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November 30, 2015

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

RE: Comments and Recommendations of Department of Commerce  
Energy Environmental Review and Analysis Staff  
Docket No. PL-9/PPL-15-137

Dear Mr. Wolf,

Attached are comments and recommendations of Department of Commerce, Energy Environmental Review and Analysis (EERA) staff in the following matter:

In the Matter of the Application of Enbridge Pipeline, Limited Partnership, for a Pipeline Routing Permit for the Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

The application was filed on April 24, 2015, by:

|   |  |
|---|--|
| Christina K. Brusven<br>Fredrickson and Byron P.A.<br>200 South Sixth Street<br>Suite 4000<br>Minneapolis, MN 55402<br><a href="mailto:cbrusven@fredlaw.com">cbrusven@fredlaw.com</a> | Arshia Javaherian<br>Senior Legal Council<br>26 E Superior Street<br>Duluth, Minnesota 55802<br><a href="mailto:Arshia.javaherian@enbridge.com">Arshia.javaherian@enbridge.com</a> |
|---|--|

EERA staff is providing the Commission with a summary of the scoping process for the environmental review document that will be prepared for this project and the alternatives EERA staff recommend for inclusion in the environmental review. Staff is available to answer any questions the Commission may have.

Sincerely,

/s/ Jamie MacAlister  
EERA Staff

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## BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

### COMMENTS AND RECOMMENDATIONS OF MINNESOTA DEPARTMENT OF COMMERCE ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS

*DOCKET No. PL-9/PPL-15-137*

Date: November 30, 2015

Staff: Jamie MacAlister.....651-539-1774  
Deborah R. Pile.....651-539-1837

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#### In the Matter of the Application of Enbridge Energy, LLC, for a Pipeline Routing Permit for the Line 3 Pipeline Replacement Project in Minnesota

**Issue(s) Addressed:** These comments and recommendations discuss the route alternative proposals received during the public comment period ending September 30, 2015, and include recommendations as to which alternatives the Department of Commerce Energy Environmental Review and Analysis (EERA) staff recommends for further evaluation.

**Documents Attached:**

1. Line 3 Alternative Routes Report
2. Line 3 Comment Summary Report

Additional documents and information can be found on eDockets:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (15-137) and on the Department of Commerce's energy facilities website for the Line 3 Pipeline Replacement Project at: <http://mn.gov/commerce/energyfacilities/Docket.html?Id=34079> .

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-539-1530 (voice).

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## Introduction and Background

On April 24, 2015, Enbridge Energy, Limited Partnership (Enbridge) filed a route permit application to replace the Line 3 crude oil pipeline under the full permitting process (Minnesota Rules 7852.0800). The certificate of need application was filed October 24, 2014. The Commission accepted the route permit application and the certificate of need

application as substantially complete on August 12, 2015.<sup>1</sup> The Commission also authorized DOC-EERA staff to (1) facilitate the development of route proposals beyond those proposed by Enbridge (2) prepare an analysis of alternative route proposals on the basis of their harm to the environment and (3) take other procedural steps to enable an evaluation of the Company's proposed pipeline route.

### ***Project Description***

Enbridge Energy proposes to replace 282 miles of Line 3 34-inch pipeline with 337 miles of new 36-inch diameter pipeline and restore the line to its historic operating capacity of 760,000 bpd from the current 390,000 barrels per day (bpd). The project as proposed will follow the existing Line 3 to the existing oil terminal in Clearbrook, Minnesota. From the Clearbrook terminal, the pipeline would extend to an existing oil terminal near Superior, Wisconsin, in a new right-of-way paralleling the route North Dakota Pipeline Company has requested for its proposed Sandpiper pipeline.

Once Line 3 replacement construction is complete and in service, existing Line 3 will be permanently deactivated and remain in place.

### ***Project Purpose***

The purpose of the project is to replace the existing Line 3 in its entirety within Minnesota. Enbridge has stated that the project will eliminate pipeline integrity concerns with the existing Line 3 and restore it to its original operating capacity of 760,000 bpd.

## **Regulatory Process – Environmental Review**

In Minnesota, no person may construct a high pressure petroleum pipeline without a pipeline routing permit issued by the Commission unless the pipeline is exempted from the Commission's routing authority (Minnesota Statute 216G.02 Subd.2.). A high pressure pipeline is a pipe with a nominal diameter of six inches or more that is designed to transport hazardous liquids or a pipe designed to be operated at a pressure of more than 275 pounds per square inch and to carry gas. The proposed project will consist of approximately 337 miles of new 36-inch diameter pipe; therefore, the project requires a route permit from the Commission.

The Line 3 application is being reviewed under the full pipeline route selection procedures. These procedures are outlined in Minnesota Rules 7852.0800 to 7852.1900.

### ***Environmental Review Requirements***

The review processes established for pipelines, Minnesota Rules Chapter 7852, includes the Environmental Assessment Supplement as part of the pipeline routing permit application, a scoping process and preparation of a comparative environmental analysis to

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<sup>1</sup> See Order Accepting the Application as Substantially Complete for Line 3 Certificate of Need Application [CN-14-916](#) and Line 3 Route Application and [PPL-15-137](#).

fulfill the intent and requirements of the Minnesota Environmental Policy Act and Minnesota Rules parts 4410.0200 to 4410.6500.

The Minnesota Environmental Quality Board (EQB) developed and approved of the pipeline routing rules (Chapter 7852) as an alternative form of environmental review pursuant to the requirements of Minnesota Rules 4410.3600 [Alternative Review] on February 16, 1989, determining that the pipeline routing rules satisfied all the conditions for approval as a substitute form of environmental review. Consequently, pipelines subject to the routing rules are not reviewed through environmental assessment worksheets (EAWs) or environmental impact statements (EISs), but receive equivalent review under the routing and permitting process established by the pipeline routing rules.

**Public Information (Scoping) Meetings** (Minnesota Rule 7852.1300) are held after acceptance of a pipeline routing application in each county crossed by the applicant's preferred pipeline route, unless a variance is granted by the Commission, to explain the route designation process, to respond to questions raised by the public, and to solicit comments on route and route segment proposals and other issues that should to be examined in greater detail in the comparative environmental analysis prepared for the project.

**Comparative Environmental Analysis** (Minnesota Rules 7852.1500) evaluates all of the alternative routes authorized by the Commission for consideration at public hearing. The Commission authorized EERA staff to prepare a comparative environmental analysis (CEA), analyzing the environmental consequences of each route and route segment alternative. The analysis is to include:

- A discussion of the proposed project's compliance with applicable statutes and rules.
- How well each route meets the routing permit selection criteria set forth in statute and rule.
- Identify routes with common or similar environmental consequences.
- Identify routes that:
  - Require no environmental mitigation
  - Have negative environmental consequences that would need mitigation, together with alternative mitigation strategies
  - Have negative environmental consequences that cannot be mitigated
  - Have fatal flaws.
- Include recommendations for permit language, including language specifically drafted for certain routes.

### ***Contested Case Hearing Process***

Dockets processed under the full pipeline route selection procedures are referred to the Office of Administrative Hearings for a contested case hearing pursuant to Minnesota Rules Chapter 1405 (Minnesota Rule 7852.1700). Hearings must be held in each county with a route alternative authorized for consideration by the Commission. The comparative environmental analysis is submitted as pre-filed testimony. Prior to the contested case hearing, a second public information meeting must be held in each of the counties.

## Scoping Summary

The process for gathering input on alternative routes for consideration at public hearings and analysis in the CEA began when notice of the information meetings was issued on July 20, 2015.<sup>2</sup> Notices were directly mailed to all landowners along the preferred route identified by Enbridge in its application, and published in 32 county publications, and four statewide and regional newspapers, including the Pioneer Press and the Minneapolis Star Tribune. Additionally, a copy of the notice was sent to five tribal nations (Fond Du Lac Band of Lake Superior Chippewa, Leech Lake Band of Ojibwe; Red Lake Band of Chippewa Indians; White Earth Band of Ojibwe and Mille Lacs), requesting publication in their respective tribal newspapers/newsletters or posting on their respective webpage. Four of the five tribes published the notice of Line 3's Public Information meetings.

### *Information and Scoping Meetings*

Between August 10, 2015, and August 28, 2015, Commission and EERA staff held 15 public information/scoping meetings in 10 of the 12 counties crossed by the proposed Line 3 Project. In response to comments received during the Sandpiper scoping meetings, the public meetings for Line 3 were doubled from 7 to 14 and scheduled to capture part-time/seasonal residents. Table 1 lists the public meeting schedule and locations.

| <b>TABLE 1: Line 3 Public Information and Scoping Meeting Schedule</b> |   |
|--|---|
| <b>DATE AND TIME</b>   | <b>MEETING LOCATION</b>                         |
| Tuesday, 8/11 - 11 am  | <i>Hallock City Hall</i>                        |
| Tuesday, 8/11 - 6 pm   | <i>Newfolden Community Center</i>               |
| Wednesday, 8/12 - 6 pm   | <i>Ralph Engelstad Arena, Thief River Falls</i> |
| Thursday, 8/13 - 11 am   | <i>Plummer Senior Citizen Center</i>            |
| Thursday 8/13 - 6 pm   | <i>Gully Community Center</i>                   |
| Monday, 8/17- 6 pm   | <i>Clear Waters Life Center, Clearbrook</i>     |
| Tuesday, 8/18 - 6 pm   | <i>Rice Lake Community Center, Bagley</i>       |
| Wednesday, 8/19 - 11 am, 6 pm  | <i>Park Rapids Century School</i>               |
| Monday, 8/24 - 6 pm  | <i>Pine River-Backus High School</i>            |
| Tuesday, 8/25 - 11 am, 6 pm  | <i>McGregor High School</i>                     |
| Wednesday, 8/26 - 11 am, 6 pm  | <i>Carlton County Transportation Department</i> |
| Thursday, August 27 - 11:00am  | <i>East Lake Community Center, McGregor</i>     |

In addition to the standard presentation prepared by the Commission and EERA staff, with a project overview by the Applicant, EERA staff prepared public information folders. The information in the folders was designed to facilitate the development of route alternatives

<sup>2</sup> Notice of Public Information and Environmental Analysis Scoping Meetings, July 20, 2015, eDockets Number [20158-113038-02](#)

and public comments, as well as to provide the public with an understanding of how the environmental review of Line 3 and Sandpiper Pipeline Projects would analyze the cumulative impacts of both projects. Handouts in the folder included: (1) guidance on How to Suggest an Alternative Pipeline Route, (2) a comment form, (3) a draft scoping document for the CEA, (3) maps of the route alternatives already accepted for the Sandpiper project, and (4) copies of the PowerPoint presentation. Questions and comments from the public were responded to by EERA staff, Commission staff and the Applicant.<sup>3</sup>

### ***Additional Public Outreach Efforts***

Additional efforts were undertaken to facilitate input from local units of government and federal and state agencies. These included mailings, meetings and one-on-one communications. As requested by the Commission<sup>4</sup>, EERA staff coordinated several outreach efforts. These included contacting and meeting with federal and state agencies, local units of government, and tribal governments.

