



February 13, 2017

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: Response to FERC Staff Questions  
Rover Pipeline LLC (Rover Pipeline Project)  
Panhandle Eastern Pipe Line Company, LP (Panhandle Backhaul Project)  
Trunkline Gas Company, LLC (Trunkline Backhaul Project)  
FERC Docket Nos. CP15-93-000, CP15-94-000, and CP15-96-000

Dear Ms. Bose:

On February 2, 2017, the Federal Energy Regulatory Commission ("FERC" or "Commission") issued an Order Issuing Certificate ("Order") for the Rover Pipeline, Panhandle Backhaul, and Trunkline Backhaul Projects (collectively "Applicants"). The Applicants subsequently filed an Implementation Plan (as supplemented) in accordance with Ordering Paragraph F and Environmental Condition No. 6 of Appendix B of the Order. Provided below is supplemental information in support of the Applicants' pending request for immediate authorization to begin tree felling and use of existing access roads.

1. *Please confirm that all required surveys have been completed and all relevant data has been filed with FERC.*

**Response:**

The Applicants confirm that all required surveys have been completed and all relevant data has been submitted to FERC.

2. *Please provide the status of acquisition of easements required for the Project.*

**Response:**

Easement status: 1,869 easements have been acquired for the Project; 807 easements remain outstanding. Of the outstanding easements, the Applicants hope to obtain as many as possible through negotiation.

3. *Please provide the status of Execution of Firm Transportation Service Agreements.*

**Response:**

The Applicants are in the process of executing Firm Transportation Service Agreements ("FTSA") with all firm shippers. The FTSA's will be executed prior to commencement of construction of any Project facilities by the Applicants.

Ms. Kimberly D. Bose  
February 13, 2017  
Page 2

4. *Please update Table 8A-3 to include footnote text.*

**Response:**

Please see updated Table 8A-3 included as Attachment 4a.

5. *Please file all communication with the USCOE regarding non-mechanized tree cutting in upland areas prior to issuance of the USCOE Section 404 permits.*

**Response:**

Please see Attachment 5a which includes e-mail correspondence from all outstanding USCOE Districts indicating that they do not oppose tree clearing in upland areas.

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines issued on November 15, 2007 in FERC Docket No. RM07-16-000. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2024.

Respectfully submitted,

/s/ Stephen T. Veatch

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Stephen T. Veatch  
Senior Director, Certificates

cc: Ann Miles - FERC Office of Energy Projects  
Richard McGuire - FERC Office of Energy Projects  
Laurie Boros - FERC Office of Energy Projects  
Kevin Bowman - FERC Office of Energy Projects

Attachments

CERTIFICATE OF SERVICE

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Kelly Allen

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Mr. Kelly Allen, Manager  
Regulatory Affairs Department  
Rover Pipeline LLC  
(713) 989-2606

**Table 8A-3. Residences within 10 feet of Workspace**

MP	County	State	Type of Structure	Direction from Centerline	Distance from Centerline (ft)	Distance from Construction Work Area (ft)	Residential Plan Drawing Number	Date of Easement Closing
<b>Sherwood Lateral</b>								
34.42	Monroe	OH	MOBILE HOME <sup>1</sup>	COINCIDENT	0	0	OH-MO-SHC-003.000	6/22/16
35.8	Monroe	OH	Hunting Cabin	COINCIDENT	0	0	OH-MO-SC-006.000	8/29/16
<b>Seneca Lateral</b>								
3.39	Monroe	OH	LOG CABIN	NORTH	42.39	2.4	OH-MO-SCL-010.000	8/4/2016
<b>Clarington Lateral</b>								
7.98	Belmont	OH	MOBILE HOME	EAST	79.4	0	OH-BE-CC-043.000	8/26/2015
18.36	Belmont	OH	CABIN	WEST	45.4	5.4	OH-BE-CC-100.00	1/6/2016
<b>Majorsville Lateral</b>								
7.24	Marshall	WV	MOBILE HOME <sup>1</sup>	NORTH	17.42	0	WV-MA-ML-038.000_RI_EX	9/8/2016
11.38	Marshall	WV	MOBILE HOME <sup>1</sup>	COINCIDENT	0	0	WV-MA-ML-063.310	4/10/2015
<b>Burgettstown Lateral</b>								
37.06	Carroll	OH	HOUSE UNDER CONSTRUCTION <sup>1</sup>	NORTH	17.4	0	OH-CA-HL-011.100	4/20/2016
49.02	Carroll	OH	HOUSE <sup>1</sup>	NORTH	61.7	0	OH-CA-HL-071.000	7/24/2015
12.36	Harrison	OH	HUNTING CABIN <sup>1</sup>	WEST	22.17	0	OH-HR-035.000	10/24/2015
<b>Mainlines A and B</b>								
31.41	Tuscarawas	OH	HOUSE <sup>1</sup>	EAST	35.4	0	OH-TU-024.000	6/18/2015
31.43	Tuscarawas	OH	MOBILE HOME <sup>1</sup>	COINCIDENT	0.7	0	OH-TU-024.000	6/18/2015
69.34	Wayne	OH	HOUSE <sup>1</sup>	NORTH	55.7	0	OH-WA-052.532	5/13/2015
71.05	Wayne	OH	HOUSE <sup>1</sup>	NORTH	20.1	0	OH-WA-074.000	1/15/2016
<b>Market Segment</b>								
73.45	Washtenaw	MI	HOUSE	EAST	135.1	5.1	RIP-WA-MP 073.45	7/22/2015
85.47	Livingston	MI	HOUSE	COINCIDENT	0	0	RIP-LI-MP 085.47	3/20/2015
88.35	Livingston	MI	HOUSE	SOUTH	34.3	0	RIP-LI-MP 088.35	2/12/2016
<sup>1</sup> Rover plans to compensate for structures.								

