



Enbridge Line 5 Position Statement

The Oil and Water Don't Mix campaign supports decommissioning Line 5 in the Straits of Mackinac to protect the Great Lakes from a catastrophic oil spill from the twin, 64-year-old pipelines.

Issue Background

Underneath the crystal blue water of the Straits of Mackinac lie two 20-inch pipelines owned and operated by a Canadian-based oil transport conglomerate, Enbridge Energy. Each day 23 million gallons of oil pump through the heart of the Great Lakes within these pipelines. In 2010, Enbridge caused the largest inland oil spill in American history, devastating the Kalamazoo River. The pipeline rupture near Marshall, MI spilled about one million gallons of heavy tar sands oil into the Kalamazoo River system and still hasn't been fully cleaned up. Between 1999 and 2010, Enbridge has been responsible for 800 spills in North America, dumping nearly 6.8 million gallons of oil. This is same the company operating a 64-year-old Straits pipeline in an area of the state that is home to tribal fishing grounds, drinking water for millions, shoreline parks, robust *Pure Michigan* tourism, and historic Mackinac Island. This private corporation is putting at risk our public trust waters and bottomlands of the Great Lakes.

When Line 5 was constructed in 1953 across the five-mile wide Straits of Mackinac, it was considered a major engineering feat. But as a 2014 University of Michigan study concluded, the Straits are the "worst possible place for an oil spill in the Great Lakes." Extreme, erratic currents that were unaccounted for in 1953 create destabilizing washouts along the lakebed where Line 5 rests. These swift and fluctuating currents could quickly flush any oil spilled at the Straits into both Lake Michigan and Lake Huron. Ice conditions in winter months make oil spill recovery extraordinarily challenging. The U.S. Coast Guard cannot respond to any oil spill in the Straits if it is dark, windy, or waves exceed 3 feet. Even under the best of conditions—when there is no ice—this same agency estimates that at most 40% of oil could be recovered.

At various times Enbridge has claimed its automatic shutoff valves would halt the flow of oil in the Straits anywhere from three to eight minutes in the event of a pipeline rupture. But Coast Guard oil spill response specialists say Enbridge has never put these claims to a test involving an oil spill response exercise. In the days leading up to the 2010 oil spill disaster along the Kalamazoo River, Enbridge testified that its response time to shut off the oil flow there was 11 minutes. In reality, it took Enbridge 17 hours to stop the flow of oil from its ruptured pipeline. For each minute of delay in response to a Line 5 rupture, thousands of gallons of oil could enter into the Great Lakes, causing devastating impacts to the sensitive ecology of the Straits of Mackinac.

The Great Lakes contain 84% of North America's fresh water supply and provide drinking water for over 40 million people. Michigan residents understand the importance of our Great Lakes economy and lifestyle. That's why two-thirds of Michiganders surveyed say oil pipelines do not belong in the Straits of Mackinac or the Great Lakes. That's especially true with Line 5, built as a shortcut to transport oil to a refinery in Canada, proving that this pipeline is not vital to Michigan's energy economy. Our Great Lakes are a public trust and shouldn't be put at risk by a private, Canadian company whose main interest is corporate profits.

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The State of Michigan Needs to Begin the Process of Decommissioning Line 5 in the Straits of Mackinac based on Enbridge's Easement Violations.

Following intense public pressure, Governor Rick Snyder and Attorney General Bill Schuette have promised to consider alternatives to Enbridge's Line 5 in 2017 which will protect the Great Lakes from a catastrophic oil pipeline rupture. But Enbridge and the oil industry are fighting fiercely to maintain the dangerous status quo and protect their profits. By June, Michigan residents are expected to have a historic opportunity to weigh in on this issue when the State of Michigan is scheduled to propose for public comment several alternatives to Line 5 in the Straits. Enbridge's right to operate the Straits pipeline dates back to a 1953 easement agreement with the State of Michigan. Eight known violations by Enbridge of that easement agreement involve missing anchors, standards of care, structural integrity of the pipeline and inadequate oil spill response plan. Just this month, Enbridge's own report shows that the pipeline's anti-corrosive coating has not been maintained in at least 19 areas of the pipeline in the Straits. The Great Lakes are no place for an oil pipeline and Governor Snyder and Attorney General Schuette should immediately begin the process of decommissioning Line 5 by notifying Enbridge that they are doing so as a result of Enbridge's easement violations. More than 20 organizations, 70 municipalities, townships, counties and tribal governments and 250 businesses have called on Governor Snyder and Attorney General Schuette to begin the process of decommissioning Line 5.

Line 5 in the Michigan Legislature House of Representatives

State Rep. Yousef Rabhi, along with representatives Robert Wittenberg, Jon Hoadley, Abdullah Hammoud, William Sowerby, Cara Clemente, Jim Ellison, Peter Lucido, Kevin Hertel, Kristy Pagan, Sherry Gay-Dagnogo, Terry Sabo, Stephanie Chang, Sheldon Neely, Fred Durhal, Sylvia Santana, Tom Cochran, Erika Geiss, Jewell Jones, Leslie Love, have introduced House Resolution 0051(2017) urging the Governor and Attorney General to exercise their authority immediately to terminate the 1953 easement and shut down Enbridge Energy Line 5 under the Straits of Mackinac. Sierra Club supports this resolution.

State Senate

Senators Rick Jones introduced and Sen. Steve Bieda is co-sponsoring Senate Bill 292, which would:

- require Enbridge to provide to an independent third-party analysis of the risk to the Great Lakes from a Line 5 oil spill
- require the State of Michigan to terminate its easement agreement with Enbridge if it is determined that Line 5 poses a risk and violates public trust protections for the Great Lakes

A similar bill was introduced by Sen. Jones in the 2015-16 legislative session and did not receive a hearing.