

06-1142-GA-BIN



June 2, 2008

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Room 1A
Washington, DC 20426

PUCO

2008 JUN -4 PM 2:49

RECEIVED-DOCKETING DIV

RE: Docket Nos. CP07-208-000, 001
Rockies Express Pipeline LLC, REX-East Project
Request for Notice to Proceed – STAGING AREAS

Ms. Bose:

On May 30, 2008, the Federal Energy Regulatory Commission ("FERC" or "Commission"), pursuant to Section 7(c) of the Natural Gas Act and Part 157 of the Commission's regulations, issued Rockies Express Pipeline LLC ("Rockies Express") a certificate of public convenience and necessity to construct and operate the REX-East project ("May 30 Order" or "Order").¹ On June 2, 2008, Rockies Express, pursuant to Section 157.20(a) of the Commission's Regulations, 18 C.F.R. § 157.20(a), notified the Commission that it accepted the Commission's Order.

The May 30 Order authorizes Rockies Express to construct and operate the REX-East project subject to identified environmental conditions contained in the Appendix to the Order. In accordance with Condition Nos. 4 & 5 to the Order, Rockies Express is required to file detailed survey alignment maps/sheets for all facilities approved by the Order and to receive written authorization to commence construction prior to actually commencing construction.

Pursuant to Condition Nos. 4 & 5 of the May 30 Order, Rockies Express hereby requests that the Director of Office of Energy Projects provide Rockies Express with written authorization ("Notice to Proceed") to commence construction at several of the staging areas that will be utilized to construct the REX-East project. Rockies Express requests a Notice to Proceed at these staging areas in order that contractors may move their equipment onto these sites to prepare for construction. **Rockies Express respectfully requests written authorization by June 5, 2008.**

Rockies Express requests written authorization to commence construction at the following locations:

Spread A-1

- MP 0.0 Audrain County MO (Drawing No. 1280-A-CSA-1)

¹ Rockies Express Pipeline LLC, 123 FERC ¶ 61, (2008)

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician _____ Date Processed - 6/4/08

Spread A-2

- MP 107.1 Sangamon County IL (Drawing No. 1280-A-CSA-2)

Spread B

- MP 144.3 Christian County IL (Drawing No. 1280-A-CSA-10)

Spread C

- MP 172.1 Moultrie County IL (Drawing No. 1280-A-CSA-11)

Spread F

- MP 374.8 Decatur County IL (Drawing No. 1280-A-CSA-12)
- MP 424.7 Butler County OH (Drawing No. 1280-A-CSA-6)

As support for its Notice to Proceed request, Rockies Express submits the following data with respect to the facilities for which authorization to commence construction is sought:

- Aerial photo map for each site;
- Supporting data for each site, including
 - Cultural resource information (privileged and confidential)
 - Satisfaction of specific conditions

Please direct any questions with respect to this request for authorization to proceed to Ryan Childs at (307) 760-5635.

Respectfully submitted,

/s/ Curt Moffatt
J. Curtis Moffatt
Shippen Howe
Van Ness Feldman, P.C.
1050 Thomas Jefferson Street, N.W.
Washington, D.C. 20007
Attorneys for
Rockies Express Pipeline LLC

Attachments

cc: Alys Lykens
Laura Turner
All Parties

**Rockies Express Pipeline LLC
REX-East Project
CP07-208**

April 11, 2008

ATTACHMENT A

Public

**Rockies Express Pipeline LLC
REX-East Project
CP07-208**

April 11, 2008

ATTACHMENT B

**Contains Privileged Information –
Do Not Release**

**ROCKIES EXPRESS PIPELINE LLC
DOCKET NO. CP07-208-000
REQUEST FOR NOTICE TO PROCEED
STAGING AREAS**

1.0 INTRODUCTION

Rockies Express Pipeline LLC (Rockies Express) is requesting a Notice to Proceed from the Federal Energy Regulatory Commission (FERC) to commence certain construction activities associated with the Rockies Express Pipeline-East (REX-East) Project that have been authorized in this docket. Specifically, and as more fully described herein, Rockies Express requests approval to proceed with the use of several staging areas that will be used to mobilize construction crews at the beginning and ending of Rockies Express' 2008 pipeline construction spreads. Section 2.0 of this Notice to Proceed request shows the requested facilities in table and text format.

In summary, Rockies Express has completed cultural resources surveys of the requested Staging Areas such that the FERC's obligation to the comply with section 106 of the National Historic Preservation Act (NHPA) can be demonstrated through concurrence with the results of the surveys by the various appropriate State Historic Preservation Offices (SHPO). In addition, compliance with section 7 of the Endangered Species Act can be demonstrated for the Staging Areas through consultations and surveys with the appropriate U.S. Fish and Wildlife Service (FWS) field offices. Section 4.1.1 of this Notice to Proceed discusses section 7 compliance and section 4.1.3 of this Notice to Proceed discusses the status of cultural resources surveys and SHPO concurrence.

Rockies Express respectfully requests issuance of the Notice to Proceed for these proposed areas by **June 5, 2008**.

2.0 DESCRIPTION OF FACILITIES

The following table identifies the locations of yards included with this Notice to Proceed request. The proposed staging areas are different from those presented in the Final Environmental Impact Statement (FEIS). Section 3.3 below discusses further the new staging areas as well as requests approval of these areas in writing, as required by Certificate Condition No. 5. Maps clearly defining the area requested are included as Attachment A.

TABLE 2.1-1				
Rockies Express Pipeline-East Project Locations of Staging Areas				
Staging Area - Spread Requirement	Milepost	County, State	Approximate Size and Land Use	Drawing
Spread A-1	0.0	Audrain, Missouri	4.5 acres; Cultivated Land	1280-A-CSA-1
Spread A2	107.1	Sangamon, Illinois	4.8 acres; Cultivated Land	1280-A-CSA-2
Spread B	144.3	Christian, Illinois	4.4 acres; Cultivated Land	1280-A-CSA-10
Spread C	172.1	Moultrie, Illinois	2.7 acres; Cultivated Land	1280-A-CSA-11
Spread F	374.8	Decatur, Indiana	3.8 acres; Cultivated Land	1280-A-CSA-12
Spread F	424.7	Butler, Ohio	6.6 acres; Cultivated Land	1280-A-CSA-6

**Rockies Express Pipeline-East Project
Request for Notice to Proceed with Staging Areas**

3.0 CERTIFICATE CONDITIONS

Attachment B summarizes Rockies Express' compliance with each of the FERC's 147 Certificate Conditions for the REX-East Project, and it identifies where Rockies Express has addressed its compliance with each (i.e., in a prior filing or in this Request for Notice to Proceed). Note that Rockies Express filed its Initial Implementation Plan in compliance with Certificate Condition No. 6 on May 2, 2008.

Table 3-1 summarizes Rockies Express' responses to the Certificate Conditions that are applicable and specific to its Notice to Proceed request for the staging areas.

