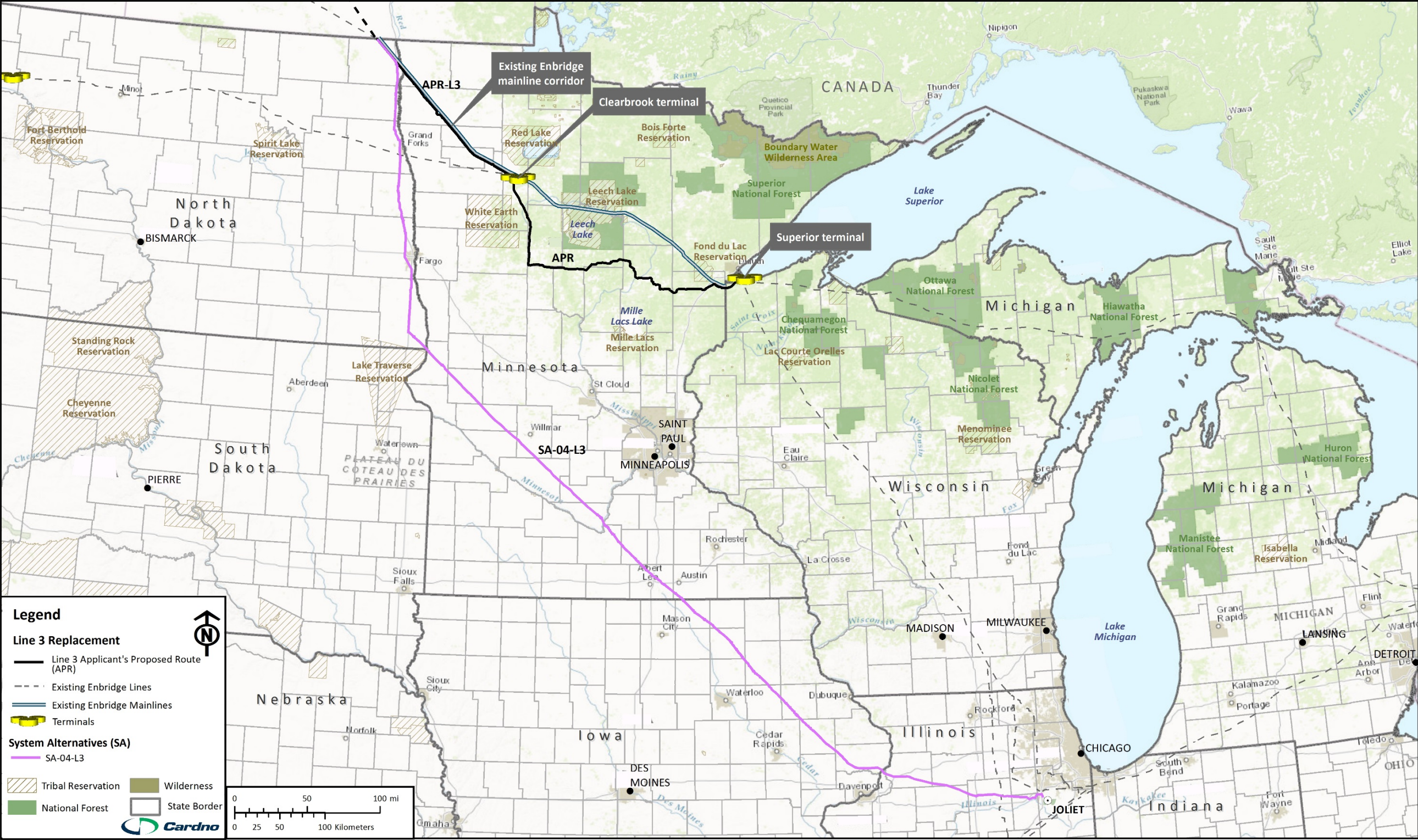
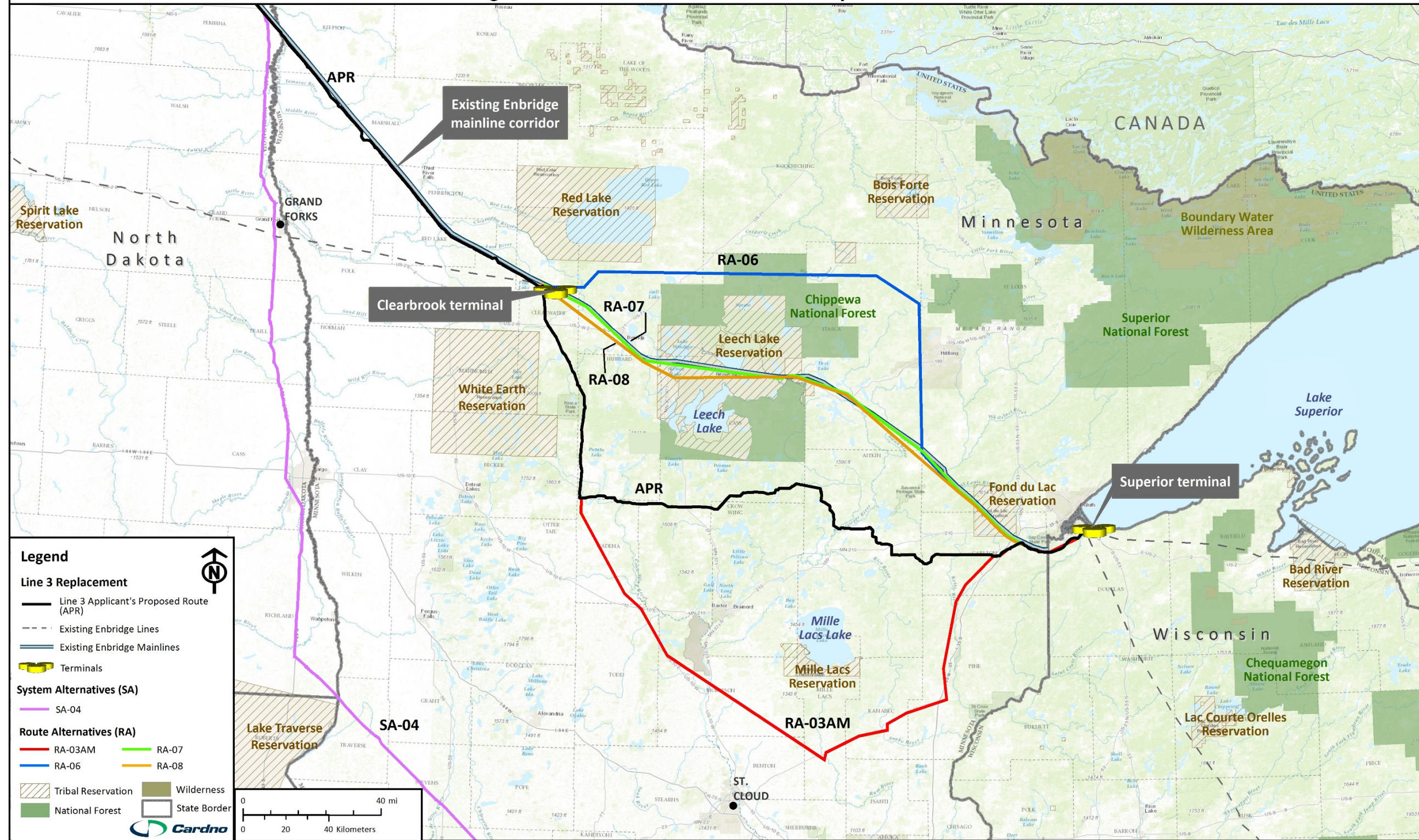


