



OIL IN THE LAKES

Resisting Enbridge's Line 5

"SOMEONE SHOULD DO SOMETHING"

The dream was like this:
A turtle swimming with a
hook through its belly

Up to \$5K reward offered for info on summer 2022 Enbridge fire



Photo by: The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)



By: FOX 17
Posted at 2:44 PM, Mar 27, 2023 and last updated 6:44 PM, Mar 27, 2023

ST. IGNACE, Mich. — A reward of up to \$5,000 is being offered in exchange for information leading to the arrest of those responsible for a suspected arson in northern Michigan last summer.

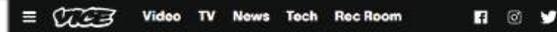
The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) says a suspicious fire broke out at the maintenance shop for the Enbridge pipeline on Aug. 31, 2022.

Break-in by protesters shut down 4 pipelines across Michigan

BETH LEBLANC | The Detroit News

As a group of young environmentalists live-streamed their break-in at a Tuscola County valve station in the fall, Enbridge Energy shut down not one but four Michigan pipelines and alerted police to a second potential disturbance at a key mid-Michigan terminal, according to police records.

The company estimated, at a minimum, it lost \$10,000 due to the forced closure of its lines for several hours on Oct. 19, according to police records obtained through a Freedom of Information Act request.



Environment

Canadian Protesters Keep Shutting Down the Line Nine Oil Pipeline

Activists chained themselves to a valve in the name of Indigenous land claims before being arrested on Monday.

LATEST ABOUT crutout

NEWS PERSONS & POLICING

Over 800 Water Protectors Have Been Arrested Since Line 3 Pipeline Was Approved

Some Water Protectors see direct action as one of the few tactics that produces quick results.

By WIL FRANK, CRUTOUT
August 28, 2021



Some Grassroots Networks

www.communitiesunitedbywater.org
www.linktr.ee/waterprotectornetwork
www.stop9b.org
www.stopl原因3.org
www.waterprotectorlegal.org

There are also quite a few big green non-profits that engage in Line 5 campaigns. Note that some of them collaborate with law enforcement. Please always use discretion and your best judgement.

Feel free to fact check this zine!

Feedback can be sent to:

21kcuf@pm.me

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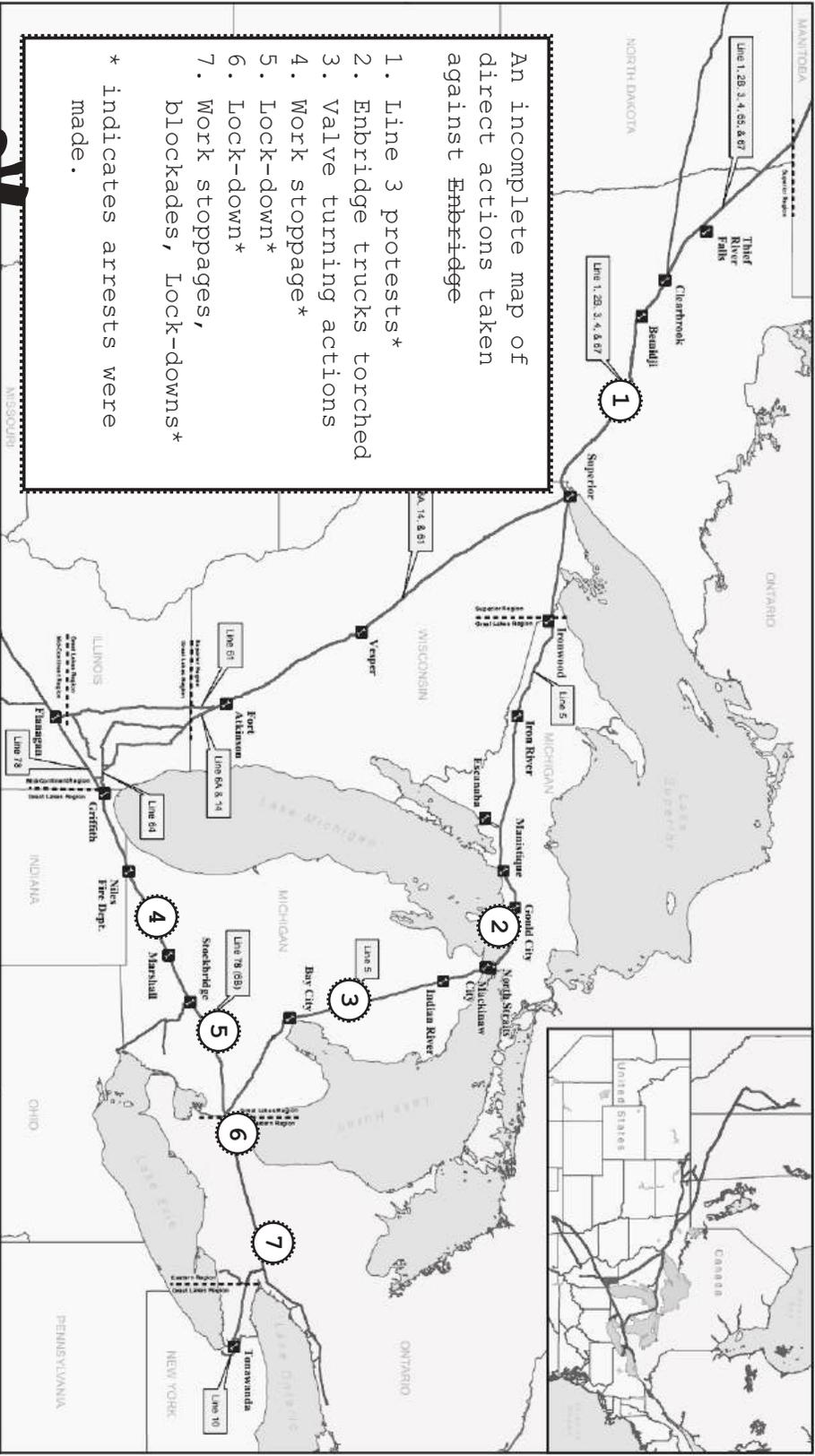
FIRST EDITION
ZIGWAN 2024

