



**Office of
Energy Projects**

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Rover Pipeline LLC

Docket No. CP18-118-000

**UGS-Crawford Meter Station
Project
Environmental Assessment**

Washington, DC 20426

Table of Contents

A. PROPOSED ACTION	4
A.1. Introduction	4
A.2. Purpose and Need	4
A.3. Scope of the Environmental Assessment	2
A.4. Public Comment	2
A.5. Proposed Facilities	2
A.5.1. Aboveground Facilities	4
A.5.2. Access Roads and Contractor Yards	4
A.6. Land Requirements	4
A.7. Construction Procedures	4
A.7.1. Construction Schedule and Workforce	4
A.7.2. Construction, Operation, and Maintenance Procedures	4
A.8. Permits and Approvals	5
A.9. Nonjurisdictional Facilities	5
B. ENVIRONMENTAL ANALYSIS	6
B.1. Geology and Soils	6
B.1.1. Geology	6
B.1.2. Soils	8
B.2. Groundwater Resources	10
B.3. Vegetation, Wildlife, and Threatened and Endangered Species	10
B.3.1. Vegetation	10
B.3.2. Wildlife	11
B.3.3. Migratory Birds	11
B.3.4. Special Status Species	13
B.4. Land Use and Visual Resources	14
B.5. Cultural Resources	14
B.6. Air Quality	15
B.7. Noise	16
B.8. Reliability and Safety	18
B.9. Cumulative Impacts	18
B.9.1. Soils	20
B.9.2. Land Use	20
B.9.3. Cumulative Impact Conclusion	21
C. ALTERNATIVES	22
C.1. No Action Alternative	23

C.2. System Alternatives	23
C.3. Site Alternatives	23
D. CONCLUSIONS AND RECOMMENDATIONS	25
E. REFERENCES	30
F. LIST OF PREPARERS	31

LIST OF TABLES

Table 1. Permits and Approvals.....	5
Table 2. Birds of Conservation Concern in the Project Area.....	12
Table 3. Projected Noise Levels from the proposed M&R Station.....	17

LIST OF FIGURES

Figure 1. Regional Project Map.....	4
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TECHNICAL ACRONYMS AND ABBREVIATIONS

Certificate	Certificate of Public Convenience and Necessity
CFR	Code of Federal Regulations
Commission	Federal Energy Regulatory Commission
dBA	decibels on the A-weighted frequency scale
DOT	U.S. Department of Transportation
EA	environmental assessment
EI	environmental inspector
EPA	U.S. Environmental Protection Agency
FERC	Federal Energy Regulatory Commission
FWS	U.S. Fish and Wildlife Service
GHG	greenhouse gas
M&R	meter and regulating
NAAQS	National Ambient Air Quality Standards
NGA	Natural Gas Act
NHPA	National Historic Preservation Act
OEP	Office of Energy Projects
Plan	Rover's <i>Upland Erosion Control, Revegetation, and Maintenance Plan</i>
Project	UGS-Crawford Meter Station Project
ODNR	Ohio Department of Natural Resources
SPR Plan	Spill Prevention and Response Plan

A. PROPOSED ACTION

The Federal Energy Regulatory Commission (Commission or FERC) staff has prepared this environmental assessment (EA) to assess the environmental impacts of the construction and operation of the UGS-Crawford Meter Station Project (Project) proposed by Rover Pipeline LLC (Rover) in Docket No. CP18-118-000. We¹ prepared this EA in compliance with the National Environmental Policy Act (NEPA) according to the regulations issued by the Council on Environmental Quality at Title 40 Code of Federal Regulations (CFR), Parts 1500–1508 (40 CFR 1500–1508) and the Commission’s regulations at 18 CFR 380.

A.1. Introduction

On March 15, 2018, Rover filed an application with FERC in Docket No. CP18-118-000 for a Certificate of Public Convenience and Necessity (Certificate) under section 7(c) of the Natural Gas Act (NGA) to construct, install, own, and operate a new meter and regulating (M&R) station and appurtenant facilities in Jefferson County, Ohio.

FERC is the lead federal agency for the Project and for the preparation of this EA, as described in 40 CFR 1501.5. The principal purposes for preparing this EA are to:

- identify and assess potential impacts on the natural and human environment which could result from the proposed action;
- identify and recommend alternatives and specific mitigation measures, as necessary, to avoid and minimize project related environmental impacts; and
- facilitate public involvement in the environmental review process.

The EA will be used by the Commission in its decision-making process to determine whether to authorize Rover’s proposal.

A.2. Purpose and Need

Under section 7(c) of the NGA, the Commission determines whether interstate natural gas transportation facilities are in the public convenience and necessity and, if so, grants a Certificate to construct and operate them. The Commission bases its decisions on technical competence, financing, rates, market demand, gas supply, environmental impact, long-term feasibility, and other issues concerning a proposed project.

¹ “We,” “us,” and “our” refer to the environmental staff of the Commission’s Office of Energy Projects.

Rover's stated Project purpose is to receive up to 35 million standard cubic feet per day of pipeline quality natural gas from an interconnect with the gathering pipeline facilities of Utica Gas Services, LLC. (UGS). UGS would build approximately 1 mile of 12-inch-diameter pipeline from its gathering pipeline in Jefferson County, Ohio, to the custody transfer point at Rover's proposed UGS-Crawford Meter Station.

A.3. Scope of the Environmental Assessment

As the lead federal agency for the Project, FERC is required to comply with Section 7 of the Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA). These statutes have been considered in the preparation of this EA. FERC will use this document to consider the environmental impacts that could result if it authorizes the Project. In addition to FERC, other federal, state, and local agencies may use this EA in approving or issuing permits for all or part of the proposed Project. Permits, approvals, and consultations for the Project are discussed in section A.8.

