

1. *The applicants shall each follow the construction procedures and mitigation measures described in its application and supplements, including responses to staff data requests and as identified in the EIS, unless modified by the Order. The applicants must:*

- a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);*
- b. justify each modification relative to site-specific conditions;*
- c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and*
- d. receive approval in writing from the Director of OEP **before using that modification.***

Response:

Applicants will comply with the above listed requirements.

2. *The Director of OEP has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the Projects. This authority shall allow:*

- a. the modification of conditions of the Order; and*
- b. the design and implementation of any additional measures deemed necessary (including stop-work authority) to ensure continued compliance with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact resulting from construction and operation of the Projects.*

Response:

Applicants will comply with the above listed requirements.

3. **Prior to any construction**, the applicants shall each file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, EIs, and contractor personnel will be informed of the EIs' authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.

Response:

Attached is the Affirmative Statement signed by Mr. Joey Mahmoud, Executive Vice President.

AFFIRMATIVE STATEMENT
OF
ROVER PIPELINE LLC

Mr. Joey Mahmoud, being duly sworn on his oath, states that he is Executive Vice President, Engineering and Construction for Rover Pipeline LLC, Panhandle Eastern Pipe Line Company, LP, and Trunkline Gas Company, for the Rover Pipeline Project, Panhandle Backhaul Project, and the Trunkline Backhaul Project that were filed with the Federal Energy Regulatory Commission in FERC Docket Nos. CP15-93-000, CP15-94-000, and CP15-96-000, respectively, that he is authorized to make this Affirmative Statement, deposes and states that all company personnel, environmental inspectors, and contractor personnel for these projects described above will be informed of the Environmental Inspector's authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs before becoming involved with construction and restoration activities.

Mr. Joey Mahmoud,
Executive Vice President, Engineering and Construction
Rover Pipeline LLC
Panhandle Eastern Pipe Line Company, LP
Trunkline Gas Company, LLC

Subscribed and sworn to before me this ____th day
of October 2016.

Name: _____

Title: Notary Public in the State of Texas

6. *Within 60 days of the acceptance of the Certificate and before construction begins, the applicants shall file their respective Implementation Plans for review and written approval by the Director of OEP. The applicants must file revisions to their plans as schedules change. The plans shall identify:*

- a. *how the applicants will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EIS, and required by the Order;*
- b. *how the applicants will incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;*
- c. *the number of EIs assigned, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;*
- d. *company personnel, including EIs and contractors, who will receive copies of the appropriate material;*
- e. *the location and dates of the environmental compliance training and instructions the applicants will give to all personnel involved with construction and restoration (initial and refresher training as the Projects progress and personnel change) with the opportunity for OEP staff to participate in the training sessions;*
- f. *the company personnel (if known) and specific portion of the applicant's organization having responsibility for compliance;*
- g. *the procedures (including use of contract penalties) the applicants will follow if noncompliance occurs; and*
- h. *for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:*
 - i. *the completion of all required surveys and reports;*
 - ii. *the environmental compliance training of onsite personnel;*
 - iii. *the start of construction; and*
 - iv. *the start and completion of restoration.*

Response:

This Implementation Plan is being submitted to the Secretary for review and approval by the Director of OEP. It describes how Rover will implement the procedures and mitigation measures described in the Project application, the EIS, the environmental conditions appended to the Order, and the applicable measures identified by permitting agencies required by the Commission's Order in this proceeding.

Please note that Rover has revised the construction spread breaks previously identified along Mainlines A and B as shown below. The alignment sheet sets will remain divided as previously issued for drawing number consistency.

Mainlines A and B

Spread A: MPs 18.67 – 53.51 (34.78 miles)

Spread B: MPs 53.51 – 95.97 (42.46 miles)

Spread C: MPs 95.97 – 151.69 (55.71 miles)

Spread D: MPs 151.69 – 209.60 (57.96 miles)

The following specifically addresses the eight conditions in Environmental Condition No. 6 (i.e., 6.a through 6.h).

- a. Rover has included the applicable required construction procedures and mitigation measures into the bid documents issued for all construction and inspection work. These construction procedures and mitigation measures, including permit requirements, construction drawings, and

other specifications, which were part of the contract documents when the construction and inspection contracts were awarded. Site-specific mitigation measures are included on the applicable bid construction drawings and will be presented to all personnel involved with construction and at the mandatory environmental training sessions. A copy of the appropriate contract documents will be kept at the Rover main field office in North Canton, Ohio throughout the duration of all construction activities. The contract documents note that both Rover and its contractor(s) are obligated by FERC to execute their activities in adherence to the Commission's rules, regulations, policies, EIS, and certificate conditions.

If, during the course of the construction work, any work does not conform to the provisions of the contract documents, the construction contractor is required to make the necessary corrections so that such work will conform to the required mitigation measures identified in the contract documents. If the construction contractor is unable or unwilling to make the necessary corrections, Rover retains the right to terminate the contract with the construction contractor and award the work to an acceptable replacement contractor.

- b. The contract bid documents allow Rover to manage its contractors in accordance with all FERC procedures and measures set forth in the EIS and required by the Order. For example, under the contract documents, the contractor(s) is not permitted to deviate from the proposed construction work area before requesting and obtaining, in writing, the appropriate variance. The contractor(s) is further explicitly obligated under the contract documents to pay a penalty for each unauthorized deviation from the construction work area, as determined in Rover's sole discretion. The penalty payment provisions do not apply to necessary deviations from the construction work area as may be required by contractor(s) for emergency or exigent circumstances to prevent or limit damage or harm to off-right-of-way property. The intention of the contract bid documents is that the penalty clause be used to address repeated, habitual, or willful deviations from the construction work areas. Inadvertent or accidental deviations from the construction work area will be addressed and corrected by their respective field personnel on a timely basis.

Furthermore, the contract bid documents acknowledge that in the event the contractor(s), its agents, subcontractors, vendors, or representatives deviate from the proposed construction work area, Rover may be penalized by FERC by, among other things, civil penalty, suspension of the Project, or revocation or modification of its Order. The cost and expenses of all such penalties, suspension, or revocation or modification are explicitly borne by the contractor(s) under Rover's bid documents.

As a last resort, the contract bid documents reserve Rover's right to terminate a construction contract should repetitive or willful violations of FERC rules, regulations or policies occur. The contractual language gives Rover substantial oversight of its contractor(s) (with applicable penalties and compliance/specifications clauses) in managing the Project in accordance with the construction procedures and mitigation measures described in the application, any supplements, and as required by the Commission's Order.

Rover will ensure that all mitigation conditions required by the Order are incorporated into the construction documents and that these requirements are clear to both the construction and inspection personnel. Rover is preparing an Environmental Requirements Document (ERD) that includes all permits and clearances issued for Project, and identifies the environmental requirements and commitments associated with the Project and special environmental construction procedures and mitigation measures for each construction spread. Copies of the ERD will be in the field for use by the Environmental Inspectors (EI) and other construction personnel at each spread.

Prior to commencing construction, Rover will conduct environmental training for all contractor supervisory personnel, including environmental inspectors and construction foremen. Prior to and throughout construction, the EIs and construction foremen will conduct environmental and safety training for individuals and crews as they report for work at the Project site. During environmental training, site-specific requirements and mitigations will be presented to on-site construction and inspection personnel. As applicable, follow-up refresher training will be held throughout the construction phase to reiterate certain requirements, if warranted, to specific work crew(s) to ensure that the mitigation required at each site is clear to on-site construction and inspection personnel.

For mitigation measures that address post-construction operation and maintenance requirements, Rover's engineering and environmental staff will provide pertinent instructions and documentation to Rover's operating personnel for use in on-going operations and maintenance activities. This information will include copies of relevant environmental permits that specifically address long-term conditions.

c. Rover will employ the following Environmental Inspection Team to implement environmental inspection:

- one (1) Environmental Project Manager,
- one (1) Chief EI,
- one (1) Lead EI per spread,
- one (1) EI per spread, and
- one (1) Agricultural Inspector (AI) per spread on Mainline Spreads A-D, and Market Segment Spread 7.

Rover will also employ a Biologist and an Archaeologist who will assist the EIs as needed to insure coverage of construction activities and implementation of the applicable environmental mitigation measures. The Chief EI will report directly to the Environmental Project Manager, based in the Rover Houston office. Rover will increase staff as needed during the course of construction if Rover determines that additional environmental crew personnel or additional EIs or AIs are needed to implement the environmental mitigation.

In addition, Rover will implement the FERC's third-party independent Compliance Monitoring Program that will involve the use of full-time third-party compliance monitors (FERC Compliance Team), representing the Commission, during construction. These monitors will provide daily feedback on compliance issues to the FERC staff and will document the progress of construction in reports submitted to the FERC staff on a regular basis, as well as assist the FERC staff in the screening and processing of variance requests.

d. At a minimum, the ERD and IFC alignment sheets will be provided to the following personnel:

Rover Environmental Inspection Team

Environmental Project Manager

Chief EI

Lead EIs

EIs

AIs

Database Manager

Rover Construction Management Team

Project Director
Project Manager
Project Construction Manager
Project Director
Project Manager
Project Construction Manager
Assistant Construction Manager
Safety Coordinator
Safety Inspectors
Chief Inspectors
Assistant Chief Inspectors
Senior Welding Inspectors
Utility/Welding Inspectors
Key Right-of-Way Land Agents

Contractors

Spread Superintendents
Spread Foremen
Spread Environmental Coordinator
Environmental Foremen
Key Right-of-Way Land Agents

FERC Compliance Monitoring Team

FERC Compliance Manager
Compliance Monitors

- e. Supervisory Training will be held at an appropriate venue in the Project area, approximately one week prior to the start of construction in January 2017. The FERC staff and Compliance Monitoring Team, and agency representatives, will be invited to attend. Rover will provide exact dates when they become available. The following Rover, contractor, and inspection personnel will be invited to participate in the supervisory training:

Rover Environmental Inspection Team

Environmental Project Manager
Chief EI
Lead EIs
EIs
AIs

Rover Construction Management Team

Project Director
Project Manager
Project Construction Manager
Assistant Construction Manager
Safety Coordinator
Safety Inspectors
Chief Inspectors
Assistant Chief Inspectors
Senior Welding Inspectors
Utility/Welding Inspectors
Key Right-of-Way Land Agents

Spread Superintendents (contractor)
Spread Foremen (contractor)
Spread Environmental Coordinator (contractor)
Environmental Foremen (contractor)
Key Right-of-Way Land Agents (contractor)

FERC Compliance Management Team

FERC Compliance Manager
Compliance Monitors

Other Federal and State Regulatory Agency representatives, as appropriate

The Supervisory Training will ensure a consistent approach to implementing Rover's Upland Erosion Control, Revegetation and Maintenance Plan (Plan) and Waterbody and Wetland Construction and Mitigation Procedures (Procedures), and other Project-specific plans. Refresher training, tailgate training, or additional training focused on specific environmental issues will be conducted periodically, as needed during construction. Training may be tailored as applicable to each labor group's duties.

