



Barry Simonson
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October 29, 2018

Kevin Molloy
Minnesota Pollution Control Agency
Resource Management & Assistance Division
520 Lafayette Road North, St. Paul, MN 55155-4194

Subject: Enbridge Energy, Limited Partnership
Line 3 Replacement Project
Section 401 Water Quality Certification Request / Antidegradation Assessment

Dear Mr. Molloy:

As you aware, Enbridge Energy, Limited Partnership (“Enbridge”) is proposing the Line 3 Replacement Project (“L3R or Project”). Enbridge submitted its permit application to discharge dredged or fill material into waters of the U.S. under Section 404 of the Clean Water Act (“CWA”) and to construct in navigable waters of the U.S. under Section 10 of the Rivers and Harbors Act for the Project to the St. Paul District, U.S. Army Corps of Engineers (“USACE”) on September 21, 2018 (referred to as “USACE Application”). The USACE Application requires two water quality certifications (“WQC”) under Section 401 of the CWA: (1) a Section 401 WQC from the Fond du Lac Band of Lake Superior Chippewa (“FdL”) for the portion of the Project within the exterior boundaries of the FdL reservation (“Reservation”), and (2) a Section 401 WQC from the Minnesota Pollution Control Agency (“MPCA”) for the portion of the Project in Minnesota outside the exterior boundaries of the Reservation, which is the focus of this submittal.

On June 28, 2018, the Minnesota Public Utilities Commission (“MPUC”) granted a Route Permit for Enbridge’s Preferred Project Route¹ including Route Segment Alternative (“RSA”)-05; RSA-22 with permission of the Fond du Lac Band of Lake Superior Chippewa (“FdL”), or RSA-21 in the event FdL does not grant permission for RSA-22.² On August 31, 2018, Enbridge and FdL came to an agreement to proceed with the RSA-22 route. The MPUC’s written Order granting Enbridge’s Route Permit identifying the Preferred Project Route inclusive of RSA-05 and RSA-22 as the MPUC Designated Route (hereafter referred to as the “Designated Route”) was issued on October 26, 2018.


The enclosed includes a copy of the USACE Section 404 and Section 10 permit application for the Project along the Designated Route to support Enbridge’s Section 401 WQC Request. A 2018 Wetlands and Waterbodies Survey Report is also enclosed which includes field survey data along the Designated Route. The MPCA Section 401 WQC requires antidegradation review under Minnesota Rules, part 7050.0285 and parts 7050.0250 to 7050.0335. The purpose of an antidegradation review is to achieve and maintain the highest possible quality in surface waters of the state (Minnesota Rules, part 7050.0250). Therefore, the enclosed also includes an Antidegradation Assessment in support of the MPCA Section 401 WQC.

¹ The Preferred Route is defined as the Applicant’s proposed route, which includes the pipeline centerline within the associated construction workspace.

² Refer to Section 7.3.1 (RSA-05), Section 7.3.6 (RSA-21), and Section 7.3.7 (RSA-22) of the Revised FEIS.

Please contact me at 218-522-4825; Barry.Simonson@Enbridge.com, or Bobby Hahn at 218-522-4751; Bobby.Hahn@enbridge.com should you have questions regarding this submittal. Thank you for your assistance on this Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'BS', followed by a long horizontal line extending to the right.

Barry Simonson
Enbridge Employee Services Inc
Director Line 3
Major Projects Line 3 Replacement & Decommission

Enclosures: Joint Application Form for Activities Affecting Water Resources in Minnesota
Supplemental Information for an Application for a Permit
2018 Wetlands and Waterbodies Survey Report
Section 401 WQC Antidegradation Assessment

cc: Bill Wilde, MPCA
Bill Sierks, MPCA
Melissa Kuskie, MPCA
Bobby Hahn, Enbridge
Linda Fisher, Fredrikson & Byron
Melisa Pollack, Barr Engineering
Naomi Christenson, Merjent, Inc.