The topics addressed in this EA include geology, soils, groundwater, wildlife, vegetation, species of special concern, cultural resources, air quality, noise, land use, aesthetics, reliability and safety, and cumulative impacts. This EA describes the affected environment as it currently exists and the environmental consequences of the Project, and compares the Project's potential impact with that of various alternatives. This EA also presents our recommended mitigation measures.

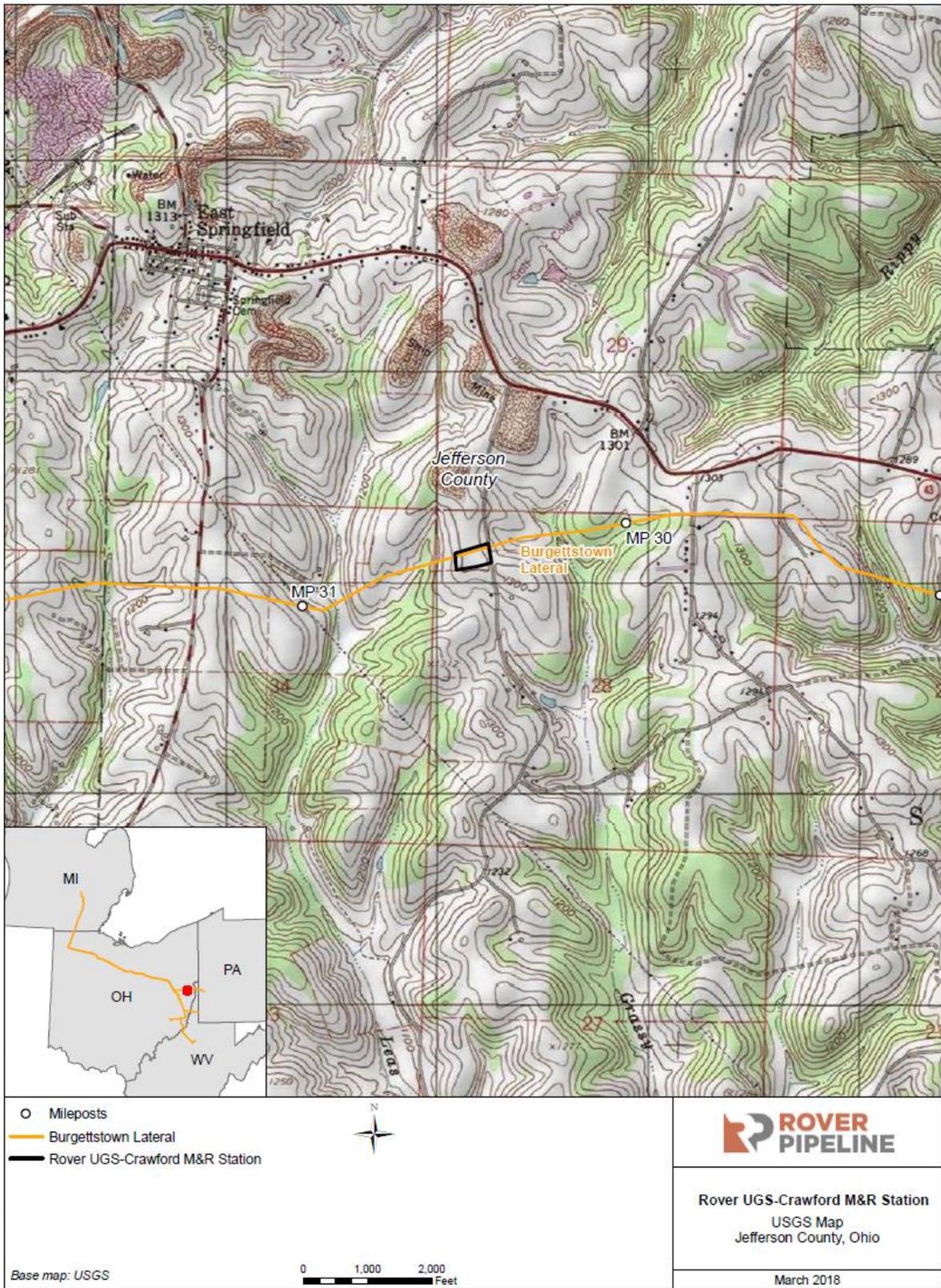
A.4. Public Comment

On May 1, 2018, the Commission issued a *Notice of Intent to Prepare an Environmental Assessment for the UGS-Crawford Meter Station Project and Request for Comments on Environmental Issues*. The notice was published in the Federal Register. Written comments were requested from the public on specific concerns about the Project that should be considered during preparation of the EA. We received comments from the Fish and Wildlife Service (FWS) regarding impacts on multiple species. Impacts and mitigation for wildlife are discussed in section B.3.

A.5. Proposed Facilities

Rover proposes to construct, own, and operate an M&R Station as described further in the following sections. An overview map of the Project location is provided on figure 1 below.

Figure 1. Regional Project Map



A.5.1. Aboveground Facilities

The Project would consist of one new M&R Station on agricultural land west of Highway 221 in Salem Township, Jefferson County, Ohio. The M&R Station would be along the south side of Rover's Burgettstown Lateral at Milepost 30.

The station would consist of various components including a horizontal filter separator, ultrasonic meter skid, flow control skid, gas quality and measurement buildings, satellite communications, and a condensate storage tank. A small satellite dish would be installed for Supervisory Control and Data Acquisition. The satellite dish would have a diameter of approximately four feet and will be mounted on a pole approximately five feet in height.

