



February 12, 2018  
Mr. Daniel Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147

Re: *In the Matter of the Application of Enbridge Energy, Limited Partnership, for a Certificate of Need for the Line 3 Replacement Project in Minnesota From the North Dakota Border to the Wisconsin Border*; MPUC Docket No. PL-9/CN-14-916; OAH 65-2500-32764

*In the Matter of the Application of Enbridge Energy, Limited Partnership for a Routing Permit for the Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border*; Docket No. PL-9/PPL-15-137; OAH Docket No. 65-2500-33377

Attached is the Line 3 project Final Environmental Impact Statement (FEIS) prepared by the Minnesota Department of Commerce, Energy Environmental Review and Analysis (EERA) staff for the above referenced project.

On December 14, 2017, the Minnesota Public Utilities Commission (Commission) issued an order finding the Line 3 Project Final Environmental Impact Statement inadequate. The Commission's order identified four deficiencies in the EIS. The attached FEIS addresses the four issues the Commission identified in their order, as described below.

**Item 1a** of the Commission's order directs that "the EIS (i) indicate how far and where SA-04 would need to be moved to avoid the karst topography it would otherwise traverse and (ii) provide a revised environmental-impact analysis of SA-04 specifically to reflect the resulting relocation of that alternative."

In consultation with the Minnesota Department of Natural Resources (MNDNR) and the Minnesota Pollution Control Agency (MPCA), EERA has prepared a new appendix to address this item (Appendix U). No viable routes were identified that entirely avoid karst; however, Appendix U contains an analysis of two reroute options that minimize crossing through areas where karst features are nearest to the ground surface. Appendix U contains tables that compare each option to the segment of SA-04 that it would replace using the full suite of environmental parameters evaluated in Chapters 5, 10 and 11 of the EIS.

**Item 1b** of the Commission's order directs that "the EIS needs to clarify that quantitative representations of route and system alternatives do not necessarily reflect the actual qualitative impacts of those alternatives. For example, the acreage of HCA drinking water sources impacted by SA-04 may be less than the same acreage of HCA drinking water sources impacted by other routes based on the nature of those water sources."

In consultation with MNDNR and MPCA, EERA determined that this item could be addressed by explaining in the FEIS that an individual dataset should be used in context with other related data in order to reduce the chance of over-reliance on a single data set.

As a result, in each resource section in Chapters 5 and 6 of the FEIS, EERA has added **red bold** text to the methodology section explaining that considered in isolation, each dataset has limitations, and that the reader should consider the datasets together as a suite. In addition, the EIS now includes footnotes in the impact summary table that explain this, and a specific example of why this is the case.

The FEIS now also includes a similar explanation in **red bold** in the overall introductory section in Chapters 5 and 6 and in Section 10.4 of the FEIS.

**Item 1c** of the Commission’s order directs that “the EIS needs to clearly identify the extent to which resource impacts of route alternatives in the existing Line 3 corridor are or are not additive—i.e., the extent to which that route alternative would introduce new or additional impacts beyond the impacts of the existing pipelines in that corridor.”

In consultation with MNDNR and MPCA, EERA determined that this item could be addressed by clarifying that the impacts reported in the FEIS, even along existing corridors, are the incremental impacts that the project will have, over and above impacts from any past projects. For, example, where corridor sharing results in fewer incremental impacts, the EIS already reflects this, so new quantitative analysis would not be suitable. Instead, adding additional footnotes to the summary tables at the end of each resource section, which point the reader to pages containing qualitative discussions describing the nature of the incremental impact, was identified as the best approach to address this item.

As a result, in each resource section in Chapters 5 and 6 of the FEIS, in **red bold** text, EERA has added:

- Text in the methodology discussion explaining that the quantitative data in the tables should be reviewed with the qualitative discussion in the text.
- Text in the existing environment and environmental impact discussions noting the type and extent of corridor sharing, and highlighting that these sections take the implications of corridor sharing into account.
- Footnotes in the impact summary table noting the type and extent of corridor sharing of each alternative and pointing the reader to the qualitative discussion of impacts in the chapter that explains the nature of the incremental impact.

Similar explanations have been added to the introductory sections in Chapters 5 and 6 and in Section 10.4.

**Item (d):** The EIS needs to clarify that the traditional cultural properties survey must be completed before the start of any construction pursuant to any permit granted in this proceeding.

The requested language is in **red bold** text in Section 5.4.1 and 6.4.1.

There are several other minor revisions, including updates to the abstract page, and corrections to spill volume data in Table 10.3-7 and Appendix S Table 26. All of these revisions are shown in **red bold** text.

EERA staff is available to answer any questions you may have.

Sincerely,

*/s/ John Wachtler*

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John Wachtler

(651) 757-1472 (Voice)

(651) 297-1235 (Fax)

*Director*

*Minnesota Department of Commerce,*

*Energy Environmental Review and Analysis*