

County of Antrim - Planning Commission

Jill Barnard
Mike Hayes
Bill Bailey

Jim Gurr, Chairman
Rick Teague, Vice-Chair
Barbara Bradford, Secretary

Laura Stanek
Christian Marcus
Ron Tschudy

Minutes - March 1, 2015

Board of Commissioners Room, 2nd Floor, Antrim County Building, Bellaire, Michigan

Members Present: Jim Gurr, Bill Bailey, Barb Bradford, Mike Hayes, Laura Stanek, Rick Teague, Ron Tschudy
Members Absent: Jill Barnard, Christian Marcus
Staff and Others: Janet Koch

1. Meeting called to order at 5:35 p.m. by Chairman Jim Gurr.

2. Pledge of Allegiance

3. Conflict of Interest Disclosure

None.

4. Public Comment

None.

5. Approval of Minutes

Motion by Barb Bradford, seconded by Rick Teague, to approve the minutes of the January 5, 2016 meeting as written. Motion carried – unanimous.

6. Central Lake Rising Tide

Mr. Gurr and Mr. Bailey described the Rising Tide initiative from the State of Michigan. Central Lake was one of the ten communities selected by the State to participate in Rising Tide. No monetary assistance is being included as part of the program, but the creation of a promotional video had been mentioned.

Some of the action items were the establishment of a local steering committee, a review of the Village's economic development strategy, summarizing economic challenges, and coordination with local partners to begin public outreach. A Technology and Economic Development (TED) team has been provided by the State to assist the community with the Rising Tide efforts.

7. Master Plan Chapter 3: Natural Resources & Environment

The Planning Commission discussed possible revisions to Chapter 3. A number of corrections were noted.

Mr. Gurr said at the next meeting the Planning Commission would discuss Chapter 3 implementation steps to specifically address water protection.

8. Various Matters

Board of Commissioner Resolution – Line 5

Mr. Hayes provided materials to the Planning Commission regarding Line 5, which is a pair of pipelines that transport light crude oil, light synthetic crude, and natural gas liquids under the Straits of Mackinac (**attached pgs. 3-12**).

Motion by Mike Hayes, seconded by Barb Bradford, to recommend that the Board of Commissioners consider approving a resolution regarding Enbridge, Inc.'s Line 5 that would be similar to resolutions approved by other counties in northern lower Michigan.

Motion carried – unanimous.

Capital Improvements Plan (CIP) Workshop

The Planning Commission discussed their role regarding the CIP. Ms. Stanek said a CIP was new to Antrim County; the Planning Commission could and perhaps should be involved with the CIP in the future.

Barb Bradford suggested a working exercise for the Planning Commission regarding a CIP. It was suggested that CIP projects be approved by the Planning Commission prior to approval by the Board of Commissioners.

9. Public/Member Comment

The dissolution of the Parks & Recreation Advisory Board was discussed. Ms. Stanek said the responsibility for the creation of the next 5-year Recreation Plan would be assigned elsewhere.

Motion by Bill Bailey, seconded by Ron Tschudy, to adjourn the meeting.

Motion carried – unanimous.

Meeting adjourned at 8:25 p.m.

Submitted and Approved

Barb Bradford, Secretary
Antrim County Planning Commission
Date:

About our Organization

The Straits Area Concerned Citizens for Peace, Justice, and the Environment (SACCPJE) was founded in Cheboygan in 2006. Our name summarizes our mission. We are a volunteer, grassroots group and do not identify with any political party.

We proudly admit an emotional attachment to Pure Michigan, our unspoiled woods and waters, and of course the Straits of Mackinac. The Straits defines our group - making it much more than just a place on a map.

We support transitioning to clean energy sources, but are realistic about the current need for fossil fuel. Pipelines are the safest way to transport oil and gas. Enbridge Line 5 runs 645 miles from Superior, Wisconsin delivering petroleum products from western Canada and the U.S. primarily to refineries in Sarnia, Ontario.

Our concern is the safety of a 62 year-old pipeline using a Michigan shortcut and crossing countless wetlands, streams, over 20 rivers, and our beautiful Straits. We fear a major spill in the Straits, or in waters which flow into the Great Lakes.

