April 2, 2009

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

Re: Rockies Express Pipeline LLC
Docket No. CP07-208
Weekly Report \#40, Period Ending March 25, 2009
Dear Ms. Bose:
Pursuant to Environmental Mitigation Measure 7 in the Appendix to the Federal Energy Regulatory Commission's May 30, 2008 Order in Docket No. CP07-208, Rockies Express Pipeline LLC hereby submits its weekly construction progress report for activities for the week ending March 25, 2009.

If you have any questions regarding this report, please contact Crystal Heter at (303) 914-7795.

Respectfully submitted,
/s/ Shippen Howe
Shippen Howe
Van Ness Feldman
1050 Thomas Jefferson Street, NW Washington, DC 20007

Attorneys for Rockies Express Pipeline LLC
cc: Laura Turner
April Magrane, Tetra Tech

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Rockies Express Pipeline LLC
REX EAST Project
FERC Weekly Report
Weekly Report \#:
40
Start: 3/19/2009 End: 3/25/2009
Environmental Training (this week / to date):
50 man hours $/ 12646.95$ man hours
47 people $/ 9176$ people

## Spread/Facility A1 <br> Name Janik, Kevin

## Summary

The following construction activitics were observed by the environmental inspection team throughout the Spread A1 corridor: Typical station construction at the Mcxico CS, tie-ins, clean-up with two crews, hydro-testing, HDD's, data recovery near MP 39, and installation and maimenance of ECD's and signage.
Environmental training is ongoing as necessary. The waterbody crossing schedule has been updated in that table. Four dedicated environmental crews are working. See variance request table attached to this report for additional information on variances. Cultural monitors were onsite as required this week near MP 70.

FRAC-outs occurred this week while performing the 200th Ave HDD with drilling fluid leaking out near the pad. REX staff is working with the FERC and SHPO on resolution actions.

There were no NCR's recorded this period.

## Next Week

Environmental Inspection team will continue inspection of contractor activities. Daily morning briefings will continue to be conducted between Contractor, Rockies inspection management, and Compliance Monitor, when available.

## Spread/Facility $\wedge 2$ Name Padgett, Jack

## Summary

The following construction activitics were observed by the environmental inspection team throughout the Spread A2 corridor: Anomolie dig-ups have been completed. Contractor is demobilizing from spread. Topsoil replacement and final restoration will begin with spring weather. Contractor will shut down from 03/28/09 through 05/03/09.

There are some 43 anomoly dig-ups and repairs that have been completed. All hydrotesting is done as well.
Contractor has two environmental crews working at this time. Environmental training is ongoing as necessary. See variance request table attached to this report for additional information on variances. Cultural monitoring was not required on Spread A-2 this period.

There were no NCR's recorded this period.

## Next Week

Environmental Inspection team will continue inspection of contractor activities. Daily morning briefings will continue to be conducted between Contractor, Rockies inspection management, and Compliance Monitor, when available. Dig-ups will be continuing.

## Summary

The following construction activities were observed by the environmental inspection team throughout the Spread B corridor: Compressor and Mcter Station construction, decompaction, rough clean-up and restoration, tile repair is completed, and installation and maintenance of ECDs.

The contractor has demobilized from the spread after rough clean-up. Final ROW restoration is proposed to recommence by $04 / 15 / 09$, weather permitting. Cultural monitoring was not required onsite this period.

There were no NCR's recorded this period.

## Next Week

Environmental Inspection will continue as needed per plan. Daily morning briefings have been suspended.
Spread/Facility C Name Fleming, Dorothy

## Summary

Mainline has been mechanically completed. Final restoration awaits spring warranty activities. Meeting with contractor is slated for March 30th.

Construction of the two meter stations is still underway; Trunkline tie-in is completed and Midwestern stabilizing site.
Cultural monitoring was not required onsite this period.
There were no NCR's recorded this period.

## Next Week

The required inspections will occur per SWPPP and the Rockies Compliance and Winterization plan.

## Spread/Facility D Name Padgett, Jackie

## Summary

The following construction activities were observed by the environmental inspection team throughout the Spread D corridor: bending, trenching, lower-in, backfill, sheet-piling, clean-up and restoration, drain tile repairs, road bores, HDD's, hydrotesting, bridge and mat placement, installation, inspection, and maintenance of ECD's is occurring. Environmental inspectors have been placing appropriate signage.

The Wabash River HDD is on hold due to river flood stage, but is expected to resume by 03/28/09.
Contractor has three environmental crews working. See variance request table attached to this report for additional information on variances. The waterbody crossing schedule has been updated and attached. Environmental training is ongoing as needed. Cultural monitoring is no longer required on Spread $D$, as all areas for monitoring are completed. Biological monitor was not required.

There were no NCR's recorded this period.

## Next Week

Environmental Inspection team will continue inspection of contractor activities. Daily morning briefings will continue to be conducted between Contractor, Rockies inspection management, and Compliance Monitor, when available.

## Summary

The following construction activities were observed by the environmental inspection team throughout the Spread E corridor: Ditching, welding, lower-in, backfill, road bores, HDD's, bridge and mat placement, rough clean-up, installation, inspection, and maintenance of ECD's is occurring. Environmental inspectors have been placing appropriate signage.

Contractor has five environmental crews working. See variance request table attached to this report for additional information on variances. The waterbody crossing schedule has been updated and attached. Environmental training is ongoing as needed. Cultural monitor was utilized two days (19th and 20th) as required this period. Eagle monitor was not required this period.

An NCR was recorded by FERC CM on 03/25/09 at MP 356.3; please see compliance tables for more information.
An unannounced state OSHA inspection was held on 03/20/09 at an excavation site near MP 324.06.

## Next Week

Environmental Inspection team will continue inspection of contractor activities. Daily morning briefings will continue to be conducted between Contractor, Rockies inspection management, and Compliance Monitor, when available, once contractor returns.
Spread/Facility F1 Name McMahon, Shannon

## Summary

New LEI Shannon McMahon has began duties.
The following construction activities were observed by the environmental inspection team throughout the Spread F1 corridor: Activities included El's placing appropriate signage, installation, maintenance, and inspection of appropriate ECD's, bridge/mat installations, coating, welding, lower-in, backfill, tie-ins, clean-up, road bores, and rough clean up. Cultural monitoring on the spread was required this period where necessary. Contractor has four environmental crews working. See variance request table attached to this report for additional information on variances. Environmental training is ongoing as needed.

An NCR was recorded this period on 03/21/09 at MP 392.60; please see compliance tables for more information.
The REX Unanticipated Discoveries Plan was implemented on 03/19/09 near station 20768+00 when exploratory excavation to determine ground water levels unearthed a potential prehistoric shallow hearth. All work was halted and an exclusion zone was established. The archcological monitor onsite made an assessment/investigation resulting in no significant findings. Approximately $1 / 4$ of the feature had been lost due to the machinery excavation when the feature was first observed. REX Archaeological Profcssional made all necessary contacts; including the FERC and Indiana SHPO. On 03/20/09, work was allowed to resume in the area after communications were received from agencies approving continuance of construction.

## Next Week

Environmental Inspection team will continue inspection of contractor activities. Daily morning briefings will continue to be conducted between Contractor, Rockies inspection management, and Compliance Monitor, when available.

