



Line 5 draft Environmental Impact Statement Fact Sheet



What is Enbridge's Line 5 pipeline?

Line 5 is a pipeline that is owned by Enbridge. It was built in 1953 and transports an average of 540,000 barrels/day of mostly tar sands oil from Superior, Wisconsin to Sarnia, Ontario. The pipeline crosses Bad River and the Straits of Mackinac.

What is the project being proposed?

Enbridge is proposing to install a 41 mile long pipeline around the Bad River Nation. The proposed pipeline would cross approximately 185 waterways. Enbridge's on-reservation Right of Way permits to cross Bad River expired in 2013. Bad River and Enbridge are in federal court over the company's alleged trespassing on reservation.

What is an Environmental Impact Statement and what comes next in the DNR's process?

An Environmental Impact Statement (EIS) informs permitting agencies and the public of impacts a proposed project might have on the environment. A draft EIS was released for public comment and the DNR will hold a Public Hearing to listen to oral comments. The DNR will release another EIS that includes responses to comments they received and the DNR may make changes to the EIS based on comments submitted. After a final EIS is released, the DNR is able to issue or deny permits for the proposed project.

Who is writing the EIS?

The draft EIS was written by the Wisconsin DNR and their contractor, TRC Companies Inc. TRC's website states TRC has "strong relationships with a number of large Canadian firms, including TransCanada [and] Enbridge".

How to submit comments?

Written comments are due by March 4th, 2022 and can be emailed to DNROEEACOMMENTS@WI.GOV. The DNR will hold a virtual Public Hearing on February 2nd, 2022 starting at 4pm. Individuals can speak at the Public Hearing. The DNR will not respond to any questions. Sign up to speak at Public Hearing here: <https://tinyurl.com/WDNRHearing>

**Contact the Environmental Justice Specialist for more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**



Line 5 draft Environmental Impact Statement Fact Sheet



How might the pipeline impact Treaty Rights?

Fisheries Impacts: The most consideration the draft EIS gives to fisheries impacts is, "construction and operation of a pipeline can result in alteration of the fish habitats such as sedimentation and turbidity and direct effects such as fish mortality, thus affecting the fish population". (*Section 6.19.2*).

Oil Spills: The draft EIS does not include enough information on potential oil spill events to assess how severely a potential oil spill would impact Treaty Rights or the long term impacts of an oil spill on the environment. It states, "some crude oil could sink, become incorporated into the sediments, and remain there for years" (*Section 7.8.1.1*), but doesn't consider the potential release of the oil in the sediment during a storm.

Criminal Trespass law: Under Wisconsin law, it is a felony to enter land that is owned or used by an energy or pipeline company without permission from the company. This includes crossing a right-of-way (ROW) on public lands. The ROW would prevent tribal access to 55 acres of wetlands and forests. It would also force tribal harvests to commute an hour or more to access 68 acres of public lands due to impeded access and existing forest roads. (GLIFWC analysis can be found in *Section 6.19.3* and *Volume II, Appendix N*).

**Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**



Line 5 draft Environmental Impact Statement Fact Sheet



How could the pipeline impact Manoomin?

The Kakagon-Bad River Sloughs are downstream of the proposed pipeline route.

- The draft EIS claims that pipeline construction will not have an "adverse effect on the sloughs" (Section 6.10.7). The draft EIS makes the assumption that construction related impacts (such as increased sediment and potential contamination from drilling mud) will not reach the sloughs.
- The draft EIS considers that any manoomin "directly affected by [an] oil spill would likely die and all harvestable crop within the water" would be contaminated. It later states that "An oil spill could create permanent, negative changes to wild rice beds even after clean up; water chemistry could change, suspended solids could increase, and water clarity could decline" (Section 7.8.1.3).
- The draft EIS does not consider long term impacts such as the cultural impact of an oil spill harming manoomin, how the loss of a year's worth of manoomin would effect our communities, or future manoomin generations.

How does the the draft EIS consider impacts to Lake Superior?

The draft EIS does not provide meaningful consideration to how the proposed pipeline construction or a future oil spill would impact Lake Superior.

- **Construction Impacts:** The draft EIS minimizes concerns by stating, "impacts of construction on Lake Superior would likely be very minor compared to existing sediment and pollutant loading" (Section 6.10.6).
- **Oil Spill Impacts:** The draft EIS minimizes concerns by stating, "[w]hile it could be possible for spilled oil to reach Lake Superior, it is unlikely that a large volume of oil would reach this area since much would become trapped in sediments and vegetation at the river bottom, along stream and riverbanks, and in wetlands before reaching this far downstream" (Section 7.8.1).

**Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**

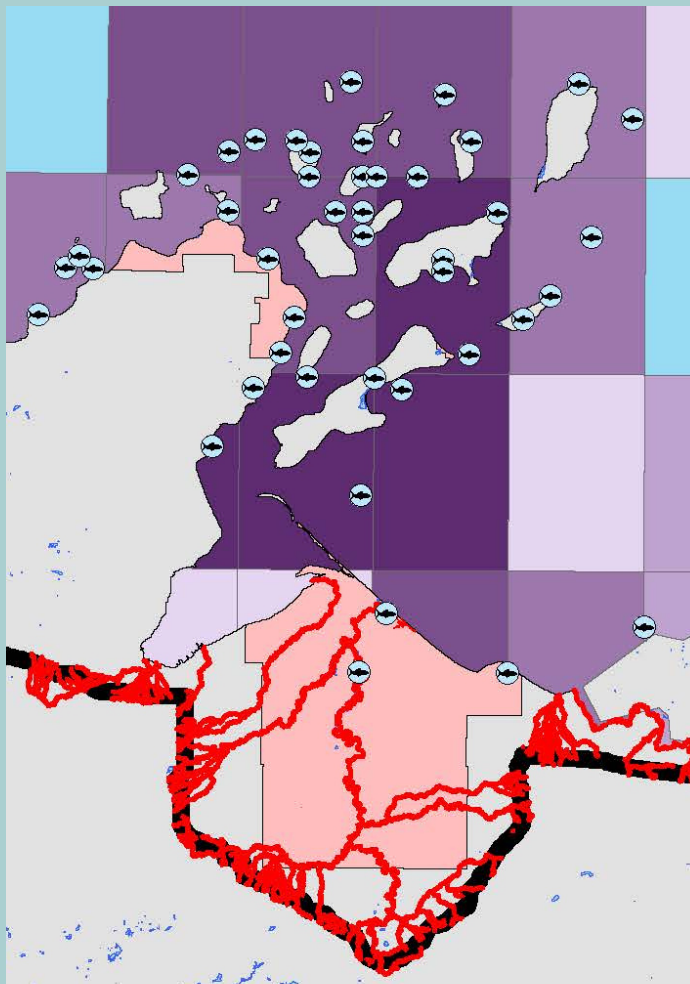


Line 5 draft Environmental Impact Statement Fact Sheet



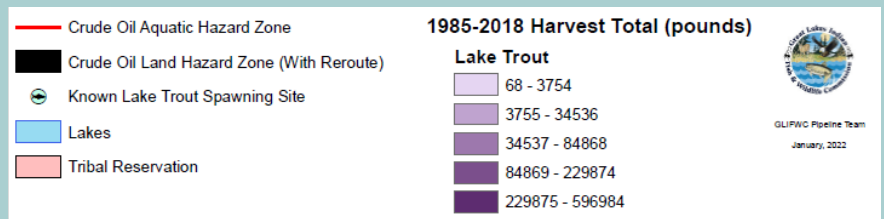
How could an oil spill impact Lake Superior Fisheries and Tribal Commercial Harvests?

- The draft EIS does not include information on the effects of an oil spill that reaches Lake Superior and its fish spawning grounds across the Apostle Islands.
- The map below shows the proposed pipeline in black. Every waterway that crosses the pipeline route and drains into Lake Superior is in red. An oil spill along these portions of the pipeline could lead to oil reaching Lake Superior. The darker shades of purple indicate greater pounds of Lake Trout harvested by Tribal Commercial harvesters. The light blue circles with black fish in the middle of them indicate known Lake Trout spawning sites.



Crude Oil Spill Pathways to Lake Superior and Tribal Commercial Fishery Harvest

By: GLIFWC Pipeline Team



Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS



Line 5 draft Environmental Impact Statement Fact Sheet



How does Enbridge plan to install their pipeline?

- **Trenches:** Enbridge will rely on heavy machinery to dig trenches to install the pipeline. This method is used for dryer areas and smaller waterways.
- **Blasting:** Enbridge plans to blow up bedrock with explosives where machinery cannot dig trenches. Blasting may fracture bedrock and impact aquifers.
- **Horizontal Direction Drilling (HDD):** Enbridge plans to drill under large waterways and wetlands to install the pipe. This process uses drilling mud mixed with chemicals that sometimes leaks into the waterway/wetland being crossed. This is commonly called a "frack-out" or an "inadvertent release". The names of chemicals used are not publicly available and the draft EIS does not assess how the chemicals will impact the environment.