### **Agency Coordination**

Federal and state agency contacts were provided with the route permit application and the information developed for the public meetings, and invited to participate in a series of meetings to discuss issues of concern. EERA staff has thus far coordinated seven federal state and agency meetings, with additional meetings scheduled. The purpose of the meetings is to gather additional agency input on scoping of the CEA, including the approach for analyzing potential spills. These meetings have been well attended with some agencies sending multiple staff members. Agencies participating in these meetings include Minnesota Department of Natural Resources (MDNR), Minnesota Environmental Quality Board (EQB), Minnesota Pollution Control Agency (MPCA), The Minnesota Office of Pipeline Safety, Minnesota Department of Agriculture, and the U.S. Army Corps of Engineers (USACE).

### **Local Government Outreach**

Local units of government throughout the project area were provided with copies of the Line 3 routing permit application and notice of the public information and scoping meetings. Some direct contacts were made while EERA staff was in the project area during the 15 public information and scoping meetings.

Following the meetings, EERA sent e-mails to the 18 counties and four regional development commissions (RDCs) within the Applicant's preferred route to directly solicit their input on issues and alternatives and gauge interest in participating in an advisory committee. To facilitate responses, EERA attached the public meeting folder handouts, including a description of both the Line 3 and Sandpiper projects, the draft scoping document for the CEA, information on the permitting and environmental review processes, and maps of the route alternatives approved for Sandpiper, with particular emphasis on the proposed shared corridor east of Clearbrook. EERA received one response expressing possible interest in participating in an advisory committee. All of the e-mails were followed up with phone calls to discuss the route permit process and CEA, issues of concern and interest in participating

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<sup>3</sup> Scoping Meeting Presentation, August 3, 2015, eDockets Number [20158-112995-01](#).

<sup>4</sup> Commission Order Accepting Application as substantially complete and Varying Timelines, eDockets Number [20158-113179-01](#)

in an advisory committee. No issues beyond those already identified were noted and no additional interest was expressed for an advisory committee. Only one local government, Carlton County, submitted a written comment, which was a resolution expressing support for the project.

### **Tribal Coordination**

In response to letters received from the White Earth Reservation Tribal Council and the Mille Lacs Band of Ojibwe, EERA held a meeting on the White Earth Reservation at the Rice Lake Community Center in Bagley and the East Lake Community Center in McGregor. EERA staff also met with tribal natural resource staff, attended site visits, and spoke with tribal members regarding issues of concern.

Since the public information and scoping meetings, the Department of Commerce has begun efforts to develop a consultation policy and will continue to work with the tribes in a government-to-government capacity.

### ***Comments Received***

Approximately 1077 comments from 224 unique commenters and organizations were received by the close of the comment period on September 30, 2015. Comments were received through various methods including public meeting oral comments, documents submitted to the court reporter and comments submitted by mail, email and fax.

Comments were received from numerous sources, including:

- Tribal: Mille Lacs Band of Ojibwe and the White Earth Band of Ojibwe
- State Agencies: MDNR; Minnesota Department of Transportation; and MPCA
- Organizations and Businesses: Sierra Club; Friends of the Headwaters; United Association of Plumbers and Pipefitters; American Petroleum Institute; Carlton County Land Stewards; Belle Taine Lake Association; Leech Lake Area Watershed Foundation; Minnesota Coalition of Lake Associations; Long Lake Area Association (Hubbard County) Inc.; Hubbard County Coalition of Lake Associations; Innovative Foundation Supportworks; Kennecott Exploration Company; and MN 350
- Local Agency: Office of the Carlton County Auditor/Treasurer
- Individuals: Numerous written comments were received from individuals and have been filed alphabetically by last name of the individual commenting
- Enbridge

More than half of all comments were submitted by individuals. Other than comments related to alternatives, the five comment categories with the most comments were: Want an EIS, Spill Risk/Health and Safety, General Support, General Opposition, and Impacts to Water/Wetlands. <sup>5</sup>

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<sup>5</sup> See *Line 3 Comment Summary Report*, attached.

## Alternative Proposals and Acceptance by the Commission

The Commission is now being asked to determine what routes and route segments will be considered at the contested case hearing for Line 3 and analyzed in the Comparative Environmental Analysis (CEA). Route proposal acceptance is addressed in Minnesota Rules 7852.1400, Subp. 1 as follows:

The Commission shall accept for consideration at the public hearing the routes and route segments proposed by the applicant and may accept for public hearing any other route or route segment it considers appropriate for further consideration. No route shall be considered at the public hearing unless accepted by the Commission before the notice of the hearing. Routes shall be identified by the Commission in accordance with part 7852.1600. A proposer of a route or route segment that the Commission has accepted for consideration at the hearing shall make an affirmative presentation of facts on the merits of the route proposal at the public hearing.

If the proposal contains the required information, the Commission must consider acceptance of the route proposal for public hearing. Minnesota Rule 7852.1400 provides that no route shall be considered at the public hearing unless accepted by the Commission before notice of the hearing.

All comments received by the close of the comment period were screened to identify those suggesting alternatives, yielding a total of 107 proposals. If necessary, commenters were contacted by EERA for further information or clarification of their proposals. The 107 proposals yielded 71 new alternatives: 11 route alternative proposals, 3 system alternatives and 57 alignment modifications. The remaining 36 were duplicates of the 71 alternatives, requests for route alternatives already accepted during the Sandpiper proceedings or requests for system alternatives already considered during the Sandpiper route proceedings. The attached *Line 3 Alternative Routes Report* summarizes the proposals received.

### *Route Alternatives*

A route alternative deviates from the Applicant's preferred route to address a commenter's concern or issue. There were 11 new route alternatives received during the comment period (Table 2). These route alternatives were suggested by Enbridge, the MDNR and members of the public. Nine of these proposals are alternatives to the Applicant's preferred route. The tenth proposes refinements to SA-03-As Modified from the route that was approved in the Sandpiper route proceedings.<sup>6</sup> The eleventh proposal is for replacement of Line 3 in its existing location. A description and maps of each route alternative are included in the *Line 3 Alternative Routes Report*.

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<sup>6</sup> Commission Order Accepting Alternative Route and System Alternatives for Evidentiary Development, Requiring Notice, and Setting Procedures, August 25, 2014, eDockets Number 20148-102500-02.

| <b>TABLE 2: Proposed Route Alternative Summary</b> |                |  |   |                       |
|--|----------------|--|---|-----------------------|
| <b>Alternative ID and Proposer</b>                 | <b>County</b>  | <b>Description</b>   | <b>Reason for Alternative</b>   | <b>Length (miles)</b> |
| <b>L3RA-01</b><br>Enbridge                         | Kittson        | Modifies preferred route where it crosses mostly agricultural land. Alternative deviates from the preferred at milepost (MP) 27.4-W in Kittson Co. and rejoins the route at MP 27.9-W, in Marshall Co.   | Improves constructability at Highway 75 by changing the crossing angle. The new alignment crosses at a more perpendicular angle, minimizing the length of the road bore.  | 0.55                  |
| <b>L3RA-02</b><br>Enbridge                         |                | Modifies preferred route where it crosses mostly agricultural land.  | Landowner request.  | 2.04                  |
| <b>L3RA-03</b><br>Enbridge                         | Pennington     | Modifies preferred route where it crosses mostly agricultural land.  | Landowner request.  | 7.31                  |
| <b>L3RA-04</b><br>Enbridge                         | Clearwater     | This alternative exits the Clearbrook Terminal on the north side of the facility. From that point, it turns west and then turns south to rejoin the preferred route south of the Terminal and Deep Lake. | Landowner request. Modifies preferred route where it crosses a mix of agricultural and forested land. Enbridge proposes this Route Alternative in direct response to comments received from landowners located on the existing Enbridge Mainline System right-of-way. | 2.52                  |
| <b>L3RA-05</b><br>Enbridge                         | Clearwater     | Modifies preferred route where it crosses mostly forested with some agricultural land  | Avoid the Eastern Wild Rice Watershed and remove any hydrologic connection to Lower Rice Lake.  | 13.01                 |
| <b>L3RA-06</b><br>Enbridge                         | Aitkin         | Modifies preferred route where it crosses mostly agricultural land   | Landowner request. Moves a portion of preferred route crossing their property that may be mined for gravel.   | 0.39                  |
| <b>L3RA-07</b><br>Enbridge                         | Aitkin County  | Modifies preferred route where it crosses a mix of forested, open and agricultural land.   | Landowner Request. Kennecott Exploration Company (Kennecott) opposes the location of the preferred route crossing; preferring the route not cross its land.   | 1.45                  |
| <b>L3RA-08</b><br>Enbridge                         | Carlton County | Modifies preferred route where it crosses a mix of forested, open and agricultural land.   | Addresses concerns raised by MDNR and Kennecott to avoid crossing Kennecott mineral leases (KEX Areas of Interest.  | 7.19                  |
| <b>L3RA-09</b><br>Enbridge                         | Carlton County | Modifies the preferred route where it crosses mostly forested  | Expand the route width in this area to accommodate the HDD  | 0.60                  |

|                             |  |   |   |     |
|-----------------------------|--|---|---|-----|
|                             |  | land.   | crossing of I-35 in response to a landowner request to move a portion of the Sandpiper Route crossing their property. |     |
| <b>L3RA-10</b><br>MDNR      | Mille Lacs,<br>Kanabec, Pine   | This alternative is a variation of Sandpiper SA-03 As Modified. The variation would proceed from SA-03 As Modified, northeast on US 169 to avoid Milaca, east on MN-23 to the intersection with MN-65, then cross country to CSAH 11 to avoid Mora, north on CSAH 11 to reconnect with MN-23, then east on MN-23 to connect with the SA-03 As Modified route. | This alternative would reduce the number of public water crossings and avoid higher population areas.                 | 42  |
| <b>L3-RA-11</b><br>Various* | Clearwater,<br>Beltrami,<br>Hubbard,<br>Cass, Aitkin,<br>St. Louis, and<br>Carlton | This alternative replaces Line 3 in its current location.   | Avoid concerns about decommissioning and in place abandonment of the current Line 3 pipeline.                         | 350 |

\* MDNR, Ann Truelson, Maurice Spangler, Sharon Natzel, Sierra Club, Thomas Fisch, Susan and Delano Erickson, and Roger Thein

In addition to the route alternatives proposed for Line 3, commenters also suggested that the route alternatives proposed for the Sandpiper Pipeline proceeding be included for consideration in Line 3.