This packet contains documents which provide background for community resolutions calling on the Governor of Michigan to exercise his statutory authority to restrict the flow of oil through the Straits segment of the pipeline until it can be certified by independent experts that the pipeline can be operated safely.

Please contact Joanne Cromley at heronsway850@gmail.com with any questions.

For more information, please visit our web site: <http://straitspeace.org/>



Straits Area Concerned Citizens for Peace, Justice and the Environment

2/1/2016

Significant Letter to the Editor

Milliken: Seek Alternatives to Straits Pipeline Quickly

Detroit Free Press - January 3, 2016

Michigan is called the Great Lakes State for a reason. The Great Lakes surround us, they nourish us, and they define us as Michiganders. We therefore have special responsibilities as stewards of these lakes.

Today, I am profoundly concerned about a threat that could blacken vast portions of the Straits of Mackinac, the heart of our Great Lakes.

These concerns stem from the flow of 23 million gallons per day of crude oil through two underwater steel pipelines installed in 1953, traversing the Straits west of the Mackinac Bridge. For more than six decades, Canadian Pipeline Company Enbridge has relied on a state granted easement to use our public waters and bottomlands as a high stakes shortcut for moving oil from western Canada to refineries primarily in Sarnia, Ontario, Canada across the St. Clair River from Marysville, Michigan.

In my view, these lines under the Straits might not be approved today because of the risk of serious harm. Therefore, there is a strong argument that they should no longer be used to transport oil. As a matter of principle and public trust law, the state must never risk the Great Lakes for the benefit of a private interest, especially if alternative existing pipelines or alternative routes could be used. There is too much at stake: the Great Lakes support about 800,000 Michigan jobs, providing \$54 billion a year in income.

We must do more than simply hope that Enbridge can avoid, at the Straits of Mackinac, what it allowed to happen in 2010, when an Enbridge pipeline burst near Marshall and poured a million gallons of heavy oil into the Kalamazoo River watershed.

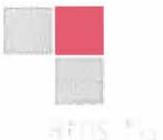
Scientific experts working with citizen groups have raised serious concerns about the Straits pipelines, including possible corrosion, dents, missing supports and the impact of invasive mussels covering the pipes.

In response to the public's growing concern, Gov. Rick Snyder formed a task force that acknowledged the state's legal duty to protect the Great Lakes from an oil spill and called, in its July report, for further study of the Straits pipelines and greater transparency from Enbridge. Snyder followed up with an executive order that established the Michigan Pipeline Advisory Board. It needs to look at the alternatives of the Enbridge pipeline including the risks that would be in increased use of freighters and trucks.

I urge that board to act with all due haste to protect the Straits, which University of Michigan researchers have called the "worst possible place" for a Great Lakes oil spill.

I call on our leaders at all levels to act swiftly to prevent a permanent stain on our Pure Michigan brand and an economic and environmental disaster at the Straits of Mackinac. We can do no less if we are to be responsible stewards of the Great Lakes — a treasure that we have a paramount duty to protect.

William G. Milliken served as Governor of Michigan from 1969 to 1983



Straits Area Concerned Citizens for Peace, Justice and the Environment



2/1/2016

Line 5 Talking Points

Background:

