



Office of Water Protection PUBLIC NOTICE

APPLICANT: Enbridge Energy Limited Partnership

ISSUED: 19 December 2018

EXPIRES: 18 February 2019

An application for a Wetland Activity Permit (WAP) under the Fond du Lac Band of Lake Superior Chippewa Wetlands Protection and Management Ordinance (WPMO) (Ordinance #03/06) has been received from Enbridge Energy Limited Partnership for the Line 3 Replacement Project (L3R), to be conducted in wetlands on the Fond du Lac Reservation in Carlton County and St. Louis County, both in Minnesota.

PROJECT LOCATION: The project is located adjacent to the existing pipeline corridor operated and maintained by Enbridge which travels in a northwest to southeast direction in Sections 26, 27, 35, and 36 in Township 50 North, Range 19 West in St. Louis County; and Section 1 in Township 49 North, Range 19 West; Sections 6, 7, 8, 16, 17, 21, 22, 26, 27, 35, and 36 in Township 49 North, Range 18 West; Section 1 in Township 48 North, Range 18 West; and Section 6 in Township 48 North, Range 17 West in Carlton County. Please see the attached maps:

- Minnesota Map showing location of the Fond du Lac Reservation and Project Route
- Fond du Lac Reservation Map showing Enbridge pipeline location
- Aerial photo maps showing project extent and wetland locations (Maps 1-3)

PROJECT DESCRIPTION: Enbridge Energy Limited Partnership (Enbridge) is proposing a pipeline construction project to replace its existing Line 3 through the Fond du Lac Reservation. The existing Line 3 in Minnesota is a 282-mile, 34-inch-diameter pipeline that enters Minnesota at the North Dakota border in Kittson County, and exists Minnesota at the Wisconsin border in Carlton County. Line 3 travels through the Fond du Lac Reservation for approximately 13 miles entering in the west approximately 1.4 miles northwest of Arrowhead Forest Road and travels southeast to then exist the reservation on the south boundary approximately a half mile southeast of Minnesota Highway 210. Line 3 was constructed in the 1960s, and has been operating in Minnesota since that time. Over the years, known integrity issues and safety risks have caused Enbridge to reduce the amount and change the type of oil being transported through the existing Line 3 in an effort to relieve pressure on the aging line. These pressure restrictions are now also reflected in a Consent Decree entered into by Enbridge and the Department of Justice in 2017.

Existing Line 3's pipe materials, coating, manufacturing process, installation method, operating history, and surrounding environment have resulted in Line 3 having the largest external corrosion anomaly density of all pipelines in Enbridge's Mainline System. Stress corrosion cracking and long seam cracking anomalies are also present. Enbridge has recently identified a combination of integrity conditions on existing Line 3 that would require increasing maintenance and more frequent integrity digs to continue safely and economi

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cally operating the existing Line 3 in coming years. In Minnesota, there is a forecasted need for approximately 6,250 integrity digs over the next 15 years. This maintenance program will have associated year-after-year landowner and environmental impacts.

Enbridge proposes to construct the L3R using modern pipeline design, manufacturing, coating, and installation techniques, as well as wider, thicker pipe. Enbridge proposes to use 36-inch-diameter pipe with a wall thickness of 0.515 inch (as opposed to existing Line 3's 34-inch-diameter pipe with 0.281-inch wall thickness). The wider, thicker pipe has a yield strength 35 percent greater than existing Line 3. A new pipeline is expected to result in: 1) an increase in safety and reliability attributable to the use of new equipment and modern-day technologies, manufacturing, and coating processes; and 2) a reduction in the number of integrity digs required for ongoing maintenance.

The Project will allow Enbridge to operate L3R in heavy, light, and mixed service. Currently, existing Line 3 is transporting predominantly light crude. The Project will also restore historic operating capabilities. The historic annual average operating capacity of existing Line 3 was 760 thousand barrels per day ("kbpd"). Enbridge voluntarily reduced the capacity of existing Line 3 to 390 kbpd for light crude oil. The proposed Project will allow Line 3 Replacement to be returned to an annual average capacity of 760 kbpd.