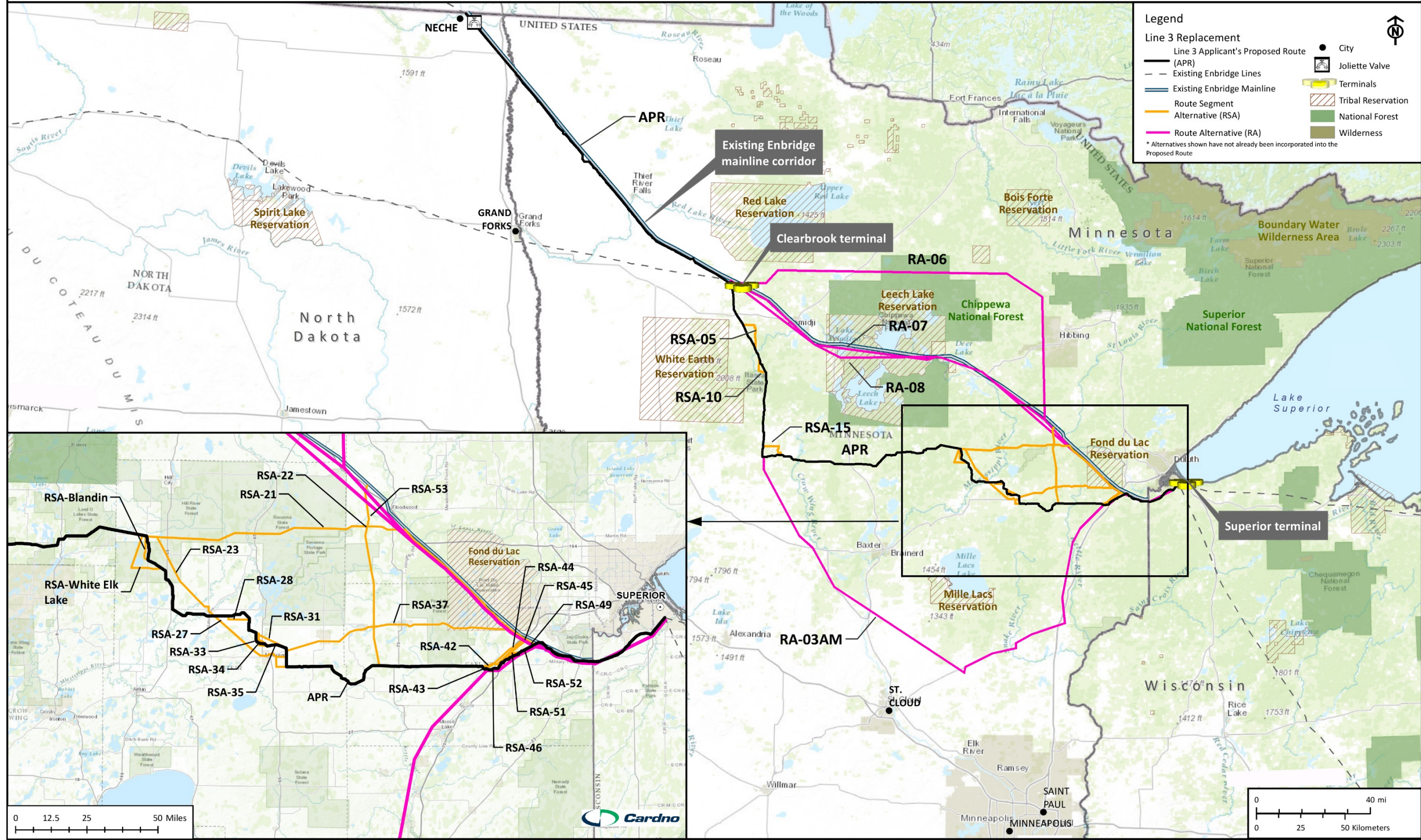
Line 3 Replacement Project
Figure 1a: System Alternative Selected for Analysis in the EIS



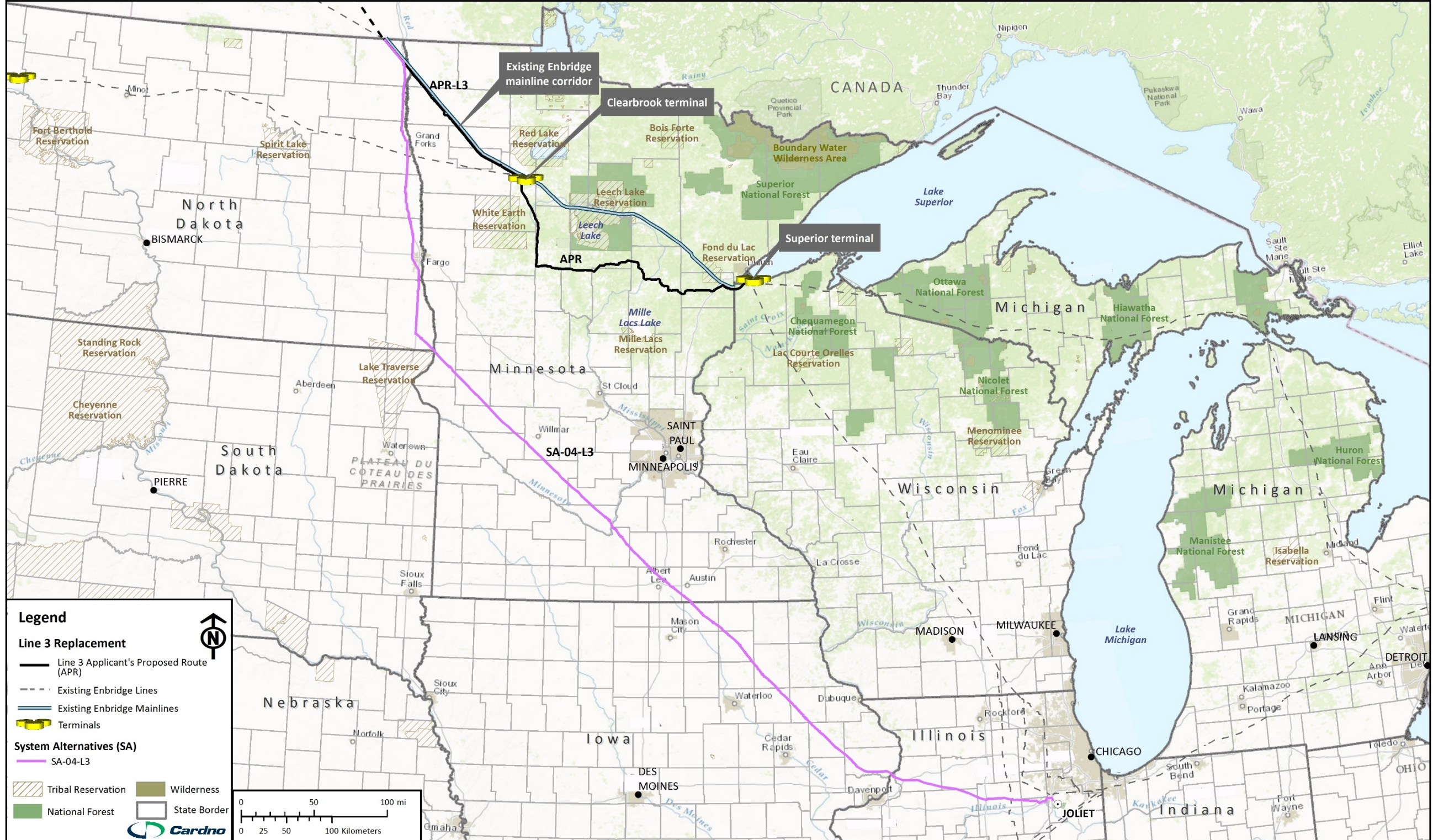
Line 3 Replacement Project
Figure 1b: Alternatives Selected for Analysis in the EIS