## Thomason, Buffy

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**From:** Shaffer, Joshua D CIV USARMY CELRP (US) <Joshua.D.Shaffer@usace.army.mil>  
**Sent:** Friday, February 10, 2017 6:06 PM  
**To:** Thomason, Buffy; Blohm, Shawn U CIV USARMY CELRB (US); Todd Surrena; Dickson, Nancy J; Barnett, Robert W CIV USARMY CELRH (US)  
**Cc:** William S. Scherman (WScherman@gibsondunn.com); Shaffer, Joshua D CIV USARMY CELRP (US); Kevin Bowman  
**Subject:** Re: [EXTERNAL] Tree Felling in Upland Areas

I have no objection to cutting trees in the uplands which occur outside of the Corps permit areas.

Thanks  
Josh

---

**From:** Thomason, Buffy <Buffy.Thomason@energytransfer.com>  
**Date:** February 10, 2017 at 5:24:25 PM EST  
**To:** Dickson, Nancy J <Nancy.J.Dickson@wv.gov>, Blohm, Shawn U CIV USARMY CELRB (US) <Shawn.U.Blohm@usace.army.mil>, Shaffer, Joshua D CIV USARMY CELRP (US) <Joshua.D.Shaffer@usace.army.mil>, Todd Surrena <todd.surrena@epa.ohio.gov>, Barnett, Robert W CIV USARMY CELRH (US) <Wes.Barnett@usace.army.mil>  
**Cc:** Kevin Bowman <Kevin.Bowman@ferc.gov>, William S. Scherman (WScherman@gibsondunn.com) <WScherman@gibsondunn.com>  
**Subject:** [EXTERNAL] Tree Felling in Upland Areas

Agency Team,

Rover is planning to begin cutting trees using non-mechanized tree cutting methods on Monday, February 13, 2017. This activity will be limited to non-waters of the United States and will occur only in upland areas. Therefore, can you please provide a quick email concurrence that your agency does not have jurisdiction over or regulate this activity within upland areas?

Thank you for your quick response and your continued coordination on this project. It is greatly appreciated.

Thank you,

**Buffy Thomason**

**Energy Transfer Company**

1300 Main St., Houston, TX 77002

Office: 713-989-2844

Cell: 979-571-3113

Private and confidential as detailed [here](#). If you cannot access hyperlink, please e-mail sender.

## Thomason, Buffy

---

**From:** Dickson, Nancy J <Nancy.J.Dickson@wv.gov>  
**Sent:** Monday, February 13, 2017 6:18 AM  
**To:** Thomason, Buffy; Barnett, Robert W LRH (Wes.Barnett@usace.army.mil); Blohm, Shawn U LRB (Shawn.U.Blohm@usace.army.mil); Shaffer, Joshua D CIV USARMY CELRP (US); Todd Surrena  
**Cc:** Kevin Bowman; William S. Scherman (WScherman@gibsondunn.com)  
**Subject:** RE: Tree Felling in Upland Areas

Buffy Thomason has been in contact with WVDEP regarding tree clearing in upland areas associated with the Rover Pipeline Project. The WVDEP 401 Certification Program does not have any authority regarding this activity unless actions result in material being placed in streams and/or wetlands. However, the WVDEP 401 Certification Program has advised Rover that the Individual State 401 Water Quality Certification for the project will contain a special condition requiring photographs be taken of each stream and wetland crossing prior to any impact and photographs are to be taken from the same location annually for monitoring purposes. Other than this, WVDEP 401 Certification Program does not have any issues with the clearing of trees. WVDEP 401 Certification Program; however, cannot speak for other programs within the WVDEP.

