

Fond du Lac Band of Lake Superior Chippewa Reservation Business Committee

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February 25, 2019

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, MN 55101-2147

Chairman
Kevin R. Dupuis, Sr.

Secretary/Treasurer
Ferdinand Martineau, Jr.

Dist. I Representative
Wally J. Dupuis

Dist. II Representative
Bruce M. Savage

Dist. III Representative
Roger M. Smith, Sr.

Executive Director,
Tribal Programs
Miyah M. Danielson

Re: Application of Enbridge Energy, Limited Partnership's Application for a Pipeline Routing Permit and Partial Exemption for the Fond du Lac Line 4 Project in Minnesota on the Fond du Lac Reservation.

Dear Mr. Wolf:

The Fond du Lac Band of Lake Superior Chippewa (the "Band") submits this letter of support for the above Application, filed today. The Line 4 Project is the result of the Band's requirement that Enbridge address the Band's concerns over the above-grade segment of 48-inch diameter, Line 4 pipeline that runs through the Reservation. This pipeline was originally constructed in the 1970s, before current environmental laws were in place, and segments of it are exposed and aging. The fact that the line is above grade means that it has significantly disrupted natural water flow. It also functions as a physical barrier, affecting not just wildlife crossings but Bandmembers' ability to access areas where they gather medicinal plants and other culturally important resources.

The Band has provided significant input to Enbridge on the Project, and the plan fully incorporates the Band's requirements for this limited-scope project, which solely involves work on the Band's Reservation. The Project includes relocation and reburial of Line 4 at a safe depth, and the existing 48-inch pipeline will be replaced with 36-inch pipeline. New Line 4 will be located along the existing Enbridge right of way on the Reservation and is designed to avoid natural and historic features, in accordance with the Band's siting needs. Once the new line is in place, old Line 4 will be removed and the land and original water flow restored, in accordance with Band conditions.

Enbridge and the Band have agreed upon procedures for conducting all aspects of a survey of Traditional Cultural Resources and other historic sites on the Reservation ("TCR Survey"), as well as for handling unanticipated discoveries on the Reservation. Enbridge and the Band will continue to consult on these matters throughout every phase of the project. The Band has already completed field work, interviews, and literature review for this TCR Survey. The

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Band has determined that there is one possible historic feature adjacent to the proposed route that continues to be under evaluation, which can only be completed after snow cover is out and with the participation of the BIA. Enbridge has committed to full avoidance if the feature is determined to be a historic property. Therefore, the Band's preliminary conclusion is that no Traditional Cultural Resources or other historic sites will be impacted by the project.

The Band asks that the Commission approve the application, including the requested partial exemption process for all portions of the Project subject to state jurisdiction. This will enable new Line 4 to be co-constructed with previously-approved, new Line 3. Co-construction is the most efficient, least impactful method for this Project, and will expedite the restoration process. The Line 4 Project is the best alternative to address the Band's needs and the Band fully supports it. Thank you and please let us know of any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Dupuis', with a horizontal line extending to the right.

Kevin R. Dupuis, Sr.
Chairman