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January 25, 2017

VIA E-MAIL

Dan Everson
U.S. Fish & Wildlife Service
4625 Morse Road, Suite 104
Columbus, OH 43230

**Re: Rover Pipeline LLC, Rover Pipeline Project
Threatened and Endangered Species Consultation
Spread 1 Main Contractor Yard Option 4B
FERC Docket No. CP15-93-000**

Dear Mr. Everson:

In letters dated September 30 and November 14, 2016, Rover Pipeline LLC (Rover) obtained concurrence from the U.S. Fish and Wildlife Service that the Rover Pipeline Project (Project) is not likely to adversely affect any federally listed threatened or endangered species. Rover is in the process of commencing construction of the Project and has one additional contractor yard that is needed to allow its contractors to mobilize equipment and materials.

On December 6, 2016, Rover re-initiated consultation on endangered and threatened species as the result of the addition of a number contractor yards that were not previously identified and therefore not included in the Federal Energy Regulatory Commission's Environmental Impact Statement. On January 9, 2017, your office concurred adverse effects to federally endangered, threatened, and proposed or candidate species would not be anticipated with use of these yards. In that transmittal, we inadvertently left out Option 4B of the yard designated as Spread 1 Main Contractor Yard Option 4A and 4B. Option 4A was cleared under 03E15000-2017-TA-0301.

With this letter, we are submitting the documentation for Option 4B that is located across the road and south of Option 4A within the Dennison Industrial Park. The western part of the site is covered in grass; the eastern part includes remnants of concrete pads and walkways. Given the disturbed nature of this site, no impacts on listed species are anticipated. Attached is an aerial photograph, USGS map, and the results of a query on the ECOS-IPaC website. On behalf of Rover, TRC Environmental Corporation (TRC) is requesting a "no effect" determination for this yard.

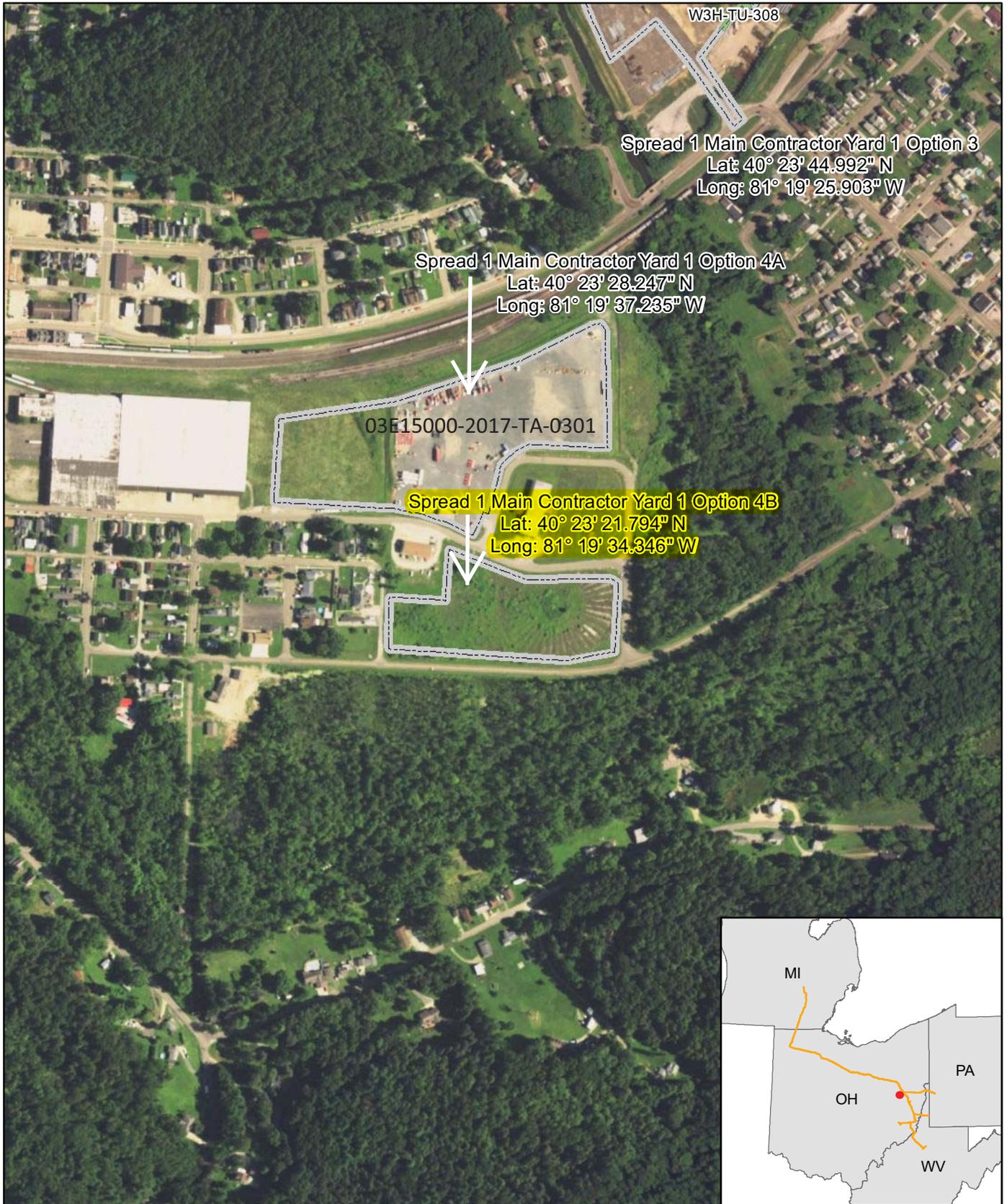
Please do not hesitate to contact me if you have any questions or need any additional information at 978-656-3540 or ppatterson@trcsolutions.com. Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia Patterson", is written over a light blue horizontal line.

