

Please remove Item 6.b.7) 2020 Census Resolution from the CONSENT CALENDAR.

I would like discussion and voting on this specific item.

Thank you,

Kate Dahlstrom

437 Eastwood Shores

Traverse City, MI 49685



Protecting the Common Waters of the Great Lakes Basin
Through Public Trust Solutions

August 21, 2019

Submitted in person for inclusion in the minutes and public record to the:

Grand Traverse County Board of Commissioners
Governmental Center, 400 Boardman Ave.
Traverse City, MI 49684

Thank you, Chairman Hentschel, and fellow members of the Grand Traverse County Board of Commissioners.

I am Kelly Thayer, Deputy Director of FLOW (For Love of Water), 153 1/2 E. Front Street, Traverse City. FLOW is a Great Lakes law and policy center working to protect our public trust waters across the Great Lakes basin.

I have come here this morning to urge you to consider the facts and reject the resolution backing Enbridge's proposed Line 5 oil tunnel under the Straits of Mackinac.

Since 2013, FLOW and our team of lawyers, scientists, engineers, and an international risk expert have studied the growing threat from Line 5 in the Straits and, more recently, the proposed Line 5 oil tunnel.

Together we have documented the risk from Line 5 to the Great Lakes and drinking water, to Indian tribes and local communities, to the steel industry and the Pure Michigan economy – and ultimately to our way of life.

In March, Michigan Attorney General Dana Nessel found that the oil tunnel law approved late last year was unconstitutional.

In early June, Enbridge sued the State of Michigan to uphold the tunnel legislation. And in late June, the State of Michigan sued Enbridge to revoke the 1953 easement that conditionally authorized Enbridge to pump oil through the twin pipelines in the Straits.

It is vital to understand that with a "yes" vote today for the oil tunnel resolution, you would effectively be interfering in ongoing litigation between Enbridge and the State of Michigan. In addition, there are at least four other active lawsuits against Enbridge and Line 5. Why entangle Grand Traverse County in these legal fights on Enbridge's behalf?

By casting a "yes" vote, you also would be taking sides with a Canadian company with a terrible track record of Line 5 oils spills across the Upper and Lower Peninsulas, and from Line 6B into the Kalamazoo River.

Perhaps learning about Enbridge's tarnished record is why the very first line of the August 7 resolution you considered says, "WHEREAS, Enbridge's Line 5 has been operating safely and reliably *in Michigan* for more than 65 years." And today's resolution is watered down to say, "WHEREAS, Enbridge's Line 5 has been operating safely and reliably *in the Straits of Mackinaw* [sic] for more than 66 years." [Emphases added]

Did you know that the proposed oil tunnel and the law being tested in court would give away public money and

priceless natural resources to a foreign company?

Under the terms, the State of Michigan would give Enbridge sole occupancy for 99 years of Great Lakes public trust waters and bottomlands and spend at least \$4.5 million of taxpayer money for oversight of the tunnel project.

The state would commit more taxpayer money for a legal defense fund for Enbridge, and let Enbridge avoid tens of millions of dollars in taxes over the project's life by giving the state ownership of the 4.5-mile tunnel portion of a 645-mile long private, Canadian oil pipeline. Do you support giving public resources away to Enbridge, a multibillion-dollar company that is spending heavily right now on a public relations and lobbying campaign to win approval from state and local officials?

Enbridge's proposal to dig an oil tunnel under the Straits for the next 5-10 years is a delay tactic, not a solution. It fails to address Line 5's immediate threat to the Great Lakes and the risk posed by the pipeline's more than 400 stream and river crossings in the Upper and Lower Peninsulas. Enbridge's proposal to allow electrical lines and other infrastructure to occupy the proposed oil pipeline tunnel is a bad idea that poses an explosion risk.

Line 5 serves mostly Canada's energy needs, and alternatives can meet Michigan's needs. FLOW research shows that our oil and propane needs can be met through other, existing pipelines and rail and truck alternatives. And Gov. Whitmer has formed an Upper Peninsula Energy Task Force to identify energy supply options. The system can adjust with smart planning.

Climate change and related impacts to the Great Lakes would worsen from an oil tunnel under the Straits transporting fossil fuels for the next 99 years.

Please ask yourselves: Why would the Grand Traverse County Board support an oil tunnel proposal that would give away taxpayer money and Great Lakes public trust resources to a Canadian company suing the State of Michigan after spilling more than 2 million gallons of oil across our lands and waters?

The oil tunnel proposal that diverts attention from the real problem – the bent, cracked, and encrusted, 66-year old oil pipelines in the Straits.

For these reasons, and many more, we call on the Grand Traverse County Board of Commissioner to reject the resolution supporting a Line 5 oil tunnel in the Great Lakes.

Thank you for your time and consideration.

Kelly C. Thayer
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April 30, 2019

Ms. Jane TenEyck
Executive Director, Chippewa Ottawa Resource Authority
179 W. Three Mile Road
Sault Ste. Marie, MI 49783

Re: American Transmission Company-Straits Cable Replacement Project

Dear Ms. TenEyck and CORA Board Members,

In an incident that occurred on April 1, 2018, some of American Transmission Company's submarine electric cables crossing the Straits of Mackinac were severed. After reconfiguring the remaining functional cables, ATC was able to reestablish one of the two electric circuits. ATC has initiated a project to add a second circuit across the Straits, which is necessary for electric reliability in the area. ATC is proposing to remove all existing cables and installing new solid dielectric submarine cables, which would contain no mineral insulating oil, eliminating future risk of a release.

