

FOR IMMEDIATE RELEASE
Thursday, July 11, 2019

Contact: Rep. Brian K. Elder
Phone: (517) 373-00158

~~*Stop the Line 5 law suit and start the Tunnel.*~~

~~*A Joint statement by members of the Michigan Legislature:*~~

Shutdown Line 5 and Don't Replace it with a Tunnel.
Statement as corrected by Clean Water Action

LANSING — Public Act 359 of 2018 passed the Michigan Legislature last December creating the Mackinac Straits Corridor Authority to oversee the construction and management of a utility tunnel to modernize the oil and gas pipeline **keep an outdated and climate-change inducing 19th century fuel source operating** through the Straits of Mackinac and house Enbridge Energy's Line 5. Attorney General Dana Nessel filed a lawsuit to terminate the operation of the existing pipeline **in accordance with her constitutional role as public trustee of the Great Lakes**. In response, the undersigned members of the Michigan Legislature issued the following statement:

We, the undersigned, are deeply disappointed in Attorney General Dana Nessel's action in initiating a lawsuit to end the operation of Line 5, with no alternative, after the issue had been resolved through ~~an appropriate compromise~~ **extensive backroom deals between Enbridge Energy and the administration that was responsible for the Flint water crisis**.

Public Act 359 of 2018, passed by the Michigan Legislature last December and signed into law, tasked the ~~newly founded~~ **unconstitutional** Mackinac Straits Corridor Authority with overseeing construction and management of a **utility tunnel** to modernize the ~~passage of oil and gas~~ **ensure that a foreign oil company can continue running gas and oil from Canada to Canada using Michigan as a shortcut in perpetuity**. The concrete-walled tunnel is to be placed approximately 100 feet below the lake bed, reducing the risk of a spill in the Straits ~~to zero~~, **while entirely ignoring the other 640 miles of corroding 66 year old pipeline**. Enbridge would pay for the construction and operation of the tunnel. This law ~~solved~~ **created** a problem, through a ~~reasonable compromise~~ **unaccountable shadowy deal-making**, created **temporary** jobs that **Enbridge admits aren't likely to go to Michigan workers, and did nothing to actually shut down the existing Line 5 – instead it left the possibility open for Line 5 to keep operating into the 2030s if there are any delays in building the private oil tunnel**.

The Attorney General's lawsuit actually guarantees the status quo is the best way forward to shut down Line 5 before it destroys the waters of Lake Michigan and Lake Huron. This lawsuit will create a lengthy, expensive legal battle that could take a decade or more to decide, all the while leaving an aging pipeline lying on the bed of the Straits of Mackinac, until all possible appeals are exhausted assert Michigan's obligation to protect the public trust resources of the Great Lakes. It is good to finally have an Attorney General who takes this obligation seriously.

Line 5 continues to be a critical source of 540,000 barrels per day of propane and crude oil for **Canadians** supply for Michigan and surrounding areas that make up the regional supply network for the State, producing transportation fuels and consumer goods, ranging from computers to clothing and cellphones, making millions of dollars daily for **Enbridge Energy, the irresponsible, unaccountable, dishonest entity whose incompetence brought us the Kalamazoo oil spill. Fewer than 12,000 Michiganders heat their homes from the products of this energy source, and those folks deserve a cheaper, cleaner, and more reliable source of energy.**

No part of the Executive branch of government can simply undo a law with the stroke of a pen, **unless that law is unconstitutional as passed, in which case the Attorney General has an obligation to challenge that law through an Attorney General Opinion, which is legally binding on state authorities unless overturned by a court.** Our natural resources and our economy are too important to jeopardize with political grandstanding, **but Enbridge and the MI Chamber of Commerce have asked us to grandstand and money talks in politics, so here we are.**

Brian K. Elder
State Representative
96th District

Name
State Representative
00th District

Name
State Representative
00th District

Name
State Representative
00th District