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An incomplete map of direct actions taken against Enbridge

1. Line 3 protests*
2. Enbridge trucks torched
3. Valve turning actions
4. Work stoppage*
5. Lock-down*
6. Lock-down*
7. Work stoppages, blockades, Lock-downs*

* indicates arrests were made.



Enbridge Pipeline System
Enbridge Lakerhead System
Enbridge Equipment Locations
Regional Boundaries

Lakehead System Map
Equipment Locations

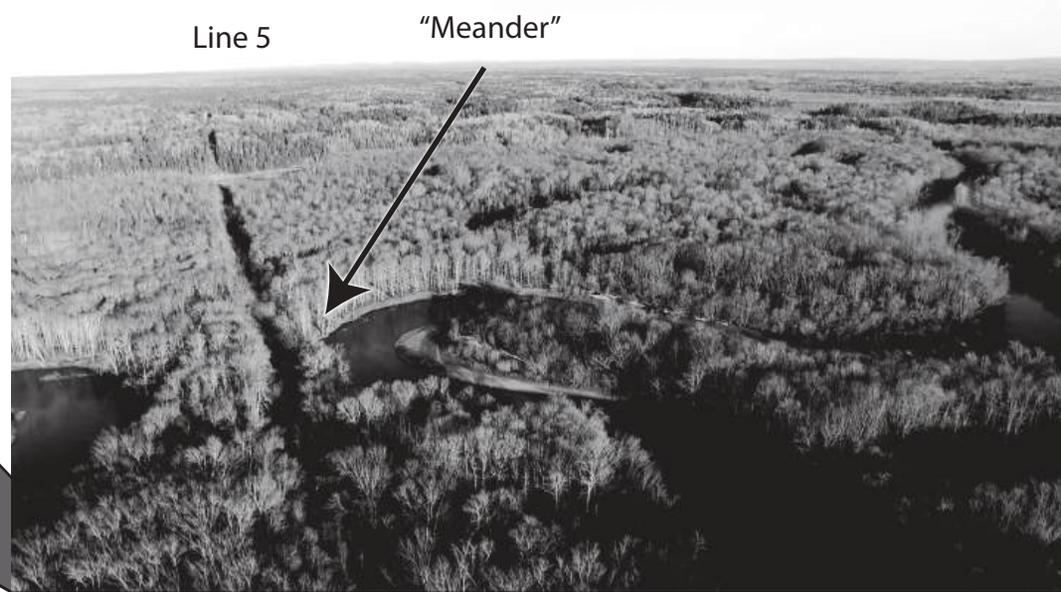
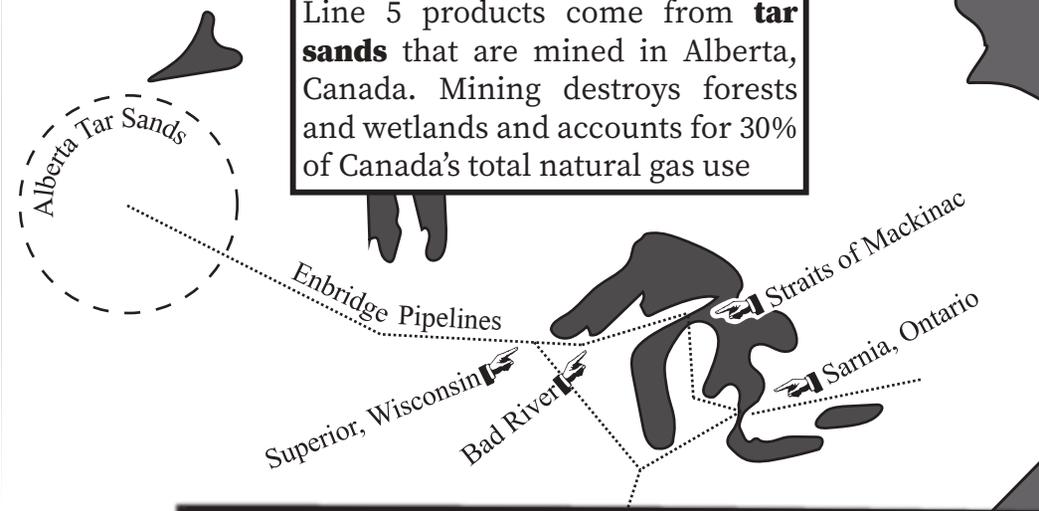
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WHAT IS LINE 5?

Line 5 is a pipeline owned by **Enbridge Energy** that carries **Crude Oil** and **Liquid Natural Gas (LNG)**

Line 5 connects to Line 3 in Superior, WI and runs through the **Straits of Mackinac** to Sarnia, ON where it connects to Line 9

Line 5 products come from **tar sands** that are mined in Alberta, Canada. Mining destroys forests and wetlands and accounts for 30% of Canada's total natural gas use

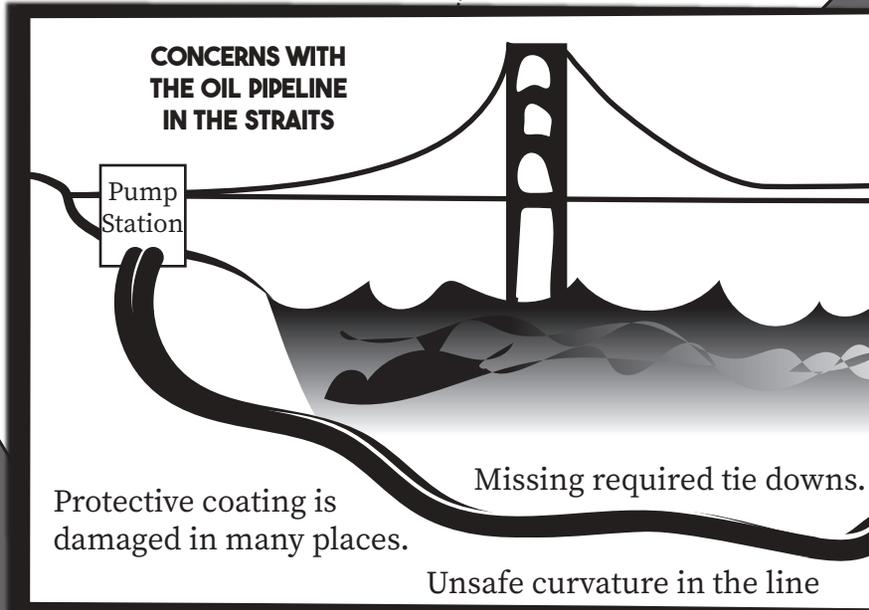


Erosion at the "meander" (above)

Since the ruling, the riverbank near the pipeline has eroded significantly and threatens to expose the bare pipeline to the forces of the river which it was not designed to withstand. In addition to this location there are 4 places where the pipeline is within 15 feet of the river.

