



August 30, 2016

IP-NO-2015-16-N22001—N22166, N22199—N22230, N22234—N22249

Rachael Shetka
Enbridge Energy, LP
119 North 25th Street East
Superior, WI 54880

Dear Ms. Shetka:

The Department has completed review of the proposal to cross up to 26 waterways, placing temporary bridges and related structures in or adjacent to navigable waterways, to grade in excess of 10,000 square feet on the banks of navigable waters, to remove materials from below the ordinary high water mark of navigable waterways, and to discharge fill in wetlands (listed in Table 1 of the permit), for the purpose of constructing the 36-inch diameter Line 3 Replacement (L3R) petroleum pipeline, from the Minnesota state line to the Enbridge terminal facility in Superior, Wisconsin. We have determined that the project meets state standards.

Enclosed is a Chapter 30 waterway, and Chapter 281.36 wetland permit. This document approves the project and lists the conditions that must be followed. Please read the permit carefully.

Feel free to email me at benjamin.callan@wisconsin.gov, or call me at 608-266-3524 if you have any questions.

Sincerely,

Benjamin Callan
Water Management Specialist

cc: Naomi Christenson, Merjent
Village of Superior
City of Superior
Douglas County Zoning
Rebecca Graser, US Army Corps of Engineers
Adam Ingwell, Public Service Commission
Pam Schense, WDNR (WT/3)
Stacy Rowe, WDNR (ER/6)
Kimberly Gonzalez, WDNR (WT/7)

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**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**Dredging, Grading, Bridge, Wetland Permit
(Dockets Listed in Permit Table 1)**

Enbridge Operating Services, LLC, Enbridge (US), Inc., and Enbridge Energy, LP, referred to collectively as "Enbridge" (or "applicant"), is hereby granted under 33 U.S.C.S. §1341 (CWA §401), Sections 182.017, 30.12, 30.123, 30.19, 30.20, 281.36, Wisconsin Statutes, and Chapters NR 102, 103, 115, 116, 117, 150, 299, 216, 320, 329, 341, 345, Wisconsin Administrative Code, a permit to place temporary bridges and related structures in or adjacent to navigable waterways listed in Table 1, a permit to grade in excess of 10,000 sq. ft. on the bank of navigable waterways, a permit to remove materials from below the ordinary high water mark of navigable waterways, and a wetland permit to discharge fill in wetlands listed in Table 1, for the purpose of constructing a 14-mile long 36-inch diameter Line 3 Replacement pipeline from the Minnesota – Wisconsin border to the Superior, Wisconsin terminal facility.

PERMIT CONDITIONS

General Conditions

1. This permit is predicated on a worst-case analysis of impacts and thus the most protective measures practicable for each waterway and wetland crossing are prescribed. Changes to the prescribed crossing techniques may occur only if approved by the Department in writing as described in conditions below.
2. You shall hire the Independent Environmental Monitor (IEM) approved by the Department.
3. You must supply a copy of this permit to every contractor associated with this project.
4. You must post a copy of this permit at a conspicuous location on the project web site for at least five days prior to construction, and remaining at least five days after construction. You must also keep a copy of the permit and approved plan available at all times until the project is complete at all field offices and construction sites. All employees, consultants and contractors who are working on the project must be made aware of the permit and its conditions and all appropriate managers and supervisors in charge of or working on construction or compliance must be provided with copies of the permit.
5. You must submit a detailed Environmental Construction Plan (ECP) to the Department for written approval before work begins.
6. The ECP shall include, at a minimum:
 - A. Any proposed modifications to the construction activities by this approved permit.

- B. Final construction plan including wetland pre-construction elevation data, proposed method, final sequencing plan, and narrative, detailing additional measures to avoid or minimize waterway or wetland impacts;
 - C. Alignment Sheets, including pipe centerline, construction workspace and temporary workspace, overlaid on an aerial photograph, showing environmental resources, including wetlands, waterways;
 - D. Final endangered resources management plan;
 - E. Final comprehensive wetland restoration and revegetation plan that includes an extensive native plant list, and addresses impacts to red clay plain wetlands, the Pokegama-Carnegie wetland complex, and general wetlands disturbed by construction;
 - F. Final invasive species management plan;
 - G. 10-year post-construction restoration and monitoring plan.
7. Upon submittal of the ECP, the applicants may request to meet with the Department to discuss the submittal.
 8. The Department will issue a decision to approve or require changes to the ECP within 45 days of receipt.
 9. If the applicant needs to modify the approved ECP, the applicant must submit an updated ECP or formal Variance Request (VR) to the Department for review and written approval. The Department can modify permit conditions as needed based on the Department review and approval of the ECP or VR.
 10. You shall post an electronic version of all final plans and ECPs on the applicant's project website when the hard copy documents are submitted to the Department. These plans shall be organized, including a table of contents, and remain on the website until the project is completed.
 11. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.
 12. Site specific waterway and wetland restoration and management plans that are approved by the Department must be implemented by the permittee.
 13. You must notify the Department Water Management Specialist Benjamin Callan (at phone 608.266.3524, or at email Benjamin.Callan@Wisconsin.gov), before starting construction and again not more than 5 days after the project is complete.
 14. You must complete construction of the project, including site stabilization, as described in this permit, on or before December 31, 2019. If you will not complete the project by

this date, you must submit a written request for an extension prior to the expiration date of the permit. Your request must identify the requested extension date and the reason for the extension. A permit extension may be granted, for good cause, by the Department. You may not begin or continue construction after the original permit expiration date unless the Department grants a new permit or permit extension in writing.

15. The applicant and/or its contractor shall provide financial assurance mechanism(s) in a form satisfactory to the Department and in an amount sufficient to assure performance of restoration and monitoring requirements of this permit.
16. You are responsible for obtaining all federal, state and local permits or approvals that may be required for your project.
17. You are not authorized to do any work other than what is specifically described in your application and supplemental materials submitted during the application review, and as modified by the conditions of this permit and reflected in Table 1. Final Department approved plans and accompanying documents, as well as plans developed and approved pursuant to conditions of this permit, are a part of, and are conditions of, this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.
18. You must follow field protocols for activities in proximity to known landfills and any solid waste encountered shall be disposed of in accordance with NR 500, solid waste regulations.
19. All construction activities shall be conducted in accordance with the avoidance and minimization measures for rare species agreed to by Enbridge and the Department and/or included in an Incidental Take Authorization, if needed.
20. You shall allow access to your project site during reasonable hours to any Department employee or state-authorized monitor who is investigating the project's construction, operation, maintenance or permit compliance.
21. The Department may modify or revoke this permit if the project is not completed according to the terms of the permit, or if the Department determines the activity is detrimental to the public interest.
22. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 30.292, Wis. Stats., for any violations of Chapter 30, Wisconsin Statutes or this permit.
23. Nothing in the plans, or the financial assurance mechanism(s) as specified in conditions above, substitutes for or restricts the Department statutory authority to enforce its permits or Wisconsin laws and environmental regulations, including its authority to require the cessation of unlawful activities causing environmental harm.

24. No more than 30 days after the project is completed, you must submit to the Department (or the state-authorized independent environmental monitor (IEM)), clear photographs of all waterway crossings, in .jpg format on a CD or DVD.
23. This permit does not authorize any future work within the existing Right-of-way (ROW), TWS, or extra workspace (EWS).
24. You assume all responsibility and liability for any direct or indirect damage caused or resulting from the installation and maintenance of these pipelines and hold the State of Wisconsin, and its employees, harmless.
25. Upon completion of pipeline installation, all wetland elevations and streambed elevations must be restored to pre-existing conditions.
26. Dewatering of excavated work areas shall be conducted in accordance with the standards of the applicable general permit under Wisconsin's Pollutant Discharge Elimination System, measures in Wisconsin's Construction Site Best Management Practices handbook, or any Department approved technical standards.
27. At no time shall dewatering activities directly discharge to wetlands or waterways without prior effective water quality treatment. If dewatering discharging to wetlands or waterways is cloudy or exceeds 40 mg/l of total suspended solids (TSS), you shall immediately stop dewatering and contact the IEM to determine an adequate dewatering method.
28. You are required to have all necessary equipment available on site prior to commencing any waterway or wetland crossing.
29. Fish timing restrictions only apply to waterways that have standing or flowing water.
30. You are required to maintain the pipelines to ensure that they cannot cause deleterious impacts to waterways, wetlands, and groundwater.

Sensitive Species – *in addition to conditions above*

31. All construction activities shall be conducted in accordance with the avoidance and minimization measures for rare species agreed to by Enbridge and the Department as stated in Enbridge's Incidental Take Permit as well as avoidance measures listed in the Endangered Resources Review.

