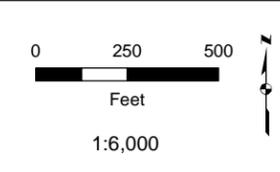


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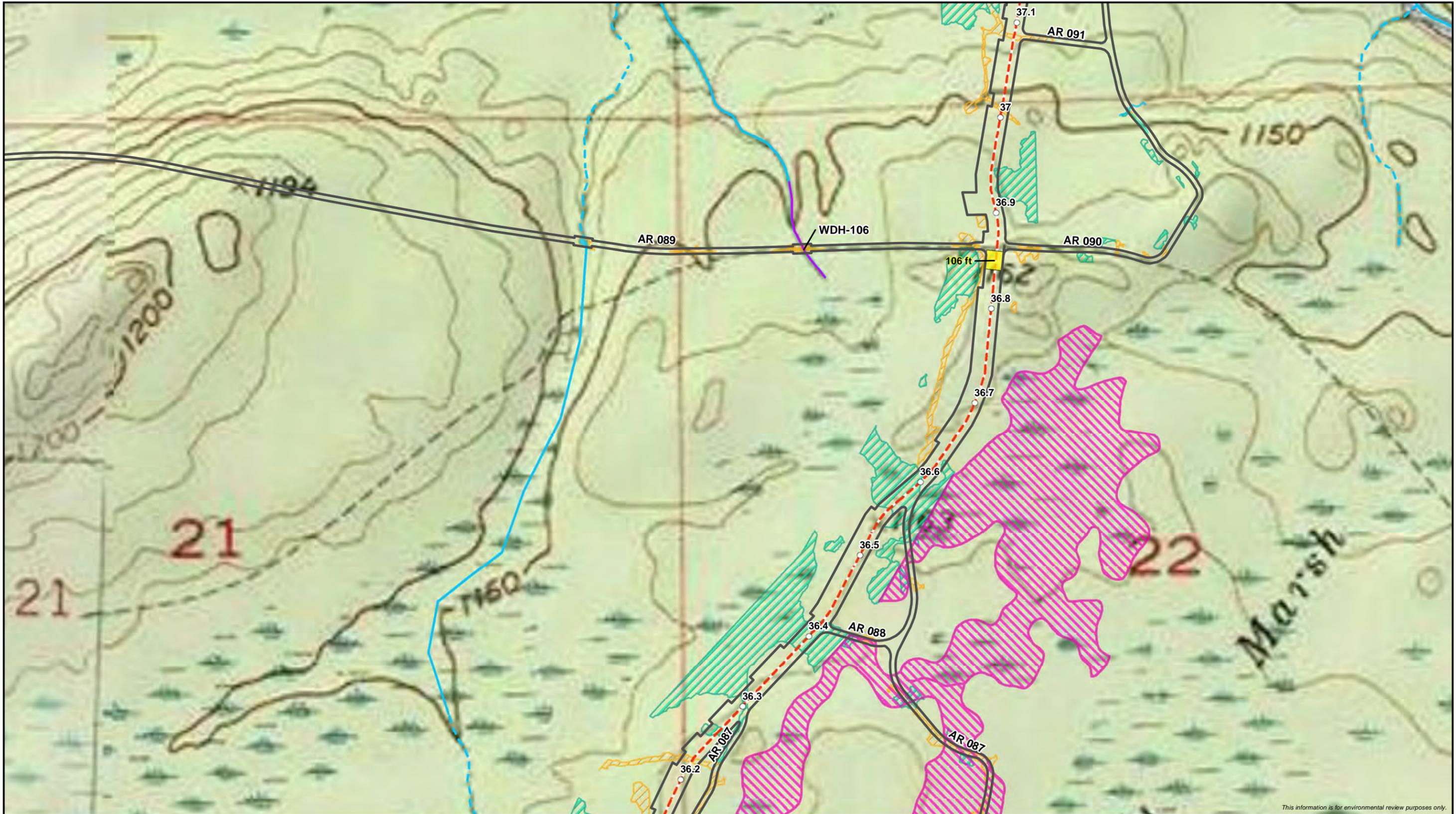


- Milepost
- - - Proposed Centerline
- ▭ Proposed Workspace
- ▭ 20% and Greater Slope Areas
- Wisconsin DNR 24K Hydro**
- Perennial Stream/River
- Intermittent Stream
- WI DNR Waterbody
- Delineated Waterbody**
- Perennial Waterbody
- Intermittent Waterbody
- Ephemeral Waterbody
- ▨ WWI Wetland
- ▨ Delineated Wetland
- ▨ PFO Wetland
- ▨ PSS Wetland
- ▨ PEM Wetland

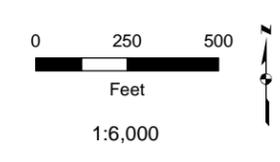


EIR Attachment G-1
 Slopes Greater than 20%
 Line 5 Wisconsin Segment Relocation Project
 Enbridge Energy, L.P.
 Iron County, Wisconsin





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○ Milepost	— Intermittent Stream	▨ WWI Wetland
— Proposed Centerline	▨ WI DNR Waterbody	▨ Delineated Wetland
▭ Proposed Workspace	▨ Delineated Waterbody	▨ PFO Wetland
▨ 20% and Greater Slope Areas	▨ Perennial Waterbody	▨ PSS Wetland
Wisconsin DNR 24K Hydro	▨ Intermittent Waterbody	▨ PEM Wetland
▨ Perennial Stream/River	▨ Ephemeral Waterbody	

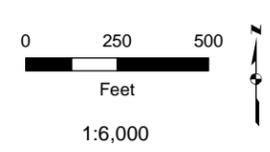


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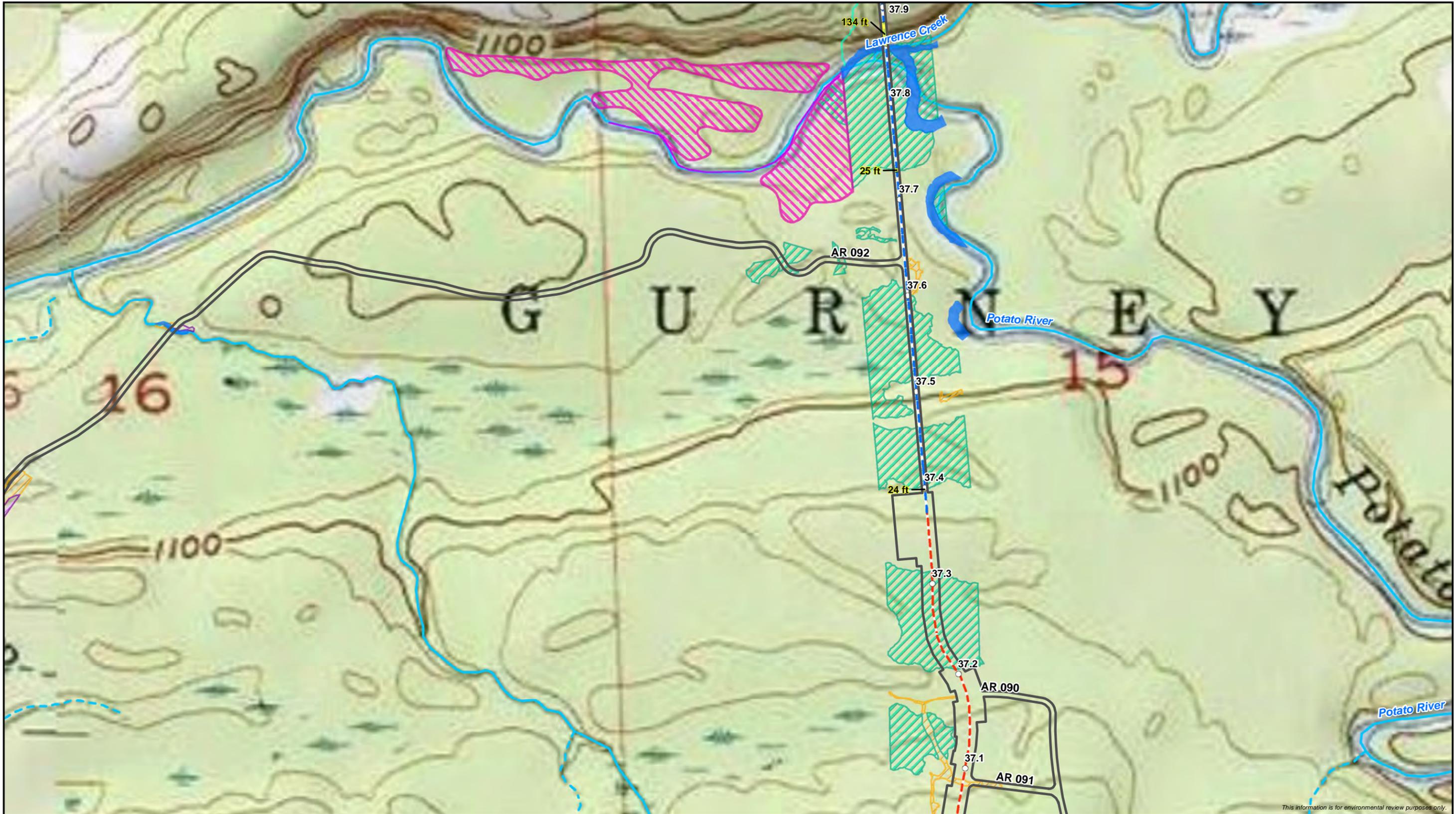


