



Minnesota Department of Transportation

Office of Land Management

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September 30, 2015

Jamie MacAlister, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

RE: In the Matter of the Application of Enbridge Energy, Limited Partnership for a Pipeline Routing Permit for the Line 3 Pipeline Replacement Project
PUC Docket Number: PL-9/PPL-15-137

Dear Ms. MacAlister,

On July 20th, 2015, the Minnesota Public Utilities Commission (MPUC) and the Minnesota Department of Commerce (DOC) issued a Notice of Application Acceptance and Public Information Meetings, which includes a public comment period regarding the environmental analysis of the Pipeline Routing Permit Application by Enbridge Energy for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border. The Minnesota Department of Transportation (MnDOT) has reviewed the application regarding the proposed project and submits the following comments in response to the Notice.

Pipelines may be placed across a trunk highway (TH) pursuant to Minn. Stat. §222.37, subd. 2. The environmental document should address the permit requirements of MnDOT as well as all relevant permits or authorizations the Applicant must obtain from road authorities relating to any pipeline or associated facilities placement that cross a trunk highway. MnDOT has adopted a formal policy and procedures for accommodation of utilities, including pipelines, on the highway rights of way ("Utility Accommodation Policy"). A copy of MnDOT's policy can be found at <http://www.dot.state.mn.us/policy/operations/op002.html>. MnDOT's policy seeks to permit utilities to occupy portions of the trunk highway rights of way where such occupation does not put the safety of the traveling public or highway workers at risk or unduly impair the public's investment in the transportation system.

Based on the information provided in the Application, it appears that the Proposed Project Route would cross the following state trunk highways: I-35, US169, 1, 11, US2, 210, 223, 23, 32, 34, 371, US59, 6, 64, 65, US71, 73, US75, 84 and 92. Permits the Applicant will seek from MnDOT to cross trunk highways will need to address matters such as construction methods for boring under highways, impact on other utilities, traffic control in construction areas, authorized access points for construction activities, impact on highway drainage, impact on highway vegetation, and other similar concerns.

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MnDOT has forecasts for a widening of TH 34 between Park Rapids and Osage. The traffic volumes call for 10 foot shoulders or more. Depending on pipe diameter used under the current road grade the applicant should plan for a wider road grade. At this time, there are no immediate plans for additional right of way purchase or other future projects that may be affected by the proposed project.

Scenic Byways:

The proposed route crosses the King of Trails Scenic Byway (TH 75), the Lake Country Scenic Byway (TH 34 and TH 71 from TH 34 to Itasca State Park), the Veterans Evergreen Memorial Scenic Byway (TH 23) and the Great River Road (Aitkin County Road 10). Byways are designated because they possess one or more of six intrinsic qualities, including: scenic, cultural, recreational, natural, historic and archaeological. An analysis of the physical and visual impact on these intrinsic qualities should be conducted at each proposed crossing location to determine the route with the least adverse impact on the byway routes and corridors. Mitigation measures should be recommended for unavoidable impacts on intrinsic qualities within the scenic byway corridors.

Each scenic byway has a leaders' group and/or stakeholder group; these groups should be contacted as part of the environmental review process. Scenic easements should be investigated to identify any prohibitions or limitations that apply to land uses in the vicinity of the scenic byway. The state and federal regulations governing scenic byways can be found in the MnDOT Utility Accommodation Policy and 23 CFR 645.209 (h).

Limited Use Permits:

MnDOT has many limited use permits in the proposed project area for various trails, snowmobile trails, etc. The environmental analysis should consult with these local groups and DNR Trails for assessment of impacts to those trails as well as coordination and possible traffic control.

Oversize/Overweight Permits:

There may be highway-related considerations related to oversize/overweight hauling of the pipeline and equipment. Specifically, these large loads of freight are often transported along nearby interregional corridors (IRC) such as US 169, US 2, TH 210, TH 23, TH 371, TH 34 (all Medium Priority IRCs) and I-35 (High Priority IRC). Because MnDOT's highway construction activities could impact the Applicant's plans to haul oversize loads to the proposed site, the Applicant will need to coordinate with MnDOT when planning such loads.

Any pipeline construction work, including delivery or storage of materials or equipment that may affect MnDOT right of way is of concern such that MnDOT should be involved in planning and coordinating such activities. Please note that if work is required within MnDOT right of way for temporary or permanent access, such work should be coordinated with the following contacts: Wayne Scheer in the District 1 Permits Office - 218-725-2780 / Wayne.Scheer@state.mn.us.

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Stephen Frisco in the District 2A Permits Office - 218-755-6553 / Stephen.Frisco@state.mn.us.
Earl Hill in the District 2B Permits Office - 218-277-7964 / Earl.Hill@state.mn.us.
Rich Munsch in the District 3A Permits Office - 218-828-5778 / Richard.Munsch@state.mn.us.

Sincerely,



Stacy Kotch
Utility Transmission Route Coordinator
Minnesota Department of Transportation

cc: Wayne Scheer – MnDOT District 1
Stephen Frisco – MnDOT District 2A
Earl Hill – MnDOT District 2B
Rich Munsch – MnDOT District 3A

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