From: Mark Anderson [mailto:manderson8341@gmail.com]
Sent: Monday, March 24, 2014 10:55 AM
To: Hartman, Larry (COMM)
Cc: RaJfa4273@centurylink.net; manderson8341@charter.net
Subject: Comments for Sandpiper Pipeline route PUC Docket Number PL-6668/PPL-13-474
Importance: High

Richard and Jean Anderson
4808 5th Street N.E.
Columbia Heights, MN 55421
RaJfa4273@centurylink.net

Larry Hartman
Minnesota Department of Commerce
85 7th Place East
Suite 500
St. Paul, MN 55101

larry.hartman@state.mn.us

Dear Mr. Hartman:

This letter is in reference to the Sandpiper Pipeline Project submitted by Enbridge, LLC, Public Utilities Commission (PUC) Docket Number: PL-6668/PPL-13-474

We are not in favor of the current proposed route of the pipeline for the above reasons. There is a pipeline already constructed by Enbridge to the north. **Use this northern route along US HWY 2.** This is already in use and there would be no reason to acquire additional property, impact the properties of Carlton County and specifically our property. **See enclosed Minnesota Enbridge map.**

We own the property in Carlton County parcel ID 33-026-9720 in the township of Atkinson, MN consisting of 30.94 acres. This property has been in our family for over 100 years. The pipeline between mile 585 and 586 is the area in which our property is located.

Interstate Highway 35 is located through the property. It divides the property with 6.9 acres on west side and the remaining 24 acres located on the east side of the highway. The west side of the property (6.9 acres) is where the pipeline's proposed route is located. This west side is also the only road access (Bromfield Rd) we have to this property as well as our adjoining property in Carlton County parcel ID 33-026-9740. **See enclosed Property Sat Map with notations.**

The ESA of 445 feet as indicated on the map 117 of 123 provided by Enbridge will almost completely engulf the entire property on the east side of the highway. **See enclosed Property Sat Map with notations.** According to the **Model Pipeline Setback Ordinance Chapter 7535.0500 Subpart 2 and 3** we would not be able to construct new buildings because the ESA would encompass the entire piece of property. **See enclosed Model set back ordinance 7355 page 1 and 2.**

According to the U.S Department of Transportation Pipeline & Hazardous Materials Safety Administration PIPA Recommended Practice ND 16, placing any well for water and any septic system is prohibited in the Right Of Way for the pipeline on the property. **See enclosed PIPA ND16 page 1 and 2.**

The closest point of access for the remaining property is from County HWY 4 nearly one mile away and through 2 other properties. We currently have no road access the remaining part of our properties. One of the residents on HWY 4, a couple of properties to the east of our property, researched the cost of placing an access road to his property at nearly $100,000 with the same distance as what we would need. With the assessed value of our 2 properties at $61,600, the cost of the easement and road just to access the remaining area to build is greater than the value of the property itself. Utilities would also have to come from HWY 4. **See enclosed Property Sat Map with notations.**