- Line 5 is a pair of 62-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac.
- An enormous amount of water flows through the Straits of Mackinac. At their peak volume, the Straits can move more than 10 times as much water as flows over the Niagara Falls. The currents in the Straits switch direction from east to west every few days.
- According to a 2014 study by the University of Michigan, the [Straits are the “worst possible place” for an oil spill](#) in the Great Lakes because its shifting currents would move the oil back and forth between Lakes Michigan and Huron, spreading it far and wide.
- The Great Lakes contain 20 percent of the world’s fresh, available surface water, and with this incredible resource comes a tremendous amount of responsibility to protect it.
- The Great Lakes literally define Michigan, and as Michiganders, our lakes define our lives. We’re never more than 80 miles from one of the Great Lakes, or more than eight miles from a body of water.
- The Great Lakes region is home to 10 percent of the U.S. population and 30 percent of Canada’s population.
- Eighty-five percent of the natural gas liquids in Line 5 stay in the Upper Peninsula to use as propane for heating homes. Therefore, this energy source would not be impacted if Line 5 were shut down under the Straits.
- In 2014, Governor Snyder set up the Michigan Petroleum Pipeline Task Force (MPPTF) to evaluate pipeline infrastructure and safety in Michigan and to make recommendations about what to do to protect Michigan communities and natural resources from Line 5’s aging infrastructure. The MPPTF made recommendations in July 2015, but failed to shut down Line 5 or provide a plan of action or timeline to implement the recommendations.
- In September 2015 Governor Snyder set up the Michigan Pipeline Advisory Board to develop a timeline and plan for implementing the MPPTF’s recommendations, but we cannot wait for the recommendations of another advisory group – the risk of Line 5 failing is too great.
- The Oil & Water Don’t Mix campaign is working with over 20 supporting organizations, community groups and businesses from around the state to shut down Line 5 and stop the flow of oil under the Great Lakes.

What’s at Risk:

- The Great Lakes are a drinking water source for over 35 million people.
- One in every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes. In 2009, the Great Lakes were linked to over 1.5 million jobs, with 35 percent of those jobs in Michigan.

- Tourism is one of Michigan's largest revenue sources and brings in billions of travelers' dollars each year. Our agriculture, fisheries, shipping and industry depend on a healthy Great Lakes ecosystem.
- Billions of dollars are spent each year in our state by tourists who come to explore *Pure Michigan*.
- Many species of plants and animals, several of which are threatened or endangered, make the Great Lakes their home.
- Oil flowing under the Great Lakes poses an imminent risk to our drinking water, our communities, our economy and our environment.

Enbridge Track Record:

- Enbridge has a shaky track record that includes 1,174 reportable spills, leaks and releases of liquid hydrocarbon products like crude oil and natural gas liquids since 1999.
- Since 1999, Enbridge spills and other failures have released 181,311 barrels or 7,615,062 gallons of liquid hydrocarbons into the environment.
- The number of spills per year from Enbridge pipelines has increased steadily from an average of 50 spills per year from 1999 to 2004 to an average of over 90 spills per year from 2010 to 2014.
- In 2014, Enbridge was found to be in violation of its 1953 easement for Line 5, which requires bracing every 75 feet along Line 5. Several braces along Line 5 were missing along the lake bottom and the pipeline was unsupported in the water.
- In December 2014, Enbridge was responsible for a pinhole leak in Line 5 in a section north of the Straits of Mackinac.
- Enbridge's negligence caused one of the worst and most expensive oil spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010. Almost one million gallons of tar sands oil leaked for 17 hours before Enbridge shut down the line. Thirty-eight miles of river were contaminated. Clean-up costs for the spill were roughly \$1 billion.
- When Line 6b ruptured near Kalamazoo it was due to a defect that Enbridge was aware of, but did nothing about.
- Dr. Earl Weener of the National Transportation Safety Board identified the following as causes of the catastrophic Line 6b spill: pervasive organizational failures at Enbridge, inadequate integrity management oversight and inadequate emergency response resources and procedures.
- Based on Enbridge's track record, we cannot trust this corporation to operate a pipeline safely in the Straits of Mackinac.

Problems:

- Corrosion is the number one reason that pipelines fail. It's not a question of *if* the pipeline will fail, but *when*.

