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July 10, 2019

Incidental Take Authorization Coordinator
Illinois Department of Natural Resources
Division of Natural Heritage
One Natural Resources Way
Springfield, IL 62702

RE: Conservation plan for reduction of potential impacts to the Franklin's ground squirrel from proposed pipeline maintenance work in three distinct areas (Areas 1, 2, and 3) along the BP US Pipelines & Logistics 12"-diameter Manhattan S.-Wilmington pipeline, in Will County, Illinois

To Whom It May Concern:

On behalf of BP US Pipelines & Logistics, Inc. (BP), the Parsons Corporation (Parsons) is submitting this application for authorization of incidental take of state-listed species, the Franklin's ground squirrel (*Poliocitellus franklinii*), that may be impacted in Areas 1, 2, and 3 during pipeline maintenance activities. Construction activities, including work areas (57,450 ft²) and access roads (25,600 ft²), are anticipated to temporarily disturb 83,050 ft².

BP performed a routine pipeline inspection of the Manhattan S.-Wilmington pipeline, a petroleum products pipeline near Wilmington, Will County, Illinois. During the inspection, three areas (Areas 1, 2, and 3) of the pipeline were identified as requiring maintenance (primarily installation of anode beds and pipeline recoating). The three areas are near recorded observations of Franklin's ground squirrel populations, based on a review of the Illinois Natural Heritage Database. Between August 7th and 9th, 2018, Parsons biologists performed visual surveys at and in the vicinity of these three areas to characterize the habitat types and vegetation communities and to assess the potential for threatened and endangered species occurrences. The visual surveys yielded 17 observations of ground burrows; ground burrows could be inhabited by a diversity of species. It was determined that portions of the project areas could provide suitable habitat for the Franklin's ground squirrel. Additionally, a trapping survey was conducted between May 21st and 23rd, 2019. The trapping survey sampled the three areas for Franklin's ground squirrels and yielded 1 observation of a Franklin's ground squirrel at Area 2.

BP plans to commence construction upon receipt of the Incidental Take Authorization. Please contact me if you have any questions or require additional information. I can be reached at 314-412-8039 or at Lindsey.Postaski@parsons.com.

Sincerely,

A handwritten signature in cursive script that reads "Lindsey Postaski".

Lindsey Postaski, PWS
Environmental Scientist

cc: Tom Antenucci, BP
Stephen Callow, BP
Jeremy Andreen, BP
Nolan Nicaise, Parsons
Diane Hoeting, Parsons

CONSERVATION PLAN FOR THE FRANKLIN'S GROUND SQUIRREL

Manhattan S.–Wilmington Pipeline Corrosion Maintenance Project Will County, Illinois

To: Illinois Department of Natural Resources

For: Reduction of potential impacts to the Franklin's ground squirrel from proposed pipeline maintenance work in three distinct areas (Areas 1, 2, and 3) along the BP US Pipelines & Logistics 12"-diameter Manhattan S.–Wilmington pipeline, in Will County, Illinois

Project proposed by:

**BP US Pipelines & Logistics, Inc.
30 South Wacker Drive, Floor 10 South
Chicago, Illinois 60606**



Plan prepared by:

**Parsons Corporation
530 Maryville Centre Drive, Suite 400
St. Louis, Missouri 63141**

June 2019

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Incidental Take Authorization Application and Conservation Plan–July 2019
BP US Pipelines & Logistics, Inc., Manhattan S. – Wilmington Pipeline

CONSERVATION PLAN

(Application for an Incidental Take Authorization)
Per 520 ILCS 10/5.5 and 17 Ill. Adm. Code 1080

150-day minimum required for public review, biological and legal analysis, and permitting

PROJECT APPLICANT: BP US Pipelines & Logistics, Inc. (BP)

PROJECT NAME: Manhattan S.-Wilmington Pipeline Corrosion Maintenance Project

COUNTY: Will County

AMOUNT OF IMPACT AREA: Work Areas: 57,450 ft², Access Roads: 25,600 ft², Total: 83,050 ft²

1. INTRODUCTION

During a recent, routine close interval survey of the Manhattan S.-Wilmington petroleum products pipeline, BP US Pipelines & Logistics, Inc., (BP) identified three distinct areas of pipeline (Areas 1, 2, and 3) that require corrosion prevention maintenance (identified on **Table 2.1-A**). The areas are proximal to locations of occurrence records of the state-listed Franklin’s ground squirrel (*Poliocitellus franklinii*). This conservation plan was developed to describe practices that, when implemented, will minimize and mitigate impacts to the Franklin’s ground squirrel during proposed pipeline maintenance activities for a duration of 15 years. The plan was developed in accordance with the requirements outlined in Title 17, Chapter 1(c), Section 1080 of the Illinois Administrative Code (Incidental Taking of Endangered or Threatened Species), which grants the Illinois Department of Natural Resources (IDNR) the ability to grant an Incidental Take Authorization for the taking of species listed as endangered or threatened by the State of Illinois with an approved Conservation Plan.

2. DESCRIPTION OF IMPACT

2.1. PROJECT LOCATION

The 12”-diameter Manhattan S. - Wilmington pipeline project is located within a utility corridor approximately between the cities of Manhattan and Symerton in Will County, Illinois. The utility corridor is located along the eastern boundary of the Midewin National Tallgrass Prairie, a prairie reserve managed by the US Forest Service (USFS). Approximately 35 feet east of and parallel to the pipeline is the Wauponsee Glacial Trail, a 22-mile multi-use recreational trail (formerly a railroad), maintained by the Forest Preserve District of Will County and extending from Joliet to Manhattan and Symerton, in Florence and Wesley Townships.

A figure showing the project area is provided as **Attachment A**. A total of 57,450 ft² may be temporarily impacted by the project workspace. An additional 25,600 ft² may be temporarily disturbed by vehicular access to the workspaces.

Table 2.1-A: Project Locations

AREA/SITE	START LATITUDE/LONGITUDE	END LATITUDE/LONGITUDE	SECTION, TOWNSHIP, RANGE
Area 1	41.338615, -88.043655	41.337826, -88.044373	S14 T33N R10E
Area 2	41.365876, -88.021147	41.362396, -88.023300	S12 T33N R10E
Area 3	41.380003, -88.012491	41.378407, -88.013489	S6 T33N R11E

2.2. BIOLOGICAL DATA

The Franklin’s ground squirrel occurs in the central United States. Its range extends from northwestern Indiana, northern and central Illinois and southern Wisconsin west to northern Kansas, Nebraska, North and South Dakota in the United States and Manitoba, Saskatchewan, and Alberta in Canada (Ostroff and Finck, 2003). In Illinois, Franklin’s ground squirrels have been documented to occur in 33 counties (Hofmann, 2008). Here, Franklin’s ground squirrels occur in old fields, railroad rights-of-way, cemetery prairies, brushy fields, fence rows, and ditch banks (Martin et al., 2003).

The Franklin’s ground squirrel lives in small, loosely knit colonies. The Franklin’s ground squirrel prefers tallgrass habitats, savannah-like habitats, woodland edges, fence rows, abandoned/fallow fields, roadsides, and railroad rights-of-way. In Illinois, the occurrence of the Franklin’s ground squirrel has been associated

with smooth brome (*Bromus inermis*), a tallgrass species. The Franklin's ground squirrel is typically found in areas where there is an absence of disturbance, particularly an absence of mowing (NatureServe, 2018).

In addition to tall grasses, the Franklin's ground squirrel requires an area in which it can construct an adequate burrow system. Each burrow is home to only one or two squirrels during the spring and summer. Burrow systems may be extensive with multiple entrance holes. Burrows are often found in areas with a noticeable berm or embankment and are often concealed in dense vegetation. Burrows tend to be deep and well-drained to provide protection from the elements and extreme temperatures. From September to April, burrows are used as hibernacula. The winter survival rate of hibernating adult Franklin's ground squirrels is 33-42 percent, with lower juvenile survival rates. In the springtime, following the hibernation period, Franklin's ground squirrels will breed. Yearly, Franklin's ground squirrels have a single litter of 6-9 pups.

The Franklin's ground squirrel is diurnal and spends 90 percent of its lifetime underground in burrows. Time outside of its burrows is typically spent searching for food, establishing home ranges and searching for mates. The Franklin's ground squirrel is omnivorous, feeding on green plants, roots, seeds, fruit, insects, amphibians, bird eggs and young birds, young mammals, and carrion (Illinois Natural History Survey, 2018). It feeds heavily on green plants (dandelion, stinging nettle, white clover) and roots during spring, animal material (eggs, small rodents, frogs) during midsummer, then seeds and fruits during late summer.

Predators of the Franklin's ground squirrel include badger, coyote, red fox, dogs, mink, long-tailed weasel, striped skunk, red-tail hawk, and snakes. The life expectancy of Franklin's ground squirrel is typically longer for females at 4 to 5 years, and shorter for males at 1 to 2 years.

Suitable areas within the proposed project areas have been identified by IDNR. A figure showing IDNR data, documenting recorded observations of the Franklin's ground squirrel at and in the vicinity of the project areas, is provided as **Attachment B**.

Between August 7th and 9th, 2018, Parsons biologists performed visual surveys at and in the vicinity of these three areas to characterize the habitat types and vegetation communities and to assess the potential for threatened and endangered species occurrences. The visual surveys yielded 17 observations of ground burrows; ground burrows could be inhabited by a diversity of species. It was determined that portions of the project areas could provide suitable habitat for the Franklin's ground squirrel.

Additionally, a trapping survey was conducted between May 21st and 23rd, 2019. The trapping survey sampled the three areas for Franklin's ground squirrels and yielded 1 observation of a Franklin's ground squirrel at Area 2. The methodologies and results of the burrow survey and the trapping survey are provided in **Attachment C**.

2.3. DESCRIPTION OF PROJECT ACTIVITIES AND IMPACTS

The project includes three work areas: Area 1, Area 2, and Area 3. The dimensions of work areas and access routes are provided in **Table 2.3-A**. The maps, provided as **Attachment A**, show the location of workspaces and access roads.

Table 2.3-A: Project Activities and Impacts

AREA	ACTIVITY	WORKSPACE LENGTH (FT)	WORKSPACE WIDTH (FT)	TOTAL WORKSPACE IMPACT AREA (FT ²) ^{1,2}	ACCESS ROAD LENGTH (FT) ³	ACCESS ROAD WIDTH (FT)	TOTAL ACCESS ROAD IMPACT AREA (FT ²)	CONSTRUCTION DURATION (DAYS)
Area 1	Anode bed installation	400	25	10,000	1,200	10	12,000	3
Area 2	Anode bed installation and inspection and recoating of pipeline	650	58	37,700	880	10	8,800	17
Area 3	Anode bed installation	390	25	9,750	480	10	4,800	3
Total Project Impact				57,450			25,600	

¹Workspaces include all necessary work areas including, but not limited to, excavation, laydown, stockpiling, and silt fencing areas.

²Excavations within the workspace will be 4-5 feet deep.

³Access road length is the distance from the nearest named road to the workspace.

Following construction, each area will be restored to pre-construction grade and condition and planted with a seed mix dictated by the Midewin National Tallgrass Prairie (consisting of 10 lbs/acre annual rye, 15 lbs/acre smooth brome grass, and 30 lbs/acre oats).

Structures

Three above-ground anode junction boxes will be installed. Anode junction boxes have footprints of 2ft X 2ft.

Schedule

Construction will be scheduled to begin as soon as permits are received, ideally beginning in July or August 2019; a pre-construction trapping survey occurred in May 2019. The IDNR will be notified by BP prior to the commencement of construction. Furthermore, a conservation report will be completed and delivered to the IDNR by the end of the calendar year of the completion of construction activities.

Some construction activities may occur simultaneously.

Table 2.3-B: Project Schedule

PROJECT COMPONENT	SCHEDULE
Hold contractor environmental and safety training and pre-job meeting; stake pipeline and work area limits.	Week 1
Mobilize to site.	Week 1
Install erosion and sediment control measures.	Week 1
For Area 2 only: excavate a trench to expose pipeline, sandblast the pipe and recoat. For Areas 1, 2 and 3: Excavate trench and install anode bed and junction box and complete upgrades to test station. Stockpile topsoil and subsoil separately.	Weeks 1-2
Backfill excavations.	Week 3
Regrade and de-compact work areas.	Week 3
Complete site restoration/re-vegetation.	Week 3

The conservation plan proposes Incidental Take Authorization coverage for a period of 15 years. Additional pipeline maintenance activities and, therefore, project components may be added to the above schedule.

2.4. ANTICIPATED ADVERSE EFFECTS**Physical Disturbance**

It is anticipated that construction activities may disturb Franklin's ground squirrels and that individual Franklin's ground squirrels may potentially be harmed due to the use of heavy equipment and the removal of soil. Active individuals may be injured or killed in the unlikely event that they are unable to escape from the path of heavy machinery. Hibernating animals in burrows may be injured or killed if burrows are destroyed during the removal of soil or caved in by the weight of overhead vehicles.

Noise and Vibration

It is anticipated that noise and vibrations associated with construction activities may induce stress in Franklin's ground squirrels, which may impact foraging, reproductive, and burrowing success.

Habitat Disturbance

Disturbance to soil and vegetation during construction activities may impact foraging, burrowing, and reproductive success of the Franklin's ground squirrel. Additionally, soil compaction from heavy equipment and road construction could impact the ability of the Franklin's ground squirrel to burrow in certain areas.

Take Estimate without Avoidance, Minimization and Mitigation Measures

Takes are acts against the protected species, such as harming, hunting, shooting, pursuing, luring, wounding, etc. Takes can occur on the construction sites if individuals are run over by trucks and construction equipment, crushed in burrows under the weight of overhead equipment, or stressed by reduced access to food supplies, shelter, and inhabitable soils.

A burrow survey and a trapping survey have been performed; however, a population survey has not been completed in this location, and, therefore, the population size of the Franklin's ground squirrel is unknown. Other locations have recorded densities of 10-20 individuals per hectare with peak densities of 30 individuals per hectare (Banfield 1974, Schwartz and Schwartz, 1981). If a population density of 10-20 individuals per hectare is assumed at this location, it is possible that 7-16 individuals may occupy and be taken during construction activities within the 83,050 ft² (0.77-hectare) combined work area and access route.

3. AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

3.1. AVOIDANCE AND MINIMIZATION

Several measures will be implemented to reduce the number of takes of the protected species and are described below.

Training

Before construction activities occur, a pre-construction kick-off meeting will be held with key stakeholders, including the construction crew. During this meeting, a field biologist will speak to the crew about the identification of the Franklin's ground squirrel, regulations protecting the species, where the species may be found, avoidance areas, travel restrictions for equipment and vehicles, and necessary recording and reporting procedures in the case a take occurs during construction activities.

A copy of the education materials can be provided to the IDNR upon request.

Everyday Access Survey

At the start of each work day, a field biologist will perform a survey of the access path for new burrows or Franklin's ground squirrel individuals ahead of the lead vehicle. Any new burrows will be recorded (to be included in final project report to IDNR) and flagged. The general vicinity of flagged burrows will be avoided by vehicles to the maximum extent practicable.

Everyday Work Area Survey

At the start of each work day, a field biologist will perform a survey of the work area for any burrows or Franklin's ground squirrel individuals. Any new burrows will be recorded (to be included in final project report to IDNR) and flagged. The general vicinity of flagged burrows will be avoided by vehicles to the maximum extent practicable. Furthermore, when in the vicinity of flagged burrows, excavation will progress with extreme care, such as with reduced excavation speed, to minimize potential takes.

Manual Relocation

If a Franklin's ground squirrel individual is within the work area, it will be encouraged to flee using gestures such as clapping and yelling. If the individual will not vacate the site, manual relocation may be necessary to avoid a take. A field biologist will use a trap to relocate the individual offsite, approximately 200 feet west, and released into an area of suitable habitat. The incident will be recorded.

Soil Stockpiling

The potential of Franklin's ground squirrels colonizing fresh soil stockpiles during construction activities will be addressed in several ways.

1. Soil stockpiles will be limited in size. For Areas 1 and 3, soil stockpiles will be very small (less than two feet tall) windrows running parallel to the 1 foot wide and 4 feet deep trench.
2. Soil stockpiling will be limited in duration. For Areas 1 and 3, soil stockpiles are anticipated to exist for only 3 days.
3. Soil stockpiles will be inspected and managed. For Area 2 where stockpiles will be larger and will exist for a couple of weeks, the on-site biologist will inspect the soil stockpiles for new burrows daily. If it is discovered that Franklin's ground squirrel individuals are burrowing into the soil stockpiles, they will be scared from the piles, if possible. If habitation of the soil stockpiles is observed to be a recurring problem, methods will be used to reduce the chances of recolonization of the piles, such as hanging noise-makers (e.g. tin pie pans) or covering the piles with geotextile fabric or tarps. If a squirrel will not leave the soil stockpile while being hazed, it will be attempted to be coerced out using baited traps and then relocated offsite.