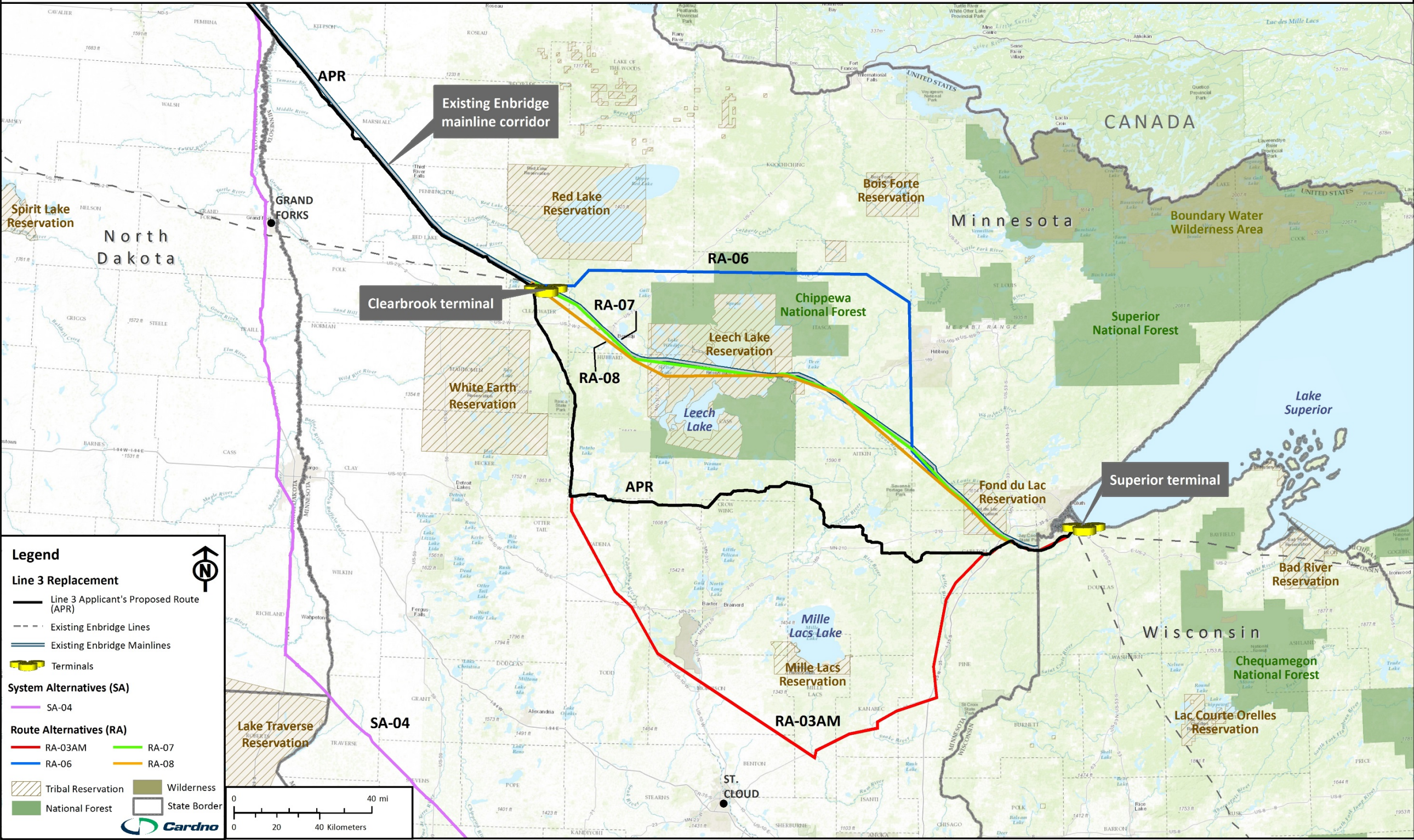
Line 3 Replacement Project
Figure 2: Route Alternatives and Route Segment Alternatives



