



Environmental Monitor Control Plan

Enbridge Energy, Limited Partnership • Line 3 Replacement Project

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ACRONYMS AND ABBREVIATIONS

APP	Agricultural Protection Plan
BMPs	best management practices
CECP	Construction Environmental Control Plan
Compliance Team	Compliance Management Team
DOC-EERA	Minnesota Department of Commerce, Energy Environmental Review and Analysis
EECM	Environmental Execution/Compliance Manager
EI	Environmental Inspector
EMCP	Environmental Monitor Control Plan
Enbridge	Enbridge Energy, Limited Partnership
EPM	Environmental Project Manager
FICL	Field Inspection/Compliance Lead
IEM	Independent (Third-Party) Environmental Monitor
L3R or Project	Line 3 Replacement Project
MDA	Minnesota Department of Agriculture
MDNR	Minnesota Department of Natural Resources
MPCA	Minnesota Pollution Control Agency
MPUC	Minnesota Public Utilities Commission
POC	point of contact
TM	Tribal Monitor
USACE	U.S. Army Corps of Engineers

1.0 INTRODUCTION

Enbridge Energy, Limited Partnership (“Enbridge”) is committed to meeting environmental requirements during the planning, construction, and operation of the Line 3 Replacement Project (“L3R” or “Project”). Enbridge has developed this Environmental Monitor Control Plan (“EMCP”) to ensure that appropriate systems are in place to achieve compliance with the various permits and plans that have been developed for the Project. The EMCP includes:

- Definitions of the roles and responsibilities of the personnel involved with implementing the various environmental requirements;
- Descriptions of the reporting structure that will be employed to document compliance during construction; and
- A series of training events to communicate the environmental requirements to the construction personnel.

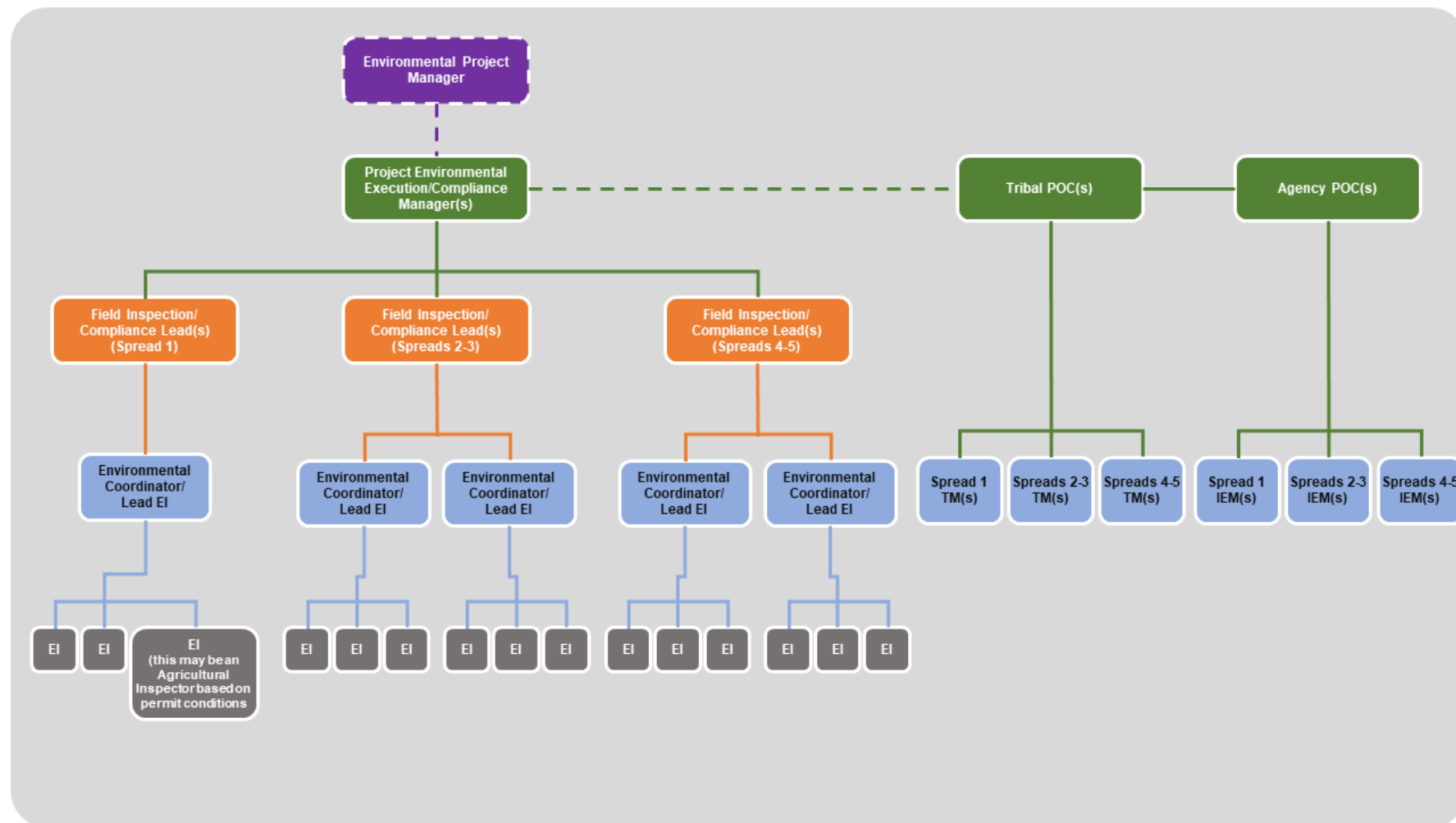
If there is inconsistency between requirements among documents, the more restrictive or more specific requirement will typically apply. Enbridge will consult with appropriate agency or Tribal points of contact (“POC”) and/or the Independent (Third-Party) Environmental Monitors (“IEMs”) reporting to the agencies if clarifications are needed during construction (see Section 3.0).

