

Appendix K
Consultations with Agencies

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Appendix K Consultations with Agencies

This appendix contains DOE’s consultation correspondence with Federal, state, and local agencies. Table K-1 lists the correspondence sent by DOE or its contractors in chronological order. Table K-2 lists all of the agencies with whom DOE has corresponded and the dates of correspondence. Copies of any correspondence received from the agencies listed are included in this appendix. Table K-3 lists the names and addresses of the government officials that DOE or its contractors contacted.

Table K-4 lists the sample outgoing correspondence included in this appendix and the page number where each letter or email can be found. Table K-5 lists the return correspondence received by DOE or ICF International that is included in this appendix, as well as the page numbers where each letter or email can be found.

Tables K-2 and K-4 are organized the same way. First, the correspondence is organized by level of government (tribe, Federal, state, local). Within state and local categories, the correspondence is further organized by state (Louisiana, Mississippi, Texas). Within each of these categories and subcategories, the correspondence is arranged by agency name.

Table K-6 lists the meetings or conference calls between DOE and Federal, state, and local agencies or tribes.

Table K-1: Dates of Correspondence from DOE or Its Contractors

Addressees	Purpose of Letter	Dates Sent
Federal, state, and local agencies in Texas	Request comments and assistance during the scoping period.	9/9/05
Federal, state, and local agencies in Louisiana and Mississippi	Request comments and assistance during the scoping period.	9/13/05, 9/27/05
SHPOs in Louisiana, Mississippi, and Texas	Request the views of the SHPOs on further actions to identify potentially affected historic properties; request indications of interest in developing Programmatic Agreements for post-record of decision (ROD) activities.	9/9/05, 9/27/05
Tribal Entities in Louisiana, Mississippi, and Texas	Initiate government-to-government consultation regarding the proposed expansion of the SPR.	11/21/05, 6/12/06
Federal, state, and local agencies in Louisiana, Mississippi, and Texas	Announce reopening of scoping period until 12/19/05.	11/21/05
U.S. Department of Agriculture, Natural Resources Conservation Service offices in Louisiana, Mississippi, and Texas	Submission of information regarding potential conversion of farmland.	2/22/06
U.S. Army Corps of Engineers, Mobile District	Request comments and assistance regarding potential wetland impacts.	3/22/06

Table K-1: Dates of Correspondence from DOE or Its Contractors

Addressees	Purpose of Letter	Dates Sent
U.S. Fish and Wildlife Service offices in Louisiana, Mississippi, and Texas	Explain proposed approach for evaluating potential impacts to species protected under the Endangered Species Act.	4/13/06
SHPOs in Louisiana, Mississippi, and Texas	Provide suggested language for Programmatic Agreements to address effects to historic properties that cannot be known prior to ROD.	5/12/06
United Houma Nation	Follow up with Tribes that expressed concern in local media	6/26/06,6/27/06
U.S. Department of the Interior, National Park Service, Natchez Trace Parkway	Follow up regarding National Park Service request to be included as a cooperative agency	8/8/06
Tribal Entities in Louisiana, Mississippi, and Texas	Provide suggested language for Programmatic Agreements to address effects to historic properties that cannot be known prior to ROD.	9/15/06

Table K-2: Agencies Contacted and Date of Correspondence

Agency	Dates of Correspondence from DOE or ICF International	Dates of Return Correspondence
Tribal Entities		
Alabama-Coushatta Tribe of Texas	11/21/05, 9/15/06, 10/11/06, 10/16/06, 11/1/06	10/5/06, 10/24/06, 10/27/06
Biloxi-Chitimacha Confederation of Muskogees	11/21/05, 9/15/06, 9/22/06, 9/29/06	
Chickasaw Nation of Oklahoma	11/01/06	
Chitimacha Tribe of Louisiana	11/21/05, 9/15/06, 9/21/06, 10/20/06, 11/01/06	12/19/05, 6/27/06, 9/21/06, 9/27/06, 10/6/06, 10/18/06, 10/23/06, 11/7/06
Choctaw Nation of Oklahoma	11/21/05, 9/15/06, 9/20/06, 9/27/06, 10/16/06, 10/23/06, 11/1/06	12/1/05, 12/28/05, 9/29/06, 10/11/06, 10/13/06
Comanche Nation, Oklahoma	6/12/06, 9/15/06, 9/25/06	10/4/06, 10/19/06
Coushatta Tribe of Louisiana	11/21/05, 9/15/06, 9/26/06, 9/27/06, 10/24/06	9/27/06, 10/9/06
Jena Band of Choctaw Indians	11/21/05, 9/15/06, 10/5/06, 10/6/06, 10/16/06, 10/18/06, 11/1/06	10/16/06
Mississippi Band of Choctaw Indians	11/21/05, 9/15/06, 10/2/06, 10/6/06, 10/18/06, 11/1/06	10/5/06, 10/6/06
Point au Chien Tribe	11/21/05, 9/15/06	9/26/06

Table K-2: Agencies Contacted and Date of Correspondence

Agency	Dates of Correspondence from DOE or ICF International	Dates of Return Correspondence
Quapaw Tribe of Indians	9/26/06, 10/5/06, 10/9/06, 10/11/06, 10/12/06, 10/20/06, 10/23/06, 10/30/06, 10/31/06	10/9/06, 10/13/06, 10/20/06
Tonkawa Tribe of Indians of Oklahoma	6/12/06, 9/15/06, 10/4/06, 10/11/06, 10/16/06	
Tunica-Biloxi Indian Tribe of Louisiana	11/21/05, 9/15/06	9/22/06
United Houma Nation	11/21/05, 6/26/06, 6/27/06, 9/15/06, 9/25/06, 9/27/06, 10/6/06	6/27/06, 9/27/06, 10/2/06, 10/16/06
Federal		
Advisory Council on Historic Preservation	7/24/06	6/16/06, 8/3/06
Minerals Management Service	9/13/05, 11/21/05	12/19/05
National Oceanic and Atmospheric Administration (NOAA) Fisheries	9/9/05, 9/13/05, 11/21/05	10/6/05, 12/1/05
National Oceanic and Atmospheric Administration (NOAA), National Ocean Service	9/13/05, 11/21/05	
U.S. Army Corps of Engineers	9/9/05, 9/13/05, 11/21/05, 3/22/06	12/16/05
U.S. Coast Guard	9/13/05, 11/21/05	1/28/06
U.S. Department of Agriculture, Natural Resources Conservation Service	9/9/05, 9/13/05, 11/21/05	10/11/05, 11/7/05, 11/16/05, 12/13/05, 12/16/05, 3/16/06, 3/27/06
U.S. Department of the Interior, National Park Service	9/27/05, 11/21/05, 8/8/06	12/9/05
U.S. Environmental Protection Agency	9/9/05, 9/13/05, 11/21/05	12/22/05
U.S. Fish and Wildlife Service	9/9/05, 9/13/05, 11/21/05, 4/13/06	9/29/05, 10/3/05, 10/20/05, 12/5/05, 12/8/05, 12/13/05, 12/14/05, 2/7/06
U.S. Forest Service	11/21/05	12/23/05
States		
Louisiana		
Louisiana Department of Agriculture and Forestry	11/21/05	
Louisiana Department of Environmental Quality	9/13/05, 11/21/05	10/20/05, 12/21/05, 1/11/06
Louisiana Department of Health and Hospitals	9/13/05, 11/21/05	9/28/05
Louisiana Department of Natural Resources	9/13/05, 11/21/05	12/9/05, 12/12/05
Louisiana Department of Transportation and Development	9/13/05, 11/21/05	10/7/05
Louisiana Department of Wildlife and Fisheries	9/13/05, 11/21/05	10/3/05, 3/8/06
Louisiana Office of Culture, Recreation, and Tourism	9/13/05, 9/27/05, 11/21/05, 5/12/06	10/13/05

Table K-2: Agencies Contacted and Date of Correspondence

Agency	Dates of Correspondence from DOE or ICF International	Dates of Return Correspondence
Mississippi		
Mississippi Department of Archives and History	9/13/05, 9/27/05, 11/21/05, 5/12/06	9/19/05, 10/4/05
Mississippi Department of Environmental Quality	9/13/05, 11/21/05	
Mississippi Department of Marine Resources	11/21/05	
Mississippi Department of Transportation	9/13/05, 11/21/05	
Mississippi Department of Wildlife, Fisheries, and Parks	9/13/05, 11/21/05	3/2/06
Mississippi Secretary of State	11/21/05	
Texas		
Railroad Commission of Texas	9/9/05, 11/21/05	
Texas Commission on Environmental Quality	9/9/05, 11/21/05	10/28/05
Texas Department of Highways and Public Transportation	9/9/05, 11/21/05	
Texas General Land Office	9/9/05, 11/21/05	10/4/05
Texas Health and Human Services Commission	11/21/05	1/3/06
Texas Historical Commission	9/9/05, 11/21/05, 5/12/06	10/18/05
Texas Parks and Wildlife Department	9/9/05, 11/21/05	11/1/05
Texas State Health Services	9/9/05, 11/21/05	
Texas State Soil and Water Conservation Board	11/21/05	
Texas Water Commission	9/9/05, 11/21/05	
Texas Water Development Board	11/21/05	
Local		
Louisiana		
Cameron Parish Health Services	9/13/05, 11/21/05	
Cameron Parish Office of Emergency Preparedness	9/13/05, 11/21/05	
Iberville Office of Emergency Preparedness	9/13/05, 11/21/05	
Iberville Parish Parks and Recreation	9/13/05, 11/21/05	
Iberville Parish Permit and Inspection Department	9/13/05, 11/21/05	
Iberville Parish Planning Commission	9/13/05, 11/21/05	
Lafourche Parish Coastal, Energy and Environment	9/13/05, 11/21/05	
Lafourche Parish Department of Public Works	9/13/05, 11/21/05	
Lafourche Parish Emergency Preparedness Office	9/13/05, 11/21/05	11/1/05
Lafourche Parish Parks, Recreation and Public Facilities	9/13/05, 11/21/05	
Mississippi		
Jackson County Board of Supervisors	9/13/05	
Perry County Board of Supervisors	9/13/05	
Texas		
Brazoria County Parks Department	9/13/05, 11/21/05	
Houston Galveston Area Council	11/21/05	
Jefferson County Emergency Management Office	9/13/05, 11/21/05	

Table K-2: Agencies Contacted and Date of Correspondence

Agency	Dates of Correspondence from DOE or ICF International	Dates of Return Correspondence
Jefferson County Environmental Control	9/13/05, 11/21/05	
South East Texas Regional Planning Commission	11/21/05	
Texas Association of Regional Councils	11/21/05	

Table K-3: Addresses of Agencies Consulted

Tribal Entities	
Mr. Ronnie Thomas Chairman Alabama-Coushatta Tribes of Texas 571 State Park Road 56 Livingston, TX 77351	Mr. Randy P. Verdun Chairman Biloxi-Chitimacha Confederation of Muskogees P.O. Box 856 Zachary, LA 70791
Mr. Alton D. LeBlanc Chairman Chitimacha Tribe of Louisiana P.O. Box 661 Charenton, LA 70523	Mr. Kevin Sickey Chairman Coushatta Tribe of Louisiana P.O. Box 818 Elton, LA 70532
Ms. Christine Norris Principal Chief Jena Band of Choctaw Indians P.O. Box 14 Jena, LA 71342	Mr. Phillip Martin Chief Mississippi Band of Choctaw Indians P.O. Box 6010 Philadelphia, MS 39350
Mr. Charles Verdin Chairman Point au Chien Tribe 177 Aragon Road Montegut, LA 70377	Mr. Earl J. Barbry, Sr. Chairman Tunica-Biloxi Indian Tribe of Louisiana P.O. Box 1589 Marksville, LA 71351
Mr. Anthony Street President Tonkawa Tribe of Indians of Oklahoma P.O. Box 70 Tonkawa, OK 74653	Mr. Wallace Coffey Chairman Comanche Nation, Oklahoma HC32—Box 1720 Lawton, OK 73502
Ms. Brenda Dardar Robichaux Principal Chair United Houma Nation 20986 Highway 1 Golden Meadow, LA 70357	Mr. Gregory E. Pyle Chief Choctaw Nation of Oklahoma P.O. Drawer 1210 Durant, OK 74702-1210
Mr. Bill Anoatubby Governor Chickasaw Nation of Oklahoma P.O. Drawer 1548 Ada, OK 74821	Mr. John Berrey Quapaw Tribe of Indiana, Oklahoma Quapaw Tribal Business Committee P.O. Box 765 Quapaw, OK 74363

Table K-3: Addresses of Agencies Consulted

Federal	
Mr. Chris Oynes Minerals Management Service Gulf of Mexico OCS Region U.S. Department of Interior 1201 Elmwood Park Blvd. New Orleans, LA 70123	Mr. Richard Hartman NOAA Fisheries c/o Louisiana State University Baton Rouge, LA 70803
Mr. Russell Swafford Fishery Biologist NOAA Fisheries Habitat Conservation Branch 4700 Avenue U Galveston, TX 77551	Mark Thompson NOAA Fisheries 3500 Delwood Beach Road Panama City, FL 32408-7499
John R. King, Chief Coastal Programs Division Office of Ocean and Coastal Resource Management, National Ocean Service U.S. Department of Commerce 1305 East West Highway Silver Spring, MD 20910-3281	Mr. Jerry Eubanks Superintendent Gulf Islands National Seashore National Park Service 1081 Gulf Breeze Parkway Gulf Breeze, FL 32561
Mr. Wendell Simpson Superintendent Natchez Trace Parkway National Park Service 2680 Natchez Trace Parkway Tupelo, MS 38804-9715	Mr. Larry Butler Natural Resource Conservation Service U.S. Department of Agriculture W.R. Poage Federal Building 101 South Main Street Temple, TX 76501-7602
Mr. Donald W. Gomert Attn: Steve Carmichael Natural Resources Conservation Service U.S. Department of Agriculture 3737 Government Street Alexandria, LA 71302	Mr. James Greenwade Natural Resources Conservation Service U.S. Department of Agriculture W. R. Poage Federal Building 101 South Main St. Temple, TX 76501-7602
Mr. Charles Guillory Natural Resources Conservation Service U.S. Department of Agriculture 3737 Government Street Alexandria, LA 71302	Mr. Mike Lilly Natural Resources Conservation Service U.S. Department of Agriculture Suite 1321, Federal Building 100 West Capitol Street Jackson, MS 39269
Mr. Delmer Stamps Natural Resources Conservation Service U.S. Department of Agriculture 100 West Capitol Street Federal Building Suite 1321 Jackson, MS 39269	Mr. Homer L. Wilkes Natural Resources Conservation Service U.S. Department of Agriculture 100 W. Capital Street Suite 1321 Federal Building Jackson, MS 39269
Mr. William R. Bunkley U.S. Army Corps of Engineers Mobile District P.O. Box 2288 Mobile, AL 36628-0001	Brigadier General Robert Crear U.S. Army Corps of Engineers Mississippi Valley Division P.O. Box 80 Vicksburg, MS 39181
Mr. Harold Lee U.S. Army Corps of Engineers Vicksburg District 4155 E. Clay St., Vicksburg, MS 39183	Dr. Lloyd Saunders U.S. Army Corps of Engineers Galveston District P.O. Box 1229 Galveston, TX 77553

Table K-3: Addresses of Agencies Consulted

Ms. Denise Sloan U.S. Army Corps of Engineers Galveston District P.O. Box 1229 Galveston, TX 77553	Mr. Ronald Ventola U.S. Army Corps of Engineers New Orleans District 7400 Leak Ave. New Orleans, LA 70118
Colonel Richard P. Wagenaar Commander and District Engineer U.S. Army Corps of Engineers New Orleans District P.O. Box 60267 New Orleans, LA 70160	Commander Natalie Valley U.S. Coast Guard, District 8 500 Camp Street, Suite 1341 New Orleans, LA 70130
Mr. Michael Jansky Environmental Review Coordinator U.S. Environmental Protection Agency -Region VI 1445 Ross Avenue Dallas, TX 75202-2733	Mr. Heinz Mueller NEPA Compliance Coordinator U.S. Environmental Protection Agency - Region IV 61 Forsyth Street, SW Atlanta, GA 30303
Mr. Ray Aycock U.S. Fish and Wildlife Service 6578 Dogwood View Parkway, Suite A Jackson, MS 39213	Mr. Andy Loranger U.S. Fish and Wildlife Service Texas Chenier Plain Refuges Complex P.O. Box 278 Anahuac, TX 775145-0278
Ms. Tracey McDonnell U.S. Fish and Wildlife Service Texas Mid-Coast NWR Complex 1212 North Velasco Suite 200 Angleton, TX 77515	Mr. Carlos Mendoza U.S. Fish and Wildlife Service 17629 El Camino Road Suite 211 Houston, TX 77058
Mr. Phillip Siragusa U.S. Fish and Wildlife Service 825 Kaliste Saloom Road Brandywine Building, II, Suite 102 Lafayette, LA 70508	Mr. Russell Watson U.S. Fish and Wildlife Service 646 Cajundome Boulevard, Suite 400 Lafayette, LA 70506
Mr. Hunter Howell Homochitto National Forest U.S. Forest Service 1200 Hwy 184 E. Meadville, MS 39653	Mr. Don Neal U.S. Forest Service 100 W. Capital Street, Suite 1141 Jackson, MS 39269-1199
Mr. John Fowler Advisory Council on Historic Preservation Old Post Office Building 1100 Pennsylvania Avenue, NW, Suite 809 Washington, DC 20004	
States	
Louisiana	
Mr. Bob Odom Commissioner Louisiana Department of Agriculture and Forestry P.O. Box 631 Baton Rouge, LA 70821-0631	Dr. Mike McDaniel Secretary Louisiana Department of Environmental Quality P.O. Box 4301 Baton Rouge, LA 70821-4301

Table K-3: Addresses of Agencies Consulted

<p>Mr. Bobby Savoie Director Center for Environmental Health Office of Public Health Louisiana Department of Health and Hospitals 6867 Bluebonnet Blvd. Baton Rouge, LA 70810</p>	<p>Mr. Scott Angelle Secretary Louisiana Department of Natural Resources P.O. Box 94396 Baton Rouge, LA 70804</p>
<p>Mr. Myles Herbert Louisiana Department of Natural Resources P.O. Box 1280 Cameron, LA 70631</p>	<p>Mr. Johnny Bradberry Secretary Louisiana Department of Transportation and Development P.O. Box 94245 Baton Rouge, LA 70804-9245</p>
<p>Mr. Mike Carlross Louisiana Department of Wildlife and Fisheries P.O. Box 98000 Baton Rouge, LA 70898</p>	<p>Ms. Pamela Breaux Louisiana Division of Historic Preservation Louisiana Office of Culture, Recreation, and Tourism P.O. Box 44247 Baton Rouge, LA 70804</p>
Mississippi	
<p>Mr. H. T. Holmes State Historic Preservation Officer Mississippi Department of Archives and History P.O. Box 571 Jackson, MS 39205-0571</p>	<p>Mr. Jerry Cain Mississippi Dept. of Environmental Quality P.O. Box 20305 Jackson, MS 39289</p>
<p>Mr. Charles Chisholm Executive Director Mississippi Department of Environmental Quality P.O. Box 20305 Jackson, MS 39289</p>	<p>Dr. William Walker Executive Director Mississippi Department of Marine Resources 1141 Bayview Ave., Suite 101 Biloxi, MS 39530</p>
<p>Mr. Claiborne Barnwell Environmental Division Mississippi Department of Transportation P.O. Box 1850 Jackson, MS 39215</p>	<p>Mr. Andrew Whitehurst Mississippi Dept. of Wildlife, Fisheries and Parks Mississippi Museum of Natural Science 2148 Riverside Drive Jackson, MS 39202</p>
<p>Mr. Eric Clark Mississippi Secretary of State P.O. Box 136 Jackson, MS 39205-0136</p>	
Texas	
<p>Mr. Steve Seni Railroad Commission of Texas 1701 North Congress Street P.O. Box 12967 Austin, TX 78711-2967</p>	<p>Ms. Leigh Ann Brunson Texas Commission on Environmental Quality 12100 Park 35 Circle Austin, TX 78753</p>
<p>Mr. Gary Trietsch Texas Dept. of Highways and Public Transportation P.O. Box 1386 Houston, TX 77251</p>	<p>Mr. Sam Webb Deputy Commissioner Texas General Land Office P.O. Box 12873 Austin, TX 78711</p>

Table K-3: Addresses of Agencies Consulted

Mr. Albert Hawkins Executive Commissioner Texas Health and Human Services Commission Office of the Ombudsman, MC H-700 P.O. Box 13247 Austin, TX 78711-3247	Mr. F. Lawrence Oaks State Historic Preservation Officer Texas Historical Commission P.O. Box 12276 Austin, TX 78711-2276
Mr. Robert Cook Texas Parks and Wildlife Department 4200 Smith School Rd. Austin, TX 78744	Mr. Eduardo Sanchez Commissioner Texas State Health Services 1100 West 49th Street Austin, TX 78756-3199
Mr. Rex Isom Executive Director Texas State Soil and Water Conservation Board P.O. Box 658 Temple, TX 76503	Mr. Daniel Burke Texas Water Commission P.O. Box 13087 MC205 Austin, TX 78711-3087
Mr. Kevin Ward Texas Water Development Board 1700 North Congress Avenue P.O. Box 13231 Austin, TX 78711-3231	
Local	
Louisiana	
Cameron Parish Health Services P.O. Box 930 Cameron, LA 70631	Mr. Freddie Richard, Jr. Cameron Parish Office of Emergency Preparedness P.O. Box 1280 Cameron, LA 70631
Ms. Laurie Doiron Director Iberville Office of Emergency Preparedness 58030 Meriam Street Plaquemine, LA 70764	Mr. Michael Markins Executive Director Iberville Parish Parks and Recreation P.O. Box 1060 Plaquemine, LA 70765
Mr. David Dupont Iberville Parish Permit and Inspection Department 58050 Meriam Street Plaquemine, LA 70765	Ms. Renee Edwards Chair Iberville Parish Planning Commission 58050 Meriam Street Plaquemine, LA 70764
Windell Curole Coastal Zone Administrator Lafourche Parish Coastal, Energy and Environment 17904 Highway 3235 Galliano, LA 70354	Terry Arabie Parishwide Operations Manager Lafourche Parish Department of Public Works P.O. Box 1661 Raceland, LA 70394
Mr. Ray J. Cheramie Director of Public Works Lafourche Parish Department of Public Works P.O. Box 1661 Raceland, LA 70394	Mr. Chris Boudreaux Lafourche Parish Emergency Preparedness Office 400 Green Street Thibodaux, LA 70301-3133
Mr. Brennan Matherne Director Lafourche Parish Parks, Recreation and Public Facilities P.O. Drawer 320 Raceland, LA 70394	

Table K-3: Addresses of Agencies Consulted

Mississippi	
Mr. Manly Barton Jackson County Board of Supervisors P.O. Box 998 Pascagoula, MS 39568	Mr. John Anderson Perry County Board of Supervisors P.O. Box 345 New Augusta, MS 39462
Texas	
Mr. Ron McCulley Brazoria County Parks Department 313 W. Mulberry Angleton, TX 77515	Mr. Jack Steele Director Houston Galveston Area Council 3555 Timmons Lane, Suite 120 Post Office Box 22777 Houston, TX 77227-2777
Mr. John Cascio Emergency Management Coordinator Jefferson County Emergency Management Office 7933 Viterbo Rd., Suite 6 Beaumont, TX 77705	Mr. Michael Melancon Director Jefferson County Environmental Control 7933 Viterbo Rd. Suite 402 Beaumont, TX 77705
Mr. Chester R. Jourdan, Jr. Director South East Texas Regional Planning Commission 2210 Eastex Freeway Beaumont, TX 77703	Ms. Penny Redington Executive Director Texas Association of Regional Councils 701 Brazos Street Suite 780 Austin, TX 78701

Table K-4: Sample Outgoing Correspondence

Recipient	Date of Correspondence	Page Number
Mr. Robert L. Cook, Texas Parks and Wildlife Department	9/9/05	K-16
Mr. Delmer Stamps, United States Department of Agriculture, Natural Resources Conservation Service	9/13/05	K-17
Ms. Pamela Breaux, Louisiana Office of Culture, Recreation and Tourism	9/27/05	K-18
Mr. Larry Butler, United States Department of Agriculture, Natural Resources Conservation Service	11/21/05	K-19
Mr. James Greenwade, United States Department of Agriculture, Natural Resources Conservation Service	2/22/06	K-20
Mr. William R. Bunkley, U.S. Army Corps of Engineers, Mobile District	3/2/06	K-23
Ms. Angela Trahan, U.S. Fish and Wildlife Service	4/13/06	K-23
Ms. Robichaux, United Houma Nation	6/26/06	K-24
Mr. D. Craig Stubblefield, U.S. Department of the Interior, National Park Service	8/8/06	K-24
Mr. H.T. Holmes, State Historic Preservation Officer, Mississippi Department of Archives and History	8/11/06	K-25
Mr. Alton D. LeBlanc Jr., Chitamacha Tribe of Louisiana	9/15/06	K-26

Table K-5: Incoming Correspondence

Sender	Date of Correspondence	Page Number
Tribal Entities		
Ms. Kimberly S. Walden, Cultural Department, Chitimacha Tribe of Louisiana	12/19/05	K-28
Terry D. Cole, Choctaw Nation of Oklahoma	12/1/05, 12/27/05	K-29
Ms. Kimberly S. Walden, Chitimacha Tribe of Louisiana	6/27/06	K-30
Ms. Robichaux, United Houma Nation	6/27/06	K-31
Ms. Kimberly S. Walden, Chitimacha Tribe of Louisiana	9/21/06	K-31
Mr. Charles Verdin, Chairman, Point au Chien Tribe	9/26/06	K-32
Ms. Kimberly S. Walden, Chitimacha Tribe of Louisiana	9/27/06	K-32
Mr. Leland Thompson, Coushatta Tribe of Louisiana	9/27/06	K-33
Mr. Earl Barbry Jr., Tunica-Biloxi Indian Tribe of Louisiana	9/27/06	K-33
Ms. Lanor Curole, United Houma Nation	9/27/06	K-34
Mr. Terry D. Cole, Choctaw Nation of Oklahoma	9/29/06	K-34
Ms. Lanor Curole, United Houma Nation	10/2/06	K-35
Ms. Lelain Wait, Comanche Nation, Oklahoma	10/4/06	K-35
Ms. Beryl Battise, Alabama-Coushatta Tribe of Texas	10/5/06	K-36
Mr. Ken Carleton, Mississippi Band of Choctaw Indians	10/5/06	K-36
Ms. Kimberly S. Walden, Chitimacha Tribe of Louisiana	10/6/06	K-37
Mr. Ken Carleton, Mississippi Band of Choctaw Indians	10/6/06	K-38
Mr. Leland Thompson, Coushatta Tribe of Louisiana	10/9/06	K-39
Ms. Wendy Huntzinger, Quapaw Tribe of Indians	10/9/06	K-39
Ms. Gingy Nail, Chickasaw Nation	10/11/06	K-40
Mr. Ken Carleton, Mississippi Band of Choctaw Indians	10/13/06	K-40
Mr. Ken Carleton, Mississippi Band of Choctaw Indians	10/13/06	K-41
Ms. Wendy Huntzinger, Quapaw Tribe of Indians	10/13/06	K-41
Ms. Christine M. Norris, Jena Band of Choctaw Indians	10/16/06	K-42
Ms. Brenda D. Robichaux, Principal Chief, United Houma Nation	10/16/06	K-42
Ms. Kimberly S. Walden, Chitimacha Tribe of Louisiana	10/18/06	K-43
Ms. Ruth Toahy, Comanche Nation NAGPRA	10/19/05	K-43
Ms. Kimberly S. Walden, Chitimacha Tribe of Louisiana	10/23/06	K-44
Ms. Beryl Battise, Alabama-Coushatta Tribe of Texas	10/24/06	K-44
Mr. Jacob Darden, Chitimacha Tribe of Louisiana	11/7/06	K-45
Federal Agencies		
Mr. Joseph A. Christopher, Minerals Management Service, Gulf of Mexico OCS Region	12/19/05	K-46
Mr. Miles M. Croom, NOAA Fisheries	10/6/05	K-47
Mr. Mark Thompson, NOAA Fisheries	12/1/05	K-48
Mr. Jerry A. Eubanks, National Park Service, U.S. Department of Interior	10/28/05	K-49

Table K-5: Incoming Correspondence

Sender	Date of Correspondence	Page Number
Mr. Wendell A. Simpson, National Park Service, U.S. Department of Interior	12/9/05	K-50
Mr. Tom Kilpatrick, U.S. Department of Agriculture	10/11/05	K-50
Mr. Homer L. Wilkes, United States Department of Agriculture, Natural Resources Conservation Service	11/7/05	K-51
Mr. E.J. Giering III, United States Department of Agriculture, Natural Resources Conservation Service	11/16/05	K-51
Mr. Homer L. Wilkes, United States Department of Agriculture, Natural Resources Conservation Service	12/13/05	K-52
Mr. Donald W. Gohmert, United States Department of Agriculture, Natural Resources Conservation Service	12/16/05	K-52
Mr. Rex Chandler, United States Department of Agriculture, Natural Resources Conservation Service	3/16/06	K-53
Mr. James M. Greenwade, United States Department of Agriculture, Natural Resources Conservation Service	3/27/06	K-54
Mr. Ronnie Duke, New Orleans District, U.S. Army Corps of Engineers	12/16/05	K-54
Ms. Nathalie Valley, Eighth District, U.S. Coast Guard	1/28/06	K-57
Mr. Heinz Mueller, NEPA Program Office, U.S. Environmental Protection Agency	12/22/05	K-57
Mr. Frederick T. Werner, U.S. Fish and Wildlife Service	9/29/05	K-59
Mr. Russell C. Watson, U.S. Fish and Wildlife Service	10/3/05	K-61
Mr. Curtis B. James, U.S. Fish and Wildlife Service	10/20/05	K-63
Mr. Ray Aycock, U.S. Fish and Wildlife Service	12/5/05	K-65
Ms. Tracey McDonnell, U.S. Fish and Wildlife Service	12/8/05	K-67
Ms. Angela C. Trahan, U.S. Fish and Wildlife Service	12/13/05	K-67
Mr. Andy Loranger, U.S. Fish and Wildlife Service	12/14/05	K-68
Mr. Richard D. (Don) Neal, U.S. Department of Agriculture, U.S. Forest Service,	12/23/05	K-68
Ms. Moni DeVora Belton, U.S. Fish and Wildlife Service	2/7/06	K-69
Mr. Ried J. Nelson and Mr. John M. Fowler, Advisory Council on Historic Preservation	6/16/06	K-70
State Agencies, Louisiana		
Teri F. Lanoue, Air Quality Assessment Division, Louisiana Department of Environmental Quality	10/20/05	K-72
Mr. Albert E. Hindrichs, Water Quality Assessment Division, Louisiana Department of Environmental Quality	12/21/05	K-72
Ms. Lisa L. Miller, Louisiana Department of Environmental Quality	1/11/06	K-73
Ms. Rosalind M. Green, Louisiana Department of Health and Hospitals	9/28/05	K-74
Mr. James H. Welsh, Louisiana Department of Natural Resources	12/9/05	K-74
Mr. Scott Angelle, Louisiana Department of Natural Resources	12/12/05	K-75
Mr. Johnny Bradberry, Louisiana Department of Transportation and Development	10/7/05	K-75
Mr. Michael Carloss, Louisiana Department of Wildlife and Fisheries	10/3/05	K-78
Mr. Gary Lester, Louisiana Department of Wildlife and Fisheries	3/8/06	K-79
Ms. Pamela Breaux, Louisiana Office of Culture, Recreation and Tourism	10/13/05	K-80

Table K-5: Incoming Correspondence

Sender	Date of Correspondence	Page Number
State Agencies, Mississippi		
H.T. Holmes, Mississippi Department of Archives and History	9/19/05	K-81
H.T. Holmes, Mississippi Department of Archives and History	10/4/05	K-81
Mr. Tom Mann, Ms. Heather Sullivan, and Ms. Melanie Caudill, Natural Heritage Program, Mississippi Department of Wildlife, Fisheries, and Parks	3/2/06	K-82
State Agencies, Texas		
Mr. David C. Schanbacher, Texas Commission on Environmental Quality	10/28/05	K-86
Mr. Albert Hawkins, Texas Health and Human Services Commission	1/3/06	K-87
Mr. Jarrett (Woody) Woodrow, Coastal Fisheries Division, Texas Parks and Wildlife	11/1/05	K-88
Mr. Sam Webb, Coastal Resources, Texas General Land Office	10/4/05	K-100
Mr. F. Lawrence Oaks, Texas Historical Commission	10/18/05	K-101
Local Agencies, Louisiana		
Mr. Chris Boudreaux, Lafourche Parish Emergency Preparedness Office	11/1/05	K-102

Table K-6: Meetings with Agencies

Date	Meeting Location	Agencies in Attendance
October 5, 2005	Texas General Land Office, Austin, Texas	Texas General Land Office; Texas Parks and Wildlife Department; Texas Council on Environmental Quality
October 18, 2005	Environmental Protection Agency Region 4, Atlanta, Georgia	Environmental Protection Agency Region 4
October 18, 2005	Mississippi Department of Environmental Quality, West Jackson, Mississippi	Mississippi Department of Environmental Quality; Mississippi Department of Wildlife, Fisheries, and Parks; U.S. Fish and Wildlife Service
October 19, 2005	Louisiana Department of Environmental Quality, Baton Rouge, Louisiana	Louisiana Department of Environmental Quality; Louisiana Department of Wildlife and Fisheries; Louisiana Department of Natural Resources; NOAA Fisheries; U.S. Fish and Wildlife Service
October 19, 2005	U.S. Army Corps of Engineers, Galveston, Texas	U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; NOAA Fisheries; Texas Parks and Wildlife Department
December 19, 2005	Department of Environmental Quality Jackson, Mississippi	Mississippi Department of Environmental Quality; Mississippi Department of Wildlife, Fisheries, and Parks; U.S. Fish and Wildlife Service; U.S. Army Corps of Engineers;

Table K-6: Meetings with Agencies

Date	Meeting Location	Agencies in Attendance
		National Park Service
January 31, 2006	Bryan Mound, Texas	U.S. Fish and Wildlife Service; Texas Parks and Wildlife Department
February 3, 2006	Baton Rouge, Louisiana	U.S. Fish and Wildlife Service; Louisiana Department of Wildlife and Fisheries
February 6, 2006	Conference Call	U.S. Fish and Wildlife Service
February 7, 2006	Jackson, Mississippi	U.S. Fish and Wildlife Service; Mississippi Department of Wildlife, Fisheries, and Parks
February 16, 2006	Conference Call	U.S. Army Corps of Engineers, New Orleans and Vicksburg
March 7, 2006	Conference Call	U.S. Army Corps of Engineers, Galveston
March 8, 2006	Conference Call	U.S. Army Corps of Engineers, New Orleans and Vicksburg
June 20, 2006	Pascagoula Port Authority, Pascagoula, Mississippi	Pascagoula Port Authority; Pascagoula Local Redevelopment Authority; City of Pascagoula; Mayor of Pascagoula
June 22, 2006	Mississippi Department of Environmental Quality, West Jackson, Mississippi	Mississippi Department of Environmental Quality; Mississippi Department of Wildlife, Fisheries, and Parks; U.S. Fish and Wildlife Service
June 28, 2006	U.S. Army Corps of Engineers, Galveston, Texas	U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; NOAA Fisheries; Texas Parks and Wildlife Department
June 29, 2006	U.S. Army Corps of Engineers, New Orleans, Louisiana	U.S. Army Corps of Engineers, New Orleans; U.S. Army Corps of Engineers, Vicksburg

**Sample Outgoing Correspondence
from U.S. DOE or Its Contractors**



Department of Energy
Washington, DC 20585

September 9, 2005

Mr. Robert L. Cook
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

Re: Proposed Expansion of the Strategic Petroleum Reserve (Big Hill and Stratton Ridge, Texas)

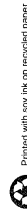
Dear Mr. Cook:

The U.S. Department of Energy is proposing to expand the Strategic Petroleum Reserve (SPR) to its 1 billion-barrel authorized capacity. The Strategic Petroleum Reserve Office of the U.S. Department of Energy (DOE) has determined that this project is subject to the National Environmental Policy Act (NEPA). The purpose of this letter is to request information from the Texas Parks and Wildlife Department on natural resources that the project could potentially affect, as well as any permits and approvals required for construction. Two sites being considered for the proposed project in Texas are: (1) Big Hill (Jefferson County), an existing SPR facility that would be expanded under the proposal; and (2) Stratton Ridge (Brazoria County), which would be a candidate for a new SPR facility.

Maps are enclosed which show the location of the proposed project. Additional attachments include a narrative description of the proposed action and figures of the proposed action from the 1992 Draft Environmental Impact Statement for the Expansion of the Strategic Petroleum Reserve.

As indicated in the attached narrative, a number of surface buildings and structures would be constructed for a new storage site at Stratton Ridge, and additional pumping systems would be constructed for the existing site at Big Hill. Construction of these facilities would entail ground disturbance and might have effects on endangered or threatened species in the area. Both the new storage site and expansion of the existing storage site would require construction of buried pipelines that would entail ground disturbance and might affect endangered or threatened species, should there be any present.

DOE has initiated preparation of an Environmental Impact Statement with publication of a Notice of Intent (70 FR 52088) on September 1, 2005. The Energy Policy Act of 2005 (EPACT), enacted on August 8, 2005, requires the Secretary of Energy to select sites necessary to expand the SPR to 1 billion barrel capacity no later than one year after enactment. This requires an extremely fast NEPA review process in order to provide decision makers with information for a Record of Decision in early August of 2006.