- Milepost
- - - Proposed Centerline
- ▭ Proposed Workspace
- ▭ 20% and Greater Slope Areas
- Wisconsin DNR 24K Hydro
- Perennial Stream/River
- Intermittent Stream
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- Ephemeral Waterbody
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- PFO Wetland
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- PEM Wetland

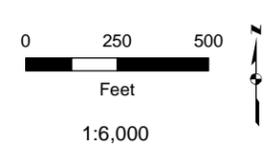


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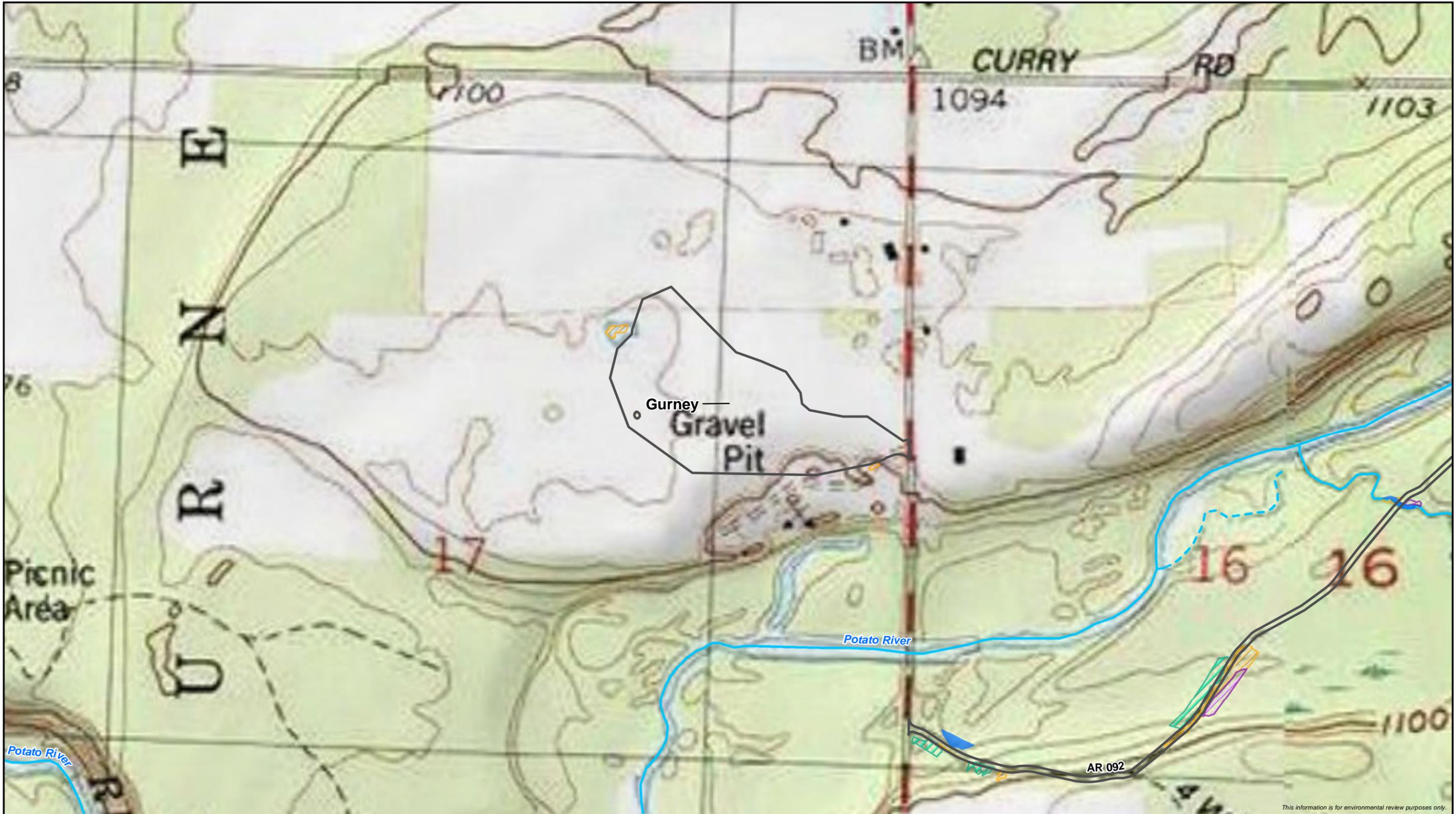


○ Milepost	Wisconsin DNR 24K Hydro	Intermittent Waterbody	PEM Wetland
- - - Proposed Centerline	Perennial Stream/River	Ephemeral Waterbody	
- - - Horizontal Directional Drill	Intermittent Stream	WWI Wetland	
▭ Proposed Workspace	WI DNR Waterbody	Delineated Wetland	
▭ 20% and Greater Slope Areas	Delineated Waterbody	PFO Wetland	
	Perennial Waterbody	PSS Wetland	

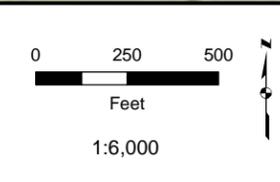


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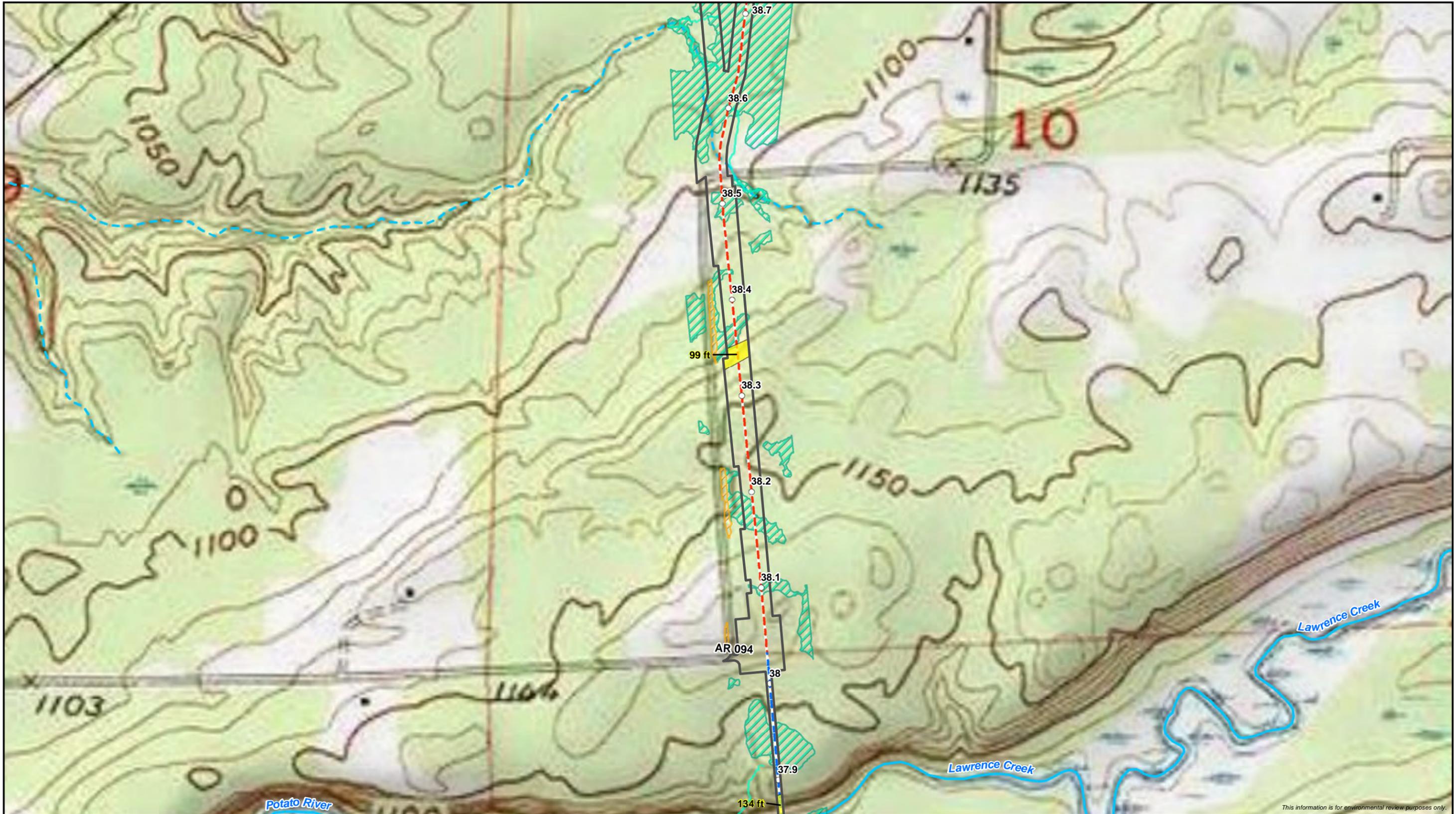


