



April 3, 2009

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

PUCCO

2009 APR -6 AM 11:50

RECEIVED-DOCUMENTS DIV

RE: Docket Nos. CP07-208-000  
Rockies Express Pipeline LLC, REX-East Project  
SUPPLEMENT - Request for Notice to Proceed – South Bloomfield, Circleville  
and East Pike Street Contractor Yards

Ms. Bose:

On March 24, 2009, Rockies Express Pipeline LLC ("Rockies Express"), pursuant to the certificate of public convenience and necessity to construct and operate the REX-East project ("May 30 Order" or "Order"),<sup>1</sup> requested authorization to commence construction at three contractor yards in Ohio:

- South Bloomfield Contractor Yard
- Circleville Contractor Yard
- East Pike Street Contractor Yard

Rockies Express hereby supplements its request with respect to two matters:

1. Wetlands located in the East Pike Street Contractor Yard. With respect to those wetlands, Rockies Express hereby states:

While wetlands and/or waterbodies have been identified on the East Pike Street Contractor Yard, Rockies Express will implement appropriate conditions described within its Plan and Procedures to avoid impact to them. Examples include the implementation of buffer zones (i.e. construction, hazardous material storage), installation of erosion control devices and periodic inspection of the feature(s) following precipitation events.

2. Endangered Species Act Surveys. The biological surveys for these yards were conducted by Neil Mullett. His resume is appended as Attachment A. Additionally, also included in Attachment A, is an e-mail from the U.S. Fish & Wildlife Service concurring in the finding of Mr. Mullett. The e-mail is dated April 2, 2009.

<sup>1</sup> 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 Am Date Processed 4/6/09

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

Respectfully submitted,

/s/ Shippen Howe

Shippen Howe  
Van Ness Feldman, P.C. 1050  
Thomas Jefferson Street, N.W.  
Washington, D.C. 20007  
202-298-1800  
*Attorney for*  
*Rockies Express Pipeline LLC*

Attachments

cc: Laura Turner  
John Peconom  
All Parties

## ATTACHMENT A

**Education:**

Associates Degree,  
Conservation Law Enforcement  
Vincennes University.

Bachelor of Science, Biology  
Ball State University.

**Professional Credentials:**

Commercial Pesticide  
Applicator Licenses (Right-Of-  
Way and Aquatics) for Indiana,  
Illinois, Michigan and Ohio

Prescribed Fire Training: S-130,  
S-190, I-100 Basic Wildland  
Firefighter

Prescribed Fire Management: S-  
290, S-131, S-230, S-390, RX-  
300

U.S. Army Corps of Engineers  
approved wetland delineation  
course

**Technical Skills:**

Prescribed burn management

Understanding of site-specific  
factors influencing native plant  
establishment

Restoration planning and  
management techniques

Exotic species assessment and  
management techniques

Native landscape design and  
installation

Experience with design and  
installation of natural fiber  
bioengineering material systems

Expertise with woodland,  
wetland, and prairie species

Responsible for implementing and managing all of the techniques and methods used by Restoration Management. This includes, but not limited to, site preparation and planting on mitigation wetlands, wetland and pond enhancements, stream restoration and relocations, erosion control, prairie restorations, native landscaping, and wastewater/stormwater treatment using constructed wetland systems. Also included in these services is exotic species control. The scope of project responsibilities includes burn boss, input in design and species selection, construction observation, site preparation, supervision of planting and additional measures such as installation of erosion control materials and wildlife barriers, and equipment operation.

**Professional Experience:**

**Coffee Creek Center, Indiana.** Project Assistant for site preparation and planting of the 200 acre restoration. Assisted in exotic species control, planting and supplemental burning. This development highlights environmental restoration as an integral part of a 640-acre mixed use community based on innovative sustainability concepts. JFNew was integrally involved with all environmental issues on the site and was a key member of the site planning as well as the development of a non-profit organization that is responsible for long-term ecological management. The JFNew Native Plant Nursery provided and installed custom-grown native wetland and prairie plants throughout the site. JFNew's experienced maintenance crew conducted prescribed burns for ecological restoration. In addition, JFNew developed and implemented restoration plans for a trout and salmon stream and a bottomland forest, by installing bioengineering materials, native plants and seed mixes to stabilize the streambank. The JFNew designed pavilion restroom is treated with subsurface flow constructed wetlands planted with native species selected for their effluent treatment and evapotranspiration.

