Open Letter to the Bad River Band of the Lake Superior Tribe of Chippewa

Enbridge sent another offer to the Bad River Tribal Council hoping it will start a conversation

Enbridge is offering $80 million to the Bad River Band to settle past disputes—more than ten times what was awarded by the court. Enbridge believes it's time to have direct conversations about finding real solutions about real issues such as the ongoing safe operation of Line 5 until the relocation project is complete. Also, let's talk about how we could bring our extensive experience with renewable power projects to help the Band green its electricity as part of any settlement.

Enbridge is committed to working with the Bad River Band on finding a solution to our differences regarding the operation of Line 5 across the Bad River Reservation that addresses the Band's safety concerns, honors Tribal sovereignty, and keeps affordable and reliable energy flowing to the Great Lakes region. Enbridge has been, and continues to be, willing to meet with the Band's Tribal Council to discuss a mutually beneficial agreement.

Let's answer your questions

Why is Line 5 on the Bad River Reservation?

Because in 1992 Enbridge and the Bad River Band agreed on a 50-year easement. In December 1992 the Bad River Band passed Resolution 12/21/92-9 approving the easement which states, "...the "Company" has requested consent from the "Tribe" for a fifty (50) year right of way easement for a pipeline over and across any lands in which the Tribe has a legal interest within the Company's existing rights of way..." With approval of the resolution, the Band consented to Enbridge's request. Since 2013, the Band has argued this agreement and binding Resolution do not pertain to 13 parcels of land the band purchased after 1992. We disagree. Full copies of the Agreement and Resolution can be found at enbridge.com/L5Wis.

Why aren't the sides working together on a solution?

The short answer is – we should be. On February 8, 2024, during oral arguments in the United States Court of Appeals both the Bad River Band and Enbridge were asked WHY the two sides weren't working together on a solution.

It is counterproductive to continue this dispute, when we should be working together to both protect the environment and keep Line 5 operating safely until the pipeline is moved off the Bad River Reservation.

What is Enbridge offering the Band?

Enbridge is offering $80 million to settle past disputes, compensate the Band for ongoing operations on the Reservation, and work with us to ensure the safe operation of the pipeline until the relocation project is complete.

What did the Federal Court order regarding Line 5 and why is Enbridge's offer worth considering?

The Court ordered Enbridge to pay the Band approximately $6 million for past and future operations on the Reservation. **Enbridge is offering $80 million to end this unproductive and expensive litigation, ensure environmental protection, and to work together with the Band on safe operation of Line 5 until the relocation project is complete.**

The Court also ordered that Enbridge must stop operating Line 5 on parts of the Reservation in June 2026. Enbridge is offering to stop operating Line 5 on the Reservation when the relocation project is complete, and we are trying to make that happen in 2026.

What does Enbridge want from the Band?

- Access for normal maintenance, like at the Meander, along Line 5 on the Reservation until it can be relocated. (The Band has denied our recent maintenance applications)
- Cooperation on the Relocation project so we don't have an extended fight over the required permits and further delay the project. (The Band has been opposing relocation permits)
- Cooperation on continued Line 5 operations until the relocation project is complete.

Let's talk. Let's find solutions.

Enbridge has safely operated across the Bad River Reservation for more than 70 years. The pipeline has not polluted the water, the wild rice, or the land.

Pipelines remain the safest and most environmentally responsible mode for overland transportation of the petroleum resources we all enjoy and depend on. Across our country, underground pipelines operate to some of the world's highest standards of safety and integrity, ensuring protection of our natural resources and our water.

Email your questions to **enbridgeinwi@enbridge.com** or learn more about Line 5 segment relocation at **enbridge.com/L5Wis**.

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