○ Milepost	— Intermittent Stream	▨ WWI Wetland
— Proposed Centerline	▨ WI DNR Waterbody	▨ Delineated Wetland
▭ Proposed Workspace	▨ Delineated Waterbody	▨ PFO Wetland
▨ 20% and Greater Slope Areas	▨ Perennial Waterbody	▨ PSS Wetland
Wisconsin DNR 24K Hydro	▨ Intermittent Waterbody	▨ PEM Wetland
— Perennial Stream/River	▨ Ephemeral Waterbody	

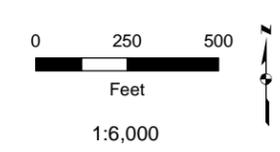


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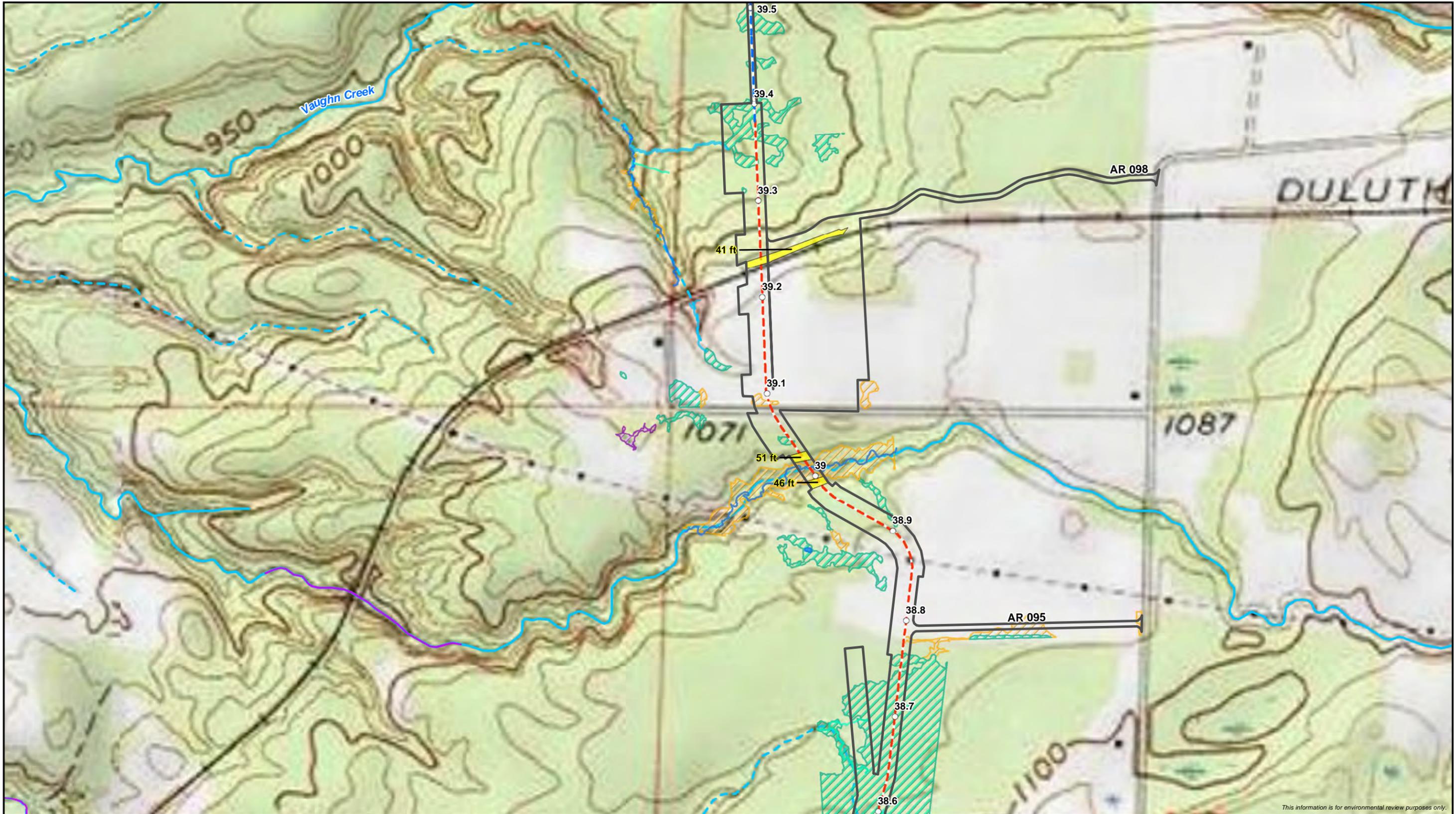


○ Milepost	Wisconsin DNR 24K Hydro	Intermittent Waterbody	PEM Wetland
- - - Proposed Centerline	Perennial Stream/River	Ephemeral Waterbody	
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	Perennial Waterbody	PSS Wetland	

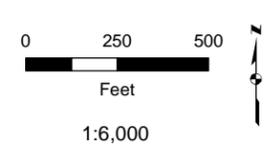


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 Enbridge Energy, L.P.
 Iron County, Wisconsin





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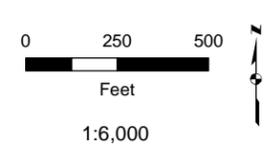