General Erosion Control – *in addition to conditions above*

32. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters and as specified in plans and procedures that are part of or approved pursuant to this permit. All erosion control measures must meet or exceed the Department approved technical standards.

33. Any area where topsoil is exposed during construction shall be stabilized to prevent soil from being eroded and washed into a sensitive resource.
34. You must maintain a log of the erosion control inspections, repairs made, and rain events. This must be made available to any IEM and Department personnel upon request.
35. You may not remove vegetative cover earlier than authorized under the applicable ECP or on-site changes approved by the Department or the state-authorized monitor pursuant to this permit.
36. The removal of vegetative cover and exposure of bare ground must be restricted to the minimum amount necessary for construction. Areas where soil is exposed must be protected from erosion as soon as possible after removal of the original ground cover as described in the Wisconsin Construction Site Handbook (BMP's) or any Department approved technical standards, or site-specific erosion control plan approved by the Department.
37. This permit has been issued with the understanding that any construction equipment used is the right size to do the job, and can be brought to and removed from the project's site without unreasonable harm to vegetative cover or fish or wildlife habitat.
38. All erosion control matting used on this project must be made from natural fiber only, without any synthetic mesh or netting.
39. You must not deposit or store any of the dredged or graded materials in any wetland, below the ordinary high water mark, or in the floodway of any waterway unless specifically authorized by this permit or plans or on-site changes approved pursuant to this permit.
40. You must minimize the need to operate any construction equipment on the bed (below the ordinary high water mark) of any waterway.
41. Appropriate erosion control measures must be in-place and effective during every phase of this project.
42. Erosion control measures must be in place at the end of each working day.
43. Erosion control measures must be inspected, and any necessary repairs or maintenance performed, after every rainfall exceeding ½-inch and at least once per week.
44. No portion of the bank or upland which is altered or disturbed, and as a result unstable, may remain unprotected for more than 7 days.
45. Site stabilization between October 1 and April 15 requires sodding or seeding and mulching (with a non-toxic tackifier).

46. After the site is 70% stabilized, or prior to at the direction of the Department, all temporary erosion control measures must be removed and disposed of properly.
47. Any temporary erosion control devices, construction debris, or waste remaining after construction constitutes littering and may be enforced as determined necessary by the department.

Temporary Bridge Conditions – *in addition to conditions above*

48. This permit authorizes the placement of temporary clear span bridges (TCSBs) and is not an approval for channel relocation.
49. This permit does not authorize the removal of any material below the ordinary high water mark (OHWM) for the placement of TCSBs.
50. You must inspect the bridge openings periodically for debris, and following any rainfall exceeding ½-inch, and must remove any restriction of flow. Any debris must be deposited in an upland site and out of any floodplain.
51. You must securely anchor each bridge with cables or some other Department-approved method to prevent it from being transported downstream during flood conditions.
52. No approach fill shall be placed in the floodway or below the OHWM of any navigable waterway. If an approach must be located in the floodway, it shall be open ramp style construction only.
53. All bridges must be placed and removed in compliance with timing restrictions, and no later than 7 days after the final waterway crossing activities (associated with clean up and restoration) have been completed.
54. All bridges across navigable waterways shall maintain a clearance of not less than 5 feet, or comply with the requirements of NR320.04, Wis. Adm. Code.
55. All bridges shall completely span the waterway from top of channel to top of channel with no support pilings in the waterway.
56. Construction or placement of all TCSBs shall minimize the removal of trees, shrubs and other shoreline vegetation.

Dredging Conditions – *in addition to conditions above*

57. Bottom materials must be removed by equipment which is designed to minimize the amount of sediment that can escape into the water. Equipment must be properly sized so that excavation conforms to the plans submitted and allows the work to be done from the banks rather than in the waterway.

58. The stream bed backfill material shall be consistent with the pre-existing and adjacent bed material. If the stream bed in the crossing location has a unique substrate feature, it shall be replaced (i.e. cobbles, boulders, riffles, etc).
59. For all dredged waterways, you shall provide the Department with documentation that streambed elevations and slope have not changed due to the construction of this project.
60. The bank slopes must be no steeper than 2-feet horizontal to 1-foot vertical after construction.
61. All dewatering activities, including dredging, must comply with Technical Standard 1061 (<http://www.dnr.state.wi.us/org/water/wm/nps/stormwater/techstds.htm#Construction>).
62. If the water discharged from the dredge site exceeds the limits identified above, you shall submit and implement a stream restoration plan that must be authorized by the Department in writing.
63. You shall not dredge deeper than 10 feet below pre-existing streambed elevation in any waterway unless approved by the IEM.
64. You shall not permanently place any dredged material below the OHWM or in any wetland unless specifically authorized in the approved plans, the ECP or by the IEM.
65. You are not allowed to do construction during periods of high water levels or flooding if it could overwhelm the proposed crossing technique.
66. For each waterway crossing, the contractor shall have appropriate equipment available to handle high flow conditions.
67. Construction of the pipeline across waterways shall be completed as quickly as possible in order to minimize disruption.
68. Construction of the pipeline shall minimize the removal of trees, shrubs and other shoreline vegetation above the OHWM.
69. Spills of hazardous or toxic materials that pose a threat to human health, safety or the environment must be cleaned up to the extent practicable. All spills should be reported immediately to the DNR using the 24-hour toll free hot line, 1-800-943-0003. For more information, please visit the spills program web page: www.dnr.state.wi.us/org/aw/rr/spills/index.htm.
70. You shall follow the prescribed waterway crossing method listed in Permit Table 1. Any proposed changes to approved waterway crossing method must be approved by the IEM or Department. Crossing definitions are described in the Permit Table 1 notes.

71. Waterways that are dry during the entire crossing process can be constructed using a "wet trench" technique.
72. Waterways that have standing water but no flow during the entire crossing process shall not be crossed by "wet trenching" unless a VR is approved by the IEM or Department.
73. Installation of the pipeline across any waterway with standing water by "wet trenching" must properly utilize and maintain a minimum of one sediment control device (e.g. silt curtain) downstream of the trenching location.
74. You must inspect and maintain the dam, pumps, and flumes daily for debris, and within 12 hours following any rainfall exceeding ½ inch.
75. You shall remove any restriction of flow affecting the stream bypass system. Any debris must be deposited in an upland site and out of any floodplain.
76. Pump intakes shall prevent impacts to fisheries, wildlife, and their habitat.
77. Pump intakes shall be placed to avoid the disturbance and removal of bed material.
78. Pump discharges shall have energy dissipation devices installed to prevent disturbance and scour of bed material.
79. Flume discharges shall be designed, installed and maintained to prevent bed disturbance and scour.
80. Quantity and placement of flumes must minimize the disturbance and scour of bed material.
81. No earthen coffer dams are allowed.
82. You must ensure that all machinery and equipment used for the project has been adequately de-contaminated for aquatic invasives prior to being used in non-infested waters of the state. All equipment that comes in contact with infested waters including, but not limited to, pumps, hoses, tracked vehicles, barges, boats, turbidity curtain, aquabarrier bladders, and sheet pile must be thoroughly disinfected.
83. You shall remove all coffer dams gradually, in such a way that minimizes the release of sediment and other downstream impacts.

Wetland Conditions – *in addition to conditions above*

84. Preconstruction wetland elevation data must be utilized to ensure post-construction wetland elevations are properly restored.
85. You shall follow the prescribed wetland crossing method listed in Permit Table 1. Any proposed changes to approved wetland crossing method must be approved by the IEM or Department.

86. No wetlands may be disturbed other than where specifically authorized in the ECP or by the IEM pursuant to this permit.
87. You shall not create more than 14,000-linear feet of open trench at any one time during construction.
88. This permit does not authorize any permanent or temporary earthen or gravel roads in wetlands.
89. You shall prevent the transport and spread of non-native and invasive species in wetlands.
90. The total construction work space (aka Temporary Work Space (TWS)) in non-forested wetlands shall be no more than 90 feet.
91. Any request for Additional Temporary Work Space (ATWS) in non-forested wetlands must be submitted to the IEM through a VR.
92. The total TWS in forested wetlands shall be no more than 75 feet.
93. Any request for ATWS in forested wetlands must be submitted to the Department through a VR.
94. Justification to modify approved wetland impacts must include, but is not limited to, characterizations of soil, hydrology, construction alternatives, and construction logistics.
95. The boundaries of each wetland shall be clearly marked (with stakes or signs) in the field prior to clearing activities, and shall remain during construction. If markings need to be temporarily removed, they must be replaced by the end of the working day.
96. Unless conditions are frozen or stable (rutting < 6 inches), construction equipment passage in wetlands shall be limited and must travel on construction mats.
97. Mats placed in wetlands shall not be removed until final cleanup.
98. To the greatest extent practicable, construction shall utilize the existing permanent ROW to minimize TWS wetland impacts.
99. Any springs encountered in the ROW that cannot be avoided by construction must be characterized and documented prior to disturbance. These springs must be restored to pre-existing flow regimes and conditions.
100. You shall submit the final acreage of actual wetland impacts associated with this project. This information shall be submitted in a new column added to Permit Table 1.
101. This permit does not authorize placement of fill material in wetlands over existing pipelines that are exposed or have inadequate cover.