To assist in this effort, we are requesting a list of state listed and proposed threatened, endangered, and rare species for the area as well as instructions for any further coordination. Information on any other additional issues or concerns that you consider appropriate would also be appreciated. We request that you respond by October 10, 2005, so that we may schedule meetings, site visits or surveys, conduct any necessary follow-up activities, and incorporate your response into the scope of study, as appropriate. We, or our contractor ICF Consulting, may contact you prior to this date to discuss the project and schedule a meeting.

Thank you for your assistance in this matter. If you require further information to complete this request, please do not hesitate to contact Donald Silawsky, Office of Petroleum Reserves, U.S. Department of Energy by phone at (202) 586-1892 or via mail:

Sincerely,

Mr. Donald Silawsky
Office of Petroleum Reserves
1000 Independence Avenue S.W.
Washington, DC 20585-0301

Enclosures 2



Department of Energy
Washington, DC 20585

September 13, 2005

Mr. Delmer Stamps
Natural Resource Conservation Service
100 West Capitol Street Federal Building
Suite 1321
Jackson, MS 39269

Re: Proposed Expansion of the Strategic Petroleum Reserve (Richton and Pascagoula, Mississippi)

Dear Mr. Stamps:

The U.S. Department of Energy is proposing to expand the Strategic Petroleum Reserve (SPR) to its 1 billion-barrel authorized capacity. The Strategic Petroleum Reserve Office of the U.S. Department of Energy (DOE) has determined that this project is subject to the National Environmental Policy Act (NEPA) and the Farmland Protection Policy Act. The purpose of this letter is to request information from the Natural Resource Conservation Service on natural resources that the project could potentially affect, as well as any permits and approvals required for project construction. One site being considered for the proposed project in Mississippi is a candidate for a new SPR facility near the town of Richton.

Maps are enclosed which show the location of the proposed project sites. Additional attachments include a narrative description of the proposed action and figures of the proposed action from the 1992 Draft Environmental Impact Statement for the Expansion of the Strategic Petroleum Reserve.

As indicated in the attached narrative, a number of surface buildings and structures, pipes, and pump stations would be constructed for a new storage site at Richton. A new marine terminal in Pascagoula, MS would also need to be constructed to support the storage facility in Richton. The new storage site at Richton and the marine terminal would require construction of buried pipelines that would entail ground disturbance and might affect prime and unique farmland.

DOE has initiated preparation of an Environmental Impact Statement with publication of a Notice of Intent (70 FR 52088) on September 1, 2005. The Energy Policy Act of 2005 (EPACT), enacted on August 8, 2005, requires the Secretary of Energy to select sites necessary to expand the SPR to 1 billion barrel capacity no later than one year after enactment. This requires an extremely fast NEPA review process in order to provide decision makers with information for a Record of Decision (ROD) in early August of 2006.

We are requesting your comments on the proposal regarding impacts to any prime and unique farmland as well as instructions for any further coordination. Information on any additional issues or concerns that you consider appropriate would be appreciated. We request that you respond by October 13, 2005, so that we may schedule any meetings, site visits or surveys, conduct any necessary follow-up activities, and incorporate your response into the scope of study as appropriate. We, or our contractor ICF Consulting, may contact you prior to this date to discuss the project and try to schedule a meeting.

Thank you for your assistance in this matter. If you require further information to complete this request, please contact Donald Silawsky, Office of Petroleum Reserves, U.S. Department of Energy by phone at (202) 586-1892, mail, or e-mail (Donald.Silawsky@hq.doe.gov).

Sincerely,

Donald Silawsky
Office of Petroleum Reserves, (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Enclosures: 2





Department of Energy
Washington, DC 20585

September 27, 2005

Ms. Pamela Breaux
State Historic Preservation Officer
Louisiana Office of Culture
Recreation and Tourism
P.O. Box 44247
Baton Rouge, Louisiana 70804

**Re: Follow-up to Letter of September 13, 2005, regarding
Proposed Expansion of the Strategic Petroleum Reserve (West Hackberry, Bayou
Choctaw, Clovelly, and Chacahoula, Louisiana)**

Dear Ms. Breaux:

This letter follows-up in more detail on an earlier letter that we sent to you. The U.S. Department of Energy (DOE) is proposing to expand the Strategic Petroleum Reserve (SPR) to its 1 billion-barrel authorized capacity. The Strategic Petroleum Reserve Office of DOE has determined this project is subject to the requirements of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA).

Four sites being considered for the proposed project in Louisiana are: (1) West Hackberry (Cameron and Calcasieu Parishes), an existing SPR facility that would be expanded under the proposal; (2) Bayou Choctaw (Iberville Parish), an existing SPR facility that would be expanded under the proposal; (3) Clovelly (Lafourche Parish), which would be a candidate for a new SPR facility; and (4) Chacahoula (Lafourche Parish), which would be a candidate site for a new SPR facility. A narrative description of the proposed action and maps that show general project locations are enclosed with this letter.

As indicated in the attached narrative, construction activities at West Hackberry and Bayou Choctaw would be limited to new access roads and new onsite pipelines to connect the existing facility to the new SPR caverns. Neither site would require any additional offsite pipelines or significant facility upgrades. DOE would construct a number of above-ground buildings and structures for a new storage site at either Clovelly or Chacahoula. The Clovelly storage facility would be co-located with an existing petroleum storage facility; therefore, the site would utilize the existing facilities and would not require the construction of any new offsite pipelines. At Chacahoula, DOE would construct up to 136 miles of new pipeline for brine and oil transport. Construction of these facilities would entail ground disturbance and might have effects on significant archaeological sites or other historic properties in the area, should there be any present.

DOE proposes to conduct a search of Louisiana records, National Historic Landmarks, and the

National Register of Historic Places to identify historic properties and to determine whether all of the project area has previously been inventoried for historic properties. DOE will also attempt to identify Indian tribes, archaeological and historical societies, and other organizations that may have information or concerns about historic properties in or near the project area.

DOE has initiated preparation of an Environmental Impact Statement (EIS) with publication of a Notice of Intent (70 FR 52088) on September 1, 2005. The agency intends to use the process and documentation required for preparation of the EIS to comply with Section 106 of NHPA, and is hereby notifying you of that intent.

As indicated in the Notice of Intent, the Energy Policy Act of 2005 (EPACT), enacted on August 8, 2005, requires the Secretary of Energy to select sites necessary to expand the SPR to 1 billion barrel capacity no later than one year after enactment. This requires an extremely fast process of NHPA and NEPA review in order to provide decision makers with information for a Record of Decision (ROD) in early August of 2006.

Pursuant to 36 CFR 800.4(a)(ii), DOE is requesting the views of the State Historic Preservation Officer on further actions to identify historic properties that may be affected by this undertaking, including information about Indian tribes and other organizations that may have information. In addition, DOE requests the SHPO to indicate whether it would be possible and appropriate for DOE staff and contractors to begin work with SHPO on a Programmatic Agreement. The Programmatic Agreement would provide for post-ROD archaeological surveys for identification of historic properties and would stipulate post-ROD measures for identified adverse effects, should one or more of the evaluated sites in Louisiana be selected for SPR capacity expansion. The goal would be a signed Programmatic Agreement no later than March 2006.

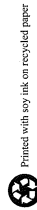
We request that you respond by October 28, 2005 so that we may schedule meetings, complete the record search, conduct any necessary follow-up activities, and incorporate your response into the scope of study, as appropriate. We, or our contractor ICF Consulting, may contact you prior to this date to discuss the project and schedule a meeting.

Thank you for your assistance in this matter. If you require further information to complete this request, please contact Donald Silawsky, Office of Petroleum Reserves, U.S. Department of Energy by phone at (202) 586-1892, mail, or e-mail (Donald.Silawsky@hq.doe.gov).

Sincerely,

Donald Silawsky
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

2 Enclosures



Printed with 50% ink on recycled paper



Department of Energy
Washington, DC 20585

November 21, 2005

Mr. Larry Butler
National Resource Conservation Service
101 South Main
Temple, TX 76501-7682

**Re: Proposed Expansion of the Strategic Petroleum Reserve – Reopening Scoping
Comment Period and New Site Proposal**

Dear Mr. Butler:

The U.S. Department of Energy (DOE) is reopening the scoping comment period for the Proposed Expansion of the Strategic Petroleum Reserve (SPR). The Strategic Petroleum Reserve Office of DOE has determined that this project is subject to the National Environmental Policy Act (NEPA). Reopening the scoping comment period will allow the public and agencies an opportunity to comment on the scope of the issues to be addressed on all candidate sites and aid in identifying other environmental review and consultation requirements associated with the new candidate site proposed by the Governor of Mississippi. On October 27, 2005, in accordance with the Energy Policy Act of 2005, the Governor of Mississippi requested that the Secretary of Energy consider a new candidate site at the Bruinsburg Salt Dome along the Mississippi River in Claiborne County, Mississippi. Enclosed are brief descriptions of all candidate and expansion sites.

On September 1, 2005, DOE initiated the scoping period and the preparation of an Environmental Impact Statement (EIS) with publication of a Notice of Intent (70 FR 52088). In response to the hurricanes that affected the Gulf Coast, DOE extended the scoping period from September 30 to October 28, 2005 (70 FR 56649; September 28, 2005). The reopening of the scoping period to accommodate the new candidate site will be announced in the Federal Register by November 23, 2005. The new scoping comment period will close on December 19, 2005.

Per the letter that was previously sent to your office, DOE has determined that the proposed expansion of the SPR is potentially subject to the Farmland Protection Policy Act (FPPA). The purpose of this letter is to request information from your office on prime and unique farmland that the project could potentially affect.

DOE intends to use the process and documentation required for preparing the EIS to comply with the Farmland Protection Policy Act, and is hereby notifying you of that intent. To assist in this environmental review, please identify any instructions for future coordination and consultation with your office and any permits and approvals required by the FPPA for construction and operation.

To aid in identifying the issues to be addressed in the EIS, DOE has enclosed maps of the new candidate site and an updated version of the candidate and expansion site maps previously sent to

your Agency. The maps include the general facility layout for each candidate and expansion site, and the proposed location of new pipelines and existing pipelines that would require refurbishment.

We request that you submit your comments by the end of the scoping comment period on December 19, 2005. We, or our contractor, ICF Consulting, may contact you prior to this date to discuss the project and schedule a meeting.

Thank you for your assistance in this matter. If you require further information to complete this request, please contact Donald Silawsky, Office of Petroleum Reserves, U.S. Department of Energy by phone at (202) 586-1892, mail at the address below, or e-mail to Donald.Silawsky@hq.doe.gov.

Sincerely,

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Enclosure



February 22, 2006

Mr. James Greenwade
Natural Resources Conservation Service
101 South Main St.
Temple, Texas

**SUBJECT: Proposed Expansion of the Strategic Petroleum Reserve
AD-1006 and NRCS-CPA-106: Farmland Conversion Impact Rating Forms**

Dear Mr. Greenwade:

Please find the attached AD-1006 Farmland Conversion Impact Rating forms, NRCS CPA-106 Farmland Conversion Impact Rating forms for Corridor Type Projects, and documentation containing supporting data prepared for the above referenced project. We will be coordinating the identification of Prime Farmlands and completion of the USDA NRCS forms AD-1006 and NRCS CPA-106.

For the Strategic Petroleum Reserve expansion in Texas, the U.S. Department of Energy is evaluating one potential expansion site, Big Hill, and one potential new site, Stratton Ridge. The U.S. Department of Energy has not made final decisions about site selection and development and may change aspects of the potential sites. We will notify you if changes are made to the potential sites in Texas.

The information in the impact rating forms includes the following data:

Proposed Big Hill SPR Site and Associated Infrastructure: AD-1006 Form # 1

Acres Converted Directly

Structure Big Hill site	Acres 139.8	Files Attached shapefiles in folder: BigHill\Big Hill Proposed Site
Structure Big Hill site 300ft buffer	Acres 53.7	Files Attached shapefiles in folder: BigHill\Big Hill Proposed Site 300ft Buffer

Proposed Big Hill SPR Site and Associated Infrastructure: NRCS-CPA-106 Form # 1

Acres Converted Directly

Structure Brine pipeline to be replaced	Acres 16.1	Files Attached shapefiles in folder: BigHill\Brine Pipeline to be Replaced
Structure Crude oil pipeline to Nederland	Acres 211.0	Files Attached shapefiles in folder: BigHill\Crude Oil Pipeline to Nederland

Proposed Stratton Ridge SPR Site and Associated Infrastructure: AD-1006 Form # 2

Acres Converted Directly

Structure Stratton Ridge site	Acres 273.5	Files Attached shapefiles in folder: StrattonRidge\Stratton Ridge Site
Structure Stratton Ridge site 300ft buffer	Acres 109.4	Files Attached shapefiles in folder: StrattonRidge\Stratton Ridge Site 300ft buffer
Structure Raw water intake structure buffer	Acres 1.1	Files Attached shapefiles in folder: StrattonRidge\Raw water intake structure buffer

Acres Converted Indirectly

Structure Access Road	Acres 3.8	Files Attached shapefiles in folder: StrattonRidge\Access Road
Structure Power line	Acres 22.3	Files Attached shapefiles in folder: StrattonRidge\Powerline

Proposed Stratton Ridge SPR Site and Associated Infrastructure: NRCS-CPA-106 Form # 2

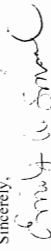
Acres Converted Directly

Structure Crude oil pipeline to Texas City	Acres 455.0	Files Attached shapefiles in folder: StrattonRidge\Crude oil pipeline to Texas City
Structure Raw water intake pipeline	Acres 124.7	Files Attached shapefiles in folder: StrattonRidge\Raw water intake pipeline
Structure Brine pipeline to beach	Acres 9.2	Files Attached shapefiles in folder: StrattonRidge\Brine pipeline to beach
Structure Exit pipeline ROW	Acres 2.0	Files Attached shapefiles in folder: StrattonRidge\Exit pipeline ROW

ICF Consulting
February 22, 2006
Page 3 of 3

Please contact me at (703) 934-3079 if you have any questions about this information.

Sincerely,


Emily Smart
Research Assistant

Attachments: AD-1006 Farmland Conversion Impact Rating forms
NRCS CPA-106 Farmland Conversion Impact Rating forms for Corridor Type Projects
Supporting documentation for calculations

site being considered near the town of Richton, Mississippi. Pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899, we are requesting your comments on the proposal as well as instructions for any further coordination.

DOE has initiated preparation of an Environmental Impact Statement with publication of a Notice of Intent (70 FR 52088) on September 1, 2005. The Energy Policy Act of 2005 (EPACT), enacted on August 8, 2005, requires the Secretary of Energy to select sites necessary to expand the SPR to 1 billion barrel capacity no later than one year after enactment. This requires an extremely fast NEPA review process in order to provide decision-makers with information for a Record of Decision in early August of 2006.

DOE currently operates four underground crude oil storage facilities in salt domes along the Gulf Coast as the Strategic Petroleum Reserve (SPR). The combined storage capacity is 727 million barrels. The Proposed Action is to expand the SPR storage capacity to one billion barrels by developing a new storage site with associated infrastructure at one of the following: Bruinsburg, Mississippi (160 million barrels); Chacahoula, Louisiana (160 million barrels); Clovelly, Louisiana (120 million barrels); a combination of Clovelly (80 million barrels) and Bruinsburg (80 million barrels); Richton, Mississippi (160 million barrels); or Stratton Ridge, Texas (160 million barrels). In addition, the existing site at Bayou Choctaw, Louisiana could be expanded by either 20, 30, or 108 million barrels; and the existing site at West Hackberry, Louisiana could be expanded by either 15 million barrels or not at all. Expansions at existing sites would require developing new caverns and purchasing existing caverns.

Included as an attachment to this email is an outline of the background to the proposed action at Richton, a map providing a regional view of proposed new SPR sites and existing SPR site along the Gulf Coast, and a description and maps of the location, layout, and pipelines of the proposed new SPR storage site at Richton.

We look forward to talking with you briefly on Wednesday morning, March 1, about our approach to minimizing wetland impacts. During that conversation we would like to arrange teleconference to for the following week to speak in more detail about least environmental damaging alternatives with maps, which we will have sent you, in hand.

Thank you for your assistance in this matter. Please call or email me if you have questions or need further information.

Sincerely,

Will Gibson

Attachment

[Will Gibson, Ph.D.](mailto:Will.Gibson@icfconsulting.com) | ICF Consulting | 1725 Eye Street NW | Washington, DC 20006 | t: 202.862.1583 | m: 202.210.3797 | WGibson@icfconsulting.com

From: Gibson, Will
Sent: Thursday, March 02, 2006 10:24 AM
To: 'william.r.bunkley@sam.usace.army.mil'
Cc: 'frost@eee-consulting.com'; 'Deborah.j.shumake@sam.usace.army.mil'
Subject: FW: Proposed Expansion of the Strategic Petroleum Reserve (Richton, Mississippi)

Dear Mr. Bunkley,

I understand from Ms. Shumake that you are the appropriate person to contact regarding this issue—please see the letter and attachment below. I was told by you colleague that we might be able to reach you for an initial conversation at 1pm CST today.

Please let me know if that works for you.

Until then,

All Best,

[Will Gibson, Ph.D.](mailto:Will.Gibson@icfconsulting.com) | ICF Consulting | 1725 Eye Street NW | Washington, DC 20006 | t: 202.862.1583 | m: 202.210.3797 | WGibson@icfconsulting.com

From: Gibson, Will
Sent: Tuesday, February 28, 2006 11:00 AM
To: "Deborah.j.shumake@sam.usace.army.mil"
Subject: FW: Proposed Expansion of the Strategic Petroleum Reserve (Richton, Mississippi)

February 27, 2006

Ms. Debbie Shumake
USACE Mobile District
Deborah.j.shumake@sam.usace.army.mil

RE: Proposed Expansion of the Strategic Petroleum Reserve (Richton, Mississippi)

Dear Ms. Shumake:

The U.S. Department of Energy (DOE) is proposing to expand the Strategic Petroleum Reserve (SPR) to its 1 billion barrel authorized capacity. The Strategic Petroleum Reserve Office of DOE has determined that this project is subject to the National Environmental Policy Act (NEPA). The purpose of this email is to request information from the U.S. Army Corps of Engineers on the natural resources that the project could potentially affect, as well as any permits and approvals required for construction at one



Department of Energy

Washington, DC 20585

April 13, 2006

Ms. Angela Trahan
U.S. Fish and Wildlife Service
646 Cajundome Boulevard, Suite 400
Lafayette, LA 70506

Subject: Evaluation of Threatened and Endangered Species for the Expansion of the Strategic Petroleum Reserve Environmental Impact Statement (EIS)

Dear Ms. Trahan:

Based on our meeting with you and your colleagues on February 3, 2006, the Department of Energy (DOE) developed an approach to be used in the subject EIS to evaluate species protected under the Endangered Species Act (ESA). The approach is designed to present relevant information to the public and decision makers in accordance with the National Environmental Policy Act, and to document DOE's evaluation process in accordance with Section 7 of the ESA and the Final Endangered Species Act Section 7 Consultation Handbook (Consultation Handbook) dated March 1998. The approach also takes into account that in the Record of Decision, DOE would only select:

- One new site out of the six potential new sites - (1) Stratton Ridge, Texas; (2) Chacahoula, Louisiana; (3) Clovelly, Louisiana; (4) Bruinsburg, Mississippi; (5) Richton, Mississippi; and (6) a combination of Bruinsburg and Clovelly; and
- Two or three of the expansion sites - (1) Big Hill, Texas; (2) Bayou Choctaw, Louisiana; and possibly (3) West Hackberry, Louisiana.

The approach includes a threatened and endangered species evaluation with the results presented in the EIS, followed by site- and species-specific surveys and informal and/or formal consultation with the U.S. Fish and Wildlife Service, as appropriate, after DOE has issued the Record of Decision for the EIS. The specifics of this approach are outlined below.

DOE will prepare and submit to your office with the draft EIS an Evaluation of Special Status Species by state (Texas, Louisiana, and Mississippi). DOE is preparing these evaluations to review and document its findings of "no effect" and "may affect" in accordance with the definitions found in the Consultation Handbook and a letter from U.S. Fish and Wildlife Service dated September 29, 2005, as presented below. For the purpose of the evaluation, DOE has defined "may effect" to include "is not likely to adversely affect" or "is likely to adversely affect."

- **No effect.** The proposed action will not affect Federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area).

- **Is not likely to adversely affect.** The proposed action may affect listed species and/or critical habitat; however, the effects would be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effect.

- **Is likely to adversely affect.** Adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species, but is also likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species.

For the finding of "may affect," DOE acknowledges that it has not completed onsite surveys to support a finding of "is not likely to adversely affect" or "is likely to adversely affect." Therefore, DOE can reach only a finding of "may affect" in the EIS. Once DOE has issued a Record of Decision and selected a specific new site and expansion sites for development, DOE would perform site- and species-specific surveys for all the species that received a finding of "may affect" under that alternative. DOE would evaluate the impacts on the Federally listed species in consultation with U.S. Fish and Wildlife Service and in accordance with the Consultation Handbook.

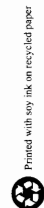
DOE is proposing this approach for your review and to coordinate among all three U.S. Fish and Wildlife offices involved in the preparation of this EIS. If you have any comments or concerns regarding this approach, please contact me at the addresses listed below or by telephone at any time.

Sincerely,

Donald Silawsky
U. S. Department of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue, SW
Washington, DC 20585-0301
E-mail: donald.silawsky@hq.doe.gov
Telephone: 202-586-1892

cc: Mr. Lloyd E. Inmon, U.S. Fish and Wildlife Service, Jackson, MS
Ms. Catherine Yeargan, U.S. Fish and Wildlife Service, Houston, TX

Attachments



Printed with soy ink on recycled paper.

Mr. D. Craig Stubblefield
Chief, Resource Management
National Park Service
2680 Natchez Trace Parkway
Tupelo, MS 38804

Dear Mr. Stubblefield:

Thank you for the e-mail message of July 26, 2006, regarding DOE's Draft Environmental Impact Statement (EIS) *Site Selection for the Expansion of the Strategic Petroleum Reserve* (DOE/EIS-0385). In that communication, the Natchez Trace Parkway Office of the National Park Service (NPS) requested to be designated a cooperating agency in the EIS if an alternative is selected that requires a pipeline crossing of the Natchez Trace Parkway.

As noted by DOE Deputy Assistant General Counsel for Environment Richard F. Ahern in your conversation on July 27, 2006, the deadline for completing this EIS in response to the Energy Policy Act of 2005 makes including NPS as a cooperating agency at this late date impracticable. DOE understands that if it selects an alternative that would involve pipeline crossing of the Natchez Trace Parkway, DOE will consider pipeline routes in detail and apply for appropriate rights-of-way, and NPS would then prepare an environmental assessment.

Thank you for your interest. If I can be of additional assistance, please feel free to contact me (donald.silawsky@hq.doe.gov or 202-586-1892).

Sincerely,

Donald Silawsky
Document Manager

Re: L3027(NATR)
xL7617

Moser, Michelle

From: Quick, Polly
Sent: Monday, June 26, 2006 5:01 PM
To: bdr@unitedhumanation.org
Cc: Summerville, Alan
Subject: expansion of Strategic Petroleum Reserve

To Principal Chief Robichaux.

Dear Ms. Robichaux,

I am an anthropologist and one of the preparors of the Draft Environmental Impact Statement for the expansion of the Strategic Petroleum Reserve that is currently under review. I wrote the cultural resources section of the document. I saw your comment in the newspaper that announced the public meeting on June 28.

I would be happy to talk with you by telephone about the information in the Draft Environmental Impact Statement and any concerns the tribe may have. You can also talk to folks at the public meetings, but I thought you might like to talk with me about cultural resources issues.

If you have not had a chance to review the Draft Environmental Impact Statement that was sent to you, you might look first at the Table of Contents (labeled TOC on the CD) to see what interests you. I would suggest that you review the summary, including maps on pages S-4, S-9, and S-10. There are large scale maps of the Louisiana sites and pipeline routes in Volume 3. Within the text of Volume 1, you might want to look at the initial pages of the cultural resources section, 3-304 to 3-307; and also the pages that discuss the Louisiana sites, 3-310 to 3-313.

From your web site, I have a telephone number of 985-475-6640. If I do not hear from you by tomorrow afternoon (Tuesday), I will try to reach you by telephone.

Sincerely,

Polly

Polly McW. Quick, Ph.D.
Principal
ICF International
394 Pacific, 2nd Floor
San Francisco, CA 94111-1715
+1 415 677-7115
Internal ICF system: 47115
+1 415 677-7177 fax
+1 510 703-7396 cell
pquick@icfi.com

8/2/2006



Department of Energy
Washington, DC 20585

August 11, 2006

Mr. H. T. Holmes
State Historic Preservation Officer
Mississippi Department of Archives & History
P.O. Box 571
Jackson, MS 39205-0571

Re: Proposed Expansion of the Strategic Petroleum Reserve (Richton and Bruinsburg, Mississippi)

Dear Mr. Holmes:

As you know, the U.S. Department of Energy (DOE) is proposing to expand the Strategic Petroleum Reserve (SPR) to its authorized capacity of 1 billion barrels. This action is subject to the requirements of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act. The sites being considered in Mississippi are (1) Richton (for new development); and (2) Bruinsburg 160 MMB (for new development).

DOE issued a Notice of Availability of the draft Environment Impact Statement (draft EIS) for the proposed SPR expansion in the Federal Register (71 FR 30400) on May 26, 2006. In accordance with previous communications, the documentation and preparation process of the EIS is also being used to comply with Section 106 of NHPA. This effort has culminated in the development of a Programmatic Agreement (PA) by DOE and the Mississippi State Historic Preservation Officer, a draft version of which you have previously reviewed and provided comments. Based on comments received on the draft EIS, the Advisory Council on Historic Preservation (ACHP) has notified DOE of their decision to participate in the consultation process, thereby becoming a signatory of the PA (see attachment 1). The ACHP has provided minor comments on the PA, and concurs with the current PA, included for your review and signature (see attachment 2).

We request that you review, sign, and return all three enclosed copies of the PA at your earliest convenience for subsequent review and signing by DOE, followed by review and signing by ACHP. To help expedite this request, DOE has enclosed a prepaid and self-addressed envelope for returning the signed PAs. Once all three signatures have been obtained, a signed original PA will be returned to you for your records, and a copy of the PA will be sent to all 14 concurring parties listed in the PA to provide them an opportunity to sign the document.



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August 11, 2006

Page 2

Thank you for your timely assistance in this important matter. If you require further information to complete this request, please do not hesitate to contact me by phone (202-586-1892), e-mail (donald.silawsky@hq.doe.gov), or conventional mail at:

Office of Petroleum Reserves (FE-47)
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585-0301

Sincerely,

Donald Silawsky
Document Manager

Enclosures



Department of Energy
Washington, DC 20585

September 15, 2006

Mr. Alton D. LeBlanc, Jr.
Chairman
Attn: Kimberly Walden
Chitimacha Tribe of Louisiana
105 Houma Drive
P.O. Box 661
Charenton, LA 70523

Re: Programmatic Agreement for Proposed Expansion of the Strategic Petroleum Reserve (Bayou Choctaw, West Hackberry, and Chacahoula, Louisiana; and Bruinsburg, Mississippi)

Dear Mr. Alton LeBlanc:

As described in previous correspondence with your tribe, the U.S. Department of Energy (DOE) is proposing to expand the Strategic Petroleum Reserve (SPR) to its 1 billion barrel authorized capacity. The Strategic Petroleum Reserve Office of DOE has determined that this project is subject to the requirements of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA).

Four sites are being considered that would affect lands in Louisiana. The existing SPR facilities at Bayou Choctaw (Iberville Parish) and West Hackberry (Cameron and Calcasieu Parishes) are proposed for expansion. Chacahoula (Lafourche Parish) and Bruinsburg, MS, (with a pipeline in East Feliciana, West Feliciana, and East Baton Rouge Parishes in Louisiana) are candidates for a new SPR facility.

DOE has prepared a draft Environmental Impact Statement (DEIS) which was previously transmitted to your tribe. In addition, DOE has prepared a draft Programmatic Agreement to address its responsibilities under the NHPA, should one or more of the sites listed above be selected. This letter transmits a copy of the draft Programmatic Agreements for your review and comment. These draft agreements do not specify any Concurring Parties. DOE is circulating the draft agreements to tribes that may attach religious or cultural importance to historic properties potentially affected by the proposed SPR expansion to obtain input to the draft agreements and to identify those tribes that may wish to participate as signatories in implementation of the Programmatic Agreements.

September 15, 2006

Page 2

We request that you respond by October 18 so that we may include your input in the Programmatic Agreement before it is finalized and circulated for signature. We, or our contractor ICF International, may contact you prior to this date to discuss the agreement.

Thank you for your timely assistance in this important matter. If you require further information to complete this request, please do not hesitate to contact me by phone (202-586-1892), e-mail (donald.silawsky@hq.doe.gov), or conventional mail at:

Office of Petroleum Reserves (FE-47)
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585-0301

Sincerely,

Donald Silawsky
Document Manager

Enclosure

**Correspondence from
Federal, State, and Local Agencies**



CHITIMACHA
TRIBE OF LOUISIANA

CULTURAL DEPARTMENT

December 19, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve,
West Hackberry, Bayou Choctaw, Clovelly, and Chacahoula,
Cameron, Calcasieu, Iberville, and LaFourche Parishes, Louisiana

We are in receipt of your letter, dated November 22, 2005, concerning the above-referenced project. The parish where the proposed project is to take place is part of the aboriginal Chitimacha homeland. That is, historically and prehistorically the Chitimacha Tribe of Louisiana was located in this area. This homeland contains many village sites, religious/sacred sites, and burial sites, which must be taken into account in the planning process.

Our records and oral traditions do not indicate that a specific Chitimacha archaeological site or Traditional Cultural Property is in the immediate vicinity of your project, therefore we have no objection to the implementation of the proposed activity. However, if archaeological remains representing a village site and/or burial site are discovered during the process of construction you should stop and contact the tribe and the State Historic Preservation Office immediately, in order to begin consultation regarding the encountered remains.

The Chitimacha Tribe of Louisiana appreciates your compliance with federal and state laws concerning Native American notification and consultation. Should you have any questions, do not hesitate to contact me at (337) 923-9923.

Sincerely,

Kimberly S. Walden,
Director, Cultural Department

KW: JE

Tribal Entities

Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Thursday, December 01, 2005 4:37 PM
To: Fadely, Karen; Summerville, Alan; Johnson, David
Subject: FW: Proposed Expansion of the Strategic Petroleum Reserve (Richton and Bruinsburg, Mississippi)

KAREN: Another SPR EIS comment.

ALL: Who should contact Mr./Ms. Cole to discuss the meeting that is being requested?
DON SILAWSKY

-----Original Message-----
From: Terry Cole [mailto:tc@choctawnation.com]
Sent: Thursday, December 01, 2005 11:18 AM
To: Donald.Silawsky@hq.doe.gov.
Subject: Proposed Expansion of the Strategic Petroleum Reserve (Richton and Bruinsburg, Mississippi)

Dear Mr. Silawsky: Regarding your request dated November 22, 2005, the project is within the boundaries of the homelands of the Choctaw people of Oklahoma, therefore we are very concerned

that ground disturbance may affect significant archaeological sites or historic sites. We are requesting

a meeting with you to discuss the project. Thank you

Terry D. Cole, THPO
Choctaw Nation of Oklahoma

Unknown

From: Terry Cole [mailto:tc@choctawnation.com]
Sent: Wednesday, December 28, 2005 9:54 AM
To: Quick, Polly
Subject: RE: Polly Quick notes on phone conversation re Strategic Petroleum Reserve Expansion

Dear Polly,

I concur with the following report submitted on December 27, 2005. If there is anything I can do, please feel free to call my office. Thank you.

Terry Cole, THPO
Choctaw Nation of Oklahoma

-----Original Message-----
From: Quick, Polly [mailto:PQuick@icrconsulting.com]
Sent: Tuesday, December 27, 2005 1:44 PM
To: tc@choctawnation.com
Subject: Polly Quick notes on phone conversation re Strategic Petroleum Reserve Expansion

Hello Terry, thanks for returning my call today. Below are my notes, which I'll use as a basis for words in the Draft Environmental Impact Statement that we are preparing for the Department of Energy.

We talked because you had sent an email December 1 to Don Silawsky at Department of Energy expressing indication that project boundaries of the Richton MS and Bruinsburg MS sites fall within the traditional homeland of the Choctaw Nation of Oklahoma and that the tribe has concerns that ground disturbance might affect archaeological sites.

You said that you do not have site records in your office, that the MS SHPO has those. You asked if we had been in contact with Ken Carleton from the MS Band of Choctaw or with the Jena Band. I said we had written both groups but had received no response. You said that it is difficult for you in Oklahoma to cover the state of MS, but someone needs to do it, and that your concerns extend from the ancestral homelands along the Trail of Tears to your present location. You said this includes portions of Louisiana and Texas as well as Mississippi.

I explained that DOE will be selecting one of five locations to develop a new facility (I actually said six, but I am correcting that here). DOE is considering two sites in MS, two in Louisiana and one in Texas. Because only one of five will be selected, DOE is preparing Programmatic Agreements with the three state SHPOs that will stipulate that DOE will do on-the-ground survey for the facility that is selected, including associated pipeline routes. I am attaching a map that shows locations of the five possible new facility sites as well as existing locations being evaluated for expansion.

You said that what you require, once on-the-ground-survey is done, is copies of the survey reports and prior investigation reports that provide information on archaeological sites that might be affected. Your office will review those and then can discuss concerns, if any, with DOE. You indicated that you are comfortable with the Programmatic Agreement approach, waiting for selection of a specific site before on-the-ground survey is done.

I said that I would provide you with a list of the other tribes that received consultation letters, so you can let us know if others should be contacted. This is the list:

Alabama Coushatta Tribe, Chickasaw Nation of Oklahoma, Chitimacha Tribe, Choctaw Nation of Oklahoma, Coushatta Tribe, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Quapaw, Tunica-Biloxi Tribe of Louisiana; as well as the following state-recognized tribes: United Houma Nation, Point-Au Chien Tribe, and Biloxi-Chitimacha Confederation of Muskogee.

If you can reply to me to confirm these notes or provide corrections, it would assist me in moving forward with text for the Draft Environmental Impact Statement. Thanks for your help.

Polly

Polly McW. Quick, Ph.D.
Principal
ICF Consulting
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San Francisco, CA 94111
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pquick@icfconsulting.com

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CHITIMACHA
TRIBE OF LOUISIANA
CULTURAL DEPARTMENT

June 27, 2006

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
U.S. Department of Energy
1000 Independence Ave., S.W.
Washington, D.C. 205-85-0301

Re: Site Selection for the Expansion of the Strategic Petroleum Reserve
Lafourche and Iberville Parishes, Louisiana

We are in receipt of your letter, dated May 19, 2006, concerning the above referenced project. The parish where the proposed project is to take place is part of the aboriginal Chitimacha homeland. That is, historically and prehistorically the Chitimacha Tribe of Louisiana was located in this area. This homeland contains many village sites, religious/sacred sites, and burial sites, which must be taken into account in the planning process.

Our records and oral traditions do not indicate that a specific Chitimacha archaeological site or Traditional Cultural Property is in the immediate vicinity of your project, therefore we have no objection to the implementation of the proposed activity. However, if archaeological remains representing a village site and/or burial site are discovered during the process of construction you should stop and contact the tribe and the State Historic Preservation Office immediately, in order to begin consultation regarding the encountered remains.

The Chitimacha Tribe of Louisiana appreciates your compliance with federal and state laws concerning Native American notification and consultation. Should you have any questions, do not hesitate to contact me (337) 923-9923.

Sincerely,

Kimberly S. Walden,
Director, Cultural Department

KW:JD

Record of Conversation – DEIS for Site Selection for Expansion of Strategic Petroleum Reserve

Person Contacted: Brenda Robichaux, Principal Chief, United Houma Nation

Contacted by: Polly Quick, ICF International, author of cultural resources section of DEIS

Date: June 27, 2006

Telephone number: 985-637-3826 (cell phone of Ms. Robichaux; obtained from tribal office at 985-475-6640)

Summary of discussion: Polly Quick explained this was a call to follow up on an email sent to Ms. Robichaux yesterday. Ms. Robichaux indicated that she had received the email, had read the sections of the DEIS suggested in Polly Quick's email, and had no further questions at this time. Polly said that Ms. Robichaux saw that there would be on-the-ground survey if one of the Louisiana sites were selected and that she presumed United Houma Nation should be contacted to identify areas of concern in that event. Ms. Robichaux confirmed that would be the tribe's wish. She asked that the tribe be kept informed, using either her email address (bdr@unitedhoumanation.org) or cell phone.

Kimberly Walden, Cultural Department, Chitimacha Tribe of Louisiana, 337-923-9923

Polly Quick (ICF International) reached Ms. Walden on 21 Sep 06. Ms. Walden was reviewing the Programmatic Agreement but had not finished. She suggested that language be changed in the "whereas" clauses listing tribes so that it is clear that government-to-government consultation has taken place with federally recognized tribes and the outreach to other tribes is not described as consultation.

She asked Polly to fax copies of the previous letters that the tribe had sent regarding the SPR proposed expansion. She said that she would contact Polly with any other comments. She noted that they had just finished negotiating a PA with FEMA yesterday, that had been in process since January. She suggested that Polly wait a few days before contacting other tribal historic preservation representatives, as most are still traveling back from that meeting.

