Pittsfield Charter Township

6201 West Michigan Avenue, Ann Arbor, MI 48108
Phone: (734) 822-3135 • Fax: (734) 944-6103
Website: www.pittsfield-mi.gov

Office of the Supervisor

TO: Dave Chislea and Travis Warner, Michigan Public Service Commission

RE: Proposed Installation of a Pipeline by Wolverine Pipeline in Pittsfield Township

DATE: October 20, 2015

Thank you for the opportunity to submit Pittsfield Township's position regarding the proposed installation of another pipeline by Wolverine Pipeline in Pittsfield Township. All the communication that Pittsfield has had with Wolverine on the matter can be found at: http://pittsfield-mi.gov/Index.aspx?NID=1098

After first hearing about this proposed project in March, 2015 the Pittsfield Township Board of Trustees adopted a resolution opposing the project (Attachment #1). One the most impacted neighborhoods, Silo Ridge, also submitted a communication to Wolverine Pipeline noting their objections and opposition to the proposed project (Attachment #2).

Pittsfield Township has also engaged with its legislators to express the community's opposition to not just the installation of a second pipeline, but also the intent to acquire additional easements in which to place this pipeline (refer to Attachment #3).

Please note that Pittsfield Township and our community is extremely concerned about the potential negative impact the proposed project will have on the safety and environment of our community. This concern is further heightened by the fact – as outlined by residents – that Wolverine has extensively damaged properties during the course of regular maintenance wherein individual property owners have had to, repeatedly, undertake extensive landscape work to repair such damage.

If an additional pipeline is approved, we request that it be installed in the existing 50 foot easement and that no more land is taken from the township or its citizens. If an expanded easement is necessary for installation of the additional pipeline, then it should be for the construction period only and the pipeline should be installed in the existing easement.

Lastly, the approach by Wolverine Pipeline is puzzling to Pittsfield insofar as they have not yet approached us with a request to acquire an easement for the additional pipeline. Wolverine has been in contact with many private landowners, but has yet to propose anything to the Township.

Cc: Pittsfield Township Board of Trustees

Attachment 1

PITTSFIELD CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
RES #15-27
RESOLUTION OF OPPOSITION TO EXPANSION OF WOLVERINE PIPELINE EASEMENT IN PITTSFIELD CHARTER TOWNSHIP

MAY 13, 2015

At a Regular Meeting of the Township Board for Pittsfield Charter Township, Washtenaw County, Michigan, held at the Pittsfield Township Administration Building, located at 6201 W. Michigan Avenue, in said Township on Wednesday the 13th day of May, 2015 at 6:30pm.

Members Present:

Members Absent:

The following preamble and resolution were offered by Member _____ and supported by Member_____.

WHEREAS, Wolverine Pipeline Company owns and operates a pipeline for the transportation of oil, petroleum or any of its products, gas, water and other substances that traverses Pittsfield Charter Township within a 50' wide easement; and

WHEREAS, Wolverine Pipeline Company recently announced plans to install a second pipeline for the transportation of refined petroleum products including, but not limited to, gasoline, diesel and blended stock in close proximity to its existing pipeline in Pittsfield Charter Township; and

WHEREAS, expanding the existing easement will negatively impact the environment and property values in Pittsfield Charter Township; and

WHEREAS, affected property owners, homeowners associations and neighbors have expressed opposition to expanding the existing pipeline easement; and

WHEREAS, Wolverine officials have indicated that the company intends to seek a wider easement than the existing 50' easement, regardless of community opposition; and

WHEREAS, Wolverine officials have publicly stated that expanding the easement is not necessary to safely install a second pipeline, but is rather for its own convenience;

NOW THEREFORE BE IT RESOLVED, that the Pittsfield Charter Township Board of Trustees opposes the expansion of the existing 50' pipeline easement through Pittsfield Charter Township due to lack of necessity and lack of serving the common good of Pittsfield Charter Township including adverse environmental impacts, adverse impacts on property values and public safety concerns; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Michigan Public Service Commission, U.S. Senators Debbie Stabenow and Gary Peters, U. S. Representative Debbie Dingell, Governor Rick Snyder, Senator Rebekah Warren, Representative Adam Zemke, the Washtenaw County Board of Commissioners and to the Supervisors of Lodi and Ypsilanti Townships.

ROLL CALL VOTE:

AYES:
NAYS:
ABSENT:
ABSTAIN:

RESOLUTION DECLARED _____.