Project Schedule

The project schedule is accelerated to reduce impacts to the Franklin's ground squirrel. For Areas 1 and 3, each anode bed installation is expected to take 3 days to complete. For Area 2, pipeline recoating is expected to take 2 weeks to complete; then the subsequent anode bed installation at Area 2 is expected to take an additional 3 days.

Construction will be completed on consecutive days (weather permitting) to reduce likelihood of Franklin's ground squirrel reoccupation of the soil stockpiles during construction.

To reduce potential takes, disturbance in areas where burrows have been located will be completed during the Franklin's ground squirrel active season, typically between mid-April and early September, unless immediate maintenance is required due to pipeline integrity concerns or USDOT regulations.

Noise and Vibration

Franklin's ground squirrel individuals may react positively to noise and vibration by sensing approaching vehicles, emerging from burrows, and fleeing the site. While such flight behavior is speculative, noise and vibration could reduce total takes and will be not be minimized.

Habitat Restoration

Soil compaction from heavy equipment could impact burrowing Franklin's ground squirrels by reducing the amount of soft soils they could use for burrowing. If soil compaction is determined to have occurred or is likely to occur in the area, BP will use best management practices to remedy the situation.

To minimize the impacts of vegetation loss, following construction and any necessary decompaction practices, the construction area will be evaluated for vegetation disturbance. Areas with intact vegetation will be left as-is. Areas that have evident disturbance will be seeded with a seed mix dictated by the Midewin National Tallgrass Prairie (consisting of 10 lbs/acre annual rye, 15 lbs/acre smooth bromegrass, and 30 lbs/acre oats). Successful post-construction re-vegetation will facilitate continued use of the area by Franklin's ground squirrels. To ensure the re-establishment of vegetation, the project area will be monitored as required by any applicable Illinois NPDES permits.

3.2. MANAGEMENT

As a management strategy, the project area will continue to be mowed at a frequency intended to arrest the colonization of woody vegetation.

3.3. MITIGATION

Incidental Take Authorization requires that the Conservation Plan minimizes and mitigates the impact caused by the taking to the maximum extent practicable (Illinois Endangered Species Protection Act, 520 ILCS 10).

The customary mitigation ratio for take of listed species habitat is 5.5:1, according to the IDNR. However, BP and the IDNR have agreed on a 2.5:1 mitigation ratio for this project for a couple of reasons. First, the project is considered routine maintenance to an existing facility (the underground petroleum products pipeline); it is not new development. Second, the limited mitigation ratio is proposed because project impacts are temporary in nature—the construction timeframe is short (only 3 days for Areas 1 and 3) and, after construction activities, the areas will be returned to pre-construction contour and will be revegetated. The project will not permanently take habitat, as would occur during the construction of a warehouse or housing development, for example. The only new above-ground structure will be three small bond boxes.

According to the IDNR, the approximate land value in the area is \$7,800 per acre. BP therefore proposes to mitigate with a monetary payment to IDNR of \$37,178.03. Please see the **Table 3.3-A** below for details.

Table 3.3-A: Compensatory Mitigation and Estimated Takes

AREA	SIZE OF WORK AREA + ACCESS ROUTE (FT ²)	MITIGATION RATE PER 43,560 FT ²	MITIGATION COST	SIZE OF WORK AREA (HECTARES)	ESTIMATED TAKES ^A
Area 1	22,000	\$7,800 X 2.5	\$9,848.48	0.204	2-5
Area 2	46,500	\$7,800 X 2.5	\$20,816.12	0.432	4-9
Area 3	14,550	\$7,800 X 2.5	\$6,513.43	0.135	1-3
Total	83,050	\$7,800 X 2.5	\$37,178.03	0.772	7-16

^ATake estimates are based on population densities reported for other locales in peer-reviewed literature (Banfield 1974).

BP proposes Incidental Take Authorization coverage for pipeline maintenance activities in the project area for 15 years.

3.4. MONITORING

According to the IDNR, post-construction monitoring to determine the effectiveness of minimization and mitigation measures is required by the Illinois Endangered Species Protection Act. To fulfill this requirement, BP is prepared to enact pre- and post-construction trapping surveys. A pre-construction trapping survey was conducted in May 2019.

For each future pipeline maintenance activity within the 15-year Incidental Take Authorization, a cursory burrow identification survey will be conducted in advance of the activity.

One post-construction trapping survey (presence/probable absence) will occur within 1-2 field seasons of the initial work. Additional trapping surveys should occur within 1-2 field seasons of any future anomaly repairs, as well as at the closing of the agreement (Year 15), with no greater than 4 total trapping surveys required during the term of the permit. If no further work occurs on the right-of-way after the initial maintenance activity, the trapping surveys following Year 1 work and during Year 15 will be adequate for species monitoring.

Reports regarding each burrow or trapping survey will be supplied to the Incidental Take Authorization Coordinator of the IDNR by the end of the calendar year of each survey.

3.5. ADAPTIVE MANAGEMENT

If a Franklin's ground squirrel individual is observed during construction activities, construction will continue, albeit with increased precaution (such as slower vehicle movement and increased biologist presence throughout the workday). Any Franklin's ground squirrels that are caught during construction activities will be manually relocated 200 feet west of the site and released into an area of suitable habitat, as described in **Section 3.1-Avoidance and Minimization**. Squirrel movement will not be monitored with a tracker, as tracking devices could impair biological fitness.

If more than one observation of a Franklin's ground squirrel occurs within 100 feet of the work area or access route during a pipeline maintenance activity, construction activities will be paused, and the installation of perimeter exclusionary fencing, such as silt fence, will be considered and discussed with the IDNR Incidental Take Authorization Coordinator.

3.6. FUNDING VERIFICATION

The proposed conservation plan measures will be fully funded by BP. BP will fully incorporate this conservation plan into its construction plans and training programs.

4. ALTERNATIVE ACTIONS

In planning the Manhattan S.-Wilmington pipeline project, BP sought to develop a project plan that avoids and minimizes environmental impacts to the greatest extent practicable while still meeting the purpose and needs of the project. The preferred alternative is described in the sections above. Two non-preferred alternatives are described below.

4.1. ALTERNATIVE A – DELAY CONSTRUCTION

As an alternative, BP considered delaying the start of construction. This alternative was considered non-preferred because it would allow the pipeline to exist with less-than-ideal corrosion control, potentially leading to a loss of pipeline integrity. Furthermore, delaying construction would not reduce impacts on the Franklin's ground squirrel, as construction activities in the future would cause similar, if not greater, impacts.

4.2. ALTERNATIVE B- NO ACTION

The second non-preferred alternative that was considered was no-action. Under this alternative, maintenance activities would not occur. While there would be no impacts from construction in this scenario, if BP does not conduct the proposed preventative maintenance on this section of pipeline, corrosion could progress and result in the gradual reduction of the wall thickness of the pipe and a loss of pipe integrity. This reduced pipe integrity could result in failure of the pipeline due to internal pressure stresses and significant impacts to the Franklin's ground squirrel and its habitat. Furthermore, if BP follows this alternative and does not implement preventative maintenance, it may violate the US Department of Transportation's Pipeline and Hazardous Materials Safety Administration requirements.

5. NOTIFICATIONS

5.1. NOTIFICATIONS TO IDNR

The IDNR will be notified by BP prior to the commencement of construction. Furthermore, a conservation report will be completed and delivered to the IDNR by the end of the calendar year of each year of the 15-year Incidental Take Authorization.

5.2. PUBLIC NOTICE

A public notice has been drafted.

6. CONTINUED SPECIES VIABILITY

Generally, populations of Franklin's ground squirrel fluctuate greatly from year to year with fluctuations likely influenced by local natural or man-made disturbances (Huebschmann, 2007). Average densities of 10-20 individuals per hectare have been recorded with peak densities of 30 individuals per hectare (Banfield 1974, Schwartz and Schwartz, 1981). However, in some cases, populations may reduce to near disappearance from an immediate area. In those instances, the area may be repopulated, at least in part, by dispersers from nearby populations.

As mentioned in **Section 2.4**, 7-16 individuals could be taken as a result of this project, although the number of takes will likely be less due to minimization efforts (described in **Section 3.1**).

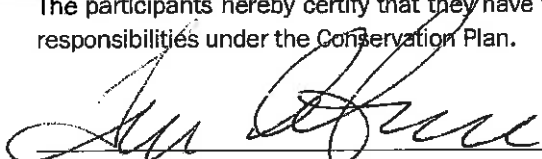
Considering typical population size, litter size, and survival rates, any loss to the Franklin's ground squirrel population could be recouped within 1-2 breeding cycles. Additionally, the project's immediate connectivity to the Midewin National Tallgrass Prairie, an expansive preserved grassland area, will facilitate the re-dispersal of the Franklin's ground squirrel to the project area. Lastly, the reseeded area will quickly restore habitat conditions. With implementation of this Conservation Plan, incidental taking of Franklin's ground squirrels in connection to the proposed project will most likely not reduce the likelihood of the survival or recovery of the Franklin's ground squirrel or the habitat essential to the existence of Franklin's ground squirrels in the state of Illinois.

7. IMPLEMENTING AGREEMENT

In order to ensure compliance with the conditions described in the Incidental Take Authorization for the Franklin's ground squirrel, BP agrees to implement the measures described in this Conservation Plan. BP will implement the following actions:

- Ensure that all tasks are completed as described in the Conservation Plan.
- Ensure that all maps are accurate and up-to-date showing areas of Franklin's ground squirrel habitat and burrow locations.
- Coordinate training for all construction personnel from a qualified biologist with knowledge of the Franklin's ground squirrel and linear construction projects.
- Conduct daily inspections of the area for the Franklin's ground squirrel during the construction phase of the project.
- Report to the IDNR any sightings of Franklin's ground squirrel.
- Comply with all pertinent Federal, State, and local regulations pertinent to this project and to the execution of the Conservation Plan.
- ~~• Provide copies of Federal authorizations that could affect the terms and conditions of any Incidental Take Authorization by the IDNR for this project.~~
- Ensure that revegetation occurs in the disturbed areas.
- Send a conservation report to the Incidental Take Authorization Coordinator at the IDNR by the end of the calendar year of each year of the 15-year Incidental Take Authorization, and send a monitoring report to the same recipient by the end of the calendar year of each phase of the monitoring plan.

The participants hereby certify that they have the legal authority to carry out their respective obligations and responsibilities under the Conservation Plan.



Signature – Tom Antenucci
BP US Pipeline & Logistics, Inc.

7.11.19
Date

REFERENCES

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ATTACHMENT A: AREA MAPS



Figure A: Map of all three work areas.

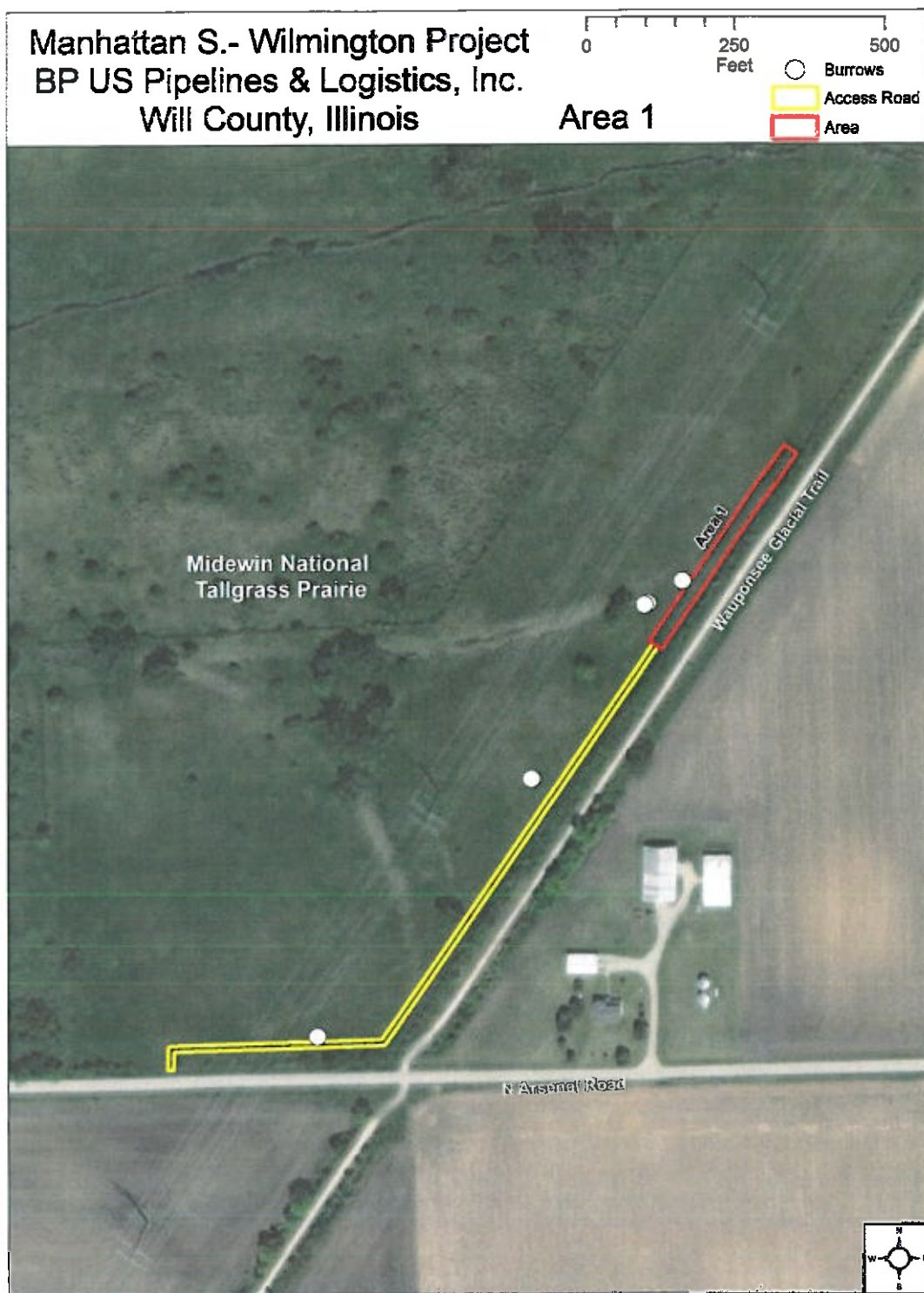




Figure C: Map of Area 2. Burrows may or may not belong to the Franklin's ground squirrel.

