

Line 5 EIS FAQs

September 6 2024

What is Line 5?

Operational since 1953, Line 5 is part of an extensive network of petroleum transport pipelines owned and operated by Enbridge Energy, LLC. Line 5 runs for 645 miles from Superior, Wisconsin to Sarnia, Ontario and transports light crude oil and natural gas liquids.

Natural gas liquids are refined into liquid propane at facilities in Sarnia and Rapid River, Michigan. Light crude oil received at the Marysville, Michigan pumping station is redirected via a separate line to refineries in Detroit, Michigan and Toledo, Ohio. Remaining light crudes received at Line 5's terminus in Sarnia are either transported to Sarnia area refineries or Enbridge's Line 7 for distribution to facilities in southern Ontario.

What is Enbridge proposing to do?

Approximately 12 miles of the existing pipeline passes through the Bad River Reservation of the Bad River Band of Lake Superior Chippewa. Enbridge is proposing to replace a 20-mile section of the existing pipeline extending from 4.4 miles west of the Reservation boundary to 3.3 miles east of the Reservation Boundary with a 41-mile section of new pipeline routed outside Reservation borders.

Why did DNR prepare an Environmental Impact Statement (EIS)?

DNR prepared an EIS to comply with section 1.11(2)(c) of the Wisconsin State Statutes. State law requires all agencies to prepare a detailed statement, called an environmental impact statement, for major actions that significantly affect the quality of the human environment.

Enbridge has applied for multiple DNR permits that they must secure before they can proceed with their proposed reroute of Line 5. DNR has the authority to approve, condition or deny each permit under application. For a project of this scale, these decisions constitute a major action.

What is an Environmental Impact Statement (EIS)?

An EIS is an objective, detailed and comprehensive analysis of the anticipated environmental & socio-economic impacts of a proposed project and its alternatives. ***It's important to recognize that an EIS is an informational tool to inform decision making; it is not a determinative document.***

Ch. NR 150, Wis. Adm. Code, defines the purpose and intent of an EIS as follows:

- **Purpose.** The purpose of an EIS is to inform decision-makers and the public of the anticipated effects on the quality of the human environment of a proposed action or project and alternatives to the proposed action or project. *The EIS is an informational tool that does not compel a particular decision by the agency or prevent the agency from concluding that other values outweigh the environmental consequences of a proposed action or project.*
- **Intent.** The EIS shall address the entire proposed project including all related department actions. *An EIS shall consider the proposed action or project, alternatives and anticipated environmental effects in a dispassionate manner, and may not advocate a particular position about a proposed action or project. The EIS shall provide a level of detail commensurate with the complexity of the action or project being evaluated.*

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Were there opportunities for public involvement in the development of the EIS?

There have been multiple opportunities for public involvement throughout the process of developing the final document, including:

- July 2020 virtual public hearing and comment period on the scope of the EIS (over 2000 comments received)
- February 2022 virtual public hearing and comment period on the draft EIS (10 hours of hearing testimony; over 32,000 written comments received)

The department considered public comments in preparing the final EIS document. A summary of comments received and the department's associated responses accompanies the final EIS.

What about Tribal involvement?

Tribal governments and their representatives have had extensive involvement in the scoping and development of the draft and final EIS, including government-to-government consultation and 14 meetings between DNR and Tribal technical professionals. In addition to technical aspects of the EIS, Tribal experts also helped inform sections pertaining to cultural resources, beliefs and traditions.

How does the final EIS differ from the draft EIS?

In addition to organizational edits, textual revisions and enhancements, the final EIS incorporates a substantial amount of additional information, modeling, and analysis beyond what was included in the 2022 draft document. Please consult the table of contents for an overview of the final document's content and scope.

How is the EIS considered in DNR's permitting decisions?

DNR reviews Enbridge's permit application materials and gives due consideration to the EIS as part of the process of making final decisions to approve, deny or condition the permit and approvals under application.

DNR permits and approvals include:

- Wetland Permit and Water Quality Certification under Ch. 281.36, Wis. Stats
- Waterway permits and Water Quality Certification under Ch. 30, Wis. Stats
- Wisconsin Pollution Discharge Elimination System (WPDES) Permit for Construction Site Storm Water
- Coverage under the WPDES General Permit for Discharge related to Hydrostatic Testing of Petroleum systems
- State Endangered Resources Review.
- Impacts on historic and cultural resources (in coordination with the U.S. Army Corps of Engineers, State Historic Preservation Office, and Tribal Historic Preservation Officers)