On-site Project personnel, including all Rover and contractor personnel, will be required to attend an environmental training session (Crew Training) before being allowed to begin work on the Project in the field. All trained personnel will be issued a hardhat decal, documenting completed environmental training, which must be worn while working on the Project. No person will be allowed onto the construction right-of-way without proper documentation of having attended and completed environmental training. The Crew Training will include environmental and crew safety. Environmental training sessions will be conducted prior to the start of construction and as often as needed throughout construction, as new personnel arrive on the Project site.

In summary, Rover will conduct a comprehensive environmental training program, which will include the following training programs:

- Supervisory Staff Training;
- Crew Training; and
- Specialized Training (e.g., for construction activities at compressor stations, contractor yards, residential areas, Horizontal Directional Drills [HDDs], etc.).

f. Key Rover personnel having responsibility for environmental compliance on the Project will be:

Executive Vice President & Corporate Principal – Joey Mahmoud

Project Director – Leon Banta

Project Manager – Seth Willoughby

Project Construction Manager – Stacy McCurdy

Assistant Construction Manager – Ron Shafer

Environmental Project Manager – Buffy Thomason

Chief EI – Tim Presley

Lead EIs – Peter Danley, Jeff Spencer, Heath Benard, Tom Gunter, Stan Dailey, Steve Jay, Nick Reed, Cody Gavranovic, David Buckley, Ben Wolfe, Cary Cheek, Jon Brewster (Compression Facilities), plus TBD (1)

EIs – TBD (14)

AIs – TBD (4)

Cultural Resources – Jon Brewster

Biological Resources – TBD

Rover's Construction Management Team, consisting of the Project Construction Manager, Assistant Construction Manager, Chief Inspectors, Assistant Chief Inspectors, Senior Welding Inspectors, Utility/Welding Inspectors, along with the EIs and AIs, will be responsible for the day-to-day construction activities at the Project site.

- g. If instances of noncompliance occur, the Chief EI and the respective Lead EI will coordinate with the Construction Spread Superintendent and Project Construction Manager regarding the noncompliance issue and the appropriate corrective action to be implemented. Upon reaching an agreement, the Contractor Crew Foreman will initiate the corrective action and resolve the noncompliance. The EIs (including AIs) will have stop work authority to immediately shut down any operation that might cause serious or irreparable environmental harm. In addition, the EIs will document the issue of noncompliance, the corrective measure that was implemented (and the date the measure was or will be implemented), and whether the corrective measure was successful, for inclusion in weekly status reports submitted to the Commission.

Effective coordination between the Rover Environmental Inspection Team and the respective FERC Compliance Monitors will be important in identifying and addressing environmental concerns in a timely fashion during construction. If a FERC Compliance Monitor observes instances of noncompliance or problem areas, the Compliance Monitor should contact a representative of the Rover Environmental Inspection Team as soon as possible to initiate immediate corrective action.

Rover anticipates that most potential noncompliance issues will be resolved successfully through cooperation among the Rover and Contractor personnel and through consultations with FERC Compliance Monitors. However, in the absence of full cooperation, the Rover contract provides the means to remedy unsatisfactory work at the Contractor's expense, as described in the response to Environmental Condition 6.b. above.

The Rover Environmental Inspection Team will evaluate the Contractors' compliance with the Project's environmental requirements throughout Project construction and restoration activities. The EI's will document these findings in daily inspection reports and in the weekly status reports submitted to the Commission.

All non-compliance events (e.g., one that violates Project environmental permits, plans, or conditions and causes damage to an environmental resource or places environmental resources at risk) will be reported to the Commission by informing the FERC Compliance Monitors, and through the EI daily and weekly reporting requirements. Upon identifying a noncompliance event, the EI will take immediate action to inform the appropriate contractor personnel and to identify the required corrective action and appropriate priority and timeframe for completing the corrective action. While immediate corrective action of a noncompliance in the field at the spread level is the preferred course of action, a prescriptive approach also necessitates close coordination between the Lead EIs, the Chief EI, and contractor construction supervisory personnel to ensure that the corrective measures are successfully implemented.

If a serious violation (e.g. multiple noncompliance events of a similar nature, or a single event that causes damage to a sensitive environmental resource) is identified by the FERC Compliance Monitors or Rover Environmental Inspection Team, the Rover Environmental Project Manager, Construction Supervisory personnel, and the FERC Project Manager and appropriate members of the FERC Compliance Monitoring Team will meet (or conference call) with the Chief and Lead EI to discuss the violation, the proper corrective actions, and follow-up enforcement actions that should be imposed.

- h. Attached are an overall project schedule and individual schedules for the pipeline segments, compressor stations, and meter stations, which include dates for: 1) the completion of all required surveys and reports, 2) environmental compliance training of onsite personnel; 3) the start of construction; 4) and the start and completion of restoration for each activity.

7. **Rover** shall employ at least one EI per construction spread. **Trunkline and Panhandle** shall employ at least one EI per major aboveground facility modification. The EIs shall be:

- a. responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;
- b. responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;
- c. empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;
- d. a full-time position, separate from all other activity inspectors;
- e. responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and
- f. responsible for maintaining status reports.

Response:

Applicants will comply with Environmental Condition 7.

8. *Beginning with the filing of its Implementation Plan, Rover shall file updated status reports with the Secretary on a **weekly basis until all construction and restoration activities are complete**. Panhandle and Trunkline shall file updated status reports with the Secretary on a **monthly basis until construction and restoration activities are complete**. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:*

- a. an update on the applicant's efforts to obtain the necessary federal authorizations;*
- b. the construction status of the their respective Project facilities, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;*
- c. a listing of all problems encountered and each instance of noncompliance observed by the EIs during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);*
- d. a description of corrective actions implemented in response to all instances of noncompliance, and their cost;*
- e. the effectiveness of all corrective actions implemented;*
- f. a description of any landowner/resident complaints that may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and*
- g. copies of any correspondence received by the applicants from other federal, state, or local permitting agencies concerning instances of noncompliance, and the applicant's response.*

Response:

Applicants will comply with this requirement.

9. Prior to receiving written authorization from the Director of OEP to commence construction of their respective Project facilities, the applicants shall file documentation that they have received all applicable authorizations required under federal law (or evidence of waiver thereof).

Response:

Below in Table 9-1 is a listing of all authorizations required under federal law (or evidence of waiver thereof) in each respective state and the current status of those authorizations with respect to construction.

**TABLE 9-1
Permits and Approvals**

Agency and Contact Information	Permit/Consultation	Submittal / Anticipated Submittal Date	Receipt of Approval/Permit
FEDERAL			
FERC	Section 7(c)	February 2015	<i>Pending</i>
U.S. Army Corps of Engineers Huntington District Pittsburgh District Buffalo District Detroit District	Permit - Section 404 of the Clean Water Act (CWA) Permit - Section 10 of the Rivers & Harbors Act	February 2015	<i>Pending FERC Approval of Sections 7 and 106</i>
U.S. Army Corps of Engineers Huntington District	Flowage Consent to Easement approval	April 2016	<i>Pending</i>
U.S. Environmental Protection Agency	As part of delegation of Section 404/401 to MIDEP, may provide comments on the project	April 2016 (final update)	October 2016
U.S. Forest Service Wayne National Forest	Wayne National Forest, may provide comments on crossing within Forest Service (FS) boundary. No FS-owned land is crossed.	Initiated Consultation in June 2014	August 2014 (no FS land crossed)
U.S. Fish & Wildlife Service West Virginia Ecological Services Field Office Pennsylvania Ecological Services Field Office Ohio Ecological Services Field Office East Lansing Ecological Services Field Office	Consultation - Section 7 Endangered Species Act Consultation - Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act	Initiated June 2014	September 2016 November 2016 November 2016
WEST VIRGINIA			
West Virginia Department of Environmental Protection Division of Water and Waste Management	Section 401 Water Quality Certification.	April 2016	<i>Pending</i>
	NPDES Construction Stormwater approval by Facility	Burgettstown Majorsville Sherwood/CGT	October 2016 December 2016 <i>Pending</i>
	Hydrostatic test water discharge permit	<i>2nd quarter 2017</i>	<i>2nd quarter 2017</i>
Division of Air Quality	Air permit	February 2015	February 2016
West Virginia Division of Natural Resources Office of Land and Streams	Permit for crossings of regulated waterbodies, if applicable	July 2016	November 2016

**TABLE 9-1
Permits and Approvals**

Agency and Contact Information	Permit/Consultation	Submittal / Anticipated Submittal Date	Receipt of Approval/Permit
West Virginia Division of Culture and History	Consultation Section 106 National Historic Preservation Act	Initiated June 2014	August 2016
PENNSYLVANIA			
Pennsylvania Department of Environmental Protection Southwest (Pittsburgh) Regional Office	Section 401 Water Quality Certification	January 2016	December 2016
	Air Permit	February 2015	March 2015
Washington County Conservation District	Erosion & Sediment Control General Permit (ESCGP)	January 2016	<i>Pending</i>
	BDWM GP-8 Temporary Road Crossing Permit and BDWM GP-5 Utility Line Crossing Permit	January 2016	<i>Pending</i>
Pennsylvania Department of Conservation and Natural Resources Bureau of Recreation and Conservation	Consultation - State listed species	Initiated June 2014	November 2015 (2 years)
Pennsylvania Fish and Boat Commission	Consultation - State listed species	Initiated June 2014	May 2015 (2 years)
Pennsylvania Game Commission	Consultation - State listed species	Initiated June 2014	March 2016 (2 years)
Pennsylvania Historical & Museum Commission	Consultation Section 106 National Historic Preservation Act	Initiated June 2014	January 2016
OHIO			
Ohio Environmental Protection Agency Division of Surface Water	Section 401 Water Quality Certification	November 2015	<i>Pending</i>
	NPDES Hydrostatic Test Discharge Permit	2 nd quarter 2017	2 nd quarter 2017
Division of Air Pollution Control	Air Permit	February 2015	September 2016
Ohio Department of Natural Resources	Consultation - State listed species	Initiated June 2014	August 2016
Ohio State Historic Preservation Office Resource Protection and Review	Consultation Section 106 National Historic Preservation Act	Initiated June 2014	October 2016
Stark County Park District	Consultation - Crossing of the Ohio & Erie Canalway at the Tuscarawas River.	Initiated June 2014	December 2015
MICHIGAN			