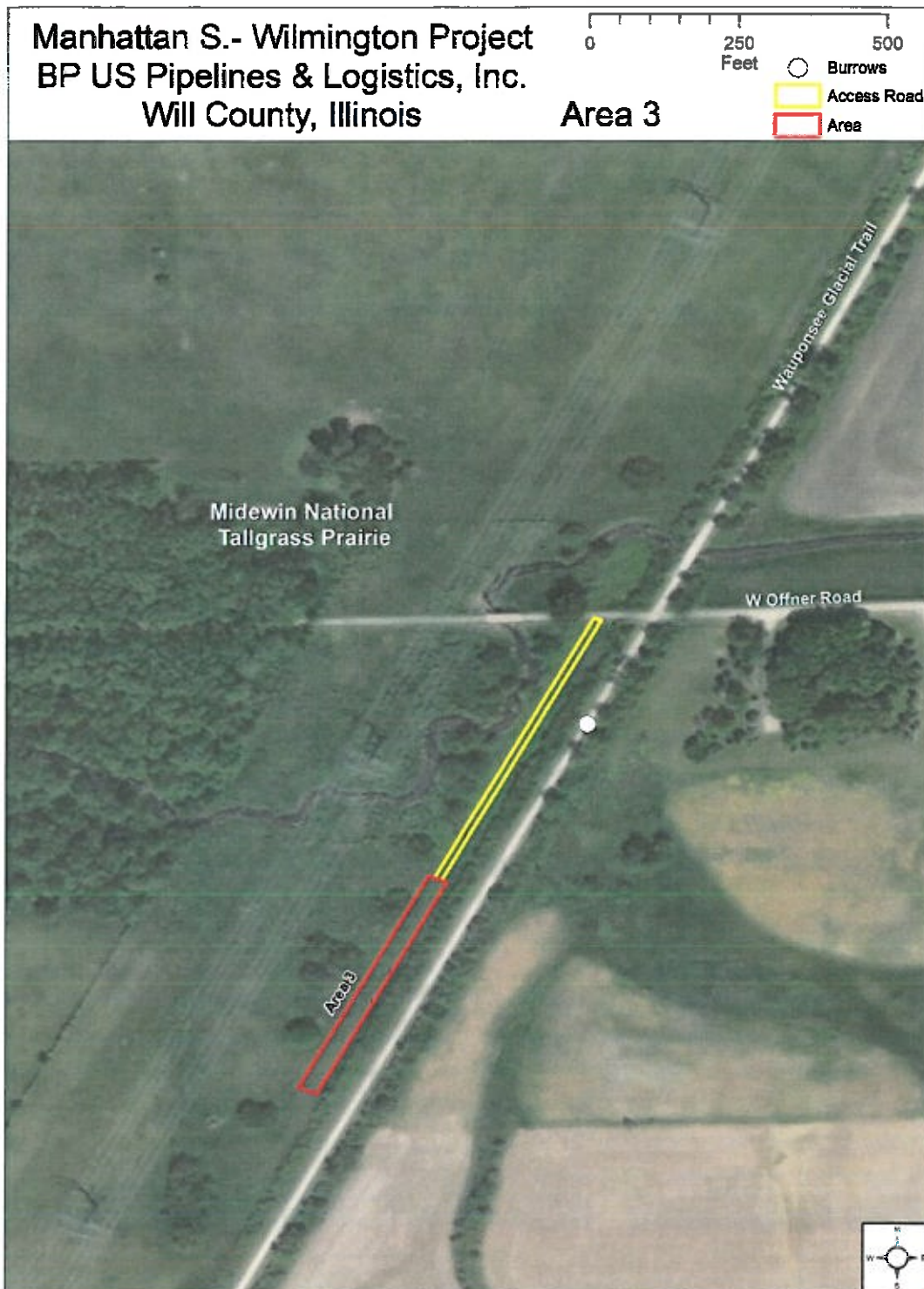


Figure D: Map of Area 3. Burrows may or may not belong to the Franklin's ground squirrel.

ATTACHMENT B: IDNR OCCURRENCES MAP



Figure E: Map of IDNR records of Franklin's ground squirrel occurrences in relation to proposed work areas.

ATTACHMENT C: THREATENED & ENDANGERED SPECIES SURVEY REPORTS

Please note that the attached reports may include maps which differ slightly from the maps presented in the above Conservation Plan. The maps in the Conservation Plan above represent the areas where ITA is sought.

**Manhattan S.–Wilmington Pipeline
Corrosion Maintenance Project
Will County, Illinois**

AUGUST 7-9, 2018, BURROW SURVEY REPORT

A report illustrating the results of a burrow survey conducted along the BP USPL 12”-diameter Manhattan S.–Wilmington pipeline right-of-way in Will County, IL, from August 7-9, 2018

Operator:

BP US Pipelines & Logistics, Inc.

30 South Wacker Drive, Floor 10 South

Chicago, IL 60606



Survey conducted by, and report prepared by:

Parsons Corporation

530 Maryville Centre Drive, Suite 400

St. Louis, Missouri 63141

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Executive Summary

Parsons has prepared this report for BP US Pipelines & Logistics, Inc., (BP) to present the results of the August 7-9, 2018, field survey of three protected species (Franklin's ground squirrel, loggerhead shrike, and upland sandpiper) within the temporary construction areas of four sites along BP's Manhattan S. Wilmington petroleum products pipeline (Area 1, Area 2, Area 3, and Sites 14/15). In summary:

- No Franklin's ground squirrel, loggerhead shrike, or upland sandpiper individuals were observed during the field assessment;
- Potential **habitat** for the Franklin's ground squirrel, loggerhead shrike, and upland sandpiper was observed during the field assessment;
- Seventeen burrows, potentially belonging to the Franklin's ground squirrel, were observed at and in the vicinity of the temporary construction areas.

Introduction

Parsons has prepared this report for BP to present the results of the August 7-9, 2018, field survey of three protected species (Franklin’s ground squirrel, loggerhead shrike, and upland sandpiper) within the temporary construction areas of four sites along BP’s Manhattan S.-Wilmington petroleum product pipeline (Area 1, Area 2, Area 3, and Sites 14/15).

Project Understanding

BP recently identified multiple segments of pipeline that require maintenance for corrosion protection and to address anomalies identified on their Manhattan S. to Wilmington products pipeline. Four of those areas (described in **Table 1**) were in close proximity to known occurrences of Franklin’s ground squirrel populations and potentially in close proximity to loggerhead shrike and upland sandpiper populations. Overall, construction activities are anticipated to temporarily disturb 9.0 acres and are anticipated to commence as soon as consultation with applicable agencies is complete.

Table 1: Manhattan S. – Wilmington Pipeline Project Areas/Site

AREA SITE	START LONGITUDE/LATITUDE	END LATITUDE/LONGITUDE	MAINTENANCE ACTIVITY
Area 1	41.338615, -88.043655	41.337826, -88.044373	Maintenance on the CP system
Area 2	41.365876, -88.021147	41.362396, -88.023300	Maintenance on the CP system and re-coating of the exterior of the pipe
Area 3	41.380003, -88.012491	41.378407, -88.013489	Maintenance on the CP system
Sites 14/15	41.395769, -88.002888	41.394839, -88.003492	Maintenance on the CP system

Project Location

The Manhattan S.-Wilmington pipeline is located in Will County, Illinois. The pipeline runs parallel to a utility corridor (overhead power lines, etc.) for most of its length in this area. Also running parallel to the utility corridor, approximately 35 ft east of the pipeline, is the Wauponsee Glacial Trail, a 22-mile multi-use recreational trail extending from Joliet to Manhattan and Symerton, in Florence and Wesley Townships. The trail is managed by the Forest Preserve District of Will County and forms an eastern boundary to the temporary construction areas. West of the trail and including the utility corridor (except at Sites 14/15) is the Midewin National Tallgrass Prairie, a prairie reserve managed by the US Forest Service. A figure showing the proposed project area is provided as **Figure 1**. Photographs of the project area are included in **Appendix A**.



Figure 1: Manhattan S. - Wilmington Pipeline Project Areas/Site

Threatened & Endangered Species

Certain species are given protection under the Illinois Endangered Species Protection Act (the Act). The Act, administered by the Endangered Species Protection Board (the Board), part of the Illinois Department of Natural Resources (IDNR), provides protection for all species designated as State threatened or endangered. An endangered species is “in danger of extinction throughout all or a significant portion of its range...plus such other species which the Board may list as in danger of extinction in the wild in Illinois.” A threatened species “is likely to become an endangered species in the wild in Illinois within the foreseeable future.”

INCIDENTAL TAKE

If threatened or endangered species are encountered within, or very near, a project footprint that may result in a “Take” of the specimen, an Incidental Take Authorization (ITA) is required from the IDNR's Office of Resource Conservation (ORC), which will result in a Conservation Plan for the species. “Take”, as it pertains to animals, is defined in the Illinois Endangered Species Protection Act as to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. Any person who violates any provision of this Act shall be guilty of a Class A Misdemeanor. Civil penalties also apply if violations of the Illinois Natural Areas Preservation Act occur.

ECOLOGICAL COMPLIANCE ASSESSMENT TOOL

The Ecological Compliance Assessment Tool (EcoCAT) a tool developed to help state agencies, units of local government, and the public initiate natural resource reviews for:

- Illinois Endangered Species Protection Act [520 ILCS 10/11(b)] and Illinois Natural Areas Preservation Act [525 ILCS 30/17] as set forth in procedures under Title 17 Ill. Admin. Code Part 1075.
- Interagency Wetland Policy Act of 1989 [20 ILCS 830] as set forth in procedures under Title 17 Ill. Admin. Code Part 1090 when state agencies provide funding (including federal pass-through funding) or technical assistance.

These laws require state agencies and units of local governments to consider the potential adverse effects of proposed actions on Illinois endangered and threatened species and sites listed on the Illinois Natural Areas Inventory.

As part of EcoCAT consultation, the IDNR has raised concerns about the potential for the Franklin's ground squirrel to occur in or near the proposed project area. Additionally, the IDNR Heritage Database indicated potential habitat/occurrences of the upland sandpiper and the loggerhead shrike. These species are discussed below. Documentation of EcoCAT consultation for this project is provided in **Appendix B**. A figure showing IDNR data, documenting the occurrence of these species at and in the vicinity of the project, is provided as **Figure 2**.

FRANKLIN'S GROUND SQUIRREL

The State-threatened Franklin's ground squirrel (*Poliocitellus franklinii*) is a species of squirrel native to North America. This species occurs in the United States and Canada: from Kansas, Missouri, and Illinois northward to Alberta, Saskatchewan, and Manitoba. The Franklin's ground squirrel prefers tallgrass habitats, savannah-like habitats, woodland edges, fence rows, abandoned/fallow fields, roadsides, and railroad rights-of-way. In Illinois, the occurrence of Franklin's ground squirrel has been associated with smooth brome (*Bromus inermis*), a tallgrass species. The Franklin's ground squirrel is typically found in areas where there is an absence of disturbance, particularly an absence of mowing (NatureServe, 2018).

In addition to tall grasses, the Franklin's ground squirrel requires an area in which it can construct an adequate burrow system. Each burrow is home to only one or two squirrels during the spring and summer. Burrow systems may be extensive with multiple entrance holes. Burrows are often found in areas with a noticeable berm or embankment and are often concealed in dense vegetation. Burrows tend to be deep and well-drained to provide protection from the elements and extreme temperatures. From September to April, burrows are used as hibernacula.

PARSONS

The Franklin's ground squirrel is diurnal and spends 90 percent of its lifetime underground in burrows. Time outside of its burrows is typically spent searching for food, establishing home ranges and searching for mates. The Franklin's ground squirrel is omnivorous, feeding on green plants, roots, seeds, fruit, insects, amphibians, bird eggs and young birds, young mammals, and carrion (Illinois Natural History Survey, 2018). It feeds heavily on green plants (dandelion, stinging nettle, white clover) and roots during spring, animal material (eggs, small rodents, frogs) during midsummer, then seeds and fruits during late summer.

Per consultation with IDNR, the Franklin's ground squirrel is known to occur in the vicinity of the project. Due to the potential for a take during BP's proposed maintenance activities, IDNR recommends that BP consider applying for an ITA for the Franklin's ground squirrel in accordance with 17 Ill Adm. Code Part 1080. The project area will be surveyed prior to construction to determine BP's risk of impacting the Franklin's ground squirrel.

LOGGERHEAD SHRIKE

The State-endangered loggerhead shrike (*Lanius ludovicianus*) is a gray, thick-bodied song bird with a black mask and white flashes on black wings (Cornell Lab of Ornithology, 2018a). Loggerhead shrikes prey on rodents, lizards, birds, and insects. Also known as the "butcher bird," the loggerhead shrike is known for impaling prey items on thorns or barbed wire to be eaten later. The loggerhead shrike occupies a variety of habitats generally associated with open areas and short vegetation, including parkland, pastures, open woodland, orchards and agricultural land with hedgerows and perching sites.

UPLAND SANDPIPER

The State-endangered upland sandpiper (*Bartramia longicauda*) is a tall, skinny sandpiper with a thin neck and small head. It is speckled brown with a short, thin bill (Cornell Lab of Ornithology, 2018b). The upland sandpiper is an obligate grassland species. Generally, upland sandpipers favor level topography with a minimum of tall vegetation edges and proportionately high acreages of agricultural crops that resembles the structure of prairie grasslands. The diet of the upland sandpiper consists largely of grasshoppers, crickets, beetles, ants, snails, earthworms, and millipedes.

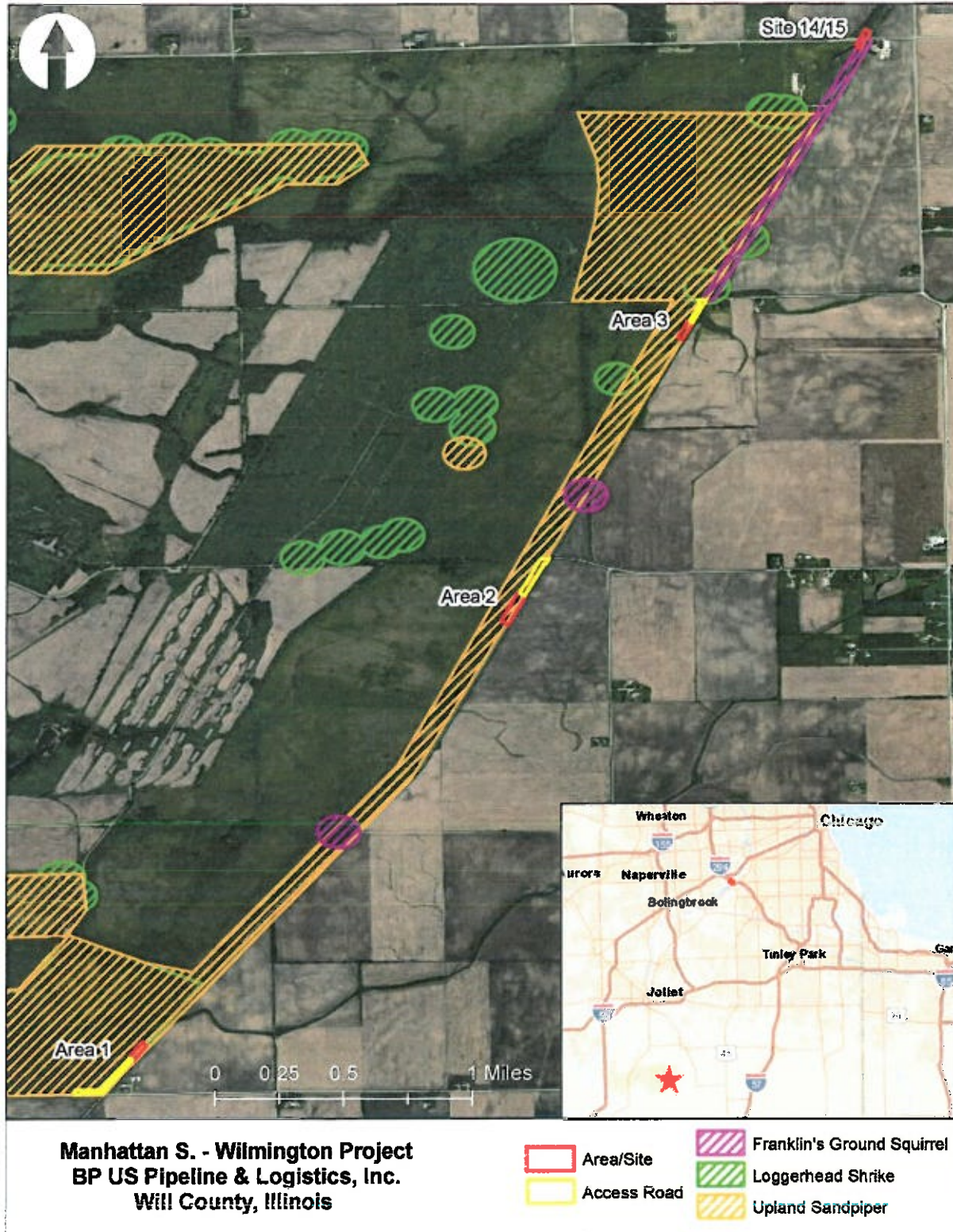


Figure 2: Occurrence of Franklin's Ground Squirrel, Loggerhead Shrike, and Upland Sandpiper Habitat at and in the vicinity of the Manhattan S.-Wilmington Pipeline Project Areas/Site

Assessment Methodology

Field assessments were performed by Parsons biologists August 7-9, 2018. Visual observation surveys were used to identify and characterize the habitat types and vegetation communities and to assess the potential for threatened and endangered species to occur in the project area. Species-specific methodologies were used for the three protected species identified in the EcoCAT. These methodologies are described below.

Franklin's Ground Squirrel

Visual screening of the Franklin's ground squirrel was conducted to determine the presence of the species and its habitat in the project areas. Biologist visually inspected the project area for burrows, picking up/looking under grasses, throughout the project right-of-way (ROW). Visual surveys were conducted during the day, when the Franklin's ground squirrel is most active. In addition to visually searching for the species, biologists listened for the bird-like twitters and musical whistle of the Franklin's ground squirrel. The presence of Franklin's ground squirrel burrows were recorded on data sheets, photographed, and mapped using a Global Positioning System (GPS) unit (Trimble Geo7x).