September 26, 2006

Conversation between Polly Quick (ICF International) and Charles Verdin, Chairman, Point au Chien Tribe via telephone to 985-594-6250.

Mr. Verdin said he had received the Department of Energy package with the Programmatic Agreement. The tribe has no comments; would like to sign as a concurring party, in his name: Charles Verdin, Chairman, Point au Chien Tribe.

Polly said that once the document is finalized, it will be circulated for signature to the agencies and then the tribes – it may be a month before he sees it for signature.

Phone call from Polly Quick (ICF International) to Kimberly Walden, Director, Cultural Department, Chitimacha Tribe of Louisiana, 337-923-9923. September 27, 2006

Kimberly is still reviewing the document, has calls in to the LA SHPO and Mississippi Band of Choctaw to get their take. Polly said we have been working with Duke Rivet at LA SHPO, that he anticipated a comment about clarifying communications with federally recognized tribes and others. Said we have been trying to reach MS Band of Choctaw and have not been successful; Kimberly guesses that the cultural resources person there moved from the FEMA meeting on the LA PA to a FEMA meeting on a MS PA, and that may be why it has been difficult to reach him. She said she had called Rachel Watson at LA SHPO, but would now call Duke.

She asked why this is a PA instead of an MOA since it seems to be one project, and Polly explained that there are 10 locations being considered and that DOE was unable, because of the short time line imposed by Congress, to do the on-the-ground work ahead of making a decision; so is using the PAs to commit to doing necessary evaluation and treatment to avoid adverse effects once specific locations are chosen.

Kimberly says that one thing that may be added to the agreement is some geographic specificity as to which tribes would be involved according to different locations – e.g., Quapaw in the north, Chitimacha in south central. This would free DOE from working with multiple tribes where it is not needed. More specifically, Chitimacha would be interested in Iberville, La Fourche, parts of Cameron and Feliciana and East Baton Rouge parishes. She will need to check with her council, but expects they will want to sign.

Ms. Walden asked why we were proposing to have tribes sign as concurring parties, not full signatories. Polly said that is up for discussion, that the Advisory Council had prepared much of the language and was open to either form of signing; that our experience on other projects had been where a project does not cross reservation lands and there is no THPO, that tribes are usually concurring parties. Ms. Walden said that although the Chitimacha reservation is small, ancestral lands cover about one third of Louisiana and they are used to being full signatories. She will review the tribe's responsibilities under the PA to decide whether they should be a full signatory or a concurring party.

Polly informed Kimberly that Tunica-Biloxi had indicated it has no comments and will not sign; that Point au Chien has no comments and will sign as a concurring party. Polly mentioned that Choctaw Nation of Oklahoma previously responded with regard to MS sites; Kimberly said, "yes, they have become active lately."

Ms. Walden asked when the Department hoped to have revised language; Polly said we felt we could not offer less than 30 days, so had specified October 18, but DOE would like to have a signed PA before it makes its decision, which it is hoping to do in mid-October, hence Polly has been making follow up calls in hopes of accelerating comments. Kimberly said that was a good tactic, as everyone is very busy, and "the squeaky wheel" gets attention. Polly said she would call early next week if she has not heard back from Ms. Walden by then.

September 27, 2006

Telephone Conversation Record

Polly Quick (ICF International) called Leland Thompson of the NAGPRA program (337-584-2261, ext. 1498).

Leland had received Polly's email of the transmittal letter and LA draft Programmatic Agreement sent yesterday. He is waiting for a colleague in the program to review the document. He would like PQ to email the cultural resources section of the DEIS. He says that it appears that none of the Louisiana sites are in his tribe's present or historic area – they moved from Alabama across northern Mississippi to northern Louisiana; did not form any settlements in Mississippi. He thinks others of the tribes mentioned in the PA would be more interested. Polly said that United Houma Nation and Chitimacha tribe had indicated concerns in some of the LA parishes.

Leland says the Coshhatta are new to this Programmatic Agreement process and are trying to learn what they should do. Leland asked if there had been any meetings among the tribes or if DOE had consulted one-on-one with each. Polly said initial letters had been sent to each tribe in November, and again in May with the DEIS. There were no meetings among tribes, as far as she knew, but she said that Chitimacha had indicated that it is trying to get in touch with MS Choctaw and the LA SHPO. Leland plans to contact other tribes like the Chitimacha to see if they would like the Coshhatta to sign as a concurring party.

Polly said she would email the DEIS sections and maps, and Leland could let her know if he wants maps printed out and mailed. He said to use Box 967 for the mailing to him, not the Box 818 used for tribal administration, where the PA was originally sent.

Tunica-Biloxi Indian Tribe of Louisiana 22 Sep 06

Earl Barbry Jr returned Polly Quick's call.

She had been transferred to his voicemail from the main number of the Tunica-Biloxi Indian Tribe of Louisiana, 318 253-9767. She was informed in her first call on 21 September that Earl Barbry Jr is the son of the tribal chairman and heads the historic preservation department, where he is the museum director.

Mr. Barbry said the package had arrived and reached his desk. He said the tribe will have no comment on the Programmatic Agreements. (Note from Polly: the tribe was sent agreements for both Louisiana and Mississippi.) Polly asked if the tribe would want to sign as a concurring party. Mr. Barbry said he doubted it, but would check with the Council at their upcoming meeting on Tuesday (September 26).

Polly is to call him back after 3 p.m. CDT Tuesday.

9/26. Polly left a message for Mr. Barbry asking if the tribe would be signing as a concurring party.

9/27/06 Mr. Barbry left a message for Polly to say that the tribe will not be signing as a concurring party.

Telephone Record. September 27, 2006

Polly Quick (ICF International) returned a call from Lanor Curole of United Houma Nation. 985-475-6640.

Ms. Curole said that Principal Chief Robichaux had forwarded the programmatic agreement to her. The Chacahoula site and associated pipelines are in an area of concern to the Houma; there are many burial mounds in that area and they would be worried about disturbance to those. Ms. Curole needs more information about what is planned there. Polly referred her to the DEIS, that was sent out in late May or early June. Ms. Curole needs to take maps or other specific information to tribal members with ties to that area so she can identify concerns. Polly said she would extract the cultural resources sections and email them to Ms. Curole, with maps that are small enough to email; Polly will mail maps if necessary.

Ms. Curole said she will consult with council members about what they want to do – they may simply want to get their concerns on record, or they may want to sign as a concurring party with some specifics about being contacted if things are encountered around Chacahoula. There is a council meeting on the 14th if the council decides it needs to discuss it as a group.

Ms. Curole says she is only at the above number on Wednesdays; to reach her on other days call 985-223-3093.

Telephone conversation Record

September 29, 2006

Polly Quick (ICF International) spoke with Terry Cole, THPO, Choctaw Nation of Oklahoma. Terry said he had received the PAs, looked them over briefly and passed them on to one of his staff. Asked if Polly had heard from Ken Carlton at MS Choctaw. Polly said no, had been trying to reach him and that Kimberly Walden from Chitimacha had said she was also trying to reach him. Terry said he usually defers to the MS tribe for projects in MS. But his nation would want to sign as a concurring party. He said the easiest thing for him and us would be to send him via email a signatory sheet; he would print it out, get a signature, and return it. He can usually get a signature from his chairman within a day or two. He said doing it this way, with a single sheet for each signatory, is easier and most tribes prefer it, because otherwise there are multiple sheets to keep track of.

Polly mentioned that Kimberly had asked for language clarifying the consultation with federally recognized tribes versus interactions with state recognized tribes. Terry said he didn't think he had seen a PA with state tribes listed. He would like Polly to send the proposed revised language when she sends the signatory sheet.

October 2, 2006

Call from Lanor Cutrole (United Houma Nation) to Polly Quick (ICF International).

Lanor has received the emailed Chacahoula information and the copy of Chapter 9 of the DEIS that Polly sent last week. She has been unable to find a record that the DEIS ever arrived at United Houma Nation. She would like to have it available in case a Cultural Committee person asks to see it.

Polly said that she would ask for a copy to be sent to Lanor.

Telephone conversation record.

October 4, 2006

Polly Quick (ICF International) spoke with Lelain Wait of the Comanche Museum, Comanche Nation, Oklahoma. Ms. Wait had reviewed language of the Programmatic Agreement for Texas that Polly had emailed on September 25; Ms. Wait had also found the hard copy that had been mailed previously. Ms. Wait said she spoke with the chairman, who said that the tribe does not wish to sign. Ms. Wait said she had responded in a letter that just went out to the person identified in the package.

Telephone Conversation Record

October 5, 2006

Polly Quick (ICF International) returned a call from Berl Battise of Alabama-Coushatta Tribe of Texas (936-563-1282). Berl said that the tribe would sign both the TX and LA Programmatic Agreements as soon as possible. Polly said they should not use the sheets sent with the draft, as we will be using a single sheet for each tribe. Berl asked that the sheets be sent by Fedex to the 571 State Park Road 56 address for arrival tomorrow, as she will be out most of next week. They will be signed by Joann Battise, Chairman, Tribal Council, Alabama-Coushatta Tribe of Texas.

Telephone Conversation Record

October 5, 2006

Polly Quick (ICF International) spoke with Ken Carleton (historic preservation, MS Band of Choctaw; 601-650-1501 ext. 7316). He has not yet reviewed the PAs, will try to do so tomorrow morning. Polly mentioned the proposed language change in response to Chitimacha. Mr. Carleton says the state tribes should not be in the PA unless there are other groups such as historical societies that have been invited to participate in the same way. Polly asked that he review the language, suggest changes, and indicate whether the tribe wishes to be a signatory or concurring party. Mr. Carleton indicated he is leaving the office at noon, will try to call Polly before he leaves.

From: Kim Walden [kim@chitimacha.gov]
Sent: Friday, October 06, 2006 9:31 AM

To: Quick, Polly

Cc: Beryl Battise; TerryCole; Christine M.Norris; Duke Rivet (E-mail); Earl Barbry, Jr.; Carrie V. Wilson; Robert Collins; ValerieHauser; Don Klima; Carleton, Ken; Leland Thompson

Subject: RE: draft PAs for Strategic Petroleum Reserve Expansion sent to MS Choctaw Polly,

I will get additional suggested changes to you early next week. Overall the document needs to include tribes wherever SHPO/THPO are mentioned (since the majority of the Tribes listed do not have THPO status).

We will more than likely sign as signatory rather than concurring since it looks like half of the sites are within our aboriginal homelands, but I will need to check with the Council to confirm this. If approved, our Chairman, Alton D. LeBlanc, Jr. will sign the agreement.

Kim

Kimberly S. Walden, M.Ed.
Cultural Director
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, LA 70523
(337) 923-9923 or 4395
(337) 923-6848 fax
kswalden@chitimacha.gov

-----Original Message-----

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Friday, October 06, 2006 10:45 AM

To: Kim Walden

Cc: Beryl Battise; TerryCole; Christine M.Norris; Duke Rivet (E-mail); Earl Barbry, Jr.; Carrie V. Wilson; Robert Collins; ValerieHauser; Don Klima; Carleton, Ken

Subject: RE: draft PAs for Strategic Petroleum Reserve Expansion sent to MS Choctaw

Thanks, Kim. Do you have any other changes to suggest? And, same questions for you: will the tribe be signing, as signatory or concurring party, and can you give me the exact name and title to put on the signatory sheet? I'd love to get these all sent out next week. Polly

Polly Quick
+1 415 677-7115
Internal ICF system: 47115
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+1 510 703-7396 cell
pquick@icfi.com

From: Kim Walden [mailto:kim@chitimacha.gov]

Sent: Friday, October 06, 2006 8:33 AM

To: Quick, Polly

Cc: Beryl Battise; TerryCole; Christine M.Norris; Duke Rivet (E-mail); Earl Barbry, Jr.;

Carrie V. Wilson; Robert Collins; ValerieHauser; Don Klima; Carleton, Ken
Subject: RE: draft PAs for Strategic Petroleum Reserve Expansion sent to MS Choctaw

Polly,
I agree with Ken. Please make the change as suggested.
Kim

Kimberly S. Walden, M.Ed.
Cultural Director
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, LA 70523
(337) 923-9923 or 4395
(337) 923-6848 fax
kswalden@chitimacha.gov

-----Original Message-----

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Friday, October 06, 2006 10:27 AM

To: Carleton, Ken

Cc: Beryl Battise; Kim Walden; TerryCole; Christine M.Norris; Duke Rivet (E-mail); Earl Barbry, Jr.; Carrie V. Wilson; Robert Collins; ValerieHauser; Don Klima

Subject: RE: draft PAs for Strategic Petroleum Reserve Expansion sent to MS Choctaw

Thanks, Ken. I have reviewed your changes and don't see any reason not to make them. I hope to get confirmation from Ms. Norris, Ms. Wilson, and Ms. Walden today that they have no other suggested changes. Since the language in all of the clauses that you changed is exactly the same in the MS draft PA, I will presume to make those changes as well.

Will the MS Choctaw tribe wish to sign both PAs and, if so, who would be signing? I would like to send signatory sheets out next week if possible.

I will try to reach you by phone today to confirm your receipt of this message before you travel. Polly

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+1 415 677-7177 fax
+1 510 703-7396 cell
pquick@icfi.com

From: Carleton, Ken [KCarleton@choctaw.org]
Sent: Friday, October 06, 2006 11:16 AM
To: Quick, Polly
Cc: Beryl Battise; Kim S.Walden; TerryCole; Christine M.Norris; Duke Rivet (E-mail); Earl Barbry, Jr.; Carrie V.Wilson; Robert Collins; ValerieHauser; Don Klima
Subject: RE: draft PAs for Strategic Petroleum Reserve Expansion sent to MS Choctaw
Attachments: DOE SPR LA PA 7_15_06 - with MS Choctaw comments.doc

Polly,
 Attached find my initial comments on the Louisiana draft PA for the Strategic Petroleum Reserve Expansion. These were done quickly and probably do not include everything that I think needs to be changed, but they should include the major points.

To address the issue of state-recognized groups which you specifically posed, I think that entire whereas should be struck. You are treating them as Tribes by specifically including them when you do not include any other groups (e.g. historical societies, cemetery associations, church groups, other descendant organizations, etc.) in the whereases to this PA or invite them to be concurring parties. Under federal law, they are NOT Tribes; they have no other standing than, for instance, a garden club and should be treated as such.

I have not had time to review the Mississippi PA, but I image my comments on it will be much the same as on the Louisiana PA. I will try to get you specific comments in the next couple of weeks, however I will be on travel much of that time so it may take longer.

Ken

Kenneth H. Carleton
Tribal Historic Preservation Officer/Archaeologist
Mississippi Band of Choctaw Indians

P.O. Box 6257 or 101 Industrial Road
 Choctaw, MS 39350
 601.650.7316
 FAX: 601.650.7454

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Monday, October 02, 2006 11:59 AM
To: Carleton, Ken
Subject: draft PAs for Strategic Petroleum Reserve Expansion sent to MS Choctaw

Hi Ken, here are the cover letter and the PAs that were sent to Philip Martin. Also, below, changes to the draft text that I am proposing, based on comments by Kimberly Walden from Chitimacha.

WHEREAS, DOE has entered into government-to-government consultations with the Alabama-Coushatta Tribes of Texas; Chitimacha Tribe of Louisiana; Choctaw Nation of Oklahoma; Coushatta Tribe of Louisiana; Jena Band of Choctaw Indians; Mississippi Band of Choctaw Indians; Quapaw Tribe of Indians, Oklahoma; and Tunica-Biloxi Indian Tribe of Louisiana; Federally recognized Indian tribes that may attach religious or cultural importance to historic properties potentially affected by the undertaking; and these tribes have been invited to consult on the development and implementation of this Programmatic Agreement (PA); and

WHEREAS, DOE has also ~~contacted~~^{with} contacted the United Houma Nation, Biloxi-Chitimacha Confederation of Muskogees, and Point au Chien Tribe, which are recognized by the State of Louisiana as Indian

10/9/2006

tribes, and they have been invited to concur in this PA; and
 I will send the DEIS cultural resources section in a separate email. If you want larger scale maps, let me know -- they can run a few megs each...

Polly McW. Quick, Ph.D.
 Principal
 ICF International
 394 Pacific, 2nd Floor **NEW ADDRESS!**
 San Francisco, CA 94111-1715
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 +1 415 677-7177 fax
 +1 510 703-7396 cell
pquick@icfi.com

10/9/2006

From: Leland Thompson [L.Thompson@CoushattaTribeLA.org]
Sent: Monday, October 09, 2006 3:26 PM
To: Quick, Polly
Subject: RE: Thank you. I would like a copy for my records.

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Monday, October 09, 2006 11:48 AM
To: Leland Thompson
Subject: RE:

Thanks, Leland. For your reference I am attaching some comments from MS Choctaw and Chitimacha; we have received a couple from Quapaw also. We will be working to resolve all of these and integrate them and work with SHPO and DOE to get final language soon. If you'd like, we can send a copy of the final Louisiana PA for your information once it is executed. Polly

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+1 415 677-7177 fax
+1 510 703-7396 cell
pquick@icfi.com

From: Leland Thompson [mailto:L.Thompson@CoushattaTribeLA.org]
Sent: Monday, October 09, 2006 9:11 AM
To: Quick, Polly
Subject:

Hi, this is Leland Thompson from the Coushatta Tribe of Louisiana. I have tried to contact a couple of other tribes in this matter with the Department of Energy's expansion of the strategic petroleum reserve. I have not been contacted back. They may be pretty busy with others matters including this one. I would have to say that we have no comments and that we will not decide to sign any agreements. We would like to leave this matter to the other tribes in which this matter resides in their aboriginal lands. Thank you.

K-39

From: Wendy Huntzinger [W.Huntzinger@cwlaw.com]
Sent: Monday, October 09, 2006 12:04 PM
To: Quick, Polly
Subject: RE: for Quapaw - cultural resources section of DEIS

Attachments: DOE PA Mississippi (Revised) redlined 10-5-2006.doc; DOE PA Louisiana (Revised) redlined 10-5-2006.doc
Polly.

Please find attached redlined versions of the Louisiana and Mississippi Programmatic Agreements which contain revisions and additions suggested by the Quapaw Tribe of Oklahoma. The Tribe would like to be a signatory to the PAs. Be aware that a tribal resolution is necessary for the Tribe to be a signatory to the PAs and that the Tribe's monthly Business Committee meeting will be this Saturday, October 14. The next scheduled meeting will be in mid-November.

Please let me know if you have any questions.

Thank you.

Wendy A. Huntzinger
Paralegal
Conner & Winters, L.L.P.
One Williams Center
Tulsa, Oklahoma 74172
(918) 586-8953

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Thursday, October 05, 2006 11:02 AM
To: Wendy Huntzinger
Subject: for Quapaw - cultural resources section of DEIS

Hi Wendy, here is the section (recall that Clovelly has been eliminated and will not appear in the final EIS), plus a suggested language change for the PA to respond to concerns of Chitimacha:

WHEREAS, DOE has entered into government-to-government consultations with the Alabama-Coushatta Tribes of Texas; Chitimacha Tribe of Louisiana; Choctaw Nation of Oklahoma; Coushatta Tribe of Louisiana; Jena Band of Choctaw Indians; Mississippi Band of Choctaw Indians; Quapaw Tribe of Indians, Oklahoma; and Tunica-Biloxi Indian Tribe of Louisiana; Federally recognized Indian tribes that may attach religious or cultural importance to historic properties potentially affected by the undertaking; and these tribes have been invited to consult on the development and implementation of this Programmatic Agreement (PA); and

WHEREAS, DOE has also ~~consulted with~~ contacted the United Houma Nation, Biloxi-Chitimacha Confederation of Muskogees, and Point au Chien Tribe, which are recognized by the State of Louisiana as Indian tribes, and they have been invited to concur in this PA; and

Let me know if you have questions or need any additional materials. I appreciate the call back. I will give you a few days and perhaps check in on Monday to see what the tribe is thinking.

Polly
Polly McW. Quick, Ph.D.
Principal
ICF International
394 Pacific, 2nd Floor **NEW ADDRESS!**
San Francisco, CA 94111-1715

From: Gingy Nail [Gingy.Nail@chickasaw.net]
Sent: Wednesday, October 11, 2006 2:36 PM
To: Quick, Polly
Subject: RE: Mississippi PA for Strategic Petroleum Reserve - revisions
 HI Polly,

Please excuse the delay in responding, but the Chickasaw Nation will be a concurring party to the PA.

Gingy Nail
Historic Preservation Officer
Cultural Resources Department
the Chickasaw Nation
P.O. Box 1548
Ada, Oklahoma 74821
(580) 332-8685 Fax (580) 332-2631
email: gingy.nail@chickasaw.net

-----Original Message-----

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Wednesday, October 11, 2006 3:20 PM
To: Carleton, Ken
Subject: Mississippi PA for Strategic Petroleum Reserve - revisions

Ken,

Here is a revised draft PA for Mississippi, in which I tried to incorporate your suggestions from the Mississippi Band of Choctaw Indians on the Louisiana PA as well as suggestions from the Quapaw Tribe of Indians, Oklahoma. I am copying the tribal representatives with Mississippi ties that you cc'ed on your transmittal, plus Wendy Huntzinger, who is the contact for the Quapaw for this issue. I did not include Carrie Wilson, as I do not know what tribe she represents. I am also including Tom McCulloch at ACHP, who has been our contact on these PAs.

Please note that the list of signatories and concurring parties is incomplete, as I am waiting to hear back from some tribes about whether they wish to sign and, if so, whether as full signatories or concurring parties. Of those copied here, Tunica-Biloxi has indicated that they will not be signing. Choctaw Nation of Oklahoma will sign as a concurring party, and Quapaw and Mississippi Choctaw will sign as full signatories. I have been unable to reach Jena directly, though the office has confirmed that they received copies of the PA and letter. I have been unable to reach Chickasaw directly since I sent the materials by email at their request.

Please let me know if there are other changes; I would like to finalize this and circulate signatory sheets as soon as possible.

Polly

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 +1 510 703-7396 cell
 pquick@icfi.com

NEW ADDRESS!

From: Quick, Polly
Sent: Wednesday, October 11, 2006 4:20 PM
To: Carleton, Ken
Cc: TerryCole; Christine M.Norris; Wendy Huntzinger; Earl Barbry, Jr.; gingy.nail@chickasaw.net; Tom McCulloch
Subject: Mississippi PA for Strategic Petroleum Reserve - revisions

Attachments: DOE SPR MS PA 10_11_06_draft.doc
 Ken,

Here is a revised draft PA for Mississippi, in which I tried to incorporate your suggestions from the Mississippi Band of Choctaw Indians on the Louisiana PA as well as suggestions from the Quapaw Tribe of Indians, Oklahoma. I am copying the tribal representatives with Mississippi ties that you cc'ed on your transmittal, plus Wendy Huntzinger, who is the contact for the Quapaw for this issue. I did not include Carrie Wilson, as I do not know what tribe she represents. I am also including Tom McCulloch at ACHP, who has been our contact on these PAs.

Please note that the list of signatories and concurring parties is incomplete, as I am waiting to hear back from some tribes about whether they wish to sign and, if so, whether as full signatories or concurring parties. Of those copied here, Tunica-Biloxi has indicated that they will not be signing. Choctaw Nation of Oklahoma will sign as a concurring party, and Quapaw and Mississippi Choctaw will sign as full signatories. I have been unable to reach Jena directly, though the office has confirmed that they received copies of the PA and letter. I have been unable to reach Chickasaw directly since I sent the materials by email at their request.

Please let me know if there are other changes; I would like to finalize this and circulate signatory sheets as soon as possible.

Polly

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NEW ADDRESS!

From: Carleton, Ken [KCarleton@choctaw.org]
Sent: Friday, October 13, 2006 10:42 AM
To: Quick, Polly
Subject: RE: Mississippi PA for Strategic Petroleum Reserve - revisions

Hi Polly,
The changes look good to be on both documents. [The signature line for us should be: Phillip Martin, Chief](#)
Ken

Kenneth H. Carleton
Tribal Historic Preservation Officer/Archaeologist
Mississippi Band of Choctaw Indians

P.O. Box 6257 or 101 Industrial Road
Choctaw, MS 39350
601.650.7316
FAX: 601.650.7454

From: Quick, Polly [mailto:PQuick@icfi.com]
Sent: Wednesday, October 11, 2006 3:20 PM
To: Carleton, Ken
Cc: Terry Cole; Christine M. Norris; Wendy Huntzinger; Earl Barbry, Jr.; gingy.nail@chickasaw.net; Tom McCulloch
Subject: Mississippi PA for Strategic Petroleum Reserve - revisions

Ken,

Here is a revised draft PA for Mississippi, in which I tried to incorporate your suggestions from the Mississippi Band of Choctaw Indians on the Louisiana PA as well as suggestions from the Quapaw Tribe of Indians, Oklahoma. I am copying the tribal representatives with Mississippi ties that you cc'ed on your transmittal, plus Wendy Huntzinger, who is the contact for the Quapaw for this issue. I did not include Carrie Wilson, as I do not know what tribe she represents. I am also including Tom McCulloch at ACHP, who has been our contact on these PAs.

Please note that the list of signatories and concurring parties is incomplete, as I am waiting to hear back from some tribes about whether they wish to sign and, if so, whether as full signatories or concurring parties. Of those copied here, Tunica-Biloxi has indicated that they will not be signing. Choctaw Nation of Oklahoma will sign as a concurring party, and Quapaw and Mississippi Choctaw will sign as full signatories. I have been unable to reach Jena directly, though the office has confirmed that they received copies of the PA and letter. I have been unable to reach Chickasaw directly since I sent the materials by email at their request.

Please let me know if there are other changes; I would like to finalize this and circulate signatory sheets as soon as possible.

Polly

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pquick@icfi.com

K41

Quapaw Tribe

From: Wendy Huntzinger [W.Huntzinger@cwlaw.com]
Sent: Friday, October 13, 2006 11:16 AM
To: Quick, Polly
Cc: Moore, Frances
Subject: Quapaw Tribe

Polly –

I've just learned that the Quapaw Business Committee meeting will be next Saturday, October 21st not tomorrow. Please give me a quick call on Monday so I can go over a few additional comments from the Tribe on the PAs.

The following is the information for the signature page:

Quapaw Tribe of Oklahoma (O-Gah-Pah)
Honorable John L. Berrey, Chairman, Tribal Business Committee

Thank you,

Wendy A. Huntzinger

Paralegal

Conner & Winters, L.L.P

One Williams Center

Tulsa, Oklahoma 74172

(918) 586-8953

THIS MESSAGE AND ANY ATTACHMENTS MAY CONTAIN INFORMATION THAT IS HIGHLY CONFIDENTIAL, PRIVILEGED, ANY RECIPIENT OTHER THAN THE INTENDED RECIPIENT IS ADVISED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING, OR OTHER USE OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY.

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UNITED HOUMA NATION

20986 Hwy. 1
GOLDEN MEADOW, LA 70357
(985)475-6640
FAX (985)475-7109
BRENDA DARDAR ROBICHAUX, PRINCIPAL CHIEF

October 16, 2006

Donald Silawsky, Document Manager
Office of Petroleum Reserves (FE-47)
US Department of Energy
1000 Independence Avenue SW
Washington, DC 20585-0301

**RE: Proposed Expansion of the Strategic Petroleum Reserve
(Bayou Choctaw, West Hackberry, and Chacahoula, Louisiana); and
Bruinsburg, Mississippi)**

Dear Mr. Silawsky:

Thank you for contacting our Tribe about the proposed project. Our Tribe is particularly concerned with the Chacahoula site as it is located within our tribal service area. We have been in contact in the last few weeks with Dr. Polly Quick with ICF International and have verbally expressed our concern of the potential cultural impacts at this proposed site.

There are numerous tribal mounds located throughout the interwoven bayous and canals in Lafourche and Terrebonne parishes, which is where the Chacahoula site is proposed. These mounds very in age from pre-European contact to more modern tribal settlements and were used for various purposes including burial. Many of these sites are unknown due to their age and distance from current settlements; however, the UHN is concerned when any tribal mounds within our service area is at risk of invasion or destruction. In addition, with the affects of coastal erosion and land subsidence within our communities, we are concerned that many of these sites may now be underwater making them a further risk, as they are not necessarily visible.

Consequently, by order of the UHN Tribal Council, I am formally requesting that the United Houma Nation be a concurring party to this project with a specific interest in the Chacahoula site. Thank you for the opportunity to comment and express our concerns. If you need to contact me, please contact the office above or at (985)637-3826.

Sincerely,

Brenda Dardar Robichaux
Brenda Dardar Robichaux
Principal Chief

cc: UHN Tribal Council
Polly Quick, PhD

WWW.UNITEDHOUMANATION.ORG

From: chief@jenachocataw.org
Sent: Monday, October 16, 2006 11:37 AM
To: Quick, Polly
Subject: Re: Louisiana PA for Strategic Petroleum Reserve - revisions

Importance: High
Polly,
I concur with Chitimachi and Mississippi Choctaw's comments. I will sign as a signatory tribe.
Christine M. Norris
Jena Band of Choctaw Indians
Tribal Chief

----- Original Message -----
From: Quick, Polly
To: Carleton, Ken
Cc: kim@chitimacha.gov ; Beryl Battise ; Terry Cole ; Christine M. Norris ; Wendy Huntzinger ; Leland Thompson ; Earl Babry, Jr. ; Carrie V Wilson ; Tom McCulloch
Sent: Wednesday, October 11, 2006 2:07 PM
Subject: Louisiana PA for Strategic Petroleum Reserve - revisions

Ken,
Here is a revised draft PA for Louisiana, in which I tried to incorporate suggestions from the Mississippi Band of Choctaw Indians, Chitimacha Tribe of Louisiana, and Quapaw Tribe of Indians, Oklahoma. I am copying the tribal representatives that you cc'ed on your transmittal, plus Wendy Huntzinger, who is the contact for the Quapaw for this issue. I am also including Tom McCulloch at ACHP, who has been our contact on these PAs.

I have made similar edits to the PAs for Texas and Mississippi, and will send those out in separate emails, as not all of those on this list have interest in those two states.

Please note that the list of signatories and concurring parties is incomplete, as I am waiting to hear back from some tribes about whether they wish to sign and, if so, whether as full signatories or concurring parties. Of those copied here, Tunica-Biloxi and Coushatta have indicated that they will not be signing. Alabama-Coushatta and Choctaw Nation of Oklahoma will sign as concurring parties, and Quapaw and Mississippi Choctaw will sign as full signatories. Chitimacha is checking to determine whether they will sign as full signatory or concurring party, although I show them as a full signatory in this draft. I have been unable to reach Jena directly, though the office has confirmed that they received copies of the PA and letter.

Please let me know if there are other changes; I would like to finalize this and circulate signatory sheets as soon as possible.

Polly
Polly McW. Quick, Ph.D.
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NEW ADDRESS!

Telephone Conversation Record

October 18, 2006

Polly Quick (ICF International) responded to a message left by Kim Walden (337-923-9923), Director, Cultural Department, Chitimacha Tribe of Louisiana. Ms. Walden indicated that she has received approval from the chairman for the tribe to sign, contingent on approval from the council in their meeting tomorrow. Ms. Walden had two requests for modifications of the PA. One, in Clause III.D.1 she was concerned that it appeared that the tribe might not be included on state lands; and she was unsure whether "non-reservation" lands includes private land. She asked Polly to check with the SHPO to see whether they would be involved if private land were involved. And Ms. Walden asked that the sentence regarding state lands be modified with "also" to read as follows: "Should a TCP treatment plan be proposed for State lands, the appropriate SHPO shall also be involved in the development of the plan."

Ms. Walden also requested that a duration for the PA be specified, with provision for periodic review by the signing parties. She said that this allows the tribe to better track its responsibilities on ongoing PAs.

Ms. Walden said she would hope to see proposed final language today, but would not need signatory sheets in advance of tomorrow's meeting, as the meeting will be to give the Chairman authorization to sign, but he can sign later. Ms. Walden indicated that a signatory sheet with just the Chitimacha tribe entry would be fine, with the understanding that the tribe would receive a copy of the final executed PA would include copies of all signatory sheets.



October 19, 2006

Donald Silawsky, Document Manager
Office of Petroleum Reserves (FE-47)
US Department of Energy
1000 Independence Ave SW
Washington, DC 20585-0301

Re: Programmatic Agreement for Proposed Expansion of the Strategic Petroleum Reserve (Big Hill and Stratton Ridge, Texas)

Dear Mr. Silawsky:

Thank you for your letter of September 15th regarding the above referenced programmatic agreement.

After reading the proposed programmatic agreement, I was very impressed with the foresight and detail in preparing this document. I do have one concern with item F. on page 3 of 10. Even though an article does not meet the National Register criteria, it still needs to be handled with care and concern because it could still have some significance and historic value.

We would appreciate receiving any additional information and reports regarding the original project, and to receive any further information in regards to the programmatic agreement. We look forward to your reports as activities proceed.

Sincerely,

Ruth Toahy, NAGPRA Associate

PO Box 908 • Lawton, Oklahoma 73502 • PHONE: (580) 492-3740 • FAX: (580) 492-3745

Telephone Conversation Record

October 23, 2006

Polly Quick (ICF International) spoke with Kim Walden (337 923-9923), Cultural Director, Chitimacha Tribe. Ms. Walden said that the chairman had received authorization from the council to sign the PA. They were pleased to see the emergency discovery provisions regarding work stoppage in the language of the PA. She asked that Polly send hard copy of the agreement and signatory page to her, with return envelope. Polly mentioned that she was waiting to hear from Quapaw whether their council had approved signature. Ms. Walden said she had not recognized the name of the Wendy person who was doing the Quapaw review. When Ms. Walden spoke with Carrie Wilson, who usually does the Quapaw review, CW said that she had not received the documents from the chairman. Ms. Walden explains that this happens, that tribes get bombarded. CW told Ms. Walden that when she looked at the PA (sent by Dr. Quick in a return email to Ken Carleton of MS Choctaw, cc-ing all the people he had copied), CW saw that the project did not involve Quapaw lands and so her inclination would have been not to participate, to leave it to the tribes whose traditional lands might be affected. Ms. Walden said she is sending the final text that she has to CW, at her request.

Telephone Conversation Record

October 24, 2006

Polly Quick (ICF International) spoke with Beryl Battise (936-563-1100) at Alabama-Coushatta Tribe. Polly asked if the tribe was ready to sign the TX and LA programmatic agreements now that consultation with tribes had resulted in language agreeable to them. Beryl said that she is ready to get the signatures once she can track down the tribal chairperson.

From: Jacob Darden [jclarden@chittimacha.gov]
Sent: Tuesday, November 07, 2006 9:06 AM
To: Quick, Polly
Subject: PA Signature
Dear Ms. Quick,

I just wanted to let you know that I Fed EX'd the Chairman's signature. You should be receiving it within the next couple of days. Let me know if you have any questions, please feel free to contact either Kim or I.

Thanks,

Jacob Darden
Cultural Department
Chittimacha Tribe of Louisiana
337.923.9923

S0057

Fadely, Karen

From: Donald Silawsky [silawsky@cfl.rr.com]
Sent: Monday, December 19, 2005 8:18 PM
To: Fadely, Karen
Subject: FW: MMS Comments on the Proposed Expansion of the StrategicPetroleum Reserve

KAREN: SPR EIS comments. Be sure to check this against the e-mail message from Dec. 16 and delete that.

DON SILAWSKY

----- Forwarded Message

From: "Christopher, Joseph" <Joseph.Christopher@mms.gov>
Date: Mon, 19 Dec 2005 10:12:16 -0500
To: silawsky@cfl.rr.com
Subject: MMS Comments on the Proposed Expansion of the Strategic Petroleum Reserve

Dear Mr. Silawsky,

K-46 [On December 16, we inadvertently sent you an email message with comments on this project. Please consider the following to be our official comments.]

The Minerals Management Service (MMS) Gulf of Mexico OCS Region has reviewed the proposal by the U.S. Department of Energy (DOE) for expansion of the Strategic Petroleum Reserve (SPR) and is providing the following scoping comments. The proposed action includes expansion of three existing SPR sites at West Hackberry and Bayou Choctaw in Louisiana, and Big Hill in Texas, and a new site would be selected from Chacahoula and Clovelly in Louisiana, Richton and Bruinsburg in Mississippi, and Stratton Ridge, Texas. The DOE would develop new caverns in salt domes to store additional crude oil. The proposed action also indicates that during the development of new cavern in the salt domes, the displaced brine would either be disposed on-site or carried by a pipeline and discharged through a diffuser in the Gulf of Mexico. The MMS has no objection to this proposed action. However, if DOE decides to allow discharge of brine in the Gulf, we would appreciate an opportunity to evaluate the specifics of this disposal method for potential conflicts with existing oil and gas infrastructure.

If you have any questions regarding our comments, please contact me.

