



Cheboygan County Board of Commissioners

MISSION STATEMENT

Cheboygan County officials and staff efficiently provide public services with pride in an open and courteous manner with responsible management of county resources.

**November 24, 2015
Committee of the Whole Meeting
9:30 a.m.
Agenda**

1. Call to Order
2. Roll Call
3. Invocation/Pledge of Allegiance
4. Approve Agenda
5. **CITIZENS COMMENTS**
6. **SCHEDULED VISITORS/DEPARTMENT REPORTS**
 - A. Certificates of Appreciation
 1. Chris Brown – Cheboygan County Zoning Board of Appeals
 2. Curtis Chambers – Cheboygan County Marina Harbormaster
 - B. Gregory Bock, Salvation Army Business Manager
 - C. Joanne Cromley – Regarding Enbridge Line 5 Pipeline
7. **ADMINISTRATOR'S REPORT**
8. **OLD BUSINESS**
9. **NEW BUSINESS**
10. **BOARD MATTERS FOR DISCUSSION**
 - A. 2016 Draft Budget Review
11. **CITIZENS COMMENTS**
12. **BOARD MEMBER COMMENTS**
13. **CLOSED SESSION – Pursuant to MCL 15.268(c) Union Negotiations**
14. **ADJOURN TO THE CALL OF THE CHAIR**

Dear Cheboygan County Commissioner:

The Governor's Michigan Petroleum Pipeline Task Force has come and gone with little to show for current and future protection of the Great Lakes, in particular Enbridge's Line 5. Your letter to the governor dated November 25, 2014 states: The Great Lakes are Michigan's most valuable natural resource, worthy of the State's best efforts to exercise its expertise in assuring the pipeline is safe, while affording the citizens of Michigan with the opportunity to exercise their right to comment on this important pipeline".

Let us examine what has transpired.

Regarding the "Governor's Task Force" perhaps the county needs to revisit the history of the pipeline from 1953. The MPSC played an active role in supervising the design and evolution of Line 5 from 1953 through 1993. During this time the public had access to Line 5 documentation regarding its configuration and operating restrictions. This is no longer the case.

The operating pressure restrictions last set by the MPSC in 1963 are based on new pipe and have not been reexamined to determine the effects of 62 years of erosion and corrosion on Line 5. Enbridge has submitted significant data to the MPSC for examination by the Task Force and being held by the Attorney General under a confidentiality agreement. It is NOT known how much of this data has been reviewed by the original Pipeline Task Force but it is assured that any committee composed of non-experts will not be able to correctly interpret the information and reach meaningful conclusions.

Further the governor states that Enbridge has banned tar sands running through the line. This is NOT enough or acceptable. The governor's rational for banning tar sands in Line 5 was inadequate emergency response. The same issue is present for transporting conventional light oils in Line 5. The USCG testified before Congress last April stating that they were "uncomfortable" with the emergency response and the September 24th drill only captured 30 percent. The governor must restrict Line 5 to all non-oil cargo by January 1, 2016. He has the legal authority.

Finally, a new task force has been formed, however it lacks authority, independent experts or a timeline. The issue is just too important for elected county representatives to simply monitor what the state and federal authorities may or may not be doing. We are asking you to get involved to protect our county from an imminent disaster. The clock is ticking through the 62 year old pipeline.

The Governor and Attorney General have the legal authority to restrict Enbridge Line 5 pipelines to non-oil cargos. As elected officials from Cheboygan County, please consider telling them to exercise their authority now!

Joanne Cromley, Resident of Cheboygan County

Resolution to Limit Enbridge Line 5 across the Straits to LPG (Page1))