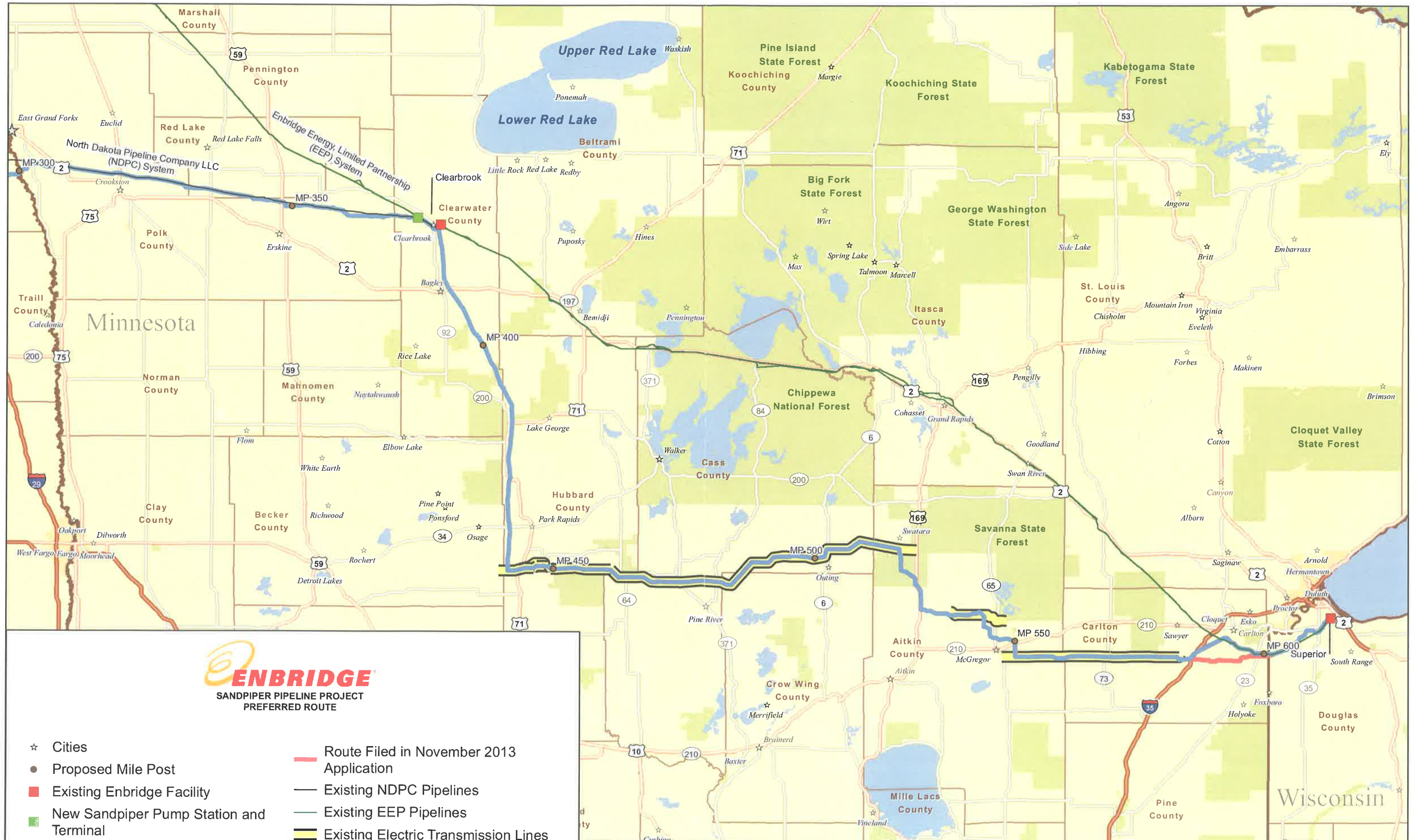
With our property being in the family for 100 years and my father being born on the property in 1904, we hold this property close to our hearts. We do not want the property cleared of all vegetation, eliminate the possibility of building on the property again and decimating the beauty of our property.

There were numerous of residents and property owners who presented their reasons at the Public Information Meeting conducted in Carlton County Transportation Building on March 13, 2014 for the pipeline to use the north route. They included organic and dairy farmers and naturalists who would be impacted forever due to the continued maintenance and additional pipelines being added. The invasive species that could be introduced would impact these farmers as well as the consumers of the product they produce. See the public records of this meeting. We support the majority of presenters at this meeting who want the northern route for the pipeline.

Sincerely,

Richard and Jean Anderson

Enclosure



Additional detailed project maps can be found on the project website at www.enbridge.com/SandpiperProject or by calling the Sandpiper Project team at 855-788-7805.