Thanks,

12/20/2005

Joseph A. Christopher
Regional Supervisor
Office of Leasing and Environment
Minerals Management Service
Gulf of Mexico OCS Region
New Orleans, LA 70123
(504) 736-2759

joseph.christopher@mms.gov <mailto:joseph.christopher@mms.gov>

----- End of Forwarded Message

12/20/2005



S0016

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701

October 6, 2005 F/ISER46/RH;jk

225/389-0508

Mr. Donald Silawsky
Office of Petroleum Reserves, (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Dear Mr. Silawsky:

NOAA's National Marine Fisheries Service (NMFS) has reviewed your letters dated September 13, 2005, to our field offices in Baton Rouge, Louisiana, Galveston, Texas and Panama City, Florida related to the proposed expansion of the strategic petroleum reserves (SPR) at West Hackberry and Bayou Choctaw, Louisiana, and Big Hill, Texas. Additionally, one new site would be developed at Clovelly or Chacahoula, Louisiana; Richton, Mississippi, or Stratton Ridge, Texas. The expansion is planned to increase the current capacity of the SPR system from 727 million barrels to 1 billion barrels. Your letters transmitted limited information regarding potential project features, as well as maps identifying the general location of the existing and proposed SPR facilities. You indicated in your letters that the Department of Energy intended to prepare an Environmental Impact Statement (EIS) for this action and that they intended to use the National Environmental Policy Act (NEPA) process to comply with coordination requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Marine Mammal Protection Act.

According to your letters and the information they transmitted, expansion activities would include the creation of oil storage caverns located from 1,000 to 6,000 feet underground, the release of concentrated brine via diffusers in the Gulf of Mexico, construction of surface buildings, and the installation of pipelines to move brine and crude oil from the SPR sites to various distribution points. Some aquatic and tidally influenced wetland habitats potentially impacted by SPR expansion activities are designated as essential fish habitat (EFH) for postlarval, juvenile and subadult life stages of white shrimp, brown shrimp, and red drum; juvenile Spanish mackerel; and juvenile and adult bluefish. Categories of EFH in the project area include estuarine emergent wetlands; mud, sand and shell substrates; submerged aquatic vegetation, and estuarine and marine water column. Detailed information on federally managed fisheries and their EFH is provided in the 1998 generic amendment of the Fishery Management Plans for the Gulf of Mexico prepared by the Gulf of Mexico Fishery Management Council (GMFMC). The generic amendment was prepared as required by the Magnuson-Stevens Act.

To fully address EFH and associated fisheries in the project area, NMFS recommends the EIS include sections titled "Essential Fish Habitat" and "Marine Fishery Resources" that identify fisheries resources of the project area and describe the potential adverse impacts associated with



2

the proposed expansion activities. The recommended EFH section of the document should describe and quantify the potential impacts of the proposed alternatives on EFH sub-categories (e.g., marsh edge, marsh ponds, submerged aquatic vegetation, mud bottoms, tidal creeks, water column, etc.). In addition, this section should describe the potential impacts of the proposed project on the utilization of these sub-categories of EFH by each fishery species and life stage listed above.

In addition to being designated as EFH for the species listed above, waterbodies and wetlands in tidally-influenced portions of the project areas provide nursery and foraging habitats supportive of a variety of economically important marine fishery species, such as striped mullet, Atlantic croaker, gulf menhaden, spotted and sand seatrout, southern flounder, black drum, and blue crab. Some of these species also serve as prey for other fish species managed under the Magnuson-Stevens Act by the GMFMC (e.g., mackerels, snappers, and groupers) and highly migratory species managed by NMFS (e.g., billfishes and sharks). We recommend the EIS fully describe the use of the various project areas by these species and evaluate the potential impacts of project implementation on marine fishery utilization of wetlands and water bottoms at each SPR site and pipeline construction zone.

No information was provided with your memorandum regarding the likely routes of all pipelines that would be used to discharge brine into the Gulf of Mexico or transport crude oil to distribution hubs. The exact alignment of all pipelines and locations of discharge outfalls should be coordinated with NMFS and other natural resource and regulatory agencies to ensure impacts to wetlands and fishery species are avoided and minimized to the maximum extent practicable. In addition, wetland restoration projects constructed under the auspices of the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) are located in the vicinity of the various SPR sites in Louisiana. All expansion activities should be planned to avoid impacting constructed features of any CWPPRA project. For more information on CWPPRA projects that may be adversely impacted by SPR expansion activities, you may want to review the CWPPRA web site at www.lacoast.gov. Any EIS developed for this project should include those alternatives that best avoid and minimize adverse wetland impacts.

The NMFS recommends the EIS include a section titled "Mitigation" that discusses sequential measures to avoid, minimize, and offset impacts to wetlands. Section 1508.20 of the Council on Environmental Quality's regulations implementing NEPA defines mitigation as a sequencing process that should first attempt to avoid and minimize wetland impacts prior to developing compensatory mitigation options. Any compensatory mitigation plan to offset adverse impacts should be developed, in consultation with NMFS, and included in the EIS. The mitigation plan should include monitoring components, success criteria, and an identification of additional steps that might be necessary to ensure mitigation success.

The comments contained in this letter respond only to the portion of your request regarding EFH and the federally managed marine fishery resources for which EFH has been designated in the project area. This letter does not address threatened or endangered marine species or marine mammals, consultations for which are handled by the Protected Resources Division of NMFS'

Southeast Regional Office. The Protected Resources Division can be contacted at the following address and phone number:

David Bernhart
Assistant Regional Administrator
Protected Resource Division
Southeast Regional Office
National Marine Fisheries Service
263 13th Avenue, South
St. Petersburg, Florida 33701
(727) 551-5789

We appreciate your consideration of our comments. If you wish to discuss this project further or have questions concerning our recommendations, please contact Richard Hartman at (225) 389-0508, extension 203.

Sincerely,



Mr. Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc: FWS, Lafayette
EPA, Dallas
LA DWF
LA DNR
F/SER4, Bernhart
F/SER46, Ruebsamen
Files

Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Thursday, December 01, 2005 5:57 PM
To: Fadely, Karen
Subject: FW: Reopening scoping comment period and new site proposal of SPR expansion
Attachments: Mark.Thompson.vcf

Mark.Thompson.vcf
(960 B)

KAREN: Another SPR EIS comment.

DON SILAWSKY

--- Original Message ---

From: Mark Thompson [mailto:Mark.Thompson@noaa.gov]
Sent: Thursday, December 01, 2005 5:41 PM
To: Silawsky, Donald
Cc: Rusty Stafford; Richard Hartman
Subject: Reopening scoping comment period and new site proposal of SPR expansion

Dear Mr. Silawsky,

NOAA, National Marine Fisheries Service (NMFS), Habitat Conservation Division (HCD), has reviewed your letters dated November 21, 2005, to our field offices in Panama City, Galveston, and Baton Rouge regarding the reopening of the scoping comment period for the proposed expansion of the strategic petroleum reserve sites in Mississippi, Louisiana, and Texas. This request also includes a new site at Bruinsburg, Mississippi.

NMFS, HCD, by letter dated October 6, 2005, provided comments on your original request and those comments continue to be applicable to the current proposal. Accordingly, we have no further comments to make at this time.

We appreciate you coordinating with us. If you have any questions, please call me at

Sincerely,

/W. Mark Thompson/

Panama City Office
Habitat Conservation Division



United States Department of the Interior

National Park Service
Gulf Islands National Seashore
1801 Gulf Breeze Parkway
Gulf Breeze, Florida 32563



N16(GUIS-RM)

October 28, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves
1000 Independence Avenue, SW
Washington, DC 20585-0301

RE: Proposed Expansion of the Strategic Petroleum Reserve (Richton, Mississippi)

Dear Mr. Silawsky:

Thank you for the opportunity to review and comment on the Department of Energy (DOE) proposal to expand the Strategic Petroleum Reserve (SPR), specifically the Richton, Mississippi alternative. Our review of the alternatives revealed that potential effects on Gulf Islands National Seashore would result from the Richton expansion site only and would be associated with the construction of the outfall pipeline and brine disposal in the Gulf of Mexico. The brine is a result of solution mining in the salt dome to create SPR storage caverns. Since the other alternative sites are far removed from the park, they appear to pose no park resource protection concerns.

K-49

Gulf Islands National Seashore was authorized by Congress in 1971 (P.L. 91-660, 84 Stat. 1967, 16 U.S.C. 459h) "to preserve for public use and enjoyment certain areas possessing outstanding natural, historic, and recreational values". As part of the coastal barrier island system, the gulf islands are among the last surviving portions of a natural ecological continuum that once extended from Cape Cod to Mexico.

The natural resources of the Seashore are, in and of themselves, highly significant. The water areas are exceptional and, in conjunction with the salt marshes, bayous, and submerged grassbeds, play a crucial role in the economy and ecology of the entire area. Of particular significance, the Mississippi islands are among the most pristine examples of intact coastal barrier ecosystems remaining. The significance of these resources is only amplified by the loss of similar habitats in the adjacent areas through development. Open space, accessible to the public, is at a premium.

In the Richton alternative, it appears the DOE is considering diffused brine disposal approximately thirteen miles offshore. In pursuing this disposal alternative, it appears that DOE would seek to locate the outfall pipeline across Gulf Islands National Seashore to reach waters of the Gulf of Mexico. While the Secretary of Interior has clear authority under the park's enabling statute to consider allowing new rights-of-way or easements for the transport of oil and gas pipelines to cross the park, this authority may not extend to a brine/waste disposal pipeline. The pertinent park enabling provision is as follows:

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IN AMERICA**

Any acquisition of lands, waters, or interests therein shall not diminish any existing rights-of-way or easements which are necessary for the transportation of oil and gas minerals through the seashore which oil and gas minerals are removed from outside the boundaries thereof; and, the Secretary, subject to appropriate regulations for the protection of the natural and recreational values for which the seashore is established, shall permit such additional rights-of-way or easements as he deems necessary and proper. (16 U.S.C. §459h-3; P.L. 91-660 §4)

Further, an examination of 16 U.S.C. §79 regarding rights-of-way for public utilities leads us to conclude that the brine pipeline does not fit under this public utility provision.

If a right-of-way could be issued for the disposal pipeline to cross the park, National Park Service permitting and consent would be necessary. This permitting would be in addition to full analysis under the National Environmental Policy Act and other statutes. Regulations found in 36 CFR Parts 9 and 14 provide standards which must be used in the determination of necessary and proper. Specifically, in order for the Secretary to grant a permit, sufficient justification must be provided to make a reasonable determination that it is necessary for this operation to pass through the boundaries of the Seashore and that the procedures utilized in construction and operation are proper, in that they provide adequate protection to the resources of the area. Most, if not all, of the natural resources and visitor use values for which the park was established have the potential to be impacted by construction of an outfall line and brine disposal in the vicinity of the seashore.

In 1978, Horn and Petit Bois Islands were designated wilderness by Congress in P.L. 95-625 through the establishment of the Gulf Islands Wilderness Area. The islands are managed to maintain their primeval character in accordance with the Wilderness Act of 1964 (P.L. 88-577) whose purpose is to establish an enduring and unimpaired wilderness resource, where nature predominates, for public use and enjoyment.

Wilderness status places significant restraints on possible developments on or near the two islands and requires substantial measures be taken to guarantee an undisturbed, wilderness experience for visitors.

In addition to wilderness values, other barrier island functions and resources must be taken into consideration. These include but are not limited to:

1. Geological processes: littoral drift, inlet formation, and island migration
2. Threatened and endangered species and species of management concern: marine sea turtles, Gulf sturgeon, nesting bald eagles and osprey, shorebirds, and migratory birds
3. Marine environment and fisheries
4. Submerged aquatic vegetation and benthic communities
5. Marine mammals
6. Water quality and clarity
7. Visitor use and recreation
8. Nationally designated historic sites

If further analysis of the Richton alternative becomes necessary, we will provide additional detail information concerning resources which may be impacted by the proposed pipeline and brine disposal.

Sincerely,

Jerry A. Eubanks
Superintendent



United States Department of the Interior

NATIONAL PARK SERVICE

Natchez Trace Parkway
2680 Natchez Trace Parkway
Tupelo, Mississippi 38804

IN REPLY REFER TO
L76 (NATR), L30
X3-R, S, T, U

DEC 09 2005

Mr. Donald Silawsky
U.S. Department of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Ave., S.W.
Washington, DC 20585-0301

Dear Mr. Silawsky:

This is in response to your letter dated November 29, 2005, regarding the proposed expansion of the Strategic Petroleum Reserve. The Department of Energy has determined the proposed pipeline associated with the Bruinsburg candidate site would cross the Natchez Trace Parkway at a location yet to be determined in Claiborne County, Mississippi.

Without a specific crossing location, impacts to Parkway resources and values cannot be determined. However, after a review of the proposal, Parkway staff offers some recommendations that may assist in your scoping efforts. Utility corridors cross the Parkway at numerous points in Claiborne County. Locating the proposed pipeline underground, and within one of these corridors, would minimize ground and vegetative disturbance and the likelihood that archeological resources would be encountered. Moreover, visual impacts to Parkway visitors would be negligible once the site was reseeded back to pre-disturbance conditions. Should the location of the proposed pipeline be in a location not within an existing utility right of way, or within a previously disturbed site, a greater level of impact would be expected. There would also be a greater potential for adverse effect on Parkway resources and values.

The National Park Service appreciates the opportunity to participate in this project of national and regional importance. Should you have any further requests or questions concerning these comments, please feel free to contact Natural Resource Specialist Bill Whitworth at (662) 680-4004, or by electronic mail at bill_whitworth@nps.gov.

Sincerely,

Wendell A. Simpson
Wendell A. Simpson
Superintendent



Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Wednesday, October 12, 2005 11:40 AM
To: Fadely, Karen
Subject: FW: SPR-Richton, MS

KAREN: Please log this into the SPP EIS scoping comment tracking system and send me a short reply that you received this message. I have not gotten any read receipts from the messages I sent to you preVIOUSly.
Thankx.

Hope you enjoyed the trip to Texas.

DON SILAWSKY

-----Original Message-----
From: Kilpatrick, Tom - Jackson, MS [mailto:tom.kilpatrick@ms.usda.gov]
Sent: Tuesday, October 11, 2005 12:07 PM
To: Silawsky, Donald
Subject: SPR-Richton, MS

Dear Mr Silawsky,

I have looked at the proposed SPR project and there will be no prime farmland converted along the pipeline and at Pascagoula. The site at Richton could involve a possible conversion of farmland. A determination may need to be made there. The current ownership of the site will determine if a FPPA determination is necessary. If the site is owned by a government entity and has been designated for this or a similar purpose, then no FPPA determination will be necessary. This would speed up the entire process and would only require a letter from our State Soil Scientist. If not then the proper forms will need to be completed by DOE and our agency.

Please advise me on this and we will take the necessary actions here.

If you wish, you may contact me at (601)965-5209 ext 245.

Thanks

Tom Kilpatrick

United States Department of Agriculture

NRCS

Natural Resources Conservation Service
3737 Government Street Alexandria, LA
71302

November 16, 2005

Mr. Donald Silawsky Office of
Petroleum Reserves, (FE-47) 1000
Independence Avenue, S.W.
Washington, DC 20585-0301

Dear Mr. Silawsky:

**PROPOSED EXPANSION OF THE STRATEGIC PETROLEUM RESERVE
CLOVELLY, CHACAHOULA, WEST HACKBERRY, AND BAYOU CHOCTAW
CAMERON, CALCASIEU, IBERVILLE, & LAFOURCHE PARISHES**

Thank you for providing our agency with the opportunity to respond to your letter regarding the above project.

NRCS has no objection to this project and it does not appear that it will affect any of our work in the immediate vicinity.

Should you have questions regarding the above comments, please feel free to contact Jerry Hall District Conservationist in our Addis Field Office, at (225) 687-2184, Mike Truselair, District Conservationist in our Thibodaux Field Office, at (985) 447-3871, or Charles Starkovich, District Conservationist in our Lake Charles Field Office, at (337) 436-5020.

E.J. Giering III, P.E.
State Conservation Engineer

cc: Jerry Hall, District Conservationist, Addis Field Office
Mike Truselair, District Conservationist, Thibodaux Field Office Charles
Starkovich, District Conservationist, Lake Charles Field Office

UNITED STATES DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service
200 W. 132nd Federal Building
200 W. 132nd Street
Jackson, MS 39269
COM (601)965-5205 FAX (601) 965-4940

November 7, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves, (FE-47)
Department of Energy 1000
Independence Avenue, S.W., Washington,
DC 20585-0301

Dear Mr. Silawsky:

Thank you for the opportunity to review and comment on the proposed expansion of the Strategic Petroleum Reserve at Richton, Perry County, Mississippi. The Natural Resources Conservation Service (NRCS) is responsible for insuring compliance with the Farmland Protection Policy Act.

In accordance with the Farmland Protection Policy Act (FPPA) of 1981, federal programs that contribute to the necessary and irreversible conversion of farmland to nonagricultural uses will be minimized. It follows that federal programs shall be administered in a manner that, as practicable, will be compatible with state and local government and private programs and policies to protect farmland.

Based on the limited data provided, NRCS was unable to determine if the Richton, Mississippi storage site and associated pipelines to the Gulf of Mexico would impact prime farmland. In order to properly evaluate the impacts of the proposed project on prime farmland, a "Farmland Conversion Impact Rating for Corridor Type Projects", Form No. NRCS-CPA--106 should be completed

Please contact Mr. Wesley Kerr, Area Conservationist, Hattiesburg, MS by phone at (601) 296-1173 or email (Wesley.Kerr@nrcs.usda.gov) for assistance in preparing Form No. NRCS-CPA-106. Mr. Kerr's area encompasses the 24 most southern counties within the state of Mississippi.

If you have any questions or need additional assistance, please let me know.

Sincerely,

Homer L. Wilkes State
Conservationist

cc: Kim Harris, State Conservation Engineer, NRCS, Jackson, MS
Wesley Ken, Area Conservationist, NRCS, Hattiesburg, MS



Natural Resources Conservation Service
 Suite 121, Federal Building
 100 West Capitol Street
 Jackson, MS 39209
 COM: (601) 965-5205 FAX: (601) 965-4940

December 13, 2005

Mr. Donald Silawsky
 Office of Petroleum Reserves, (FE-47)
 Department of Energy
 1000 Independence Avenue, S.W.
 Washington, DC 20585-0301

Dear Mr. Silawsky:

Thank you for the opportunity to review and comment on the proposed expansion of the Strategic Petroleum Reserve at Richton, Perry County, Mississippi and the Bruinsburg Salt Dome in Claiborne County, Mississippi. The Natural Resources Conservation Service (NRCS) is responsible for insuring compliance with the Farmland Protection Policy Act.

In accordance with the Farmland Protection Policy Act (FPPA) of 1981, federal programs that contribute to the necessary and irreversible conversion of farmland to nonagricultural uses will be minimized. It follows that federal programs shall be administered in a manner that, as practicable, will be compatible with state and local government and private programs and policies to protect farmland.

As stated in my November 7, 2005 letter to you concerning the proposed project, NRCS was unable to determine if the project would impact prime farmland based on the limited data provided. In order to properly evaluate the impacts of the proposed project on prime farmland, a "Farmland Conversion Impact Rating for Corridor Type Projects", Form No. NRCS-CPA-106 should be completed.

Please contact Mr. Wesley Kerr, Area Conservationist, Hattiesburg, MS by phone at (601) 296-1173 or email (Wesley.Kerr@nrcs.usda.gov) and Mr. Maurice Manning, Area Conservationist, Pearl, MS by phone at (601) 965-4559, Extension 235 or email (Maurice.Manning@nrcs.usda.gov) for assistance in preparing Form No. NRCS-CPA-106. Mr. Kerr's area encompasses the 24 most southern counties within the state of Mississippi which includes Perry County. Mr. Manning's area encompasses the 21 central counties within the state of Mississippi which includes Claiborne County.

If you have any questions or need additional assistance, please let me know.

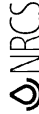
Sincerely,

Wesley Kerr
 Area Conservationist

Homar L. Wilkes
 State Conservationist

cc: Kim Harris, State Conservation Engineer, NRCS, Jackson, MS
 Wesley Kerr, Area Conservationist, NRCS, Hattiesburg, MS

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Natural Resources Conservation Service
 3737 Government Street
 Alexandria, LA 71302

December 16, 2005

Mr. Donald Silawsky
 Office of Petroleum Reserves (FE-47)
 1000 Independence Avenue, S.W.
 Washington, DC 20585-0301

RE: Proposed Expansion of the Strategic Petroleum Reserve-Reopening Scoping
 Comment Period and New Site Proposal

Dear Mr. Silawsky:

As per your request, my office has reviewed the soils information for the project areas in Louisiana concerning prime farmlands. We have also addressed hydric soils as they may pertain to wetland issues. The results are as follows:

The new proposed Chacahoula site is in Lafourche parish. The enclosed soil survey indicates the soils at this site to be the BB--Barbary-Fausse association. This map unit is not prime farmland. The soils are hydric and wetlands may be present if there is a prevalence of hydrophytic vegetation and wetland hydrology. Deposition of fill material in wetland areas is subject to Section 404 of the Clean Water Act. You should contact the U.S. Army Corps of Engineers concerning wetland matters. The new crude oil pipeline from the Chacahoula site to Clovelly was also reviewed. This 50-mile pipeline crosses several prime farmland and hydric soils. See the nine enclosed interpretative farmland classification soils maps and nine hydric classification soil maps for location of soils affected. The brine disposal pipeline to the Gulf of Mexico and the oil distribution pipeline to the St. James terminal were not evaluated due to the imagery indicating existing pipelines. If existing pipeline right-of-ways are used, then no additional land use changes or prime farmlands should be affected.

The new proposed Clovelly site is also in Lafourche parish. The enclosed soil survey indicates the soils at this site to be the LA--Lafitte-Clovelly Association. This map unit is also not prime farmland. They are hydric and wetland issues may have to be addressed through the Corps.

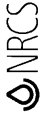
The proposed expansion of the existing West Hackberry site is in Cameron parish. The enclosed soil survey indicates the soils at this site to be the Cw--Crowley-Vidrine silt loams (prime farmland), Mt--Mowata-Vidrine silt loams (prime farmland), GC--Gentilly muck (not prime farmland), and CO--Clovelly muck (not prime farmland). The Mt, GC, and CO map units are hydric and may be subject to wetland issues.

The proposed expansion of the existing Bayou Choctaw site is in Iberville parish. The enclosed soil survey indicates the soils at this site to be the Sg--Sharkey clay (prime farmland), Tu--Tunica clay (prime farmland), and Se--Schriever clay, frequently flooded (not prime farmland). The Sg and Se map units are hydric and may be subject to wetland issues. The Tu map unit is not hydric.

If these proposed projects are approved and federal funding is involved with the construction,

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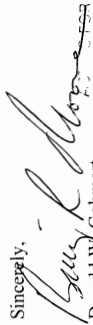


Natural Resources Conservation Service
Pearl Area Office
311 Airport Road
Pearl, MS 39208

then the enclosed forms AD-1006 (Farmland Conversion Impact Rating) and NRCS-CPA-106 (Farmland Conversion Impact Rating for Corridor Type Projects) will have to be completed. Part 1 and 3 are done by the federal agency making the request, and part 2, 4, and 5 are done by NRCS.

If additional information is needed, please contact Charles Guillory, Assistant State Soil Scientist, at 318-473-7789 or charles.guillory@ia.usda.gov.

Sincerely,


Donald W. Gohmert
State Conservationist

Cc: Jerry J. Daigle, State Soil Scientist
Charles M. Guillory, Assistant State Soil Scientist

Enclosures

16 March 2006

Ms. Emily Smail
ICF Consulting
9300 Lee Highway
Fairfax, VA 22031

Ms. Smail:

Please find attached an AD-1006 and a NRCS-CPA-106. It should be noted that on both forms the no prime, unique or statewide important farmland block has been checked. There are reasons for this.

With regard to the NRCS-CPA-106, the decision was made by our State and Area Soils Staff that once the pipe was laid and recovered the land had not actually been converted.

With regard to storage site near Bruinsburg (AD-1006), land to be converted is not considered prime or unique due to frequent flooding. There are however, other concerns at this site. An interview was conducted with the operator of this tract where I learned a pump and water line are to be installed to move water from either the Mississippi River or Bayou Pierre. An Army COE 404 permit will be required for this. There are at least two wetland areas that will be impacted; this too will require an Army COE 404 permit. There may also be an archeological site adjacent to Bayou Pierre.

Should you require further information or assistance, I may be contacted by phone at 601-965-4559 ext. 239.



Rex H. Chandler
Area Resource Soil Scientist, Pearl Area Office

cc: Mike Lilly, Acting Area Conservationist, Pearl A.O.
Tom Kilpatrick, Soil Scientist, Jackson S.O.
file

United States Department of Agriculture



Natural Resources Conservation Service
101 South Main Street
Temple, TX 76701-7602

March 27, 2006

ICF Consulting
7300 Lee Highway
Fairfax, VA 22031-1207

Attention: Emily Smail, Research Assistant

Subject: LNU-Farmland Protection-
Expansion of Strategic Petroleum Reserve
Brazoria and Jefferson Counties, Texas

We have reviewed the information provided concerning the proposed expansion of the Strategic Petroleum Reserve Texas City Tank Farm at Texas City in Galveston County, Texas as outlined in your letter of March 23, 2006. This is part of NEPA evaluation for the U. S. Department of Energy. We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The proposed project does contain soils classified as Important Farmland and is subject to the FPPA. We have developed a composite rating for the soils at the SPR Texas City Tank Farm Site and completed the AD-1006 form. The total points in Part VII are 63 for the Stratton Ridge Texas City Tank Farm Site. The FPPA law states that sites that score less than 160 will need no further consideration. The Rating is low because most of the area around the site is already converted and most of the soils are not classified as Important Farmland soils. We know of no other environmental concerns.

I have attached the completed AD-1006 (Farmland Conversion Impact Rating) form for this project indicating the approval status. Thanks for the resource materials you submitted to evaluate this project. If you have any questions please call James Greenwade at (254)-742-9960, Fax (254)-742-9859.

Thanks,

James M. Greenwade
James M. Greenwade

Soil Scientist
Soil Survey Section
USDA-NRCS, Temple, Texas

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S0056

December 16, 2005

Mr. Donald Silawsky:

Please find attached comments from the Corps of Engineers, Regulatory Branch, New Orleans District in response to the scoping period for the proposed expansion of the Strategic Petroleum Reserve. For further information and/or clarification of comments please feel free to contact Ronnie W. Duke at (504) 862-2261 or Martin Mayer at (504) 862-2276. Thanks for giving us the opportunity to participate in the scoping process,

Scoping Period Comments: Proposed SPR New/Expansion Sites

Proposed New Sites Chacahoula

Facility encompasses approximately 285 acres of semi-permanently flooded bald **cypress**-tupelo gum freshwater swamp in Lafourche Parish, Louisiana. Essential infrastructure includes approx. 139 miles of new pipeline.

Issues:

- Direct, secondary, cumulative impacts, short- and long-term, to high quality forested wetlands that provide vital wildlife habitat, fisheries support, floodwater storage, tidal buffer, recreation, aesthetics and water quality maintenance;
- Environmental threat from accidental brine/petroleum discharges into highly sensitive wetland areas necessitates contingency plans;
- High potential for ESA and/or cultural resource issues;
- Highly complex permitting involvement for proposed project and support facilities, with particularity to the practicability of less environmentally damaging alternative locations, pipeline alignments and facility designs;
- Extensive compensatory mitigation anticipated to offset impacts to high value wetland resources due to acreage affected and high environmental quality at the project site and proposed pipeline corridors;
- Impacts to essential transportation infrastructure (US Hwy 90, Hwy 2 0 and railroads) from proposed pipeline facilities;
- Support infrastructure may encroach on existing and planned hurricane protection and coastal restoration activities;
- Maritime impacts on navigation channels (GIWW, Bayou Lafourche, etc.).

Proposed New Sites Clovelly

Project proposes collocation at the present Louisiana Offshore Oil Port (LOOP) petroleum storage terminal, utilizing existing LOOP infrastructure (i.e., caverns and pipelines) near Galliano, Louisiana, in Lafourche Parish.

Issues:

- Potential direct, secondary, cumulative impacts, short- and long term, to high quality intertidal brackish marsh from activities occurring primarily outside existing LOOP facilities. Resource concerns include wildlife habitat, EFH, tidal buffer, recreation, aesthetics and water quality maintenance;
- Environmental threat from brine/petroleum discharges into sensitive wetland areas necessitates contingency plans;
- Potential for ESA and/or cultural resource issues;
- The availability and practicability of alternatives that avoid and minimize environmental impacts must be addressed, -Compensatory mitigation will be required to offset impacts to important wetland resources at the project site;
- Project/support infrastructure may encroach on existing and activities;
- Proximity of the proposed site to the gulf coast makes it extremely vulnerable to being directly impacted by tropical activities and facilities.

WEST HACKBERRY SPR STORAGE SITE

It appears from the drawings provided that the proposed Hackberry expansion would result in adversely impacting emergent wetlands that serve as habitat for numerous species of fish and wildlife species. Mitigation would be required for impacts to wetland resources.

Black Lake has been identified as an area capable of supporting various Coastal Restoration Projects. The proposed expansion of the Hackberry site into Black Lake could affect implementation of such restoration projects.

A less damaging alternative may be to consider storing the 15 million barrels targeted for Hackberry at another storage facility that could accommodate the 15 million barrels and will have to be constructed anyway in order to achieve additional storage of 273 million barrels,

With implementation of improvements as proposed, could the Hackberry site be capable of storing future reserves in excess of the 15 million barrel target capacity if necessary without further impacts to wetland resources?

Proposed Expansion of the Existing Bayou Choctaw Site

Project proposes expansion of an existing SPR storage facility by on-site infrastructure upgrades at the location near Plaquemine, Louisiana, in Iberville Parish.

Issues:

Potential direct, secondary, cumulative impacts, short- and long-term, to high quality bald cypress-tupelogram swamp associated with activities occurring within the footprint of the existing SPR facility. Resource concerns include fish and wildlife habitat, floodwater storage, recreation, aesthetics and water quality maintenance; Environmental threat from brine/petroleum discharges into highly extremely sensitive wetland areas necessitates

Potential for ESA/cultural resource issues;

The availability and practicability of alternatives that avoid and minimize environmental impacts must be **addressed**; Compensatory mitigation will be required to offset impacts to important wetland resources at the project site; Project/support infrastructure may encroach on existing and planned navigation and flood control projects; Local maritime interests may be affected by construction activities.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
OFFICE CENTER
ATLANTA, GEORGIA 30303-8960

December 22, 2005

Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Monday, January 30, 2006 8:58 AM
To: Fadely, Karen
Subject: FW: Proposed expansion of the SPR-new site proposal

Another straggler.

DCN SILANSKY

-----Original Message-----
From: NValley@48.uscg.mil [mailto:NValley@48.uscg.mil]
Sent: Saturday, January 28, 2006 2:00 PM
To: Silawsky, Donald
Subject: Proposed expansion of the SPR-new site proposal

Mr. Silawsky: I have made available the information about the subject proposal (described in your letter to me dated Nov 21, 2005) to the applicable CG Federal On-Scene Coordinators. There is no comment at this time from the CG about this project although we are available at any time during the project to offer comment in areas that may affect our jurisdiction.

Thank you for allowing me time to comment. Do you need anything in writing more formal than an email?

Nathalie Valley, CDR
Eighth CG District
Chief, Response Branch
(504) 589-3656
Fax: (504) 589-4999

Mr. Donald Silawsky
Office of Petroleum Reserve
Department of Energy
1000 Independence Avenue S.W.
Washington, DC 20585-0031

RE: Proposed Expansion of the Strategic Petroleum Reserve Scoping Comments
Bruinsburg and Richton, Mississippi sites

Dear Mr. Silawsky:

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) Region 4 reviewed the information you provided regarding the proposed Expansion of the Strategic Petroleum Reserve (SPR) regarding the Richton, Mississippi and Bruinsburg Sal. Dome sites. The purpose of this letter is to provide you with our comments

We completed our review of the project information you provided, and also met with your staff and contractors at their request for a briefing regarding the Richton, MS site. We appreciate their efforts to meet with us in our office in Atlanta.

We appreciate the opportunity to comment on the proposed project, and look forward to reviewing the Draft EIS. If you have any questions, please contact Ramona McConney of my staff at (404) 562-9615.

Sincerely,

Heinz Mueller, Chief
NEPA Program Office

cc: EPA Region 6

**EPA Region 4 Scoping Comments
Strategic Petroleum Reserve Expansion
Bruinsburg and Richton, Mississippi sites**

General:

EPA Region 4 appreciates your early coordination and briefing with us regarding this proposed project. The presentation and illustrations you provided were helpful. Due to the new infrastructure that would be required if the Richton or Bruinsburg site were selected as a SPR site, EPA has concerns regarding several aspects of the project. The EIS should fully describe and discuss anticipated environmental impacts, both direct and cumulative. Also, the criteria for site selection should be fully described.

Impacts should be avoided/minimized to the maximum extent feasible. We appreciate that the potential pipeline locations would follow existing corridors. Placement of brine diffusers and pipelines need to avoid/minimize impacts to critical habitats and wetlands. The site selection for the brine diffusers should avoid areas with live bottoms such as hard/soft corals, seagrasses and other significant benthic assemblages. The extent of such areas with limited non-mobile organisms (sessile benthos) should encompass the area below the salinity plume. In contrast, areas with good flushing for the good mixing should be selected. The salinity plume should also be described in terms of its areal extent and salinities (including maximum salinities predicted and comparisons to ambient salinities). The continuous or intermittent nature of the brine discharges should also be documented. The overall timeframe for these discharges should also be discussed, to help assess the magnitude of the increased salinities. The EIS should describe mitigation plans for unavoidable impacts.

Alternatives:

Concerns exist regarding the quantity of surface water withdrawals which would be necessary for the project. The EIS should evaluate potential sources of water for the project, including surface water, groundwater, and other possible sources.

Relative to hurricane influences, the Bruinsburg and Richton sites have the advantage of being further inland than the other considered sites (aggregation of *all* SPR sites along coastal areas has obvious disadvantages). Conversely, Richton has the disadvantage of requiring longer brine and oil pipelines, which could have environmental impacts -- even if collocated -- and be more expensive. The Bruinsburg site would require a long oil distribution pipeline, but the brine disposal pipeline to wells located along the Baton Rouge crude oil pipeline would be shorter.

Identification of a preferred alternative in the DEIS may facilitate review and comment of the DEIS. Also, various environmental permits for this project will be required, and the permitting processes need to be given early consideration.

Environmental Justice & Endangered Species Act:

These impacts should be assessed as part of the pipeline studies. Emphasis should be placed on collocating new brine and oil pipelines in existing ROWs if these utilities are compatible. EPA will defer to FWS for ESA issues.

Secondary and Cumulative Impacts:

These impacts relate to those effects that would not occur but for the project (secondary or induced impacts) and those proposed or existing projects within the project area that are reasonably foreseeable. Emphasis would be for those projects with similar impacts to the proposal (e.g., if a desalinization plant was located nearby that also had a brine disposal impact). CEQ provides guidance for the cumulative impacts assessment at: ceq.eh.doe.gov/nepa/ccenepa/ccenepa.htm.

Intake Water:

If surface waters are used as source water, the entrainment of fish eggs and larvae need to be considered. Also, if these surface waters are contaminated, the disposal of these contaminants must be considered as part of the NPDES permit for the brine discharge. For both surface or groundwater use, the volume and effects of such withdrawals should be discussed -- particularly since these waters would be consumed, i.e., used and discharged to sea rather than returned to the source. Consumptive use could lower water tables, drain wetlands, and limit agriculture.

NPDES Discharges:

Construction of the disposal and distribution pipelines will need to be considered for NPDES coverage under the Mississippi's General Permit for Storm Water Discharges from Construction Activities.

The EIS should fully describe anticipated NPDES discharges. DOE will need to coordinate NPDES Permitting activities with MSDEQ for proposed point source discharges in to waters of the State of Mississippi, and with EPA for proposed discharges into federal waters in the Gulf of Mexico (if the Richton MS site were selected). If the Bruinsburg MS site were selected, brine disposal would take place offsite in underground injection wells.

Discuss alternative operational and disposal options, including no discharge, and the economic impact on the community for each.

Particular attention should be given to identify pollutants of concern in the source of raw water intakes.

Assess potential impacts on live bottoms in the vicinity of brine water discharge in the Gulf of Mexico.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 Division of Ecological Services
 17629 El Camino Real #211
 Houston, Texas 77058-3051
 281/286-8282 / (FAX) 281/488-5882



September 29, 2005

Donald Silawsky
 Office of Petroleum Reserves
 Department of Energy
 1000 Independence Avenue S.W.
 Washington, DC 20585-0301

Dear Mr. Silawsky:

This responds to your September 9, 2005 letter requesting threatened and endangered species information for the proposed expansion of the Strategic Petroleum Reserve (SPR) to its 1-billion barrel authorized capacity. Two Texas sites are being considered as part of the proposed project. The first site is the expansion of the existing SPR facility at Big Hill in Jefferson County. The second involves the construction of a new SPR facility at Stratton Ridge in Brazoria County.

U.S. Fish and Wildlife Service files indicate that a pair of bald eagles *Haliaeetus leucocephalus* is known to nest to the northwest of the proposed Stratton Ridge site. The approximate location of the nest is N 29.04140 W 95.38071.

Once a suitable nesting territory is established, the eagle pair will return to the same area year after year, though they may use alternate nests within the territory during different breeding years. If a given nest or nest tree is lost, the pair often returns to the same territory to begin another. Nesting territories can even be inherited by subsequent generations. Additional information on bald eagles is enclosed.

Individual bald eagles exhibit considerable variation in their responses to human activity, depending upon the type, frequency, and duration of activity; the extent of environmental modification; the point in time of the bird's reproductive cycle; and various other factors not well understood. Although it cannot be predicted with absolute certainty the effects a given disturbance might have on a specific eagle or eagle pair, certain activities are known to disturb bald eagles more than others. The enclosed habitat management guidelines address some of these concerns and identify recommended restrictions that may avoid potential impact to bald eagles if they should occur at or near the proposed project site.