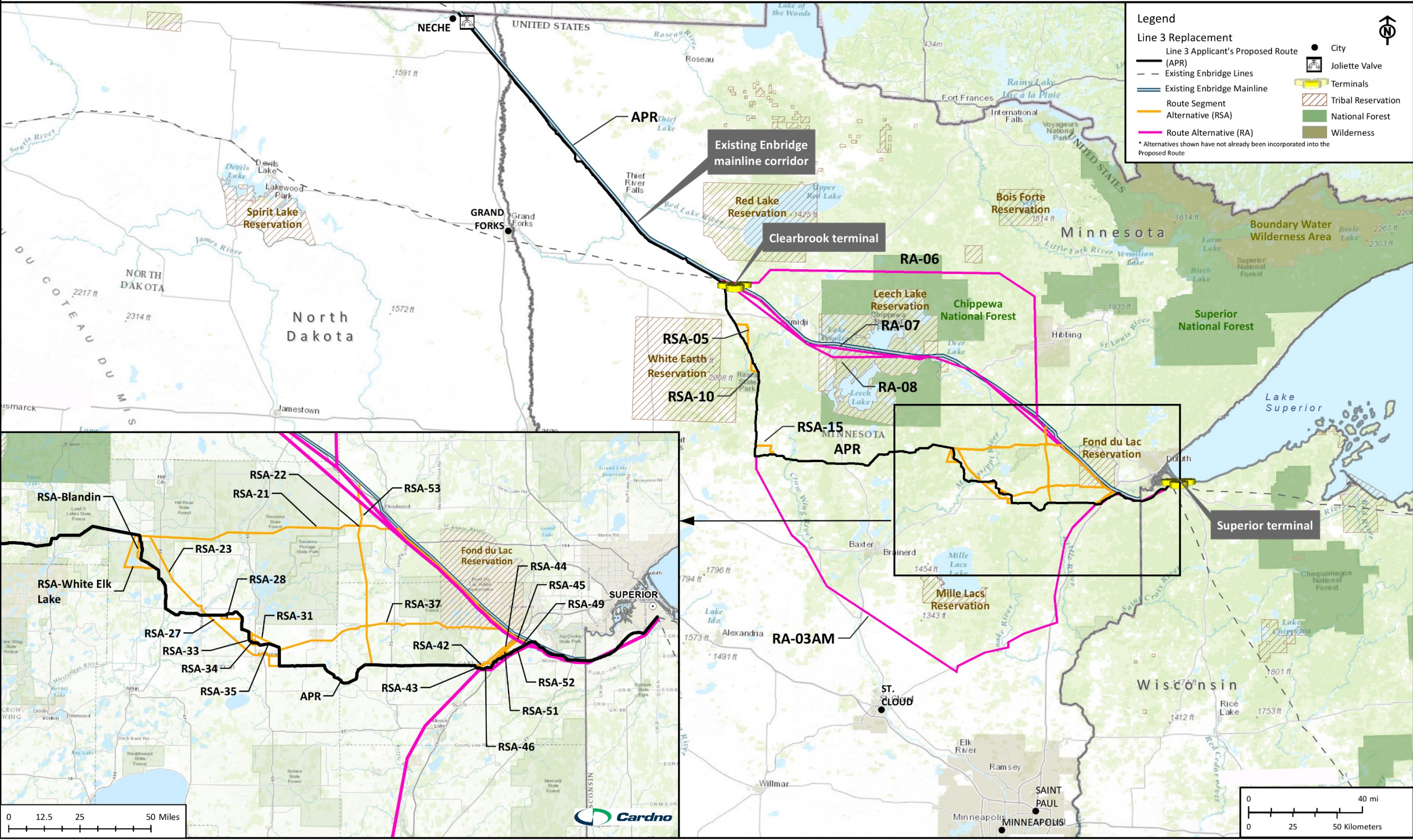
Line 3 Replacement Project
Figure 1a: System Alternative Selected for Analysis in the EIS



Line 3 Replacement Project
Figure 1b: Alternatives Selected for Analysis in the EIS



Line 3 Replacement Project
Figure 2: Route Alternatives and Route Segment Alternatives



April 11, 2017

Tribal Chair Cathy Chavers
Bois Forte Band of Chippewa
5344 Lakeshore Drive
Nett Lake, MN 55772

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chair Chavers:

The Minnesota Department of Commerce began formal consultation in 2016 with the eleven tribal nations in Minnesota regarding the Department's Interim Tribal Consultation Policy. Although, I have not yet met with you in formal consultation on Commerce's Tribal Consultation Policy, which addresses all areas of the Department, I am reaching out to you on an important issue.

First, however, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy, which is enclosed for your review. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and Bois Forte Band of Chippewa, whenever possible.

In addition to meeting on the Interim Tribal Consultation Policy, the Department has been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Bois Forte Band of Chippewa Community, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an

Tribal Chair Cathy Chavers
April 11, 2017
Page Two

Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Bois Forte Band of Chippewa, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Bois Forte Band of Chippewa Community, on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Rothman".

Mike Rothman
Commerce Commissioner

Enclosures: Tribal Consultation Policy
Map of Line 3 Proposed Route and Alternatives

March 23, 2017

Chairman Kevin DuPuis
Fond du Lac Band of Lake Superior Chippewa
1720 Big Lake Road
Cloquet, MN 55720

RE: Consultation Process and Request Regarding the Line 3 Replacement EIS

Dear Chairman DuPuis:

I greatly appreciated the opportunity to meet in formal government-to-government consultation on the Minnesota Department of Commerce's Tribal Consultation Policy last month. Our meeting was an important step in strengthening our relationship with the Fond du Lac Band of Lake Superior Chippewa and providing information and help on the scope of Commerce's services and programs, from consumer protection to energy.

First, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as tribal liaison to represent the Department consistent with the Department's Interim Tribal Consultation Policy. With respect to important topics, I believe it is essential to maintain the ongoing working relationship between the Department's and Fond du Lac's staff, whenever possible.

I would also like to follow up on one key topic in our consultation process, Enbridge pipeline's proposed replacement of Line 3. As you know, Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline, leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by others as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

Again, the process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is the responsible governmental unit for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Division of Energy, Environmental Review Unit (EERA) to conduct the EIS in collaboration with the Department of Natural Resources, and the Minnesota Pollution Control Agency.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, Commerce finds it vital to consult with your leadership about the Department's role in gathering the information for the draft EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

The Department requests a meeting with leadership to provide the following information: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we ask for your guidance on how to represent the interests and the impact that the Proposed Project would have on your members' historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with Fond du Lac staff to facilitate communications on the preparation of the draft EIS.

Finally, we would ask leadership to identify the appropriate staff with whom our staff should coordinate on information gathering and scheduling forums for the draft EIS, and on subsequent public meetings for the public comment period of the draft EIS.

On behalf of the Department, we appreciate and thank your Administrative staff for suggesting and arranging an open house on March 29, 2017, and hope that we can find additional time to meet with leadership in the near future. We also thank your staff for providing great insight into tribal interests and concerns.

If there is information that would be helpful to consider prior to the meeting, please contact Danielle. Additionally, as I mentioned in our previous meeting, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly distinguishable.

Mike Rothman
Commerce Commissioner

April 11, 2017

Chairman Norman W. Deschampe
Grand Portage Reservation Tribal Council
83 Stevens Road
Grand Portage, MN 55602

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chairman Deschampe:

The Minnesota Department of Commerce began formal consultation in 2016 with the eleven tribal nations in Minnesota regarding the Department's Interim Tribal Consultation Policy. Although, I have not yet met with you in formal consultation on Commerce's Tribal Consultation Policy, which addresses all areas of the Department, I am reaching out to you on an important issue.

First, however, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy, which is enclosed for your review. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and Grand Portage Reservation Tribal Council, whenever possible.

In addition to meeting on the Interim Tribal Consultation Policy, the Department has been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Grand Portage Reservation Tribal Council, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an

Chairman Norman W. Deschampe
April 11, 2017
Page Two

Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Grand Portage Reservation Tribal Council, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Grand Portage Reservation Tribal Council on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in cursive script that reads "Mike Rothman".

