



WISCONSIN'S BLACK SNAKE

THE LINE 5 REROUTE
AROUND MASHKIIZIIBII

The struggle against Line 5 is a struggle for the safety and sovereignty of Bad River.

This zine is an introduction to help folks learn about the Wisconsin Line 5 reroute project, slated to start construction in Winter '25/'26. Our hope is to give folks some context: for the land and the people who caretake it, for the threat that the pipeline poses to a vital and delicate freshwater ecosystem, and for the long history of resistance to extraction in this corner of Turtle Island. *We've got a stance on the topic: the pipeline should be removed and the company should pay for removal, remediation, and damages.*

Our sources (listed in full at the back) include the excellent film *Bad River*, put out in 2024 (available for streaming), Bad River's own Line 5 web resources, The science and advocacy by The Great Lakes Indian Fish and Wildlife Commission (GLIFWC), The Sierra Club's website, Midwest Environmental Advocates' website, and other research and conversation. The authors of this zine are committed to the future of the lake and all the beings who rely on her.

We're really grateful to the writers of *Oil in The Lakes* — a great zine about the horrors of Line 5 and Enbridge in general. Read it for a fuller picture of the fight — **this zine is just about the WI reroute.**

This is an actively unfolding campaign. To stay informed, updates on the legal battle and construction can be found online at <https://communitiesunitedbywater.org/>
<https://watchline5.com/>
email us at desertersdistro@proton.me

DESERTERS DISTRO

Run quick my dear the old world is behind you!

ART BY JONAS GOONFACE.



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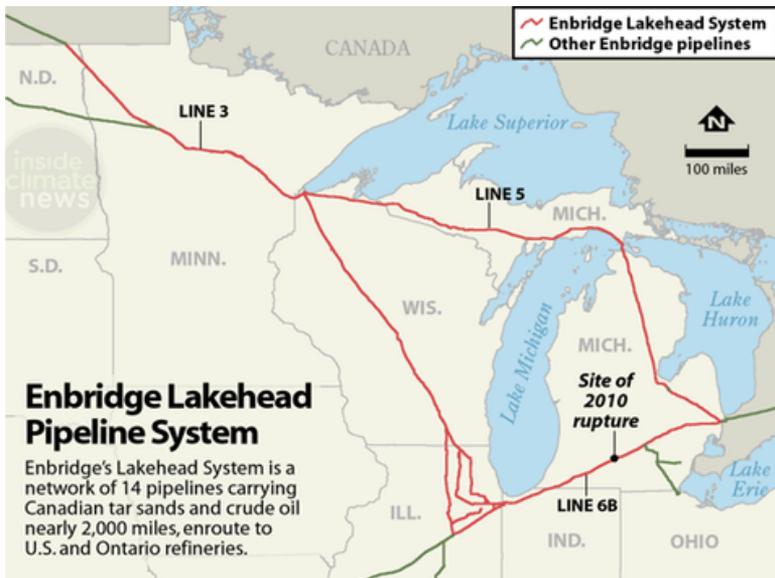


What's Line 5?

Line 5 is an oil pipeline. It carries various kinds of oil extracted from the Alberta tar sands, an oil mining pit in Canada bigger than all of England. This massive extraction project is the source of Line 5's harm, and its devastating effects on local communities merit a whole other zine.

Built in 1953 in rural Wisconsin without the consent of surrounding Tribal Nations, Line 5 has long outlived its anticipated lifespan of 50 years. Line 5 has had 29 spills [3], spilling a total of 1.1 million gallons since its construction, resulting in a horrible mix of destructive environmental impacts.

Line 5 exists in violation of multiple treaties with Tribal Nations. The pipeline needs to be shut off and removed, as Bad River has been demanding in federal court. It is operated by Enbridge, a Canada-based energy transport company who are very experienced advocating for themselves in the legal system. Line 5 is part of Enbridge's Lakehead Pipeline System (see fig. 1), directly connected to the Line 3 pipeline, whose 2021 expansion project was wildly unpopular and harmful. Line 3's construction activated thousands of people to take action in resisting the project through various tactics and strategies



SOURCE: Enbridge

fig. 1

PAUL HORN / InsideClimate News

The Proposed Reroute

The proposed re-route runs just around the reservation boundary, through the same Bad River watershed, and poses the same risks (and then some!) to the tribe, the critters, the land, and the water as the current route.