Exposed pipeline at slope 18 (below)

Enbridge has routinely dug up sections of Line 5 to investigate "anomalies" or sites of potential failure. At one of these sites they refilled the ground improperly with clay that eroded and there is now a 49 foot stretch of Line 5 exposed and unsupported.



THE BAD RIVER BAND

The Bad River Band has won a lawsuit against Enbridge! But both sides are appealing the decision which would allow the pipeline to continue operating through June 16, 2026. In the meantime there are some imminent risks as the pipeline continues to operate. These are outlines on the next page.

While the case is still contested it is likely that construction will begin on a potential reroute in the near future. Any pipeline construction in this region will have numerous river and stream crossings (the current plan has over 130). Folks in the area are gearing up for a big fight. Go get your people!

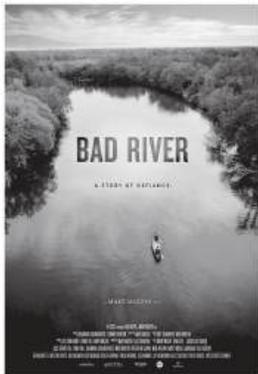
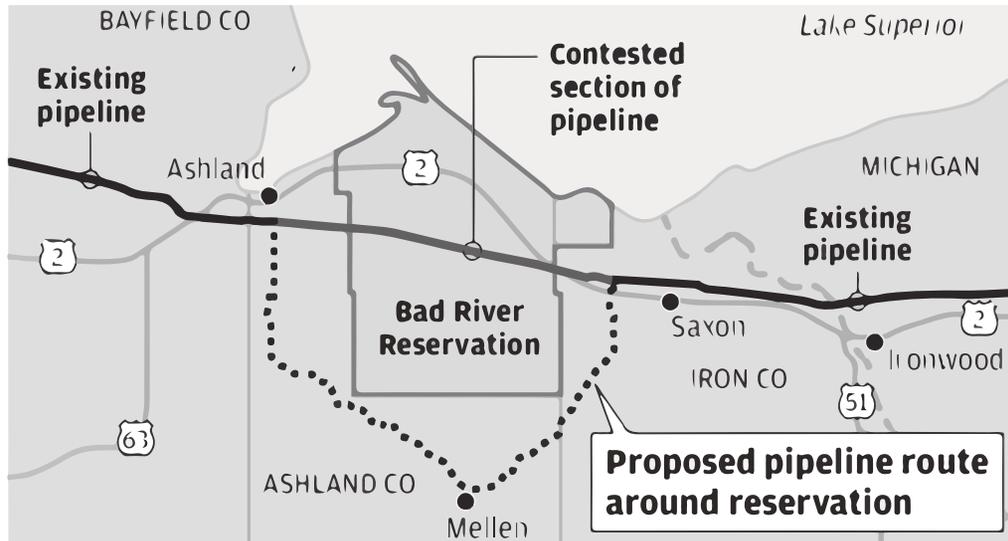
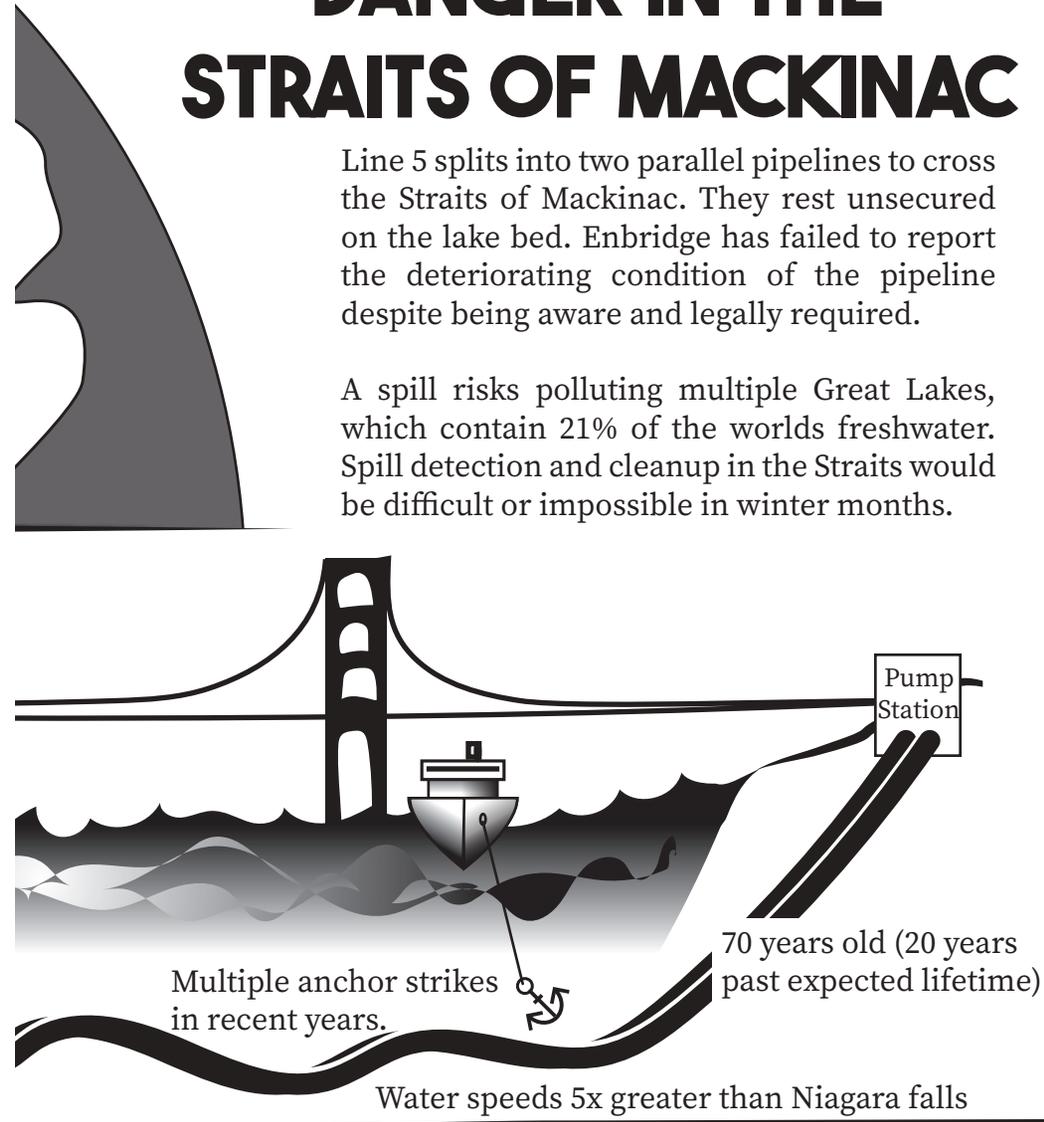
Line 5 has spilled 33 times, totaling over a million gallons of oil. Enbridge is also responsible for the two largest inland oil spills in history (Grand Rapids, MN and Kalamazoo, MI).