There has been some discussion by others about a possible utility tunnel under the Straits. You have asked whether ATC is willing to enter into an arrangement to put its cable in such a tunnel. The answer is that a tunnel is not an acceptable solution for ATC, for the following reasons:

Timing. ATC needs to restore its second circuit as soon as possible. By installing its own cables, ATC can have its system intact by 2021. A tunnel of uncertain timing, later in the decade, does not serve the public.

Safety. ATC does not believe that installing high voltage electric lines in close proximity to high pressure oil or gas lines is a good idea.

Practicality. A cable capable of transmitting 138,000 volts is physically large and would need several splices or joints to cross the entire Straits. Each splice location would need significant space in the tunnel for welders. Nothing we have seen suggests that a reasonably sized tunnel would be feasible.

08/21/2019

Commissioners,

YOU swore an oath to establish policy, pass laws, and oversee all County government operations in accordance with State laws and share authority with other County elected officials in 22 areas specific to Grand Traverse County.

Additionally, your position on the Grand Traverse County Board of Commissioners charges you with caring for a community that preserves the beautiful and healthy environment making Grand Traverse County a desirable community in which to live where the safety of its citizens is of utmost concern and who focuses on the well-being of all its people.

Nowhere within your job description is there anything about endorsing the efforts of a Canadian oil company to build a Tunnel to house two Canadian oil pipelines in the Straits of Mackinac, while risking running that oil through two aging pipelines, benefitting, not Michigan, but a Canadian oil company. Nowhere within your job description is there anything about endorsing a citizen question on the US census!

Here's a reminder from Numbers 30:2

If a man vows a vow unto the Lord, or swears an oath to bind his soul with a bond, he shall not break his word. He shall do according to all that proceedeth out of his mouth.

Do the job you were elected to do and honor your oath of office.

Berta Meserve

20334 Maple St

Lake Ann, MI 49650

231-590-5236

Submitted By
Matthew Schoech
In Support of Enbridge
Line 5 Tunnel.

HOME (/) / PRESIDENT'S PODIUM: DAKOTA ACCESS PIPELINE

PRESIDENT'S PODIUM: DAKOTA ACCESS PIPELINE

Author: Sheriff Greg Champagne, NSA President

Post Date: November 1, 2016

I was extremely privileged in the last several days to have the opportunity to travel to North Dakota as President of the National Sheriffs' Association to see firsthand the protest and the response hereto to the Dakota Access Pipeline Project near the Standing Rock Sioux Reservation about 25 miles south of Bismarck.

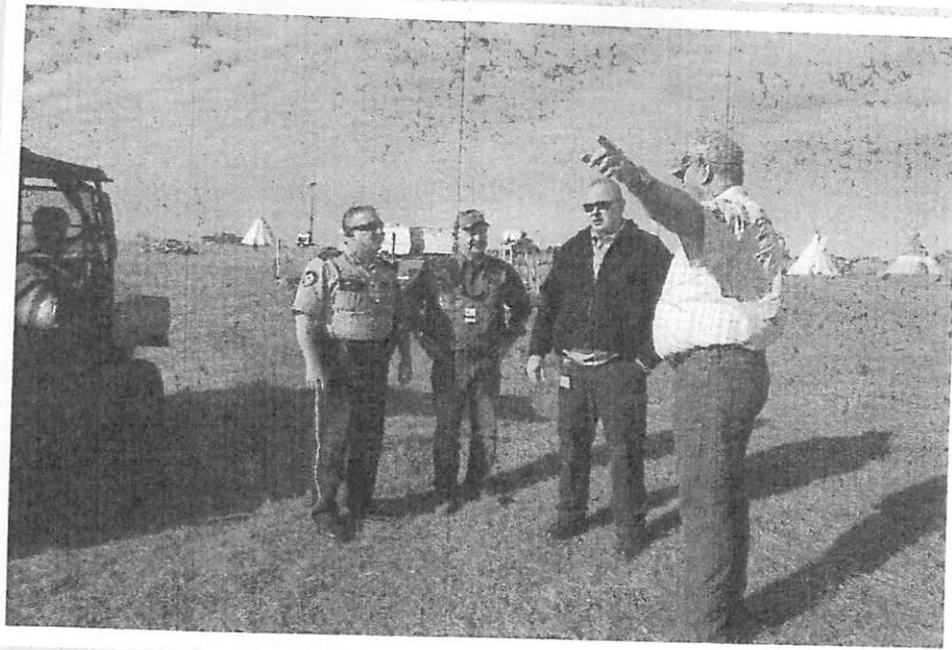
I learned first that the pipeline project, which has been in the works for several years, will traverse four states including North Dakota, South Dakota, Iowa and Illinois carrying crude oil. First, I was surprised to learn that a natural gas pipeline is already underground on the same right of way. The DAP has received all federal approvals over several years, and litigation which attempted to stop it in the federal courts has been resolved. Despite this project being very "federal" in nature and clearly in interstate commerce, the Obama administration has refused to

provide any law enforcement or other support to North Dakota state and local law enforcement that has placed them in the position of having to enforce the rule of law. As usual, law enforcement is put between a rock and a hard place due to various political agendas.

