



The Honorable Tim Walz
Governor of the State of Minnesota

The Honorable Peggy Flanagan
Lt. Governor of the State of Minnesota

via email

August 17, 2020

Dear Governor Walz and Lt. Governor Flanagan,

We are writing to ask that you continue the Department of Commerce appeal of the PUC's Certificate of Need for Line 3 as you did in 2019. While there are numerous moral and economic reasons to challenge Line 3's expansion, this DOC appeal is based in the law.

Minnesota law requires that the project proposer, Enbridge, prove in its application that there is consumer demand for this oil. For nearly three years, the Department of Commerce has rightly argued that Enbridge did not meet its burden of proof; Enbridge submitted what amounted to a supply forecast, not a demand forecast as required under the law.

In the months and years that have passed since, this has not changed.

What has changed is that it is even more clear since 2018 that demand for oil is decreasing, even without considering the precipitous declines caused by COVID-19. In a remarkable sign of the times, last week fossil fuel industry giant British Petroleum announced that it will be shifting its core business, producing 30-40% less oil and gas by 2030 than it does now.

These trends are necessary. We need to enact public policy to support and accelerate, not subvert them.

Since the June 2018 Public Utilities Commission decision to grant Enbridge a Certificate of Need, two critical reports have been released:

- The International Panel on Climate Change report of September 2018 said that in order to prevent catastrophic warming, the world needs to achieve 45% reductions of greenhouse gas emissions by 2030, and reduce them completely by 2050.
- A joint report from 11 federal agencies in November 2018 said that the climate crisis is real, it is already having severe impacts on people in the U.S., and it is going to get worse.

As Governor, you have taken steps that indicate an aim to move us in the right direction, like creating a Climate Subcabinet and initiating Clean Cars Rulemaking.

But approving the Line 3 expansion would add, over and above what is already produced from the existing Line 3, **more greenhouse gas emissions than all of Minnesota produces from every sector of our economy combined by a factor of 1.25**, for each year that the pipeline operates -- for the next 30 - 50 years.

Rejecting this pipeline is the single most significant step Minnesota can take to make real progress toward a better climate trajectory in the next 30 years.

In 2019, your administration examined the facts, the law, and the science, and made a determination that continuing the DOC's appeal was in the state's best interest. In the time since then, your office has consistently indicated to the public that you are committed to seeing this appeal through (including recent email communications from Nima Hussein in response to public inquiries). Continuing the appeal and keeping your commitment to Minnesotans is the right decision.

While the following is outside of the rationale for continuing the DOC appeal, we recognize that you are hearing from many constituencies around this issue.

A false choice is being promoted regarding the decision dynamics around Line 3.

The false choice pits the prospect of good paying jobs against protecting our environment. It says that community investments, good schools and thriving Little Leagues can only exist if Enbridge supports them with tax dollars.

But we know this is not true. We see a beautiful future, one where everyone can prosper. Where a green infrastructure program gets us to our climate goals while creating tens of thousands of new family-supporting and vacation-enabling jobs in every pocket of the state. Where new pipes carry clean water to our communities and well-funded schools. Where our homes are healthy and safe, efficient and warm. Where we can eat the fish we catch with our neighbors and know that we are all in this together. Because we are all in this together.

One Minnesota.

This Department of Commerce appeal is simply asking that if we -- for the sake of this pipeline -- are to sacrifice our most precious waters and wetlands, trample over treaty rights, and hamstring our future action on climate -- that we do it in accordance with the Minnesota law that requires there be a demonstrated consumer need to do so.

Please continue this appeal.

Sincerely,



Steve Morse
Executive Director

and the 23 organizations below

Alliance for Sustainability
Anoka Area Climate Action*
Brainerd Lakers United for the Environment*
Center for Biological Diversity
Clean Water Action Minnesota
CURE
Environment Minnesota
Friends of the Minnesota Scientific and Natural Areas
Great River 350*
Honor the Earth
Izaak Walton League – Minnesota Division
Lakeville Friends of the Environment*
Land Stewardship Project
League of Women Voters Minnesota
Mankato Area Environmentalists
Minnesota Interfaith Power & Light
MN350
Northeast Metro Climate Action*
Northwest Metro Climate Action*
Pollinator Friendly Alliance
Sierra Club - North Star Chapter
Southeast Metro Climate Action*
TakeAction Minnesota*

* Indicates not an MEP member

cc: Steve Kelley, Minnesota Department of Commerce Commissioner