### ***Alignment modifications***

Alignment modifications are changes to the anticipated location of the right-of-way within the route width. Enbridge proposed 57 alignment modifications to address constructability issues, to address landowner concerns and to avoid environmental resources.

### ***System Alternatives***

Enbridge is requesting a route permit to transport oil from Edmonton, Alberta, to terminals in Clearbrook, Minnesota, and Superior, Wisconsin. Minnesota Rule 7852.0100, subpart 31, defines a route as “the proposed location of a pipeline between two end points.” In this docket, Enbridge has requested a route from the North Dakota border to Clearbrook and from Clearbrook to Superior. Thus, the project, for route permit application purposes, is defined by these points.

System alternatives contain different end points and offer different configurations or systems of pipelines for transporting oil. The existing Line 3, which this project is intended to replace, transports crude oil to terminals in Clearbrook and Superior. Thus any proposal that does not go through Clearbrook or terminate in Superior is in essence a different project than the one proposed by the applicant.

EERA staff identified 3 proposed system alternatives, L3-SA-01 through L3-SA-03, that do not connect with one or more of the identified end points as shown on Figure 7 in the Alternative Routes Report.

In addition to the system alternatives proposed in the Line 3 scoping process, SA- 03 through SA-08 proposed in the Sandpiper route proceedings, were also proposed as alternatives for the Line 3 project.<sup>7</sup>

## EERA Staff Analysis and Comments

EERA staff has reviewed the public comments received and all of the proposed alternatives and offers the following comments on the Line 3 Pipeline Replacement project alternatives.

### *Alternatives for Consideration*

EERA finds that all 11 route alternative proposals were submitted within the time frame established by the Commission. In addition, EERA believes that all contain the information required in Minnesota Rule 7852.1400, Subp. 2., in order for the Commission to make a decision as to whether they should be accepted for hearing and analysis in the environmental document. EERA finds that they provide options for avoiding and minimizing identified impacts associated with the Applicant's proposed route.

The 53 route alternatives approved by the Commission for the Sandpiper Pipeline in August 2014<sup>8</sup>, have all been re-introduced for consideration in the Line 3. Of the 53 route alternatives approved, 23 were proposed by North Dakota Pipeline Company and have been incorporated into the Applicant's preferred route for Line 3. The remaining 30 route alternatives, including Sandpiper SA-03-As Modified, are recommended to be included for evaluation in the Line 3 environmental document.

The attached *Line 3 Alternative Routes Summary Report* summarizes the proposals received. It also includes recommendations on routes or route segments for consideration at public hearing and evaluation in the CEA pursuant to Minnesota Rule 7852.1400, Route Proposal Acceptance.

### *Alignment Modifications*

Enbridge proposes 57 alignment modifications to address constructability issues, to address landowner concerns, and to avoid environmental resources. All 57 alignment modifications are recommended to be incorporated into the Applicant's preferred route for analysis in the environmental document.

### *System Alternatives*

Because the proposed system alternatives are not alternative routes for meeting the purpose of the project as identified in the permit application, EERA does not believe that

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<sup>7</sup> See DOC-EERA Comments and Recommendations on Sandpiper Route Alternatives, July 17, 2014, eDockets Number [20147-101573-01](#).

<sup>8</sup> Ibid.

these alternatives are appropriate for further consideration. While the system alternatives potentially avoid or minimize environmental impacts, particularly in the lake district of north central Minnesota, they are not alternative routes for delivering crude oil to Clearbrook and Superior.

MDNR and MPCA requested that SA-03 be considered as a route alternative rather than a system alternative<sup>9</sup>. While this alternative does terminate in Superior, it does not go to the Clearbrook terminal, where oil is transferred to other product lines and refineries in Minnesota. It would not replace the function of the existing Line 3.

EERA staff does not recommend carrying forward any of the system alternatives as they do not meet the purpose and need for the project.

### *Scope of the Environmental Document*

EERA staff will prepare an environmental review document for the Line 3 Replacement and Sandpiper Pipeline projects, and submitted a *Draft Scoping Document for the Sandpiper Pipeline*<sup>10</sup> on November 13, 2015. In that document, under Cumulative Effects, EERA noted that the environmental document will take into account the potential cumulative impacts of both the Sandpiper Pipeline and Line 3 Replacement project, including impacts relative to the right-of-way needed to collocate the two lines between Clearbrook and Superior along the preferred route and all alternatives. This same approach would be applied to the Line 3 Replacement environmental review document.

EERA believes the overall scope and content as described in the *Draft Scoping Document for the Sandpiper Pipeline* is applicable in the Line 3 docket except for the following project specific information and analysis:

- Description of the proposed project and the applicant
- Route Alternatives west of Clearbrook
- Alternatives to the project, including the no action alternative

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<sup>9</sup> DNR Comment Letter, September 30, 2015, eDockets Number [201510-114678-02](#) and MPCA Comment Letter, September 30, 2015, eDockets Number [201510-114678-06](#).

<sup>10</sup> Draft Scoping Document for Sandpiper Pipeline Environmental Review, November 13, 2015, e-Dockets Number [201511-115707-01](#).

## EERA Staff Recommendations

Based on the above analysis, EERA staff recommends that the following route alternatives be accepted for evaluation in the environmental document and referral to hearing:

1. All 11 new proposed route alternatives – L3-RA-01 through L3-RA-11
2. The 30 route alternatives, including Sandpiper SA-03-As Modified, approved by the Commission for the Sandpiper Pipeline that were not incorporated by Enbridge into its preferred route

In addition, EERA staff recommends that all 57 alignment modifications, CM-01 through CM-57, be accepted for incorporation into the Applicant's preferred route.

**ATTACHMENT 1: ALTERNATIVE ROUTES REPORT**



# Line 3 Pipeline Replacement Project Alternative Routes Report

In the Matter of the Application of Enbridge Energy, Limited Partnership for  
a Pipeline Routing Permit for the Line 3 Replacement Project in Minnesota

Docket No. PL-9/PPL-15-137

November 24, 2015

Prepared by Minnesota Department of Commerce, Energy Environmental Review and  
Analysis staff with assistance from Cardno, Inc.

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## 1.0 Alternative Routes Overview

The existing Line 3 pipeline extends from Edmonton, Alberta, to Superior, Wisconsin, with terminals at Clearbrook, Minnesota, and Superior, Wisconsin. Enbridge (the Applicant) is requesting a route permit for approximately 337 miles of pipeline in Minnesota to replace the existing Line 3 pipeline. The North Dakota Pipeline Company is also requesting a route permit for their Sandpiper Pipeline Project (Docket PL-6668/PPL-13-474). Enbridge's Line 3 Replacement Project is proposed to co-locate with the Sandpiper Pipeline Project between Clearbrook, Minnesota and Superior, Wisconsin. Because these two route proposals would follow the same route from Clearbrook to Superior, many recommendations received during the Line 3 Replacement Project comment period are restatements of route and system alternatives previously submitted for the Sandpiper Pipeline Project.

This Line 3 Replacement Project Alternative Routes Report prepared by the Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) presents all alternative proposals submitted by commenters for the Minnesota portion of the Line 3 Replacement Project. The report provides recommendations on the route alternatives for evaluation pursuant to Minnesota Rule 7852.1400, Route Proposal Acceptance.

The comment period for identification of route alternatives for the Line 3 Replacement Project ended on September 30, 2015. There were approximately 225 submittals including those received by letter, email, and verbal communications that were recorded by a court reporter at 15 public meetings held in August 2015. The 225 submittals comprised 1,077 comments. All of these submittals and comments were screened to determine which included proposals for alternatives, yielding a total of 107 proposals. If necessary, commenters were contacted by EERA for further information or clarification of their proposals. The 107 proposals yielded 71 new alternatives that are included in this report. The remaining 36 were duplicative of alternatives already suggested, requests for route alternatives already accepted during the Sandpiper proceedings or requests for system alternatives already considered during the Sandpiper route proceedings<sup>1</sup>.

Line 3 proposals received were divided into three categories: route alternatives, alignment modifications and system alternatives.

- **Route alternatives** are alternatives that deviate from the Applicant's preferred route to avoid environmental impacts or address landowner concerns (11 route alternatives identified).
- **Alignment modifications** are adjustments to the centerline within the Applicant's preferred route (57 centerline adjustments identified).
- **System alternatives** are alternatives that propose a different configuration of pipelines for moving oil than the Applicant's proposal. They are a wholly separate or independent alternative from the Applicant's proposed route and are, in essence, a

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<sup>1</sup>See DOC-EERA Comment and Recommendations on Alternatives for Sandpiper Pipeline 13-474, July 16, 2014, eDockets Number [20147-101573-01](#).

different project than the one proposed by the Applicant (three Line 3 system alternatives identified).

## **1.1 Route Alternatives**

### *1.1.1 Line 3 Route Alternatives*

There were 11 new route alternatives received during the comment period (Table 1). These route alternatives were suggested by Enbridge, the Minnesota Department of Natural Resources (DNR), and members of the public. Ten of these proposals are short alternatives to the Applicant's preferred route. One proposal is for replacement in the existing Line 3 location. The overview map showing the locations of Line 3 route alternatives, the Applicant's preferred route, and Sandpiper accepted route alternatives is presented in Figure 1. Detailed maps of the Line 3 route alternatives are presented in Figures 2 through 6.