## Spread/Facility

Name Schwarz, Wes

## Summary

The following construction activities were observed by the environmental inspection team throughout the Spread F2 corridor: Activities this week included the installation, maintenance, and inspection of appropriate ECD's, HDD's/bores, ditching, welding, coating, lower in, backfill, tie-ins, and restoration and clean up. Contractor has five environmental crews working. Waterbody crossing schedule has been updated for this report. See variance request table attached to this report for additional information on variances. Cultural monitoring was not required onsite this period. Environmental training is ongoing as needed.

There were no NCR's recorded this period.

## Next Week

Environmental team will continue inspection of contractor activities. Daily morning briefings will continue to be conducted between Contractor, Rockies inspection management, and Compliance Monitor, when available.

## Summary

Little Miami HDD continues. E.I.s with survey continue to verify and stake setbacks from waterbodies. Bat tree clearing occurring.

## Next Week

Above listed work continues.
Spread/Facility II Name Elshoff, Paul
Summary
Big Darby HDD completed; E.I.s and survey are verifying setbacks from waterbodies. Clean-up for the HDD continues. Bat
tree cutling occurring.
Next Week
Big Darby HDD completed; above activities continue.
Spread/Facility I Name Elshoff, Paul

Summary
No activity occurred on Spread I this period.
Next Week
No activities schedulcd.

Spread/Facility J

## Summary

Potential roost tress continue to be cut.
Next Week
Marking and clearing of potential bat roost trees continue.

## Spread/Facility K

## Summary

E.I.s and survey are verifying setbacks at waterbodies. Potential migratory bird trees were being cut.

Next Week
Marking/clearing of potential bat roost trees continues.

## Summary

The following construction activities were observed at the station: Typical station work throughout the site continues, painting as weather permits, instrument vent lines and utility piping, flush glycol piping, fab guards for various locations, insultaing, 42 inch tic-ins, backfill tie-ins, commissioning, maintenance of appropriate ECD's, continuing receipt of ancillary materials and equipment, and environmental training. There were no environmental compliance issues.

## Next Week

The above typical station construction activities will continue and expand as warranted. Commissioning should continue.

## Spread/Facility Bainbridge CS Name Franzene, Eric

## Summary

Work included typical station construction, general building/station construction, housekeeping daily, delivery and receipt of ancillary material and equipment, and the installation, maintenance, and inspection of ECDs. Environmental Inspectors from Spread D also monitored activities at the station and found them to be in compliance.

## Next Week

The above typical station construction activities will continue and expand as warranted.

## Spread/Facility Bertrand CS Name Vanya, Kevin

## Summary

The chief inspector reports the following activities occurring on site: Typical station construction including building erection, backfill ESD piping, painting (weather permitting), spreading white rock for stabilization, various station electrial work, conduit at waste sumps, receipt of ancillary materials and equipment, inspection, and maintenance of appropriate ECD's, and environmental training. Housekceping efforts occur daily. All hydrotesting is complete.

## Next Week

The above typical station construction activities will continue and expand as warranted.

## Spread/Facility Blue Mound CS Name Suggs, Garvin

## Summary

Activities this week included inspection and maintenance of appropriate ECD's, building erection, various excavations and backfill, pipe fabrication, sandblasting, rebar tie-off, miscellaneous concrete pours and grouting, various plumbing activities including glycol lines and lube oil lines, underground instrument lines, control panels, roofing, sheeting and vents and vent fans, welding, and coating, office/warehouse erection, compressor building erection, hydrotest, electrical and conduit placement, environmental training as necessary, and the delivery and receipt of ancillary materials and equipment. There were no compliance issucs.

## Next Week

The above typical station construction activities will continue and expand as warranted.
Spread/Facility Chandlersville Name Connelly, Mike

## Summary

Activities this week included heavy ECD repairs, cable tray installations, pole lighting conduits, electrical service panels and conduits, sub-floor rebar, X-rays, floor section concrete pours, delivery and receipt of ancillary material and equipment, and the ongoing installation, maintenance, and inspection of appropriate ECD's.

## Next Week

The above typical station construction activities will continue and expand as warranted.

## Summary

Typical start up compressor station construction is occurring and will expand as weather permits. Fencing, miscellaneous excavations, anchor bolts, various electrical, using cranes, various PVC piping, welding/fab, backfilling around building, concrete work, various electrical, install forms, remove all trash, compressor building erection, delivery and receipt of ancillary tools and equipment, and environmental training as needed.

## Next Week

Above listed typical station activities will continue and expand.
Spread/Facility Mexico CS Name Larson, Ray

## Summary

Work included lube oil line, backfilling where possible, A-braces, pulling wire, coating and jeeping ESD lines, building contruction, other typical station construction, delivery and recipt of ancillary tools and equipment, installation and maintenance of appropriate ECD's, and environmental training. Spread A1 EI's routinely make compliance checks at the station, with no compliance issues noted.

## Next Week

Above typical station activitics will be ongoing and will include more delivery and receipt of ancillary equipment.

Rockies Express LLC
REX East Project
FERC Weekly Report
Weekly Report No: 40
Start: 3/19/2009 End: 3/25/2009
Construction Progress Tracking
Attached

Compliance Tracking
Attached

Variance Tracking
Attached

Landowner Complaint Resolution Tracking
Attached
Other Agency Correspondence
None

