAS, it is estimated that more than half of all fishing efforts and harvest occur in the waters likely to be impacted; and

WHEREAS, a catastrophic oil spill in the Straits of Mackinac would devastate the tribal fishing industry; and

WHEREAS, the Sault Tribe is investing staff time and financial resources as well as a \$610,000 grant from the Great Lakes Fishery Trust to redevelop a commercial and subsistence fishing access point at Epoufette Bay, Michigan, which is immediately west of the Straits of Mackinac and will serve fishers relying on the excellent fishing grounds in Lake Michigan waters which would be severely affected by any oil spill at the Straits; and

WHEREAS, Enbridge Line 5 was designed for a 50 year life, and is now twelve years beyond its design life, and numerous small ruptures have already occurred on land portions of this line; and

WHEREAS, this pipeline at any given time contains nearly one million gallons of crude oil beneath the waters of the Straits of Mackinac; and

WHEREAS, the State of Michigan, owing to public concerns arising from this pipeline and the Enbridge pipeline disaster at Talmadge Creek Michigan in 2010 leading to the contamination of 40 miles of the Kalamazoo river, has established the Michigan Petroleum Pipelines Task Force; and

WHEREAS, the Michigan Petroleum Pipelines Task Force is charged with examining issues and making recommendations to the Government of the State of Michigan regarding petroleum pipelines in Michigan, with particular emphasis on Enbridge Line 5 at the Straits; and

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WHEREAS, it is our considered opinion that no corporation would be successful in any proposal to site and construct a new pipeline at this location under the 2015 regulatory regime, due to the catastrophic impacts of a failure, and further it is our belief that Enbridge, Inc. knows this and is aware that it would not be permitted to simply replace the aging pipeline with new technology at the Straits; and

WHEREAS, it is our belief based on Enbridge public statements, that given these constraints and the value of Line 5 to the Enbridge system, Enbridge intends to continue to operate this pipeline and has no intention of voluntarily taking it out of service; and

WHEREAS, in our judgment there are only two possible outcomes for the Enbridge Line 5 pipeline at the Straits of Mackinac, and one of these two things will eventually occur, and these are 1) the pipeline will rupture and cause catastrophic damage to the Great Lakes system, or 2) a regulatory agency will succeed in requiring decommissioning of the Straits segment before a catastrophe occurs.

THEREFORE, BE IT RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians hereby entreats any regulatory authority be it Federal, State, or other, to take all action toward requiring decommissioning of the Enbridge Line 5 pipeline at the Straits of Mackinac.


BE IT FURTHER RESOLVED, that the Sault Ste. Marie Tribe of Chippewa Indians specifically requests the Michigan Petroleum Pipelines Task Force to include in its recommendations the decommissioning of the Enbridge Line 5 pipeline at the Straits of Mackinac.

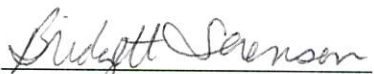
BE IT FURTHER RESOLVED, that time is of the essence in this entreaty.

BE IT FURTHER RESOLVED that the Chairperson of the Tribe, or his designee, is authorized to execute or amend all documents relating to.

### CERTIFICATION

We, the undersigned, as Chairperson and Secretary of the Sault Ste. Marie Tribe of Chippewa Indians, hereby certify that the Board of Directors is composed of 13 members, of whom 12 members constituting a quorum were present at a meeting thereof duly called, noticed, convened, and held on the 17 day of February 2015; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 11 members for, 0 members against, 0 members abstaining, and that said resolution has not been rescinded or amended in any way.

  
Aaron A. Payment, Chairperson  
Sault Ste. Marie Tribe of  
Chippewa Indians

  
Bridgett Sorenson, Secretary  
Sault Ste. Marie Tribe of  
Chippewa Indians