2.0 ENBRIDGE’S ENVIRONMENTAL COMPLIANCE MANAGEMENT TEAM

Enbridge has formed an Environmental Compliance Management Team (“Compliance Team”) responsible for ensuring compliance with environmental permit conditions and company commitments during Project construction as illustrated in Figure 2.0-1. The responsibilities of the various members of the Compliance Team are described in the following subsections.

Appendix A provides contact information for the members of Enbridge’s Compliance Team.

Figure 2.0-1 Environmental Compliance Management Team Organization



2.1 ENBRIDGE'S ENVIRONMENTAL PROJECT MANAGER

Enbridge's Environmental Project Manager ("EPM") communicates directly with Enbridge's Project Director and has overall responsibility for successful implementation of all environmental permits and plans during construction and provides oversight and leadership to the Environmental Compliance Team.

2.2 ENBRIDGE'S ENVIRONMENTAL EXECUTION/COMPLIANCE MANAGER(S)

Enbridge's Environmental Execution/Compliance Manager(s) ("EECM") is office-based, communicates directly with Enbridge's EPM and has overall responsibility for successful implementation of the EMCP and other compliance documents during construction. In addition, the EECM has the responsibility to oversee compliance with permit conditions during the construction of the Project. The EECM and their team will be the primary POCs for agencies and Tribes to ensure concerns are adequately addressed. Specific responsibilities include:

- Directly supervising the activities of Enbridge's Field Inspection/Compliance Leads ("FICLs");
- Communicating with the EPM on a daily basis to assess the overall success of the EMCP;
- Implementing changes in the EMCP as needed;
- Providing regular status reports as required;
- Conducting periodic field reviews to assess compliance;
- Reviewing Tribal Monitor ("TM") reports and agency monitor inspections reports on a daily basis;
- Serving as a primary resource for field staff in the interpretation of permit requirements;
- Communicating with various agency and Tribal POCs to resolve compliance issues;
- Communicating with the IEMs (see Section 3.2) to assess the results of the compliance effort from the agency perspective;
- Communicating problems identified by the IEMs to other members of the compliance management team;
- Collaborating with other members of the Compliance Team to work towards a solution that is acceptable to Enbridge and the respective agency; and
- Implementing any modifications to the field compliance effort that may be indicated.

2.3 ENBRIDGE'S FIELD INSPECTION/COMPLIANCE LEADS

The FICLs are field-based managers who report directly to the EECM and are the field representatives with responsibility to oversee compliance with permit conditions during the construction of the Project. In addition, they have the overall responsibility for ensuring environmental commitments are being implemented in the field. Specific responsibilities include:

- Reviewing TM reports and agency monitor inspections reports on a daily basis;
- Acting as the primary POC for IEMs and TMs for day-to-day compliance monitoring and regulatory inspections;
- Responsible for spread-level environmental training;
- Working with other field staff to achieve compliance with the various environmental requirements;
- Serving as the primary resource for field staff in the interpretation of permit requirements;
- Communicating with the IEMs (see Section 3.2) to assess the results of the compliance effort from the agency perspective;
- Communicating problems identified by the IEMs and TMs to other members of the Compliance Team;
- Collaborating with other members of the Compliance Team to work towards a solution that is acceptable to Enbridge and the respective agency;
- Working with the Lead Environmental Inspectors ("EIs") to implement any modifications (variance requests) to the field compliance effort that may be indicated;
- Implementing a system to track permit modification requests;
- Directly supervising the activities of Enbridge's Environmental Inspection team;
- Daily assessing the overall success of the EMCP;
- Working with the Environmental Inspection team to implement changes in the EMCP as needed;
- Providing regular status reports as required; and
- Conducting regular field reviews to assess compliance and develop corrective action plans.

2.4 ENBRIDGE'S ENVIRONMENTAL INSPECTION TEAM

Enbridge will assign a team of EIs consisting of a Lead EI, EI(s), and/or Agricultural Inspector(s), (as needed) to each construction spread. The number and expertise of EIs and/or Agricultural

Inspectors assigned to each spread will be appropriate for the length of the construction spread and the type of resources affected. Enbridge anticipates that the Project will be constructed as five independent construction spreads.

2.4.1 Enbridge's Lead Environmental Inspector

Enbridge's Lead EI reports directly to the FICL and is responsible for implementing the various environmental requirements within a given construction area. The Lead EI will supervise the activities of the other EIs (see Section 2.4.2) and/or the Agricultural Inspector (see Section 2.4.3) assigned to his/her construction area. Enbridge anticipates hiring five Lead EIs for this Project; one Lead EI for each construction spread. Specific duties will include the following:

- Assigning the EIs and/or Agricultural Inspector(s) to appropriate construction areas or activities;
- Attending daily construction meetings to discuss compliance issues with the Contractor and the Construction Management Team;
- Serving as POC for agency representatives that visit the construction site;
- Recommending changes to EI staffing to maintain appropriate levels of environmental oversight; and
- Reporting to the FICL any compliance issues that cannot be resolved in the field.