Enbridge is operating Line 5 illegally. There are lawsuits against Enbridge from the State of Michigan for putting the public at risk and the Bad River Band for trespassing.

DANGER IN THE STRAITS OF MACKINAC

Line 5 splits into two parallel pipelines to cross the Straits of Mackinac. They rest unsecured on the lake bed. Enbridge has failed to report the deteriorating condition of the pipeline despite being aware and legally required.

A spill risks polluting multiple Great Lakes, which contain 21% of the world's freshwater. Spill detection and cleanup in the Straits would be difficult or impossible in winter months.



Check out the new feature length documentary film "Bad River" (2024) to learn more about the Bad River Band as told by tribal members. www.badriverfilm.com

OIL IS KILLING US

Tar Sand Mining

- Deforestation: Clear cutting old growth forests destroys one of the worlds best carbon sinks.
- Strip Mining: Creates barren wastelands devoid of live while also polluting air and waterways.

Processing

- Energy Intensive: Tar sand processing is the largest use of natural gas in Canada besides heating buildings.
- Chemically Intensive: Crude oil is made transportable using chemical additives. Byproducts of the processing and later refinement creates toxic waste like pet coke.

Transportation

- Spills: All pipelines spill. Line 5 alone has spilled 1 million gallons, this doesnt account for other segments of the Lakehead pipeline network like Line 3 and Line 9.
- Aquifer breaches and pollution: Pipeline construction leads to water tables being wrecked as well as "frac-outs". Maintenance often includes ongoing use of glyphosate.

