

The MPCA GRANTS the Friends of the Headwaters Petition for a contested case hearing.

The MPCA concludes that the following fact issues in the Friends of the Headwaters Petition—as identified, defined, and limited by the MCPA—satisfy the criteria for granting a contested case:

- a) Does Enbridge's proposed use of trench methods for stream crossings have temporary or permanent impacts on water quality parameters of concern?
- b) Have Enbridge and the MPCA identified the least degrading crossing method that is prudent and feasible for each stream crossing?
- c) Have Enbridge and the MPCA undercounted the full acreage of the Project's wetland impacts due to flaws in wetland delineation and survey methodologies related to the seasonality of delineation activities?
- d) Have Enbridge and the MPCA undercounted the full acreage of wetlands that are physically altered by trenching?
- e) Have Enbridge and the MPCA incorrectly determined that the impacts to wetlands that are physically altered by trenching are temporary?