<p>History</p>	<p>WHEREAS, Line 5, owned by Enbridge, has transported light crude oil and natural gas under the Straits of Mackinac for 62 years; and</p> <p>WHEREAS, the original agreement with the State of Michigan called for a maximum capacity of 300,000 barrels (bbs) per day. That capacity has been raised to 540,000 bbs, which requires pressure more than 10 times greater than the flow of Niagara Falls; and</p> <p>WHEREAS, permits ensuring that pipelines would not pose a threat to the waters or the public's use of the waters were not required prior to the 1994 Great Lakes Submerged Lands Act; and</p> <p>WHEREAS, Michigan's Attorney General Bill Schuette has stated that "the pipeline (5) wouldn't be built today" and that "the pipeline's days are numbered"; and</p>
<p>Risk</p>	<p>WHEREAS, corrosion is the number one reason that pipelines fail; and</p> <p>WHEREAS, according to a University of Michigan study (2004) the Straits of Mackinac is the "worst possible place" for an oil spill to occur in the Great Lakes; and</p> <p>WHEREAS, the currents in the Straits of Mackinac can switch directions from east to west every few days; and</p> <p>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, particularly during the winter months when no recovery plan exists for ice conditions; and</p>
<p>Record</p>	<p>WHEREAS, Enbridge has a track record of some 1,244 reportable spills, leaks and releases from 1996 to 2013, and</p> <p>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 north of the Straits in December of 2014; and</p> <p>WHEREAS, Enbridge was responsible for one of the worst and most expensive oil spills in U.S. history when Line 6b ruptured near Kalamazoo, allowing nearly 1 million gallons of tar sands oil to leak for 17 hours before shutting down the line; and</p>
<p>Consequences</p>	<p>WHEREAS, the Great Lakes contain 20 percent of the world's fresh, available, surface water and is a drinking source for over 35 million people; and</p> <p>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</p> <p>WHEREAS, tourism is one of Michigan's largest industries, bringing in billions of dollars spent each year; and</p> <p>WHEREAS, agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and</p> <p>WHEREAS, in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and</p>
<p>Stewardship</p>	<p>WHEREAS, the State of Michigan, as owner and trustee, has a perpetual legal duty to the public to manage these bottomlands and waters for the prevention of pollution, for the protection of the natural resources, and to maintain the public's right of fishing, hunting, navigation, commerce, boating, swimming, and drinking water.</p>

WHEREAS, these interests are paramount over private uses of public trust waters and bottomlands. In short, the public trust doctrine gives the State of Michigan authority to not only manage but also to protect the public's fundamental rights to use the property.

WHEREAS protection of Michigan's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than an attempted clean-up and restoration after the fact;

WHEREAS, the Governor of the State of Michigan has the responsibility to protect the people and the environment of Michigan by restricting the flow of Line 5 to non-oil cargos.

WHEREAS, Governor Snyder has been unresponsive; it has been 100 days since the last task force recommended a new task force all without authority, experts, timeline or budget.

NOW, THEREFORE, BE IT RESOLVED, that on the _____ day of _____, 2015, _____ (name of town), because of the imminent hazard of Enbridge's Line 5, Governor Snyder must exercise his public trust responsibility by acting immediately to restrict Line 5 to its original design capacity of 300,000 barrels per day and to limit its cargo to non-oil products (e.g. Liquid Petroleum Gas, Natural Gas and Propane) by January 1, 2016. This restriction shall remain in effect until a thorough review by licensed experts can take place.

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 immediate action to restrict Line 5 to non-oil cargoes as listed above.

PASSED, APPROVED, AND EFFECTIVE on this _____ of _____, 2015.

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]

Top Cheboygan County Taxpayers (2015):

Top Taxpayers	Parcels	Taxable Value
Enbridge Energy	14	14,280,339
Consumers Energy	38	13,973,150
Presque Isle Electric & Gas Co-op	30	6,545,393
Walmart	1	4,596,200
DTE Energy	28	3,765,038
Union Building Corporation	7	3,427,297
Courtyards of Mackinaw	1	3,388,000
Queens Properties	3	2,844,577
Michigan Electric Transmission Company	1	2,444,900
Enjo Properties	3	2,225,233
Total Top Taxpayers	126	57,490,127
Total County		1,355,502,053
Top Taxpayers/County		4.24%

Tribal member added to pipeline board

Contributed

LANSING — Gov. Rick Snyder Thursday announced the addition of Homer A. Mandoka, chairperson of the Nottawaseppi Huron Band of the Potawatomi to the Michigan Pipeline Safety Advisory Board.