The portion of L3R within the exterior boundaries of the Fond du Lac Reservation includes the replacement of approximately 13 miles of the existing Line 3 pipeline and is the subject of this Public Notice and Permit Application. Enbridge has submitted a separate application for wetland impacts for the Project to the St. Paul District—Corps of Engineers (USACE). The USACE plans to issue a Public Notice for their permit action shortly.

Construction of L3R will generally require a 120-foot-wide construction workspace in uplands. The construction workspace will allow for temporary storage of topsoil and spoil, as well as accommodate safe operation of construction equipment. Enbridge will generally use a 95-foot-wide construction workspace in wetland areas. A standard 50-foot-wide permanent right-of-way in both uplands and wetlands is assumed for calculating impacts, which will be wholly contained within the 120-foot-wide and 95-foot-wide construction rights-of-way. During construction, topsoil will normally be placed on one side of the construction workspace, while the ditch spoil will be separated and located on the opposite side of the construction workspace. The working side (i.e., equipment work area and travel lane) will typically be 90 feet wide in uplands and 65 feet wide in wetlands.

Additional temporary workspaces ("ATWS") will be required outside of the typical construction workspace to facilitate specific aspects of construction. ATWS are planned in areas needed to stage equipment and materials, hold spoil material, and where construction methods will require additional workspace. For example, ATWS will be needed where the L3R route crosses features such as waterbodies, wetlands, roads, railroads, foreign pipelines and utilities, and other special circumstances. In general, Enbridge attempts to locate ATWS outside of wetlands whenever practicable. However, ATWS may be sited in select wetlands where the wetland is adjacent to a waterbody, road, railroad, foreign utility crossing, and/or pipeline cross-over.

Typical pipeline construction in unsaturated wetlands will be similar to construction in uplands, which consist of survey and staking, clearing and site preparation, pipe stringing, bending, welding, coating, trenching, lowering-in, backfilling, hydrostatic testing, and cleanup and restoration. However, due to the unstable nature of some saturated wetland soils, construction activities may differ somewhat from standard upland procedures. Construction activities will be minimized in wetlands to the extent practicable. Enbridge will also use special construction techniques to minimize the disturbance to plants and soils and to protect wetland hydrology.

Enbridge anticipates construction to begin in 2019.

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PROJECT SEQUENCING: As part of the route selection process, Enbridge studied a variety of both major route alternatives, and minor route variations before selecting its Preferred Route for this Project. In granting the Route Permit for the Designated Route, the Minnesota Public Utilities Commission (MPUC) relied in part on the Environmental Impact Statement (EIS) to comparatively evaluate impacts of Enbridge's Preferred Project Route, four (4) route alternatives and twenty four (24) route segment alternatives. The Designated Route reduces the amount of Greenfield impact by 38 miles and the overall length of the Project by 13 miles. One hundred percent (100%) of the Project route will be co-located with other Enbridge pipelines on the reservation.

PROPOSED WETLAND IMPACTS: A total of 117.3 acres of temporary wetland impacts within the exterior boundaries of the Fond du Lac Reservation are proposed as a result of the Projects. Of these, approximately 74.32 acres will be temporarily impacted and then allowed to return to their original state. However, an additional 42.99 acres (30.69 acres of forested and 12.30 acres of shrub wetlands) of wetlands will be converted by type (forested or shrub to emergent wetlands). Due to the proposed wetland impacts exceeding two (2) acres, this project will require a Standard Wetland Activity Permit (S-WAP) as per WPMO § 305 c.