Waterbody Crossing Schedule
Attached
Construction Emissions Tracking:
None

CONSTRUCTION PROGRESS TRACKING

## Progress as of $03 / 25 / 09$

|  |  | 07/22/08 | 07/18/08 | GREGORY $07 / 09 / 08$ NTP | $\begin{aligned} & \text { - PRICE } \\ & \text { O7/14/08 } \end{aligned}$ | - ASSOCLATED NTP 08/01/08 | E-Sheehan | F1-Price | F2-Gregory | TOTAL |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Contrat Description | Units | $\begin{aligned} & \text { Eteg Stalion } 0+000 \\ & \text { Ending Station } 3760+76 \\ & \text { QTY } \end{aligned}$ | Beg Station 3760+76 Ending Station 7604+7 QTY | $\begin{aligned} & \text { Beg Slation } 7604+\overline{78} \\ & \text { Ending Slation } 10066+52 \\ & Q T Y \end{aligned}$ | Beg Station $100066+52$ Ending Station $12576+93$ QTY | Beq Station $12576+\overline{93}$ Ending Station $16146+45$ QTY | $\begin{gathered} \text { Beg Station } 16 \overline{146+45} \\ \text { Ending Station } 18779+16 \end{gathered}$ QTY | $\begin{aligned} & \text { Beg Station } 19779+16 \\ & \text { Ending Station } 21354+93 \end{aligned}$ <br> OTY | Beg Station $21354+93$ Ending Station $23396+42$ OTY |  |
| Madifization To Contr Yard | 15 | 100\% | 100\% | 100\% | 100\% | -- ${ }_{\text {2 }}$ 100\% | - ${ }^{100 \%}$ | - $\frac{\text { Q }}{90 \%}$ | - $\mathrm{CrO}_{80}$ | $\frac{\text { Average \% Sum }}{96 \%}$ |
| Demabilization | LS | 0\% | $0 \%$ | 0\% | 0\% | 0\% | $0 \%$ | \%\% | 0\% | 0\% |
|  | Milles | 71.23 | 72,90 | 46.62 | 47.54 | 67.60 | 68,80 | 29.84 | 38.66 | 443.1 |
| Wese Lsy Total Foolaga | LF | 376,076 | 384,402 | 246,154 | 251,011 | 356,952 | 383,271 | 157,577 | 204.149 | 2,339,592 |
| Clear and Grade | LF | 99,96\% | 100.00\% | 99.80\% | 100.04\% | 100.00\% | 100.00\% | 95.48\% | 100.00\% | 99.41\% |
| Ditch | LF | 99.56\% | 100.00\% | 99,80\% | 100.01\% | 77.65\% | 64.92\% | 89.48\% | 64.16\% | 87.00\% |
| String | LF | 59.96\% | 100.00\% | 99,80\% | 100,01\% | 100.00\% | 100.00\% | 98.31\% | 94.01\% | 99.01\% |
| Bend | LF | 99.95\% | 100.00\% | 99.80\% | 100.01\% | 100.00\% | 100.00\% | 95.60\% | 89.29\% | 98.08\% |
| Weld | LF | 99.96\% | 100.00\% | 99.80\% | 100.04\% | 100.00\% | 99.38\% | 86.40\% | 84.64\% | 96, $27 \%$ |
| Coat | LF | 999.96\% | 100.00\% | 99.80\% | 100,00\% | 100.00\% | 99.38\% | 27.09\% | 71.07\% | 87.16\% |
| Hytrotest | LF | 61.19\% | 100.00\% | 99.80\% | 100.01\% | 60.76\% | 50.90\% | 67.13\% | 75.92\% | 81.81\% |
| Clean and Dry | LF | 51.64\% | 100.00\% | 99.80\% | 100.01\% | 0, $0.00 \%$ | 0.0.0\% | 0.00\% | 0.00\% | 50.60\% |
| Caliper Pig | LF | 51.64\% | 100.00\% | 99.80\% | 100.01\% | 0.00\% | 0.00\% | 0.00\% | 0.00\% | 43,93\% |
| Teln | LF | 95.76\% | 100.00\% | 99.80\% | 100.01\% | 66.35\% | 56.31\% | 65.84\% | 48.96\% | 79.13\% |
| Environmental Front end | LF | 899.96\% | 100.00\% | 90.69\% | 100.01\% | 31.62\% | 14.56\% | 32.74\% | 17.26\% | 60.86\% |
| Clean up - Rough | LF | 99.96\% | 100.00\% | 90.69\% | 100.01\% | 31.62\% | 14.56\% | 32.74\% | 17.25\% | 60.86\% |
| Reclamation/Seeding. | LF | 50.73\% | 36.27\% | 52.09\% | 100.01\% | 23.63\% | 2.35\% | 13.98\% | 0.00\% | 34.88\% |
|  |  | Mach Complete | Mech Complete | Mech Complete | Mech Complete | Mech Complete | Mech Complete | Mech Complete | Mech Complete | Mech Complete |
|  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |

Rockies Express Pipeline LLC
REX East Project
FERC Weekly Report
Compliance Tracking

| Spread/ <br> Facility | Date | Report ID | Reported <br> By | MP Type | Summary | Corrective Action |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |

## Noncompliance

## Resolved

 17-09-3
## Erosion Control

Close-out update: Repairs completed as of 03/25/09.
ECD's were lacking and missing in an areas involving several waterbodies.

## CM 356.3 Biological

Resources/Plans/
Restrictions

Six inch pump was observed by FERC
$C M$ inside wetland restriction zone
without secondary containment.

Close-out update: Repairs completed as of 03/25/09.

Heavily saturated Row has lead to delay in repairs/response. Contractor is responding on foot with materials and using a light-weight piece of equipment for repairs. FERC CM acknowledges to LEI this may take several days to complete. Pending.

Crews immediately responded and corrected the situation. Tailgate training was held onsite with crews. Resolved.

| Spreadl <br> Facility | Date | Report ID | Reported <br> By | MP Type | Summary | Cost | Corrective Action |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| F1 | $3 / 21 / 2009$ | Mpelfrey- |  |  |  |  |  |
| 032109-1 |  |  |  |  |  |  |  |

## Problem Area

## Resolved

3/24/2009 Al07-39896-2 David J. EI 70.77 Spil

Hammons

E

## 3/23/2009

E03-39895-1
Mike Edlin
EI 363.57 Spill

Bore machine tipped over and leaked about one quart of oil to the ground.

EI located diesel leak/spill in an area 1 foot by 7 foot by 1 inch deep in soil.

Hydraulic line on rock drill busted and leaked.
Badger vacuum truck on uneven ground leaked diesel fuel out of its fill tube.

Crews immediately responded with diapers and shovels and removed all contaminated material off the ROW. Parking will be on more level ground when tank is full. Resolved.

Spill of 1.5 quart of oil was cleaned up off the ground and disposed of. Minor mist had sprayed onto creek surface. While there was no sheen, crews were able to quickly use spill booms and soak up spots of oil on water. All materials were properly disposed of. Resolved.

The spill was cleaned up with diapers and shovels and bagged; then taken off-ROW for proper disposal. Resolved.

Crews immediately responded and dug soils up and placed into containment containers. No indication what equipment had leaked the fuel. Equipment in area will be inspected. Resolved.

| Spread/ Facility | Date | Report ID | Reported By |  | MP | Type | Summary | Corrective Action |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Unresolved |  |  |  |  |  |  |  |  |
| Al | 3/20/2009 | A101-39892-1 | Kevin Janik | El | 70.78 | Cultural <br> Resources/Plans/ <br> Restrictions | Drilling mud at 200th Ave. HDD escaped with small portions lying on the srface of an archaeologial site and small amounts in stagnant flood waters. | Pending guidance from FERC and SHPO, but frac-out is contained. FERC CM is eaqually on-board with current process as pending. |

Rockies Express Pipeline LLC
REX EAST Project
FERC Weekly Report
Variance Tracking

| Spread Variance ID | MPI <br> Location | Level | Date Submitted | Date Approved / Denied | Description | Justification | Status | Stipulations |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |


| Fl | AR-F1-018 | 385.95 | Level 2 | 3/23/2009 | 3/25/2009 | Price Gregory International, Inc. request a variance for the approval of an access road 20 ft . wide from Walnut Fork Road to the north side of the right of way for $3,041 \mathrm{ft}$. long ending at approximately Station $20378+00$ for use of rubber tire equipment and vehicles during construction. Please Reference AR-F1-011 that was previously approved. The Cultural Survey has been completed for this request ending at the REX ROW at Sta. 20378+00 dated 12/30/08 in the approval. | The use of this road would allow rubber tire equipment and vehicles the use of this road for access to the right of way during construction of the pipeline and will minimize impacts to the restored ROW after revegetation. The terrain is fairly steep on both sides of the road where it first gets to the ROW and for this reason the road use is needed on around to the top of the hill. This will help with the revegetation with the ROW due to fairly steep grades in the area. After construction this access road would be restored to it original condition. All guidelines will be followed at waterbodies and all ECD's will be put in place including silt fence as a barrier between the access road and any waterbody. |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |


| Spread | Variance ID | $\overline{M P 1}$ <br> Location | Level | Date <br> Submitted | Date Approved / Denied | Description | Justification | Status | Stipulations |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Fl | MM-F1-063 |  | Level ] |  | 3/24/2009 | Price Gregory International, Inc. request permission for a variance to remove a straw bale dewater structure that was used outside of the right of way. The straw bale structure is approxinately 150 feet on the north side of the ROW limits. | This variance request is needed so a rubber tire backhoe can travel out to the dewatering structure to help in the cleanup of the straw bales, geotextile lining and filter bag(s) that was used in trench dewatering. In addition sediment from dewatering activity will be cleaned up and returned to the right of way. An Environmental Inspector will be present during this work to ensure it is done in the best management practices. | Approved | PGI will insure that topsoil mixing doesn't occur during material recovery. |


| Spread | Variance ID | MP/ <br> Location | Level | Date <br> Submitted | Date Approved / Denied | Description | Justification | Status | Stipulations |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| F1 | WS-F1-086 | 292.51 | Level 2 | 3/6/2009 |  | Price Gregory International, Inc. request permission for a variance for 50 feet of extra work space from Sta. 20774+57 to Sta. $20776+32$ for approximately 50 feet on the south side of the right of way for water uptake and discharge for the Whitewater River HDD and mainline test. | The use of this extra work space is needed for the placement of the wire screen basket for water uptake for hydrostatic testing of the Whitewater River HDD and mainline pipe sections. In addition this work space will be used for hydrostatic test water discharge with a section of 6 inch pipe attached to a diffuser placed inthe river. This area is in a Bat Habitat. Tree clearing will not be required in this area. This WS is adjacent to a grassy area that borders AG land. All guidelines will be followed with all ECD's put in place including silt fence as a barrier between the ATWS and the waterbody. Resources are protected using all REX environmental procedural guidelines. The Whitewater River at MP 393.45 is a pernnial waterbody of special concern at 60 feet in width and is designated as OR-ecology and recreation, SSSINE variegate darter. | Pending <br> FERC |  |


| Spread | Variance ID | MP/ <br> Location | Level | Date Submitted | Date Approved / Denied | Description | Justification | Status | Stipulations |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| F2 | MM-F2-013 |  | Level 2 | 3/23/2009 |  | The Rockies Express Pipeline East Project Reseeding Plan specifies a seeding period of August 1 through Septeniber 15. Gregory \& Cook Construction is requesting a variance to allow permanent seeding after March 15. | The dormant seeding period for cool and warm season species, based on the Ohio Natural Resources Conservation Service, is November I to March 14. Since the March 15 date is outside the dormant seeding period for Ohio, the variance is being requested to begin seeding prior to the August 1 date. | Pending FERC |  |
| H | CM-H-001 | 508.67 | Level 2 | 3/6/2009 |  | Gregory \& Cook Construction is requesting variance to employ a drill rig at the end of the pipe layout area at the Big Darby Creek HDD site. | The pipe section hung up about 400 feet into the pull. In the event that the pipe can not be freed by other methods, an additional drilling rig will placed at the end of the pipe section to assist with pulling the pipe out of the bore. | Pending FERC |  |

Rockies Express Pipeline LLC
REX East Project
FERC Weekly Report
Landowner Complaint Resolution

| Date Mile Post Tract | Description | Resolution |
| :--- | :--- | :--- | :--- |
| $1 / 12 / 2009$ | LO requests compensation for loss of hunting business due to ROW is reviewing claim. |  |
| construction activities. |  |  |


| Spread: AI |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Audrain | 001.0 | WB-MO-00-A | Littleby Creek | P | 40 | Dam \& Pump | 09/20/08 | 09/22/08 |
| Audrain | 004.5 | WB-MO-04-A | Tributary to West Lick Creek | I | 12 | Open Cut | 09/10/08 | 09/10/08 |
| Audrain | 007.2 | WB-MO-07-A | Middle Lick Creek | P | 20 | Dam \& Pump | 10/02/08 | 10/03/08 |
| Ralls | 016.4 | WB-MO-16-A | Tributary to Spencer Creek | P | 12 | Dam \& Pump | 10/05/08 | 10/05/08 |
| Pike | 022.4 | WB-MO-22-A | Tributary to Lake Vandalia | P | 12 | Dam \& Pump | 10/29/08 | 10/29/08 |
| Pike | 023.5 | WB-MO-23-A | Tributary to South Spencer Creek | I | 12 | Open Cut | 10/29/08 | 10/31/08 |
| Pike | 025.8 | WB-MO-25-B | South Spencer Creek | I | 20 | Open Cut | 11/05/08 | 11/07/08 |
| Pike | 028.8 | WB-MO-28-B | Tributary to Peno Creek | I | 15 | Open Cut | 11/12/08 | 11/12/08 |
| Pike | 029.7 | WB-MO-29-AAA | Peno Creek | P | 20 | Open Cut | 11/12/08 | 11/17/08 |
| Pike | 036.7 | WB-MO-36-A | Tributary to Grassy Creek | I | 30 | Open Cut | 1 1/28/08 | 11/28/08 |
| Pike | 040.9 | WB-MO-40-A | Grassy Creek | P | 30 | Open Cut | 01/05/09 | 01/06/09 |
| Pike | 041.7 | WB-MO-41-A | Tanyard Branch | I | 10 | Open Cut | 12/01/08 | 12/03/08 |
| Pike | 042.5 | WB-MO-42-A | Salt River | P | 320 | HDD | 10/15/08 | 01/26/09 |
| Pike/Pike | 042.7 | WB-MO-43-A | Tributary to Salt River | P | 50 | HDD | 10/15/08 | 01/26/09 |
| Pike | 043.4 | WB-IL-43-AAAA | Mississippi River | P | 1500 | HDD | 10/15/08 | 01/28/09 |

REX East Waterbody Crossing Schedule

| Pike | 043.8 | WB-IL-43-CCCC | Ditchway | I | 15 | Open Cut | 02/16/09 | 02/17/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Pike | 043.8 | WB-1L-43-DDDD | Irrigation Ditch | I | 10 | Open Cut | Not Crossed | Not Crossed |
| Pike | 043.9 | WB-IL-44-AAAA | Plum Point Slough | P | 40 | Open Cut | 02/20/09 | 02/22/09 |
| Pike | 046.3 | WB-IL-45-A | Sand Slough | P | 30 | Open Cut | 02/23/09 | 02/24/09 |
| Pike | 047.3 | WB-IL-47-AAA | The Sny Canal | P | 50 | HDD | 07/22/08 | 09/27/08 |
| Pike | 049.8 | WB-IL-49-A | Tributary to Towhead Lake | P | 35 | Open Cut | 02/06/09 | 02/06/09 |
| Pike | 052.6 | WB-IL-51-B | Sixmile Creek | P | 30 | Open Cut | 02/04/09 | 02/06/09 |
| Pike | 056.9 | WB-IL-56-B | Cold Run | P | 12 | Open Cut | 01/10/09 | 01/14/09 |
| Pike | 058.7 | WB-1L-58-AAA | Buckeye Creek | P | 15 | Open Cut | 01/12/09 | 01/06/09 |
| Pike | 061 | WB-IL-60-A | Honey Creek | $P$ | 30 | Open Cut | 12/08/08 | 12/12/08 |
| Pike | 063.9 | WB-IL-63-A | Bay Creek | P | 25 | Open Cut | 01/19/09 | 02/04/09 |
| Pike/Scott | 071.2 | WB-IL-69-B | Ilinois River | P | 500 | HDD | 12/15/08 | In progress |
| Spread: A2 |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Scott | 081.1 | WB-IL-81-CCC | Open Water Area | Open Water Area | 200 | Open Cut | 01/26/09 | 01/26/09 |
| Scott | 082.9 | WB-IL-82-AA | North Little Sandy Creek | P | 20 | Open Cut | 01/31/09 | 01/31/09 |
| Scott | 083.5 | WB-IL-83-BBBB | Open Water Area | Open Water Area | 90 | Open Cut | 01/21/09 | 01/20/09 |