_____
Mandy Grewal, Supervisor
Pittsfield Charter Township

DATED: May 13, 2015

CERTIFICATE

I, Alan Israel, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Pittsfield Charter Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on May 13, 2015 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

_____

Alan Israel, Clerk
Pittsfield Charter Township

DATED: May 13, 2015

Attachment 2

May 4, 2015

Michigan Public Service Commission
P.O. Box 30221
Lansing, MI 48909

Re: Wolverine Pipe Line Company – Detroit Metro Access Project: Proposed Expanded Easements and New Pipeline Affecting Silo Ridge Properties

To Whom It May Concern:

This letter is written by fourteen property owners in the Silo Ridge Subdivision of Pittsfield Township, Ann Arbor, Michigan. These owners either currently have an easement with Wolverine Pipe Line Company ("WPLC") and may be asked to expand this current easement or may be asked to grant a new easement to the WPLC in connection with a proposed new pipeline.

Background

On March 25, 2015, many of us first learned from the Silo Ridge Association that the WPLC was planning to install a second pipeline and possibly expand the existing easements on or into our properties. We then made inquiries to the WPLC and were told that they had mailed written notices describing these proposed actions. None of us received any advance written notice of these actions from the WPLC. In fact, the earliest written notice from the WPLC was on or about March 31, 2015, in the form of doorknob hangers that stated, "A Wolverine Pipeline project that I would like to explain," with a phone number. Those who called the number were told that testing would start soon and we would be compensated if the WPLC workers damaged anything in the process. Some owners signed an acknowledgement regarding this explanation. On or slightly after March 31, 2015, the WPLC workers arrived to conduct these tests on our properties.

At a quickly scheduled Pittsfield Township meeting on April 8, 2015, WPLC representatives were confronted with this failure to provide advance notice. They had no explanation for this failure and simply apologized. They went on to say that this matter would be presented to the Michigan Public Service Commission ("MPSC") and a decision reached by mid-June 2015.

Notwithstanding the lack of notice, the continuing lack of details from the WPLC, and the compressed timetable for a decision on these issues, we urge the MPSC, the WPLC, and other interested parties to consider and act upon our concerns and suggestions, as set forth below.

Specific Facts and Major Specific Concerns Against Expanding Existing Easements

There are several specific facts and major specific concerns that directly counter any need for expanding the existing easements. Most compelling are key facts presented by representatives of the WPLC on April 8, 2015, at a Pittsfield Township Board of Trustees meeting, that do not support the need for any expansion of the existing easements from 50 feet to 75 feet. The Lead Contract Agent for the WPLC at this meeting stated unequivocally that the new pipeline can be installed within ten feet of the existing pipeline on either side of it, well within the existing 50 foot easement. Then, when asked why the WPLC was seeking to extend the easement by 25 feet, he offered no reason or need for the additional 25 feet

of easement space except that Wolverine would like to have it. These facts should close the issue of the expanded easement and take it out of the present discussion relating to the proposed new pipeline.

There are, however, many other reasons why any physical expansion of the existing easements should not be permitted. First, the taking of an extra 25 feet for easement purposes would lead to the loss of approximately 50 to 70 large trees (20 feet to 60 feet tall), dozens of smaller trees and bushes, 3 or 4 utility buildings, and numerous landscape features along the fourteen properties that border the northern edge of Silo Ridge. [Note: these losses are estimates because it is difficult to know exactly where the extended easement will reach without surveying each lot and marking, exactly, the location of the extended easement along all of the fourteen affected properties.]

Second, the extra 25 feet would extend the easement to a sloped area in some lots, creating a potentially dangerous situation for any earthmoving and digging equipment and the operators of this large equipment.

Third, the total square footage lost to this 25 foot extended easement by the fourteen property owners signing below is approximately 50,000 square feet which when added to the previous approximately 100,000 square feet cleared in the existing 50 foot easements is approximately 150,000 square feet. This represents a huge amount of essentially lost land for the current easement encumbered or affected properties. [Note: the square footage lost varies from very little for three property owners, to about 7,000 to 8,000 for seven others, to considerably more for four larger property owners and without knowing the exact property dimensions of each of the fourteen lots, and the exact terms of each of the easements, the total figures are estimates.]

Fourth, this huge amount of land is lost in perpetuity because according to the WPLC it must remain essentially barren or covered with grass (i.e. clear cut); trees are eliminated, wildlife habitats are lost, improvements such as buildings, pergolas, recreational equipment, and swimming pools are not allowed, and landscape features such as wildlife shelters, ponds, and most architectural features are forbidden. [Note: we do not agree with the clear cut philosophy of the WPLC.]

