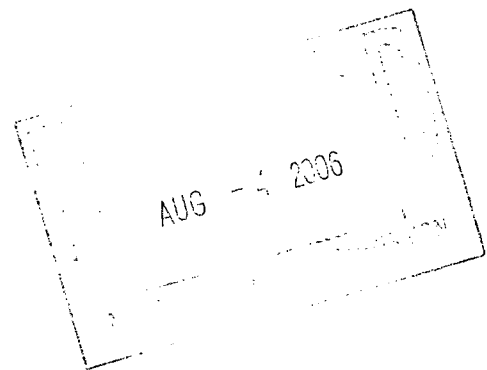


Enbridge Pipelines (North Dakota) LLC

Application for New Pumping Stations at Blaisdell, Denbigh, Penn
and Larimore for a Waiver or Reduction of Procedures and Time
Schedules and for a Certificate of Site Compatibility



Public Service Commission of North Dakota

August 2006

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF THE
APPLICATION OF ENBRIDGE
PIPELINES (NORTH DAKOTA) LLC
FOR CONSTRUCTION OF FOUR NEW
PUMPING STATIONS AND
ASSOCIATED FACILITIES LOCATED
IN MOUNTRAIL, MCHENRY, RAMSEY
AND GRAND FORKS COUNTIES,
NORTH DAKOTA.

**CONSOLIDATED LETTER OF INTENT
AND APPLICATION OF ENBRIDGE PIPELINES
(NORTH DAKOTA) LLC FOR WAIVER OR REDUCTION
OF PROCEDURES AND TIME SCHEDULES FOR A
CERTIFICATE OF SITE COMPATIBILITY**

Enbridge Pipelines (North Dakota) LLC ("Enbridge") whose address for purposes of this Application is 2625 Railway Avenue, Minot, North Dakota 58703, pursuant to the Energy Conversation and Transmission Facility Siting Act codified at North Dakota Century Code Chapter 49-22 ("Act"), hereby submits this Consolidated Letter of Intent and Application for Waiver or Reduction of Procedures and Time Schedules and for a Certificate of Site Compatibility ("Application"). Enbridge requests the North Dakota Public Service Commission ("Commission") waive and/or reduce procedures and time schedules required by the Act or in the Commission's regulations set forth in Title 69-06 of the North Dakota Administrative Code to accomplish the purposes as requested herein. These include, but are not limited to: (1) waive or reduce the time period required for separate filing of a Letter of Intent and the one year time period provided for in § 69-06-03-01, North Dakota Administrative Code, for the filing of an Application; (2) waive, pursuant to North Dakota Century Code §§ 49-22-07.2, 49-22-13(2) and

North Dakota Administrative Code § 69-06-01-02(3) and Chapter 69-06-06, provisions of North Dakota Century Code §§ 49-22-08(5), 49-22-08.1(5), 49-22-13 and North Dakota Administrative Code § 69-06-01-02 which requires separate filings of such applications, separate notices of such application, separate hearings on such applications and certain time schedules as set forth in said statutes and rules; (3) either (a) hold one expedited public hearing on this combined application, or (b) as Enbridge has in place agreements to purchase the land encompassing the four new pumping stations, not hold a public hearing on this application, but pursuant to North Dakota Century Code § 49-22-13(2) and North Dakota Administrative Code § 69-06-01-02(3), publish a notice of opportunity for hearing as provided for therein; (4) find that the proposed facilities are of such design, location and purpose that they will produce minimal adverse effects; (5) provide that should a notice of opportunity for hearing be published, pursuant to North Dakota Century Code Section 49-22-13(4), provide in the notice of opportunity for hearing that any request for a hearing be made in not more than 20 days; and (6) designate and approve the requested facilities as identified in this Application, and issue the appropriate certificate of site compatibility.

The Commission's application guidelines for waiver of procedures and time schedules requires a description of the facility, the need for the facility, the cost of the facility and separate justification for each provision of the Act for which the Applicant is requesting a waiver, together with evidence that the project will produce minimal adverse effects or that a demonstrable emergency exists. As demonstrated in this Application, and summarized below, Enbridge's requests for waivers or reduction of procedures and time schedules and the issuance of a certificate of site compatibility are justified as the proposed facilities are of such design,

location and purpose that they will produce minimal adverse effects, and that the urgent demand for additional pipeline capacity in the Williston Basin requires immediate construction.

DESCRIPTION

The facilities to be constructed at the Blaisdell, Denbigh, Penn and Larimore stations are described in detail in this application. Enbridge has in place agreements to purchase the lands encompassing these four stations. All construction will take place on land owned by Enbridge.

Portal Pipeline Company constructed numerous pipeline projects in the vicinity of the four stations in approximately 1960, prior to the enactment of North Dakota's Siting Act, North Dakota Century Code, Chapter 49-22. These proposed new stations are located along this 1960 pipeline. The 1960 pipeline terminated at Enbridge's existing Beaver Lodge station in Williams County, North Dakota. Enbridge hereby seeks a certificate of site compatibility to allow construction of these four new pumping stations and associated facilities.

Due to increased oil production in the Williston Basin of North Dakota and Montana, greatly increased demand for additional pipeline capacity has been placed upon Enbridge. These new stations will allow for greatly increased pipeline flow capacity.

Enclosed with this Application are maps of the proposed pumping stations and associated facilities. Enbridge requests that these maps be accepted as a substitute for a mylar map required by the Commission application guidelines.

Enbridge desires to begin construction as soon as possible. The time schedule for completion is set forth in this Application.

NEED

As previously stated, Enbridge has received urgent requests from oil producers in the Williston Basin of North Dakota and Montana for immediate additional pipeline capacity to transport increased production of crude oil. Additional pipeline capacity will be provided by these pumping stations.

COSTS

The estimated cost of these pumping stations and associated facilities is \$16,995,500.00.

JUSTIFICATION

A comprehensive environmental analysis, including cultural resource surveys, have been completed, as described in detail in the attached application. The environmental analysis and cultural resource surveys demonstrate that there will be minimal adverse effects by construction.

For the foregoing reasons, Enbridge submits there is substantial justification for waivers and/or reduction of time schedules and procedures as these pumping stations and associated facilities will produce minimal adverse effects.

Enbridge respectfully requests the Commission to grant the aforementioned waivers and/or reductions of time schedules and procedures, and to render an expeditious decision approving the certificate of site compatibility.

Dated this 3rd day of August, 2006.

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Appendix E Project Location Maps

Figure 1—Blaisdell Station

Figure 2—Denbigh Station

Figure 3—Penn Station

Figure 4—Larimore Station

Appendix F Wetland Maps

Figure 1—Blaisdell Station

Figure 2—Denbigh Station

Figure 3—Penn Station

Figure 4—Larimore Station

Appendix G Solicitation of Views Responses

1. Description of Proposed New Station Sites

1.1. Type of Facility

Enbridge Pipelines (North Dakota) LLC (Enbridge) owns and operates existing pipelines within the Mountrail, Ward, McHenry, Pierce, Benson, Ramsey, Nelson and Grand Forks Counties, North Dakota. The pipelines consist of a 12-inch outer diameter pipe from Enbridge's Beaver Lodge Station to the Berthold Station, a 16-inch outer diameter pipe from Berthold Station to the Minot Station, and a 16-inch outer diameter pipe from Minot Station to the Clearbrook Station, in Minnesota.

Enbridge is proposing to construct a pumping station along the Beaver Lodge to Berthold pipeline at approximately 13 miles upstream of the Berthold Station (referred to herein as the Blaisdell Station). Enbridge is also proposing to construct three additional pumping stations along the Minot to Clearbrook pipeline near the towns of Denbigh, Penn, and Larimore.

1.2. Product

The existing pipelines and the new Blaisdell, Larimore, Penn, and Denbigh Stations will transport crude petroleum products.

1.3. Size and Design

1.3.1. Blaisdell Station

- Site Development
- Installation of new mainline sectionalizing valve
- Installation of a single fixed speed 1,500 HP (horsepower) pump/motor
- Control Building (c/w MCC) (movement control center)
- SCADA (Supervisory Control and Data Acquisition)
- 4,160 V (volt) Power Service Feed
- Access Road/Fencing

1.3.2. Denbigh Station

- Site Development
- Installation of new mainline sectionalizing valve
- Installation of a single 2,500 HP pump/motor
- Installation of a 3,000 HP VFD
- Control Building (c/w MCC)
- SCADA
- 4,160 V Power Service Feed
- Access Road/Fencing

1.3.3. Penn Station

- Site Development
- Installation of new mainline sectionalizing valve
- Installation of a single 2,500 HP pump/motor
- Installation of a 3,000 HP VFD
- Control Building (c/w MCC)

- SCADA
- 4,160 V Power Service Feed
- Access Road/Fencing

1.3.4. Larimore Station

- Site Development
- Installation of new mainline sectionalizing valve
- Installation of a single 2,500 HP pump/motor
- Installation of a 3,000 HP VFD
- Control Building (c/w MCC)
- SCADA
- 4,160 V Power Service Feed
- Access Road/Fencing

1.4. Schedule

Pending the request by Enbridge of waiver of Procedures and Time Schedules, construction of the stations will commence immediately. As much civil earthwork, building(s), mechanical piping, and minor electrical construction as possible will begin at stations prior to ground freeze in 2006. Winter and spring construction will also be required to meet the following tentative in-service dates:

- Blaisdell Station – June 2007
- Denbigh Station – August 2007
- Penn Station – August 2007
- Larimore Station – March 2007

2. Location(s)

2.1. Blaisdell Station

The proposed station would be located on a two to three-acre parcel of land in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 156 North, Range 88 West, Mountrail County, North Dakota. The parcel is traversed by Enbridge's existing pipeline.

2.2. Denbigh Station

The proposed station would be located on a one to two-acre parcel of land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 156 North, Range 77 West, McHenry County, North Dakota. The parcel is traversed by Enbridge's existing pipeline. The west line adjoins the west line of Section 21, the north line adjoins the southerly right-of-way line of the railroad and is located approximately 200 feet north of the southwest corner of Section 21.

2.3. Penn Station

The proposed station would be located on a two to four-acre parcel of land in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 155 North, Range 66 West, Ramsey County, North Dakota. The parcel is traversed by Enbridge's existing pipeline and is located approximately 2,000 feet south of the northwest corner of Section 25.

The property adjoins the west line of Section 25, the northerly right-of-way line of U.S. Highway 2, and the southerly right-of-way line of a railroad.

2.4. Larimore Station

The proposed station would be located on a four to five-acre parcel of land in the NW ¼ of the SE ¼ and the NE ¼ of the SW ¼ of Section 25, Township 152 north, Range 55 west, Grand Forks County, North Dakota. The parcel is traversed by Enbridge's existing pipeline and is located approximately 440 south of the center of Section 25.

Please Refer to Appendix E, Project Location Maps.

3. Policies and Commitments

The proposed new station sites will be constructed with minimal impacts to the environment, ***per the Environmental Review conducted by Kadrmass, Lee & Jackson, Inc. included as Appendices A thru D.***

4. Factors Considered in Section 49-22-09

The following section discusses the factors cited in Section 49-22-09 of the Energy Conversion and Facilities Siting Act, where applicable, in regards to the proposed Alexander to Clearbrook System.

4.3. Available Research/Investigations

Portal Pipeline Company constructed numerous pipeline projects in the vicinity of the four stations in approximately 1960, prior to the enactment of North Dakota's Siting Act, North Dakota Century Code, Chapter 49-22. These proposed new stations are located along this 1960 pipeline. The 1960 pipeline terminated at Enbridge's existing Beaver Lodge station in Williams County, North Dakota. Enbridge hereby seeks a certificate of site compatibility to allow construction of these four new pumping stations and associated facilities.

4.4. Need

Enbridge has received urgent requests from oil producers and shippers in the Williston Basin of North Dakota and Montana for immediate additional pipeline capacity. The request is being made due to a current crude oversupply situation in the Guernsey market due to the recent Express Pipeline expansion and significant new crude production in the North Dakota and Montana areas. The Enbridge system is currently in heavy apportionment and a significant crude price differential has developed between the Guernsey and Clearbrook markets. The additional capacity will be provided by upgrades at four stations, as well a new pipeline, and these four new stations in North Dakota and one new station in Minnesota.

4.5. Alternatives

Due to the location of the existing pipeline and pipeline facilities, no alternatives were considered.

4.6. Environmental Effects

Kadmas, Lee & Jackson, Inc. completed an environmental review of the new proposed sites. Minimal environmental impacts are anticipated to occur as a result of the construction of the new sites. ***Please refer to Environmental Review in Appendices A thru D.***

4.7. Economic Impacts/Development Plans

Direct impacts on the local economy will be minimal due to the size and duration of the project. However, Enbridge will meet the needs of the oil producers and shippers in the Williston Basin by providing additional capacity.

4.8. Sensitive Sites

4.8.1. Cultural Resources

Earthworks, Inc. completed a Class III Cultural Resource Inventory within the areas of potential effects, as defined through consultation with the ND SHPO (North Dakota State Historic Preservation Officer).

- Blaisdell Station: The inventory recorded one new cultural resource site. Consultation with ND SHPO is on-going. Earthworks, Inc recommends a finding of *No Historic Properties Affected*.
- Denbigh Station: The inventory recorded one new cultural resource site. Consultation with ND SHPO is on-going. Earthworks, Inc recommends a finding of *No Historic Properties Affected*.
- Penn Station: The inventory recorded six new cultural resource sites. Consultation with ND SHPO is on-going. Earthworks, Inc recommends a finding of *No Historic Properties Affected*.
- Larimore Station: The inventory recorded no new cultural resource sites. Consultation with ND SHPO is on-going. Earthworks, Inc recommends a finding of *No Historic Properties Affected*.
- ***Please refer to Environmental Review in Appendices A thru D.***

4.8.2. Endangered Species

Potential effects on threatened and endangered species were researched in *County Occurrence of Endangered, Threatened and Candidate Species and Designated Critical Habitat in North Dakota, March 2006*. Based on the site visits and range/habitat descriptions found in technical literature, construction of the proposed sites may affect, but are not likely to adversely affect any listed species potentially located in the project areas. Construction of the proposed sites is not likely to jeopardize the continued existence of these species and is not likely to destroy or adversely modify critical habitat. ***Please refer to the Environmental Review in Appendices A thru D.***

4.9. Agency Consultation/Permits

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that federally funded projects be evaluated for the effects on historic and cultural properties

included in, or eligible for listing on, the National Register of Historic Places. The Archaeological and Historic Preservation Act of 1974 provides for the survey, recovery, and preservation of significant scientific, prehistoric, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally licensed, or federally funded project.