Thank you,  
Nancy J. Dickson  
WVDEP 401 Certification Program

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**From:** Thomason, Buffy [mailto:Buffy.Thomason@energytransfer.com]  
**Sent:** Friday, February 10, 2017 5:24 PM  
**To:** Barnett, Robert W LRH (Wes.Barnett@usace.army.mil); Blohm, Shawn U LRB (Shawn.U.Blohm@usace.army.mil); Shaffer, Joshua D CIV USARMY CELRP (US); Todd Surrena; Dickson, Nancy J  
**Cc:** Kevin Bowman; William S. Scherman (WScherman@gibsondunn.com)  
**Subject:** Tree Felling in Upland Areas

Agency Team,

Rover is planning to begin cutting trees using non-mechanized tree cutting methods on Monday, February 13, 2017. This activity will be limited to non-waters of the United States and will occur only in upland areas. Therefore, can you please provide a quick email concurrence that your agency does not have jurisdiction over or regulate this activity within upland areas?

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Thank you,  
**Buffy Thomason**  
**Energy Transfer Company**  
1300 Main St., Houston, TX 77002  
Office: 713-989-2844  
Cell: 979-571-3113

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## Thomason, Buffy

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**From:** todd.surrena@epa.ohio.gov  
**Sent:** Monday, February 13, 2017 7:10 AM  
**To:** Thomason, Buffy; Barnett, Robert W LRH (Wes.Barnett@usace.army.mil); Blohm, Shawn U LRB (Shawn.U.Blohm@usace.army.mil); Shaffer, Joshua D CIV USARMY CELRP (US); Dickson, Nancy J  
**Cc:** Kevin Bowman; William S. Scherman (WScherman@gibsondunn.com)  
**Subject:** RE: Tree Felling in Upland Areas

Buffy Thomason has been in contact with Ohio EPA regarding tree clearing associated with the Rover Pipeline Project. The OEPA 401 Water Quality Certification Program does not have authority regarding this activity unless actions result in fill material being placed in streams and/or wetlands. There will be requirements in the 401 WQC to take pictures of streams and wetlands before clearing for mitigation/monitoring purposes. Rover is advised to consider this requirement before felling any trees in wetland and stream areas.



Todd Surrena  
401 Coordinator  
Division of Surface Water  
Ohio EPA – Northeast District Office  
2110 East Aurora Road, Twinsburg, OH 44087  
P: 330-963-1255  
F: 330-487-0769  
E: [Todd.Surrena@epa.ohio.gov](mailto:Todd.Surrena@epa.ohio.gov)

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**From:** Thomason, Buffy [mailto:Buffy.Thomason@energytransfer.com]  
**Sent:** Friday, February 10, 2017 5:24 PM  
**To:** Barnett, Robert W LRH (Wes.Barnett@usace.army.mil) <Wes.Barnett@usace.army.mil>; Blohm, Shawn U LRB (Shawn.U.Blohm@usace.army.mil) <Shawn.U.Blohm@usace.army.mil>; Shaffer, Joshua D CIV USARMY CELRP (US) <Joshua.D.Shaffer@usace.army.mil>; Surrena, Todd <todd.surrena@epa.ohio.gov>; Dickson, Nancy J <Nancy.J.Dickson@wv.gov>  
**Cc:** Kevin Bowman <Kevin.Bowman@ferc.gov>; William S. Scherman (WScherman@gibsondunn.com) <WScherman@gibsondunn.com>  
**Subject:** Tree Felling in Upland Areas

Agency Team,

Rover is planning to begin cutting trees using non-mechanized tree cutting methods on Monday, February 13, 2017. This activity will be limited to non-waters of the United States and will occur only in upland

areas. Therefore, can you please provide a quick email concurrence that your agency does not have jurisdiction over or regulate this activity within upland areas?

