



TAKE ACTION: Now Is Our Best Chance to Shut Down 'Line 5' and Restore the Rule of Law

Updated July 18, 2019

Now is the time of reckoning for the decaying Enbridge Line 5 oil pipelines in the Straits of Mackinac and a proposed oil tunnel to replace them.

On June 27, Michigan Attorney General Dana Nessel [took decisive legal action](#) on Line 5 in the Straits of Mackinac when she filed suit in Ingham County Circuit Court to revoke the [1953 easement](#) that conditionally authorized Enbridge to pump oil through twin pipelines. Nessel's lawsuit alleges that Enbridge's continued operation of the Straits Pipelines violates the Public Trust Doctrine, is a common law public nuisance, and violates the Michigan Environmental Protection Act based on potential pollution, impairment, and destruction of water and other natural resources.



Simultaneously, Governor Gretchen Whitmer and the natural resources and environmental protection agencies are defending the public's rights and waters of the Great Lakes in Enbridge's separate lawsuit against the state to build a tunnel under the Great Lakes for its oil pipelines to operate another 99 years. Gov. Whitmer also ordered the Michigan Department of Natural Resources to review violations of the Line 5 easement. As the state's top leader and public trustee, the governor has the express legal authority to revoke the easement to start decommissioning the pipeline and to protect the Great Lakes.

On June 6, Canada's Line 5-owner Enbridge sued the State of Michigan to [resuscitate a 'Line 5' oil tunnel deal](#) and law rushed through in late 2018 at the end of the Snyder administration. Attorney General Dana Nessel in late March declared the oil tunnel law [unconstitutional](#), triggering Gov. Gretchen Whitmer to call an all-stop on state involvement in any tunnel activities.

Enbridge wants the right to bore a tunnel in the next 5-10 years for the dual Line 5 oil pipelines through State of Michigan public trust bottomlands under the Straits, where Lake Michigan meets Lake Huron. Enbridge also wants to [keep pumping](#) up to 23 million gallons of oil and natural gas liquids a day through risky Line 5 during tunnel feasibility studies and construction. Gov. Gretchen Whitmer has signaled some [openness](#) to an oil tunnel even though it could undermine her fight on climate change, but wants the old Line 5 pipes out more quickly, reportedly in two years or less.

FLOW and other Great Lakes advocates have long called for shutting down Line 5, which primarily serves Canada's, not Michigan's, needs and threatens the Great Lakes. FLOW research shows that viable [alternatives](#) exist to deliver propane to Michigan and oil to regional refineries, and Gov. Whitmer has formed an [Upper Peninsula Energy Task Force](#) to identify energy supply options. The system can adjust with smart planning.

The City of Mackinac Island, Grand Traverse Band of Ottawa and Chippewa Indians, and the Straits of Mackinac Alliance citizen group also have filed a [contested case](#) challenging Enbridge's claim that installing hundreds of anchor supports to shore up the decaying Line 5 is mere maintenance, rather than a major redesign requiring an application and alternatives analysis under the 1955 [Great Lakes Submerged Lands Act](#) (GLSLA) and public trust law that apply to the soils and waters of the Great Lakes.

Note: This fact sheet with links to key information can be accessed online here: <https://flowforwater.org/line5/>.

Take Action to Shut Down Line 5 -- You Can Make a Difference

The movement to shut down Line 5 and stop the proposed Enbridge oil tunnel is powered by people willing to stand up and speak out for applying the rule of law to protect the Great Lakes, drinking water, and the Pure Michigan tourist economy.

Please take action today to protect what you love for generations to come! Here's how:

- **Call Michigan Gov. Gretchen Whitmer at 517-373-3400** and urge her to join the Line 5 lawsuit filed by A.G. Dana Nessel, applying the full legal authority of the State of Michigan.
- **Contact your state lawmakers.** You can look up contact information for your Michigan [state representative here](#) & [state senator here](#).
- **Write a letter to the editor of your local newspaper.** It's important to share your view publicly.
- **Sign up for FLOW's e-newsletter** for the latest update on Line 5 and other threats to the Great Lakes.
- **Donate to FLOW** to help us continue to make the legal, scientific, and common sense case for shutting down Line 5 to protect the Great Lakes and the drinking water supply for half of all Michiganders.

Suggested Message to draw from when contacting the governor, lawmakers, and local newspaper:

- **Now is the time to restore the rule of law and end Line 5's high risk** of an oil spill to the [Great Lakes](#), drinking water, public health, tribal fishing, businesses, public and private property, and [Michigan's](#) and the [region's economy](#).
- **The State of Michigan should revoke the Line 5 easement** granted by the state and evict Enbridge from the public waters and bottomlands of the Straits of Mackinac.
- **Digging an oil tunnel under the Straits for the next 5-10 years is not a solution.** An oil pipeline tunnel will not solve Line 5's immediate threat to the Great Lakes nor address the risk posed by the pipeline's more than 400 stream and river crossings in the Upper and Lower Peninsulas. In addition, Enbridge's proposal to allow electrical lines and other infrastructure to occupy the proposed oil pipeline tunnel poses an [explosion risk](#).



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