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FEDERAL ENERGY
REGULATORY COMMISSION

June 25, 2008

ORIGINAL

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

RE: Docket No. CP07-208-000
Rockies Express Pipeline LLC, REX-East Project
Supplemental Information

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.

Rockies Express hereby files supplemental information for the REX-East Project consistent with the requirements of Environmental Condition No. 89 of the May 30 Order. Enclosed for filing are the following items:

- agency correspondence related to biological species survey report submittals (Attachment A); and
- biological species survey reports, which include the following:
 - *Surveys for the Indiana Bat (Myotis sodalis) within the Proposed REX-East Pipeline Corridor in Indiana; Addendum to 2007 Report;*
 - *Surveys for the Indiana Bat (Myotis sodalis) within the Proposed REX-East Pipeline Corridor in Butler County, Ohio; Addendum to 2007 Report;*

¹ Rockies Express Pipeline LLC, 123 FERC ¶ 61,234 (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 60377.c8 Date Processed

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RECEIVED-DOCKETING DIV

- *Running Buffalo Clover Survey: Report Rockies Express Pipeline – East Project, Warren County, Ohio;*
- *Addendum: Unionid Mussel and Habitat Surveys of Ohio Waterbodies at Proposed Crossings Along the Rockies Express Pipeline – East Project (MP 404.7 to 639.1); and*
- *Addendum: Surveys of Potential Habitat for the Eastern Massasauga Along Proposed Rockies Express Pipeline – East Project in Ohio.*

Rockies Express is filing an original and seven (7) copies of all Public Information. In addition, Rockies Express is providing complete copies of this filing directly to the FERC Project Manager. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Shippen Howe
Van Ness Feldman, P.C.
1050 Thomas Jefferson Street, NW
Washington, DC 20007

Attorney for
Rockies Express Pipeline LLC

Attachments

cc: Laura Turner, FERC
All Parties

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

ATTACHMENT A

Public



May 21, 2008

Angela Boyer
U.S. Fish and Wildlife Service
6950 Americana Parkway, Suite H
Reynoldsburg, OH 43068

Re: Rockies Express Pipeline Project
Final Eastern Massasauga Habitat Assessment Report

Dear Ms. Boyer,

As you are aware from past consultation, Rockies Express Pipeline LLP (Rockies Express) is proposing to construct the Rockies Express Pipeline – East Project (REX-East), a 42-inch-diameter natural gas pipeline, from Missouri to Ohio. The purpose of this letter is to present to you the attached report entitled "Addendum: Surveys of Potential Habitat for the Eastern Massasauga along the Proposed Rockies Express Pipeline – East Project in Ohio." The report is an addendum to a previous report dated November 13, 2007.

Habitat assessments were conducted at two sites in Ohio on April 17, 2008 that were omitted from previous survey due to land access issues. One site approximately 1,080 feet in length was assessed in Clinton County, Ohio on tracts OH-CT-006.000 and OH-CT-007.000. The site consisted of maintained lawn and a man-made pond and was determined to be unsuitable habitat for the Eastern massasauga.

A second site approximately 770 feet in length was assessed in Warren County, Ohio on tract OH-WA-056.000. This site contained a shallow-water wetland, emergent vegetation and an adjacent field with mixed forbs, shrubs, and grasslands. Due to the type of habitat present on this tract and its proximity (6.2 miles) to the Spring Valley Wildlife Area, an area where Eastern massasauga is known to occur, it was determined that this tract provides potentially suitable habitat for the massasauga.

