

MNDNR PERMITTING AND REPORTING SYSTEM

2018-3420

Permit Number

Amended

Water Appropriation Permit

Expiration Date: 06/04/2022

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

Project Name:	County:	Watershed:	Resource:	
L3R GW Segments and Pump Stations	Clearwater, Hubbard, Cass, Aitkin, Kittson, St. Louis, Marshall, Red Lake, Polk	Clearwater River; Mississippi River - Headwaters; Crow Wing River; Pine River; Mississippi River - Grand Rapids; Red River of the North - Tamarac River; St. Louis River; Snake River	Groundwater	
Purpose of Permit:		Authorized Action:		

Construction Dewatering

Withdrawal of up to 4982.7 million gallons of water per year for construction dewatering.

Authorized actions at each construction dewatering spread are listed below.

All volume amounts and appropriation pumping rates must be followed.

A total of 4,982,768,568 gallons is authorized by this permit. The permittee shall not exceed the total gallons authorized. The spread installations are an estimate of the amount of construction dewatering needed at each installation.

- Installation #1: Pipeline trench from Minnesota/North Dakota border to Donaldson pump station, Kittson County (12.6 miles) – estimate of 31,448 gallons
- Installation #2: Donaldson pump station, Kittson County (0.10 miles) estimate of 829,726 gallons
- Installation #3: Pipeline trench from Donaldson pump station to Viking pump station, Kittson & Marshall Counties (33.6 miles) estimate of 1,466,134 gallons
- Installation #4: Viking pump station, Marshall County (0.10 miles) estimate of 870,179 gallons
- Installation #5: Pipeline trench from Viking pump station to Plummer pump station, Marshall, Pennington & Red Lake Counties (28.8 miles) estimate of 3,667,555 gallons
- Installation #6: Plummer pump station, Red Lake County (0.10 miles) estimate of 1,065,538 gallons
- Installation #7: Pipeline trench from Plummer pump station to end of Construction Spread 1, Red Lake and Polk Counties, (19.1 miles) estimate of 5,475,038 gallons
- Installation #8: Pipeline trench from end of Construction Spread 1 to Clearbrook Terminal, Polk & Clearwater Counties, (13.1 miles) – estimate of 9,063,781 gallons
- Installation #9: Clearbrook pump station, Clearwater County (0.10 miles) estimate of 24,856,814 gallons
- Installation #10: Pipeline trench from Clearbrook pump station to Hubbard County line, Clearwater County (36.4 miles) estimate of 784,197,013 gallons
- Installation #11: Pipeline trench from Hubbard County line to Two Inlets pump station, Hubbard County (13.3 miles) estimate of 34,416,969 gallons
- Installation #12: Two Inlets pump station, Hubbard County (0.10 miles) estimate of 896,473 gallons
- Installation #13: Pipeline trench from Two Inlets pump station

to end of Construction Spread 2, Hubbard County (9.0 miles) – estimate of 42,203,185 gallons

- Installation #14:Pipeline trench from end of Construction Spread 2 to Backus pump station, Hubbard, Cass & Wadena Counties (41.5 miles) – estimate of 2,837,033,847 gallons
- Installation #15: Backus pump station, Cass County (0.10 miles) estimate of 44,965,514 gallons
- Installation #16: Pipeline trench from Backus pump station to end of Construction Spread 3, Cass & Crow Wing Counties (31.3 miles) estimate of 244,752,992 gallons
- Installation #17: Pipeline trench from end of Construction Spread 3 to Swatara pump station, Cass & Aitkin Counties (6.9 miles) – estimate of 3,570,484 gallons
- Installation #18: Swatara pump station, Aitkin County (0.10 miles) estimate of 4,077,316 gallons
- Installation #19: Pipeline trench from Swatara pump station to end of Construction Spread 4, Aitkin & St. Louis Counties (37.5 miles) estimate of 128,663,927 gallons
- Installation #20: Pipeline trench from end of Construction Spread 4 to North Gowan pump station, St. Louis County (9.6 miles) – estimate of 230,024,353 gallons
- Installation #21: North Gowan pump station, St. Louis County (0.10 miles) estimate of 1,685,052 gallons
- Installation #22: Pipeline trench from North Gowan pump station to Minnesota/Wisconsin border, St. Louis & Carlton Counties (34.1 miles) – estimate of 577,093,383 gallons
- Hill City pipeline maintenance station (PLM), Aitikin County -- estimate of 1,861,846 gallons