- The currents in the Straits are extremely forceful and unpredictable – imagine these currents moving the way water moves in a washing machine. If there were a spill from Line 5, oil would be churned up so much that it would be nearly impossible to clean up; oil would spread throughout Lakes Michigan and Huron for up to 85 miles, according to a 2014 University of Michigan study.
- Line 5 was built before the Great Lakes Submerged Lands Act was adopted so Enbridge didn't have to obtain a permit and ensure that the pipeline wouldn't pose a threat to the waters of the state or the public's use of those waters.
- When it was built, Line 5's life expectancy was 40-50 years.
- The U.S. Coast Guard Commandant testified before Congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the Great Lakes.
- According to Steven Keck of the U.S. Coast Guard, if waves in the Straits are higher than three feet or if it is night/dark the Coast Guard would not put people on the water to recover oil.
- According to state officials, if a spill occurred in the Straits there would be no visible cleanup activity in the first hours or perhaps even the first days after the oil spilled, as response crews and equipment arrive from other regions of the country.
- Local emergency response teams would be the first to respond and the first put in harm's way.
- There is no real plan for how to recover oil in the event of a leak in winter when the lakes are covered with ice.
- In September 2015 Enbridge conducted a spill response drill in the Straits and preliminary reports show that only 30 percent of the oil would be able to be recovered.
- If a spill were to occur in the Lakes, Mackinac Island and St. Ignace would likely lose access to drinking water immediately, and ferry service to and from Mackinac Island would be stopped leaving islanders and tourists without drinking water or a way to get off the Island.

Solutions:

- It is easier to protect Michigan's waters and environment by preventing contamination or environmental degradation rather than attempting to clean up contamination and restore degraded environments and local communities after a spill.
- The state could make Enbridge submit an application for Line 5 under the Great Lakes Submerged Lands Act and subject it to that approval process.
- Public Trust Doctrine and Act 10 of 1953 provide the state with the authority, when faced with uncertainty of devastating or serious harm, take action to prevent harm, rather than waiting for a catastrophe or harm to occur.
- We need to keep fossil fuels in the ground, and make a real investment in energy efficiency, renewable energy and green jobs.

Asks:

- It's time to put the Great Lakes, our *Pure Michigan* lifestyle, our communities, our economy and our environment ahead of corporate greed.
- Attorney General Bill Schuette and Governor Rick Snyder must take swift action to shut down Line 5 under the Straits of Mackinac and stop the flow of oil under the Great Lakes.
- Support Representative Sarah Roberts and Jeff Irwin's resolutions (H.R. 182 and C.R. 15) calling on Governor Snyder and Attorney General Schuette to shut down Line 5.
- Ask your local city council/commission, county board of commissioners and/or township board to pass a local resolution calling on Governor Snyder and Attorney General Schuette to shut down Line 5.

Model Resolution

WHEREAS, Pipeline 5, which began operation in 1953 and now owned by Enbridge, has transported Alberta crude oil and natural gas liquids from Superior, Wisconsin through 18 Michigan Counties to refineries primarily in Sarnia, Ontario - a distance of 645 miles crossing numerous wetlands, 20 rivers, the Straits of Mackinac and the St. Clair River at Marysville, Michigan; and

WHEREAS, the State of Michigan and Enbridge are parties to an Easement Agreement requiring Enbridge to operate the pipeline in a reasonable and prudent manner and to guarantee payment of all damages and costs from its operation of said line; and

WHEREAS, the history of pipeline leaks shows that there is a significant risk of severe damage and economic loss to government entities, individuals, businesses, and the environment; and

Whereas, the Michigan Petroleum and Pipeline Task Force has recommended independent risk analysis, adequate financial assurances and independent analysis of alternatives to the existing Straits pipelines, together with disclosure of inspection data and other information; which recommendations have not yet been satisfied.

NOW, THEREFORE, BE IT RESOLVED, that The _____ hereby requests that Governor Snyder utilize the State's authority by acting immediately to cause Line 5 to be restricted to not more than 300,000 bbl per day and its cargo be limited to non-oil products until the recommendations of the Michigan Petroleum Pipeline Task Force have been satisfied and an independent panel of pipeline experts has certified that Line 5 is safe.

[Copies of this resolution will be provided to Governor Snyder, the Pipeline Advisory Board and Task Force, and all appropriate elected state and federal representatives.]



