



Al Monaco  
Enbridge

Dear Al,

Winona from White Earth here, I hope you've been reading my letters, but I am not optimistic. I know that you are all hoping to get that Line 3 Pipeline through Minnesota by the end of 2019, and I am going to let you know that is not going to happen for a number of reasons. And, honestly, that's not good for Enbridge, but you know that. Here's a few reasons:



*The Law. Well, there's the White Man's Law and there's the Creators Law. We are going to work in both arenas, but we are in the Creator's Law Department. I don't believe Enbridge has any Counsel there.*

*The commitment of people to protect their water is very strong.*

*Lawsuits don't look good on you or your balance sheet.*

*And, this fossil fuel stuff is dangerous- whether at Husky Oil, or to the planet, and people are catching on.*

*To use the expression. you thought you had the cat in the bag. That is to say, this summer you received a unanimous approval of the Certificate of Need by the Minnesota Public*

Utilities Commission and a tentative route. I know that the champagne bottles were really popping up there in Duluth and Calgary, but that was a rogue decision.

Everyone in the state knows that there was no basis for that decision. To be clear: after three years of hearings, testimony, and submissions, there were around 68,000 comments against the pipeline, and well around 3000 for the pipeline. ***There was a landslide against the pipeline. And the Department of Commerce did not find that Minnesota had a need for this pipeline and did not recommend issuing a certificate of need, while the Administrative Law Judge did not recommend issuing a route permit.*** That would mean that the regulatory process was against this pipeline- until you spent your \$5 million lobbying the Minnesota Public Utilities

Commission.<sup>1</sup> There, after a couple of Commissioners cried, and said they felt like they had a gun to their head, you got your unanimous approval. *Nice work on that corruption of the system by the way Al. Always good work if you can get it.*

**And then this happened:** That's to say that the lawsuits have begun. I'm sure you've got a hundred lawyers ready to bill you and your shareholders to make this happen. But, well, there's a lot of people and lawsuits already, because people want the system to work in Minnesota, including the Department of Commerce. Just to catch you up: December 21, the Department of Commerce joined tribal governments and environmental groups in filing lawsuits with the MN Court of Appeals, asking them to overturn the MN Public Utilities Commission (PUC) decision to grant a Certificate of Need for the project. This brings the total number of active Line 3 lawsuits against the State of Minnesota to seven, with more likely on the way.

The first 3 were filed in August 2018<sup>2</sup> by the Fond du Lac, Mille Lacs, Red Lake, and White Earth Bands of Ojibwe, and non-profit organizations Honor the Earth and Friends of the Headwaters, contesting the adequacy of the Environmental Impact Statement (EIS) prepared for Line 3. The 4 filed this week contest<sup>3</sup> the Certificate of Need - one filing by the Department of Commerce, one by the Youth Climate Intervenors,<sup>4</sup> one by Friends of the Headwaters, and one joint filing (read the whole thing [here](#)) by the White Earth and Red Lake Bands of Ojibwe, Honor the Earth, and Sierra Club. Additional appeals of the PUC's issuance of a Route Permit are expected soon.

*“For over 500 years we have been fighting for our land and people, and the bottom line is that our futures are at stake with this pipeline. We refuse to accept defeat at the hands of these greedy corporations and we will never stop fighting.”*

*- Nina Berglund*

*19 year-old Northern Cheyenne and Oglala Lakota woman  
and member of the Youth Climate Intervenors.*

*Let me tell you that she is pretty bad ass, and she's just getting started. Here's a link to a film about the youth mobilized to oppose your pipeline. <https://vimeo.com/297588854>*

Now the state doesn't seem comfortable with your math. Now if a conservative older white guy, Governor Dayton thinks your project is a bad idea for Minnesota, you've got more problems than just the Native people. Dayton said *“Enbridge failed to provide a future demand forecast for its product, which is required by state law. Instead, the company presented its analysis of the future oil supply from Canadian tar sands extractions. It failed to demonstrate that Minnesota needs this pipeline to meet our future oil demand. In fact, most of the product would flow through our state to supply other states and countries,”*

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<sup>1</sup> <https://www.mprnews.org/story/2018/03/20/enbridge-spends-over-5-million-lobbying>

