

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of application of
ENCANA OIL & GAS (USA) INC.
for authority to construct and operate
the Garfield 36 Pipeline in Garfield Township,
Kalkaska County, Michigan.

Case No. U-17195

In the matter of application of
ENCANA OIL & GAS (USA) INC.
for authority to construct and operate
the Beaver Creek 11 Pipeline in Beaver Creek
Township, Crawford County, Michigan.

Case No. U-17196

Ellis Boal (P10913)
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**SUPPLEMENTAL INFORMATION SUBMITTED
PURSUANT TO MAY 14, 2015 ORDER ON REMAND**

DTE Michigan Gathering Holding Company, by and through its attorneys, Mika Meyers PLC, submits as supplemental information requested in the Commission's May 14, 2015 Order on Remand the attached letter from Farrier Surveying, Inc.

Respectfully submitted,

MIKA MEYERS PLC
Attorneys for DTE Michigan Gathering Holding
Company

Dated: August 6, 2015

By: _____
William A. Horn (P33855)
900 Monroe Avenue NW
Grand Rapids, MI 49503
(616) 632-8000



FARRIER SURVEYING, INC.

244 S. CEDAR STREET
P.O. BOX 998
KALKASKA, MI 49646

PHONE: 231.258.8162
FAX: 231.258.3249
E-MAIL: dean@farriersurveying.com

August 4, 2015

Michigan Public Service Commission
P.O. Box 30221
Lansing, MI 48909

Re: In the matter of the application of Encana Oil & Gas (USA) Inc. for authority to construct and operate the Garfield 36 Pipeline in Garfield Township, Kalkaska County, Michigan
MPSC Case No. U-17195

In the matter of the application of Encana Oil & Gas (USA) Inc. for authority to construct and operate the Beaver Creek 11 Pipeline in Beaver Creek Township, Crawford County, Michigan
MPSC Case No. U-17196

Dear Commissioners:

I was retained by Encana Oil & Gas (USA) Inc. ("Encana") to prepare the environmental impact assessments which were submitted as a part of the applications for approval of the above-referenced pipelines. As part of my work for Encana, I investigated whether there were threatened or endangered species along the proposed route of the pipelines. I am writing to provide supplemental information detailing the efforts made and the resources used to determine, as reported in the environmental impact assessments, that no protected species or associated habitats existed within the proposed easement or pipeline route for these pipelines.

The environmental impact assessment process began when Encana submitted a request to the Michigan State University Michigan Natural Features Inventory ("MNFI") staff requesting a review of the MNFI records with regard to the potential presence of protected species in the vicinity of the well sites and access roads which would be used for the wells to which the proposed pipelines would ultimately be connected. The Rare Species Review response letter which Encana received with regard to the well site now served by the Garfield 36 pipeline stated that, "there are no legally protected or special concern species or other natural features within 1.5 miles of the project site" based upon the MNFI database. With regard to the well site now served by the Beaver Creek 11 pipeline the Rare Species Review response letter stated that it was "highly unlikely that listed species will be impacted by this activity." Copies of the Rare Species Review response letters are attached.

These letters indicate that the determinations relate to the protected or special concern species or other natural features within 1.5 miles of the proposed well site. While these reviews were requested with regard to the well sites to which the pipelines would ultimately connect, the 1.5 mile radius used in the database search includes the entire Garfield 36 pipeline route, and 56% of the Beaver Creek 11 pipeline route.

Prior to receipt of the MNFI letters, I conducted an onsite survey of the well sites and access roads for, among other things, the potential presence of threatened and endangered species. I then prepared environmental impact assessment reports which were submitted to the MDEQ Office of Oil, Gas and Minerals in July 2012 for the State Garfield well site and in August 2012 for the Beaver Creek well site. The MDEQ Office of Oil, Gas and Minerals conducts its own assessment of whether threatened or endangered species may be impacted by a proposed well site and access road during the Application to Drill Permit field review. It is my understanding that if any question exists with regard to potential impact on a threatened or endangered species by the proposed activity, conditions will be specified by the MDEQ in the drilling permit which is issued requiring that action be taken to avoid or minimize impact. No such conditions were set forth in the drilling permits issued to Encana.