TABLE 3-1 Rockies Express Pipeline-East Project Certificate Conditions Applicable to Staging Areas	
No.	Condition Requirement (summarized)
1	Follow construction procedures and mitigation measures described in application, supplemental filings (including responses to staff data requests), and identified in the EIS, unless modification is requested and approved.
4	Authorized facility locations are shown in the EIS, as supplemented by filed alignment sheets. Modifications or site-specific clearances must be written and reference locations on alignment maps/sheets.
5	File alignment maps/sheets and aerial photographs at 1:6,000-scale identifying all route realignments or facility relocations, and areas that would be used or disturbed and have not been previously identified for approval.
6	Implementation Plan – Gantt chart
54	File locations by milepost of springs, seeps, and wells identified within 150 feet of construction work areas.
79	File CRP locations, agency correspondence, and mitigation measures to protect CRP lands.
89	Complete bat surveys prior to construction and implement mitigation measures for 2008 surveys.
91	File specific mitigation measures in accordance with BA that apply within an identified habitat unit ID.
141	Defer construction and use of all facilities until cultural resources surveys and SHPO consultations have been completed.

3.1 Certificate Condition No. 1

Rockies Express does not require any modifications to the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests) and as identified in the FEIS and the Certificate for the construction of the staging areas requested herein.

3.2 Certificate Condition No. 4

Rockies Express is providing herein as Attachment A detailed maps of the staging areas requested herein at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order.

3.3 Certificate Condition No. 5

Rockies Express has identified several additional temporary workspaces, herein referred to as staging areas, which have been modified from the locations identified in the FEIS. The primary reason for this is that Rockies Express has modified its construction spread layout and, therefore, has identified additional areas necessary to mobilize construction crews at the beginning and ending of Rockies Express' new 2008 pipeline construction spreads.

**Rockies Express Pipeline-East Project
Request for Notice to Proceed with Staging Areas**

In accordance with Certificate Condition No. 5, Rockies Express is requesting approval in writing by the Director of OEP before use of these areas. Table 2.1-1 above lists the existing land use/cover type associated with each new area. Further, information regarding state- and federally threatened or endangered species is discussed in section 4.1.1, and cultural resources compliance is discussed in section 4.1.3. Condemnation for the staging areas included in this Notice to Proceed request will not be required. Maps clearly defining the area requested are included as Attachment A.

3.4 Certificate Condition No. 6

Rockies Express filed its Initial Implementation Plan, items a. through f. in its acceptance of the Commission's Order. As required by item f. of Certificate Condition No. 6, Rockies Express is filing as Attachment C a Gantt chart showing the completion of all required surveys and reports; the mitigation training of on-site personnel; the start of construction; and the start and completion of restoration.

3.5 Certificate Condition No. 54

The construction work areas associated with the staging areas requested herein are not within 150 feet of any known springs, seeps, or wells.

3.6 Certificate Condition No. 79

Rockies Express has confirmed that no construction work areas associated with the staging areas requested herein will impact any Conservation Reserve Program lands.

3.7 Certificate Condition No. 89

No construction work areas associated with the staging areas requested herein will require Indiana bat surveys in 2008.

3.8 Certificate Condition No. 91

As no construction work areas associated with the staging areas requested herein will require Indiana bat surveys, no specific mitigation measures in accordance with the Biological Assessment will be necessary.

3.9 Certificate Condition No. 141

Information regarding compliance with section 106 of the NHPA and the status of cultural resources surveys and SHPO correspondence is discussed in section 4.1.3 of this Notice to Proceed request.

4.0 ENVIRONMENTAL CLEARANCES

4.1 Status of Required Permits and Authorizations

Table 4.1-1 lists the status of permits applicable to the staging areas included in this Notice to Proceed request. Permits or authorizations not listed are not required for or are exempt from the activities requested at the staging areas.

**Rockies Express Pipeline-East Project
Request for Notice to Proceed with Staging Areas**

TABLE 4.1-1 Rockies Express Pipeline-East Project Status of Permits – Staging Areas		
Agency/Permit	Date Application Submitted	Permit Receipt Date (or Anticipated)
FEDERAL PERMITS		
Certificate of Public Convenience and Necessity	4/30/2007	5/30/2008
Section 7 Consultations (All States)	Ongoing since February 2007	4/24/2008
STATE PERMITS		
MISSOURI		
State Listed Species, Species of Concern Consultation	Ongoing since February 2007	8/21/2007 4/22/2008
Section 106 Clearance for Cultural Resources	Ongoing since February 2007	See table 4.1.3-1
Consultation to determine if proposed project would have any impact on receptors of cultural importance	Ongoing since February 2007	See table 4.1.3-1
General Permit for Land Disturbance	5/6/2008	5/29/2008
ILLINOIS		
State Listed Species, Species of Concern Consultation	Ongoing since February 2007	3/19/2007 4/9/2008
Section 106 Clearance for Cultural Resources	Ongoing since February 2007	See table 4.1.3-1
Consultation to determine if the proposed project would have any impact on receptors of cultural importance	Ongoing since February 2007	See table 4.1.3-1
INDIANA		
State Listed Species, Species of Concern Consultation	Ongoing since February 2007	7/27/2007 4/17/2008
Section 106 Clearance for Cultural Resources	Ongoing since February 2007	See table 4.1.3-1
Consultation to determine if the proposed project would have any impact on receptors of cultural importance	Ongoing since February 2007	See table 4.1.3-1
OHIO		
State Listed Species, Species of Concern Consultation	Ongoing since February 2007	5/30/2008
Section 106 Clearance for Cultural Resources	Ongoing since February 2007	See table 4.1.3-1
Consultation to determine if proposed project would have any impact on receptors of cultural importance	Ongoing since February 2007	See table 4.1.3-1

4.1.1 Status of Listed Species Surveys and Compliance with Section 7

Table 4.1.1-1 summarizes the status of state- and federally listed threatened or endangered species surveys at the requested staging areas for the REX-East Project.

TABLE 4.1.1-1 Rockies Express Pipeline-East Project Status of Listed Species Surveys at Staging Areas			
Staging Area	County, State	Federally Listed Species Clearance Received	State-Listed Species Clearance Received
Spread A-1	Audrain, Missouri	Yes	Yes
Spread A2	Sangamon, Illinois	Yes	Yes
Spread B	Christian, Illinois	Yes	Yes
Spread C	Moultrie, Illinois	Yes	Yes
Spread F	Decatur, Indiana	Yes	Yes

**Rockies Express Pipeline-East Project
Request for Notice to Proceed with Staging Areas**

TABLE 4.1.1-1 Rockies Express Pipeline-East Project Status of Listed Species Surveys at Staging Areas			
Staging Area	County, State	Federally Listed Species Clearance Received	State-Listed Species Clearance Received
Spread F	Butler, Ohio	Yes	Yes

Status of Surveys and Consultations Under Section 7 of the Endangered Species Act

Rockies Express consulted with the FWS, Columbia, Missouri; Marion, Illinois; Bloomington, Indiana; and Reynoldsburg, Ohio Field Offices, regarding potential effects of the REX-East Project on federally listed threatened and endangered species. As noted in the FEIS, the Indiana bat, whooping crane, clubshell, fanshell, fat pocketbook, northern riffleshell, decurrent false aster, eastern prairie fringed orchid, prairie bush clover, and running buffalo clover were identified by the FWS as federally listed species potentially occurring within the project area. As further noted in the FEIS, three candidate species for federal listing, the Eastern massassauga, rayed bean, and spectaclecase, were also identified by the FWS as potentially occurring within the project area. The FWS concluded that the REX-East Project would have *no effect* on 4 of the 10 federally listed threatened or endangered species (clubshell, decurrent false aster, eastern prairie fringed orchid, and prairie bush clover) and *may affect*, but *would not be likely to adversely affect* the remaining 6 federally listed threatened or endangered species (Indiana bat, whooping crane, fanshell, fat pocketbook, northern riffleshell, and running buffalo clover). The FWS also concluded that the REX-East Project *would not be likely to adversely affect* the Eastern massassauga, rayed bean, or spectaclecase.

