



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
106 SOUTH 15TH STREET
OMAHA NE 68102-1618

April 15, 2008

RECEIVED

MAY 1 2008

PUBLIC SERVICE COMMISSION

Planning, Programs, and Project Management Division

North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480

Dear Commission:

The U.S. Army Corps of Engineers, Omaha District (Corps) has reviewed your letter dated March 26, 2008 regarding the Enbridge Pipelines pump station upgrades sitting application. The Corps offers the following comments:

The Federal flood plain management criterion basically states that construction which could be damaged by floodwaters or which could obstruct floodflows should not be located in the 100-year flood plain. Any nonresidential construction that could be damaged by floodwater must be placed above or flood proofed to above the 100-year floodwater surface elevation. All construction should be designed to minimize potential harm to or within the flood plain. Higher levels of protection are encouraged to provide added safety. If the operation of the constructed facilities is considered critical during flood periods, the facilities should be protected from at least the 500-year flood.

If construction must occur in the flood plain, it must be located outside the floodway. If a floodway has not been determined and designated, the construction should be as far from the stream channel as possible. The goal of any construction in the flood plain is to achieve the highest level of flood protection with zero impact to adjacent property.

If the proposed waterline construction crosses the flood plains of small drainageways and streams, flood-related problems should not occur if the lines are buried far enough below the beds of drainageways and streams to prevent exposure due to streambed erosion during periods of high floodflows. Any aboveground construction subject to flood damage, such as pump houses, should either be placed above, or flood proofed to, a level above the 100-year flood elevation.

Your plans should be coordinated with the U.S. Environmental Protection Agency, which is currently involved in a program to protect groundwater resources. If you have not already done so, it is recommended you consult with the U.S. Fish and Wildlife Service and the North Dakota Game and Fish Department regarding fish and wildlife resources. In addition, the North Dakota State Historic Preservation Office should be contacted for information and recommendations on potential cultural resources in the project area.

As you are now aware, the portion of the project in Grand Forks, Ramsey, and Benson counties are outside of the Omaha District Civil Works Boundaries, however they do fall within the Regulatory boundaries of the Omaha District. Our office will not be able to provide comments on projects outside of our Civil Works boundaries; however the St. Paul District can, as this project is within their Civil Work Boundaries. If you have not done so, please send this information to the address below for comments regarding flood plain impacts of and on this project.

19 **PU-07-791** Filed: 5/1/2008 Pages: 2
Letter Comments on Proposed Project

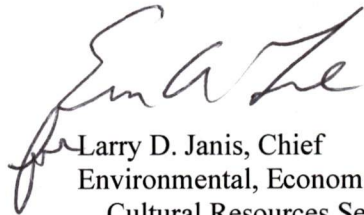
U. S. Army Corps of Engineers
Larry D. Janis

If construction activities involve any work in waters of the United States, a Section 404 permit may be required. For a detailed review of permit requirements, preliminary and final project plans should be sent to:

U.S. Army Corps of Engineers
Bismarck Regulatory Office
Attention: CENWO-OD-R-ND/Cimarosti
1513 South 12th Street
Bismarck, North Dakota 58504

If you have any questions, please contact Mr. Dave Crane of my staff at (402) 995-2676.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry D. Janis". The signature is written in a cursive style with a large initial "L".

Larry D. Janis, Chief
Environmental, Economics, and
Cultural Resources Section
Planning Branch