**TABLE 9-1
Permits and Approvals**

Agency and Contact Information	Permit/Consultation	Submittal / Anticipated Submittal Date	Receipt of Approval/Permit
Michigan Dept. of Environmental Quality Water Resources Division Lansing District Office Jackson District Office (Lead)	Delegated 401/404. Inland Lakes and Streams (Part 301) and Wetland (Part 303) Permit	February 2015	November 2016
	Soil Erosion & Sedimentation Control (SESC) approval (pending county SESC approved plans)	<i>December 2016</i>	<i>Pending</i>
	Water Withdrawal Permit	<i>2nd quarter 2017</i>	<i>2nd quarter 2017</i>
	Groundwater (hydrostatic) Discharge Permit	<i>2nd quarter 2017</i>	<i>2nd quarter 2017</i>
Michigan Department of Natural Resources	Consultation - State listed species	Initiated June 2014	<i>Pending</i>
Michigan State Housing Development Authority Historic Preservation	Consultation Section 106 National Historic Preservation Act	Initiated June 2014	October 2016
County Drain Commissions: Lenawee County Washtenaw County Livingston County	SESC Plan Approval	October 2016	December 2016 November 2016 <i>Pending</i>

10. *The applicants must receive written authorization from the Director of OEP **before placing their respective Projects into service.** Such authorization will only be granted following a determination that rehabilitation and restoration of areas affected by the Projects are proceeding satisfactorily.*

Response:

Applicants will comply with this requirement.

11. Within 30 days of placing the authorized facilities in service, each applicant shall file an affirmative statement with the Secretary, certified by a senior company official:

- a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or*
- b. identifying which of the Certificate conditions the applicant has complied or will comply with. This statement shall also identify any areas affected by their respective Projects where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.*

Response:

Applicants will comply with this requirement.

17. Rover shall hire a professional geologist to monitor construction of the Project in the five areas that were identified in the January 2016 Field Reconnaissance of Karst Prone Areas Report. (section 4.1.3.6)

Response:

Rover agrees to comply with Condition 17.

18. **Prior to construction**, Rover shall file with the Secretary clarification that it has adopted the mitigation measures outlined in its October 2015 Geohazard Evaluation Report.

Response:

Rover will utilize the mitigation measures outlined in the Geohazard Evaluation Report to minimize potential issues during construction. Rover intends to address geohazard concerns in the Supervisor Training that will be conducted prior to construction. Construction and Environmental Inspectors on-site will be trained to help identify potential issues as quickly as possible so that the appropriate mitigation measures can be employed. In addition, Rover will have geotechnical professionals in the field to assist with devising appropriate solutions where potential issues are identified.

20. Rover shall provide affected landowners with copies of applicable pre- and post-construction evaluation reports for all wells within 150 feet of the proposed construction work area (and within 2,000 feet of HDD locations in areas of karst terrain). Post-construction evaluations should be performed **as soon as practicable** following the completion of construction in the area of applicable well(s). (section 4.3.1.7)

Response:

Rover agrees to comply with Environmental Condition No. 20. As noted in Section 4.1.3.6 in the FEIS, the areas of known karst are between mileposts 138.7 and 156.75 along Mainlines A and B. No HDDs are proposed within these areas; therefore, no wells would be located within 2,000 feet of HDD locations within karst terrain.

21. ***Prior to construction***, Rover shall confirm that it will use dry-ditch crossing methods for all waterbodies designated as coldwater fisheries or exceptional warmwater habitat except those already proposed as an HDD crossing. (section 4.3.2.5)

Response:

Rover confirms that it will use dry-ditch crossing methods for all waterbodies designated as coldwater fisheries or exceptional warmwater habitat except those already proposed as an HDD crossing. These waterbodies are listed in Table 2A-5, as previously submitted in March 2016.

Per Section 4.3.2.5 of the FEIS, Rover will use dry-ditch crossing methods for 19 coldwater fishery perennial waterbody crossings. In addition, Rover will use dry-ditch crossing methods for 11 ephemeral or intermittent tributaries to coldwater fishery and exceptional warmwater perennial waterbodies if flow is present in those waterbodies at the time of construction (these 30 waterbodies also encompass the waterbodies along the Rover pipeline route that support federally listed species). If there is no flow present in these ephemeral and intermittent tributaries, Rover may use open-cut methods.

22. **Prior to construction**, Rover shall file with the Secretary, for the review and written approval by the Director of OEP, a revised Fugitive Dust Control Plan that identifies the following:

- a. the name and approximate intake location (if applicable) of each water source that will be used to obtain water for dust suppression activities;
- b. how Rover will determine that dust abatement is necessary;
- c. the specific maximum speed limit for construction equipment and procedure for posting and enforcing this speed limit;
- d. the site and/or construction activity conditions requiring the installation of gravel pads;
- e. the track-out control devices that construction traffic will cross;
- f. the maintenance procedures that Rover will use for construction equipment to reduce dust; and
- g. how and under what circumstances Rover will cover open-bodied haul trucks, as appropriate. (sections 4.3.2.5 and 4.11.1.3)

Response:

- a. Table 1 within the revised Fugitive Dust Control Plan enclosed provides information on each waterbody crossed by the Project from which water may be obtained for use in dust suppression.
- b. Dust suppression when it is deemed necessary pursuant to visual inspection by the Environmental Inspector or member of the Construction Management Team present.
- c. Speed shall be kept within the posted limits on public roads. Speed shall not exceed 25 mph for any vehicle on any private, unpaved surface. Speed limits on private areas shall be communicated during the daily safety meeting. Any employee violation of speed limits will lead to a written warning on the first offense and termination thereafter.
- d. Gravel pads will be installed where the pipeline crosses all jurisdictional roads, at permanent access roads to aboveground facilities, and at access roads to contractor yards.
- e. Gravel pads will be used as track-out control devices.
- f. Rover will limit speed on the right-of-way and along access roads, and will use water to suppress dust on the right-of-way and access roads and privates roads. Water or dust suppressants may be utilized on public roads if requested or required by the county or local permitting agencies.
- g. Haul trucks shall be cleaned, covered, treated or secured to prevent the escape of materials likely to become airborne during transport.

23. *During construction of the Project, Rover shall not clear any trees between the workspaces for HDD entry and exit sites. Rover may conduct minor brush clearing, less than 3 feet wide, using hand tools only, to facilitate the use of the HDD tracking system or acquisition of water for the makeup of the HDD slurry. During operation, Rover shall not conduct any routine vegetation maintenance along the HDD segments. (section 4.4.3)*

Response:

Rover will comply with Environmental Condition No. 23. Rover intends to reduce the size of the pumps and will increase the number of pumps proposed to “daisy chain” the water from the source to the pipeline.

26. **Prior to construction**, Rover shall revise the *Invasive Species Plan*, in consultation with the appropriate federal, state, and local agencies, to include mitigation measures that would be taken during construction to prevent the spread of invasive species. Mitigation may include, but is not limited to: training of workers in the recognition of invasive species and to be familiar with locations where invasive species were identified during surveys, cleaning of equipment prior to entering the right-of-way, or setting up wash stations to remove invasive species from vehicles, equipment, and materials in areas identified as having an invasive species present. Rover shall 5-23 *Conclusions And Recommendations* file the revised plan with the Secretary, for review and written approval of the Director of OEP. (section 4.5.4)

Response:

Please find enclosed the revised Invasive Species Plan.

27. ***Prior to construction***, Rover shall file with the Secretary, for review and written approval of the Director of OEP, its final Migratory Bird Conservation Plan that includes documentation of its consultation with the FWS regarding avoidance, minimization, and mitigation measures. (section 4.6.1.5)

Response:

Rover has concluded the consultation with the U.S. Fish and Wildlife Service (USFWS) concerning migratory birds as detailed in a letter submitted to FERC on November 21, 2016, which included the final Migratory Bird Conservation Plan. Since that letter, Rover has submitted the attached letter to the USFWS reiterating Rover's commitment to providing funding to compensate for impacts to migratory bird habitat.

28. *During construction of the Project, Rover shall adhere to the FWS tree clearing window and shall restrict tree clearing activities to **between October 1 and March 31** in Michigan, Ohio, and Pennsylvania and **between November 15 and March 31** in West Virginia. (section 4.7.2)*

Response:

Rover agrees to comply with Environmental Condition No. 28.

29. *Rover shall not begin construction of the Rover Pipeline Project **until**:*
- a. *all outstanding bat surveys have been completed;*
 - b. *species conservation plans and mitigation have been approved by FWS or state regulatory authority;*
 - c. *the FERC staff completes any necessary ESA Section 7 consultation with the FWS; and*
 - d. *Rover has received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. (section 4.7.2)*

Response:

- a. Rover has conducted bat surveys in all areas that the USFWS requested. In 2015, Rover conducted surveys in Pennsylvania, Ohio, Michigan, and along the Burgettstown Lateral in West Virginia. The July 23, 2014 comment letter from the USFWS Columbus Field Office stated that surveys were not necessary in Tuscarawas, Carroll, Jefferson, Harrison, Belmont, Monroe, and Noble counties. However, at that time Rover was anticipating the need to clear trees outside of the approved clearing window along the Project, with the exception of the Sherwood, CGT, and Majorsville laterals. Therefore, surveys were also conducted in the above-listed counties within Ohio along the portion of the Project area where spring/summer clearing was anticipated. In 2016, Rover conducted surveys in all remaining counties in West Virginia at the request of the USFWS West Virginia Field Office.
- b. An Indiana Bat Conservation Plan (IBCP) was required for the Project area through a known use buffer in Doddridge County, West Virginia, as well through as a 0.9-mile area in Doddridge County where mist net surveys were not possible. The USFWS West Virginia Field Office approved the IBCP on November 14, 2016 in a letter addressed to Rover and FERC concurrently.
- c. Rover understands that FERC must complete any necessary ESA Section 7 consultations with the USFWS.
- d. Rover will not begin construction until it receives written notification from the Director of OEP that construction may commence.