102. Unless in conflict with federal safety requirements or a separate Department approved project, deciduous wooded wetlands in the ROW outside of the trenchline shall be allowed to grow back by stump sprouting. This precludes stump grinding, cutting below grade, or herbicide treatment.

Restoration and Monitoring - in addition to conditions above

103. All wetlands must be restored to pre-construction topographic elevations and flow regimes for the purpose of restoring pre-construction wetland functions, unless specifically authorized by site-specific plans or on-site changes pursuant to this permit.
104. You shall monitor and address all areas where stabilization techniques have been implemented after the first 3 months within the first growing season.
105. The restoration plan (per condition #6E) must address stabilization and revegetation of streambanks, wetlands, and uplands.
106. Within 60 days of completion of pipeline installation, you shall provide a summary of the construction method utilized and document any problems encountered for every waterway and wetland crossing.
107. Final site stabilization in wetlands shall include an approved comprehensive seed mix, and requires the re-establishment of vegetation at least 70 percent of the type, density, and distribution of the vegetation that was documented in the pre-construction field delineation.
108. The monitoring plan (per condition #6G) shall include post-construction waterway and wetland monitoring. All wetlands shall be monitored within 3 months after the first growing season following completion of construction to ensure that the vegetation in it has been properly stabilized. The monitoring plan shall propose specific waterways and wetlands requiring monitoring beyond the first year after construction. At a minimum, 50% of the wetland crossings shall be monitored annually for 3 years. At a minimum, 40% of non-wooded wetlands shall be monitored for 5 years post construction. At a minimum, 25% of wooded wetland sites must have annual monitoring for at least 10 years. The monitoring plan shall outline the parameters to be measured each year of the plan and a clear timeline for annual monitoring report submittals to the Department.
109. If construction activities result in wetland violations of this permit, the Department will determine if these areas shall require additional post-construction monitoring beyond those described in Condition 108.

IEM Responsibilities - in addition to conditions above

110. IEM shall confirm that all wetland boundaries have been accurately marked by Enbridge in accordance with the project delineations prior to clearing and construction.

111. IEM shall process VR as determined by the Department.
112. Additional IEM responsibilities will be determined by the Department after the IEM is hired.

Other Conditions – *in addition to conditions above*

113. This permit does not authorize any harvesting, collection, possession of, or degradation to any wild rice plants.
114. Spills which are below the following threshold quantities have to be cleaned up but do not have to be reported unless human health, safety or the environment is threatened. Spill reporting thresholds are:
 - Petroleum reportable quantities:
 - A. Lightweight petroleum (gasoline, kerosene, aviation fuel) - one gallon or more released must be reported.
 - B. Heavyweight petroleum (fuel oil, diesel, waste oil, hydraulic oil, mineral oil, etc) - five gallons or more released must be reported.
 - Agricultural Chemical reportable quantities:
 - A. 250 pounds or more of dry fertilizer is released
 - B. 25 gallons or more of liquid fertilizer is released
 - C. any pesticide which, when diluted per label instructions, would cover one acre or more for field application.
115. Pipeline easements must not include language that prevents waterway and wetland restoration and management activities as required by this permit.
116. You must notify the IEM within 2 hours of identifying any potential permit violation.
117. You shall report any violations of this permit that you become aware of to the Department's OE. You shall include the Enbridge response and proposed resolution to permit violations.
118. You are required to collect data on at least three streams for pre-construction, construction, and post-construction water quality monitoring (including at least: flow, TSS, BOD, conductivity).

FINDINGS OF FACT

1. Enbridge Operating Services, LLC, Enbridge (US), Inc., and Enbridge Energy, LP, (also known as "Enbridge"), 119 North 25th Street East, Superior, WI 54880 have applied to the Department of Natural Resources for permits to place temporary clear span bridges across waterways, to grade in excess of 10,000 square feet on the bank of waterways, to dredge in waterways, to authorize equipment to drive on the bed of waterways, and to discharge fill

in wetlands listed in Table 1 for the purpose of constructing a new 36-inch diameter liquid petroleum pipeline (also known as "Line 3 Replacement" or "L3R").

2. The L3R is located in Sections 2, 8, 9, 10, 11, 16, 17, 18, 19 and 20 (Township 48 North, Range 14 West), Sections 24, 25, 26, 27, 31, 32, 33 and 34 (Township 48 North, Range 15 West), and Sections 35 and 36 (Township 49 North, Range 14 West), in the Town, Village and City of Superior, Douglas County.
3. Enbridge is proposing the L3R project to supplant its existing 34-inch diameter Line 3 Pipeline, which imports crude oil from Alberta, Canada, into the United States. The L3R project area within Wisconsin (also known as "Segment 18") would be approximately 14 miles long and constructed entirely within Douglas County, from the Minnesota/Wisconsin border to the terminus in Superior, Wisconsin.
4. Enbridge's expressed purpose and need for the L3R project is to replace the existing Line 3 Pipeline, which transports crude oil originating in the Western Canadian Sedimentary Basin to Enbridge terminals in the United States. The original 34-inch-diameter pipeline was installed in 1968. The replacement will increase the pipeline system's service life and reduce the frequency and magnitude of ongoing maintenance activities on the existing Line 3 Pipeline. The L3R project is expected to transport the same product mix (light and heavy crude oil) as the existing Line 3 Pipeline.
5. Enbridge currently owns and operates six existing liquid petroleum pipelines within an approximately 175-foot permanent easement. Line 1 (18-inch diameter) was installed in 1950, Line 2 (26-inch diameter) was installed in 1957, Line 3 (34-inch diameter) was installed in 1968, Line 4 (36-inch diameter) was installed in 2002, Lines 13 (20-inch diameter) and 67 (36-inch diameter) were installed in 2010.
6. The Department provided Enbridge with information relative to Department authorities, the need to avoid or minimize waterway and wetland impacts, endangered and threatened species and habitats, and other areas of concern prior to the submittal of their application.
7. The Department informed Enbridge that additional permits or approvals may be necessary from the state, the U.S. Army Corps of Engineers (ACOE), and local units of government.
8. The Department had numerous pre-application and post-application meetings and discussions with Enbridge to address waterway, wetland, and listed species concerns.
9. On February 26, 2014, the Department received an application for wetland and waterway permits to construct a new 14-mile pipeline in Douglas County as part of a longer project connecting to replace the existing approximately 14 miles of the Line 3 pipeline in Douglas County, Wisconsin.
10. The Department issued a letter, including a notice of pending application / public hearing, dated February 25, 2016. The NOPA indicated that the L3R application for waterway and wetland permits was complete. The NOPA also indicated that the Department scheduled a public informational hearing on March 10, 2016, at the Superior Public Library. During the public hearing, the Department received comments on the L3R project waterway and

wetland permit application, and comments on the draft Environmental Impact Statement for the L3R and Sandpiper Pipeline Project.