A.5.2. Access Roads and Contractor Yards

Rover would construct one new permanent access road, approximately 25 feet wide and 100 feet long. No contractor yards are proposed.

A.6. Land Requirements

The M&R Station would be constructed on 3.64 acres of agricultural land, of which 0.9 acre would be fenced and maintained for operation. The new permanent access road would require 0.1 acre of land. Rover states that it has obtained an agreement to purchase an approximate 3.7-acre site for construction and operation of the Project.

A.7. Construction Procedures

A.7.1. Construction Schedule and Workforce

Rover anticipates that mobilization and construction of the Project would commence in the summer of 2018. These start dates are subject to receipt of necessary permits and regulatory approvals. Construction would take approximately three months.

A.7.2. Construction, Operation, and Maintenance Procedures

The Project would be designed, constructed, operated, and maintained in accordance with applicable requirements defined by U.S. Department of Transportation (DOT) regulations in 49 CFR 192, *Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards*; by FERC's *Siting and Maintenance Requirements* in 18 CFR 380.15; and by other applicable federal and state safety regulations.

Rover would implement its *Upland Erosion Control, Revegetation and Maintenance Plan* (Rover Plan) which follows the 2013 version of FERC’s *Upland Erosion Control, Revegetation, and Maintenance Plan*, without modification.

A.8. Permits and Approvals

Table 1 below provides a list of federal and state permits for the Project, as well as any responses received to date. Rover would be responsible for obtaining all permits and approvals required for the Project regardless of their listing in the table.

Agency	Permit	Initiated	Pending/Approved Date
FERC	Section 7(c)	March 2018	Pending
U.S. Fish & Wildlife Service Ohio Ecological Services Field Office	Consultation - Section 7 Endangered Species Act Consultation - Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act	February 2018	Received May 2018
OHIO			
Ohio Department of Natural Resources	Consultation - State listed species	February 2018	Received April 2018
Ohio State Historic Preservation Office	Consultation Section 106 National Historic Preservation Act	January 2015	Received March 2017

A.9. Nonjurisdictional Facilities

Under Section 7 of the NGA, the Commission is required to consider, as part of the decision to approve facilities under its jurisdiction, all factors bearing on the public convenience and necessity. Occasionally, projects have associated facilities that do not come under the jurisdiction of the Commission. These “non-jurisdictional facilities may be integral to the need for the proposed facilities or may be minor components of the jurisdictional project. Rover identified one non-jurisdictional facility associated with the Project.

UGS would build an interconnecting pipeline from its existing compressor station, located south of the proposed M&R Station. This 12-inch-diameter pipeline would be approximately 1-mile-long and would cross three properties, one of which is owned by UGS. Installation of the UGS interconnecting pipeline would affect 8.7 acres of land. These facilities are discussed further in our cumulative impacts analysis in section B.9 of this EA.

B. ENVIRONMENTAL ANALYSIS

This analysis generally describes temporary, short-term, long-term, and permanent impacts and effects caused by the Project's construction and operation. A temporary effect generally occurs during construction with the resource returning to pre-construction condition immediately after restoration or within a few months. A short-term effect could continue for up to 3 years following construction. Long-term effects would last more than 3 years, but the affected resource would eventually recover to pre-construction conditions. A permanent effect would result from an activity that modifies a resource to the extent that it would not return to pre-construction conditions during the life of the Project. In the following sections, we address direct and indirect effects collectively, by resource. There would be no impact on the following resources:

- surface waters and wetlands;
- fisheries; and
- recreation.

These resources will not be discussed further in this EA. Section B.9 of this EA analyzes the Project's contribution to cumulative impacts.

B.1. Geology and Soils

B.1.1. Geology

In the immediate Project area, slopes are relatively shallow and coal beds are numerous. Subsidence is common throughout the surrounding Project area and somewhat restricts the ability to site natural gas industry infrastructure. The proposed Project site is on a relatively level agricultural field at elevation 1,300 feet. Bedrock at the Project site is recorded as consisting of siltstone and shale of the Conemaugh Geologic Group. Three abandoned underground coal mines operated by Y&O Coal Company are within 0.25 mile of the Project site (ODNR, 2018). The Project is not within a karst region (ODGS, 1999). The risk of the development of sinkholes was determined to be relatively low.

There are no known surface faults in the Project area, although subsurface faults could exist. Seismic activity in the immediate Project area is limited to infrequent, low-intensity earthquakes typically undetected by human senses and responsible for little or no structural damage (Hansen, 2015). The closest earthquakes known to have caused minor damage occurred in 1986 (magnitude 5.0 on the Richter scale, 91 miles from the Project), 1998 (scale of 5.2, 71 miles), and 2001 (scale 4.5, 106 miles); the latter event associated with an active deep injection well. No damaging earthquakes have occurred in the immediate vicinity of the Project. Based on the low incidence and likelihood of significant seismic activity exhibited in the Project area, there is little potential for soil liquefaction to occur.

Generally, only large, abrupt ground displacements have caused serious impacts on pipeline facilities. Given the low potential for seismic activity, lack of seismic faults, and the relatively high-tensile strength of modern arc-welded gas pipelines in good repair, there is little likelihood for an earthquake to damage the Project's proposed facility.

Landslides involve the down slope movement of earth materials under a force of gravity due to natural or man-made causes. Although landslides are primarily associated with mountainous regions, they can also occur in areas of generally low relief. Slope saturation by water is also a primary cause of landslides and can occur from intense rainfall, snowmelt, changes in groundwater levels, earth dams, and the banks of waterbodies. Slopes in the Project area exhibit a high susceptibility to landsliding (over 15 percent of the land area); however, Rover has chosen a site for its meter station on relatively level ground, and thus the potential for landslides at the Project site is low.