The NAGPRA (Native American Graves Protection and Repatriation Act of 1009) is initiated by the possession of human remains or cultural items by a Federally-funded repository or by the discovery of human remains or cultural items of Federal or Tribal lands and provides for the inventory, protection, and return of cultural items to affiliated Native American groups.

The American Indian Religious Freedom Act of 1978 requires consultation with Native American groups concerning proposed actions on sacred sites on Federal land or actions which may affect access to sacred sites. The Act requires Federal agencies to consider the impacts of their actions on religious sites and objects important to these peoples, regardless of the eligibility for listing on the NRHP.

Earthworks, Inc. completed a Class III Cultural Resource Inventory within the area of potential effect, as defined through consultation with the ND SHPO. ***Please refer to Environmental Review in Appendices A thru D.***

5. Route Criteria

5.3. Exclusion/Avoidance

The proposed new stations at Blaisdell, Denbigh, Penn, and Larimore will not affect an avoidance or exclusion area as stated by the Energy Conversion and Transmission Facility Act (Act), Chapter 49-22. N.D.C.C. (North Dakota Century Code).

5.4. Section Criteria

The proposed new station sites will have no long-term impacts on topography, water supplies, drainage patterns, agricultural production, or upon any other of the Commission's selection criteria.

5.5. Policy Criteria

These projects meet the policy criteria set forth in the Energy Conversion and Transmission Facility Act, by use of existing facilities to expand oil production capabilities in the state of North Dakota.

6. Mitigative Measures

As per comments received from the North Dakota Department of Health and the U.S. Fish and Wildlife Service:

- All necessary measures will be taken to minimize fugitive dust emissions during the construction process by wetting the project area or by other means.
- To lessen adverse noise impacts, equipment will have properly operating mufflers along with limiting construction work to normal daytime hours.
- No filling of wetlands will take place with the construction of the new sites.
- Best management practices will be in place to control erosion and to alleviate any detrimental impacts on water quality during construction.

- Additional considerations include making no alterations to stream channels or drainage patterns along with replacing trees/shrubs with equivalent trees/shrubs at a ratio of two planted for each one removed.
- It is recommended that new or updated overhead power lines be constructed in accordance with current guidelines for preventing raptor electrocutions. Guidelines can be found in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996".
- **Please refer to Appendix G, Solicitation of Views Responses.**

7. Qualifications

Kadmas, Lee & Jackson, Inc. (KL&J) prepared this document for Enbridge. KL&J employs over 280 engineers, planners, and environmental scientists that can expedite projects from preliminary engineering, project development and environmental studies through design construction, utilizing this interdisciplinary team approach. The Environmental Services group at Kadmas, Lee & Jackson, Inc. focuses on providing environmental documentation and related analyses for a variety of federal actions as required by the Council on Environmental Quality.

Jennifer Turnbow has a B.S. in Environmental Science from the University of Idaho. Prior to joining KL&J, she worked for the University of Idaho in the Idaho Cooperative Fish and Wildlife Research Unit assisting in the evaluation of physiological changes of migrating juvenile chinook salmonids (*Oncorhynchus tshawytscha*) and effects on performance and survival throughout the Snake and Columbia Rivers. Also, she assisted with sampling of juvenile chinook salmon from fish-transportation barge holds and collection of tissue and blood samples under permitting guidelines of the Endangered Species Act of 1973. Jennifer's specialty at KL&J is NEPA (National Environmental Policy Act of 1969) documentation and process. She has written many Categorical Exclusions, Environmental Assessments, and Section 4(f) Evaluations.

Grady Wolf graduated with a B.S. in Natural Resources Management from North Dakota State University. While attending college, he was employed by the U.S. Army Corp of Engineers during the summer months to conduct nesting surveys of the interior least tern (*Sterna antillarum*) and piping plover (*Charadrius melodus*) on the Missouri River. His post college experience includes being employed for four years by the Emmons County Soil Conservation and Water Resource District as the Beaver Creek Watershed Coordinator. He was responsible for conservation efforts on agricultural land and water quality concerns. His experience also includes dealing with many USDA (U.S. Department of Agriculture) and EPA (Environmental Protection Agency) conservation programs and completing numerous conservation training programs. Currently, Grady is an Environmental Scientist/Planner with KL&J.

Appendix A
Blaisdell Environmental Review

ENBRIDGE PIPELINES (NORTH DAKOTA) LLC

**New Pumping Station at Blaisdell
Environmental Review in Mountrail County, North Dakota**

Prepared For:

Enbridge Pipelines (North Dakota) LLC

Prepared By:

Jennifer Turnbow and Grady Wolf
Kadmas, Lee & Jackson, Inc.
Bismarck, North Dakota

August 2006

Report Title: Environmental and Biological Review in Mountrail County, North Dakota (Blaisdell Station)

Authors: Jennifer Turnbow and Grady Wolf

Report Date: August 2006

Acres: Three acres

Survey Date: June 21, 2006

Project Sponsor: Enbridge

Location of Project Area:

The proposed project area is located in the SE ¼ of the NE ¼ of Section 21, T156N, R88W, Mountrail County, North Dakota. The town of Blaisdell is located approximately four miles to the west of the proposed project area. *Please refer to Appendix E, Project Location Map.*

Description of Proposed Project:

Enbridge Pipelines (North Dakota) LLC (Enbridge) owns and operates existing pipelines within the Mountrail, Ward, McHenry, Pierce, Benson, Ramsey, Nelson and Grand Forks Counties, North Dakota. The pipelines consist of a 12-inch outer diameter pipe from Enbridge's Beaver Lodge Station to the Berthold Station, a 16-inch outer diameter pipe from Berthold Station to the Minot Station, and a 16-inch outer diameter pipe from Minot Station to the Clearbrook Station, in Minnesota.

Enbridge is proposing to construct a pumping station along the Beaver Lodge to Berthold pipeline at approximately 13 miles upstream of the Berthold Station (referred to herein as the Blaisdell Station). Enbridge is also proposing to construct three additional pumping stations along the Minot to Clearbrook pipeline near the towns of Denbigh, Penn, and Larimore.

The proposed scope of work at the Blaisdell Station includes; site development, installation of new mainline sectionizing valve, installation of a single 1,500 horsepower pump/motor, control building, supervisory control and data acquisition, 4,160 volt power service feed, and construction of an access road/fencing.

Field Methods and Conditions:

The proposed 3-acre project area was inventoried on June 21, 2006. Weather conditions the day of the survey were cloudy and dry with a strong wind. Project boundaries were found by utilizing aerial photographs, farm field edges, and bordering roads. Zigzag pedestrian transects were used within the project boundaries to complete the survey. The survey was completed by Grady Wolf, Environmental Scientist/Planner and Shanna Braun, Environmental Scientist/Planner from Kadmas, Lee & Jackson, Inc.

Area Description:

The proposed project area is located in an abandoned farmstead site. Old buildings and various pieces of machinery were found throughout the proposed site. Buildings consisted of one farmhouse and various smaller buildings of chicken coop or garage/shed size, all being of wood construction. A farmstead shelterbelt is located on the east side of the site along the gravel road. Vegetation found was a mixture of introduced and native grasses

typical of unused land in the area. Land surrounding the site consisted of cultivated farm land intermingled with wetland areas. One rough access is located on the east side of the site.

Policies and Commitments:

As per comments received from the North Dakota Department of Health and the U.S. Fish and Wildlife Service:

- All necessary measures will be taken to minimize fugitive dust emissions during the construction process by wetting the project area or by other means.
- To lessen adverse noise impacts, equipment will have properly operating mufflers along with limiting construction work to normal daytime hours.
- No filling of wetlands will take place with the construction of the new sites.
- Best management practices will be in place to control erosion and to alleviate any detrimental impacts on water quality during construction.
- Additional considerations include making no alterations to stream channels or drainage patterns along with replacing trees/shrubs with equivalent trees/shrubs at a ratio of two planted for each one removed.
- It is recommended that new or updated overhead power lines be constructed in accordance with current guidelines for preventing raptor electrocutions. Guidelines can be found in "*Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996*".

The proposed Blaisdell Station will be constructed with minimal impacts to the environment, per environmental review.

Wetlands:

Wetlands are defined both in the 1977 Executive Order 11990, Protection of Wetlands, and in Section 404 of the Clean Water Act of 1986, as those areas are inundated by surface or groundwater with a frequency to support and under normal circumstances do or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Three parameters that define a wetland, as outlined in the Federal Manual for Delineating Jurisdictional Wetlands (US Army Corps of Engineers, 1987), are hydric soils, hydrophytic vegetation, and hydrology. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are an important natural resource serving many functions, such as providing habitat for wildlife, storing floodwaters, recharging groundwater, and improving water quality through purification.

Wetland boundaries anticipated to occur within the project area were identified using National Wetland Inventory Maps, US Geological topographical maps, and aerial photographic interpretation. ***Please refer to Appendix F, Wetland Map.***

A field survey was conducted by representatives from Kadrmass, Lee & Jackson, Inc. No wetlands were encountered within the site.

Floodplains:

The project area is not located in an identified floodplain.

Vegetation and Wildlife Resources:

The proposed project is in a rural area in northwestern North Dakota. The land surrounding the project location is dominated by cultivated land intermingled with wetlands. No wildlife was observed within the proposed project area.

Wildlife observed in the surrounding area consisted of songbirds, waterfowl, and whitetail deer. The project area did not contain any unique flora or fauna and was typical to land of the same use in the area.

It is not anticipated that the proposed project would have any identifiable conflict with wildlife or wildlife habitat.

Threatened and Endangered Species:

In the event a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species. If the Federal agency determines the action "may affect" listed species, then the responsible Federal agency shall request formal section 7 consultation with the U.S. Fish and Wildlife Service.

Mountrail County has had occurrences of the Interior Least Tern, Whooping Crane, Pallid Sturgeon, Gray Wolf, Bald Eagle, and the Piping Plover based on the information in the *County Occurrence of Endangered, Threatened and Candidate Species and Designated Critical Habitat in North Dakota, March 2006, Mountrail County*. In addition, Piping Plover habitat within Mountrail County has been designated Critical Habitat.

Construction of the new Blaisdell Station may affect, but is not likely to adversely affect the above listed species. The proposed construction is not likely to jeopardize the continued existence of these species and is not likely to destroy or adversely modify critical habitat.

Cultural Resources:

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that federally funded projects be evaluated for the effects on historic and cultural properties included in, or eligible for listing on, the National Register of Historic Places. The Archaeological and Historic Preservation Act of 1974 provides for the survey, recovery, and preservation of significant scientific, prehistoric, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally licensed, or federally funded project.

The NAGPRA (Native American Graves Protection and Repatriation Act of 1009) is triggered by the possession of human remains or cultural items by a Federally-funded repository or by the discovery of human remains or cultural items of Federal or Tribal lands and provides for the inventory, protection, and return of cultural items to affiliated Native American groups.

The American Indian Religious Freedom Act of 1978 requires consultation with Native American groups concerning proposed actions on sacred sites on Federal land or actions which may affect access to sacred sites. The Act requires Federal agencies to consider the impacts of their actions on religious sites and objects important to these peoples, regardless of the eligibility for listing on the NRHP.

Earthworks, Inc. completed a Class III Cultural Resource Inventory within the area of potential effect, as defined through consultation with the ND SHPO (North Dakota State Historic Preservation Officer). The manuscript, "*Enbridge Pipelines (North Dakota) LLC, Phase 4 Pipeline Expansion Project Pumping Stations: A Class III Cultural Resource Inventory, Grand Forks, McHenry, Mountrail, and Ramsey Counties, North Dakota*" is being prepared to be submitted to the ND SHPO. The Class III Cultural Resource Inventory was conducted for the four proposed station sites in the aforementioned report.

A total of 17 cultural resources have been previously recorded, along with 5 previously conducted cultural resources investigations. None of the previously recorded sites are located within the proposed project area, the closest is 2,500 feet to the north.

The inventory recorded one new cultural resource site. Earthworks, Inc. recommended the site as *not eligible* for the NRHP (National Register of Historic Places).

Consultation with North Dakota SHPO is on-going. Earthworks, Inc. recommends of finding of *No Historic Properties Affected* by the proposed undertaking.

Appendix B
Denbigh Environmental Review

ENBRIDGE PIPELINES (NORTH DAKOTA) LLC

**Application for New Pumping Stations at Denbigh
Environmental Review in McHenry County, North Dakota**

Prepared For:

Enbridge Pipelines (North Dakota) LLC

Prepared By:

Jennifer Turnbow and Grady Wolf
Kadmas, Lee & Jackson, Inc.
Bismarck, North Dakota

August 2006

Report Title: Environmental and Biological Review in McHenry County, North Dakota (Denbigh Station)
Authors: Jennifer Turnbow and Grady Wolf
Report Date: July 2006
Acres: Two acres
Survey Date: June 20, 2006
Project Sponsor: Enbridge

Location of Project Area:

The proposed project area is located in the SW ¼ of the SW ¼ of the SW ¼ of Section 21, T156N, R77W, McHenry County, North Dakota. The town of Denbigh is located directly to the northwest of the proposed project area. *Please refer to Appendix E, Project Location map.*

Description of Proposed Project:

Enbridge Pipelines (North Dakota) LLC (Enbridge) owns and operates existing pipelines within the Mountrail, Ward, McHenry, Pierce, Benson, Ramsey, Nelson and Grand Forks Counties, North Dakota. The pipelines consist of a 12-inch outer diameter pipe from Enbridge's Beaver Lodge Station to the Berthold Station, a 16-inch outer diameter pipe from Berthold Station to the Minot Station, and a 16-inch outer diameter pipe from Minot Station to the Clearbrook Station, in Minnesota.

