

# LINE 5 MEDIA BACKGROUNDER

Line 5 is a 645-mile pipeline operated by Canadian oil giant Enbridge. It transports up to 23 million gallons of crude oil and natural gas liquids daily from western to eastern Canada. Although 90 percent of the oil is delivered to users in Canada, the pipeline cuts across Wisconsin and Michigan, crossing hundreds of interconnected waters and traversing the treaty-reserved territory of tribal nations including the Bay Mills Indian Community and the Bad River Band of Lake Superior Chippewa. Line 5 directly endangers the Great Lakes, which hold 84 percent of North America's surface freshwater and provide drinking water for up to 40 million people.

## MICHIGAN

### THE DUAL PIPELINES

A four-mile section of Line 5 diverges into two parallel pipelines as it travels through the straits connecting Lake Huron and Lake Michigan. In 2020, Michigan's governor ordered a shutdown of these "dual pipelines," citing environmental risks and [legal violations](#). Enbridge continues to violate that order today.

**Michigan's lawsuit:** *Nessel v Enbridge* was filed in June 2019 in state court to stop the continued operation of the dual pipelines. Enbridge removed the case to federal court. In a move [supported by more than 60 Tribes](#), the 6th Circuit Court of Appeals remanded it back to Ingham County Circuit Court in June 2024.

### THE TUNNEL PROJECT

In response to safety concerns about the dual pipelines in the Straits of Mackinac, Enbridge has proposed building a risky underground pipeline tunnel. That project needs approval by:

- **Michigan Department of Environment, Great Lakes, and Energy (EGLE):** The agency granted a permit in January 2021, which Bay Mills Indian Community challenged. Enbridge must now re-apply for a wetlands permit, and EGLE must conduct a full public permitting process.
- **Michigan Public Service Commission (MPSC):** After three years of litigation, and despite evidence of the [serious risk of an explosion](#) in the tunnel, the panel voted to grant the permit with conditions in December 2023. The Bay Mills Indian Community and three other Tribal Nations are among those [challenging](#) the decision before the Michigan Court of Appeals.
- **US Army Corps of Engineers (USACE):** The USACE has received more than 17,000 public comments and plans to release a draft federal review of the tunnel's environmental and archeological impacts in [spring 2025](#).

The Straits of Mackinac are a treaty-protected site of deep spiritual and cultural meaning for Anishinaabe peoples. All twelve of Michigan's federally recognized Tribes have passed resolutions calling to [decommission Line 5](#).

## HISTORY

The pipeline was built in 1953, without the consent of Tribal Nations in its path and before bedrock environmental laws existed. Today, Line 5 is operating over 20 years past its engineered lifespan, risking infrastructure failure due to corrosion, pressure, and use. It has spilled 1.1 million gallons of oil over [33 separate incidents](#).

## CLIMATE

Line 5's upstream and downstream greenhouse gas emissions amount to about 87 million metric tons of carbon dioxide equivalent annually, or nearly 19 million gasoline-powered [passenger vehicles](#).

The continued operation of Line 5 exacerbates climate change at a time when it is crucial to phase out fossil fuels.

## ECONOMICS

Experts say that [markets can adapt](#) to a Line 5 shutdown without supply shortages or price spikes. Enbridge's own analysis shows gas prices in Wisconsin and Michigan would only increase by [half a cent per gallon](#).

In comparison, the cleanup and remediation from a full-bore oil spill could total over a billion dollars, with close to \$6 billion in [added costs](#) levied on sick communities, depressed property values, and devastated local businesses.



Image source: CBC News

# WISCONSIN

## THE TRESPASS + PUBLIC NUISANCE LAWSUIT

About 12 miles of the Line 5 pipeline cross the reservation of the Bad River Band of Lake Superior Chippewa. In 2019, the Band sued Enbridge in federal court to shut down and remove Line 5 from [their reservation](#).

U.S. District Judge Conley ruled in September 2022 that Enbridge has been illegally trespassing and profiting at the Band's expense since the pipeline's easements expired in 2013.

In spring of 2023, rapid riverbank erosion brought the pipeline within 11 feet of the Bad River current, prompting the Band to ask the judge for an emergency shutdown to prevent an oil spill. The court [ruled in June](#) that Line 5 constitutes a public nuisance and ordered Enbridge to shut down the pipeline within the Band's sovereign lands in three years. The court also ordered Enbridge to pay the Band \$5.1 million - a fraction of the \$1.1 billion profit unlawfully accrued - and to adopt a more conservative shutdown and purge plan for its remaining time on the reservation. Both parties are now appealing the decision in the 7th Circuit Court of Appeals.