CHAPTER 7535

OFFICE OF PIPELINE SAFETY

MODEL PIPELINE SETBACK ORDINANCE

7535.0100 DEFINITIONS.

7535.0200 PURPOSE.

7535.0300 SCOPE.

7535.0400 ADOPTION OF SETBACK ORDINANCE.

7535.0500 MODEL SETBACK ORDINANCE.

7535.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Building.** "Building" means a structure designed primarily for human use or occupancy including businesses, offices, educational facilities, medical facilities, residences, and institutions. Decks, overhangs, porches, or similar attached structures are considered part of the building. Building does not include appurtenances required to operate or maintain pipeline systems.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of public safety.

Subp. 4. **Other development.** "Other development" means commercial, industrial, or agricultural development when it results in the construction of a building or place of public assembly.

Subp. 5. **Pipeline.** "Pipeline" has the meaning given it in Minnesota Statutes, section 299J.02, subdivision 11.

Subp. 6. **Pipeline easement.** "Pipeline easement" means the existing easement or a subsequent easement resulting from the negotiation of a change in the boundaries of the existing easement.

Subp. 7. **Place of public assembly.** "Place of public assembly" means a site that is occupied by 20 or more persons on at least five days a week for ten weeks in any 12-month period. The days and weeks need not be consecutive.

Statutory Authority: *MS s 299J.05*

History: *15 SR 2734*

Published Electronically: *May 13, 1997*

7535.0200 PURPOSE.

The purpose of this chapter is to set out a model ordinance requiring a setback from pipeline sites where residential or other development may occur.

Statutory Authority: *MS s 299J.05*

History: *15 SR 2734*

Published Electronically: *May 13, 1997*

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7535.0300 SCOPE.

This chapter applies to statutory or home rule charter cities, towns, and counties that have planning and zoning authority under Minnesota Statutes, sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.365, and in which a pipeline is located.

Statutory Authority: *MS s 299J.05*

History: *15 SR 2734*

Published Electronically: *May 13, 1997*

7535.0400 ADOPTION OF SETBACK ORDINANCE.

Subpart 1. **Deadline.** By August 1, 1991, each jurisdiction described in part 7535.0300 shall adopt an approved setback ordinance that meets or exceeds the minimum standards set out in this chapter.

Subp. 2. **Application.** The model setback ordinance must be applied to any jurisdiction that has not adopted an approved setback ordinance by August 1, 1991.

Subp. 3. **Approval process.** Each jurisdiction shall submit a copy of its proposed ordinance to the commissioner. The proposed ordinance must be compared to the definitions and model setback ordinance in parts 7535.0100 and 7535.0500 to ensure that the proposed setback meets or exceeds the minimum standards set out in the model. The commissioner's written decision on the proposed ordinance will be sent to the jurisdiction within 90 days of receipt. The decision must specify approval of the ordinance or areas of deficiency and recommended modifications.

Statutory Authority: *MS s 299J.05*

History: *15 SR 2734*

Published Electronically: *May 13, 1997*

7535.0500 MODEL SETBACK ORDINANCE.

Subpart 1. **Purpose.** The purpose of a model setback ordinance set out in this part is to increase public safety by requiring that new development be set back from pipeline locations.

Subp. 2. **Applicability.** This ordinance applies to new residential and other development. It does not apply to development that has occurred or for which development permits have been issued before July 1, 1991.

Subp. 3. **Setback.** Buildings and places of public assembly subject to this ordinance shall not be constructed closer to the pipeline than the boundary of the pipeline easement.

Subp. 4. **Variances.** Variance procedures adopted by the local unit of government under Minnesota Statutes, sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.365, shall apply.

Statutory Authority: *MS s 299J.05*

History: *15 SR 2734*

Published Electronically: *May 13, 1997*

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PIPA Recommended Practice ND16

ND16 "Locate and Design Water Supply and Sanitary Systems to Prevent Contamination and Excavation Damage"

Practice Statement Individual water supplies (water wells), small public/private water systems and sanitary disposal systems (septic tanks, leach or drain fields) should be designed and located to prevent excavation damage to transmission pipelines, interference with transmission pipeline maintenance and inspections, and environmental contamination in the event of a transmission pipeline incident.

