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CORONAVIRUS UPDATE



Vaccination effort rolls on

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As Minnesota's Covid-19 vaccine rollout continues, the state has expanded its pool of eligible recipients, and is changing the way vaccines are allocated at its pilot sites.

The state continues to follow its rollout plan laid out in December, in which members of specific priority groups — primarily health care

workers and long-term care residents — are receiving their shots of the two-dose vaccine first.

At the same time, the state has established a pilot program for people age 65 and older, along with some educators and child care providers, who are now eligible to sign up for their Covid-19 vaccines. Sign-ups for that program have evolved from a first-come-first-served appointment process to an online lottery

system moving forward.

While both programs are operating simultaneously, the state is warning that the number of doses available will continue to be very limited — at least for now — and that the pilot program, hosted at nine sites across the state, is just that: An attempt to refine the process before widespread rollout.

On Tuesday, the Biden administration confirmed it would buy

an additional 200 million doses of vaccines with the goal of having enough vaccine supply for most of the U.S. by the end of the summer.

Minnesota is expected to receive nearly 11,000 additional doses each week under the new allocation, according to the Walz administration.

See Page 5 for questions and answers about the vaccine effort across the state, along with local news about the pandemic.



Taysha Martineau, the founder of Camp Miigizi, rallies Water Protectors last week in protest of Line 3 construction on the Fond du Lac Reservation.

Persistence, peace mark Line 3 protests

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Woodsmoke curled through the trees on a quiet winter afternoon at Camp Miigizi, just off Magney Drive on the Fond du Lac Reservation. An event called "Frybread Friday" was scheduled here for Jan. 22, but it appeared no one was around the encampment of lightweight tents scattered randomly around a low-burning fire. A single, larger canvas tent stood out as a possible hub of activity, but all was silent inside. Farther on, a half-dozen women and men were found quietly assembling a wooden hut.

"Everyone has gone to an action and will return in an hour or two," said one of the hut builders.

A pair of young men emerged from the road saying they were headed to the action and would show the way there. Asked to share what they might know about the event, one of them replied, "Ask to speak with Jeff or Cody."

Three miles away, on Reponen Road, a group of protesters had assembled in the 10-degree cold. Here, a construction crew had been working to tunnel Enbridge's Line 3 replacement pipeline beneath the icy gravel road. The group of 30 or so protesters, some locked arm-in-arm in a line across the road, had been countered by seven or eight Fond du Lac police officers and Carlton County sheriff's deputies occupying the space between protesters and construction crew.

A drone hovered near the excavated pit where the pipeline was to burrow beneath the road. A north-bound pickup truck eased through the congested tangle of parked vehicles and protesters. Its driver — stating he was just trying to get home — was angry about the inconvenience.

Another hundred yards up the road to the north, Cloquet Area Fire District firefighters and emergency responders chatted while they waited and watched.



A tribal police officer stands near protester Phoenix as she reads in a pit created for pipeline construction off Reponen Road west of Cloquet. The woman was arrested a short time later. Photos courtesy Rachel Sipress

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Protest ...

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The protesters were chanting a call and response, “One. We are the people. Two. We are united. Three. We will not let you build this pipeline.” An officer, barely audible over a squad car loud-speaker, was calling on the crowd to disperse.

Although loud, the protest was entirely peaceful.

Down in the pit, a solitary water protector called Phoenix sat alone at the epicenter of the action. She was reading “Braiding Sweetgrass,” by Robin Wall Kimmerer, a treatise on how science and the modern world can be balanced by ancient practices of indigenous people.

While some water protectors were cautious to share names or use a pseudonym to protect themselves, Jeff Nichols-Haining emerged from the protest line.

“We all came out for food and heard the machines going. We couldn’t just sit by, so we came out to do something about it,” Nichols-Haining said. “We want to see the end of the Line 3 project.”

Nichols-Haining stated that Line 3 “is not a replacement, it’s an expansion,” noting it is many miles longer, passes through a new right-of-way corridor and has a greater capacity than the existing Line 3.

Asked about the group of people involved in the protest, Nichols-Haining said: “We’re all just individuals who care about the land and the rice and the water and doing what we can.”