## THE RE-ROUTE PROJECT

Enbridge wants to re-route Line 5 by building 41 miles of replacement pipeline around and upstream of the Bad River Band reservation, crossing the same sensitive watershed and the Band's treaty-protected territory. The Band is opposing the project and participating in state and federal reviews. The re-route project needs approval from:

- **Wisconsin Department of Natural Resources (WDNR):** The agency issued a water quality certification and approved permits for Enbridge in November 2024, despite opposition during its draft environmental review [from the public](#) and [from the EPA](#).
- **US Army Corps of Engineers (USACE):** The agency [received](#) over 150,000 public comments on its draft environmental assessment opposing the reroute, including from the Band. The EPA has called the re-route's potential environmental impacts "[substantial and unacceptable](#)."

## ADDITIONAL RESOURCES

[Bay Mills Enbridge information portal](#)  
[Bad River Band Line 5 issues](#)  
[Stop Line 5](#)  
[NARF](#)



EARTHJUSTICE

*Line 5 crosses areas where Tribes reserved rights to hunt, fish, and gather in treaties with the United States.*

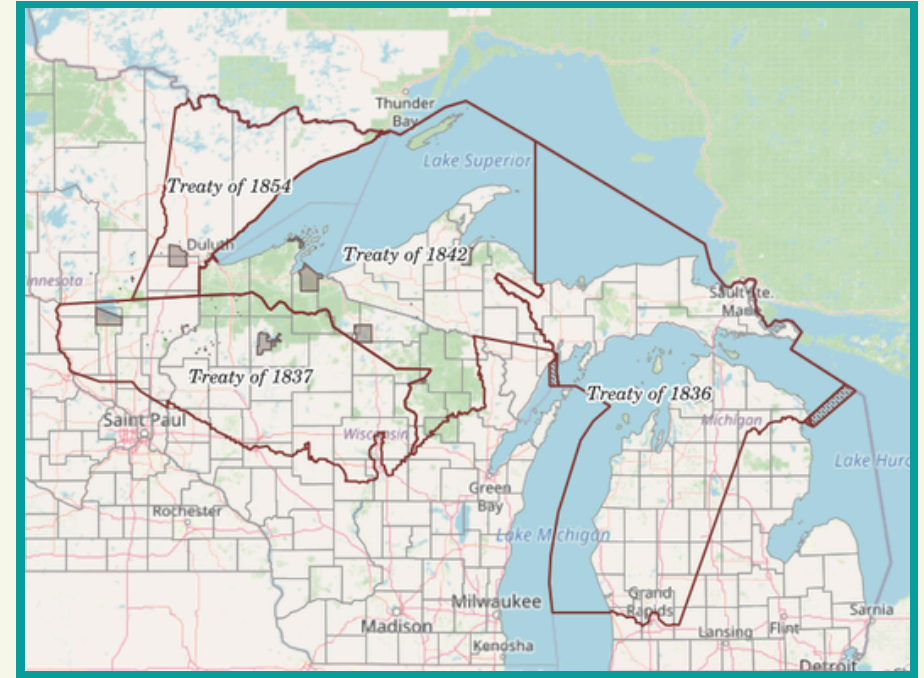


Image source: Great Lakes Indian Fish & Wildlife Commission

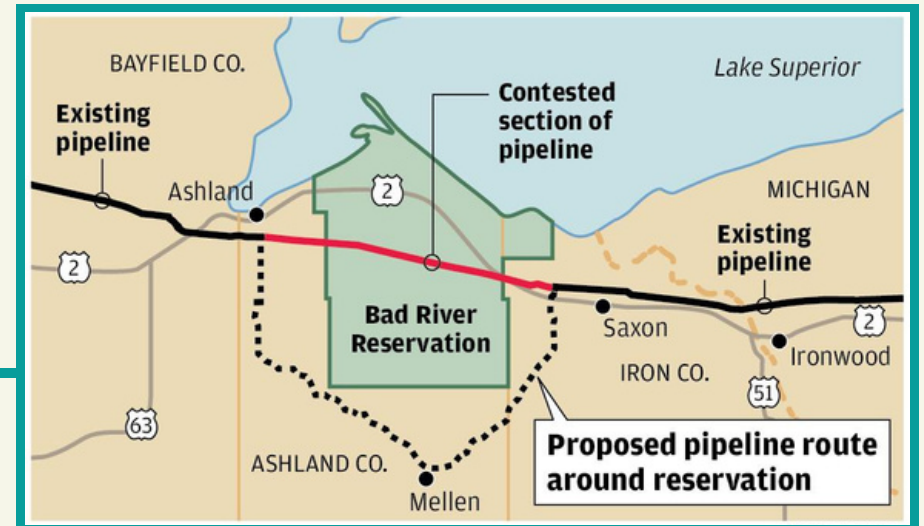


Image source: Wisconsin State Journal