

Environmental Permitting Coordination for the Keystone Pipeline Project Coordination Summary – Biological Resources

March 2007

Supplemental State Agency and USFWS Consultation

This biological consultation package includes documentation of consultation with state agencies and the United States Fish and Wildlife Service (USFWS) regarding the Keystone Mainline and Cushing Extension following the January 2007 supplemental filing with the Department of State (DOS). These correspondence summaries include species specific survey information and continued consultation with the state and federal agencies regarding coordination of the 2007 biological surveys and additional biological concerns for the Keystone Pipeline Project.

In January 2007, ENSR sent a biological survey package to all state agencies involved in the Keystone Pipeline Project, and to the lead USFWS office. Each 2007 biological survey consultation package contained information regarding the sensitive species, survey locations, survey windows, and survey protocols that ENSR is proposing to include during the 2007 biological survey field effort. Concurrence forms were also contained in each biological survey package, and ENSR requested that each state agency and the USFWS approve, or provide recommended changes to ENSR's 2007 survey plan before Keystone initiates biological surveys in 2007. Concurrence forms were received from the following state agencies: North Dakota, South Dakota, Nebraska, Missouri, and Oklahoma. The Illinois Department of Natural Resources declined ENSR's request to send ENSR a signed concurrence form.

In February 2007, ENSR met with state agencies and the USFWS to review the biological survey package material that was sent to each agency in January 2007 and the biological survey reports that were sent to the agencies in December 2006, and to discuss additional concerns, if any, that the agencies had regarding the Keystone Pipeline Project. The meeting minutes from each agency meeting are included in this consultation package.

The majority of remaining consultation material included in this package details follow-up with agencies with regard to specific action items from the state and USFWS agency meetings.

Based on the consultation with state agencies and the USFWS in January and February 2007, ENSR obtained approval for the proposed 2007 biological surveys from all of the state agencies and the USFWS. Continuing consultation will take place to follow up with survey results, and to continue to discuss other agency concerns, if any, that may arise as the Keystone Pipeline Project moves forward.

Environmental Permitting Coordination for the Keystone Pipeline Project Coordination Summary – Wetlands

This wetlands consultation package includes documentation of consultation with federal agencies regarding the Keystone Mainline and Cushing Extension following the January 2007 supplemental filing with the DOS. These correspondence summaries include detailed wetland mapping information and continued consultation with the federal agencies regarding coordination of the 2007 wetlands surveys and additional wetlands-related concerns for the Keystone Pipeline Project.

In February 2007, ENSR met with the U.S. Army Corps of Engineers (USACE) (Omaha District) and the USFWS in North Dakota and South Dakota to review potential impacts to protected wetlands found on wetland easements, the Section 404 permitting process and to discuss additional concerns, if any, that the agencies had regarding the Keystone Pipeline Project. The meeting minutes from each agency meeting are included in this consultation package.

The majority of remaining consultation included in this package details follow-up with agencies with regard to specific action items from USACE and USFWS agency meetings.

CONFIDENTIAL

Continuing consultation will take place to discuss other agency concerns that may surface as the Keystone Pipeline Project moves forward.