Loggerhead Shrike

Daytime visual screening for the loggerhead shrike and its habitat was conducted in the project areas; if individuals were observed, they were photographed, and details were recorded on data sheets. Data sheets included the following observation information:

- Location and number of observed individuals/nests
- Primary habitat at observation site (pasture, hayfield, lawn, agriculture, etc.)
- Activity at time of observation (in-flight, foraging, nesting, perching, etc.)
- Height of surrounding vegetation
- Disturbance in the vicinity of observation (vehicular activity, construction, etc.)

Upland Sandpiper

Visual screening of the upland sandpiper was conducted to determine the presence of the species in the project areas. Visual screening for the upland sandpiper was conducted using the same methodology as the visual screening for the loggerhead shrike.

Results

Area 1

Area 1 is a ROW located approximately 830 feet north of West Arsenal Road. This area is located at the southeastern corner of the Midewin National Tallgrass Prairie. Vegetation at this site is dominated by a mixture of prairie grasses with inclusions of milkweed (*Asclepias spp.*), Queen Anne's lace (*Daucus carota*), goldenrod (*Solidago spp.*), ragweed (*Ambrosia spp.*), chicory (*Cichorium intybus*), and cutleaf teasel (*Dipsacus laciniatus*). Birds were observed perching on utility lines and within nearby scrub/shrub habitat. Species observed include: American robin (*Turdus migratorius*), grasshopper sparrow (*Ammodramus savannarum*), mourning dove (*Zenaida macroura*), and red-winged blackbird (*Agelaius phoeniceus*). Soils within this area are silty loam. Anthropogenic disturbances in this area include the Wauponsee Glacial Trail and the utility ROW. No Franklin's ground squirrels, loggerhead shrikes, upland sandpipers or other protected species were observed at Area 1. Suitable habitat for the Franklin's ground squirrel, upland sandpiper and loggerhead shrike was present at this location. Four burrows, located within the project area were observed. Two of the burrows were co-located, and were approximately 3-4 inches wide. The other two burrows were also co-located, and approximately 2-3 inches wide.

The access road to Area 1 is a two-track road beginning at West Arsenal Road. Along the access road, soils are exposed; it appears to be frequently used. Along the access road, two burrows, each approximately 2-3 inches wide, were observed. A figure showing burrow locations at and in the vicinity of Area 1, is provided as **Figure 3**. A table listing the burrows identified during the field assessment is provided as **Table 2**.

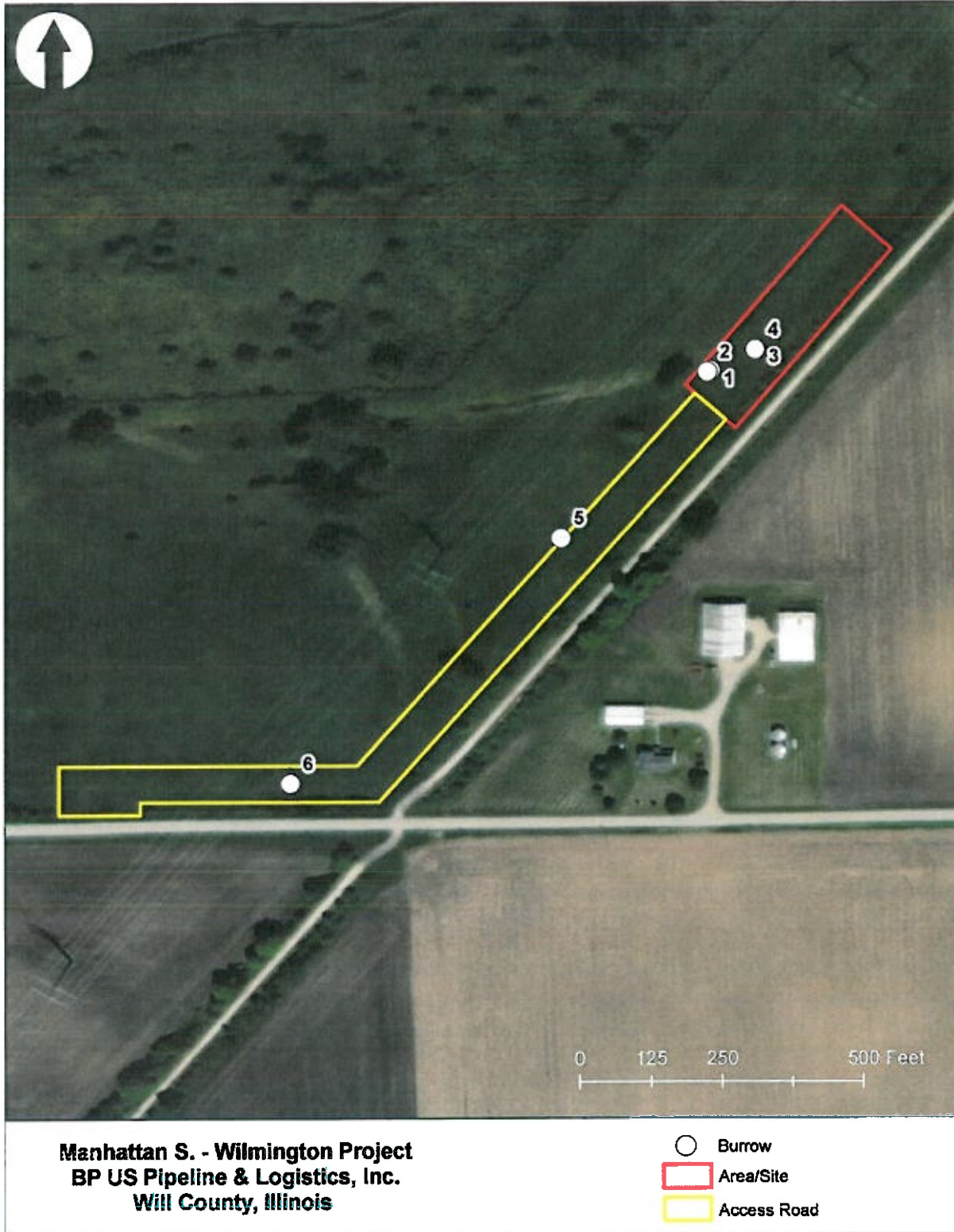


Figure 3: Occurrence of burrows at and in the vicinity of Area 1

Area 2

Area 2 is a ROW located approximately 800 feet south of West Doyle Road. Vegetation at this site is dominated by a mixture of prairie grasses with inclusions of field thistle (*Cirsium arvense*), silverleaf nightshade (*Solanum elaeagnifolium*), Queen Anne's lace (*Daucus carota*), and cutleaf teasel (*Dipsacus laciniatus*). The sapling/shrub layer on the western boundary of Area 2 is dominated by autumn olive (*Elaeagnus umbelatta*). The eastern boundary of Area 2 is predominately mulberry (*Morus spp.*), aster (*Aster spp.*), milkweed (*Asclepias spp.*), and wild grape (*Vitis spp.*). Birds were observed perching on utility lines and within nearby scrub/shrub habitat. Species observed include: American robin (*Turdus migratorius*), mourning dove (*Zenaida macroura*), red-tailed hawk (*Buteo jamaicensis*), tree sparrow (*Spizella arborea*), and red-winged blackbird (*Agelaius phoeniceus*). Soils within this area are silty loam. Anthropogenic disturbances in this area include recreational and maintenance activities on the Wauponsee Glacial Trail, agriculture, and periodic maintenance along the utility ROW. No Franklin's ground squirrels, loggerhead shrikes, upland sandpipers or other protected species were observed at Area 2. Suitable habitat for the Franklin's ground squirrel, upland sandpiper and loggerhead shrike was present at this location. Two burrows, located within the project area, were observed. One of the burrows was approximately 2-3 inches wide; the other burrow was approximately 3-4 inches wide. An additional burrow (3-4 inches wide) was observed approximately 230 feet west of Area 2. The access road to Area 2 is a two-track road beginning at West Doyle Road. Vegetation along this access road is overgrown; this access road does not appear to be frequently used. No burrows were observed with the access road; however, several burrows were observed along the Wauponsee Glacial Trail in the vicinity of the Area 2 access road. A figure showing burrow locations at and in the vicinity of Area 2, is provided as **Figure 4**. A table listing the burrows identified during the field assessment is provided as **Table 2**.



Figure 4: Occurrence of burrows at and in the vicinity of Area 2

Area 3

Area 3 is a ROW located approximately 500 feet south of West Offner Road. Ragweed comprises approximately 85% of the vegetation within the ROW with inclusions of Queen Anne's lace (*Daucus carota*), clover (*Trifolium spp.*), and multiflora rose (*Rosa multiflora*). The scrub/shrub area east of the ROW is predominately honeysuckle (*Lonicera spp.*) with some inclusions of Osage orange (*Maclura pomifera*). Within this area, birds were observed perching on utility lines and within nearby scrub/shrub habitat. Species observed include: American robin (*Turdus migratorius*), mourning dove (*Zenaida macroura*), tree sparrow (*Spizella arborea*), and red-winged blackbird (*Agelaius phoeniceus*). During the field assessment, two great blue herons (*Ardea herodias*) were observed flying over the ROW in a westerly direction. Soils within this area are silty loam. Anthropogenic disturbances in this area include recreational and maintenance activities along the Wauponsee Glacial Trail and periodic maintenance along the utility ROW. No Franklin's ground squirrels, loggerhead shrikes, upland sandpipers or other protected species were observed. Suitable habitat for the Franklin's ground squirrel, upland sandpiper and loggerhead shrike was present at this location.

The access road to Area 3 is a two-track road beginning at West Offner Road. Vegetation along this access road is overgrown; this access road does not appear to be frequently used. No burrows were observed along the access road; however, one burrow was observed along the Wauponsee Glacial Trail in the vicinity of the access road to Area 3. This burrow, located east of the Wauponsee Glacial Trail, was approximately 4-6 inches wide. Given its proximity to the trail and its location in a regularly mowed area, it is unlikely that the burrow belongs to the Franklin's ground squirrel.

A figure showing burrow locations at and in the vicinity of Area 3, is provided as **Figure 5**. A table listing the burrows identified during the field assessment is provided as **Table 2**.

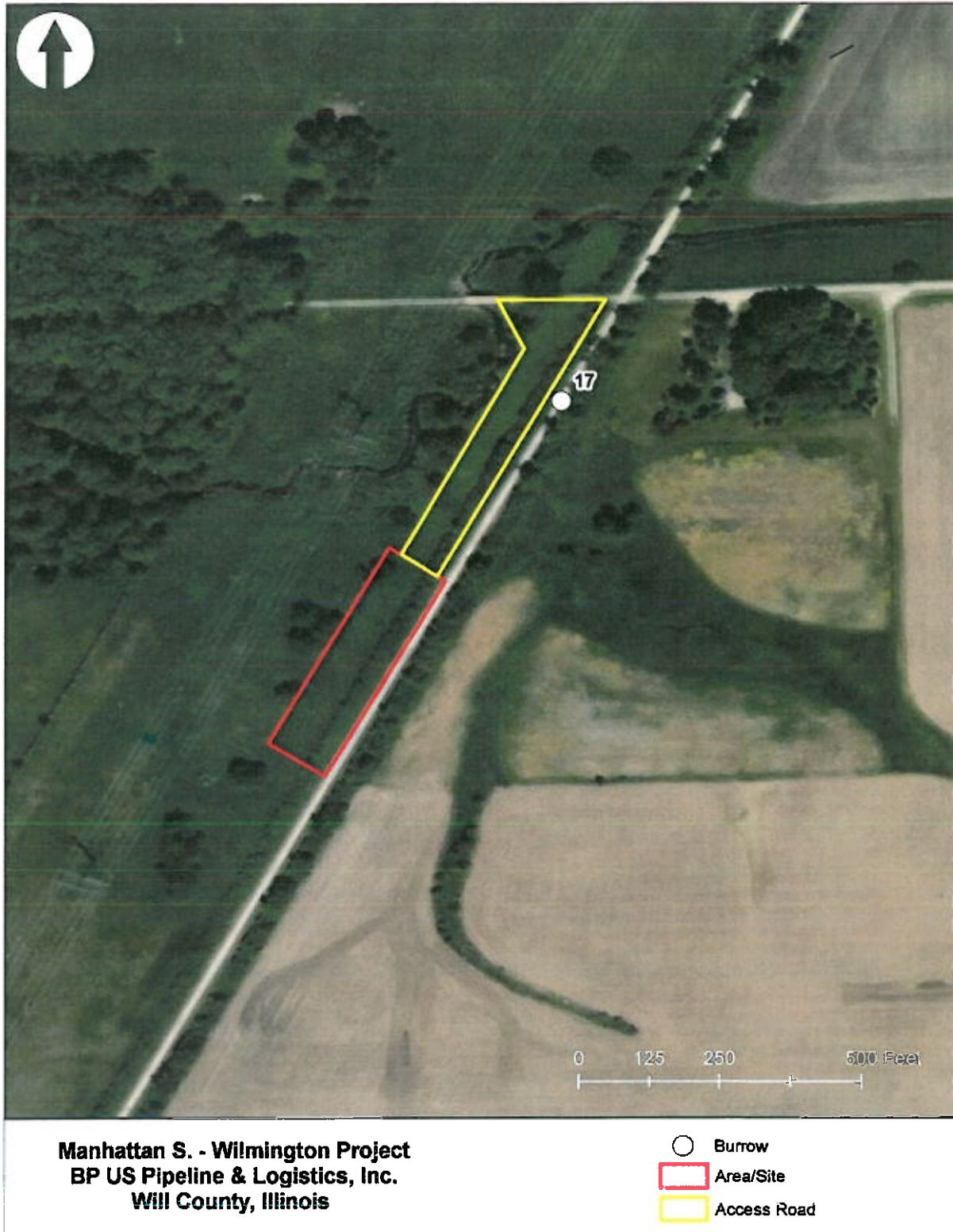


Figure 5: Occurrence of burrows at and in the vicinity of Area 3

Site 14/15

Site 14/15 is a ROW bisected by West Hoff Road in Manhattan, Illinois. This area is located at the northeastern corner of the Midewin National Tallgrass Prairie. Dominant vegetation within Site 14/15, north of West Hoff Road, includes Queen Anne's lace (*Daucus carota*), cutleaf teasel (*Dipsacus laciniatus*), poison ivy (*Toxicodendron radicans*), multiflora rose (*Rosa multiflora*), sumac (*Rhus spp.*), and wild grape (*Vitis spp.*). Roadside vegetation, south of West Hoff Road, includes a mixture of Kentucky bluegrass (*Poa pratensis*) and tall fescue (*Schedonorus arundinaceus*); this vegetation is regularly maintained (mowed). Patches of chicory (*Cichorium intybus*) are present along the Wauponsee Glacial Trail. Within this area, birds were observed perching on utility lines and within nearby scrub/shrub habitat. Soils within this area are rocky silt loam. Throughout this area, several patches of exposed rocky soil were observed. Rock/gravel inclusions within the soil are likely from an old railroad ballast, as the Wauponsee Glacial Trail was built on an abandoned railroad. Anthropogenic disturbances in this area include vehicle traffic and roadside mowing at West Hoff Road, maintenance along the utility ROW, and recreational and maintenance activities along the Wauponsee Glacial Trail. No Franklin's ground squirrels, burrows, loggerhead shrikes, upland sandpipers or other protected species were observed at Site 14/15. There was minimal suitable habitat for the Franklin's ground squirrel, upland sandpiper and loggerhead shrike at this location.

The access road to Site 14/15 is West Hoff Road, a paved two-lane road. No Franklin's ground squirrels, burrows, loggerhead shrikes, upland sandpipers or other protected species were observed along the access road.

Table 2: Occurrence of burrows at and in the vicinity of the Manhattan S.-Wilmington Pipeline Project

AREA	LOCALE	BURROW NUMBER	BURROW SIZE (INCHES)
Area 1	Vicinity	-	-
	Project Area	1	3-4
	Access Road	2	3-4
		3	2-3
		4	2-3
		5	2-3
		6	2-3
		7	2-3
		8	2-3
		9	2-3
Area 2	Vicinity	10	2-3
		11	2-3
		12	2-3
		13	2-3
		16	3-4
		14	3-4
		15	2-3
Area 3	Access Road	-	-
	Vicinity	17	4-6
	Project Area	-	-
	Access Road	-	-
Site 14/15	Vicinity	-	-
	Project Area	-	-
	Access Road	-	-

Summary & Recommendations

A summary of the field assessment is as follows:

- No Franklin's ground squirrels, loggerhead shrikes, or upland sandpipers were observed during the field assessment;
- Potential habitat for the loggerhead shrike and upland sandpiper was observed during the field assessment;
- Potential habitat for the Franklin's ground squirrel was observed at Areas 1, 2, and 3;
- Minimal suitable habitat for the Franklin's ground squirrels was observed at Site 14/15.
- Seventeen burrows, potentially belonging to the Franklin's ground squirrel, were observed at and in the vicinity of Areas 1, 2, and 3.
- No burrows were observed at or in the vicinity of Site 14/15.