In addition to the responsibilities listed above, the Lead EI will serve in the role of EI or Agricultural Inspector as described in Sections 2.4.2 and 2.4.3.

2.4.2 Enbridge's Environmental Inspector

Enbridge's EIs will report to Enbridge's Lead EI and their responsibilities will include:

- Verifying compliance with the requirements of Enbridge's Construction Environmental Control Plan ("CECP"), the conditions of environmental regulatory authorizations, the mitigation measures proposed by Enbridge, other environmental permits and approvals, and environmental requirements in landowner easement agreements. These requirements include, but are not limited to:
 - Verifying that the limits of authorized construction work areas and locations of access roads are properly marked before clearing;
 - Verifying the location of signs and highly visible flagging marking the boundaries of sensitive resource areas, such as waterbodies, wetlands, other waters of the state, threatened and endangered species, or areas with special requirements along the construction work area;
 - Identifying erosion/sediment control and soil stabilization needs and the placement of erosion and sediment controls;

- Verifying that the location of dewatering structures and slope breakers will not direct water into known cultural resources sites or locations of sensitive species;
- Verifying that trench dewatering activities do not result in the deposition of excessive silt and/or sediment into a wetland, waterbody, or other waters of the state;
- Verifying that subsoil and topsoil are tested, as deemed necessary, in agricultural and residential areas to measure compaction and determine the need for corrective action;
- Advising the Chief Construction Inspector when conditions (such as wet weather) make it advisable to restrict construction activities to avoid excessive rutting;
- Verifying the restoration of contours and topsoil;
- Determining the need for and verifying that erosion controls are properly installed, as necessary to prevent sediment flow into wetlands, waterbodies, other waters of the state, sensitive areas, and onto roads;
- Inspecting temporary erosion and sediment control best management practices (“BMPs”) to ensure compliance with the CECP and applicable permits;
- Verifying that non-functional erosion and sediment control BMPs are repaired, replaced, or supplemented within 24 hours after discovery, or as soon as field conditions allow the features to be repaired;
- Ensuring contractors use only drilling mud and drilling mud additives (through visual verification of product and bag labels at each horizontal directional drill event) that has been authorized for use in the Minnesota Pollution Control Agency (“MPCA”) 401 Certification. In addition, EIs will be required to record and memorialize this information in EI daily reports;
- Identifying areas that will be given special attention to ensure stabilization and restoration after the construction phase; and
- Verifying that timing restrictions are followed.
- Identifying, documenting, and overseeing corrective actions, as necessary, to ensure compliance with regulatory permits and certifications;
- Documenting compliance with the environmental conditions of environmental regulatory permits and approvals and the mitigation measures proposed by Enbridge in the permit applications submitted to the federal, state, Tribal, and local agencies during active construction and restoration;
- Stopping construction activities that are deemed not in compliance with environmental requirements if necessary to prevent environmental damage; and
- Serving as liaison with the IEMs and TMs.

Enbridge may use third party consultants to supplement its EI staff for specific tasks and from time-to-time as needed. Some of the tasks that may be completed by third party consultants will include:

- collecting, processing, analysis of water quality samples (by Minnesota Department of Health certified or MPCA registered lab);
- recording flow volumes;
- sending or transporting samples to the lab for analysis;
- conducting and interpreting hue/color field tests;
- performing correlation work between total suspended solids and turbidity; and
- collaborating with the operators of frac tanks and sand and carbon filters to insure water quality parameters are consistently met.

Contact information of individuals or companies performing water sample analysis, interpretation of hue/color field tests, and performing total suspended solids and turbidity correlations will be provided to respective agencies prior to the start of construction activities.

2.4.3 Enbridge's Agricultural Inspector

Enbridge's Agricultural Inspector will be a member of the Enbridge EI Team and will focus on achieving compliance with Enbridge's Agricultural Protection Plan ("APP") that was established in collaboration with the Minnesota Department of Agriculture ("MDA"). An EI could also take on the additional responsibilities of an Agricultural Inspector if the EI meets the qualifications of an Agricultural Inspector as described in the APP. Agricultural Inspectors would be employed as needed along the Project. As described in the APP, the Agricultural Inspector will:

- Verify compliance with provisions of the APP during construction;
- Work collaboratively with other construction inspectors, right-of-way agents, and the Agricultural Monitor (see Section 3.0) in achieving compliance with the APP;
- Observe construction activities on agricultural land as defined by the APP on a regular basis;
- Have the authority to stop construction activities that are determined to not be in compliance with provisions of the APP;
- Document instances of noncompliance and work with construction personnel to identify and implement appropriate corrective actions as needed;
- Provide construction personnel with training on provisions of the APP before construction begins;
- Provide construction personnel with field training on specific topics such as protocols for topsoil stripping; and

- Serve as liaison with the Agricultural Monitor.

2.5 CONTRACTOR'S ENVIRONMENTAL REPRESENTATIVE

Enbridge's Contractors will each designate an Environmental Representative (and alternate) who will interface directly with the EI Team and will be the "point person" for the Contractor's responsibilities described in Enbridge's CECP. The Environmental Representative may in turn delegate roles as appropriate within the Contractor's organizational structure.