PROPOSED MITIGATION: WPMO § 307 d requires that a Compensatory Wetland Mitigation Plan be submitted as part of the application for a Wetland Activity Permit (WAP). Standard Wetland Activity Permits require the applicant to first pursue wetland mitigation options on the Reservation, before wetland banking or other off-Reservation mitigation can be used. The mitigation ratio, based on provisions of § 310 a, for this project will be as follows:

| | | |
|--|-------------|---------------|
| Proposed Temporary Impacts (no wetland conversion) = | 74.32 acres | |
| Mitigation Impacts of 74.32 acres @1.25:1 = | | 92.9 acres |
| Proposed Conversion Temporary Impacts = | 42.99 acres | |
| Mitigation Impacts of 42.99 acres @ 1.50:1 = | | 64.485 acres |
| Total Mitigation Required = | | 157.385 acres |
| Credit for On-Site Mitigation = | | 117.300 acres |
| Remaining Mitigation Required = | | 40.085 acres |

The applicant is currently involved in discussions with the Office of Water Protection to conduct suitable mitigation projects on the Reservation. Several potential wetland restoration sites are being considered by the applicant, but further evaluation is necessary.

PRECAUTIONS TO PROTECT WATER QUALITY: To protect water quality, the applicant states that erosion and sediment controls will be installed in accordance with the Best Management Practices (BMPs) specified in the