Refinement

- Air pollution: Refineries release foul odors, ozone and smog. Plus, tons of greenhouse gases make the energy industry the number one contributor to climate change.
- Dangerous Jobs: Jobs related to oil mining and refinement are ranked as some of the most dangeous in the world due to numerous physical and chemical hazards.

Consumption

- Health Hazards: Asthma is common in urban locations. Rare cancers also cluster around refineries. Auto accidents are a leading cause of premature death.
- Unsustainable Infrastructure: Oil based infrastructure is old technology that can be replaced with more efficient and resilient alternatives.

THE PROPOSED TUNNEL

WHAT IS IT?

Enbridge originally proposed a \$500 million tunnel in 2018. The estimate for this has gone up to a multi-billion dollar project. The tunnel would be 19 feet in diameter (large enough to drive a truck through) and carry explosive natural gas as well as oil. It will take about 6 years to build moving at a rate of 17 feet per day.

WHO IS OVERSEEING IT?

Enbridge's tunnel has been approved by the Michigan Public Service Commission and is going thru a contracting process under the supervision of the Mackinac Straits Corridor Authority. The project is also in the middle of an Environmental Impact Statement (also known as an EIS) by the Army Corps of Engineers.

MPSC Green Lights the project

MSCA Approves Contractors

ACE okays environmental destruction

SPILL OIL

Who are these companies?

LEGAL FAQ

Why's the pipeline still running?

MI Governor Snyder gave Enbridge permission to operate in the Straits of Mackinac as they explore a proposed tunnel project. Enbridge also counter-sued Nessel's injunction and the Bad River ruling and is supported by the Government of Canada who invoked the 1977 treaty. While the cases are contested Enbridge has decided to keep operating Line 5.

Why is it taking so long anyways?

It's a crap shoot and nobody wants to make a decision. Western Michigan District Judge Neff waited 6 months to certify her ruling that the Nessel v Enbridge case should be put into the Federal court, which meant it couldn't be appealed for that whole time. Litigators had to apply pressure via a "writ of Mandamus" before she even certified the decision, which was a big delay.

Isn't this time sensitive?

Yes, there are risks of a critical failure in Bad River due to erosion, and in the Straits from an anchor strike or other technical failures - especially given Enbridge's track record of spills, tendency to cover up violations, and because Line 5 is 20 years past its 50 year expected lifetime.



Top Photo: Alberta Tar Sands. Clear cut forests are now brown mud flats. In the distance is a processing plant. The scale of the destruction is hard to comprehend.

Bottom Photo: The Marathon Refinery in Detroit, Michigan processes 30% of the product from Line 5. A recent explosion made headlines and forced an evacuation.

DO WE NEED LINE 5 FOR ENERGY?

No! The extraction and refinement of tar sands is so energy intensive that it actually takes almost as much energy to produce as it generates! The UP Energy Task Force found that the propane Line 5 supplies Michigan can be replaced by 4 rail cars. Propane prices would go up only 5 cents per gallon. Gasoline prices would go up less than one cent per gallon in the U.S. and less than two cents per liter in Canada.

DOES ENBRIDGE HELP OUR ECONOMY?

No! Enbridge receives federal tax breaks despite making a record high \$16 billion in profit in 2023. Every year oil and gas companies receive billions of dollars in corporate welfare. The jobs they promise are temporary and often filled by out of state specialists. What if instead of tax breaks and kick-backs we invested in our own communities?

CAN I TRUST WHAT ENBRIDGE SAYS?

No! Enbridge spends millions of dollars on misinformation campaigns! They had to pull ads for using edited and misleading images. Their donations to media outlets and promoted content online helps them spread lies. Enbridge influences politicians and elections with millions of dollars in political donations... and that's just what we know about!

ENBRIDGE
LIES

NESSSEL V. ENBRIDGE

Michigan's Attorney General, Dana Nessel, filed a lawsuit against Enbridge focused on their failure to comply with the terms of the 1953 Pipe Line Easement in the Straits of Mackinac.

Nessel argues Enbridge failed to comply with safety requirements (see pages 2 and 3) and also knowingly hid various risks they were required to disclose. This is currently being litigated and remains to be seen if it will be a federal or state court issue.