### *1.1.2 Sandpiper Accepted Route Alternatives*

During the comment period for the Line 3 Replacement Project, all Sandpiper route alternatives already accepted were requested for consideration. The Minnesota Public Utilities Commission (Commission) accepted 53 route alternatives during the Sandpiper Pipeline Project proceedings, and of these 53 route alternatives, 48 apply to the segment from Clearbrook to Superior, Wisconsin (Figure 1).

### *1.1.3 Line 3 Recommended Route Alternatives*

All 11 route alternatives presented in Table 1 are recommended for further analysis. The 48 Sandpiper Pipeline Project route alternatives previously accepted by the Commission that also apply to the Line 3 Replacement Project are also recommended for further analysis.

| <b>TABLE 1</b>                   |                   |  |  |                       |                       |
|----------------------------------|-------------------|--|--|-----------------------|-----------------------|
| <b>Line 3 Route Alternatives</b> |                   |  |  |                       |                       |
| <b>Proposed Alternative ID</b>   | <b>County</b>     | <b>Alternative Description</b>   | <b>Commenter's Reason for Alternative</b>  | <b>Comment Source</b> | <b>Length (miles)</b> |
| L3-RA-01                         | Kittson County    | This alternative would modify the centerline and route of the Applicant's April 2015 preferred route where it crosses mostly agricultural land. This alternative deviates from the April 2015 Route at milepost (MP) 27.4-W in Kittson County, Minnesota, and rejoins the route at MP 27.9-W, in Marshall County, Minnesota. | Improves the constructability at Highway 75 by changing the crossing angle alignment at the highway. The new alignment crosses at a more perpendicular angle, which will minimize the length of the road bore needed for crossing under the highway.   | Enbridge              | 0.55                  |
| L3-RA-02                         | Marshall County   | This alternative would modify the centerline and route of the Applicant's April 2015 preferred route where it crosses mostly agricultural land.  | To accommodate a landowner request.  | Enbridge              | 2.04                  |
| L3-RA-03                         | Pennington County | This alternative would modify the centerline and route of the Applicant's April 2015 preferred route where it crosses mostly agricultural land.  | To accommodate a landowner request.  | Enbridge              | 7.31                  |
| L3-RA-04                         | Clearwater County | This alternative exits the Clearbrook Terminal on the north side of the facility. From that point, it turns west and then turns and runs south to rejoin the Applicant's preferred route south of the Terminal and Deep Lake.  | This alternative would modify the centerline of the Applicant's preferred route where it crosses a mix of agricultural and forested land. Enbridge proposes this Route Alternative in direct response to comments received from landowners located on the existing Enbridge Mainline System right-of-way near Clearbrook, Minnesota. | Enbridge              | 2.52                  |
| L3-RA-05                         | Clearwater County | This alternative would modify the centerline of the Applicant's preferred  | To avoid the Eastern Wild Rice Watershed and remove any hydrologic   | Enbridge              | 13.01                 |

| <b>TABLE 1</b>                   |                                    |  |   |                       |                       |
|----------------------------------|------------------------------------|--|---|-----------------------|-----------------------|
| <b>Line 3 Route Alternatives</b> |                                    |  |   |                       |                       |
| <b>Proposed Alternative ID</b>   | <b>County</b>                      | <b>Alternative Description</b>   | <b>Commenter's Reason for Alternative</b>   | <b>Comment Source</b> | <b>Length (miles)</b> |
|                                  |                                    | route where it crosses mostly forested land with some agricultural land  | connection to Lower Rice Lake.  |                       |                       |
| L3-RA-06                         | Aitkin County                      | This alternative would modify the centerline of the Applicant's preferred route where it crosses mostly agricultural land              | To accommodate a landowner request to move a portion of the April 2015 Route crossing their property that may be mined in the future for gravel.  | Enbridge              | 0.39                  |
| L3-RA-07                         | Aitkin County                      | This alternative would modify the centerline of the April 2015 Route where it crosses a mix of forested, open, and agricultural land.  | Proposed as a result of communications with the landowner, Kennecott Exploration Company ("Kennecott"), in which the owner indicated opposition to the location of the April 2015 Route crossing its property and a preference that the route not cross its mineral leases. | Enbridge              | 1.45                  |
| L3-RA-08                         | Carlton County                     | This alternative would modify the centerline of the April 2015 Route where it crosses a mix of forested, open, and agricultural land.  | Proposed to address concerns raised by the Minnesota Department of Natural Resources and Kennecott by avoiding crossings of the Kennecott mineral leases (KEX Areas of Interest), while ensuring that Enbridge's environmental and constructability concerns are met.       | Enbridge              | 7.19                  |
| L3-RA-09                         | Carlton County                     | This alternative would modify the centerline of the April 2015 Route where it crosses mostly forested land.                            | Expand the route width in this area to accommodate the HDD crossing of I-35 in response to a landowner request to move a portion of the Sandpiper Route crossing their property.  | Enbridge              | 0.60                  |
| L3-RA-10                         | Mille Lacs, Kanabec, Pine Counties | This alternative is a variation of Sandpiper SA-03 As Modified. The route would proceed from the west: southeast on SA-03 As Modified, | This alternative would reduce the number of public water crossings and avoid higher population areas.   | DNR                   | 42                    |

| <b>TABLE 1</b>                   |  |   |   |   |                       |
|----------------------------------|--|---|---|---|-----------------------|
| <b>Line 3 Route Alternatives</b> |  |   |   |   |                       |
| <b>Proposed Alternative ID</b>   | <b>County</b>  | <b>Alternative Description</b>  | <b>Commenter's Reason for Alternative</b>   | <b>Comment Source</b>   | <b>Length (miles)</b> |
|                                  |  | northeast on US 169 to avoid Milaca, east on MN-23 to the intersection with MN-65, then cross country to CSAH 11 to avoid Mora, north on CSAH 11 to reconnect with MN-23, then east on MN-23 to connect with the SA-03 As Modified route. |   |   |                       |
| L3-RA-11                         | Clearwater, Beltrami, Hubbard, Cass, Aitkin, St. Louis, and Carlton Counties | This alternative would replace Line 3 in its current location.  | Avoid concerns about decommissioning and in place abandonment of the current Line 3 pipeline. | DNR, Ann Truelson, Maurice Spangler, Sharon Natzel, Sierra Club, Thomas Fisch, Susan and Delano Erickson, and Roger Thein | 350                   |

## 1.2 Alignment Modifications

The Applicant proposed 57 alignment modifications of their preferred route for constructability reasons, to address landowner concerns and to avoid environmental resources (Table 2). All 57 alignment modifications are recommended to be incorporated into the Applicant's preferred route for analysis. Maps of these alignment modifications are provided in Appendix A.

| Proposed Modification ID | County            | Alignment Modification Description  | Length (miles) |
|--------------------------|-------------------|---|----------------|
| CA-01                    | Kittson County    | Move cross-over location southeasterly to avoid construction conflict with east-west ditch.         | 0.07           |
| CA-02                    | Kittson County    | Smooth out turning angle; change to Field Induction Bend.   | 0.04           |
| CA-03                    | Kittson County    | Smooth out turning angle; change to Field Induction Bend.   | 0.18           |
| CA-04                    | Kittson County    | Smooth out turning angle; change to Field Induction Bend.   | 0.35           |
| CA-05                    | Marshall County   | Re-alignment to match HDD crossing plan.  | 0.04           |
| CA-06                    | Marshall County   | Re-alignment to match HDD crossing plan.  | 0.04           |
| CA-07                    | Pennington County | Re-alignment for pipeline cross-over.   | 0.15           |
| CA-08                    | Red Lake County   | Re-alignment to match station piping at Plummer Station.  | 0.39           |
| CA-09                    | Clearwater County | Re-alignment to match station piping at Clearbrook Station.   | 0.01           |
| CA-10                    | Clearwater County | Re-alignment at wetland crossing to increase offset with the Sandpiper Pipeline Project to 40 feet. | 0.18           |
| CA-11                    | Clearwater County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet.     | 0.55           |
| CA-12                    | Marshall County   | Eliminate cross-over of Enbridge Mainline System.   | 0.48           |
| CA-13                    | Clearwater County | Re-alignment to improve angle of road crossing.   | 0.44           |
| CA-14                    | Clearwater County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet.     | 0.57           |
| CA-15                    | Clearwater County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet.     | 0.74           |

| <b>TABLE 2</b>                  |                   |   |                       |
|---------------------------------|-------------------|---|-----------------------|
| <b>Alignment Modifications</b>  |                   |   |                       |
| <b>Proposed Modification ID</b> | <b>County</b>     | <b>Alignment Modification Description</b>   | <b>Length (miles)</b> |
| CA-16                           | Clearwater County | Re-alignment to improve angle of road crossing.   | 0.09                  |
| CA-17                           | Clearwater County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.27                  |
| CA-18                           | Clearwater County | Re-alignment for powerline cross-over.  | 0.08                  |
| CA-19                           | Clearwater County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.12                  |
| CA-20                           | Clearwater County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 1.04                  |
| CA-21                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.12                  |
| CA-22                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.30                  |
| CA-23                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.57                  |
| CA-24                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.17                  |
| CA-25                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.10                  |
| CA-26                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.25                  |
| CA-27                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.14                  |
| CA-28                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.19                  |
| CA-29                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.14                  |
| CA-30                           | Hubbard County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.37                  |
| CA-31                           | Cass County       | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.70                  |
| CA-32                           | Cass County       | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.73                  |
| CA-33                           | Cass County       | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.23                  |
| CA-34                           | Cass County       | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.29                  |