Executive Order 2015-14, rescinds and reissues Executive Order 2015-12 which originally created the Pipeline Safety Advisory Board in September. The update accounts for the addition of a board member representing an elected official of a tribal government located in Michigan that is eligible to receive services from the U.S. Bureau of Indian Affairs.

“Michigan’s tribal governments play a vital role in the preservation of our state’s world-class resources,” Snyder said. “I am confident Chairman Mandoka’s passion and work ethic will be an asset to the board, and I thank him for his willingness to help ensure our lakes, streams and rivers are protected for years to come.”

Mandoka, of Bronson, is chairman of the Nottawaseppi Huron Band of the Potawatomi and president of the United Tribes of Michigan. He was recognized as the 2013 “Tribal Leader of the Year” by the Native American Finance Officers Association and served with the Bronson Police Department.

Mandoka is FEMA certified in emergency management and is passionate about safe petroleum transportation. The Nottawaseppi Huron Band of the Potawatomi’s ancestral homelands include the Kalamazoo River basin where the tribe was an integral part of the Kalamazoo River cleanup following the 2010 BP oil spill. Mandoka earned an associate degree in law enforcement from Kellogg Community College.

The board’s previously appointed members include industry, environmental and conservation representatives, cabinet members and members of the public. They will continue serving until their terms expire on December

31, 2018. Their appointments are not subject to the advice and consent of the Senate.

The now 16-member Pipeline Safety Advisory Board works to protect Michigan’s environment including our lakes, rivers and other resources and is charged with advising state agencies on matters related to pipeline routing, construction, operation and maintenance. Its creation was one of 13 recommendations included in the Michigan Petroleum Pipeline Task Force’s July report.

Michigan Pipeline Safety Advisory Board Organizes at 1st Meeting in Lansing

The Michigan Pipeline Safety Advisory Board held its first meeting Wednesday, October 28, in Lansing. The first meeting served to organize the board, review its responsibilities, and study task force recommendations. Advisory board meetings are open to the public.

The 15-member group is tasked with ensuring safe upkeep of pipelines throughout the state and making sure the public has access to information about Michigan's pipeline network. Chaired by Valerie Brader, executive director of

the Michigan Agency for Energy, and Dan Wyant, director of the Department of Environmental Quality, the group picks up where the now-dissolved Pipeline Safety Task Force left off in summer 2015. Both groups were formed in response to public pressure to address the Enbridge Line 5 light petroleum pipeline beneath the Straits of Mackinac. The advisory board will address pipeline issues throughout the state.

The task force focused on studying petroleum pipelines, and the new board is intended to carry out

its recommendations. So far, two of 13 recommendations have been implemented: the creation of the advisory board and a ban on shipping heavy crude by barge or tanker in the Great Lakes.

Appointed by Governor Rick Snyder, the 15-member group includes Mr. Wyant, Ms. Brader, Attorney General Bill Schuette, Michigan Department of Natural Resources Director Keith Creagh, Michigan State Police Commander Chris Kelenske, Michigan Public Service Commission Chairman John Quackenbush, United States Coast Guard Preparedness Advisor Jerome Popiel, Tip of the

Mitt Watershed Council policy specialist Jennifer McKay, National Wildlife Federation Great Lakes Regional Executive Director Michael Schriberg, Enbridge Vice President of U.S. Operations Brad Shamla, Marathon Pipe Line President Craig Pierson, Great Lakes Research Center Director Guy Meadows, Shepler's Mackinac Island Ferry President Chris Shepler, National Association of State Energy Officials Energy Assurance Director Jeffrey Pillon, and Bodman PLC attorney R. Craig Hupp. Their terms expire December 31, 2018.

The next Advisory Board meet-

ing will be from 1:30 p.m. to 3:30 p.m., Monday, December 14, at the Department of Environmental Quality Conference Room, Atrium Level, Constitution Hall, 525 West Allegan Street, Lansing, MI, 48993.

The group plans to meet in northern Michigan on June 20,

2016. The time and location have not been determined.

The group's activities are documented on the Michigan Agency for Energy's Web site at www.michigan.gov/energy. Click on the Public Safety Advisory Board link under Spotlight.