Rover may encounter shale bedrock within 33 inches of the surface during construction. Rover's core sampling of the soil/bedrock profile indicates that its planned depth of excavation (up to 8 feet) would fall within the 6 to 15-foot-deep layer of clay and soft shale present at the Project site. If bedrock is encountered, Rover would use mechanical methods such as conventional excavation with a backhoe, ripping with a dozer followed by backhoe excavation, or hammering with a pointed backhoe attachment followed by backhoe excavation. No blasting was required in the Project area during installation of the adjacent Burgettstown Lateral pipeline buried at depths of five feet. Taking this experience and the presence of soft shale into consideration, Rover does not anticipate it would require blasting for the Project. In the event that blasting does become necessary, Rover would use its Blasting Plan² which we find acceptable and includes procedures for blasting safety, warnings, protection of public property and residences, post-blast cleanup and inspections of structures, and permitting.

Localized surface subsidence is a potential hazard to the Project during and after construction given the presence of abandoned underground coal mines in the immediate Project area. Surface expressions of subsidence are within 300 feet north of the Project limits. Longwall mining is the method used in this area, which involves the subsurface removal of coal through underground tunnels. However, longwall mining subsidence is generally predictable, occurs almost immediately, and the event is largely complete within one to three months. Residual subsidence can occur over a longer period, but it is generally small in nature. The natural gas industry has built several aboveground facilities, including M&R stations, in the immediate Project area on top of abandoned coal mines.

Rover completed a subsidence hazard evaluation for the Rover Pipeline Project, which includes the Project location along the Burgettstown Lateral. Rover conducted

² Rover's blasting plan for this Project is identical to that used for the Rover Pipeline Project, and is available online on the Commission's internet website at <http://www.ferc.gov/docs-filing/elibrary.asp> under Docket No. CP18-118, filing date May 22, 2018, accession number 20180522-5213, in Attachment 7-1.

inspections prior to pipeline construction to determine where and what modifications would be required to reduce subsidence hazards to the pipelines, and committed to establishing communication plans and working with mine operators to prevent hazards to the pipeline. These risk minimization measures that Rover developed for the pipeline would also apply to the Project M&R facilities. Rover also stated it would conduct permanent visual inspection of the Project facilities for signs of subsidence during operations. We conclude that Rover's monitoring and mitigation measures are adequate to minimize subsidence risks to the Project facilities.

Mineral resources in the Project area consist of two active oil and gas wells within 0.25 mile of the Project site, one 403 feet distant and one on the adjacent property. Construction and operation of the Project would not impact this resource extraction given the depth of the oil and natural gas deposits. No active coal mining occurs within 0.25 mile of the Project.

Based on the above analysis, we conclude that Project construction and operation would not affect or be affected by geologic resources or hazards.

B.1.2. Soils

The Project area is comprised of mainly loams with small amounts of clay, leading to a low compaction potential. Other important characteristics of soils on the site include being well-drained, highly susceptible to soil erosion, shallow to bedrock (33 inches), resistant to droughtiness, and having good revegetation potential.

Construction activities that could affect soils include clearing, grading, trenching, spoil storage and backfilling. Primary risks to soils include erosion and subsequent loss of soils during construction. Additional lesser risks include soil mixing during construction with rock given the shallow depths to bedrock, soil compaction resulting from working in excessively wet conditions, and soil contamination during construction and operations from equipment oil and fuel spills. Overall, the Project soils would not present significant construction limitations or hazards and effects would be limited to the immediate area of the Project.

Rover's use of its Plan containing soil disturbance minimization, mitigation, and restoration and mitigation measures would reduce impacts from soil erosion and soil mixing. Such measures include 1) installing and maintaining erosion and sediment controls within and around the perimeter of the Project's workspace such as hay bales, silt fence and soil berms installed immediately following land disturbance, 2) topsoil conservation and protection during construction, 3) removal of excess stone or rock from surface soils such that the rock content would be no higher than that within adjacent similar soils, and 4) restoration of contours and stabilization of the surface using revegetation in temporary workspaces and mowed lawn, gravel, or pavement in the permanent right-of-way limits.

In addition, Rover would use its Spill Prevention and Response Procedures (SPR Procedures) to lessen the chance and impact of fuel and lubricant spills onto soils. The SPR Plan specifies preventive measures and cleanup procedures related to inadvertent releases of fuels, lubricants, coolants or solvents, and contains measures to ensure that, if a release did occur, it would be contained, cleaned up appropriately, and disposed of using approved waste disposal measures. Finally, Rover would inspect the Project site during construction, restoration, and the first two years of operations for maintenance of erosion and sediment controls as necessary until the right-of-way is stable and vegetated.

Prime farmland is identified by the Natural Resources Conservation Service as farmland that can be used for production of food, feed, forage, fiber and oilseed crops on account of its soil characteristics, including an acceptable and reliable water supply from precipitation or irrigation, a favorable temperature and growing season, an acceptable level of acidity or alkalinity, an acceptable content of salt or sodium, and few or no rocks. Soils that do not meet these requirements but are capable of producing a high crop yield when treated or managed according to accepted farming methods may be considered farmland of statewide or local importance. Soils of statewide or local importance are also identified as prime farmland soils.