Our records of known threatened and endangered species are limited. You should also use the county by county listing of federally listed threatened and endangered species, available at <http://fws.fws.gov/endangered/species/ListSpecies.cfm>, and other current species information to determine whether suitable habitat for a listed species is present at each project site. If suitable habitat is present, a qualified individual should conduct surveys to determine whether a listed species is present.

After completing a habitat evaluation and/or any necessary surveys, you should evaluate the project for potential effects to listed species and make one of the following determinations:

No effect – the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area). No

Hydrocarbon Storage and Underground Injection Control (UIC) Wells:

The MS State Oil and Gas Board has regulations for the drilling, construction and permitting of hydrocarbon storage and UIC disposal wells and the DOE will need to coordinate with the Oil and Gas Board at various stages should any of the MS candidate sites be selected.

Air Quality:

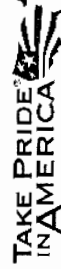
The EIS should fully describe anticipated air emissions, measures to avoid/mitigate impacts, and compliance with air quality regulations. Air emissions should be discussed in the EIS, and related to the attainment status of the area. Emission sources include the oil blanket used during solution mining, construction equipment, and compressor stations along pipelines.

Land Use:

To the extent feasible, the land use surrounding the selected site should be controlled. EPA defers to DOE regarding site security.

Section 106:

We are aware that there are significant concerns regarding historic preservation at the Bruinsburg Salt Dome site. EPA recommends that the DOE coordinate with the State Historic Preservation Office regarding cultural resources and historic preservation. Therefore, EPA defers to the parties involved in the Section 106 consultation to consider and to address those potential effects associated with the proposed project.



coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Is not likely to adversely affect—the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. You should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all of the information and documentation you used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.

Is likely to adversely affect—adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires formal Section 7 consultation with this office.

Regardless of your determination, the Service recommends that you maintain a complete record of the evaluation, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles.

Finally, a concern with major projects is the length of time that passes between environmental review, project planning and then construction. During this time, new locations of threatened and endangered species can be established and/or discovered or new species can be listed. Therefore, it is important that a mechanism be included in project planning so that updated threatened and endangered species information is gathered and reviewed periodically up until initiation of construction.

If you have any questions, or if we can be of further assistance, please contact Edith Erffing or Catherine Yeagan at 281/286-8282.

Sincerely,

Frederick T. Werner
Assistant Field Supervisor, Clear Lake ES Field Office

Enclosures

STATUS: Endangered (32 FR 4001-March 11, 1967; 43 FR 6233-February 14, 1978) without critical habitat in all but five of the contiguous 48 states (listed as threatened in Washington, Oregon, Minnesota, Wisconsin, and Michigan)

DESCRIPTION: Large hawk-like bird with 6-7 feet wingspan and unfeathered feet. Adult has white head, neck, and tail. While gliding or soaring it keeps wings flat, not upfluffed like vultures. Immatures are mostly dark, and may be confused with immature golden eagles. However, golden eagles have a more sharply defined white pattern on underside of wings and tail.

HABITAT: In Texas, preferred nesting habitat is along river systems, or within 1-2 miles of some other large body of water, such as a lake or reservoir. Nests are often located in areas where forest, marsh, and water meet. Large, tall (40-120 ft.) trees are used for nesting and roosting (taller than the general forest canopy, providing an unobstructed flight path to nest). Tree species used for nesting in Texas include loblolly pine, bald cypress, oak, cottonwood, and sycamore. Nearby (within 0.5 miles) wetland areas are necessary for feeding. Fish is generally the primary food, but eagles in Texas also prey on waterfowl, turtles, small mammals, and carrion.

DISTRIBUTION:

Present: Nesting populations are gradually increasing in Texas, with territories located primarily along rivers, near reservoirs, and along the Gulf Coast. Wintering eagles may occur statewide on rivers, streams, reservoirs and other areas of open water where fish, waterfowl, and carrion are available for food. See Bald Eagle Wintering Areas in Texas on the following page.

Historic: Found throughout the contiguous United States, Canada, and northern Mexico.



THREATS AND REASONS FOR DECLINE: Past threats include reproductive failure caused by pesticides, loss of riparian habitat, and unrestricted killing by humans (including shooting, poisoning, and trapping). Current threats are habitat loss, human encroachment on nesting sites, and lead poisoning (even low levels can cause neurological dysfunction, behavioral abnormalities, anemia, and increased susceptibility to disease).

OTHER INFORMATION: In Texas, bald eagle nesting typically occurs from October to July. Clutch size varies from 1 to 3, dull white eggs are incubated for approximately 35 days. Young generally fledge in April, after 10-12 weeks of growth, but parental care continues for another 4-6 weeks. Northern migration begins in May; occasionally, a pair will remain within a territory year-round. Wintering Bald eagles may arrive in north Texas as early as October and return north February through March. Bald eagles are particularly vulnerable to disturbance during the nesting period. Bald eagles are protected by the Endangered Species Act, Bald Eagle Protection Act and Migratory Bird Treaty Act.

REFERENCES:

Lish, J.W. 1975. Status and Ecology of Bald Eagles and Nesting Golden Eagles in Oklahoma. Unpubl. Thesis, Oklahoma State University, Stillwater, Oklahoma.
Texas Parks and Wildlife Department. 1993. Job No. 30: Bald eagle nest survey and management. Performance report, Federal Aid Project No. W-125-R-4. TPWD, Austin, TX.
Texas Parks and Wildlife Department. 1993. Job No. 59: Bald eagle post-fledging survival and dispersal. Final report, Federal Aid Project No. W-125-R-4. TPWD, Austin, TX.
U.S. Fish and Wildlife Service (USFWS). 1983. Northern States Bald Eagle Recovery Plan. USFWS. Endangered Species Office, Twin Cities, MN.
_____. 1989. Southeastern States Bald Eagle Recovery Plan. USFWS. Endangered Species Office, Atlanta, GA.

REV. DATE 6/95



United States Department of the Interior
FISH AND WILDLIFE SERVICE

646 Cajundome Blvd.
Suite 400
Lafayette, Louisiana 70506
October 3, 2005

Mr. Donald Silawsky
U.S. Department of Energy
Office of Petroleum Reserves
1000 Independence Avenue S. W.
Washington, DC 20585-0301

Dear Mr. Silawsky:

Please reference your September 13, 2005, letter requesting review of the U.S. Department of Energy's proposal to expand the Strategic Petroleum Reserve (SPR) to its 1 billion-barrel authorized capacity. Four sites are being considered throughout Louisiana including the existing West Hackberry SPR facility in Cameron and Calcasieu Parishes, the existing Bayou Choctaw SPR facility in Iberville Parish, and two candidate sites in LaFourche Parish, the proposed Clavelly and Chacaboula SPR facilities. The U.S. Fish and Wildlife Service (Service) has reviewed the information you provided, and offers the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Migratory Bird Treaty Act (40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 491, as amended; 16 U.S.C. 661 et seq.).

Project-area forested wetlands associated with each proposed facility site may provide habitat for nesting bald eagles (*Haliaeetus leucocephalus*), which are federally listed as a threatened species, and our records indicate that a bald eagle nest is located within the proposed Chacaboula facility project area. Bald eagles nest in Louisiana from October through mid-May. Eagles typically nest in bald cypress trees near fresh to intermediate marshes or open water in the southeastern Parishes. Areas with high numbers of nests include the Lake Verret Basin south to Houma, the southern marsh/ridge complex from Houma to Bayou Vista, the north shore of Lake Ponchartraine, and the Lake Salvador area. Eagles also winter and infrequently nest near large lakes in central, southwestern, and northern Louisiana. Major threats to the species include habitat alteration, human disturbance, and environmental contaminants (i.e., organochlorine pesticides and lead).

Breeding bald eagles occupy "territories" that they will typically defend against intrusion by other eagles, and that they likely return to each year. A territory may include one or more alternate nests that are built and maintained by the eagles, but which may not be used for nesting in a given year. Potential nest trees within a nesting territory may, therefore, provide important alternative bald eagle nest sites. In forested areas, bald eagles often select the tallest trees with

HABITAT MANAGEMENT GUIDELINES FOR BALD EAGLES IN TEXAS March 2001

The following management guidelines were developed for the purpose of helping landowners and managers maintain or improve the quality of bald eagle nesting habitat. The guidelines are intended to be used in conjunction with the Endangered Species Act, Bald Eagle Protection Act, and Migratory Bird Protection Act, which prohibit such activities as harassing, hazing, disturbing, molesting, etc. bald eagles, or destroying their nests. Individual bald eagles and various other factors not well understood. Although it cannot be predicted with absolute certainty the duration of activity, the extent of environmental modification, the extent of disturbance to the nesting bald eagles were more than others. Although disturbance may occur, the following guidelines address some of these concerns and identify recommended restrictions that should avoid potential impact to bald eagles and avoid conflict with other species. For more information on bald eagle nesting habitat, please refer to the U.S. Fish and Wildlife Service (USFWS) at 713-286-8282, ON THE TEXAS PARKS AND WILDLIFE DEPARTMENT (512-424-4211).

NESTING

GENERAL RECOMMENDATION: Due to surveys carried out annually by the Texas Parks and Wildlife Department, bald eagle nest sites are currently known to occur in 27 southeastern Texas counties, although only a portion of these are active or successful each year. THE BALD EAGLE NESTING SEASON IN TEXAS IS USUALLY OCTOBER through early February. Nesting activity begins in late October and continues through February. After 10-12 weeks of growth, but parental care continues for another 4-6 weeks. Adults and young begin to migrate throughout the winter period, but some remaining within a territory all year. EAGLES ARE VULNERABLE TO DISTURBANCE during the winter period, including, but not limited to, nest abandonment and chilled or overhatched eggs or young. However, human activity even late in the nesting cycle may cause premature fledging and reduce the young's chances for survival.

Only the primary nest is used for protection of the nest site itself and all the components that comprise the nest site in the first year. Once a female breeds a territory, the male and female breeding pairs will return to the same area year after year, often using alternate nests within the territory during the nesting period. Although a given nest may be used due to weather or a shift in the territory, a nest used for several years but then be recolonized by the surviving member returning with a new mate. Nesting territories could apply to an individual eagle, a pair, or a group of eagles. The guidelines for nest site management apply to all bald eagle nesting territories. MANAGEMENT RESTRICTIONS APPLY TO ALL MANAGEMENT ZONES SURROUNDING EACH NEST SITE, WITH CERTAIN RECOMMENDED RESTRICTIONS APPLYING TO EACH ZONE.

4. PRIMARY MANAGEMENT ZONE FOR NEST SITES:

THIS ZONE WOULD ENCOMPASS AN AVOID ZONE OF 200 TO 300 FEET SURROUND ALL DISTURBANCES FROM THE NEST SITE. THE FWS RECOMMENDS THAT THE FOLLOWING ACTIVITIES NOT OCCUR WITHIN THIS ZONE:


1. Alteration of habitat or change in land use that would result from residential, commercial, or industrial development, construction projects, or mining activities.
2. Tree-cutting, logging, or removal of trees, either living or dead.
3. Use of chemicals toxic to wildlife.
4. Placement of above-ground electrical transmission or distribution lines. (Collision with powerlines and electrocution on powerline structures remain important causes of raptor mortality. Placement of underground lines is strongly recommended near bald eagle nests and winter concentration sites.)
5. Helicopter or fixed-wing aircraft operation within 500 feet vertical distance or 1,000 feet horizontal distance of the nest site, except during the non-nesting season (about late-July to early-October).
6. Human entry, except as described below (or as otherwise specifically allowed):
 - a) Minimal-disturbance activities (such as hiking, fishing, camping, bird-watching), and certain land-use activities (such as farming, ranching, hunting) which are existing practices and have occurred prior to the primary zone's creation.
 - b) The activities mentioned in (a) above which are existing practices and have occurred historically on the site during the nesting season, and are not deemed to be adversely impacting the success of the nest site, can be carried out safely during the nesting season as well. (Late-October to early-July.) (continued)

limbs strong enough to support a nest that may weigh more than 1,000 pounds. Nest sites typically include at least one perch with a clear view of the water or area where the eagles usually forage. Shoreline trees or snags located near large waterbodies provide the visibility and accessibility needed to locate aquatic prey. Bald eagles are most vulnerable to disturbance during courtship, nest building, egg laying, incubation, and brooding (roughly the first 12 weeks of the nesting cycle). Disturbance during this critical period may lead to nest abandonment, cracked and chilled eggs, and exposure of small young to the elements. Human activity near a nest late in the nesting cycle may also cause flightless birds to jump from the nest tree, thus reducing their chance of survival. Should the proposed project or associated work activities encroach within 1,500 feet of an eagle nest during the nesting season (October through mid-May), further consultation with this office will be necessary. We further caution that the proposed project should not damage any portion of bald eagle nest trees, including their root systems (i.e., through soil compaction or disturbance).

The proposed project sites are located within areas where colonial nesting waterbirds may be present. Colonies may be present that are not currently listed in the database maintained by the Louisiana Department of Wildlife and Fisheries. That database is updated primarily by monitoring the colony sites that were previously surveyed during the 1980s. Until a new, comprehensive coast-wide survey is conducted to determine the location of newly-established nesting colonies, we recommend that a qualified biologist inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season. To minimize disturbance to colonial nesting birds (i.e., herons, egrets, night-herons, ibis, and roseate spoonbills, anhingas, and/or cormorants), all activity occurring within 1,000 feet of a rookery should be restricted to the non-nesting period (i.e., September 1 through February 15, depending on species present). In addition, we recommend that on-site contract personnel be informed of the need to identify colonial nesting birds and their nests, and should avoid affecting them during the breeding season.

Finally, activities associated with expansion of the SPR may also impact wetlands. For a complete jurisdictional wetland delineation of the proposed project, please contact Mr. John Bruza (504/862-1288) at the New Orleans District, U.S. Army Corps of Engineers (Corps). If the Corps determines that the proposed project is within their regulatory jurisdiction, official Service comments will be provided in response to the corresponding Public Notice.

We appreciate the opportunity to provide comments in the early planning stages of this proposed activity, and we look forward to providing additional assistance as the project progresses. If you need further assistance, please contact Angela C. Trahan (337/291-3137) of this office.

Sincerely,

Russell C. Watson
Supervisor
Louisiana Field Office

cc: U.S. Army Corps of Engineers, New Orleans, LA
LDWF, Natural Heritage Program, Baton Rouge, LA



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mississippi Field Office
6578 Dogwood View Parkway, Suite A
Jackson, Mississippi 39213

October 20, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0301

Dear Mr. Silawsky:

The U.S. Fish and Wildlife Service (Service) received your letter dated September 13, 2005, concerning the preparation of an Environmental Impact Statement (EIS) regarding the expansion of the Strategic Petroleum Reserve (SPR) per the Energy Policy Act of 2005 (EPACT), enacted on August 8, 2005. One site proposed as a storage facility is the subterranean salt domes found near Richton, Perry County, Mississippi. The Department of Energy has initiated preparation of the EIS by publication of a Notice of Intent at 70 FR 52099 on September 1, 2005. Our comments are submitted in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The proposed construction site is salt dome caverns found to the northwest of Richton and north of Mississippi Highway 42. The approximately 30 acre project site would function as a new oil storage area with up to 160 million barrels of storage capacity. Also, a raw water system for leaching and oil drawdown, a brine setting and disposal system, a crude oil injection/distribution system, a fire protection system, a central control system, and multiple above-ground buildings would be constructed onsite.

Offsite impacts would include a raw water intake in the Leaf River; pipelines for water supply; a 96-mile brine disposal pipeline and an 83-mile oil distribution pipeline to the Gulf of Mexico via Jackson County; a 118-mile oil distribution pipeline to Liberty, Mississippi; and marine oil distribution facilities at the Port of Pascagoula.

Several federally listed threatened or endangered species and their habitats could be adversely impacted by the proposed construction or operation of the oil storage facility. Potential impacts to the following species should be considered during the environmental assessment and addressed in the EIS.

P. 003/007
S0030

NOV-01-2005 (TUE) 11:27

P. 004/007

Forrest, George, Greene, Jackson, Lamar, Marion, Perry, and Walthall Counties

The threatened gopher tortoise (*Gopherus polyphemus*) inhabits well-drained sandy soils, especially in areas of longleaf pine. The gopher tortoise digs a burrow used as a shelter and nesting area. Groups of these tortoises dig burrows in the same location forming a colony. Gopher tortoises are attracted to the low growing vegetation normally found on utility ROWs. In addition, the threatened eastern indigo snake (*Drymarchon corais couperi*) is known to inhabit gopher tortoise burrows.

Amite, Forrest, George, Greene, Jackson, and Perry Counties

The endangered red-cockaded woodpecker (*Picoides borealis*) excavates nesting cavities in mature pine trees (60+ years old). A mated pair of birds and all helper birds form a clan. A cluster of cavity trees where the clan nests and roosts is called a colony. All cavity trees, active and inactive, are important to the colony and should therefore be avoided. Also, older (30+ years) pine stands within a half-mile of a colony should be considered foraging habitats and should not be disturbed.

Forrest, George, Marion, and Perry Counties

The black pine snake (*Pituophis melanoleucus ssp. lodingi*), a Candidate Species, prefers uplands with well-drained sandy soils in areas of longleaf pine and hardwood tree species. Candidates are those species currently under review for possible addition to the federal list of threatened or endangered species. All efforts should be made to avoid harm or harassment to this species.

Forrest, George, Greene, Jackson, and Perry Counties

The endangered plant Louisiana quillwort (*Isaetes louisianensis*) is a nonflowering grasslike plant that lives in water or in very wet habitats. Mature plants are six to ten inches long, mostly evergreen, with spore-bearing structures below ground.

The threatened yellow-blotched map turtle (*Graptemys flavimaculata*) is found in the Chickasawhay, Leaf, and Pascagoula Rivers. The yellow-blotched map turtle prefers river stretches with moderate currents, abundant basking sites, and sand bars. Stream modification and changes in water quality have significantly contributed to the decline of the species.

Marion County

The threatened ringed map turtle (*Graptemys oculifera*) is found in the Pearl River. It prefers river stretches with moderate currents, abundant basking sites, and sand bars for nesting. Stream modification in the Pearl River, such as flood control and urban development, has significantly contributed to the decline of the species. Also, water quality degradation has posed a serious problem for the turtle.

Forrest, George, Greene, Jackson, Perry, Pike, and Marion Counties Mississippi Sound

The threatened Gulf sturgeon (*Acipenser oxyrinchus desotoi*) is found in the Pearl, Leaf, and Pascagoula Rivers. Gulf sturgeons are primitive, anadromous fish that annually migrate from the Gulf of Mexico into freshwater streams. Subadults and adults spend eight to nine months each year in rivers. Although Gulf sturgeon activity is not well documented, the species has been found in the river as far north as the Hattiesburg metropolitan area. The decline of the Gulf sturgeon is primarily due to limited access to migration routes and historic spawning areas, habitat modification, and water quality degradation.

Forrest, George, Jackson, Jones, and Perry Counties

The pearl darter (*Percina aurora*), a Candidate Species, is found only in the Pascagoula River system. The darter prefers stable gravel riffles or sandstone exposures with large-sized gravel or rock. Habitat loss or degradation has been a major contributor to the reduction in pearl darter numbers. Candidates are those species currently under review for possible addition to the federal list of threatened or endangered species. All efforts should be made to avoid harm or harassment to this species.

Amite, Forrest, George, Greene, Jackson, Lamar, Marion, Perry, Pike, and Walthall Counties

The Louisiana black bear (*Ursus a. luteolus*) is one of 16 subspecies of the American black bear. Historically, it occurred throughout southern Mississippi, all of Louisiana, and eastern Texas. Currently, there are only two known breeding bear subpopulations: the Tensas River basin and the Atchafalaya River basin. Although, there have been reported sightings along the Mississippi River corridor in Mississippi and Louisiana. While Louisiana black bear habitat consists mostly of bottomland hardwood forests, they are opportunistic omnivores and will frequent agricultural areas. Historical habitat has been reduced by 80% throughout its range. The remaining habitat has been reduced by forest fragmentation and human encroachment.

Jackson County

The endangered Brown pelican (*Pelecanus occidentalis*) nests mostly on offshore islands, but has been known to nest in onshore estuaries. Nesting areas are usually in low shrubs, trees or on the ground, and contain groups of 25-250 birds. They also congregate to feed near coastal wharves and pilings. Disturbance of nesting areas should be avoided.

The threatened Piping Plover (*Charadrius melodus*) does not nest in Mississippi but winters along the coastal beaches and barrier islands. These feeding areas have been threatened by urban development. Hence, Critical Habitat has been designated along several areas of the Mississippi Gulf Coast.

The endangered Mississippi Sandhill Crane (*Grus canadensis pulla*) is found only in a small area west of the Pascagoula River in Jackson County. Critical Habitat has been established on and adjacent to the Mississippi Sandhill Crane National Wildlife Refuge.

The endangered Alabama red-bellied turtle (*Pseudemys alabamensis*) is found in the lower Pascagoula River and its tributaries: Bluff Creek and the Escatawpa River. It is also found in Old Fort Bayou, the Tchouacabouffa River, the Biloxi River, and the Back Bay of Biloxi. Destruction of nesting areas along river banks and feeding areas of submerged aquatic vegetation, and reduced water quality have impacted this species.

Green turtle (*Chelonia mydas*)Kemp's ridley turtle (*Lepidochelys kempii*)
Loggerhead turtle (*Caretta caretta*)

Potential impacts to these sea turtles and their habitats are overseen by the National Marine Fisheries Service (NMFS). The Service will coordinate with NMFS during the environmental assessment phase.

Statewide

The threatened bald eagle (*Haliaeetus leucocephalus*) is the only species of "sea eagle" regularly occurring on the North American continent. The bald eagle is predominantly a winter migrant in the southeast, however, increasing occurrences of nesting have been observed. The bald eagle nests in the transitional area between forest and water. They construct their nests in dominant living pines or bald cypress trees. Eagles often use alternate nests in different years with nesting activity occurring between September and January of each year. Young are usually fledged by midsummer.



Summary

Surveys for many of the above species must be conducted on the storage facility site as well as along the pipeline routes. Areas surveyed should also include ingress and egress areas, equipment storage areas, and staging areas.

Assumption of presence can be made for many of the aquatic species eliminating the need for surveys. Presently it is our opinion that changes in water levels and flow in the Leaf, Chickasawhay, and Pearl Rivers will likely impact all of the listed species in these water bodies; therefore, further consultation with the Service will be necessary at a minimum on these species.

We appreciate the opportunity to comment on the subject project, and we look forward to being a part of the environmental process. If you have any additional questions, please feel free to contact Kathy W. Lunceford in this office, telephone: (601) 321-1132.

Sincerely,

Curtis B. James

Curtis B. James
Assistant Field Supervisor

Cc: USFWS, Atlanta, GA
Attn: Jeff Weller
NMFS, St. Petersburg, FL
Attn: David Krys
MDWFP, Jackson, MS
Attn: Andrew Whitehurst, Tom Mann
EPA, Atlanta, GA

FISH AND WILDLIFE SERVICE
Mississippi Field Office 6578 Dogwood View Parkway, Suite A
Jackson, Mississippi 39213

December 5, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Dear Mr. Silawsky:

This is in regard to your November 21, 2005, letter concerning reopening the scoping period for the preparation of an Environmental Impact Statement (EIS) for the Proposed Expansion of the Strategic Petroleum Reserve (SPR). The U.S. Department of Energy is considering sites for storage of crude oil in underground salt domes. Our October 20, 2005, letter supplied comments on a proposed site near Richton, Mississippi, during the first scoping period. A new candidate site at the Bruinsburg Salt Dome along the Mississippi River in Claiborne County, Mississippi, is proposed for the new scoping period. Our comments are submitted in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The proposed 285 acre site is located a few miles north of Port Gibson along the Mississippi River in Claiborne County. The proposed construction includes developing caverns in salt domes to provide up to 100 million barrels of crude oil storage. Also, a raw water system for leaching and oil drawdown, a brine setting and disposal system, a crude oil injection/distribution system, a fire protection system, a central control system, and multiple above-ground buildings would be constructed onsite.

Offsite construction would include a 2.5 mile raw water pipeline to the Mississippi River; raw water lift pumps on the bank of the river; 43 mile oil distribution pipeline to Capline Pipeline's Peetsville Pump Station; 105 mile oil distribution pipeline to Baton Rouge accessing refinery and marine facilities; and a 15 mile brine disposal pipeline to wells located along the Baton Rouge crude oil pipeline. In addition, 60 brine disposal wells would be constructed along the brine and crude oil pipeline right-of-way. The wells would be placed 1,000 feet apart.

Several federally listed threatened or endangered species and their habitats could be adversely impacted by the proposed construction and operation of the crude oil storage facility. Potential impacts to the following species should be considered during the environmental assessment and addressed in the EIS.

Adams, Claiborne, Jefferson, and Wilkins Counties

The endangered pallid sturgeon (*Scaphirhynchus albus*) is one of the largest fish found in the Mississippi River. This bottom-dwelling fish has a distinctive flattened, shovel-shaped snout. It spawns in the main channel during late spring through early summer over substrates of rock, rubble, or gravel. This species has experienced a dramatic decline because its habitat has been modified through river channelization, construction of impoundments, and related changes in flow regimes. Operation of the raw water intake during spawning and nursery season could result in loss of larval and juvenile pallid sturgeons through entrainment and impingement.

Claiborne and Copiah Counties

The threatened Bayou darter (*Etheostoma rubrum*) is found only in Bayou Pierre and its tributaries, White Oak Creek, Foster Creek, and Turkey Creek. The darter prefers stable gravel riffles or sandstone exposures with large sized gravel or rock. Habitat loss or degradation has been a major contributor to the reduction in bayou darter numbers.

Amite, Franklin, and Wilkinson Counties

The endangered red-cockaded woodpecker (*Picoides borealis*) excavates nesting cavities in mature pine trees (60+ years old). A mated pair of birds and all helper birds forms a clan. A cluster of cavity trees where the clan nests and roosts is called a colony. All cavity trees, active and inactive, are important to the colony and should therefore be avoided. Also, older (30+ years) pine stands within a half-mile of a colony should be considered foraging habitats and should not be disturbed.

Claiborne County

The endangered interior least tern (*Sterna antillarum*) may potentially be found along the Mississippi River in the proposed project area. It migrates up the Mississippi River and lays its egg directly on the sandbars associated with the river. Hundreds of these birds may nest together to form a colony.

The breeding season for terns is approximately May through July. Avoidance of nesting areas during the above time would prevent adverse impacts to the species. The species can change nesting areas from year to year, so an onsite survey for the species before start of construction and operation is recommended.

Jefferson County

The endangered fat pocketbook mussel (*Potamilus capax*) is found in the Mississippi River and associated tributaries. It is broad, rounded, and slightly angular mussel with a smooth, yellowish, and frequently clouded with brown, exterior color. Fat pocketbooks occur primarily in sand and mud substrates, although fee species has been found in fine gravel and hard clay occasionally. Water depth ranges from a few inches to several feet. The fish host for this species is primarily the freshwater chum.

Adams, Amite, Copiah, Franklin, Jefferson, and Wilkinson Counties

The threatened Louisiana black bear (*Ursus a. luteolus*) occurs primarily in bottomland hardwoods and floodplain forests along the Mississippi River and the southern part of the state. Although the bear is capable of surviving under a range of habitat types, some necessary habitat requirements include hard mast, soft mast, escape cover, denning sites, forested corridors, and limited human access. Forest management practices, agricultural, commercial and industrial development, and highways can cause adverse impacts to bear habitat by increasing human disturbance, fragmenting forests, and removing den trees.

Franklin County

The Natchez and Chucko stoneflies are species of interest. They occur in small streams with stable sandy bottoms and good water quality.

Statewide

The threatened bald eagle (*Haliaeetus leucocephalus*) is the only species of "sea eagle" regularly occurring on the North American continent. The bald eagle is predominantly a winter migrant in the southeast; however, increasing occurrences of nesting have been observed. The bald eagle nests in the transitional area between forest and water. They construct their nests in dominant living pines or bald cypress trees. Eagles often use alternate nests in different years with nesting activity beginning between September and January of each year. Young are usually fledged by midsummer.

All of the above species are very sensitive to human disturbance. Therefore, before construction of onsite facilities and offsite pipeline right-of-ways, the Service recommends a qualified biologist conduct a visual survey for these species. Areas surveyed should also include ingress and egress areas, equipment storage areas, and staging areas. If any of these species or their habitats is identified, further consultation with the Service will be necessary.

In addition, proposed onsite and offsite construction activities may result in loss of wetland habitats. Wetlands support an abundant variety of wildlife species and provide energy rich foods for song birds. They also provide nesting and nesting areas. Wetland trap sediment and pesticide residues, recharge ground water, and control flooding by temporarily holding flood waters and releasing them slowly. The environmental values of wetlands are well documented and widely recognized. Presidential executive orders require that federal projects result in no net loss of wetlands. The Service mitigation policy requires that unavoidable loss of wetlands be fully mitigated inland.

If you have any questions, please contact Mr. Lloyd Immon of this office staff at (601) 321-1134.

Sincerely,

Ray Aycock

Cc: Robert Seyfarth, Mississippi Department of Environmental Quality, Jackson, MS.
Jeff Weller, USFWS, Atlanta, GA Tom Mann, Natural Science Museum, Jackson, MS

S0050

Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Tuesday, December 13, 2005 9:32 AM
To: Fadely, Karen
Subject: Karen FW: FWS JACKSON

KAREN: SPR EIS comment, below. DON
SILAWSKY

-----Original Message -----
From: Angela Trahan@fws.gov [mailto:Angela.Trahan@fws.gov]
Sent: Tuesday, December 13, 2005 9:23 AM
To: Silawsky, Donald
Subject: Re: FWS JACKSON

Thanks, Don.

Since the additional site is located in Mississippi, we will not be providing additional comments for the new site proposal. We look forward to reviewing the forthcoming EIS.

Have a great day,
Angela

Angela C. Trahan
U.S. Fish and Wildlife Service
Lafayette Field Office
3377/291-3137 ph
3377/291-3139 fax

"S.Silawsky,
Donald"

To: <Donald.Silawsky@hq.doe.gov>
angela_trahan@fws.gov

cc: 12/12/2005 04:37

Subject: FW: FWS JACKSON

S0049

Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Thursday, December 08, 2005 5:10 PM
To: Fadely, Karen
Subject: FW: Proposed expansion of the strategic petroleum reserve Stratton Ridge Texas Site

KAREN: SPR EIS comment.
DON SILAWSKY

----- Original Message -----
From: Tracey McDonnell@fws.gov [mailto:Tracey.McDonnell@fws.gov]
Sent: Thursday, December 08, 2005 3:20 PM
To: Silawsky, Donald
Subject: Proposed expansion of the strategic petroleum reserve Stratton Ridge Texas Site

Dear Mr. Silawsky,

Thank you for the opportunity to provide any comments concerning the proposed expansion of the SPR at the Stratton Ridge site in Texas. Because this existing site does not currently impact our refuges, in addition, based on the map you provided in your November 21, 2005 letter, we believe that the expansion will not effect us as well, we will not be submitting any comments. However, I would be interested in being included on any future mailings concerning this site.

Thank you again,
Tracey McDonnell

Tracey McDonnell
Project Leader
Texas Mid-Coast NWR Complex
1212 N. Velasco, Suite 200
Angleton, TX 77515
(979) 849-7711, ext. 25
(979) 849-5118 fax

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Texas Chenier Plain Refuge Complex
P.O. Box 278
Anahuac, Texas 77514

December 14, 2005

Mr. Donald Silawsky Office of
Petroleum Reserves (FE-47) 1000
Independence Avenue, S.W.
Washington, D.C. 20585-0301

Dear Mr. Silawsky:

Thank you for your letter of November 21, 2005 announcing the reopening of the Scoping Comment Period and New Site Proposal for the Proposed Expansion of the Strategic Petroleum Reserve, and requesting comments and identification of issues to be addressed in the Environmental Impact Statement for this project.

The brine line associated with the Big Hill SPR site in Jefferson County, Texas crosses the McFaddin National Wildlife Refuge, a unit of the National Wildlife Refuge System (NWRS) administered by the U.S. Fish and Wildlife Service (Service). Potential environmental issues with work in this pipeline corridor include impacts to jurisdictional wetlands and other refuge habitats, and to certain Service trust resources including several migratory bird species. If the project requires any work not covered by the existing legal Right-of-Way for the brine line, additional R-O-W permitting by the Service may be required. Finally, all new uses on NWRS lands and waters must be reviewed for compatibility with refuge establishment purposes and the NWRS mission prior to being permitted.

Thank you again for this opportunity to comment. Please contact me if I can be of further assistance.

Sincerely,

Andy Loranger
Project Leader

cc: Aaron Archibeque, USFWS, Albuquerque, NM
Carlos Mendoza, USFWS, Clear Lake Ecological Services FO, Houston, TX

Fadely, Karen

From: Donald Silawsky [silawsky@cfl.rr.com]
Sent: Saturday, December 24, 2005 8:12 AM
To: Fadely, Karen
Subject: FW: Department of Energy SPR - Dec. 19th Meeting
Attachments: SPR Expansion EIS -- agency meetings MS-DEQ v2.ppt

KAREN: Another SPR EIS comment, below.

DON SILAWSKY

----- Forwarded Message

From: Don R Neal <donneal@fs.fed.us>
Date: Fri, 23 Dec 2005 13:49:51 -0500
To: silawsky@cfl.rr.com
Subject: Re: Department of Energy SPR - Dec. 19th Meeting

Elizabeth,

We were not able to provide a representative for the Dec. 19th meeting due to scheduled annual leave this time of year. I have reviewed the package sent by Donald Silawsky and discussed this proposal with our Forest Minerals Specialist - Hunter Howell.

The proposed Bruinsburg site location is located well off Forest Service land. The proposed general pipeline alignment associated with this project crosses the Homochitto National Forest. The map is of such a scale that specific environmental/social concerns or impacts can not be addressed. If this proposal is selected, we would need to be involved with the planning of the site specific placement of the pipeline location. Some of the issues we need to address would be - impacts to T&E species, impacts to water quality, impacts to wildlife, impacts to cultural resources, impacts to recreational visitors, impacts to existing special use permits and easements, etc..

The Raw Water Intake Structure on the proposed Richton site borders the northern boundary of the De Soto National Forest. The scale of the map makes it hard to determine if it actually lies on National Forest land. If any of the project lies on National Forest land we would need to coordinate with you on similar issues as mentioned on the Bruinsburg site.

We appreciate the opportunity to comment and the information you have provided. If you have any further site specific information on the location of the Bruinsburg pipelines or the Richton Raw Intake Structure please contact me.

Richard D. (Don) Neal

12/27/2005

Staff Officer
Engineering/Lands/Minerals/Special Uses
100 W. Capitol St.
Suite 1141
Jackson, MS 39269
(601) 965-4391 Voice
(601) 965-5519 Fax
donneal@fs.fed.us

U.S. Forest Service

"Zelasko,
Elizabeth"
<EZelasko@icfcons
ulting.com>
12/16/2005 12:42
PM
To: <donneal@fs.fed.us>
Cc:
Subject
Department of Energy SPR - Dec.
19th Meeting

Don,

On Wednesday, I sent you an email with more details on the Department of Energy meeting on Monday, December 19th in Jackson, MS. In case you are unable to attend the meeting and wish to participate through conference call, I have attached a copy of the presentation.

Please contact me if you have any questions regarding the meeting.

Thank you and have a nice weekend.

Elizabeth

From: Zelasko, Elizabeth
Sent: Wednesday, December 14, 2005 4:20 PM
To: 'Andrew.Whitehurst@mms.state.ms.us'; 'Lloyd_inmon@fws.gov'; 'Harold.lee@mvk02.usace.army.mil'; 'Richard.Hartman@noaa.gov'; 'mark.thompson@noaa.gov'; 'Alice.taylor@dmr.state.ms.us'; 'GMCWhorter@sos.state.ms.us'; 'pdukes@sos.state.ms.us'; 'Gary.hopkins@nps.gov'; 'Riley.hoggard@nps.gov'; 'Rick.clark@nps.gov'; 'donneal@fs.fed.us'; 'bill whitworth@nps.gov'; 'curtis_james@fws.gov'; 'ronald.j.ventola@mvn02.usace.army.mil'
Cc: 'Maya_Rao@dec.state.ms.us'; Stribley, Todd
Subject: Department of Energy SPR - Dec. 19th Meeting

12/27/2005

From: Moni.Belton@fws.gov [mailto:Moni.Belton@fws.gov]
Sent: Tuesday, February 07, 2006 2:16 PM
To: Stribley, Todd; Zelasko, Elizabeth; Gabriel.Adams@spr.doe.gov;
Katherine.Batiste@spr.doe.gov; Wayne.Elias@spr.doe.gov
Cc: Jennifer.Sanchez@fws.gov; Amy.Hanna@tpwd.state.tx.us; Floyd.Truetken@fws.gov;
Moni.Belton@fws.gov; Jarrett.Woodrow@tpwd.state.tx.us; Catherine_Youngan@fws.gov;
Brian_Cain@fws.gov; Andy_Lorance@fws.gov; patrick_walther@fws.gov
Subject: Dept. of Energy's SPR expansion

The U.S Fish and Wildlife Service, Texas Clear Lake ES office, is providing the following comments in regards to the U.S. Department of Energy's proposed Strategic Petroleum Reserve (SPR) Expansion meeting held on January 31, 2005 at the Bryan Mound SPR. In order for the Service to adequately review the project for impacts to fish and wildlife and their habitat the following issues should be evaluated and included throughout the development of the EIS.