Patricia Patterson
Senior Project Manager

Attachments



W3H-TU-308

Spread 1 Main Contractor Yard 1 Option 3
Lat: 40° 23' 44.992" N
Long: 81° 19' 25.903" W

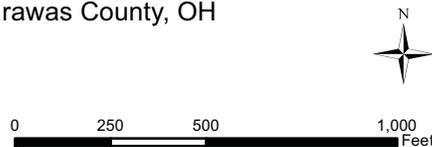
Spread 1 Main Contractor Yard 1 Option 4A
Lat: 40° 23' 28.247" N
Long: 81° 19' 37.235" W

03E15000-2017-TA-0301

Spread 1 Main Contractor Yard 1 Option 4B
Lat: 40° 23' 21.794" N
Long: 81° 19' 34.346" W

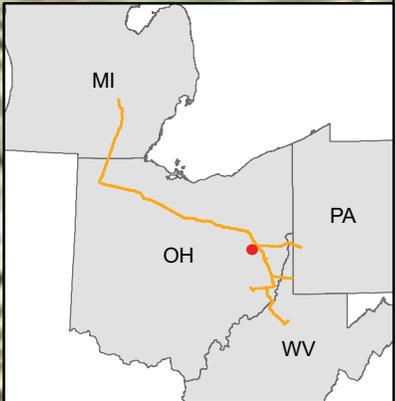
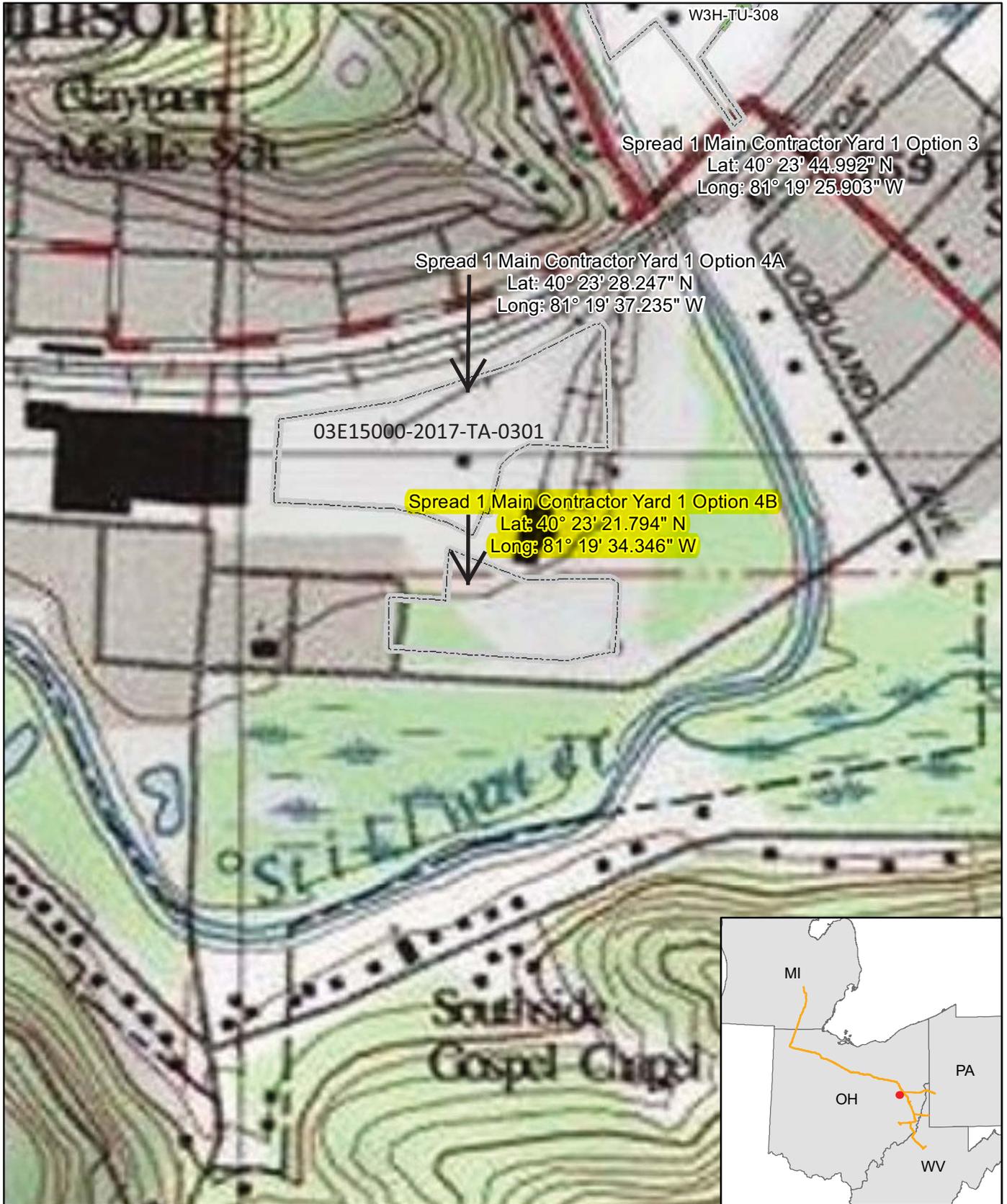
- Contractor Yards
- Streams
- Wetlands
- Waterbodies
- 10-ft Buffer

