

April 7, 2020

Teresa Seidel
Director, Water Resources Division
Michigan Department of Environment, Great Lakes, and Energy
525 W. Allegan Street
PO Box 30458
Lansing, MI 48909

Re: Enbridge Joint Permit Application for Great Lakes Tunnel Project

Dear Ms. Seidel:

This letter is to inform you that Enbridge Energy, Limited Partnership ("Enbridge") has submitted via the MiWaters website its Joint Permit Application ("JPA") to seek permits from the U.S. Army Corps of Engineers and Michigan Department of Environment, Great Lakes, and Energy ("EGLE") to construct the Great Lakes Tunnel Project through the subsurface lands beneath the Straits of Mackinac ("Straits").

Based on pre-application consultations with EGLE, Enbridge's JPA includes a request to obtain a Great Lakes Submerged Lands Act, Part 325 disturbance permit from EGLE pursuant to MCL 324.32513. While Enbridge is requesting that Part 325 disturbance permit from EGLE out of an abundance of caution, it respectfully does not believe that Part 325 is applicable to the construction of the Great Lakes Tunnel Project. The purpose of Part 325 is to authorize activities that could impact the public's use or interest in navigable waters, including "hunting, fishing, swimming, pleasure boating, or navigation ..." in such navigable waters. MCL 324.32502. The Great Lakes Tunnel Project, however, will be constructed well beneath the lakebed of the Straits, and have no potential to disturb or impact the public's interest in the navigable waters of the Straits. Enbridge is thus of the view that a Part 325 disturbance permit (or any other authorization under Part 325) is not required before construction of the Great Lakes Tunnel Project may commence.

Should EGLE determine based on its review of the Great Lakes Tunnel Project that a Part 325 disturbance permit is in fact not required, Enbridge would be pleased to submit a letter retracting the request made in its JPA that a Part 325 disturbance permit be issued by EGLE.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Turner'.

Paul Turner
Environmental Specialist, US Projects