REX East Waterbody Crossing Schedule

| Scott | 083.5 | WB-IL-83-AAA | Open Water Area | Open Water Area | 25 | Open Cut | 01/20/09 | 01/20/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Scott | 084.0 | WB-IL-82-A | Open Water Area | Open Water Area | 100 | Open Cut | 01/20/09 | 01/20/09 |
| Morgan | 090.8 | WB-IL-90-CCC | Coal Creek | P | 12 | Open Cut | 01/19/09 | 01/19/09 |
| Morgan | 092.9 | WB-IL-92-AAA | Open Water Area | Open Water Area | 110 | Open Cut | Not crossed | Not crossed |
| Morgan | 093.1 | WB-IL-93-AA | Tributary to Little Apple Creek | I | 10 | Open Cut | 01/27/09 | 01/28/09 |
| Morgan | 094.8 | WB-IL-94-CCC | Little Apple Creek | P | 15 | Open Cut | 01/13/09 | 01/14/09 |
| Morgan | 096.5 | WB-IL-96-BB | Mooney Branch | P | 10 | Open Cut | 01/08/09 | 01/10/09 |
| Morgan | 099.5 | WB-IL-98-A | Left Fork Apple Creek | P | 20 | Open Cut | 01/06/09 | 01/07/09 |
| Morgan | 101.9 | WB-IL-100-C | Woods Creek | P | 35 | Open Cut | 01/12/09 | 01/13/09 |
| Sangamon | 109.3 | WB-IL-109-AAA | South Fork Lick Creek | I | 10 | Open Cut | 10/03/08 | 10/03/08 |
| Sangamon | 112.3 | WB-IL-112-AAA | Johns Creek | P | 20 | Open Cut | 10/04/08 | 10/06/08 |
| Sangamon | 117.1 | WB-IL-115-A | Panther Creek | P | 15 | Open Cut | 10/12/08 | 10/12/08 |
| Sangamon | 121.2 | WB-IL-121-AAA | Sugar Creek | P | 50 | Open Cut | 10/23/08 | 10/25/08 |
| Sangamon | 125.2 | WB-IL-123-A | Brush Creek | P | 20 | Open Cut | 11/13/08 | 11/15/08 |
| Sangamon | 126.0 | WB-IL-124-A | Horse Creek | P | 35 | Open Cut | 11/11/08 | 11/12/08 |
| Christian | 132.1 | WB-IL-131-AA | South Fork Sangamon River | P | 100 | Open Cut | 12/03/08 | 12/05/08 |

## REX East Waterbody Crossing Schedule

| Spread: B |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Macon | 152.4 | WB-IL-150-B | Mosquito Creek | P | 12 | Open Cut | 10/17/08 | 10/20/09 |
| Macon | 152.7 | WB-IL-150-A | Spring Creek | P | 10 | Open Cut | 11/07/08 | 11/11/08 |
| Macon | 153.0 | WB-IL-151-A | Spring Creek | P | 10 | Open Cut | 11/10/08 | 11/19/08 |
| Macon | 162.7 | WB-IL-162-AAA | Sand Creek | P | 12 | Open Cut | 10/30/08 | 11/04/08 |
| Macon | 164.9 | WB-IL-165-DDDD | Finney Creek | P | 20 | Open Cut | 11/04/08 | 11/05/08 |
| Moultrie | 175.5 | WB-IL-173-B | Tributary to Okaw River | P | 20 | Open Cut | 11/17/08 | 11/29/08 |
| Moultrie | 175.6 | WB-IL-173-C | Open Water Area | Open Water Area | 150 | Open Cut | Not crossed | Not crossed |
| Moultrie | 178.7 | WB-IL-176-AAA | Mutual Ditch \#3 | P | 15 | Open Cut | 11/21/08 | 11/27/08 |
| Moultrie | 178.9 | WB-IL-176-BBB | Mutual Ditch \#4 | P | 15 | Open Cut | 11/26/08 | 11/28/08 |
| Douglas | 188.1 | WB-IL-188-AAA | Lake Fork | P | 30 | Open Cut | 01/31/09 | 02/03/09 |
| Douglas | 190.5 | WB-IL-188-A | Dry Fork Creek | P | 12 | Open Cut | 12/12/08 | 12/15/08 |
| Spread: C |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Douglas | 193.4 | WB-IL-193-AAA | Kaskaskia River | P | 75 | Open Cut | 09/28/08 | 09/28/08 |
| Douglas | 202.9 | WB-IL-202-AAAA | Embarras River | p | 60 | HDD | 09/08/08 | 10/19/08 |
| Douglas | 212.7 | WB-IL-210-A | Tributary to Brushy Fork | I | 12 | Open Cut | 10/13/08 | 10/13/08 |

REX East Waterbody Crossing Schedule

| Douglas | 213.3 | WB-IL-211-A | Brushy Fork | P | 30 | Open Cut | 08/25/08 | 08/26/08 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Edgar | 217.2 | WB-IL-215-A | McCown Creek | P | 15 | Open Cut | 08/23/08 | 08/23/08 |
| Edgar | 218.2 | WB-IL-216-A | Hughes Drain | P | 15 | Open Cut | 08/27/08 | 08/27/08 |
| Edgar | 220.9 | WB-IL-218-A | Brushy Fork | P | 15 | Open Cut | 08/29/08 | 08/29/08 |
| Edgar | 227.4 | WB-IL-225-A | Brouilletts Creek | P | 30 | Open Cut | 09/06/08 | 09/06/08 |
| Edgar | 228.7 | WB-IL-228-AAA | Brouilletts Creek | P | 35 | Open Cut | 09/10/08 | 09/10/08 |
| Edgar | 232.7 | WB-IL-232-DDD | Crabapple Creek | P | 60 | Open Cut | 10/16/08 | 10/17/08 |
| Edgar | 233.0 | WB-IL-232-EEE | Crabapple Creek | $p$ | 40 | Open Cut | 10/15/08 | 10/15/08 |
| Edgar | 233.1 | WB-IL-233-AAA | Crabapple Creek | P | 25 | Open Cut | 10/14/08 | 10/14/08 |
| Edgar | 235.5 | WB-IL-235-AAA | Salt Fork | P | 25 | Open Cut | 10/22/08 | 10/22/08 |
| Spread: D |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Vermillion | 243.3 | WB-IN-WR-243-B | Buck Creek | P | 14 | Open Cut | 03/02/09 | 03/04/09 |
| Vermitlion | 243.3 | WB-IN-WR-243-A | Tributary to Buck Creek | P | 13 | Open Cut | 03/02/09 | 03/04/09 |
| Vermillion | 245.0 | WB-IN-WR-244-D | Little Raccoon Creek | P | 10 | Open Cut | 02/27/09 | 03/02/09 |
| Vermillion | 245.0 | WB-IN-WR-245-E | Little Raccoon Creek | P | 10 | Open Cut | 02/27/09 | 03/02/09 |
| Vermillion | 245.1 | WB-IN-WR-244-E | Little Raccoon Creek | P | 10 | Open Cut | 02/27/09 | 03/02/09 |
| Vermillion/Parke | 246.9 | WB-IN-247-AAAA | Wabash River | P | 670 | HDD | 11/28/08 | In Progress |