How will the pipeline impact wetlands?

- **Construction Impacts:** Enbridge would remove nearly all vegetation within a 95 foot cleared right of way around the pipeline, which may disrupt hydrology, destroy medicinal plants, and force some animals to find new homes.
- **Operation Impacts:** Enbridge would maintain a 50 foot permanently cleared corridor in wetlands. There would be routine maintenance along the pipeline requiring heavy equipment and soil removal as Enbridge deems necessary.

How might the pipeline impact wetlands?

- **Construction Impacts:** Construction may lead to chemical spills associated with heavy machinery or refueling of equipment. Horizontal Directional Drilling may release drilling mud with chemicals into the environment.
- Aquifers could be breached during construction causing the release of millions of gallons of groundwater.
- **Oil Spill Impacts:** An oil spill in wetlands would likely devastate the environment. During clean up efforts after Enbridge's 2010 Kalamazoo River oil spill, the EPA determined dredging the wetlands to remove more of the oil was more environmentally harmful than leaving some oil in the wetlands.

**Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**



Line 5 draft Environmental Impact Statement Fact Sheet



What might a "frack-out" look like?

Below is an image of a frack-out at a Mississippi River crossing in Northern Minnesota during Enbridge's Line 3 Expansion construction in 2021.

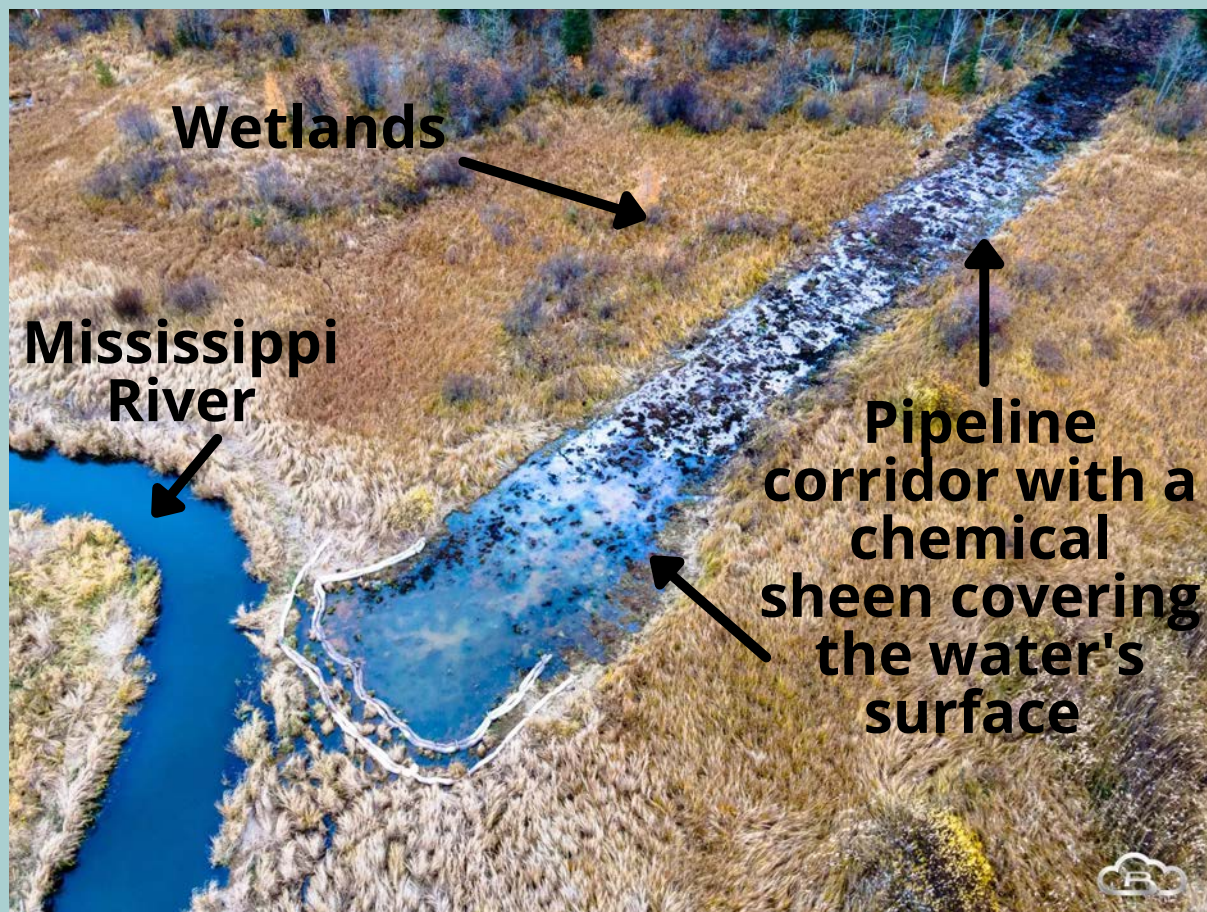


Photo credit: Ron Turney, Indigenous Environmental Network

Will a "frack-out" occur during Line 5 construction?

We do not know if/how many frack-outs may occur during the proposed pipeline construction. A Minnesota permitting agency (the MPCA) reported that frack-outs occurred at 12 out of 19 rivers crossed using Horizontal Direction Drilling during Enbridge's recent Line 3 construction in northern Minnesota. Several of these crossings experienced multiple frack-outs. Community members have reported many more frack-outs.

**Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**



Line 5 draft Environmental Impact Statement Fact Sheet



How could the project contribute to the Missing and Murdered Indigenous Women and Relatives epidemic?

- Enbridge workers were arrested in two different sex trafficking stings during Line 3 Expansion construction in northern Minnesota.
- Shelters and other supportive organizations reported higher rates of violence during the construction of Line 3 Expansion in northern Minnesota.
- The draft EIS does not provide any analysis on how the proposed project could contribute to the Missing and Murdered Indigenous Women and Relatives epidemic (MMIWR).
- The draft EIS does not provide an assessment of the capacity of MMIWR related resources in our region (shelters, hospitals, law enforcement, etc.) and if those resources have capacity to support an increased need.

How is Climate Change considered in the draft EIS?