3.0 AGENCY AND TRIBAL MONITORS

3.1 AGENCY AND TRIBAL POINTS OF CONTACT

The agencies and participating Tribes will identify main and alternate POCs for each construction spread, agency permitting program, and/or construction activity. These individuals will familiarize themselves with construction by attending initial training/pre-construction conferences and construction sites when construction initially begins. The POCs and alternates will work to facilitate agency and Tribal decisions and work with other agency staff and Tribal members as necessary to communicate positions to the IEMs. The IEMs will maintain communications with the agency POCs. Given the workload of the POC and alternate, the IEMs can expect to work closely with both individuals.

3.2 INDEPENDENT ENVIRONMENTAL MONITORS

For purposes of this EMCP, IEM refers to any independent third-party monitor including agency monitors, Agricultural Monitors, and TMs; however, Agricultural Monitors and TMs are resource-specialists with a more focused scope that is further described in the APP and Section 3.2.2, respectively. The IEMs will be funded by Enbridge, but will report directly to the agencies (i.e., Minnesota Department of Commerce, Energy Environmental Review and Analysis ["DOC-EERA"], MDA, Minnesota Department of Natural Resources ["MDNR"], and MPCA) or participating Tribes. The IEMs will work in a review function to verify that environmental compliance is being achieved and to assess the success of Enbridge's compliance program.

At the start of each work day, IEMs must report to the EI Team trailer (located at the applicable spread office) at the prescribed time to receive daily safety/information briefings and receive updates on where construction crews will be working during that day. Failure to participate in the daily safety/information briefing without prior notification to the Enbridge EI Team will preclude the IEM's ability to conduct monitoring activities on that day unless other arrangements have been agreed to between the IEM and Enbridge.

The IEMs will focus on compliance with requirements of permits, licenses, and certifications issued by the agencies and will communicate through daily reports submitted to the applicable agencies and/or participating Tribes and Enbridge via the electronic reporting system described in Section 5.3, as well as through daily communication with Enbridge's EI Team. The IEMs will communicate directly with their respective agency or Tribal POCs and with Enbridge's EIs. IEMs will not have the authority to direct construction team activities. If compliance issues are identified, IEMs will notify their respective agency POCs and communicate with Enbridge's EI Team. Enbridge will ensure that IEMs have access to Enbridge's EI Team with authority to direct construction activities to ensure that compliance issues are addressed in a timely manner.

During construction, IEMs may be asked to work with the agency POCs to approve permit modifications and may, with prior agency approval, have the authority to approve certain modifications in the field. The IEMs will have access to the construction area to conduct their work and will be allowed to attend construction meetings where compliance issues are discussed. If Enbridge finds that access to particular construction areas may be limited for safety reasons, these must be identified and agreed upon ahead of time by agency POCs and IEMs.

Because of numerous overlapping regulatory requirements, reports prepared by the IEMs will be made available to Enbridge's Compliance Team and other agencies and Tribes with related and/or overlapping authority, such as the Minnesota Public Utilities Commission ("MPUC"), MPCA, U.S. Army Corps of Engineers ("USACE"), and local governmental units. Should the IEM see an environmental compliance reason for initiating contact with these other agencies or Tribes, they will first discuss this with their respective agency POC and the applicable Enbridge Lead EI to allow Enbridge the opportunity to timely address the issue. The IEM will keep the Lead EI informed of any contacts initiated by the IEM or the agency or Tribe regarding significant matters (such as non-compliance).

3.2.1 Agency Monitors

Enbridge has coordinated with the DOC-EERA, MDA, MPCA and MDNR on agency monitor staffing. Based on this coordination, Enbridge has committed to provide 2 IEMs per construction spread for a total of 10 IEMs for the Project. Enbridge will continue to coordinate with these agencies before construction begins and throughout Project construction and restoration to ensure the appropriate number of agency monitors are available.

The IEMs will act as full-time on-site extensions of the agencies to help ensure that all permit conditions on the Project are adhered to and met. In addition, the IEMs will function as liaisons between field activities and the resource agencies, serving as their "eyes and ears." The IEM will coordinate with Enbridge's Lead EIs and/or FICLs and appropriate agencies involved in the Project with regard to environmental issues and permit compliance. Finally, the IEMs will coordinate their activities daily with the appropriate Lead EI. These activities may include:

- Daily safety check-in;
- Identification of active work areas with a focus on activities adjacent to sensitive environmental resources. For example:
 - Crossings involving waters of the State;
 - Trench dewatering;
 - Hydrostatic test discharge events; and
 - Stormwater erosion and sediment controls;
- Inspection of active work areas for compliance with all environmental permit conditions and plans;
- Immediate notification to the Lead EI should any compliance issue be observed during site visits; and
- Providing further notification to the Lead EI upon mitigation of environmental concerns or as necessary to ensure compliance issues are addressed in a proficient manner.

A staffing agreement will be completed prior to the start of construction and will include provisions on number of IEMs, qualifications, responsibilities, anticipated deployment, activities for which they must remain on the Project, terms governing their dismissal/removal, training to be provided by Enbridge, and whether monitors will be directly employed by the agency or by Enbridge.

Enbridge will identify IEM candidates based upon the agency staffing plan agreement.