This case documents one instance of what is already clear: Enbridge is a criminal enterprise that puts profits over people. They hold no regard for the law and use their billions to strong arm the public, manipulate legal systems, and avoid oversight.



LEGAL SUMMARY

1953 Presidential Permit: Originally signed by Eisenhower this authorises Line 5 to cross from Port Huron into Sarnia. It can be revoked by any U.S. President.

1953 Mackinac Straits Pipe Line Easement: Signed by the State of Michigan it outlines criteria for Enbridge operating in the Straits of Mackinac.

1977 Treaty: Signed by the U.S. and Canada (without including First Nations or Native American Tribes) the treaty states that there can be no interruption of critical infrastructure between the two countries.

Nessel v. Enbridge: Michigan's Attorney General is suing to get Enbridge out of the Great Lakes. This is moving slowly.

Bad River Band v. Enbridge: The tribe won their case. Enbridge is guilty of trespassing and must reroute or shut down by June 16, 2026, but both sides are appealing.

2018 Easement Extension: Michigan Gov. Snyder gave Enbridge permission to keep using the pipelines while they explore the creation of a tunnel.

More than 50 First Nations called on the Government of Canada to stop violating the human rights of Indigenous peoples through its support for Enbridge's Line 5 crude oil pipeline. Letters have been delivered to the United Nations Human Rights Council and the other to the Government of Canada.

All 12 federally recognized tribes of Michigan are in direct opposition to Line 5. In 2021 they sent a signed letter to President Biden asking it to be decommissioned.

WE GOT RECEIPTS:

PLG (a energy industry consulting firm) and Groundworks (a environmental organization) agree:
Line 5 can be shut down with little market disturbance.



Likely Market Responses to a Shutdown of Line 5 October 2023

Key Findings Summary:

"Taken together, it is clear that there exists a range of commercially feasible and operationally viable solutions that can provide alternative crude and NGL supply chains to affected markets in the event of a Line 5 shutdown. That such myriad options exist and can be readily implemented is consistent with the nature of hydrocarbon supply chains in North America, of which Line 5 products and markets are a part."



groundwork CENTER FOR RESILIENT COMMUNITIES

**Canadian Profits,
Michigan Risk**
May 2018

"Line 5 threatens Michigan's economy and environment, brings little in return"

"...Michigan and Midwest refineries could operate with no economic disruption without Line 5. [Additionally there are] viable solutions that should be implemented to secure necessary propane to Upper Peninsula residents..."

ENBRIDGE IS EVIL INC

A mysterious and powerful corporation with high-level political ties, hundreds of billions of dollars in assets hidden in shell companies, ties to human trafficking rings, and an appetite for backroom deals and shady cover-ups... This is Enbridge.

- Enbridge brings in out of state temporary workers for its projects (so much for creating good jobs for locals).
- These workers live in “man camps” that correspond with higher rates of Missing and Murdered Indigenous Women (MMIW) as well as Girls and Two-Spirited people.
- During Line 3 construction, three Enbridge contractors were convicted of human trafficking.
- Enbridge hires police as private security and build inside connections with law enforcement.

Enbridge also covers up their environmental damage, lies to oversight officials, and knowingly breaks the law.

- Enbridge overrode alarms and increased pressure in the Kalamazoo Line 6B. Leading to one of the worst inland spills in history.
- During Line 3 construction in 2021 Enbridge knowingly hid an aquifer breach for over a year before independent investigations revealed the cause.
- Enbridge knew of damage and violations in Line 5 and failed to report it, third party oversight and court documents show this was deliberate.
- Enbridge trespasses on sovereign land governed by Native Americans (Bad River Band) and operates Line 5 illegally even after their lease expired!

NOVEMBER 2020: MI GOVERNOR WHITMER REVOKES EASEMENT

MI Gov. Whitmer revoked the 1953 easement because Line 5 doesn't supply the State with a meaningful amount of energy and because Enbridge violates the public trust and failed to comply with multiple parts of the 1953 easement. Enbridge violations include: unsupported pipeline spans (some 5 and a half times longer than required), damaged pipeline coatings, dangerous pipeline curvature, and unreasonable risks. The notice of revocation cites that Enbridge knowingly avoided reporting or fixing these violations.

Enbridge has appealed this and continues to operate the pipeline in the meantime with the support of the Canadian government who invoked a 1977 Treaty between Canada and the U.S. and now Whitmer and Nessel have combined their cases into one “Nessel v Enbridge” which is progressing slowly.

