



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION



PHILLIP D. ROOS
DIRECTOR

December 22, 2025

VIA EMAIL

Gina Lee
Enbridge
425 West Superior Street
Suite 1100
Duluth, Minnesota 55802

Dear Gina Lee:

SUBJECT: Response to Comments
Submission Number: HQ3-8BYB-N9DT1

This letter is regarding your permit application, Submission Number HQ3-8BYB-N9DT1, which was submitted to the Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), on March 3, 2025. The application proposes impacts on Great Lakes bottomlands and wetlands for the stated purpose of constructing an underground tunnel beneath the Straits of Mackinac (Straits) in accordance with the Tunnel Agreement. Upon receipt, the application was not administratively complete. EGLE first notified Enbridge of the required correction requests on March 13, 2025. After several iterations of incomplete application submittals, EGLE determined the application to be administratively complete on July 16, 2025. A public hearing was held on August 19, 2025. Throughout the application review process, EGLE has received over approximately 75,000 public comments. As a result of the public notice comments, and EGLE's own review, we sent Enbridge several questions to be contemplated and addressed on September 30, 2025. EGLE received a response to that communication on November 19, 2025.

Thank you for your latest communication. EGLE has reviewed it and per previous communications has additional comments and questions.

EGLE understands that Enbridge entered into an agreement with the State of Michigan for the purposes of designing, constructing, and operating a tunnel to accommodate the Straits Line 5 Replacement Segment, which will replace the existing dual pipelines and provide secondary containment. In pursuing the Straits tunnel project, it is Enbridge's responsibility to ensure that the tunnel design and construction comply with applicable environmental rules and regulations, both state and federal. EGLE intends to continue to work with Enbridge towards a plan that meets the project objectives while also meeting applicable statutory criteria. As with every application EGLE reviews, a permit can only be issued once the statutory criteria under the applicable statutes have been met.

At this time, and in consideration of Enbridge's latest communication, Enbridge has not fully demonstrated that the proposed project meets the statutory criteria for permitting under Part 303, Wetlands Protection, and Part 325, Great Lakes Submerged Lands, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. In general, the following points have not been adequately addressed:

- Enbridge has not fully demonstrated that the proposed tunnel cannot be constructed using alternate methods, or in alternate locations, that would avoid and minimize impacts.
- Enbridge has not fully demonstrated that the proposed tunnel construction will not create unreasonable risks to the environment during construction and/or during the life of the tunnel.
- Enbridge has not fully demonstrated that the proposed tunnel construction avoids and minimizes impacts to the maximum extent practicable.

It is Enbridge's responsibility to fully demonstrate that their proposed construction plan avoids and minimizes impacts. Because the project affects such a broad range of resources (e.g., environmental and cultural), Enbridge has a commensurate obligation to demonstrate responsible planning that protects these interests.

Below, EGLE has detailed additional questions and information that must be provided and explored before a permitting decision can be made. Given the current permit processing deadline, EGLE is concerned that there is not adequate time remaining to review the application. As such, we invite continued conversation about the items detailed below, in addition to a discussion on the permit processing period moving forward.

Cultural Resources

To sufficiently provide required information, provide any and all documentation you are able to. We acknowledge that you may need to provide partially redacted information to address the items below.

1. Provide a figure and/or description of the entire area that was surveyed for cultural resources including archeological surveys, human remains detection dogs, LiDAR, or other methods.
 - a. Additionally, describe any plans and the timeframe for completing a more refined survey to accurately identify all resources in the limits of disturbance and alternative analysis locations.
2. EGLE's September 30, 2025, email requested that Enbridge discuss the alternative of moving the portals further north and south and include a comparison of the cultural resource impacts associated with those alternatives. Enbridge's November 19, 2025, response did not discuss or identify cultural resource impacts. Compare the known or suspected impacts to cultural resources associated with the discussed alternatives (e.g., whether greater or fewer impacts are expected).

3. Provide the current plans to address the cultural resources impacted by the project, as well as an Inadvertent Discovery Plan and the plan for handling unconfirmed and/or unidentifiable remains. More fully, describe how impacts to remains and other cultural resources have been avoided and minimized.
4. Provide a comprehensive mitigation proposal for impacts on the Traditional Cultural Property, treaty rights, and all cultural resources during and post construction.

Wetlands and Great Lakes

1. EGLE's September 30, 2025, email requested that Enbridge discuss the alternative of using other lines to transport the product currently transported in Line 5, including using Line 78. Enbridge's response explained that Line 78 has spare capacity but is not designed to and is incapable of transporting the Natural Gas Liquids (NGL) currently transported by Line 5. The response also explained that the lines currently transporting the product to Line 78 do not have spare capacity, so the spare capacity in Line 78 cannot be used and it is not an alternative to Line 5. Please expand on this and describe the approximate timeframe and cost to upgrade Line 78 to transport NGLs. Also describe the approximate timeframe and cost to upgrade or otherwise increase flow in the lines currently transporting the product to Line 78 to provide additional capacity or add an additional line to provide that additional capacity. Compare these costs with the costs associated with the proposed tunnel project.
2. Describe the process and timeline for completing additional exploratory borings that reach the tunnel invert.
3. Provide a more thorough description of all alternatives considered that achieve secondary containment and/or protect Line 5 from anchor strikes. Please also compare the amount of time necessary to implement these alternatives.
4. Provide a figure/diagram showing the anticipated area affected by the groundwater drawdown cone of depression to its maximum extent during the construction of the portals on the north and south sides of the Straits. Show all wetlands located within the cone of depression and discuss whether they will be drawn down. Provide any supporting models or data.

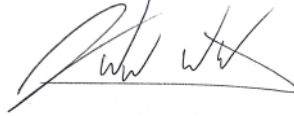
Other

1. In follow-up to our previous requests during our application review and coordination with other agencies and tribes, provide EGLE a copy of the Geotechnical Baseline Report.
2. Given the alternatives outlined in the U.S. Army Corps of Engineers Draft Line 5 Tunnel EIS, please provide a more detailed description of the preferred decommissioning scope and timeline.

We appreciate your consideration of the above items. These items do not necessarily represent an exhaustive or complete representation of the remaining questions and concerns that will need to be worked through during the application review process. Please respond with the additionally requested information at your earliest convenience. Similarly, if you would like to meet to discuss our continued review of the application, please let us know.

If you have any questions, contact me at WaltJ@Michigan.gov; 989-619-6283; or EGLE, GDO-WRD, P.O. Box 30458, Lansing, Michigan 48909-7958.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Walt', with a horizontal line underneath.

Jonathan Walt
Field Operations Section
Water Resources Division

cc: Joe McGaver, Enbridge
Christina Svoboda, Stantec
Katie Lambeth, EGLE
Amy Lounds, EGLE
Anne Garwood, EGLE
Kyle Alexander, EGLE
Joseph Haas, EGLE