

SCREENING FORM

LOW-EFFECT HABITAT CONSERVATION PLAN

I. Project Information

A. Project name: Enbridge Line 5 Pipeline Inspection and Repair

B. Affected species: Hine's emerald dragonfly

C. Project size (preferably in acres): 2.64 acres

D. Brief project description including minimization and mitigation plans:

Enbridge Pipelines (Lakehead) L.L.C. (Applicant) plans pipeline maintenance work on Line 5 in Garfield Township, Mackinac County, Michigan. The purpose of this planned work is to inspect, and if necessary, repair three sections of pipeline. The maintenance of the pipeline at the identified locations is being completed as required by Department of Transportation (DOT) regulations 49 CFR Part 195.452 on Integrity Management.

The area around the pipeline will be excavated, visually and physically inspected, and repaired as needed. Repair routinely consists of welding a metal sleeve around and re-coating the existing pipeline. Although surveys have not been conducted at the project site, suitable habitat for the Hine's emerald dragonfly (*Somatochlora hineana*), which is federally listed as endangered, occurs at the site, and the Applicant assumes the species is present. The proposed project has the potential to cause take of Hine's emerald dragonfly larvae during excavation, dewatering, and backfilling in the pipeline right-of-way. The entire project site is 2.64 acres; however, the area of impact to larval habitat is only 0.97 acre.

The purpose of the HCP is to ensure incidental take will be minimized and mitigated to the maximum extent practicable and will not appreciably reduce the likelihood of the survival and recovery of this species in the wild. Barr Engineering, on behalf of the Applicant, designed the HCP in consultation with the Service to ensure the proposed project minimizes impacts to the species, while allowing for incidental take of Hine's emerald dragonfly from the proposed activities. Access to the site will be via timber mats placed on a frost road to prevent rutting and soil compaction and disturbance in wetlands that may support dragonflies. Trench boxes will be used to minimize the construction footprint, and erosion and sediment control measures, such as silt fencing and straw bales, will be installed prior to soil disturbance. A dam and pump structure will be used to maintain flow, if present, in the waterway. The project is proposed to occur during winter months to avoid effects to foraging or breeding activities of adult dragonflies during the summer. The area of excavation will be restored to its pre-existing condition as suitable habitat for Hine's emerald dragonfly.

As mitigation, the Applicant will contribute \$12,000 to the National Fish and Wildlife Foundation for conservation efforts directed toward Hine's emerald dragonfly. Monitoring will occur during pipeline maintenance, and the area will be monitored after site restoration to ensure the establishment of native vegetation and the removal of invasive species, if necessary.

II. Does the HCP fit the low-effect criteria in the HCP Handbook? [The answer must be yes to all three questions below in order to be considered a low-effect HCP. If the answer is no to any question, then the project should not be considered a low-effect HCP. Each "yes" must be accompanied with an explanation.]

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP? (Handbook pg. 1-8 and 1-9)

Yes. Project effects on Hine's emerald dragonflies will be minor. The potential take of dragonflies represents a very small proportion of the known population in the county. Further, effects to suitable habitat at the project site will be temporary.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g., air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the mitigation plan? (Handbook pg. 1-8 and 1-9) [In making this determination, actions undertaken by the applicant to avoid "take" are not considered mitigation.]

Yes. Effects to wetlands will be minor, and effects to other environmental values will be negligible or non-existent.

C. Would the impacts of this HCP, considered together with the impacts of other past, present and reasonably foreseeable similarly projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? (Handbook pg. 5-3).

Yes. The proposed project, with impacts of other past, present and reasonably foreseeable projects, will not result in significant cumulative effects.

III. Do any of the exceptions to categorical exclusions apply to this HCP? [If the answer is yes to any of the questions below, the project can not be categorically excluded from NEPA.] Each "No" must be accompanied by an explanation.

Would implementation of the HCP (refer to 516 DM 2.3, Appendix 2):

A. Have significant adverse effects on public health or safety?

No. The Applicant is conducting pipeline maintenance in accordance with regulations of the U.S. Department of Transportation (DOT).

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?

No. All work will occur within the existing pipeline right-of-way. The pipeline maintenance will not adversely impact historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks.

C. Have highly controversial environmental effects?

No. None of the activities associated with the HCP have controversial environmental effects. The Applicant has coordinated with the Michigan Department of Natural Resources and will obtain any required permits from the Michigan Department of Environmental Quality, the County Soil Erosion Control office, or any other relevant permitting agency.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No. The Applicant is undertaking the proposed work to maintain the integrity of the existing pipeline infrastructure.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?

No.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

No. No properties in the action area are listed or eligible for listing on the National Register of Historic Places.

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?

No.

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?

No. The proposed work is not a water development project and will not have adverse effects to wetlands or floodplains. Any impacts to wetlands will be minimal and temporary.

J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?

No.

IV. ENVIRONMENTAL ACTION STATEMENT (EAS)

If the proposal fits the above criteria for a low-effect HCP, the proposal can be categorically excluded from the NEPA documentation in accordance with 516 DM 6, Appendix 1.4C (1) and (2). The following EAS should be prepared to provide an administrative record of the decision to categorically exclude the proposal in accordance with 550 FW 3.3C.

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record. Based on the analysis above, the Enbridge Line 5 Pipeline Inspection and Repair HCP qualifies as a "Low Effect" HCP as defined in the U.S. Fish and Wildlife Service Habitat Conservation Planning Handbook (November 1996). Therefore this action as is a categorical exclusion as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1 and no further NEPA documentation will be made.

Other supporting documents (list):

Habitat Conservation Plan

Signature Approval:

Scott Hicks 2-25-2013

(1) Field Supervisor Date