Enbridge is proposing to construct a pumping station along the Beaver Lodge to Berthold pipeline at approximately 13 miles upstream of the Berthold Station (referred to herein as the Blaisdell Station). Enbridge is also proposing to construct three additional pumping stations along the Minot to Clearbrook pipeline near the towns of Denbigh, Penn, and Larimore.

The proposed scope of work at the Denbigh Station will include; site development, installation of new mainline sectionalizing valve, installation of a single 2,500 horsepower pump/motor, installation of a 3,000 horsepower variable frequency drive, control building, supervisory control and data acquisition, 4,160 volt power service feed, and construction of an access road/fencing.

Field Methods and Conditions:

The proposed 2 acres was inventoried on June 20, 2006. Weather conditions included a mostly sunny day, with dry conditions and a light wind. Project boundaries were found by utilizing aerial photographs, farm field edges, and bordering roads. Zigzag pedestrian transects were used within the project boundaries to complete the survey. The survey was completed by Grady Wolf, Environmental Scientist/Planner and Shanna Braun, Environmental Scientist/Planner from Kadmas, Lee & Jackson, Inc.

Area Description:

The proposed area for construction of the new Denbigh Site was located in a cultivated agricultural field. The land is a typical cultivated field and is of relatively flat topography. The land has indications that it has been used as farmland for numerous years. The property is bordered by a railroad right-of-way to the north, gravel roadway to the

west, and has a south boundary located approximately 200 feet north of the southwest corner of Section 21, T156, R77W. The proposed project area has one rough access located in the northwest corner.

Policies and Commitments:

As per comments received from the North Dakota Department of Health and the U.S. Fish and Wildlife Service:

- All necessary measures will be taken to minimize fugitive dust emissions during the construction process by wetting the project area or by other means.
- To lessen adverse noise impacts, equipment will have properly operating mufflers along with limiting construction work to normal daytime hours.
- No filling of wetlands will take place with the construction of the new sites.
- Best management practices will be in place to control erosion and to alleviate any detrimental impacts on water quality during construction.
- Additional considerations include making no alterations to stream channels or drainage patterns along with replacing trees/shrubs with equivalent trees/shrubs at a ratio of two planted for each one removed.
- It is recommended that new or updated overhead power lines be constructed in accordance with current guidelines for preventing raptor electrocutions. Guidelines can be found in "*Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996*".

The proposed Denbigh Station will be constructed with minimal impacts to the environment, per environmental review.

Wetlands:

Wetlands are defined both in the 1977 Executive Order 11990, Protection of Wetlands, and in Section 404 of the Clean Water Act of 1986, as those areas are inundated by surface or groundwater with a frequency to support and under normal circumstances do or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Three parameters that define a wetland, as outlined in the Federal Manual for Delineating Jurisdictional Wetlands (US Army Corps of Engineers, 1987), are hydric soils, hydrophytic vegetation, and hydrology. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are an important natural resource serving many functions, such as providing habitat for wildlife, storing floodwaters, recharging groundwater, and improving water quality through purification.

Wetland boundaries anticipated to occur within the project area were identified using National Wetland Inventory Maps, US Geological topographical maps, and aerial photographic interpretation. ***Please refer to Appendix F, Wetland Map.***

A field survey was conducted by representatives from Kadmas, Lee & Jackson, Inc. No wetlands were encountered within the site.

Floodplains:

The project area is not located in an identified floodplain.

Vegetation and Wildlife Resources:

The proposed project area is in a rural area in north central North Dakota. The project location is dominated by cultivated land typical to the area. The project area does not have any unique flora or fauna, and the vegetation is typical of cultivated farmland. The land surrounding the project area is dominated by a mix of farmland, rangeland, forestland, shelterbelts and wetland areas.

It is not anticipated that the proposed project would have any identifiable conflict with wildlife or wildlife habitat.

Threatened and Endangered Species:

In the event a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species. If the Federal agency determines the action "may affect" listed species, then the responsible Federal agency shall request formal section 7 consultation with the U.S. Fish and Wildlife Service.

McHenry County has had occurrences of the Whooping Crane, Gray Wolf, Bald Eagle, Piping Plover, and Dakota Skipper based on the information in the *County Occurrence of Endangered, Threatened and Candidate Species and Designated Critical Habitat in North Dakota, March 2006*, McHenry County. In addition, Piping Plover habitat within McHenry County has been designated Critical Habitat.

Construction of the new Denbigh Station may affect, but is not likely to adversely affect the above listed species. The proposed construction is not likely to jeopardize the continued existence of these species and is not likely to destroy or adversely modify critical habitat.

Cultural Resources:

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that federally funded projects be evaluated for the effects on historic and cultural properties included in, or eligible for listing on, the National Register of Historic Places. The Archaeological and Historic Preservation Act of 1974 provides for the survey, recovery, and preservation of significant scientific, prehistoric, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally licensed, or federally funded project.

The NAGPRA (Native American Graves Protection and Repatriation Act of 1009) is triggered by the possession of human remains or cultural items by a Federally-funded repository or by the discovery of human remains or cultural items of Federal or Tribal lands and provides for the inventory, protection, and return of cultural items to affiliated Native American groups.

The American Indian Religious Freedom Act of 1978 requires consultation with Native American groups concerning proposed actions on sacred sites on Federal land or actions which may affect access to sacred sites. The Act requires Federal agencies to consider the impacts of their actions on religious sites and objects important to these peoples, regardless of the eligibility for listing on the NRHP.

Earthworks, Inc. completed a Class III Cultural Resource Inventory within the area of potential effect, as defined through consultation with the ND SHPO (North Dakota State Historic Preservation Officer). The manuscript, *"Enbridge Pipelines (North Dakota) LLC, Phase 4 Pipeline Expansion Project Pumping Stations: A Class III Cultural Resource Inventory, Grand Forks, McHenry, Mountrail, and Ramsey Counties, North Dakota"* is being prepared to be submitted to the ND SHPO. The Class III Cultural Resource Inventory was conducted for the four proposed station sites in the aforementioned report.

A total of eight cultural resources have been previously recorded, along with three previously conducted cultural resources investigations. None of the previously recorded sites are located within the proposed project area, the closest is 4,500 feet to the south.

The inventory recorded one new cultural resource site. The site consists of a segment of Burlington Northern Santa Fe Railway. The full railway line is currently unevaluated for inclusion on the NRHP (National Registry of Historic Places). However, the portion of the railway line in the proposed project area has been greatly reduced by past and continued maintenance, with most, if not all, historic materials have been replaced. Earthworks, Inc. recommended the site as *not eligible* for the NRHP (National Register of Historic Places).

Consultation with North Dakota SHPO is on-going. Earthworks, Inc. recommends of finding of *No Historic Properties Affected* by the proposed undertaking.

Appendix C
Penn Environmental Review

ENBRIDGE PIPELINES (NORTH DAKOTA) LLC

**New Pumping Station at Penn
Environmental Review in Ramsey County, North Dakota**

Prepared For:

Enbridge Pipelines (North Dakota) LLC

Prepared By:

Jennifer Turnbow and Grady Wolf
Kadmas, Lee & Jackson, Inc.
Bismarck, North Dakota

August 2006

Report Title: Environmental and Biological Review in Ramsey County, North Dakota (Penn Station)
Authors: Jennifer Turnbow and Grady Wolf
Report Date: July 2006
Acres: Four acres
Survey Date: July 5, 2006
Project Sponsor: Enbridge

Location of Project Area:

The proposed project area is located in the W ½ of the SW ¼ of the NW ¼ of Section 25, T155N, R66W, Ramsey County, North Dakota. The project area is located just on the southern edge of the town of Penn. ***Please refer to Appendix E, Project Location map.***

Description of Proposed Project:

Enbridge Pipelines (North Dakota) LLC (Enbridge) owns and operates existing pipelines within the Mountrail, Ward, McHenry, Pierce, Benson, Ramsey, Nelson and Grand Forks Counties, North Dakota. The pipelines consist of a 12-inch outer diameter pipe from Enbridge's Beaver Lodge Station to the Berthold Station, a 16-inch outer diameter pipe from Berthold Station to the Minot Station, and a 16-inch outer diameter pipe from Minot Station to the Clearbrook Station, in Minnesota.

Enbridge is proposing to construct a pumping station along the Beaver Lodge to Berthold pipeline at approximately 13 miles upstream of the Berthold Station (referred to herein as the Blaisdell Station). Enbridge is also proposing to construct three additional pumping stations along the Minot to Clearbrook pipeline near the towns of Denbigh, Penn, and Larimore.

The proposed scope of work at the Penn Station includes; site development, installation of new mainline sectionalizing valve, installation of a single 2,500 horsepower pump/motor, installation of a 3,000 horsepower variable frequency drive, control building, supervisory control and data acquisition, 4,160 volt service feed, and construction of an access road/fencing.

Field Methods and Conditions:

The proposed 4-acre project area was inventoried on July 5, 2006. Weather conditions the day of the survey were sunny and dry with a light breeze. Project boundaries were identified by utilizing aerial photographs, farm field edges, and bordering roads. Zigzag pedestrian transects were used within the project boundaries to complete the survey. The survey was completed by Grady Wolf, Environmental Scientist/Planner and Becky Rude, Environmental Scientist/Planner from Kadrmas, Lee & Jackson, Inc.

Area Description:

The proposed project area is located in an abandoned part of the town of Penn, North Dakota. It lies on the southern part of town between an old grain elevator and U.S. Highway 2 right-of-way. Numerous deteriorated buildings and various pieces of salvage were found throughout the site. The buildings were typical of an old farmsite

and looked to be of wood construction. Vehicles believed to be inoperable were also found on the site. The site was overgrown with tall weeds at the time of the site visit. Two rough accesses were found around the location site. One access was located along the north edge along the elevator property, and the other was located in the southwest corner of the property.

Policies and Commitments:

As per comments received from the North Dakota Department of Health and the U.S. Fish and Wildlife Service:

- All necessary measures will be taken to minimize fugitive dust emissions during the construction process by wetting the project area or by other means.
- To lessen adverse noise impacts, equipment will have properly operating mufflers along with limiting construction work to normal daytime hours.
- No filling of wetlands will take place with the construction of the new sites.
- Best management practices will be in place to control erosion and to alleviate any detrimental impacts on water quality during construction.
- Additional considerations include making no alterations to stream channels or drainage patterns along with replacing trees/shrubs with equivalent trees/shrubs at a ratio of two planted for each one removed.
- It is recommended that new or updated overhead power lines be constructed in accordance with current guidelines for preventing raptor electrocutions. Guidelines can be found in "*Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996*".

The proposed Penn Station will be constructed with minimal impacts to the environment, per environmental review.

Wetlands:

Wetlands are defined both in the 1977 Executive Order 11990, Protection of Wetlands, and in Section 404 of the Clean Water Act of 1986, as those areas are inundated by surface or groundwater with a frequency to support and under normal circumstances do or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Three parameters that define a wetland, as outlined in the Federal Manual for Delineating Jurisdictional Wetlands (US Army Corps of Engineers, 1987), are hydric soils, hydrophytic vegetation, and hydrology. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are an important natural resource serving many functions, such as providing habitat for wildlife, storing floodwaters, recharging groundwater, and improving water quality through purification.

Wetland boundaries anticipated to occur within the project area were identified using National Wetland Inventory Maps, US Geological topographical maps, and aerial photographic interpretation.

A field survey conducted by Kadrmas, Lee & Jackson, Inc. found no wetlands within the proposed project area. ***Please refer to Appendix F, Wetland Map.***

Floodplains:

The project area is not located in an identified floodplain.

Vegetation and Wildlife Resources:

The proposed project is in a rural area in north central North Dakota. The land surrounding the project location is dominated by cultivated land dotted with wetlands and tree rows. No wildlife was observed within the proposed project area. The project area did not contain any unique flora or fauna as it consisted of overgrown weeds typical to an abandoned farmstead.

It is not anticipated that the proposed project would have any identifiable conflict with wildlife or wildlife habitat.

Threatened and Endangered Species:

In the event a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species. If the Federal agency determines the action "may affect" listed species, then the responsible Federal agency shall request formal section 7 consultation with the U.S. Fish and Wildlife Service.

Ramsey County has had occurrences of the Gray Wolf and Bald Eagle based on the information in the *County Occurrence of Endangered, Threatened and Candidate Species and Designated Critical Habitat in North Dakota, March 2006*, Ramsey County.

Construction of the new Penn Station may affect, but is not likely to adversely affect the above listed species. The proposed construction is not likely to jeopardize the continued existence of these species and is not likely to destroy or adversely modify critical habitat.

Cultural Resources:

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that federally funded projects be evaluated for the effects on historic and cultural properties included in, or eligible for listing on, the National Register of Historic Places. The Archaeological and Historic Preservation Act of 1974 provides for the survey, recovery, and preservation of significant scientific, prehistoric, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally licensed, or federally funded project.

The NAGPRA (Native American Graves Protection and Repatriation Act of 1009) is triggered by the possession of human remains or cultural items by a Federally-funded repository or by the discovery of human remains or cultural items of Federal or Tribal lands and provides for the inventory, protection, and return of cultural items to affiliated Native American groups.

The American Indian Religious Freedom Act of 1978 requires consultation with Native American groups concerning proposed actions on sacred sites on Federal land or actions which may affect access to sacred sites. The Act requires Federal agencies to consider the impacts of their actions on religious sites and objects important to these peoples, regardless of the eligibility for listing on the NRHP.