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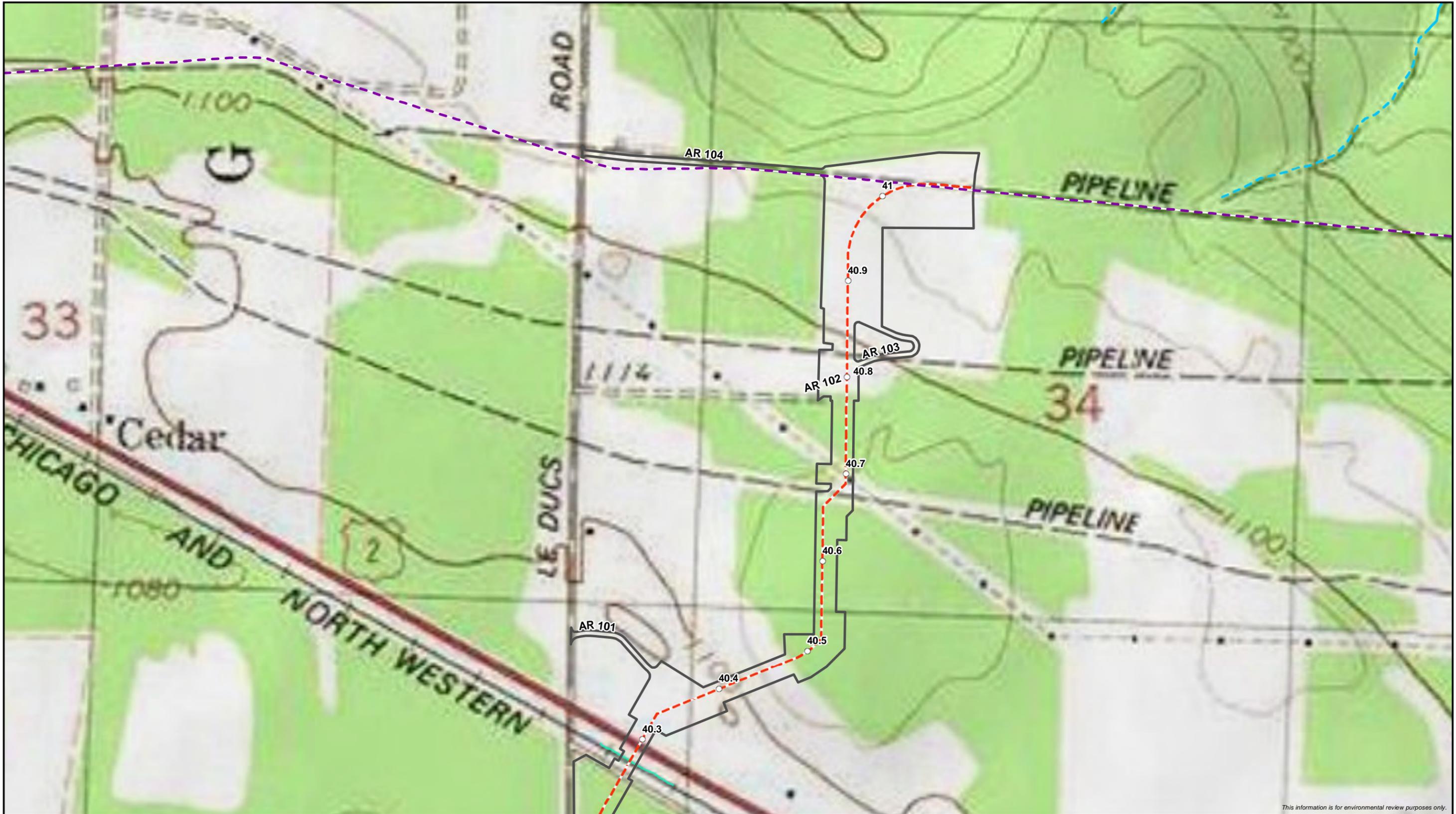


○ Milepost	Wisconsin DNR 24K Hydro	Intermittent Waterbody	PEM Wetland
- - - Proposed Centerline	Perennial Stream/River	Ephemeral Waterbody	
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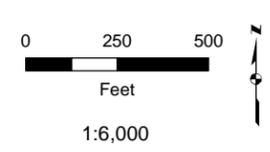


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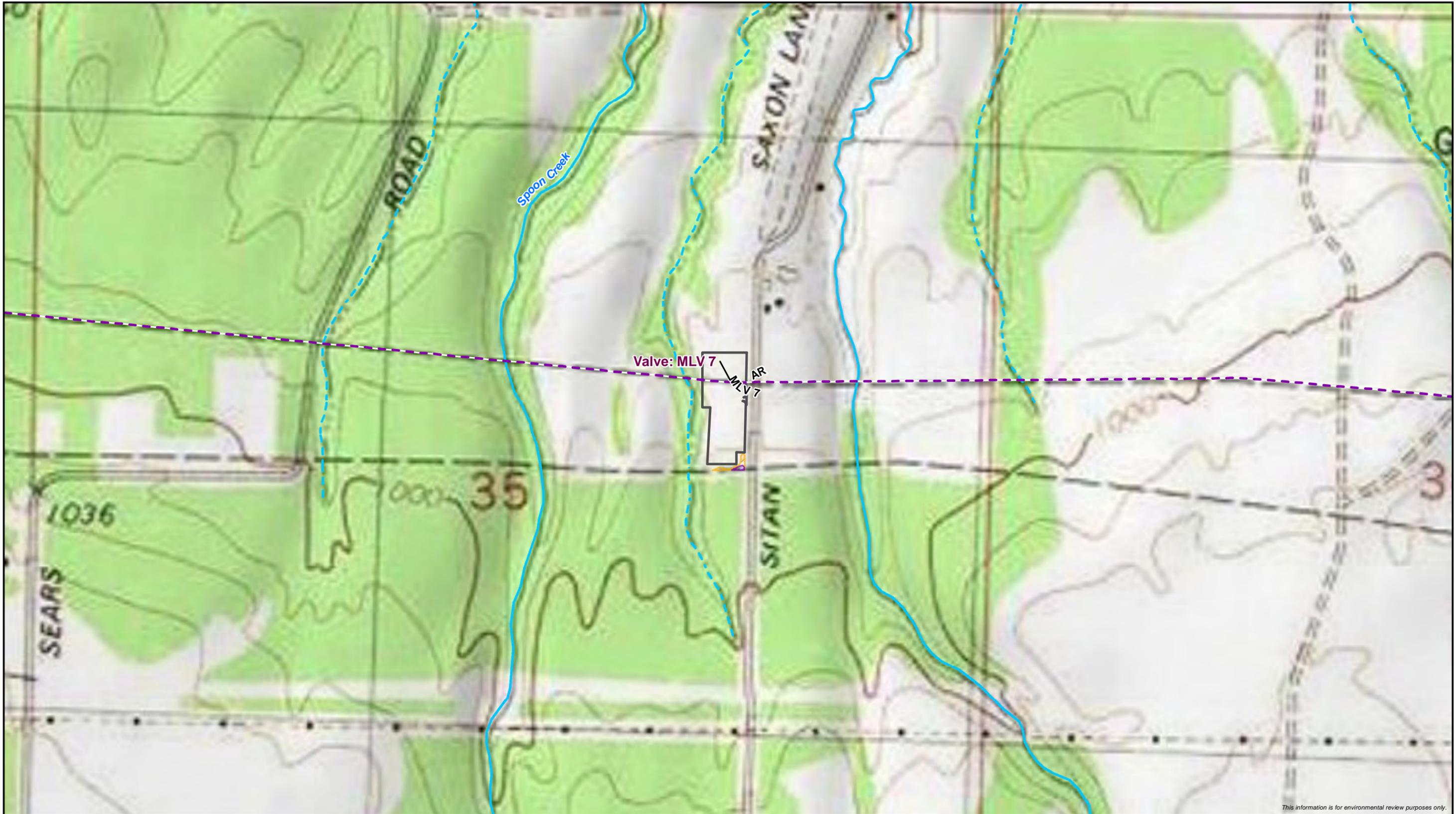


○ Milepost	Wisconsin DNR 24K Hydro	Intermittent Waterbody	PEM Wetland
- - - Proposed Centerline	Perennial Stream/River	Ephemeral Waterbody	
▭ Proposed Workspace	Intermittent Stream	WWI Wetland	
- - - Existing Enbridge Pipeline	WI DNR Waterbody	Delineated Wetland	
▭ 20% and Greater Slope Areas	Delineated Waterbody	PFO Wetland	
	Perennial Waterbody	PSS Wetland	

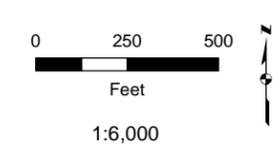


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EIR Attachment G-1
 Slopes Greater than 20%
 Line 5 Wisconsin Segment Relocation Project
 Enbridge Energy, L.P.
 Iron County, Wisconsin





Line 5 Wisconsin Segment Relocation Project

Ashland, Bayfield, Douglas, and Iron Counties Wisconsin

Water Resources Application for Project Permits

Environmental Impact Report

Revised August 2020

EIR Attachment H

Wetland and Waterbody Crossing Tables

(See Attachment F of the Supplemental Information)



Line 5 Wisconsin Segment Relocation Project

Ashland, Bayfield, Douglas, and Iron Counties Wisconsin

Water Resources Application for Project Permits

Environmental Impact Report

Revised August 2020

EIR Attachment I

Endangered Resources Review Request and Response

Privileged and Confidential Information

January 15, 2020

Endangered Resources Review Program
Wisconsin DNR
101 S. Webster St., PO Box 7921
Madison, WI 53707-7921

SUBJECT: Proposed Endangered Resources Review for
Enbridge Line 5 Wisconsin Segment Relocation Project,
Ashland, Bayfield, and Iron Counties, WI

To the Endangered Resources Review Program,

I have conducted a Proposed Endangered Resources (ER) Review for Enbridge Operating Services, L.L.C. and Enbridge Energy, Limited Partnership (collectively referred to as "Enbridge") Proposed Line 5 Wisconsin Segment Relocation Project according to the document Conducting Proposed Endangered Resources Reviews: A Step-by-Step Guide for Certified ER Reviewers.

