



May 3<sup>rd</sup> 2020

**Statement on Case U-20763 - Reject Enbridge's request for a Declaratory Ruling**

Dear Commissioners,

We thank you for taking Enbridge's request for a declaratory ruling under thorough consideration, and for providing the people of the State of Michigan an opportunity to share facts related to this case. As you know, the 1953 easement was granted to construct twin pipelines at the bottom of the Straits of Mackinac. It was understood when the permit was issued that the lands and waters potentially impacted by the project are placed under public trust doctrine. As such, this permit has always been subject to re-evaluation based on new information. The last 67 years have provided a wealth of new information and technology.

The original easement did not consider the disastrous implications of an oil spill in the Straits of Mackinac, which researchers at the University of Michigan have called "the worst possible place" for an oil spill in the largest body of freshwater in the world. We learned from the 2010 Kalamazoo oil spill that Enbridge's pipeline operations are imperfect and will require additional review to ensure the protection of Pure Michigan's most valuable natural resource.

Climate change and the urgent need to shift away from fossil fuels also pose very serious considerations to this decision. The Pentagon has reaffirmed consistently across Republican and Democratic Presidents that climate change poses a significant threat to national security. Climate change is also a very serious threat to the security of Michigan's agriculture, fisheries, public health, and economy. Climate targets established by the Intergovernmental Panel on Climate Change require "rapid and far reaching" transitions toward carbon neutrality by the year 2030 in order to avoid the most catastrophic climate consequences. These targets, along with decreasing oil demand, place the tunnel project in danger of becoming an abandoned asset. Investment in new fossil fuel infrastructure amidst this crisis, and less than 10 years from a major goal in carbon reduction, necessitates additional review and consideration not given during the permitting process in 1953.

In consideration of this new information, Enbridge's request for a declaratory ruling should be denied so a modern evaluation may be conducted, using current science and technology.

Sincerely,

Michigan Democratic Party Environmental Caucus