Habitat Descriptions: Identify all habitat types and amount (in acres) existing within each project footprint and pipeline corridor. This should include descriptions of jurisdictional and non-jurisdictional wetlands as well as upland habitats. The EIS should thoroughly evaluate the functions and values of fish and wildlife habitat at the final project site and all alternatives proposed.

Migratory Bird Concerns: The Service is concerned with the impacts on migratory birds caused by the construction of the large storage tanks, the electrical transmission lines, and any other tall structures proposed for the SPR facilities and work associated with the pipeline installation activities. Migratory birds (e.g., waterfowl, shorebirds, passerines, hawks, owls, vultures, falcons) are afforded protection under the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-712). The EIS should identify locations and heights of storage tanks, transmission lines, and all tall structures proposed for the project sites.

Transmission lines often pose a hazard to migratory birds in flight and can pose a threat to nesting birds attracted to the site; therefore, we strongly recommend the burial of the transmission lines to significantly reduce bird strikes in the area.

The proposed SPR facility and pipeline route may be located within the vicinity of documented bird rookeries. These rookery sites can be identified on the Service's Texas Coastal Program website at <http://texascoastalprogram.fws.gov/TCWC.htm>. Bird rookeries and nesting islands must be left undisturbed. Development operations, which include drilling, dredging, seismic exploration, construction activity, or watercraft landing, are prohibited within 1,000 feet of the rookery areas during the peak-nesting season from February 15 to September 1.

Previous pipeline projects have used bright lighting on associated above ground pipeline structures such as meter stations, compressor stations, connection stations, main line valve stations, and other small facilities associated with the pipeline projects. The SPR water intake structure may be an example of this type of small above ground facility. We recommend all bright lighting associated with these above ground structures be down-shielded to significantly reduce disturbance to local and migratory birds and other local wildlife. In addition, security lighting for on-ground facilities and equipment, such as storage tanks, should be down-shielded to keep light within the boundaries of the site.

Pipeline Corridors: Alternative routes should be evaluated and the least environmentally damaging route should be selected. Installation of pipelines and other transmission lines have caused irreversible damage in coastal marsh environments. Damage is not limited to the permitted Right-of-Way (ROW); damage outside the ROW occurs when construction equipment free ranges through the marsh. Attached are specific pipeline conditions the USFWS along with the USACE, TPWD, and NOAA fisheries developed for pipeline installation and post construction monitoring plans to reduce impacts to fish and wildlife habitats. These should be included in the final project plans.



Preserving America's Heritage

Utility corridors: All utility lines associated with this project must be included in the project description.

Fill material: All sand sources and materials used to fill wetlands and raise the proposed sites should be identified within the EIS.

Facility water intake and outfall structures: The EIS should provide the rates and location of the facility water intake and outfall structures and associated impacts for construction of each. The EIS should include the rates, time of year, and salinities of all brine discharges and the impacts these may have on marine life and fisheries at points of discharge.

Storm-water run-off: The EIS should include the rates, location, and subsequent water quality of storm-water run-off for the project sites.

Alternatives Analysis: Alternatives for the final SPR sites should be provided for the pipeline route and facility site location. For example, if Stratton Ridge is chosen as the final site, facility location alternatives should be provided which avoid the heavily forested wetland area. If the forested area can not be avoided documentation should be provided stating why other alternatives are not valid. These types of alternatives are requested for both the Stratton Ridge site and the Big Hill expansion.

Compensatory Mitigation Recommendations: After all alternatives are considered and wetland impacts are deemed unavoidable, compensatory mitigation for unavoidable wetlands losses will be considered. Compensatory mitigation plans should be developed in order to significantly reduce impacts to coastal habitats. Once final sites are chosen the USFWS will provide recommendations to reduce impacts to fish and wildlife habitats.

As stated in the meeting, pipeline construction activities through emergent marsh habitats should be temporary if the attach USACE pipeline monitoring conditions are incorporated into final project plans. Any impacts to forested wetland areas are considered permanent and the USFWS recommends compensation by the preservation or enhancement of forested wetlands within the same watershed. Compensatory mitigation ratios will be dependent upon the condition and value of habitats proposed to be impacted.

Threatened and Endangered Species: Coordination with Catherine Yeagan is currently taking place.

National Wildlife Refuge(NWR) Systems: Please Coordination with the NWR proposed to be impacted by each proposed SPR site. For the Brazoria NWR please contact Jennifer Sanchez and Floyd Truesken at (979)-849-7771 and for the McFadden NWR please contact Andy Lomanger and Patrick Walther at (409)-267-3337.

The U.S Fish and Wildlife Service would like to continue to work with the DOE and other resource agencies to identify the least environmental damaging alternatives for the SPR expansions. The Texas Clear Lake ES office biologists would like to visit the proposed Stratton Ridge and Big Hill expansion sites to further evaluate impacts to fish and wildlife habits. Please let us know of the next available opportunity to complete these site visits. If you need any additional information, please contact Moni DeVora Belton at (281)-286-8282.

Thank you,

Moni DeVora Belton
Fish and Wildlife Biologist
USFWS Ecological Services
17629 El Camino Real
Suite 211
Houston TX 77058-3051
281-286-8282
281-488-5882 fax

June 16, 2006

Mr. Donald Silawsky
U.S. Department of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Ave. SW
Washington DC 20585-0301

REF: Proposal to expand Strategic Petroleum Reserve to authorized capacity

Dear Mr. Silawsky:

We have received your letter notifying the ACHP that the Department of Energy proposes to enter into a Programmatic Agreement to address potential adverse effects from the referenced undertaking, and inviting us to participate in the consultation process. In accordance with 36 CFR 800.6(a)(1) of the Council's regulations, "Protection of Historic Properties," the Council has applied the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases* (Appendix A) and believes these are met. As required by Section 800.6(a)(1)(iii) of our regulations, we have notified the Secretary of Energy of our decision to participate in the consultation process, and its basis.

We look forward to consulting with you, the State Historic Preservation Officers of Louisiana, Mississippi, and Texas, and other parties who have expressed an interest in resolving effects to historic properties that will result from expansion of the Strategic Petroleum Reserve.

If you have any questions, do not hesitate to contact Dr. Tom McCulloch at 202-606-8554 or via e-mail at tmcculloch@achp.gov.

Sincerely,

Reid J. Nelson
Assistant Director
Federal Property Management Section
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION
1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov



Preserving America's Heritage

John L. Nau, III
Chairman
Susan S. Barnes
Vice Chairman
John M. Fowler
Executive Director

June 16, 2006

Honorable Samuel Bodman
Secretary
Department of Energy
1100 Independence Avenue, SW
Washington DC, 20585

Dear Secretary Bodman:

We have received documentation from the Department of Energy's Office of Petroleum Reserves of its intention to expand the Strategic Petroleum Reserve to its authorized capacity, and develop a Programmatic Agreement to identify, evaluate, and resolve effects to historic properties resulting from this expansion.

We are notifying you that the ACHP will participate in consultation pursuant to Section 800.6(a)(1)(iii) of its regulations ("Protection of Historic Properties," 36 CFR Part 800) with the Department of Energy, the State Historic Preservation Officers of Louisiana, Mississippi, and Texas, and other parties to ensure that historic properties are fully considered as this important project goes forward.

A copy of our letter to Mr. Donald Silawsky, Office of Petroleum Reserves, notifying him of our intention to participate in consultation is enclosed. If you or your staff have questions, do not hesitate to call me at 202-606-8505.

Sincerely,


John M. Fowler
Executive Director

Enclosure

Louisiana State Agencies



State of Louisiana Department of Environmental Quality

KATHLEEN BAUDINIAUX BLANCO
GOVERNOR

October 20, 2005

MIKE D. MEDANIEL, Ph.D.
SECRETARY

P. 002/005
S0031



Donald Silawsky
U.S. Department of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

RE: Proposed Expansion of the Strategic Petroleum Reserve
West Hackberry (A/H 9002), Bayou Choctaw (A/H 9005), Clovelly and
Chatcahoula, Louisiana

Dear Mr. Silawsky:

The Office of Environmental Assessment, Air Quality Assessment Division, acknowledges receipt of a copy of your letter dated September 13, 2005, addressed to Secretary Mike Medaniel and containing information relative to proposed expansion of two existing Strategic Petroleum Reserve (SPR) sites and the possible development of a new SPR site in southern Louisiana. We understand that this proposed DOE action is in response to a 2005 Energy Policy Act mandate to expand oil storage capacity of the SPR from 727 million barrels to 1 billion barrels.

Please be advised that with the exception of the Bayou Choctaw site, all other proposed sites are located in parishes that are in attainment of the national ambient air quality standards (NAAQS). However, modifications to the existing Bayou Choctaw storage site in Iberville Parish will require compliance with the State's general conformity regulations (LAC 33:111.14.A). General conformity applies to the proposed expansion of the Bayou Choctaw site because Iberville Parish is currently designated by US EPA as an 8-hour ozone nonattainment parish and is classified as marginal. For this marginal nonattainment area, ozone precursor *de minimis* levels are set at 100 tons per year per pollutant (volatile organic compounds and nitrogen oxides). Accordingly, LDEQ requests that DOE address these general conformity issues in the forthcoming draft Environmental Impact Statement.

Should you have any questions regarding state rules and regulations pertaining to general conformity, please contact me directly at (225) 219-3556, or Mr. Ron Rebouche of my staff at (225) 219-3561. Thank you for affording us the opportunity to comment on this proposed DOE action.

Sincerely,

Teri F. Lanoue
Environmental Scientist Manager
Air Quality Assessment Division

TFL:RR
cc: Dr. Chuck Carr Brown, OES
Wilbert Jordan, OEA
Peggy Wadd, EPA Region 6

OFFICE OF ENVIRONMENTAL ASSESSMENT
P. O. BOX 4314 • BATON ROUGE, LOUISIANA 70814-4314 • TELEPHONE: (225) 219-3236 • FAX: (225) 219-3239
AN EQUAL OPPORTUNITY EMPLOYER



Fadely, Karen

From: Donald Silawsky [silawsky@cfi.rr.com]
Sent: Thursday, December 22, 2005 8:00 AM
To: Fadely, Karen
Subject: FW: Strategic Petroleum Reserve comments

KAREN: SPR EIS comment. Note that the sender is asking for additional info.

DON SILAWSKY

----- Forwarded Message
From: Al Hindrichs <Al.Hindrichs@LA.GOV>
Date: Wed, 21 Dec 2005 18:35:14 -0500
To: silawsky@cfi.rr.com
Subject: Strategic Petroleum Reserve comments

Mr. Silawsky,
I was asked to comment on a series of proposed expansions of the Strategic Petroleum Reserve, in particular the proposed Bruinsburg, Mississippi; Richton, Mississippi; and Bayou Choctaw, Louisiana sites. These sites are described in your letter and attachments dated November 21, 2005.

The proposed Bruinsburg site is located in the aquifer recharge area for Baton Rouge and many other communities in southern Mississippi and Louisiana. The Richton and Bayou Choctaw sites may not be as much of a problem but are still in the vicinity of this aquifer. Due to this concern I would like to request additional information regarding the design of these proposed caverns, in particular their depth and the depth of the proposed brine disposal wells. Both the storage of oil and the disposal of brine underground in this region could severely impact water quality in communities served by this aquifer. Therefore, I require additional information before making a determination.

You can provide the information either by email or by U.S. Postal mail. My mailing address is:

Albert Hindrichs
Water Quality Assessment Division
P.O. Box 4314
Baton Rouge, LA 70821-4314

Please let me know if you have any questions.

Sincerely,

Albert E. Hindrichs, Environmental Scientist Staff
Louisiana Department of Environmental Quality
Water Quality Assessment Division



State of Louisiana
Department of Environmental Quality



KATHLEEN BARINEAUX-BLANCO
GOVERNOR

January 11, 2006

MIKE D. McDANIEL, Ph.D.
SECRETARY

Mr. Donald Silawsky
Department of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Ave., S.W.
Washington, DC 20585-0301

RE: DEQ0612060082; Lafourche, Cameron, Calcasieu and Iberville Parishes
Proposed Expansion of the Strategic Petroleum Reserve -
Reopening Scoping Comment Period and New Site Proposal

Dear Mr. Silawsky:

The Department of Environmental Quality, Office of Environmental Assessment and Office of Environmental Services has received your request for comments on the above referenced project.

There were no objections based on the limited information submitted to us. However, the following comments have been included and/or attached. Should you encounter a problem during the implementation of this project, please make the appropriate notification to this Department.

The Office of Environmental Services recommends that you investigate the following requirements that may influence your proposed project:

1. If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
2. If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify their LPDES permit before accepting the additional wastewater.
3. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact Aaron Cox at (225) 219-3092 to determine if your proposed improvements require one of these permits.
4. All precautions should be observed to control nonpoint source pollution from construction activities.

January 11, 2006
Page 2

5. If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps to inquire about the possible necessity for permits. If a Corps permit is required, part of the application process may involve a Water Quality Certification from LDEQ.


6. All precautions should be observed to protect the groundwater of the region (SEE ATTACHMENT).

Currently, Iberville Parish is classified as nonattainment with the National Ambient Air Quality Standards.

Currently, Lafourche, Cameron, and Calcasieu Parishes are classified as attainment parishes with the National Ambient Air Quality Standards for all criteria air pollutants.

Please forward all future requests to the Louisiana Department of Environmental Quality, Office of Management and Finance, Contracts & Grants, P. O. Box 4303, Baton Rouge, LA 70821-4303, and we will expedite your request as quickly as possible. Should you need any additional information please call me at (225) 219-3815.

Sincerely,


Lisa L. Miller
Contracts & Grants

llm:vhn
Enclosure



S0003

Fadely, Karen

From: Silawsky, Donald [Donald.Silawsky@hq.doe.gov]
Sent: Thursday, October 06, 2005 9:57 AM
To: Fadely, Karen
Subject: FW: Proposed expansion of the Strategic Petroleum Reserve

KAREN: Another EIS comment.

DON SILAWSKY

-----Original Message-----
From: Rosalind Green [mailto:rmgreen@dhh.la.gov]
Sent: Wednesday, September 28, 2005 9:14 AM
To: Silawsky, Donald
Cc: Dianne Dugas
Subject: Re: Proposed expansion of the Strategic Petroleum Reserve

An important issue that should be addressed is the impact of the construction of new oil storage caverns and placement of underground injection wells on local aquifers. This would fall under the analysis of the impact on water resources, as listed in the "Notice of Intent to Prepare and Environmental Impact Statement and Conduct Public Scoping Meetings; Site Selection for the Expansion of the Strategic Petroleum Reserve" document at the following website:

http://www.fe.doe.gov/programs/reserves/spr/spr_not_090105.pdf

K-74

Hackberry residents have previously expressed concerns about cancer rates in their community to the Louisiana DHH. The US DOE needs to be prepared to address such health-related concerns in the communities in which they've planned expansion/new storage sites.

For each community, a flier/brochure/presentation should be made available to address community concerns about the stability of these sites, what salt dome storage involves, how extensive construction would be at a given site, and why these particular sites are being considered.

A proposed timeline should be estimated for the analyses of potential environmental impacts. The public needs a sense of the progression from environmental study to implementation of construction plans.

Rosalind M Green, Sc.D.
Environmental Health Scientist Coordinator Louisiana DHH/OPIH/SEET
325 Loyola Ave. Room 210
New Orleans, LA 70112
email: rmgreen@dhh.la.gov
phone: (504) 568-8537
fax: (504) 568-7035

10/10/2005

KATHLEEN BABINEUX BLANCO
GOVERNOR

S0051
Scott A. Angelle
SECRETARY
JAMES H. WELSH
COMMISSIONER OF CONSERVATION

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF CONSERVATION

December 9, 2005

Mr. Donald Silawsky
Reserves (FE-47) United States
Department of Energy 1000 Independence
Ave, S.W.
Washington, DC 20583-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve - Reopening Scoping Comment
Period and New Site Proposal

Dear Mr. Silawsky:

The Louisiana Office-of Conservation appreciates the additional opportunity to comment on the U.S. Department of Energy's proposed expansion of the Strategic Petroleum Reserve. (SPR). We are pleased that four of the eight candidate sites are in the State of Louisiana. Louisiana's association with the Strategic Petroleum Reserve goes back to its near beginnings when, on December 22, 1975, the Energy Policy and Conservation Act (Public Law 94-163) was signed into law. Since then, we have been home to four separate SPR sites, of which two are still operating, in addition to the Department of Energy owned St. James Marine Terminal on the Mississippi River.

Bayou Choctaw and West Hackberry, two existing Louisiana SPR candidate sites for expansion, are both strong candidates. With existing infrastructures already in place and needing only minor upgrades to support expansion, either of these two facilities are persuasive in terms of cost effectiveness, ease of satisfying regulatory permit requirements, minimal environmental impact, and affording timely expansion and operational startup.

A proposed new SPR site at the Clovelly salt dome has its own unique possibilities. In place at the salt dome are several solution-mined salt caverns presently used by the Louisiana Offshore Oil Port (LOOP) for crude oil storage. The advantages of this site are identical to the existing SPR sites mentioned above with the additional advantage of having access to the only port in the United States capable of offloading the largest, deep draft tankers. An SPR site at the Clovelly salt dome would provide potential access to over 50 percent of the United States refinery capacity.

P.O. BOX 94275 - BATON ROUGE, LOUISIANA 70804-9275 • 617 NORTH THIRD STREET • 9TH FLOOR • BATON ROUGE, LA 70802
PHONE: (225) 342-5540 • FAX (225) 342-3094 • WEB <http://www.dnr.state.la.us/conservation>
AN EQUAL OPPORTUNITY EMPLOYER

Mr. Donald Silawsky
Office of Petroleum Reserves

December 9, 2005

Page 2 of 2



KATHLEEN BABINEAUX BLANCO
GOVERNOR

SCOTT A. ANGELLE
SECRETARY

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE SECRETARY

December 12, 2005

Donald Silawsky
U. S. Dept. of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue, S. W.
Washington, DC 20585-0301

RE: C20050552, Solicitation of Views
U. S. Dept. of Energy (DOE), Direct Federal Action
Request for Scoping Comments for the Proposed Expansion of the Strategic
Petroleum Reserve (SPR)

Dear Mr. Silawsky:

I have received your letter of November 21, 2005, requesting input regarding issues which should be addressed in the Environmental Impact Statement (EIS) being prepared for the proposed expansion of the Strategic Petroleum Reserve. Review of the scoping document indicates that the proposed expansion is a Direct Federal Action that will require submittal of a Consistency Determination for the Louisiana Coastal Zone in accordance with the approved Louisiana Coastal Resources Program (LCRP) as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. Issues of concern to Louisiana that need to be addressed in the EIS and the Consistency Determination are discussed below.

The construction and operation of new or expanded SPR facilities that will adversely affect wetlands within the Louisiana Coastal Zone are a primary concern of the State of Louisiana as we have a "no net loss of wetland" policy in which the applicant must provide compensatory mitigation for any wetland losses resulting from those proposed activities. These include direct impacts from expansion of facilities into wetland areas, such as pipeline routing or facility siting, or indirect or cumulative impacts of the proposed activities on wetlands or wetland resources such as raw water removal from surface water bodies in areas prone to saltwater intrusion, or brine disposal in offshore areas. For sites with proposed brine wells, precaution must be taken to avoid contamination of drinking water aquifers.

Another concern is safety or potential safety hazards resulting from construction or operation of the facilities. There needs to be a spill response plan with provisions for precluding or

P.O. BOX 04306 • BATON ROUGE, LA 70804-0306 • 617 N. THIRD STREET • 12TH FLOOR • BATON ROUGE, LA 70802
PHONE (225) 342-2710 • FAX (225) 342-5861 • WEB <http://www.dnr5.Ut.e.louisiana.gov>
AN EQUAL OPPORTUNITY EMPLOYER

As a new SPR site, the Chacahoula salt dome would require the building of more infrastructure than the other three previously discussed Louisiana sites. Any additional costs should be comparable, if not somewhat less, than some proposed SPR sites in neighboring states. Yet, Chacahoula's relatively short tie-in access to existing oil distribution facilities makes this proposed site practicable.

After reviewing the conceptual plan submitted by the State of Mississippi for the Bruinsburg salt dome, we are unable to ascertain the location of the 15-mile brine pipeline and final location of the proposed 60 offsite brine disposal wells to be spaced 1,000 feet apart. Please provide additional detail regarding the location of the brine pipeline and the offsite brine disposal wells in relation to the candidate facility. Our concern is the appearance that the disposal wells may be located in Louisiana while the storage facility is proposed in Mississippi.

Please contact Mr. Joe Ball at 225-342-5569 or joe.ball@la.gov with additional information or if you have questions.

Sincerely,


James H. Welsh
Commissioner
of Conservation

cc: Scott A. Angelle, Secretary
Louisiana Department of Natural Resources

Mr. Silawsky December
12, 2005 Page 2

addressing oil or brine spills from pipelines. Also, a thorough geologic and geophysical investigation of the proposed cavern sites needs to be undertaken to identify, address, and make and design provisions for any potential sources of cavern failure or leakage, in order to avoid a repeat of the Week Bay abandonment.

I want to thank you for the opportunity to comment on the proposed expansion of SPR facilities, which are not only of concern to the State of Louisiana, but are of National Energy Policy interest and concern. I look forward to the upcoming EIS on the SPR expansion, and can be reached at 225-342-2710 if I can be of assistance in any way on this matter.

Very truly yours,

Sept. L. Angelle
Secretary

cc: Governor Kathleen Babineaux Blanco

S0017



KATHLEEN BABINEAUX-BLANCO
GOVERNOR

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

Baton Rouge, Louisiana 70804-9245
P.O. Box 94245

www.dotd.louisiana.gov
LA. Offshore Terminal Authority
225-379-1247



JOHNNY B. BRADBERRY
SECRETARY

October 7, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue
Washington, DC 20585-0301

Dear Mr. Silawsky:

Your letter of September 13, 2005, states that the U.S. Department of Energy is proposing to expand the Strategic Petroleum Reserve (SPR) to one billion barrels. I believe this is a prudent step by the Department of Energy as the United States' dependency on foreign oil continues to increase. With the country's demand for petroleum products at around 20 million-barrels per day, and our domestic production hovering between five to 5.5 million barrels per day, our energy supply and our economy are at the whim of foreign governments. Increasing the strategic reserve will protect the United States against supply interruptions from foreign governments, and additionally, will help mitigate the impact of supply interruptions from storms like hurricanes Katrina and Rita.

Your letter states that two existing SPR sites located within Louisiana will be expanded and a third site remains to be selected. Of the new sites under consideration, Clovelly and Chacahoula, I believe the Clovelly site, co-located with LOOP (Louisiana Offshore Oil Port), is the logical choice.

The proposed site at Chacahoula would require a 58-mile pipeline for brine disposal to the Gulf of Mexico and a 50-mile pipeline for oil distribution to LOOP at Clovelly and/or a 21-mile pipeline to the marine facilities located at St. James, Louisiana. The pipeline route to the Gulf will be through Louisiana's marsh and wetlands. Although the State of Louisiana supports the expansion of the SPR, as it will provide both security of supply to the nation and create additional jobs for the state, if the infrastructure already exists at LOOP, why would we build new pipelines through Louisiana's marsh and wetlands?

All of the infrastructure requirements to build additional storage for the SPR already exist at LOOP. I believe use of the existing LOOP infrastructure will reduce construction time, save taxpayer money, and will do less damage to Louisiana's marsh and wetlands. I also understand LOOP's distribution system is connected to nearly 50 percent of the nation's refining capacity, which would be difficult to duplicate at the other proposed locations.

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
October 7, 2005
Page 2

The framework for oversight and coordination of regulatory and environmental issues associated with locating the proposed SPR expansion project at the Clovelly site are already in place by virtue of the Louisiana Offshore Terminal Authority (LOTA) Act. This statute created LOTA as an office within the Department of Transportation and Development and provides for a "clearing house" approach to permitting of deepwater port activities. This coordinated approach is designed to prevent duplication of effort by regulatory authorities with complementary or overlapping jurisdiction. This has significantly streamlined the federal, state and local permitting process for deepwater port construction and operations without compromising environmental standards. The same process would be used to modify and update LOOP's construction and operating permits to incorporate additional air emissions, storage wells, etc. However, a permit modification would not require the extensive procedures associated with permitting a new facility.

An environmental monitoring program under the direction of LOTA is in place to determine any impacts associated with the construction and operation of the deepwater port. Extensive baseline, construction and post construction data has been gathered and analyzed to capture and quantify such impacts. The results of this program have shown that there were no long-term adverse impacts associated with the construction or operation of the LOOP facility. A major component of this monitoring program included studies on the effects of discharging large volumes of brine to the Gulf of Mexico over an extended period of time. These studies indicated no long term harmful effects on the fisheries in the area of the brine discharge.

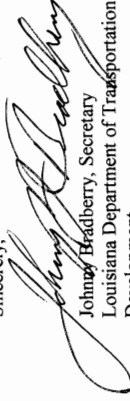
Another important consideration relative to the Clovelly site is that an extensive Environmental Impact Statement (EIS) was prepared prior to construction of this facility which thoroughly addressed all potential impacts of the construction, operation and potential expansion of the complex. The leaching of additional storage caverns at Clovelly should only require an update of that EIS. The data collected in the extensive environmental monitoring program discussed above will provide pertinent information in updating the EIS. With significant data in place to facilitate that update, the NEPA process should be significantly expedited.

The Clovelly site has an extensive security and emergency response capability in place. As a facility subject to the Maritime Transportation Security Act, detailed procedures are in place to insure facility and operational security. A surveillance system, monitored on a 24-hour basis by trained security personnel is in place throughout the complex. LOOP maintains a close relationship with local, state and federal intelligence and enforcement personnel who are positioned to assist in the event of a threatened or actual security or other emergency situation. LOOP conducts routine emergency response training on a regular basis with its Emergency Response Team and numerous federal, state and local agencies to insure the safety and security of this facility.

Mr. Donald Silawsky
Office of Petroleum Reserves (FE-47)
October 7, 2005
Page 3

Based upon the information you provided, I endorse, and the great state of Louisiana supports, an expansion of the strategic reserve facilities at the existing Louisiana sites and at Clovelly co-located with LOOP.

Sincerely,



John Bradberry, Secretary
Louisiana Department of Transportation and
Development
P.O. Box 942545
Baton Rouge, Louisiana 70804-9245



State of Louisiana

DEPARTMENT OF WILDLIFE AND FISHERIES

DWIGHT LANDRENEAU
SECRETARY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

October 3, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves, (FE-47)
Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve (West Hackberry, Bayou
Choctaw, Clovelly and Chacahoula, LA)

Dear Mr. Silawsky:

The professional staff of the Office of Wildlife reviewed your letter of September 13,
2005 concerning the above referenced project. The following has been determined:

Chacahoula Site - *Ceratotieris pieridoides* may potentially be impacted by the
proposed project. *Ceratotieris pieridoides* is a native fern which usually floats on
the water surface. It is considered imperiled in the State of Louisiana with a
Natural heritage ranking of S2. It occurs in cypress-tupelo swamps and in and
along slughish bayous and canals. The Chacahoula populations were last
observed in the fall of 2003.

Two bald eagle nests may potentially be affected by the proposed project. No
major activities should occur during the nesting period (October 1- May 15)
within one mile of the nest tree. We recommend that, to protect the nesting area,
there be no activity within a 1,500-foot radius of the nest tree at any time. All
bald eagle nests (active, inactive or seemingly abandoned) should be protected.
Within the nesting area, no large trees should be removed. Within the buffer zone,
a minimum of three to five large trees should be saved for potential roost and
perch trees. For specific location information applicant should contact the
Louisiana Natural Heritage Program [LNHP] zoologist at 225-765-2823 and
reference EOR#135 and EOR#102.

West Hackberry Site - LNHP database indicates observations of Mississippi
diamondback terrapin (*Malaclemys terrapin*) in the project vicinity. The
diamondback terrapin is considered imperiled in the state of Louisiana, and is
currently ranked S2. Barrier island marshes and sea-grass beds on the bayside of
islands are important habitats for this species. Females use mud and sandbars for
nesting. Work activities should be completed in such manner as to minimize the
impacts on these habitats. If active nests are found contact the LNHP at 225-765-
2820 to coordinate activities.

Clovelly - Colonial nesting bird species are known to occur in the project vicinity.
If active or inactive nests are found within 400 m (700 m for Brown Pelicans) of
the project site, applicant must contact LNHP at 225-765-2820 or 2823 to
coordinate activities. Colonial nesters include terns, gulls, skimmers, ibises,
herons, egrets, cormorants, anhingas, spoonbills and pelicans.

The proposed project lies within the designated coastal management zone.
Contact Rocky Hinds or Bill Pittman with the Department of Natural Resources
Coastal Management Division at 225-342-7591 or 1-800-267-4019 concerning
coastal use permits.

Each of the proposed project sites has wetlands occurring in them. We strongly
recommend that you contact Mr. Ronnie W. Duke of the Corps of Engineers New
Orleans District at (504) 862-2261 concerning wetland permit issues.

Mr. Fred Durham of my staff is assigned to this project and can be reached at (225) 765-
2367 and at fdurham@wvif.louisiana.gov. The Department of Wildlife and Fisheries
seeks to work with you in a facilitative manner on this and future such endeavors. Please
call my staff should you need further assistance.

Sincerely,

Michael Carlross
Biologist Program Manager

C: LNHP, Venise Ortega



State of Louisiana
 DEPARTMENT OF WILDLIFE & FISHERIES
 POST OFFICE BOX 98000
 BATON ROUGE, LA 70899-9000
 (225) 765-2800

KATHLEEN BABINEAUX BLANCO
 GOVERNOR

DWIGHT LANDRENEAU
 SECRETARY

Date March 8, 2006

Name Karen M. Fadelly
Company ICF Consulting
Street Address 9300 Lee Highway
City, State, Zip Fairfax, VA 22031

Project Dept. of Energy: Proposed Oil Reserve Expansion and Pipeline Installation
Invoice Number 06030801

Personnel of the Habitat Section of the Fur and Refuge Division have reviewed the preliminary data for the captioned project.

Our records indicate the proposed project may potentially impact 9 bald eagle (*Haliaeetus leucocephalus*) nesting sites. This species is listed as threatened under the Endangered Species Act. No major activities should occur during the nesting period (October 1- May 15) within one mile of the nest tree. To protect the core nesting area, there should be no activity within a 1,500-foot radius of the nest tree at any time. All bald eagle nests (active, inactive or seemingly abandoned) should be protected. Within the core nesting area, no large tree should be removed. For specific location information applicant should contact the LNHP zoologist at 225-765-2823 or 2820 and reference EOR #'s 362, 364, 135, 363, 304, 287, 399, 305, and 435. For consideration of exceptions, applicant must contact Brigitte Firmin with USFWS to coordinate activities at 225-291-3108.

The proposed project may impact two ground-nesting birds of concern in Louisiana. The Louisiana Waterthrush (*Seiurus motacilla*) and Worm-eating Warbler (*Helmitheros vermivorus*) are known to nest in East and West Feliciana Parishes of Louisiana. Breeding habitat for these birds include wet forested areas along streams and creeks flowing through hilly terrain. We recommend a qualified biologist conduct a survey along the proposed right way if activity takes place during the breeding season. Results of the survey should be sent to the above address care of LNHP. The breeding season for these two species is generally mid-April through July.

The proposed project may potentially impact the long-tailed weasel (*Mustela frenata*). This species is found in a wide variety of habitats, usually near water. Favored habitats include brushland and open woodlands, field edges, riparian grasslands, swamps, and marshes. Dens are in abandoned burrows of other mammals, rock crevices, brushpiles, stump hollows, or spaces among tree roots; one individual may use multiple dens. Research indicates that long-tailed weasels may be sensitive to agriculturally induced fragmentation of habitat and the importance of maintaining landscape connectivity for species conservation.


The proposed project may impact Southern Shield Wood-fern (*Dryopteris ludoviciana*) and Rooted Spike-rush (*Eleocharis radicans*). Both of these plants are considered extremely imperiled in Louisiana due to extreme rarity. A forested seep with large populations of these plants is located in the direct path of the proposed pipeline right of way extending north from Baton Rouge. The area is located at the following lat./lon. Location: [REDACTED] Please contact LNHP botanist Chris Ried at (225) 765-2828 to discuss measures to avoid impacts to these rare plants.

Our database indicates the presence of many waterbird nesting colonies within the proposed project area or within one mile of the proposed project. Please keep in mind that rookeries can move from year to year and no current information is

available on the status of these rookeries. We recommend that a qualified biologist inspect the proposed worksite for the presence of nesting colonies during the nesting season. We recommend that on-site contract personnel be informed of the need to identify colonial nesting birds and their nests and should avoid disturbing them during the breeding season. No activity is permitted within 400 meters (700 meters for Brown Pelicans) around rookeries during the breeding season, which is generally March 15-July 15. Contact the US Fish and Wildlife Service at (337) 291-3100 to discuss impacts on rookeries. To minimize disturbance to colonial nesting birds, the following restrictions on activity should be observed:

- For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, roseate spoonbills, anhingas, and/or cormorants), all activity occurring within 300 meters of a rookery should be restricted to the non-nesting period (i.e., September 1 through February 15, depending on species present).
- For colonies containing nesting gulls, terns, and/or black skimmers, all activity occurring within 400 meters of a rookery should be restricted to the non-nesting period (i.e., September 16 through April 1, depending on species present).

The Louisiana Natural Heritage Program has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. The Louisiana Natural Heritage Program requires that this office be acknowledged in all reports as the source of all data provided here. If you have any questions or need additional information, please call Louisiana Natural Heritage Program at 225-765-2357.

Sincerely,

 Gary Lesfar, Coordinator
 Natural Heritage Program



Department of Energy
Washington, DC 20585

S0026

September 13, 2005

Ms. Pamela Breaux
Louisiana Office of Culture
Recreation and Tourism
P.O. Box 44247
Baton Rouge, Louisiana 70804

No known archaeological sites or historic properties will be affected by this undertaking. This effect determination could change should new information pertain to our opinion.
Date: 10-13-05
Pam Breaux
State Historic Preservation Officer

Re: Proposed Expansion of the Strategic Petroleum Reserve (West Hackberry, Bayou Choctaw, Clovelly and Chacahoula, LA)

Dear Ms. Breaux:

The U.S. Department of Energy is proposing to expand the Strategic Petroleum Reserve (SPR) to its 1 billion-barrel authorized capacity. The Strategic Petroleum Reserve Office of the U.S. Department of Energy (DOE) has determined that this project is subject to the National Environmental Policy Act (NEPA). The purpose of this letter is to request information from the Louisiana Office of Culture, Recreation and Tourism on resources that the project could potentially affect, as well as any permits and approvals required for construction. Four sites being considered for the proposed project in Louisiana are:

- (1) West Hackberry (Cameron and Calcasieu Parishes), an existing SPR facility that would be expanded under the proposal;
- (2) Bayou Choctaw (Iberville Parish), an existing SPR facility that would be expanded under the proposal;
- (3) Clovelly (east of Galliano, LA), which would be a candidate for a new SPR facility; and
- (4) Chacahoula (Lafourche Parish), which would be a candidate site for a new SPR facility.

Maps are enclosed which show the location of the proposed project sites. Additional attachments include a narrative description of the proposed action and figures of the proposed action from the 1992 Draft Environmental Impact Statement for the Expansion of the Strategic Petroleum Reserve.

DOE has initiated preparation of an Environmental Impact Statement with publication of a Notice of Intent (70 FR 52088) on September 1, 2005. The Energy Policy Act of 2005 (EPACT), enacted on August 8, 2005, requires the Secretary of Energy to select sites necessary to expand the SPR to 1 billion barrel capacity no later than one year after enactment. This requires an extremely fast NEPA review process in order to provide decision makers with information for a Record of Decision (ROD) in early August of 2006.

Information on any additional issues or concerns that you consider appropriate would also be appreciated. We request that you respond by October 13, 2005, so that we may schedule meetings, site visits or surveys, conduct any necessary follow-up activities, and

Mississippi State Agencies





HISTORIC PRESERVATION
PO Box 571, Jackson, MS 39205-0571
601-576-6940 • Fax 601-576-6955
mdah.state.ms.us

September 19, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves, (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

RE: Proposed Expansion of the Strategic Petroleum Reserve
(Richton, Mississippi)

Dear Mr. Silawsky:

We have reviewed the documents you provided in your letter of September 13, 2005, concerning the proposed expansion of the Strategic Petroleum Reserve and the preparation of an Environmental Impact Statement (EIS). We have also received a phone call from ICF Consulting regarding this matter. Our understanding is that, in the interest of a speedy completion of the EIS, the consultants would obtain all known information regarding the Richton, Mississippi alternative, but that a cultural resources survey would only be conducted once the preferred alternative was selected and only of that alternative.

This plan is agreeable to us and we anticipate working with the consultants in due course in providing information on file in our records. Should the Richton site be selected as the preferred alternative, we would anticipate working with you and your consultants in evaluating a cultural resources survey and providing appropriate comments.

If you have questions or need additional information, please let us know.