Spread 1 Main Contractor Yard 1 Option 4B
Tuscarawas County, OH



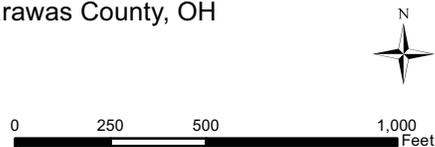
Rover Pipeline Project
Contractor Yards

January 2017



- Contractor Yards
- Streams
- Wetlands
- Waterbodies
- 10-ft Buffer

Spread 1 Main Contractor Yard 1 Option 4B
Tuscarawas County, OH



Rover Pipeline Project
Contractor Yards

January 2017



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Columbus Ohio Field Office
4625 MORSE ROAD, SUITE 104
COLUMBUS, OH 43230
PHONE: (614)416-8993 FAX: (614)469-8994

Consultation Code: 03E15000-2017-SLI-0594

January 24, 2017

Event Code: 03E15000-2017-E-00539

Project Name: Rover Pipeline, LLC

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project.

PROJECT SPECIFIC NORTHERN LONG-EARED BAT COMMENTS: If the **northern long-eared bat** (*Myotis septentrionalis*) has been identified on the attached species list, this indicates that the project area is within 150 feet of a known maternity roost tree and/or within 5 miles of a known hibernaculum and further coordination with this office is requested to determine if the project could result in prohibited take of northern long-eared bats.

If the northern long-eared bat has not been identified on the attached species list but the project has a Federal nexus (e.g., Federal funding provided, Federal permits required to construct) and the project involves tree clearing, consultation under section 7(a)(2) of the Act between the Federal action agency and this office will be necessary for the northern long-eared bat. Consultants working on projects with a Federal nexus are also encouraged to contact this office early during project planning for technical assistance regarding the northern long-eared bat in addition to any other species identified on the attached species list.

The species list, with the inclusion of the northern long-eared bat for all Federal actions, fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

GENERAL COMMENTS: New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or

assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

MIGRATORY BIRD COMMENTS: In addition to responsibilities to protect threatened and endangered species under the Act, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding the MBTA and BGEPA, see <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with the MBTA and BGEPA by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more

information on avian stressors and recommended conservation measures see <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/BirdHazards.html>.

In addition to the MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <http://www.fws.gov/migratorybirds/AboutUS.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Rover Pipeline, LLC

Official Species List

Provided by:

Columbus Ohio Field Office
4625 MORSE ROAD, SUITE 104
COLUMBUS, OH 43230
(614) 416-8993

Consultation Code: 03E15000-2017-SLI-0594

Event Code: 03E15000-2017-E-00539

Project Type: ** OTHER **

Project Name: Rover Pipeline, LLC

Project Description: Spread 1 Main Contractor Yard Option 4B

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Rover Pipeline, LLC

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-81.32777594954099 40.38905686942552, -81.32776079275821 40.38956651075019, -81.32702989784161 40.389526931564475, -81.32698075732651 40.39003975809887, -81.32598658001592 40.389747037162344, -81.32486007716899 40.38975765429156, -81.32477593700472 40.38971204116121, -81.32482984933478 40.389027054855234, -81.32542357292822 40.38894486608206, -81.32777594954099 40.38905686942552)))

Project Counties: Tuscarawas, OH



United States Department of Interior
Fish and Wildlife Service

Project name: Rover Pipeline, LLC

Endangered Species Act Species List

There are a total of 1 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Mammals	Status	Has Critical Habitat	Condition(s)
Indiana bat (<i>Myotis sodalis</i>) Population: Wherever found	Endangered		



United States Department of Interior
Fish and Wildlife Service

Project name: Rover Pipeline, LLC

Critical habitats that lie within your project area

There are no critical habitats within your project area.