Based upon sensational news reports, I had the wrong impression that this pipeline was to run directly through the Standing Rock Reservation and would disturb ancient burial grounds of the Sioux Tribes. The argument has evolved now that this pipeline will jeopardize the water supply of the Missouri River (despite the fact that the pipeline will pass under other rivers including the Mississippi throughout its entire route). Also, the Cannonball River which runs throughout the Standing Rock Reservation is actually "upstream" from the pipeline crossing. This false narrative has understandably generated a great deal of sympathy and support from many quarters for the Standing Rock Sioux People. I quickly learned and saw for myself that this was untrue. The pipeline passes about two miles north of the reservation and that years of archeological study uncovered no significant native historical sites. It is difficult to believe that a single modern pipeline would be more environmentally risky than transporting crude oil by rail or truck through the same territory.

The Dakota Access Pipeline is 95% complete and the construction work near Standing Rock is the last phase which will tie the pipeline together. ***It is a 3.7 Billion Dollar Project.***

This past Thursday, October 27th, steps were taken the morning before I arrived which evicted protestors from private property directly in the path of the pipeline. This "northern" camp was erected just days before and the occupants had been warned repeatedly for several days that their presence there was unlawful and that eviction was imminent. These warnings went unheeded.



Despite the statements coming from the media and protesters that they were completely peaceful and prayerful, it has been a fact that more militant

protestors (terrorists) have destroyed property and physically beaten employees of the company in recent weeks. I personally witnessed and photographed what I estimate to be at least a half-million dollars in damage to bulldozers and excavators. I further learned that many protestors other than Native American groups have descended upon the area such as anarchists and eco-terrorists who are hell bent on committing violence and damage. The police presence in the area to protect farmers, ranchers and other private property interests has been costing the state of North Dakota millions of dollars.

The Sheriffs of several states have contributed manpower over the last several weeks to help preserve order and protect property. On October 27th, law enforcement evicted the trespassers from the north camp on private property about three miles north of the Cannonball River. While pleading with the trespassers for a peaceful move, law enforcement officers were met with Molotov cocktails and various missiles such as rocks and logs being thrown at them causing numerous injuries to the officers. The only discharge of a firearm occurred when a protestor fired at the line of officers. Miraculously, none were hit

by the bullets. When the protestors were moved south of the bridge, two trucks used to blockade the roadway were set on fire by the protestors. This action now has very possibly jeopardized the integrity of that bridge. News accounts ironically then decried the use of defensive equipment such as "riot gear" and armored vehicles by law enforcement.

Many media sites reported only that "heavy handed" police tactics were used upon the protestors who were only praying and "peacefully" protesting. These same outlets failed to mention the shooting, Molotov cocktails, and extensive property and

equipment damage produced by some of the protestors. The protestors even cut fences and attempted to induce a domesticated buffalo herd to stampede



through the area. The owners of the herd, whom I spoke with personally indicated that at least a dozen of their buffalo were killed by protestors.

The next morning, I was present as law enforcement leaders including

Sheriff Paul Laney met with leaders of the tribe. The tribal representatives lamented the violent and destructive behavior of "outsiders" who had come in only to commit violence. They

indicated that they would encourage these violent agitators to leave the camp and protest.

While the entire situation seemed to be de-escalating upon my departure on Sunday October 30th, it remains to be seen if the violence and illegal acts are truly over. I must commend the professionalism and patience of law enforcement officers under the leadership of sheriffs such as Cass County Sheriff and National Sheriffs' Association Board member Paul Laney, Morton County Sheriff Kyle Kirchmeier, and Burleigh County Sheriff Paul Heinert. The North Dakota State Police as well as several area Police Departments also played essential roles. The operation evicting trespassers, some of whom became violent was carried out with professionalism and restraint despite liberal press stories to the contrary. I must also commend the numerous sheriffs' offices throughout the multi-state area including NSA Executive Committee Member Rich Stanek of Hennepin County, Minnesota who sent personnel to assist with protecting lives and property.

I certainly feel empathy for the Native American peoples of America and especially the Sioux due to the treatment they received at the hands of the U.S. Government in the latter part of the 19th Century. These Native American Cultures are and should be a proud people for whom we should all have concern.

However, the law and facts simply do not weigh in their favor in this case from everything I've seen. This project went through an extensive approval process over many years and court challenges in Federal Court have failed to be successful. We are a nation of laws. Emotion and empathy cannot carry the day. It just seems that opposition to this pipeline is not reasonably based upon legitimate environmental concerns. Energy independence has been one of the major goals of this country for decades. In my home state of Louisiana, we are surrounded by gas and oil

pipelines and safely so. In another ironic twist, it is widely known that the Standing Rock Tribal Chairman owns a convenience store and gasoline station on the reservation.

It's time for everyone to move on in reference to The Dakota Access Pipeline and stop putting further strain on the citizens and law enforcement officers of North Dakota and surrounding states.

