



Protecting the Common Waters of the Great Lakes Basin
Through Public Trust Solutions

**Public Comment to
Michigan Pipeline Safety Advisory Board
On behalf of FLOW's Executive Director, Elizabeth R. Kirkwood
September 18, 2017**

I begin by thanking this board for your commitment to a process to evaluate risks and alternatives and ultimately to make an informed decision about the fate of line 5.

Unfortunately, the cancellation of the risks report you commissioned due to conflict of interest and the profound flaws in the alternatives analysis have derailed your process. We do not advocate putting it back on the rails with even more study.

Now is the time for action. Now is the time for the this board to recommend that the State of Michigan exercise its legal authority as public trustee to enforce the 1953 easement and to prioritize the public waters of the Great Lakes.

The cumulative and recent evidence about the questionable integrity of Line 5 demonstrates that Enbridge is not a good steward and that neither the state nor the public can trust Enbridge.

The 2010 Enbridge Line 6B disaster in the Kalamazoo was caused by human error – it took Enbridge 17 hours to respond. The National Transportation Safety Board likened the company's response to the Keystone Kops.

Thee bare metal exposed on Line 5 similarly is due to Enbridge's human error to install anchor screws on the lakebed to prevent the pipeline from eroding and washing out. Only seven dinner plate sized areas were found, but there are sure to be more as Enbridge has installed 127 anchor screws since 2002.

Science and law provide ample support for the decommissioning of this aging pipeline. The Enbridge track record provides further support. We have shown alternatives exist. Every day the state delays acting increases the risk.

The only prudent course of action for this board is to advise that the Attorney General and Governor, as trustees of public waters and submerged lands, work in concert to shut down Line 5.

We cannot wait until the changing of the political guard in 2018. Ecological disasters do not wait for elections.

The safe decommissioning of aging infrastructure like line 5 takes time and planning. Let's start the clock on that process now.

Thank you.