Sincerely,

H. T. Holmes
State Historic Preservation Officer

Thomas H. Waggener
BY: Thomas H. Waggener
Review and Compliance Officer

Board of Trustees: William F. Winter, president / Arch Dalrymple III / Kane Ditro / Lynn Crosby Gammill / E. Jackson Garner
Gilbert R. Mason, Sr. / Duncan M. Morgan / Morris D. Ramage, Jr. / Rosemary Taylor Williams / Department Director: H. T. Holmes



HISTORIC PRESERVATION
PO Box 571, Jackson, MS 39205-0571
601-576-6940 • Fax 601-576-6955
mdah.state.ms.us

October 4, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves
1000 Independence Avenue SW
Washington, DC 20585-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve
Richton, Mississippi

Dear Mr. Silawsky:

We have reviewed your follow-up letter of September 27, 2005, providing more detail concerning the identification of cultural resources potentially affected should the Richton, Mississippi site be the preferred alternative selected for the proposed expansion of the Strategic Petroleum Reserve. Our records are available for the use of your representatives to locate National Historic Landmarks and/or properties or sites listed or eligible for listing in the National Register of Historic Places which could potentially be affected by this proposal.

Native American tribes which may have cultural affiliations in the area of this project known to us are the Choctaw Nation of Oklahoma, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, and the Tunica-Biloxi Tribe of Louisiana.

We will be happy to begin working with staff of the Department of Energy on a Programmatic Agreement to be in effect should the Richton site be selected, with a view of having a signed Programmatic Agreement no later than March 2006, the date you specified.

If you have any further questions or need additional information, please contact Tom Waggener, our Review and Compliance Officer, at 601-6940 or by email at twag@mdah.state.ms.us.

Sincerely,

H. T. Holmes
State Historic Preservation Officer

Kenneth H. P Pool
BY: Kenneth H. P Pool
Deputy State Historic Preservation Officer

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2 March 2006
Karen M. Fadely
Associate
ICF Consulting
9300 Lee Highway
Fairfax, VA 22031

Regarding: Comments on Potential Mississippi-Based Components of Strategic Petroleum Reserve

Dear Ms. Fadely:

Below we provide specific observations, recommendations, and corrections regarding the EIS provided us; a summary of some of the plant communities found along the proposed Bruinsburg pipeline corridor and the Richton pipeline corridors (Liberty to Richton and Richton to Pascagoula), and a list (via attachment) of special concern animals and plants within the provided buffer of each element of the project alternatives. Included with each community is its Heritage State Rank, the typical species that define each type and the associated plant species of concern.

The Mississippi Natural Heritage Program (MNHP) has compiled a database that is the most complete source of information about Mississippi's rare, threatened, endangered, or otherwise significant plants, animals, plant communities, and natural features. The quantity and quality of data collected by MNHP are dependent on the research and observations of many individuals and organizations. In many cases, this information is not the result of comprehensive or site-specific field surveys; most natural areas in Mississippi have not been thoroughly surveyed and new occurrences of plant and animal species are often discovered. Heritage reports summarize the existing information known to the MNHP at the time of the request and cannot always be considered a definitive statement on the presence, absence, or condition of biological elements on a particular site.

Bruinsburg comments:

The Bruinsburg site lies entirely within the floodplain of the Mississippi River at its confluence with the Bayou Pierre. The biological assessment indicates that choice of the Bruinsburg alternative would have no impact on the federally and state listed Bayou Darter (*Etheostoma rubrum*). This claim may be in error. Placement of this facility, presumably protected with dikes, within the floodplain could result in altered high water flow patterns. This could induce changes in the channel morphology of the nearby Bayou Pierre and initiate another round of destabilizing channel adjustments upstream. In addition to the Bayou Darter, the state endangered Crystal Darter (*Crystallaria asprella*) occurs in Bayou Pierre, and both would be negatively affected by channel destabilization.

The dike wall around the Bruinsburg site could be breached by flood or earthquake, potentially leading to the contamination of the Mississippi River with oil and/or brine. This would be potentially catastrophic, for all of the listed and unlisted species in and along the Mississippi River downstream.

Pipelines under Bruinsburg Option 3 should be directionally drilled beneath the Big Black, Bayou Pierre and Baker's Creek. The Big Black contains two state endangered species, the Pyramid Pigtoe Mussel (*Pleurobema rubrum*) and Rabbitsfoot Mussel (*Quadrula cylindrica*). Bayou Pierre contains one federally threatened species, the Bayou Darter, and two state endangered species, the Bayou Darter, and Crystal Darter. Baker's Creek drains into Fourteen Mile Creek, which drains into the Big Black River at the site where the Rabbitsfoot Mussel occurs.

The new oil pipeline to Baton Rouge should be directionally drilled beneath major streams along its transect, including Cole's and Fairchild Creeks.

The pipeline from Bruinsburg to Baton Rouge will intersect an NRCS project in Adams County. Please contact this federal agency regarding any complications this might generate.

Oil and brine pipelines, and brine disposal wells on each of the alternatives, should have contingency plans for timely detection of leaks and deployment of effective containment measures.

Richton Site Comments:

Because of the importance of the Leaf River near Hattiesburg to spawning and juvenile sturgeon, it is recommended that water withdrawals be discontinued if discharge from the Leaf reaches 30% of mean daily discharge, a percentage determined by Evans and England (1995) to protect fisheries in Georgia's unregulated, warm-water streams. This is well above the 7Q10 level, which is mainly intended to preserve the ability of a stream to assimilate organic material, not for conservation of fisheries. Given the relatively short interval when solution mining will be implemented, this limitation may not become an issue.

Although we have provided known centroid localities of tortoise occurrences, these animals are mobile, and move away from habitat degraded by fire suppression, heavy site preparation, and/or excessive tree stocking densities, and will move toward more open habitat maintained by fire, thinning, or mowing along ROWs. All proposed and existing pipeline ROW and other facility footprints associated with the Richton alternative from Walthall County to points east should be surveyed for tortoises and their burrows if on moderately well-drained to excessively well-drained sandy soils. If tortoises or their burrows are found, contact Tom Mann (601-354-6367, ext. 116; Mississippi Dept. of Wildlife, Fisheries, and Parks (MDWFP)) and Will McDearman (601-321-1126; U.S. Fish and Wildlife Service (USFWS)) regarding measures which will need to be taken to avoid harm to this federally threatened, state endangered species. Tortoises may be relocated only with concurrence of the USFWS and MDWFP, and according to strict protocols and within seasonal windows specified by these agencies. The Richton to Liberty ROW is largely on a new location (although we advocate co-location within existing ROWs), so there is the potential for avoiding burrows, particularly relatively large clusters of burrows.

Tallahala Creek probably supports the state endangered Pearl Darter and drains into the Leaf River, critical habitat for the Gulf Sturgeon, so it is recommended that it be directionally drilled.

Cogon grass should be mapped along ROWs within the range of the tortoise and should be selectively sprayed with materials approved for use around tortoises (contact Will McDearman,

USFWS) prior to soil disturbance. Care should be taken to avoid indiscriminate spraying which can poison plants important as food for tortoises. Also, care should be taken to avoid spreading cogon grass during pipeline installation. It would be prudent to spray it once or twice prior to ground disturbing activities. Care should be taken to avoid moving cogon grass propagules from sites where it is present to those where it isn't yet established.

The pipeline from Richton to Liberty passes through a portion of Percy Quinn State Park, not apparently on an existing ROW. We recommend use of an existing ROW in the Percy Quinn area if available.

Corrections—
Pseudemys alabamensis is listed as endangered by the state of Mississippi (page 5)

The following is a summary of some of the plant communities found along the proposed Bruinsburg pipeline (Anchorage to Bruinsburg and Bruinsburg to Jackson) corridors. Included with each community is its Heritage State Rank, the typical species that define each type and the associated plant species of concern.

Community: Sweetgum - mixed oak bottomland forest

State Rank: S4

Typal Species: Liquidambar styraciflua – Ulmus americana – Quercus sp.

Associated plant species of concern within the buffered areas:

Carya leioderms
Spiranthes ovalis

Community: Coastal Plain Loess Forest

State Rank: S4

Typal Species: Quercus (pagoda, alba) – Fraxinus americana – Acer barbatum – Linderabenzion

Associated plant species of concern within the buffered areas:

Athyrium pycnocarpon
Carya leioderms
Celastrus scandens
Erythroides querceticola
Hexalectris spicata
Panax quinquefolius
Physalis carpenteri
Schisandra glabra
Spiranthes ovalis
Trillium foetidissimum

Community: Beech - Magnolia Forest

State Rank: S1

Typal Species: Fagus grandifolia – Magnolia sp.

Associated plant species of concern within the buffered areas:

Celastrus scandens

Hexalectris spicata
Panax quinquefolius
Schisandra glabra
Spiranthes ovalis

The following is a summary of some of the plant communities found along the proposed Richton pipeline (Liberty to Richton and Richton to Pascagoula) corridors. Included with each community is its Heritage State Rank, the typical species that define each type and the associated plant species of concern

Community: Subxeric Longleaf Pine - Saw Palmetto Woodland

State Rank: S1

Typal Species: Pinus palustris - Serenoa repens

Associated plant species of concern within the buffered areas:

Anistida spiciformis
Stylisma pickeringii

Community: Bayhead Forest

State Rank: S3

Typal Species: Nyssa biflora - Magnolia virginiana - Acer rubrum

Associated plant species of concern within the buffered areas:

Agalinis aphylla
Chamaecyparis thyooides
Dryopteris ludoviciana
Macranthera flammaea
Melanthium virginicum
Parnassia grandifolia
Paronychia erecta
Peltandra sagittifolia
Pinguicula primuliflora
Rhynchospora stenophylla
Utricularia purpurea

Community: Wet Slash Pine Savanna/Forest

State Rank: S2

Typal Species: Pinus (palustris, elliotii) - Andropogon sp. - Wetland Herbs

Wet low flat coastal areas; acidic, nutrient poor, loamy soils with impervious clayey subhorizon.

Associated plant species of concern within the buffered areas:

Agalinis aphylla
Agalinis filicaulis
Andropogon perangustatus
Aristida spiciformis
Calopogon barbatus
Carex striata var. *striata*
Carex verrucosa
Chamaecyparis thyooides
Cladium mariscoides
Dichantherium erectifolium
Eulophia ecristata
Hypericum myrtifolium
Ilex cassine
Lachnocaulon digynum
Lobelia boykinii
Pteris phillyreifolia
Pinguicula primuliflora
Platanthera integra
Polygala crenata
Polygala hookeri
Rhynchospora globularis var. *pinetorum*
Rhynchospora macra
Rhynchospora stenophylla
Ruellia noctiflora

Sabatia bartramii
 Sarracenia leucophylla
 Sarracenia rosea
 Scleria reticularis
 Spiranthes longilabris
 Stylisma aquatica
 Utricularia purpurea
 Xyris drummondii

Community: Wet Pine - Pond Cypress Savanna

State Rank: S2

Typal Species: *Taxodium ascendens* - *Pinus elliotii* - *Woodwardia virginica*

Wet coastal depressions and flats, or gentle lower slopes which receive subsurface lateral flow from adjacent areas; acidic, nutrient poor soils.

Associated plant species of concern within the buffered areas:

Agalinis aphylla
Agalinis filicaulis
Lobelia boykinii
Pteris phyllireifolia
Polygala crenata
Polygala hookeri
Sabatia bartramii
Sarracenia leucophylla
Stylisma aquatica
Utricularia purpurea

Community: Wet Pond Cypress Depression

State Rank: S2

Typal Species: *Taxodium ascendens* - *Saururus cernuus* - *Cladium mariscus* spp. *jamaicense*

Depressions that receive runoff from upslope and collect water during the winter and spring seasons; areas normally remain saturated throughout most of the growing season; abandoned stream channels that have silted in are good examples.

Associated plant species of concern within the buffered areas:

Agalinis aphylla
Agalinis filicaulis
Andropogon perangustatus
Calopogon barbatus
Carex striata var. *striata*
Carex verrucosa
Cladium mariscoides
Dichantheium erectifolium
Dichantheium wrightianum
Hypericum myrtifolium

Community: Pine Seepage Slope

State Rank: S2

Typal Species: *Pinus (palustris, elliptica)* - *Sarracenia alata* - Wetland Herbaceous

Associated plant species of concern within the buffered areas:

Agalinis aphylla
Agalinis filicaulis
Andropogon capillipes
Aristida simpliciflora
Aristida spiciformis
Calopogon barbatus
Eriocaulon texense
Lachnocaulon digynum
Lindera subcoriacea
Macranthera flammaea
Melanthium virginicum
Panicum nudicaule

Community: Pitcher Plant Flat/Bog/Wet Savanna

State Rank: S2

Typal Species: *Sarracenia alata* - *Sarracenia psittacina*, *Rhynchospora* sp., *Stokesia laevis*, *Lophiola aurea*, *Eriocaulon compressum*

Consistently wet infertile, acidic lowlands or seepage slopes, often receiving subsurface lateral moisture flow from uplands.

Associated plant species of concern within the buffered areas:

Agalinis aphylla
Agalinis filicaulis
Andropogon perangustatus
Aristida simpliciflora
Calopogon barbatus
Coreopsis helianthoides
Eriocaulon texense
Hypericum myrtifolium
Lachnocaulon digynum
Lindera subcoriacea
Macranthera flammaea
Melanthium virginicum
Panicum nudicaule

Peltandra sagittifolia
Pinguicula primuliflora
Platanthera blephariglottis
Platanthera integra
Polygala hookeri
Rhynchospora macrochaeta
Rhynchospora stenophylla
Ruellia noctiflora
Sabatia campestris
Sarracenia leucophylla
Sarracenia rosea
Xyris drummondii
Xyris scabrifolia

- Community: Quaking Bog
 State Rank: S1
 Typical Species: *Lindera subcoriacea* - *Carex exilis* - *Sphagnum* sp.
 Associated plant species of concern within the buffered areas:
Andropogon capillipes
Eriocaulon texense
Lachnocaulon digynum
Lindera subcoriacea
Panicum nudicaule
Peltandra sagittifolia
Pinguicula primuliflora
Platanthera integra
Sarracenia leucophylla
Sarracenia rosea
Xyris scabrifolia
- Community: Coastal Plain Small Stream Swamp Forest
 State Rank: S3
 Typical Species: *Magnolia virginiana* - *Acer rubrum* - *Nyssa biflora* - *Pinus elliotii*
 Wetlands adjacent to small streams, on dark loamy soils; these usually remaining wet throughout the year.
 Associated plant species of concern within the buffered areas:
Andropogon capillipes
Chamaecyparis thyooides
Dryopteris ludoviciana
Epidendrum conopseum
Lindera subcoriacea
Lycopodium cernuum
Macranthera flammaea
Melanthium virginicum
Pamassia grandifolia
Paronychia erecta
Peltandra sagittifolia
Pinguicula primuliflora
Platanthera integra
Sarracenia leucophylla
Utricularia purpurea
- Community: White Cedar Swamp Forest
 State Rank: S1
 Typical Species: *Chamaecyparis thyooides* (Atlantic white cedar)
 Associated plant species of concern within the buffered areas:
Chamaecyparis thyooides
- Community: Maritime Live Oak Forest
 State Rank: S1
 Typical Species: *Quercus virginiana* - *Quercus hemisphaerica*
 Mesic sandy coastal uplands, usually adjacent to estuarine marshes; often situated on old beach ridges, most of which have been extensively developed.
 Associated plant species of concern within the buffered areas:
Juniperus silicicola
Quercus myrtifolia
- Community: Shell Midden Shrub/Woodland
 State Rank: S1
 Typical Species: *Juniperus virginiana* var. *silicicola* - *Sideroxylon lanuginosum*
 Estuarine, Supra-tidal, Shrub/Woodland, Coarse Shell Substrates, Partially Enclosed, Mixohaline; Native American Shell Midden Sites.
 Associated plant species of concern within the buffered areas:
Juniperus silicicola
Lycium carolinianum
Sageretia minutiflora
Sapindus marginatus
- Community: Coastal Plain Loess Forest
 State Rank: S4
 Typical Species: *Quercus* (*pagoda*, *alba*) - *Fraxinus americana* - *Acer barbatum* - *Lindera benzoin*
 Associated plant species of concern within the buffered areas:
Trillium foetidissimum
Schisandra glabra
Solidago auriculata
- Community: Beech - Magnolia Forest
 State Rank: S1
 Typical Species: *Fagus grandifolia* - *Magnolia* sp.
 Associated plant species of concern within the buffered areas:
Trillium foetidissimum
Schisandra glabra
Solidago auriculata
- Please contact us if we can be of additional assistance.
 Sincerely,
 Tom Mann, Zoologist,
 Heather Sullivan, Botanist, and
 Melanie Caudill, Database Manager
- Mississippi Natural Heritage Program,
 Mississippi Museum of Natural Science
 2148 Riverside Drive, Jackson, MS 39202-1353

Ashton's Herbertson White, Chairman
B.H. Ralph, Managing Commissioner
Harry R. Seward, Commissioner
Glenn Stauder, Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Preserving the Environment

October 28, 2005

Mr. Donald Silawsky
Office of Petroleum Reserves (PE-47)
U.S. Department of Energy
1000 Independence Ave SW
Washington, D.C. 20585-0501

Re: Strategic Petroleum Reserves Expansion

Dear Mr. Silawsky:

The Texas Commission on Environmental Quality (TCEQ) appreciates the opportunity to comment on the September 1, 2005, *Federal Register* notice concerning the intent of the U.S. Department of Energy to prepare an Environmental Impact Statement (EIS) for the expansion of the Strategic Petroleum Reserve (SPR). The notice indicates that the existing Big Hill SPR site will be expanded and that Stratton Ridge, Texas is being considered as one of the four alternative locations for a new SPR site. The TCEQ offers comments on the applicability of the general conformity regulations to this project and on the construction and operational emissions.

General Conformity

The existing Big Hill SPR site is located in Jefferson County, Texas, which is designated as a marginal nonattainment area for ozone, while Stratton Ridge is located in Brazoria County, Texas, which is designated as a moderate nonattainment area for ozone. In nonattainment areas, major federal actions are subject to the general conformity rule. The general conformity rule was created to help ensure that major federal activities would not jeopardize a state's ability to achieve national ambient air quality standards.

The emissions that will result from the expansion of the Big Hill site will need to be documented in the EIS, and if the total volatile organic compounds (VOC) or oxides of nitrogen emissions (NOx) are estimated to be above 100 tons per year, then a general conformity determination will be required. Emissions will also need to be estimated for the new Stratton Ridge SPR site only, if it is the preferred alternative for the new location of a SPR site in the EIS. If the proposed new Stratton Ridge SPR site's estimated total emissions of either VOC or NOx are greater than 100 tons per year, then another general conformity determination will be required for that site.



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

ALBERT HAWKINS
EXECUTIVE COMMISSIONER

January 3, 2006

Mr. Donald Silawsky
U.S. Department of Energy
Office of Petroleum Reserves (FE-47)
1000 Independence Avenue S.W.
Washington, D.C. 20585-0301

Dear Mr. Silawsky:

Thank you for your letter notifying this agency that the U.S. Department of Energy is reopening the scoping comment period for the proposed expansion of the Strategic Petroleum Reserve sites located in Big Hill and Stratton Ridge, Texas. We have reviewed our files and determined that on September 19, 2005, the Department of State Health Services (DSHS) received a similar letter requesting comments and information regarding permit and approval requirements for project construction. A DSHS staff member, Ms. Punita Patel, was assigned to review the regulatory issues and provide a response.

Ms. Patel determined that the Railroad Commission (RRC) of Texas is the state agency with regulatory authority over oil storage caverns. She contacted you to provide this information and to notify you that your letter would be forwarded to Mr. Steve Seni of the Environmental and Underground Storage Services Section of the RRC. We then followed up with Mr. Seni to assure he received the documents. Mr. Seni advised us that he had reviewed the proposed expansion and provided comments from his agency.

Please let me know if you have any questions or need additional information. Ms. Annabelle Dillard is serving as the lead staff on this matter and can be reached at 512-834-6608 or by e-mail at Annabelle.Dillard@dshs.state.tx.us.

Sincerely,

Albert Hawkins

P. O. Box 13247 • Austin, Texas 78711 • 4900 North Lamar, Austin, Texas 78751

Mr. Donald Silawsky

Page 2

October 28, 2005

Construction Emissions

Please estimate the emissions for the following construction activities and include them in the EIS:

- All nonroad and onroad equipment used for the construction of all onsite infrastructure needed for the water supply, brine disposal, and oil distribution systems
- The pumps needed for the cavern leaching process
- The construction of water supply, brine disposal, and oil distribution pipelines

Operational Emissions

Please estimate the emissions for the following operational activities and include them in the EIS:

- The initial filling of the caverns with crude oil
- Any future fills and drawdowns that are reasonably foreseeable.

The TCTQ will continue to monitor this project and will provide comments as needed throughout the development of this project. If you have questions about this information, please feel free to contact Ms. Candace Garret, Director of the Air Quality and Implementation Division, at (512) 239-2376.

Sincerely,

David C. Schanbacher, P.E., Chief Engineer
Texas Commission on Environmental Quality

Mr. Silawsky
Page 2 of 5

Big Hill Site

Federal and State Listed Threatened
Piping Plover (*Charadrius melodus*)

Species of Concern
Pig frog (*Rana grylio*)
Gulf saltmarsh snake (*Nerodia clarkii*)
Texas diamondback terrapin (*Malaclemys terrapin littoralis*)
Correll's false dragon-head (*Physostegia correllii*)

Special Features and Natural Communities

Colonial Waterbird Rookeries
Migratory Songbird Fallow Areas
Coastal Live Oak-Pecan (*Quercus virginiana-Carya illinoensis*) Series
Little Bluestem-Brownseed Paspalum (*Schizachyrium scoparium-Paspalum plicatulum*) Series
Marshhay Cordgrass (*Spartina patens*) Series
Rush-Sedge (*Juncus* spp.) Series
Seacoast Bluestem-Gulfduane Paspalum (*Schizachyrium scoparium* var. *littoralis-Paspalum monostachyum*) Series
Sea Oats-Bitter Panicum (*Uniola paniculata-Panicum amarum*) Series
Smooth Cordgrass (*Spartina alterniflora*) Series

Managed Areas
JD Murphree Wildlife Management Area
Sea Rim State Park
McFaddin National Wildlife Refuge
Anahuac National Wildlife Refuge

Stratton Ridge Site

Federal and State Listed Endangered
Aitwater's Greater Prairie Chicken (*Tympanuchus cupido aithwateri*)
Whooping Crane (*Grus americana*)
Jaguaronúdi (*Herpailurus yagouaroundi*)
Kemp's ridley sea turtle (*Lepidochelys kempii*)

Federal and State Listed Threatened (Federal Proposed for Delisting)
Bald Eagle (*Haliaeetus leucocephalus*)

Federal and State Listed Threatened
Piping Plover (*Charadrius melodus*)

Species of Concern
Texas diamondback terrapin (*Malaclemys terrapin littoralis*)

Mr. Donald Silawsky
Department of Energy
Office of Petroleum Reserves
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve

Mr. Silawsky:

This letter is in response to your letter dated September 9, 2005 for natural resource information and potential Texas Parks & Wildlife Department (TPWD) concerns regarding the potential Texas sites for expansion of the Strategic Petroleum Reserve. These sites include a potential new site in Stratton Ridge in Brazoria County and expansion of the Big Hill site in Jefferson County. Department staff met with your representatives from ICF Consulting on October 5, 2005 and therefore these comments may reiterate Department concerns expressed in that meeting.

The information provided to TPWD regarding the Stratton Ridge site at this point has been preliminary, with no defined pipeline routes and no current site information. It is the understanding of TPWD staff that the expansion of the Big Hill site may require new pipeline installation or replacement. Due to the preliminary nature of the information provided, Department concerns expressed herein are preliminary and the Department of Energy should continue ongoing coordination with TPWD as new information is made available. The following comments will fall into two broad categories: rare natural resources and general natural resource concerns.

Rare Natural Resources

Given the small proportion of public versus private land in Texas, the TPWD Natural Diversity Database (NDD) (formerly the Biological and Conservation Data System) does not include a representative inventory of rare resources in the state. Although it is based on the best data available to TPWD regarding rare species, the data from the NDD does not provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features within your project areas. This data cannot substitute for an on-site evaluation by your qualified biologists. The NDD information is intended to assist you in avoiding harm to species that may occur on your sites.

Currently in the NDD, the following species, special features, natural communities, and managed areas have been documented in the general area of the petroleum reserve sites and their estimated pipeline routes:

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.



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Gulf saltmarsh snake (*Nerodia clarkii*)
Coastal gay-feather (*Liatris bracteata*)
Grand Prairie evening primrose (*Oenothera pilosella* ssp. *sessilis*)
Houston daisy (*Rajacksonia aurea*)
Runyon's water-willow (*Justicia runyonii*)
Texas windmill-grass (*Chloris texensis*)
Threeflower broomweed (*Thurovia triflora*)

Special Features and Natural Communities
Colonial Waterbird Rookeries
Migratory Songbird Fallout Areas
Coastal Live Oak-Pecan (*Quercus virginiana-Carya ilinoensis*) Series
Glasswort-Saltwort (*Salicornia bigelovii/S. virginica-Batis maritima*) Series
Little Bluestem-Brownseed Paspalum (*Schizachyrium scoparium-Paspalum plicatulum*) Series
Marshhay Cordgrass (*Spartina patens*) Series
Saltgrass-Cordgrass (*Distichlis spicata-Spartina* spp.) Series
Seacoast Bluestem-Gulfdune Paspalum (*Schizachyrium scoparium* var. *littoralis-Paspalum monostachyum*) Series
Sea Oats-Bitter Panicum (*Uniola paniculata-Panicum amarum*) Series
Smooth Cordgrass (*Spartina alterniflora*) Series
Water Oak-Coastal Live Oak (*Quercus nigra-Quercus virginiana*) Series

Managed Areas
Brazoria National Wildlife Refuge
Peach Point Wildlife Management Area
San Bernard National Wildlife Refuge

The proposed Stratton Ridge site is located within a Bald Eagle nesting territory. A printout for this occurrence record is included for your planning reference. **Please do not include NDD occurrence printouts in your draft or final documents.** Because some species are especially sensitive to collection or harassment, this record is for your reference only. Brent Ortego, TPWD regional biologist, may be contacted at (361) 576-0022 for information on the current season's nesting activities for Bald Eagles.

Please note that because the exact pipeline routes were not shown on the maps provided, species occurrences along the pipeline routes are not known. However, this response includes occurrences in the general area of estimated pipeline routes. The pipeline from the Big Hill site to Nederland could potentially run across or adjacent to the JD Murphree Wildlife Management Area (WMA) and the raw water intake and/or brine disposal pipelines could cross the McFaddin National Wildlife Refuge. Occurrences on or within 1.5 miles of the estimated route of the Stratton Ridge pipelines in Brazoria and Galveston counties include the Whooping Crane, Jaguarundi, Coastal gay-feather, Runyon's water willow,

Threeflower broomweed, Colonial Waterbird Rookeries, Marshhay Cordgrass Series, Little Bluestem-Brownseed Paspalum Series, and the Seacoast Bluestem-Gulfdune Paspalum Series. This route could also cross the Brazoria National Wildlife Refuge, and Bryan Mound is less than .75 mile from Peach Point Wildlife Management Area. For more site-specific data, please include a map of any crude oil distribution, brine disposal, and raw water pipelines that are proposed to be constructed or replaced, as well as any proposed ponds, in the Environmental Impact Statement (EIS). Additionally, should the proposed pipeline routes cross or run adjacent to any of the Department's holdings, you will need to address the routes with Dennis Gissell, TPWD WMA coordinator, at (512) 389-4407.

Enclosed are updated TPWD lists of rare, threatened, and endangered species for Brazoria, Galveston, and Jefferson Counties. When additional information becomes available, please use these lists and the enclosed Rare Resources Review Request form for your analysis and as guidance during preparation of your EIS.

General Natural Resource Concerns

Big Hill Site

The major potential impact regarding the Big Hill site expansion arises from the need to replace the 24 mile long crude oil distribution pipeline between the Big Hill site and refineries in Nederland, Texas. Permanent wetland impacts from pipeline installation has been well documented (Polasek, 1997). Although the proposed pipeline will follow existing rights-of-way, there will likely be additional wetland impacts from installation. TPWD recommends proposed rights-of-way and work corridors be minimized for all pipeline installation through wetlands and other sensitive habitat. TPWD also recommends the use of the enclosed pipeline monitoring procedures that were developed in concert with the United States Fish and Wildlife Service and the National Marine Fisheries Service.

Stratton Ridge

Aerial photography and National Wetland Inventory data regarding the Stratton Ridge site indicate the presence of the forested wetlands throughout the site. All wetland impacts should be minimized to the greatest extent practicable. Also, all proposed pipeline corridors should be coordinated with TPWD staff when that information becomes available. The selected route should be monitored utilizing the monitoring criteria referenced in the above section. All wetland impacts should be adequately compensated for to ensure a no net loss of wetland functions. This should include all wetlands that may be deemed "isolated" by the Galveston District of the United States Army Corps of Engineers. These wetlands play a critical role maintaining water quality in streams by intercepting and assimilating pollutants, sediments and excess nutrients prior to their entrance into downstream receiving waters. These wetlands are also critical wildlife habitat

Mr. Silawsky
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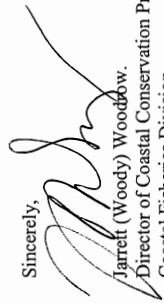
and play a crucial role in various animal life histories including that of the endemic mottled duck (*Anas fulvigula*). Upon finalization of wetland impact assessment, TPWD staff is willing to assist Department of Energy representatives to formulate a mitigation plan that adequately compensates all unavoidable wetland impacts.

TPWD recommends that the Department of Energy explore the use of water from Dow Energy Plant outfall in Freeport as a raw water source for cavern leaching. This may minimize habitat impacts with the proposed raw water uptake facility and pipeline that appears to cross the Brazoria National Wildlife Refuge.

The development of the Environmental Impact Statements should include a thorough cumulative impact analysis that considers the impacts from the proposed action and past and future similar actions. Similar actions in the region of the proposed sites should include all pipeline installations and development of liquid natural gas import terminals and associated pipelines in the vicinity of these sites.

Texas Parks and Wildlife staff appreciates the opportunity to provide input into the early stage of this project and looks forward to continued coordination to ensure impacts to Texas natural resources are adequately mitigated. Questions can be directed to Jamie Schubert of the Upper Coast Conservation Program in Dickinson at (281) 534-0135.

Sincerely,



Jarrett (Woody) Woodrow,
Director of Coastal Conservation Program
Coastal Fisheries Division

JOW:WJS

Enclosures 2

Texas Parks & Wildlife
Annotated County Lists of Rare Species

Last Revision: 2 Jun 2005
Page 1 of 4

JEFFERSON COUNTY

Federal Status
State Status

***** DRAFT ***** DRAFT ***** DRAFT ***** DRAFT ***** DRAFT ***** DRAFT *****
UNDER CONSTRUCTION **** SPECIES MIGHT BE ADDED/DELETED DURING QUALITY CONTROL

*** AMPHIBIANS ***

Pig Frog (*Rana grylio*) – prefers permanent bodies of open water with emergent vegetation; active mainly at night; eats insects and crustaceans; mating and egg-laying March-September; male vocalization a pig-like grunt

*** BIRDS ***

Arctic Peregrine Falcon (*Falco peregrinus tundrius*) - potential migrant
Bachman's Sparrow (*Aimophila aestivalis*) - inhabits mature open pine forests with grassy understory, regenerating pine clear-cuts (1-7 years post re-planting), or open habitats with a dense ground cover of grasses and forbs, or palmetto scrub; in Texas, known to occur only in the far eastern portion of the state; most abundant in forests south of Angelina National Forest

Bald Eagle (*Haliaeetus leucocephalus*) - found primarily near seacoasts, rivers, and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds

Brown Pelican (*Pelecanus occidentalis*) - largely coastal and near shore areas, where it roosts on islands and spoil banks

Henslow's Sparrow (*Ammodramus henslowii*) – wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking

Piping Plover (*Charadrius melodus*) - wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats

Reddish Egret (*Egretta rufescens*) - resident of the Texas Gulf Coast; brackish marshes and shallow salt ponds and tidal flats; nests on ground or in trees or bushes, on dry coastal islands in brushy thickets of yucca and prickly pear

Snowy Plover (*Charadrius alexandrinus*) – wintering migrant along the Texas Gulf Coast beaches and bayside mud or salt flats

Sooty Tern (*Sterna fuscata*) – predominately “on the wing”; does not dive, but snatches small fish and squid with bill as it flies or hovers over water; breeding April-July

Swallow-tailed Kite (*Elanoides forficatus*) - lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees

White-faced Ibis (*Plegadis chithi*) - prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats

Wood Stork (*Mycteria americana*) - forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960

Federal Status State Status

***** BIRDS-RELATED *****
Colonial waterbird nesting areas - many rookeries active annually
Migratory songbird fallout areas - oak mottes and other woods/thickets provide foraging/roosting sites for neotropical migratory songbirds

*****FISHES*****
American Eel (*Anguilla rostrata*) - most aquatic habitats with access to ocean; spawns January-February in ocean, larva move to coastal waters, metamorphose, then females move into freshwater; muddy bottoms, still waters, large streams, lakes; can travel overland in wet areas; males in brackish estuaries

***** MAMMALS *****
Black Bear (*Ursus americanus*) - within historical range of Louisiana Black Bear in eastern Texas, Black Bear is federally listed threatened and inhabits bottomland hardwoods and large tracts of undeveloped forested areas; in remainder of Texas, Black Bear is not federally listed and inhabits desert lowlands and high elevation forests and woodlands; dens in tree hollows, rock piles, cliff overhangs, caves, or under brush piles

Louisiana Black Bear (*Ursus americanus luteolus*) - possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas

Plains Spotted Skunk (*Spilogale putorius interupta*) - catholic; in habitat; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

Rafinesque's Big-eared Bat (*Corynorhinus rafinesquii*) - roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures

Red Wolf (*Canis rufus*) (extirpated) - formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies

Southeastern Myotis Bat (*Myotis austroriparius*) - roosts in cavity trees of bottomland hardwoods, concrete culverts, and abandoned man-made structures

*****MOLLUSKS*****
Creepers (Squawfoot) (*Strophitus undulatus*) - small to large streams, prefers gravel or gravel and mud in flowing water; Colorado, Guadalupe, San Antonio, Neches (historic), and Trinity (historic) River basins

Fawnsfoot (Common) (*Truncilla donaciformis*) - small and large rivers especially on sand, mud, rocky mud, and gravel, also silt and cobble bottoms in still to swiftly flowing waters; Red (historic), Cypress (historic), Sabine (historic), Neches, Trinity, and San Jacinto River basins.

Little Spectaclecase (*Villosa licenosa*) - creeks, rivers, and reservoirs, sandy substrates in slight to moderate current, usually along the banks in slower currents; east Texas, Cypress through San Jacinto River basins

Louisiana Pigtoe (*Pleurobema riddellii*) - streams and moderate-size rivers, usually flowing water on substrates of mud, sand, and gravel; not generally known from impoundments; Sabine, Neches, and Trinity (historic) River basins

Pistolgrrip (*Tritogonia verrucosa*) - stable substrate, rock, hard mud, silt, and soft bottoms, often buried deeply; east and central Texas, Red through San Antonio River basins

Federal Status State Status

Rock-pocketbook (*Arctidens contragostus*) - mud, sand, and gravel substrates of medium to large rivers in standing or slow flowing water, may tolerate moderate currents and some reservoirs, east Texas, Red through Guadalupe River basins

Sandbank Pocketbook (*Lampsilis satara*) - small to large rivers with moderate flows and swift current on gravel, gravel-sand, and sand bottoms; east Texas, Big Cypress Bayou south through San Jacinto River basins; Neches River

Southern Hickorynut (*Obovatia jacksoniana*) - medium sized gravel substrates with low to moderate current; Neches, Sabine, and Cypress river basins

Texas Heelsplitter (*Potamilus amphichacenus*) - quiet waters in mud or sand and also in reservoirs. Sabine, Neches, and Trinity River basins

Texas Pigtoe (*Fusconaia askewi*) - rivers with mixed mud, sand, and fine gravel in protected areas associated with fallen trees or other structures; east Texas River basins, Sabine through Trinity rivers as well as San Jacinto River

Wabash Pigtoe (*Fusconaia lava*) - creeks to large rivers on mud, sand, and gravel from all habitats except deep shifting sands; found in moderate to swift current velocities; east Texas River basins, Red through San Jacinto River basins; elsewhere occurs in reservoirs and lakes with no flow

Wartyback (*Quadrula nodulata*) - gravel and sand-gravel bottoms in medium to large rivers and on mud; Red, Sabine, Neches River basins

***** REPTILES *****
Alligator Snapping Turtle (*Macrochelys temminckii*) - deep water of rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near deep running water; sometimes enters brackish coastal waters; usually in water with mud bottom and abundant aquatic vegetation; may migrate several miles along rivers; active March-October; breeds April-October

Atlantic Hawksbill Sea Turtle (*Eretmochelys imbricata*) - Gulf and bay system

Green Sea Turtle (*Chelonia mydas*) - Gulf and bay system

Gulf Saltmarsh Snake (*Nerodia clarkii*) - saline flats, coastal bays, & brackish river mouths

Kemp's Ridley Sea Turtle (*Lepidochelys kempii*) - Gulf and bay system

Leatherback Sea Turtle (*Dermochelys coriacea*) - Gulf and bay system

Loggerhead Sea Turtle (*Caretta caretta*) - Gulf and bay system

Northern Scarlet Snake (*Cemophora coccinea copei*) - mixed hardwood scrub on sandy soils; feeds on reptile eggs; semi-fossorial; active April-September

Texas Diamondback Terrapin (*Malacemys terrapin littoralis*) - coastal marshes, tidal flats, coves, estuaries, and lagoons behind barrier beaches; brackish and salt water; burrows into mud when inactive; may venture into lowlands at high tide

Texas Horned Lizard (*Phrynosoma cornutum*) - open, arid and semi-arid regions with sparse vegetation, which could include grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil; enters rodent burrows, or hides under rock when inactive; breeds March-September

Timber/Canebrake Rattlesnake (*Crotalus horridus*) - swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto

*** VASCULAR PLANTS ***

Federal Status
State Status

Chapman's orchid (*Platanthera chapmanii*) - in Texas, restricted to wetland pine savannas, one of the states most endangered habitats; flowering July-August

Status Key:
LE, LT - Federally Listed Endangered/Threatened
PE, PT - Federally Proposed Endangered/Threatened
E/SA, T/SA - Federally Listed Endangered/Threatened by Similarity of Appearance
CI - Federal Candidate for Listing, Category 1; information supports proposing to list as endangered/threatened
DL, PDL - Federally Delisted/Proposed for Delisting
NL - Not Federally Listed
E, T - State Listed Endangered/Threatened
"blank" - Rare, but with no regulatory listing status

Species appearing on these lists do not all share the same probability of occurrence. Some species are migrants or wintering residents only, or may be historic or considered extirpated.