Thank you for your quick response and your continued coordination on this project. It is greatly appreciated.

Thank you,

**Buffy Thomason**

**Energy Transfer Company**

1300 Main St., Houston, TX 77002

Office: 713-989-2844

Cell: 979-571-3113

Private and confidential as detailed [here](#). If you cannot access hyperlink, please e-mail sender.



**Thomason, Buffy**

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**From:** Blohm, Shawn U CIV USARMY CELRB (US) <Shawn.U.Blohm@usace.army.mil>  
**Sent:** Monday, February 13, 2017 9:49 AM  
**To:** Thomason, Buffy; Barnett, Robert W CIV USARMY CELRH (US)  
**Cc:** Shaffer, Joshua D CIV USARMY CELRP (US); todd.surrena@epa.ohio.gov; Kevin Bowman  
**Subject:** RE: Please

Buffy,

Under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers has regulatory authority over construction, excavation, or deposition of materials in, over, or under navigable waters of the United States. Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers regulates the discharge of dredged or fill material into waters of the United States, including freshwater wetlands. Certain types of activities, such as landclearing using mechanized equipment and/or sidecasting, in a jurisdictional water would likely be regulated under Section 404 of the Clean Water Act. The Corps does not regulate activities that occur outside waters of the United States (i.e. uplands). A Preliminary Jurisdictional Determination identifying the waters of the U.S. within ET Rover's project corridor was completed on April 25, 2016 and on the Preliminary Jurisdictional Determination Revision submitted by ET Rover on September 12, 2016 .

Please contact me if you have questions,

Shawn

Shawn U. Blohm  
U.S. Army Corps of Engineers  
Buffalo District - Regulatory Branch  
Ohio Application Evaluation Section  
Stow Field Office  
1100 Graham Road Circle  
Stow, OH 44224  
Phone: 330-923-8214  
Fax: 330-923-8146  
Direct: 716-879-4436  
shawn.u.blohm@usace.army.mil

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

From: Thomason, Buffy [mailto:Buffy.Thomason@energytransfer.com]  
Sent: Monday, February 13, 2017 10:19 AM

To: Blohm, Shawn U CIV USARMY CELRB (US) <Shawn.U.Blohm@usace.army.mil>; Barnett, Robert W CIV USARMY CELRH (US) <Wes.Barnett@usace.army.mil>  
Subject: [EXTERNAL] RE: Please

Any word yet, Gentlemen? It seems to be all we lack. Sorry again to push.

Thank you,  
Buffy Thomason  
Energy Transfer Company  
O: 713-989-2844, C: 979-571-3113

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

From: Blohm, Shawn U CIV USARMY CELRB (US) [mailto:Shawn.U.Blohm@usace.army.mil]  
Sent: Monday, February 13, 2017 7:37 AM  
To: Thomason, Buffy <Buffy.Thomason@energytransfer.com>; Barnett, Robert W CIV USARMY CELRH (US) <Wes.Barnett@usace.army.mil>  
Subject: RE: Please

Buffy,

I need to run this by my Chief. A response is forthcoming shortly.

Shawn

Shawn U. Blohm  
U.S. Army Corps of Engineers  
Buffalo District - Regulatory Branch  
Ohio Application Evaluation Section  
Stow Field Office  
1100 Graham Road Circle  
Stow, OH 44224  
Phone: 330-923-8214  
Fax: 330-923-8146  
Direct: 716-879-4436  
shawn.u.blohm@usace.army.mil

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

From: Thomason, Buffy [mailto:Buffy.Thomason@energytransfer.com]  
Sent: Monday, February 13, 2017 8:21 AM  
To: Barnett, Robert W CIV USARMY CELRH (US) <Wes.Barnett@usace.army.mil>; Blohm, Shawn U CIV USARMY CELRB (US) <Shawn.U.Blohm@usace.army.mil>

Subject: [EXTERNAL] Please

I am so sorry to push, but will you please respond to my other email as soon as possible this morning? FERC is maintaining that they will not give us permission to start felling trees in uplands without your responses, and I have guys pouring in from all over today to get started.

Please let me know if you have any questions.

Thank you!

Buffy Thomason

979-571-3113

Private and confidential as detailed

here<BlockedBlocked[http://www.energytransfer.com/mail\\_disclaimer.aspx](http://www.energytransfer.com/mail_disclaimer.aspx)>. If you cannot access hyperlink, please e-mail sender.

