DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVENUE
DETROIT MI 48226-2550

REPLY TO
ATTENTION OF:

October 19, 2018

Engineering & Technical Services
Regulatory Office
File No. LRE-2010-00463-56-N18

Shane Yokom
Enbridge Pipelines (Lakehead) LLC
26 East Superior Street, Suite 309
Duluth, Minnesota 55802

Dear Mr. Yokom:

Refer to your application for a Department of the Army permit to install 48 screw anchors and to dredge and discharge material in association with pipeline coating and repair activities on the Line 5 pipeline in the Straits of Mackinac, Michigan. In response to our public notice and tribal consultation, we have received the enclosed correspondence regarding the work. You have the opportunity to contact the writers and attempt to resolve the concerns. However, you are not obligated to do so. Should you wish to meet directly with any commenting party to discuss issues that have been raised, please inform us of the results of the meeting.

We are aware that the proposed screw anchors would be required by proposed modifications to the federal consent decree (case 1:16-cv-914 ECF No. 14, filed 05/23/17); yet, the Corps of Engineers alone is responsible for reaching an independent decision on the merits of your Department of the Army permit application, and any information which you provide will be fully considered in our decision. We have determined that your input on the following issues is essential prior to a final decision on your application:

a. Project Purpose: We understand that the pipeline would not be lifted during installation of the proposed anchor supports. Explain the mechanism by which the proposed anchors would fulfill the project purpose of providing support to the pipeline if the pipeline is not lifted during installation. Provide any analysis of the support effectiveness of the proposed anchors.

b. Safety:

    i. Discuss the extent to which the change in support method has been coordinated with and evaluated by the Pipelines and Hazardous Materials Safety Administration (PHMSA).

ii. Enbridge has a federal permit responsibility to maintain its authorized structures in good condition. Past anchor installation activities appear to have damaged the pipeline's protective coating. Provide detail on how you propose to ensure that the proposed anchors do not damage the pipeline during installation and in the subsequent period of operation. Discuss the frequency and methods of anticipated future monitoring activities to evaluate and address potential pipeline coating damage caused by the screw anchors at the time of installation and in subsequent years of operation.

iii. Provide data on the existing clearance of the pipeline above the lakebed, in terms of the average and maximum values for each leg of the dual pipelines and for all proposed anchor locations. Provide similar information for the previously installed anchors. Alternatively, provide a profile drawing for each leg of the dual pipelines, showing this information. Provide an analysis of the extent to which the proposed anchors and the associated lengths of pipeline spanning the lakebed may increase susceptibility to anchor strikes or the vulnerability of the pipeline to damage if it is hooked by an anchor, relative to segments of the pipe that are resting on the lakebed. Discuss the practicability of alternative structures or methods that may reduce the vulnerability of the pipeline to anchor strike damage.

c. Water Quality & Aquatic Organisms: The proposed excavation by pumping and water jetting would result in suspension and dispersal of sediment, which may adversely impact water quality and aquatic organisms. Discuss the practicability of alternative methods or measures that could minimize the suspension and dispersal of sediment. Address the potential for the lakebed sediment to contain contaminants, and provide any available sediment testing data.

We have received your application of September 21, 2018 to install 3 anchor structures in addition to the 48 previously proposed. Based on your telephone conversation of September 21, 2018, with Katie Otanez of this office, we understand that you expect to submit an additional permit application for lakebed excavation related to the proposed anchors by late October 2018. Because these additional applications increase the scope of the work previously proposed, we will publish a new public notice and consult with tribes over the full extent of jurisdictional work proposed on the existing Line 5 crossing of the Straits of Mackinac. We have withdrawn your application at this time and will reopen our review upon receipt of complete application information for all proposed work.

We request your response to the specific issues listed above within 30 days from the date of this letter, or at the time you submit complete application information for the work described in the paragraph above, if later than 30 days from now. If you require additional time to gather and submit this information, please contact us and explain why

the additional time is necessary. Should you fail to provide the requested information, or justify the need for additional time, we will complete our review based on the available information.

Should you have any questions on this matter, please contact Katie Otanez at the above address, by E-Mail at Katie.L.Otanez@usace.army.mil, or by telephone at (313) 226-5479. In all communications, please refer to File Number LRE-2010-00463-56-N18.

Sincerely,

Charles M. Simon
Chief, Regulatory Office
Engineering & Technical Services

Enclosure

Copy Furnished:
MDEQ, 24- Enbridge Energy, LP - Straits of Mackinac