All appropriations from the above listed construction dewatering installations (spreads) will follow all relevant plans per the original final Application dated November 8, 2020 and the Environmental Protection Plan (EPP) received November 08, 2020. All changes in requested water volumes included in the permit amendment application dated May 12, 2021 and the updated Stormwater Pollution Prevention Plan (SWPPP) dated May 2021 required by the MPCA Construction Stormwater General Permit must be followed for this permit to be valid.

All installation volumes are estimates per the spreads and the total volume authorized is 4,982,768,568, the permittee is not allowed to go over the total volume authorized by this permit.

Permittee:

Authorized Agent:

ENBRIDGE ENERGY, LIMITED PARTNERSHIP CONTACT: HAHN, BOBBY, (218) 522-4751

26 E SUPERIOR ST.

SUITE 125

DULUTH, MN 55802 (218) 464-5621

019) 464 5621

MERJENT, INC.

CONTACT: LENZ, KRISTIN, (763) 913-4740

1 MAIN STREET SE

SUITE 300

MINNEAPOLIS, MN 55414

(612) 746-3660

To Appropriate From:

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 319032m east, 5284954m north

NESE of Section 29, T149N, R37W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 335917m east, 5238205m north

SENE of Section 24, T144N, R36W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 337053m east, 5217752m north

NWNW of Section 29, T142N, R35W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 336583m east, 5203482m north

SESE of Section 6, T140N, R35W

Sump : by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 382773m east, 5181950m north

NESE of Section 12, T138N, R31W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 428061m east, 5189817m north

NWNW of Section 14, T139N, R26W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 438108m east, 5192494m north

SWNW of Section 2, T139N, R25W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 197299m east, 5402845m north

Section 4, T160N, R50E

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 497094m east, 5192819m north

NWSW of Section 20, T51N, R21W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 511379m east, 5189971m north

SENE of Section 34, T51N, R20W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 511384m east, 5189786m north

SENE of Section 34, T51N, R20W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 454059m east, 5204182m north

SESW of Section 14, T52N, R26W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 210009m east, 5387076m north

NWNW of Section 25, T159N, R49W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 244838m east, 5345488m north

SESE of Section 28, T155N, R45W

Sump: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 300417m east, 5294895m north

SWSW of Section 28, T150N, R39W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 337143m east, 5217783m north

NENW of Section 29, T142N, R35W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 382905m east, 5181869m north

SWSW of Section 7, T138N, R30W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 447690m east, 5190730m north

NWNE of Section 31, T51N, R26W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 210118m east, 5386991m north

NWNW of Section 25, T159N, R49W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 244450m east, 5345588m north SWSE of Section 28, T155N, R45W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 274106m east, 5310131m north

NENW of Section 15, T151N, R42W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 274133m east, 5310053m north

NENW of Section 15, T151N, R42W

Groundwater: by means of a portable pump at a rate not to exceed 800 gpm

Point(s) of Taking

UTM zone 15N, 319120m east, 5284952m north

NESE of Section 29, T149N, R37W

Issued Date:	ate: 06/04/2021 Effective		Effective Date	9: 06/04/2021	Expiration Date	06/04/2022
Authorized Iss	uer:	Title:		Email Address:		Phone Number:
Randall Doneen		_	ation Assistance tions Section	randall.doneen@state.mn	us	651-259-5156

This permit is granted **subject to** the following **CONDITIONS**:

LIMITATIONS: (a) Any violation of the terms and provisions of this permit and any appropriation of the waters of the state in excess of that authorized hereon shall constitute a violation of Minnesota Statutes, Chapter 103G. (b) This permit shall not be construed as establishing any priority of appropriation of waters of the state. (c) This permit is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its employees, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the Permittee relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the Permittee, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the Permittee, for violation of or failure to comply with the provisions of the permit or applicable provisions of law. (d) In all cases where the doing by the Permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the Permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests necessary therefore. (e) This permit shall not release the Permittee from any other permit requirements or liability or obligation imposed by Minnesota Statutes, Federal Law, or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law. (f) Unless explicitly specified, this permit does not authorize any alterations of the beds or banks of any public (protected) waters or wetlands. A separate permit must be obtained from the Department of Natural Resources prior to any such alteration.