Earthworks, Inc. completed a Class III Cultural Resource Inventory within the area of potential effect, as defined through consultation with the ND SHPO (North Dakota State Historic Preservation Officer). The manuscript, "*Enbridge Pipelines (North Dakota) LLC, Phase 4 Pipeline Expansion Project Pumping Stations: A Class III Cultural Resource Inventory, Grand Forks, McHenry, Mountrail, and Ramsey Counties, North Dakota*" is being prepared to be submitted to the North Dakota SHPO. The Class III Cultural Resource Inventory was conducted for the four proposed station sites in the aforementioned report.

A total of four cultural resources have been previously recorded, along with seven previously conducted cultural resources investigations. None of the previously recorded sites are located within the proposed project area, the closest is 1,000 feet to the north.

The inventory recorded six new architectural and historical cultural resource sites. Five of the six sites are recommended as *not eligible* for the NRHP (National Register of Historic Places). A grain elevator located near the project area is *unevaluated* and assumed to be *potentially eligible* for inclusion on the National Register of Historic Places. Earthworks, Inc. recommends that the site be avoided by the development of the pumping station. If the site area is impacted by the proposed construction of the station, the grain elevator should be fully evaluated by a qualified Architectural Historian for inclusion to the NRHP. In consultation with Enbridge, the site will be avoided with the proposed project. It is anticipated no future evaluation is necessary due to the avoidance of the site.

Consultation with North Dakota SHPO is on-going. Earthworks, Inc. recommends of finding of *No Historic Properties Affected* by the proposed undertaking.

Appendix D
Larimore Environmental Review

ENBRIDGE PIPELINES (NORTH DAKOTA) LLC

**New Pumping Station at Larimore
Environmental Review in Grand Forks County, North Dakota**

Prepared For:

Enbridge Pipelines (North Dakota) LLC

Prepared By:

Jennifer Turnbow and Grady Wolf
Kadmas, Lee & Jackson, Inc.
Bismarck, North Dakota

August 2006

Report Title: Environmental and Biological Review in Grand Forks County, North Dakota (Larimore Station)

Authors: Jennifer Turnbow and Grady Wolf

Report Date: August 2006

Acres: Five acres

Survey Date: July 5, 2006

Project Sponsor: Enbridge

Location of Project Area:

The proposed project area is located in the NW ¼ of the SE ¼ and the NE ¼ of the SW ¼ of Section 25, T152N, R55W, Grand Forks County, North Dakota. The town of Larimore is located approximately three miles to the south of the proposed project area. *Please refer to Appendix E, Project Location Map.*

Description of Proposed Project:

Enbridge Pipelines (North Dakota) LLC (Enbridge) owns and operates existing pipelines within the Mountrail, Ward, McHenry, Pierce, Benson, Ramsey, Nelson and Grand Forks Counties, North Dakota. The pipelines consist of a 12-inch outer diameter pipe from Enbridge's Beaver Lodge Station to the Berthold Station, a 16-inch outer diameter pipe from Berthold Station to the Minot Station, and a 16-inch outer diameter pipe from Minot Station to the Clearbrook Station, in Minnesota.

Enbridge is proposing to construct a pumping station along the Beaver Lodge to Berthold pipeline at approximately 13 miles upstream of the Berthold Station (referred to herein as the Blaisdell Station). Enbridge is also proposing to construct three additional pumping stations along the Minot to Clearbrook pipeline near the towns of Denbigh, Penn, and Larimore.

The proposed scope of work at the Larimore Station includes; site development, installation of new mainline sectionalizing valve, installation of a single 2,500 horsepower pump/motor, installation of a 3000 horsepower variable frequency drive, control building, supervisory control and data acquisition, 4,160 volt power service feed, and construction of an access road/fencing.

Field Methods and Conditions:

The proposed 5-acre project area was inventoried on July 5, 2006. Weather conditions were sunny and dry with a light breeze. Project boundaries were found by utilizing aerial photographs, farm field edges, and bordering roads. Zigzag pedestrian transects were used within the project boundaries to complete the survey. The survey was completed by Grady Wolf, Environmental Scientist/Planner and Becky Rude, Environmental Scientist/Planner from Kadmas, Lee & Jackson, Inc.

Area Description:

The proposed project area is located in the middle of a 640-acre section on uncultivated land between two irrigation pivots. The proposed project area is split in the middle by several rows of young trees and bushes. The east half of the proposed project area looked to be recently seeded back to permanent grass vegetation. The west half of the proposed project area was that typical of idle grasslands in the area, consisting mainly of smooth brome grass

(*Bromus inermis*). The west half also had numerous pieces of old machinery and abandoned automobiles located on it. The project area has access from the north by ½-mile of two-track road.

Policies and Commitments:

As per comments received from the North Dakota Department of Health and the U.S. Fish and Wildlife Service:

- All necessary measures will be taken to minimize fugitive dust emissions during the construction process by wetting the project area or by other means.
- To lessen adverse noise impacts, equipment will have properly operating mufflers along with limiting construction work to normal daytime hours.
- No filling of wetlands will take place with the construction of the new sites.
- Best management practices will be in place to control erosion and to alleviate any detrimental impacts on water quality during construction.
- Additional considerations include making no alterations to stream channels or drainage patterns along with replacing trees/shrubs with equivalent trees/shrubs at a ratio of two planted for each one removed.
- It is recommended that new or updated overhead power lines be constructed in accordance with current guidelines for preventing raptor electrocutions. Guidelines can be found in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996".

The proposed Larimore Station will be constructed with minimal impacts to the environment, per environmental review.

Wetlands:

Wetlands are defined both in the 1977 Executive Order 11990, Protection of Wetlands, and in Section 404 of the Clean Water Act of 1986, as those areas are inundated by surface or groundwater with a frequency to support and under normal circumstances do or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Three parameters that define a wetland, as outlined in the Federal Manual for Delineating Jurisdictional Wetlands (US Army Corps of Engineers, 1987), are hydric soils, hydrophytic vegetation, and hydrology. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are an important natural resource serving many functions, such as providing habitat for wildlife, storing floodwaters, recharging groundwater, and improving water quality through purification.

Wetland boundaries anticipated to occur within the project area were identified using National Wetland Inventory Maps, US Geological topographical maps, and aerial photographic interpretation.

A field survey conducted by Kadmas, Lee & Jackson, Inc. found no wetlands within the proposed project area.

Please refer to Appendix F, Wetland Map.

Floodplains:

The project area is not located in an identified floodplain.

Vegetation and Wildlife Resources:

The proposed project is in a rural area in northeast North Dakota. The land surrounding the project location is dominated by cultivated land and tree rows. No wildlife was observed within the proposed project area. The project area did not contain any unique flora or fauna and was typical to land of the same use in the area.

It is not anticipated that the proposed project would have any identifiable conflict with wildlife or wildlife habitat.

Threatened and Endangered Species:

In the event a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species. If the Federal agency determines the action "may affect" listed species, then the responsible Federal agency shall request formal section 7 consultation with the U.S. Fish and Wildlife Service.

Grand Forks County has had occurrences of the Gray Wolf and Bald Eagle based on the information in the *County Occurrence of Endangered, Threatened and Candidate Species and Designated Critical Habitat in North Dakota, March 2006*, Grand Forks County.

Construction of the new Larimore Station may affect, but is not likely to adversely affect the above listed species. The proposed construction is not likely to jeopardize the continued existence of these species and is not likely to destroy or adversely modify critical habitat.

Cultural Resources:

Section 106 of the National Historic Preservation Act of 1966, as amended, requires that federally funded projects be evaluated for the effects on historic and cultural properties included in, or eligible for listing on, the National Register of Historic Places. The Archaeological and Historic Preservation Act of 1974 provides for the survey, recovery, and preservation of significant scientific, prehistoric, archaeological, or paleontological data when such data may be destroyed or irreparably lost due to a federal, federally licensed, or federally funded project.

The NAGPRA (Native American Graves Protection and Repatriation Act of 1009) is triggered by the possession of human remains or cultural items by a Federally-funded repository or by the discovery of human remains or cultural items of Federal or Tribal lands and provides for the inventory, protection, and return of cultural items to affiliated Native American groups.

The American Indian Religious Freedom Act of 1978 requires consultation with Native American groups concerning proposed actions on sacred sites on Federal land or actions which may affect access to sacred sites. The Act requires Federal agencies to consider the impacts of their actions on religious sites and objects important to these peoples, regardless of the eligibility for listing on the NRHP.

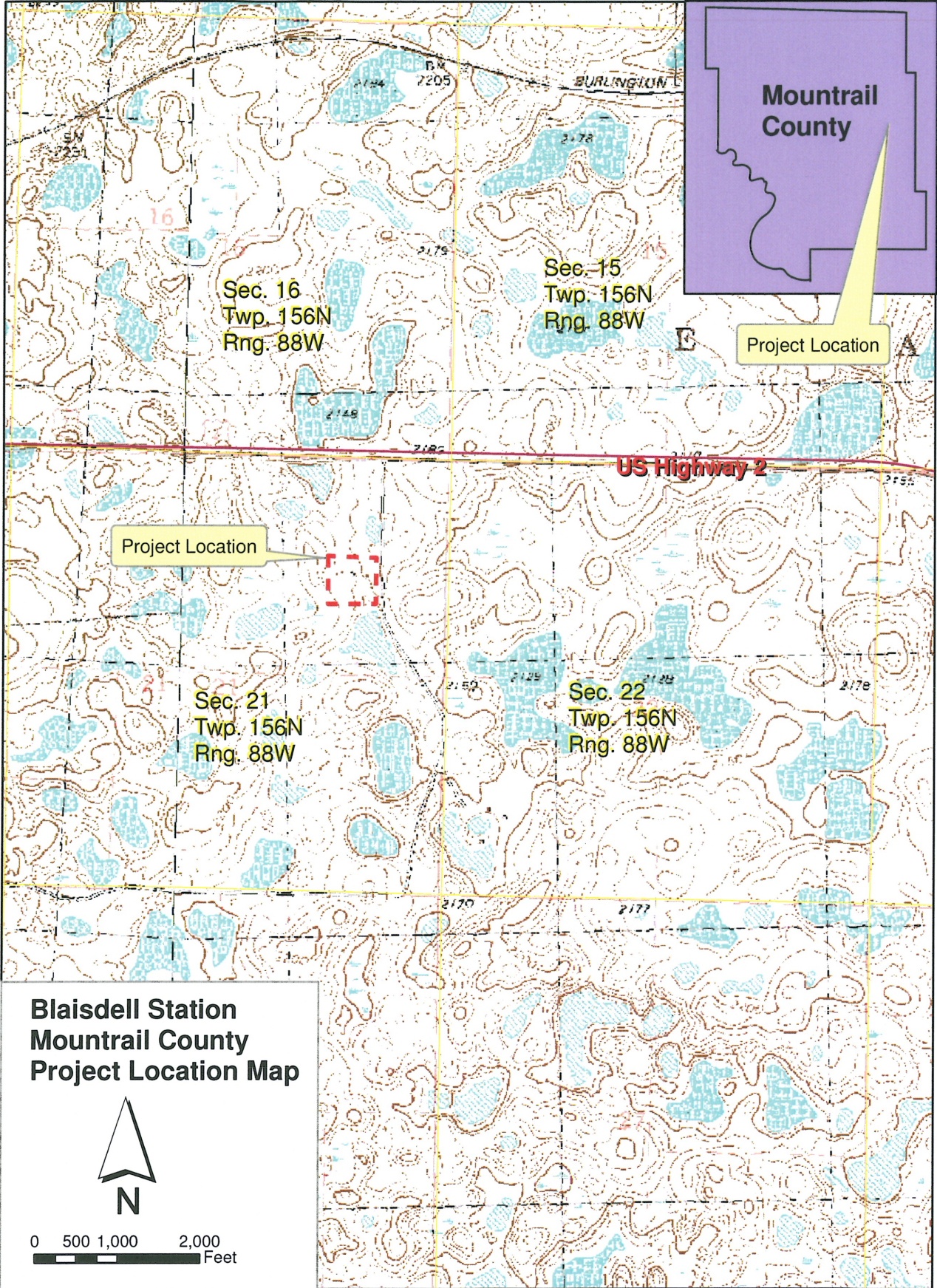
Earthworks, Inc. completed a Class III Cultural Resource Inventory within the area of potential effect, as defined through consultation with the ND SHPO (North Dakota State Historic Preservation Officer). The manuscript, *"Enbridge Pipelines (North Dakota) LLC, Phase 4 Pipeline Expansion Project Pumping Stations: A Class III Cultural Resource Inventory, Grand Forks, McHenry, Mountrail, and Ramsey Counties, North Dakota"* is being prepared to be submitted to the ND SHPO. The Class III Cultural Resource Inventory was conducted for the four proposed station sites in the aforementioned report.