Greg Champagne, President

National Sheriffs' Association

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AMERICA'S SHERIFFS ([/NSA-MEMBERSHIP/MEMBER-DIRECTORY](#))

**United States House of Representatives
Committee on Science, Space, and Technology**

Majority Staff Report



***Russian Attempts to Influence U.S. Domestic Energy
Markets by Exploiting Social Media***

March 1, 2018

*Shadow Proof
Refers to Settle Scheme*

Executive Summary

The purpose of this report is to provide the American people with the findings of the Committee's investigation into Russian efforts to influence U.S. energy markets. First, the report discusses several factors driving the Kremlin's desire to interfere with U.S. energy markets and influence domestic energy policy. Next, it demonstrates how the Kremlin manipulated various groups in an attempt to carry out its geopolitical agenda, particularly with respect to domestic energy policy. Finally, this report provides an assessment of the Committee's findings, including examples of Russian-propagated content targeting U.S. energy markets and domestic energy policy. The facts put into perspective the nature and extent of the Kremlin's energy influence-peddling operation.

The Committee began investigating Russian attempts to influence U.S. energy markets in the summer of 2017 when Chairman Smith wrote the Secretary of Treasury regarding Russia's intricate money-laundering scheme. Russian-sponsored agents funneled money to U.S. environmental organizations in an attempt to portray energy companies in a negative way and disrupt domestic energy markets.¹ Upon discovering that Russia may have exploited American social media platforms to accomplish its disruptive objectives, the Committee broadened the scope of its investigation. On September 26, 2017, the Committee requested data from Facebook and Twitter as part of this expanded investigation.²

Documents that the American social media companies produced for the Committee confirmed that Russian agents were exploiting American social media platforms in an effort to disrupt domestic energy markets, suppress research and development of fossil-fuels, and stymie efforts to expand the use of natural gas.

Subsequent to the Committee's initial request, media revelations indicated that Russian operatives, "intent on exploiting existing divisions and social movements in the United States," had in fact sought to influence U.S. energy markets by exploiting American social media platforms.³ According to the media report, Russian agents exploited Instagram by "shar[ing] images related to Native American social and political issues—including the construction of the Dakota Access Pipeline."⁴ Moreover, many of the Russian-linked accounts targeted "highly visible tension points" in America, including "protests against pipelines."⁵

These revelations bolstered the Committee's suspicions that Russia was actively engaged in a concerted effort to disrupt U.S. energy markets and influence domestic energy policy and was exploiting American social media platforms in an attempt to carry out this objective. As

¹ Letter from Hon. Lamar Smith, Chairman, H. Sci., Space, & Tech. Comm. to Hon. Steven T. Mnuchin, Secretary, U.S. Dep't of Treasury (June 29, 2017).

² Letter from Hon. Lamar Smith, Chairman, H. Sci., Space, & Tech. Comm. to Mr. Mark E. Zuckerberg, Founder, Chairman, & Chief Exec. Officer, Facebook and Mr. Jack Dorsey, Chief Exec. Officer, Twitter, Inc. (Sept. 26, 2017).

³ Ryan C. Brooks, *How Russians Attempted to Use Instagram to Influence Native Americans*, BUZZFEED NEWS (Oct. 23, 2017), <https://www.buzzfeed.com/amphtml/ryancbrooks/russian-troll-efforts-extended-to-standing-rock>.

⁴ *Id.*

⁵ *Id.*

such, the Committee reiterated to the American social media companies its interest in information regarding Russian entities purchasing advertisements or posting content targeting domestic energy markets. On October 31, 2017, Chairman Smith again wrote the social media companies requesting information.⁶

* The Committee received and reviewed the companies' produced documents for evidence of Russian influence. Twitter, Facebook, and Instagram were able to identify Russian accounts linked to the Internet Research Agency (IRA), a Russian company based in Saint Petersburg established by the Russian government for the purpose of deceptively using various social and traditional media platforms to advance Russian propaganda.⁷ The information received from Twitter, Facebook, and Instagram shows that Russian agents indeed sought to disrupt U.S. energy markets and influence domestic energy policy by exploiting American social media platforms.

Findings

- Between 2015 and 2017, there were an estimated 9,097 Russian posts or tweets regarding U.S. energy policy or a current energy event on Twitter, Facebook, and Instagram.
- Between 2015 and 2017, there were an estimated 4,334 IRA accounts across Twitter, Facebook, and Instagram.
- According to information provided by Twitter, more than four percent of all IRA tweets were related to energy or environmental issues, a significant portion of content when compared to the eight percent of IRA tweets that were related to the election in the U.S.
- Russia exploited American social media as part of its concerted effort to disrupt U.S. energy markets and influence domestic energy policy.
- * ➤ The IRA targeted pipelines, fossil fuels, climate change, and other divisive issues to influence public policy in the U.S.

Discussion

I. Russia works to disrupt U.S. energy markets

Russia has a significant interest in disrupting U.S. energy markets and influencing domestic energy policy. American energy is booming. America's emergence as a global energy

⁶ Letter from Hon. Lamar Smith, Chairman, H. Sci., Space, & Tech. Comm. to Mr. Mark E. Zuckerberg, Founder, Chairman, & Chief Exec. Officer, Facebook and Mr. Jack Dorsey, Chief Exec. Officer, Twitter, Inc. (Oct. 31, 2017).