The current route of the pipeline cuts across the heart of the Bad River Reservation, where Line 5 continues to operate despite the expiration of their easements (land use permits that let companies put their infrastructure on land they don't own). The Bad River Band of Lake Superior Chippewa has filed a lawsuit in federal court to force the removal of the aging pipeline. The courts affirmed the fact that Enbridge is trespassing on their sovereign territory —and rather than shut down Line 5 — Enbridge plans to build a new section of pipeline around the perimeter of the Reservation. **This new route is still within the Bad River watershed.** The reroute would allow Enbridge to continue operating their aging pipeline in environmentally sensitive areas. The new route goes through majority white and conservative municipalities: Enbridge was able to cut deals with private landowners for easements along their new path - skirting around the properties where residents rejected their offers.

In 2024, Enbridge offered the Band \$80 million in exchange for allowing Line 5 to continue trespassing on Tribal land. The Band replied by issuing an open letter in which they declared, **“our homeland, our treaty rights and our way of life are not for sale.”**

Why is this pipe a bad idea?

Pipelines leak, fossil fuel infrastructure is destroying the only known habitat for life, and climate chaos was never inevitable

It's not if a pipeline will spill, but when. Enbridge has a miserable track record: they've had over 800 spills in the last 15 years [13], with several horrible spills in recent history: in Kalamazoo, MI (>1,000,000 gallons in 2010), Grand Rapids, MN (1,700,000 gallons in 1991) , and Jefferson County, WI (~69,000 gallons in 2024), just to name a few. They also have a record of natural gas pipeline explosions in Ohio, Texas and British Columbia. It is both an understood industry risk that their pipes leak, and an industry standard to try and convince us that they are somehow worth that risk.

Enbridge has been strangling the public conversation with an intense regional advertising campaign to make it seem like business as usual is the only option. They've mailed open letters to Bad River to thousands of households in Bayfield and Ashland counties, they sponsor local radio stations, sports teams, and events, donate to local law enforcement offices, and they have full page ads in every edition of the Ashland Daily Press.

But business as usual isn't necessary! Line 5 doesn't directly supply oil products to any local community. In court, the Bad River v Enbridge case showed that gasoline prices in Wisconsin, Michigan, and Ontario would go up by pennies per gallon (at most) if the pipe was shut off and removed. Despite what Enbridge's paid speakers imply, nobody would go cold if we turned off and removed this pipe. And besides, rural people are able and resilient. We are more than capable of transitioning away from fossil fuel infrastructure if we decide to.

In 2025, we understand that burning fossil fuels causes global temperature rise and chaotic changes to the climate: we can see it in the wildfire smoke, warming lake temperatures, and increasingly regular 100 and 500 year storms [14]. We also need to see that we've got more options than they're selling us. Doubling down on an infrastructure project that chains us further to the fossil fuel economy spells doom for the 7th generation.

Cultural Context

Turtle Island is being occupied by the American Empire. Indigenous peoples all over the continent have struggled against genocide, displacement, and resource extraction, and resist to this day. In Northern Wisconsin, folks across the political spectrum have historically been fiercely protective of Lake Superior.

In the time before 1800 The Anishinaabeg migrated west to the great lakes region following a prophecy about a place where food grows on the water, and in response to mounting colonial threats to their people. That food —manoomin, or wild rice— is abundant in the sloughs around the Bad River, where some anishinabeg ended their migration. To learn more about this deeply interesting chapter of history, see [17]. Here and elsewhere, Ojibwe peoples have resisted displacement since the threat of colonial violence arrived.