11. The NOPA indicated that the Department determined the application complete, pursuant to 33 U.S.C.S. §1341 (CWA §401), Sections 1.11, 182.017, 30.12, 30.123, 30.19, 30.20, 30.208, 281.36, Wis. Stats., and chs. NR 103, 299, 300, 310, 320, 329, and 345, Wis. Adm. Code. By requirement of the Department, the applicants published the notice as a Class 1 Notice in the Superior Telegram, and mailed the notice to all affected property owners and interested parties.
12. Section NR 150.20, Wis. Admin. Code, establishes procedures to fulfill the requirements of s. 1.11 (2) (c), Wis. Stats., setting minimum procedural requirements for WEPA compliance. The Department followed the Environmental Impact Statement (EIS) process as outlined under s. NR 150.30, Wis. Admin. Code, pursuant to s. NR 150.20 (4), Wis. Admin. Code.
13. On May 23, 2014, the Department received an environmental impact report (EIR) from the applicant providing a description of the proposed projects and the applicant's analysis of the potential environmental effects of the proposals.
14. On June 16, 2014, pursuant to s. NR 150.30 (1) (am), Wis. Admin. Code, by letters, news release, and through a posting on the Department's internet site, the Department notified interested parties of its determination to complete an environmental impact statement (EIS) process for the proposed Sandpiper and Line 3 Replacement projects. The Department explained to interested parties the process it would use to determine the scope of the analysis and to identify the significant issues to be analyzed in depth.
15. On August 25, 2014, the Department held a public informational EIS scoping meeting at 6:00 pm at the Wisconsin Indianhead Technical College, 600 North 21st Street, Superior, Wisconsin. In addition to oral testimony received at the meeting, the Department received substantial public scoping comments during the public scoping comment period that was open through September 26, 2014.
16. To determine the scope of the EIS analysis, the Department relied on the public scoping comments, and the applicant's EIR, the permit applications and supporting environmental information.
17. The Department developed a draft EIS that analyzed both the Line 3 Replacement and Sandpiper projects.
18. On February 24, 2016, in accordance with s. NR 150.30(3), Wis. Admin. Code, the Department of Natural Resources announced the availability of the draft EIS for public comment and announced a public informational hearing to receive comments on the draft EIS and on chapter 30 and s. 281.36, Wis. Stats., permit applications for the Line 3 Replacement project. A class 1 notice, as defined by ch. 985, Wis. Stats., was published in the Superior Telegram to announce the hearing. The public review period on the draft EIS extended through March 25, 2016. Copies of the draft EIS were made available through the Department's internet site.

19. The Department held a public informational hearing in two sessions on March 10, 2016, at 4:30 pm and 6:30 pm at the Superior Public Library, 1530 Tower Avenue, Superior, Wisconsin. The hearing on the draft EIS was held concurrently with the hearing on the proposed Line 3 Replacement project chapter 30 and s. 281.36, Wis. Stats., permit applications. Verbal comments on the draft EIS were received at the hearing and written comments were accepted in letter or electronic mail formats through March 25, 2016.
20. The Department prepared a final EIS that includes a summary of the public comments received and the Department's responses to the comments.
21. The final EIS is available on Department's website at:
<http://dnr.wi.gov/topic/EIA/ArchiveTitle.html>.
22. This document publicly announces the findings of fact, conclusions of law, and summary of the procedures and process steps used to comply with ch. NR 150, Wis. Admin. Code, as required by s. NR 150.35(1m), Wis. Admin. Code.
23. Public comments received relevant to the Department's waterway and wetland jurisdictions were considered in this decision document.
24. The route for the L3R pipeline generally follows the same route as that of six existing Enbridge pipelines within a 175-foot-wide permanently maintained easement. Enbridge identified small alternative pipeline routes (called route variations) for three sections of the proposed route: Sections A, B, and C.
25. Route Variations A1 and A2 were developed to avoid existing residences and the Pokegama Carnegie Wetlands State Natural Area (SNA). Route A2 involves significantly less impact to waterways, total wetlands, wooded wetland, and listed species potential habitat. Enbridge withdrew Variation A1.
26. Route Variations B1 and B2 were developed to avoid a land parcel that is involved in ongoing litigation. Route B1 significantly reduces logistical issues associated with construction and maintenance. Enbridge withdrew Variation B2.
27. Route Variation C1 and C2 were developed to avoid impacts to the City of Superior stormwater ponds and to the Nemadji Golf Course. Route C1 involves significantly less impact to total wetlands and wooded wetlands. Enbridge withdrew Variation C2.
28. On February 2, 2016, the Department notified the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) and Voigt Task Force (VTF) regarding proposed activities in ceded territory associated with the L3R project permit application, and the draft EIS. On March 24, 2016, GLIFWC requested a 30-day extension to provide comments on the draft EIS. On April 11, 2016, GLIFWC provided comments on the draft EIS. On June 7, 2016, the Department notified GLIFWC and the VTF that the EIS was complete, and Department permits are pending.
29. To avoid disruption to fish species and their habitat, the Department has considered limiting construction timeframes or methods during specific time periods listed in Table 1.

30. Impacts to aquatic resources and wetlands are considered to be temporary, and the resources are expected to fully recover after pipeline installation.
31. The Department has reviewed and considered information presented in the application materials including: air photos of existing ROW and adjacent lands, proposed waterway crossing locations, wetland fill (stockpile and backfill) locations, TWS impacts associated with clearing and construction, EWS impacts associated with clearing and construction; field investigations of the waterways and wetlands along the existing ROW and proposed route; and digital photos of specific access routes.
32. Department Office of Energy staff consulted with Department resource staff, federal regulators, and pipeline construction and inspection experts.
33. This project will include up to 26 waterway crossings. Waterway crossings include placement of equipment bridges, placement of coffer dams, dredging, grading on the bank, placement of the pipelines below the ordinary high water mark, backfilling to the pre-construction elevations with appropriate substrate, and bank restoration.
34. Pipeline construction across waterways can be completed by horizontal directional drill (HDD), open-cut dry trench, and open-cut wet trench.
35. The approval of dredging for waterway crossings is limited to waterways within the project right-of-way that cannot be avoided by HDD, or where utilization of HDD is likely to result in an uncontrolled release of drilling slurry.
36. Work below the ordinary high water mark and the placement of temporary bridges (TB's) is limited to the timeframes established in NR320 and NR345, unless otherwise approved by the Department's local fisheries biologists.
37. In general, impacts to water quality and aquatic habitat are minimized if the construction zone is isolated from the waterway by HDD or dry trenching.
38. Silt curtain use provides a water quality benefit during wet trench construction only where flow is 1 foot per second or faster.
39. Clear span bridges are expected to have less impact on water quality and stream flow patterns than the use of bridges with supports, culverts or fords.
40. There will be 0.15 acres of wetland fill for valve placement and access, as well as infrastructure work in the Superior terminal property. Total temporary wetland impacts will be approximately 84 acres, including approximately 2.35 acres of sedge meadow, and 25.53 acres of shrub carr / alder thicket. Total permanent wetland conversion to emergent wetlands will be approximately 19 acres, including approximately 10.66 acres of shrub carr / alder thicket, and 8.46 acres of hardwood swamp.
41. The applicant was required to compensate for wetland losses through compensatory mitigation. The Department evaluated the wetland mitigation proposal and determined

that WI Wetland Conservation Trust (WWCT) in-lieu fee mitigation credits could mitigate the wetland functions lost due to the project and fulfill the compensation requirement. No credits were available from an approved mitigation bank. The Department determined that the applicant must purchase a total of 16.75 credits to compensate for the permanent loss associated with the permanent wetland fill, the temporal loss of wetland function associated with the temporary wetland impacts and the forested functional wetland loss associated with the permanent conversion of shrub and wooded swamp wetlands to emergent wetlands. The number of credits was based on the following information:

| Wetland Type | Temporary Impact | Permanent Conversion | Permanent Fill | Mitigation Ratio | Credits Needed |
|--------------------------|------------------|----------------------|----------------|------------------|----------------|
| Fresh Wet Meadow | | | 0.15 acres | 1.45:1 | 0.22 |
| Sedge Meadow | 2.35 acres | | | 0.25:1 | 0.59 |
| Shrub Carr/Alder Thicket | 25.53 acres | | | 0.25:1 | 6.38 |
| Shrub Carr/Alder Thicket | | 10.66 acres | | 0.5:1 | 5.33 |
| Hardwood Swamp | | 8.46 acres | | 0.5:1 | 4.23 |

42. An Affidavit of Compensatory Mitigation Credit Purchase was submitted to the Department by the WWCT on July 19, 2016 for the purchase of 16.75 mitigation credits, fulfilling the mitigation requirement. There will also be additional temporary wetland impacts to shallow/open water, deep/shallow marsh and fresh wet meadow wetlands. Based on the type/quality of these wetlands and the proposed restoration plan, the Department has determined that there should not be a loss of wetland function or acreage in these wetlands due to the project and therefore, additional mitigation was not be required.
43. Based on Department review of the application materials, modifications have been made in the construction footprint, construction techniques and restoration measures to avoid or minimize wetland impacts.
44. If constructed according to the permit, no wetlands will be converted to uplands. The impacts are of a temporary nature and the only fill will result from the pipe being placed in wetlands. The top of the pipe will be placed a minimum of 3 feet below ground surface.
45. Based on the information provided by the applicants and the conditions of this permit, the Department has determined that there are not practicable alternatives to the wetland impacts.
46. The Department considered the potential adverse impacts to wetlands and determined that the impacts have been avoided and minimized to the greatest extent practicable if the provisions of this permit are met.
47. Pursuant to s. NR 103.08, Wis. Adm. Code, the proposed project, if constructed in accordance with this permit, will not result in significant adverse impacts to wetland functional values, significant adverse impacts to water quality or other significant adverse environmental consequences.
32. The proposed project, if constructed in accordance with this permit will not adversely affect water quality, will not increase water pollution in surface waters and will not cause environmental pollution as defined in s. 283.01(6m), Wis. Stats.

