

From: Nelson, Chris - NRCS, Cavalier, ND [mailto:Chris.Nelson@nd.usda.gov]
Sent: Friday, February 02, 2018 8:04 AM
To: Bobby Hahn; bprince@nd.gov
Cc: Paul Hartzheim
Subject: [External] RE: Enbridge Line 3 Replacement Project - Duncklee WMA

EXHIBIT B

Hello,

I received the email and concur with your determination. NRCS would recommend the disturbed area be returned to its original landscape (pre-excavation) so the floodplain will function naturally.

Also, the disturbed area seeded down to the recommended grass mixture developed for the NDGFD-SUP.

Thanks
Chris

From: Bobby Hahn [mailto:bobby.hahn@enbridge.com]
Sent: Tuesday, January 30, 2018 4:01 PM
To: bprince@nd.gov; Nelson, Chris - NRCS, Cavalier, ND <Chris.Nelson@nd.usda.gov>
Cc: Paul Hartzheim <phartzheim@merjent.com>
Subject: RE: Enbridge Line 3 Replacement Project - Duncklee WMA

Hello guys – I am responding to the email below. Andrew has since left Enbridge and I am closing out some open items. I am not aware of a response to this inquiry so if you have responded, apologies and ask that you resend to this email distribution. If you have not responded and need additional information please let me know.

Thanks.

THIS IS EXHIBIT "B" REFERRED TO IN
THE CERTIFICATION OF APPLICATION
OF BRAD SHAMLA SWORN BEFORE ME
THIS 3RD DAY OF JUNE, 2019.

Krista Hughes
A NOTARY PUBLIC IN & FOR THE
PROVINCE OF ALBERTA
KRISTA HUGHES
Barrister & Solicitor
3000, 425 - 1st STREET SW
CALGARY, AB T2P 3L8
403-718-3552

Bobby Hahn

Supervisor, Environment Projects (US)

--Please note that my phone number has changed--

ENBRIDGE

TEL: 218-522-4751 | CELL: 218-269-6377
26 East Superior Street, Suite 313, Duluth, MN 55802

enbridge.com

Integrity. Safety. Respect.

From: Andrew Orthober
Sent: Monday, October 16, 2017 3:44 PM
To: bprince@nd.gov; chris.nelson@nd.usda.gov
Cc: Paul Hartzheim; Bobby Hahn
Subject: Enbridge Line 3 Replacement Project - Duncklee WMA

Gentlemen,

As you are aware, Enbridge Energy, Limited Partnership (Enbridge) is proposing to construct the Line 3 Replacement Project (Project), a portion of which will cross the NDGF-managed Duncklee Wildlife Management Area (WMA) on the west side of the Red River. The parcel also contains an Emergency Watershed Protection easement, which is administered by the USDA-NRCS.

We have had several calls and emails on this subject over the last two years, and initially were under the impression that a Special Use Permit (SUP) would be needed for this parcel. However, after reviewing our internal easement records, we have determined that our 1950 easement for the parcel (attached) pre-dates the NRCS' easement as well as the establishment of the Duncklee WMA. Our easement is a "blanket" easement, which allow Enbridge to cross the property at any location at any time in the future. Our intention is to locate the new pipeline adjacent to the existing corridor, which currently consists of 7 pipelines. As Enbridge's easement supersedes those of NDGF and USDA-NRCS, a SUP will not be required to cross this land.

Although we have determined formal approval is not needed, Enbridge will continue work with your agencies to determine an appropriate seed mix and we welcome any recommendations you have regarding restoration. To the extent possible, Enbridge will also attempt to construct the project within the agencies' preferred seasonal time windows. In accordance with its Environmental Protection Plan, Enbridge will restore all land to its pre-existing contours and land-use.

Please confirm receipt of this email and concurrence that you agree with our determination. We look forward to continued dialogue with you regarding this Project. If you have any questions, please contact me directly.

Sincerely,

Andrew Orthober

Environmental Advisor, Environmental Projects (U.S.)

Enbridge

TEL: 218-522-4759 | CELL: 715-817-8723
26 East Superior Street Suite 309
Duluth, MN 55802

enbridge.com

Integrity. Safety. Respect.

10/16/17 10:02 AM
10/16/17 10:02 AM
10/16/17 10:02 AM

***** IMPORTANT NOTICE*****
**

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this email message is CONFIDENTIAL information intended for the use of the individual or entity named herein. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender using the above contact information or by return email and delete this message and any copies from your computer system. Thank you.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

***** IMPORTANT NOTICE*****
**

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this email message is CONFIDENTIAL information intended for the use of the individual or entity named herein. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender using the above contact information or by return email and delete this message and any copies from your computer system. Thank you.