In 1830 The Indian Removal Act was signed into law giving settlers and the state license for ethnic cleansing, genocide and settler colonialism. You might remember the Trail of Tears from history class. The Indian Removal Act is the law that started that horror, and it attacked communities across Turtle Island.

In 1854, pushing back against those policies of dispossession, Chief Buffalo and other tribal chiefs went to Washington D.C. to negotiate with president Millard Fillmore for the cancellation of the indian removal order he was administering. Fillmore agreed that in exchange for another 13 million acres of land, the Lake Superior Ojibwe could retain their homeland with extended off-reservation hunting and fishing rights, and so they signed the Treaty of 1854. These rights to use the land and water are referred to legally as usufructory rights: they're a cornerstone of Bad River's legal arguments, and essential to the current livelihood and strength of Anishinaabe communities across the region.

In 1887, the federal government's Bureau of Indian Affairs (BIA) broke up Bad River and other Native lands into small private lots called allotments- a policy extended in reach by the Dawes Act (1887), which explicitly intended to force Native Americans to "assume a capitalist and proprietary relationship with property".

KEVIN BRUYNEEL: "They had been "allotting" the land [that makes up the reservations], chopping them up into pieces. The rest of the land that is not distributed is now up for sale. Those parcels were bought by lumber companies. They should have never been sold. They should have stayed in our hands. All of the extra land that is not allotted out would now be free for white settlement." [22]

Assimilation, a policy overseen by the BIA, was an effort to forcibly integrate native peoples into American culture. This was done to pull people away from the land, to destroy traditional ecological knowledge, and to support the white settlement of the area. This isn't conjecture - that was the explicit stated purpose of this policy, epitomized in the phrase "kill the indian, save the man." To be really clear: we understand these efforts by the US Government to be the elements of a genocide. We bring this history up now because that campaign of genocide has never stopped: it continues through the work of companies like Enbridge.

In 1953, the Canadian company that would become Enbridge constructed Line 5 to move oil from western to eastern Canada. Pipelines haven't always been vining across the continent: they're an oil industry workaroud to the power of striking dockworkers on the coasts [21]. The cheapest and easiest pipeline route for the company was to dip down to the United States through the Great Lakes before heading back to Canada. Line 5 was installed on the Bad River Reservation, courtesy of the Bureau of Indian Affairs, without the consent of the Bad River Band.

The greater Chequamegon Bay area has been settled by waves of colonizers: the people who came here historically made their lives alongside the logging, mining, and fishing industries. The vast majority of our original forests are gone, and the lake is impacted by all kinds of threats: and still, rural people generally have some level of love and respect for the land. People of many backgrounds live here now as farmers, loggers, fisherfolk, ecologists, back-to-the-landers, hippies, evangelical christians, hunters, retired academics, etc, and they have all proven able to protect the land and the waters when it counts.

Residents of many stripes are committed to the wellbeing of the lake and the land. In facing outside threats, native and settler communities have often fought together. The people of Bad River, in particular, have been fighting to protect their home. Joe Rose, a beloved Bad River elder who is now an ancestor, used to say that in terms of environmental campaigns and protecting the land, Bad River is batting 1000 and hasn't lost yet (in baseball-speak that means they're crushing it.) Bad River tribal members have been protecting their treaty rights since the treaties were signed, and their lands long before that.

the 1960-70's bring the height of the Walleye Wars (a racist conflict that flares up every spearing season to this day) & the landmark treaty rights cases: the Gurnoe and Voigt decisions. They're hard-fought watershed affirmations of treaty rights, read more about them at [12,19]

More notable fights and wins in recent history include:

- The fight against the crandon mine lasted from the 70's to 2002 down in mole lake, when the US supreme court affirmed their right as a sovereign nation to enforce their own clean air and water standards. This made the mine economically unviable (capitalism relies on sacrifice zones!) and the company sold the land to the tribe and shuttered for good.
- In 1996 there was a 28 day train blockade and ceremony that stopped the transport of hazardous sulfuric acid through Bad River. This moment in Bad River's history is deeply interesting: learn more at [4].
- The Penokee Mine was proposed in 2010 and fought for the next 5 years. Gogebic Taconite LLC, (locally known as G-TAC) a Florida-based mining company, proposed an iron taconite mine in the Penokee Hills of northern Wisconsin - upstream of Bad River. Due to a mix of organizing including Tribal pressure, escalation from non-native activists, and changing economics, the mining project was abandoned.
- Communities came out in force to reject a concentrated animal farm operation (CAFO) in 2014. Bayfield County, Red Cliff and Bad River all rallied against the project preventing the pig farm from developing.
- Resistance to a 2020 bid by a south shore landowner to start a water bottling company blossomed into a massive protection campaign under the slogan Lake Superior Not For Sale, ending with a state-level lawsuit that affirmed the local municipalities' right to say no to the project on environmental grounds.

"Often, when Native Nations assert their treaty rights and sovereignty, they are confronted with a backlash from their [settler] neighbors, who are fearful of losing control of the natural resources. Yet, when both groups are faced with an outside threat to their common environment....these communities have unexpectedly joined together to protect the resources."

- Zoltan Grossman, Unlikely Allies

The proposed new construction and continued operation of Line 5 are part of the same pattern of abuse against the people and the land as the rest of the history of colonization. The professional and businesslike way they move makes it seem clean, but there's blood on the hands of those who work for companies like Enbridge.

Ecological Context

It's wet out there: 15% of Wisconsin is wetlands and 75% of our species depend on them. The Kakagon and Bad River sloughs are recognized as Wetlands of International Importance through the Ramsar Convention on Wetlands. The US has an obligation to maintain the ecological character of those designated wetlands as a contracted party in the convention.

The threat of an oil spill from Line 5 is always looming. The pipe is especially vulnerable at a spot on the Bad River often referred to as 'the meander'. The river is moving—as it does naturally—and the pipeline is incompatible with the river's new path. In that very remote location, Enbridge wants to move earth to shore-up the integrity of the pipeline. Justifiably, Bad River officials are sceptical of the safety, efficacy, and environmental impact of that plan. Former Tribal Chair and fierce advocate Mike Wiggins Jr. describes the river's movement like this:

“...Our land and water are leading us in that effort to reject Line 5. I would say that the power of the bad river, the actual mashkii züibii, the river itself: if left alone that river would have that Line destroyed in a matter of under 10 years. There's another spot where- and I like to look at the world this way- where the thunderbirds came and pounded our land and blew out a huge beaver dam that released and slammed right into the Line 5 area, and created another area where line 5 is compromised and on its way to disaster. The work of those thunderbirds, the work of the power of our river, are clear, tangible, animate leadership signals to us that the manidoog and our home says: No. Get out. And so we're gonna follow it up with the work that we have to do, as a tribe, as a people, to get Enbridge off of our reservation and remove that imminent threat to our waters and to Lake Superior herself.”

Pipeline construction is dangerous and complicated. Midwest Environmental Advocates have been writing about the likely impacts of the re-route. Here's some of what they compiled about the environmental impacts of the project:

sensitive ecology

- The reroute would allow Enbridge to continue operating the pipeline in environmentally sensitive areas, including the Bad River Watershed, upstream of Lake Superior and the Kakagon Sloughs, the largest wetland complex on Lake Superior.

- The pipeline would cross the Bad River and Tyler Forks River just upstream of Brownstone Falls. The powerful waterfall would act as a chute during a spill, carrying the toxic oil downstream faster than humans could respond. *The WDNR's draft EIS explicitly said cleanup of an oil spill in the falls isn't possible.* As extreme precipitation events driven by climate change become increasingly frequent, concerns about pipeline integrity and the possibility of catastrophic spills have mounted.