Environmental Mitigation Plan (EMP); discharges from trench dewatering would either be directed onto upland sites or into dewatering devices such as straw bale filters or geotextile filter bags; equipment would be low ground weight equipment or the equipment would be operated on mats to reduce ground pressure; and temporary bridges would be installed at stream crossings to prevent equipment from causing erosion and sedimentation.

A Clean Water Act § 401 Water Quality Certification review will be conducted as part of this application. This Public Notice will also serve as the 60-day Public Notice period for review of Water Quality Certification under the Fond du Lac Water Quality Certification Standards Ordinance (Ordinance #01/06).

COMMENTS: Interested parties are invited to submit to the Office of Water Protection written facts, arguments, or objections within 60 days of this notice. These statements should address the protection of wetlands and other water resources, including water quality on the reservation, in regards to this permit application and

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the required 401 Water Quality Certification.

Comments on this Public Notice may be sent to the following:

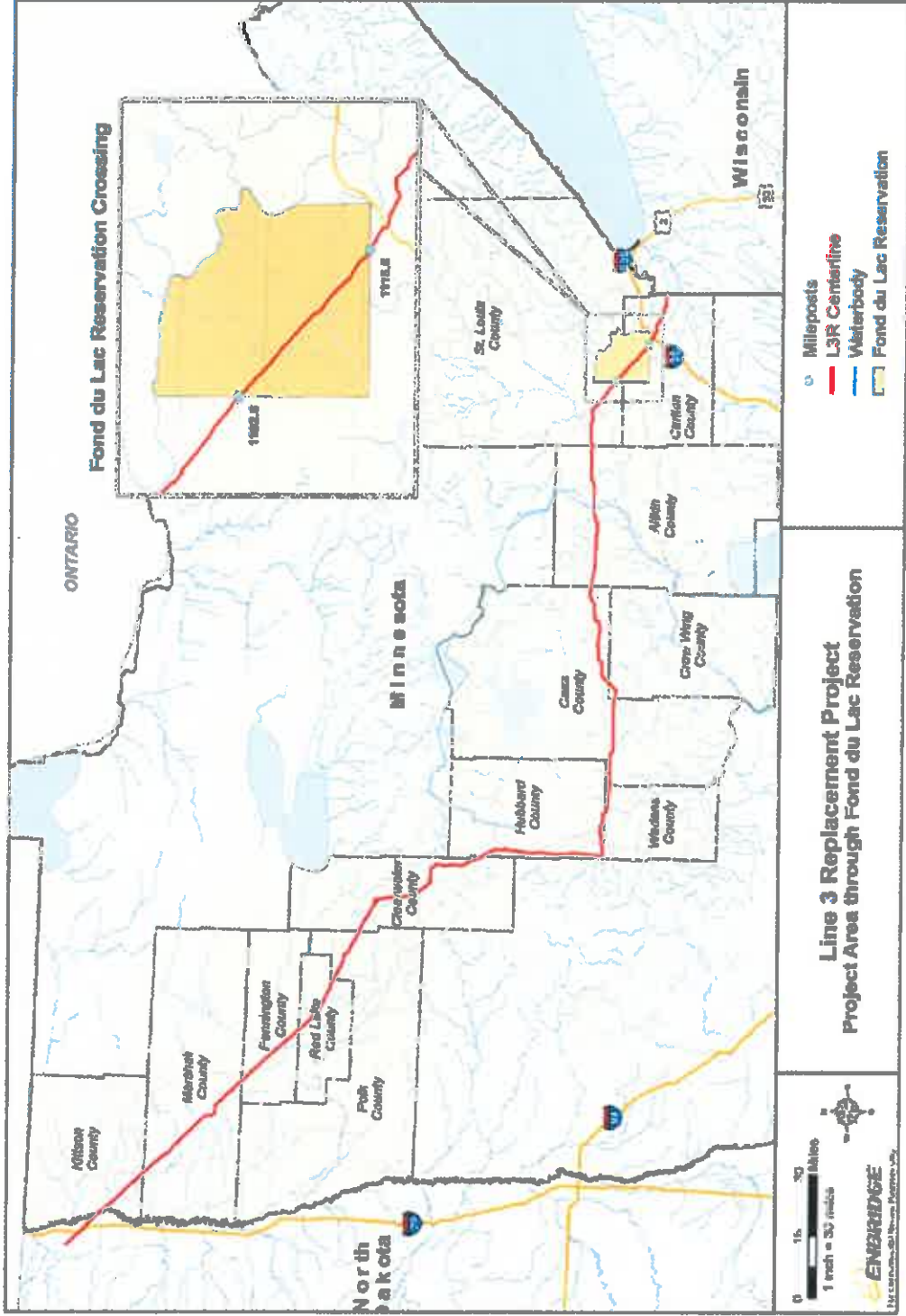
Richard Gitar
Office of Water Protection
Fond du Lac Reservation
1720 Big Lake Road
Cloquet, Minnesota 55720