**Intelliplex Business Park, Indiana.** Project Manager for all aspects of native wetland tree, shrub, and herbaceous plantings. Also responsible for budget development, tracking, initial plant installation, exotic and invasive species control. JFNew installed and maintained native plants and trees to vegetate 10 hydrologically linked stormwater retention ponds at a multimillion-dollar, high-tech business park.

**Lake Station Mitigation Bank, Indiana.** Project Manager for all aspects of this mitigation bank and have assisted with vegetation monitoring. JFNew developed the first full-scale private wetland mitigation bank in Indiana. JFNew developed and coordinated banking agreements and permits, provided wetland design, planting plan, subsurface tile removal, production and installation of seed and control of non-native exotic species. JFNew continues to provide site management. This 223 acres of agricultural land was developed into 202 acres of wetland and the property is now part of the Indiana Dunes National Lakeshore.

**Intech Business Park, Indiana.** Project Assistant for prairie and wetland ecosystems; assisted with maintenance and monitoring. JFNew completed wetland delineations on a 210-acre business park site near Interstate I-465 in Indianapolis. JFNew provided input into native plant specifications and subsequently installed all wetland and prairie plants. Working closely with the client, JFNew designed mitigation wetlands and obtained required permits. JFNew prepared design/build plans and specifications for the mitigation wetlands. JFNew currently manages all natural areas on-site to maintain the high aesthetic demand of the business park clientele.

**Burr Oak Bend, Indiana.** Project Assistant responsible for implementation of all phases of the planting plan including exotic control, reforestation, prairie restoration and site maintenance. JFNew designed and implemented a restoration plan for 44 acres for the Central Indiana Land Trust (CILTI). The plan consisted of exotic species control, reforestation, prairie restoration, and site maintenance activities.

From: [Jennifer\\_Smith-Castro@fws.gov](mailto:Jennifer_Smith-Castro@fws.gov) [mailto:[Jennifer\\_Smith-Castro@fws.gov](mailto:Jennifer_Smith-Castro@fws.gov)]  
Sent: Thursday, April 02, 2009 2:49 PM  
To: Jim Thompson  
Cc: [Angela\\_Boyer@fws.gov](mailto:Angela_Boyer@fws.gov)  
Subject: Fw: REX EAST CES ENV FW: CY Drawings

Jim -

We have reviewed the maps, aerial photos, and biological survey reports of the five additional areas identified for use as contractor yards. These areas include the the Circleville, East Pike Warehouse, Phillips, South Bloomfield, and Shelly locations. As you stated in your email, all appear to be previously disturbed industrial areas. Therefore, the service has no objection to the proposed use of these locations as contractor yards. Please feel free to contact me if you have any further questions. Thank you.

Jennifer

\*\*\*PLEASE NOTE NEW ADDRESS AND PHONE\*\*\*

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U.S. Fish & Wildlife Service  
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----- Forwarded by Angela Boyer/R3/FWS/DOI on 04/01/2009 09:17 AM -----

"Jim Thompson" <[jjmt@caprock-llc.com](mailto:jjmt@caprock-llc.com)>

03/31/2009 03:10 PM

To

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cc

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Subject

REX EAST CES ENV FW: CY Drawings

Angela,

Rockies Express's contractors have identified additional areas for use as contractor yards in preparation for construction in OH this spring, summer and fall. Biologists with JFNew surveyed these areas in accordance with the guidelines established during the initial survey efforts in 2007 and 2008. No listed species or their habitats were identified. Most, if not all are previously disturbed, industrial areas.

FERC has requested that REX provide you a copy of these locations and the corresponding survey reports and request your concurrence with these results.

Because REX would like to secure the use of these facilities in the very near future, your timely review and response is greatly appreciated.

Thanks,

Jim

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Jim Thompson  
Caprock Environmental Services, LLC

contractor for  
Rockies Express Pipeline, LLC  
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