



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road
St. Paul, MN 55155-404

[Electronic Transmittal]

June 13, 2019

Charley Bruce
Public Advisor
Minnesota Public Utilities Commission
121 7th Place East, #350
Saint Paul MN 55164

**RE: In the Matter of the Application of Enbridge Energy, Limited Partnership for a Route Permit and Partial Exemption for the Fond du Lac Line 4 Project in Saint Louis and Carlton Counties
Public Utilities Commission Docket Number: PL-9/PPL-18-752**

Dear Mr. Bruce,

The Minnesota Department of Natural Resources (DNR) has reviewed the route permit and partial exemption application for the Fond du Lac Line 4 Project in Saint Louis and Carlton counties. The application was reviewed with consideration of Enbridge's Line 3 Replacement Project. It is our understanding that the Line 4 relocation will immediately follow the construction of the Line 3 replacement within the boundaries of the Fond du Lac Band Reservation.

Rare and Unique Resources

The route permit and partial exemption application uses the information gathered for the Line 3 Replacement Project to assess potential impacts of the Line 4 Relocation Project. Potential impacts to rare features need to be assessed on a project by project basis. As the Line 4 Relocation Project is a separate project from the Line 3 Replacement Project, a new Natural Heritage Review needs to be done for the Line 4 Relocation Project. Therefore, the DNR requests that the applicant submit a Natural Heritage Information System (NHIS) Data Request Form to our agency's Endangered Species Review Coordinator.

License to Cross Public Waters

The proposed Line 4 Relocation Project crosses one watercourse, Stoney Brook, which is a DNR public watercourse. Stoney Brook is a trout stream and has been identified as a sensitive crossing. Due to the sensitivity of this resource, the applicant is preparing a site-specific plan for this crossing. A DNR license to cross public waters will be required at this location for the Line 3 Replacement Project and the Line 4 Relocation Project. The DNR advises that all applicable conditions of Line 3 Replacement Project license will also apply to the Line 4 Relocation Project license. The DNR license for the Line 4 Relocation Project will likely include additional conditions, such as those related to abandonment procedures.

License to Cross Public Lands

The proposed Line 4 Relocation Project crosses the Fond du Lac State Forest, a portion of which is administered by the DNR. A DNR license to cross public lands will be required at this location for the Line 3 Replacement Project and the Line 4 Relocation Project. The DNR advises that all applicable conditions of Line 3 Replacement Project license will also apply to the Line 4 Relocation Project license. The DNR license for the Line 4 Relocation Project will likely include additional conditions, such as those related to abandonment procedures.

Project Plans and Procedures

The route permit and partial exemption application states that the best management practices (BMPs) identified in the Environmental Protection Plan (EPP) for the Line 3 Replacement Project will also be used for the Line 4 Relocation Project. It is important to recognize that the EPP, as well as other plans and procedures, have been submitted to the DNR for review. The DNR recommends that the route permit include a condition requiring the Line 4 Relocation Project to follow the *finalized* version of the EPP and other applicable plans and procedures required for the Line 3 Replacement Project, such as the

- Spill Prevention, Contamination, and Control Procedures,
- Petroleum-Contaminated Soil Management Plan,
- Rare and Sensitive Environmental Resources Procedures,
- Application of Pesticides,
- Noxious Weeds and Invasive Species Control Procedures,
- Revegetation and Restoration Monitoring Procedures,
- Winter Construction Procedures, and the
- Environmental Monitoring Plan.

Hazardous Materials Handling

The route permit and partial exemption application for the Line 4 Relocation Project does not specifically address hazardous materials handling. Although Section 7.0 states that the process by which the pipeline segment will be permanently taken out of service is designed to adhere to applicable environmental rules and regulations, it does not describe techniques to avoid site contamination. The DNR recommends that the applicant identify and use measures to avoid contamination during removal of the existing Line 4 pipeline and that the applicant ensure proper transport and disposal of hazardous materials.

The DNR looks forward to working in a positive and collaborative manner on this project to ensure the protection of Minnesota's natural resources. If you have any questions about the contents of this letter, please contact me at cynthia.warzecha@state.mn.us or 651-259-5078.

Sincerely,



Cynthia Warzecha
Energy Projects Planner

CC: Margi Coyle, Regional Environmental Assessment Ecologist, Minnesota DNR
Lisa Joyal, Endangered Species Review Coordinator, Minnesota DNR
Michael Kaluzniak, Energy Facilities Permitting Planner, Minnesota Public Utilities Commission
Louise Miltich, Environmental Review Manager, Minnesota Department of Commerce
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