



Brothertown Indian Nation Eeyamquittoowauconnuck

July 10, 2020

Wisconsin DNR
Line 5 Comments EA/7
101 South Webster Street
Madison, WI 53707

Send VIA Email Only: DNROEEACOMMENTS@WI.GOV

RE: Comments – Enbridge Line 5
Oppose Permit Applications Submitted to DNR
Support Decommission of Line 5 from Bad River Band of Chippewa Territory

Greetings:

The Brothertown Indian Nation provides written Comment to OPPOSE ENBRIDGE PERMIT APPLICATIONS; and SUPPORT DECOMMISSION of Line 5, on Bad River Band of Lake Superior Chippewa Indians territory, including: 1) remove Line 5 and related materials; 2) restore harmony and balance to the Land and Waterways impacted by decommission; and 3) that costs for such be borne exclusively by Enbridge, with all occurring only *after meaningful consultation* with the Band River Band.

The Brothertown Indian Nation is presently located in central Wisconsin, on the shores of Lake Winnebago, in Fond du Lac. We were forced to relocate from the eastern shores of the United States, together with the Oneida Indian Nation and the Stockbridge Munsee Band of Mohican Indians in the 1830's – before Wisconsin was a State. For generations, we have lived with, and depended upon, the Water. We understand in our lifeways that Water and Earth are necessary elements – having sustained life for more than seven generations prior to this; and each are necessary to sustain future generations. When we say “life” we mean life of humans, plants and our animal relatives that crawl, walk, swim and fly. We depend on these living beings for medicine, food, water, shelter, air purification, climate control and so much more. Therefore, we have tremendous respect for these essential elements and a responsibility to protect them for future generations.

DENY PERMIT APPLICATIONS:

We OPPOSE the Enbridge Permit Applications for 42 miles of 30-inch pipeline for several reasons.

- The health, safety and welfare of the Earth, Water, Air and All living beings are jeopardized. Short-term and long-term harm will occur to all living beings if permits are granted and Line 5 is not safely and responsibly decommissioned in collaboration with Bad River Band of Chippewa.
- Any spill on the permit route will still negatively and swiftly impact the Land and Waterway as previously identified by Bad River.
- Wisconsin residents and visitors do not receive any direct benefit from access to the contents of the pipeline. Line 5 products do not travel to any location in Wisconsin; rather the contents travel over/through Wisconsin – stopping in Wisconsin *only* when there is a spill.

- There have been over 30 documented spills on Line 5. This evidences that it is *not if, rather when, more spills* will occur. Every spill will expeditiously reach our waterways and wetlands, causing extensive damage to Land, Plants, Animals, and Humans. On July 26, 2010, one of the largest inland oil spills in U.S. history occurred. A Line 5 pipe burst, and oil flowed into Talmadge Creek, a tributary of the Kalamazoo River. Kalamazoo River flows directly into Lake Michigan. Despite swift action, the oil was contained only 80 river miles from Lake Michigan. For over four years, the EPA issued Orders for Enbridge to continue cleanup efforts. In November 2014, the matter was transitioned to Michigan Department of Environmental Quality for oversight. People, land, plants and animals continue to be affected negatively by this spill. The way that the Land and Water relate to one another in this region, considering the Ledge and extensive network of Watersheds and Waterways, will ensure that *every* spill will swiftly reach the Water, in its many forms, before there can be any meaningful intervention, despite Enbridge's best and swiftest efforts.
- Even after clean-up, vital cultural, food, medicinal, environmental, ecological, and economic resources will continue to suffer for generations. Wild rice, fish, plants, roots and trees used for food and medicine will be negatively impacted by a spill, both imminently and long-term. There is no estimate for time or money required to restore balance after a spill. Future generations will suffer a loss of food sources; loss of traditional practices for gathering and use of food and medicines. The American Indian community and the larger community will both be negatively affected by each spill and our ecosystems will be harmed.
- Wisconsin benefits? Short-term individual employment is greatly outweighed by far reaching, long-standing costs to people, animals, plants, environment, culture and ways of life. Temporary workers often follow pipeline builds from other states, with only a small percent hired locally.
- Permits are incomplete and do not provide a comprehensive assessment. Operational pipeline risks are omitted from the Permits. A comprehensive assessment of the project should be included to allow for a fair and accurate determination. The Permit cites a route; however, Enbridge requested an extension to work with landowners to determine a route. The current Waterway Crossings, (186) and Wetland Impacts, (140+ acres) and the type of Wetland Impacts could change sharply with route changes.
- Racial Justice demands that American Indian Voices be heard. For generations, access to traditional lifeways, including access to gather foods and medicines, to practice traditional beliefs – spirituality and religion - has been marginalized by many. Honoring and recognizing the strong belief system and traditional views of American Indians as to the living spirit embodied within all things; recognizing that all things are interwoven and inter-connected in a way that encourages each of us to look out for one another, to respect one another, to be responsible for one another as equals – those values are worth acknowledging and respecting, especially in these times when we are all engaging more meaningfully in conversations about racial justice.

DECOMMISSION LINE 5

Fully decommissioning Line 5, where Line 5 is located within Bad River Band of Lake Superior Chippewa territory, includes working directly with the Band and developing a respectful process to remove the Line and restore the impacted Land and Waterways to a place of better balance. The costs related to this should be borne by Enbridge.

Therefore, we respectfully urge you to DENY THE PERMITS requested by Enbridge to reroute Line 5; and urge you to DECOMMISSION Line as described herein and requested by Bad River.

Please correspond in writing at the address below or leave a message at 920-929-9964 for follow up. We have limited hours due to COVID-19; however, if you leave a message, we will return your call.

Respectfully,



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