The soils on the entire 3.7-acre Project site are classified as prime farmland soils. One acre of prime farmland would be permanently converted from agricultural land use to industrial use. The prime farmland soil within the 2.7 acres of temporary workspace would retain its status following construction and during operations. Soils within the temporary workspace would be protected with a mowed lawn vegetative cover during operations.

We have determined that, given the limited area of disturbance, and with implementation of its Plan and SPR Procedures, Rover would adequately minimize soil impacts during construction and restoration, and impacts on soils would not be significant.

B.2. Groundwater Resources

There are no U.S. Environmental Protection Agency-designated sole-source or state-designated aquifers in the Project area. The Project is not within any Ohio Environmental Protection Agency-designated wellhead protection areas. Based on Rover's review of available data, there are no hazardous waste sites or otherwise contaminated sites of concern in the vicinity. During surveys for the recently constructed Rover Pipeline Project, public and private water supply wells and springs were identified within a 250 to 400-foot wide corridor along the Burgettstown Lateral. None of these features were identified within this survey corridor near the Crawford M&R site.

Construction of the Project would require clearing of vegetation, grading, and completion with some graveled/paved surfaces which would increase stormwater runoff and may affect groundwater recharge in the immediate area. Rover would install erosion control measures in accordance with its Plan and federal and state requirements to minimize the impact of stormwater runoff. All temporary workspaces would be restored and revegetated in accordance with the Rover Plan. Spills or leaks of hazardous liquids during construction could also impact groundwater if improperly managed. Rover would implement its SPR Procedures which details measures for the prevention, containment, and clean-up of any inadvertent releases of fuels or other hazardous liquids during construction. In addition, notification procedures are included in the event a reportable release occurs. We have reviewed this plan and find it acceptable. With implementation of its Plan and SPR Procedures, we conclude that impacts on groundwater would be minimized to the extent practicable and would not be significant.

B.3. Vegetation, Wildlife, and Threatened and Endangered Species

B.3.1. Vegetation

The proposed Project site consists of an agricultural field. The area contains species such as meadow fescue, Kentucky bluegrass, white clover, and giant ragweed. Construction would involve the clearing of 3.6 acres of vegetation, of which 1.0 acre would be permanently converted to industrial use during operation. Rover would implement its Plan which includes measures to avoid erosion due to vegetation removal and post-construction restoration and seeding.

We received comments from the U.S. Fish and Wildlife Service (FWS) recommending that disturbed areas be revegetated using native plant species. Rover commits to seed the areas not gravel covered for the M&R Station with the same seed mix that was approved for restoration of the Burgettstown Lateral in the same area. Because of the limited vegetation removal, use of Rover's Plan, and implementation of the recommended seed mix, we conclude that impacts on vegetation would not be significant.

B.3.2. Wildlife

Typical wildlife in the Project area that would inhabit agricultural lands and the adjacent forest edge habitats include white-tailed deer, eastern cottontail, wild turkey, gray fox, and red-tailed hawks. Other than the small amount of land that would be permanently converted to industrial use and fenced, impacts of the Project on wildlife would be temporary. Construction activities and human presence would result in a temporary disturbance of local wildlife due to noise and habitat loss. During construction, wildlife would temporarily leave the Project area and seek suitable habitat nearby. After construction is complete and temporary workspaces are restored, wildlife would be able to return and use the habitat. Therefore, we conclude that the Project would not have a significant impact on wildlife.

B.3.3. Migratory Birds

Migratory birds are species that nest in the United States and Canada during the summer and then migrate to and from the tropical regions of Mexico, Central and South America, and the Caribbean for the non-breeding season. Migratory birds are protected under the Migratory Bird Treaty Act ([MBTA]-16 U.S. Code [USC] 703-711), and Bald and Golden Eagles are additionally protected under the Bald and Golden Eagle Act (16 USC 668-668d). The MBTA, as amended, prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. Executive Order 13186 (66 Federal Register 3853) was enacted in 2001 to, among other things, ensure that environmental analyses of federal actions evaluate the impacts of federal actions on migratory birds. Executive Order 13186 directs federal agencies to identify where unintentional take is likely to have a measurable negative effect on migratory bird populations; avoid or minimize adverse impacts on migratory birds through enhanced collaboration with the FWS; emphasize species of concern, priority habitats, and key risk factors; and give particular focus to population-level impacts.

On March 30, 2011, the FWS and the Commission entered into a Memorandum of Understanding regarding implementation of Executive Order 13186, “Responsibilities of Federal Agencies to Protect Migratory Birds” that focuses on avoiding or minimizing adverse impacts on migratory birds and strengthening migratory bird conservation through enhanced collaboration between the two agencies. This Memorandum of Understanding does not waive legal requirements under the Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, ESA, or any other statutes and does not authorize the take of migratory birds.

The migratory bird nesting season is generally April 1-August 30. Rover plans to begin construction of the Project in July 2018 and construction would last approximately 3 months. According to the FWS Information for Planning and Consultation (IPaC),

several Birds of Conservation Concern occur within the Project area, and are listed in table 2 below.