I am submitting this Proposed ER Review to you for Wisconsin Department of Natural Resources ("WDNR") review and approval.

I understand the following and have written confirmation that the requester also understands the following regarding this Proposed ER Review:

1. The requester is the owner, authorized representative of the owner, or utility representative of the property for which I conducted the Proposed ER Review. To the best of my and his/her knowledge, the information each of us has provided is complete and accurate.
2. I and the requester understand that the (Proposed) ER Review may contain NHI data and information (including specific locations of endangered resources) which are considered sensitive and are not subject to Wisconsin's Open Records Law (per s. 23.27, Wis. Stats.). I and the requester agree to use the information contained in the ER Review solely for planning and implementation of the proposed project. As such, I and the requester agree to share information contained in the (Proposed) ER Review only with individuals who need this information to carry out specific roles in permitting, planning and implementation of the proposed project. I agree to contact the ER Review Program at 608-266-5241 if I or the requester have any questions about sharing information contained in the (Proposed) ER Review.
3. I agree to pay, within 30 days of receipt of an invoice, the fee charged by the Department for review and approval of this Proposed ER Review. The fee for review and approval of a Proposed ER Review is minimum \$75 for first hour and \$75/hour incrementally for each additional hour (per NR 29, Wis. Adm. Code).
4. The ER Review for the project does not exempt the requester from the requirements of state and federal endangered species laws and other laws protecting endangered resources in Wisconsin. Rather, it is a tool to help project proponents comply with state and federal endangered species laws. Additional consultation with the DNR and/or US Fish and Wildlife Service may be necessary if follow-up actions are indicated.
5. I and the requester understand that the ER Review Program will review this document, make any needed changes, and provide each of us with an electronic copy of the final ER Review.
6. I and the requester understand that, to improve coordination regarding any potential endangered resources issues for the proposed project, the ER Review Program will provide an electronic carbon copy of the ER Review to individuals and DNR staff involved in permitting, licensing, or approval of the proposed project. In general, individuals copied are the following DNR staff responsible for the area in which the project is located: Stormwater Specialist, Water Management Specialist, and any other individuals indicated by the requester or reviewer.

Enbridge plans to continue coordination with WDNR on state-listed species that may occur in the project area, including development of species specific habitat surveys for 2020 and development of a State-

Listed Species Conservation Plan, as needed. Please contact me at 612.655.3434 or via email at Julia.joy@erm.com if you have any questions about this Proposed ER Review.

Sincerely,

Julia Joy

Enclosures: ER Review Spreadsheet
 Project Maps

CONFIDENTIAL

Endangered Resource Review for the Proposed Line 5 Wisconsin Segment Relocation Project, Ashland, Bayfield, and Iron Counties, WI

Section 1: Location and description of the proposed project

Based on information provided by the requester (Enbridge) on the Endangered Resources (ER) Review Request form or equivalent document and other relevant maps, photos, correspondence and reports, I, Julia Joy, understand the proposed project to be as follows:

Location of proposed project:

The attached Figure 1 provides a general location map depicting the Project route. The route falls within the WDNR Northern Region and occurs within the following Township, Range and Sections in Ashland, Bayfield, and Iron Counties:

- (T45N R1W) Sections: 5, 6, 7, 8, 18
- (T45N R2W) Sections: 1, 2, 11, 12, 13, 14, 22, 23, 27, 28, 30, 31, 32, 33
- (T45N R3W) Sections: 6, 7, 8, 9, 14, 15, 16, 17, 22, 23, 24, 25, 36
- (T45N R4W) Sections: 1, 2, 12
- (T46N R1W) Sections: 3, 4, 8, 9, 10, 15, 16, 17, 20, 21, 22, 27, 28, 29, 30, 32, 33
- (T46N R4W) Sections: 5, 6, 7, 8, 17, 18, 19, 20, 26, 27, 28, 29, 34, 35, 36
- (T47N R1W) Sections: 33, 34
- (T47N R4W) Sections: 7, 17, 18, 20, 29, 32
- (T47N R5W) Section: 10

The Project route begins near the intersection of County Highway 112 and Summit Road in Ashland County, Wisconsin. The route proceeds south, paralleling an overhead electrical transmission line for approximately 3.6 miles. The route then turns southwest to cross the White River, just downstream of the Northern States Power Company hydroelectric dam located on Highway 112. The route continues south for approximately 4 miles where it crosses State Highway 112. The route then continues east/southeast for approximately 13 miles, crossing the Marengo River near Marengo River Road/Highway 112; the Brunsweller River near the intersection of County Highway C and Van de Bruggen Road; Trout Brook near the intersection of North York Road and Highway 13; and Silver Creek near the intersection of Ryefield Road and County Road C. The route turns east, crossing State Highway 13 approximately 0.25 mile north of the intersection of State Highway 12 and State Highway 169. The route crosses the Bad River south of Copper Falls State Park and north of the town of Mellen. The route then turns northeast for about 15 miles. It crosses Feldcher Creek just east of the Ashland/Iron County line and south of Casey Sag Road; Tyler Forks River south of Vogues Road; the Potato River just south of the intersection of North Curry Road and Curry Road; and U.S. Highway 2 near the intersection of Highway 2 and Le Duc Road. Finally, the route rejoins Enbridge's existing Line 5 east of Le Duc Road and east of Cedar, Wisconsin.

Detailed description of the proposed project and associated disturbance:

The existing Line 5 pipeline owned by Enbridge is a 645-mile-long, 30-inch-diameter crude oil pipeline. The pipeline originates at Enbridge's Superior Terminal, located in Superior, Wisconsin, and terminates in Sarnia, Canada. The pipeline carries approximately 540,000 barrels of synthetic crude, natural gas liquids, sweet crude, and light sour crude oil per day. In Wisconsin, the existing pipeline crosses Douglas, Bayfield, Ashland, and Iron Counties. Within Ashland County, the existing Line 5 pipeline crosses through approximately 12 miles of the Bad River Reservation ("Reservation").

The proposed Line 5 Wisconsin Segment Relocation Project (“Project”) would reroute the existing Line 5 pipeline around the Reservation to allow for continued, uninterrupted deliveries of propane to the Upper Peninsula of Michigan, as well as to maintain reliable, economic, and secure committed transportation services for Enbridge’s shipping customers. The proposed Project would replace approximately 20 miles of the existing Line 5 pipeline, including the segment of the existing Line 5 pipeline that traverses through the Reservation, with new, 30-inch-diameter pipe that would be located entirely outside the Reservation.

The Project involves the construction and operation of various types of equipment or facilities, including:

- Approximately 41.1 miles of new, 30-inch-diameter, underground crude oil pipeline;
- Cathodic protection facilities;
- Five mainline block valves; and
- Minor modifications to the existing Ino Pump Station.

Start date (on site disturbance): Enbridge proposes to begin construction of the Project in early 2021.

End date (on site disturbance): The Project would be placed in service in the third quarter of 2021.

Detailed description of the habitat types and current land use within the proposed impact area: The most prevalent land uses along the route are forestland, grassland, and agriculture, followed by wetlands, urban/developed land, barren land, and open water areas. Table 1 below depicts the land use types affected by construction and operation of the Project.