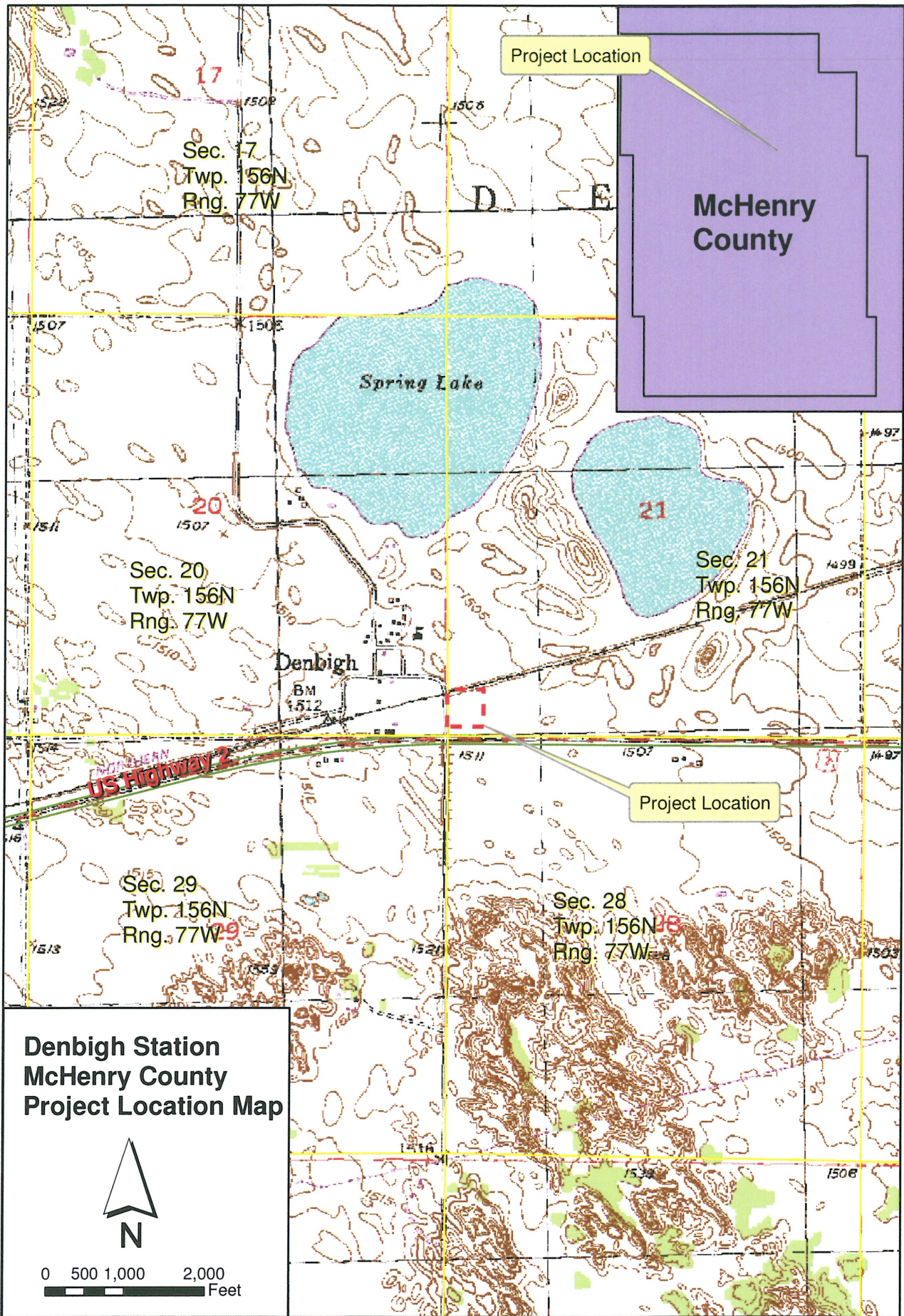
A total of 3 cultural resources have been previously recorded, along with 11 previously conducted cultural resources investigations. None of the previously recorded sites are located within the proposed project area, the closest is 4,000 feet to the southeast.

The inventory produced no new cultural resource sites for the project area.

Consultation with North Dakota SHPO is on-going. Earthworks, Inc. recommends a finding of *No Historic Properties Affected* by the proposed undertaking.

