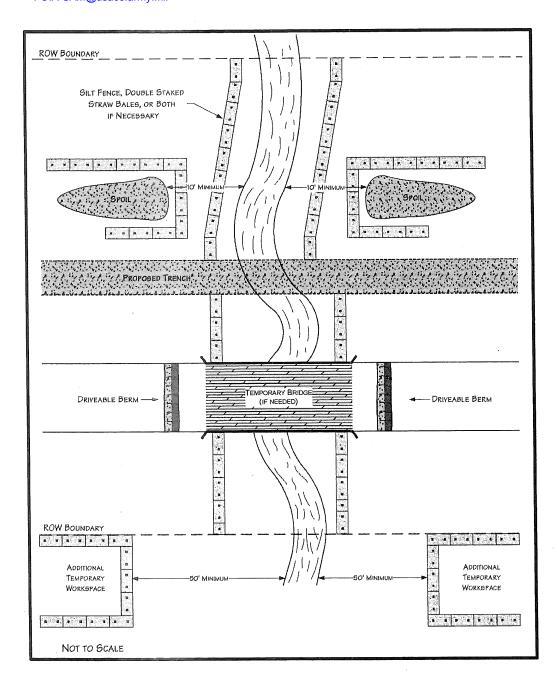
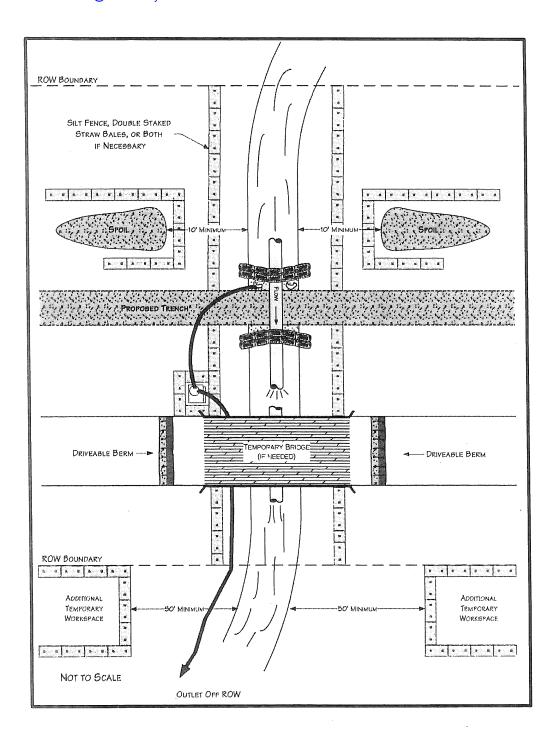


NOT TO SCALE Trench and Spoil Side Method

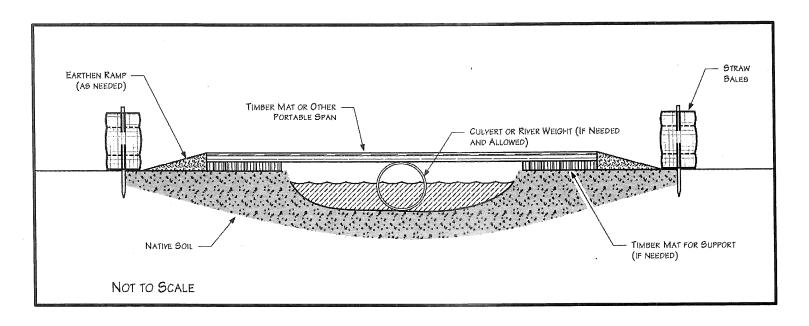
Open-Cut Waterbody Crossing Method



Flumed Waterbody Crossing Method



Equipment Bridge



Performance Criteria

- Design, construct, and maintain to
 - Provide unrestricted flow
 - Withstand and pass highest expected flows
 - Prevent soil from entering waterbody
- Align culverts to prevent bank erosion or streambed scour
- Install energy-dissipating devices downstream of culverts, if necessary