While the loggerhead shrike and upland sandpiper have the potential to occur within the project area, they are highly mobile, and it is therefore anticipated that the project activities are not likely to adversely affect these species. These species may potentially be disturbed and displaced during construction. Individuals may retreat to available suitable habitat in the Midewin National Tallgrass Prairie, adjacent to the project area.

The Franklin's ground squirrel has the potential to occur in Areas 1, 2, and 3. Live trapping may be used to further determine whether the Franklin's ground squirrel occurs within these areas; however, live trapping may be inconclusive. Given the potential for Franklin's ground squirrel to occur in these areas, an ITA is recommended. An ITA for Site 14/15 may not be necessary, considering the lack of suitable habitat for the Franklin's ground squirrel.

If construction occurs during the burrowing season of the Franklin's ground squirrel, construction may adversely affect the Franklin's ground squirrel, as occupied burrows may be disturbed. Disturbance/construction in areas where burrows have been found should be completed before the time Franklin's ground squirrels hibernate for winter, in order to minimize risk to hibernators (hibernation typically occurs September through April). Additionally, exclusionary measures should be considered to reduce the risk of adult and juvenile Franklin's ground squirrels from taking advantage of and burrowing into stockpiled soil from construction activities.

Parsons recommends the implementation of mitigation measures to prevent or minimize potential adverse effects to protected species to all extents practicable. Personnel should be trained on a no-approach and no-kill policy toward all wildlife. Trained biologists should perform pre-construction surveys prior to any construction activities.

References

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Appendix – List of Acronyms

ACRONYM	Definition
BP	BP US Pipelines & Logistics, Inc.
CP	Cathodic protection
EcoCAT	Ecological Compliance Assessment Tool
GPS	Global positioning system
IDNR	Illinois Department of Natural Resources
ITA	Incidental Take Authorization
ORC	Office of Resource Conservation
ROW	Right-of-way

Appendix A Project Area Photographs

Figure 1: Area 1 access road (North)



Figure 3: Area 1 ROW (North)



Figure 2: Area 1 ROW (South)



Figure 4: Area 1 access road (South)



Figure 5: Area 2 access road (North)



Figure 7: Area 2 ROW (North)



Figure 6: Area 2 access road (South)



Figure 8: Area 2 ROW (South)



Figure 9: Area 3 ROW (South)



Figure 11: Area 3 ROW (South)



Figure 10: Area 3 access road (North)



Figure 12: Area 3 access road (South)



Figure 13: Site 14/15 ROW (South)



Figure 15: Site 14/15 ROW (North)



Figure 14: Site 14/15 access road (North)



Figure 16: Site 14/15 ROW (Southwest)



Figure 17: Area 2 Burrow



Figure 19: Area 2 Burrow

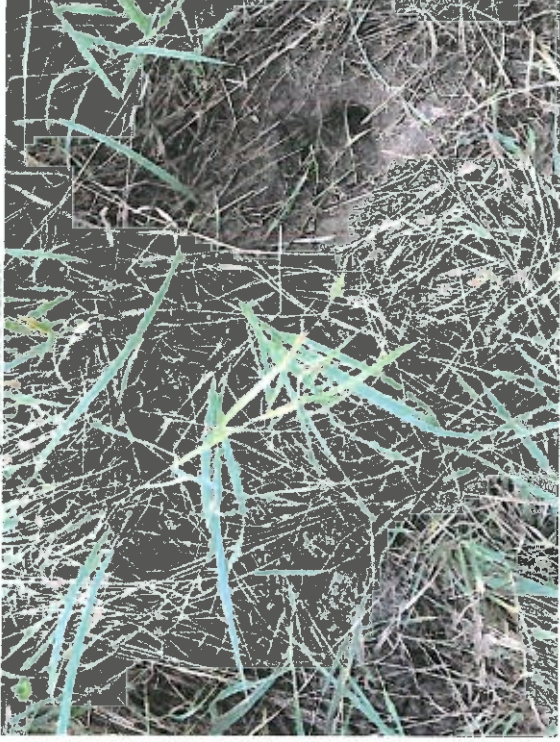
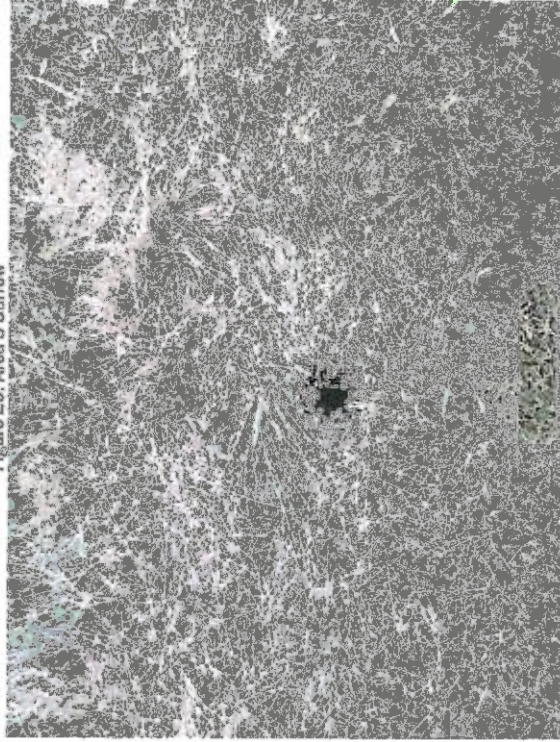


Figure 18: Area 2 Burrow



Figure 20: Area 3 Burrow



Appendix B EcoCAT Documentation

FRANKLIN'S GROUND SQUIRREL TRAPPING SURVEY REPORT

Manhattan S.–Wilmington Pipeline Will County, Illinois

Report prepared for:

**BP US Pipelines & Logistics, Inc.
30 South Wacker Drive, Floor 10 South
Chicago, Illinois 60606**



Report prepared by:

**Parsons Corporation
530 Maryville Centre Drive, Suite 400
St. Louis, Missouri 63141**

June 2019

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Figure D: Map of Area 3 trap locations.

Executive Summary

Parsons Corporation (Parsons) has prepared this report for BP US Pipelines & Logistics, Inc., (BP) to present the results of the May 21-23, 2019, trapping survey of the Franklin's ground squirrel within three proposed, temporary construction areas and corresponding access routes (referred to as Areas 1, 2, and 3) along BP's Manhattan S.-Wilmington petroleum products pipeline. In summary:

- No Franklin's ground squirrels were observed or captured at Areas 1 and 3;
- One Franklin's ground squirrel was captured at Area 2;
- Potential habitat for the Franklin's ground squirrel was observed at Areas 1, 2, and 3.

1. INTRODUCTION

Parsons has prepared this report on behalf of BP US Pipelines & Logistics, Inc., (BP) to present the results of the May 21-23, 2019, field assessment of the state-threatened Franklin's ground squirrel (*Pollocitellus franklinii*) within three proposed, temporary construction areas and corresponding access routes (referred to as Areas 1, 2, and 3) along BP's Manhattan S.- Wilmington petroleum products pipeline.

1.1. PROJECT UNDERSTANDING

BP has identified three distinct areas of its existing buried pipeline (Areas 1, 2, and 3, identified on Table 1.1-A) that currently require maintenance and may require maintenance in the future. The areas are proximal to known occurrences of the state-listed Franklin's ground squirrel (IDNR, 2018).

Table 1.1-A: Project Locations

AREA/SITE	START LATITUDE/LONGITUDE	END LATITUDE/LONGITUDE	SECTION, TOWNSHIP, RANGE
Area 1	41.338615, -88.043655	41.337826, -88.044373	S14 T33N R10E
Area 2	41.365876, -88.021147	41.362396, -88.023300	S12 T33N R10E
Area 3	41.380003, -88.012491	41.378407, -88.013489	S6 T33N R11E

1.2. PROJECT LOCATION

The 12"-diameter Manhattan S.- Wilmington pipeline is located within a utility corridor approximately between the cities of Manhattan and Symerton in Will County, Illinois. The utility corridor is located along the eastern boundary of the Midewin National Tallgrass Prairie, a prairie reserve managed by the US Forest Service. Approximately 35 feet east of and parallel to the pipeline is the Wauponsee Glacial Trail, a 22-mile multi-use recreational trail (formerly a railroad), maintained by the Forest Preserve District of Will County and extending from Joliet to Manhattan and Symerton, in Florence and Wesley Townships.

A figure showing the project area is provided as Attachment A. A total of 57,450 ft² may be temporarily impacted by the project workspace. An additional 25,600 ft² may be temporarily disturbed by vehicular access to the workspaces.

2. BACKGROUND INFORMATION

2.1. THREATENED & ENDANGERED SPECIES

Certain species are given protection under the Illinois Endangered Species Protection Act (the Act). The Act, administered by the Endangered Species Protection Board (the Board), part of the IDNR, provides protection for all species designated as state-threatened or endangered. An endangered species is "in danger of extinction throughout all or a significant portion of its range...plus such other species which the Board may list as in danger of extinction in the wild in Illinois." A threatened species "is likely to become an endangered species in the wild in Illinois within the foreseeable future." The Franklin's ground squirrel is listed as a threatened species by the State of Illinois.

2.2. FRANKLIN'S GROUND SQUIRREL

The Franklin's ground squirrel occurs in the central United States. Its range extends from northwestern Indiana, northern and central Illinois and southern Wisconsin west to northern Kansas, Nebraska, North and South

Dakota in the United States and Manitoba, Saskatchewan, and Alberta in Canada (Ostroff and Finck, 2003). In Illinois, Franklin's ground squirrels have been documented to occur in 33 counties (Hofmann, 2008). Here, Franklin's ground squirrels occur in old fields, railroad rights-of-way, cemetery prairies, brushy fields, fence rows, and ditch banks (Martin et al., 2003).

The Franklin's ground squirrel lives in small, loosely knit colonies. The Franklin's ground squirrel prefers tallgrass habitats, savannah-like habitats, woodland edges, fence rows, abandoned/fallow fields, roadsides, and railroad rights-of-way. In Illinois, the occurrence of the Franklin's ground squirrel has been associated with smooth brome (*Bromus inermis*), a tallgrass species. The Franklin's ground squirrel is typically found in areas where there is an absence of disturbance, particularly an absence of mowing (NatureServe, 2018).

In addition to tall grasses, the Franklin's ground squirrel requires an area in which it can construct an adequate burrow system. Each burrow is home to only one or two squirrels during the spring and summer. Burrow systems may be extensive with multiple entrance holes. Burrows are often found in areas with a noticeable berm or embankment and are often concealed in dense vegetation. Burrows tend to be deep and well-drained to provide protection from the elements and extreme temperatures. From September to April, burrows are used as hibernacula. The winter survival rate of hibernating adult Franklin's ground squirrels is 33-42 percent, with lower juvenile survival rates. In the springtime, following the hibernation period, Franklin's ground squirrels will breed. Yearly, Franklin's ground squirrels have a single litter of 6-9 pups.

The Franklin's ground squirrel is diurnal and spends 90 percent of its lifetime underground in burrows. Time outside of its burrows is typically spent searching for food, establishing home ranges and searching for mates. The Franklin's ground squirrel is omnivorous, feeding on green plants, roots, seeds, fruit, insects, amphibians, bird eggs and young birds, young mammals, and carrion (Illinois Natural History Survey, 2018). It feeds heavily on green plants (dandelion, stinging nettle, white clover) and roots during spring, animal material (eggs, small rodents, frogs) during midsummer, then seeds and fruits during late summer.

Predators of the Franklin's ground squirrel include badger, coyote, red fox, dogs, mink, long-tailed weasel, striped skunk, red-tail hawk, and snakes. The life expectancy of the Franklin's ground squirrel is typically longer for females, at 4 to 5 years, and shorter for males, at 1 to 2 years.

2.3. INCIDENTAL TAKE

"Take", as it pertains to animals, is defined in the Illinois Endangered Species Protection Act as to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. Any person who commits a take and violates any provision of the Illinois Endangered Species Protection Act may be guilty of a Class A Misdemeanor. If threatened or endangered species are encountered within, or very near, a project footprint and the project may result in a "take," the IDNR recommends attaining an Incidental Take Authorization (ITA), which effectively permits the taking of a designated number of protected individuals that may result incidentally from an otherwise lawful activity.

On behalf of BP, Parsons plans to secure an ITA. In order to better inform the application for ITA, and specifically to evaluate the probability that a protected squirrel is present in the project area, Parsons conducted the subject trapping survey.

3. METHODOLOGY

3.1. DESKTOP REVIEW

Prior to the trapping survey, a desktop analysis of available information was conducted. The review included: EcoCAT documentation (IDNR, 2018) and previous studies for the project area, specifically, the 2018 *Manhattan S. – Wilmington Threatened & Endangered Species Survey Report*. The *Manhattan S. – Wilmington Threatened*

& *Endangered Species Survey Report*, described field assessments of the project area that were performed by Parsons biologists August 7-9, 2018. During that assessment, visual observation surveys were used to characterize the habitat types and vegetation communities and to assess the potential for Franklin's ground squirrel to occur in the project area. During those surveys, 17 burrows were identified at or in the vicinity of the project areas (Parsons, 2018). It was also determined that portions of the project areas could provide suitable habitat for the Franklin's ground squirrel (Parsons, 2018).

3.2. PERMITS

Prior to trapping, a general scientific permit for the possession and potential handling of non-listed species and a permit for the possession and potential handling of endangered and threatened species were obtained from the IDNR. Additionally, a special use permit was obtained from the United States Department of Agriculture–Forest Service. Copies of these permits are provided in **Appendix B**. A description of each permit is provided below.

- IDNR Scientific Permit in accordance with Section 520:5/3.22 of the Illinois Wildlife Code with authorizes, strictly for scientific purposes, the taking of Illinois fauna by methods or in quantities otherwise prohibited by these Codes, or other Federal or State Statutes that may apply (Permit Number NH19.6236)
- IDNR Endangered and Threatened Species Permit pursuant to 520 ILCS 10/5 and 17 Ill. Adm. Code 1070.10-1070.80 authorizes the catch and release of the Franklin's ground squirrel (Permit Number: 3808)
- United States Department of Agriculture–Forest Service Special Use Permit authorizes access to National Forest System lands in the Midewin National Tallgrass Prairie

3.3. LIVE TRAPPING

Live-traps were used to confirm the presence of Franklin's ground squirrels. Eight (8) single-door, collapsible, Tomahawk live traps, baited with peanut butter and sunflower seeds, were set in prairie habitat and un-mowed grasses to temporarily (3hrs) capture and detain Franklin's ground squirrels. Traps were covered in vegetation to protect captured squirrels from the sunlight and light rain. Traps were opened each morning from 07:00 to 09:00, checked at 1.5- to 3-hour intervals until 15:00-17:00, and then decommissioned for the night. During the course of the survey, traps were repositioned throughout the access route, work area, and surrounding area in an effort to comprehensively sample diverse habitat characteristics (near berms, under overhanging branches of shrubs and trees, in tall grasses of open fields, etc.). Environmental condition, such as temperature, sun/wind expose, time of day, surrounding vegetation, and the directional orientation of the trap entranceway varied between trap locations. Procedures followed guidelines approved by the American Society of Mammalogists (Sikes et al. 2011).

Trap locations are shown on maps provided in **Appendix A**.

4. RESULTS

4.1. AREA 1

No Franklin's ground squirrels were observed or captured at or in the vicinity of Area 1. Suitable habitat for the Franklin's ground squirrel was present at this location. Photos of Area 1 are provided in Appendix D. A total of 31 observations were made at 28 unique trap locations at and in the vicinity of Area 1 (identified on Table 4.1-A).