impacts of construction

- Enbridge proposes to dredge and blast its way along a route that stretches for more than 40 miles, crossing nearly 200 waterbodies and impacting more than 100 acres of wetlands. They also want to bore underneath several rivers and streams using a horizontal directional drill.
- In-stream blasting, which is intended to fracture bedrock, could fundamentally alter the way water gets in and out of the stream. Harm to sensitive aquatic species such as trout would result.
- During horizontal directional drilling, a slurry of bentonite clay and fracking fluids are injected into the ground. The pressurized mud can escape along fractures and through permeable layers (called a frac-out) and kill vegetation, harm aquatic life and pollute waterways.
- The longterm presence of a pipeline impacts the way water is able to move along the surface of the land- this has already been documented by Bad River on their reservation.
- In its permit application materials, Enbridge mischaracterizes impacts associated with clearing forested wetlands as “temporary” when it would take multiple decades for vegetation to re-grow to pre-construction conditions.
- Impacts to wetlands would not be confined to the construction right of way, as Enbridge claims, given the extent of the construction activities and the interconnected nature of the wetland complexes the reroute would cross.
- During the construction of Line 3 in northern Minnesota, 28 drilling failures called frac-outs occurred at 19 stream and wetland crossings and at 12 of the crossings, dangerous drilling fluid reached the waterway. They have yet to remediate the harm done by these frac-outs, leaving the environment to suffer. Enbridge has failed to show that they can cross waterways along the Line 5 reroute without causing frac-outs.

These are some of the specific and technical threats that the existing pipe and the new construction pose to the ecology of the Bad River Watershed. But ecology can feel like a flat way to talk about the diverse and miraculous communities of beings that live in that place.

Think on the name (sturgeon) and oga (walleye) who raise their young in the Bad River and Kakagon sloughs, the baapaagimaak (ash trees), who love to have their roots wet and who live second lives in traditional basketwork. The grandmother ziinzibaakwadwtaig (sugar maple trees) who are so wide that two people combined couldn't hug them and have their hands meet. There are engangered bats, wood turtles orchids, and ferns, specialized bog species who have been part of their bog community longer than time. This precious web of life deserves protection.

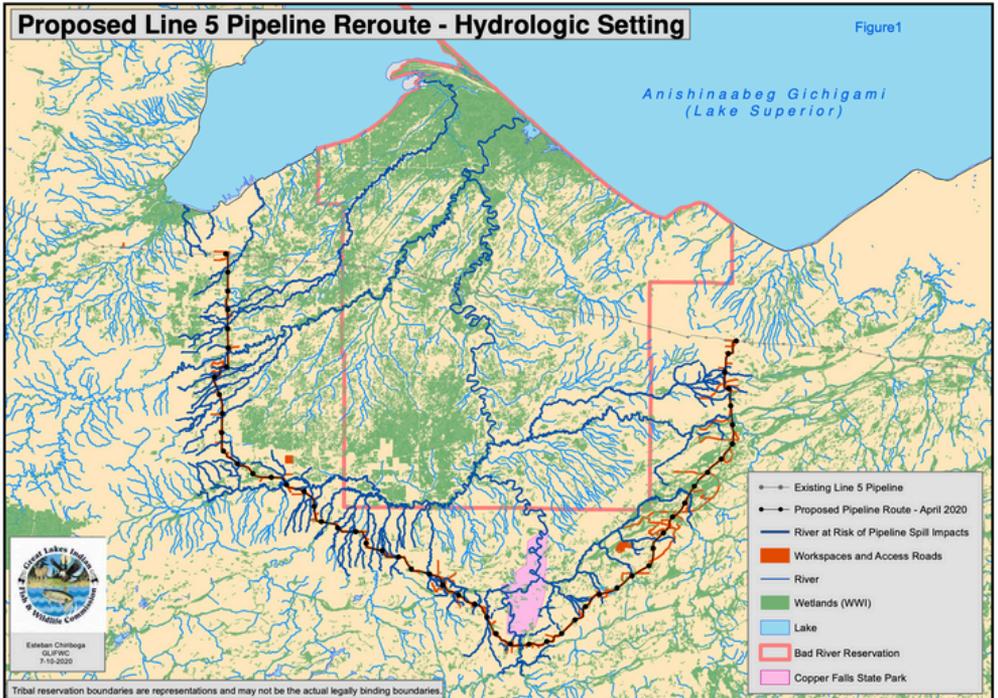


fig. 2

Legal Context

The legal battle around Line 5 is more than 10 years old, and the easements expired in 2013.