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REOUEST FOR APPEAL

Applicant: Plains Southcap LLC - MS File No		File Number: SAM-2012-01165-MBM	Date: 1Feb. 2013		
Attach	See Section below				
	INITIAL PROFFERED PERMIT (Standard I	A			
	PROFFERED PERMIT (Standard Permit or)	В			
	PERMIT DENIAL		C		
	APPROVED JURISDICTIONAL DETERM	INATION	D		
X	PRELIMINARY JURISDICTIONAL DETE	RMINATION	Е		

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at

http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

- A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final
 authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your
 signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights
 to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT: You may accept or appeal the permit
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTION	ONS TO AN INITIAL PRO	FFERED PERMIT		
REASONS FOR APPEAL OR OBJECTIONS: (Describ initial proffered permit in clear concise statements. You may attac or objections are addressed in the administrative record.)				
ADDITIONAL INFORMATION: The appeal is limited to a review record of the appeal conference or meeting, and any supplemental				
clarify the administrative record. Neither the appellant nor the Con	rps may add new information or ar	nalyses to the record. However,		
you may provide additional information to clarify the location of in POINT OF CONTACT FOR QUESTIONS OR INFOR	·	Iministrative record.		
If you have questions regarding this decision and/or the appeal	If you only have questions regard	ding the appeal process you may		
process you may contact:	also contact:	1		
Mr. MICHAEL MOXEY CESAM-RD-I-S		1		
U.S. ARMY CORPS OF ENGINEERS				
POST OFFICE BOX 2288 MOBILE, ALABAMA 36601-2228				
(251) 694-3771				
RIGHT OF ENTRY: Your signature below grants the right of entr				
consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.				
	Date:	Telephone number:		
Signature of appellant or agent.				



PHASE I CULTURAL RESOURCES SURVEY OF THE PROPOSED TEN-MILE FACILITY TO PASCAGOULA 41-MILE CRUDE OIL PIPELINE, MOBILE COUNTY, ALABAMA AND JACKSON COUNTY, MISSISSIPPI

Prepared for

Plains Southcap, LLC

Prepared by

Todd L. Butler and Brian Huttick

SWCA Cultural Resources Report No. 2012-390

September 6, 2012

Pages 366 through 483 redacted for the following reasons:

(b) 3 (16 U.S.C. § 470hh)



THREATENED AND ENDANGERED SPECIES REPORT FOR THE PLAINS SOUTHCAP LLC 41-MILE-LONG TEN-MILE FACILITY TO PASCAGOULA PIPELINE PROJECT

MOBILE COUNTY, ALABAMA AND JACKSON COUNTY, MISSISSIPPI

Prepared for

PLAINS SOUTHCAP, LLC

Prepared by

SWCA Environmental Consultants

SWCA Project No. 22932

THREATENED AND ENDANGERED SPECIES REPORT FOR THE PLAINS SOUTHCAP LLC 41-MILE-LONG TEN-MILE FACILITY TO PASCAGOULA REFINMERY PIPELINE PROJECT

MOBILE COUNTY, ALABAMA AND JACKSON COUNTY, MISSISSIPPI

Prepared for

Plains Southcap, LLC

333 Clay Street, Suite 1600 (77002) Houston, TX 77210-4648 Attn: Dean Gore

Prepared by



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SWCA Project No. 22932

September 9, 2012

Threatened & Endangered Species Report for Flathe Southern, LLC 41-mile-long Ten-Mile Facility to Chevron Pascagoula Refinery Project

EXECUTIVE SUMMARY

SWCA Environmental Consultants (SWCA) has prepared this threatened and endangered species report for the proposed approximately 41-mile-long Plains Southcap, LLC (Plains) Ten-Mile Facility to Chevron Pascagoula Refinery Pipeline Project (proposed project) in Mobile County, Alabama and Jackson County, Mississippi (Figure 1). The work was conducted at the request of Plains Southcap, LLC in order to facilitate compliance with the Endangered Species Act of 1973 (ESA), as amended.