*31. **Prior to construction**, Rover shall confirm that it will incorporate into its construction plans requirements that worksites be maintained in a neat and orderly manner, with all personal trash items disposed of properly; and that construction debris be removed from all work areas in a timely manner, and disposed of in a state-approved off site location by the end of each work day. (section 4.7.3)*

Response:

Rover has complied with Environmental Condition No. 31 by including this requirement in the construction specifications and contract documents, and will include it in the Supervisor and Crew environmental training programs and the Environmental Permit Book. All personnel will be informed of this requirement prior to beginning work on the Project.

33. **Prior to construction**, Rover shall continue to consult with applicable state agencies to identify any additional mitigation measures for state-protected species and the need for additional surveys for Ohio, Michigan, West Virginia, and Pennsylvania. The results of such consultations and any outstanding surveys shall be filed with the Secretary. (section 4.7.3)

Response:

Rover filed the results of surveys completed between March and August, 2016 on September 9, 2016, in its comments on the Final Environmental Impact Statement, as well as agency concurrence with the findings of those surveys. Comments are still pending from the Michigan Department of Natural Resources (MDNR) on the eastern massasauga survey report and are expected to be received in December 2016.

In addition, Rover completed additional mussel surveys at six streams in Michigan in September 2016 at the request of the MDNR (see Attachment 33-1). One of the Wolf Creek crossings (S2K-LE-177) had a high abundance of mussels, including the round pigtoe, a species of special concern in Michigan. A second Wolf Creek crossing (S1K-LE-175) had a low overall abundance of mussels, but did contain three live round pigtoe specimens. At the request of the MDNR, Rover will relocate mussels at these two stream crossings prior to construction in accordance with the *Michigan Mussel Survey Protocols and Relocation Procedures* (Final Draft, June 2016) and as outlined in the *Rover Pipeline Mussel Relocation Plan* (see Attachment 33-2). The relocation will be completed in 2017, prior to construction across these streams and between May 1 and October 15, when the water temperature is greater than 50°F and the air temperature is between 50 and 90°F. The MDNR will review the relocation site and provide approval on the plan before the relocation.

34. **Prior to construction**, Rover shall file with the Secretary, for the review and written approval of the Director of OEP, evidence of landowner concurrence with the site-specific residential construction plans for all locations where construction work areas would be within 10 feet of a residence (including residences within the construction workspace). (section 4.8.3.1)

Response:

The revised Table 8A-3 below presents the tracts containing residences within 10 feet of the construction workspace. Easements have been purchased for each one.

Table 8A-3. Residences within 10 feet of Workspace

MP	County	State	Type of Structure	Direction from Centerline	Distance from Centerline (ft)	Distance from Construction Work Area (ft) ²	Residential Plan Drawing Number ¹	Date of Easement Closing
Sherwood Lateral								
34.42	Monroe	OH	MOBILE HOME ³	COINCIDENT	0	0	OH-MO-SHC-003.000	6/22/16
35.8	Monroe	OH	Hunting Cabin	COINCIDENT	0	0	OH-MO-SC-006.000	8/29/16
Seneca Lateral								
3.39	Monroe	OH	LOG CABIN	NORTH	42.39	2.4	OH-MO-SCL-010.000	8/4/2016
Clarrington Lateral								
7.98	Belmont	OH	MOBILE HOME	EAST	79.4	0	OH-BE-CC-043.000	8/26/2015
18.36	Belmont	OH	CABIN	WEST	45.4	5.4	OH-BE-CC-100.00	1/6/2016
Majorsville Lateral								
7.24	Marshall	WV	MOBILE HOME ³	NORTH	17.42	0	WV-MA-ML-038.000_RI_EX	9/8/2016
11.38	Marshall	WV	MOBILE HOME ³	COINCIDENT	0	0	WV-MA-ML-063.310	4/10/2015
Burgettstown Lateral								
37.06	Carroll	OH	HOUSE UNDER CONSTRUCTION ³	NORTH	17.4	0	OH-CA-HL-011.100	4/20/2016
49.02	Carroll	OH	HOUSE ³	NORTH	61.7	0	OH-CA-HL-071.000	7/24/2015
12.36	Harrison	OH	HUNTING CABIN ³	WEST	22.17	0	OH-HR-035.000	10/24/2015
Mainlines A and B								
31.41	Tuscarawas	OH	HOUSE ³	EAST	35.4	0	OH-TU-024.000	6/18/2015
31.43	Tuscarawas	OH	MOBILE HOME ³	COINCIDENT	0.7	0	OH-TU-024.000	6/18/2015
69.34	Wayne	OH	HOUSE ³	NORTH	55.7	0	OH-WA-052.532	5/13/2015
71.05	Wayne	OH	HOUSE ³	NORTH	20.1	0	OH-WA-074.000	1/15/2016

MP	County	State	Type of Structure	Direction from Centerline	Distance from Centerline (ft)	Distance from Construction Work Area (ft) ²	Residential Plan Drawing Number ¹	Date of Easement Closing
Market Segment								
73.45	Washtenaw	MI	HOUSE	EAST	135.1	5.1	RIP-WA-MP 073.45	7/22/2015
85.47	Livingston	MI	HOUSE	COINCIDENT	0	0	RIP-LI-MP 085.47	3/20/2015
88.35	Livingston	MI	HOUSE	SOUTH	34.3	0	RIP-LI-MP 088.35	2/12/2016

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36. **Prior to construction**, Rover shall file with the Secretary a 5-year post-construction monitoring program to evaluate crop productivity in areas impacted by the construction of the Project. Rover shall include in the program a commitment to file with the Secretary quarterly reports for a period of 5 years following construction documenting any crop-related problems, including soil heating near compressor stations identified by the company or landowner, and describing any corrective action taken to remedy those problems. The program shall stipulate that if any landowner agrees that revegetation and crop productivity are successful prior to the 5-year requirement, Rover shall provide documentation in its quarterly reports, indicating which landowners have agreed that monitoring is no longer necessary. This documentation shall include the landowner name, tract number, and the date of agreement. (*section 4.8.4.1*)

Response:

As requested, Rover will conduct surveys of agricultural areas during each growing season for five years following construction. Revegetation shall be considered successful when upon visual survey, crop growth and vigor are similar to adjacent, undisturbed portions of the same field, unless the easement agreement specifies otherwise. Rover will file within quarterly reports any crop-related problems, including soil heating near compressor stations, and will include any corrective actions taken or to be taken to address these issues. Rover will indicate in the quarterly reports the name, tract number, and date of agreement for landowners who have agreed that monitoring is no longer necessary, although the right-of-way will continue to be monitored by Operations. Surveys in each growing season will be conducted in agricultural areas for which consent from the landowner has not been received to document that the area has been successfully revegetated. Revegetation efforts will be continued until revegetation is successful.

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37. Prior to construction, Rover shall consult with the OHDA on construction procedures to be used in agricultural land in Ohio, and Rover shall file with the Secretary any updates to the Ohio AIMP that result from coordination with the OHDA. Any comments received from OHDA on Rover's Ohio AIMP shall also be filed with the Secretary. (section 4.8.4.1)

Response:

Rover submitted a letter to the Ohio Department of Agriculture (ODA) on December 2, 2016 (attached) addressing elements of the Agricultural Impact Mitigation Plan (AIMP) and the ODA's *Ohio Pipeline Standard and Construction Specifications*, as amended on December 28, 2015. Any comments received from ODA will be filed with FERC.

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38. Prior to construction in agricultural lands, Rover shall file with the Secretary its final Drain Tile Relocation and Reclamation Plans including landowner concurrence with the plans. (section 4.8.4.1)

Response:

Table 38 below lists the tracts wherein Rover is proposing drainage tile plans, and the status of the plans. All plans are being drafted based on tract-specific information and considerations, including landowner requests. Rover has voluntarily enacted this effort to coordinate so closely with the landowners to further reduce potential impacts to agricultural land. If Rover is unable to finalize a drain tile plan with landowners prior to construction, the existing drain tile system will be repaired as is typically required per the FERC Plan.