Table 1. Land Use Types Affected by Construction and Operation of the Project ^{a, b} (in acres)

Facility Type	Forestland		Grassland		Agriculture		Wetland		Urban/ Developed		Barren		Open Water		Total	
	Total Temp	Total Perm	Total Temp	Total Perm	Total Temp	Total Perm	Total Temp	Total Perm	Total Temp	Total Perm	Total Temp	Total Perm	Total Temp	Total Perm	Total Temp	Total Perm
<i>Pipeline Facilities ^c</i>																
ATWS	63.5	0.0	29.8	0.0	33.3	0.0	5.4	0.0	2.1	0.0	0.2	0.0	<0.1	0.0	134.4	0.0
Temporary Workspace	196.9	0.0	58.8	0.0	47.1	0.0	16.4	0.0	5.1	0.0	0.5	0.0	0.1	0.0	324.9	0.0
Permanent Right-of-Way	150.7	150.7	44.0	0.0	34.6	0.0	15.1 ^d	^e	3.4	3.4	0.5	0.5	0.2 ^d	^e	248.5	154.6 ^e
Pipeline Facilities Total	411.1	150.7	132.6	0.0	115	0.0	36.9 ^d	^e	10.6	3.4	1.2	0.5	0.4 ^d	^e	707.8	154.6 ^e
Valves	0.1	0.1	0.4	0.4	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.6	0.6
Access Roads	107.8	1.8	14.9	0.7	11.5	0.2	9.6	^e	6.2	0.2	0.6	0	0.0	0.0	150.6	2.9 ^e
Pipe Yards	5.0	0.0	54.2	0.0	69.6	0.0	4.0	0.0	4.6	0.0	0.0	0.0	0.0	0.0	137.4	0.0
PROJECT TOTAL	524	152.6	202.1	1.1	196.2	0.3	50.5	^e	21.4	3.6	1.8	0.5	0	^e	996	158.1

Notes:

^a The numbers in this table have been rounded for presentation purposes. As a result, the totals may not reflect the sum of the addends.

^b The land affected during construction includes both temporary construction and long-term/permanent operational activities and impacts.

^c Pipeline facilities include the temporary workspace, ATWS, and permanent right-of-way.

^d Wiscland 2.0 data for wetlands and open water is for general characterization purposes only and is not used for assessing Project-specific impacts.

^e Wiscland 2.0 data was not used to estimate permanent wetland and open water impacts. These impacts were assessed based on site-specific data.

Temp = Temporary Impact; Perm = Permanent Impact

Wetlands and waterbodies within one mile of the project area, and any known or suspected impacts of the proposed project to these wetlands and waterbodies:

Enbridge collected waterbody data on accessible tracts along the proposed route. Enbridge completed approximately 70 percent of environmental field survey effort in 2019 to identify and classify (perennial, intermittent, or ephemeral) waterbodies along the proposed route as well as reviewed topographic maps and other published data. Enbridge classified linear waterbodies into one of three regimes according to the definitions provided by the U.S. Army Corps of Engineers (USACE) for the Nationwide Permit Program in 33 CFR Part 330. In areas of the proposed route where survey access was not available during the 2019 survey effort, Enbridge plans to complete the survey in 2020 following the winter season. Wisconsin Wetland Inventory data was utilized for impact estimates in areas where survey access was not available. A summary of waterbodies crossed by the Project is in Table 2.

Waterbody Regime	Number
Delineated Waterbodies	
Perennial	32
Intermittent	36
Ephemeral	63
NHD Waterbodies	
Perennial	15
Intermittent	29
Ephemeral	0
PROJECT TOTAL	175

Notes: NHD – National Hydrography Dataset

The primary impact of pipeline construction and right-of-way maintenance activities on wetlands will be the temporary removal of wetland vegetation. Construction will also temporarily diminish the recreational and aesthetic value of the wetlands crossed. These effects will be greatest during and immediately following construction. In emergent wetlands, the impact of construction will be relatively brief, since herbaceous vegetation will typically regenerate within one or two growing seasons. In forested and shrub-dominated wetlands, the impact will last longer due to the longer recovery period of these vegetation types. Forested wetlands may not regenerate due to specific circumstances, such as altered conditions since the forest began or the competition of invasive species, among others. Clearing of wetland vegetation will also temporarily remove or alter wetland wildlife habitat.

Typical pipeline construction in most wetlands will be similar to construction in uplands and will consist of clearing, trenching, dewatering, installation, backfilling, cleanup, and revegetation.

Enbridge will control the growth of trees and shrubs within the permanent maintained right-of-way to facilitate aerial inspections and operational maintenance which will result in a conversion of forested wetlands and scrub-shrub wetlands to emergent wetlands within the permanent right-of-way (refer to Table 3).

The Project will require permanent fill of approximately 0.34 acre of Palustrine Forested (PFO) wetland and permanent fill of approximately 0.02 acre of Palustrine Emergent (PEM) wetland associated with the installation of two mainline valves and permanent access to the respective valves near MP 33.09 and MP 2.53, respectively.

Wetland Type ^a	Temporary Impacts (acres) ^b	Permanent Conversion (acres) ^c	Permanent Fill (acres) ^d
Delineated Wetlands			
PEM	25.6	0	<0.1
PFO	46.8	20.2	0.3
PSS	8.5	1.7	0
WWI Wetlands			
PEM	4.1	0	0
PFO	22.2	7.4	0
PSS	1.2	0.3	0
Open Water	0.3	0	0
PROJECT TOTAL ^e	108.7	29.6	0.4

Notes:

^a Delineated wetlands are based on 2019 field surveys, and where surveys were unable to be completed, WWI wetland data was used for calculations.

^b Includes temporary impacts associated with pipeline workspace, access roads, and pipeyards.

^c Permanent conversion impacts include acreage within PFO and PSS wetlands that will be maintained as PEM within the permanent right-of-way.

^d Permanent fill impacts include wetland acreage that will be impacted by construction of permanent aboveground structures and an associated access road.

^e The sum of the addends may not equal the totals in all cases due to rounding.

PEM = Palustrine Emergent; PSS=Palustrine Scrub Shrub; PFO = Palustrine Forested; Cowardin et al. 1979.

Temporary Access Road Impact: Enbridge typically uses existing public and private roads to access the right-of-way and facilities to the extent practicable to limit impacts on wetlands and waterbodies and other sensitive resources. However, Enbridge identified areas along the Project where new temporary access roads will be necessary for pipeline construction. This will result in approximately 15 acres of temporary wetland impacts and 0.3 acre of permanent impacts.

Individuals involved in permitting, licenses, or approvals for the proposed project (these individuals will be copied on the results of this ER Review to facilitate coordination):

- Sara Ploetz, Enbridge Energy, Sara.Ploetz@enbridge.com
- Cathryn Hanson, Enbridge Energy, Cathryn.Hanson@enbridge.com
- Tim Drake, Environmental Resources Management, Tim.Drake@erm.com

It is best to request ER Reviews early in the project planning process. However, some important project details may not be known at that time. Details related to project location, design, and timing of disturbance are important for determining both the endangered resources that may be impacted by the project and any necessary follow-up actions. Please contact the ER Review Program whenever project plans change or new details become available to confirm if results of this ER Review are still valid.

Section 2: Endangered resources recorded from within the project area and/or surrounding area

All species hyperlinks are contained in the attached ERR Spreadsheet.

- A caddisfly (*Psilotreta indecisa*) is an insect listed as Special Concern in Wisconsin, and is associated with coldwater streams.