SWCA performed a threatened and endangered species review to determine which federally listed species would have the potential to occur within the proposed project area (Figure 1). Based upon field observations and habitat descriptions and requirements of listed species, SWCA determined that the proposed project may affect the gopher tortoise, eastern indigo snake, gopher frog, and bald eagle. SWCA recommends avoiding gopher tortoise burrows which will, in turn, minimize potential impacts to the eastern indigo snake and gopher frog. SWCA also recommends performing a second eagle survey before the construction phase of the project to verify that the documented nests are not active during the 2012-2013 breeding season.

Within the limitations of schedule, budget, and scope of work, SWCA warrants that this study was conducted in accordance with accepted environmental science practices, including the technical guidelines, evaluation criteria, and species' listing status in effect at the time this evaluation was performed.

The results and conclusions of this report represent the best professional judgment of SWCA scientists. No other warranty, expressed or implied, is made.

Please be aware that only the U.S. Fish and Wildlife Service and/or lead federal agency can determine compliance with the Endangered Species Act.

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Threatened & Endangered Species Report for Platting South apply LLC 41-mile-long Ten-Mile Facility to Chevron Pascagoula Refinery Project

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Appendix A: USFWS and Alabama and Mississippi Threatened and Endangered Species List and Occurrence Map.

Appendix B: Gopher Tortoise Survey Map Book

Appendix C: Bald Eagle Survey Map

Appendix D: Gopher Tortoise Survey Photographic Log

Threatened & Endangered Species Report for Flams Southern, LLC 41-mile-long Ten-Mile Facility to Chevron Pascagoula Refinery Project

1.0 INTRODUCTION

SWCA Environmental Consultants (SWCA) has prepared this threatened and endangered species report for the proposed 41-mile-long Ten-Mile to Pascagoula Crude Oil Pipeline Project (proposed project) in Mobile County Alabama and Jackson County Mississippi (Figure 1). The work was conducted at the request of Plains Southcap, LLC in order to facilitate compliance with the Endangered Species Act of 1973 (ESA), as amended.

The scope of work for this threatened and endangered species report included:

- review of the U.S. Fish and Wildlife Service (USFWS) threatened and endangered species lists for Mobile County Alabama and Jackson County Mississippi (**Appendix A**);
- review of the Alabama and Mississippi Natural Diversity Databases (NDD) occurrence records for threatened and endangered species near the project location;
- field reconnaissance survey of a 200-foot-wide corridor centered on the proposed pipeline centerline (project area); and
- evaluation of the potential for the species listed in this report to occur in the project area.

1.1 PROJECT PURPOSE

The proposed project will be constructed to transport crude oil from the Plains Southcap, LLC Ten-Mile facility northwest of Mobile Alabama, to the Chevron Rrefinery in Pascagoula, Mississippi.

1.2 PROJECT LOCATION

The proposed project will originate at the Plains Southcap, LLC Ten-Mile crude oil facility approximately 0.5 mile north off of County Road 217 on Whigham Rd. The proposed project will extend southwest through Mobile County, Alabama and Jackson County, Mississippi for approximately 41 miles and terminate at the Chevron Pascagoula Refinery, Mississippi. Aboveground facility locations are not yet defined, but once identified will be constructed in upland locations within or immediately adjacent to the pipeline right-of-way (ROW) and will include pig launching stations, pig receiving stations, and valve sites.

1.3 PROJECT DESCRIPTION

Construction of the proposed project is slated to begin in March 2013 and end before September 2013. No fill material will be placed within waters or wetlands for more than three months.

The proposed project will consist of the construction and placement of approximately 41 miles of 24-inch diameter crude oil pipeline. Construction of the pipeline will be within a 50-foot-wide ROW and will consist of clearing vegetation, excavating a trench, laying the pipe, replacing the soil, adjusting the topography to match pre-construction contours, and re-establishing vegetation Please refer to the attached map book (**Appendix B**) for an illustration of the survey corridor and 50' permanent ROW within the project area.