Mike Rothman
Commerce Commissioner

Enclosures: Tribal Consultation Policy
Map of Line 3 Proposed Route and Alternatives

April 11, 2017

President Wilfrid Cleveland
Ho Chunk Nation
P.O. Box 667
Black River Falls, WI 54615

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear President Cleveland,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Minnesota Indian Affairs Council, we have identified that the Ho Chunk Nation has land holdings in proximity to the proposed pipeline. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Ho Chunk Nation, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the

President Wilfrid Cleveland
April 11, 2017
Page Two

impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Ho Chunk Nation on the preparation of the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is written in a cursive, flowing style.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

March 23, 2017

Chairman Faron Jackson, Sr.
Leech Lake Band of Ojibwe
190 Sailstar Drive NW
Cass Lake, MN 56633

RE: Consultation Process and Request Regarding the Line 3 Replacement EIS

Dear Chairman Jackson:

I greatly appreciated the opportunity to meet in formal government-to-government consultation on the Minnesota Department of Commerce's Tribal Consultation Policy last month. Our meeting was an important step in strengthening our relationship with Leech Lake Band of Ojibwe and providing information and help on the scope of Commerce's services and programs, from consumer protection to energy.

First, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as tribal liaison to represent the Department consistent with the Department's Interim Tribal Consultation Policy. With respect to important topics, I believe it is essential to maintain the ongoing working relationship between the Department's and Leech Lake's staff, whenever possible.

I would also like to follow up on one key topic in our consultation process, Enbridge pipeline's proposed replacement of Line 3. As you know, Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline, leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by others as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

Again, the process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is the responsible governmental unit for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Division of Energy, Environmental Review Unit (EERA) to conduct the EIS in collaboration with the Department of Natural Resources, and the Minnesota Pollution Control Agency.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, Commerce finds it vital to consult with your leadership about the Department's role in gathering the information for the draft EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

Chairman Faron Jackson, Sr.
March 23, 2017
Page Two

The Department requests a meeting with leadership to provide the following information: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we ask for your guidance on how to represent the interests and the impact that the Proposed Project would have on your members' historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with Leech Lake staff to facilitate communications on the preparation of the draft EIS.

Finally, we would ask leadership to identify the appropriate staff with whom our staff should coordinate on information gathering and scheduling forums for the draft EIS, and subsequent public meetings for the public comment period of the draft EIS.

The Department appreciates and thanks your Administrative staff for suggesting a meeting sometime between April 3 – 7, 2017 and look forward to confirming the date. We also thank your staff for providing great insight into tribal interests and concerns.

If there is information that would be helpful to consider prior to the meeting, please contact Danielle. Additionally, as I mentioned in our previous meeting, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in cursive script that reads "Mike Rothman". The ink is dark and the signature is fluid, with a long horizontal stroke at the end.

Mike Rothman
Commerce Commissioner

April 11, 2017

President Phyllis Rawls Goff
Lower Sioux Agency
32469 Redwood County Hwy. 2
Morton, MN 56270

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear President Goff:

The Minnesota Department of Commerce began formal consultation in 2016 with the eleven tribal nations in Minnesota regarding the Department's Interim Tribal Consultation Policy. Although, I have not yet met with you in formal consultation on Commerce's Tribal Consultation Policy, which addresses all areas of the Department, I felt the need to reach out to you on an important issue.

First, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy, which is enclosed for your review. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and the Lower Sioux Agency whenever possible.

In addition to meeting on the policy, the Department has been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Lower Sioux Agency, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Lower Sioux Agency, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with Lower Sioux Agency on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

Mike Rothman
Commerce Commissioner

Enclosures: Tribal Consultation Policy
Map of Line 3 Proposed Route and Alternatives

April 11, 2017

President Robert L. Larsen
Lower Sioux Indian Community
Chairman of MN Indian Affairs Council

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear President Larsen:

The Minnesota Department of Commerce began formal consultation in 2016 with the eleven tribal nations in Minnesota regarding the Department's Interim Tribal Consultation Policy. Although, I have not yet met with you in formal consultation on Commerce's Tribal Consultation Policy, which addresses all areas of the Department, I am reaching out to you on an important issue.

First, however, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy, which is enclosed for your review. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and the Lower Sioux Agency, whenever possible.

In addition to meeting on the Interim Tribal Consultation Policy, the Department has been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Lower Sioux Agency, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an

President Robert L. Larsen

April 11, 2017

Page Two

Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Lower Sioux Agency, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Lower Sioux Agency, on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly distinguishable.

Mike Rothman
Commerce Commissioner

Enclosures: Tribal Consultation Policy
Map of Line 3 Proposed Route and Alternatives

March 23, 2017

Chief Executive Melanie Benjamin
Mille Lacs Band of Ojibwe
43408 Oodena Dr
Onamia, MN 53659

RE: Consultation Process and Request Regarding the Line 3 Replacement EIS

Dear Chief Executive Benjamin:

I greatly appreciated the opportunity to meet in formal government-to-government consultation on the Minnesota Department of Commerce's Tribal Consultation Policy and Enbridge's former Sandpiper proposal. Both meetings were an important step in strengthening our relationship with the Mille Lacs Band of Ojibwe and the Department and providing information and help on the scope of Commerce's services and programs, from consumer protection to energy.

First, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as tribal liaison to represent the Department consistent with the Department's Interim Tribal Consultation Policy. With respect to important topics, I believe it is essential to maintain the ongoing working relationship between the Department's and Mille Lac's staff, whenever possible.

I would also like to follow up on one key topic in our consultation process, Enbridge pipeline's proposed replacement of Line 3. As you know, Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline, leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by others as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

Again, the process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is the responsible governmental unit for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Division of Energy, Environmental Review Unit (EERA) to conduct the EIS in collaboration with the Department of Natural Resources, and the Minnesota Pollution Control Agency.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherit right to self-governance, Commerce finds it vital to consult with your leadership about the Department's role in gathering the information for the draft EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

Chief Executive Melanie Benjamin
March 23, 2017
Page Two

The Department appreciates and thanks your Administrative staff for arranging the meeting and open house on March 17 and 22. We also thank your staff for providing great insight into tribal interests and concerns.

The Department also requests an additional meeting with leadership, where we could provide the following information: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, however, we ask for your guidance on how to represent the interests and the impact that the Proposed Project would have on your members' historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to continue coordinating with Mille Lacs staff to facilitate communications on the preparation of the draft EIS.

Finally, we would ask leadership to identify the appropriate staff with whom our staff should coordinate with on information gathering and scheduling forums for the draft EIS and on subsequent public meetings for the public comment period of the draft EIS.

If there is information that would be helpful to consider prior to the meeting, please contact Danielle. Additionally, as I mentioned in our previous meeting, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Rothman".

Mike Rothman
Commerce Commissioner

April 11, 2017

President Shelley Buck
Prairie Island Indian Community
5636 Sturgeon Lake Road
Welch, MN 55089

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear President Buck:

Thank you for meeting with me in formal consultation in 2016 regarding the Department's Interim Tribal Consultation Policy.

First, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and the Prairie Island Indian Community whenever possible.

In addition to meeting on the policy, the Department has also been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Prairie Island Indian Community, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in

President Shelley Buck
April 11, 2017
Page Two

gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Prairie Island Indian Community, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Prairie Island Indian Community on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is written in a cursive, flowing style.

