the trench on Organic Agricultural Land. Likewise, Enbridge will not allow trench water from adjacent land to be pumped onto Organic Agricultural Land.

Weed Control

On Organic Agricultural Land, Enbridge will, to the extent feasible, implement weed control methods consistent with the Landowner or Tenant's Organic System Plan. Prohibited Substances will not be used in weed control on Organic Agricultural Land. In addition, Enbridge will not use Prohibited Substances in weed control on land adjacent to Organic Agricultural Land in such a way as to allow these materials to drift onto Organic Agricultural Land.

Mitigation of Natural Resource Impacts

Enbridge will not use Organic Agricultural Land for the purpose of required compensatory mitigation of impacts to natural resources such as wetlands or woodlands unless approved by the Landowner.

Monitoring

In addition to the responsibilities of the Agricultural Monitor described in the AMP, the following will apply:

- The Agricultural Monitor or a USDA-approved Organic Certifier retained by Enbridge will monitor construction and restoration activities on Organic Agricultural Land for compliance with the provisions of this appendix and will document activities that could result in Decertification.

- Instances of non-compliance will be documented according to Independent Organic Inspectors Association protocol consistent with the Landowner's OSP, and will be made available to the MDA, the Landowner, the Tenant, the Landowner's or Tenant's Certifying Agent and to Enbridge.

If the Agricultural Monitor is responsible for monitoring activities on Organic Agricultural Land, he/she will be trained, at Enbridge's expense, in organic inspection, by the Independent Organic Inspectors Association, unless the Agricultural Monitor received such training during the previous three years.

Compensation for Construction Damages

The settlement of damages will be based on crop yield and/or crop quality determination and the need for additional restoration measures and will proceed in accordance with the terms of the Easement. Unless the Landowner or Tenant of Organic Agricultural Land and Company agree otherwise, at the Company's expense, a mutually agreed upon professional agronomist will make crop yield determinations, and the Minnesota Department of Agriculture Fruit and Vegetable Inspection Unit will make crop quality determinations. If the crop yield and/or crop quality determinations indicate the need for soil testing, the testing will be conducted by a commercial laboratory that is properly certified to conduct the necessary tests and is mutually agreeable to Enbridge and the Landowner or Tenant. Field work for soil testing will be conducted by a Professional Soil Scientist or Professional Engineer licensed by the State of Minnesota. Enbridge will be responsible for the cost of sampling, testing and additional restoration activities, if needed. Landowners or Tenants may elect to settle damages with Enbridge in advance of construction on a mutually acceptable basis or to settle after construction based on a mutually agreeable determination of actual damages.

Compensation for Damages Due to Decertification