⁷ See generally Indictment, United States v. Internet Research Agency LLC et al., No. 1:18-cr-00032 (D.D.C. Feb. 16, 2018).

exporter presents a significant threat to Russian energy interests. Such competition reduces the revenue and influence generated by Russian energy exports. This adversely affects the Kremlin's ability to leverage Eastern Europe's reliance on their energy and their ability to carry out their geopolitical agenda. The surge of American energy into the global marketplace heightens the Kremlin's desire to eliminate or mitigate the American energy threat and to do so by influencing social media users, American voters, and public officials.

Fracking Threatens the Kremlin's Agenda

The United States has recently experienced an energy production boom that stands to "fundamentally reshape the global energy landscape."⁸ Although many factors have contributed to increased domestic production capacity, record-breaking production in the United States is primarily "attributable to increased production of natural gas and crude oil enabled by the use of hydraulic fracturing techniques," also referred to as fracking.⁹

Horizontal drilling and hydraulic fracturing as a means for producing oil and natural gas began in the early 2000s.¹⁰ At that time, there were "approximately 26,000 hydraulically fractured wells" in the United States, which accounted for "less than 7%" of all U.S. marketed natural gas.¹¹ By 2011, fracking had become the primary method for oil and natural gas development in the United States.¹² Since 2014, fracked wells have "accounted for most of all new wells drilled and completed."¹³ The number of fracked wells had climbed "to an estimated 300,000" by 2015, and were responsible for approximately 67 percent of all U.S. natural gas output.¹⁴

Government and industry projections indicate that domestic production will continue to increase. Trends from 2017 indicate that the U.S. has almost completed its transition from a net importer of natural gas to a net exporter. According to the U.S. Energy Information Administration (EIA), natural gas production will provide the greatest contribution to overall production growth during 2018, with growth in crude oil production providing the greatest impact on overall output in 2019.¹⁵ Additionally, the EIA expects 2018 to be a record-breaking year for domestic crude oil and natural gas production and government forecasts indicate that in 2019 domestic production will reach "a level that would rival Russia, the world's top producer."¹⁶

⁸ Matt Egan, *Oil Milestone: Fracking Fuels Half of U.S. Output*, CNN MONEY (Mar. 24, 2016), <http://money.cnn.com/2016/03/24/investing/fracking-shale-oil-boom/index.html>.

⁹ U.S. Energy Info. Admin., *EIA Expects Total U.S. Fossil Fuel Production to Reach Record Levels in 2018 and 2019*, EIA (Jan. 18, 2018), <https://www.eia.gov/todayinenergy/detail.php?id=34572>.

¹⁰ U.S. Energy Info. Admin., *Hydraulically Fractured Horizontal Wells Account for Most New Oil and Natural Gas Wells*, EIA (Jan. 30, 2018), <https://www.eia.gov/todayinenergy/detail.php?id=34732>.

¹¹ U.S. Energy Info. Admin., *Hydraulically Fractured Wells Provide Two-Thirds of U.S. Natural Gas Production*, EIA (May 5, 2016), <https://www.eia.gov/todayinenergy/detail.php?id=26112>.

¹² See U.S. Energy Info. Admin., *supra* note 10.

¹³ U.S. Energy Info. Admin., *supra* note 10.

¹⁴ U.S. Energy Info. Admin., *supra* note 11.

¹⁵ See U.S. Energy Info. Admin., *supra* note 9.

¹⁶ Liz Hampton, *U.S. Oil Industry Set to Break Record, Upend Global Trade*, REUTERS (Jan. 16, 2018), <https://www.reuters.com/article/us-usa-oil-record-shale-analysis/u-s-oil-industry-set-to-break-record-upend-global-trade-idUSKBN1F50HV>.

The substantial increase in domestic production has resulted in an abundant supply of American energy, which is increasingly making its way into the global marketplace. While this stands to provide substantial economic benefits to the U.S., it simultaneously represents a direct threat to Russian energy interests. First, an abundance of American supply in the global energy marketplace stands to reduce Russian market share and thus revenues generated from oil and gas activities. Second, by providing supply alternatives for European countries dependent on Russian supply and infrastructure, American energy stands to disrupt the Kremlin's ability to leverage energy consumption for geopolitical influence.

Russia provides roughly 75 percent of the natural gas imported by countries in Central and Eastern Europe while the countries in Southeast Europe "receive almost all of their natural gas from Russia."¹⁷ "Russia's Gazprom has acknowledged for the first time a threat to its dominant position in European gas market from an expected influx of liquefied natural gas (LNG) produced in the United States under [the Trump] administration."¹⁸ Shortly after this acknowledgment, U.S. LNG made its way to Poland¹⁹ and Lithuania.²⁰ In fact, Poland recently signed a five-year deal with the United States to import liquefied natural gas into the country in an attempt to decrease dependency on Russian energy supplies.²¹

As the threat of American energy continues to grow, so does the Kremlin's incentive to influence energy operations in Europe and the United States. Moreover, as they have demonstrated, the Kremlin will use any and all tools at their disposal to preserve Russia's dominant energy status and to maintain its stranglehold over Eastern and Central Europe.