Table 4.1-A: Area 1 Trapping Results

DATE	TIME PLACED ¹	TIME OBSERVED ²	DURATION ³ (hrs)	TRAP ID	TEMP. (°F)	CLOUD COVER (%)	PRECIP.	WIND (mph)	SPECIES OBSERVED
05/21/19	7:23	9:39	2:16	1	46	100	Showers	E 11	None
05/21/19	9:39	11:43	2:04	1	46	100	Showers	E 11	None
05/21/19	11:43	14:30	2:47	1	48	90	No rain	E 13	None
05/21/19	7:26	9:38	2:12	2	46	100	Showers	E 11	None
05/21/19	9:38	11:46	2:08	2	46	100	Showers	E 11	None
05/21/19	11:46	14:34	2:48	2	48	90	No rain	E 13	None
05/21/19	7:29	9:40	2:11	3	46	100	Showers	E 11	None
05/21/19	9:40	11:50	2:10	3	46	100	Showers	E 11	None
05/21/19	11:50	14:40	2:50	3	48	90	No rain	E 13	None
05/22/19	7:36	10:33	2:57	1	56	90	No rain	SSE 9	None
05/22/19	10:34	13:32	2:58	1	56	90	No rain	SSE 9	None
05/22/19	13:40	15:33	1:53	1	71	80	No rain	S 17	None
05/22/19	7:39	10:36	2:57	2	56	90	No rain	SSE 9	None
05/22/19	10:37	13:36	2:59	2	56	90	No rain	SSE 9	None
05/22/19	13:42	15:34	1:52	2	71	80	No rain	S 17	None
05/22/19	7:42	10:38	2:56	3	56	90	No rain	SSE 9	None
05/22/19	10:40	13:34	2:54	3	56	90	No rain	SSE 9	None
05/22/19	13:44	15:35	1:51	3	71	80	No rain	S 17	None
05/23/19	7:27	10:14	2:47	1	58	60	No rain	W 12	None
05/23/19	11:46	14:23	2:37	1	58	60	No rain	W 12	None
05/23/19	14:25	16:39	2:14	1	72	60	No rain	W 11	None
05/23/19	7:30	10:22	2:52	2	58	60	No rain	W 12	None
05/23/19	11:48	14:23	2:35	2	58	60	No rain	W 12	None
05/23/19	14:26	16:37	2:11	2	72	60	No rain	W 11	None
05/23/19	7:31	10:28	2:57	3	58	60	No rain	W 12	None
05/23/19	11:49	14:22	2:33	3	58	60	No rain	W 12	None
05/23/19	14:27	16:41	2:14	3	72	60	No rain	W 11	None
05/23/19	11:51	14:22	2:31	7	58	60	No rain	W 12	None
05/23/19	14:28	16:40	2:12	7	72	60	No rain	W 11	None
05/23/19	11:53	14:21	2:28	8	58	60	No rain	W 12	None
05/23/19	14:29	16:38	2:09	8	72	60	No rain	W 11	None

1. This is the approximate time the trap was placed at a given location.

2. This is the approximate time an observation was made at the trap.

3. This is the duration of time (in hours) a trap remained at a given location between time placement and time observed.

4.2. AREA 2

One Franklin's ground squirrels was captured in the vicinity of Area 2. The trapped squirrel was captured within 3 feet of an observed burrow upon a vegetated stockpile of crushed stone positioned between the Wauponsee Glacial Trail and the BP pipeline. The squirrel was photographed and released at the location where it was captured. Additionally, one thirteen-lined ground squirrel (*Spermophilus tridecemlineatus*) was captured. Suitable habitat for the Franklin's ground squirrel was present at this location. Photos of Area 2, the Franklin's ground squirrel, and the thirteen-lined squirrel are provided in Appendix D. A total of 27 observations were made at 27 unique trap locations at and in the vicinity of Area 2 (identified on Table 4.2-A).

Table 4.2-A: Area 2 Trapping Results

DATE	TIME PLACED ¹	TIME OBSERVED ²	DURATION ³ (hrs)	TRAP ID	TEMP. (°F)	CLOUD COVER (%)	PRECIP.	WIND (mph)	SPECIES OBSERVED
05/21/19	8:05	10:13	2:08	4	46	100	Showers	E 11	None
05/21/19	10:17	12:19	2:58	4	46	100	Showers	E 11	None
05/21/19	12:21	15:01	2:40	4	48	90	No rain	E 13	None
05/21/19	8:08	10:17	2:09	5	46	100	Showers	E 11	None
05/21/19	10:19	13:17	2:58	5	46	100	Showers	E 11	None
05/21/19	12:23	15:04	2:41	5	48	90	No rain	E 13	None
05/21/19	8:11	10:14	2:03	6	46	100	Showers	E 11	None
05/21/19	10:22	13:18	2:56	6	46	100	Showers	E 11	None
05/21/19	12:25	15:07	2:42	6	48	90	No rain	E 13	None
05/22/19	8:05	10:58	2:53	4	56	90	No rain	SSE 9	None
05/22/19	11:01	14:01	3:00	4	56	90	No rain	SSE 9	None
05/22/19	14:08	15:55	1:47	4	71	80	No rain	S 17	None
05/22/19	8:09	11:01	2:52	5	56	90	No rain	SSE 9	None
05/22/19	11:05	14:05	3:00	5	56	90	No rain	SSE 9	None
05/22/19	14:12	15:58	1:46	5	71	80	No rain	S 17	None
05/22/19	8:10	11:06	2:56	6	56	90	No rain	SSE 9	None
05/22/19	11:08	14:08	3:00	6	56	90	No rain	SSE 9	None
05/22/19	14:16	15:59	1:43	6	71	80	No rain	S 17	None
05/23/19	7:52	10:54	3:02	4	58	60	No rain	W 12	None
05/23/19	11:00	14:00	3:00	4*	58	60	No rain	W 12	Franklin's ground squirrel
05/23/19	7:54	10:53	2:59	5	58	60	No rain	W 12	None
05/23/19	11:01	13:58	2:57	5	58	60	No rain	W 12	None
05/23/19	13:59	15:55	1:56	5	72	60	No rain	W 11	None
05/23/19	7:57	10:54	2:57	6	58	60	No rain	W 12	None
05/23/19	11:13	13:55	2:42	6	58	60	No rain	W 12	None
05/23/19	13:55	15:57	2:02	6	72	60	No rain	W 11	None
5/23/19 **	16:00	16:10	0:10	6	72	60	No rain	W 11	Thirteen-lined ground squirrel

1. This is the approximate time the trap was placed at a given location.

2. This is the approximate time an observation was made at the trap.

3. This is the duration of time (in hours) a trap remained at a given location between time placement and time observed.

* Trap 4 was decommissioned after this observation.

** A burrow and a ground squirrel were observed along the Wauponsee Glacial Trail. As a result, a trap was opportunistically set near the burrow to determine if the ground squirrel was a Franklin's ground squirrel. This observation was made shortly after the trap was set as Parsons field personnel observed the ground squirrel enter the trap.

4.3. AREA 3

No Franklin's ground squirrels were observed or captured at or in the vicinity of Area 3. Suitable habitat for the Franklin's ground squirrel was present at this location. Photos of Area 3 are provided in Appendix D. A total of 14 observations were made at 14 unique trap locations at and in the vicinity of Area 3 (identified on Table 4.3-A).

Table 4.3-A: Area 3 Trapping Results

DATE	TIME PLACED ¹	TIME OBSERVED ²	DURATION ³ (hrs)	TRAP ID	TEMP. (°F)	CLOUD COVER (%)	PRECIP.	WIND (mph)	SPECIES OBSERVED
05/21/19	8:29	10:38	2:09	7	46	100	Showers	E 11	None
05/21/19	10:45	12:45	2:58	7	46	100	Showers	E 11	None
05/21/19	12:48	15:32	2:44	7	48	90	No rain	E 13	None
05/21/19	8:33	10:42	2:09	8	46	100	Showers	E 11	None
05/21/19	10:47	13:40	2:59	8	46	100	Showers	E 11	None
05/21/19	13:46	15:37	2:47	8	48	90	No rain	E 13	None
05/22/19	8:31	11:32	3:01	7	56	90	No rain	SSE 9	None
05/22/19	11:41	14:34	2:53	7	56	90	No rain	SSE 9	None
05/22/19	14:38	16:25	1:47	7	71	80	No rain	S 17	None
05/22/19	8:34	11:34	3:00	8	56	90	No rain	SSE 9	None
05/22/19	11:44	14:36	2:52	8	56	90	No rain	SSE 9	None
05/22/19	14:39	16:26	1:47	8	71	80	No rain	S 17	None
05/23/19	8:21	10:34	2:13	7	58	60	No rain	W 12	None
05/23/19	8:22	10:35	2:13	8	58	60	No rain	W 12	None

1. This is the approximate time the trap was placed at a given location.

2. This is the approximate time an observation was made at the trap.

3. This is the duration of time (in hours) a trap remained at a given location between time placement and time observed.

5. SUMMARY

A summary of the field assessment is as follows:

- No Franklin's ground squirrels were observed or captured at Areas 1 and 3;
- One Franklin's ground squirrel was captured at Area 2;
- Potential habitat for the Franklin's ground squirrel was observed at Areas 1, 2, and 3.

Given the known occurrence of the Franklin's ground squirrel at Area 2, and the potential for Franklin's ground squirrels to occur at Areas 1 and 3, Parsons recommends the continuation of the the pursuit of an ITA.

Parsons recommends the implementation of best management practices to prevent or minimize potential adverse effects to protected species. Personnel should be trained on a no-approach and no-kill policy toward wildlife. Trained biologists should perform pre-construction surveys prior to construction activities.

REFERENCES

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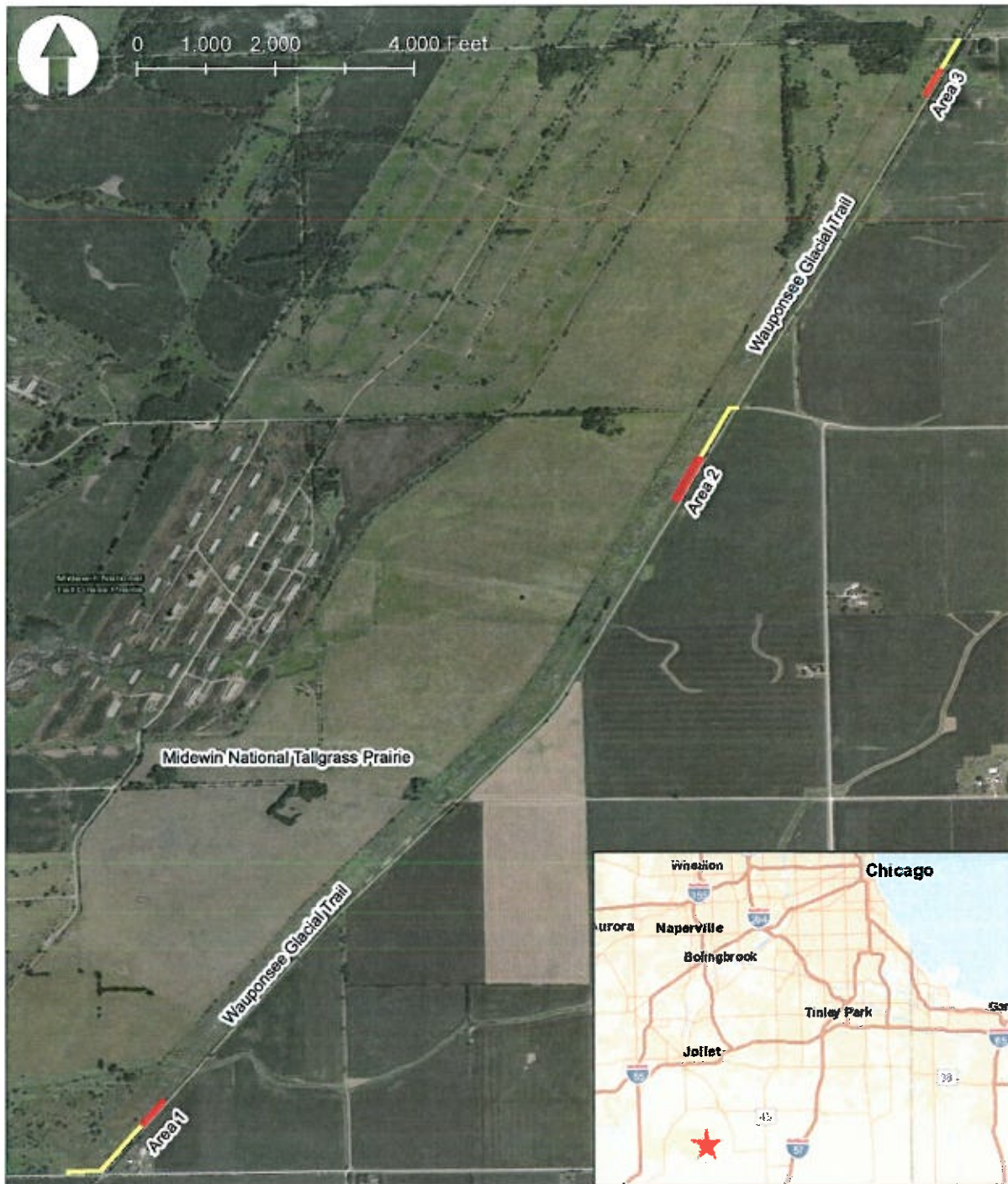
Parsons

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Sikes & Gannon

2011 Sikes RS, Gannon WL. 2011. The Animal Care and Use Committee of the American Society of Mammalogists. Guidelines of the American Society of Mammalogists for the use of wild mammals in research. J. Mammal 92:235-253.