33. The proposed project, if constructed in accordance with this permit and protection measures required and recommended by the Department's Office of Energy and Bureau of Natural Heritage Conservation, will avoid or minimize impacts to endangered resources.
34. The Department and the applicants have completed all procedural requirements and the project as permitted will comply with all applicable requirements of 33 U.S.C.S. §1341 (CWA §401), Sections 1.11, 182.017, 30.12, 30.123, 30.19, 30.20, 281.36, Wis. Stats., and Chapters NR 102, 103, 115, 116, 117, 150, 299, 320, 329, 341, and 345 of the Wis. Adm. Code.
35. The attached Permit Table 1 prescribes construction requirements for each waterway and wetland crossing.

CONCLUSIONS OF LAW

1. The Department and the applicant have completed all procedural requirements and the project as permitted will comply with all applicable requirements of 33 U.S.C.S. §1341 (CWA §401), Sections 1.11, 182.017, 30.12, 30.123, 30.19, 30.20, 281.36, Wis. Stats., and Chapters NR 102, 103, 115, 116, 117, 150, 299, 320, 329, 341, and 345 of the Wis. Adm. Code.
2. The Department of Natural Resources, pursuant to s. 1.11, Wis. Stats., and ch. NR 150, Wis. Admin. Code, has the responsibility to comply with WEPA and the authority to determine its compliance with that Act. The proposed Line 3 Replacement pipeline project received environmental analysis through the EIS process under s. NR 150.30, Wis. Admin. Code. The procedure and analysis identified in the Findings of Fact complies with the requirements of s.1.11, Wis. Stats., and ch. NR 150, Wis. Admin. Code.
3. The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for the construction and maintenance of this project.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing of any individual permit decision pursuant to section 30.209, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707-7921. The petition shall be in writing, shall be dated and signed by the petitioner, and shall include as an attachment a copy of the decision for which administrative review is sought. If you are not the applicant, you must simultaneously provide a copy of the petition to the applicant. If you wish to request a stay of the project, you must provide information, as outlined below, to show that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment. If you are not the permit

applicant, you must provide a copy of the petition to the permit applicant at the same time that you serve the petition on the Department.

The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.

A request for contested case hearing must meet the requirements of section 30.209, Wis. Stats., and sections NR 2.03, 2.05, and 310.18, Wis. Admin. Code, and if the petitioner is not the applicant the petition must include the following information:

1. A description of the objection that is sufficiently specific to allow the department to determine which provisions of this section may be violated if the proposed permit or contract is allowed to proceed.
2. A description of the facts supporting the petition that is sufficiently specific to determine how the petitioner believes the project, as proposed, may result in a violation of Chapter 30, Wis. Stats.;
3. A commitment by the petitioner to appear at the administrative hearing and present information supporting the petitioner's objection.

If the petition contains a request for a stay of the project, the petition must also include information showing that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment.

Dated at Department Headquarters in Madison, Wisconsin on August 30, 2016.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By 
Benjamin Callan
Water Management Specialist

ENBRIDGE LINE 3 REPLACEMENT
PERMIT TABLE 1

| DOCKET NUMBER | | | | TOWNSHIP | RANGE | SECTION | Q | QQ | WATERBODY NAME | CLASS | IMPACT (ACRE) | TIMING RESTRICTION | | |
|---------------|----|------|--------|----------|----------|---------|----|----|----------------|-------|---------------------------|--------------------|----------|-----------------|
| IP | NO | 2015 | N22001 | T | Superior | 48 | 15 | 31 | SE | NE | DO002e1W | WM | 0 | |
| IP | NO | 2015 | N22002 | T | Superior | 48 | 15 | 31 | SE | NE | DO002a1W | SS | 0.044688 | |
| IP | NO | 2015 | N22121 | T | Superior | 48 | 15 | 31 | SE | NE | DO002aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22122 | T | Superior | 48 | 15 | 31 | SE | NE | DO002bWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22003 | T | Superior | 48 | 15 | 31 | SE | NE | w-1085gg | WM | 0.066755 | |
| IP | NO | 2015 | N22004 | T | Superior | 48 | 15 | 31 | SE | NE | DO002c1W | WM | 0 | |
| IP | NO | 2015 | N22005 | T | Superior | 48 | 15 | 31 | SE | NE | DO002d1W | WM | 0 | |
| IP | NO | 2015 | N22006 | T | Superior | 48 | 15 | 31 | SE | NE | DO002a1W | WM | 0.230217 | |
| IP | NO | 2015 | N22007 | T | Superior | 48 | 15 | 32 | SW | NW | DO003_200a1W | SS | 0 | |
| IP | NO | 2015 | N22008 | T | Superior | 48 | 15 | 32 | SW | NW | DO003a1W | FM | 0 | |
| IP | NO | 2015 | N22009 | T | Superior | 48 | 15 | 32 | SW | NW | DO003b1W | FM | 0.006408 | |
| IP | NO | 2015 | N22010 | T | Superior | 48 | 15 | 32 | SW | NW | DO003b1W | SS | 0 | |
| IP | NO | 2015 | N22011 | T | Superior | 48 | 15 | 32 | SW | NW | DO003b1W | WM | 0.032321 | |
| IP | NO | 2015 | N22012 | T | Superior | 48 | 15 | 32 | SW | NW | DO003e1W | FM | 0.001493 | |
| IP | NO | 2015 | N22013 | T | Superior | 48 | 15 | 32 | SW | NW | DO003f1W | FM | 0.012774 | |
| IP | NO | 2015 | N22014 | T | Superior | 48 | 15 | 32 | SW | NW | w-1085ff | WM | 0.026262 | |
| IP | NO | 2015 | N22015 | T | Superior | 48 | 15 | 32 | SW | NW | DO003h1W | WM | 0.016265 | |
| IP | NO | 2015 | N22016 | T | Superior | 48 | 15 | 32 | SW | NW | w-1085dd | WM | 0.109113 | |
| IP | NO | 2015 | N22017 | T | Superior | 48 | 15 | 32 | SW | NE | DO003i1W | FM | 0 | |
| IP | NO | 2015 | N22018 | T | Superior | 48 | 15 | 32 | SW | NE | DO004f1W | FM | 0 | |
| IP | NO | 2015 | N22019 | T | Superior | 48 | 15 | 32 | SW | NE | DO004b1W | FM | 0.050214 | |
| IP | NO | 2015 | N22020 | T | Superior | 48 | 15 | 32 | SE | NW | w-1085cc | WM | 0.117239 | |
| IP | NO | 2015 | N22021 | T | Superior | 48 | 15 | 32 | SE | NW | DO004a1W | FM | 0.644494 | |
| IP | NO | 2015 | N22022 | T | Superior | 48 | 15 | 32 | SW | NE | DO004a1W | WM | 1.376288 | |
| IP | NO | 2015 | N22023 | T | Superior | 48 | 15 | 32 | SW | NE | DO004b1W | WM | 0.028973 | |
| IP | NO | 2015 | N22024 | T | Superior | 48 | 15 | 32 | SE | NW | w-1085bb | WM | 0.013017 | |
| IP | NO | 2015 | N22025 | T | Superior | 48 | 15 | 32 | SE | NW | DO005a1W | SS | 0.100041 | |
| IP | NO | 2015 | N22026 | T | Superior | 48 | 15 | 32 | SE | NW | DO005a1W | WM | 0.544308 | |
| IP | NO | 2015 | N22027 | T | Superior | 48 | 15 | 32 | SE | NW | DO005b1W | WM | 0.089866 | |
| IP | NO | 2015 | N22028 | T | Superior | 48 | 15 | 32 | SE | NW | DO005c1W | FM | 0.009139 | |
| IP | NO | 2015 | N22029 | T | Superior | 48 | 15 | 32 | SE | NW | DO005c1W | WM | 0.258815 | |
| IP | NO | 2015 | N22030 | T | Superior | 48 | 15 | 32 | SE | NE | DO006a1W | WM | 0.011783 | |
| IP | NO | 2015 | N22031 | T | Superior | 48 | 15 | 32 | NE | SE | DO007a1W | WM | 0.115308 | |
| IP | NO | 2015 | N22032 | T | Superior | 48 | 15 | 32 | NE | SE | DO007b1W | WM | 0.298335 | |
| IP | NO | 2015 | N22033 | T | Superior | 48 | 15 | 32 | NE | SE | DO007b1W | SS | 0.052483 | |
| IP | NO | 2015 | N22123 | T | Superior | 48 | 15 | 32 | NE | SE | DO007bWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22034 | T | Superior | 48 | 15 | 32 | NE | SE | DO007c1W | WM | 0.044595 | |
| IP | NO | 2015 | N22035 | T | Superior | 48 | 15 | 32 | NE | SE | DO007b1W | M | 0.116783 | |
| IP | NO | 2015 | N22036 | T | Superior | 48 | 15 | 33 | NW | SW | DO008a1W | SS | 0.023562 | |
| IP | NO | 2015 | N22037 | T | Superior | 48 | 15 | 33 | NW | SW | DO008a1W | WM | 1.264902 | |
| IP | NO | 2015 | N22038 | T | Superior | 48 | 15 | 33 | NW | SW | DO008a1W | FM | 0.03518 | |
| IP | NO | 2015 | N22124 | T | Superior | 48 | 15 | 33 | NW | SW | DO008aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22039 | T | Superior | 48 | 15 | 33 | NW | SW | DO008b1W | SS | 0.001479 | |
| IP | NO | 2015 | N22040 | T | Superior | 48 | 15 | 33 | NW | SW | DO008b1W | WM | 0.027497 | |
| IP | NO | 2015 | N22041 | T | Superior | 48 | 15 | 33 | NW | SE | DO008d1W | FM | 0.014398 | |
| IP | NO | 2015 | N22042 | T | Superior | 48 | 15 | 33 | NW | SW | DO008d1W | WM | 0.37487 | |
| IP | NO | 2015 | N22043 | T | Superior | 48 | 15 | 33 | NE | NW | DO009a1W | FM | 0.05879 | |
| IP | NO | 2015 | N22044 | T | Superior | 48 | 15 | 33 | NE | NW | DO009a1W | SS | 0.030246 | |
| IP | NO | 2015 | N22045 | T | Superior | 48 | 15 | 33 | NE | NW | DO009a1W | WM | 3.2308 | |
| IP | NO | 2015 | N22046 | T | Superior | 48 | 15 | 33 | NE | NW | DO012a1W | WM | 0.229681 | |
| IP | NO | 2015 | N22047 | T | Superior | 48 | 15 | 33 | NE | NW | DO012a1W | FM | 0.032125 | |
| IP | NO | 2015 | N22048 | T | Superior | 48 | 15 | 33 | NE | NE | DO012a1W | M | 0.012491 | |
| IP | NO | 2015 | N22049 | T | Superior | 48 | 15 | 33 | NW | NW | DO018b1W | FM | 0.575122 | |
| IP | NO | 2015 | N22050 | T | Superior | 48 | 15 | 33 | NW | NW | DO018b1W | SS | 0.121002 | |
| IP | NO | 2015 | N22051 | T | Superior | 48 | 15 | 33 | NW | NW | DO018b1W | WM | 2.308409 | |
| IP | NO | 2015 | N22052 | T | Superior | 48 | 15 | 34 | NW | NW | DO018c1W | WM | 0.016885 | |
| IP | NO | 2015 | N22053 | T | Superior | 48 | 15 | 34 | NW | NW | DO018a1W | WM | 0.067396 | |