Rockies Express has completed habitat review and threatened and endangered species surveys, where necessary, at all of the requested staging areas. In the specific case of staging areas, no surveys for threatened or endangered species were necessary due to a lack of suitable habitat. Rockies Express conducted surveys in the summer of 2007 for Indiana bats, federally listed mussel species, the running buffalo clover, and the Eastern massassauga in areas of suitable habitat as established through consultation with the FWS. Rockies Express provided the results of 2007 Indiana bat surveys in its supplemental filing dated September 28, 2007, the results of mussel surveys in its supplemental filing dated August 27, 2007, the results of running buffalo clover surveys in its supplemental filing dated July 27, 2007, and the results of Eastern massassauga surveys in its FERC environmental information request dated February 8, 2008.

Status of State-listed Threatened and Endangered Species Surveys and Consultations

Rockies Express has consulted with the Missouri Department of Conservation (MDC), Illinois Department of Natural Resources (ILDNR), Indiana Department of Natural Resources (INDNR), and Ohio Department of Natural Resources (ODNR) regarding impacts on state-listed threatened and endangered species potentially affected by the project. As noted in the FEIS, these consultations resulted in the following state-listed species potentially affected by the project: bald eagle (MO, IL, IN, OH), greater prairie chicken (MO), loggerhead shrike (OH), northern harrier (OH), trumpeter swan (OH), Eastern hellbender (OH), tonguetied minnow (OH), variegate darter (IN), fawnsfoot (OH), long-solid (OH), rabbitsfoot (IN, OH), sharp-ridged pocketbook (OH), snuffbox (IN, OH), washboard (OH), and Drummond's aster (OH).

**Rockies Express Pipeline-East Project
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Rockies Express has completed habitat review at all requested staging areas for the following species: bald eagle, greater prairie chicken, loggerhead shrike, northern harrier, trumpeter swan, Eastern hellbender, tongue-tied minnow, variegate darter, fawnsfoot, long-solid, rabbitsfoot, sharp-ridged pocketbook, snuffbox, washboard, and Drummond's aster. In the specific case of staging areas, no surveys for state-listed threatened or endangered species were necessary due to a lack of suitable habitat.

Rockies Express conducted a written survey of landowners within potential greater prairie chicken habitat in 2007 but did not identify active leks in any areas of the project in Missouri. Rockies Express provided concurrence with these results from the MDC in its supplemental filing dated July 27, 2007. Rockies Express has completed surveys for state-listed mussel and fish species in Indiana, state-listed mussel species in Ohio, Eastern hellbender in Ohio, and Drummond's aster in Ohio in areas of suitable habitat as established through consultation with the INDNR and ODNR. Rockies Express provided the results of Indiana mussel and fish surveys in its supplemental filing dated August 14, 2007, the results of mussel surveys in Ohio in its supplemental filing dated August 27, 2007, and results of Eastern hellbender surveys and Drummond's aster surveys in Ohio in its FERC environmental information request dated February 8, 2008. None of these surveys positively identified any state-listed species in the project area.

Rockies Express has discussed its compliance with Certificate Condition No. 82 in its Implementation Plan. Through correspondence with the FWS and state agencies, Rockies Express has confirmed that the workspaces associated with the staging areas requested herein will not impact any nesting bald eagles.

4.1.2 Status of Remaining Wetland and Waterbody Surveys

Rockies Express has completed wetland and waterbody surveys and has confirmed that there are no wetlands or waterbodies present at any of the requested staging areas.

4.1.3 Status of Cultural Resource Surveys and Compliance with Section 106

Summary of Cultural Resource Surveys

In several supplemental filings between 2007 and 2008 with the FERC, Rockies Express provided evidence of completion of cultural resource surveys and concurrence with the results of those from the state SHPOs for the staging areas being requested for Notice to Proceed. In accordance with Certificate Condition No. 141, Rockies Express is providing with this filing a summary of the status of its cultural resource surveys for the facilities for which it seeks Notice to Proceed in this request. The status of cultural resource surveys for the project can be summarized in two categories: i) surveys completed with SHPO concurrence; and ii) surveys completed but pending SHPO concurrence. Each of these categories is described in more detail below.

Table 4.1.3-1 summarizes the status of cultural resources survey and SHPO concurrence for the staging areas requested herein. Copies of the applicable cultural report and SHPO concurrence letters are included as Attachment D. This information is being filed under separate cover and has been marked "Contains Privileged Information – Do Not Release."

Rockies Express Pipeline-East Project
Request for Notice to Proceed with Staging Areas

Surveys Completed - SHPO Concurrence Previously Filed with FERC

Rockies Express proposes to utilize additional workspace at Spread A-1 (MP 0.0) as a staging area during construction. This area was surveyed and reported under the Rockies Express Pipeline-West (REX-West) Project in Phelps County, Nebraska and Audrain County, Missouri. The survey results were submitted to the Missouri SHPO, and their comments were filed with the FERC under Docket No. CP04-413-004.

Rockies Express has completed surveys of and received concurrence from the appropriate state SHPO for the following staging areas: Spread A-2 (MP 107.1), Spread B (MP 144.3), Spread C (MP 172.1), Spread F (MP 374.8, east side only), and Spread F (MP 424.7). Table 4.1.3-1 lists the dates each report and appropriate state-SHPO concurrence was submitted to the FERC.

Rockies Express Pipeline-East Project Request for Notice to Proceed with Staging Areas

TABLE 4.1.3-1

Rockies Express Pipeline-East Project Status of Cultural Resources Surveys and Compliance at Staging Areas