Appendix E
Project Location Maps

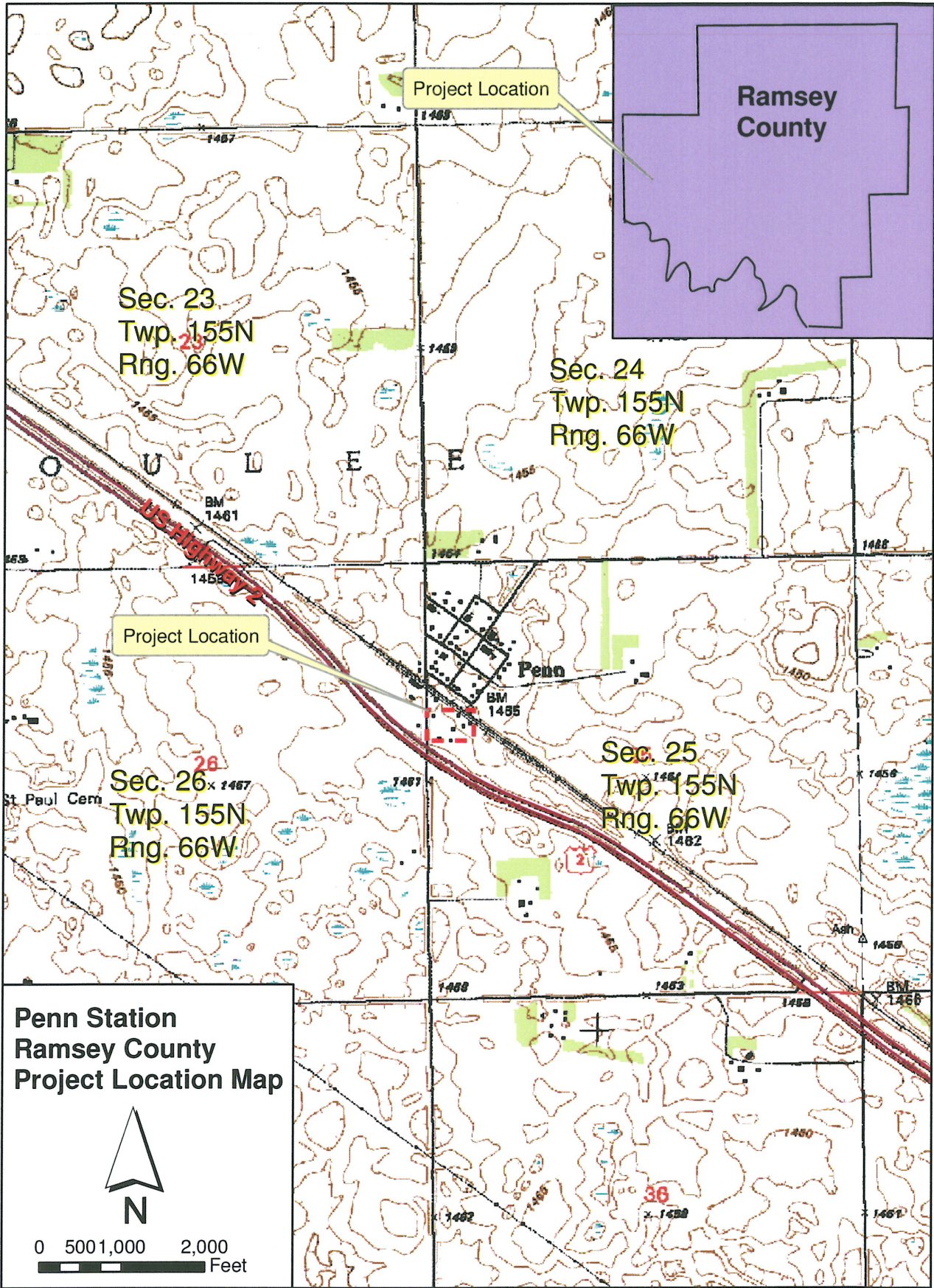


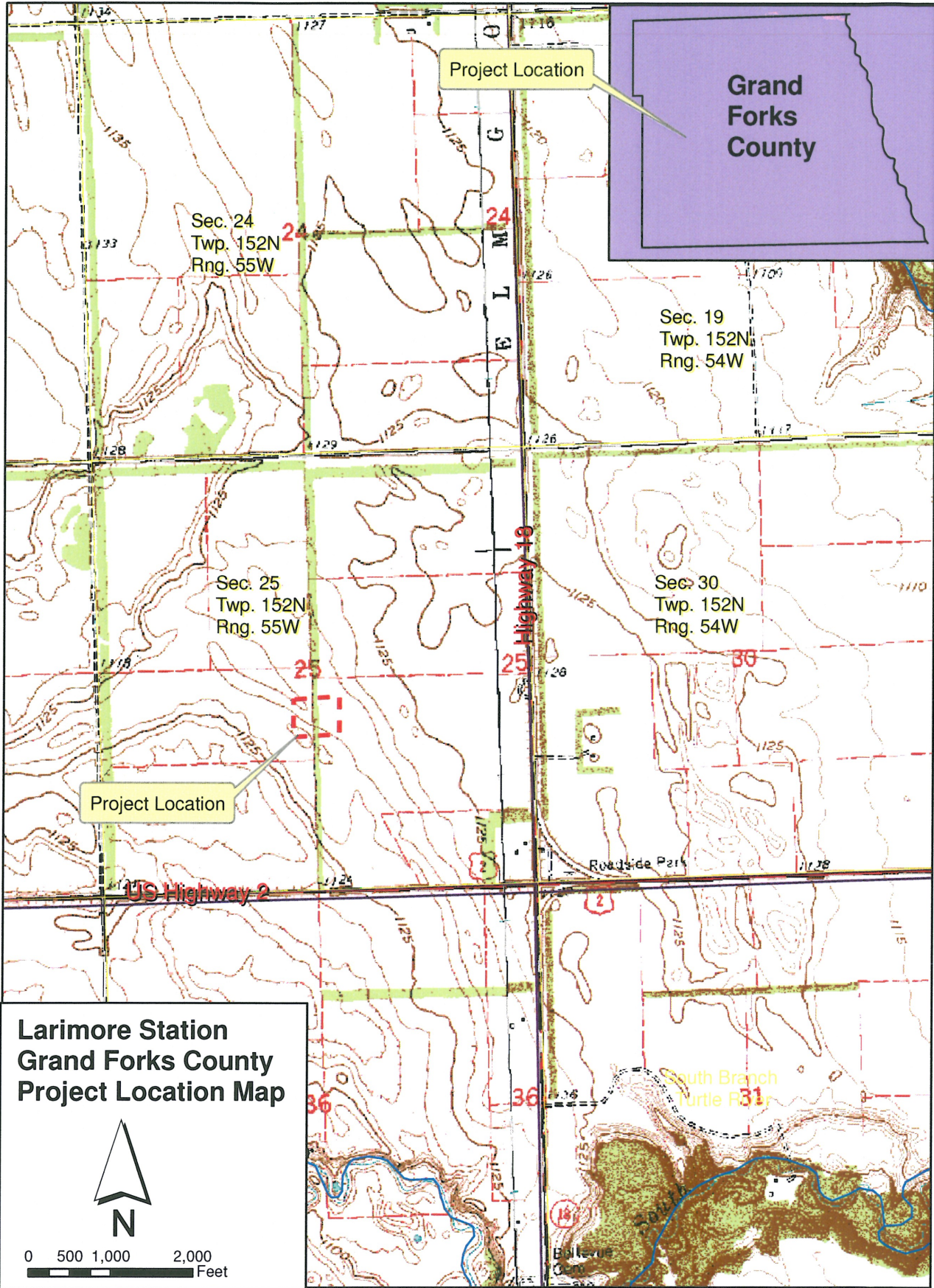


**Denbigh Station
McHenry County
Project Location Map**



0 500 1,000 2,000
Feet



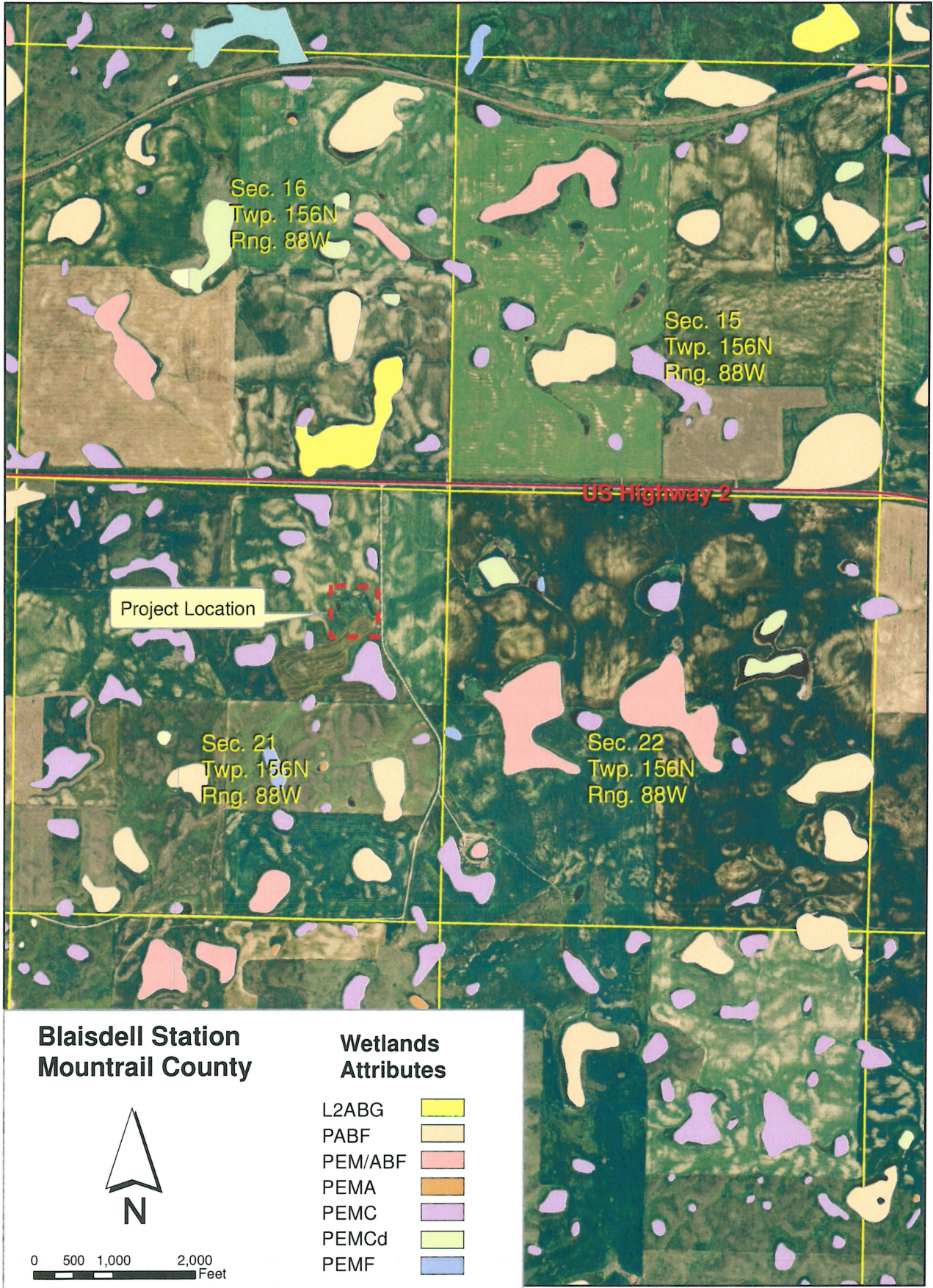


**Larimore Station
Grand Forks County
Project Location Map**

N

0 500 1,000 2,000
Feet

**Appendix F
Wetland Maps**



Sec. 16
Twp. 156N
Rng. 88W

Sec. 15
Twp. 156N
Rng. 88W

US Highway 2

Project Location

Sec. 21
Twp. 156N
Rng. 88W








Sec. 22
Twp. 156N
Rng. 88W

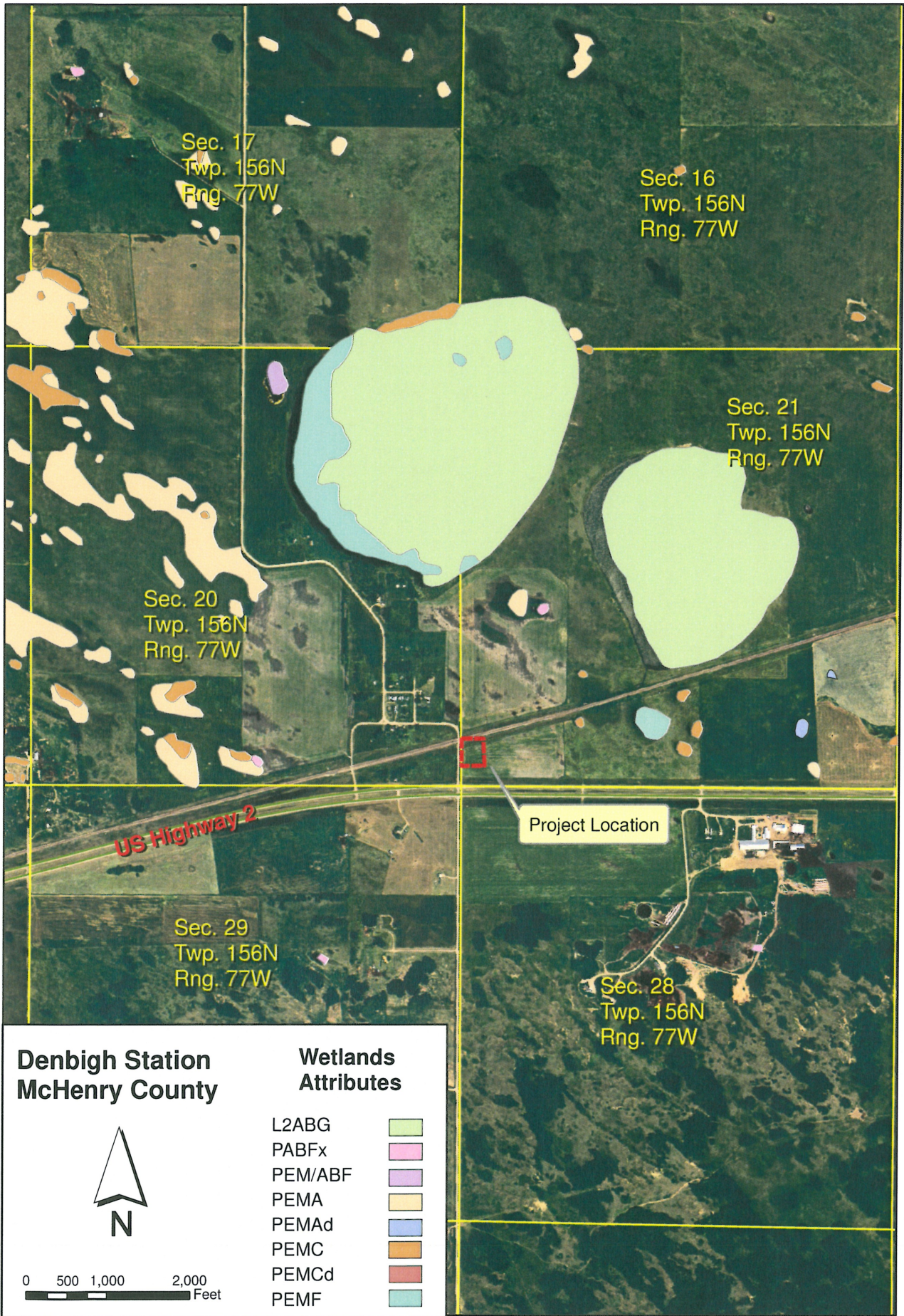
**Blaisdell Station
Mountrail County**

**Wetlands
Attributes**



0 500 1,000 2,000
Feet

- | | |
|---------|---|
| L2ABG |  |
| PABF |  |
| PEM/ABF |  |
| PEMA |  |
| PEMC |  |
| PEMCd |  |
| PEMF |  |











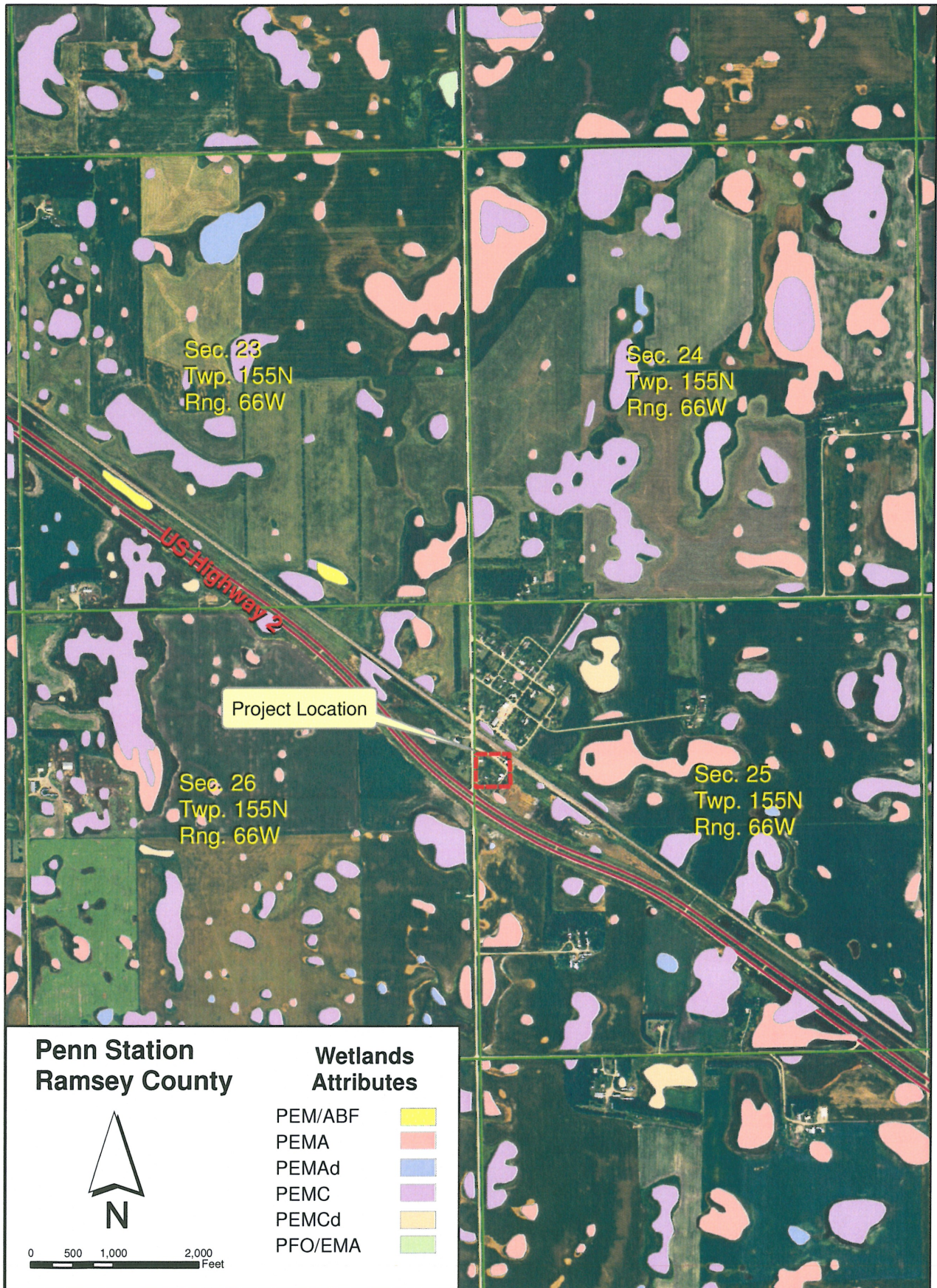
**Denbigh Station
McHenry County**

**Wetlands
Attributes**



0 500 1,000 2,000
Feet

L2ABG	
PABFx	
PEM/ABF	
PEMA	
PEMAd	
PEMC	
PEMCd	
PEMF	



Sec. 23
Twp. 155N
Rng. 66W

Sec. 24
Twp. 155N
Rng. 66W

Sec. 26
Twp. 155N
Rng. 66W

Sec. 25
Twp. 155N
Rng. 66W

Project Location

US Highway 2

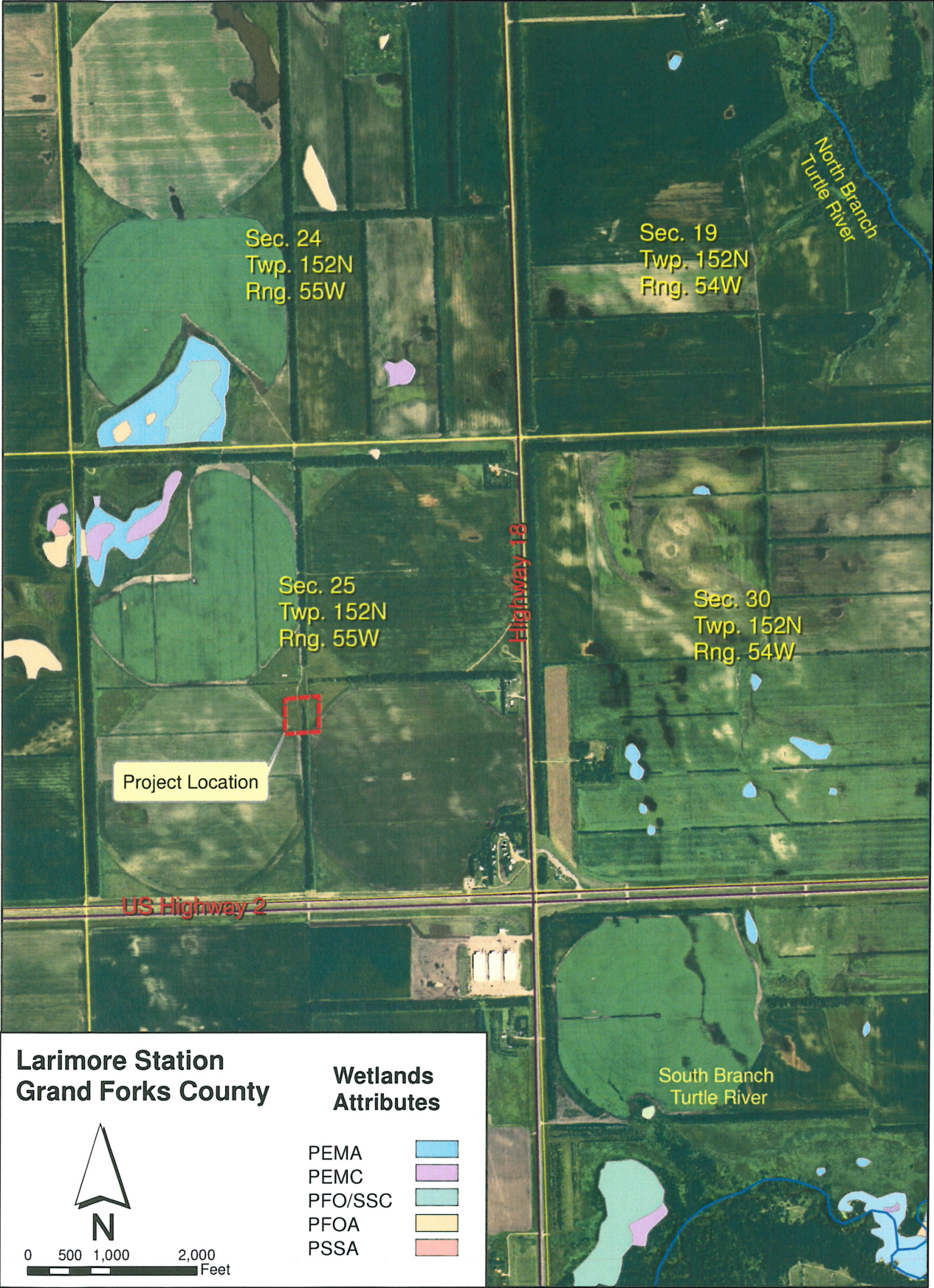
**Penn Station
Ramsey County**

**Wetlands
Attributes**



0 500 1,000 2,000
Feet

- PEM/ABF
- PEMA
- PEMAd
- PEMC
- PEMCd
- PFO/EMA



Appendix G
Solicitation of Views Responses

United States Department of Agriculture



Natural Resources Conservation Service
P.O. Box 1458
Bismarck, ND 58502-1458

July 21, 2006

Rachael Shetka
Enbridge Pipelines (North Dakota) LLC
119 N. 25th Street East
Superior, WI 54880

RE: Enbridge Pipelines (North Dakota) LLC New Pumping Stations

Dear Ms. Shetka:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated June 30, 2006, regarding the above referenced projects and acknowledges your request to determine whether your projects affect farmland as defined in Sec. (658.2 a) of the Code of Federal Regulations (CFR) dealing with the Farmland Protection Policy Act (FPPA).