<sup>2</sup> <https://www.stopline3.org/news/eislawsuits>

<sup>3</sup> [https://www.washingtonpost.com/business/foes-of-enbridge-line-3-pipeline-file-appeals-in-minnesota/2018/12/19/e504e010-03e6-11e9-958c-0a601226ff6b\\_story.html?fbclid=IwAR37UQLW0LhJ93hW9j6ALoznI9ALs-CyCnyk0Dsljismw5fsCPUhwyZAK9yk](https://www.washingtonpost.com/business/foes-of-enbridge-line-3-pipeline-file-appeals-in-minnesota/2018/12/19/e504e010-03e6-11e9-958c-0a601226ff6b_story.html?fbclid=IwAR37UQLW0LhJ93hW9j6ALoznI9ALs-CyCnyk0Dsljismw5fsCPUhwyZAK9yk)

<sup>4</sup> <http://stoplin3.org/news/yqi>

*Wow, that must have hurt.* I had to laugh at your new public relations person. I am not sure what happened to the last couple of them, but Enbridge spokeswoman Judi Kellner said in a statement that Dayton's statement is "very disappointing and erroneous," and that his Commerce Department's claims "are not supported by evidence or Minnesota law." That's almost funny, because she said exactly what the Department of Commerce said in September. The Commerce Department said the PUC ruling is "affected by legal error and is unsupported by the evidence." Maybe Enbridge can come up with something more unique like: "*We are disappointed that our \$5 million in lobbying did not change state agencies*".



I know that you are counting on incoming Governor Tim Walz to wax your skis for this pipeline project, but he's not well informed yet as to liability, and how dangerous this pipeline is for Minnesotans. I think he's about to hear some stories from many people, including some like Reverend Ross, here when a bunch of clergy from across the state got arrested to protest Enbridge's militarization of the North. After all, Enbridge has offered to pay for the \$38 million or more it will cost to brutalize Minnesotans over a pipeline that will never happen. That's going to be expensive to

Democracy, not only to your balance sheet. That brings me to the Courts.

### **The Law of the White Man**

Well, as we look at the pipeline horizon generally, we can see that no tar sands pipeline is moving ahead. That's right, and while you think you've got the cat in the bag on Line 3; the legal precedents are not good for you.

Let's begin with that Enbridge Northern Gateway. You made a lot of promises to your investors and shareholders, but in November of 2016, *in the midst of* Standing Rock, the National Energy Board did not approve that pipeline. Same as Energy East, that behemoth pipeline across Canada. Having purchased Kinder Morgan, (can we just call it Trudeau West?) that pipeline is now in legal hell.

And, if you take a look at the Keystone XL pipeline, it's another victim of Trump Buffoonery. Judge Brian Morris of United States District Court for Montana, blocked construction on the 1,179-mile pipeline, which would carry 800,000 barrels a day of petroleum from Canada. In the decision, the Judge noted that the administration failed to present a "reasoned explanation" for the move and "simply discarded" the effect the project would have on climate change. That's kind of a problem you see, because the IPCC and the Federal Government both just released their reports on climate change and turns out that pipelines are a big problem.<sup>5</sup>

That other pipeline with a legal problem is Kinder Morgan- aka Trudeau West. That pipeline was stopped in the Canadian Appeals Court. Why? Because Kinder Morgan faces huge opposition- not just Native people, but the people of that place called British Columbia. Yup. It turns out that you

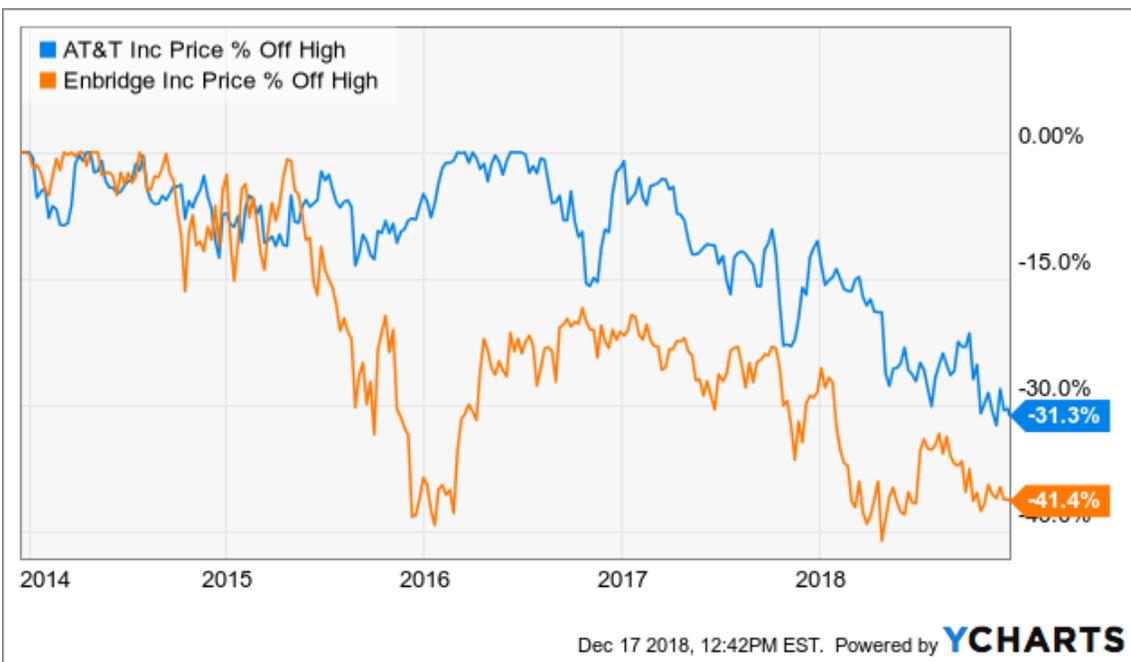
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<sup>5</sup>[https://report.ipcc.ch/sr15/pdf/sr15\\_spm\\_final.pdf](https://report.ipcc.ch/sr15/pdf/sr15_spm_final.pdf)

