



September 30, 2026

Dear Governor Whitmer,

On July 31, the Michigan Supreme Court ruled *In re Application of Enbridge Energy to Replace and Relocate Line 5* to vacate the Michigan Public Service Commission's approval of Enbridge's Line 5 tunnel and send the case back for a true alternatives analysis and a real finding on whether the project would pollute, impair, or destroy public trust resources.

Six weeks later, on September 9, you and Director Roos announced that the state must consider the impact of the ruling, and you wrote to Enbridge CEO Gregory Ebel urging a "planned, orderly transition" that gets oil out of the Straits "far sooner" than a tunnel ever would. We welcomed that policy position – especially in the wake of the catastrophic gas spill along Line 5 in Saxon, Wisconsin on August 25, which released 1.3 million gallons of natural gas liquids into the environment. This rupture was a stark reminder of the constant threat that exists daily for the dual pipelines in the Straits of Mackinac, and why another decade of oil and NGL's flowing through Line 5 is not acceptable.

We take that letter at its word. But a letter to a CEO doesn't bind agency positions. You have roughly thirteen weeks from the date of this letter before a successor administration takes office. We are asking you to appropriately turn the Court's ruling into administrative fact and a part of your legacy as Governor by taking the following steps:

- File a formal state alternatives and transition analysis (supply, price, Sarnia/Detroit refinery impacts, propane) into both the MPSC remand and EGLE record. This would force Enbridge to rebut it under oath rather than in a press release. We would be happy to share independent studies that document the viability and preferences of alternatives to the Line 5 tunnel.
- Direct EGLE and DNR to make decommission-and-transition the state's position in the remand, and publicly call on the Attorney General's office to do the same.
- Freeze Mackinac Straits Corridor Authority spending and activity pending the outcome of the MPSC remand. Michigan taxpayers should not be paying to support an oil tunnel project that may never happen. Taxpayers are already on the hook for \$4 million previously appropriated and another \$4 million that has been allocated to the Corridor Authority this fiscal year.

What we are asking for does not require you to take any new positions. It is turning the position you have already stated publicly into actions that reflect your views and put into place a plan

that outlasts your administration and sustains your legacy as a Great Lakes governor. Thirteen weeks is enough time to file an analysis and establish agency policy.

We would welcome the chance to walk through this agenda with your legal and policy teams before the remand record closes.

Respectfully,

Emily Woodcock
Michigan State Director
Clean Water Action/Clean Water Fund

Liz Kirkwood
Executive Director
Flow Water Advocates

Peter Lang and Travis Hixon
Executive Committee, Co-chairs
Great Lakes Business Network

Ashley Rudzinski
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Denise Hartsough and Lynne Kochmanski
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Justin Mendoza
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