Table 38. Drainage Tile Plan Status

Tract ID	Easement Length (Feet)	Drainage Tile Agreement Issued Date	Drainage Tile Agreement Executed Date
Mainlines A and B			
OH-HA-CC-024.000-ROW	2,080.21	2/12/2016	
OH-HR-015.000-ROW	5,267.30	2/22/2016	10/1/2016
OH-ST-016.000-ROW	3283.30	8/30/2016	9/30/2016
OH-ST-025.000-ROW	2679.40	9/30/2016	
OH-ST-032.000-ROW	5,031.90	8/25/2016	
OH-ST-036.000-ROW	2,425.40	8/25/2016	9/1/2016
OH-ST-045.000-ROW	1,352.50	5/16/2016	
OH-ST-046.000-ROW	1012.70	10/07/2016	
OH-ST-049.000-ROW	2857.30	10/21/2016	
OH-WA-021.000-ROW	1509.30	9/1/2016	9/14/2016
OH-WA-023.000-ROW	1814.30	8/30/2016	10/17/2016
OH-WA-030.000-ROW	1298.30	10/19/2016	
OH-WA-031.000-ROW	2892.40	9/7/2016	10/21/2016
OH-WA-033.000-ROW	2,418.30	8/24/2016	9/1/2016
OH-WA-036.000-ROW	1432.50	9/7/2016	
OH-WA-041.000-ROW	1360.70	10/19/2016	
OH-WA-043.000-ROW	2761.30	9/10/2016	9/21/2016
OH-WA-048.000-ROW	1,353.30	8/25/2016	9/20/2016
OH-WA-052.000-ROW	3,546.00	11/15/2016	
OH-WA-052.536-ROW	1,829.30	7/25/2016	
OH-WA-077.000-ROW	X		Provisions Only
OH-WA-079.000-ROW	1471.60	NA	Provisions Only
OH-WA-085.000-ROW	1660.30	9/10/2016	11/2/2016
OH-WA-086.000-RPW	1554.20	10/7/2016	11/2/2016
OH-WA-089.000-ROW	1594.90	8/26/2016	8/30/2016
OH-WA-091.000-ROW	4,008.60	8/8/2016	8/15/2016
OH-WA-098.500-ROW	1,791.20	9/21/2015	5/2/2015
OH-WA-100.500-ROW	516.20	9/30/2016	10/13/2016
OH-WA-101.000-ROW	2204.20	9/14/2016	10/13/2016

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Tract ID	Easement Length (Feet)	Drainage Tile Agreement Issued Date	Drainage Tile Agreement Executed Date
OH-WA-101.510-ROW	2,401.60	8/17/2016	8/17/2016
OH-AS-005.000-ROW	2937.00	11/1/2016	
OH-AS-011.000-ROW	2937.00	11/1/2016	
OH-AS-015.000-ROW	2388.70	11/1/2016	
OH-AS-017.520-ROW	634.70	9/1/2016	
OH-AS-026.508-ROW	1,075.20	6/15/2016	
OH-AS-026.525-ROW	3128.00	9/1/2016	9/14/2016
OH-AS-026.540-ROW	1,697.00	7/25/2016	8/16/2016
OH-AS-026.549-ROW	2,767.00	8/29/2016	9/20/2016
OH-AS-039.000-ROW	5,413.60	4/5/2016	5/27/2016
OH-AS-043.000-ROW	1661.10	4/6/2016	Provisions Only
OH-AS-045.000-ROW	904.80	8/18/2016	
OH-AS-046.000-ROW	4,705.20	5/13/2016	
OH-AS-050.000-ROW	3,480.20	8/18/2016	
OH-AS-051.000-ROW	1,967.20	8/18/2016	
OH-RI-011.000-ROW	2747.50	10/19/2016	11/17/2016
OH-RI-013.000-ROW	1355.90	8/24/2016	Provisions Only
OH-RI-014.000-ROW	1329.10	9/9/2016	9/28/2016
OH-RI-015.000-ROW	2360.70	9/7/2016	9/19/2016
OH-RI-021.000-ROW	2,048.50	2/22/2016	9/28/2016
OH-RI-024.000-ROW	1189.20	11/1/2016	11/4/2016
OH-RI-025.000-ROW	1478.40	9/7/2016	9/8/2016
OH-RI-026.000-ROW	2698.60	10/7/2016	
OH-RI-027.000-ROW	5,567.60	8/18/2016	8/31/2016
OH-RI-031.000-ROW	2,606.50	9/9/2015	
OH-RI-034.000-ROW	689.50	11/1/2016	
OH-RI-036.000-ROW	1473.60	9/9/2016	9/14/2016
OH-RI-037.000-ROW	1,425.30	7/22/2015	
OH-RI-038.000-ROW	4,789.10	2/9/2016	5/17/2016
OH-RI-041.000-ROW	2515.70	9/7/2016	9/8/2016
OH-RI-042.000-ROW	1,334.70	7/8/2016	10/6/2016
OH-RI-042.500-ROW	1,319.60	7/8/2016	10/6/2016
OH-RI-043.000-ROW	3,933.10	7/11/2016	8/25/2016
OH-RI-048.000-ROW	2032.40	10/21/2016	11/4/2016
OH-RI-054.000-ROW	337.40	10/13/2016	10/14/2016
OH-RI-056.000-ROW	1903.80	9/7/2016	10/2/2016
OH-RI-057.000-ROW	933.40	8/24/2016	8/31/2016
OH-RI-058.000-ROW	35.40	9/7/2016	10/2/2016
OH-RI-059.000-ROW	3,300.20	8/8/2016	
OH-RI-061.000-ROW	1,755.20	8/6/2015	
OH-RI-062.000-ROW	1,501.40	8/6/2015	
OH-CR-001.000-ROW	1,346.20	4/5/2016	
OH-CR-002.000-ROW	1649.80	10/19/2016	

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Tract ID	Easement Length (Feet)	Drainage Tile Agreement Issued Date	Drainage Tile Agreement Executed Date
OH-CR-003.000-ROW	472.20	10/19/2016	
OH-CR-004.000-ROW	1,401.50	7/20/2016	8/15/2016
OH-CR-005.000-ROW	3,047.50	7/22/2016	
OH-CR-006.000-ROW	1,390.30	7/25/2016	
OH-CR-007.000-ROW	489.50	11/1/2016	
OH-CR-008.000-ROW	2,219.20	7/25/2016	
OH-CR-010.000-ROW	1998.40	11/1/2016	
OH-CR-011.000-ROW	1,949.30	5/16/2016	
OH-CR-012.000-ROW	3234.50	11/1/2016	
OH-CR-013.000-ROW	2,619.60	8/24/2016	8/27/2016
OH-CR-014.000-ROW	1852.50	9/30/2016	
OH-CR-015.000-ROW	3980.20	9/30/2016	
OH-CR-018.000-ROW	1077.30	10/19/2016	
OH-CR-019.000-ROW	1687.40	10/19/2016	
OH-CR-020.000-ROW	1,525.60	5/16/2016	
OH-CR-023.000-ROW	1,498.80	5/16/2016	
OH-CR-024.000-ROW	1073.70	11/1/2016	
OH-CR-025.000-ROW	413.50	8/17/2016	8/30/2016
OH-CR-026.000-ROW	2,207.60	8/18/2016	
OH-CR-027.000-ROW	394.30	8/18/2016	
OH-CR-028.000-ROW	36.70	7/11/2016	8/30/2016
OH-CR-029.000-ROW	832.20	7/11/2016	
OH-CR-031.000-ROW	1,423.00	5/16/2016	
OH-CR-032.000-ROW	3,082.60	8/26/2015	9/28/2016
OH-CR-033.000-ROW	816.40	6/29/2015	7/10/2015
OH-CR-037.000-ROW	285.90	2/22/2016	
OH-CR-039.000-ROW	1,541.60	2/22/2016	
OH-CR-040.000-ROW	389.50	5/16/2016	8/16/2016
OH-CR-041.000-ROW	1,280.50	7/31/2015	
OH-CR-042.000-ROW	1,293.30	2/22/2016	7/6/2016
OH-CR-043.000-ROW	1,737.90	8/31/2015	8/15/2016
OH-CR-044.000-ROW	3,429.70	7/17/2015	
OH-CR-045.000-ROW	1,395.40	7/24/2015	
OH-CR-046.000-ROW	1,131.10	8/8/2015	
OH-CR-047.000-ROW	119.20	4/5/2016	8/31/2016
OH-CR-048.000-ROW	548.80	4/5/2016	
OH-CR-049.000-ROW	2,037.90	8/10/2015	
OH-CR-050.000-ROW	909.70	5/16/2016	
OH-CR-052.000-ROW	278.80	5/16/2016	
OH-CR-053.000-ROW	1,185.40	8/31/2015	9/20/2016
OH-CR-054.000-ROW	1,459.50	7/25/2016	8/31/2016
OH-CR-055.000-ROW	1,328.80	7/17/2015	
OH-CR-057.000-ROW	636.20	4/5/2016	

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OH-CR-058.000-ROW	2,330.80	4/5/2016	
OH-CR-059.000-ROW	2,969.40	4/5/2016	
OH-CR-062.000-ROW	1484.80	8/30/2016	8/31/2016
OH-CR-063.000-ROW	2,201.20	9/29/2015	11/15/2016
OH-CR-064.000-ROW SSE	767.10	5/16/2016	(2 TILING PLANS)
OH-CR-065.000-ROW	238.10	7/30/2015	
OH-SE-003.000-ROW	1639.90	8/29/2016	8/31/2016
OH-SE-004.000-ROW	735.60	8/24/2015	
OH-SE-005.000-ROW	71.60	9/1/2015	
OH-SE-006.000-ROW	1,491.60	8/24/2015	
OH-SE-007.000-ROW	1,477.70	8/11/2015	
OH-SE-008.000-ROW	1,585.80	10/1/2015	11/9/2016
OH-SE-011.000-ROW	5,600.60	9/4/2015	
OH-SE-023.000-ROW	391.20	8/27/2015	
OH-SE-025.000-ROW	1,571.30	8/19/2015	
OH-SE-031.000-ROW	1,906.90	8/31/2015	2/15/2016
OH-SE-033.000-ROW	3,368.10	12/22/2015	12/23/2015
OH-SE-037.000-ROW	2,022.60	10/22/2015	
OH-SE-039.000-ROW	2,771.50	2/27/2016	
OH-SE-046.000-ROW	2,222.20	2/29/2016	
OH-SE-052.000-ROW	2,800.80	9/2/2015	
OH-SE-053.000-ROW	2,029.30	9/1/2015	
OH-SE-055.000-ROW	1,182.30	9/2/2015	
OH-SE-057.000-ROW	619.90	2/6/2016	
OH-SE-058.000-ROW	1,054.10	9/16/2015	
OH-SE-059.100-ROW	722.90	8/27/2015	
OH-SE-059.120-ROW	594.00	4/6/2016	
OH-SE-059.130-ROW	1,020.60	4/6/2016	9/29/2016
OH-SE-060.000-ROW	1441.30	4/6/2016	9/29/2016
OH-SE-063.000-ROW	2893.50	11/1/2016	
OH-SE-066.000-ROW	5,505.40	2/6/2016	
OH-SE-069.000-ROW	1,363.20	12/16/2015	12/21/2015
OH-SE-072.000-ROW	1,825.90	2/29/2016	9/13/2016
OH-SE-073.000-ROW	737.20	10/10/2015	
OH-SE-075.000-ROW	4685.20	11/1/2016	
OH-SE-077.000-ROW	3,982.90	2/22/2016	
OH-SE-086.000-ROW	1267.90	9/30/2016	
OH-SE-087.000-ROW	2615.90	9/30/2016	
OH-SE-088.000	478.80	9/30/2016	
OH-HA-001.000-ROW	1,544.50	10/6/2015	10/20/2015
OH-HA-003.000-ROW	972.70	10/14/2015	
OH-HA-004.000-ROW	1,366.10	5/10/2016	10/28/2016
OH-HA-006.000-ROW	2,646.90	10/6/2015	9/20/2016

