

Exhibit BB. Tamanend Business
Park West Site U.S. Fish and
Wildlife Service Letter





United States Department of the Interior

FISH AND WILDLIFE SERVICE

646 Cajundome Blvd.

Suite 400

Lafayette, Louisiana 70506



Tamanend Business Park West Site U.S. Fish and Wildlife Service Letter

June 6, 2014

Mr. Bryan Forrest
Richard C. Lambert Consultants
900 W. Causeway Approach
Mandeville, LA 70471

Dear Mr. Forrest:

Please reference your May 21, 2014, letter, requesting our review of a proposed subdivision and business park in St. Tammany Parish, Louisiana. The Fish and Wildlife Service (Service) has reviewed the information you provided, and offers the following comments in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The proposed project occurs within an area containing soils (Prentiss) which are suitable for the threatened gopher tortoise (*Gopherus polyphemus*). In Louisiana, gopher tortoise occurs in Washington, Tangipahoa, and St. Tammany Parishes. The gopher tortoise is the only native tortoise found in the southeastern United States. This species is associated with areas that have well-drained, sandy soils appropriate for burrow establishment, ample sunlight for nesting, and understory vegetation suitable for foraging (i.e., grasses and forbs). The burrow opening is semicircular or "half-moon" in shape and a low mound of bare soil will be immediately in front of the mouth of an active burrow. Suitable soil types for gopher tortoises include Latonia and Bassfield (highly suitable), Cahaba, Ruston, and Smithdale (less suitable), and Abita, Malbis, Angie, and Prentiss (marginal).

Gopher tortoises prefer "open" longleaf pine-scrub oak communities that are thinned and burned every few years. Habitat degradation (lack of thinning or burning on pine plantations), predation, and conversion to agriculture or urbanization have contributed to the decline of this species. That habitat decline has concentrated many remaining gopher tortoise populations along pipeline and power line rights-of-way (ROW) within their range. Tortoise burrows also can be found along road ROW's, and other marginal habitats; including fence rows, orchard edges, golf course roughs and edges, old fields, and pasturelands. Tortoises are often pushed into these areas due to adjacent habitat becoming unsuitable.

If suitable gopher tortoise habitat does exist within a proposed action area, those areas should be surveyed by a qualified biologist for the presence of gopher tortoises and/or their burrows. Survey areas should be divided into consecutive "sight-distance" strip transects, each of which should be traversed by walking. Transect widths may range from 10 to 50 feet, and will be determined by ground visibility within the site.

We recommend that you provide this office with a copy of the survey report, which should include the following information:

1. Survey methodology including dates, qualifications of survey personnel, size of survey area, and transect density;
2. general soil type, understory conditions, percent canopy cover, and species composition (several representative photographs should be included);
3. GPS coordinates and photographs of burrow(s) to clarify whether the hole is for tortoises or some other animal (i.e. fox, armadillo);
4. determination of burrow status as active, inactive, or old (see burrow descriptions below);
5. presence or absence of gopher tortoises outside the burrow (only permitted individuals may videoscope burrows);
6. determination of whether the burrow is part of tortoise colony. (For each burrow found, a 600 foot radius around that burrow should be surveyed for additional burrows. This process should be continued for each new burrow until no new burrows are found, and will determine the extent of the colony); and,
7. topographic maps which illustrate areas of adequate gopher tortoise habitat, individual and/or colony locations, and burrow sites relative to proposed construction activities.

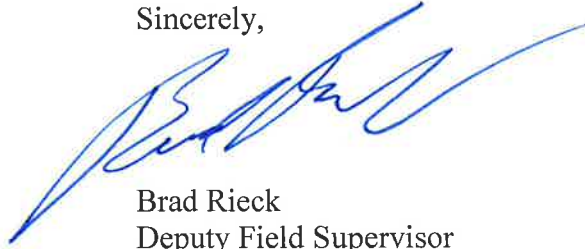
All persons surveying for gopher tortoise presence/absence should be familiar with the appearance of this species and its associated burrow. All tortoise burrows encountered should be categorized according to the following scheme:

1. Active – most likely occupied by a tortoise; as evidenced by presence of tortoise, freshly dug sand, tortoise tracks, or tortoise scat.
2. Inactive – most likely not currently occupied by a tortoise; as evidenced by absence of above signs, debris in burrow entrance. Future use of Inactive burrows by tortoises occasionally occurs.
3. Old – most likely not occupied by a tortoise for many years; as evidenced by deteriorated nature of burrow entrance, (i.e. collapsed, growth of vegetation, sand washed in, etc.) Old burrows are in such a condition that they are not considered to be good candidates for future use by tortoises.

If active burrows and/or gopher tortoises are found in the surveyed area, further consultation with this office will be necessary.

We appreciate the opportunity to provide comments in the planning stages of this proposed project. If you need further assistance please contact Mike Sealy of this office (337-291-3123) regarding gopher tortoise or Amy Trahan (337/291-3126) of this office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Brad Rieck', with a long, sweeping horizontal stroke extending to the right.