The proposed re-route is Enbridge's solution to a court ruling from 2023 that they're trespassing on Bad River. Bad River won the case: they proved Enbridge is trespassing. The court granted them 5 million in settlement, which is a pittance compared to the profit Enbridge has made (and continues to make) while trespassing, and denied the Tribe's urgent demand for the pipeline to be shut off.

The Army Corps of Engineers and the Wisconsin DNR both received permit applications from Enbridge for different parts of construction for the re-route project. The DNR approved their permits in late 2024. The Army Corps of Engineers issued their permits for the project in October 2025.

Bad River and a group of environmental nonprofits contested those Wisconsin Department of Natural Resources permits in court in December of 2024. *Enbridge can't legally do work on the pipeline until this court case is over.* There is a legal grey area for related work, like logging, laying matting, building man camps, preparing machinery and so on, all of which they started doing in October 2025. A decision in the contested case proceeding is generally expected in December 2025.

Bad River says the reroute impacts their rights to land and water secured in the 1842 and 1854 Treaties of LaPointe. Midwest Environmental Advocates, petitioning with the Sierra Club, 350 Wisconsin, and the League of Women Voters, have also contested the DNR's permits, saying they violate the clean water act.

So what does this mean for concerned readers at the end of 2025? Construction is imminent; now is the time to start thinking about what this fight means for you.

Gee this sucks - what can be done about it?

We're not interested in offering you a plan or a program, but here's a fun idea: we're all capable of making the changes we want to see. Even more, it's our responsibility to make them happen. The world we deserve —free of pipelines — needs action from every corner to come into existence. Decide for yourself what you're going to do with the info you now have.

While waiting for the legal battle to resolve, folks who can commute to Ashland have been hosting Water Protector community potlucks. There have been rallies and protests, and people have made public comments, made art, and written op-eds. People are scouting the proposed re-route easement, surveying for endangered species on public lands, and keeping tabs on Enbridge activity in the area. People have come together to walk and to pray for the water. People have shown up to Enbridge events to antagonize them, and to try and dialogue with people there. People have posted the locations of man camps, pipe yards, and Enbridge equipment publicly online. There have been reports of survey stakes going missing on the easement. People are preparing to act bravely in the face of Enbridge's continued violence.

Community members have made the following suggestions about what can be done. People should make plans that suit them, and remember to live and let live. All resistance is necessary.

"go to events that are open to all on the rez and bring people coffee"

"make a ruckus"

"turn the pipe off!"

"talk to our lawmakers and encourage them to speak against the pipeline"

"stop construction by any means necessary"

"spike the trees"

"pray for the water"

Citations and Resources

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8. *Mike Wiggins Jr on listening to the leadership of the thunderbirds* <https://youtu.be/phKQtdK8MV8?si=RhcsPbGrS4-TZyK9>
9. *Community created L5R self guided tour by Carl Sack:* <https://storymaps.arcgis.com/stories/70cc2484cbdd4c65a1832a3fad6e513d>
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21. *Carbon Democracy: Political Power in the age of oil (2023) Timothy Mitchell*
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Anishnabeg Gichigami

Gaa-Miskwaabiikaang
(Red Cliff)

Mashkigong-Zibling-Ishkonigan
(Bad River)

Mooningwaakaaing-minis
(Maadeline Island)

Kakagon Soughs

Bad River Soughs

Lower Bad River

Potato River

Tyler Forks River

Upper Bad River

Marengo River

White River

Mashkii Zaganigan
(Caroline Lake)