3.2.2 Tribal Monitors

Enbridge has agreed to provide consulting Tribes an opportunity to participate as monitors. Participating Tribes shall identify a Tribal representative ("Tribal Monitor") to work with Enbridge's EIs during construction. Briefly stated, TMs ("TMs") will be funded by Enbridge to represent the interests of Tribes in the field during construction and as provided under certain permit conditions. One independent third-party TM will be assigned per construction spread. TMs will work collaboratively with Enbridge's EI Team to address concerns related to observed or suspected Tribal Cultural Resources or human remains.

The TMs will communicate directly with their respective Tribal and agency POCs and with Enbridge's EIs, but will not communicate directly with the Contractor or Subcontractor unless an Enbridge EI is present. TMs will not have the authority to direct construction activities and will work through Enbridge's EI Team if compliance issues are identified. The TMs will coordinate their activities daily with the Lead EI. These activities will include:

- Daily safety check-in;
- Identification of active work areas to observe and/or conduct periodic checks;
- Immediate notification to the EI should suspected archaeological materials or human remains be observed within the construction workspace; and
- Providing assistance to the EI as he initiates the sequence of events outlined in the Project's Unanticipated Discoveries Plan.

Should the TM identify archaeological materials or human remains within the construction workspace, the TM and EI will also provide notification to the appropriate Tribal and/or agency POC. TMs will be invited to attend construction meetings where applicable compliance issues are discussed.

4.0 AGENCY INSPECTIONS

In addition to the IEMs, federal, state, and local agencies may also visit the Project area during construction. All visitors to the site will need to complete Project safety training before entering the work areas. Enbridge will provide safety training to agency staff on request. Training is typically conducted the morning of the initial visit but can be scheduled to best accommodate varying schedules. Visitors must also use appropriate safety equipment, including hard hat, safety glasses, high visibility wear (e.g., safety vest) and appropriate safety footwear (e.g., steel-toe boots). Agency visitors will typically be accompanied by their respective IEM, who will assist the agency staff in navigating the work areas in the safest possible manner. Otherwise, visitors will be accompanied by a member of Enbridge's EI Team.

Counties crossed by the pipeline route will have County Inspectors monitoring compliance with county requirements. Minnesota Statute § 216G.07 authorizes counties to designate an inspector to monitor compliance with the requirements of local jurisdictions. While the actual roles and responsibilities of County Inspectors may vary by location, it is anticipated that they will focus primarily on compliance with county permits related to road and ditch crossings. Other aspects of the statute appear to be within the purview of the IEMs described in Section 3.0. The statute also specifies that County Inspectors have a role in receiving and tracking complaints they may receive from landowners, tenants, or local officials.

At least 14 days prior to the start of construction, Enbridge will provide notice to all affected landowners with the name, telephone number, and email address of the County Inspector designated by the county, if so appointed.

5.0 MANAGING ENVIRONMENTAL COMPLIANCE

Enbridge's EI Team consists of the Lead EIs, EIs, and the Agricultural Inspectors assigned to each construction spread. The EI Team is the front line of Enbridge's compliance program. These individuals will observe construction activities on a continual basis and use a proactive and preventative approach to maintain compliance throughout construction of the Project. EIs will have peer status with other Construction Inspectors. EIs will have the authority to stop activities that are not in compliance with the requirements of federal, state, Tribal, and local permits. Activity may be stopped if any of the following conditions are discovered: a safety concern regarding harm to people or property; a potential for harm to threatened or endangered species, protected cultural resources, or any other resources; a violation of a Project specification or requirement; instances of repeated noncompliant activity; or a violation of a federal or state regulation. In the event that an activity has been stopped, Enbridge's EI Team will notify all affected agencies and communicate internally with the Enbridge's Compliance Team and Construction Management Team. Following the issuance of a stop activity order, appropriate corrective actions will be identified, the timeline for resolution, and the conditions under which activity can resume will be discussed between Enbridge's Construction Management Team, Contractor, and Compliance Team. The issuance of the stop activity order including the required actions to resolve the noncompliant activity and timeframe for resolution will be documented in the daily inspection report in accordance with Project inspection and reporting protocols. Resolution of issues surrounding a stop activity order will be documented prior to resuming regular construction activity. As illustrated on Figure 2.0-1, the EI Team will have regular and ongoing communication with the FICL, Enbridge's Construction Management Team, and the Contractor's superintendent and foremen.

The following subsections describe the tools, training, reporting, and tracking systems that will be implemented by Enbridge's Compliance Team to ensure compliance with this EMCP, CECP, and permits and authorizations.

5.1 COMPLIANCE REFERENCE DOCUMENTS

Enbridge's Compliance Team and the IEMs will have a variety of reference documents to assist in the compliance effort. These reference documents include this EMCP, the CECP (including the Environmental Protection Plan and other MPUC compliance plans), permit books, Landowner Line List, construction alignment sheets, and site-specific plans. These documents will also be provided to the Contractor and members of the Construction Management Team and will provide a basis for communicating environmental requirements during training and throughout

construction and restoration. Signage will be used along the construction right-of-way to alert the Contractor of sensitive areas such as wetland boundaries, where special measures may be required.