FLOW METER: The Permittee shall equip each installation for appropriating or using water with a flow meter, unless another method of measuring the quantity of water appropriated to within ten (10) percent of actual amount withdrawn is approved by the Department.

WATER USE REPORTING: Monthly records of the amount of water appropriated or used shall be recorded for each installation. Such readings and the total amount of water appropriated or used shall be reported annually to the Director of DNR Ecological and Water Resources, on or before February 15 of the following year, via the MNDNR Permitting and Reporting System (MPARS) at www.mndnr.gov/mpars/signin. Any processing fee required by law or rule shall be submitted with the records whether or not any water was appropriated during the year. Failure to report shall be sufficient cause for terminating the permit 30 days following written notice.

CONDITIONS (Continued from previous page)

MODIFICATION: The Permittee must notify the Commissioner in writing of any proposed changes to the existing permit. This permit shall not be modified without first obtaining the written permission from the Commissioner.

TRANSFER OR ASSIGNMENT: Any transfer or assignment of rights, or sale of property involved hereunder shall be reported within 90 days thereafter to the Director of DNR Ecological and Water Resources. Such notice shall be made by the transferee (i.e., new owner) and shall state the intention to continue the appropriation as stated in the permit. This permit shall not be transferred or assigned except with the written consent of the Commissioner.

COMMISSIONER'S AUTHORITY: (a) The Commissioner may inspect any installation utilized for the appropriation or use of water. The Permittee shall grant access to the site at all reasonable times and shall supply such information concerning such installation as the Commissioner may require. (b) The Commissioner may, as he/she deems necessary, require the Permittee to install gages and/or observation wells to monitor the impact of the Permittee's appropriation on the water resource and require the Permittee to pay necessary costs of installation and maintenance. (c) The Commissioner may restrict, suspend, amend, or cancel this permit in accordance with applicable laws and rules for any cause for the protection of public interests, or for violation of the provisions of this permit.

PUBLIC RECORD: All data, facts, plans, maps, applications, annual water use reports, and any additional information submitted as part of this permit, and this permit itself are part of the public record and are available for public inspection at the offices of DNR Ecological and Water Resources. The information contained therein may be used by the Division as it deems necessary. The submission of false data, statements, reports, or any such additional information, at any time shall be deemed as just grounds for revocation of this permit.

MONITORING REQUIREMENTS: Minnesota Statutes 103G.282 authorizes the Department of Natural Resources to require permittees to install and maintain monitoring equipment to evaluate water resource impacts from permitted appropriations. You may be required to modify or install automated measuring devices and keep records for each installation. The frequency of measurements and other requirements will be based on quantity of water appropriated, source of water, potential connections to other water resources, nature of concern, and other relevant factors.

DROUGHT PLANNING: In accordance with M.S. 103G.293, all permits must be consistent with the drought response plan detailed in the Statewide Drought Plan at

http://files.dnr.state.mn.us/natural resources/climate/drought/drought plan matrix.pdf.

LAND NOT OWNED BY PERMITTEE: This permit authorizes appropriation of water from land that is not owned by the permittee. The volume authorized is valid only as long as an agreement is in effect for lands included under this permit that are not owned by the permittee.

WELL SEALING: The permittee shall notify the Minnesota Department of Health prior to sealing, removing, covering, plugging or filling the well(s) from which the authorized appropriation was made. The well(s) must be sealed by a licensed well driller and in accordance with the procedures required under Minnesota Statutes 103I and Minnesota Rules 4725 as administered by the Minnesota Department of Health.

WATER USE CONFLICT: If notified by the DNR that a water use conflict is suspected and probable from your appropriation, based on confirmation of a formal well interference complaint or a preliminary hydrologic assessment, all appropriation authorized by this permit must cease immediately until the interference is resolved. The permittee may be required to obtain additional data to support the technical analysis, such as domestic well information within a radius of one and one-half miles of the production well. The permittee and impacted party may engage in a negotiated settlement process and there may be modifications made to this permit in support of conflict resolution.

