

The Proposed Enbridge Pipeline

By Elizabeth Henley

On June 7, 2013, Enbridge Pipelines (North Dakota) LLC (EPND) submitted an initial filing notice to the PUC for its proposed construction of a new 612-mile crude oil pipeline, 299 miles of which would traverse northern Minnesota.¹ On November 8, 2013, Enbridge filed plans with the PUC for the proposed \$2.6 billion Sandpiper pipeline.² The pipeline would stretch from south of Tioga, North Dakota (Beaver Lodge Station) across northern Minnesota, following a proposed route that passes near the Mississippi River headwaters before entering Wisconsin where the oil will be sent from Superior to Canada.³

The pipeline would carry 225,000 barrels of oil per day to Enbridge's Clearbrook, Minnesota terminal, and 375,000 barrels of oil per day from Clearbrook to Superior, Wisconsin.⁴ Three-fourths of Enbridge's proposed route follows the path of an existing pipeline, mirroring the current path of Enbridge's pipeline to Clearbrook before bypassing Bemidji and Grand Rapids on its way through Aitkin and Carlton counties.⁵ More specifically, the pipeline would require 75 miles of new pipeline west of Clearbrook and 224 miles of new pipeline east of Clearbrook.⁶ Additionally, the project would require a new terminal with two 150,000 barrel

¹ *Enbridge Pipelines LLC Completeness of Applications for Certificate of Need and Route Permit Application*, Minnesota Public Utilities Commission, Docket No. CN 13-473, PPL 13-474 (pending).

² Associated Press, Enbridge Files Plan for \$2.6 Billion Pipeline from North Dakota to Wisconsin, FUELFIX (Nov. 10, 2013) <http://fuelfix.com/blog/2013/11/10/enbridge-files-plan-for-2-6-billion-pipeline-from-north-dakota-to-wisconsin/>.

³ David Shaffer, *Enbridge Submits Plan for Crude Oil Pipeline Across Minnesota*, STAR TRIBUNE (Nov. 11, 2013) <http://www.startribune.com/business/231221551.html>.

⁴ *Id.*

⁵ *Id.*

⁶ *Enbridge Pipelines LLC Completeness of Applications for Certificate of Need and Route Permit Application*, Minnesota Public Utilities Commission, Docket No. CN 13-473, PPL 13-474 (pending).

tanks, a new pump station near Clearbrook, and mainline valves at major waterbody crossings and along the length of the route.⁷

The route does not cross national forests or tribal lands but does bisect the North Country Trail, eight state forests, three state wildlife management areas, thirteen trout streams, and about 45 miles of wetlands.⁸ The pipeline land requirements include 25 to 50 feet of new right-of-way and 40 to 70 feet of temporary right-of-way depending on different land characteristics, environmental features, and opportunities to share right-of-way.⁹ Concerns have been voiced that, should the PUC approve the route, land owners would be left with no veto power or means of opposing land loss or potential oil spill threats to water and other natural resources.¹⁰ Further concerns include the safety of threatened and endangered plants and animals that live in the region.¹¹ Enbridge filed an in-depth plan addressing these environmental concerns.¹² Supporters of the project foresee job opportunities for the local communities.¹³

⁷ *Id.*

⁸ Associated Press, Enbridge Files Plan for \$2.6 Billion Pipeline from North Dakota to Wisconsin, FUELFIX (Nov. 10, 2013) <http://fuelfix.com/blog/2013/11/10/enbridge-files-plan-for-2-6-billion-pipeline-from-north-dakota-to-wisconsin/>.

⁹ *Enbridge Pipelines LLC Completeness of Applications for Certificate of Need and Route Permit Application*, Minnesota Public Utilities Commission, Docket No. CN 13-473, PPL 13-474 (pending).

¹⁰ Lorelei Kraft, *Letter: Pipelines have potential for harm*, PARK RAPIDS ENTERPRISE (Nov. 9, 2013) (12:40 AM) <http://www.parkrapidsenterprise.com/content/letter-pipelines-have-potential-harm>.

¹¹ David Shaffer, *Enbridge Submits Plan for Crude Oil Pipeline Across Minnesota*, STAR TRIBUNE (Nov. 11, 2013) <http://www.startribune.com/business/231221551.html>.

¹² Associated Press, Enbridge Files Plan for \$2.6 Billion Pipeline from North Dakota to Wisconsin, FUELFIX (Nov. 10, 2013) <http://fuelfix.com/blog/2013/11/10/enbridge-files-plan-for-2-6-billion-pipeline-from-north-dakota-to-wisconsin/>.

¹³ David Shaffer, *Enbridge Submits Plan for Crude Oil Pipeline Across Minnesota*, STAR TRIBUNE (Nov. 11, 2013) <http://www.startribune.com/business/231221551.html>.

The PUC must approve the project before Enbridge can begin development.¹⁴ If Enbridge secures approval, it plans to commence construction on the pipeline in the fourth quarter of 2014 and complete the project in early 2016.¹⁵

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¹⁴ *Id.*

¹⁵ Associated Press, Enbridge Files Plan for \$2.6 Billion Pipeline from North Dakota to Wisconsin, FUELFIX (Nov. 10, 2013) <http://fuelfix.com/blog/2013/11/10/enbridge-files-plan-for-2-6-billion-pipeline-from-north-dakota-to-wisconsin/>.