

# City, county taking up pipeline issue

**Rock County and the city of Janesville will take up resolutions next week that ask the state to re-evaluate the effect of Enbridge's plans to boost capacity of a pipeline that cuts through the county.**

By Catherine W. Idzerda

By Neil Johnson

JANESVILLE—It might seem futile, but some members of the Janesville City Council want the state to re-evaluate the effect of a pipeline that could have double its flow of petroleum if Enbridge moves forward with its plans.

On Monday, the council will roll out a resolution pushing the state Department of Natural Resources to conduct a full environmental impact statement on Enbridge's plans to increase the flow of tar sands oil through a pipeline that runs beneath the Rock River north of Janesville and skirts the east edge of Rock County.

The resolution, which was brought by councilman Jim Farrell and is supported by councilman Sam Liebert as a recommendation by the city's sustainability committee, also asks the DNR to hold hearings in Rock County on Enbridge's plans, something the agency has not done.

The resolution also asks Enbridge to publicly disclose what chemicals it might pump through the pipeline, as well as urge the company to identify immediate or long-term effects in the case of a rupture or spill.

The section of pipeline in question runs from Superior to northern Illinois. It crosses the Rock River between Fort Atkinson and Lake Koshkonong and cuts through western Walworth County and eastern Rock County.

Enbridge has had 800 pipeline-related incidents, the most serious of which was a 2010 spill in Marshall, Michigan, that dumped more than 800,000 gallons of oil into the Kalamazoo River. The spill was one of the largest, most expensive onshore cleanups in U.S. history.

The DNR has responded to other such local resolutions, which have been stacking up in Jefferson, Walworth and Rock counties this fall.

The DNR's answer, mainly, is that the agency already had assessed the pipeline in question and held public hearings when the pipeline was first built in 2006-07.

In an Oct 24, 2014, letter to Walworth County Clerk Kimberly Bushey, David Siebert, director of the DNR's Bureau of Environmental Analysis and Sustainability agency, made it clear a public comment period on Enbridge's plan already expired earlier in 2014, and that the DNR already issued air, erosion and wetland permits for the plan in April, May and June of 2014.

Siebert's letter also states the DNR does not have authority to regulate the volume of material transported through pipelines, and that "capacity expansion, construction, inspection and maintenance of all liquid petroleum pipelines" falls to the U.S. Department of Transportation.

Siebert wrote the DNR would, however, conduct an environmental impact analysis on any new pipelines Enbridge sought to build in the state.

The handwriting may already be on the wall—at least, that's the view some local governments seem to be taking.

Other local governments that have unveiled similar resolutions, including Rock County, indicate they consider the resolutions ceremonial at best. However, officials have said they believe the state's earlier assessments of Enbridge's pipeline has glossed over impacts of potential spills.

They also say Enbridge hasn't done enough outreach to communities near the pipeline.

Farrell said he believes there's still hope a resolution could gain traction throughout the state and even in the legislature next year.

“I've seen statements from the DNR that they basically feel they've completed an environmental impact assessment seven or eight years ago,” he said. “But if all the counties and the cities involved, along with all their state legislators push for a change, more review, maybe it'll make some difference. It could spur some additional assessments.”

Farrell said he's aware some state legislators have written similar letters to Gov. Scott Walker's office and the DNR.

None of Enbridge's pipeline runs through the city of Janesville, but Farrell worries about the Rock River in the case of a rupture or spill. Janesville is downstream from where the pipeline crosses the river.

“The river runs through the middle of Janesville. God forbid if they had a leak. It would affect Janesville,” Farrell said. “What would they (Enbridge) do? We're trying to be aware and responsible in asking questions, because there's some potential for impact for the city that's not going away.”

Meanwhile, Enbridge is monitoring local government moves that seek to pressure the state for more review of the company's plans.

According to the Jefferson County Daily Union newspaper, a spokesperson for Enbridge told the Whitewater City Council, which was approved its own pipeline resolution in October, that “Enbridge, like you, is very concerned with pipeline safety.”

So much is the company invested in pipeline safety, the spokesman said, that “it has invested over the past four years over \$4 billion in technology, tools, and the training necessary to elevate performance and safety to all-new highs.”

## **ROCK COUNTY CONSIDERS ENBRIDGE RESOLUTION**

JANESVILLE—The horse is out of the barn.

The Rock County Land Conservation Committee knows that.

But committee members still want to make their opinions known.

On Thursday, the Rock County Board will take up a resolution similar to one Janesville is considering. It asks the state Department of Natural Resources for a full environmental impact statement on Enbridge's plans to increase the tar sands oil that would be pumped through a pipeline that cuts through part of the county.

The resolution, like Janesville's asks for more public meetings on the subject.

The resolution passed the county's land conservation committee and board of health this week.

Rock County Conservationist Tom Sweeney drafted the resolution in response to concerns of his committee.

“The horse is already out of the barn on this one,” Sweeney said. “Enbridge has dotted all their i's and crossed all their t's on this. We're just going on record.”

Enbridge completed an environmental assessment and held three public hearings on the project. Those were the only steps the DNR required.

That environmental assessment didn't “recognize or address any impacts on potential pipeline failures on the natural resources, farmland, and/or human health, safety and welfare of the residents of Rock County,” Sweeney wrote in the resolution.

Committee members also want to ensure complete environmental impact statements are done on future pipeline projects.

Enbridge's pipeline corridor is 60 feet wide with a 100-foot construction easement, Sweeney said.

In Rock County, that 160-foot ribbon holds a 42-inch pipeline and a 20-inch pipeline, Sweeney said.

“The problem that Enbridge is having is a lack of outreach to the communities,” Sweeney said. “People are getting very upset. They need to tell the community what they are doing.”

-- *Catherine W. Idzerda*