Staging Area and Milepost (MP)	Survey Status	Report No.	Report Title	Submitted to SHPO	SHPO Comment Received	Report Filed with FERC	SHPO Comments Filed with FERC
Spread A-1 / MP 0.0	Complete	na	A Phase I Cultural Resources Survey of the Missouri Segment of the Proposed Rockies Express Pipeline Project (REX) Corridor, Buchanan, Clinton, Caldwell, Carroll, Chariton, Randolph, and Audrain Counties, Missouri		FERC Docket No. CP08-354-000		
Spread A-2 / MP 107.1	Complete	REX-East-IL-11	Rockies Express East Pipeline Project (REX-East) Spread 4, Phase II Work Plans for Nine Sites in Parke, Putnam, and Hendricks Counties, Indiana (Second Mobilization).	4/7/2008	4/30/08	4/11/2008	4/30/2008
Spread B / MP 144.3	Complete	REX-East-IL-02	Phase I Archaeological Investigations and Phase I Reconnaissance Survey of Above-Ground Resources Rockies Express Pipeline-East (REX-East) Project, Pike, Scott, Morgan, Sangamon, Christian, Macon, Moultrie, Douglas, and Edgar Counties, Illinois.	4/3/2007	6/15/2007; UDP 6/18/07	4/30/2007	7/6/2007
	Complete	REX-East-IL-08	Supplemental Phase I Archaeological and Deep Test Investigations Rockies Express Pipeline-East (REX-East) Project, Pike, Scott, Morgan, Sangamon, Christian, Macon, Moultrie, Douglas, and Edgar Counties, Illinois.	12/27/2007	1/25/2008	12/21/2007	2/1/2008
Spread C / MP 172.1	Complete	REX-East-IL-02	Phase I Archaeological Investigations and Phase I Reconnaissance Survey of Above-Ground Resources Rockies Express Pipeline-East (REX-East) Project, Pike, Scott, Morgan, Sangamon, Christian, Macon, Moultrie, Douglas, and Edgar Counties, Illinois.	4/3/2007	6/15/2007; UDP 6/18/07	4/30/2007	7/6/2007
	Complete	REX-East-IL-05	Supplemental Phase I Archaeological Investigations and Phase I Reconnaissance Survey of Above-Ground Resources Rockies Express Pipeline-East (REX-East) Project, Pike, Scott, Morgan, Sangamon, Christian, Macon, Moultrie, Douglas, and Edgar Counties, Illinois.	8/21/2007	9/10/2007	8/27/2007	9/28/2007
Spread F / MP 374.8 (east side only)	Complete	REX-East-IN-21	Phase I Archaeological Investigations, Rockies Express Pipeline-East (REX-EAST) Project, Spreads 5 and 6, Indiana - Third Mobilization. Hendricks, Morgan, Johnson, Shelby, Decatur, and Franklin Counties, Indiana	Vo. 1-2; 12/21/07; Vo. 3: 1/10/08	2/1/2008	Vo. 1-2; 12/21/07	2/19/2008
Spread F / MP 424.7	Complete	REX-East-OH-02	Phase I Archaeological Survey for the Proposed Rockies Express East Pipeline Project, Butler, Warren, Clinton, Greene, Fayette, Pickaway, Fairfield, Perry, Muskingum, Morgan, Guernsey, Noble, Belmont, and Monroe Counties, Ohio.	4/10/2007; Final 11/13/07	5/9/2007; UDP 5/14/2007; final 12/21/07	4/30/2007; Final 12/3/07	5/18/2007
	Complete	REX-East-OH-16	Second Addendum Report: Additional Phase I Cultural Resources Survey for the Proposed Rockies Express Pipeline-East Project, Butler, Warren, Clinton, Greene, Fayette, and Pickaway Counties, Ohio. Vol. I - III	4/4/2008	4/29/2008 5/13/08	4/11/2008	5/9/2008 5/21/2008

**ROCKIES EXPRESS PIPELINE-EAST PROJECT
REQUEST FOR NOTICE TO PROCEED WITH STAGING AREAS
ATTACHMENT A**

ROCKIES EXPRESS PIPELINE-EAST PROJECT
REQUEST FOR NOTICE TO PROCEED WITH STAGING AREAS
ATTACHMENT B

ATTACHMENT B			
Rockies Express Pipeline-East Project Certificate Conditions Applicability / Status			
No.	Condition Requirement (summarized)	Response Previously Filed ^a	Addressed In Current Request NA
1	Follow construction procedures and mitigation measures described in application, supplemental filings (including responses to staff data requests), and identified in the EIS, unless modification is requested and approved.	X	X
2	The Director of OEP has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the REX-East Project.	X	
3	File affirmative statement that company personnel, EIs, and contractor personnel will be informed of EI's authority and have been trained on the environmental mitigation measures appropriate to their jobs.	X	
4	Authorized facility locations are shown in the EIS, as supplemented by filed alignment sheets. Modifications or site-specific clearances must be written and reference locations on alignment maps/sheets.	X	X
5	File alignment maps/sheets and aerial photographs at 1:6,000-scale identifying all route realignments or facility relocations, and areas that would be used or disturbed and have not been previously identified for approval.		X
6	File initial Implementation Plan.	X	X
7	File updated weekly status reports prepared by the lead EI.	X	
8	Implement an environmental complaint resolution procedure to remain active for 3 years following construction.	X	
9	Receive written authorization from the Director of OEP before commencing service of the Project.	X	
10	File an affirmative statement that facilities have been constructed in compliance with all applicable conditions.	X	
11	Defer service from Duke Energy's planned transmission line until Ohio SHPO and FWS comments are filed and approval is obtained from Director of OEP.	X	
12	Where pipeline parallels PEPL's 300 and 400 lines, revise construction plans to overlap 15 feet of the existing PEPL permanent right-of-way.	X	
13	File revised construction plans to center pipeline within permanent right-of-way unless this decreases distance between pipeline and PEPL to less than 65 feet.	X	
14	File use and site-specific justification for size of each additional temporary workspace.		X
15	Do not exercise eminent domain authority to acquire additional workspace for topsoil storage.	X	
16	File revised Plan and Procedures to be consistent with tables 2.3-1 and 2.3-2 of the EIS.	X	
17	File site-specific justification for each additional workspace within 50 feet of a wetland or waterbody.		X
18	File bulk material disposal plan for excess rock, trees, brush, and other construction debris.	X	
19	File Hydrostatic Testing Plan.		X
20	Revise Procedures and alignment sheets for a 75-foot-wide construction right-of-way in wetlands; file site-specific justification for additional workspace.		X
21	File list of fluids used during micortunneling process.		X
22	File construction plan for locations where pipeline crosses or would be constructed along or with power line rights-of-way, and additional mitigation measures to prevent damage from fault currents and induced voltages.		X
23	File draft third-party environmental monitoring program; obtain proposals to provide monitoring services.	X	
24	Incorporate variation from MP 291.0 to MP 291.3 (McCarroll property) and file updated alignment sheets.		X
25	Incorporate variation from MP 300.5 to MP 301.0 (Rogers property) and file updated alignment sheets.		X