**TABLE 2****Alignment Modifications**

| Proposed Modification ID | County         | Alignment Modification Description  | Length (miles) |
|--------------------------|----------------|---|----------------|
| CA-35                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.31           |
| CA-36                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.31           |
| CA-37                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.18           |
| CA-38                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.03           |
| CA-39                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.15           |
| CA-40                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.14           |
| CA-41                    | Cass County    | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.21           |
| CA-42                    | Aitkin County  | Re-alignment to improve angle of road crossing.   | 0.25           |
| CA-43                    | Aitkin County  | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.93           |
| CA-44                    | Aitkin County  | Re-alignment to avoid downward slope to waterbody.  | 0.47           |
| CA-45                    | Aitkin County  | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.49           |
| CA-46                    | Aitkin County  | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 1.27           |
| CA-47                    | Aitkin County  | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 2.65           |
| CA-48                    | Carlton County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.21           |
| CA-49                    | Carlton County | Re-alignment to avoid powerline easement.   | 0.04           |
| CA-50                    | Carlton County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.34           |
| CA-51                    | Carlton County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.17           |
| CA-52                    | Carlton County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.37           |
| CA-53                    | Carlton County | Re-alignment at wetland crossing to increase offset with Sandpiper Pipeline Project to 40 feet. | 0.19           |
| CA-54                    | Carlton County | Re-alignment to adjust for Sandpiper Pipeline Project valve spacing.                            | 0.18           |

| <b>TABLE 2</b>                  |                |  |                       |
|---------------------------------|----------------|--|-----------------------|
| <b>Alignment Modifications</b>  |                |  |                       |
| <b>Proposed Modification ID</b> | <b>County</b>  | <b>Alignment Modification Description</b>  | <b>Length (miles)</b> |
| CA-55                           | Carlton County | Re-alignment to increase offset from Sandpiper Pipeline Project in area of steep slopes. | 0.43                  |
| CA-56                           | Carlton County | Re-alignment at road crossing to avoid crossing existing pipeline.                       | 0.07                  |
| CA-57                           | Carlton County | Eliminate cross-over of Enbridge Mainline System.  | 0.28                  |

Note: CA = centerline adjustment

### 1.3 System Alternatives

Enbridge Energy proposes to replace its existing Line 3 pipeline and associated facilities between the North Dakota/Minnesota border and the Minnesota/Wisconsin border. A system alternative proposes a different configuration of pipelines for moving oil than the Applicant’s proposal. It is a wholly separate or independent route from the Applicant’s proposed route and is, in essence, a different project than the one proposed by the Applicant.

Minnesota Rule 7852.0100, subpart 31, defines a route as “the proposed location of a pipeline between two endpoints.” Enbridge has requested that the replacement pipeline serve the same purpose and need as the existing Line 3, which is the transportation of crude oil from (1) Canada to (2) Enbridge’s Clearbrook Terminal near Clearbrook, Minnesota, and to (3) the Superior Terminal near Superior, Wisconsin. Thus, the Project, for route permit application purposes, is defined by these three points. Commenters proposed three new system alternatives. The three system alternative proposals do not connect with one or more of these points (Figure 6). Because the three proposed system alternatives are not alternative routes that meet the purpose of the Project as identified in the permit application, EERA does not believe these system alternatives are appropriate for further consideration in the route permitting proceeding.

Table 3 summarizes all new system alternatives identified during the comment period for the Line 3 Replacement Project. Locations of these system alternatives are provided in Figure 7. In addition, several commenters proposed system alternatives that were the same or similar to previously proposed Sandpiper pipeline system alternatives. Requests for consideration of system alternatives already submitted for the Sandpiper Pipeline Project (SA-03 through SA-08) are presented in Figure 8.

**TABLE 3****Line 3 System Alternatives**

| Proposed Alternative ID | Commenter                       | Alternative Description  | Commenter's Reason for Alternative   |
|-------------------------|---------------------------------|--|--|
| L3SA-01                 | Sierra Club                     | The Sierra Club proposes an alternative that would follow the existing Line 3 route from the North Dakota border to Clearbrook, and from there utilize the Minnesota Pipeline to its closest point of contact with the Wood River Pipeline, at which point connecting infrastructure would be built to the Wood River Pipeline, and then through the Wood River Pipeline to its terminus in Illinois, from where a connector would be built to the nearest Enbridge pipeline terminal.   | The Sierra Club proposes that the capacity of the Wood River Pipeline in combination with the existing Line 3 pipeline's capacity could approximate the capacity required in Enbridge's proposed replacement project and reduce impacts.   |
| L3SA-02                 | Friends of the Headwaters (FOH) | This proposed alternative is termed Alternate Route A in the FOH comment letter. This is designated as SA-04 in the Sandpiper Alternative Routes Summary Report (EERA 2014). It would use an existing energy route (of which Enbridge is a 50% shareholder with Alliance Company of Canada) that shares a U.S. border crossing with Enbridge's Line 3 route in Alberta, Canada, and links to the Enbridge system near Flanagan, Illinois, where it connects to the remainder of Enbridge's pipeline system. This proposed alternative also includes Alternate Route B in the FOH comment letter. This route would follow the Viking pipeline route to its southern point, and continue south to meet and then follow the Alliance pipeline route to Enbridge facilities in Flanagan, Illinois. | The alternative route reflects FOH's position that no new pipelines should be constructed through Minnesota's northern water landscape. Rather, this new energy route should be placed in a location that FOH considers to have a lower risk to State waters and also considers to be the easiest area to mitigate should a spill occur. |

**TABLE 3****Line 3 System Alternatives**

| Proposed Alternative ID | Commenter   | Alternative Description   | Commenter's Reason for Alternative   |
|-------------------------|---|---|--|
| L3SA-03                 | Minnesota Department of Natural Resources (DNR) and Minnesota Pollution Control Agency (MPCA) | <p>This proposed major alternative is identical to system alternative SA-03 proposed for the Sandpiper pipeline. L3-01 also includes the SA-03 Northern Extension Alternative provided in the DNR comment letter to connect SA-03 to the existing Line 3 in Polk and Marshall Counties.</p> <p>This proposed alternative also includes modifications to system alternative SA-03 proposed for the Sandpiper pipeline, termed the SA-03 Prairie Fen Avoidance Alternative in the DNR comment letter. Routing would proceed south along SA-03, then east along County State Aid Highway (CSAH) 40, thence to Clay County T-367, south along the Minnkota Power Cooperative Transmission Line, and thence south on CSAH 7 to meet up with the SA-03 route.</p> | <p>The DNR's review during the Sandpiper Certificate of Need proceeding found that the SA-03 route provides an opportunity to avoid a region of the state with a higher concentration and quality of natural resources, and could reduce impacts to fens, Minnesota County Biological Survey Sites of Biodiversity Significance and portions of the Minnesota Prairie Conservation Plan core area.</p> |