Audience(s): Local Government, Property Developer/Owner

Practice Description

Proper location and design of water/sanitary systems located adjacent to a transmission pipeline are vital to both public safety and the integrity of the pipeline. The design and location of these systems should take into consideration the potential impact on the water/sanitary system and on the transmission pipeline, resulting from activities associated with the installation, operation, and maintenance of the pipeline or the water/sanitary system. Considerations should include the potential for excavation damage to the water/sanitary system or the transmission pipeline, and the potential for contamination of the water/sanitary system from a pipeline incident.

If a water well is to be installed near a transmission pipeline, the pipeline and pipeline appurtenances (e.g., cathodic protection system) should be clearly located and identified Water supply drill rigs should stay clear of the pipeline right-of-way (ROW) to ensure no direct damage to the pipeline or pipeline appurtenances from drilling or movement of the drill rig.

To reduce the risk of contaminating a water well during a hazardous liquid transmission pipeline incident, it is generally best to place the well up-gradient from the pipeline. (Keep in mind that groundwater hydraulic gradients don't necessarily follow surface topography.) The risk of contamination during a pipeline incident for wells that cannot be placed up-gradient of a hazardous liquid pipeline can be reduced by increasing the down-gradient distance from the pipeline and by ensuring that wellheads are properly sealed. Note that gas transmission pipelines do not typically pose a threat for water contamination, unless liquids are present in the gas stream.

When installing individual sanitary disposal systems (septic systems and leach or drain fields) near transmission pipelines, the septic tank and drain field should be located off the pipeline ROW but not placed in an area immediately adjacent to the ROW where heavy equipment used in pipeline maintenance might damage the septic tank or drain field.

References

- U.S. EPA Drinking Water Protection Website
- Common Ground Alliance Best Practices

Navigate to Other Practices:

- **Baseline (BL) Recommended Practices**: BL01 BL02 BL03 BL04 BL05 BL06 BL07 BL08 BL09 BL10 BL11 BL12 BL13 BL14 BL15 BL16 BL17 BL18
- **New Development (ND) Recommended Practices**: ND01 ND02 ND03 ND04 ND05 ND06 ND07 ND08 ND09 ND10 ND11 ND12 ND13 ND14 ND15 **ND16** ND17 ND18 ND19 ND20 ND21 ND22 ND23 ND24 ND25 ND26 ND27 ND28
- **Table of Recommended Practices**

Richard and Jean Anderson
4808 5th Street N.E.
Columbia Heights, MN 55421
March 22, 2014

Larry Hartman
Minnesota Department of Commerce
85 7th Place East
Suite 500
St. Paul, MN 55101