Please complete the enclosed Farmland Conversion Impact Rating Form AD-1006 for each site. For the projects in Grand Forks, Ramsey, and McHenry Counties, you will need to complete Part I and Part III and return it to Alan R. Gulsvig, Area Resource Soil Scientist, 503 Hwy 2 West, Suite 1, Devils Lake, ND 58301-2900. For the project in Mountrail County, you will need to complete Part I and Part III and return it to Darrell VanderBusch, Area Resource Soil Scientist, 135 Sims, Ste. 210, Dickinson, ND 58601. We will also need a map of the site at an appropriate scale so we can accurately assess the area (e.g., 1:20,000 or 1:24,000). If the farmland (i.e., prime, statewide, and local importance) is determined to be subject to the FPPA, we will then complete Parts II and IV. NRCS will measure the relative value of the site as farmland on a scale of 0 to 100 according to the information sources listed in CFR 658.5(a). If FPPA applies to the site, Form AD-1006 will be returned to your agency for completion of Part VI, Site Assessment Criteria.

According to CFR 658.4(g), your agency is requested to return a copy of the Form AD-1006, which indicates the final decision, to NRCS so we can meet our reporting requirements and for data collection purposes.

Wetlands - NRCS is the lead agency for wetland delineation on agricultural lands, including cropland, rangeland, and pastureland. If requested, the local NRCS office will provide a certified wetland inventory for the project to be utilized in the 404 permitting process. NRCS recommends that impacts to wetlands be avoided.

We offer the following comments based on the information you provided to us for this project:

- 1. To the extent possible, all natural drainage patterns should be maintained.

Ms. Shetka

Page 2

- 2. Avoid construction through wetlands whenever possible to minimize environmental impacts. The local NRCS district conservationist in each county can provide wetland inventory maps as needed. Nearby wetlands could be affected by sedimentation due to erosion during construction. Erosion control measures should be in effect during all periods of construction.
- 3. This project should have no significant impact on existing soil and water conservation practices in the area.

Thank you for the opportunity to review and comment on this project. Should you require additional information, discussion, or clarification, please contact Steven J. Sieler, State Soil Liaison, at (701) 530-2019.

Sincerely,



J.R. FLORES

ACTING State Conservationist

Enclosures

cc: w/o encl.

Draper Lundquist, Acting DC, NRCS, Grand Forks, ND

Becky Clow, DC, NRCS, Devils Lake, ND

Douglas Dragseth, DC, NRCS, Towner, ND

Arlen A. Wingenbach, ASTC (FO), NRCS, Devils Lake, ND

Joe Bear, DC, NRCS, Stanley, ND

Terry Gisvold, ASTC (FO), NRCS, Dickinson, ND



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501

JUL 17 2006



Ms. Rachael Shetka, CHMM
Environmental Analyst
Enbridge Pipelines (North Dakota), LLC
119 North 25th Street East
Superior, Wisconsin 54880

Re: New Pumping Stations in Grand Forks,
McHenry, Mountrail, and Ramsey Counties,
North Dakota

Dear Ms. Shetka:

The U.S. Fish and Wildlife Service (Service) has reviewed the proposed pumping station projects presented in your June 30, 2006, letter. The new pump stations are proposed for construction on Enbridge's existing pipeline system in North Dakota. The new pump stations are necessary to increase the capacity of the existing pipeline between Beaver Lodge and Minot and between Minot, North Dakota, and Clearbrook, Minnesota. Construction of each pumping station will consist of site development, construction of a control building, access road/fencing, installation of new mainline sectionalizing valve, installation of a single 2,500 horsepower pump/motor, installation of a 3,000 horsepower variable frequency drive, and a 4,160 volt power service feed. We offer the following comments under the authority of and in accordance with the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) and the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.).

The proposed pump stations locations are as follows:

- Larimore Station T. 152 N., R. 55 W., Section 25, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Grand Forks County
- Penn Station T. 155 N., R. 66 W., Section 25, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Ramsey County
- Denbigh Station T. 156 N., R. 77 W., Section 21, SW $\frac{1}{4}$, McHenry County
- Blaisdell Station T. 156 N., R. 88 W., Section 21, NE $\frac{1}{4}$, Mountrail County

The Service administers Waterfowl Production Area fee title as well as wetland and grassland easements throughout North Dakota. A review of our county plat maps (photocopies enclosed) indicates Service property interests (wetland easements highlighted in yellow and fee title lands highlighted in green) are located in the planning area for the Denbigh and Blaisdell Stations. The Service requires that all wetlands under its jurisdiction be avoided during project construction, when possible. Special Use or right-of-way permits will be necessary for any construction resulting in impacts to wetlands protected by easements. The issuance of Special Use or right-of-way permits are subject to the final determination of a refuge compatibility review process. For McHenry County, contact Tedd Gutzke, Project Leader, J. Clark Salyer National Wildlife Refuge, 681 Salyer Road, Upham, North Dakota 58789, (701-768-2548), and for Mountrail County, contact Todd Frerichs, Refuge Manager, Lostwood Wetland Management District, 8315 Highway 8, Kenmare, North Dakota 58746, (701-848-2466), to determine the need for permits.

To minimize disturbance to fish and wildlife resources in the project area, the Service provides the following recommendations:

- Make no stream channel alterations or changes in drainage patterns.
- Defer the timing of construction to late summer (after July 15) or fall so as not to disrupt waterfowl or other wildlife during the nesting season and to avoid high water conditions.
- Locate construction to avoid placement of fill in wetlands.
- Replace unavoidable loss of wetland habitat with functionally equivalent wetlands and trees/shrubs at a ratio of two planted for each one removed.
- Install and maintain appropriate erosion control measures to reduce sediment transport to adjacent wetlands and stream channels.
- Reseed disturbed areas with a mixture of native grass and forb species.

If construction routes intersect wetlands, streams, or rivers, the Corps of Engineers (Corps) may require a Department of the Army permit for the placement of dredge or fill material into waters of the U.S., including wetlands, or other impacts to navigable waters. We suggest you contact Mr. Daniel Cimarosti, Regulatory Office, Corps of Engineers, 1513 South 12th Street, Bismarck, North Dakota 58504 (701-255-0015), to determine the Corps' permit requirements.

To minimize the electrocution hazard to birds, the Service, with support from the Rural Utilities Service, recommends that new or updated overhead power lines be constructed in accordance with the current guidelines for preventing raptor electrocutions. The recommended guidelines can be found in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996". To increase power line visibility and reduce bird fatalities resulting from collisions with power lines, the Service recommends power lines that cross or run adjacent to rivers or large

wetlands be modified according to "Mitigating Bird Collisions with Power Lines: The State of the Art in 1994". Both publications can be obtained by writing or calling the Edison Electric Institute, P.O. Box 266, Waldorf, Maryland 20604-0266, (1-800-334-5453) or visiting their website at www.eei.org.

The Service has data that indicates Dakota skipper habitat within two miles of the proposed project area for the Denbigh Station (T. 156 N., R. 77 W., Section 21, SW¼). In 1995, the Dakota skipper was listed as a candidate species under the Endangered Species Act (ESA). No legal requirement exists to protect candidate species; however, it is within the spirit of the Endangered Species Act to consider these species as having significant value and worthy of protection.

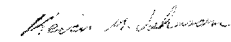
The Dakota skipper, a small hesperiine butterfly, has been recorded in the project area on native prairie in McHenry County. We have attached a description of the site where skippers have historically been found (Thompson Ranch Site, T. 156 N., R. 77 W., Section 30, N½.). Dakota skippers are associated with high quality prairie ranging from wet-mesic tallgrass prairie to dry-mesic mixed grass prairie. Eastern North Dakota prairies inhabited by Dakota skippers are dominated by warm-season or bluestem grasses that always contain wood lilies, harebells, and smooth camas (Royer and Marrone 1992), and that are generally associated with glacial lake margins with alkaline soils (McCabe 1981). If the proposed project will impact this type of habitat, the Service recommends that you conduct surveys for the presence of Dakota skippers. If Dakota skippers are present on the proposed work site, please notify the Service and advise us on how you intend to avoid impacts to skipper habitat.


A list of federally endangered and threatened species that may be present within the proposed project's area of influence is attached. This list fulfills requirements of the Service under Section 7 of the Endangered Species Act.

If a Federal agency authorizes, funds, or carries out a proposed action, the responsible Federal agency, or its delegated agent, is required to evaluate whether the action "may affect" listed species. If the Federal agency determines the action "may affect" listed species, then the responsible Federal agency shall request formal section 7 consultation with this office. If the evaluation shows a "no effect" determination on listed species, further consultation is not necessary. If a private entity receives Federal funding for a construction project, or if any Federal permit is required, the Federal agency may designate the fund recipient or permittee as its agent for purposes of section 7 consultation.

Thank you for the opportunity to comment on this project. If you require further information or the project plans change, please contact Terry Ellsworth of my staff, or contact me directly, at (701) 250-4481, or at the letterhead address above.

Sincerely,



 Jeffrey K. Towner
Field Supervisor
North Dakota Field Office

Enclosures

cc: Project Leader, Lostwood WMD
Project Leader, J. Clark Salyer NWR
(Attn: D. Bolin)
Director, ND Game & Fish Department, Bismarck
(Attn: M. McKenna)

References

- McCabe, T.L. 1981. The Dakota skipper, *Hesperis dacotae* (Skinner): range and biology, with special reference to North Dakota. *Journal of the Lepidopterist' Society* 35(3):179-193.
- Royer, R.A. and G.M. Marrone. 1992. Conservation status of the Dakota skipper (*Hesperis dacotae*) in North and South Dakota. Unpublished report, U.S. Fish and Wildlife Service, Denver, CO. 15 March 1992. 44+pp.

FEDERAL THREATENED AND ENDANGERED SPECIES
FOUND IN GRAND FORKS COUNTY
NORTH DAKOTA
July 2006

ENDANGERED SPECIES

Mammals

Gray wolf (Canis lupus): Occasional visitor in North Dakota. Most frequently observed in the Turtle Mountains area.

THREATENED SPECIES

Birds

Bald eagle (Haliaeetus leucocephalus): Migrates spring and fall statewide but primarily along the major river courses. It concentrates along the Missouri River during winter and is known to nest in the floodplain forest.

FEDERAL THREATENED, ENDANGERED, AND CANDIDATE SPECIES
FOUND IN MCHENRY COUNTY
NORTH DAKOTA
July 2006

ENDANGERED SPECIES

Birds

Whooping crane (Grus Americana): Migrates through west and central counties during spring and fall. Prefers to roost on wetlands and stockdams with good visibility. Young adult summered in North Dakota in 1989, 1990, and 1993. Total population 140-150 birds.

Mammals

Gray wolf (Canis lupus): Occasional visitor in North Dakota. Most frequently observed in the Turtle Mountains area.

THREATENED SPECIES

Birds

Bald eagle (Haliaeetus leucocephalus): Migrates spring and fall statewide but primarily along the major river courses. It concentrates along the Missouri River during winter and is known to nest in the floodplain forest.

Piping plover (Charadrius melodus): Nests on midstream sandbars of the Missouri and Yellowstone Rivers and along shorelines of saline wetlands. More nest in North Dakota than any other state.

CANDIDATE SPECIES

Invertebrates

Dakota skipper (Hesperia dacotae): Found in native prairie containing a high diversity of wildflowers and grasses. Habitat includes two prairie types: 1) low (wet) prairie dominated by bluestem grasses, wood lily, harebell, and smooth camas; 2) upland (dry) prairie on ridges and hillsides dominated by bluestem grasses, needlegrass, pale purple and upright coneflowers and blanketflower.

FEDERAL THREATENED AND ENDANGERED SPECIES
FOUND IN RAMSEY COUNTY
NORTH DAKOTA
July 2006

ENDANGERED SPECIES

Mammals

Gray wolf (Canis lupus): Occasional visitor in North Dakota. Most frequently observed in the Turtle Mountains area.

THREATENED SPECIES

Birds

Bald eagle (Haliaeetus leucocephalus): Migrates spring and fall statewide but primarily along the major river courses. It concentrates along the Missouri River during winter and is known to nest in the floodplain forest.

FEDERAL THREATENED AND ENDANGERED SPECIES
FOUND IN MOUNTRAIL COUNTY
NORTH DAKOTA
July 2006

ENDANGERED SPECIES

Birds

Interior least tern (*Sterna antillarum*): Nests along midstream sandbars of the Missouri and Yellowstone Rivers.

Whooping crane (*Grus Americana*): Migrates through west and central counties during spring and fall. Prefers to roost on wetlands and stockdams with good visibility. Young adult summered in North Dakota in 1989, 1990, and 1993. Total population 140-150 birds.

Fish

Pallid sturgeon (*Scaphirhynchus albus*): Known only from the Missouri and Yellowstone Rivers. No reproduction has been documented in 15 years.

Mammals

Gray wolf (*Canis lupus*): Occasional visitor in North Dakota. Most frequently observed in the Turtle Mountains area.

THREATENED SPECIES

Birds

Bald eagle (*Haliaeetus leucoccephalus*): Migrates spring and fall statewide but primarily along the major river courses. It concentrates along the Missouri River during winter and is known to nest in the floodplain forest.