Rockies Express proposes to train all environmental inspectors and construction personnel that will be working on and in the vicinity of tract number OH-WA-056.000 in Warren County, Ohio as to the general appearance and possible presence of Eastern massasaugas, and to prohibit the killing or harassment of wildlife. In the event that a Eastern massasauga snake is discovered at any time during project activity on certificated work areas, work in that area will be stopped, and the snake allowed to leave the Right of Way. Subsequently, Rockies Express will contact the U.S. Fish and Wildlife Service (FWS) to notify them of the siting and if necessary, for further guidance to protect the animal. Following construction, Rockies Express will restore the right-of-way through this tract to its preconstruction conditions, according to its Upland Construction

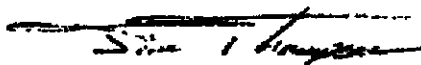
Ms. Angela Boyer
May 20, 2008
Page 2 of 2

Plan, Wetland and Waterbody Construction and Mitigation Procedures, and Reseeding Plan. The wetland (WL-OH-450-4A) will be restored and allowed to revegetate to preconstruction conditions.

Rockies Express believes the implementation of the measures outlined above will avoid adversely impacting the Eastern massasauga in the vicinity of tract number OH-WA-056.000. If the project changes or Rockies Express needs to revise the proposed measures, we will contact you. If you have any questions or comments, please contact me at 614-866-7046 or by email at jimt@caprockenvironmental.com.

Thank you for your assistance.

Sincerely,



Jim Thompson
Environmental Contractor
for Rockies Express

Enclosed: Addendum: Surveys of Potential Habitat for Eastern Massasauga
Along the Proposed Rockies Express Pipeline – East Project in Ohio.

cc: Charlie Bertram, Rockies Express Pipeline
Carly Lapin, NRG
Jeff Thommes, NRG



June 2, 2008

Brian Mitch, Environmental Review Manager
Ohio Department of Natural Resources
2045 Morse Road, Building C-4
Columbus, Ohio, 43229-6693

Re: Rockies Express Pipeline Project
Final Eastern Massasauga Habitat Assessment Report

Dear Mr. Mitch,

As you are aware from past consultation, Rockies Express Pipeline LLP (Rockies Express) is proposing to construct the Rockies Express Pipeline – East Project (REX-East), a 42-inch-diameter natural gas pipeline, from Missouri to Ohio. The purpose of this letter is to present to you the attached report entitled "Addendum: Surveys of Potential Habitat for the Eastern Massasauga along the Proposed Rockies Express Pipeline – East Project in Ohio." The report is an addendum to a previous report dated November 13, 2007.

Habitat assessments were conducted at two sites in Ohio on April 17, 2008 that were omitted from previous survey due to land access issues. One site approximately 1,080 feet in length was assessed in Clinton County, Ohio on tracts OH-CT-006.000 and OH-CT-007.000. The site consisted of maintained lawn and a man-made pond and was determined to be unsuitable habitat for the Eastern massasauga.

A second site approximately 770 feet in length was assessed in Warren County, Ohio on tract OH-WA-056.000. This site contained a shallow-water wetland, emergent vegetation and an adjacent field with mixed forbs, shrubs, and grasslands. Due to the type of habitat present on this tract and its proximity (6.2 miles) to the Spring Valley Wildlife Area, an area where Eastern massasauga is known to occur, it was determined that this tract provides potentially suitable habitat for the massasauga.

Rockies Express proposes to train all environmental inspectors and construction personnel that will be working on and in the vicinity of tract number OH-WA-056.000 in Warren County, Ohio as to the general appearance and possible presence of Eastern massasaugas, and to prohibit the killing or harassment of wildlife. In the event that a Eastern massasauga snake is discovered at any time during project activity on certificated work areas, work in that area will be stopped, and the snake allowed to leave the Right of Way. Subsequently, Rockies Express will contact the U.S. Fish and Wildlife Service (FWS) and the Ohio Department of Natural Resources (ODNR) – Division of Wildlife to notify them of the siting and if necessary, for further guidance to protect the animal. Following construction, Rockies Express will restore the right-of-way through

Mr. Brian Mitch
June 2, 2008
Page 2 of 2

this tract to its preconstruction conditions, according to its Upland Construction Plan, Wetland and Waterbody Construction and Mitigation Procedures, and Reseeding Plan. The wetland (WL-OH-450-4A) will be restored and allowed to revegetate to preconstruction conditions.