- A flat-headed mayfly (*Maccaffertium pulchellum*) is an insect listed as Special Concern in Wisconsin, and is associated with coldwater streams.
- A humpleless casemaker caddisfly (*Brachycentrus lateralis*) is an insect listed as Special Concern in Wisconsin, and is associated with warmwater rivers.
- A predaceous diving beetle (*Agabetes acuductus*) is an insect listed as Special Concern in Wisconsin, prefers wooded wetlands, leaf litter of shaded pools, and cattail ponds.
- American bittern (*Botaurus lentiginosus*) a bird listed as Special Concern in Wisconsin, prefers wetlands and riparian areas; lake and pond edges where cattails, sedges, or bulrushes are plentiful, and marshes where patches of open water and aquatic-bed vegetation occurs. The recommended avoidance period is 25 May – 20 August.
- Bald eagle (*Haliaeetus leucocephalus*) is a federally protected bird species (no state status), and prefers forested habitat near medium to large rivers and lakes. The recommended avoidance period is 15 January – 30 July (per U.S. Fish and Wildlife Service guidelines).
- Black-backed woodpecker (*Picoides articus*) is a bird listed as Special Concern in Wisconsin, and is associated with boreal and coniferous forests, especially in areas with standing dead trees such as burns, bogs, and windfalls. The recommended avoidance period is 1 May – 20 July.
- Braun's holly-fern (*Polystichum braunii*) is listed as Threatened in Wisconsin, and prefers rich hardwood or mixed conifer-hardwood forests near ravine bottoms. It is also often found in areas of cold air drainage, on gentle to moderately steep rocky forest slopes, and at the bases of moist cliffs. Avoidance measures include avoiding known plant locations, or conducting operations during frozen, snow-covered ground conditions; avoiding broadcast spraying of herbicides; and avoiding direct disturbance to sensitive microsites such as seeps, cliffs, and moss-covered boulders.
- Least bittern (*Ixobrychus exilis*) is a bird listed as Special Concern in Wisconsin, and is associated with herbaceous and scrub-shrub wetlands, bogs, fens, and riparian areas. The recommended avoidance period is 15 May – 15 August.
- Loggerhead shrike (*Lanius ludovicianus*) is a bird listed as Endangered in Wisconsin, and inhabits open, grassy country with scattered shrubs or small trees. The species prefers "edge" habitat, and nests along roadsides with hedgerows in agricultural regions. The recommended avoidance period is 20 April – 1 August.
- Long-eared owl (*Asio otus*) is a bird listed as Special Concern in Wisconsin, and prefers deciduous and evergreen forests, orchards, wooded parks, farm woodlots, and river woods. Areas with dense vegetation are needed for roosting and nesting, and open areas are required for hunting. The recommended avoidance period is 20 March – 20 June.
- Northern goshawk (*Accipiter gentilis*) is a bird listed as Special Concern in Wisconsin, and prefers mature deciduous, coniferous, or mixed forest types. The recommended avoidance period is 20 March – 31 July.
- Swamp darner (*Epiaeschna heros*) is an insect listed as Special Concern in Wisconsin, and prefers shady ponds, ditches, or sloughs bordering woods.
- Torrey's bulrush (*Schoenoplectus torreyi*) is an aquatic plant listed as Special Concern in Wisconsin, and is associated with sandy shores of shallow lakes and lagoons. No avoidance measures have been developed for this species.
- Western meadowlark (*Sturnella neglecta*) is a bird listed as Special Concern in Wisconsin, and is typically found in open landscapes such as pastures and hayfields, grasslands, prairies and meadows where there is a mix of short to medium-high grasses. The recommended avoidance period is 25 April – 30 July.
- West Virginia White (*Pieris virginiensis*) is an insect listed as Special Concern in Wisconsin, and is associated with rich, deciduous northern forests, primarily of beech and sugar maple. Its host plant is tooth wort (*Cardamine diphylla*). Eggs hatch in May and develop by June.

- Wood turtle (*Glyptemys insculpta*) is a reptile listed as Threatened in Wisconsin, and prefers rivers and streams with adjacent riparian wetlands and upland deciduous forests. This species often forages in open wet meadows or in shrub-carr habitats dominated by speckled alder. They overwinter in streams and rivers in deep holes or undercut banks where there is enough water flow to prevent freezing. This semi-terrestrial species typically remains within 300m (984 ft) of rivers and streams. There is a Broad Incidental Take Permit for this species. For additional avoidance recommendations, see attached spreadsheet.
- Yellow specklebelly (*Pseudocyphellaria crocata*) is a lichen listed as Special Concern in Wisconsin, and is found on rocks and tree bark in moist or humid mature mixed forests in Northern Wisconsin.
- Boreal Forest (Hagstrom's Boreal Forest). See hyperlink in attached spreadsheet for definition.
- Ephemeral Pond (Copper Falls Ponds). See hyperlink in attached spreadsheet for definition. Copper Falls Ponds
- Stream –slow, hard, cold (White River). See hyperlink in attached spreadsheet for definition.
- Migratory Bird Concentration Site (Bad River – Kakagon Sloughs). See hyperlink in attached spreadsheet for definition.

For additional information on the rare species, high-quality natural communities, and other endangered resources listed above, please visit our [Biodiversity](#) page.

Section 3: Follow-up actions

If your project changes (e.g., a change in location, size, design, disturbance footprint and timing, or construction sequence), please call the ER Review Program to confirm if these results are still valid.

Actions that need to be taken to comply with state and/or federal endangered species laws (to be finalized during coordination with WDNR and Enbridge):

- Bald Eagle
 - Please refer to attached Excel Sheet.
- Loggerhead shrike
 - Please refer to attached Excel Sheet.
- Wood turtle
 - Please refer to attached Excel Sheet.

Actions we recommend to help conserve Wisconsin's rare species and high-quality natural communities (to be considered by Enbridge if surveys identify suitable habitat in or adjacent to Project area):

- American bittern
 - Please refer to attached Excel Sheet.
- Bald eagle
 - Please refer to attached Excel Sheet.
- Black-backed woodpecker
 - Please refer to attached Excel Sheet.
- Long-eared owl

- Please refer to attached Excel Sheet.
- Northern goshawk
 - Please refer to attached Excel Sheet.
- Western meadowlark
 - Please refer to attached Excel Sheet.
- West Virginia white
 - Please refer to attached Excel Sheet.
- Yellow specklebelly
 - Please refer to attached Excel Sheet.

Remember that although these actions are not required by state or federal endangered species laws, they may be required by other laws, permits, granting programs, or policies of this or another agency. Examples include the federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, State Natural Areas law, DNR Chapter 30 Wetland and Waterway permits, DNR Stormwater permits, and Forest Certification.

At this time and per the project information provided, no action will need to be taken to avoid take of the following species:

- A predaceous diving beetle
 - Please refer to attached Excel Sheet.
- Braun's holly-fern
 - Please refer to attached Excel Sheet.
- Least bittern
 - Please refer to attached Excel Sheet.
- Swamp darner
 - Please refer to attached Excel Sheet.
- Torrey's bulrush
 - Please refer to attached Excel Sheet.
- Hagstrom's Boreal Forest
 - Please refer to attached Excel Sheet.
- Copper Falls Ponds Ephemeral Ponds
 - Please refer to attached Excel Sheet.
- Bad River – Kakagon Slough Migratory Bird Concentration Site
 - Please refer to attached Excel Sheet.

Section 4: Next Steps

First, evaluate whether the information about the project in Section 1 is still accurate. All recommendations in this ER Review are based on this information. If the proposed project has changed, please call ER Review Program to determine if the information and recommendations in this document are still valid.

Second, determine whether you are able to implement the '**Follow-up actions**' identified above:

'Actions that need to be taken to comply with state and/or federal endangered species laws' represent the Department's best available guidance for complying with state and federal endangered species laws based on the project information that you provided and the endangered resources information and data available to us. If the proposed project has not changed from the description that you provided us and you are able to implement all of the 'Actions that need to be taken to comply with state and/or federal endangered species laws', your project should comply with state and federal endangered species laws. Please remember that if a violation occurs, the person responsible for the taking is the liable party. Generally this is the landowner or project proponent. For questions or concerns about individual responsibilities related to Wisconsin's Endangered Species Law, please contact the ER Review Program.

If the project is unable to incorporate and implement one or more of the 'Actions that need to be taken to comply with state and/or federal endangered species laws' identified above, the project may potentially violate one or more of these laws. Please contact the ER Review Program immediately to assist in identifying potential options that may allow the project to proceed in compliance with state and federal endangered species laws.

'Actions recommended to help conserve Wisconsin's rare species and high-quality natural communities' may be required by another law, a policy of this or another Department, agency or program; or as part of another permitting, approval or granting process. Please make sure to carefully read all permits and approvals for the project to determine whether these or other measures may be required. Even if these actions are not required by another program or entity for the proposed project to proceed, the Department strongly encourages the implementation of these conservation measures on a voluntary basis to help prevent future listings and protect Wisconsin's biodiversity for future generations.

Thank you for helping to protect Wisconsin's endangered resources! Please call me if you have any questions about this ER Review.

Section 5: Contact Information

The Proposed ER Review for this project was requested and conducted by the following:

Requester: Cathryn Hanson, 26 E. Superior Street, Suite 309, Duluth, MN 55802

Invoice will be sent to: Tim Drake, 1000 IDS Center, 80 S. 8th Street, Minneapolis, MN 55402

Proposed ER Review conducted by: Julia Joy, 1000 IDS Center, 80 S. 8th Street, Minneapolis, MN 55402, Julia.joy@erm.com

The Proposed ER Review was subsequently reviewed, modified (if needed), and approved by Wisconsin Department of Natural Resources (DNR):

Proposed ER Review approved by: **Name**, ER Review Program, Wisconsin DNR, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, Phone: 608-**XXX-XXXX**

DNR Signature:

Questions should be directed to the following people:

Topic	Website	Contact Person
This ER Review		Julia Joy 612-655-3434
Endangered Resources laws (state & federal)	http://dnr.wi.gov/topic/endangeredresources/laws.html	Angela White 608-266-5241
Incidental Take of	http://dnr.wi.gov/topic/ERReview/Take.html	Rori Paloski:

State Threatened & Endangered Species		608-264-6040
Federally Protected Species and Habitats	http://www.fws.gov/midwest/Endangered/index.html	USFWS Bloomington MN Field Office: 612-725-3548 x2201

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Standard Information to help you better understand this ER Review

Endangered Resources (ER) Reviews are conducted according to the protocols in the guidance document *Conducting Proposed Endangered Resources Reviews: A Step-by-Step Guide for Certified ER Reviewers*. A copy of this document is available upon request by contacting the ER Certification Coordinator at 608-266-5241.