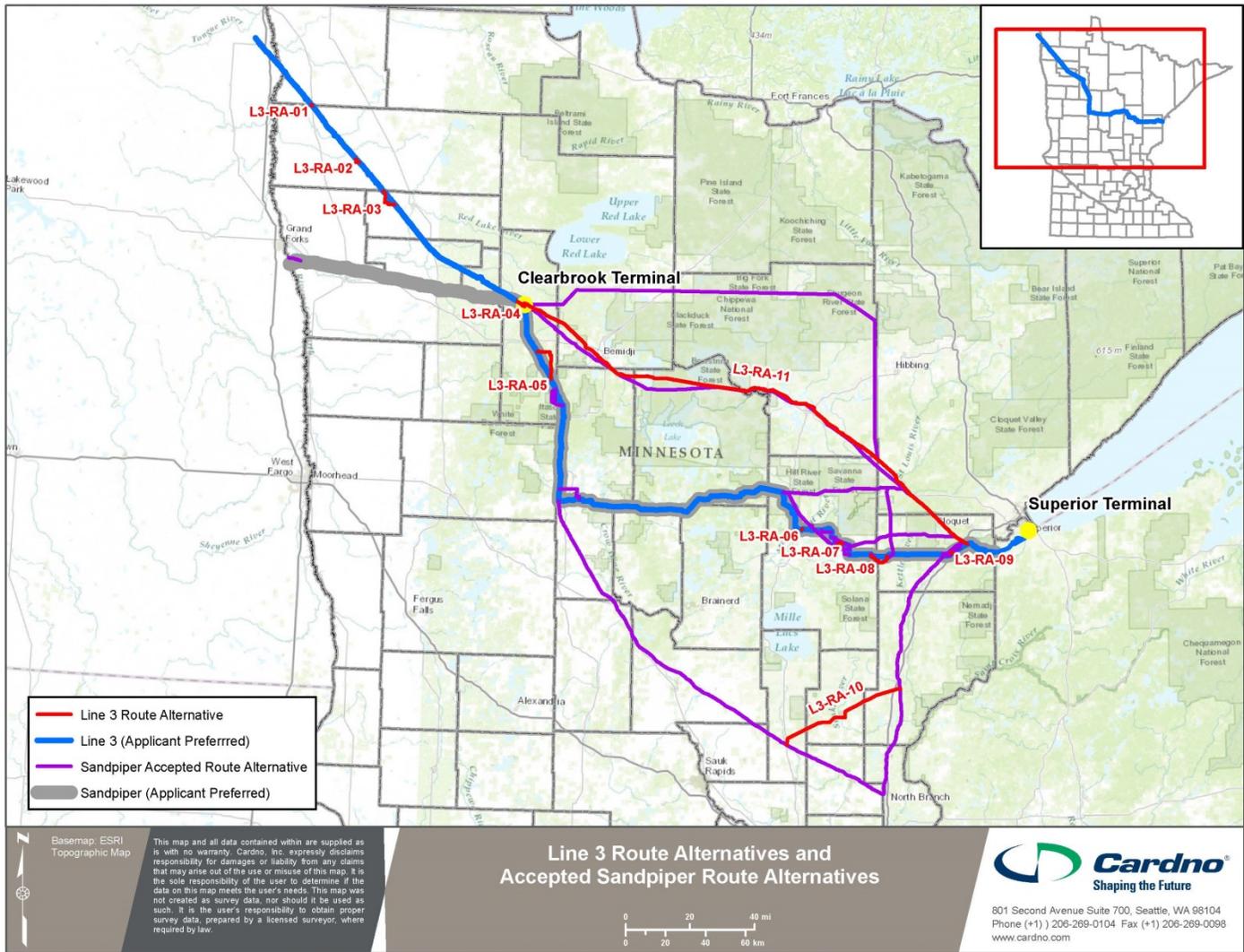


Figure 1 Line 3 Route Alternatives and Accepted Sandpiper Route Alternatives

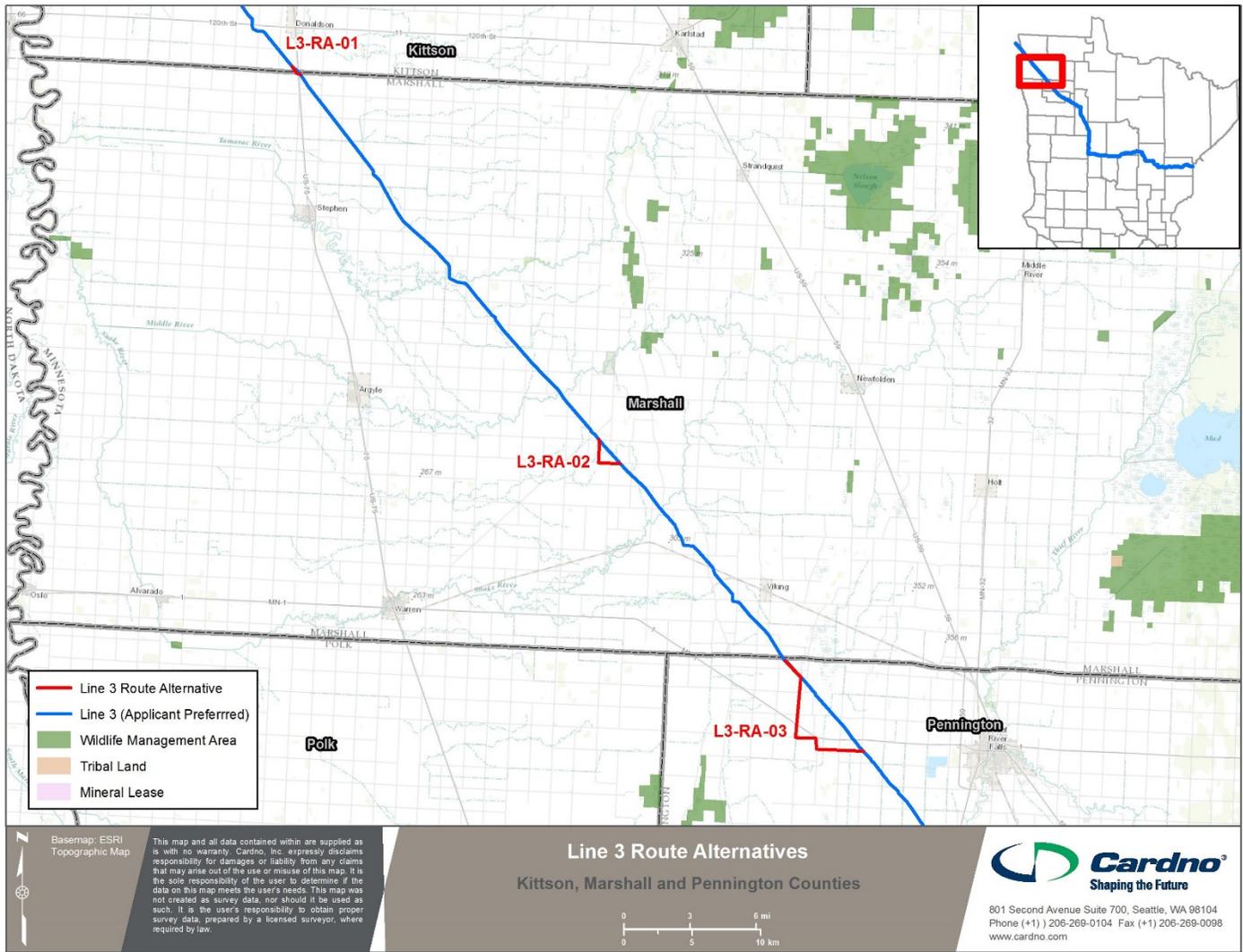


Figure 2 Route Alternatives L3-RA-01, L3-RA-02, and L3-RA-03

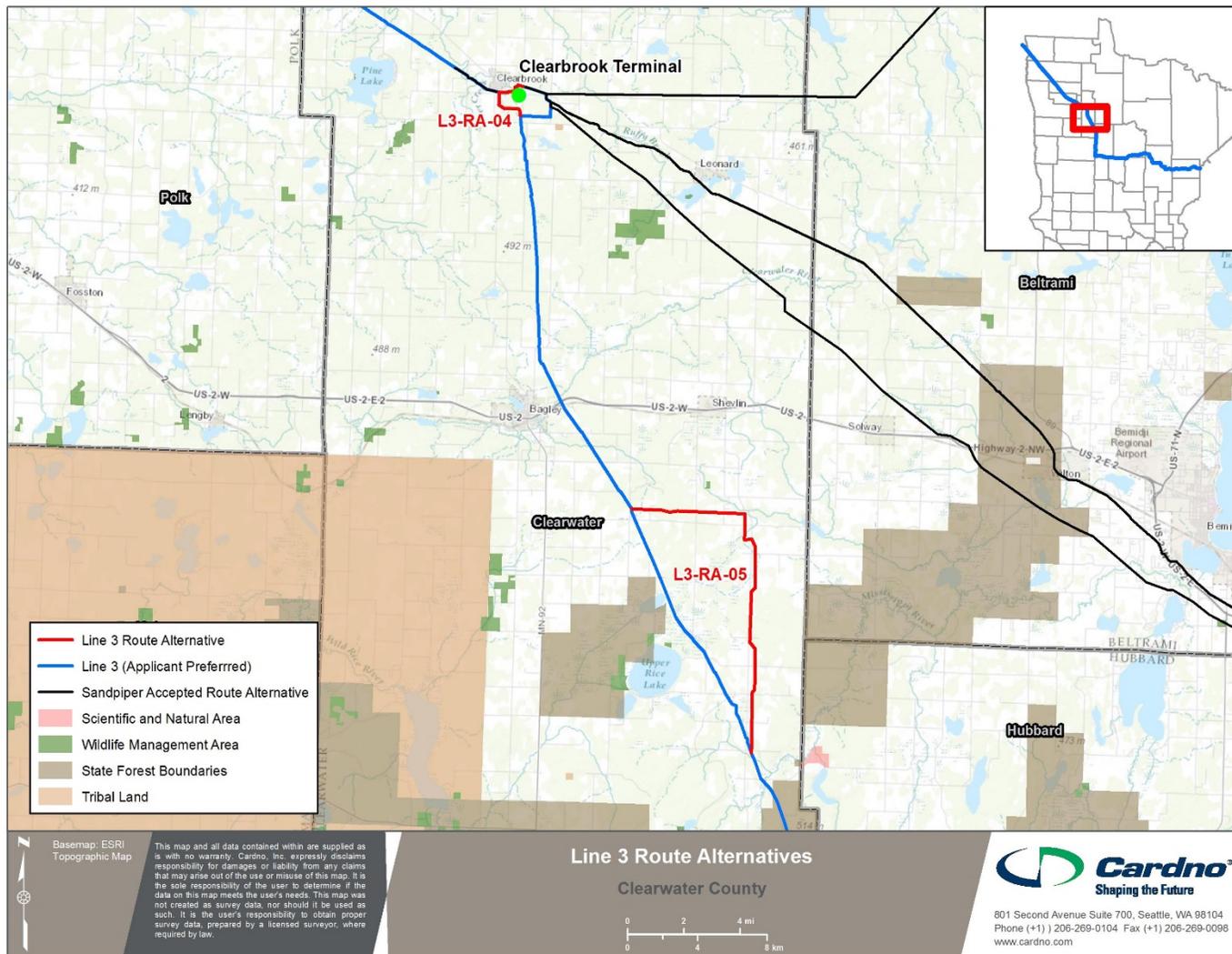


Figure 3 Route Alternatives L3-RA-04 and L3-RA-05

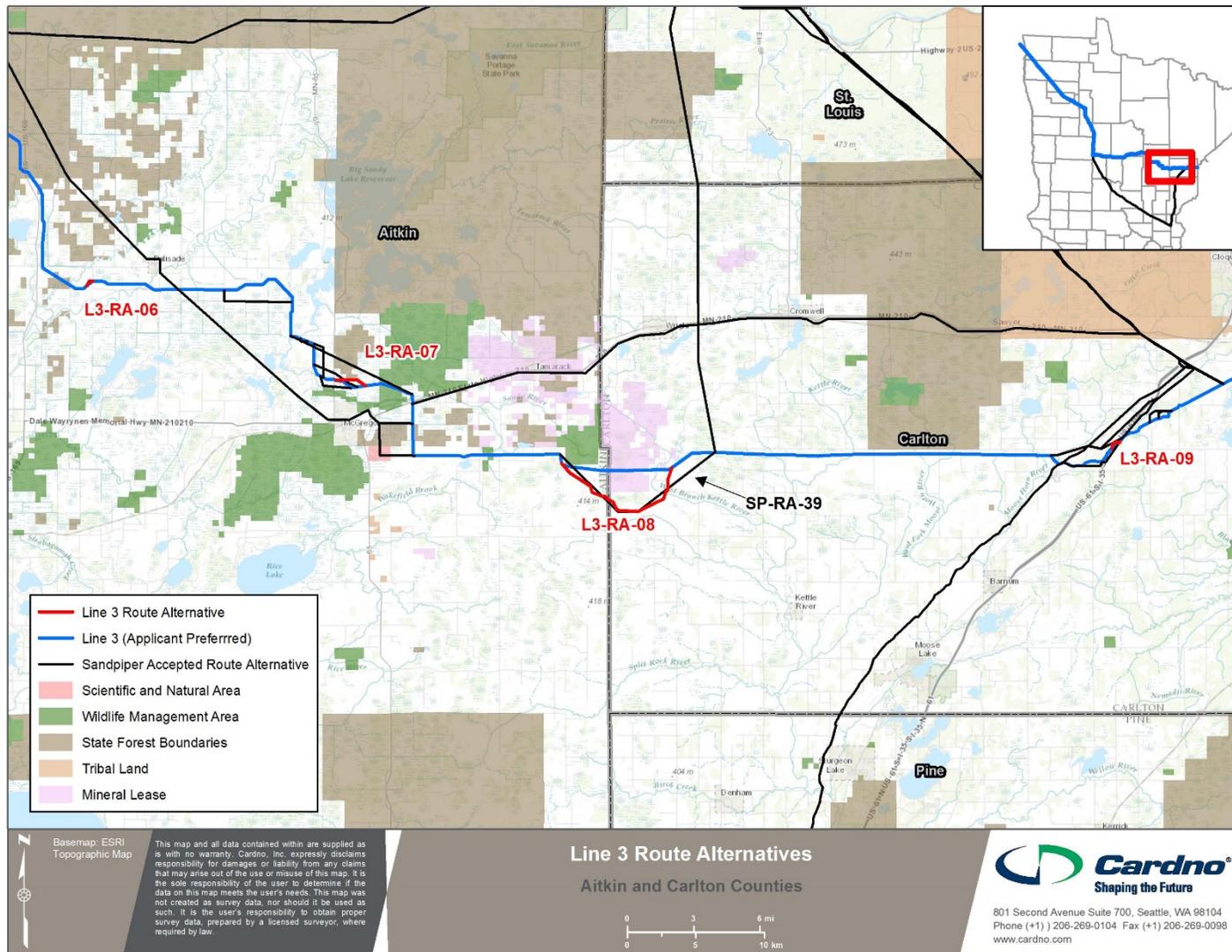


Figure 4 Route Alternatives L3-RA-06, L3-RA-047, L3-RA-08 and L3-RA-09





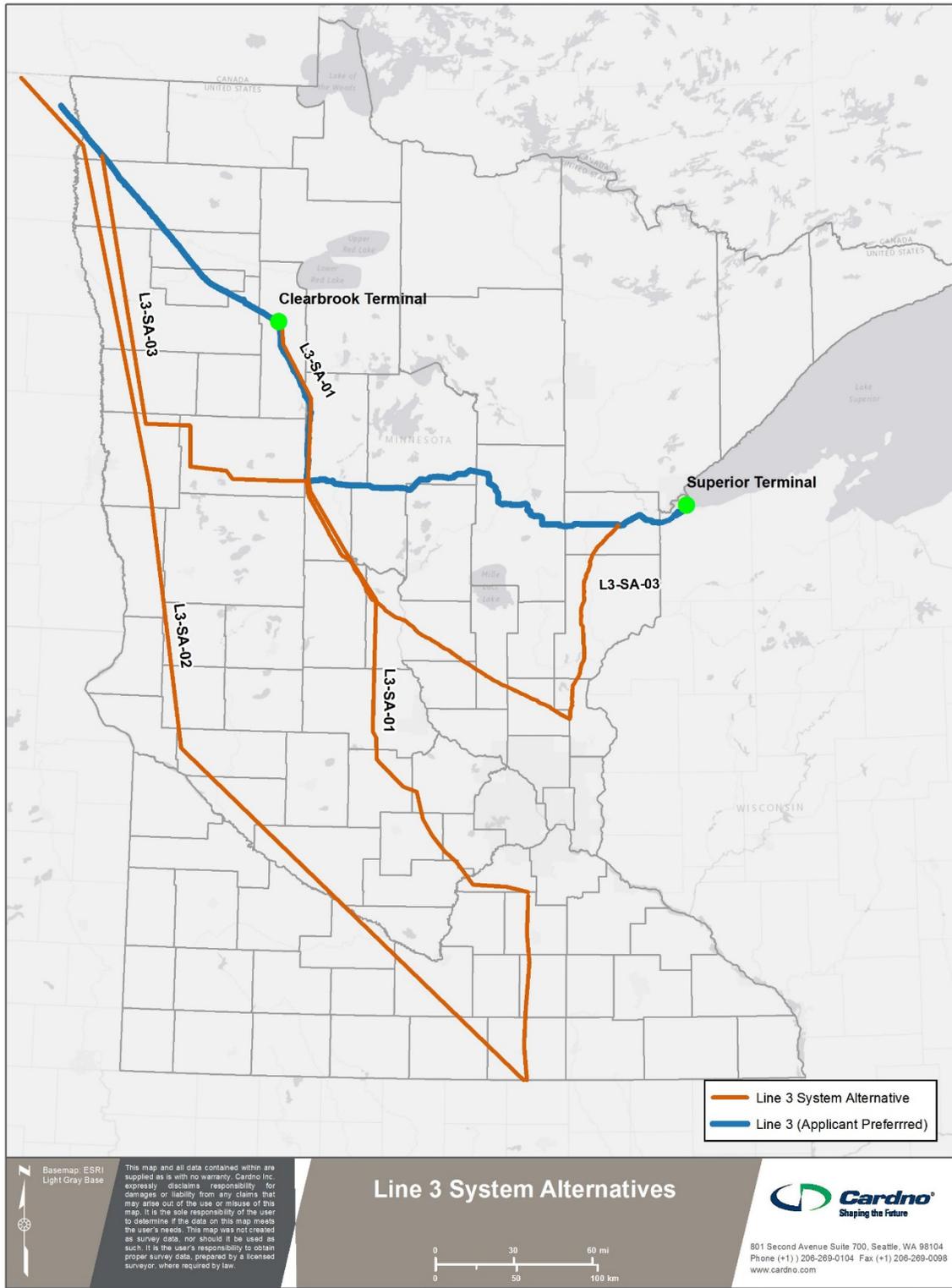


Figure 7 Line 3 System Alternatives

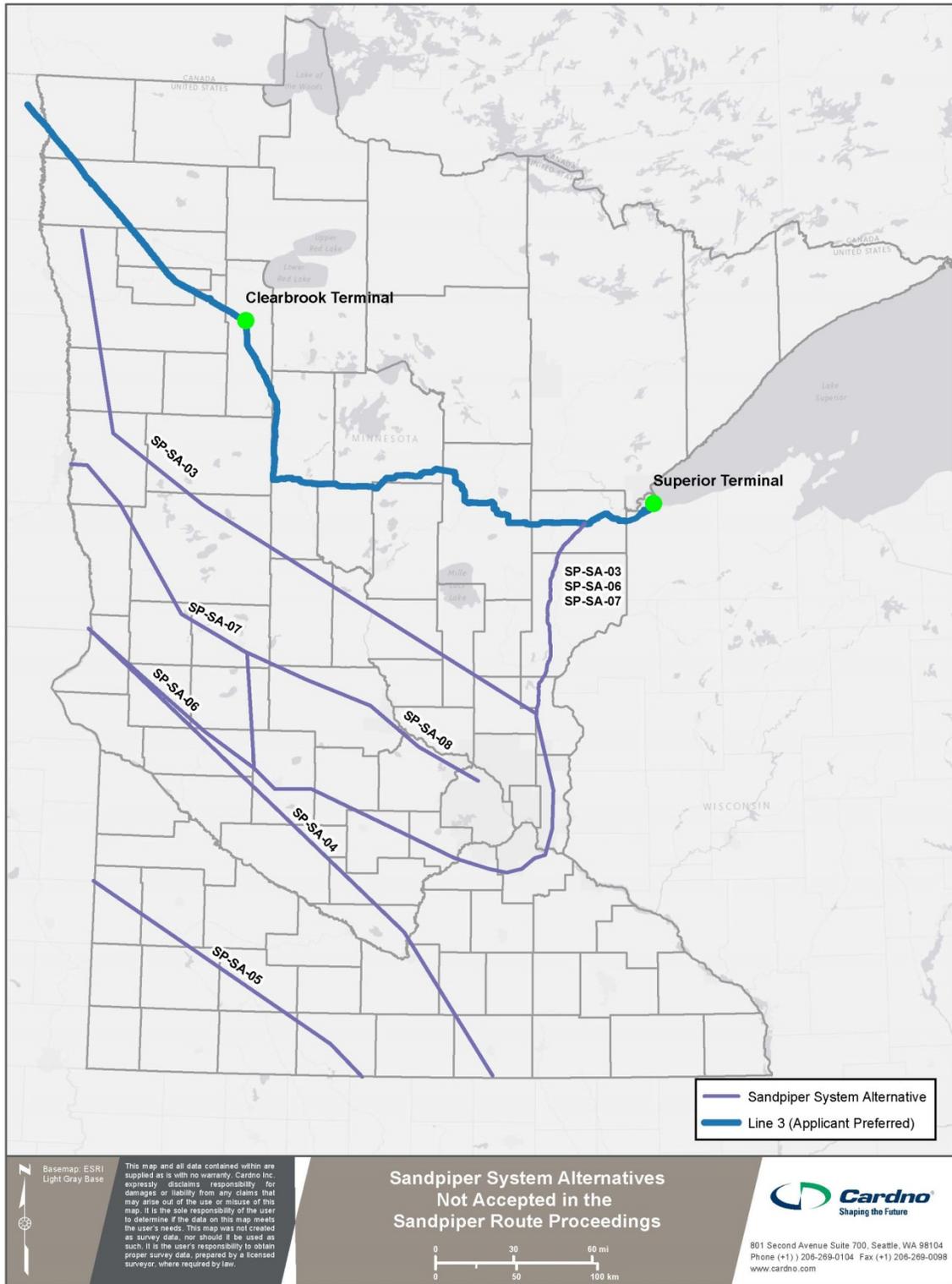


Figure 8 Sandpiper System Alternatives

## References Cited

EERA (Minnesota Department of Commerce, Energy Environmental Review and Analysis). 2014. Sandpiper Alternative Routes Summary Report, Prepared by Minnesota Department of Commerce, Energy Environmental Review and Analysis staff with assistance from HDR, Inc. Accessed at: <http://mn.gov/commerce/energyfacilities/documents/33599/Sandpiper%20Alternative%20Summary%20Report-JULY-16-2014.pdf>.

**ATTACHMENT 2: COMMENT SUMMARY REPORT**

# Line 3 Pipeline Replacement Project Comment Summary Report

In the Matter of the Application of Enbridge Energy, Limited Partnership for  
a Pipeline Routing Permit for the Line 3 Replacement Project in Minnesota

Docket No. PL-9/PPL-15-137

November 24, 2015

Prepared by Minnesota Department of Commerce, Energy Environmental Review and  
Analysis staff with assistance from Cardno, Inc.

## 1.0 Comments Received

Approximately 1077 comments from 225 unique commenters and organizations were received by the close of the comment period on September 30, 2015, for the Line 3 Replacement Project. Comments were received through various methods including public meeting oral comments, documents submitted to the court reporter and comments submitted by mail, email and fax.

Comments were received from numerous sources, including:

- Tribal: Mille Lacs Band of Ojibwe (Mille Lacs Band) and the White Earth Band of Ojibwe.
- State Agencies: Minnesota Department of Natural Resources; Minnesota Department of Transportation; and Minnesota Pollution Control Agency.
- Organizations and Businesses: Sierra Club; Friends of the Headwaters; United Association of Plumbers and Pipefitters; American Petroleum Institute; Carlton County Land Stewards; Belle Taine Lake Association; Leech Lake Area Watershed Foundation; Minnesota Coalition of Lake Associations; Long Lake Area Association (Hubbard County) Inc.; Hubbard County Coalition of Lake Associations; Innovative Foundation Supportworks; MN350, and Kennecott Exploration Company.
- Local Agency: Office of the Carlton County Auditor/Treasurer.
- Individuals: Numerous written comments were received from individuals and have been filed alphabetically by last name of the individual commenting.
- Enbridge.

Comments fell into the following alphabetized list of categories:

- **Climate Change/GHG:** Concern for climate change and greenhouse gas emissions associated with pipelines
- **Cumulative Impacts:** Request for a study of cumulative impacts from other pipeline proposals, request for lifecycle analyses
- **Delay Process Until Further Information Is Available:** Requested delay of evaluation or permitting process until new information could be obtained (e.g. new response methods).
- **Environmental Justice:** Concern for environmental justice in consideration of pipeline route alternatives
- **Evaluate Alternatives:** Request for evaluation of general alternatives to the preferred route
- **Fate of Existing Line 3:** comments on what will be done with the existing Line 3 pipeline area
- **Fisheries:** Concerns for fisheries and avoidance of impacts to fisheries
- **General Environmental Concerns:** General environmental concerns without a specific concern or location stated or a generalized list of environmental issues; comments on general land use; noise; seismic activity
- **General Opposition:** Opposition was explicitly expressed, whether solely or throughout their comment

- **General Support:** Support was explicitly expressed, whether solely or throughout their comment
- **Impacts to Water/Wetlands:** Preserving water quality and water resources including avoidance of lakes, rivers, streams, wetlands, wells and watersheds
- **Impacts to Wild Rice/Wild Rice Habitat:** Concerns for impacts to wild rice as a tribal/cultural resource and an agricultural commodity
- **Need of Project:** Questioned the need for the project
- **Opinion on an Alternative:** support or opposition to previously proposed route alternatives
- **Property Value and Landowner Rights:** Impact to the value of a home and/or property with the construction of the new pipeline and questions/concerns for the treatment of property owners and their rights
- **Proposed Alternative:** Commenter proposed an alternative to the Applicant's preferred route, such as a system alternative, new route alternative or retaining the Line 3 existing location,
- **Right-of-Way:** Concerns over impacts to right-of-way, or impacts caused by rights-of-way required for pipeline construction and/or operation
- **Socioeconomics and Tourism:** Impacts to tourism and the social economics of a community and/or region
- **Soils:** Soil concerns for the land use and concerns for soils that transport oil more quickly in the event of a leak
- **Spill Risk/Health & Safety:** Spill, contamination and safety concerns during construction and operation of the pipeline and comments stating general health concerns related to human life
- **State Lands/Forests:** State land preservation, proximity to it, and comments about routing through state lands/forests/parks; preserving or avoidance of trees and mitigation comments or concerns
- **Transportation:** Concerns for highway/rail transportation of oil, and avoidance of impacts to roads
- **Tribal and Cultural Resources:** Concerns related to a specific tribe, tribal activity or general cultural resources concerns
- **Vegetation:** Concerns for vegetation and avoidance of impacts to vegetation including comments with concerns for wild rice as an agricultural commodity
- **Want an EA/EIS:** Request for an EIS process was explicitly expressed by many commenters in reference to the fact that a CEA is planned to be conducted in lieu of an EIS
- **Wildlife:** Concerns for wildlife and avoidance of impacts to wildlife

More than half of all comments were submitted by individuals (Table 1). Three comment categories address alternatives. These categories are: Evaluate Alternatives, Opinion on an Alternative and Proposed Alternative. Proposed alternative comments are discussed in detail in the Line 3 Alternative Routes Report. Other than comments related to alternatives, the five comment categories with the most comments were: Want an EA/EIS, Spill Risk/Health and Safety, General Support, General Opposition, and Impacts to Water/Wetlands.

Comments in some instances identified specific places. The named places are summarized in Table 2, and include primarily water resource places, and also human settlement places.

| <b>Comment Category</b>                              | <b>Individuals</b> | <b>Local Agency</b> | <b>Organizations /<br/>Businesses</b> | <b>State Agencies</b> | <b>Tribal</b> | <b>Total</b> |
|--|--------------------|---------------------|---------------------------------------|-----------------------|---------------|--------------|
| Climate Change/GHG                                   | 11                 |                     | 14                                    | 1                     |               | 26           |
| Cumulative Impacts                                   | 14                 |                     | 7                                     | 4                     | 1             | 26           |
| Delay Process Until Further Information Is Available | 5                  |                     | 1                                     |                       |               | 6            |
| Environmental Justice                                | 6                  |                     | 2                                     | 1                     | 2             | 11           |
| Evaluate alternatives                                | 39                 |                     | 9                                     | 17                    | 6             | 71           |
| Fate of Existing Line 3                              | 21                 |                     | 1                                     |                       |               | 22           |
| Fisheries  | 1                  |                     | 2                                     | 7                     |               | 10           |
| General Environmental Concerns                       | 29                 |                     | 19                                    | 10                    | 1             | 59           |
| General Opposition                                   | 83                 |                     | 1                                     |                       |               | 84           |
| General Support                                      | 90                 | 1                   | 3                                     |                       |               | 94           |
| Impacts to Water/Wetlands                            | 21                 |                     | 24                                    | 36                    | 3             | 84           |
| Impacts to Wildrice/Wildrice Habitat                 | 24                 |                     | 3                                     | 1                     | 1             | 29           |
| Need of Project                                      | 21                 |                     | 6                                     |                       |               | 27           |
| Opinion on an Alternative                            | 27                 |                     | 6                                     |                       |               | 33           |
| Property Value and Landowner Rights                  | 8                  |                     | 3                                     |                       |               | 11           |
| Proposed Alternative                                 | 14                 |                     | 74                                    | 19                    |               | 107          |
| Right-of-Way   | 1                  |                     | 2                                     | 5                     |               | 8            |
| Socioeconomics and Tourism                           | 18                 |                     | 6                                     | 2                     |               | 26           |
| Soils  | 3                  |                     | 9                                     | 5                     |               | 17           |
| Spill Risk/Health & Safety                           | 66                 |                     | 29                                    | 15                    |               | 110          |
| State Lands/Forests                                  |                    |                     | 5                                     | 5                     |               | 10           |
| Transportation                                       |                    |                     |                                       | 6                     |               | 6            |
| Tribal and Cultural Resources                        | 31                 |                     | 10                                    |                       | 4             | 45           |
| Vegetation   | 1                  |                     | 2                                     | 8                     |               | 11           |
| Want an EA/EIS                                       | 100                |                     | 15                                    | 1                     | 3             | 119          |
| Wildlife   | 4                  |                     | 9                                     | 12                    |               | 25           |
| <b>Grand Total</b>                                   | <b>638</b>         | <b>1</b>            | <b>262</b>                            | <b>155</b>            | <b>21</b>     | <b>1077</b>  |

| <b>TABLE 2</b>  |                    |                                |                   |  |                |
|---|--------------------|--------------------------------|-------------------|--|----------------|
| <b>Places Names Identified in Comments</b>  |                    |                                |                   |  |                |
| <b>Water Resources</b>  |                    |                                |                   |  |                |
| <b>Resource Name</b>  | <b>County</b>      | <b>Resource Name</b>           | <b>County</b>     | <b>Resource Name</b>   | <b>County</b>  |
| Red Lake River  | Red Lake County    | Fishhook Chain of Lakes        | Becker            | St. Louis River  | Carlton        |
| Spring Brook/Spire Valley AMA / Scout Camp Pond + (fish hatchery)   | Cass               | Erie Lake                      | Becker            | Blackhoof River, Mud Lake  | Carlton        |
| Headwater springs of Roosevelt Lake   | Cass               | Clearwater River               | Clearwater        | Tamarack area of Aitkin and Carlton county border +                | Aitkin/Carlton |
| Pine River and watershed  | Cass               | Upper Rice Lake                | Clearwater        | Moose Horn River tributary to Hanging Horn Lake and Moosehead Lake | Carlton        |
| LaSalle Creek, AMA, State Rec. Area +   | Cass               | Crow Wing River                | Wadena            | Salo Marsh/Sandy River/Sandy River Flowage/Big Sandy Lake system   | Aitkin         |
| South Fork  | Cass               | Shell River (Miss R tributary) | Wadena            | Willow River, White Elk Creek, Flowage Lake                        | Aitkin         |
| Cass Lake   | Cass               | Long Prairie River             | Todd              | Fifty Lakes  | Crow Wing      |
| Miss River headwaters +   | Hubbard/<br>Cass   | Moose River                    | Beltrami          | Whitefish Lake watershed   | Crow Wing      |
| Straight River and watershed +  | Becker/<br>Hubbard | Villard WMA                    | Pope              |  |                |
| Hay Creek   | Hubbard            | Duck Lake                      | Blue Earth County |  |                |
| Deer winter cover complex in sections 31 and 32 of Badoura Township and section 36 of Crow Wing Lake Township | Hubbard            | Hay Creek                      | Pine              |  |                |

| <b>TABLE 2</b>                                 |               |                                    |               |                                  |               |
|--|---------------|------------------------------------|---------------|----------------------------------|---------------|
| <b>Places Names Identified in Comments</b>     |               |                                    |               |                                  |               |
| <b>Cultural and Human Settlement Resources</b> |               |                                    |               |                                  |               |
| <b>Resource Name</b>                           | <b>County</b> | <b>Resource Name</b>               | <b>County</b> | <b>Resource Name</b>             | <b>County</b> |
| Bakwa manoomin land area (wild rice)           | multiple      | North Country Trail (recreational) | multiple      | Itasca State Park (recreational) | Hubbard       |
| East Lake (community)                          | Aitkin        | Rice Lake (community)              | St. Louis     | Camp Ripley                      | Morrison      |
| Anishinaabe Akiing (cultural)                  | multiple      |                                    |               |                                  |               |

+ Place identified in multiple comments