ENBRIDGE LINE 3 REPLACEMENT
PERMIT TABLE 1

| DOCKET NUMBER | | | | TOWNSHIP | RANGE | SECTION | Q | QQ | WATERBODY NAME | CLASS | IMPACT (ACRE) | TIMING RESTRICTION | | |
|---------------|----|------|--------|----------|----------|---------|----|----|----------------|-------|---------------------------------|--------------------|----------|-----------------|
| IP | NO | 2015 | N22054 | T | Superior | 48 | 15 | 27 | NE | NE | DO020d1W | WM | 0.188868 | |
| IP | NO | 2015 | N22055 | T | Superior | 48 | 15 | 27 | SW | SE | DO020c1W | FM | 0 | |
| IP | NO | 2015 | N22056 | T | Superior | 48 | 15 | 27 | SW | SE | DO020e1W | WM | 0.261239 | |
| IP | NO | 2015 | N22057 | T | Superior | 48 | 15 | 27 | SW | SE | DO020b1W | WM | 0.279812 | |
| IP | NO | 2015 | N22125 | T | Superior | 48 | 15 | 27 | SW | SE | DO020aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22058 | T | Superior | 48 | 15 | 27 | SW | SE | DO020a1W | WM | 0.042539 | |
| IP | NO | 2015 | N22059 | T | Superior | 48 | 15 | 27 | SE | SW | DO021a1W | WM | 0.752157 | |
| IP | NO | 2015 | N22060 | T | Superior | 48 | 15 | 27 | SE | SW | DO021a1W | SS | 0.039239 | |
| IP | NO | 2015 | N22061 | T | Superior | 48 | 15 | 27 | SE | SW | DO022a1W | SS | 0.046838 | |
| IP | NO | 2015 | N22062 | T | Superior | 48 | 15 | 27 | SE | SW | DO022a1W | FM | 0.062325 | |
| IP | NO | 2015 | N22063 | T | Superior | 48 | 15 | 27 | SE | SW | DO022a1W | WM | 2.282503 | |
| IP | NO | 2015 | N22064 | T | Superior | 48 | 15 | 27 | SW | NW | DO025c1W | FM | 0.230711 | |
| IP | NO | 2015 | N22065 | T | Superior | 48 | 15 | 26 | SW | NW | DO025c1W | WM | 2.097246 | |
| IP | NO | 2015 | N22066 | T | Superior | 48 | 15 | 26 | SW | NW | DO025b1W | WM | 0.067337 | |
| IP | NO | 2015 | N22126 | T | Superior | 48 | 15 | 26 | SW | NW | DO025aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22067 | T | Superior | 48 | 14 | 9 | SE | NE | DO041_542_300a1W | WM | 0.000003 | |
| IP | NO | 2015 | N22068 | T | Superior | 48 | 14 | 10 | SW | NW | DO041_544a1W | WM | 0.222894 | |
| IP | NO | 2015 | N22069 | T | Superior | 48 | 14 | 10 | SW | NW | DO041_544a1W | SS | 1.747736 | |
| IP | NO | 2015 | N22070 | V | Superior | 48 | 14 | 10 | SW | NE | DO057a1W | WM | 0.022554 | |
| IP | NO | 2015 | N22071 | V | Superior | 48 | 14 | 10 | SW | NE | DO057a1W | FM | 0.443541 | |
| IP | NO | 2015 | N22127 | V | Superior | 48 | 14 | 10 | SW | NE | DO057aWB - Pokegama River | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22072 | V | Superior | 48 | 14 | 10 | SW | NE | DO057b1W | WM | 0.111886 | |
| IP | NO | 2015 | N22073 | V | Superior | 48 | 14 | 10 | SE | NW | DO059a1W | WM | 0.131773 | |
| IP | NO | 2015 | N22074 | V | Superior | 48 | 14 | 10 | SE | NW | DO059a1W | FM | 0.056825 | |
| IP | NO | 2015 | N22075 | V | Superior | 48 | 14 | 10 | SE | NW | DO060a1W | WM | 0.051644 | |
| IP | NO | 2015 | N22076 | V | Superior | 48 | 14 | 10 | SE | NW | DO060_220a1W | WM | 0.015868 | |
| IP | NO | 2015 | N22077 | V | Superior | 48 | 14 | 10 | SE | NW | DO060_220a1W | SS | 0.000821 | |
| IP | NO | 2015 | N22078 | V | Superior | 48 | 14 | 10 | SE | NW | DO063a1W | SS | 0.019731 | |
| IP | NO | 2015 | N22079 | V | Superior | 48 | 14 | 10 | SE | NW | DO063a1W | WM | 0.229006 | |
| IP | NO | 2015 | N22080 | V | Superior | 48 | 14 | 10 | SE | NW | DO064a1W | WM | 0.425015 | |
| IP | NO | 2015 | N22128 | V | Superior | 48 | 14 | 10 | NE | SE | DO065_900RDeWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22081 | V | Superior | 48 | 14 | 10 | NE | SE | DO066_001a1W | WM | 0.113065 | |
| IP | NO | 2015 | N22082 | V | Superior | 48 | 14 | 10 | NE | SE | DO066_001a1W | FM | 0.132251 | |
| IP | NO | 2015 | N22083 | V | Superior | 48 | 14 | 10 | NE | SE | DO066_001a1W | SS | 0.016624 | |
| IP | NO | 2015 | N22084 | V | Superior | 48 | 14 | 10 | NE | SE | DO071a1W | SS | 0.306821 | |
| IP | NO | 2015 | N22085 | V | Superior | 48 | 14 | 10 | NE | SE | DO071a1W | FM | 0.54495 | |
| IP | NO | 2015 | N22086 | V | Superior | 48 | 14 | 10 | NE | SE | DO071a1W | WM | 1.42063 | |
| IP | NO | 2015 | N22129 | T | Superior | 48 | 14 | 10 | NE | SE | DO074aWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22087 | V | Superior | 48 | 14 | 10 | NE | SE | w-1094ws4 | WM | 0.936062 | |
| IP | NO | 2015 | N22088 | V | Superior | 48 | 14 | 10 | NE | SE | DO071_001a1W | WM | 0.193442 | |
| IP | NO | 2015 | N22089 | V | Superior | 48 | 14 | 10 | NE | SE | DO073_001a1W | WM | 0.00036 | |
| IP | NO | 2015 | N22130 | T | Superior | 48 | 14 | 10 | NE | SE | DO074aWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22090 | V | Superior | 48 | 14 | 10 | NE | SE | w-1095ws1 | SS | 0.032804 | |
| IP | NO | 2015 | N22091 | C | Superior | 48 | 14 | 2 | NW | NW | DO075_200a1W | WM | 1.062099 | |
| IP | NO | 2015 | N22092 | C | Superior | 48 | 14 | 11 | NW | NW | DO075_200a1W | SS | 0.115868 | |
| IP | NO | 2015 | N22093 | C | Superior | 48 | 14 | 11 | NW | NW | w-1095ws4 | WM | 0.016545 | |
| IP | NO | 2015 | N22094 | C | Superior | 48 | 14 | 2 | NW | NW | DO075_200a1W | FM | 0.041861 | |
| IP | NO | 2015 | N22095 | C | Superior | 48 | 14 | 2 | SW | SW | w-1095ws2 | WM | 0.244981 | |
| IP | NO | 2015 | N22096 | C | Superior | 48 | 14 | 2 | NW | NW | DO075_200a1W | WM | 2.535086 | |
| IP | NO | 2015 | N22097 | C | Superior | 48 | 14 | 11 | NW | NW | DO075_200a1W | SS | 0.092416 | |
| IP | NO | 2015 | N22098 | C | Superior | 48 | 14 | 2 | NW | NW | DO075_200a1W | FM | 0.062615 | |
| IP | NO | 2015 | N22099 | C | Superior | 48 | 14 | 2 | SW | SE | DO091a1W | WM | 0.174345 | |
| IP | NO | 2015 | N22100 | C | Superior | 48 | 14 | 2 | SW | SE | w-1095ws3 | SS | 0.001428 | |
| IP | NO | 2015 | N22101 | C | Superior | 48 | 14 | 2 | SW | SE | DO091a1W | WM | 0.022858 | |
| IP | NO | 2015 | N22245 | C | Superior | 48 | 14 | 2 | SW | NE | DO094_001aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22102 | C | Superior | 48 | 14 | 2 | SW | SE | w-1095ws3 | SS | 0.065112 | |
| IP | NO | 2015 | N22103 | C | Superior | 48 | 14 | 2 | SW | SE | w-1095ws3 | WM | 0.018429 | |
| IP | NO | 2015 | N22104 | C | Superior | 48 | 14 | 2 | SW | NE | DO093_200a1W | FM | 0.367266 | |

