



June 22, 2016

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

Re: OEP/DPC/CB-2  
Rover Pipeline LLC (Rover Pipeline Project)  
FERC Docket No. CP15-93-000  
Response to CONSOL Motion to Intervene

Dear Ms. Bose:

On June 14, 2016, CONSOL Mining Company LLC (“CONSOL”) submitted for filing with the Federal Energy Regulatory Commission a Motion to Intervene out of time in the above-captioned proceeding (“Motion”). Rover Pipeline LLC (“Rover”) submits herein its response to the CONSOL Motion (“Response”). Rover does not object to the late intervention by CONSOL, but rather, is submitting this Response for the purpose of addressing the issues raised by CONSOL in the Motion.

In the Motion, CONSOL states that it owns two tracts of property in Harrison County, Ohio which are the subject of required wetland and stream mitigation pursuant to a certification issued by the Ohio Environmental Protection Agency (“OEPA”) and a nationwide permit issued by the U.S. Army Corps of Engineers (“USACE”) (Motion at 1). CONSOL further notes that 2,353 feet of the proposed route for the Rover Pipeline Project (“Project”) will “pass through the mitigation area and adversely impact the required wetland and stream mitigation” (Motion at 2). The property referenced in the CONSOL Motion is near Milepost 28 of the proposed Clarington Lateral of the Project. Rover has reviewed the CONSOL Conceptual Mitigation Plan (“Mitigation Plan”) filed with the Commission as an attachment to the Motion as well as the USACE and OEPA permits, which were previously supplied to Rover by CONSOL.

According to the Mitigation Plan, the Clarington Lateral would cross the S2 and S3 streams within the restored tracts. In addition, the W104 wetland may be crossed by the Project. Please refer to Figure 8 of the Mitigation Plan. S2 and S3 were documented by Rover during wetland delineation conducted for the Project as S4H-HA-665 and S4H-HA-666, respectively. Both were noted as intermittent streams. A wetland near Wetland W104 was also documented by Rover as W4H-HA-664. The Mitigation Plan notes that W104 was a palustrine emergent wetland (“PEM”) and Rover has depicted W4H-HA-664 similarly as a palustrine scrub shrub (“PSS”) wetland.

Impacts to these resources by the Project would be temporary. Rover is in the process of obtaining USACE Nationwide Permit 12 under Section 404 of the Clean Water Act and Section 401 Water Quality Certification from the OEPA for the Project for proposed impacts to streams and wetlands. Rover is committed, through the standard requirements of these permits as well as by the Rover Plan and Procedures, to restore areas impacted by construction to preconstruction contours. In addition, Rover has the design standards of the profile dimensions stipulated in the Mitigation Plan for streams S2 and S3 (Figure 8), which will allow for verification of the stream bank profiles post-construction. Restoration of streams S2 and S3 and wetland W104 is further ensured by the documentation in the data submitted to the USACE and OEPA for pending permits for the Project. Furthermore, Rover has contacted the OEPA to make certain that the

agency is aware that the Project will temporarily impact the resources in this tract so that the agency can supervise the construction and restoration through this area.

Crossings of wetlands and streams are common in pipeline construction and will be encountered throughout the Project route. Rover will comply with the Rover Plan and Procedures, and the USACE and OEPA permits during construction and post construction restoration. Furthermore, Rover has made siting revisions to its pipeline and surface facilities wherever possible throughout the Pre-Filing and application review period to further refine its routing to address concerns raised by affected landowners. Prior to accepting routing changes, Rover must examine, among other things, environmental impacts, impacts to adjacent lands, constructability, and hydraulics of the pipeline system. In this regard, Rover has reviewed CONSOL's proposed route alternative and has determined that the proposed reroute would not provide a significant environmental or other advantage over Rover's currently proposed routing and therefore is not preferable to Rover's original route.

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines issued on November 15, 2007 in FERC Docket No. RM07-16-000. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2606.

Respectfully submitted,

/s/ Kelly Allen

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Mr. Kelly Allen, Manager  
Regulatory Affairs Department

CERTIFICATE OF SERVICE

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Kelly Allen

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Mr. Kelly Allen, Manager  
Regulatory Affairs Department  
Rover Pipeline LLC  
(713) 989-2606