SUSPENSION: The Department may require the suspension of appropriation during periods of low water in order to maintain minimum water levels within the basin/watercourse/watershed.

CONTINGENCY: If directed by DNR Ecological and Water Resources to cease pumping, the permittee agrees to withstand the results of no appropriation as stated in the contingency statement submitted with the application.

INTAKE: All pump intakes must be screened to prevent fish from being drawn into the system.

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic

CONDITIONS (Continued from previous page)

Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

INFESTED WATERS - WATER TREATMENT REQUIREMENTS: Surface water appropriation from waters listed as containing invasive species (see http://www.mndnr.gov/invasives/ais/infested.html) are required to contact 651-259-5100 or 1-888-MINN-DNR to obtain information from the DNR Division of Ecological and Water Resources on specific invasive species water treatment requirements.

WATER CONSERVATION: All practical and feasible water conservation methods and practices must be employed to promote sound water management and use the least amount of water necessary, such as reuse and recycling water, water-saving devices, and water storage.

DISCHARGE AUTHORIZATION: This permit is valid only in conjunction with all required discharge authorizations from local, state, or federal government units.

CONSTRUCTION DEWATERING DISCHARGES: No discharges are allowed at known state-listed threatened and endangered species location. All discharges should be completed per the specifics in the Environmental Protection Plan (EPP) dated November 2020, received on November 08, 2020. Dewatering activities will be conducted as described in the Construction Stormwater general permit and the revised May 2021 SWPPP, approved by MPCA and as described in the June 3, 2021 letter "Supplemental Information for an Individual Water Appropriation Permit Amendment for Construction Dewatering Reference No. 2018-3420". There shall be continuous on-site monitoring of dewatering activities by qualified staff to ensure that discharges prevent aquatic habitat degradation.

TIMING DEVICES AND FLOW METERS: All pumps in the construction trench must be instrumented with timing devices or flow meters. All pumps used at the pump station facilities and well point systems must be instrumented with flow meters. Timing devices are not allowed at the pump station facilities and well point systems as authorized under this permit.

APPROPRIATION AND DISCHARGE RATES: All appropriation and discharge pump rates in construction dewatering trenches and the pump station facilities must be between 400 gallons per minute (gpm) and 800 gpm. Pump rates must not exceed 800 gpm. Appropriation and discharge pump rates for the well point systems must be set to a maximum of 1,500 gpm.

CHESTER 24 FEN PIEZOMETER AND MONITORING: The permittee shall monitor the existing well nest installed by Enbridge near the RSV8 valve site on June 21, 2020. The well and piezometer should be instrumented at least a day before dewatering for Line 3 construction starts with a datalogger programmed to take water levels every minute. A vented logger is preferred but an absolute logger paired with a barologger on site, taking measurements at the same frequency, is acceptable. The exact time of the start and end of dewatering in the area should be noted. Water levels should be collected in this well nest until they recover to pre-pumping levels or after construction is completed and the area is restored; whichever is longer. The piezometer construction information (well depth, screen length, casing length, top of casing elevation, and well boring record), water level data, pump on/off times, pumping rates and volumes, along with the length of pumping (time) should be submitted to DNR following completion of the project. Once water levels recover, and with DNR prior approval, the piezometer and well could then be properly abandoned. If further information or coordination is needed on installing and monitoring this piezometer, please contact Michele Walker, DNR Hydrologist, michele.walker@state.mn.us, 218-308-2464.

cc: Tom Groshens, EWR District Manager

Simonson, Barry, Contact; Enbridge Energy, Limited Partnership

Ronayne, Angela, Contact; Merjent, Inc.

Lipps, Hannah, Contact; Merjent, Inc.

Hansen, Shannon, Contact; Merjent, Inc.

Fisher, Linda, Contact; Merjent, Inc.