REX East Waterbody Crossing Schedule

| Parke | 247.1 | WB-IN-247-CCCC | Tributary to Wabash River | I | 25 | Open Cut | 02/06/09 | 02/06/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Parke | 248.2 | W\&E CANAL | Wabash \& Erie Canal | I | 30 | Open Cut | 03/09/09 | In Progress |
| Parke | 250.7 | WB-IN-250-AA | Leatherwood Creek | P | 20 | Open Cut | 02/26/09 | 03/04/09 |
| Parke | 251.0 | WB-IN-248-B | Tributary to Leatherwood Creek | I | 10 | Open Cut | 02/05/09 | 02/05/09 |
| Parke | 251.0 | WB-IN-248-G | Open water area | Open water | 149 | Open Cut | 02/05/09 | 02/05/09 |
| Parke | 253.6 | WB-IN-253-DDD | Tributary to Rocky Run | E | 20 | Open Cut | 01/11/09 | 01/11/09 |
| Parke | 253.8 | WB-IN-250-D | Open water area | Open water | 129.3 | Open Cut | 01/27/09 | 01/27/09 |
| Parke | 258.7 | WB-IN-258-BBB | Sand Creek | P | 12 | Open Cut | 03/02/09 | 03/08/09 |
| Parke | 260.5 | WB-IN-260-DDD | Tributary to Little Raccoon Creek | P | 45 | Open Cut | 01/22/09 | 01/22/09 |
| Putnax | 268.3 | WB-IN-265-A | Byrd Branch | P | 15 | Open Cut | 03/03/09 | 03/07/09 |
| Putnam | 269.8 | WB-IN-266-I | Big Raccoon Creek | $P$ | 45 | Open Cut | 03/03/09 | 03/19/09 |
| Putnam | 270.5 | WB-IN-267-B | Tributary to Big Raccoon Creek | P | 10 | Open Cut | 11/21/08 | 11/21/08 |
| Putnam | 271.4 | WB-IN-268-A | Tributary to Big Raccoon Creek | P | 10 | Open Cut | 11/23/08 | 11/23/08 |
| Putnam | 272.8 | WB-IN-269-D | Tributary to Big Raccoon Creek | I | 9.8 | Open Cut | 11/05/08 | 11/05/08 |
| Putnam | 273.1 | WB-IN-270-C | Peters Creek | P | 14.8 | Open Cut | 11/06/08 | 11/06/08 |
| Putnam | 278.7 | WB-IN-278-AAA | Tributary to Bledsoe Branch | I | 12 | Open Cut | 10/31/08 | 10/31/08 |

REX East Waterbody Crossing Schedule

| Putnam | 279.9 | WB-IN-276-C | Tributary to Bledsoe Branch | P | 16 | Open Cut | 10/22/08 | 10/22/08 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Putnam | 280.1 | WB-IN-276-E | Tributary to Bledsoe Branch | I | 10.9 | Open Cut | 10/20/08 | 10/20/08 |
| Putnam | 281.4 | WB-IN-277-A | Big Walnut Creek | P | 55.8 | HDD | 10/28/08 | 03/13/09 |
| Putnam | 282.2 | WB-IN-278-A | Plum Creek | P | 26.3 | Open Cut | 10/24/08 | 10/24/08 |
| Putnam | 285.3 | WB-IN-281-A | Tributary to Clear Creek | P | 16.4 | Open Cut | 09/22/08 | 09/22/08 |
| Putnam | 286.5 | WB-IN-282-B | Clear Creek | P | 20 | Open Cut | 09/20/08 | 09/20/08 |
| Hendricks | 291.8 | WB-IN-291-AAA | Mill Creek | P | 11 | Open Cut | 03/18/09 | 03/23/09 |
| Hendricks | 292.2 | WB-IN-291-BBB | Tributary to Mill Creek | 1 | 12 | Open Cut | 03/15/09 | 03/17/09 |
| Hendricks | 294.3 | WB-IN-290-B | Tribulary to East Fork Mill Creek | 1 | 9.8 | Open Cut | 03/18/09 | In Progress |
| Hendricks | 295.0 | WB-IN-291-A | Tributary to East Fork Mill Creek | I | 16.4 | Open Cut | 03/18/09 | In Progress |
| Hendricks | 299.4 | WB-IN-295-A | Mud Creek | P | 10 | Open Cut | 04/01/09 |  |
| Hendricks | 299.8 | WB-IN-295-B | Tributary to Mud Creek | 1 | 20 | Open Cut | 04/01/09 |  |
| Hendricks | 303.3 | WB-IN-303-AAAA | Tributary to White Lick Creek | P | 20 | Open Cut | 03/23/09 | 1 la Progress |
| Morgan | 304.3 | WB-IN-304-AAAA | McCracken Creek | P | 40 | Open Cut | 03/17/09 | 03/20/09 |
| Morgan | 304.5 | WB-IN-300-A | Tributary to McCracken Creek | 1 | 16 | Open Cut | 03/30/09 |  |
| Morgan | 305.0 | WB-IN-300-C | Tributary to McCracken Creek | E | 10 | Open Cut | 04/01/09 |  |

REX East Waterbody Crossing Schedule

| Morgan | 305.0 | WB-IN-300-B | Tributary to McCracken Creek | P | 15 | Open Cut | 04/01/09 |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Spread: E |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Morgan | 311.0 | WB-IN-311-CCCC | White Lick Creek | P | 70 | Open Cut | 03/16/09 | 03/18/09 |
| Morgan | 312.3 | WB-IN-312-DDD | Tributary to White Lick Creek | P | 20 | HDD | 12/30/08 | 12/31/08 |
| Morgan | 312.5 | WB-IN-312-BBB | Open water area | Open water | 100 | HDD | 12/31/08 | 12/31/08 |
| Morgan | 315.8 | WB-IN-315-4B | West Fork of White River | P | 230 | Open Cut | 01/04/09 | 01/20/09 |
| Morgan | 317.4 | WB-IN-317-BBBB | Tributary to Crooked Creek | P | 25 | Open Cut | 03/05/09 | 03/07/09 |
| Morgan | 317.9 | WB-IN-317-4A | Impounded Tributary to Banta Creek | Open water | 25 | Open Cut | 12/25/08 | 12/26/08 |
| Morgan | 318.1 | WB-IN-318-4A | Banta Creek | P | 14 | Open Cut | 11/28/08 | 11/29/08 |
| Johnson | 318.9 | WB-IN-319-AAAA | Tributary to Crooked Creek | I | 12 | Open Cut | 01/30/09 | 02/02/09 |
| Johnson | 321.3 | WB-IN-321-AAAA | Tributary to Slots Creek | 1 | 20 | Open Cut | 03/03/09 | 03/04/09 |
| Johnson | 322.7 | WB-IN-322-GGGG | Tributary to Slotts Creek | P | 30 | Open Cut | 03/10/09 | 03/12/09 |
| Johnson | 328.8 | WB-IN-328-AAA | Tributary to Ray Creek | P | 13 | Open Cut | 03/12/09 | 03/13/09 |
| Johnson | 331.9 | WB-IN-331-AAA | Tributary to Buckhart Creek | P | 10 | Open Cut | 03/27/09 |  |
| Johnson | 336.1 | WB-IN-336-BBBB | Youngs Creek | P | 30 | Open Cut | 02/06/09 | 02/23/09 |