Rockies Express believes the implementation of the measures outlined above will avoid adversely impacting the Eastern massasauga in the vicinity of tract number OH-WA-058.000. If the project changes or Rockies Express needs to revise the proposed measures, we will contact you. If you have any questions or comments, please contact me at 614-866-7046 or by email at jimt@caprockenvironmental.com.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carly Thompson", followed by the word "for" written in a similar style.

Jim Thompson
Environmental Contractor
for Rockies Express

Enclosed: Addendum: Surveys of Potential Habitat for Eastern Massasauga
Along the Proposed Rockies Express Pipeline – East Project in Ohio.

cc: Charlie Bertram, Rockies Express Pipeline
Carly Lapin, NRG
Jeff Thommes, NRG



June 19, 2008

Forest Clark
U.S. Fish and Wildlife Service
620 South Walker Street
Bloomington, Indiana 47403

Re: Rockies Express Pipeline Project
Final Indiana Bat Survey Report

Dear Mr. Clark:

As you are aware from past consultation, Rockies Express Pipeline LLP (Rockies Express) is proposing to construct the Rockies Express Pipeline – East Project (REX-East), a 42-inch-diameter natural gas pipeline, from Missouri to Ohio. The purpose of this letter is to present to you the attached report entitled "Surveys for the Indiana bat (*Myotis sodalis*) within the proposed REX-East Pipeline Corridor in Indiana; Addendum to 2007 Report," dated June 13, 2008. This is an addendum to the previous report dated September 19, 2007.

Indiana bat survey and monitoring activities in Indiana in 2008 included mist net surveys at 16 sites, evaluation of 2 areas where known roost trees were documented in 2007, and marking of potential roost trees (PRTs) in 2 areas where Indiana bats were captured in 2007 but where roost trees were not located. The following table summarizes Indiana bat survey and monitoring activities conducted in Indiana between May 16 and June 8, 2008. Thirteen Indiana bats were captured during surveys, including 9 pregnant females, 1 non-reproductive female, and 3 males. Seven of the 13 bats were fitted with radiotransmitters and tracked. One bat was a recaptured bat that was banded by Rockies Express during 2007 surveys.

Rockies Express Pipeline – East Project				
Indiana Bat Survey and Monitoring Activities Conducted in Indiana in 2008				
County, State	Indiana Bat Habitat Unit	Milepost Range	Proposed 2008 Activity	Description of Activity Completed and Results
Vermillion, IN	TEH-IN-WR-05	RR 2032 MP242.9 + 0.3 – MP242.9 + 4.0	Conduct mist net surveys	Three mist net sites were surveyed. Two Indiana bats were captured and tracked to one documented and two new roost trees. All roost trees are off of the right-of-way, and the closest is approximately 1,300 feet south. No emergence counts were conducted due to limited property access.
Parke, IN	TEH-IN-07	250.2 – 250.6	Conduct mist net surveys	One mist net site was surveyed. No Indiana bats were captured.