Piping plover (*Charadrius melodus*): Nests on midstream sandbars of the Missouri and Yellowstone Rivers and along shorelines of saline wetlands. More nest in North Dakota than any other state.

Confirmations: J. Royer and R. Royer collected several examples of both sexes, 29 June 1991 (RAR). Habitat degraded, but population remained extant as confirmed by R. Royer on 2 & 16 July 1996. However, no examples were observed during 1997, despite three separate visits within the known flight period.

Conservation Status: Small acreage with some exotic invasion problems, but believed secure so long as land use does not change unfavorably. The land does not appear to have been hayed for many years. Adjacent private hayland to the west that has historically hosted a segment of the population is now rather badly degraded.

3. Thompson Ranch Site (Royer & Marrone 1992)

Location: Approximately 1 mile west of Denbigh on U. S. Hwy 2. U. S. G. S. 7.5-minute Denbigh, N. D., 1:24000 topographic map quadrangle, 1949 (rev. 1981); approximate locations of two foci of survey: lat. 48° 18' 20" N, long. 100° 36' 50" W and lat. 48° 18' 20" long. 100° 37' 05" W; approximate elevation 1500'; N 1/2 Section 30, T156N R77W.

Abundance: Uncommon.

Ownership: Private hayland and pasture.

Habitat Quality: Successional problems in parts, and grazing excessive in others, but apparently recoverable if land use is changed favorably. Contiguity with U. S. Highway 2 right-of-way ditches probably supports repopulation in favorable years.

Confirmations: J. Royer and R. Royer collected several examples of both sexes, 29 June 1991 (RAR), but species was not at all common.

Conservation Status: Small acreage with some successional problems, but apparently secure so long as land use does not change unfavorably. US Highway 2 mowing during the 1997 flight season was unfortunate.

4. Copperdahl Hill Site (Royer & Marrone 1992)

Location: Approximately 2.2 miles south of Copperdahl Hill on ND Hwy. 14. U. S. G. S. 7.5-minute Rangeley NW, N. D., 1:24000 topographic map quadrangle, 1955; approximate location, lat. 48° 11' 50" N, long. 100° 27' 15" W; approximate elevation 1500'; SE corner of Section 32, T155N R76W.

Abundance: Uncommon.

Ownership: Private hayland.

Habitat Quality: Good mesic native hay meadow, but isolated from other nearby prairies and restricted to a small portion (<40 acres) on the SE corner of the section adjacent to cropland and heavily grazed pasture.

Confirmations: J. Royer and R. Royer collected 3 males, 27 June 1991 and one pair, 29 June 1991 (RAR), but species was not at all common; confirmed again by M. Royer on 13 July 1996, when again uncommon.

Conservation Status: Small acreage, but apparently secure so long as land use does not change unfavorably in surrounding area.

5. Eidmann Ranch (Royer & Marrone 1992)

Location: Approximately 11 miles south of Jct. with U. S. Highway 2 on ND Hwy. 14, then 2 miles east, then 1 mile north. U. S. G. S. 7.5-minute Rangeley NW, N. D., 1:24000 topographic map quadrangle, 1955; approximate location, lat. 48° 10' 10" N, long. 100° 24' 45" W; approximate elevation 1510'; S 1/2 of SW 1/4 of Section 9, E 1/2 of SE 1/4 of Section 10, and NW 1/4 of NW 1/4 of Section 14, T154N R76W.

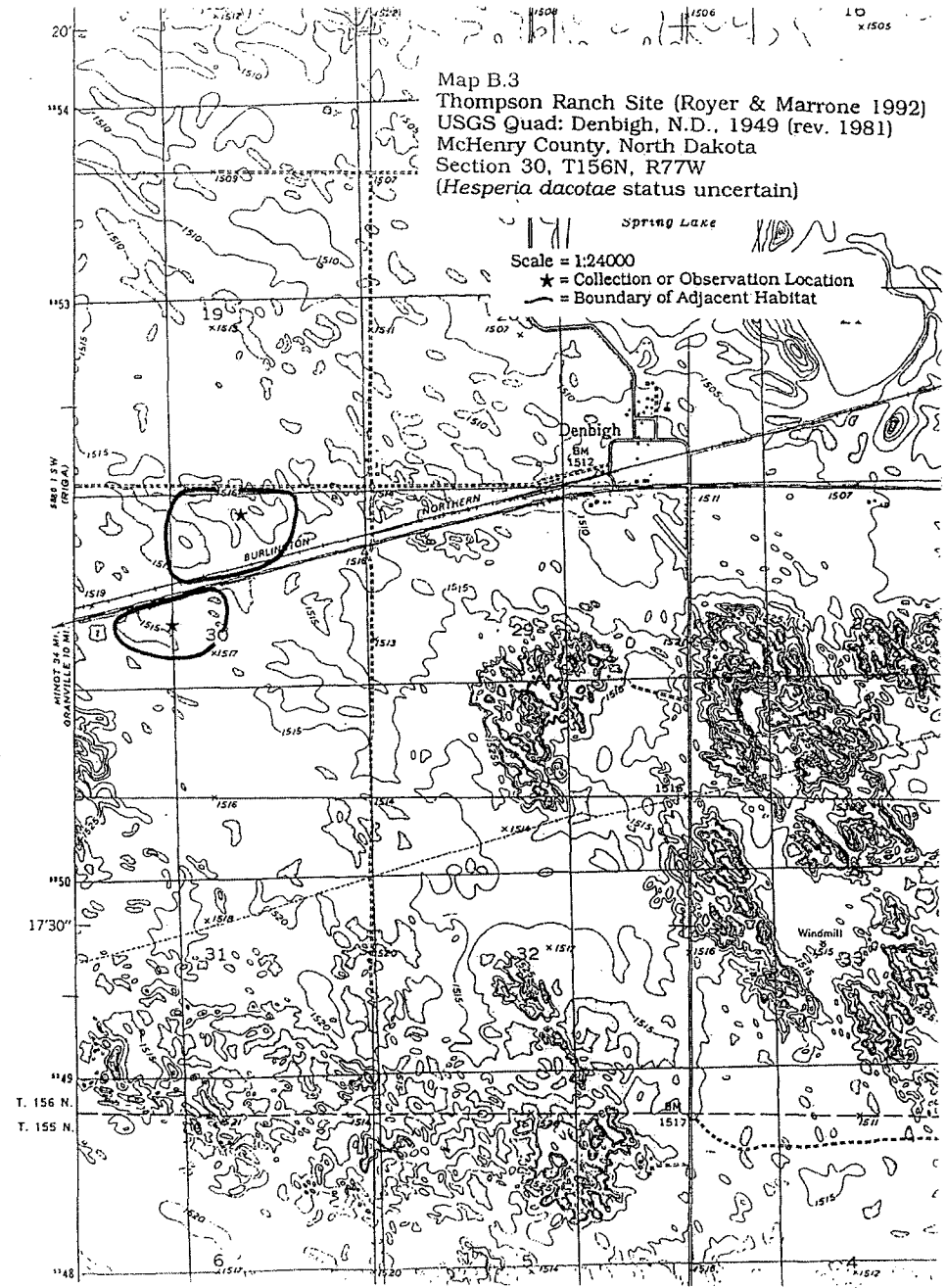
Abundance: Common.

Ownership: Private hayland.

Habitat Quality: Native mesic prairie in good condition, though lacking floral variety.

Confirmations: J. Royer and R. Royer observed several dozen individuals, including numerous mating pairs or groupings, and collected a short series of both sexes, 29 June 1991 (RAR); again confirmed by R. Royer and M. Royer 9 July 1996, when strangely uncommon.

Conservation Status: Apparently secure so long as land use does not change unfavorably in surrounding area. (Section 13 was reportedly sprayed from the air in June 1996.)

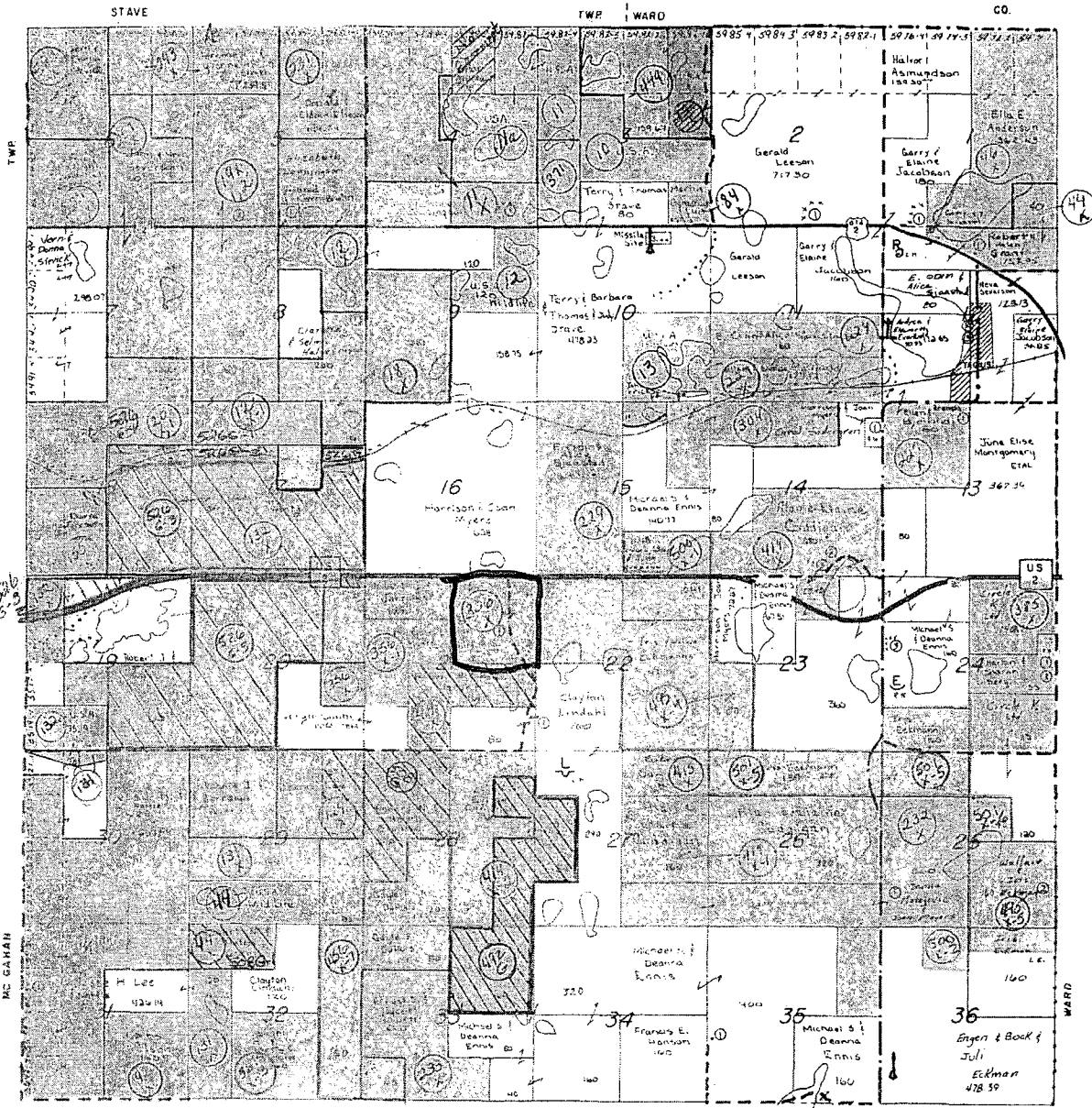


TOWNSHIP: 156 N.

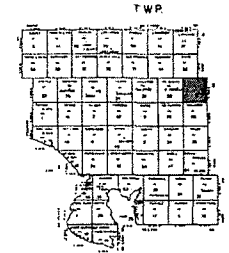
MAP OF: EGAN

CODE: EG

RANGE: 88 W.



Grassland easements





NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



July 10, 2006

Ms. Rachael Shetka, CHMM
Environmental Analyst
Enbridge Pipelines, LLC
119 N 25th Street East
Superior, WI 54880

Re: New Pumping Stations
Grand Forks, Ramsey, McHenry and Mountrail Counties

Dear Ms. Shetka:

This department has reviewed the information concerning the above-referenced project submitted under date of June 30, 2006, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
3. Individual pumping station projects disturbing five or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local storm water management considerations are addressed.

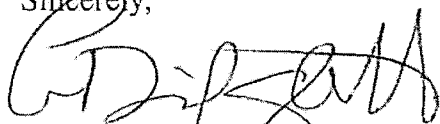
4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

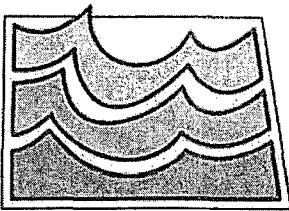
If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Chief
Environmental Health Section

LDG:cc
Attach.



North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850 • 701-328-2750
TDD 701-328-2750 • FAX 701-328-3696 • INTERNET: <http://www.swc.state.nd.us/>

July 24, 2006

Rachael Shetka
Enbridge Pipeline (ND) LLC
119 N 25th Street E
Superior, WI 54880

Dear Ms. Shetka:

This is in response to your request for review of environmental impacts associated with the Enbridge Pipeline (ND) LLC Pipeline Expansion – New Pumping Stations located at Larimore Station, Grand Forks County; Penn Station, Ramsey County; Denbigh Station, McHenry County; Blaisdell Station, Mountrail County.

The proposed project has been reviewed by State Water Commission staff and the following comments are provided:

- The property is not located in an identified floodplain and it is believed the project will not affect an identified floodplain.
- All waste material associated with the project must be disposed of properly and not placed in identified floodway areas.
- No sole-source aquifers have been designated in ND.

There are no other concerns associated with this project that affect State Water Commission or State Engineer regulatory responsibilities.

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 328-4969.

Sincerely,

Larry Knudtson
Research Analyst

LJK:ds/1570