Straits Area Concerned Citizens for Peace, Justice and the Environment

2/1/2016

Key Facets of the Model Resolution

What the resolution says:

1. The Governor Snyder needs to exercise his authority to restrict Line 5 to its original design capacity and to limit its cargo to non-oil products (e.g., natural gas liquids and propane);
2. The Governor needs to do this immediately;
3. The pipeline restriction would remain in effect until all recommendations of the Michigan Petroleum Pipeline Task Force Report are met. Specifically: a) an independent risk analysis has been completed; b) adequate financial assurance is in place to cover all monetary losses from a straits pipeline spill; and c) an independent analysis of alternatives to the existing straits pipelines are completed and acted upon; and, d) an independent panel of pipeline experts has certified that Line 5 is safe.

What the resolution does:

- By restricting the cargo to non crude oil products, the unacceptable ecological and economic consequences will be prevented; unless this decision is made, the question is not if, but when; this is why this resolution is so urgent:
- This resolution is temporary and will buy time to pursue the recommendations of the Pipeline Petroleum Task Force and to pressure Enbridge Energy to comply with the Task Force recommendation to provide all pertinent pipeline inspection data to an independent panel of experts to assess the operational safety of the Straits pipeline.



Straits Area Concerned Citizens for Peace, Justice and the Environment

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Resolution _____

WHEREAS, Line 5 is a set of twin, 62-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac; and

WHEREAS, the currents in the Straits of Mackinac at peak volumetric transport can be more than 10 times greater than the flow of Niagara Falls and switch bi-directionally from east to west every few days, and according to a 2014 University of Michigan study are the “worst possible place” for an oil spill in the Great Lakes; and

WHEREAS, the Great Lakes contain 20 percent of the world’s fresh, available, surface water and are a drinking water source for over 35 million people; and

WHEREAS, one out of every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes; and

WHEREAS, tourism is one of Michigan’s largest income industries bringing in billions of travelers dollars spent each year; and

WHEREAS, agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and

WHEREAS, in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and

WHEREAS, Enbridge has a shaky track record that includes 1,244 reportable spills, leaks and releases from 1996 to 2013; and

WHEREAS, Enbridge was in violation for their spacing requirements of its 1953 easement for Line 5 in 2014 and were responsible for a pinhole leak in a section of the pipeline north of the Straits in December 2014; and

WHEREAS, Enbridge was responsible for one of the worst and most expensive oils spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010 allowing almost 1 million gallons of tar sands oil to leak for 17 hours before shutting down the line; and

WHEREAS, corrosion is the number one reason that pipelines fail; and

WHEREAS, Line 5 was built before the Great Lakes Submerged Lands Act was adopted so it didn’t have to obtain a permit and ensure that the pipeline wouldn’t pose a threat to the waters or the public’s use of the waters; and

WHEREAS, Michigan’s Attorney General Bill Schuette has stated (in regards to Line 5) that the “pipeline wouldn’t be built today” and that “the pipeline’s days are numbered”; and

WHEREAS, the Coast Guard Commandant testified before congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the heart of the Great Lakes; and

WHEREAS, there is no plan for how to recover oil if there was a leak during the winter when the lakes are covered with ice; and

WHEREAS, as Michiganders we have a responsibility to be wise stewards of the waters of our state for generations to come; and

WHEREAS, protection of Michigan's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the ____ day of ____, 2015, (name of town) supports stopping the transportation of oil under the Great Lakes; and

BE IT FURTHER RESOLVED, that (name of town) supports shutting down Line 5 and the flow of oil under the Great Lakes, and

BE IT FURTHER RESOLVED, that (name of town) supports H.R. 182 and C.R. 15 introduced by State Representatives Sarah Roberts and Jeff Irwin calling on Governor Rick Snyder and Attorney Bill Schuette to shut down Line 5, and

AND BE IT FURTHER RESOLVED that (name of town) will send a letter to Governor Rick Snyder, Attorney General Bill Schuette, our State Representatives, State Senators and U.S. Senators calling on them to take swift action to shut down Line 5.

PASSED, APPROVED, AND EFFECTIVE on this ____ day of ____, 2015.

ATTEST:

Mayor

Council President

PLEASE SEND A COPY OF THIS SIGNED RESOLUTION TO:

1. [Governor Rick Snyder]
2. [Attorney General Bill Schuette]
3. [town's state representatives]
4. [town's state senators]
5. [US Senators]
6. [Food & Water Watch]