<u>Major General Concerns Against Expanding Existing Easements</u>

In addition to the above-stated major specific concerns, there are major general neighborhood concerns that weigh strongly against any expansion of the existing easements. First, this large 75 foot wide barren easement strip will encourage the unwelcome use of this cleared land by users of bikes, motorcycles and cars in the summer and snowmobiles in the winter, to say nothing of trespassers in general, and it also presents security issues because it enables easier ingress to and egress from the rear side of properties on both sides of this expanded easement 75 foot strip.

Second, this expanded easement strip will cause an increased loss of privacy between Silo Ridge and Waterways (subdivision to the north of Silo Ridge) properties. Property owners in both subdivisions will have a more open look into each other's backyards and homes and will hear more noise from each other as a result of the loss of the present landscape features in this widened easement strip.

Third, the net effect of this extended easement will be to substantially degrade these affected properties now and in the future. Current and future owners will be dramatically limited in their use and enjoyment of their properties, and their property values will almost certainly be lower as a result of this expansion of the easement spaces.

Fourth and finally, all Silo Ridge residents will be affected adversely because all of the losses cited above will be noticeable as residents bike, run, walk and drive through, and generally spend time in, the neighborhood. This expanded easement scar upon the land will further diminish the beauty of the entire neighborhood and make it a less desirable place to live.

Concerns and Suggestions Relating to the Proposed Second Pipeline

The second, and equally pressing issue, is the proposed installation of a second pipeline, especially in light of the current old existing pipeline. The plan, as we currently understand it, is to install a second pipeline and retain the existing pipeline. The existing pipeline, however, was installed in 1953, making it approximately 62 or 63 years old. We have learned that this ancient pipeline has been repaired several times and at least once on property owned by one of the signatories to this letter. As further evidence of this risk is the fact that the current pipeline is exposed above ground next to a drainage canal in the Silo Ridge area. This section of exposed pipeline – an easy target for a terrorist - also shows clear signs of physical deterioration. One has to think that this ancient, sometimes needing repair, generally deteriorating, and occasionally exposed pipeline, therefore, presents significant present risks of breakage and/or leakage that could be disastrous to the environment and to the Silo Ridge properties. This risk is dramatically exacerbated by the fact that all Silo Ridge property owners have wells as their only source of water. Any pipeline leaks would cause major health problems, significant immediate out-of-pocket expenses, substantial future financial losses, and probable irreparable property damage for all of the Silo Ridge property owners.

Whether or not the WPLC shares our concerns and agrees with the degree of risk presented by this old pipeline, the company would surely acknowledge that a new pipeline or pipelines replacing the existing old pipeline would be far safer and more secure. Pipeline materials and construction techniques must have improved over the past 63 years. Better internal leak detection and shut-off equipment must exist now that was not available in 1953. Pipeline technology in general must be far superior to what existed in 1953. And regulations for pipeline construction must be much better than they were in 1953 (e.g. Pipeline Safety Legislation Bills introduced on Earth Day 4-22-15 that would provide state oversight of oil and gas pipelines: http://housedems.com/article/democratic-reps-introduce-pipeline-safety-legislation-earth-day).

For all of these reasons, we urge the MPSC and the WPLC to consider at least two possible ideas for the use of the existing easements. First, we suggest replacing the current old 16-inch pipeline with one new pipeline 22-inch (or larger) in diameter. That would double the through put volume, eliminate the old relatively unsafe pipeline, and possibly avoid the need to even update the existing easements (that permit only a single pipeline). The labor costs would be roughly the same (or slightly more) for a 22-inch

pipeline vs. a 16-inch pipeline. The material costs might be slightly more. But, safety and security would be much enhanced over the long term, and that should make all the difference.

Second, if the pipe size cannot be increased from 16 inches, the WPLC might want to consider replacing the old pipeline with two new pipelines 16 inches in diameter, ten feet apart in the middle of the 50 foot existing easements. That would achieve the apparent need for expanded pipeline capacity, enhance pipeline safety and security, and eliminate the potential risks associated with the old pipeline, but at some added cost and with the need to update the existing easements with legal consideration to existing easement grantors.

Also, regardless of the pipeline approach ultimately taken, we strongly support pressure and x-ray testing of the pipeline(s) more frequently than the present five year interval testing, automated shut-off valves that are located closer together than every 15 or 20 miles, and the use of any and all appropriate safety features.

Conclusion

We respectfully urge the MPSC, the WPLC, and other interested parties, to take into account and act upon our concerns and suggestions. It is clear that additional easement space is not required by the WPLC. It is also clear that there are many serious and far reaching property owner concerns against expanding the easement space.