5.2 ENVIRONMENTAL TRAINING PROGRAM

Enbridge's philosophy is to prevent problems by making sure everyone working on the Project has undergone appropriate training. All construction personnel will receive environmental and safety training prior to construction that will be tailored according to the work responsibilities of the participants. All personnel involved in the Project will be informed of the EIs authority, particularly "stop work" authority. Contractor personnel will be trained on environmental requirements and mitigation procedures specific to their role on the Project. The content of the various types of training sessions are outlined in the following subsections.

In addition to the training described below, Enbridge will conduct informal orientations with the selected Contractors during the pre-construction phase to assist with planning for environmental compliance and other construction requirements. Environmental orientation during this phase will consist of informal meetings with the Contractor to discuss known or likely environmental requirements and to allow input from the Contractors on how best to implement these requirements. In some cases, these meetings may result in follow-up communications with appropriate agencies to revise construction plans or seek clarification on some aspect of mitigation. Enbridge will notify the applicable agency POCs as soon as a decision is reached regarding follow-up communications so that the appropriate agency personnel can be assembled to discuss revisions if necessary.

5.2.1 Environmental Inspector Training

EI training will be conducted for the EI Team (Lead EIs, EIs, and Agricultural Inspectors) prior to construction and/or when new EIs are hired. Instructors will include Enbridge's Project Safety Manager, EPM, EECM, and various resource specialists. Topics to be covered include but are not limited to:

- Safety;
- Project history and schedule;
- Communication protocols;
- Environmental training DVD;
- Permits, plans, and alignment sheets;
- Sensitive and unique construction areas;
- Wetland and waterbody crossing procedures;
- Compliance strategies;
- Managing change – permit modification process; and
- Reporting protocols.

Training will consist of presentations, discussions, and document review. Proof of training materials (hard hat sticker, summary booklet) will be issued upon completion.

5.2.2 Agency and Tribal Monitor Training

Training will be conducted for the IEMs. Instructors will include Enbridge's Project Safety Manager, EPM, EECM, and various resource specialists. Topics to be covered will be similar to EI training but will be focused on the role of the agency and TMs. Proof of training materials (hard hat sticker, summary booklet) will be issued upon completion.

5.2.3 Kick-off Training

An initial kick-off training session will be conducted prior to construction with Enbridge representatives, the Construction Management Team, Contractor Supervisory Personnel (Superintendents, Assistant Superintendents, Foremen), IEMs, Agricultural Monitors, TMs, and the EI Team. Federal, state, and local agency POCs will also be invited to attend the training sessions for their respective construction areas. These sessions will provide an opportunity for the agency POCs to become more familiar with pipeline construction. Instructors will include Enbridge's Project Safety Manager, EPM, EECM, and various resource specialists.

Proof of training materials (hard hat sticker, summary booklet) will be issued upon completion. Attendees will be recorded on a training roster.

5.2.4 Agency Pre-construction Conference

Enbridge will hold a pre-construction conference with the applicable agencies to review permits and approvals, operating procedures, and establish schedules and content for meetings and reports. This conference will include the agency POCs and alternates, IEMs, and other agency resource staff as necessary.

5.2.5 Ongoing Environmental Training (during Project construction)

Enbridge will conduct environmental training throughout Project construction for construction crews and newly assigned supervisory and inspection staff. Other participants will include individuals visiting the construction right-of-way and/or any contractor yard or facility associated with construction of the Project. Training conducted during construction will typically be presented by the Lead EI or other EI for a given construction area. Topics to be covered include but are not limited to:

- Safety;
- Project history and schedule;
- Communication protocols;
- Environmental training DVD;
- Project permits and plans; and
- Information specific to the role of the group or individuals.

Proof of training materials (hard hat sticker, summary booklet) will be issued upon completion.

5.2.6 Tailgate Training (during Project construction)

Tailgate training (on site field meetings) will be conducted on periodic basis for Contractor crews and foremen to discuss environmental and safety issues that arise. Topics to be covered include but are not limited to:

- Safety;
- Remedial training resulting from compliance issues;
- Methodology changes;
- Discussion of site-specific plans; and
- Preparation for construction in sensitive or unique areas.

5.3 REPORTING AND DOCUMENTATION

The EI Team and IEMs will be responsible for preparing reports to document compliance with the various permits and mitigation plans. Enbridge will provide a real-time, web-based reporting and monitoring system for use by the Enbridge's Compliance Team including the field-based EI Team and IEMs to receive, manage, file, and share inspection forms, records, photos, and inspection and monitoring reports. The reporting and monitoring system will be password protected with the capability to upload, download, and archive inspection forms. Enbridge will not modify IEM reports. Agency POCs will have access to these reports through the reporting and monitoring system at the direction of the MPUC.

5.3.1 Inspection and Monitoring Report Content

The EI Team and IEMs will generate daily inspection and monitoring reports to document construction activities and to provide an assessment of the level of compliance. Reports prepared by EIs are referred to as Inspection Reports, and reports prepared by IEMs are referred to as Monitoring Reports.

On a daily basis, the EI or IEM will arrive at a location where construction is underway and will compare the observed activities with the site's requirements and will note any deviations. The EI or IEM will then complete an Inspection or Monitoring Report, respectively, for the site. A key component of each Inspection and Monitoring Report is the EI's or IEM's assessment of how well the observed activity achieves the required compliance. Digital documentation photographs will be taken and electronically attached to the report. Selection of locations for Inspection and Monitoring Reports will generally be at the discretion of the EI or IEM, but the goal will be to obtain a representative sample of activities that are underway.