Or, if you have questions about the Wetlands Protection and Management Ordinance or the 401 Water Quality Certification Process, please contact Richard Gitar, Water Regulatory Specialist at 218-878-7122 or email at richardgitar@fdlrez.com.

AUTHORITY: The application for a Wetland Activity Permit and 401 Water Quality Certification will be reviewed according to the provisions of the Fond du Lac Band of Lake Superior Chippewa Wetlands Protection and Management Ordinance #03/06 (adopted by Resolution #1165/06 of the Fond du Lac Reservation Business Committee on June 15, 2006); § 401 of the Clean Water Act (33 U.S.C. 1251 et seq.); the Fond du Lac Band of Lake Superior Chippewa Ordinance # 01/06 Water Quality Certification Standards (adopted by Resolution # 1033/06, as amended, of the Fond du Lac Business Committee on March 28, 2006); and the Fond du Lac Band of Lake Superior Chippewa Water Quality Standards, Ordinance # 12/98, as amended (adopted by Resolution # 1286/01 of the Fond du Lac Reservation Business Committee on September 11, 2001).

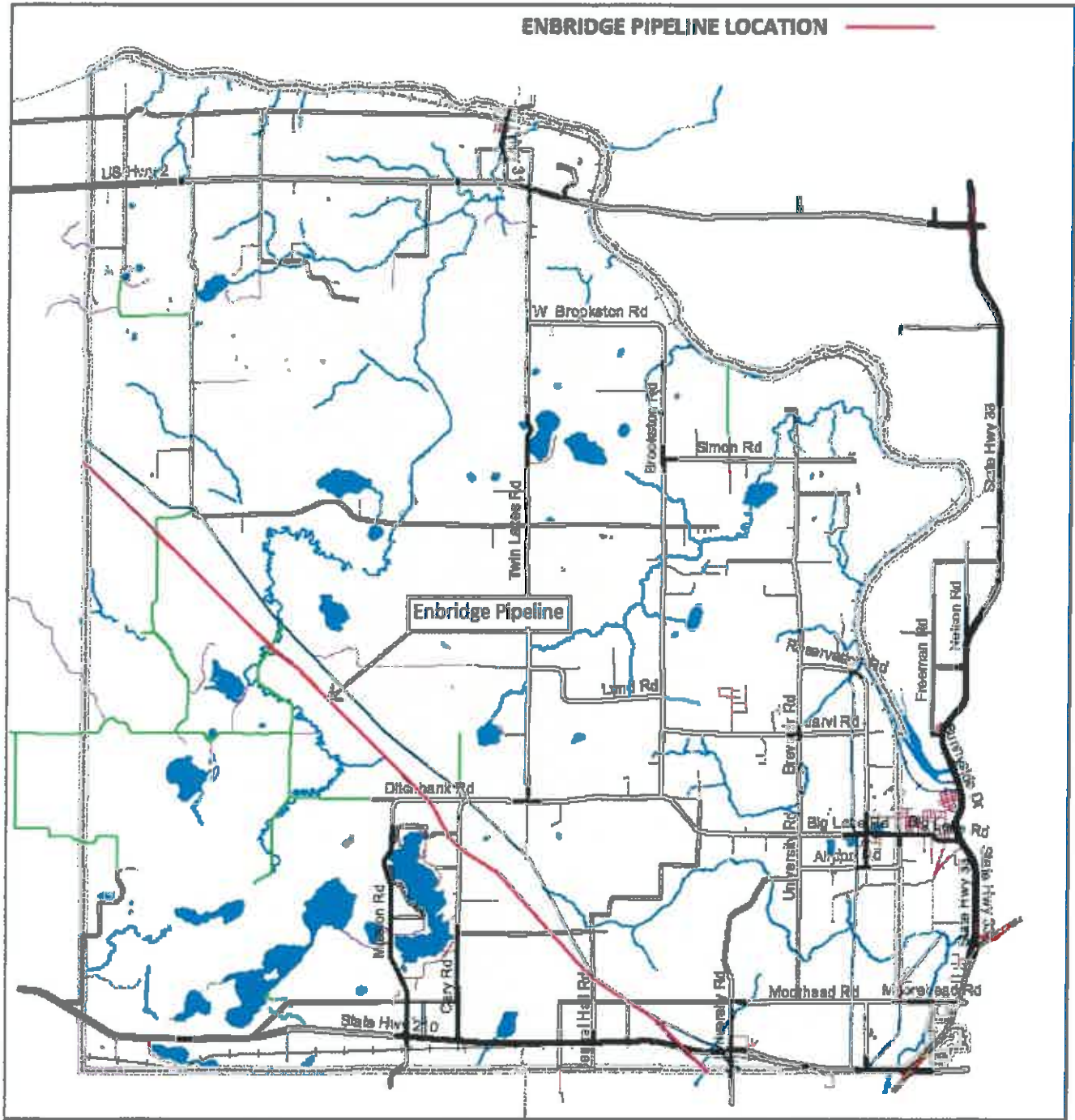
NOTICE TO EDITORS: This Public Notice is provided as background information and is not a request or contract for publication.

Figure 2.0-2 Project Location Map through the Fond du Lac Reservation



Fond du Lac Reservation

ENBRIDGE PIPELINE LOCATION



Legend

- Interroads
- Freeway
- Exit ramp
- First class
- Secondary
- Light City
- Residential
- Minimum Maintenance
- Forest
- Railroad Corridor