Private and confidential as detailed here<Blocked[http://www.energytransfer.com/mail\\_disclaimer.aspx](http://www.energytransfer.com/mail_disclaimer.aspx)>. If you cannot access hyperlink, please e-mail sender.

## Thomason, Buffy

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**From:** Barnett, Robert W CIV USARMY CELRH (US) <Wes.Barnett@usace.army.mil>  
**Sent:** Monday, February 13, 2017 10:20 AM  
**To:** Thomason, Buffy; Blohm, Shawn U CIV USARMY CELRB (US); Shaffer, Joshua D CIV USARMY CELRP (US); Todd Surrena; Dickson, Nancy J  
**Cc:** Kevin Bowman; William S. Scherman (WScherman@gibsondunn.com); ROBINETTE, Lee A CIV USARMY CELRH (US)  
**Subject:** RE: Tree Felling in Upland Areas (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Ms. Thomason,

Rover is requesting clarification and concurrence from the Corps regarding activities described in the e-mail below....

The United States Army Corps of Engineers' (Corps) authority to regulate waters of the United States is based on the definitions and limits of jurisdiction contained in 33 CFR 328 and 33 CFR 329. Under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act, the Corps has regulatory authority over construction, excavation, or deposition of materials in, over, or under navigable waters of the United States. Under Section 404 of the Clean Water Act, the Corps regulates the discharge of dredged or fill material into waters of the United States, including freshwater wetlands. Certain types of activities, such as landclearing using mechanized equipment and/or sidelaying, in a jurisdictional water would likely be regulated under Section 404 of the Clean Water Act. The Corps does not regulate activities that occur outside waters of the United States (i.e. uplands). A Preliminary Jurisdictional Determination identifying waters of the U.S. for the portions of the project occurring within the Huntington District Regulatory Boundary was completed April 20, 2016 and subsequently revised on October 16, 2016

Rover has indicated the activities would occur solely within upland areas not associated with a Corps permit area characterized by the discharge of dredged and/or fill material. Based on the limitations of the Corps' jurisdictional authorities, the Corps would not regulate the described activities.

If you have any further questions please contact me.

Wes Barnett

Regulatory - Huntington District

US Army Corps of Engineers

Phone: 304-399-6905

Wes.Barnett@usace.army.mil

[http://secure-web.cisco.com/1mrAc2NILmKUbIHflr-tSg9IxYIHlrPPtrwe411Q77xfSExfQ2cVORL9mKfIYkV9cj4xXHlyt4uUWNiaSpJuIOEEX\\_pFDRittwpI2trncjyuxOmn-t6S0tkO63VRSI\\_10zmd4Irk-mhOEaMvS3g4Ie6xde14CoHO9UKRCHTbr-QT6mOJhocPTE7TWu923hEGWzMcO-8AfdlOzTlNdUq\\_u5GQ29WHxAGmP8itaNTE3FfmorhagdEjX9R4Hh2rPL1\\_H2uPzW8tTN7dwDKiZ5jGZjNB6](http://secure-web.cisco.com/1mrAc2NILmKUbIHflr-tSg9IxYIHlrPPtrwe411Q77xfSExfQ2cVORL9mKfIYkV9cj4xXHlyt4uUWNiaSpJuIOEEX_pFDRittwpI2trncjyuxOmn-t6S0tkO63VRSI_10zmd4Irk-mhOEaMvS3g4Ie6xde14CoHO9UKRCHTbr-QT6mOJhocPTE7TWu923hEGWzMcO-8AfdlOzTlNdUq_u5GQ29WHxAGmP8itaNTE3FfmorhagdEjX9R4Hh2rPL1_H2uPzW8tTN7dwDKiZ5jGZjNB6)

maNB1IsaL061pV03V9nufjAUemXsbOHqU8J4SgpRf4BGYlf\_BmzOP55HZL4K7Q/http%3A%2F%2Flrh.usace.army.mil

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

From: Thomason, Buffy [mailto:Buffy.Thomason@energytransfer.com]

Sent: Friday, February 10, 2017 5:24 PM

To: Barnett, Robert W CIV USARMY CELRH (US) <Wes.Barnett@usace.army.mil>; Blohm, Shawn U CIV USARMY CELRB (US) <Shawn.U.Blohm@usace.army.mil>; Shaffer, Joshua D CIV USARMY CELRP (US) <Joshua.D.Shaffer@usace.army.mil>; Todd Surrena <todd.surrena@epa.ohio.gov>; Dickson, Nancy J <Nancy.J.Dickson@wv.gov>

Cc: Kevin Bowman <Kevin.Bowman@ferc.gov>; William S. Scherman (WScherman@gibsondunn.com) <WScherman@gibsondunn.com>

Subject: [EXTERNAL] Tree Felling in Upland Areas

Agency Team,

Rover is planning to begin cutting trees using non-mechanized tree cutting methods on Monday, February 13, 2017. This activity will be limited to non-waters of the United States and will occur only in upland areas. Therefore, can you please provide a quick email concurrence that your agency does not have jurisdiction over or regulate this activity within upland areas?