Mike Rothman
Commerce Commissioner

Enclosure: Map of Line 3 Proposed Route and Alternatives

April 11, 2017

Chairman Darrell G. Seki, Sr.
Red Lake Nation
15484 Migizi Drive
Red Lake, MN 56671

Dear Chairman Seki,

Thank you for accommodating the Minnesota Department of Commerce during your Council meeting on April 11, 2017. We greatly appreciate the ongoing working relationship and consultation with the Red Lake Nation on all of the matters between the Minnesota Commerce Department and the Red Lake Nation.

We also appreciated the opportunity to listen to yours, the Council's and tribal members' thoughts and position on Enbridge's proposed Line 3 Replacement. Thank you also for providing the Red Lake Nation's guidance on tribal interests to the Department for the tribal resources portion for the draft Environmental Impact Statement (EIS).

Please understand again, as we discussed, the Commerce Department is committed to respect for tribal sovereignty and treaty rights. We are also working diligently to intentionally and accurately reflect the sacred knowledge and understanding that only your tribal members and leaders possess.

Following up to the consultation meeting, we asked for tribal participation. One opportunity is for leadership to identify a Tribal Historical Preservation Officer (THPO), other leader, or an elder to provide a face-to-face interview to discuss how the proposed pipeline could affect the natural and cultural resources that are important to the Red Lake Nation. If you would like us to conduct interviews on cultural resources for inclusion in the draft EIS, we would be happy to schedule a time and provide transcription services. The interview would not only inform our EIS drafting but could also be submitted into the public record for review by the judge and PUC.

The questions below will provide the context for framing tribal use of natural, spiritual, and cultural resources in the draft EIS:

- Describe the interconnectedness of Land, Identity and Spirituality. Can they be separated from one another and if not why?
- What obligations do the Anishinaabe have to Mother Earth and how can they be met today?

Chairman Darrell G. Seki, Sr.
April 11, 2017
Page Two

- There are many projects that affect tribal interests, such as energy transmission, rights of way, etc. Is there something specific about pipelines that threatens the Anishinaabe way of life and relationship to place?
- What are sacred places? How is this different from sacred sites? What are culturally significant sites or cultural sites?
- What do you see as the biggest difference between the Anishinaabe communal, traditional use of land and the Anglo-Saxon concept of private land ownership and land use?
- How could State agencies more effectively understand or respect the inherent right to self-govern and sovereignty when coordinating special projects that effect tribal interests?
- What cultural resources are most threatened by pipeline projects? Please describe.
- We have heard of the water protectors – please explain their role within the community.

We also discussed with Council our desire to collaborate and share information, including map shape files, which are attached. Our goal is to ensure the draft EIS accurately reflects tribal concerns and identification of resources. This would include adding the resolution passed by the Council concerning Line 3.

Interviews and additions to the tribal resources map will need to be completed by April 21, 2017 for inclusion in the draft EIS to be completed by May 15, 2017. This information can also be included in the Final EIS, allowing interviews and edits to be completed by July 3, 2017.

Our tribal Liason, Danielle Oxendine Molliver, and environmental review staff, Jamie MacAlister, are always available to you and your staff with any questions, concerns, supplemental information, and to request further consultation or interviews.

Sincerely,



Mike Rothman
Commerce Commissioner

Enclosure

April 11, 2017

Chairman Charles Vig
Shakopee Mdewakanton Sioux Community
2330 Sioux Trail NW
Prior Lake, MN 55372

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chairman Vig:

The Minnesota Department of Commerce began formal consultation in 2016 with the eleven tribal nations in Minnesota regarding the Department's Interim Tribal Consultation Policy. Although, I have not yet met with you in formal consultation on Commerce's Tribal Consultation Policy, which addresses all areas of the Department, I am reaching out to you on an important issue.

First, however, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy, which is enclosed for your review. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and the Shakopee Mdewakanton Sioux Community, whenever possible.

In addition to meeting on the Interim Tribal Consultation Policy, the Department has been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Shakopee Mdewakanton Sioux Community, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an

Chairman Charles Vig
April 11, 2017
Page Two

Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Shakopee Mdewakanton Sioux Community, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Shakopee Mdewakanton Sioux Community, on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in cursive script that reads "Mike Rothman".

Mike Rothman
Commerce Commissioner

Enclosures: Tribal Consultation Policy
Map of Line 3 Proposed Route and Alternatives

April 11, 2017

Chairman Kevin Jensvold
Upper Sioux Community
5722 Travers Lane P.O. Box 147
Granite Falls, MN 56241

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chairman Jensvold:

The Minnesota Department of Commerce began formal consultation in 2016 with the eleven tribal nations in Minnesota regarding the Department's Interim Tribal Consultation Policy. Although, I have not yet met with you in formal consultation on Commerce's Tribal Consultation Policy, which addresses all areas of the Department, I am reaching out to you on an important issue.

First, however, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as Tribal Liaison to represent Commerce consistent with the Department's Interim Tribal Consultation Policy, which is enclosed for your review. With respect to identified matters that may affect tribal interests or rights, I believe it is essential to maintain ongoing working relationships between the Department and the Upper Sioux Community, whenever possible.

In addition to meeting on the Interim Tribal Consultation Policy, the Department has been in consultation and collaboration with the five sovereign tribal nations directly affected by Enbridge Energy's proposed replacement of Line 3. Although, the proposed pipeline route and alternatives are not in proximity to the Upper Sioux Community, I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an

Chairman Kevin Jenvold
April 11, 2017
Page Two

Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherit right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Upper Sioux Community, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Upper Sioux Community, on the preparation of the draft EIS.

If there is information that would be helpful, please contact Danielle. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in cursive script that reads "Mike Rothman".

Mike Rothman
Commerce Commissioner

Enclosures: Tribal Consultation Policy
Map of Line 3 Proposed Route and Alternatives

March 23, 2017

Chairman Terrence Tibbetts
White Earth Nation
P.O. Box 418
White Earth, MN 56591

RE: Consultation Process and Request Regarding the Line 3 Replacement EIS

Dear Chairman Tibbetts:

I greatly appreciated the opportunity to meet in formal government-to-government consultation on the Minnesota Department of Commerce's Tribal Consultation Policy last September. Our meeting was an important step in strengthening our relationship with White Earth Nation and providing information and help on Commerce's services and programs, from consumer protection to energy.

First, I am pleased to announce that Commerce has appointed Danielle Oxendine Molliver as tribal liaison to represent the Department consistent with the Department's Interim Tribal Consultation Policy. With respect to important topics, I believe it is essential to maintain the ongoing working relationship between the Department's and White Earth's staff, whenever possible.

I would also like to follow up on one key topic in our consultation process, Enbridge pipeline's proposed replacement of Line 3. As you know, Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline, leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by others as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

Again, the process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is the responsible governmental unit for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Division of Energy, Environmental Review Unit (EERA) to conduct the EIS in collaboration with the Department of Natural Resources, and the Minnesota Pollution Control Agency.

Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, Commerce finds it vital to consult with your leadership about the Department's role in gathering the information for the draft EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

Chairman Terrence Tibbetts

March 23, 2017

Page Two

The Department requests a meeting with leadership to provide the following information: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we ask for your guidance on how to represent the interests and the impact that the Proposed Project would have on your members' historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with White Earth staff to facilitate communications on the preparation of the draft EIS.

