

STATE OF MINNESOTA
IN COURT OF APPEALS



CASE TITLE:

In the Matter of the 401 Certification
for the Line 3 Replacement Project

**PETITION FOR WRIT OF
CERTIORARI**

CASE NUMBER: _____

Friends of the Headwaters, Sierra Club,
Honor the Earth, Red Lake Band of Chippewa
Indians, White Earth Band of Ojibwe,

AGENCY CASE NUMBER:
2014-01071-TJH

Petitioners,

OAH CASE NUMBER:
60-212-36909

vs.

**DATE OF NOTICE
OF DECISION:**
November 12, 2020

Minnesota Pollution Control Agency,

Respondent.

TO THE COURT OF APPEALS FOR THE STATE OF MINNESOTA

Petitioners Friends of the Headwaters, Sierra Club, Honor the Earth, Red Lake Band of Chippewa Indians, and White Earth Band of Ojibwe hereby petition the Court of Appeals for a Writ of Certiorari to review a November 12, 2020, final decision of the Minnesota Pollution Control Agency (MPCA). The November 12, 2020 decision granted Enbridge Energy, Limited Partnership (Enbridge) a certification under section 401 of the Clean Water Act (CWA), 33 U.S.C. § 1341, that Enbridge’s proposed Line 3 project will not violate Minnesota state water quality standards.

That decision is contrary to law, not supported by the evidence, and arbitrary and capricious. Petitioners seek review of the MPCA decision under the Minnesota Administrative Procedure Act (MAPA), Minn. Stat. §§ 14.63-.68, by filing and serving this petition for a Writ of Certiorari not more than 30 days after the MPCA gave notice of its final decision.

DATED: November 30, 2020

/s/ Scott Strand

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Pro Hac Vice Motion Pending

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Pro Hac Vice Motion Pending

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