Organizer Taysha Martineau also spoke.

“There are two brave water protectors [one at another location] who have placed themselves inside the trenches of the Line 3 replacement project,” Martineau said. “Right now, our goal is to slow the spread of this pandemic pipeline so that those who have pending court cases against the Line 3 project see their day in court. When Fond du Lac signed for the Line 3 project, they took away the voice of the other Anishinaabe languages. As a Fond du Lac Tribal member I see it as my responsibility to make sure that my relatives get their day in court.”

Approvals, appeals

Enbridge officials say the first priority is the safety of all involved.

“Recent actions taken by protesters, like trespassing in active work zones, endanger first responders, Line 3 workers and the protestors themselves,” Enbridge spokesperson Julie Kellner said in an email to the Pine Knot News. “As a company, we recognize the rights of individuals and groups to express their views legally and peacefully. We don’t tolerate illegal activities of any kind including trespassing and vandalism, that endanger the environment, public safety or critical energy infrastructure. We will seek to prosecute those individuals to the fullest extent of the law.”

Kellner said the Line 3 replacement project passed every test the last six years of “fact and science-based regulatory and permitting reviews” and

mentioned 70 public comment meetings, appellate review and reaffirmation of a 13,500-page Environmental Impact Statement, four separate reviews by administrative law judges, 320 route modifications in response to input, and multiple reviews and approvals by the Minnesota Public Utilities Commission for the project’s certificate of need and route permit.

The Minnesota Department of Commerce tried three times to appeal a critical permit for the project, a Certificate of Need, which has been granted to Enbridge twice. The court has not weighed in on the state agency’s arguments yet about the long-range forecast of oil demand, which is required by state law to prove the pipeline is actually necessary.

Nichols-Haining said Enbridge pipelines have a history of environmental endangerment. “This company is responsible for the Kalamazoo oil spill. ... Line 3 specifically goes to the Husky oil refinery which blew up in 2018 where they had to evacuate the entire city of Superior.”

In Minnesota, the largest-ever inland oil spill occurred in 1991, when 1.7 million gallons of oil ruptured from Line 3 in Grand Rapids, spreading onto a frozen river.

Although Enbridge has all the needed permits and permissions, there are lawsuits still pending in both federal and state courts.

Opponents filed a federal suit late last year seeking to halt construction, arguing that a key water quality permit granted by the U.S. Army Corps of Engineers in November failed to consider several environmental impacts.

The White Earth and Red Lake nations, along with the Sierra Club and Honor the Earth, filed the complaint on Christmas Eve in U.S. District Court in Washington, D.C.

It seeks to overturn a permit that the Army Corps issued in November that allows Enbridge to discharge dredged and fill material into rivers and streams. It was the last permit Enbridge Energy needed to begin construction.

Groups have also filed several additional lawsuits in state court, challenging the project’s approvals by the Minnesota Public Utilities Commission, and permits issued by the Minnesota Pollution Control Agency.

Opponents are also expected to ask the Minnesota Court of Appeals for a halt on construction until those lawsuits can be heard.

Routing

Kellner said Enbridge negotiated with tribal leadership regarding the pipeline route. As a result, they routed Line 3 outside the Leech Lake Band of Ojibwe Reservation and through the Reservation of the Fond du Lac Band of Lake Superior Chippewa. Enbridge and the Fond du Lac tribal leaders agreed to keep the current route that bisects reservation lands that straddle the Carlton-St. Louis county line for an undisclosed amount of money and with the agreement that Enbridge will remove the old pipeline from tribal lands, along with relocating a portion of the

Line 3 basics

Line 3 begins in the Alberta oil sands in Canada and crosses a corner of North Dakota before crossing Minnesota on its way to the Enbridge terminal in Superior. The Minnesota section was built in the 1960s and currently runs at half its original capacity.

The Line 3 replacement pipe is expected to nearly double the capacity along the line. The route clips the northeast corner of Carlton County, crossing through the Fond du Lac Reservation and across the southwest corner of St. Louis County. The entire 338-mile route through northern Minnesota crosses more than 200 water bodies and 800 wetlands. Enbridge officials say replacing the existing aging Line 3 pipeline with one that is made of thicker steel utilizing more advanced protective coatings will be much safer for the environment and for communities along the route. Protesters say oil use and its extraction are bad for the environment, unneeded and could damage waterways, wild rice beds and more should it fail.