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OH-HA-008.000-ROW	1,974.60	10/6/2015	10/20/2015
OH-HA-009.000-ROW	1,996.20	10/6/2015	10/20/2015
OH-HA-010.000-ROW	1,340.20	1/10/2016	2/25/2016
OH-HA-011.000-ROW	1,752.70	10/6/2015	10/20/2015
OH-HA-012.000-ROW	5,088.40	10/2/2015	10/29/2015
OH-HA-013.000-ROW	1,441.20	10/8/2015	10/27/2016
OH-HA-014.000-ROW	1,513.80	1/10/2016	2/22/2016
OH-HA-015.000-ROW	4,973.40	10/8/2015	10/27/2016
OH-HA-017.000-ROW	399.60	1/10/2016	2/18/2016
OH-WO-001.000-ROW	1,548.80	1/10/2016	2/25/2016
OH-WO-006.000-ROW	1,473.50	8/26/2015	2/19/2016
OH-WO-007.000-ROW	1,065.00	8/26/2015	3/20/2016
OH-WO-008.000-ROW	649.20	9/1/2015	2/25/2016
OH-WO-009.000-ROW	1,193.80	8/26/2015	2/19/2016
OH-WO-013.000-ROW	522.00	8/1/2016	8/29/2016
OH-WO-014.000-ROW	1,597.00	2/12/2016	3/1/2016
OH-WO-016.000-ROW	2,065.60	10/26/2015	2/15/2016
OH-WO-018.000-ROW	1,164.10	4/6/2016	7/13/2016
OH-WO-020.000-ROW	436.40	4/6/2016	5/20/2016
OH-WO-021.000-ROW	1,155.80	2/22/2016	
OH-WO-022.000-ROW	1,077.10	10/26/2015	2/22/2016
OH-WO-024.000-ROW	2,668.20	12/17/2015	2/25/2016
OH-WO-025.000-ROW	553.10	12/15/2015	2/19/2016
OH-WO-026.000-ROW	569.90	10/20/2015	4/4/2016
OH-WO-027.000-ROW	1,573.20	1/11/2016	2/19/2016
OH-WO-028.000-ROW	1,358.50	4/5/2016	6/27/2016
OH-WO-029.000-ROW	694.40	4/5/2016	6/27/2016
OH-WO-031.000-ROW	1174.30	9/30/2016	
OH-WO-033.000-ROW	1,252.30	1/10/2016	3/15/2016
OH-WO-034.000-ROW	237.50	4/6/2016	9/12/2016
OH-WO-035.000-ROW	2,482.40	1/10/2016	3/15/2016
OH-WO-038.000-ROW	1,419.20	4/5/2016	5/28/2016
OH-WO-040.000-ROW	1,798.50	4/5/2016	6/9/2016
OH-WO-041.000-ROW	5,777.90	1/11/2016	2/25/2016
OH-WO-042.000-ROW	1,452.50	1/12/2016	2/25/2016
OH-WO-044.510-ROW	2,665.70	12/16/2015	1/14/2016
OH-WO-046.500-ROW	1,243.80	1/11/2016	2/19/2016
OH-WO-046.510-ROW	1,283.10	1/11/2016	2/25/2016
OH-WO-050.000-ROW	1,311.90	1/12/2016	2/19/2016
OH-WO-053.000-ROW	2,664.00	1/12/2016	4/13/2016
OH-WO-054.000-ROW	2,674.50	12/10/2015	12/11/2015
OH-WO-055.000-ROW	1335.50	10/20/2016	
OH-WO-056.000-ROW	1,599.90	4/6/2016	8/23/2016

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OH-WO-057.000-ROW	1,054.60	6/15/2016	9/21/2016
OH-WO-058.000-ROW	1,452.50	1/12/2016	2/25/2016
OH-WO-059.000-ROW	1,369.40	1/10/2016	3/15/2016
OH-WO-061.000-ROW	2,538.30	11/9/2015	2/25/2016
OH-WO-061.500-ROW	423.00	12/10/2015	12/11/2015
OH-WO-064.000-ROW	1,352.30	10/29/2015	
OH-WO-065.000-ROW	685.90	2/4/2016	2/25/2016
OH-WO-067.000-ROW	2,716.50	12/14/2015	1/19/2016
OH-WO-068.000-ROW	1,985.10	1/10/2016	1/11/2016
OH-WO-069.000-ROW	2700.50	9/10/2016	10/13/2016
OH-WO-070.000-ROW	1061.60	9/30/2016	
OH-WO-072.000-ROW	540.70	9/30/2016	
OH-WO-073.000-ROW	2185.40	9/30/2016	
OH-WO-074.000-ROW	1,344.10	8/22/2016	9/16/2016
OH-WO-075.000-ROW	1,370.30	2/4/2016	
OH-WO-077.100-ROW	1,356.30	8/18/2016	9/21/2016
OH-WO-077.110-ROW	678.10	8/18/2016	9/23/2016
OH-WO-077.120-ROW	678.00	9/30/2016	
OH-WO-078.000-ROW	1125.20	9/30/2016	
OH-WO-078.500-ROW	441.90	9/30/2016	
OH-WO-079.000-ROW	1297.60	9/30/2016	
OH-WO-080.000-ROW	2,694.30	1/8/2016	2/25/2016
OH-WO-080.500-ROW	2582.00	8/29/2016	9/15/2016
OH-WO-080.510-ROW	116.70	9/10/2016	10/22/2016
OH-HE-001.000-ROW	1363.30	8/29/2016	9/15/2016
OH-HE-001.500-ROW	1351.20	8/29/2016	9/15/2016
OH-HE-003.000-ROW	2709.20	11/1/2016	
OH-HE-004.000-ROW	379.10	11/30/2016	
OH-HE-005.000-ROW	1,851.40	4/6/2016	8/8/2016
OH-HE-006.000-ROW	638.30	9/30/2016	
OH-HE-007.000-ROW	1356.00	9/30/2016	
OH-HE-008.000-ROW	679.90	9/30/2016	
OH-HE-009.000-ROW	672.80	10/7/2016	
OH-HE-010.000-ROW	1,356.10	5/16/2016	
OH-HE-010.500-ROW	1,354.30	5/16/2016	
OH-HE-011.000-ROW	1,354.20	12/11/2015	2/12/2016
OH-HE-012.000-ROW	1,350.90	4/6/2016	
OH-HE-012.500-ROW	1,343.20	8/18/2016	8/22/2016
OH-HE-015.000-ROW	1,776.40	4/5/2016	8/29/2016
OH-HE-016.000-ROW	1,055.30	8/22/2016	8/24/2016
OH-HE-016.500-ROW	2678.50	8/24/2016	8/25/2016
OH-HE-016.530-ROW	911.20	8/29/2016	9/7/2016
OH-HE-021.000-ROW	2,606.70	6/17/2016	

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OH-HE-022.000-ROW	2,661.40	8/22/2016	8/22/2016
OH-HE-022.500-ROW	1366.40	8/29/2016	9/16/2016
OH-HE-023.000-ROW	71.60	8/29/2016	9/4/2016
OH-HE-023.500-ROW	1282.40	10/27/2016	10/31/2016
OH-HE-024.000-ROW	1,341.50	8/17/2016	8/24/2016
OH-HE-025.000-ROW	1,357.60	8/18/2016	8/24/2016
OH-HE-026.000-ROW	2,638.40	2/22/2016	8/12/2016
OH-HE-029.000-ROW	1371.30	8/26/2016	10/3/2016
OH-HE-030.000-ROW	265.60	4/5/2016	7/8/2016
OH-HE-031.000-ROW	1,129.20	8/23/2016	8/26/2016
OH-HE-032.000-ROW	1845.40	8/31/2016	9/20/2016
OH-HE-033.000-ROW	917.20	8/24/2016	8/24/2016
OH-HE-034.000-ROW	1,386.70	2/4/2016	
OH-HE-035.000-ROW	1,368.80	6/15/2016	8/9/2016
OH-HE-036.000-ROW	1382.80	8/24/2016	8/24/2016
OH-HE-038.000-ROW	604.20	9/1/2016	9/20/2016
OH-HE-039.000-ROW	1,028.90	8/24/2016	8/25/2016
OH-HE-040.000-ROW	1,319.40	8/24/2016	8/25/2016
OH-HE-041.000-ROW	1,344.00	12/16/2015	7/8/2016
OH-HE-042.000-ROW	1,360.60	6/29/2016	8/22/2016
OH-HE-043.000-ROW	1,351.60	7/25/2016	8/23/2016
OH-HE-044.000-ROW	1,357.50	7/25/2016	9/2/2016
OH-HE-045.000-ROW	2,805.60	8/25/2016	9/26/2016
OH-HE-046.000-ROW	696.20	7/25/2016	8/23/2016
OH-HE-047.000-ROW	757.20	7/25/2016	8/22/2016
OH-HE-048.000-ROW	1,484.00	8/25/2016	9/29/2016
OH-HE-049.000-ROW	2,592.30	7/25/2016	8/23/2016
OH-HE-050.000-ROW	2706.50	9/1/2016	9/15/2016
OH-HE-051.000-ROW	1906.10	8/31/2016	10/10/2016
OH-HE-053.000-ROW	1340.80	8/31/2016	9/14/2016
OH-HE-055.000-ROW	1321.50	8/31/2016	9/19/2016
OH-HE-056.000-ROW	1,317.50	8/24/2016	9/19/2016
OH-HE-061.500-ROW	0.00	8/22/2016	8/25/2016
OH-HE-062.000-ROW	161.40	8/22/2016	8/25/2016
OH-HE-063.000-ROW	992.60	8/23/2016	8/25/2016
OH-DE-001.000-ROW	1344.40	9/1/2016	10/1/2016
OH-DE-002.000-ROW	1409.80	8/29/2016	8/30/2016
OH-DE-003.000-ROW	1494.80	9/7/2016	9/14/2016
OH-DE-004.000-ROW	1,394.40	8/23/16	8/24/2016
OH-DE-005.000-ROW	3446.40	8/24/2016	10/3/2016
OH-DE-006.000-ROW	1,438.30	8/24/2016	9/30/2016
OH-DE-007.000-ROW	735.60	8/24/2016	9/21/2016
OH-DE-008.000-ROW	1738.20	8/30/2016	