The daily Inspection and Monitoring Reports generated by the EI or IEM may be in one of two forms:

- An Event Report, and
- A Summary Report.

An Event Report will be prepared to identify a singular more significant inspection or monitor event or observation. An individualized report would be prepared in this situation to facilitate efficient and thorough review of the observation, and prompt identification and implementation of the appropriate corrective action.

Summary Reports provide a daily record of the inspection or monitor activities that occurred throughout the day that are considered to be in compliance by the EI or IEM (see an example report form in Appendix B).

At the end of each work day, the appropriate FICL will be notified when an Inspection Report has been submitted, and both the FICL and the agency and/or Tribal POC will be notified when a

Monitoring Report has been submitted for review and analysis via the electronic reporting system described in Section 5.3. The daily reports will be reviewed for consistency and completeness. Once reviewed and approved, the reports will be distributed to the EECM and other Project team members as appropriate to provide near real-time feedback on compliance. Timely communication will allow adjustments to be made to maintain the highest possible level of compliance. Once reports are compiled in the database, the results can be summarized as measurable outcomes and analyzed to identify trends and possible modifications to the compliance system. The EECM will share information with the EPM and Construction Management Team as appropriate.

6.0 MODIFYING CONSTRUCTION ACTIVITIES

Conditions encountered during construction may necessitate revisions to the various environmental procedures, plans, and permits. Most changes will likely be minor and routine in nature, but some may require more formal analysis by the agencies. A proposed modification request form is included in Appendix C. The Contractor, with assistance from Enbridge's Construction Management Team, will complete the form and submit to the appropriate Lead EI who will review the request and submit to the appropriate FICL. The FICL or designee will then submit the formal modification request to the IEM and Agency POC.

In addition to providing “eyes and ears” for the agencies and Tribes during construction, the IEMs may be asked to communicate with the Agency POC to approve certain modifications identified in the field. Agency and Tribal POCs and IEMs will provide interagency coordination to ensure that each agency and participating Tribe, as appropriate, is aware of modifications to address potential conflicts with landowner interests and environmental requirements. For example, a private landowner may request a modification that would result in an increased impact to fisheries and/or wildlife habitat; or a modification requested to further protect a resource may be contrary to the expectations of a private landowner. The IEMs and the EI will typically work to resolve these potential conflicts.

If the IEM feels that modifications may need further consultation with other regulatory agencies or Tribes, they will do this through the pre-established agency and Tribal POCs while also working with the EI and inform the respective agency or Tribal POC as necessary.

6.1 MODIFICATIONS TO PERMIT REQUIREMENTS

6.1.1 Level 1 Modifications

Level 1 modifications are minor adjustments that involve minimal interpretation of the requirements of a permit or related plan, but not a change to a permit requirement. These are minimal adjustments outside of the construction workspace but within the environmental survey corridor where no additional impacts on environmental resources are expected, and would not require formal modification or amendment of permits or authorizations. Examples of Level 1 modifications may include but are not limited to:

- Extending the duration of waterbody crossings by no more than 24 hours;
- Adjustments that will decrease environmental impacts at particular locations;

- Modifying the topsoil segregation methods in agricultural lands based on site-specific conditions;
- Using alternative soil stockpile locations (i.e., along the non-working (spoil) side of the right-of-way) in agricultural lands;
- Other items identified in consultation with the agencies.

For Level 1 modifications, the IEM will conduct any necessary field reviews and consult with the agency or Tribal POC, other IEMs, or other regulatory agency(ies), as necessary and communicate if the modification has been approved or denied by the agency or Tribal POC. Requests that the IEM deems to be Level 2 modifications will be submitted by the FICL or designee to the appropriate agency or Tribal POC as directed by the IEM. In some cases, if a request is denied, Enbridge may resubmit a request directly to the agency or Tribal POC. Copies of all requests will be forwarded to the agency or Tribal POC for tracking purposes. Recurring modification requests should be further considered by the Compliance Team, IEMs, and agency and Tribal POCs as potentially requiring a change in the requirements, retraining of construction personnel, or other corrective action designed to address the issue Project-wide. Enbridge will continue to work with the respective permit agencies to identify if there are certain types of modifications that the IEMs can approve in the field, based on parameters established between Enbridge and the agencies, where the modification meets the intent of the respective permit conditions.

6.1.2 Level 2 Modifications

Level 2 modifications will require changes or amendments to permits or authorizations, changes, that involve land outside of the environmental survey corridor, or that will result in additional impacts on environmental resources. The IEMs will explore means to mitigate additional impacts, including consulting with the agency or Tribal POC or other resource staff. Agency or Tribal approvals will then be communicated by the IEMs to the EI for the modification or amendment. In some cases, a given modification type may initially be a Level 2, but over time be changed by the agency or Tribe to a Level 1. Examples of Level 2 modifications may include but are not limited to:

- Expanding or adjusting the location of additional temporary workspace to accommodate spoil storage needs where additional resource impacts may occur;
- Extending additional temporary workspace into a wetland;
- Changing the type of stream crossing method if a site-specific plan for the change was pre-approved;
- Changing the type of temporary bridge;
- Previously unpermitted state-listed species takings issues that may arise during site preparation or construction activities;
- Other modifications identified in consultation with the respective agencies.