ATTACHMENT B				
Rockies Express Pipeline-East Project Certificate Conditions Applicability / Status				
No.	Condition Requirement (summarized)	Response Previously Filed *	Addressed In Current Request	NA
26	Incorporate variation from MP 318.1 to MP 318.5 (Parker property) and file updated alignment sheets.			X
27	Incorporate variation from MP 370.0 to MP 370.6 (Ahverson properties) and file updated alignment sheets.			X
28	Incorporate variation from MP 376.3 to MP 376.8 (Brattain property) and file update alignment sheets.			X
29	Incorporate variation from MP 380.4 to MP 380.6 (Yane property), and file updated alignment sheets and site-specific erosion and spill control measures to protect pond from contamination and siltation.			X
30	Incorporate variation from MP 383.1 to MP 384.0 (Morgan property) and file updated alignment sheets.			X
31	File site-specific construction plan for extended bore of Walnut Fork Creek and Pipe Creek Road.			X
32	Incorporate variation from MP 395.1 to MP 395.8 (White property) and file updated alignment sheets.			X
33	File documentation of easement agreements for variation from MP 401.5 to MP 402.4, or documentation of consultation with Schulte, Oetzel, and Stim of route variation that addresses their concerns. File revised alignment sheets, and a summary of environmental resources affected by revised route.			X
34	Incorporate variation from MP 405.1 to MP 405.9 (Minges and Schoenhart properties) and file updated alignment sheets.			X
35	Incorporate variation from MP 406.2 to MP 406.5 (Maus property) and file updated alignment sheets.			X
36	File documentation of easement agreements for variation from MP 417.8 to MP 418.4, or documentation of consultation with Storck-Stump and Hesford of route variation that addresses their concerns. File revised alignment sheets, and a summary of environmental resources affected by revised route.			X
37	Incorporate variation from MP 426.1 to MP 426.3 (Chase variation) and file updated alignment sheets.			X
38	Incorporate variation from MP 452.7 to MP 453.8 (Frye variation), file updated alignment sheets, and submit information to Village of Waynesville, Ohio Waste and Water Division of the Utilities Department, and other applicable agencies regarding construction in the WPA.			X
39	Incorporate variation from MP 458.1 to MP 458.9 (Mowrey and Jones properties) and file updated alignment sheets.			X
40	Incorporate variation from MP 459.8 to MP 460.0 (Rowe variation) and file updated alignment sheets.			X
41	Incorporate variation from MP 477.1 to MP 477.5 (Kile property) and file updated alignment sheets.			X
42	File documentation of easement agreements for variation from MP 521.9 to MP 523.3, or documentation of consultation with Scothorn and Petty of route variation that addresses their concerns. File revised alignment sheets, and a summary of environmental resources affected by revised route.			X
43	File revised alignment sheets of variation from MP 555.4 to MP 557.3 (Noll Route Variation).			X
44	File documentation of easement agreements for variation from MP 623.3 to MP 624.4, or documentation of consultation with Shaffer of route variation that addresses their concerns. File revised alignment sheets, and a summary of environmental resources affected by revised route.			X
45	Incorporate variation from MP 384.0 to MP 384.4 (Revised MP 384 Variation for residences, but starts at MP 384.0) and file updated alignment sheets.			X
46	Incorporate variation from MP 446.5 to MP 447.4 (FERC's Revised McCarty Variation), file updated alignment sheets, and provide landowner notification package to the newly affected landowner(s).			X

ATTACHMENT B				
Rockies Express Pipeline-East Project Certificate Conditions Applicability / Status				
No.	Condition Requirement (summarized)	Response Previously Filed *	Addressed in Current Request	NA
47	File site-specific plan for oil or gas wells within the construction work area, both active and abandoned.			X
48	File plan for identification of karst features and mitigation for crossing features during construction.	X		
49	File contingency plan for HDDs in the karst areas.	X		
50	File Mining Subsidence Plan.	X		
51	File consultations with INDNR and ODNR regarding scour susceptibility of waterbodies crossed, and list of scour-prone areas.	X		
52	File High Water Contingency Plan for construction of Mississippi River crossing.			X
53	File Agricultural Wet Weather Contingency Plan.	X		
54	File locations by milepost of springs, seeps, and wells identified within 150 feet of construction work areas.		X	
55	File revised SPCC Plan to restrict refueling near wetlands and waterbodies, and private and municipal water supply wells.	X		
56	File site-specific spill plan to reduce spills/leaks from construction-related equipment at Hoosier Hills WPA.			X
57	File water quality testing plan for Hoosier Hills Regional Water District's existing wells; provide copies to Hoosier Hills.			X
58	Notify Hoosier Hills at least 48 hours prior to the start of construction between MPs 393 and 394.	X		
59	File agency consultations regarding construction in WPAs or other groundwater management areas crossed.	X		
60	File report identifying all water supply wells/systems damaged by construction and how repaired.			X
61	File documentation of consultation with organizations/individuals that withdraw potable water within 3 miles of Flatrock River (MP 362.7) and Somerset Creek (MP 553.2), and final consultations with City of Louisiana in Missouri.			X
62	File HDD geotechnical feasibility investigations, revised site-specific construction diagrams, and contingency plans for Embarras and Muskingum Rivers.			X
63	Cross all dry intermittent waterbodies using open-cut method and mitigation measures v(B)(2) through v(B)(4) of Procedures.	X		
64	File revised site-specific crossing plans showing restoration and mitigation measures for waterbodies listed in tables 4.3.5-1 and 4.6.2-1 of the EIS and applicable agency consultations.			X
65	File agency consultations prior to initiating alternative crossing method at Paint Creek or White River.			X
66	Successfully complete HDD or microtunneling of Little Miami River between MP 432.9 and MP 467.2.			X
67	Successfully complete HDD or microtunneling of Big Darby Creek between MP 494.1 and MP 533.9.			X
68	File site-specific plans that identify the source and discharge locations of hydrostatic test water for HDD of Little Miami River and Big Darby Creek.			X
69	Provide Hoosier Hills Regional Water District copy of hydrostatic test water analysis prior to Whitewater River discharge.			X
70	File site-specific blasting plans for each wetland with shallow bedrock prior to blasting.			X
71	File site-specific wetland restoration plan for Blackburn Island in consultation with COE, FWS, and MODNR.			X
72	Consult with COE, FWS, and appropriate agencies regarding forested wetlands and revise Wetland Mitigation Plan.			X
73	File consultations with COE, FWS, and appropriate agencies, and final Wetland Mitigation Plan.			X
74	No tree clearing between HDD drill entry site and HDD drill exit site.	X		