II. ✈ Republicans and Democrats agree the Kremlin is manipulating environmental groups in an attempt to carry out their agenda

The Kremlin has a motive to disrupt U.S. energy markets and influence domestic energy policy, since American energy represents a direct threat to Russian energy interests. Russia's efforts to influence U.S. energy policy are well documented in the public domain. U.S. presidential candidates, European officials, and the U.S. intelligence community have all publicly noted that Russia and its government corporations are funding a covert anti-fracking campaign to suppress the widespread adoption of fracking in Europe and the U.S., all in an effort to protect the influence of the Russian oil and gas sector.²² Anders Fogh Rasmussen, then-

¹⁷ U.S. Energy Info. Admin, *Country Analysis Brief: Russia*, EIA (Oct. 31, 2017), https://www.eia.gov/beta/international/analysis_includes/countries_long/Russia/russia.pdf.

¹⁸ Oksana Kobzeva, *Russia Acknowledges Threat from Trump's Energy Policy on EU Gas Market*, REUTERS (Jan. 13, 2017), <https://www.reuters.com/article/us-russia-usa-lng/russia-acknowledges-threat-from-trumps-energy-policy-on-eu-gas-market-idUSKBN14X1SU>.

¹⁹ See Timothy Cama, *Poland Signs 5-Year US Natural Gas Import Deal*, THE HILL (Nov. 21, 2017), <http://thehill.com/policy/energy-environment/361413-poland-signs-5-year-us-natural-gas-import-deal>.

²⁰ See Andrius Sytas, *Lithuania Receives First LNG from the United States*, REUTERS (Aug. 21, 2017), <https://www.reuters.com/article/us-lithuania-lng/lithuania-receives-first-lng-from-the-united-states-idUSKCN1B11BW>.

²¹ See Cama, *supra* note 19.

²² Office of the Dir. of Nat'l Intelligence, *Background to "Assessing Russian Activities and Intentions in Recent US Election": The Analytic Process and Cyber Incident Attribution 8* (Jan. 6, 2017), available at https://www.dni.gov/files/documents/ICA_2017_01.pdf (explaining the anti-fracking programming by RT American

Secretary General of NATO, told reporters in 2014, “Russia, as part of their sophisticated information and disinformation operations, engaged actively with so-called nongovernmental organizations—environmental organizations working against shale gas—to maintain dependence on imported Russian gas.”²³

Former Secretary of State and then-presidential candidate Hillary Clinton, with access to intelligence reports, made a private speech in 2014, according to documents from WikiLeaks, which included statements about the struggles of dealing with Russian-backed environmental groups. According to a media report, Secretary Clinton said the following: “We [the State Department and the U.S.] were up against Russia pushing oligarchs and others to buy media. We were even up against phony environmental groups, and I’m a big environmentalist, but these were funded by the Russians to stand against any effort, ‘Oh that pipeline, that fracking, that whatever will be a problem for you,’ and a lot of the money supporting that message was coming from Russia.”²⁴

In January 2017, the Office of the Director of National Intelligence released a report that contained “clear evidence that the Kremlin is financing and choreographing anti-fracking propaganda in the United States.”²⁵ The report found that the Russian-sponsored news agency RT (formerly *Russian Today*) “r[an] anti-fracking programing, highlighting environmental issues and the impacts on public health,” which “is likely reflective of the Russian Government’s concern about the impact of fracking and the U.S. natural gas production on the global energy market and the potential challenges to [Russian energy companies’] profitability,” such as state-controlled Russian energy giant Gazprom.²⁶ A Republican staff report by the Senate suggests

TV – a Kremlin-financed channel operated from within the U.S.); Eric Roston, *Putin’s Other American Propaganda Effort: Anti-Fracking News*, BLOOMBERG (Jan. 9, 2017), <https://www.bloomberg.com/news/articles/2017-01-10/putin-s-other-american-propaganda-effort-anti-fracking-news>; Michael Bastasch, *Hillary’s Leaked Speeches Confirm Russia Funded Anti-Fracking Groups*, DAILY CALLER (Oct. 10, 2016), <http://dailycaller.com/2016/10/10/hillarys-leaked-speeches-confirm-russia-funded-anti-fracking-groups/>; Fiona Harvey, *Russia ‘Secretly Working with Environmentalists to Oppose Fracking’*, THE GUARDIAN (June 19, 2014), <https://www.theguardian.com/environment/2014/jun/19/russia-secretly-working-with-environmentalists-to-oppose-fracking>.

²³ Andrew Higgins, *Russian Money Suspected Behind Fracking Protests*, NY TIMES (Nov. 30, 2014), <https://www.nytimes.com/2014/12/01/world/russian-money-suspected-behind-fracking-protests.html>.

²⁴ Valerie Richardson, *Leaked Emails Show Hillary Clinton Blaming Russians for Funding ‘Phony’ Anti-fracking Groups*, WASH. TIMES (Oct. 10, 2016), <http://www.washingtontimes.com/news/2016/oct/10/clinton-blames-russians-anti-fracking-groups/>.

²⁵ Drew Johnson, *Intelligence: Putin is Funding the Anti-Fracking Campaign*, NEWSWEEK (Jan. 29, 2017), <http://www.newsweek.com/intelligence-putin-funding-anti-fracking-campaign-547873>; see Office of the Dir. of Nat’l Intelligence, *supra* note 22.