Mike Findorff, MPCA

Mike Kelly, DNR Fisheries, Park Rapids Area

Edie Evarts, DNR Fisheries, Bemidji Area

Thomas Hutchins, Conservation Officers, Crookston

Jeremy Woinarowicz, Conservation Officers, Thief River Falls #1

Jacob Willis, Conservation Officers, Brookston

Ryan Brown, Conservation Officers, Karlstad

Taylor Hochstein, Conservation Officers, Hill City

Calie Kunst, Conservation Officers, Remer

Chelsey Best, Conservation Officers, Pequot Lakes

Nick Baum, Conservation Officers, Park Rapids

Hannah Mishler, Conservation Officers, Bemidji #2

Tim Gray, Conservation Officers, Bagley

Kevin Molloy, MPCA

Steve Hofstad, BWSR Wetland Specialists, Polk

Steve Hofstad, BWSR Wetland Specialists, Red Lake

Matt Johnson, BWSR Wetland Specialists, Marshall

Erin Loeffler, BWSR Wetland Specialists, St. Louis

David Demmer, BWSR Wetland Specialists, St. Louis

Matt Johnson, BWSR Wetland Specialists, Kittson

David Demmer, BWSR Wetland Specialists, Aitkin

Matt Johnson, BWSR Wetland Specialists, Cass

Matt Johnson, BWSR Wetland Specialists, Hubbard

Matt Johnson, BWSR Wetland Specialists, Clearwater

Andrew Herberg, DNR Regional Nongame Specialists, Region 2

Gaea Crozier, DNR Regional Nongame Specialists, Region 2

Amy Westmark, DNR Regional Nongame Specialists, Region 1

Margi Coyle, DNR Regional Environmental Assessment Ecologist, Region 2

Jaime Thibodeaux, DNR Regional Environmental Assessment Ecologist, Region 1

Emily Hutchins, DNR Wildlife, Crookston

Doug Franke, DNR Wildlife, Thief River Falls

Chris Balzer, DNR Wildlife, Cloquet

Jason Wollin, DNR Wildlife, Karlstad

Russ Reisz, DNR Wildlife, Aitkin

Christine Reisz, DNR Wildlife, Brainerd

Erik Thorson, DNR Wildlife, Park Rapids

Nathan Olson, DNR Fisheries, Detroit Lakes Area

Deserae Hendrickson, DNR Fisheries, Duluth Area

Phil Talmage, DNR Fisheries, Baudette Area

Rick Bruesewitz, DNR Fisheries, Aitkin Area

Marc Bacigalupi, DNR Fisheries, Brainerd Area

Jake Snyder, County, Polk

Kurt Casavan, County, Red Lake

Josh Johnston, County, Marshall

Mark Lindhorst, County, St. Louis

Barb O'Hara, County, Kittson

Becky Sovde, County, Aitkin

Andrew Carlstrom, County, Aitkin

John Ringle, County, Cass

Scott Navratil, County, Cass

Kelly Condiff, County, Cass

Jenny Blue, County, Cass

Levy Bergstrom, County, Cass

Eric Buitenwerf, County, Hubbard

Daniel Hecht, County, Clearwater

Kyle Schlomann, Watershed District, Middle Snake Tamarac WD

Danny Omdahl, Watershed District, Middle Snake Tamarac WD

Morteza Maher, Watershed District, Middle Snake Tamarac WD

Dan Money, Watershed District, Two Rivers WD

Myron Jesme, Watershed District, Red Lake WD

Corps of Engineers, Corps of Engineers, Polk

Corps of Engineers, Corps of Engineers, Red Lake

Corps of Engineers, Corps of Engineers, Marshall

Corps of Engineers, Corps of Engineers, St. Louis (South)

Corps of Engineers, Corps of Engineers, Kittson

Corps of Engineers, Corps of Engineers, Aitkin

Corps of Engineers, Corps of Engineers, Cass

Corps of Engineers, Corps of Engineers, Hubbard

Corps of Engineers, Corps of Engineers, Clearwater

Rachel Klein, SWCD, East Polk SWCD

Tanya Hanson, SWCD, Red Lake SWCD

Danny Thorstad, SWCD, Marshall SWCD

R.C. Boheim, SWCD, St. Louis SWCD - South

Justin Muller, SWCD, Kittson SWCD

Steven Hughes, SWCD, Aitkin SWCD

John Ringle, SWCD, Cass SWCD

Jessica Manifold, SWCD, Cass SWCD

Kelly Condiff, SWCD, Cass SWCD

Crystal Mathisrud, SWCD, Hubbard SWCD

Chester Powell, SWCD, Clearwater SWCD

Lori Buell, SWCD, Clearwater SWCD