<i>Table 2. Birds of Conservation Concern in the Project Area</i>	
Common Name	Preferred Breeding Habitat and Nesting Season
Bald Eagle	Nests in forested areas near large bodies of water from October 1 to May 15.
Black-billed Cuckoo	Prefer more densely wooded areas and are frequently found within coniferous vegetation. Nests in groves of trees, forest edges, moist thickets, overgrown pastures; in deciduous or evergreen tree or shrub. Is a low or ground nesting species that breeds/nests from May to July.
Cerulean Warbler	Partial to tall deciduous trees, this species tends to be found contrastingly nesting along river bottomlands, or in hilly or mountainous areas with steep ridges. Extensive tracts of mature broadleaf forest are required for breeding habitat. Breed/Nest from April to July.
Henslow's Sparrow	Typically breeds in ephemeral grass habitats with tall, dense vegetation, tall standing residual vegetation, and a dense litter layer. Especially in damp or low-lying areas, adjacent to salt marsh in some areas. Breed/Nest from May to August.
Kentucky Warbler	Ground nest in moist, deciduous woodland thickets, sometimes along streams. Breed/Nest from May to July.
Prairie Warbler	Disturbed situations reverting to woodland with young trees and brush; shrubby woodland edges. Breed/Nest from April to August.
Red-headed Woodpecker	Old trees in open areas. Breed/Nest from February to September.
Wood Thrush	Heavy deciduous or mixed forested areas, including riparian or wetlands. Breed/Nest from April to August.

No tree clearing would be necessary which reduces the direct impact on nests and nesting birds. Although the Project would be constructed during the nesting season, the habitat affected by construction is agricultural land which does not provide preferable habitat for the majority of these species. There could be disturbance of nearby birds from noise and human presence during construction. We conclude that adult birds relocating to avoid construction is an impact of limited duration that would not result in a substantial or long-term change in migration patterns through the area nor constitute a population-level

impact. Therefore, we conclude that the Project would not have a significant impact on migratory birds.

Bald Eagle

Bald eagles are protected under the MBTA and the Bald and Golden Eagle Protection Act. The FWS recommended that the area within 660 feet of construction be evaluated to determine if any bald eagle nests are present. Rover conducted an aerial eagle nest survey in May 2018 which did not identify any bald eagle nests. Therefore, we conclude that the Project would not impact bald eagles.

B.3.4. Special Status Species

Special status species are those species for which state or federal agencies provide an additional level of protection by law, regulation, or policy. Included in this category are federally listed species that are protected under the ESA, designated critical habitat, or species that are considered as candidates for protected listing by the FWS and those species that are state-listed as threatened, endangered, or state species of special concern.

Federally Listed Species

Rover, acting as the Project non-federal representative for FERC, initiated informal consultation with the FWS using IPaC. Two species, the Indiana bat and northern long-eared bat, were identified as potentially occurring in the Project area. Both of these bat species hibernate in caves or mines during the winter months. During the summer months, Indiana bats and northern long-eared bats use forested areas for maternity, roosting, and foraging; however, northern long-eared bats tend to be more opportunistic in their selection of roost trees. Based on Rover's consultation with the Ohio Department of Natural Resources (ODNR), there are no hibernacula within or immediately adjacent to the Project. In addition, Rover completed mist net surveys in the Project area as part of the Rover Pipeline Project's Burgettstown Lateral, which are valid for a minimum of five years. The two nearest mist net sites (approximately 1,200 feet east and 2,000 west) did not capture any bats. Although construction would begin in the summer months, no forested land would be affected. Therefore, we conclude that the Project would have *no effect* on Indiana bat and northern long-eared bat. In a communication with Rover dated May 23, 2018, the FWS concurred with this determination.

State-listed Species

Rover initiated consultation with the ODNR regarding state-listed species. In a letter dated April 3, 2018, the ODNR indicated that the Project is not within 1 mile of any records for state-listed species, but it is within the range for several state-listed fish and aquatic species (river darter, paddlefish, channel darter, Tippecanoe darter, and Eastern

hellbender). Because there are no waterbodies on or immediately adjacent to the site, we conclude that the Project is not likely to affect these state-listed species.

The ODNR also indicated that the Project is within the range of the state-endangered black bear. As required by its Certificate for the Rover Pipeline Project, Rover has committed to maintaining the work site in a neat and orderly manner, with all personal trash items disposed of properly in an offsite location at the end of each workday. This measure would prevent human interactions and attracting black bears to the construction site. The ODNR stated that due to the mobility of this species, the Project is not likely to impact the black bear. We agree.

B.4. Land Use and Visual Resources

As summarized in section A.6, the M&R Station would be constructed on 3.64 acres of agricultural land, of which 0.9 acre would be fenced and graveled for operation. The new permanent access road would require 0.1 acre of land. Land not used for operation would be restored and maintained in a grassy condition. Rover states that it has obtained an agreement to purchase an approximate 3.7-acre site for construction and operation of the station. The site is adjacent to Highway 221 and the Rover pipeline permanent right-of-way. Rover indicated that the landowner may not find continued agricultural operations within the temporary workspace to be economical during operations given the meter station's constrained configuration with respect to nearby forest, fence lines and Highway 221. The Project would not disturb any land in conservation easements.

There are no known planned residential or commercial development projects in the Project area based on plans on file with the local planning board or county. There are no residences within 50 feet of the site boundary. Given the minor scope of the Project, we do expect any significant land use impacts.

The proposed M&R Station would be small in scale, the tallest structure being a terminal antenna mounted on a pole extending 5 feet above ground level. Therefore, we do not expect any impacts on visual resources.

B.5. Cultural Resources

The NHPA (54 U.S.C. 3001 et seq.), is the linchpin piece of legislation in the nation's historic preservation program. While there are other federal historic preservation laws and regulations, most of them do not apply to FERC, although they may apply to federal land managing agencies.³ The NHPA set-up the Advisory Council on Historic Preservation, created the National Register of Historic Places, and established State Historic Preservation Offices.

³ For example, the Archaeological Resources Protection Act of 1979 applies to federal and tribal lands, but FERC does not own or manage any lands.