Finally, we would ask leadership to identify the appropriate staff with whom our staff should coordinate on information gathering and scheduling forums for the draft EIS, and on subsequent public meetings for the public comment period of the draft EIS.

The Department appreciates and thanks your Administrative staff for suggesting a meeting sometime between March 27 – 31, 2017 and look forward to confirming the date. We also thank your staff for providing great insight into tribal interests and concerns.

If there is information that would be helpful to consider prior to the meeting, please contact Danielle. Additionally, as I mentioned in our previous meeting, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

As always, I look forward to our continued partnership and collaboration.

Sincerely,

A handwritten signature in cursive script that reads "Mike Rothman".

Mike Rothman
Commerce Commissioner

May 1, 2017

Robert Blanchard, Tribal Chair
Bad River Band of the Lake Superior Tribe of Chippewa
P.O. Box 39
Odanah, WI 54861

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chair Blanchard,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Fond du Lac Band of Lake Superior Chippewa, the Department became aware that tribal nations in Wisconsin might have treaty rights for the land affected by the proposed route or alternatives. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Bad River Band of the Lake Superior Tribe of Chippewa, the Department would be happy to meet with leadership in consultation. The format of a meeting could include a PowerPoint overview of the proposed pipeline; Commerce's role in preparing the EIS; the processes and proposed timeline; and a walk-through of the draft EIS chapters on environmental justice and cultural resources. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how

leadership would like Commerce to coordinate with the Bad River Band of the Lake Superior Tribe of Chippewa for comments on the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is written in a cursive, flowing style.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

April 11, 2017

President Wilfrid Cleveland
Ho Chunk Nation
P.O. Box 667
Black River Falls, WI 54615

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear President Cleveland,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Minnesota Indian Affairs Council, we have identified that the Ho Chunk Nation has land holdings in proximity to the proposed pipeline. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Ho Chunk Nation, the Department would be happy to meet with leadership in consultation. The format of a meeting could include: a PowerPoint Overview of the proposed pipeline; Commerce's role in preparing the EIS; and the processes and proposed timeline. Most importantly, we would ask for your guidance on how to represent the interests and the

President Wilfrid Cleveland
April 11, 2017
Page Two

impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership would like Commerce to coordinate with the Ho Chunk Nation on the preparation of the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is written in a cursive, flowing style.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

May 1, 2017

Michael Isham, Chair
Lac Courte Oreilles Band of Lake Superior Chippewa
13394 West Trepania Road
Hayward, WI 54843

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chair Isham,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Fond du Lac Band of Lake Superior Chippewa, the Department became aware that tribal nations in Wisconsin might have treaty rights for the land affected by the proposed route or alternatives. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Lac Courte Oreilles Band of Lake Superior Chippewa, the Department would be happy to meet with leadership in consultation. The format of a meeting could include a PowerPoint overview of the proposed pipeline; Commerce's role in preparing the EIS; the processes and proposed timeline; and a walk-through of the draft EIS chapters on environmental justice and cultural resources. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how

leadership would like Commerce to coordinate with the Lac Courte Oreilles Band of Lake Superior Chippewa for comments on the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly legible.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

May 1, 2017

Joseph Wildcat, Sr., President
Lac du Flambeau Band of Lake Superior Chippewa
P.O. Box 67
Lac du Flambeau, WI 54538

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear President Wildcat,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Fond du Lac Band of Lake Superior Chippewa, the Department became aware that tribal nations in Wisconsin might have treaty rights for the land affected by the proposed route or alternatives. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Lac du Flambeau Band of Lake Superior Chippewa, the Department would be happy to meet with leadership in consultation. The format of a meeting could include a PowerPoint overview of the proposed pipeline; Commerce's role in preparing the EIS; the processes and proposed timeline; and a walk-through of the draft EIS chapters on environmental justice and cultural resources. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how

leadership would like Commerce to coordinate with the Lac du Flambeau Band of Lake Superior Chippewa for comments on the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly distinguishable.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

May 1, 2017

Bryan Bainbridge, Tribal Chair
Red Cliff Band of Lake Superior Chippewa
8385 Pike Road Highway 13
Bayfield, WI 54814

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Tribal Chair Bainbridge,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Fond du Lac Band of Lake Superior Chippewa, the Department became aware that tribal nations in Wisconsin might have treaty rights for the land affected by the proposed route or alternatives. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Red Cliff Band of Lake Superior Chippewa, the Department would be happy to meet with leadership in consultation. The format of a meeting could include a PowerPoint overview of the proposed pipeline; Commerce's role in preparing the EIS; the processes and proposed timeline; and a walk-through of the draft EIS chapters on environmental justice and cultural resources. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how

leadership would like Commerce to coordinate with the Red Cliff Band of Lake Superior Chippewa for comments on the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly legible.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

May 1, 2017

Chris McGeshick, Chairperson
Sokaogon Chippewa Community
3051 Sand Lake Road
Crandon, WI 54520

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chair McGeshick,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Fond du Lac Band of Lake Superior Chippewa, the Department became aware that tribal nations in Wisconsin might have treaty rights for the land affected by the proposed route or alternatives. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the Sokaogon Chippewa Community, the Department would be happy to meet with leadership in consultation. The format of a meeting could include a PowerPoint overview of the proposed pipeline; Commerce's role in preparing the EIS; the processes and proposed timeline; and a walk-through of the draft EIS chapters on environmental justice and cultural resources. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how leadership

would like Commerce to coordinate with the Sokaogon Chippewa Community for comments on the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly legible.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

May 1, 2017

Lewis Taylor, Chairman
St. Croix Chippewa Indians of Wisconsin
24663 Angeline Avenue
Webster, WI 54893

RE: Consultation Request Regarding the Line 3 Replacement EIS

Dear Chair Taylor,

The Minnesota Department of Commerce began formal consultation and collaboration in 2016 with the five sovereign tribal nations in Minnesota directly affected by Enbridge Energy's proposed replacement of Line 3. Through recent consultation with the Fond du Lac Band of Lake Superior Chippewa, the Department became aware that tribal nations in Wisconsin might have treaty rights for the land affected by the proposed route or alternatives. I write today to provide an update and offer to meet to discuss the process.

Enbridge Energy is proposing to replace their existing Line 3 pipeline. Enbridge's proposal is to permanently deactivate the existing Line 3 pipeline and leave it in place, and construct a replacement pipeline along a new route. This, as well as other route alternatives proposed by other entities as alternatives to the Enbridge route, may profoundly affect your historical, cultural, land, and natural resources.

The process for pipeline approval is with the Minnesota Public Utilities Commission (PUC), which is responsible for deciding whether to issue a Certificate of Need and determining what route to permit for the proposed project. In this case, the PUC has ordered an Environmental Impact Statement (EIS) for the project and has asked the Commerce Department's Divisions of Energy, Environmental Review Unit (EERA) to conduct the EIS. Consistent with our Interim Tribal Consultation Policy and in recognition of your inherent right to self-governance, we find it vital to consult with your leadership about Commerce's role in gathering the information and creating an EIS that highlights the unique sovereign status of the tribe and its protected tribal resources, interests, and concerns.