²⁶ Office of the Dir. of Nat’l Intelligence, *supra* note 22 at 8; For extensive detail on the connections, see H. Comm. on Sci., Space, & Tech. Subcomm. on Oversight, *Letter to Sec. Steven Mnuchin, U.S. Dep’t of Treasury*, 115th Cong. (June 29, 2017); see also Kevin Mooney, *Putin Is Funding Green Groups To Discredit Natural Gas Fracking*, NEWSWEEK (July 11, 2017), <http://www.newsweek.com/putin-funding-green-groups-discredit-natural-gas-fracking-635052>; John Sicilliano, *Hacking Report: Russia Engaged in Anti-Fracking Campaign*, WASH. EXAMINER (Jan. 6, 2017), <http://www.washingtonexaminer.com/hacking-report-russia-engaged-in-anti-fracking-campaign/article/2611144>; Higgins, *supra* note 23.

that Russian funds have been funneled through off-shore corporations and passed on to U.S.-based environmental activist organizations with the intent to effect political change.²⁷

More recently Senator Ben Cardin released a voluminous report on Russian manipulation of the media over decades. Specific to oil and gas, the Cardin report cited a “study by the Wilfried Martens Centre for European Studies [which] reports that the Russian government has invested \$95 million in NGOs that seek to persuade EU governments to end shale gas exploration,” which illustrates how American energy directly clashes with the Russian energy agenda.²⁸ Senator Cardin’s work reiterates that “according to NATO officials, Russian intelligence agencies also reportedly provide covert support to European environmental groups to campaign against fracking for natural gas, thereby keeping the EU more dependent on Russian supplies.”²⁹

Additionally, as further evidence of Russian attempts to spread propaganda in the United States, U.S. Department of Justice officials have demanded that the U.S. based affiliate of RT register as a foreign agent under the Foreign Agents Registration Act (FARA).³⁰ FARA requires that agents representing the interests of foreign governments in any political or quasi-political capacity disclose public communications aimed at influencing American political debate or public policy.³¹ Through local programs all over the world, RT and other news agencies operate as a government-funded arm of Russia in its attempts to destabilize and disrupt democratic institutions and the free market. Under FARA, the American people have the right to evaluate the “statements and activities of [persons acting as foreign agents] in light of their function as foreign agents.”³²

To that end, the Kremlin is attempting to make, as Senator Cardin’s report states, “useful idiots” of unwitting environmental groups and activists in furtherance of its energy influence operations.³³ Although this is not a new tactic in the Kremlin’s playbook, it has been adapted to account for modern technological advancements like the Internet and social media. Throughout history, the Kremlin has engaged and manipulated unwitting individuals to disseminate propaganda in furtherance of its global agenda.³⁴ The Kremlin continues to employ this tactic, which has become substantially more effective with the proliferation of the Internet and social media. By leveraging the sincerely held views and beliefs of unwitting agents, the Kremlin is able to exploit polarized issues in American democracy to influence action in furtherance of its agenda.

²⁷ See Senate Comm. on Env’t & Pub. Works, 113th Cong., *Chain of Environmental Command: How a Club of Billionaire and Their Foundation Control the Environmental Movement and Obama’s EPA* (Comm. Print July 30, 2014).

²⁸ Staff of S. Comm. on Foreign Relations, 115th Cong., *Putin’s Asymmetric Assault on Democracy in Russia and Europe: Implications for U.S. National Security*, at 53 (Comm. Print 2018), available at <https://www.foreign.senate.gov/imo/media/doc/FinalRR.pdf> [hereinafter Cardin Report].

²⁹ *Id.*

³⁰ Megan R. Wilson, *Russian Network RT Must Register as a Foreign Agent in US*, THE HILL (Sept. 12, 2017), <http://thehill.com/business-a-lobbying/business-a-lobbying/350226-russian-network-rt-must-register-as-foreign-agent-in>.

³¹ U.S. DEP’T OF JUSTICE, *Foreign Agent Registration Act* (last visited Sept. 15, 2017), <https://www.fara.gov/>.

³² *Id.*

³³ See Cardin Report, *supra* note 28 at 47.

³⁴ See Cardin Report, *supra* note 28 at 7.

III. The Kremlin exploited social media to influence opinions about U.S. energy and environmental policy

In recent years, the Kremlin has ramped up its influence operations on the Internet and social media.³⁵ Social media platforms, such as Twitter and Facebook, have the ability to serve as an effective propaganda arm for conveying specific messages to geographically targeted audiences.³⁶ Using the lightning rods of energy and environmental policy, Russian agents affiliated with the IRA worked to influence public opinion in the U.S. This section of the report provides social media posts or examples of this effort and discussion of the underlying issue. The examples (also referred to as “Russian posts” or “Russian content”) included in this section were provided by Twitter, Facebook, and Instagram (collectively “the social media companies”), and were propagated by accounts the social media companies have linked to the IRA.

Pipelines and Energy Infrastructure

Pipelines and domestic energy infrastructure were a primary target of the Russian agents. Specifically, several posts encouraged protests of pipeline construction, which is illustrative of the Kremlin’s indiscriminate efforts to influence U.S. energy policy. Numerous posts, for example, directly targeted the Dakota Access Pipeline (DAPL). The posts emphasized and exacerbated the alleged violent nature of the DAPL protests. Additionally, several Russian posts focused on the counter-narrative and sought to exploit anti-activist sentiment by propagating content supportive of pipeline construction efforts, illustrating once again the Kremlin’s indiscriminate efforts to cause discord and disruption.