Brad Rieck
Deputy Field Supervisor
Louisiana Ecological Services Office

cc: LDWF, Natural Heritage Program, Baton Rouge, LA

Location • Weyerhaeuser Company, P.O. Box 2288 • Columbus, MS 39704

9 July 2014

Mr. Brad Rieck
Deputy Field Supervisor
U.S. Fish and Wildlife Service, Louisiana Ecological Field Services Office
646 Cajundome Blvd., Suite 400
Lafayette, Louisiana 70506

Mr. Rieck,

I am responding to a letter sent from you on June 6, 2014 to Mr. Bryan Forrest, with Richard C. Lambert Consultants, regarding potential occupancy by gopher tortoises (*Gopherus polyphemus*) on a project site in St. Tammany Parish, Louisiana.

Until 2007, the project area was managed by Weyerhaeuser Company as part of our Mississippi/Louisiana Timberlands Region. As you may be aware, we have known occurrences of gopher tortoises across our ownership in this region. As such, we have established a protocol for surveying for tortoise burrows before any land management activities that may compromise the survival and reproduction of this species. This protocol includes searching for gopher tortoise burrows, determining burrow status (active, inactive, abandoned), monumenting active burrows, and recording burrow locations in a geographic information system. Until the property was transferred from Weyerhaeuser to Weyerhaeuser Real Estate Development Company in 2007, we did not document gopher tortoises on this site. Additionally, based on our extensive experience monitoring gopher tortoise locations in St. Tammany Parish, we have never encountered gopher tortoises south of Hwy. 36, which is north of the project area.

Secondly, stand conditions on this property are not conducive to gopher tortoise occupancy in that the planted pine stands, due to management history, had little herbaceous vegetation, a strong hardwood/bush component, and have not been managed to create habitat conditions desired by this species.

Based on these 2 factors, it is unlikely that gopher tortoises are present on the project area and I do not believe it is necessary to perform surveys for the species. I hope you will agree with this assessment. If you have any questions, please feel free to contact me.

Best regards.

A handwritten signature in black ink, appearing to read "Darren Miller". The signature is fluid and cursive, with the first name "Darren" and last name "Miller" clearly distinguishable.

Darren A. Miller, Ph.D., Certified Wildlife Biologist®
Science Advisor, Southern Timberlands Technology
darren.miller@weyerhaeuser.com

cc: Shawn Harrison, EMS Manager, MS/LOU Timberlands, Weyerhaeuser Company
Scott Gilbert, Weyerhaeuser Real Estate Development Company



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July 30, 2014

Mr. Frank Zemmer
Richard C. Lambert Consultants, LLC
900 West Causeway Approach
Mandeville, LA 70471

SUBJECT: Tamanend Development/St. Tammany Advanced Campus, Lacombe, St. Tammany Parish, Louisiana

Dear Mr. Zemmer:

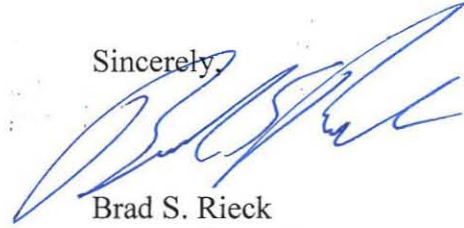
Please reference an electronic message from you dated July 10, 2014, and attached letters from Darren Miller of Weyerhaeuser Company (July 9, 2014) and Thomas K. Brown of Biological Surveys, Inc (April 16, 2014). Those letters describe site conditions and past surveys for gopher tortoises (*Gopherus polyphemus*) at the proposed Tamanend Development property which includes the St. Tammany Parish Advanced Campus located in near Lacombe in St. Tammany Parish, Louisiana. The Fish and Wildlife Service (Service) has reviewed the information provided, and offers the following comments as technical assistance.

The proposed project site was owned by Weyerhaeuser Company and historically managed for industrial timber production until 2007 when it was transferred to the Weyerhaeuser Real Estate Development Company for potential sale. Until 2007, no gopher tortoises or their burrows were observed on this site. Furthermore, that property was not managed to produce habitat conditions preferred by gopher tortoises and consisted of planted pine with little herbaceous vegetation and a dense, fire-suppressed midstory. The only open areas present on the property are the LA Hwy. 434 right-of-way and the woodland edge adjacent to the St. Tammany Coroner's Office. Those areas were surveyed by Biological Surveys, Inc. and no gopher tortoises or active, inactive, or abandoned gopher tortoise burrows were observed. Therefore, we agree that the proposed project will not impact gopher tortoises.



We appreciate the opportunity to provide comments during the planning stages of this proposed project. Should you have further questions, please contact Michael Sealy (337/291-3123) of this office.

Sincerely,



Brad S. Rieck
Deputy Supervisor
Louisiana Field Office

cc: LDWF, Natural Heritage Program, Baton Rouge, LA