REX East Waterbody Crossing Schedule

| Johnson |  | 337.8 | WB-IN-337-BBBB | Sugar Creek | P | 40 | Open Cut | 01/29/09 | 02/06/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Shelby |  | 340.7 | WB-IN-340-AAA | Big Blue River | P | 160 | HDD | 01/07/09 | 01/21/09 |
| Shelby |  | 345.4 | WB-IN-344-BBB | Tributary to Slash Creek | P | 12 | Open Cut | 04/06/09 |  |
| Shelby |  | 345.9 | WB-IN-345-AAA | East Fork Slash Creek | P | 30 | Open Cut | 04/06/09 |  |
| Shelby |  | 349.5 | WB-IN-339-A | Little Ditch | I | 15 | Open Cut | 03/17/09 | 03/17/09 |
| Shelby |  | 349.7 | WB-IN-339-B | Van Pelt Ditch | P | 25 | Open Cut | 04/03/09 |  |
| Shelby |  | 350.2 | WB-IN-339-C | Thompson Ditch | I | 13.8 | Open Cut | 04/12/09 |  |
| Shelby |  | 351.5 | WB-IN-351-AAAA | Lewis Creek | P | 15 | Open Cut | 02/25/09 | 02/26/09 |
| Shelby | - | 353.0 | WB-IN-352-AAA | Little Lewis Creek | P | 22 | Open Cut | 04/05/09 |  |
| Shelby |  | 353.3 | WB-IN-352-BBB | Little Lewis Creek | P | 15 | Open Cut | 03/31/09 |  |
| Shelby |  | 356.2 | WB-IN-356-4B | Conns Creek | $P$ | 40 | Open Cut | 04/20/09 |  |
| Shelby |  | 357.2 | WB-IN-356-AAA | Deer Creek | P | 18 | Open Cut | 04/10/09 Road |  |
| Decatur |  | 359.8 | WB-IN-349-A | Mill Creek | P | 20 | Open Cut | 04/20/09 |  |
| Decatur |  | 362.6 | WB-IN-362-AAAA | Flatrock River | P | 60 | Open Cut | 03/05/09 | In Progress |
| Decatur |  | 363.7 | WB-IN-353-A | Hurricane Creek | 1 | 12 | Open Cut | 03/11/09 | In Progress |
| Decatur |  | 363.7 | WB-IN-353-B | Tributary to Hurricane Creek | I | 10 | Open Cut | 03/11/09 | In Progress |
| Decatur |  | 367.3 | WB-IN-356-A | North Branch Clifty Creek | P | 25 | Open Cut | 03/18/09 | 03/21/09 |
| Decatur |  | 369.1 | WB-IN-358-A | Tributary to Clifty Creek | E | 9.8 | Open Cut | 03/11/09 | In Progress |

REX East Waterbody Crossing Schedule

| Decatur | 369.4 | WB-IN-358-B | Middle Branch Clifty Creek | P | 19.7 | Open Cut | 03/11/09 | 03/23/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Decatur | 372.8 | WB-1N-372-AAA | Tributary to Middle Branch Clifty Creek | P | 18 | Open Cut | 03/27/09 |  |
| Spread: F1 |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Decatur | 375.5 | WB-IN-374-AAA | Right Hand Fork Salt Creek | P | 10 | Open Cut | 01/26/09 | 01/26/09 |
| Franklin | 377.2 | WB-IN-377-4A | Tributary to Bull Fork Salt Creek | P | 14 | Open Cut | 12/16/08 | 12/16/08 |
| Franklin | 378.6 | WB-IN-367-I | Long Branch | P | 10 | Open Cut | 02/17/09 | 02/17/09 |
| Franklin | 382.1 | WB-IN-370-A | Salt Creek | P | 40 | Open Cut | 01/16/09 | 01/17/09 |
| Franklin | 383.3 | WB-IN-383-4B | Tributary to Baker Branch Whistle Creek | Open water | 50 | Open Cut | 02/25/09 | 02/25/09 |
| Franklin | 386.5 | WB-IN-375-A | Walnut Fork | P | 20.3 | Open Cut | 02/24/09 | 02/27/09 |
| Franklin | 386.6 | WB-IN-375-B | Pipe Creek | P | 55 | Open Cut | 03/06/09 | 03/06/09 |
| Franklin | 387.6 | WB-1N-386-EEE | Tributary to Indian Creek | I | 15 | Open Cut | 03/17/09 | 03/17/09 |
| Frankiin | 387.8 | WB-IN-387-AAA | Tributary to Indian Creek | E | 10 | Open Cut | 03/19/09 | 03/19/09 |
| Franklin | 390.7 | WB-IN-389-AAA | Tributary to Wolf Creek | P | 10 | Open Cut | 03/22/09 | 03/22/09 |
| Franklin | 390.9 | WB-IN-390-AAA | Wolf Creek | P | 12 | Open Cut | 03/15/09 | 03/15/09 |
| Franklin | 392.2 | WB-IN-392-4A |  |  | 30 | Open Cut | 03/23/09 | 03/24/09 |

REX East Waterbody Crossing Schedule

| Franklin | 392.8 | WB-IN-392-AAA | Tributary to Blue Creek | P | 25 | Open Cut | 03/18/09 | 03/19/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Franklin | 393.1 | WB-IN-392-BBB | Whitewater River | P | 60 | HDD | 03/19/09 | In Progress |
| Franklin | 394.0 | WW CANAL | Whitewater Canal | 1 | 119 | Open Cut | 03/27/09 |  |
| Franklin | 394.6 | WB-IN-394-AAAA | Little Cedar Creek | P | 30 | Open Cut | 03/14/09 | 03/14/09 |
| Franklin | 395.3 | WB-IN-395-4A | Blue Creek | P | 30 | Open Cut | 01/17/09 | 1/17/09 |
| Franklin | 395.8 | WB-IN-395-AAAA | Tributary to Little Cedar Creek | P | 25 | Open Cut | 01/13/09 | 01/13/09 |
| Franklin | 397.1 | WB-1N-397-EEEE | Tributary to Big Cedar Creek | E | 10 | Open Cut | 10/31/08 | 10/31/08 |
| Franklin | 397.5 | WB-IN-397-KKKK | Big Cedar Creek | P | 45 | Open Cut | 12/03/08 | 12/04/08 |
| Franklin | 398.5 | WB-IN-398-HHHH | Tributary to Big Cedar Creek | E | 30 | Open Cut | 12/08/08 | 12/08/08 |
| Franklin | 399.3 | WB-IN-399-FFFF | Tributary to Big Cedar Creek | I | 10 | Open Cut | 01/12/09 | 01/12/09 |
| Franklin | 399.7 | WB-[N-399-BBBB | Tributary to Big Cedar Creek | I | 30 | Open Cut | 01/09/09 | 01/09/09 |
| Franklin | 400.8 | WB-IN-388-C | Tributary to Big Cedar Creek | P | 10 | Open Cut | 01/12/09 | 01/13/09 |
| Franklin | 404.0 | WB-IN-392-B | Tributary to Sater Run | P | 22 | Open Cut | 01/02/09 | 01/02/09 |
| Spread: F2 |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Butler | 407.1 | WB-OH-395-D | Dry Fork Whitewater River | P | 50 | Dam \& Pump/ Flume | 01/24/09 | 1/27/09 |