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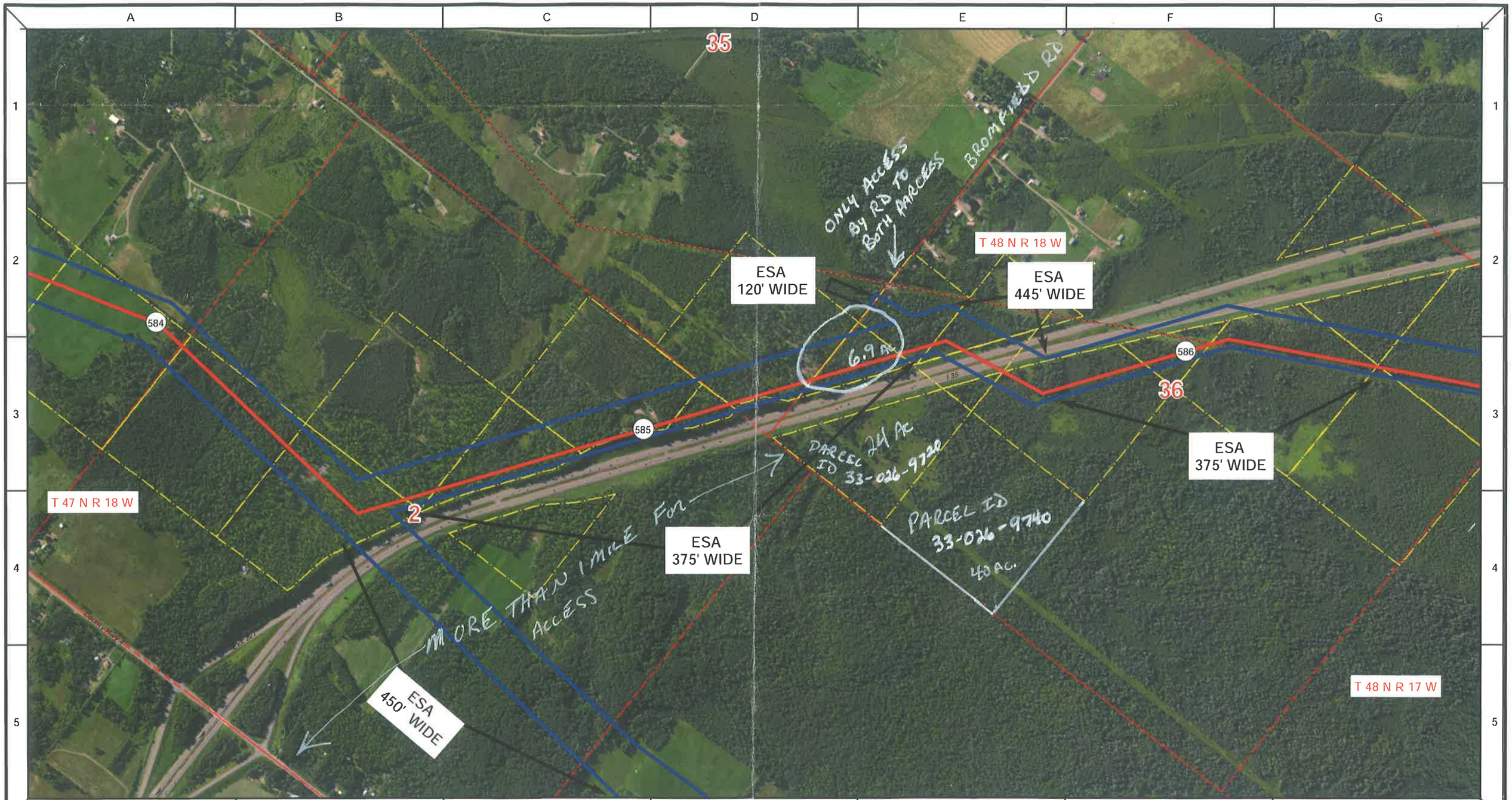

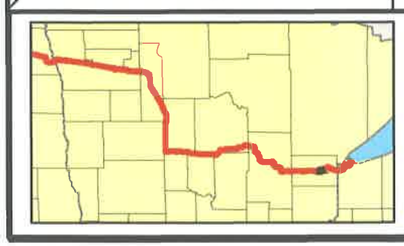

Proposed Pipeline - Sandpiper
Existing Enbridge Pipelines
Foreign Pipes
Transmission Lines
SPREAD BREAK

Milepost - Sandpiper
Potential Block Valve
Environmental Survey Area (ESA)

Tract Boundary
Facility Boundary
Previously Sited Facility Boundary
Section Lines

500 250 0 500 1,000 Feet

1941-1944

DRAWN	CHECKED	APPROVED	DATE	REV NO.	DESCRIPTION
MLB			1/29/14	2	PUC Update - Revision D-2 Alignment
MLB			12/19/13	1	PUC Update - Revision D Alignment
MLB			10/10/13	0	PUC Submittal

ENBRIDGE
NORTH DAKOTA PIPELINE COMPANY LLC

PROPOSED SANDPIPER PIPELINE PROJECT
ROUTE MAP
Carlton County, MN

DRAWN: MLB CHECKED: --
DATE: Jan 30, 2014 SCALE: AS SHOWN

Spread:8 Map: 117 of 123