ENBRIDGE LINE 3 REPLACEMENT
PERMIT TABLE 1

| DOCKET NUMBER | | | | TOWNSHIP | RANGE | SECTION | Q | QQ | WATERBODY NAME | CLASS | IMPACT (ACRE) | TIMING RESTRICTION | | |
|---------------|----|------|--------|----------|----------|---------|----|----|----------------|-------|--------------------------------------|--------------------|----------|-----------------|
| IP | NO | 2015 | N22105 | C | Superior | 48 | 14 | 2 | SW | NE | DO094_001a1W | WM | 0.008155 | |
| IP | NO | 2015 | N22106 | C | Superior | 48 | 14 | 2 | NE | NW | DO100_510a1W | SS | 0.089189 | |
| IP | NO | 2015 | N22107 | C | Superior | 48 | 14 | 2 | NW | SE | WW1_012 | SS | 0 | |
| IP | NO | 2015 | N22108 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | FM | 0.577432 | |
| IP | NO | 2015 | N22109 | C | Superior | 49 | 14 | 36 | SW | SW | DO112a1W | WM | 0.005469 | |
| IP | NO | 2015 | N22110 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | FM | 0.020749 | |
| IP | NO | 2015 | N22111 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | WM | 6.449953 | |
| IP | NO | 2015 | N22112 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | FM | 1.670485 | |
| IP | NO | 2015 | N22113 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | SS | 1.022165 | |
| IP | NO | 2015 | N22114 | C | Superior | 49 | 14 | 36 | NW | NW | w-1097a | SS | 0.038642 | |
| IP | NO | 2015 | N22115 | C | Superior | 49 | 14 | 36 | NW | NW | w-1097a | WM | 3.284241 | |
| IP | NO | 2015 | N22116 | C | Superior | 49 | 14 | 36 | NW | SE | DO122a1W | WM | 0.043847 | |
| IP | NO | 2015 | N22117 | C | Superior | 49 | 14 | 36 | NE | SW | DO123_300a1w | WM | 0.011164 | |
| IP | NO | 2015 | N22118 | C | Superior | 49 | 14 | 36 | NW | NE | DO122b1W | WM | 0 | |
| IP | NO | 2015 | N22119 | C | Superior | 49 | 14 | 36 | NE | NW | DO124_200a1W | WM | 0 | |
| IP | NO | 2015 | N22120 | C | Superior | 49 | 14 | 36 | NW | NE | DO124_200a1W | FM | 0 | |
| IP | NO | 2015 | N22131 | T | Superior | 48 | 14 | 11 | NW | NW | DO075aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22132 | C | Superior | 49 | 14 | 36 | NW | SE | DO122aWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22133 | T | Superior | 48 | 15 | 26 | SE | NW | DO025a1W | SS | 0.085959 | |
| IP | NO | 2015 | N22134 | T | Superior | 48 | 15 | 26 | SW | NE | DO025a1W | FM | 0.01447 | |
| IP | NO | 2015 | N22135 | T | Superior | 48 | 15 | 26 | SW | NW | DO025a1W | WM | 0.236682 | |
| IP | NO | 2015 | N22136 | T | Superior | 48 | 15 | 26 | SE | NW | DO025a1W | SS | 1.208623 | |
| IP | NO | 2015 | N22137 | T | Superior | 48 | 15 | 26 | SW | NE | DO025a1W | FM | 0.434259 | |
| IP | NO | 2015 | N22138 | T | Superior | 48 | 15 | 26 | NE | SW | DO029a1W | WM | 0.127842 | |
| IP | NO | 2015 | N22139 | T | Superior | 48 | 15 | 26 | NE | SW | DO029b1W | WM | 4.24015 | |
| IP | NO | 2015 | N22140 | T | Superior | 48 | 15 | 26 | NW | NW | DO029b1W | SS | 2.531676 | |
| IP | NO | 2015 | N22141 | T | Superior | 48 | 15 | 25 | NW | NW | DO029b1W | FM | 0.012241 | |
| IP | NO | 2015 | N22142 | T | Superior | 48 | 15 | 24 | NW | NW | DO034a1W | SS | 2.319206 | |
| IP | NO | 2015 | N22143 | T | Superior | 48 | 15 | 24 | NE | NE | DO034a1W | FM | 0.328314 | |
| IP | NO | 2015 | N22144 | T | Superior | 48 | 15 | 24 | SW | SE | DO034a1W | WM | 1.225453 | |
| IP | NO | 2015 | N22165 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_500bWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22145 | T | Superior | 48 | 15 | 24 | SE | NW | DO035_200a1W | WM | 0.019505 | |
| IP | NO | 2015 | N22146 | T | Superior | 48 | 15 | 24 | SE | NW | DO035_200a1W | FM | 0.096263 | |
| IP | NO | 2015 | N22147 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_500a1W | FM | 0.238422 | |
| IP | NO | 2015 | N22166 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_500aWB - Little Pokegama River | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22148 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_505a1W | FM | 0.0106 | |
| IP | NO | 2015 | N22149 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_510b1W | WM | 0.007566 | |
| IP | NO | 2015 | N22150 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_510b1W | FM | 0.087035 | |
| IP | NO | 2015 | N22151 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_510a1W | FM | 0.085263 | |
| IP | NO | 2015 | N22152 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_510a1W | WM | 0.015165 | |
| IP | NO | 2015 | N22153 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_515a1W | SS | 0.116848 | |
| IP | NO | 2015 | N22154 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_515a1W | WM | 0.004979 | |
| IP | NO | 2015 | N22155 | T | Superior | 48 | 15 | 24 | SE | NW | DO034_520b1W | FM | 0.012237 | |
| IP | NO | 2015 | N22156 | T | Superior | 48 | 15 | 24 | NE | SW | DO034_520a1W | WM | 0.274203 | |
| IP | NO | 2015 | N22157 | T | Superior | 48 | 15 | 24 | NE | SE | DO034_520a1W | SS | 0.360331 | |
| IP | NO | 2015 | N22158 | T | Superior | 48 | 15 | 24 | NE | SE | DO034_520a1W | FM | 0.061796 | |
| IP | NO | 2015 | N22159 | T | Superior | 48 | 15 | 24 | NE | SE | DO034_525a1W | SS | 0.035294 | |
| IP | NO | 2015 | N22160 | T | Superior | 48 | 15 | 24 | NE | SE | DO034_525a1W | FM | 0.166213 | |
| IP | NO | 2015 | N22161 | T | Superior | 48 | 15 | 24 | NE | SE | DO034_525a1W | WM | 0.193514 | |
| IP | NO | 2015 | N22162 | T | Superior | 48 | 15 | 24 | NW | NW | DO034_535a1W | SS | 1.995243 | |
| IP | NO | 2015 | N22163 | T | Superior | 48 | 15 | 24 | NW | NW | DO034_535a1W | WM | 0.05514 | |
| IP | NO | 2015 | N22164 | T | Superior | 48 | 14 | 19 | NW | NW | DO034_535a1W | FM | 0.10713 | |
| IP | NO | 2015 | N22199 | T | Superior | 48 | 14 | 19 | NW | NW | DO041b1W | WM | 0.366325 | |
| IP | NO | 2015 | N22200 | T | Superior | 48 | 14 | 19 | NW | NW | DO041b1W | SS | 0.106558 | |
| IP | NO | 2015 | N22201 | T | Superior | 48 | 14 | 19 | NW | NE | DO041o1W | SS | 0.106829 | |
| IP | NO | 2015 | N22202 | T | Superior | 48 | 14 | 19 | NW | NE | DO041p1W | WM | 0.262201 | |
| IP | NO | 2015 | N22229 | T | Superior | 48 | 14 | 19 | NW | NE | DO041eWB - Little Pokegama River | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22203 | T | Superior | 48 | 14 | 19 | NW | NE | DO041o1W | FM | 0 | |