ATTACHMENT B				
Rockies Express Pipeline-East Project Certificate Conditions Applicability / Status				
No.	Condition Requirement (summarized)	Response Previously Filed ^a	Addressed In Current Request	NA
75	Use onsite markers along permanent right-of-way to identify "no clearing" zones within vegetated riparian strips adjacent to waterbodies avoided during maintenance activities.	X		
76	File site-specific construction plan showing 75-foot right-of-way at classified forest from MP 331.9 and MP 332.2; justify any tree removal.			X
77	File Compensatory Mitigation Plan for classified forest areas in Indiana.			X
78	File Flood Control Permit from INDNR.			X
79	File CRP locations, agency correspondence, and mitigation measures to protect CRP lands.		X	
80	Use only certified weed-free straw or hay bales for sediment barriers or mulch during construction and revegetation of disturbed areas.	X		
81	File documentation of correspondence with Comprehensive Wildlife Conservation Strategy Coordinators for Missouri, Indiana, and Ohio.	X		
82	File documentation of consultations with FWS to determine need for bald eagle surveys. If surveys are required, file survey reports along with FWS comments.	X		
83	Comply with Conservation Guidelines.	X		
84	Develop construction schedules for Grassy Creek and the Upper Mississippi COA.			X
85	Comply with waterbody crossing time windows established by the ILDNR, INDNR, and OPSB.	X		
86	Use dry-ditch method at waterbodies considered fisheries of special concern and < 30 feet wide; request approval for wet crossing method.	X		
87	Implement measures for habitat unit IDs surveyed in 2007 and for which Indiana bats were identified but no nursery roost trees were identified.	X		
88	Implement measures for habitat unit IDs surveyed in 2007 and for which Indiana bats were identified and nursery roost trees were identified.	X		
89	Complete bat surveys prior to construction and implement mitigation measures for 2008 surveys.		X	
90	File updated list of areas to be surveyed for Indiana bats identifying the habitat unit IDs by milepost.	X		
91	File specific mitigation measures in accordance with BA that apply within an identified habitat unit ID.		X	
92	Do not burn trees, limbs, brush, and debris in the right-of-way within 500 feet of suitable habitat associated with each habitat unit ID.	X		
93	Do not use herbicides or pesticides for maintenance of the permanent right-of-way or adjacent forested areas.	X		X
94	If Mississippi River, Wabash River, Big Walnut Creek, or Big Darby Creek crossing fails, halt construction activities and file site-specific alternate waterbody crossing plans in consultation with FERC, COE, and FWS.			X
95	Do not begin alternative crossing of the Mississippi River, Wabash River, Big Walnut Creek, or Big Darby Creek until FERC consults with FWS and COE, and approval is received in writing.			X
96	Use dry-ditch crossing method at Sugar Creek (MP 484.3).			X
97	Limit specific construction activities within 300 feet of documented nursery roost trees and alternative roost trees identified.	X		
98	Have FWS-qualified biologist supervise tree clearing operations in Indiana bat habitat.	X		
99	Implement mitigation measures if whooping cranes are encountered in vicinity of construction work area.	X		
100	File mussel survey reports for Anderson Fork, East Fork Paint Creek, Little Walnut Creek, Tributary to Burley Run, Brush Creek, Buffalo Fork, Tributary to Crabapple Creek, and Cal Run in Ohio, documentation of consultation with FWS and ODNR, and conservation measures.			X

ATTACHMENT B				
Rockies Express Pipeline-East Project Certificate Conditions Applicability / Status				
No.	Condition Requirement (summarized)	Response Previously Filed *	Addressed In Current Request	NA
101	Do not withdraw hydrostatic test water from Sugar Creek, the Scioto River, Deer Creek, and Big Darby Creek or their tributaries.	X		
102	If Scioto River, Deer Creek in Deer Creek State Park, or Big Darby Creek cross fails, halt construction and file site-specific alternate waterbody crossing plans in consultation with FERC, COE, and FWS.	X		
103	Do not begin alternative crossing of Scioto River, Deer Creek in Deer Creek State Park, or Big Darby Creek until FERC consults with FWS and COE, and approval is received in writing.	X		
104	File running buffalo clover survey reports and documentation of FWS consultation, and implement mitigation measures.	X		
105	Develop and implement 5-year post-construction monitoring program to evaluate crop productivity; file quarterly reports for 5 years following construction.	X		
106	Employ two Agricultural Inspectors for Spreads 1, 2, 3, 4, and 5.	X		
107	Hire local drain tile contractors to install/repair drain tiles damaged or rerouted due to construction activities.	X		
108	Identify and mark damaged tile lines, provide information to landowner and local Soil and Water Conservation District, and keep in company's landowner records.	X		
109	Bury pipeline 5 feet deep where crossing agricultural fields unless otherwise negotiated with landowners.	X		
110	File documentation that landowners with 3 feet of cover in agricultural fields were offered opportunity of 5 feet of cover.			X
111	File site-specific plans in consultation with affected landowners describing how horse and operation impacts would be avoided, minimized, or mitigated between MP 523 and MP 524, and at MP 460.			X
112	Reduce construction right-of-way to 75 feet through forested portion of Wilson Friendly Maple Farm.			X
113	Develop plan to maintain safe egress at the Chester Township Fire Station.			X
114	File site-specific residential plans and evidence of landowner concurrence if construction/fencing are located within 10 feet of residence.			X
115	Identify septic systems and provide Septic System Contingency Plan to property owners.	X		
116	File consultations with Federal Aviation Administration and the Ohio Department of Transportation Office of Aviation about any restrictions in the vicinity of the Fairfield County Airport.			X
117	Maintain access or file mitigation plan for boat ramp adjacent to HDD exit site of the Mississippi River crossing.			X
118	File plan for canoe portage at West Fork White River during construction.			X
119	Maintain public access to B&O trail and avoid tree cutting at the crossing location.			X
120	File consultations with Camp Woods smoke regarding crossing schedule and additional safety mitigation.			X
121	File and provide to NPS site-specific plan for each tributary of the Little Miami River.			X
122	File consultations with NPS regarding need for mussel and fish spawning surveys at tributaries of Big Darby Creek crossed; file results of any required surveys.			X
123	File plan for construction and restoration of the Little Miami Scenic State Park, maintaining safe public access through construction area, and revegetating disturbed areas.			X
124	File site-specific crossing, mitigation, and restoration plan for Caesar Creek State Park and Wildlife Area, maintaining safe public access through construction area, and revegetating the disturbed areas.			X
125	File site-specific crossing (including the HDD crossing of Deer Creek Lake), mitigation, and restoration plan for Deer Creek State Park and Wildlife Area, and maintaining safe public access through construction area.			X