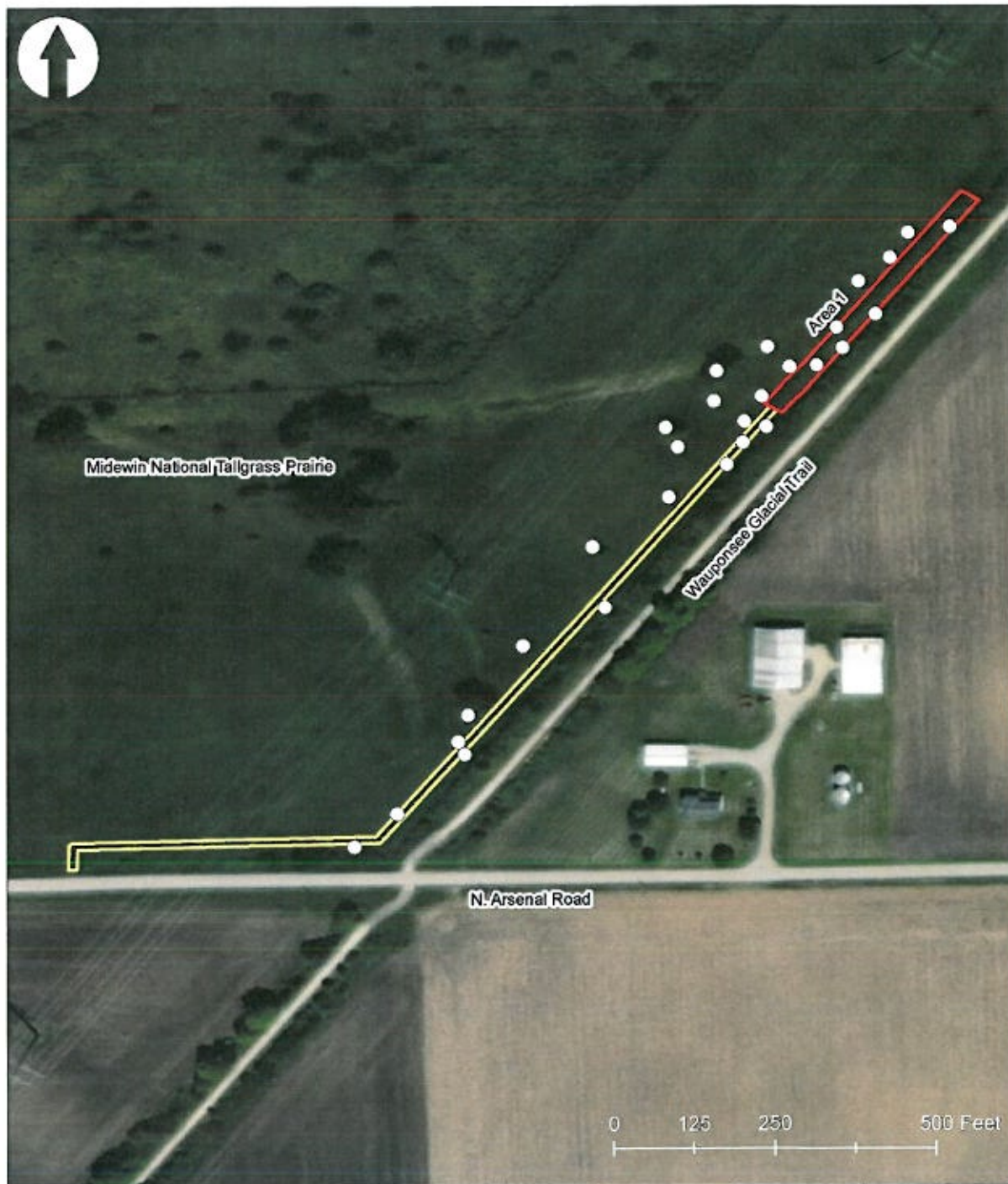
ATTACHMENT A: AREA MAPS



Manhattan S. - Wilmington Project
BP Pipeline & Logistics
Will County, Illinois

 Access Route
 Area

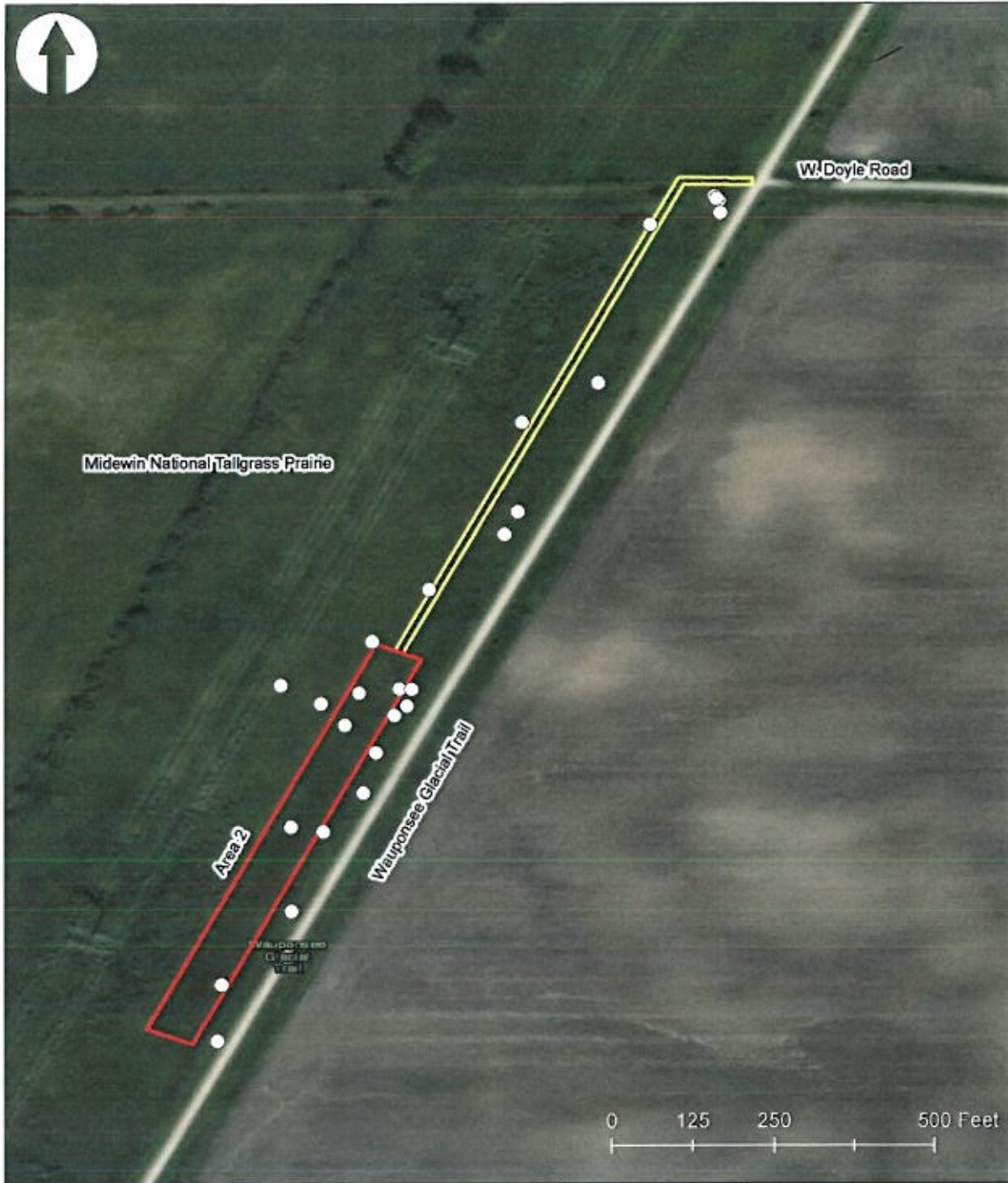
Figure A: Map of Areas 1, 2, & 3



Manhattan S. - Wilmington Project
BP Pipeline & Logistics
Will County, Illinois

- Trap Location
- Access Route
- Area 1

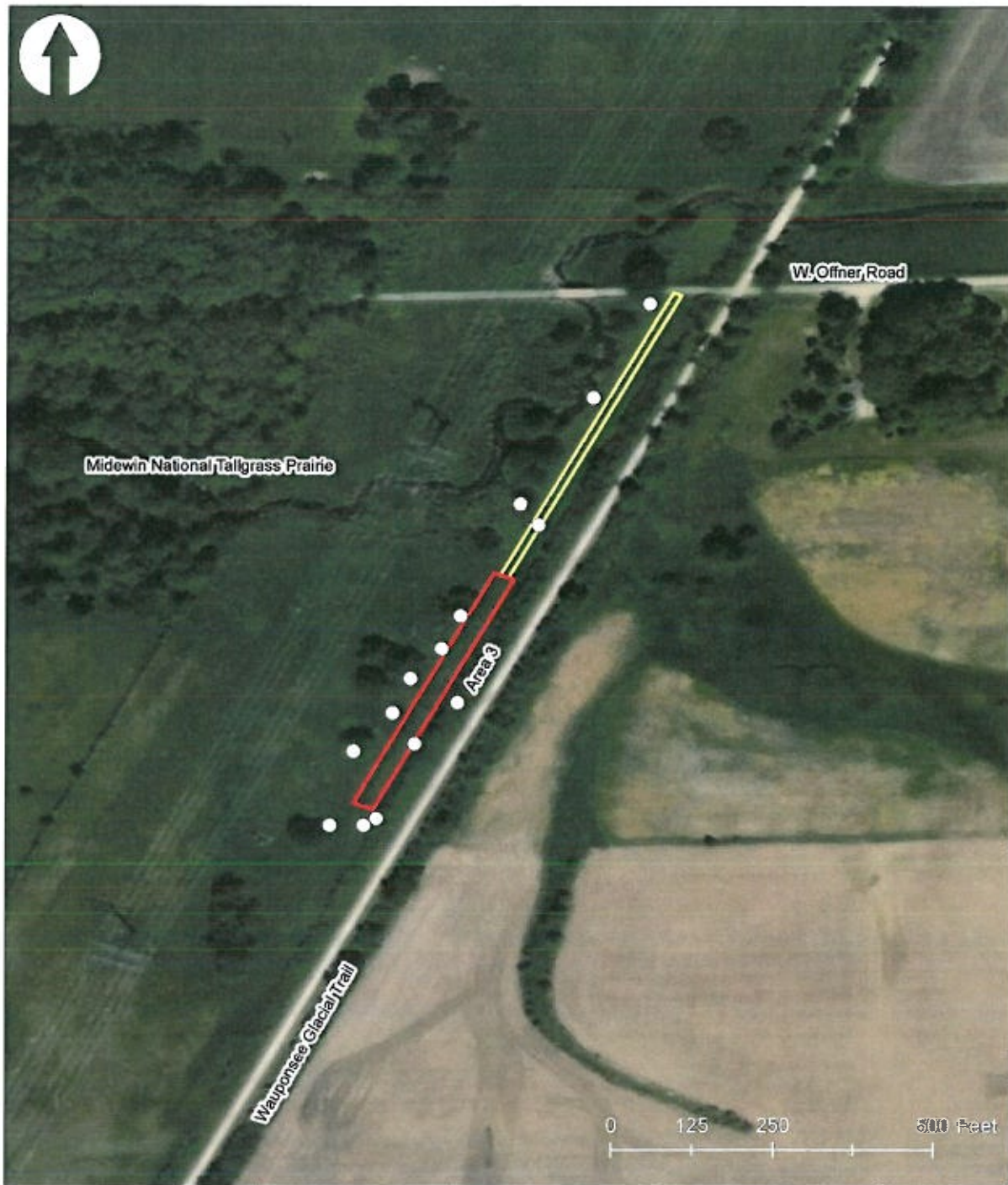
Figure B: Map of Area 1 trap locations.



Manhattan S. - Wilmington Project
BP Pipeline & Logistics
Will County, Illinois

- Trap Location
- ▬ Access Route
- ▭ Area 2

Figure C: Map of Area 2 trap locations.



**Manhattan S. - Wilmington Project
BP Pipeline & Logistics
Will County, Illinois**

-  Trap Location
-  Access Route
-  Area 3

Figure D: Map of Area 3 trap locations.

ATTACHMENT B: PERMITS

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Authorization is hereby granted, under 520 ILCS 5/3.22 and 515 ILCS 5/20-100 of the Illinois
Compiled Statutes and 17 ILL. Adm. Code 520 to:

Last Name: **Postaski** First Name: **Lindsey** Permit Number: **NH19.6236**
Issued: **3/11/2019** Expires: **12/31/2019**

Business Name: **Parsons**

Street Address: **530 Maryville Centre Dr., Ste. 400**

City: **St. Louis** State: **MO** Zip Code: **63139**

for strictly scientific, educational or zoological purposes, to take the Illinois fauna identified below subject
to the following provisions:

Permittee and all individuals listed may legally capture, handle, collect data and/or obtain biological samples, by scientifically accepted and approved methods, for projects
and species listed below strictly for scientific purposes. Permitted activities include: may collect non-listed small mammals incidental to trapping for Franklin's ground
squirrel (*Polioctelthus franklinii*); non-target individuals may be handled for identification and data collection and released unharmed at or near the original site of capture.
Permitter must utilize appropriate decontamination procedures to prevent the spread of disease between individuals and sites and every effort should be made to prevent
the spread of exotic or invasive plants-plant propagules.

Authorization: Will county
Individuals working under direction of applicant include: Nolan Nicaise

I agree to the following provisions and terms of this Scientific Permit.

Permittee's

Signature:


(Permit not valid unless signed)

Approved By:


Office of Resource Conservation

Date: 3/11/19

TERMS FOR SCIENTIFIC PERMIT

1. This permit is valid only for the approved methods, locations and activities stated on the permit.
2. All permitted activities shall be performed by or under the direct supervision of the permittee. Permittee must be present with persons involved in actual taking of fauna.
3. Under no circumstances shall a scientific permit be used in lieu of sport or commercial licenses.
4. This permit is valid only for species not listed as Illinois Threatened or Endangered (<https://www.dnr.illinois.gov/conservation/NaturalHeritage/Pages/EndangeredandThreatenedSpecies.aspx>). If a Threatened or Endangered species is incidentally captured, the specimen must be released and the occurrence must be reported to tara.kieninger@illinois.gov within 5 business days.
5. This permit does not allow the privilege of trespass. Landowner permission is required. Activities on Department sites are not permitted without the prior approval of the Site Superintendent. Activities on Illinois Nature Preserves and Land and Water Reserves must have prior approval from the Illinois Nature Preserve Commission.
6. Permittee must carry this permit at all times when taking specimens and be presented, upon request, to Department personnel.
7. Fauna taken and/or salvaged and rehabilitated must be released to the wild or permanently donated to a public or state scientific educational or zoological institution.
8. This permit does not supersede Federal permits, which may be necessary for the permitual work.
9. All gear left unattended must be tagged bearing name and scientific permit number of permittee.
10. Use of rotenone or any other toxic materials for taking of fauna must have written approval from the Department prior to using such materials, and may need a variance from the Illinois Environmental Protection Agency.
11. An annual report must be submitted to the Department by January 31 of each year.
12. This permit may be revoked or suspended if the Department finds that a permittee has falsified information on the application, failed to comply with the provisions of this permit, or violated state or federal laws.

The Department of Natural Resources is an equal opportunity employer.



Illinois Department of Natural Resources
Endangered and Threatened Species Permit

Permit Number: 3808

Issued Date: 1/9/2019

Expiration Date: 12/31/2019

This permit is valid for the following Counties in Illinois,

WIN

Pursuant to 520 ILCS 10/5 and 17 Ill. Adm. Code 1070.10-1070.60, this permit is issued to:

Lindsey Postaski
530 Maryville Centre Drive, Suite 400
St. Louis, MO 63139

and covers the following additional personnel

Notan Nicaise

from:

Parsons

for the purpose of SCIENTIFIC RESEARCH involving the following specimens and/or products

<i>Species</i>	<i>Item</i>	<i># Specimens/ Products</i>	<i>Collection Method</i>	<i>Action</i>	<i>Disposition</i>
Mammals - Franklin's Ground Squirrel - <i>Fallosciurus franklinii</i>	Live Individual	5	Trap Using Non-lethal Means	Mark	Catch and Release Live Specimen

If the research project covered by this permit will involve propagation, the permit holder and additional personnel listed above are required to possess an IDNR endangered and threatened species permit Propagation Addendum.

Possession of federally listed species is covered by:

USDA Exhibitor Permit #
U.S. Fish and Wildlife Service Permit #

The research project covered by this permit will address:

- | | |
|---|--|
| <input checked="" type="checkbox"/> <i>Distribution or status of the listed species</i> | <input type="checkbox"/> <i>Threats to the listed plants and animals and/or their habitats</i> |
| <input type="checkbox"/> <i>Life history of the listed species</i> | <input type="checkbox"/> <i>Effects of exotic species on native populations</i> |
| <input type="checkbox"/> <i>Ecological needs of the natural populations of the species</i> | <input type="checkbox"/> <i>Genetic diversity within population</i> |
| <input type="checkbox"/> <i>Supplementing existing populations</i> | <input type="checkbox"/> <i>Wildlife disease vectors and transmission</i> |
| <input type="checkbox"/> <i>Captive rearing</i> | <input type="checkbox"/> <i>Translocation to unoccupied locations within species' historic range</i> |
| <input type="checkbox"/> <i>Effects of management actions on animals or plants</i> | <input type="checkbox"/> <i>Impact of wind turbines on listed species</i> |
| <input type="checkbox"/> <i>Movement or habitat use</i> | <input type="checkbox"/> <i>Propagation for release into the wild</i> |
| <input checked="" type="checkbox"/> <i>Other: confirm presence at pipeline maintenance project location</i> | |


The specific locations where this research will be conducted are:

<i>Research Location</i>	<i>Nearest City</i>

Questions about this permit should be directed to DNR.ETPermit@Illinois.gov

Midewin National Tallgrass Prairie	Wilmington
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**ITEMS LISTED ON THIS PERMIT MAY BE SOLD,
GIVEN AWAY, OR OTHERWISE DISPOSED OF ONLY
WITH PERMISSION OF THE ILLINOIS
DEPARTMENT OF NATURAL RESOURCES.**

Signed: 
Christopher Young
 Office Director
 IDNR Office of Resource Conservation
As designee of IDNR Director, Wayne A. Rosenthal

Special Conditions (IF APPLICABLE):

Before any research is conducted within an Illinois DNR site, permission from the Site Superintendent must be granted. Research within a Nature Preserve or Land and Water Reserve cannot occur unless written authorization/special use permit is received from the Illinois Nature Preserves Commission.

Please note that any movement/translocation of any and all listed species within the State of Illinois is prohibited unless such activities are specifically covered under an official, approved IDNR Incidental Take Authorization.

Conditions:

- A copy of this permit must be in the possession of the permit holder when engaged in activities involving endangered or threatened species.
- There shall be no propagation of or attempt to propagate any endangered or threatened species covered by this permit unless a signed IDNR addendum approving propagation is attached. In addition, the Propagation Addendum must be in the possession of the permit holder when engaged in all activities involving propagation of an Illinois listed species.
- Permit holder cannot move/transport/translocate any endangered or threatened species outside of a designated project area/zone of impact without expressed written consent of the Director of the Illinois Department of Natural Resources.
- Permit holder shall notify IDNR of any changes to personal information within 10 days of making such changes.
- Permit holder shall notify IDNR of any changes to inventory of specimens through escape, theft, death or other unanticipated events within five working days of the discovery of loss.
- Permit holder must provide the Department with an electric copy or two hard copies of any reports, technical papers, or technical notes that result from studies conducted under the auspices of this permit.
- An annual report must be submitted to IDNR by January 31st of each year.

The holder of this permit may:

- Dispose of specimens or products covered by this permit through transfer or scrapping only after a permit/written permission has been applied for and received from the Department.
- Allow temporary possession of the items covered by this permit by a licensed taxidermist for the purpose of providing taxidermic services.

This permit may be revoked if the Department finds that a permittee has falsified information on the application, failed to comply with facilities standard or animal welfare standards established in 17 Ill. Adm. Code 1070.60 and 1070.70, or violated state or federal laws.