7.0 COMPLAINT RESOLUTION PROCESS

Enbridge will implement the documentation, processing, and reporting requirements identified in the MPUC Complaint Handling Procedures required as a condition of the Route Permit.

Appendix A

Line 3 Replacement Project
EMCP Contact Information

Table A-1 Enbridge Line 3 Replacement Project EMCP Contact Information Enbridge Environmental Compliance Team						
First Name	Last Name	Company	Title	Office Phone	Cell Phone	Email Address
			Environmental Project Manager			
			Environmental Execution/Compliance Manager(s) – Spread 1			
			Environmental Execution/Compliance Manager(s) – Spreads 2 and 3			
			Environmental Execution/Compliance Manager(s) – Spreads 4 and 5			

Table A-2 Enbridge Line 3 Replacement Project EMCP Contact Information Enbridge Environmental Inspector Team					
First Name	Last Name	Title	Office Phone	Cell Phone	Email Address
Environmental Inspectors – Spread 1					
		Lead EI			
		EI			
		Agricultural Inspector			
Environmental Inspectors – Spread 2					
		Lead EI			
		EI			
		EI			
Environmental Inspectors – Spread 3					
		Lead EI			
		EI			
		EI			
		Lead EI			
		EI			
		EI			
Environmental Inspectors – Spread 4					
		Lead EI			
		EI			
		EI			
		Lead EI			
		EI			
		EI			
Environmental Inspectors – Spread 5					
		Lead EI			
		EI			
		EI			

Table A-2 Enbridge Line 3 Replacement Project EMCP Contact Information Enbridge Environmental Inspector Team					
First Name	Last Name	Title	Office Phone	Cell Phone	Email Address
		Lead EI			
		EI			
		EI			

Table A-3 Enbridge Line 3 Replacement Project EMCP Contact Information Independent (Third-Party) Environmental Monitors					
First Name	Last Name	Title	Office Phone	Cell Phone	Email Address
		IEM Spread 1			
		IEM Spread 2			
		IEM Spreads 3			
		IEM Spreads 4			
		IEM Spread 5			
		Agricultural Monitor Spread 1			
		Tribal Monitor Spread 1			
		Tribal Monitor Spread 2			
		Tribal Monitor Spread 3			
		Tribal Monitor Spread 4			
		Tribal Monitor Spread 5			

Table A-4
Enbridge Line 3 Replacement Project EMCP Contact Information
Agency and Tribal Points of Contact

First Name	Last Name	Primary / Alternate	Agency	Office Phone	Cell Phone	Email Address
			Minnesota Dept. of Commerce, Office of Energy Security, Project Manager			
			MDNR, Northwest Regional Lands and Minerals Supervisor			
			MDNR, Northeast Regional Lands and Minerals Supervisor			
			MDA, Environmental Review and Land Use Coordinator			
			MPCA Inspector			
			MPCA Inspector			
			USACE Project Manager			
			Fond du Lac Resource Management Wetlands Manager			
			Fond du Lac Tribal Historic Preservation Office			

Table A-5
Enbridge Line 3 Replacement Project EMCP Contact Information
Construction Management Team

First Name	Last Name	Company	Title	Office Phone	Cell Phone	Email Address
			Director, Engineering and Construction			
			Manager Mainline Engineering & Construction Spread 1			
			Manager Mainline Engineering & Construction Spreads 2 and 3			
			Manager Mainline Engineering & Construction Spreads 4 and 5			
			Supervisor Technical Support			
			Senior Construction Manager Spread 1			
			Senior Construction Manager Spreads 2 and 3			
			Senior Construction Manager Spreads 4 and 5			
			[Contractor] Environmental Representative			
			[Contractor] Environmental Representative			
			[Contractor] Environmental Representative			

Appendix B

Environmental Inspection Status Report Template

Environmental Inspection Status Report

Enbridge Energy, Limited Partnership Line 3 Replacement Project

Inspector:

Select or type...

Inspection Date:

Report Type:

Select...

Compliance Level:

Select...

Activity:

Select...

Wetland or Waterbody:

Begin Station:

End Station:

Milepost Start:

Milepost End:

Tract(s):

☐ Punchlist?

☐ Follow-up Required?

Inspection Notes:

Appendix C
On-Site Modification Request Process and Form



ON-SITE MODIFICATION REQUEST FORM

Change Request No.:

Variance Level: ☐ 1 ☐ 2

Date Approval Required:

Date Submitted:

Spread/Location:

Time Submitted:

Alignment Sheet Station No.:

Tract No.:

Change From (check one): ☐ Permit ☐ Plan/Procedure ☐ Drawing ☐ Specification
☐ Other

Specify Source (e.g., Detail Drawing 1):

Detailed Description of Change:

Attachments? ☐ Yes ☐ No Photos? ☐ Yes ☐ No

Change Justification:

Environmental Review – Describe Potential to Affect Each of the Following (including area and agency consultation as appropriate):

Wetlands/Waterbodies:

Endangered and Threatened Species:

Archeological / Cultural Sites:

Other Conditions:

Prepared & Submitted by:

Date:

For Agency Use Only

Check one: ☐ Modification Approved ☐ Modification Denied
Signature: Date:

**CONDITIONAL
APPROVAL**
☐ Yes ☐ No
(If yes, list conditions below)

Conditions: