COMMERCE DEPARTMENT

December 9, 2019
Mr. Daniel Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

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

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

Attached is the Line 3 project Final Environmental Impact Statement (FEIS) prepared by the Minnesota Department of Commerce, Energy Environmental and Analysis (DOC-EERA) staff for the above referenced matters. This cover letter provides a high-level summary of the changes and analysis in the FEIS.

On June 3, 2019 the Minnesota Court of Appeals ruled that the Revised Line 3 Final EIS of February 12, 2018 was inadequate because it failed to specifically address the potential impact of an oil spill into the Lake Superior watershed as had been identified in the Final Scoping Decision Document (FSDD). Subsequently, on October 8, 2019 the Minnesota Public Utilities Commission (Commission) issued an order requesting DOC-EERA to revise the Revised Line 3 Final EIS to include an analysis of the potential impact of an oil spill into the Lake Superior watershed consistent with the FSDD and the Court of Appeals' decision, and to submit a second revised Final EIS.

In accordance with the Commission's October 8 Order, DOC-EERA submits the Second Revised Line 3 Final EIS. Chapter 10 of the attached Second Revised Line 3 Final EIS describes the site selection process and modeling results for the selected stream crossing within the Lake Superior watershed. As described in Second Revised Line 3 Final EIS, DOC-EERA considered over 150 previously considered watercourses in the watershed. Many of these watercourses, however, were quite small, with limited or no potential for oil to reach Lake Superior within 24 hours, which was the modeling timeframe identified in the FSDD. Therefore, the list was refined to nine sites where an oil release had the potential to reach Lake Superior.

From these sites, DOC-EERA selected the crossing of the Little Otter Creek in the Lake Superior watershed for modeling. The Little Otter Creek site was chosen because it is the location in Minnesota where a hypothetical oil release is more likely to enter the St. Louis River (with the potential to reach Lake Superior) than the other options under consideration. In addition, the Little

Otter Creek site has a range of physical characteristics that add depth to the suite of seven representative sites previously modeled in the EIS. For example, Line 3 (and the other pipelines in the corridor) cross a small watercourse, the Little Otter Creek that flows east into Otter Creek before entering the St. Louis River below Thompson Reservoir, an area that includes rapids, waterfalls, and dams, before widening into St. Louis Harbor and ultimately draining into Lake Superior.

DOC-EERA requested Enbridge commission an oil spill modeling analysis at the Little Otter Creek site on behalf of, and with input from, DOC-EERA. The modeling used the same assumptions and scenarios that were identified in the FSDD and used for the other seven sites modeled in the EIS, to ensure consistency. For its review and analysis, DOC-EERA contracted with an independent oil spill expert to review the modeling results.

Similar to other previously modeled sites, the modeling results for a full bore rupture at Little Otter Creek demonstrate that, considering evaporation, entrainment, and shoreline stranding, floating oil remains after 24-hours. Depending on the oil type and seasonal river flow, the modeling shows that the leading edge of the floating oil might reach the Fond du Lac Dam. After that, the modeling indicates that the oil would mix into the water column because of the turbulent water immediately below the dam, and then the movement of oil would slow as the oil resurfaces. The most significant environmental effects of the spilled oil would be the potential for effects on fish as concentrations of toxic components of the oil in the water column may be high for short periods of time due to entrainment and dissolution in the turbulent waters in rapids and in the overflow of the Fond du Lac Dam.

Past the dam and the rapids and beyond the 24-hour modeling window, the physical characteristics of the system suggest that surface oil movement would largely be driven by the wind on the St. Louis River. The sinuous configuration of the St. Louis River would make it unlikely that the oil would be blown downstream to any great extent. Instead, the oil remaining on the surface after 24-hours would likely continue to strand on shorelines without reaching the entrance to Lake Superior.

The modeling at the Little Otter Creek site in the Lake Superior watershed is addressed in Chapter 10 and Appendix V of the attached Second Revised Line 3 Final EIS. There are several other minor revisions, including a revised release date on the cover page, updates to the abstract page, and updates to Appendices S and T. All of these revisions are shown in blue bold text. Changes previously made for the Revised Line 3 Final EIS of February 12, 2018 are shown in red bold text.

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

Sincerely,

/s/ ***Louise Miltich***

Louise Miltich

Supervisor
Minnesota Department of Commerce,
Energy Environmental Review and Analysis