Replacement segments in Canada, North Dakota and Wisconsin are already complete.



Line 4 pipeline that currently crosses the reservation.

The band determined that keeping the current route was preferable to having the new line travel along a new corridor in territory ceded in 1854, where band members retain treaty rights to hunt, fish and gather.

“As a sovereign nation, we are confounded that we are being forced to choose between two evils as both routes pass through our lands,” tribal council chairman Kevin Dupuis Sr. said in a statement reported by Minnesota Public Radio in 2018. “The benefits to the band far exceed those of potential alternatives, and the agreement was the result of months of extensive consideration and strong advocacy on behalf of the band,” Dupuis said.

“Both Leech Lake and Fond du Lac have spoken and written repeatedly in support of project permits,” Kellner said. “Thirty tribes consulted in the Army Corps of Engineers process for Line 3, and Fond du Lac led a Tribal Cultural Resources Survey of the route of the project, in which eight tribes participated with staff.”

The current protests have not significantly delayed the project, Kellner said.

“Even if work pauses at one location ... construction continues elsewhere along the 340-mile route of the project,” she said. “At this point the project is largely on schedule.”

On the move

Back on Reponen Road, another 30 minutes passed as the standoff continued.

A third request for dispersal included a warning of possible arrest. A Fond du Lac police officer said the call to disperse was due to protesters blocking the road for emergency vehicles.

A fire department rescue truck and emergency response vehicle began to move slowly toward the crowd, which parted to make way.

At this point a protester announced that she had lost a lens from her glasses on the gravel road, and was blind without it.

In a moment of common courtesy, protesters, police officers and firefighters stopped



Patricia Ann Osuna was arrested for trespassing and was released on \$300 bail hours later. *Timothy Soden-Grove / Pine Knot News*

everything they were doing to look for the lost lens. All activity came to a halt, as nearly a minute and a half passed with this diverse group bent over, walking in circles and peering at the road. Finally, the missing lens was found.

The emergency vehicles again moved forward, turned onto the pipeline right-of-way and crews made preparation for a safe extraction of Phoenix from the pit.

The Line 3 protesters were now chanting and calling out “We love you, Phoenix.”

Two firefighters and an FDL police officer went down a ladder and spoke with the water protector for several minutes. Phoenix then climbed up the ladder and out of the pit under her own power and was escorted to a squad car.

The crowd quickly dispersed, with one protester saying they were going to the other action site nearby where a second water protector was engaged in a similar protest.

Another protestor entered a pit at Hohensee Road and West Moorhead Road in Carlton County on Friday evening. CAFD interim battalion chief Chad Vermeersch was part of the response to that call, which he said was more dangerous than the first.

“The protestor had entered a trench not meant for human occupancy — without all the supports — and the walls were sloughing off, or basically caving in while he was in there,” Ver-

meersch said. A search and rescue team out of Virginia, which specializes in structure collapse and trenches, was called in, but its services were not needed in the end. Vermeersch said when the team leaders arrived they spoke with the protestor — identified as Justin Dean from court records — and he exited the trench on his own.

Vermeersch said Enbridge and Precision Pipeline workers told firefighters to not enter the second trench because it was too dangerous, adding that he hopes protesters will be more cautious. “If that had caved in, there’s nothing any of us could have done,” he said. He estimated CAFD staff spent about 2.5 hours on the two calls Friday.

Phoenix, identified in Carlton County Sheriff’s Office arrest records as Patricia Ann Osuna, was arrested for trespassing. According to another water protector familiar with the case, Osuna was released Friday on \$300 bail. Osuna is scheduled to appear at the Carlton County Courthouse on Feb. 17.

Dean was also charged with trespassing and interference with a peace officer and released on \$300 bail.

Actions along the pipeline construction area continued Saturday and through this week.

Pine Knot News editor Jana Peterson and Minnesota Public Radio News contributed to this story.