After the wells were nominated as proposed wells and Encana determined the tentative route of the proposed pipelines, I conducted an initial review of the route to avoid any obvious environmental concerns. Later, when a point of sale had been agreed on and Encana's Mid-stream engineers had approved the proposed route I conducted a more thorough onsite survey of each pipeline route for the presence of protected species and habitat that might be impacted by pipeline construction. I conducted the surveys by traveling the entire pipeline route and observing the cover type and habitat that were present. Some of the items that were searched for included: Dense young Jack pine stands for Kirkland's Warbler habitat, large high crowning trees, ideal for raptor nests, and "frost pocket" areas where special species might be found. I also documented land use and topographical features of the proposed pipeline routes.

In conducting the surveys, I relied upon the education I received at Central Michigan University where I graduated in 1986 with a Bachelor of Science degree in education with a major in biology, as well as graduate courses in stream ecology, plant taxonomy and plant ecology I later completed at the University of Michigan's Biological Station on Douglas Lake, Pellston, Michigan. I also relied upon my prior experience in conducting general onsite surveys for the potential presence of protected species and their habitat, as well as species-specific surveys as were requested in MNFI Rare Species Review letters issued for other sites where I was retained to investigate whether protected species may be present. My experience conducting such surveys began in 1992 and continues through today. Most of these surveys took place in Kalkaska, Otsego, Crawford, Montmorency, Alpena and Alcona Counties.

My survey for the two pipelines at issue focused on the potential presence of protected upland species and habitat since the wetland and stream areas along the pipeline route would not be disturbed as Encana planned to bore the pipelines beneath such environmentally sensitive areas. Among the upland species I focused on in terms of their potential presence included Bald Eagle nests, other raptor nests, Kirkland's Warbler habitat, frost pockets and dead trees with cracks or loose bark for bat roosts. I focused

on these species based upon my knowledge of the potential range and location of such species, their habitat and MNFI Rare Species Review letters for other sites having a similar habitat to that along the pipeline routes.

A summary of my observations and conclusions with regard to the habitat which was present as well as the absence of protected species within the easement and pipeline route were set forth in the environmental impact assessment reports I prepared and which were submitted to the MPSC in this matter.

Very truly yours,

A handwritten signature in blue ink that reads "Dean Farrier". The signature is written in a cursive style with a large, sweeping initial "D".

Dean Farrier

Brenda Linster
Encana Oil & Gas (USA) Inc.
370 17th Street, Suite 1700
Denver, CO 80202

March 6, 2012

Rare Species Reviews #1040 – State Garfield 1-36 proposed well pad and access road project, T25N R6W Section 36, Kalkaska County, Michigan.

Ms. Linster,

The proposed State Garfield 1-36 well pad and access road locations were checked against known localities for rare species and unique natural features, which are recorded in the Michigan Natural Features Inventory (MNFI) natural heritage database. This continuously updated database is a comprehensive source of existing data on Michigan's endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features. The absence of records in the database for a particular site may mean that the site has not been surveyed. The only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ... fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened," unless first receiving an Endangered Species Permit from the Michigan Department of Natural Resources (MDNR), Wildlife Division. Responsibility to protect endangered and threatened species is not limited to the list below. Other species may be present that have not been recorded in the database.

According to the MNFI heritage database there are no legally protected or special concern species or other natural features within 1.5 miles of the project site. So, it is **highly unlikely that listed species will be negatively impacted by this project**. However, MNFI cannot fully assess potential impacts without conducting an on-site survey. Keep in mind that MNFI is not a regulatory agency. MDNR Wildlife is responsible for issuing permits and enforcement relative to the take of endangered and threatened species. These data can be submitted to MDNR Wildlife should it be determined this project requires an endangered species permit. Their contact person is Lori Sargent, MDNR Wildlife Division, PO Box 30180, Lansing, MI 48909. Phone: 517.373.1263, email: SargentL@michigan.gov. Should MDNR Wildlife require more information regarding your project, MNFI offers more detailed reviews including field surveys, which I would be happy to discuss with you.

Thank you for allowing us to review this project.