Section 106/cultural resources review was completed for the proposed Project site as part of the Rover Pipeline Project (Docket No. CP15-93-000). No architectural or archaeological resources were identified within or near the M&R Station site. Therefore, we find that the Project would have no effect on historic properties.

Rover re-contacted the following Native American tribes regarding the current Project, providing a Project description and mapping: Delaware Nation; Delaware Tribe of Oklahoma; Eastern Shawnee Tribe of Oklahoma; Seneca Nation of Indians; and Seneca-Cayuga Tribe of Indians. The Delaware Nation requested a copy of the previous survey report, which Rover provided. The Miami Tribe of Oklahoma indicted no objection to the Project, but requested to be contacted in the event of discoveries during construction. The Project unanticipated discovery plan (see below) provides for the notification of tribes. No other responses have been received. We sent our NOI to these same tribes. No responses to our NOI have been received. Rover subsequently contacted the Osage Nation. No response from the Osage Nation has been received.

Rover provided a plan to address the unanticipated discovery of cultural resources and human remains during construction. We reviewed the plan and found it acceptable.

B.6. Air Quality

Federal and state air quality standards are designed to protect human health. The U.S. Environmental Protection Agency (EPA) has developed National Ambient Air Quality Standards (NAAQS) for criteria air pollutants such as oxides of nitrogen, carbon monoxide, sulfur dioxide (SO₂), and inhalable particulate matter (PM_{2.5} and PM₁₀). PM_{2.5} includes particles with an aerodynamic diameter less than or equal to 2.5 micrometers and PM₁₀ includes particles with an aerodynamic diameter less than or equal to 10 micrometers. The NAAQS were set at levels the EPA believes are necessary to protect human health and welfare. Volatile organic compounds and hazardous air pollutants are also emitted during fossil fuel combustion.

Greenhouse gases (GHG) produced by fossil-fuel combustion are carbon dioxide, methane, and nitrous oxide. GHGs are non-toxic and non-hazardous at normal ambient concentrations, and there are no applicable ambient standards or emission limits for GHG under the Clean Air Act. GHGs emissions due to human activity are the primary cause of increased levels of all GHG since the industrial age. During construction and operation of the Project, these GHGs would be emitted from construction equipment and as a result of minor fugitive leaks during operation.

If measured ambient air pollutant concentrations for a subject area remain below the NAAQS criteria, the area is considered to be in attainment with the NAAQS. Jefferson County is in attainment for all criteria pollutants, except for SO₂ in eastern Jefferson County along the Ohio River which does not include the Project area.

Therefore, a general conformity determination is not required under the Clean Air Act (CAA).

The CAA is the basic federal statute governing air pollution in the United States. We have reviewed the following federal requirements and determined that they are not applicable to the proposed Project:

- New Source Review;
- Title V;
- National Emissions Standards for Hazardous Air Pollutants;
- New Source Performance Standards;
- Greenhouse Gas Reporting Rule; and
- General Conformity of Federal Actions

Construction Impacts

During construction, a temporary reduction in ambient air quality may result from criteria pollutant emissions and fugitive dust generated by construction equipment. The quantity of fugitive dust emissions would depend on the moisture content and texture of the soils that would be disturbed. Fugitive dust and other emissions due to construction activities generally do not pose a significant increase in regional pollutant levels; however, local pollutant levels could increase. Dust suppression techniques, such as watering the right-of-way may be used as necessary in construction zones near residential and commercial areas to minimize the impacts of fugitive dust on sensitive areas.

Operational Impacts

Emissions from the proposed M&R Station would be minimal. There are no operational emission sources and the only source of emissions would be small amounts of fugitive emissions from flanges that would not have a significant impact on ambient air quality and would not contribute to an exceedance of any air quality standards.

Given the implementation of construction work practices, the short duration of the construction activities (three months), and the minimal emissions expected from operation, we find there would be no regionally significant impacts on air quality.

B.7. Noise

The noise environment can be affected both during construction and operation of the M&R Station. The magnitude and frequency of environmental noise may vary considerably over the course of the day, throughout the week, and across seasons, in part due to changing weather conditions and the effects of seasonal vegetative cover. Two measures to relate the time-varying quality of environmental noise to its known effect on

people are the 24-hour equivalent sound level (L_{eq}) and day-night sound level (L_{dn}). The L_{eq} is the level of steady sound with the same total (equivalent) energy as the time-varying sound of interest, averaged over a 24-hour period. The L_{dn} is the L_{eq} plus 10 decibels on the A-weighted scale (dBA) added to account for people's greater sensitivity to nighttime sound levels (between the hours of 10 p.m. and 7 a.m.). The A-weighted scale is used because human hearing is less sensitive to low and high frequencies than mid-range frequencies. The human ear's threshold of perception for noise change is considered to be 3 dBA, 6 dBA is clearly noticeable to the human ear, and 10 dBA is perceived as a doubling of noise.

Construction Noise

Construction noise is highly variable. Many construction machines operate intermittently, and the types of machines in use at a construction site changes with the construction phase. The sound level impacts on residences due the construction activities would depend on the type of equipment used, the duration of use for each piece of equipment, the number of construction vehicles and machines used simultaneously, and the distance between the sound source and receptor. Nighttime noise due to construction would be limited because construction generally occurs during daylight hours, Monday through Saturday.

Operational Noise

Table 3 below shows the projected noise levels from the proposed M&R Station.