ENBRIDGE LINE 3 REPLACEMENT
PERMIT TABLE 1

| DOCKET NUMBER | | | | TOWNSHIP | RANGE | SECTION | Q | QQ | WATERBODY NAME | CLASS | IMPACT (ACRE) | TIMING RESTRICTION | | |
|---------------|----|------|--------|----------|----------|---------|----|----|----------------|-------|------------------------------|--------------------|-----------|-----------------|
| IP | NO | 2015 | N22204 | T | Superior | 48 | 14 | 19 | NW | NE | DO041s1W | SS | 0.150446 | |
| IP | NO | 2015 | N22205 | T | Superior | 48 | 14 | 19 | NE | NE | DO041k1W | SS | 15.456909 | |
| IP | NO | 2015 | N22206 | T | Superior | 48 | 14 | 19 | NW | NE | DO041l1W | SS | 0.284245 | |
| IP | NO | 2015 | N22207 | T | Superior | 48 | 14 | 19 | NE | NE | DO041k1W | FM | 0.707244 | |
| IP | NO | 2015 | N22208 | T | Superior | 48 | 14 | 16 | NE | NE | DO053a1W | SS | 4.476123 | |
| IP | NO | 2015 | N22224 | V | Superior | 48 | 14 | 10 | SW | SW | DO055aWB - Unnamed Stream | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22209 | T | Superior | 48 | 14 | 19 | NE | NE | DO041k1W | WM | 1.056499 | |
| IP | NO | 2015 | N22210 | T | Superior | 48 | 14 | 10 | SW | NW | DO041_544a1W | WM | 0.310291 | |
| IP | NO | 2015 | N22211 | T | Superior | 48 | 14 | 10 | SW | NW | DO041_544a1W | SS | 1.230901 | |
| IP | NO | 2015 | N22212 | T | Superior | 48 | 14 | 10 | SW | NE | DO041_544a1W | FM | 0.241096 | |
| IP | NO | 2015 | N22213 | T | Superior | 48 | 14 | 16 | NE | NE | DO053a1W | WM | 4.26148 | |
| IP | NO | 2015 | N22214 | T | Superior | 48 | 14 | 17 | NE | SE | WWI_004 | SS | 0.602407 | |
| IP | NO | 2015 | N22215 | T | Superior | 48 | 14 | 16 | NW | SW | WWI_005 | FM | 1.45236 | |
| IP | NO | 2015 | N22216 | T | Superior | 48 | 14 | 16 | NW | SW | w-1092ws5 | WM | 0.104776 | |
| IP | NO | 2015 | N22217 | T | Superior | 48 | 14 | 16 | NW | SW | w-1093ws1 | WM | 0.872749 | |
| IP | NO | 2015 | N22218 | T | Superior | 48 | 14 | 16 | NW | SW | w-1092ws5 | SS | 0.614905 | |
| IP | NO | 2015 | N22219 | T | Superior | 48 | 14 | 16 | NW | SW | w-1093ws1 | SS | 0.384464 | |
| IP | NO | 2015 | N22220 | T | Superior | 48 | 14 | 19 | NW | NE | DO041s1W | WM | 0.067051 | |
| IP | NO | 2015 | N22221 | T | Superior | 48 | 14 | 16 | NW | SW | WWI_008 | SS | 0.068017 | |
| IP | NO | 2015 | N22222 | T | Superior | 48 | 14 | 16 | NW | SW | ar1093.3 | WM | 0.036397 | |
| IP | NO | 2015 | N22225 | C | Superior | 48 | 14 | 2 | SW | SW | w-1095ws2 | SS | 0.000103 | |
| IP | NO | 2015 | N22226 | C | Superior | 48 | 14 | 2 | NW | NW | DO075_200a1W | WM | 0.961117 | |
| IP | NO | 2015 | N22227 | C | Superior | 48 | 14 | 11 | NW | NW | DO075_200a1W | SS | 2.321487 | |
| IP | NO | 2015 | N22228 | C | Superior | 48 | 14 | 2 | NW | NW | DO075_200a1W | FM | 0.570896 | |
| IP | NO | 2015 | N22229 | C | Superior | 48 | 14 | 2 | SW | SW | WWI_013 | SS | 0 | |
| IP | NO | 2015 | N22246 | C | Superior | 48 | 14 | 2 | NW | SE | DO100_510aWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22234 | C | Superior | 48 | 14 | 2 | NE | NW | DO100_510a1W | SS | 1.571276 | |
| IP | NO | 2015 | N22235 | C | Superior | 48 | 14 | 2 | NE | SW | DO100_510a1W | WM | 3.856697 | |
| IP | NO | 2015 | N22247 | C | Superior | 48 | 14 | 2 | NW | SE | DO106_200bWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22248 | C | Superior | 48 | 14 | 2 | NE | SW | DO106aWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22236 | C | Superior | 48 | 14 | 2 | NE | SW | DO103_90057b1W | WM | 0.009307 | |
| IP | NO | 2015 | N22237 | C | Superior | 48 | 14 | 2 | NE | SW | DO109g1W | WM | 0.041397 | |
| IP | NO | 2015 | N22249 | C | Superior | 48 | 14 | 2 | NE | SW | DO109bWB - Unnamed Ditch | | | MAR 1 - JUNE 15 |
| IP | NO | 2015 | N22238 | C | Superior | 48 | 14 | 2 | NE | NE | w-8r1096w | M | 0.052242 | |
| IP | NO | 2015 | N22239 | C | Superior | 48 | 14 | 2 | NE | NE | w-gcpond2 | M | 0.025543 | |
| IP | NO | 2015 | N22240 | C | Superior | 48 | 14 | 2 | NE | NE | w-gcpond3 | M | 0.110691 | |
| IP | NO | 2015 | N22241 | C | Superior | 48 | 14 | 2 | NE | NE | w-8r1096d | M | 0.218946 | |
| IP | NO | 2015 | N22242 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | WM | 1.052666 | |
| IP | NO | 2015 | N22243 | C | Superior | 49 | 14 | 35 | SW | NW | w-8r1096d | SS | 0.08738 | |
| IP | NO | 2015 | N22244 | C | Superior | 49 | 14 | 35 | SW | NW | DO121a1W | WM | 0.482392 | |