REX East Waterbody Crossing Schedule

| Butler | 407.9 | WB-OH-395-G | Tributary to Buck Run | P | 13 | Open Cut | 02/14/09 | 02/14/09 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Butler | 408.9 | WB-OH-396-C | Tributary to Buck Run | P | 11 | Open Cut | 02/04/09 | 02/05/09 |
| Butler | 412.0 | WB-OH-411-CCC | Lick Run | P | 15 | Open Cut | 02/17/09 | 02/18/09 |
| Butler | 412.8 | WB-OH-400-A | Indian Creek | P | 50 | Dam \& Pump/ Flume | 02/28/09 | 03/07/09 |
| Butler | 414.4 | WB-OH-402-C | Open Water Area | Open Water | 112 | Open Cut | Not crossed | Not crossed |
| Butler | 414.6 | WB-OH-402-D | Beals Run | P | 15 | Dam \& Pump/ Flume | 03/01/09 | 02/25/09 |
| Butler | 415.7 | WB-OH-403-K | Open Water Area | Open Water | 119 | Open Cut | Not crossed | Not crossed |
| Butler | 417.0 | WB-OH-404-A | Open Water Area | Open Water | 169 | Open Cut | Not crossed | Not crossed |
| Butler | 418.2 | WB-OH-418-4B | Becketts Run | P | 10 | Dam \& Pump/ Flume | 03/10/09 | 03/10/09 |
| Butler | 420.1, 420 | WB-OH-407-L | Tributary to Four Mile Creek | P | 20 | Dam \& Pump/ Flume | 03/13/09 | 03/18/09 |
| Butler | 420.3 | WB-OH-408-A | Tributary to Four Mile Creek | P | 20 | Dam \& Pump/ Flume | 03/17/09 | 03/10/09 |
| Butler | 420.5 | WB-OH-420-FFFF | Tributary to Four Mile Creek | 1 | 10 | Open Cut | 03/20/09 | 03/13/09 |
| Butler | 421.6 | WB-OH-409-C | Four Mile Creek | P | 278 | HDD | 10/08/08 | 10/25/08 |
| Butler | 422.6 | WB-OH-410-A | Seven Mile Creek | P | 45 | HDD | 10/15/08 | 10/30/08 |
| Butler | 422.9 | WB-OH-410-B | Milton Run | I | 10 | Open Cut | 03/29/09 |  |
| Butler | 424.1 | WB-OH-411-A. | Cotton Run | P | 20 | Dam \& Pump/ Flume | 03/27/09 | 03/14/09 |

REX East Waterbody Crossing Schedule

| Butler | 429.5 | WB-OH-427-BB | Open Water Area | Open Water | 51 | Open Cut | 11/03/08 | 12/24/08 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Butler | 430.6 | WB-OH-417-B | Great Miami River | P | 293 | HDD | 11/03/08 | 12/24/08 |
| Butler | 430.8 | M\&E CANAL | Miami \& Erie Canal | I | 30 | HDD | 11/03/08 | 12/24/08 |
| Butler | 430.9 | WB-OH-418-C | Open Water Area | Open Water | 302 | Open Cut | Not Crossed | Not Crossed |
| Butler | 435.8 | WB-OH-435-AAA | Tributary to Shaker Creek | E | 10 | Open Cut | 04/01/09 |  |
| Butler | 436.7 | WB-OH-436-CCC | Millers Creek | P | 30 | Open Cut | 04/05/09 |  |
| Butler | 437.5 | WB-OH-436-5A | Shaker Creek | P | 15 | Open Cut | 04/02/09 |  |
| Warren | 441.1 | WBD-OH-438-AA | Tributary to Shaker Creek | I | 10 | Open Cut | 04/07/09 |  |
| Warren | 441.2 | WB-OH-440-5A | Tributary to Shaker Creek | P | 10 | Open Cut | 04/10/09 | 03/18/09 |
| Spread: G |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Warren | 451.3 | WB-OH-436-A | Little Miami River | P | 60 | HDD | 01/31/09 | In Progress. |
| Spread: H |  |  |  |  |  |  |  |  |
| County | MP | Waterbody ID | Feature Name | Type | Width (ft) | Crossing Method | Crossing Date | Date Complete |
| Pickaway | 509.2 | WB-OH-493-A | Big Darby Creek | P | 170 | HDD | 02/04/09 | 03/10/09 |

April 3, 2009
Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Room 1A
Washington, DC 20426
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"), ${ }^{1}$ 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 Mullet. 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.

[^0]Please direct any questions with respect to this request for authorization to proceed to Ryan Childs at (307) 760-5635.

Respectfully submitted,
Is/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<br>ce: Laura Turner<br>John Peconom<br>All Parties

## ATTACHMENTA

## Education:

Associates Degree, Conservation Law Enforcement
Vincennes University.
Bachelor of Science, Biology Ball State University.

## Professional Credentials:

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

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

Prescribed Fire Management: S290, S-131, S-230, S-390, RX300
U.S. Army Corps of Engincers approved wetland delineation course

## Technical Skills:

Prescribed burn management
Understanding of sitc-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 prairic 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]
Sent: Thursday, April 02, 2009 2:49 PM
To: Jim Thompson
Cc: 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***
Jennifer Smith-Castro
Fish and Wildlife Biologist
U.S. Fish \& Wildlife Service

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4625 Morse Road, Suite 104
Columbus, Ohio 43230
614-416-8993 xt. 14
614-416-8994 (FAX)
jennifer smith-castro@fws.gov
***************************************************
----- Forwarded by Angela Boyer/R3/FWS/DOI on 04/01/2009 09:17 AM --..-
"Jim Thompson" [jimt@caprock-lic.com](mailto:jimt@caprock-lic.com)
03/31/2009 03:10 PM

To
<Angela Boyer@fws.gov>

CC
<Jennifer Szymanski@fws.gov>, "Ryan Childs"<Ryan Childs@kindermorgan.com>, "Shippen Howe" [SXH@ynf.com](mailto:SXH@ynf.com), "Heather Kendrick" [hkendrick@caprock-llc.com](mailto:hkendrick@caprock-llc.com), [REXPM@kindermorgan.com](mailto:REXPM@kindermorgan.com), "Allen Fore" <Allen Fore@kindermorgan,com>

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,
$\lim$

```
Jim Thompson
Caprock Environmental Services, LLC
contractor for
Rockies Express Pipeline, LLC
940-A Science Blvd.
Columbus, OH 43230
(614) 328-2070 (office)
(614) 328-2060 (FAX)
(866) 566-0066 (Toll Free)
(806) 570-6800 (Mobile)
jimt@caprock-llc.com <mailto:jimt@caprock-llc.com>
```


[^0]:    ${ }^{\prime}$ Rockies Express Pipeline LLC, 123 FERC $\uparrow 61,234$ (2008)