MAY 2021: BAY MILLS INDIAN COMMUNITY BANISHED ENBRIDGE

Bay Mills banished Enbridge citing the fact that Enbridge has spilled over a million gallons of oil, been fined \$6.5 million for failing to properly maintain and repair the existing system, and because Enbridge is continuing to operate after their easement expired. They are also challenging permits Enbridge applied for.

SEPT. 2022: ENBRIDGE GUILTY OF TRESPASSING IN BAD RIVER

The Bad River Band of Lake Superior Chippewa decided not to renew an easement with Enbridge that expired in 2013. In 2019 the tribe sued for Line 5 to be shut down and removed from their land. In September U.S. District Judge Conley found Enbridge guilty of trespassing and ordered the pipeline shut down by June 16, 2026. This decision is being appealed.

MAY 2023: U.N. CALLS FOR SHUTDOWN OF LINE 5

The United Nations Permanent Forum on Indigenous Issues recommended that Canada and the United States decommission the Enbridge Line 5 oil pipeline. Recognizing that Line 5 "jeopardize[s] the Great Lakes" and "presents a real and credible threat to the treaty-protected fishing rights of Indigenous Peoples."

LEGAL LANDSCAPE

Here is a incomplete timeline of some of the key treaties, legal documents, and court cases governing Line 5.

THE 1836 TREATY OF WASHINGTON

The 1836 Treaty ceded the region that contains the Straits of Mackinaw but reserved hunting, fishing, and gathering rights for the tribes in the area. The Sault Ste. Marie Tribe of Chippewa Indians, the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Little River Band of Ottawa Indians all were signatories of the treaty.

1953: TWO KEY PERMITS

Enbridge was granted a **pipe line easement** to build and operate in the Straits of Mackinac by the Conservation Commission to the State of Michigan (as long as they met certain safety and reporting requirements). The project had an intended lifetime of 50 years. President Eisenhower also granted a **presidential permit** for the transportation of oil to Canada.

THE 1977 TREATY BETWEEN U.S.A. AND CANADA

The 1977 treaty between U.S. and Canada protects energy infrastructure that flows between the countries. Native tribes were not included in the treaty.

DECEMBER 2018: MI GOVERNOR SNYDER EXTENDS EASEMENT

Former MI Gov. Snyder and his appointees signed an agreement that approved Enbridge's continued use of the pipeline pending the construction of a tunnel (see Proposed Tunnel). Part of this agreement requires Enbridge comply with the 1953 easement.

AUGUST 2020: LINE 5 HALTED WITH RESTRAINING ORDER

MI Attorney General Nessel stopped the operation of Line 5 temporarily after multiple anchor strikes in the Straits. Hidden information came to light about the damage to the pipeline.



WHAT'S THE PLAN?

We are united in our goal of shutting down Line 5 and there are many strategies available. We all benefit from a diversity of tactics! You don't have to agree with everyone's approach but remember if you condemn another person's actions you signal to the police that those people are disposable which puts allies at risk and weakens our collective power!

- **Awareness Campaigns:** Educate neighbors about the truth surrounding Line 5, Enbridge puts out tons of fake news!
- **Engage in the Permitting Process:** There are a bunch of regulators that approve various stages of construction. Go to hearings and speak out!
- **Lawsuits:** Lots of this is already underway, but it's slow and the courts aren't very progressive.

- **Lobby/Educate/Pressure Officials:** Reach out to folks who have powerful positions and let them know how you feel! Vote for people that will work to get Line 5 shut down, there are some allies out there!

- **Target Enbridge's Pillars of Support:** Projects like Line 5 rely on funders, insurance agencies, and many different contractors to carry out their plan. Find out who Enbridge is working with and get them to withdraw from the project.

- **Resistance:** Front-line direct action is a key part of successful social struggles! Think about what will be most effective at making the project too expensive or risky for Enbridge to proceed.

- **Offering Alternatives:** Many local governments take payouts from Enbridge. Think of other ways to provide for our neighbors needs without relying on oil money!



"Value in diversity" is a principle for stewarding a healthy ecosystem. The same can be said for upholding a healthy movement. Diversity of tactics, diversity of people, diversity of minds, outlooks and skill sets.