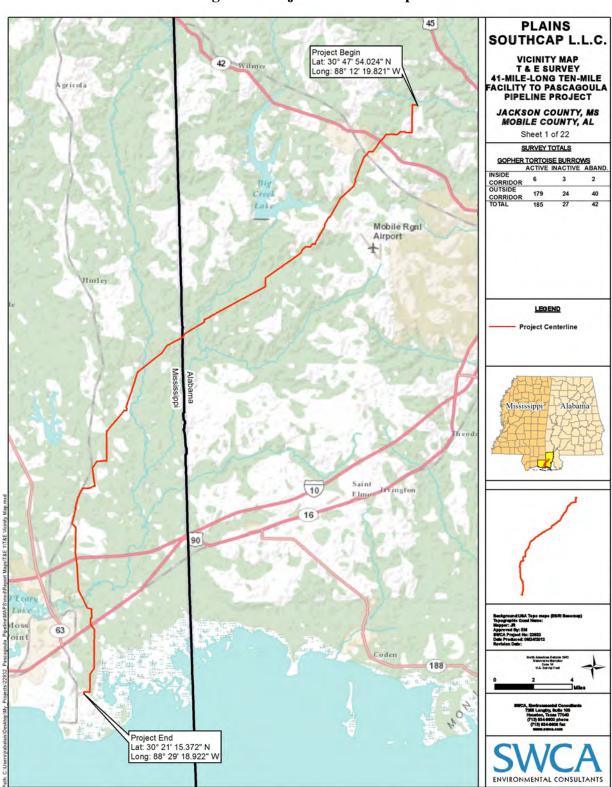


Figure 1: Project Location Map

Threatened & Endangered Species Report for Flams Southern, LLC 41-mile-long Ten-Mile Facility to Chevron Pascagoula Refinery Project

2.0 METHODS

SWCA performed a threatened and endangered species review to determine which federally and state listed threatened, endangered, and candidate species would have the potential to occur within the project area. The first step was to review the U.S. Fish and Wildlife Service (USFWS) County records for each state as well as the Alabama Department of Conservation and Natural Resources and the Mississippi Department of Wildlife, Fisheries, and Parks annotated county lists of rare species for Mobile County, Alabama and Jackson County, Mississippi, respectively (**Appendix A**). The next step was to determine which listed species may occur in the project area based on species biology and habitat requirements. A Natural Diversity Database review for both Alabama and Mississippi was also completed to acknowledge and note occurrences of rare, threatened, or endangered species within the project area. Finally, the biology and life history requirements for each species were discussed and the project's potential effect on each species was evaluated.

2.1 SPECIES IDENTIFICATION

The threatened and endangered species evaluated in this report were based on lists of federally listed species for Mobile County, Alabama and Jackson County, Mississippi, available at the USFWS (2011) website as well as NDD documentation from both state (Alabama and Mississippi) wildlife departments (see **Appendix A**). SWCA also accessed the NDD databases for both states, which provides known occurrence records for listed species. The potential for occurrence within the project area of the species addressed in this report was based on 1) documented occurrences, 2) existing information on distribution, and 3) qualitative comparisons of the habitat requirements of each species with vegetation communities or landscape features in the project area. Possible impacts to these species were evaluated based on reasonably foreseeable project-related activities.

2.2 SPECIES EVALUATION

The potential for occurrence of each species was summarized according to the categories listed below. Because not all species are accommodated precisely by a given category (i.e., category definitions may be too restrictive), an expanded rationale for each category assignment is provided. Potential for occurrence categories are as follows:

- Known to occur—the species has been documented in the project area by a reliable observer.
- *May occur*—the project area is within the species' currently known range, and vegetation communities, soils, etc., resemble those known to be used by the species.
- *Unlikely to occur*—the project area is within the species' currently known range, but vegetation communities, soils, etc., do not resemble those known to be used by the species, or the project area is clearly outside the species' currently known range.

Those species listed by the USFWS were assigned to one of three categories of possible effect, following USFWS recommendations. The effects determinations recommended by USFWS include:

• May affect, 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.