* The Russian content targeting pipelines was not limited to the DAPL. Russian posts also targeted several other pipelines, including Sabal Trail, Keystone XL, Colonial, Bayou Bridge, and Enbridge Line 5. Additionally, the efforts of the Russian agents went beyond stirring up existing controversy surrounding the pipelines. Russian agents attempted to incite Americans to take action against pipeline efforts by promoting links and references to online petitions. Numerous tweets, for example, encouraged viewers to follow links to petitions aimed at stopping the Dakota Access, Sabal Trail, and Enbridge Line 5 pipelines. This demonstrates that Russian agents attempted to directly influence the American energy industry. Russians, through posts, engaged in a concerted effort to undermine U.S. energy production.

³⁵ See Cardin Report, *supra* note 28 at 29.

³⁶ Alex Hern, *Facebook and Twitter Are Being Used to Manipulate Public Opinion – Report*, THE GUARDIAN (June 19, 2017), <https://www.theguardian.com/technology/2017/jun/19/social-media-proganda-manipulating-PUBLIC-opinion-bots-accounts-facebook-twitter>.

RUSSIAN SOCIAL MEDIA POSTS

**DAKOTA ACCESS
PIPELINE HAS
ALREADY LEAKED
84 GALLONS OF OIL.**

*like if you want
justice!*



Facebook

Page name: "Born Liberal"

Shares: 5

Likes: 9

Reactions: 3

Comments: 0

Posted: May 11, 2017

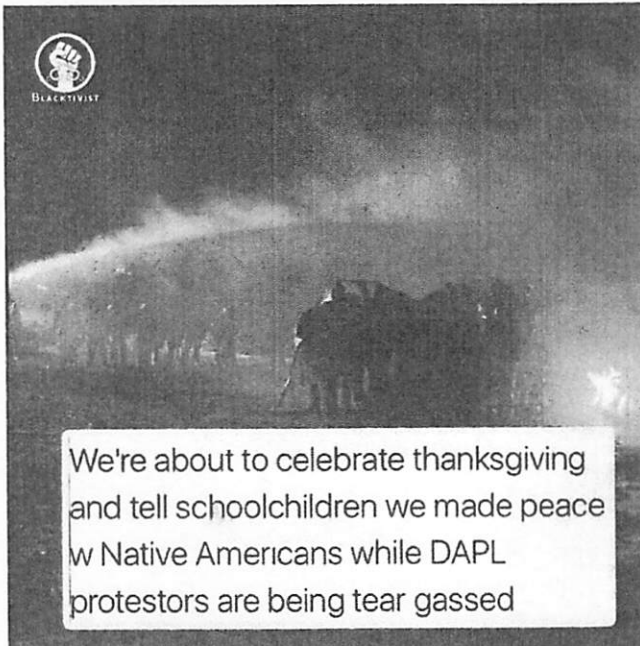
Instagram

Account name: "bornliberal"

Likes: 1,794

Comments: 96

Posted: May 11, 2017



We're about to celebrate thanksgiving
and tell schoolchildren we made peace
w Native Americans while DAPL
protestors are being tear gassed

Facebook

Page name: "Blacktivist"

Shares: 497

Likes: 378

Reactions: 293

Comments: 65

Posted: November 25, 2016

LET ME GET THIS STRAIGHT



POLICE FROM 5 STATES WERE PAID WITH OUR EXTORTED TAX DOLLARS TO ATTACK WATER PROTECTORS WITH WATER CANNONS IN 23° WEATHER FOR OVER 6 HOURS, BLEW APART A WOMAN'S ARM, NEARLY KILLED A TRIBAL ELDER, SHOT A 13-YEAR-OLD GIRL IN THE HEAD, SENT AROUND 30 PEOPLE TO THE HOSPITAL, INJURED 300 — LIED ABOUT ALL OF IT — SO AN OIL CONGLOMERATE CAN POISON THE WATER FOR PROFIT?

Facebook

Page name: "Born Liberal"

Shares: 56

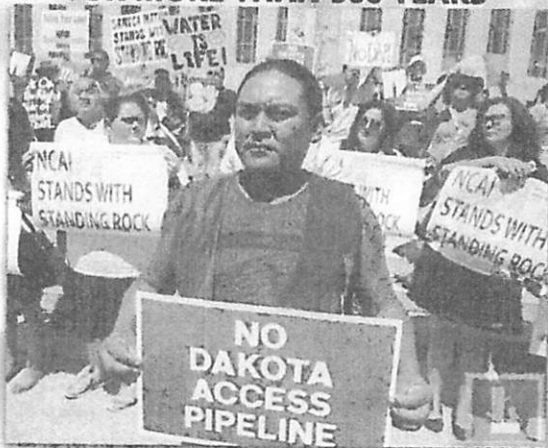
Likes: 33

Reactions: 39

Comments: 4

Posted: November 29, 2016

DEAR AMERICA: WE'VE BEEN BRUTALIZING AND STEALING FROM NATIVE AMERICANS FOR MORE THAN 500 YEARS



CAN WE PLEASE NOT RUN THIS PIPELINE THROUGH THEIR SACRED WATERS?

Facebook

Page name: "Born Liberal"

Shares: 5

Likes: 12

Reactions: 0

Comments: 0

Posted: March 7, 2017

Instagram

Account name: "bornliberal"

Likes: 1,042

Comments: 105

Posted: March 7, 2017