Thank you for your quick response and your continued coordination on this project. It is greatly appreciated.

Thank you,

Buffy Thomason

Energy Transfer Company

1300 Main St., Houston, TX 77002

Office: 713-989-2844

Cell: 979-571-3113

Private and confidential as detailed here <[http://www.energytransfer.com/mail\\_disclaimer.aspx](http://www.energytransfer.com/mail_disclaimer.aspx)> . If you cannot access hyperlink, please e-mail sender.

CLASSIFICATION: UNCLASSIFIED

Document Content(s)

Public-Final Rover Response\_02\_13\_17.PDF.....1-3

Attachment 4a\_Table 8A-3\_02\_13\_17.PDF.....4-4

Attachment 5a\_Agency Responses\_02\_13\_17.PDF.....5-13

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:  
OEP/DG2E/Gas 4  
Rover Pipeline LLC  
Rover Pipeline Project  
Docket No. CP15-93-000  
§ 375.308(x)

February 13, 2017

Kelly Allen, Manager  
Regulatory Affairs Department  
Rover Pipeline LLC  
1300 Main Street  
Houston Texas 77002

**Re: Partial Notice to Proceed with Tree Felling**

Dear Mr. Allen:

I grant in part your February 3, 2017 request, to conduct non-mechanized tree felling associated with the Rover Pipeline Project in upland areas only.<sup>1</sup> This letter does **not** approve tree felling by mechanized means nor does it approve tree felling in wetland or waterbody areas. Trees must be felled in a manner so as to avoid obstruction of flow, rutting, and sedimentation of wetlands and waterbodies, as more fully described in correspondence received from the U.S. Army Corps of Engineers, Ohio Environmental Protection Agency, and the West Virginia Department of Environmental Quality. Further, this approval is limited to tree felling through the allotted construction time window for federally-listed bats and migratory birds, which expires on March 31, 2017, as noted in the Commission's February 2, 2017 *Order Issuing Certificate* (Order). This letter does **not** authorize tree felling in any of the workspace variances identified in Rover Pipeline LLC's (Rover) February 3, 2017 Implementation Plan or within 500 feet of cultural resources site numbers 33ST1088 and 33WE662. Rover may **only** use those private access roads identified in Table 1-7 of its February 7, 2017 supplement.

In considering your February 3, 2016 request, we have reviewed Rover's

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<sup>1</sup> This partial notice to proceed has no effect on the Office of Enforcement's investigation referred to in the Commission's February 2, 2017 *Order Issuing Certificate* (Rover Pipeline LLC, 158 FERC ¶ 61,109, at P 249 (2017)).

Implementation Plan filed on February 3, 2017, and as supplemented on February 6, 7, 8, 9 and 13, 2017. Based on our review, Rover has provided the information necessary to meet the project's pre-construction conditions in the Commission's Order solely as it relates to the activities approved herein. In addition, we have documented the receipt or waiver of all required federal authorizations relevant to the approved activities herein.

There have been several filings made in the docketed proceeding alleging that tree felling or tree cutting commenced prior to Commission authorization. On February 13, 2017, Rover filed a statement denying allegations that Rover or any of its contractors had engaged in any tree felling or clearing of brush. This letter granting Rover permission to conduct non-mechanized tree felling does not preclude any appropriate enforcement action for potential unauthorized tree clearing that may have taken place.

I remind you that Rover may not conduct project activities on parcels where easements are outstanding until they have been secured, must comply with all applicable remaining terms and conditions of the Order, and implement each of its planned best-management practices and conservation plans during tree-cutting activities.

Sincerely,

Rich McGuire, Director  
Division of Gas – Environment  
and Engineering

cc: Public File, Docket No. CP15-93-000



Document Content(s)

CP15-93-000Letter2.DOC.....1-2