



United States Department of the Interior



FISH AND WILDLIFE SERVICE

5600 American Boulevard West, Suite 990
Bloomington, Minnesota 55437-1458

IN REPLY REFER TO:

FWS-AES

FEB 11 2013

CERTIFIED MAIL RETURN RECEIPT REQUESTED

John Sobojinski
Project Director
Enbridge Energy Co.
1601 Pratt Avenue
Marshall, MI 49068-9546

On Behalf of Enbridge

RE: Presentation to Responsible Party of Interim, Partial Claim for Federal Trustees' Natural Resource Damage Assessment Costs for the Enbridge Pipeline Oil Spill, Pursuant to 33 U.S.C. § 2713

Dear Mr. Sobojinski:

This Presentment Letter (Letter) is written on behalf of the trustees (the Trustees) charged with public trust responsibilities for natural resources injured or threatened by the July 2010 Enbridge Pipeline 6B Oil Spill and associated removal efforts (the Incident). The Trustees have authority under the Oil Pollution Act (OPA) (33 U.S.C. §§2701 *et seq.*) and the Natural Resource Damage Assessment Regulations (15 C.F.R. Part 990) promulgated pursuant to OPA (OPA NRDA Regulations), among other state and federal authorities, to conduct a Natural Resource Damage Assessment (NRDA) of injuries to trust resources caused by the Incident. The OPA NRDA Regulations at 15 C.F.R. 990.27 set forth standards for trustees to consider in the selection of potential assessment procedures. The Trustees have considered those standards and have selected certain assessment procedures to determine and quantify such injuries.

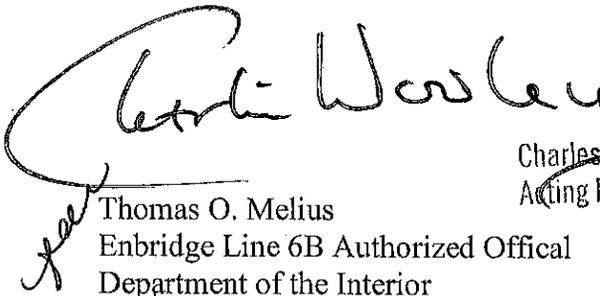
By this Letter, and pursuant to 33 U.S.C. § 2713, the Trustees, on behalf of the federal trustees, including the Fish and Wildlife Service on behalf of the Department of the Interior and the National Oceanic and Atmospheric Administration on behalf of the Department of Commerce (Federal Trustees) present to Enbridge a claim, in the amount of \$980,091 for estimated costs to implement assessment work for an 18 month period, as described in the attached Interim, Partial Claim for Assessment Costs (Assessment Work). Please be advised that the budget for the Assessment Work is an estimate of federal costs only and actual costs may vary once detailed planning and design begin or as new information becomes available. Consequently, the claim presented herein is for partial assessment activities that will occur over an 18 month timeframe, and includes only those estimated costs that will be incurred by the Federal Trustees. The non-

federal Trustees may incur additional costs related to the Assessment Work which are not reflected in this Presentment Letter and attachments.

If you wish to obtain more information about this Interim, Partial Claim for Assessment Costs or the Assessment Work that the Trustees intend to undertake, please contact Stephanie Millsap at 734-692-7628. Should Enbridge decline to pay the above claim, it is the intent of the Trustees, in accordance with 33 U.S.C. § 2713(c) and (d), to make a claim to the National Pollution Fund Center (NPFC) upon the expiration of ninety (90) days from the date of the presentment of this claim to Enbridge or upon rejection of the claim by Enbridge. Initiating this Assessment Work is time-critical. Thus, if Enbridge decides, in less than 90 days, not to fund some or all of the attached Assessment Work, please advise us at your earliest convenience so we may avoid unnecessary delay in filing a claim with the NPFC to obtain the required funding for those activities.

Thank you for consideration in this matter.

Sincerely yours,



Thomas O. Melius
Enbridge Line 6B Authorized Official
Department of the Interior

Charles M. Wooley
Acting Regional Director

Attachment: Interim, Partial Claim for Assessment Costs

cc: Electronic
Mark Curwin, Enbridge Energy
Jim Snider, Enbridge Energy
Bob Doherty, Enbridge Energy
David Bareham, Enbridge Energy
Kate Barfield, NOAA, Office of General Counsel
Jessica Winter, NOAA
William Brooks, Esquire
Valerie Lee, Esquire
John Rodwan, Nottawaseppi Band of Potawatomi
Jeffrey L. Jocks, Esquire
R. Todd Williamson, Match-E-Be-Nash-She-Wish Band of Pottawatomi
Polly Synk, Michigan, Department of Attorney General
Sharon Hanshue, Michigan Department of Natural Resources
Nicole Zacharda, Michigan Department of Environmental Quality
Kelly Bakayza, Department of the Interior, Office of the Solicitor
Mary Lynn Taylor, Department of the Interior, Office of the Solicitor