Pemose Range

Bad River Watershed

Bad River Watershed

Sub-Watershed

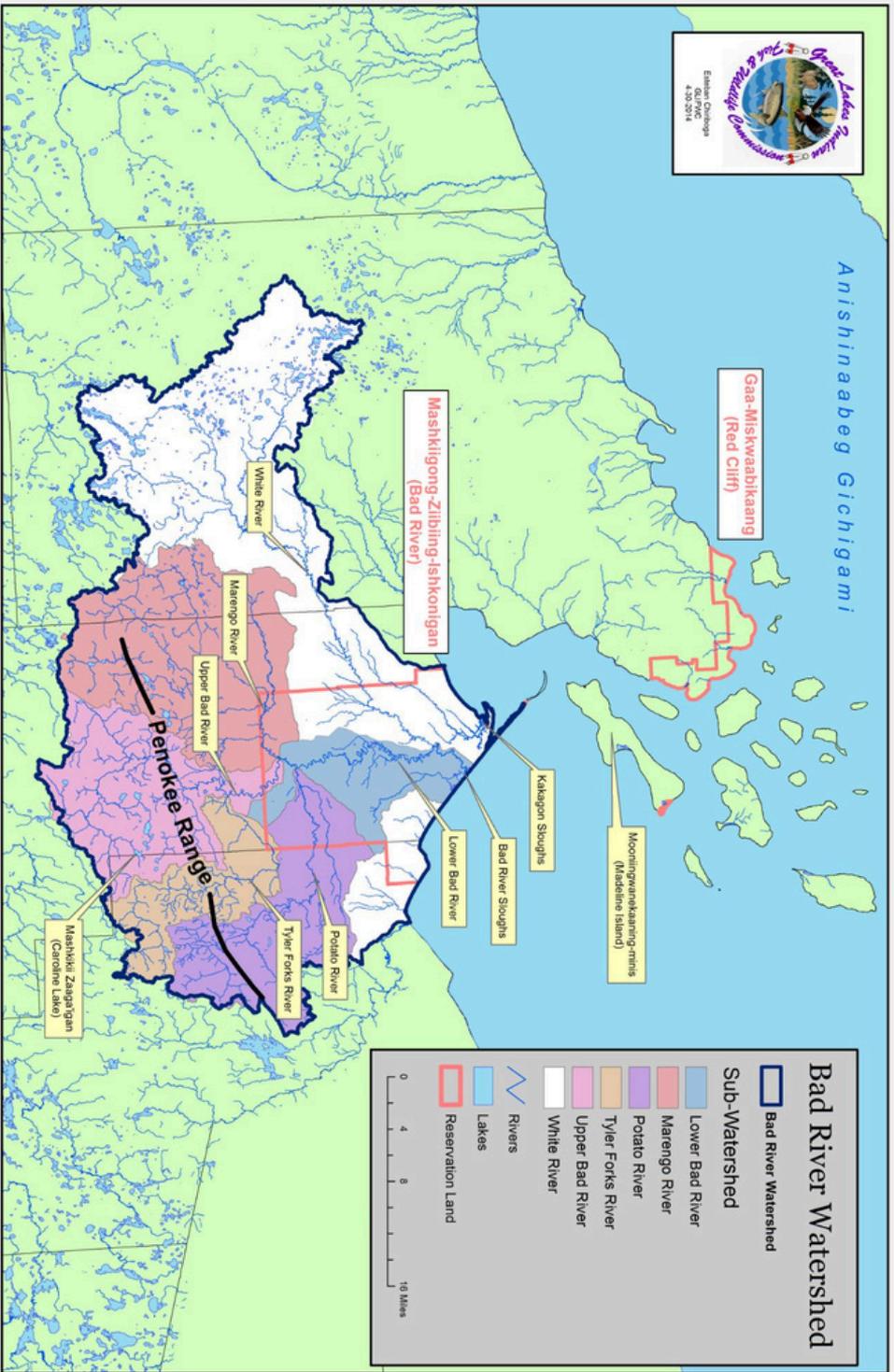
- Lower Bad River
- Marengo River
- Potato River
- Tyler Forks River
- Upper Bad River
- White River

Rivers

Lakes

Reservation Land

0 4 8 16 Miles





START

NOT FOR SALE

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