

## MARATHON PIPE LINE LLC (MPL) EDWARDSVILLE RESPONSE

### WILDLIFE MANAGEMENT PLAN

This Wildlife Management Plan (Plan) prescribes guidance for management of wildlife impacts near the pipeline release location, in Edwardsville, Illinois.

#### 1 PROJECT

On March 11, 2022, a crude oil release occurred from MPL's Wood River to Patoka 22" pipeline, in Cahokia Creek near Edwardsville, Illinois. Cahokia Creek is a perennial stream located in Madison County, Illinois. The watershed is approximately 600 acres and includes primarily agricultural land uses, although forested and urban/suburban land-uses are present based on a review of aerial imagery (Google Earth Pro) and on-site observations. From the observed release point, Cahokia Creek flows west for approximately 10 miles where it meets the Mississippi River South of Hartford, Illinois. Starting approximately seven miles downstream from the release point, the lower portion of Cahokia Creek has been channelized and is contained within levee structures to prevent flooding of adjacent lands. A variety of wildlife utilize Cahokia Creek as primary and secondary habitat including fish, mussels, macroinvertebrates, insects, plants, birds, amphibians, reptiles, and mammals.

#### 2 PROJECT OBJECTIVES

The Wildlife Branch is within the Operations Section of the Unified Command (UC) for oil spill response. This Plan details the Wildlife Branch's purpose, goals, objectives, responsibilities, and structure.

During a spill, the Wildlife Branch is designed to:

- Provide best achievable protection to wildlife and habitats from contamination;
- Minimize injuries to wildlife and habitats from contamination;
- Minimize injuries to wildlife from cleanup;
- Provide best achievable capture and care for injured wildlife;
- Document adverse effects that result from the spill and cleanup; and
- Prevent injuries to responders and the public.

#### 3 COMPLIANCE WITH FEDERAL AND STATE WILDLIFE REGULATIONS

Federal laws (listed below) are in place for the protection of wildlife relevant to spill response, including the Migratory Bird Treaty Act (MBTA), the Endangered Species Act (ESA), and the Illinois Endangered Species Protection Act (520 Illinois Compiled Statutes [ILCS] 10/). In addition, the Bald Eagle Protection Act protects Bald Eagles and Golden Eagles. This Plan will provide the necessary framework to ensure the activities of the Wildlife Branch are in compliance

with Federal and State laws, including implementation of measures outlined in Memorandum of Understandings, Memorandum of Agreements, or any other approved agreements. In addition, the Wildlife Branch will assist the Environmental Unit of the Planning Section to ensure laws and agreements pertaining to wildlife are complied with during all aspects of spill response.

The MBTA prohibits anyone without a permit from pursuing, hunting, killing, possessing, or transporting (or attempting to do any of these things) most native birds in the United States. The MBTA applies to live and dead birds, and active nests (e.g. nests with eggs or chicks). The trustee agency overseeing the MBTA is the United States Fish and Wildlife Service (USFWS). The ESA prohibits take of species listed as Threatened or Endangered under the Act. “Take” under the ESA is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”

Nine federally protected species are listed as present in Madison County. Federally protected species and their protection status are listed in **Table 1**.

**Table 1: Federally Protected Species and Status in Madison County**

Common Name	Scientific Name	Federal Protection Status
Indiana bat	<i>Myotis sodalis</i>	Endangered
Northern long-eared bat	<i>Myotis septentrionalis</i>	Threatened
Eastern massasauga (rattlesnake)	<i>Sistrurus catenatus</i>	Threatened
Spectaclecase (mussel)	<i>Cumberlandia mondonga</i>	Endangered
Monarch butterfly	<i>Danaus plexippus</i>	Candidate
Decurrent false aster (plant)	<i>Boltonia decurrens</i>	Threatened
Eastern prairie fringed orchid (plant)	<i>Plantanthera leucophaea</i>	Threatened
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered
Higgins Eye	<i>Lampsilis higginsii</i>	Endangered

The Illinois Endangered Species Act is administered by the Illinois Department of Natural Resources (IDNR) and the Division of Natural Heritage. They have the primary responsibility for conducting endangered and threatened species habitat management, species monitoring, recovery planning and implementation, and administers an Endangered and Threatened Species Program, (including issuance of Endangered and Threatened species Possession Permits and Endangered and Threatened Species Incidental Take Authorizations, and maintaining the Database).

Twenty-eight state protected species are listed as present in Madison County. These species and their protection status are listed in **Table 2**.