As to the state of the current pipeline and the proposed construction, we ask that our suggestions receive fair hearing leading to possible adoption as the WPLC proceeds with its pipeline plans. We see these suggestions as positive for all parties. The WPLC expands its pipeline capacity, and the WPLC and affected property owners benefit from a safer and more secure pipeline installation and operation.

The parties signing below have read this five page letter, agree with its content, and may sign in counterparts. Thank you.

Please direct any comments or responses to the first two signatories listed below.

Respectfully submitted:

_____

Kelley Rea and Mary Jean Jecklin, 1228 N. Silo Ridge Dr., Ann Arbor, MI 48108

Note: this letter is being submitted while signatures are being obtained. All fourteen property owners have reviewed this letter, agree with its content without reservation, and have or will sign the letter personally.

_____/s/_____

James Osborn, 5523 Hearthstone Ct., Ann Arbor, MI 48108

_____/s/_____

Joe and Heather Stein, 1250 N. Silo Ridge Dr., Ann Arbor, MI 48108

_____/s/_____
Jeff and Michelle Winters, 1206 N. Silo Ridge Dr., Ann Arbor, MI 48108
_____/s/_____
William Reminder, 5553 N. Silo Ridge Dr., Ann Arbor, MI 48108
_____/s/_____
Fred and Sally Olsen, 5546 Pebble Ridge Ct., Ann Arbor, MI 48108
_____/s/_____
Tom and Barb Nanzig, 5539 Pebble Ridge Ct., Ann Arbor, MI 48108
_____/s/_____
John and Peggy Overcashier, 5577 Pebble Ridge Ct., Ann Arbor, MI 48108
_____/s/_____
Terry Fietsam, 5545 Hearthstone Ct., Ann Arbor, MI 48108
_____/s/_____
Tim and Kathleen Mitchell, 5567 Hearthstone Ct., Ann Arbor, MI 48108
_____/s/_____
Kevin and Tina Conlon, 5589 Hearthstone Ct., Ann Arbor, MI 48108
_____/s/_____
Reza and Janet Movahhed, 5611 Hearthstone Ct., Ann Arbor, MI 48108
_____/s/_____
Christine Dominiak, 5633 Hearthstone Ct., Ann Arbor, MI 48108
_____/s/_____
Geoff Austermiller, 5655 Hearthstone Ct., Ann Arbor, MI 48108

cc: The Wolverine Pipe Line Company
Fred Hipshear
Pittsfield Charter Township Board of Trustees, Mandy Grewal, Supervisor
Jerry Krone
Russ Monahan
State Senator Rebekah Warren
State Representative Adam Zemke
State Representative Jeff Irwin
Washtenaw County Board of Commissioners
Mobil Pipe Line Company
ExxonMobil Pipeline Company

Attachment 3

55TH DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514
PHONE: (517) 373-1792
FAX: (517) 373-7757
E-MAIL: adamzemke@house.mi.gov

MICHIGAN HOUSE OF REPRESENTATIVES

ADAM F. ZEMKE

STATE REPRESENTATIVE

COMMITTEES:
EDUCATION COMMITTEE (MVC)
APPROPRIATIONS
SUBCOMMITTEES:
JOINT CAPITAL OUTLAY (MVC)
SCHOOL AID

Dear Members of the Michigan Public Services Commission:

I write in opposition of the Wolverine Pipeline expansion in Washtenaw County proposed to be built during the 2016 construction season.

Portions of the pipeline, carrying roughly 90,000 barrels of petroleum a day, would travel near or under residential homes in Pittsfield Township. This poses potential detriments to property value, public safety and the environment. Further, I have heard from many residents who state that Wolverine Pipeline has not been transparent, open and communicative in their approach with property owners. These factors have led many township residents to become extremely disgruntled by the idea of an additional pipeline being added in their backyards, neighborhoods and farmland.

On May 13, 2015, the Township Board for Pittsfield Charter Township unanimously passed a resolution in opposition of the expansion of the pipeline. In the resolution, it is cited that property owners and homeowners associations have strongly opposed an additional pipeline. The negative impact the pipeline will have on the environment and property values were also discussed at the meeting.

I strongly ask that you consider denying the expansion proposal made by Wolverine Pipeline at your July 29th meeting.

Respectfully,

Adam F. Zemke
State Representative
District 55

cc. Pittsfield Charter Township Board of Trustees

RECEIVED
JUL 27 2015
BY: .....

Recycled Paper