Questions about this permit should be directed to DNR.ETPermit@Illinois.gov

Authorization ID: MDP201807 Contact Name: BP PIPELINES (NORTH AMERICA) INC. Expiration Date: 05/31/2019 Use Code: 422	FS-2700-4 (VER. 03/17) OMB 0598-0082
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**U.S. DEPARTMENT OF AGRICULTURE
 FOREST SERVICE
 SPECIAL USE PERMIT**

Authority: ORGANIC ADMINISTRATION ACT June 4, 1897

BP PIPELINES (NORTH AMERICA) INC. of 30 S WACKER DR. SUITE 900 ATTN: BLAKE PATRICK CHICAGO IL 60606 (hereinafter "the holder") is authorized to use or occupy National Forest System lands in the MIDEWIN NATIONAL TALLGRASS PRAIRIE or unit of the National Forest System, subject to the terms and conditions of this special use permit (the permit).

This permit covers 1 acres or 0 miles in the Sec. 1, T. 33 N., R. 10 E., 3RD PRINCIPAL MERIDIAN, Sec. 14, T. 33 N., R. 10 E., 3RD PRINCIPAL MERIDIAN, Sec. 31, T. 34 N., R. 11 E., 3RD PRINCIPAL MERIDIAN, Sec. 6, T. 33 N., R. 11 E., 3RD PRINCIPAL MERIDIAN, Sec. 13, T. 33 N., R. 10 E., 3RD PRINCIPAL MERIDIAN, Sec. 12, T. 33 N., R. 10 E., 3RD PRINCIPAL MERIDIAN, ("the permit area"), as shown on the map attached as Appendix A. This and any other appendices to this permit are hereby incorporated into this permit.

This permit issued for the purpose of.

Research to determine the presence for Franklin's Ground Squirrel (*Polioctellus franklini*) near BP's pipeline ROW corridor due west of Wauponsee Trail on Midewin's far eastern boundary.

Cattle are in the permitted area must remain contained to their respective allotments, holder of this permit may be held liable (if determined responsible) for any loss due to cattle escaping area if gates are left open or fences are cut.

Refer to Appendix for:

- ILDNR Endangered and Threatened Species Permit #2577 issued 08/28/2018 Expires 12/31/2018.
- Map of Trap Locations
- Operating Plan

TERMS AND CONDITIONS

1. GENERAL TERMS

A. AUTHORITY. This permit is issued pursuant to the ORGANIC ADMINISTRATION ACT June 4, 1897 and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

B. AUTHORIZED OFFICER. The authorized officer is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

C. TERM. This permit shall expire at midnight on 05/31/2019, 7 months from the date of issuance.

D. CONTINUATION OF USE AND OCCUPANCY. This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit for the use and occupancy authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit. Issuance of a new permit is at the sole discretion of the authorized officer. At a minimum, before issuing a new permit, the authorized officer shall ensure that (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the applicable land management plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit. The authorized officer may prescribe new terms and conditions when a new permit is issued.

E. AMENDMENT. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable forest land and resource management plan, or projects and activities implementing a land management plan pursuant to 36 CFR Part 215.

F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS. In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

G. NON-EXCLUSIVE USE. The use or occupancy authorized by this permit is not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

H. ASSIGNABILITY. This permit is not assignable or transferable.

J. CHANGE IN CONTROL OF THE BUSINESS ENTITY.

1. Notification of Change in Control. The holder shall notify the authorized officer when a change in control of the business entity that holds this permit is contemplated.

(a). In the case of a corporation, control is an interest, beneficial or otherwise, of sufficient outstanding voting securities or capital of the business so as to permit the exercise of managerial authority over the actions and operations of the corporation or election of a majority of the board of directors of the corporation.

(b). In the case of a partnership, limited partnership, joint venture, or individual entrepreneurship, control is a beneficial ownership of or interest in the entity or its capital so as to permit the exercise of managerial authority over the actions and operations of the entity.

(c). In other circumstances, control is any arrangement under which a third party has the ability to exercise management authority over the actions or operations of the business.

2. Effect of Change in Control. Any change in control of the business entity as defined in paragraph 1 of this clause shall result in termination of this permit. The party acquiring control must submit an application for a special use permit. The Forest Service is not obligated to issue a new permit to the party who acquires control. The authorized officer shall determine whether the applicant meets the requirements established by applicable federal regulations.

II. IMPROVEMENTS

A. LIMITATIONS ON USE. Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54. Approval of such a proposal through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

B. PLANS. All plans for development, layout, construction, reconstruction, or alteration of improvements in the permit area, as well as revisions to those plans must be prepared by a professional engineer, architect, landscape architect, or other qualified professional based on federal employment standards acceptable to the authorized officer. These plans and plan revisions must have written approval from the authorized officer before they are implemented. The authorized officer may require the holder to furnish as-built plans, maps, or surveys upon completion of the work.

C. CONSTRUCTION. Any construction authorized by this permit shall commence by N/A and shall be completed by N/A.

III. OPERATIONS.

A. PERIOD OF USE. Use or occupancy of the permit area shall be exercised at least N/A days each year.

B. CONDITION OF OPERATIONS. The holder shall maintain the authorized improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this permit. Standards are subject to periodic change by the authorized officer when deemed necessary to

meet statutory, regulatory, or policy requirements or to protect national forest resources. The holder shall comply with inspection requirements deemed appropriate by the authorized officer.

C. OPERATING PLAN. The holder shall prepare and annually revise by 12/01/2018 an operating plan. The operating plan shall be prepared in consultation with the authorized officer or the authorized officer's designated representative and shall cover all operations authorized by this permit. The operating plan shall outline steps the holder will take to protect public health and safety and the environment and shall include sufficient detail and standards to enable the Forest Service to monitor the holder's operations for compliance with the terms and conditions of this permit. The operating plan shall be submitted by the holder and approved by the authorized officer or the authorized officer's designated representative prior to commencement of operations and shall be attached to this permit as an appendix. The authorized officer may require an annual meeting with the holder to discuss the terms and conditions of the permit or operating plan, annual use reports, or other concerns either party may have.

D. MONITORING BY THE FOREST SERVICE. The Forest Service shall monitor the holder's operations and reserves the right to inspect the permit area and transmission facilities at any time for compliance with the terms of this permit. The holder shall comply with inspection requirements deemed appropriate by the authorized officer. The holder's obligations under this permit are not contingent upon any duty of the Forest Service to inspect the permit area or transmission facilities. A failure by the Forest Service or other governmental officials to inspect is not a justification for noncompliance with any of the terms and conditions of this permit.

IV. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT. This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR 214 and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. VALID EXISTING RIGHTS. This permit is subject to all valid existing rights. Valid existing rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS. The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

D. SERVICES NOT PROVIDED. This permit does not provide for the furnishing of road or trail maintenance, water, fire protection, search and rescue, or any other such service by a government agency, utility, association, or individual.

E. RISK OF LOSS. The holder assumes all risk of loss associated with use or occupancy of the permit area, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If authorized temporary improvements in the permit area are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, the permit shall terminate.

F. DAMAGE TO UNITED STATES PROPERTY. The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs and damage to government-owned improvements covered by this permit.

1. The holder shall be liable for all injury, loss, or damage, including fire suppression, prevention and control of the spread of invasive species, or other costs in connection with rehabilitation or restoration of natural resources resulting from the use or occupancy authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.J.

2. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

G. HEALTH AND SAFETY. The holder shall take all measures necessary to protect the health and safety of all persons

effected by the use and occupancy authorized by this permit. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any physical or mechanical procedure, activity, event, or condition existing or occurring in connection with the authorized use and occupancy during the term of this permit that causes or threatens to cause a hazard to the health or safety of the public or the holder's employees or agents. The holder shall as soon as practicable notify the authorized officer of all serious accidents that occur in connection with these procedures, activities, events, or conditions. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations of the holder for hazardous conditions or compliance with health and safety standards.

H. ENVIRONMENTAL PROTECTION.

1. For purposes of clause IV.H and section V, "hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

2. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use and occupancy of the permit area. Environmental damage includes but is not limited to all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. If the environment or any government property covered by this permit becomes damaged in connection with the holder's use and occupancy, the holder shall as soon as practicable repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.

3. The holder shall as soon as practicable, as completely as possible, and in compliance with all applicable laws and regulations abate any physical or mechanical procedure, activity, event, or condition existing or occurring in connection with the authorized use and occupancy during or after the term of this permit that causes or threatens to cause harm to the environment, including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources.

I. INDEMNIFICATION OF THE UNITED STATES. The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use or occupancy authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees in connection with the use or occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous materials, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

J. BONDING. The authorized officer may require the holder to furnish a surety bond or other security for any of the obligations imposed by the terms and conditions of this permit or any applicable law, regulation, or order.

V. RESOURCE PROTECTION

A. COMPLIANCE WITH ENVIRONMENTAL LAWS. The holder shall in connection with the use or occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., CERCLA, as amended, 42 U.S.C. 9601 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

B. VANDALISM. The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

C. PESTICIDE USE.

1. **Authorized Officer Concurrence.** Pesticides may not be used outside of buildings in the permit area to control pests, including undesirable woody and herbaceous vegetation (including aquatic plants), insects, birds, rodents, or fish without prior written concurrence of the authorized officer. Only those products registered or otherwise authorized by the U.S. Environmental Protection Agency and appropriate State authority for the specific purpose planned shall be authorized for use within areas on National Forest System lands.

2. **Pesticide-Use Proposal.** Requests for concurrence of any planned uses of pesticides shall be provided in advance using the Pesticide-Use Proposal (form FS-2100-2). Annually the holder shall, on the due date established by the authorized officer, submit requests for any new, or continued, pesticide usage. The Pesticide-Use Proposal shall cover a 12-month period of planned use. The Pesticide-Use Proposal shall be submitted at least 60 days in advance of pesticide application. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time a Pesticide-Use Proposal was submitted.

3. **Labeling, Laws, and Regulations.** Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers. No pesticide waste, excess materials, or containers shall be disposed of in any area administered by the Forest Service.

D. ARCHAEOLOGICAL-PALEONTOLOGICAL DISCOVERIES. The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall follow the applicable inadvertent discovery protocols for the undertaking provided in an agreement executed pursuant to section 106 of the National Historic Preservation Act, 54 U.S.C. 306108; if there are no such agreed-upon protocols, the holder shall leave these discoveries intact and in place until consultation has occurred, as informed, if applicable, by any programmatic agreement with tribes. Protective and mitigation measures developed under this clause shall be the responsibility of the holder. However, the holder shall give the authorized officer written notice before implementing these measures and shall coordinate with the authorized officer for proximate and contextual discoveries extending beyond the permit area.

E. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA). In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall make a reasonable effort to protect and secure the items. The holder shall follow the applicable NAGPRA protocols for the undertaking provided in the NAGPRA plan of action or the NAGPRA comprehensive agreement; if there are no such agreed-upon protocols, the holder shall as soon as practicable notify the authorized officer of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the forest archaeologist certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a binding written agreement has been executed between the Forest Service and the affiliated Indian tribes that adopts a recovery plan for the human remains and objects.

F. PROTECTION OF THREATENED AND ENDANGERED SPECIES, SENSITIVE SPECIES, AND SPECIES OF CONSERVATION CONCERN AND THEIR HABITAT.

1. **Threatened and Endangered Species and Their Habitat.** The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, 16 U.S.C. 1531 et seq., as amended, or within designated critical habitat shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on listed species or designated critical habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing threatened or endangered species or designated critical habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

2. **Sensitive Species and Species of Conservation Concern and Their Habitat.** The location of sites within the permit area needing special measures for protection of plants or animals designated by the Regional Forester as sensitive species or as species of conservation concern pursuant to FSM 2670 shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on sensitive species or species of conservation concern or their habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within

the permit area containing sensitive species or species of conservation concern or their habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

H. CONSENT TO STORE HAZARDOUS MATERIALS. The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

I. CLEANUP AND REMEDIATION.

1. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B, and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

2. Except with respect to any federally permitted release as that term is defined under Section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either in the permit area or in connection with the holder's activities in the permit area, regardless of whether those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

VI. LAND USE FEE AND DEBT COLLECTION

A. LAND USE FEES. The holder shall pay an initial annual land use fee of \$66.00 for the period from 09/14/2018 to 05/31/2019, and thereafter on N/A, shall pay an annual land use fee of \$N/A.

B. MODIFICATION OF THE LAND USE FEE. The land use fee may be revised whenever necessary to reflect the market value of the authorized use or occupancy or when the fee system used to calculate the land use fee is modified or replaced.

C. FEE PAYMENT ISSUES.

1. **Crediting of Payments.** Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. **Disputed Fees.** Fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

3. Late Payments

(a) **Interest.** Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee amount is due.

(b) **Administrative Costs.** If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) **Penalties.** A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.

(d) Termination for Nonpayment. This permit shall terminate without the necessity of prior notice and opportunity to comply when any permit fee payment is 90 calendar days from the due date in arrears. The holder shall remain responsible for the delinquent fees.

4. Administrative Offset and Credit Reporting. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 60 days, referral to the United States Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

VII. REVOCATION, SUSPENSION, AND TERMINATION

A. REVOCATION AND SUSPENSION. The authorized officer may revoke or suspend this permit in whole or in part:

1. For noncompliance with federal, state, or local law.
2. For noncompliance with the terms of this permit.
3. For abandonment or other failure of the holder to exercise the privileges granted.
4. With the consent of the holder.
5. For specific and compelling reasons in the public interest.

Prior to revocation or suspension, other than immediate suspension under clause VII.B, the authorized officer shall give the holder written notice of the grounds for revocation or suspension and a reasonable period, typically not to exceed 90 days, to cure any noncompliance.

B. IMMEDIATE SUSPENSION. The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions prompting the suspension. The authorized officer's supervisor shall grant this request within 48 hours. Following the on-site review, the authorized officer's supervisor shall promptly affirm, modify, or cancel the suspension.

C. APPEALS AND REMEDIES. Written decisions by the authorized officer relating to administration of this permit are subject to administrative appeal pursuant to 36 CFR Part 214, as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

D. TERMINATION. This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and termination upon change of control of the business entity. Termination of this permit shall not require notice, a decision document, or any environmental analysis or other documentation. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

E. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT ISSUANCE OF A NEW PERMIT. Upon revocation or termination of this permit without issuance of a new permit, the holder shall remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and shall restore the site to the satisfaction of the authorized officer. If the holder fails to remove all structures and improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain

liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

VIII. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS. No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

B. CURRENT ADDRESSES. The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for billing and payment of land use fees.

C. SUPERSEDED PERMIT. This permit supersedes a special use permit designated #PREV_REISSUE, HOLDER#, #PREV_AUTH_ID#, dated #PREV_REIS_ISSUE_DATE#.

D. SUPERIOR CLAUSES. If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.

BEFORE ANY PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE AUTHORIZED OFFICER OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS AND CONDITIONS OF THE PERMIT.

ACCEPTED:

BP Pipeline (NA) Inc. *[Signature]* Row Agent 10/29/17

 HOLDER NAME, PRECEDED BY NAME AND TITLE SIGNATURE DATE
 OF PERSON SIGNING ON BEHALF OF HOLDER,
 IF HOLDER IS AN ENTITY

APPROVED:

WADE A SPANG
 FOREST SUPERVISOR

 NAME AND TITLE OF AUTHORIZED OFFICER SIGNATURE DATE

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

ATTACHMENT C: PHOTOGRAPHS



Photo 1: Facial view of the Franklin's ground squirrel. Location: Area 2 Date: 05/23/19



Photo 2: Dorsal view of the Franklin's ground squirrel. Location: Area 2 Date: 05/23/19



Photo 3: Dorsal view of the Franklin's ground squirrel. **Location:** Area 2 **Date:** 05/23/19



Photo 4: View of general area Franklin's ground squirrel was trapped. Flags demarcate trap locations, proximal to burrow openings. **Location:** Area 2 **Date:** 05/23/19



Photo 5: General view of Area 1. The Wauponsee Glacial Trail is located behind the tree line on the left side of the photograph. **Location:** Area 1 **Date:** 05/21/19



Photo 6: General view of Area 2. The Wauponsee Glacial Trail is located on the left side of the photograph. **Location:** Area 2 **Date:** 05/21/19



Photo 7: General view of Area 3. The Wauponsee Glacial Trail is located behind the tree line on the left side of the photograph. **Location:** Area 3 **Date:** 05/21/19



Photo 8: Side view of the thirteen-lined ground squirrel. **Location:** Area 3 **Date:** 05/21/19