

White Earth Reservation Tribal Council

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News Release
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White Earth responds to U.S. Army Corps of Engineers' approval of Enbridge Line 3 permits for water crossings

WHITE EARTH, Minn. – On Monday, Nov. 23, the United States Army Corps of Engineers (USACE) announced the approval of several permits related to the Enbridge Line 3 pipeline, which includes territory of the White Earth Reservation and land ceded by the Anishinaabe in the Treaty of 1855.

Colonel Karl Jansen, Commander, St. Paul District USACE, informed White Earth Chairman Michael Fairbanks by e-mail that the Army Corps “permits do not regulate the siting of pipelines nor any substance being transported within a pipeline. After very careful consideration over a 5-year period I will issue a decision later today to grant these permits, with special conditions, to Enbridge” and then closed his email saying “I wish all of the great people of the White Earth Band of Ojibwe well, especially as we all continue to fight the COVID-19 pandemic. In friendship, Colonel Karl Jansen.”

Chairman Fairbanks, disappointed by the USACE's approval, stated “we are water protectors. We will continue to fight against the encroachment on our natural resources, and demand that our concerns be heard and adequately addressed.” White Earth, Red Lake and the Mille Lacs Band have used state legal processes for years to oppose the new Line 3 pipeline, its route and its construction that will impact hundreds of streams, rivers, wetlands and aquifers that are part of the aquatic natural resources tribal members rely upon for food and income.

“Approval by the Corps of Engineers was expected” said Frank Bibeau, Tribal Attorney for White Earth, “that’s why they are always sued by tribes for an injunction or restraining

order like with DAPL and KXL.” Bibeau explained that before White Earth considers federal litigation, it will file for a stay of the permits from the Minnesota Public Utilities Commission (PUC) pending state court appeals. Second, the Chippewa Bands and other environmental groups will appeal the 401-permit issued by the Minnesota Pollution Control Agency (MPCA) last week, also to the Minnesota Court of Appeals. Both the PUC and the MPCA appeals are state matters.

There are widespread reports that Enbridge has been bringing in more than 4,000 out-of-state pipeline crews to our rural communities, many near the Reservations of the Chippewa Bands, and sending notices to some Minnesota landowners about construction activities beginning at the end of November. This is taking place while all of Minnesota’s hospitals and ICUs are full now with COVID-19 patients. At the same time, we understand Water Protector Camps are preparing, along with law enforcement, and winter is just beginning.

The White Earth Reservation Business Committee continues to stand and protect the waters for the wild rice, the fish, the birds and the four-legged creatures who are our relations and gifts from the Creator. We will continue to use every legal avenue available to stop the degradation of our waters.