TEXAS PARKS AND WILDLIFE

Wildlife Habitat Assessment Program
Threatened and Endangered Species

3000 S. IH-35, Suite 100

Austin, Texas 78704

512/912-7011 phone

512/912-7058 fax

www.tpwd.state.tx.us



**Rare Resources Review Requests
(Including Threatened and Endangered Species)**

This service includes an analysis of your site-specific assessment of environmental information and potential impacts to threatened, endangered, and other rare species, natural communities, and special features presently known or potentially occurring in the vicinity of a project. **If you need only state or county rare species lists for preliminary project planning, in lieu of submitting this form please contact our administrative staff at (512) 912-7011.**

Review requests for this analysis should include all the information listed on Page 2 below and be sent to the attention of Celeste Brancel at the above address. We will provide you an analysis based on the most current information available to Texas Parks and Wildlife Department regarding sensitive natural resources. Please expect our response to take on average 4 to 6 weeks from receipt, depending on the size of your request. Note the more pertinent information you provide, the more customized our review, and the faster our turnaround. Review requests submitted without adequate project detail may cause a delay in our response while we contact you and await for supplemental information. The potential for adverse impacts to rare resources from project activities varies based on the type of activity, location, season; vegetation; present physical features (both natural and man-made); degree of disturbance; planned avoidance, minimization, mitigation, enhancement, and restoration measures; and species-specific tolerance levels. Current site color photographs and aerial photographs greatly facilitate the review process. More information allows us to more accurately assess a project's potential impacts as well as assists in narrowing the list of species or impacts you and we would need to address.

TPWD charges for this review service. Since TPWD is largely a self-funded agency, this revenue allows for additional staff to provide more timely responses to review requests! The charges are based on a flat fee (minimum charge of \$50/project site) except when the project is unusually large (\$25/additional hour). An invoice will accompany the TPWD response letter for the review request, which will be due upon receipt; please do not prepay. Government agencies are exempted from these charges. Private consultants performing work under contract for government entities are not exempt.

This analysis does not include a review of general fish and wildlife habitat impacts (such as impacts to wetlands, water bodies, other fish and wildlife species, forests, parklands, etc.). Should you need such a review, a separate request should be sent to Kathy Boydston, TPWD Wildlife Division, Wildlife Habitat Assessment Program, 4200 Smith School Road, Austin, TX 78744-3291.



**- Rare Resources Review Requests
- (Including Threatened and Endangered Species), cont'd. -**

If this form is filled out electronically, please use a font or style that will contrast with the text below. If sending in a separate attachment, it is not necessary to return the blank form, providing all the information below is included on the attachment.

Name: _____ Date: _____
 Your Company: _____ Phone: _____
 Your Company Address: _____ Fax: _____
 City, State, Zip: _____ E-Mail: _____
 Project Title & Site Location: _____ County(ies): _____

- 1) **Scope of Project**
 - a) What regulations will this review help you to comply with? OR If not regulatory, why is the review being requested?
 - b) What activities will be conducted at the site? (Especially activity types, extent, and acreage of ground, waterway, and vegetation disturbance and total acreage of site)
 - c) Schedule of activities – Approximately when will the project be active on the site?
- 2) **Vegetation** - Species, structure and composition, vegetation layers, height of layers, natural vegetation community type
- 3) **Other Natural Resources/Physical Features**
 - a) Soils and geology
 - b) Habitat, watercourses, animals, etc.
- 4) **Existing Site Development** - Extent of pavement, gravel, shell, or other cover; buildings, landscaped, xeriscaped, drainage system, etc).
- 5) **Historic Use/Function of Site** – Pasture, forest, urban, row crops, rangeland, wetland, etc.
- 6) **Has a threatened and endangered species survey or assessment already been performed? (In general, TPWD recommends an on-site habitat assessment be performed).**
 - a) If yes, provide surveyor name, qualifications, methods or protocols, acreage surveyed, level of effort, weather conditions, time of day, and dates the survey was performed.
 - b) If yes, please provide results and copy of survey/assessment report.

- 7) **Could current on-site or adjacent habitat support rare species?** Specifically, explain why or why not.
- 8) **Brief description of potential negative impacts** from project activities and avoidance, minimization, and mitigation measures planned.
- 9) **Brief description of planned beneficial enhancements** or restoration efforts.
- 10) **Clearly delineate exact location of site** on original or photocopy of relevant portion of USGS 7.5' topographic quadrangle (most preferable) or best map available. Topographic map should show name of quadrangle. The map must contain identifiable features and a scale that allows us to accurately pinpoint your site.
- 11) **Originals or color-copy photographs** of site and surrounding area with captions or narratives.
- 12) **Aerial photographs** when available. Aerials should show the year photograph was taken.



**Notes for
County Lists of Texas' Special Species**



The Texas Parks and Wildlife (TPWD) county lists include:

- Vertebrates, Invertebrates, and Vascular Plants** on the special species lists of the TPWD, Non-game and Rare Species Program, Natural Diversity Database (NDD) (formerly the Biological and Conservation Data System). These special species lists are comprised of all species, subspecies, and varieties that are federally listed; proposed to be federally listed; have federal candidate status; are state listed; or carry a global conservation status indicating a species is imperiled, very rare, vulnerable to extirpation; and some species ranked rare or uncommon.
- Colonial Waterbird Nesting Areas and Migratory Songbird Fallout Areas** are included on the county lists for coastal counties only.

The TPWD county lists exclude:

- Natural Plant Communities** such as Little Bluestem-Indiangrass Series (native prairie remnant), Water Oak-Willow Oak Series (bottomland hardwood community), Saltgrass-Cordgrass Series (salt or brackish marsh), Sphagnum-Beakrush Series (seepage bog).
- Other Significant Features** such as non-coastal bird rookeries, comprehensive migratory bird information, bat roosts, bat caves, invertebrate caves, and prairie dog towns.

These lists are not all inclusive for all rare species distributions. The lists were developed and are updated based on field guides, NDD occurrences data, staff expertise, and scientific publications. In order to keep the lists to a reasonable length, historic ranges for some state extirpated species, full historic distributions for some extant species, accidentals and irregularly appearing species, and portions of migratory routes for particular species are not included.

The **revised date** on each county list reflects the last date any changes or revisions were made for that county and reflects current listing statuses and taxonomy.

Species that appear on county lists do not all share the same probability of occurrence within a county. Some species are migrants or wintering residents only. Additionally, a few species may be historic or considered extirpated within a county. Species considered extirpated within the state are so flagged on each list.

This information is for your assistance only; due to continuing data updates, **please do not reprint or redistribute the information, instead refer all requesters to our office to obtain the most current information available.**



The Natural Diversity Database



The Texas Parks and Wildlife Department (TPWD), Natural Diversity Database (NDD) (formerly the Biological and Conservation Data System), established in 1983, is the Department's most comprehensive source of information on rare, threatened, and endangered plants and animals, exemplary natural communities, and other significant features. Though it is not all-inclusive, the NDD is constantly updated, providing current or additional information on statewide status and locations of these unique elements of natural diversity.

The NDD gathers biological information from museum and herbarium collection records, peer reviewed publications, experts in the scientific community, organizations, qualified individuals, and on-site field surveys conducted by TPWD staff on public lands or private lands with written permission. TPWD staff botanists, zoologists, and ecologists perform field surveys to locate and verify specific occurrences of high-priority biological elements and collect accurate information on their condition, quality, and management needs.

The NDD can be used to help evaluate the environmental impacts of routing and siting options for development projects. It also assists in impact assessment, environmental review, and permit review.

Given the small proportion of public versus private land in Texas, the NDD does not include a representative inventory of rare resources in the state. Although it is based on the best data publicly available to TPWD regarding rare species, these data cannot provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features in any area. Nor can these data substitute for on-site evaluation by qualified biologists. The NDD information is intended to assist the user in avoiding harm to species that may occur.

Please use the following citation to credit the source for this county level information:

Texas Parks and Wildlife Department, Wildlife Division, Non-game and Rare Species and Habitat Assessment programs. County Lists of Texas' Special Species. [county name(s) and revised date(s)].

For information on obtaining a project review form or a site-specific review of a project area for rare species, and for updated county lists, please call (512) 912-7011.

Code Key for Printouts from Texas Parks and Wildlife Department Natural Diversity Database (NDD)

This information is for your assistance only, due to continuing data updates, vulnerability of private land to trespass and of species to disturbance or collection, please do not publish in public documents or otherwise reprint or redistribute the information, instead refer all requesters to our office to obtain the most current information available.

LEGAL STATUS AND CONSERVATION RANKS

FEDERAL STATUS (as determined by the US Fish and Wildlife Service)

- LE Listed Endangered
- LT Listed Threatened
- PE Proposed to be listed Endangered
- PT Proposed to be listed Threatened
- PDL Proposed to be Delisted (Note: Listing status retained while proposed)
- E/S/A, T/S/A Appearance
- DL Delisted Endangered/Threatened
- C1 Listed Endangered on basis of Similarity of Appearance, Listed Threatened on basis of Similarity of Appearance
- C1 Candidate, Category 1, USFWS has substantial information on biological vulnerability and threats to support proposing to list as threatened or endangered. Data are being gathered on habitat needs and/or critical habitat designations.
- C1 but lacking known occurrences
- C1 but lacking known occurrences, except in captivity/cultivation
- XE Essential Experimental Population
- XN Non-essential Experimental Population
- Blank Species is not formally listed

TEX PROTECTION (as determined by the Texas Parks and Wildlife Department)

- E Listed Endangered
- T Listed Threatened
- Blank Species not state-listed

GLOBAL RANK (as determined by NatureServe)

- G1 Critically imperiled globally, extremely rare, typically 3 or fewer viable occurrences
- G2 Imperiled globally, very rare, typically 6 to 20 viable occurrences
- G3 Very rare and local throughout range or found locally in restricted range, typically 21 to 100 viable occurrences
- G4 Apparently secure globally
- G5 Demonstrably secure globally
- GH Of historical occurrence through its range
- GU Possibly in peril range-wide, but status uncertain
- G#G# Ranked within a range as status uncertain
- GX Apparently extinct throughout range
- Q Rank qualifier denoting taxonomic assignment is questionable
- ?# Rank qualifier denoting uncertain rank
- C In captivity or cultivation only
- G#T# "G" refers to species rank; "T" refers to variety or subspecies rank

STATE (SUBNATIONAL) RANK (as determined by the Texas Parks and Wildlife Department)

- S1 Critically imperiled in state, extremely rare, vulnerable to extirpation, typically 5 or fewer viable occurrences
- S2 Imperiled in state, very rare, vulnerable to extirpation, typically 6 to 20 viable occurrences
- S3 Rare or uncommon in state, typically 21 to 100 viable occurrences
- S4 Apparently secure in State
- S5 Demonstrably secure in State
- S#S# Ranked within a range as status uncertain
- SH Of historical occurrence in state and may be rediscovered
- SU Unrankable - due to lack of information or substantially conflicting information
- SX Apparently extirpated from State
- SNR Unranked - State status not yet assessed
- SNA Not applicable - species id not a suitable target for conservation activities
- ? Rank qualifier denoting uncertain rank in State

BRAZORIA COUNTY

Federal Status State Status

*** BIRDS ***

Arctic Peregrine Falcon (<i>Falco peregrinus tundrius</i>) - potential migrant	DL	T
Attwater's Greater Prairie-chicken (<i>Tympanuchus cupido attwateri</i>) - county within historical distribution; open prairies of mostly thick grass one to three feet tall, from near sea level to 200 feet along coastal plain on upper two-thirds of Texas coast; males form communal display flocks during late winter-early spring; booming grounds important; breeding February-July	LE	E
Bald Eagle (<i>Haliaeetus leucocephalus</i>) - found primarily near seacoasts, rivers, and large lakes; nests in tall trees or on cliffs near water; occasionally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds.	LT-	T
Black Rail (<i>Lateralus jamaicensis</i>) - salt, brackish, and freshwater-marshes; pond borders, wet meadows, & grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous year's dead grasses; nest usually hidden in marsh grass or at base of <i>Salicornia</i>	PDL	
Brown Pelican (<i>Pelecanus occidentalis</i>) - largely coastal and near shore areas, where it roosts on islands and spoil banks	LE	E
Henslow's Sparrow (<i>Ammodramus henslowii</i>) - wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking; likely to occur, but few records within this county		
Mountain Plover (<i>Charadrius montanus</i>) - shortgrass plains and plowed fields (bare, dirt fields); primarily insectivorous; winter resident in this area	LT	T
Piping Plover (<i>Charadrius melodus</i>) - wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats		
Reddish Egret (<i>Egretta rufescens</i>) - resident of the Texas Gulf Coast; brackish marshes and shallow salt ponds and tidal flats; nests on ground or in trees or bushes, on dry coastal islands in brushy thickets of yucca and prickly pear		T
Snowy Plover (<i>Charadrius alexandrinus</i>) - wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats		T
Sooty Tern (<i>Sterna fuscata</i>) - predominately "on the wing"; does not dive, but snatches small fish and squid with bill as it flies or hovers over water; breeding April-July		T
Swallow-tailed Kite (<i>Elaeoides forficatus</i>) - lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and ponds; nests high in tall tree in clearing or on forest woodland edge, usually in pine, cypress, or various deciduous trees		T
White-faced Ibis (<i>Plegadis chibh</i>) - prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; nests in marshes, in low trees, on the ground in burshes or reeds, or on floating mats		T
White-tailed Hawk (<i>Buteo albicaudatus</i>) - near coast on prairies, cordgrass flats, and scrub-live oak; further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral; breeding March-May		T
Whooping Crane (<i>Grus americana</i>) - potential migrant; winters in and around Aransas National Wildlife Refuge and migrates to Canada for breeding; only remaining natural breeding population of this species	LE	E

Element Occurrence Record (EOR)
Spatial and tabular record of an area of land and/or water in which a species, natural community, or other significant feature of natural diversity is, or was, present and associated information; may be a single contiguous area or may be comprised of discrete patches or subpopulations
Occurrence #
Unique number assigned to each occurrence of each element when added to the NDD

LOCATION INFORMATION
Watershed Code
Eight digit numerical code determined by US Geological Survey (USGS)
Watershed
Name of watershed as determined by USGS
Quadrangle
Name of USGS topographical map
Directions
Directions to geographic location where occurrence was observed, as described by observer or in source

SURVEY INFORMATION
First/Last Observation
Date a particular occurrence was first/last observed; refers only to species occurrence as noted in source and does not imply the first/last date the species was present
Survey Date
If conducted, date of survey

EO Type
M Migrant - species occurring regularly on migration at staging areas, or concentration along particular corridors; status refers to the transient population in the State
B Qualifier indicating basic rank refers to the breeding population in the State
N Qualifier indicating basic rank refers to the non-breeding population in State
A Excellent
B Good
C Marginal, Introduced
D Poor
E Extant/Present
H Historical/No Field Information
X Destroyed/Extirpated
O Obscure
EO Rank
Latest date EO rank was determined or revised
EO Rank Date Observed Area
Acres, unless indicated otherwise

COMMENTS
General physical description of area and habitat where occurrence is located, including associated species, soils, geology, and surrounding land use
Description
Species, soils, geology, and surrounding land use
Comments
Comments concerning the quality or condition of the element occurrence at time of survey
Protection Comments
Observer comments concerning legal protection of the occurrence
Management Comments
Observer comments concerning management recommendations appropriate for occurrence conservation

DATA
Biological data; may include number of individuals, vigor, flowering/fruitlet data, nest success, behaviors observed, or unusual characteristic, etc.

SITE
Site Name
Title given to site by surveyor

MANAGED AREA INFORMATION
Managed Area Name
Place name or (on EOR printout) name of area when the EO is located within or partially within an area identified for conservation, such as State or Federal lands, nature preserves, parks, etc.
Alias
Additional names the property is known by
Acres
Total acreage of property, including non-contiguous tracts
Manager
Contact name, address, and telephone number for area or nearest area land steward

Please use the following citation to credit the source for the printout information:
Texas Parks and Wildlife Department, Wildlife Division, Science, Research, and Diversity Program, Natural Diversity Database (date\$) posted on printouts)

Federal Status State Status

Wood Stork (*Mycteria americana*) - forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960

*** BIRDS-RELATED ***

Colonial waterbird nesting areas - many rookeries active annually
Migratory songbird fallout areas - oak mottes and other woods/thickets provide foraging/roosting sites for neotropical migratory songbirds

FISHES

American Eel (*Anguilla rostrata*) - most aquatic habitats with access to ocean; spawns January-February in ocean, larva move to coastal waters, metamorphose, then females move into freshwater; muddy bottoms, still waters, large streams, lakes; can travel overland in wet areas; males in brackish estuaries
Sharpnose Shiner (*Notropis oxyrinchus*) - endemic to Brazos River drainage; also, apparently introduced into adjacent Colorado River drainage; large turbid river, with bottom a combination of sand, gravel, and clay-mud

*** MAMMALS ***

Black Bear (*Ursus americanus*) - within historical range of Louisiana Black Bear in eastern Texas, Black Bear is federally listed threatened and inhabits bottomland hardwoods and large tracts of undeveloped forested areas; in remainder of Texas, Black Bear is not federally listed and inhabits desert lowlands and high elevation forests and woodlands; dens in tree hollows, rock piles, cliff overhangs, caves, or under brush piles

Jaguarondi (*Herpailurus yagouaroundi*) - thick brushlands, near water favored; six month gestation, young born twice per year in March and August
Louisiana Black Bear (*Ursus americanus luteocolis*) - possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas

Ocelot (*Leopardus pardalis*) - dense chaparral thickets; mesquite-thorn scrub and live oak mottes; avoids open areas; breeds and raises young June-November

Plains Spotted Skunk (*Spilogale putorius inerrupta*) - catholic in habitat; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

West Indian Manatee (*Trichechus manatus*) - Gulf and bay system; opportunistic, aquatic herbivore

MOLLUSKS

False Spike Mussel (*Quincuncina mitchelli*) - substrates of cobble and mud, with water lilies present; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins

Pistolgrip (*Tritogonia verrucosa*) - stable substrate, rock, hard mud, silt, and soft bottoms, often buried deeply; east and central Texas, Red through San Antonio River basins

Rock-pocketbook (*Arcidens confragosus*) - mud, sand, and gravel substrates of medium to large rivers in standing or slow flowing water, may tolerate moderate currents and some reservoirs, east Texas, Red through Guadalupe River basins

Federal Status State Status

Smooth Pimpleback (*Quadrula houstonensis*) - small to moderate streams and rivers as well as moderate size reservoirs; mixed, mud, sand, and fine gravel, tolerates very slow to moderate flow rates, appears not to tolerate dramatic water level fluctuations, scoured-bedrock substrates, or shifting sand bottoms, lower Trinity (questionable), Brazos, and Colorado River basins

Texas Fawnfoot (*Truncilla macrodonta*) - little known, possibly rivers and larger streams, and intolerant of impoundment; flowing rice irrigation canals, possibly sand, gravel, and perhaps sandy-mud bottoms in moderate flows; Brazos and Colorado River basins

*** REPTILES ***

Atlantic Hawkbill Sea Turtle (*Eretmochelys imbricata*) - Gulf and bay system
Green Sea Turtle (*Chelonia mydas*) - Gulf and bay system

Gulf Saltmarsh Snake (*Nerodia clarkii*) - saline flats, coastal bays, & brackish river mouths

Kemp's Ridley Sea Turtle (*Lepidochelys kempi*) - Gulf and bay system

Leatherback Sea Turtle (*Dermochelys coriacea*) - Gulf and bay system

Loggerhead Sea Turtle (*Caretta caretta*) - Gulf and bay system

Smooth Green Snake (*Liochlorophis vernalis*) - Gulf Coastal Plain; mesic-coastal shortgrass prairie vegetation; prefers dense vegetation

Texas Diamondback Terrapin (*Malaclemys terrapin littoralis*) - coastal marshes, tidal flats, coves, estuaries, and lagoons behind barrier beaches; brackish and salt water; burrows into mud when inactive; may venture into lowlands at high tide

Texas Horned Lizard (*Phrynosoma cornutum*) - open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September
Timber/Canebrake Rattlesnake (*Crotalus horridus*) - swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto

*** VASCULAR PLANTS ***

Coastal gay-feather (*Liatris bracteata*) - endemic; black clay soils of prairie remnants; flowering in fall

Texas windmill-grass (*Chloris texensis*) - endemic; sandy to sandy loam soils in open to sometimes barren areas in prairies and grasslands, including ditches and roadsides; flowering in fall

Threeflower broomweed (*Thurovia triflora*) - endemic; black clay soils of remnant grasslands, also tidal flats; flowering July-November

Status Key:

LE/LT - Federally Listed Endangered/Threatened
PE/PT - Federally Proposed Endangered/Threatened
E/SA, T/SA - Federally Endangered/Threatened by Similarity of Appearance
C1 - Federal Candidate, Category 1; information supports proposing to list as endangered/threatened
DL/PDL - Federally Delisted/Proposed for Delisting
NL - Not Federally Listed
E.T. - State Endangered/Threatened
"blank" - Rare, but with no regulatory listing status

Species appearing on these lists do not all share the same probability of occurrence. Some species are migrants or wintering residents only, or may be historic or considered extirpated.

GALVESTON COUNTY

Federal Status State Status

Arctic Peregrine Falcon (*Falco peregrinus tundrius*) - potential migrant
Attwater's Greater Prairie-chicken (*Tympanuchus cupido attwateri*) - open prairies of mostly thick grass one to three feet tall; from near sea level to 200 feet along coastal plain on upper two-thirds of Texas coast; males form communal display flocks during late winter-early spring; booming grounds important; breeding February-July

Bald Eagle (*Haliaeetus leucocephalus*) - found primarily near seacoasts, rivers, and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds
Black Rail (*Laterallus jamaicensis*) - salt, brackish, and freshwater marshes, pond borders, wet meadows, & grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous year's dead grasses; nest usually hidden in marsh grass or at base of *Salicornia*

Brown Pelican (*Pelecanus occidentalis*) - largely coastal and near shore areas, where it roosts on islands and spoil banks

Henslow's Sparrow (*Ammodramus henslowii*) - wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking; likely to occur, but few records within this county

Mountain Plover (*Charadrius montanus*) - shortgrass plains and plowed fields (bare, dirt fields); primarily insectivorous; winter resident in this area

Piping Plover (*Charadrius melodus*) - wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats

Reddish Egret (*Egretta rufescens*) - resident of the Texas Gulf Coast; brackish marshes and shallow salt ponds and tidal flats; nests on ground or in trees or bushes, on dry coastal islands in brushy thickets of yucca and prickly pear

Snowy Plover (*Charadrius alexandrinus*) - wintering migrant along the Texas Gulf Coast beaches and bayside mud or salt flats

Sooty Tern (*Sterna fuscata*) - predominantly "on the wing"; does not dive, but snatches small fish and squid with bill as it flies or hovers over water; breeding April-July

Swallow-tailed Kite (*Elanoides forficatus*) - lowland forested regions, especially swampy areas, ranging into open woodland; marshes, along rivers, lakes, and pine, cypress, or various deciduous trees

White-faced Ibis (*Plegadis chiti*) - prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats

White-tailed Hawk (*Buteo albicaudatus*) - near coast on prairies, cordgrass flats, and scrub-live oak; further inland on prairies, mesquite and oak savannas, and mixed savanna-chaparral; breeding March-May

Whooping Crane (*Grus americana*) - potential migrant; winters in and around Aransas National Wildlife Refuge and migrates to Canada for breeding; only remaining natural breeding population of this species

Wood Stork (*Mycteria americana*) - forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1966

Colonial waterbird nesting areas - many rookeries active annually
Migratory songbird fallout areas - oak mottes and other woods/thickets provide foraging/roosting sites for neotropical migratory songbirds

American Eel (*Anguilla rostrata*) - most aquatic habitats with access to ocean; spawns January-February in ocean, larva move to coastal waters, metamorphose, then females move into freshwater; muddy bottoms, still waters, large streams, lakes; can travel overland in wet areas; males in brackish estuaries

Black Bear (*Ursus americanus*) - within historical range of Louisiana Black Bear in eastern Texas, Black Bear is federally listed threatened and inhabits bottomland hardwoods and large tracts of undeveloped forested areas; in remainder of Texas, Black Bear is not federally listed and inhabits desert lowlands and high elevation forests and woodlands; dens in tree hollows, rock piles, cliff overhangs, caves, or under brush piles

Louisiana Black Bear (*Ursus americanus luteolus*) - possible as transient; bottomland hardwoods and large tracts of inaccessible forested areas

Plains Spotted Skunk (*Spilogale putorius intercupis*) - catholic in habitat; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

West Indian Manatee (*Trichechus manatus*) - Gulf and bay system; opportunistic, aquatic herbivore

Pistolgrip (*Tritogonia verrucosa*) - stable substrate, rock, hard mud, silt, and soft bottoms, often buried deeply; east and central Texas, Red through San Antonio River basins

Alligator Snapping Turtle (*Macrochelys temminckii*) - deep water of rivers, canals, lakes, and oxbows; also swamps, bayous, and ponds near deep running water; sometimes enters brackish coastal waters; usually in water with mud bottom and abundant aquatic vegetation; may migrate several miles along rivers; active March-October; breeds April-October

Atlantic Hawksbill Sea Turtle (*Eretmochelys imbricata*) - Gulf and bay system

Green Sea Turtle (*Chelonia mydas*) - Gulf and bay system

GALVESTON COUNTY Cont'd

Federal Status State Status

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Federal Status
State Status

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K-98

***** VASCULAR PLANTS *****

Coastal gay-feather (*Liatris bracteata*) - endemic; black clay soils of prairie remnants; flowering in fall

Correll's false dragon-head (*Physostegia correllii*) - wet soils including roadside ditches and irrigation channels; flowering June-July

Grand Prairie evening primrose (*Oenothera pilosella* ssp. *sessilis*) known in Texas from a single collection made in the 1850's from Galveston Island; elsewhere known from sandy soils in low rises in Mississippi Delta; flowering May-June

Houston daisy (*Rajacksonia aurea*) - endemic; seasonally wet, saline barren areas, around the base of mima mounds in coastal prairies, or barren to somewhat vegetated openings in grasslands, including pastures and roadsides, on loamy to sandy loam soils; flowering October-November

Texas windmill-grass (*Chloris texensis*) - endemic; sandy to sandy loam soils in open to sometimes barren areas in prairies and grasslands, including ditches and roadsides; flowering in fall

Threeflower broomweed (*Thurovia triflora*) - endemic; black clay soils of remnant grasslands, also tidal flats; flowering July-November

Status Key:

- LE, LT - Federally Listed Endangered/Threatened
- PE, PT - Federally Proposed Endangered/Threatened
- E/SA, T/SA - Federally Listed Endangered/Threatened by Similarity of Appearance
- CI - Federal Candidate for Listing, Category 1; information supports proposing to list as Endangered/Threatened
- DL, PDL - Federally De-listed/Proposed for De-listing
- NL - Not Federally Listed
- E, T - State Listed Endangered/Threatened
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Element Occurrence Record

Scientific Name: *Haliaeetus leucocephalus* Occurrence #: 120 Eo Id: 4018
Common Name: Bald Eagle TX Protection Status: T
Global Rank: G4 State Rank: S3B, S3N Federal Status: LT-PDL

Location Information:

Watershed:
12040205 - Austin-Oyster

County Name: State: Mapsheet:
Brazoria TX 29095-A3, Oyster Creek
29095-A4, Lake Jackson
28095-H3, Freeport
28095-H4, Jones Creek

Directions

TERRITORY EAST-NORTHEAST OF CLUTE ON OYSTER CREEK AND BIG SLOUGH

Survey Information:

First Observation: 2000 Survey Date: Last Observation: 2001
Eo Type: Eo Rank: Eo Rank Date:

Observed Area:

Comments:

General Description:

Comments: TPWD NEST #020-8A

Protection Comments:

Management Comments:

Data:

EO Data: NEST #020-8A: 2000, ACTIVE NEST WITH ONE YOUNG FLEDGED; 2001, ACTIVE NEST WITH TWO YOUNG FLEDGED

Site:

Site Name:
BRAZOS-SAN BERNARD-COLORADO RIVERS MEGASITE

Element Occurrence Record

Managed Area:

Managed Area Name

Reference:

Citation:
ORTEGO, BRENT. 2001. PERFORMANCE REPORT. PROJECT NO. 10: BALD EAGLE NEST SURVEY AND MANAGEMENT. FEDERAL AID GRANT NO. W-125-R-12, SEPTEMBER 30, 2001.
ORTEGO, BRENT. 2002. MAPS CLARIFYING QUESTIONS ABOUT BALD EAGLE TERRITORY LOCATIONS FROM THE 2001 SURVEY. RECEIVED JUNE 13, 2002.
POLASEK, LEN G. 2000. PERFORMANCE REPORT. PROJECT NO. 10: BALD EAGLE NEST SURVEY AND MANAGEMENT. FEDERAL AID GRANT NO. W-125-R-11, AUGUST 31, 2000.

Specimen:

Specimen details and data points, including coordinates and survey information.

TPWD Pipeline Monitoring Protocol

The permittee will use aerial photography with GIS analysis to monitor the entire pipeline construction corridor and an additional 200 meter buffer zone (100 meters paralleling each side of the construction corridor). The purpose of the GIS analysis is to quantify habitat conversion, particularly emergent marsh to open water. The resource agencies recommend the following GIS/ Remote Sensing method and standard be used in order to produce accurate and consistent results.

The pipeline corridor will be monitored by providing pre- and post- construction aerial photography, (taken 24 months after construction completion to allow for vegetative regrowth) at a scale of 1:4800 or 1 inch to 400 feet. The applicant will then be required to utilize GIS and Remote Sensing techniques to conduct an analysis of Change to determine the amount of vegetated marsh impacted by pipeline construction activities. Monitoring reports should be submitted by the applicant that includes at a minimum:

- 1) a pre-project GIS analysis assessing the existing emergent marsh to open water ratio, in acres, within the permitted corridor (which includes the construction corridor and the 200 meter buffer zone).
- 2) a post-project GIS analysis assessing the emergent marsh to open water ratio, in acres, within the entire permitted corridor (which includes the construction corridor and the 200 buffer zone).
- 3) Ortho corrected imagery covering the construction corridor and buffer zone, maximum of 6 inch pixel size and CIR imagery, +/- 2 meters spatial accuracy, 4) All vector deliverable to be in Arcview Shapefile format with FGDC compliant metadata and all raster imagery in GeoTiff format with FGDC compliant metadata. A binary classification system should be used consisting of open water and vegetated areas. The classified data should meet or exceed 90% attribute accuracy as determined by industry standard and be verified by statistically valid ground truth sampling techniques, this can include GPS based ground surveys.

S0014



TEXAS
GENERAL LAND OFFICE
JERRY PATTERSON, COMMISSIONER

October 4, 2005

Mr. Donald Silawsky
Department of Energy
Office of Petroleum Reserves
1000 Independence Avenue S. W.
Washington, DC 20565-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve (SPR) in Texas

Dear Mr. Silawsky:

Thank you for the opportunity to review the proposed project listed above. The Texas sites under consideration are: (1) Big Hill, Jefferson County, an existing SPR facility to be expanded; and (2) Stratton Ridge, Brazoria County, which is a candidate for a new SPR facility.

The General Land Office (GLO) staff is concerned about potential adverse impacts to Coastal Natural Resource Areas (CNRAs), as defined in 31 TAC §501.3(b). It appears that at least part of the proposed project is in the Coastal Management Program (CMP) boundary. The CMP requires that, if practicable, the project should avoid and/or minimize any adverse impacts to CNRAs in the CMP boundary, as delineated in 31 TAC §503.1. Information on the Texas CMP can be found at the following website: <http://www.glo.state.tx.us/coastal/cmp.html>.

Based on the information provided, it also appears that there may be impacts to coastal wetlands. A wetland delineation may be conducted by the U.S. Army Corps of Engineers (Corps) or a qualified consultant to determine if the wetlands are jurisdictional and a Corps permit is required. Also, a Texas Commission on Environmental Quality (TCEQ) Section 401 water-quality certification may also be needed.

Because part of the proposed project may be on state-owned submerged lands and a GLO coastal lease or easement may be required, I have forwarded the information on the proposed expansion to Mr. Garry McMahan, GLO Asset Inspections in La Porte, Texas at (281) 470-1191 or at garry.mcmahan@glo.state.tx.us.

Also, Mr. Dolan Dunn, Chief, Regulatory Branch, Corps - Galveston District, can be contacted at (409) 766-3930, and Mr. Mark Fisher, TCEQ, is at (512) 239-4566.

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495
Post Office Box 12873 • Austin, Texas 78711-2873
512-463-5001 • 800-998-4GLO
www.glo.state.tx.us

Please contact Mr. Thomas Calhan if you have any questions or concerns at (512) 463-5100 or thomas.calhan@glo.state.tx.us.

Sincerely,

Sam Webb
Deputy Commissioner
Coastal Resources

cc: Louis Renaud, Deputy Commissioner, Energy Resources
Rene Truan, Deputy Commissioner, Asset Inspections



TEXAS HISTORICAL COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR
JOHN L. NAU, III, CHAIRMAN
F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

S0029

October 18, 2005

Donald Silawsky
Department of Energy
Office of Petroleum Reserves
1000 Independence Avenue S.W.
Washington, DC 20585-0301

Re: Project review under Section 106 of the National Historic Preservation Act of 1966
Expansion of the Strategic Petroleum Reserve (Big Hill and Stratton Ridge, Texas)
(DOE)

Dear Mr. Silawsky:

Thank you for contacting us about the proposed expansion of the Strategic Petroleum Reserve. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The Big Hill facility has never been surveyed for cultural resources. Since the facility was not constructed until 1987, none of the buildings associated with its operation would be old enough to be considered historic properties. Although no archeological sites are recorded in the surrounding vicinity, the unique nature of the Big Hill landform may have attracted prehistoric populations. We believe that any previously undisturbed areas should be surveyed for archeological sites.

The Stratton Ridge location has not been surveyed for cultural resources, aside from a pipeline right-of-way that parallels the road about 100 m north of Oyster Creek. One prehistoric shell midden site is recorded on the south side of Oyster Creek immediately across from the project area. It is possible that additional sites are present along the northern bank of Oyster Creek within the proposed project area. This entire area should be surveyed.

We would be happy to work with the Department of Energy to develop a Programmatic Agreement that will satisfy your Section 106 responsibilities if either of these proposed expansion areas are selected for expansion. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If we may be of further assistance, please call Bill Martin of our staff at 512/463-5867.

Sincerely,

for
F. Lawrence Oaks, State Historic Preservation Officer

FLO/wam

R. P. O. BOX 12276 • AUSTIN, TX 78711-2276 • FAX 512/463-6100 • FAX 512/475-1872 • TDD 1-800/735-2989
www.dhc.state.tx.us

Donald Silawsky
Office of Petroleum Reserves, (FE-47)
1000 Independence Avenue, S.W.
Washington, DC 20585-0301

Re: Proposed Expansion of the Strategic Petroleum Reserve (SPR) within Lafourche Parish.

Dear Mr. Silawsky:

You identified two new proposed SPR sites within Lafourche Parish, Chacahoula and Clovelly. The enclosures indicate that Chacahoula would be a completely new site that is somewhat remote with no existing infrastructure. New pipelines will have to be built through our marsh and wetlands plus new buildings, roads etc.

The site at Clovelly would be located within the existing facilities of the Louisiana Offshore Oil Port (LOOP). This would eliminate the need for new pipelines, roads and other infrastructure. The Lafourche Parish Emergency Preparedness Office has worked with LOOP for a number of years. We are able to share resources and we participate in drills to prepare for local emergencies. With LOOP's existing infrastructure no new pipelines or roads would have to be built through our marsh or wetlands and therefore I favor building any new SPR facilities within Lafourche Parish at the Clovelly/LOOP location.

Because of our longstanding work relationship with LOOP, we do not expect any negative effects on public resources due to this proposed expansion. Rather, we see this as a positive step in the economy of this area. LOOP has demonstrated that it is committed to protecting public health and safety through its daily operations and emergency response plans that are in place.

Sincerely,

Chris Boudreaux
Lafourche Parish Emergency Preparedness Office
1612 Hwy 182
Raceford, Louisiana 70394

\\Westlevech\loop\LOOP LLC\Business Development\SPR Storage\Chris Boudreaux to DOE 10-6-06.doc

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