

October 19, 2020

DNR makes two Line 3 decisions

The Minnesota Department of Natural Resources (DNR) has made decisions granting two of ten required DNR permits, licenses and approvals for the proposed Enbridge Line 3 pipeline replacement project.

Enbridge is proposing to construct a new oil pipeline in Minnesota, replacing its existing Line 3. Line 3 is one of six Enbridge oil pipelines that cross Minnesota in what Enbridge calls its mainline system.

After careful consideration of applicable state laws, all input received and the administrative record, the DNR has issued the following two permits/approvals:

- Gully 30 Fen Calcareous Fen Management Plan
- Gully 30 Fen Water Appropriation Permit

This means that the proposed project meets the applicable State of Minnesota environmental regulatory requirements to receive these approvals.

Gully 30 Fen is located in Polk County, near Trail, Minnesota. The Calcareous Fen Management Plan approval establishes the requirements Enbridge must follow to protect the Gully 30 Fen during construction. The Calcareous Fen Management Plan requires construction at the safest time of year, practices to protect the fen such as wetland mats to prevent compaction, and establishes construction and post-construction monitoring requirements to ensure impacts are minimal.

The water appropriation permit associated with the work in the Gully 30 Fen allows temporary dewatering to facilitate construction and sets the pumping rate and volume restrictions necessary to ensure sustainable use of the groundwater resource.

The DNR is still considering the following Line 3-related applications from Enbridge:

- Utility Crossing License for State Land
- Utility Crossing License for Public Water

- Water Appropriation for Hydrostatic Testing and Horizontal Directional Drilling (HDD)
- Water Appropriation for Trench and Construction Dewatering
- Water Appropriation for Dust Control
- Work in Public Waters for Public Water Wetlands on Private Land
- Work in Public Waters for Willow River Bridge
- Threatened and Endangered Species Taking Permit

In addition to these applications, Enbridge has requested short- and long-term leases on state land for construction access/staging and ongoing operation and maintenance.

The DNR's regulatory role with respect to the Line 3 project is focused on avoiding and minimizing adverse impacts associated with construction, operation and maintenance of the new pipeline on the route approved by the Minnesota Public Utilities Commission (PUC). The PUC issued the certificate of need and the pipeline construction route for the project earlier this year. Enbridge must still obtain additional regulatory approvals from other state, tribal and federal agencies prior to construction.

"The DNR conducted a thorough review of these applications, and has determined that these two approvals, as conditioned, meet the requirements of State statutes and rules," DNR Assistant Commissioner Jess Richards said. "The DNR carefully considered all comments and other input in making these decisions."