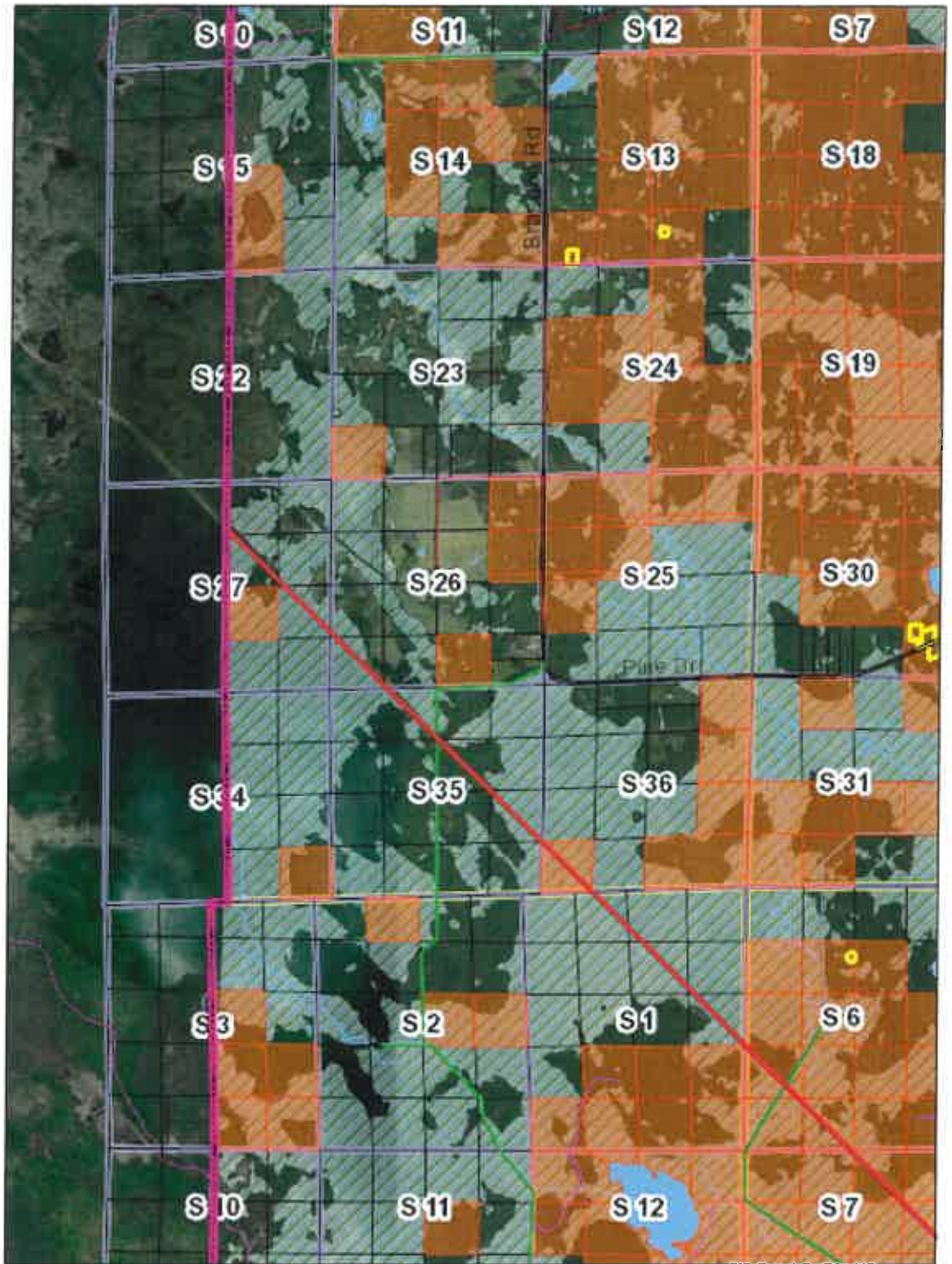
UTM NAD 83 Zone 18
 FDL Resource Management
 GIS Environment
 218 676 6230



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Printing Date: February 23, 2009

Wetlands along Enbridge Pipeline 1 of 3



- Boundary
- Roads**
- Freeway
- Exit Ramp
- First Class
- Secondary
- Light Duty
- Residential
- Minimum Maintenance
- Forest
- Railroad Service
- Current Leases
- FDL Parcels Current
- FDL Parcels Current
- All FDL Parcels
- FDL Sections
- FDL Townships
- Ditch
- Stream Line
- Stream Poly
- Lakes
- Wetlands
- World Imagery
- Citations