Mr. Forest Clark
June 19, 2008
Page 2 of 3

Rockies Express Pipeline – East Project				
Indiana Bat Survey and Monitoring Activities Conducted in Indiana in 2008				
County, State	Indiana Bat Habitat Unit	Milepost Range	Proposed 2008 Activity	Description of Activity Completed and Results
Parke / Putnam, IN	TEH-IN-11.0	266.5 – 273.9	Evaluate documented roost trees	Roost trees documented in 2007 were evaluated to determine continued viability. One of five previously-documented roost trees was determined to no longer be viable, so mist net surveys were conducted. Eight mist net sites were surveyed. A total of nine Indiana bats were captured. Three bats were tracked to two new roost trees and one area that was five or more miles away from the right-of-way. Both roost trees are off of the right-of-way, and the closest is approximately 600 feet north. Emergence counts were conducted at each tree and both were qualified as alternate roost trees (emergence counts of fewer than 30 bats per night).
Putnam, IN	TEH-IN-18.0	278.5 – 283.0	Mark potential roost trees for selective removal	All trees within habitat unit that met FWS-established requirements for a PRT were marked with multiple overlapping "X's" in fluorescent red-orange spray paint all the way around the trunk of the tree at eye level.
Hendricks, IN	TEH-IN-19.5	290.3 – 291.0	Evaluate documented roost trees	Roost trees documented in 2007 were evaluated to determine continued viability. All three roost trees were located and found to be intact and viable.
Morgan, IN	TEH-IN-27.3	314.6 – 315.0	Conduct mist net surveys	One mist net site was surveyed. No Indiana bats were captured.
Johnson, IN	TEH-IN-27.8	335.8 – 336.2	Conduct mist net surveys	One mist net site was surveyed. Two Indiana bats were captured and tracked to two new roost trees. Both roost trees are off of the right-of-way, and the closest is approximately 2,500 feet south. No emergence counts were conducted due to limited property access.
Decatur, IN	TEH-IN-28.5	362.2 – 362.8	Conduct mist net surveys	One mist net site was surveyed. No Indiana bats were captured.
Decatur / Franklin, IN	TEH-IN-32.0	376.0 – 392.5	Mark potential roost trees for selective removal	All trees within habitat unit that met FWS-established requirements for a PRT were marked with multiple overlapping "X's" in fluorescent red-orange spray paint all the way around the trunk of the tree at eye level.
Franklin, IN	TEH-IN-35.0	394.4 – 395.0	Conduct mist net surveys	One mist net site was surveyed. No Indiana bats were captured.

As stipulated in the Federal Energy Regulatory Commission's (FERC's) Biological Assessment (BA) for the REX-East Project, dated March 25, 2008 and the FWS's concurrence letter to the FERC, dated April 24, 2008, no further action is necessary at habitat units TEH-IN-10.7, TEH-IN-27.3, TEH-IN-28.5, or TEH-IN-35.0 due to the absence of Indiana bats. No further action is necessary at habitat unit TEH-IN-19.5 due to the suitability of the 2007-documented roost trees. Finally, no further action is necessary at habitat units TEH-IN-WR-0.5, TEH-IN-11.0, or TEH-IN-27.8 because newly documented roost trees are all more than 300 feet away from project workspace.

In habitat units TEH-IN-18.0 and TEH-IN-32.0, Rockies Express will remove the marked potential roost trees as outlined in the BA while bats are foraging, under the following conditions:

- Tree removal will occur between 1 hour after sunset and 1 hour before sunrise.
- Temperature will be greater than 50 degrees Fahrenheit; and

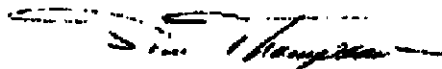
Mr. Forest Clark
June 19, 2008
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- When there is no precipitation or strong winds (as before an approaching thunderstorm).

Rockies Express believes that the completion of mist net surveys and implementation of the conditions outlined above will conclude all measures necessary to avoid adversely impacting the Indiana bat in Indiana. If the project changes or additional measures relating to the Indiana bat are necessary, Rockies Express will contact you. If you have any questions or comments, please contact me at 614-866-7046 or by email at jimt@caprockenvironmental.com.

Thank you for your assistance.

Sincerely,



Jim Thompson
Environmental Contractor
for Rockies Express

Enclosed: Surveys for the Indiana bat (*Myotis sodalis*) within the proposed REX-East Pipeline corridor in Indiana; Addendum to 2007 Report.

cc: Charlie Bertram, Rockies Express Pipeline
Carly Lapin, NRG
Jeff Thommes, NRG



June 19, 2008

Brian Mitch, Environmental Review Manager
Ohio Department of Natural Resources
2045 Morse Road, Building C-4
Columbus, Ohio, 43229-6693

Re: Rockies Express Pipeline Project
Final Survey Report for State-Listed Mussel Species in Ohio

Dear Mr. Mitch,

As you are aware from past consultation, Rockies Express Pipeline LLP (Rockies Express) is proposing to construct the Rockies Express Pipeline – East Project (REX-East), a 42-inch-diameter natural gas pipeline, from Missouri to Ohio. The purpose of this letter is to present to you the attached report entitled "Addendum Unionid Mussel and Habitat Surveys of Ohio Waterbodies at Proposed Crossings Along the Rockies Express Pipeline – East Project (MP 404.7 to 639.1)." This report is an addendum to a previous report dated December 2007.

