1. We think a general request for additional time to comment, especially given the holidays, is worth reiterating.

2. We don’t think the Wisconsin EIS even attempted to assess the potential impact of a spill in the Lake Superior watershed. If there is a spill in the Wisconsin segment, it may well reach the lake or the harbor and since it is dilbit, it will be impossible to clean up. The refusal of the MN DOC EERA to consider the adjoining Nemadji watershed in Wisconsin, a component of the St. Louis River Estuary and the Lake Superior watershed, is wrong. And the fact that Duluth Harbor is a working harbor isn’t relevant—the threat to the lake is just as real.

3. The choice of Little Otter Creek provides a convenient “mitigation” measure. The Fond du Lac dam is downstream of the spill site, but there’s no real certainty about the dam acting as a barrier. In Enbridge's Kalamazoo spill there were two dams downstream. Both were breached.

4. The EIS/Enbridge assertion that the oil will “resurface” and remain floating after passing through turbulent waters is unlikely, given the nature of dilbit. (See links to NAS report below.)

5. Friends of the Headwaters disputes the EIS assertion that there will be “minimal” adhesion of oil to the riverbed and unique riverside topography of the St. Louis River in Jay Cooke State Park and above the FDL dam—despite the turbulent nature of the river in the gorge. Just how does Enbridge intend to clean the park’s dynamic geologic formations? With regard to commentary, the National Academy of Sciences study should be cited, repeatedly: [https://canadians.org/blog/national-academy-science-report-points-dangers-bitumen-spills](https://canadians.org/blog/national-academy-science-report-points-dangers-bitumen-spills) and [https://www.nap.edu/catalog/21834/spills-of-diluted-bitumen-from-pipelines-a-comparative-study-of](https://www.nap.edu/catalog/21834/spills-of-diluted-bitumen-from-pipelines-a-comparative-study-of)

6. FOH also disputes the EIS analysis of the downstream drift and the impact of the water-soluble components of the diluents, especially benzene to drinking waters. Dissolved hydrocarbons is poorly defined. And how will we discover the carcinogenic components if Enbridge is allowed to hide the composition of its diluents under the term “trade secret”?

7. We don’t see a reliable effort to analyze the cumulative impacts of dilbit in the estuary, its fisheries, wildlife, wild rice, aquatic environment, and public riverfront properties.

8. And we don’t see a reliable analysis detailing the cumulative impact on Superfund sites in the St. Louis River, where so much money has already been invested in trying to clean up earlier instances of pollution and degradation.

9. Friends of the Headwaters finds the analysis of winter spill impact severely limited. With oil under the ice, their 24 hour analysis model expires, compromising clean up and/or mitigation.

10. There’s a similar lack of analysis on wild rice beds in the estuary. Page 5.135 App V Part 10: “It is assumed that wild rice may be present in shallow-water areas of the St. Louis River Estuary.” Uh, duh.

11. Where’s the cost analysis on the impact of the spill? Where’s the spill impact on the Fond du Lac turbine generating plant? (And where’s the financial assurance that Enbridge can get the insurance to cover a catastrophic spill, given its extraordinary debt load?)

FOH is generally critical of the thinking that oil spill fate modeling is somehow an adequate assessment

12. Friends of the Headwaters contends that the revised EIS was prepared to create the headline, "Oil won’t reach Lake Superior so no harm, no foul.” Maybe that accounts for the overall dismissal of impacts to the St. Louis River, Jay Cooke State Park, the estuary, and Lake Superior's watersheds — the WATERSHEDS that were specifically mentioned in the Court of Appeals’ decision requiring this supplement to the Line 3 EIS.

Friends of the Headwaters hopes you find some useful items for comment here. Thank you for everything you’re doing to keep the oil in the soil.