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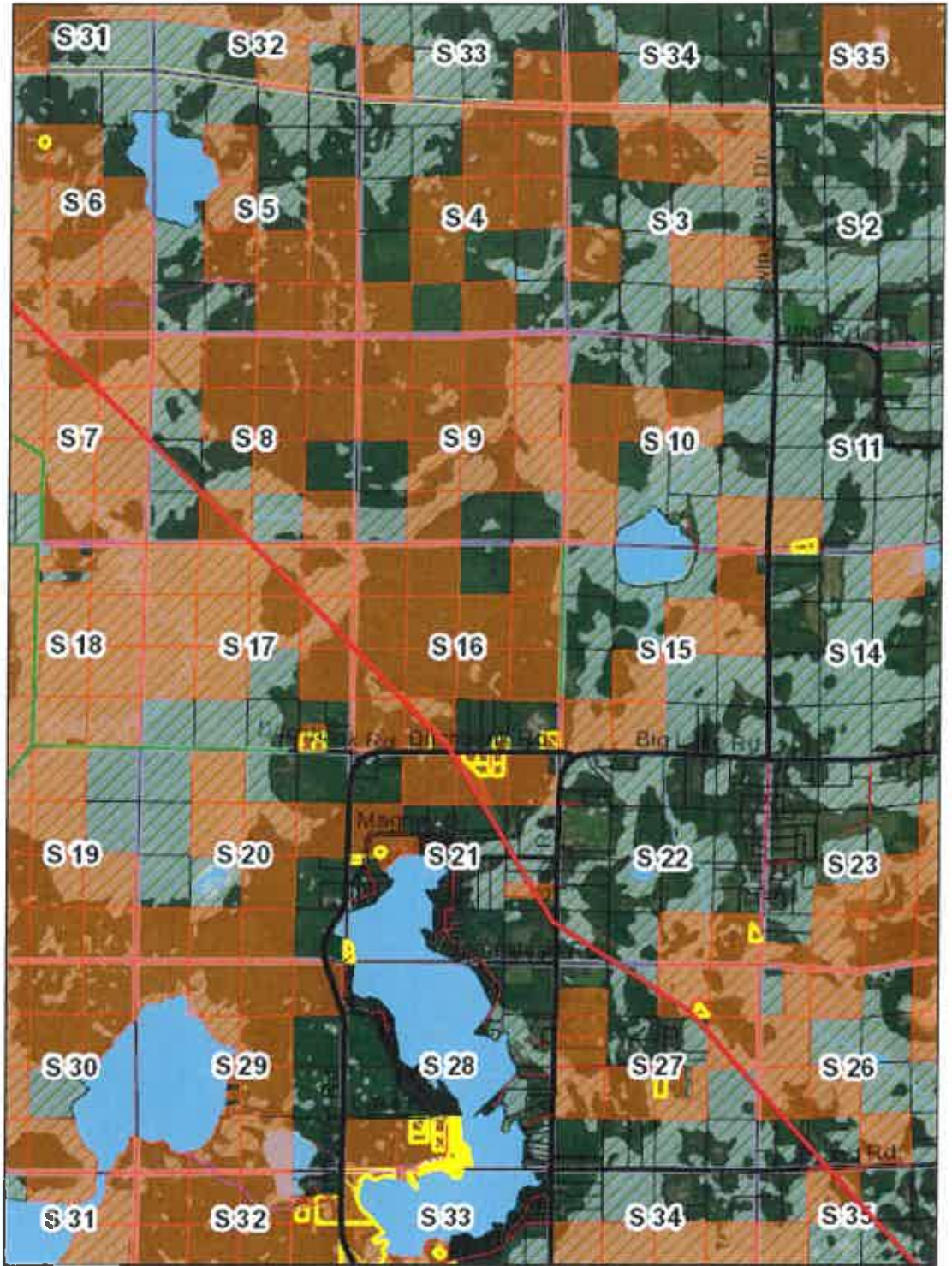


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Wetlands along Enbridge Pipeline 2 of 3



-  Boundary
- Roads**
-  Freeway
-  Exit Ramp
-  First Class
-  Secondary
-  Light Duty
-  Residential
-  Minimum Maintenanc
-  Forest
-  Railroad Service
-  Current Leases
-  FDL Parcels Current
-  FDL Parcels Current
-  All FDL Parcels
-  FDL Sections
-  FDL Townships
-  Ditch
-  Stream Line
-  Stream Poly
-  Lakes
-  Wetlands
-  World Imagery
-  Citations