Surveys for federal and state-listed mussel species were conducted in 2007 and 2008 for all waterbody crossings in Ohio greater than 6 meters (approximately 20 feet) in width. A total of 87 waterbodies were surveyed. Of the waterbodies planned for surveys, Moxahala Creek (milepost (MP) 566.1) was not surveyed due to unsafe sampling conditions (pH = 3.9). Neither Cat Run (MP 636.3) nor Tributary to Burley Run (MP 562.7) had permitted land access during initial survey efforts in 2007, so surrogate sites were surveyed. During 2008 wetland and waterbody delineation efforts, it was determined that each of these waterbodies was less than 6 meters in width at its crossing site, and so per consultation with the U.S. Fish and Wildlife Service and the Ohio Department of Natural Resources, additional surveys were not necessary.

Of the 87 waterbodies surveyed for unionid species, only 5 contained live unionids. Fresh dead shells were the best condition of unionid found at 2 sites, and weathered dead shells were the best condition found at 7 other sites. A total of 14 species were collected among all sites, and the only evidence of listed species found during the entire study were two weathered dead shells of *Epioblasma torulosa rangiana* (northern riffleshell; federal and Ohio endangered species) found at Walnut Creek (MP 515.9) in Pickaway County, Ohio.

Rockies Express believes the completion of surveys and the submittal of this report will conclude all measures necessary to avoid adversely impacting listed mussel species in Ohio. If the project changes or additional measures relating to mussel species in Ohio are necessary, Rockies Express will contact you. If you have any questions or

Mr. Brian Mitch
June 19, 2008
Page 2 of 2

comments, please contact me at 814-866-7046 or by email at
jimt@caprockenvironmental.com.

Thank you for your assistance.

Sincerely,



Jim Thompson
Environmental Contractor
for Rockies Express

Enclosed: *Addendum* Unionid Mussel and Habitat Surveys of Ohio Waterbodies at
Proposed Crossings Along the Rockies Express Pipeline - East Project
(MP 404.7 to 639.1)

cc: Charlie Bertram, Rockies Express Pipeline
Carly Lapin, NRG
Jeff Thommes, NRG



June 19, 2008

Angela Boyer
U.S. Fish and Wildlife Service
6950 Americana Parkway, Suite H
Reynoldsburg, OH 43068

Re: Rockies Express Pipeline Project
Final Survey Reports for Running Buffalo Clover, Federally-listed Mussel
Species, and Indiana Bat (in Butler County, Ohio)

Dear Ms. Boyer,

As you are aware from past consultation, Rockies Express Pipeline LLP (Rockies Express) is proposing to construct the Rockies Express Pipeline – East Project (REX-East), a 42-inch-diameter natural gas pipeline, from Missouri to Ohio. The purpose of this letter is to present the attached reports:

- "Running Buffalo Clover Survey Report – Rockies Express Pipeline – East Project – Warren County, Ohio," an addendum to a previous report dated July 24, 2007;
- "Addendum Unionid Mussel and Habitat Surveys of Ohio Waterbodies at Proposed Crossings Along the Rockies Express Pipeline – East Project (MP 404.7 to 639.1)," an addendum to a previous report dated December 2007; and
- "Surveys for the Indiana Bat (*Myotis sodalis*) within the Proposed REX-East Pipeline Corridor in Butler County, Ohio: Addendum to 2007 Report," an addendum to a previous report dated September 19, 2007.