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OH-DE-009.000-ROW	400.40	8/25/2016	9/30/2016
OH-DE-010.000-ROW	213.60	4/5/2016	8/23/2016
OH-DE-011.000-ROW	790.30	8/30/2016	9/30/2016
OH-DE-012.000-ROW	654.30	8/24/2016	9/23/2016
OH-DE-013.000-ROW	816.70	8/30/2016	
OH-DE-014.000-ROW	650.10	8/31/2016	9/27/2016
OH-DE-015.000-ROW	653.50	2/6/2016	8/9/2016
OH-DE-016.000-ROW	1,498.30	2/29/2016	8/23/2016
OH-DE-018.000-ROW	1,156.20	2/29/2016	8/23/2016
OH-DE-019.000-ROW	1292.80	8/29/2016	9/12/2016
OH-DE-022.000-ROW	1,351.40	7/28/2015	9/8/2015
OH-DE-023.000-ROW	1345.90	11/1/2016	11/4/2016
OH-DE-026.000-ROW	1257.20	9/30/2016	10/12/2016
OH-DE-028.000-ROW	1651.80	9/1/2016	
OH-DE-030.000-ROW	1,372.80	8/24/2016	8/24/2016
OH-DE-031.000-ROW	4375.20	10/10/2016	
OH-DE-031.500-ROW	00.00	8/30/2016	
OH-DE-033.000-ROW	1318.80	8/30/2016	11/21/2016
Market Segment			
OH-DF-002.000-ROW	605.30	8/31/2016	
OH-DF-011.000-ROW	2892.20	8/29/2016	9/8/2016
OH-DF-016.000-ROW	1,197.20	8/25/2016	9/19/2016
OH-DF-017.000-ROW	1,584.80	8/25/2016	8/29/2016
OH-DF-018.000-ROW	2892.60	8/30/2016	9/17/2016
OH-DF-019.000-ROW	501.20	8/24/2016	9/20/2016
OH-DF-020.000-ROW	2,593.90	8/25/2016	9/20/2016
OH-HN-001.000-ROW	535.30	8/24/2016	9/2/2016
OH-HN-002.000-ROW	1,881.20	8/24/2016	9/20/2016
OH-HN-004.000-ROW	739.20	8/18/2016	8/31/2016
OH-HN-005.000-ROW	1,795.70	2/24/2016	8/25/2016
OH-HN-006.000-ROW	1,312.40	8/24/2016	9/2/2016
OH-HN-007.000-ROW	1,073.50	1/10/2016	4/13/2016
OH-HN-008.000-ROW	1647.30	11/2/2016	
OH-HN-009.000-ROW	2,661.80	7/25/2016	8/31/2016
OH-HN-009.500-ROW	2,646.90	8/24/2016	8/25/2016
OH-HN-009.510-ROW	1,245.10	8/24/2016	10/17/2016
OH-HN-011.000-ROW	2570.50	9/14/2016	10/7/2016
OH-HN-012.000-ROW	2,652.80	8/24/2016	9/20/2016
OH-HN-013.000-ROW	2,634.80	7/11/2016	8/15/2016
OH-HN-014.000-ROW	1350.70	8/29/2016	10/19/2016
OH-FU-003.000-ROW	1,536.30	8/18/2016	
OH-FU-004.000-ROW	1,540.70	5/15/2016	8/10/2016
OH-FU-005.000-ROW	1,249.00	5/15/2016	8/10/2016

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OH-FU-006.000-ROW	2,055.70	8/25/2016	9/26/2016
OH-FU-007.000-ROW	2,457.90	4/5/2016	8/10/2016
OH-FU-008.000-ROW	1,179.30	2/12/2016	8/23/2016
OH-FU-009.000-ROW	1,647.20	2/29/2016	8/10/2016
OH-FU-010.000-ROW	4,156.80	4/13/2016	
OH-FU-012.000-ROW	760.00	8/18/2016	8/25/2016
OH-FU-013.000-ROW	1267.00	9/2/2016	9/21/2016
OH-FU-015.000-ROW	2,008.70	2/22/2016	7/18/2016
OH-FU-016.000-ROW	2558.30	9/7/2016	9/29/2016
OH-FU-017.000-ROW	3189.70	9/7/2016	9/29/2016
OH-FU-018.000-ROW	2,531.60	4/5/2016	8/10/2016
OH-FU-019.000-ROW	2684.40	9/2/2016	10/27/2016
OH-FU-021.000-ROW	359.60	9/30/2016	11/28/2016
OH-FU-022.000-ROW	2659.60	10/7/2016	Provisions Only
OH-FU-027.000-ROW	1,451.90	8/22/2016	9/29/2016
OH-FU-028.000-ROW	1,285.40	8/8/2016	8/22/2016
OH-FU-029.000-ROW	527.60	7/11/2016	8/22/2016
OH-FU-038.000-ROW	1,363.00	11/4/2015	2/12/2016
OH-FU-039.000-ROW	2961.80	8/31/2016	9/26/2016
OH-FU-040.000-ROW	1,126.80	10/28/2015	11/11/2015
OH-FU-042.000-ROW	2,785.20	8/18/2016	
OH-FU-043.000-ROW	892.60	2/22/2016	8/25/2016
OH-FU-044.000-ROW	1,926.70	2/22/2016	9/10/2016
OH-FU-045.000-ROW	779.00	2/6/2016	8/10/2016
OH-FU-047.000-ROW	1,325.90	2/22/2016	8/25/2016
OH-FU-049.000-ROW	1,326.70	2/22/2016	8/9/2016
OH-FU-050.000-ROW	664.10	9/30/2016	
OH-FU-051.000-ROW	1804.20	8/29/2016	9/2/2016
OH-FU-053.000-ROW	345.10	2/12/2016	8/10/2016
OH-FU-054.000-ROW	569.30	2/12/2016	8/10/2016
OH-FU-055.000-ROW	567.30	2/12/2016	8/10/2016
MI-LE-004.000-ROW	1,071.00	1/18/2016	1/29/2016
MI-LE-007.000-ROW	1,221.22	7/8/2016	8/26/2016
MI-LE-014.500-ROW	378.97	10/19/2016	
MI-LE-016.000-ROW	2,875.26	10/19/2016	
MI-LE-017.000-ROW	2633.88	11/10/2016	
MI-LE-018.000-ROW	2,644.63	10/19/2016	
MI-LE-019.000-ROW	3,112.34	10/19/2016	
MI-LE-020.000-ROW	1,617.44	8/26/16	9/21/2016
MI-LE-020.000-ROW	1,617.44	6/15/2016	6/27/2016
MI-LE-021.000-ROW	1,828.72	7/20/2016	
MI-LE-022.000-ROW	1,580.07	7/20/2016	
MI-LE-024.500-ROW	1,656.73	7/20/2016	11/1/2016

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MI-LE-025.000-ROW	2,816.59	7/20/2016	8/19/2016
MI-LE-027.000-ROW	449.13	7/25/2016	
MI-LE-029.000-ROW	2,528.00	6/15/2016	6/27/2016
MI-LE-030.000-ROW	3,666.41	6/15/2016	6/27/2016
MI-LE-031.000-ROW	832.87	5/13/2016	6/17/2016
MI-LE-032.000-ROW	704.00	5/13/2016	7/13/2016
MI-LE-033.000-ROW	2,113.65	5/13/2016	7/13/2016
MI-LE-034.000-ROW	2,229.15	5/13/2016	7/13/2016
MI-LE-048.510-ROW	1,754.12	6/15/2016	8/1/2016
MI-LE-055.000-ROW	2,904.85	6/15/2016	6/21/2016
MI-LE-057.000-ROW	2,958.00	6/15/2016	6/27/2016
MI-LE-084.000-ROW	2,805.08	4/5/2016	6/11/2016
MI-LE-087.500-ROW	1,425.91	10/15/2015	10/16/2015
MI-LE-093.000-ROW	2,543.00	9/12/2015	10/2/2015
MI-LE-095.500-ROW	1,346.77	10/6/2015	3/15/2016
MI-LE-096.500-ROW	1,558.91	10/6/2015	3/15/2016
MI-LE-098.000-ROW	1,515.26	10/6/2015	3/15/2016
MI-LE-099.000-ROW	2,774.28	10/6/2015	3/15/2016
MI-LE-108.000-ROW	1,530.90	11/10/2015	3/15/2016
MI-LE-112.000-ROW	783.52	10/12/2015	
MI-LE-112.500-ROW	904.99	10/12/2015	
MI-LE-114.000-ROW	2,745.05	10/12/2015	
MI-LE-115.000-ROW	385.62	3/6/2016	3/15/2016
MI-LE-116.000-ROW	498.13	3/6/2016	3/15/2016
MI-LE-117.500-ROW	2,659.87	11/10/2015	3/15/2016
MI-LE-117.510-ROW	2,092.29	2/5/2016	3/14/2016
MI-LE-121.000-ROW	1,931.74	4/5/2016	3/14/2016
MI-LE-122.000-ROW	1,931.74	2/4/2016	3/14/2016
MI-WA-023.551-ROW	1,963.14	4/5/2016	9/12/2016
MI-WA-050.000-ROW	X		Provisions Only
MI-WA-081.000-ROW	2,254.17	10/19/2015	4/15/2016
MI-WA-081.500-ROW	21.38	10/19/2015	4/15/2016

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39. ***Prior to construction**, Rover shall commit to hire local drain tile contractors to install/repair drain tiles that are damaged or need to be rerouted due to construction activities. (section 4.8.4.1)*

Response:

Rover will employ local drain tile contractors to conduct the work required to repair or replace to the extent possible. If, during construction, it is not possible to allow local drain tile contractors to work concurrently on the right-of-way, Rover will employ local contractors to advise on and monitor the work conducted on the drain tile.