**Table 2: Illinois Protected Species and Status in Madison County**

Scientific Name	Common Name	State Status*
<i>Acipenser fulvescens</i>	Lake Sturgeon	SLE
<i>Ammocrypta clarum</i>	Western Sand Darter	SLE
<i>Anguilla rostrata</i>	American Eel	SLT
<i>Boltonia decurrens</i>	Decurrent False Aster	SLT
<i>Buchnera americana</i>	Blue Hearts	SLT
<i>Crotalus horridus</i>	Timber Rattlesnake	SLT
<i>Cumberlandia monodonta</i>	Spectaclecase	SLE
<i>Egretta caerulea</i>	Little Blue Heron	SLE
<i>Ellipsaria lineolata</i>	Butterfly	SLT
<i>Fusconaia ebena</i>	Ebonyshell	SLE
<i>Gallinula galeata</i>	Common Gallinule	SLE
<i>Ictinia mississippiensis</i>	Mississippi Kite	SLT
<i>Ixobrychus exilis</i>	Least Bittern	SLT
<i>Ligumia recta</i>	Black Sandshell	SLT
<i>Myotis septentrionalis</i>	Northern Long-eared Myotis	SLT
<i>Myotis sodalis</i>	Indiana Bat	SLE
<i>Notropis boops</i>	Bigeye Shiner	SLE
<i>Nyctanassa violacea</i>	Yellow-crowned Night-Heron	SLE
<i>Nycticorax nycticorax</i>	Black-crowned Night-Heron	SLE
<i>Pseudacris illinoensis</i>	Illinois Chorus Frog	SLT
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	SLE
<i>Silene regia</i>	Royal Catchfly	SLE
<i>Sistrurus catenatus</i>	Eastern Massasauga	SLE
<i>Spiranthes vernalis</i>	Spring Ladies' Tresses	SLE
<i>Terrapene ornata</i>	Ornate Box Turtle	SLT
<i>Tradescantia bracteata</i>	Prairie Spiderwort	SLE
<i>Tropidoclonion lineatum</i>	Lined Snake	SLT
<i>Xanthocephalus xanthocephalus</i>	Yellow-headed Blackbird	SLE

\*State Status: SLE – State Listed Endangered; SLT – State Listed Threatened

## 4 WILDLIFE BRANCH RESPONSIBILITIES

The Wildlife Branch has the following primary functions, discussed further in Sections 4.1 through 4.4:

- Wildlife Reconnaissance (aerial (limited use), shoreline, and boat reconnaissance of wildlife in the spill area);
- Wildlife Hazing (detering or pre-emptively capturing at-risk animals);
- Wildlife Recovery (search and collection); and
- Wildlife Care (rehabilitation and collection of animal evidence).

### 4.1 Wildlife Reconnaissance

Baseline information on the status and distribution of wildlife and sensitive habitats are important in assessing resources-at-risk and developing appropriate response actions. This information is available during a spill response from the Environmental Unit of the Planning Section (resources-at-risk assessment).

The Wildlife Supervisor is responsible for collecting and compiling wildlife reconnaissance information and passing this information on to the Planning Section, and other staff in the Wildlife Branch in a timely manner.

The Wildlife Reconnaissance Group will include Boat and Shoreline Strike Teams. The main objectives of reconnaissance surveys are to evaluate the numbers, species, and locations of animals that could be or have been impacted by the release. The reconnaissance personnel have knowledge of terrestrial species, freshwater fish, mussels, macroinvertebrates, insects, plants, birds, amphibians, reptiles, mammals, and sensitive habitats. The Reconnaissance Survey Teams will also collect and document dead wildlife and catchable live oiled animals.

### 4.2 Wildlife Hazing

Wildlife hazing is intended to minimize injuries to wildlife by attempting to keep animals away from oil and/or cleanup operations. Hazing activities will be implemented to prevent animals from establishing or continuing regular use patterns within a contaminated area. If adverse effects on wildlife are deemed to be unavoidable given the predicted movement of oil in the hours and days following a release, then hazing will be used with little risk of worsening those adverse effects. Hazing will be utilized in the impacted wetland area near the release point. This is appropriate because there are clean sites in the vicinity which wildlife could utilize without significant risk of adverse effects from released oil. Hazing has not been deemed necessary in any of the other areas along the creek. One area along the creek has been observed with a concentration of wildlife (rookery) but preferred hazing in that area has been discouraged because of the sensitivity of nesting birds. Crews have been directed to turn off motors and reduce noise when moving through the area to prevent disturbance.

A summary of hazing methods is as follows:

- The Wildlife Branch will use biological monitors (predators sounds) and acoustic hazing devices that include:
  - Fox Pros placed at wetland locations; and
  - Propane pneumatic air cannons.

These devices will be used in conjunction with the monitors and initiated 30 minutes prior to sunrise and 30 minutes after sunset. Due to significance maintenance activities taking place during the day, hazing has been deemed necessary while work is taking place. Monitors will also coordinate closely with wildlife recovery.

Wildlife that has already been oiled will not be dispersed, as this can lead to the introduction of oiled animals into uncontaminated areas and populations. Rather, the capture of oiled animals will be attempted as soon as practical.

### **4.3 Wildlife Recovery**

Recovery of oiled wildlife involves collecting dead and capturing live animals. These activities occur under the direct supervision of the Wildlife Supervisor. Recovery personnel include MPL, trustee agencies and MPL's approved contractors. Tri-State, TreeHouse and Wildlife Response Services all hold federal permits necessary to capture and house impacted wildlife. Both Tri-State and TreeHouse possess necessary state permits for impacted species. Due to the size of the release and for efficiency, the Wildlife Recovery Group is integrated with the Wildlife Reconnaissance Group.