Running Buffalo Clover

Surveys were conducted for the running buffalo clover at six sites in Ohio on May 15, 16, 27, and 30, 2008 that were omitted from previous survey due to land access issues. All of the sites were within the project workspace in Warren County, Ohio and contained potentially suitable running buffalo clover habitat. Additional areas of potentially suitable habitat adjacent to those areas were also surveyed for running buffalo clover to provide for cases in which minor adjustments to construction easements or workspaces needed to be made.

Surveys conducted in 2007 confirmed the absence of running buffalo clover in all areas surveyed. As described in the attached report, no running buffalo clover plants were identified within the project area during surveys conducted in 2008. Surveys were

Ms. Angela Boyer
June 19, 2008
Page 2 of 3

conducted following standard methods for endangered plant surveys as approved by the U.S. Fish and Wildlife Service (FWS).

Mussels

Surveys for federal and state-listed mussel species were conducted in 2007 and 2008 for all waterbody crossings in Ohio greater than 6 meters (approximately 20 feet) in width. A total of 87 waterbodies were surveyed. Of the waterbodies planned for surveys, Moxahala Creek (milepost (MP) 566.1) was not surveyed due to unsafe sampling conditions (pH = 3.9). Neither Cat Run (MP 636.3) nor Tributary to Burley Run (MP 562.7) had permitted land access during initial survey efforts in 2007, so surrogate sites were surveyed. During 2008 wetland delineation efforts, it was determined that each of these waterbodies was less than 6 meters in width, and so per consultation with the FWS and the Ohio Department of Natural Resources, additional surveys were not necessary.

Of the 87 waterbodies surveyed for unionid species, only 5 contained live unionids. Fresh dead shells were the best condition of unionid found at 2 sites, and weathered dead shells were the best condition found at 7 other sites. A total of 14 species were collected among all sites, and the only evidence of listed species found during the entire study were two weathered dead shells of *Epioblasma torulosa rangiana* (northern riffleshell; federal and Ohio endangered species) found at Walnut Creek (MP 515.9) in Pickaway County, Ohio.

Indiana Bat

Indiana bat mist net surveys were conducted in Butler County, Ohio at a single location (habitat unit TEH-OH-3.0, MP 407.8 – 408.2) on June 5 and 6, 2008. No Indiana bats were captured.

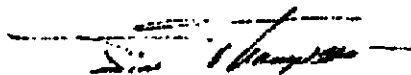
As stipulated in the Federal Energy Regulatory Commission's (FERC's) Biological Assessment (BA) for the REX-East Project, dated March 25, 2008 and the FWS's concurrence letter to the FERC, dated April 24, 2008, no further action is necessary at habitat unit TEH-OH-3.0 due to the absence of Indiana bats. The results of all additional surveys conducted for the Indiana bat in Ohio will be provided in a separate report upon their completion, no later than July 20, 2008.

Rockies Express believes the completion of surveys for the running buffalo clover, federally-listed mussel species, and the Indiana bat will conclude all measures necessary to avoid adversely impacting the clover and mussels in Ohio and the Indiana bat in Butler County, Ohio. If the project changes or additional measures relating to any of these species are necessary, Rockies Express will contact you. If you have any questions or comments, please contact me at 614-866-7046 or by email at jimt@caprockenvironmental.com.

Ms. Angela Boyer
June 19, 2008
Page 3 of 3

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Thompson", is written over a horizontal line.

Jim Thompson
Environmental Contractor
for Rockies Express

Enclosed: Running Buffalo Clover Survey Report – Rockies Express Pipeline – East
Project – Warren County, Ohio
*Addendum Unionid Mussel and Habitat Surveys of Ohio Waterbodies at
Proposed Crossings Along the Rockies Express Pipeline – East Project
(MP 404.7 to 639.1)*
Surveys for the Indiana Bat (*Myotis sodalis*) within the Proposed REX-
East Pipeline Corridor in Butler County, Ohio; Addendum to 2007 Report

cc: Charlie Bertram, Rockies Express Pipeline
Carly Lapin, NRG
Jeff Thommes, NRG