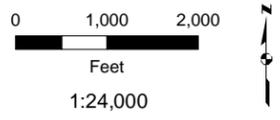
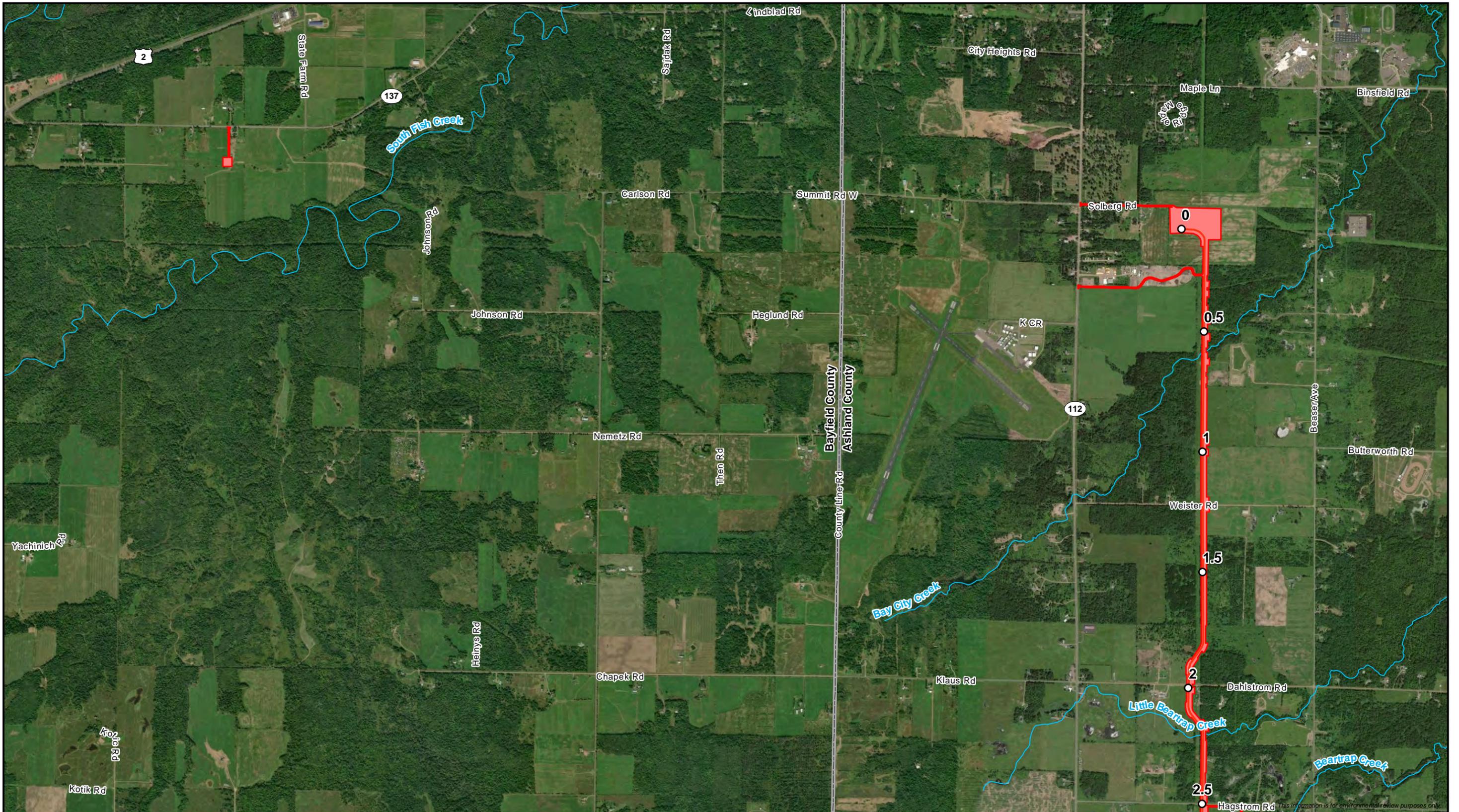
How endangered resources searches are conducted for the proposed project area: An endangered resources search is performed as part of all ER Reviews. A search consists of querying the Wisconsin Natural Heritage Inventory (NHI) database for endangered resources records for the proposed project area. The project area evaluated consists of both the specific project site and a buffer area surrounding the site. A 1-mile buffer is considered for terrestrial and wetland species and a 2 mile buffer for aquatic species. Endangered resources records from the buffer area are considered because most lands and waters in the state, especially private lands, have not been surveyed. Considering records from the entire project area (also sometimes referred to as the search area) provides the best picture of species and communities that may be present on your specific site if suitable habitat for those species or communities is present.

Categories of endangered resources considered in ER Reviews and protections for each: Endangered resources records from the NHI database fall into one of the following categories:

- **Federally-protected species** include those federally-listed as Endangered or Threatened and their Designated Critical Habitats. Federally-protected animals are protected on all lands; federally-protected plants are protected only on federal lands and in the course of projects that include federal funding (see [Federal Endangered Species Act of 1973 as amended](#)).
- **Animals** (vertebrate and invertebrate) listed as Endangered or Threatened in Wisconsin are protected by Wisconsin's Endangered Species Law on all lands and waters of the state ([s. 29.604, Wis. Stats.](#)).
- **Plants** listed as Endangered or Threatened in Wisconsin are protected by Wisconsin's Endangered Species Law only on public lands except in the course of forestry, agriculture, in the construction, operation, or maintenance of a utility facility, or as part of bulk sampling activities under [s. 295.45](#). Endangered or Threatened plants are not protected on private property.
- **Special Concern** species, high-quality examples of natural communities (sometimes called High Conservation Value areas), and natural features (e.g., caves and animal aggregation sites) are also included in the NHI database. These endangered resources are not legally protected by state or federal endangered species laws. However, other laws, policies (e.g., related to Forest Certification), or granting/permitting processes may require or strongly encourage protection of these resources. The main purpose of the Special Concern classification is to focus attention on species about which some problem of abundance or distribution is suspected before they become endangered or threatened.
- **State Natural Areas** (SNAs) are also included in the NHI database. SNAs protect outstanding examples of Wisconsin's native landscape of natural communities, significant geological formations, and archeological sites. Endangered species are often found within SNAs. Formally *designated State Natural Areas* (SNAs) are legally protected from any use that is inconsistent with or injurious to their natural values. *Dedicated* SNAs are protected even further and hold the strongest form of land protection available in Wisconsin ([s. 23.28 and 23.29, Wis. Stats.](#)).

Please remember the following:

1. This ER Review is provided as information to comply with state and federal endangered species laws. By following the protocols and methodologies described above, the best information currently available about endangered resources that may be present in the proposed project area has been provided. However, the NHI database is not all inclusive; systematic surveys of most public lands have not been conducted, and the majority of private lands have not been surveyed. As a result, NHI data for the project area may be incomplete. Occurrences of endangered resources are only in the NHI database if the site has been previously surveyed for that species or group during the appropriate season, and an observation was reported to and entered into the NHI database. As such, absence of a record in the NHI database for a specific area should not be used to infer that no endangered resources are present in that area. Similarly, the presence of one species does not imply that surveys have been conducted for other species. Evaluations of the possible presence of rare species on the project site should always be based on whether **suitable habitat** exists on site for that species.
2. This ER Review provides an assessment of endangered resources that may be impacted by the project and measures that can be taken to avoid negatively impacting those **resources based on the information that has been provided to ER Review Program at this time**. Incomplete information, changes in the project, or subsequent survey results may affect our assessment and indicate the need for additional or different measures to avoid impacts to endangered resources.
3. This ER Review does not exempt the project from actions that may be required by Department permits or approvals for the project.



- Milepost
- Project Limit-of-Disturbance
- Named Waterbody



Proposed Project Location
Line 5 Wisconsin Segment Relocation Project
 Enbridge Energy, L.P.