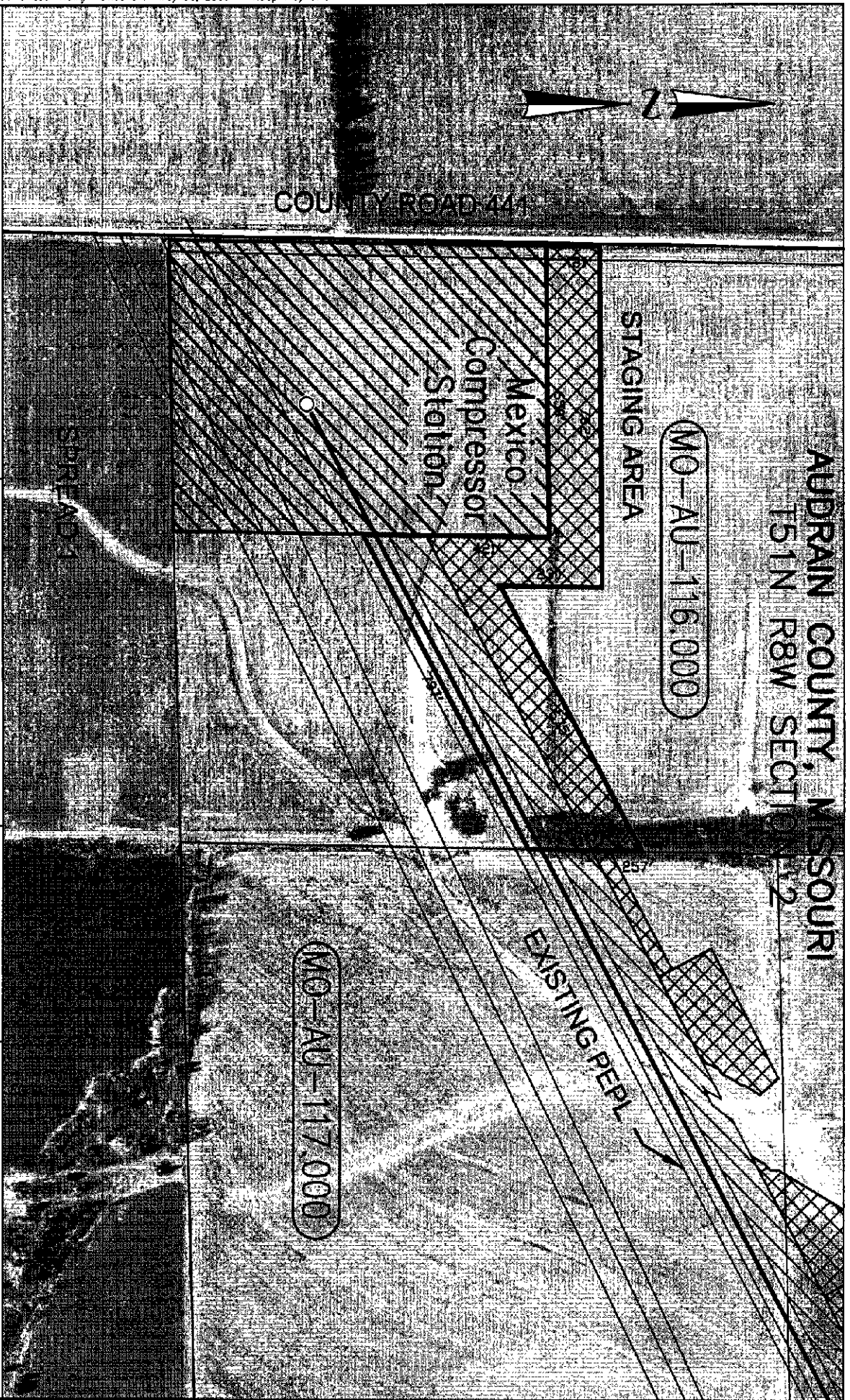
ATTACHMENT B				
Rockies Express Pipeline-East Project Certificate Conditions Applicability / Status				
No.	Condition Requirement (summarized)	Response Previously Filed ^a	Addressed In Current Request	NA
126	File site-specific crossing, mitigation, and restoration plan for pipeline construction activities in Perry State Forest and Blue Rock State Forest.			X
127	Work with White Oak Exotic Hunting Preserve to determine construction timing.			X
128	File plans for avoidance or mitigation at sites 23PI365 and 23PI294, and Missouri SHPO comments documentation.			X
129	Provide quarterly updates of consultations between Rockies Express, Missouri SHPO, Native American tribes, and landowner concerning human remains identified in Missouri.			X
130	Provide archaeological monitor between Missouri State Road AD and Salt River HDD exit point.			X
131	Provide archaeological monitor in vicinity of Montezuma Mound Group (11PK1245) from HDD exit point west to about MP 69.7.			X
132	File plans for crossing prehistoric mound sites 11PK89, 11PK1709 and 11PK1733, and Illinois SHPO comments.			X
133	Submit research plans to Indiana SHPO for additional testing in vicinity of 12FR125b, and file reports and SHPO comments.			X
134	Provide archaeological monitor in vicinity of former mound site 12SH12 from Van Pelt Ditch to County Road S 25 E.			X
135	Provide Indiana SHPO with project documents requested to evaluate historic properties, and file SHPO comments.			X
136	File treatment plan for Wabash & Erie Canal and Indiana SHPO comments.			X
137	File site-specific construction plan for horizontal bore of Whitewater Canal, developed with Indiana SHPO.			X
138	File assessment of project effects on Hunt-Forman Farm, treatment plan for the property, and Ohio SHPO comments.			X
139	Provide documentation/alignment sheets showing avoidance or Phase II testing of site 33FE293; file Phase II report and Ohio SHPO comments.			X
140	File plans for avoidance or mitigation and documentation of SHPO comments on plans for several sites.			X
141	Defer construction and use of all facilities until cultural resources surveys and SHPO consultations have been completed.		X	
142	File plan for Indianapolis, Indiana and Cincinnati-Hamilton, Ohio-Kentucky-Indiana nonattainment regions regarding monitoring compliance with Tier 2 and Tier 3 emissions, and emissions remain under General Conformity Thresholds.	X		
143	File updated site-specific plans for each HDD entry or exit site where noise mitigation is proposed.			X
144	File noise analysis for HDD sites not evaluated in the EIS.			X
145	Make all reasonable efforts to ensure predicted noise levels from compressor stations are not exceeded at nearby NSAs, and file noise surveys no later than 60 days after placing each station.			X
146	File survey results for Sny Levee District levee settlement monitoring every 6 months for 5 years after installation.	X		
^a Response to Certificate Condition was previously provided with Rockies Express' Initial Implementation Plan and acceptance of the Order Issuing Certificate, filed with the Federal Energy Regulatory Commission in June 2008.				

**ROCKIES EXPRESS PIPELINE-EAST PROJECT
REQUEST FOR NOTICE TO PROCEED WITH STAGING AREAS
ATTACHMENT C**

ROCKIES EXPRESS PIPELINE-EAST PROJECT
REQUEST FOR NOTICE TO PROCEED WITH STAGING AREAS
ATTACHMENT D
Contains Privileged Information – Do Not Release

CADD NAME: 1280-A-CSA-1

ALIGNMENT SHEET: 1280-D-105-001



AUDRAIN COUNTY, MISSOURI

15.1N R8W SECTION 2

MO-AU-116,000

STAGING AREA

Mexico Compressor Station

EXISTING PERL

MO-AU-117,000



Rockies Express Pipeline

ROCKIES EXPRESS PIPELINE
 REX-EAST
 CONTRACTOR STAGING AREA
 COUNTY ROAD 441

Audrain County, Missouri

DWN. BY:	G.I.E.	03/13/08
CHK.	G.I.E.	03/13/08
PROJ. ENGR.	G.I.E.	
PROD. MGR.	G.I.E.	
CLIENT APP.	G.I.E.	

SCALE: 1" = 300'

DWG. NO. 1280-A-CSA-1

SHT. NO. 1 of 1
 REV. 0

CADD NAME: 1280-A-CSA-2

ALIGNMENT SHEET: 1280-D-105-040

SANGAMON COUNTY, ILLINOIS
T13N R8W SECTION 1

107

STAGING AREA

IL-SA-003.000

WAVERLY ROAD

IL-SA-003.1CR

EXISTING PEPL

AUBURN ROAD



Rockies Express Pipeline

ROCKIES EXPRESS PIPELINE

REX-EAST

CONTRACTOR STAGING AREA

WAVERLY ROAD

Sangamon County,

Illinois

DWN. BY: G.I.E. 03/13/08

CHK: G.I.E. 03/13/08

PRG. ENGR: G.I.E.

PRG. WGR: G.I.E.

CLEN. APP: G.I.E.

