



MVP-2014-01071-TJH: Enbridge Line 3 revised permit application

Published Feb. 4, 2020

1. St. Paul District is evaluating a permit request for construction-related activities affecting water resources associated with the proposed Enbridge Line 3 crude oil pipeline replacement. The Corps issued a Public Notice of the permit application on December 20, 2018. A second Public Notice issued on January 18, 2019 extended the comment period an additional 30 days to February 21, 2019. The current Public Notice is soliciting comments on recent changes to the proposal described below. Comments submitted previously do not need to be re-submitted.

The proposed Project involves the replacement of pipeline across approximately 80 miles of wetlands in Minnesota and approximately 1-mile in North Dakota. Construction of the proposed Project would result in temporary discharges of fill material in approximately 1,050 acres of wetlands, and permanent discharge of fill material in approximately 9 acres of wetlands. The project requires crossing 218 water bodies, roughly half of which are ditches.

Since the Public Notice was issued, changes to Project workspaces have resulted in a reduction of 0.8 acre of temporary wetland impact, and a reduction of 2.3 acres of permanent wetland fill. As a result of interagency input and in response to comments, seven wetland crossings have been re-characterized as water body crossings. Additionally, based on input from the Corps and state resource agencies, Enbridge has revised the Summary of Construction Methods and Procedures Plan and the Environmental Protection Plan referred to in the December 2018 Public Notice.

Enbridge has also submitted detailed proposals for compensatory wetland mitigation and post-construction wetland and waterbody monitoring. Complete versions of each proposal are available for public review and comment at: www.mvp.usace.army.mil/Enbridge_Line3. These proposals were developed after the December 2018 Public Notice in response to direction provided to Enbridge by the Corps and state resource agencies after interagency consultation and coordination. The Compensatory Wetland Mitigation Plan (Wetland Mitigation Plan) proposes to use mitigation bank credits under a watershed approach to compensate for unavoidable permanent fill that changes a wetland to a non-wetland, permanent wetland type conversions of forested and scrub-shrub wetlands, and temporal loss of wetlands during construction. Wetlands temporarily impacted during construction would be restored to pre-construction conditions. The Wetland Mitigation Plan includes categories of normal and "special" wetlands developed by the Corps and state resource agencies, and proposes differentiated baseline compensatory mitigation ratios, and mitigation ratio multipliers for replacement out of Bank Service Area and for replacement out of kind.

Enbridge developed the Post-Construction Wetland and Waterbody Monitoring Plan (Monitoring Plan) after the December 2018 Public Notice based on a similar interagency review and input process. The

purpose of the Monitoring Plan is to establish the monitoring procedures and performance standards that will be used to determine that the wetlands and waterbodies affected by the Project will be restored to pre-construction conditions. It addresses pre-construction data collected to establish baseline conditions; procedures required to monitor hydrology and vegetation during specified time periods following completion of Project construction; performance standards; and the content of required monitoring reports, including, but not limited to monitoring result findings and recommendations for appropriate steps to address deviations from baseline conditions, such as additional monitoring, corrective actions or adaptive management.

Revisions to the December 2018 Public Notice include the following updated Tables and Maps:

- L3R Waterbody Crossing Table
- L3R Wetland Impact Table – Mainline Crossings
- L3R Wetland Impact Table – Access Road / Haul Route Crossings
- Detailed Route Maps

Revisions to the December 2018 Public Notice include the following Plans:

- Environmental Protection Plan
- Compensatory Wetland Mitigation Plan
- Post-Construction Wetland and Waterbody Monitoring Plan
- Unanticipated Discoveries Plan
- Winter Construction Plan
- Blasting Plan

The permit application, full public notice, and the updated Tables, Maps, and Plans described above can be found at: www.mvp.usace.army.mil/Enbridge_Line3.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Corps has regulatory authority under Section 404 of the Clean Water Act and under Sections 10 and 14 (33 U.S.C. § 408) of the Rivers and Harbors Act. The Corps regulates placement of fill material in wetlands and other waters, as well as work and structures in navigable waters. Under the authorities listed above, the Corps does not regulate the overall construction or operation of pipelines, nor does it regulate the siting of any type of pipeline/utility line or any substance being transported within a pipeline. Interested parties are invited to submit to this office written facts, arguments, or objections. These statements should bear upon the impacts to wetlands and waterways as a result of the construction-related activities in Enbridge's application and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Comments submitted previously do not need to be resubmitted. Comments regarding the changes described in this public notice may be sent to:

Written comments may be emailed to: CEMVP-L3R-PN-Comments@usace.army.mil

Written comments may be mailed to:

St. Paul District Corps of Engineers
CEMVP-OP-R
180 Fifth Street East, Suite 700
Saint Paul, MN 55101 1678.

To receive Regulatory Public Notices by e-mail, go to: http://mvp-extstp/list_server/ and add your information in the New Registration Box.

Related Story: **Public Notice** /Portals/57/docs/Civil Works/Public Notices/Revised PN 2014-01071_20200204.pdf?ver=2020-02-04-105756-737

[Enbridge Line 3](#)

[Minnesota](#)

[St. Paul District](#)

[U.S. Army Corps of Engineers](#)