- The draft EIS does not include greenhouse gas emissions associated with the fossil fuels that would flow through the proposed pipeline. The Wisconsin DNR is considering this a maintenance project, not a new pipeline.
- The draft EIS only considers greenhouse gas emissions associated with construction equipment that is operating at work sites.
- The draft EIS acknowledges our region's recent severe storms, but does not include details on how Enbridge proposes to mitigate environmental impacts if we experience a severe storm during construction.

How long would this pipeline operate for?

Enbridge told federal regulators that this pipeline network has an economic lifespan of 18 more years. This is attributed to a global transition away from fossil fuels and consistent opposition by indigenous peoples.

**Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**



Line 5 draft Environmental Impact Statement Fact Sheet



What about Enbridge's safety record?

Line 3 Expansion construction in December 2020-October 2021:

- Enbridge deviated from approved permitted activities and breached an aquifer in January 2021. An estimated 33 million gallons of water have been released so far. An additional 100,000 gallons of water are estimated to continue to be released each day. Enbridge was fined \$3.32 million by the Minnesota DNR.
- The MPCA is investigating at least 28 frack-outs, also known as Inadvertent Release, during Horizontal Directional Drilling activities.
- One worker nearly died after their equipment became submerged in a waterway and the worker was trapped in the cab. A beaver dam was destroyed to drain the area and rescue the trapped worker. The draft EIS does not meaningfully consider work related injuries.

Pipeline Explosions and Spills

- **2018-2020:** Enbridge's Texas Eastern natural gas system had three separate explosions across Kentucky and Ohio. A different Enbridge natural gas pipeline exploded a half mile from the Lheidli T'enneh First Nation Reserve.
- **2010:** Enbridge's Line 6B spilled approximately 1 million gallons into the Kalamazoo River. This was the second largest inland oil spill and the most expensive inland oil spill clean up. Enbridge knew that the section of pipe needed to be repaired prior to the spill. After the spill, the pipeline was replaced with a larger pipeline that nearly doubled the oil capacity.
- **2007:** Two Enbridge workers died near Clearbrook, Minnesota when a pipeline explosion occurred during maintenance.
- **1999:** Line 5's largest spill of almost a quarter million gallons occurred in Crystal Falls, Michigan near Lac Vieux Desert.
- **1991:** Enbridge's Line 3 spilled 1.7 million gallons of oil into the Prairie River.
- **1968-2017:** Line 5 has had at least 30 oil spills totaling 1.1 million gallons of oil.

**Contact the Environmental Justice Specialist for
more information at (715) 779-3615 ext. 4315
To view the draft EIS go to: tinyurl.com/Line5dEIS**