SCALE: 1" = 300'

DWG. NO. 1280-A-CSA-2

SHEET NO. 1 of 1

REV 0

CADD NAME: 1280-A-CSA-2

ALIGNMENT SHEET: 1280-D-105-054

SPREAD A

COUNTY ROAD 22

Blue Mount
Compressor
Station

COUNTY ROAD 2500N

IL-CS-078.000

CHRISTIAN COUNTY, ILLINOIS
T15N R2W SECTION 36

144

STAGING AREA

STAGING AREA

SPREAD B



Rockies Express Pipeline

ROCKIES EXPRESS PIPELINE
REX-EAST
CONTRACTOR STAGING AREA
COUNTY ROAD 22

Christian County, Illinois

DWN BY:	G.I.E.	05/29/08
CHK	G.I.E.	05/29/08
PROJ. MGR	G.I.E.	
PROJ. APP.	G.I.E.	
SCALE:	1" = 300'	

DWG. NO.	1280-A-CSA-10	SPL. NO.	1 of 1	REV.	0
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CADD NAME: 1280-A-CSA-2

ALIGNMENT SHEET: 1280-D-105-064

SPREAD B

IL-MC-120.1RD

GATHER ROAD

172

WAGON COUNTY, ILLINOIS
T15N R4E

MOULTRE COUNTY, ILLINOIS
T15N R4E SECTION 3

STAGING AREA

IL-MC-121.1CR

IL-MD-001.0000

SPREAD C



Rockies Express Pipeline

ROCKIES EXPRESS PIPELINE

REX-EAST

CONTRACTOR STAGING AREA

COUNTY ROAD 2430E

Moultrie County,

Illinois

DWN. BY: G.I.E. 05/29/08

CHK: G.I.E. 05/29/08

PROJ. ENGR: G.I.E.

PROJ. MGR: G.I.E.

CLIENT APP: G.I.E.

SCALE: 1" = 300'

DWG. NO.

1280-A-CSA-11

SHT. NO.

1 of 1

REV

0

CADDSS NAME: 1280-A-CSA-5

ALIGNMENT SHEET: 1280-D-105-138

SPREAD E

N COUNTY ROAD
800E

STAGING AREA

IN-DC-075.1RD

STAGING AREA

IN-DC-076.000

IN-DC-077.000

8

M 375 P



Rockies Express Piping

ROCKIES EXPRESS PIPELINE

REX-EAST

CONTRACTOR STAGING AREA

N COUNTY ROAD 800E

Decatur County,

Indiana

DWN. BY:	G.I.E.	05/29/08
CHK.	G.I.E.	05/29/08
PROJ. ENGR.	G.I.E.	
PROJ. MGR.	G.I.E.	
CLIENT APP.	G.I.E.	

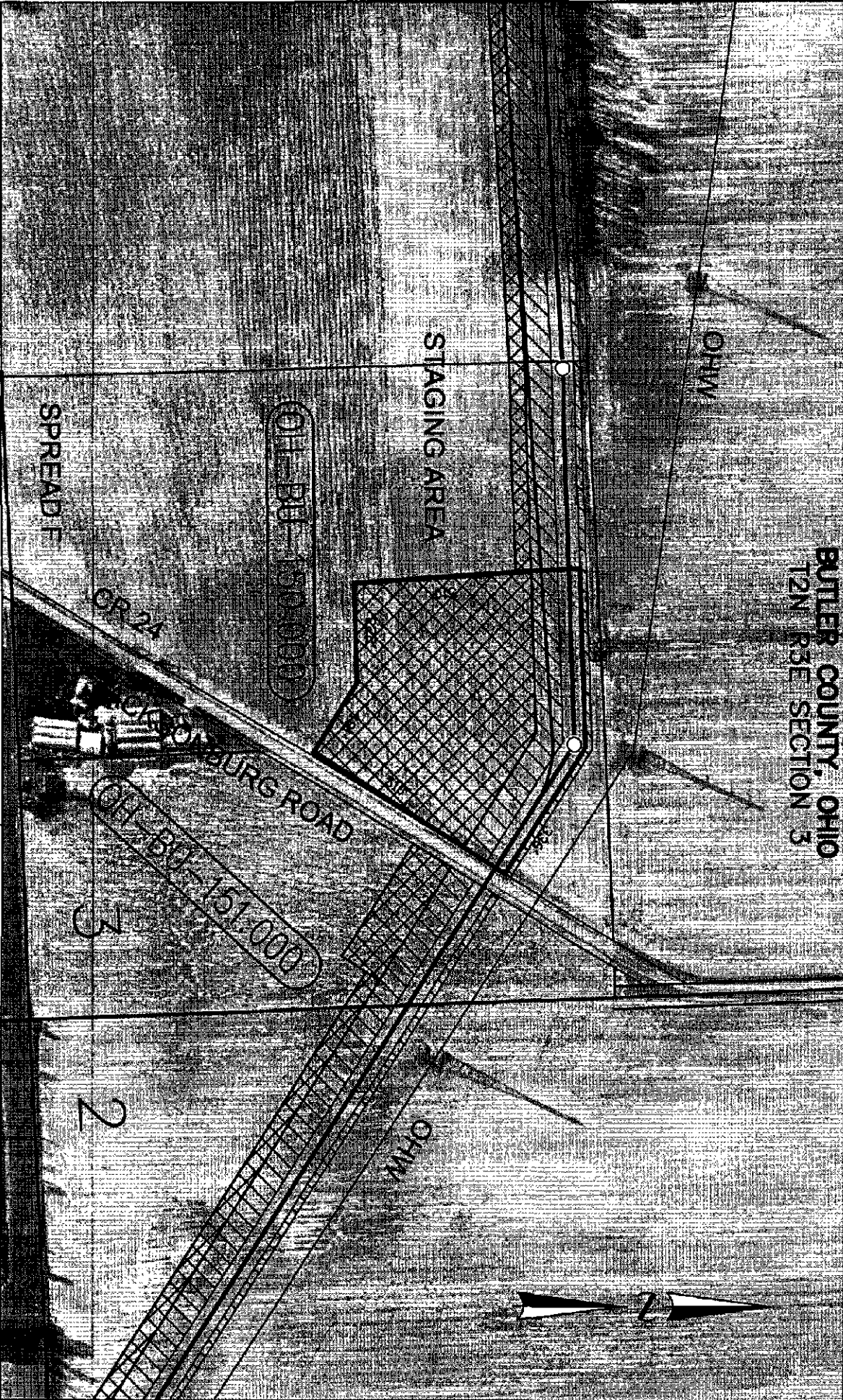
SCALE 1" = 300'



DWG. NO. 1280-A-CSA-12

SHT. NO. 1 of 1
REV. 0

CADD NAME: 1280-A-CSA-6

ALIGNMENT SHEET: 1280-D-105-156



 GULF INTERSTATE ENGINEERS <small>HOUSTON, TEXAS</small>		 Rockies Express Pipeline ROCKIES EXPRESS PIPELINE CONTRACTOR STAGING AREA JACKSONBURG ROAD Butler County, Ohio	
DWN. ST.	G.I.E.	03/13/08	REV.
CHK.	G.I.E.	03/13/08	1
PROJ. 1 WORK	G.I.E.		2
PROJ. 2 WORK	G.I.E.		3
CLEN. APP.	G.I.E.		4
SCALE:	1" = 300'		
DWG. NO.	1280-A-CSA-6	SHEET NO.	1 of 1
		REV.	0

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