If you deem consultation on Enbridge's proposed Line 3 replacement a priority to the St. Croix Chippewa Indians of Wisconsin, the Department would be happy to meet with leadership in consultation. The format of a meeting could include a PowerPoint overview of the proposed pipeline; Commerce's role in preparing the EIS; the processes and proposed timeline; and a walk-through of the draft EIS chapters on environmental justice and cultural resources. Most importantly, we would ask for your guidance on how to represent the interests and the impact the Proposed Project would have on your member's historical, cultural, land, and natural resources. This would include if and how

leadership would like Commerce to coordinate with the St. Croix Chippewa Indians of Wisconsin for comments on the draft EIS.

If there is information that would be helpful, please contact Commerce's tribal liaison, Danielle Molliver at (651) 539-1480 or danielle.ox.molliver@state.mn.us. Additionally, my Deputy Commissioner and Chief of Staff, Anne O'Connor is also available as a contact for your staff.

Sincerely,

A handwritten signature in black ink that reads "Mike Rothman". The signature is fluid and cursive, with the first name "Mike" and last name "Rothman" clearly legible.

Mike Rothman
Commerce Commissioner

Enclosures: Map of Line 3 Proposed route and alternatives

March 31, 2017

Anne O'Connor
Deputy Commissioner and Chief of Staff
MN Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

Re: Proposed Enbridge Line Three Replacement

Dear Deputy Commissioner O'Connor,

My name is James L. Jones, Jr, and I am the Cultural Resource Director for the Minnesota Indian Affairs Council (MIAC). I am writing to you today in regard to the proposed Enbridge Line 3 replacement that is currently being planned in the northern half of Minnesota. You have sent some questions to my Executive Director, Dennis Olson. Mr. Olson forwarded a copy of these to me. I also met with two staff members of the Department of Commerce recently in my home community of Cass Lake, MN. This meeting was held with Jamie MacAalister, Environmental Review Manager at the Department of Commerce, and with Danielle Oxendine Molliver, Commerce's Tribal Liaison. During that meeting, we discussed the questions specific to cultural resource considerations.

The intent of this letter is to inform you about concerns that I have as an enrolled member of the MN Chippewa Tribe, Leech Lake Pillager Band, and about the number of impacts a project of this nature will have to the cultural resource sites along the proposed routes. One major resource that is missing from the evaluations are the Traditional Cultural Places (TCP's). These types of sites include wild rice beds, and areas that are utilized by tribal communities both on and off reservation lands. I know that the proposed route will go through these types of areas, the McGregor, MN area being one known example. This area is rich with wild rice beds that are beneficial to a number of tribal communities.

There are also cultural corridor areas within the proposed pipeline route. These are areas that were important in the development of the tribal communities today. They are also historic routes that go back thousands of years, and are based on historic trade routes that indigenous people have had with one another for centuries. The crossing of the proposed route north of Outing, MN, and north of Roosevelt Lake, is another example of this type of corridor. There has to be a complete survey of the entire proposed route, and this survey needs to take place immediately. It will need to involve a number of the tribal communities to gather their input, and oral histories will have to be gathered to assist with the identification of these places. Consultation will have to take place with the northern Minnesota Ojibwe communities including the Red Lake Band of Chippewa Indians, as the proposed route goes through Red Lake's 1889 treaty areas. Additional consultation will have to include the Dakota Communities that are located in the southern part of the state, mainly because the U.S. Army Corps of Engineers has already started the Section 106 process with over 18 tribal nations. Consultation will have to include these tribal nations.

The proposed impacts to these places are things that a standard archaeological survey can miss, and are sometimes outside the scope of work for Environmental Impact Statements (EIS). Due to the timeline of the project, these surveys would also need to start immediately. These surveys will need people who are familiar with the type of places important to Ojibwe history and culture. Those conducting the surveys need to have working relationships with tribal communities within the state to confidently gain their trust and collaboration, while working with a number of diverse tribal nations.

There are both applicable state and federal laws which govern cultural resource management and the cultural areas of the state. Any survey work conducted will have to meet certain federal requirements, while concurrently coordinating with different tribal nations, multiple agencies, and land owners potentially impacted by this project.

Thank you for your attention to these important issues that will affect these cultural places important to the Indigenous Communities of Minnesota.

Sincerely,

James L. Jones, Jr.
Leech Lake Band Member
16139 63rd Ave. NW
Cass Lake, MN 56633

Cc: Governor Mark Dayton
Chairman Robert Larsen, Chairman, MIAC
Chairman Darrell G. Seki, Sr., Red Lake Band of Chippewa
Chairman Terrence Tibbitts, White Earth Band of Ojibwe
Chairman Faron Jackson, Leech Lake Band of Ojibwe
Chief Executive Melanie Benjamin, Mille Lacs Band of Ojibwe
Chairman Kevin Jensvold, Upper Sioux Board of Trustees
President Shelley Buck, Prairie Island Indian Community
Chairman Charlie Vig, Shakopee Mdewankton Dakota Community
Dennis Olson, Executive Director, MIAC
Commissioner Mike Rothman, MN Department of Commerce
Gary Frazer, Executive Director, MN Chippewa Tribe
David Mather, State Historic Preservation Office
Amanda Grovhold, Office of the State Archaeologist
Winona LaDuke, Executive Director, Honor the Earth
Melissa Cerda, Cultural Resource Specialist, MIAC

STATE OF MINNESOTA



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May 26, 2016

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

Re: Sandpiper Pipeline and Line 3 Route

Dear Mr. MacAlister,

I am writing to you in regards to the Proposed Sandpiper and Line 3 routes. The Cultural Resource Program of the Minnesota Indian Affairs Council (MIAC) is concerned with the proposed routes through the northern half of Minnesota. Our concern is that the proposed preferred routes will go through the richest cultural resources areas within the State of Minnesota. As established by MN Statue 307.08, MIAC has the joint responsibility under the law to protect all American Indian Burial Sites within the State. The potential of adverse effects on identified burial and archaeology sites and important sacred sites as well as sites that have yet to be identified is too great for us not to be concerned.

Thank you for your attention to this important matter.

Jim L. Jones, Jr.

Cultural Resource Director, MIAC

Cc: Chairman Robert Larson, Lower Sioux Community
Chairman Kevin Jensvold, Upper Sioux Board of Trustee's
Chairman Charlie Vig, Shakopee Mdewakanton
President Shelly Buck, Prairie Island Indian Community
Chairman Norman Dechampe, Grand Portage Band of Lake Superior Chippewa
Chairman Wanye Depuis Fond Du Lac Band of Chippewa
Leonard Wabasha, Shakopee Mdewakanton Dakota
Amy Burnette, Leech Lake THPO
Grace Goldtooth Campos, Lower Sioux THPO
Sharon Pazi Zea, Upper Sioux Board of Trustee's