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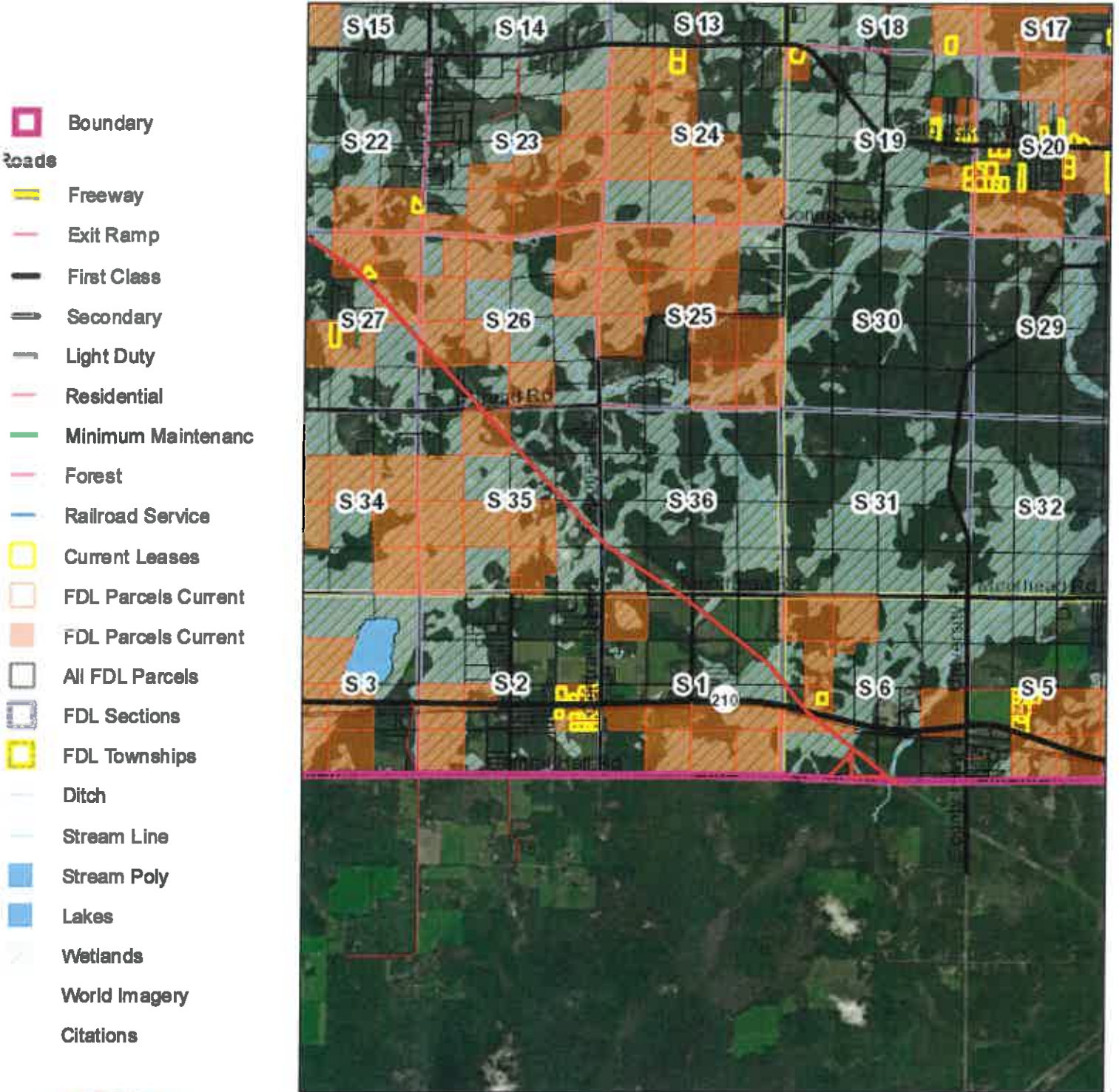


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Wetlands along Enbridge Pipeline 3 of 3



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