can't put a pipeline through in Canada without the consent of the Native people. Now, I am really wondering how that consent is doing up there in Canada on this pipeline. ***Did you buy off enough of those small villages without drinking water again, and promise some jobs? Well, to be clear, you do not have our consent here in Minnesota.***

*So, to summarize, a couple of years ago there were five pipeline projects out there for that dirty tar sands oil. Two never received approval and two are legal hell.*

Now how does Legal Hell work out for a corporate guy like you? Well it costs you money. Now I know you have lots of lawyers, we all hope you do, and that costs money. But, besides that, time is money- and I have all the time in the world because I have lived here for 8000 years. You, on the other hand have been around 60 years or so and have to report in to your shareholders on a quarterly basis, and that has not been going well for you. Now I know that it's a difficult job being a Wiindigo Energy Company, but I really feel that your liabilities are increasing pretty dramatically, and your stock value, although projected by some to be a Phoenix on the rise, is not looking good. *(That one on the bottom is you).*



I think that first dive in 2016 was losing the Sandpiper, and then Standing Rock. I know you gobbled up Spectra around then too and liquidated your renewable energy shares. *Well, I don't have a crystal ball, but it is quite possible that your next Standing Rock has yet to begin.* If I was the state of Minnesota, I would be pretty worried about your deal. I've got a really great video here, just to introduce you to our people and your neighbors in Minnesota- take a look: <https://www.stopline3.org/#intro>

### **That Little Insurance Problem**

Now you've got a whopping big insurance policy of \$940 million in chump change laying around over there, but you and I know that there's some bigger expenses with those aging pipelines. The

Kalamazoo spill cost around \$1.4 billion to clean up, and that was not even considered catastrophic, by your own spin. What about a catastrophic spill here at Superior, maybe in the Straits of Mackinac- that's a \$6 billion spill problem.<sup>6</sup> *Try spinning that one.*

So, I basically don't think that you've got that 17,511 miles of pipeline covered, or 34,410 miles of natural gas pipelines. In fact, the Administrative Law Judge O'Reilly in her 450 page decision did not trust your insurance.



Then maybe we want to add in the risk your oil posed to the city of Superior Wisconsin this year, with Enbridge delivered oil at the Husky Refinery explosion on April 26. Now, while most of your explosions seem to happen in remote areas, Superior Wisconsin is not. It was oil that you delivered. This whole thing got really up close and personal to a bunch of folks. Debris from the explosion flew about 200 feet, and hit a large above-ground storage tank containing about 50,000 barrels of asphalt, puncturing the side of the steel tank. More than 15,000 barrels of hot asphalt spilled into the refinery, and two hours later ignited a large fire. They were able to stop the fire before it spread to the tank of hydrogen fluoride, 200 feet away. That would have been a major catastrophe. According to the Star Tribune, a "dense cold killing cloud" would have put 180,000 people at risk. *Sort of scary stuff, and it's probably going to get worse.*

*Liability from your aging infrastructure is very dangerous. So that's why we don't think Minnesota is going to accept your offer. You're a risky guy. As insurance companies lead the move away from fossil fuel investments (climate change is very expensive for insurance companies, just ask the hurricane and California fire companies how that worked out), I predict that insurance is going to be difficult.*



