

FACT SHEET

Points in support of Need and Preferred Route

Final EIS and Administrative Law Judge report

The points below are taken from Administrative Law Judge Ann C. O'Reilly's report on the Line 3 Replacement Project and the Line 3 Project Final Environmental Impact Statement (FEIS) prepared by the Minnesota Department of Commerce, Energy Environmental Review and Analysis (EERA) staff.

Points in Support of Need (ALJ Report):

- The ALJ recognized that replacement of the line is “reasonable and prudent” and that Line 3 is “old, needs significant repair, and poses significant integrity concerns for the State.”
- The ALJ confirmed that Line 3 can't meet the current energy demands of Minnesota and neighboring states.
- The ALJ confirmed that the Line 3 Replacement is needed to meet the current and future shipping demands of Minnesota and neighboring states.
- The ALJ confirmed that the Line 3 Replacement would provide benefits to refiners in Minnesota and neighboring states, as well as to the people of Minnesota.
- The Report recognized that requiring in-trench replacement would increase apportionment on the Mainline System for the duration of the Project. In-trench replacement is the only Route Alternative that causes this problem.

Points in Support of Route (FEIS):

- The Preferred Route (501 acres) exposes over 80% fewer acres of drinking water resources than does the ALJ's recommended route (2,942 acres).
- The Preferred Route (4,814 acres) exposes over 75% fewer acres of populated areas than does the ALJ's recommended route (20,807 acres).
- The ALJ indicated that the existing right of way would impact fewer acres and numbers of wild rice waterbodies than Enbridge's preferred route. However, the State's FEIS indicated that Enbridge's preferred route would affect the least number of acres of wild rice waterbodies.
- The FEIS indicates that Enbridge's preferred route would impact far fewer acres of forested wetlands, scrub-shrub wetlands and emergent wetlands than the route recommended by the ALJ.

- The ALJ's recommended route would impact over 1,000 acres of federal and state public lands (including the Chippewa National Forest) as compared to 440 acres of crossed by Enbridge's preferred route.
- The in-trench route recommended by the ALJ would cross fewer waterbodies, but in-trench replacement would create greater environmental impacts at wetland and waterbody crossings.
- If the ALJ's recommended route is used, the presence of Enbridge's other lines precludes construction activities adjacent to the Line 3 trench, meaning that the construction area would expand from a width of approximately 120 feet for normal construction to approximately 205 feet for removal and replacement.
- The ALJ's recommended route would impact approximately 11 acres of Minnesota Lakes of Biological Significance, while Enbridge's preferred route would not impact any.
- The ALJ's recommended route would impact approximately 8 acres of Aquatic Management Areas, while Enbridge's preferred route would impact less than one acre of such areas.