V/r,

Michael Sanders

MICHIGAN STATE UNIVERSITY | Extension

Katie Wegner
Encana Oil & Gas (USA) Inc.
370 17th Street, Ste. 1700
Denver, CO 80206

June 19, 2012

Re: Rare Species Review #1102 – Proposed well site – State Beaver Creek C3-11

Ms. Wegner,

The location for the proposed well was checked against known localities for rare species and unique natural features, which are recorded in the Michigan Natural Features Inventory (MNFI) natural heritage database. This continuously updated database is a comprehensive source of existing data on Michigan's endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features. The absence of records in the database for a particular site may mean that the site has not been surveyed. The only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey.

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According to the natural heritage database, it is highly unlikely that listed species will be impacted by this activity. However, MNFI cannot fully assess potential impacts without an on-site survey. Be mindful that MNFI is not a regulatory agency. MDNR Wildlife Division is responsible for issuing permits and enforcement relative to the take of endangered and threatened species. These data can be submitted to the Wildlife Division should it be determined this project requires an endangered species permit. Their contact person is Lori Sargent, MDNR Wildlife Division, P.O. Box 30180, Lansing, MI 48909. Phone: 517.373.1263, email: SargentL@michigan.gov. Should MDNR require more information regarding your project, MNFI offers more detailed reviews including field surveys which I would be happy to discuss with you.

Sincerely,

Michael Sanders
Environmental Review Specialist/Zoologist
Michigan Natural Features Inventory

RECEIVED

AUG 15 2012

DEQ-RMD
Office of Oil, Gas & Minerals



MSU EXTENSION

Michigan Natural Features Inventory

PO Box 13038
Lansing MI 48901

(517) 373-1652
Fax (517) 373-9568

mnfi.anr.msu.edu

MSU is an affirmative-
action, equal-opportunity
employer.

Table 1: Legally protected species within 1.5 miles of #1102

SNAME	SCOMNAME	FIRSTOBS	LASTOBS	USESA	SPROT	GRANK	SRANK	ELCAT
<i>Incsalla henrici</i>	Henry's elfin	1992	1992-05-27		T	G5	S2S3	Animal

Codes to accompany Table 1:

State Protection Status Code Definitions (SPROT)

E: Endangered

T: Threatened

SC: Special concern

Global Heritage Status Rank Definitions (GRANK)

The priority assigned by NatureServe's national office for data collection and protection based upon the element's status throughout its entire world-wide range. Criteria not based only on number of occurrences; other critical factors also apply. Note that ranks are frequently combined.

G1 = critically imperiled globally because of extreme rarity (5 or fewer occurrences range-wide or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extinction.

G2 = imperiled globally because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extinction throughout its range.

G3: Either very rare and local throughout its range or found locally (even abundantly at some of its locations) in a restricted range (e.g. a single western state, a physiographic region in the East) or because of other factor(s) making it vulnerable to extinction throughout its range; in terms of occurrences, in the range of 21 to 100.

G4: Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5: Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

Q: Taxonomy uncertain

State Heritage Status Rank Definitions (SRANK)

The priority assigned by the Michigan Natural Features Inventory for data collection and protection based upon the element's status within the state. Criteria not based only on number of occurrences; other critical factors also apply. Note that ranks are frequently combined.

S1: Critically imperiled in the state because of extreme rarity (5 or fewer occurrences or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extirpation in the state.

S2: Imperiled in state because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extirpation from the state.

S3: Rare or uncommon in state (on the order of 21 to 100 occurrences).

S4 = apparently secure in state, with many occurrences.

S5 = demonstrably secure in state and essentially ineradicable under present conditions.

SX = apparently extirpated from state.

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PROOF OF SERVICE

I, Barbara J. Boersma, hereby state that I am an employee in the law firm of Mika Meyers PLC, and that on August 6, 2015, I served copies of:

Supplemental Information Submitted Pursuant to May 14, 2015 Order on Remand

upon the following individual by depositing the same in a U.S. mail receptacle, first-class postage prepaid:

Ellis Boal
9330 Woods Road
Charlevoix, MI 49720

also by email at ellisboal@voyager.net

Travis Warner
Michigan Public Service Commission
7109 W. Saginaw Highway
PO Box 30221
Lansing, MI 48909

I declare that the statements above are true to the best of my information, knowledge and belief.

Dated: August 6, 2015

Barbara J. Boersma