Add to that some of the legal problems elsewhere on the Enbridge Main Line. That pipe built in 1953 at the Straits of Mackinac is a dodgy one, and you are trying really hard to get a tunnel built, right away. We will see how it goes, but the state of Michigan, the Odawa and Anishinaabe people want that pipe out. Every day, nearly 23 million gallons of oil flow through two aging pipelines just west of the Mackinac Bridge to Canada. That's right, this oil is not even for

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<sup>6</sup> [https://www.mlive.com/news/grand-rapids/index.ssf/2018/05/study\\_puts\\_63\\_billion\\_price\\_ta.htm](https://www.mlive.com/news/grand-rapids/index.ssf/2018/05/study_puts_63_billion_price_ta.htm)

“America”. Today 95% of the Line 5 oil is taking a shortcut through Michigan and the Straits of Mackinac before crossing back into Canada near Port Huron. Another lawsuit with the Coast Guard basically says that this line is too big of a risk to continue. And that no one is ready for a catastrophic oil spill.<sup>7</sup>

Then there’s those folks in Wisconsin. Not only do you not have an easement on Line 5 as it runs through the Bad River reservation, but people in Dane County are still mad about wanting insurance on your old pipes. With the new governor coming in, I feel like the future might want less risk and more insurance for sure.

Finally, there’s that price of oil. Now, I know that they are all expecting a rebound in the price for oil, but it’s got to be a bit daunting. Right now, the price is at around \$25 a barrel, and new production will cost about \$80 a barrel from (Teck project) the tar sands. Sort of not a good proposition.

### Invoicing for Mother Earth

Now because I am really risk averse, I am interested in making sure my territory is in good shape, and also getting you to pay up right away for the messes you have made. And so we think that you should pay up in advance for this pipeline. There’s a little bit of money we feel you owe. Now this is a proposed bill for the Line 3 pipeline, an Invoice from Mother Earth as it were. This invoice is what it would take to get the carbon out of the environment the proposed Line 3 would carry. (This is not an invoice for the present pipelines- that’s a bigger number).

Invoice For:



From:

**THE CREATOR**

Invoice ID

3

Issue Date

11/19/2018

DESCRIPTION (Annual use)	QUANTITY	UNIT PRICE	AMOUNT
<b>Line 3- Carbon (metric ton)</b>	170,443,912.00	\$1,000.00	\$170,443,912,000.00
<b>Line 3- boreal forest (hectare)</b>	88,711.04	\$3,560.55	\$315,860,105.58
<b>Line 3- wetland (acres- US)*</b>	560.77	\$5,625.00	\$3,154,331.25
<b>Line 3 - Social Cost</b>	187,882,252.08	\$220.00	\$41,334,095,456.68
		SUBTOTAL	\$212,097,021,893.50
		INTEREST RATE	26%
		INTEREST	\$54,127,159,987.22
	<b>AMOUNT DUE</b>		<b>\$266,224,181,880.73</b>

<sup>7</sup> [https://www.mlive.com/news/grand-rapids/index.ssf/2018/08/coast\\_guard\\_not\\_ready\\_for\\_line.html](https://www.mlive.com/news/grand-rapids/index.ssf/2018/08/coast_guard_not_ready_for_line.html)

## The Green New Deal

So what do I think? No time like the present to go into efficiency, renewables and infrastructure repair. After all, you want to spend \$450 million to make a little tunnel for your pipes under the Straits of Mackinac, I think you should just close down that pipe and spend \$45 million on pipes for Flint Michigan-put some people to work on infrastructure for people. You've got this pipe thing down, now you just gotta make infrastructure for people, not for oil. Remember Al, the People of Minnesota actually don't want a new pipe, they want old pipes closed down, not more oil, and they



want new infrastructure.

Now I know that's all visionary and stuff, but no time like the present Al. The UN says that we have twelve years to turn away from fossil fuels. *That sort of means you're a dinosaur Al, or maybe you are not.*

**68,244 PEOPLE SUBMITTED COMMENTS AGAINST LINE 3. ONLY 3,756 SUPPORTERS**

If you want to be here for the next economy- we call it the Green New Deal, and you all up in Canada call it LEAP, the structural adjustment that Justin Trudeau is going to make for his economy- the Leap into a post-colonial, regenerative economy.<sup>8</sup> I plan on heading that way, it would be swell if Enbridge would become part of the solution, not part of the problem.

See you in 2019 Al.

Gigawaabamin Naagaaj

Winona LaDuke  
Executive Director and Water Protector

<sup>8</sup> <https://leapmanifesto.org/en/the-leap-manifesto/>