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40. Upon completion of construction, Rover shall provide information on encountered, severed, and/or damaged drain tile lines to the landowner, the local county Soil and Water Conservation District, and the information shall be kept in the company's landowner records for future reference. (section 4.8.4.1)

Response:

Rover agrees to comply with Environmental Condition No. 40.

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41. **Prior to construction**, Rover shall file with the Secretary, for review and written approval of the Director of OEP, an impact avoidance, minimization, or mitigation plan for the organic farm at MP MAB 57.8. Rover shall include documentation that the plan was developed in consultation with the landowner. (section 4.8.5.1)

Response:

Rover reviewed the Agricultural Impact Mitigations Provisions (AIMP) for Organic Farms provided by the Ohio Ecological Food and Farm Association. Rover also met with the landowner and his representative on August 24, 2016 to discuss provisions of an agreement. The following is an Impact Avoidance, Minimization, and Mitigation Plan for the organic farm at MP MAB 57.8 derived from the AIMP for Organic Farms and the items agreed to as a result of the meeting.

Organic System Plan

1. Prior to entering the ROW, the equipment will be cleaned at a wash station at the edge of the property.
2. Rover will utilize drop cloths below the pipeline segments during welding and coating to collect any residue.
3. Topsoil and subsoil will be segregated and stored on the property. No topsoil or subsoil will be brought in from neighboring properties or purchased and brought in without written consent from the landowner.
4. The landowner would prefer to plant deep-rooted plants rather than allowing Rover to decompact the soil. Rover will compensate the landowner for the expense of the planting to mitigate for not decompacting.
5. The landowner can utilize manure or rock phosphate rather than allowing Rover to apply fertilizer if it is preferred. Rover will compensate the landowner for the expense of the application of manure or rock phosphate to mitigate for not fertilizing.
6. Rover will not allow tobacco to be used by Rover employees and contractors on the property.
7. Per the agreement in discussion with the landowner, Rover will reduce the construction right-of-way to avoid removing the one tree that was proposed to be impacted on the property.
8. Rover will compensate the landowner to reseed the property as preferred.

Prohibited Substances

1. Rover will not apply herbicides, pesticides, fertilizers, or seed unless requested and approved by the landowner.
2. Rover will not allow refueling, fuel or lubricant storage, or routine equipment maintenance on the property.
3. Rover will not store equipment on the property at night during construction.
4. Rover will use special signage to denote the property boundaries, as is done with wetlands and waterbodies, and will note the special status of the property on the landowner line list supplied to the contractor, which includes all special conditions for properties.

Water in Trenches

Rover will install a permanent trench plug where the pipeline enters and exits the property. This will prevent water, and subsequently any minerals or pollutants, from entering or leaving the property via the pipeline trench.

Weed Control

Rover will not utilize herbicides as weed control during maintenance of the pipeline right-of-way on this property. In addition, Rover will not use prohibited substances in weed control on land adjacent to the property in such a way as to allow these materials to drift onto the property.

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Monitoring

Rover has committed to having a certified Organic Agricultural Inspector present during construction on the property to ensure that all the required conditions for the property are properly followed.

Compensation for Construction Damages

In the event that construction of the pipeline causes the property to lose its organic status, Rover will be responsible for payment of any lost revenue or benefit for the remaining term of the agreement with the organic certification program and any losses due upon the property not becoming eligible for re-entry into the organic certification program.

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*42. **Prior to construction**, Rover shall file with the Secretary, for review and written approval of the Director of OEP, a complete list of all CRP enrolled lands that would be crossed by the Project by milepost. In addition, Rover shall file with the Secretary any revised impact mitigation measures or conservation plans that will be necessary in order to maintain CRP compliance along with confirmation from the FSA that parcels will remain eligible for the program if the specified mitigation is implemented. If parcels will no longer be eligible for enrollment, Rover shall identify how it will compensate landowners for the lost program benefits. (section 4.8.5.2)*

Response:

A list of tracts enrolled in the CRP are enclosed in Table 42. The table is filed under **Privileged** because information concerning tracts enrolled in CRP is not public information.

Rover is coordinating with the landowners of the tracts enrolled in CRP to address any specific mitigative measures necessary to ensure the continued enrollment of the specific tract in CRP. In addition, as part of the easement agreement for these tracts, Rover is committing to compensate the landowner for any lost CRP payments or revenue and any losses occurred if the tract becomes ineligible for re-entry in the CRP due to the Project. Rover does not anticipate these issues, but is committing to them in writing to assuage potential concerns of the landowners.

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Draft Implementation Plan

43. **Prior to construction**, Rover shall file with the Secretary, for review and written approval of the Director of OEP, an impact avoidance, minimization, or mitigation plan for the trails located in the Pinckney Recreation Area. Rover shall include documentation that the plan was developed in consultation with the MIDNR. (section 4.8.5.3)

Response:

Rover is consulting with MIDNR to finalize an easement agreement that takes into account the trails proposed to be crossed by the Project. The Rover Project crosses the Losee Lake Hiking Trail three times, as noted in the FEIS. However, the Project does not cross the Waterloo-Pinckney Hiking Trail, which is within the Waterloo Recreation Area. MIDNR has provided a map (enclosed) identifying the Losee Lake Hiking Trail crossings, which are cross at the same locations as the “Power Line” (ITC). Although subject to potential changes prior to executing the agreement, it currently contains the following stipulations regarding forest roads and recreational trails.

- (1) Rover shall ensure that MIDNR or its assign's use of existing forest roads and recreational trails crossing or adjacent to the ROW will not be altered or adversely affected by this easement. This shall include, but not be limited to, use by heavy equipment for the harvesting and transportation of timber products. These roads and trails shall remain open and useable both during and after construction/installation, and during any ROW maintenance or abandonment activity unless written authorization is provided by the MIDNR Representative.
- (2) All trails located within the right-of-way shall be restored to pre-construction grades and surfacing, as near as practical, in accordance with Grantee’s approved FERC (“Federal Energy Regulatory Commission”) plans and procedures.
- (3) Forest roads and recreational trails used by Rover or its assigns under the terms of this easement, shall be left in as good or better condition as they were before their use.
- (4) MIDNR retains its right to develop and use the easement area in a manner that is consistent with its mission as outlined in Part 5, Section 503 of Act 451 of 1994 as amended, and are not inconsistent or interfere with the purpose or use of this easement. This includes the right to develop, use and maintain new forest roads and new recreational trails which may be adjacent to, include and/or cross the ROW.
- (5) Rover shall supply, install, maintain, and replace (as necessary) a sign on the hiking trail to enhance the area of the trail that will be cleared. Sign design, construction, content and location must be pre-approved by the MIDNR Representative prior to installation.

In addition, the agreement currently states that during operation of the pipeline, Rover may close forest roads and recreational trail crossings in emergency situations for up to 24 hours without approval of the MIDNR Representative. Emergency closures of more than 24 hours require the written approval of the MIDNR Representative. Rover will submit any changes to the agreement prior to construction if they occur.

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Draft Implementation Plan

44. Prior to construction of Mainline Compressor Stations 1 and 3, Rover shall file with the Secretary revised visual screening plans for these compressor stations that incorporate a second row of Colorado blue spruce and adopt a spacing of 20 feet or less between the trees in each row. (section 4.8.7.2)

Response:

Please find enclosed the revised Visual Screening Plans for Compressor Stations 1 and 3. Although FERC requested a second row of Colorado blue spruce, the Ohio State Historic Preservation Office (Ohio SHPO) requested a more diverse visual screening plan including multiple species and multiple layers. The Ohio SHPO referenced an Ohio Department of Transportation screening plan as an example. Rover has designed the attached visual screening plan based on that example, using the same species with similar arrangement.

The revised visual plans alternate northern red oak and Norway spruce in offset rows on 20-foot centers, with serviceberry and redbud alternating between the larger trees. The plan now includes three rows, with the vegetation overlapping. The larger trees will provide the foundation for the screen, with the smaller flowering shrubs softening the look of the screen and providing seasonal color. As shown in the previous versions of the figures, small gaps in the tree rows will be necessary where access roads, pipelines, or other utilities prevent trees from being planted.

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45. Rover shall file with the Secretary reports describing any documented complaints from affected landowners that a homeowner's insurance policy was either cancelled or voided due directly to the grant of the pipeline right-of-way or installation of the pipeline and/or that the premium for the homeowner's insurance increased materially and directly as a result of the grant of the pipeline right-of-way or installation of the pipeline. The reports shall also identify how Rover has mitigated the impact. These reports shall be included in Rover's weekly construction status *5-25 Conclusions And Recommendations* reports and in its quarterly reports **for a 2-year period following in-service of the Project.** (*section 4.9.6*)

Response:

Rover agrees to comply with Environmental Condition No. 45.

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Draft Implementation Plan

47. Rover shall file in the *weekly construction status reports* the following for each HDD entry and exit site:

- a. *the noise measurements from the nearest NSA for each drill entry/exit site, obtained at the start of drilling operations;*
- b. *the noise mitigation that Rover implemented at the start of drilling operations; and*
- c. *any additional mitigation measures that Rover would implement if the initial noise measurements exceeded an Ldn of 55 dBA at the nearest NSA and/or increased noise is over ambient conditions greater than 10 decibels. (section 4.11.2.2)*

Response:

Rover agrees to comply with Environmental Condition No. 47.

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Draft Implementation Plan

48. Rover shall file a noise survey with the Secretary **no later than 60 days** after placing each of the Rover Project compressor stations in service. If a full load condition noise survey of the entire station is not possible, Rover shall instead file an interim survey at the maximum possible horsepower load and file the full load survey **within 6 months**. If the noise attributable to the operation of all of the equipment at any compressor station under interim or full horsepower load conditions exceeds 55 dBA Ldn at any nearby NSAs, Rover shall file a report on what changes are needed and shall install the additional noise controls to meet the level **within 1 year** of the in-service date. Rover shall confirm compliance with the 55 dBA Ldn requirement by filing a second noise survey with the Secretary **no later than 60 days** after it installs the additional noise controls. (section 4.11.2.3)

Response:

Rover agrees to comply with Environmental Condition No. 48.