#### **4.3.1 Methods**

Once animals have become oiled, habitat-specific and species-specific strategies to recover and remove oiled live animals and all dead wildlife are required. Under the direction of the Wildlife Supervisor, systematic surveys for collecting affected wildlife will be carried out several times per day, including at least one survey as early as is safely possible after dawn. Surveys will be conducted on foot and/or by boat where safe. Each team will consist of at least two people and will be outfitted with the resources and equipment necessary to complete its assignment. At a minimum, the team should have proper personal protection equipment (PPE), including safety glasses, hard hats, proper gloves, safety toed shoes, long-handled nets, bird transport boxes, and a data recorder. Though live animal recovery is important, human health and safety remains the top priority.

While conducting Wildlife Recovery during a release response, it is important that dead animals are collected, documented, and held. The prompt removal of dead oiled animals from the

environment can be critical to minimizing the risk for secondary oiling to occur, externally and/or internally to predators and scavengers.

#### 4.3.2 Data

Recovery Group personnel should provide the following information (at a minimum) for each collection:

- The date and time the animal was recovered from the location;
- Species name;
- GPS coordinates;
- Sex (male or female);
- Age (adult or juvenile);
- Extent of oiling (for example, completely oiled, dorsal surface, no obvious oil, spotty, ventral surface, etc.); and
- Photos.

Transporters must ensure that data for each animal is given to Tri-State so that it can be incorporated into the data being provided to MPL in daily reports. Data records will be provided to trustee agencies including USFWS and IDNR.

#### 4.4 Wildlife Transportation

Transport of oiled wildlife from the field to the recovery facility, and/or to the primary care facility should be done as quickly and efficiently as possible. A wildlife hotline number has been established with a dedicated phone to provide 24-hour response for recovery. The individual assigned to this number will respond within two to four hours of an animal being captured. If an animal has been observed but not captured, a determination will be made if it can be recovered in a safe manner given time, location, and weather conditions. If a long transport is needed, animal health will be checked periodically during transport, and if needed, provided hydration and nutrition when practicable. Bird species will be stabilized within two to four hours of capture. The interior of the transport vehicle will be maintained comfortably warm if animals are hypothermic, or purposefully cooled if they are hyperthermic; the Wildlife Supervisor will advise transporters as to appropriate temperature control. Vehicles should be kept as quiet as possible (i.e., radios or stereos turned off and voices kept low). Drivers will ensure adequate ventilation for themselves (fresh air vents will be open and directed at drivers' and passengers' faces) to reduce potential exposure to fumes. Carriers (either cardboard or plastic pet carriers or plastic sky kennels) will be placed in the vehicle so that the boxes are relatively level and will be positioned so that there is space between each box to allow adequate ventilation. Carriers will be large enough to allow the animal to maintain as normal a posture as possible.

Transporters must ensure that data for each animal is transferred with that animal. The Wildlife Supervisor will notify the primary care facility of estimated time of arrival of oiled animals transported from the field.

#### 4.5 Wildlife Experts/Contractors

MPL has contracted two wildlife consultants that have expertise specific to oil impacted wildlife. Tri-State Bird Rescue and Research of Newark, Delaware has been contracted to facilitate and execute the cleaning and rehabilitation of impacted wildlife associated with the release under the direction of a licensed veterinarian. Criteria for rehabilitation and release is consistent with the National Wildlife Rehabilitators Association Standards for Wildlife Rehabilitation. Any animals that are euthanized per veterinary care will be documented. This documentation will include date, time, and reason for euthanization. Carcasses will be disposed of in oily waste per direction of USFWS and IDNR. Wildlife Response of Seabrook, Texas is on site at the Incident Command (IC) providing consultation to the Wildlife Branch. Recovered animals are utilizing facilities that are part of the Treehouse Wildlife Center in Dow, Illinois. Treehouse Wildlife possesses several permits that would allow them to house and rehab multiple species. These permits include:

- IDNR Scientific Permit # R-21-053;
- United States Department of Agriculture (USDA) Class C Exhibitor License;
- USFWS Migratory Bird Rehabilitation Permit # MB35621A-0;
- USFWS Special Purpose Possession Live and Dead Migratory Bird Permit # MB091441; and
- USFWS Special Purpose Possession Live and Dead Migratory Bird Permit for Education Use #MB091441-1.

Tri-State Bird Rescue and Research will care for animals and evaluate for release. Release locations will be coordinated and approved with representatives from IDNR.

## 5 DEMOBILIZING WILDLIFE BRANCH

The Wildlife Branch in consultation with the Planning Section Chief, the Wildlife Supervisor, and trustees will determine deactivation in total or for given operational divisions. Recovery will continue until field efforts result in no additional captures for one or more days. An individual recovery team may be established to only respond to reports of oiled wildlife and not conduct reconnaissance surveys after the emergency response phase had ended.