<i>Table 3. Projected Noise Levels from the proposed M&R Station</i>				
Distance and Direction of NSA from M&R	Ambient L_{dn} (dBA)	M&R Station Operation L_{dn} (dBA)	M&R Station Operation and Ambient Noise L_{dn} (dBA)	Potential Increase
1,577 feet N	36.3	20.2	36.4	0.1
2,337 feet E	36.7	22.7	36.9	0.2
2,417 feet SE	36.7	14.7	36.7	0.0
469 S	36.3	27.7	36.8	0.6
2,238 feet W	37.5	16.7	37.5	0.0

Conclusion

As shown in table 3, the potential noise increases from the Project would be imperceptible to the human ear at all NSAs. Given the temporary nature of construction activities and minimal potential increase in noise attributable to the M&R Station, we conclude construction and operation noise impacts would not be significant.

B.8. Reliability and Safety

The transportation of natural gas by pipeline involves some risk to the public in the event of an accident and subsequent release of gas. The greatest hazard is a fire or explosion following a major pipeline rupture. Methane, the primary component of natural gas, is colorless, odorless, and tasteless. It is not toxic, but is classified as a simple asphyxiate, possessing a slight inhalation hazard. If breathed in high concentration, oxygen deficiency can result in serious injury or death.

The aboveground facilities associated with the Project must be designed, constructed, operated, and maintained in accordance with the DOT Minimum Federal Safety Standards in 49 CFR 192. The regulations are intended to ensure adequate protection for the public and to prevent natural gas facility accidents and failures.

The DOT pipeline standards are published in Parts 190-199 of Title 49 of the CFR. For example, Part 192 of 49 CFR specifically addresses natural gas pipeline safety issues, prescribes the minimum standards for operating and maintaining pipeline facilities, and incorporates compressor station design, including emergency shutdowns and safety equipment. Part 192 also requires a pipeline operator to establish a written emergency plan that includes procedures to minimize the hazards in a natural gas pipeline emergency.

Facilities associated with the Rover Project must be designed, constructed, operated, and maintained in accordance with DOT standards, including the provisions for written emergency plans and emergency shutdowns.

Rover's construction and operation of the Project would represent a minimal increase in risk to the nearby public and we are confident that with implementation of the standard safety design criteria, that the Project would be constructed and operated safely.

B.9. Cumulative Impacts

In accordance with NEPA and with FERC policy, we evaluated the potential for cumulative effects of the Project. Cumulative impacts represent the incremental effects of a proposed action when added to other past, present, or reasonably foreseeable future actions, regardless of the agency or party undertaking such other actions. Cumulative

impacts can result from individually minor, but collectively significant actions, taking place over time.

This cumulative effects analysis generally follows a method set forth in relevant Council on Environmental Quality and EPA guidance and focuses on potential impacts from the proposed Project on resource areas or issues where the incremental contribution would be potentially significant when added to the potential impacts of other actions. To avoid unnecessary discussions of insignificant impacts and projects and to adequately address and accomplish the purposes of this analysis, an action must first meet the following three criteria to be included in the cumulative analysis:

- affect a resource potentially affected by the Project;
- cause this impact within all, or part of, the Project area; and
- cause this impact within all, or part of, the time span for the potential impact from the Project.

Our cumulative impacts analysis considers actions that impact environmental resources affected by the proposed action, within all or part of the Project area affected by the proposed action (i.e., geographic scope), and within all or part of the time span of the impacts. The geographic scope used to assess cumulative impacts for each resource are discussed below.

The EA analyzed the Project's impacts on geology and soils; groundwater; vegetation and wildlife; cultural resources; land use and visual resources; and air quality and noise. We determined there would be no impacts to cultural resources; therefore, this resource is not accessed further in this cumulative impact analysis. Similarly, we determined that the Project impacts on geology, groundwater, vegetation and wildlife, air quality, and noise would not be sufficient to cause cumulative impacts. Therefore, the potential for the proposed Project to result in cumulative impacts is limited to the resource areas of soils and land use. The following describes the geographic scope for these resources and rationale for our cumulative impact analysis:

- Project construction and restoration measures, including erosion control devices, are designed to confine impacts on soil resources to the project workspaces. Therefore, we evaluated potential cumulative impacts on soils resources within the same construction footprint as the Project.
- Impacts on general land uses would be restricted to the construction workspaces and the immediate surrounding vicinity; therefore, the geographic scope for land use is 0.5 mile.

An evaluation was performed to identify past, present, and reasonably foreseeable future projects within the resource-specific geographic scopes. In this analysis, we consider the impacts of past projects as part of the affected environment (environmental

baseline) which was described and evaluated in the preceding analysis. However, present effects of past actions that are relevant and useful are also considered. The following table shows the projects that were identified within the geographic scope of the project that could have potential cumulative impacts.

Project	Description	Approximate Distance to Project (miles)	Watershed	Project Status
UGS Interconnecting Pipeline	0.95-mile-long pipeline from an existing compressor station to an interconnection with the proposed Rover UGS-Crawford M&R Station. Installation of the UGS interconnecting pipeline would affect approximately 8.6 acres of land.	Adjacent	Upper Ohio	Pending
Rover Pipeline Project Burgettstown Lateral	711.2 miles of pipeline and numerous aboveground facilities. In Jefferson County, the Burgettstown Lateral includes 20.1 miles of pipeline.	Adjacent	Upper Ohio	Constructed

B.9.1. Soils

The UGS Interconnecting Pipeline and Rover Pipeline Project Burgettstown Lateral are adjacent or within the footprint of the proposed Project. Concurrent or consecutive construction schedules could prolong the duration of soil disturbance and thus susceptibility to erosion and invasive species establishment. We determined in our analysis that impacts on soils from the proposed Project would be limited to about 3.7 acres and would not be significant. The two aforementioned projects would implement erosion and sediment control measures similar to the proposed project, which would limit soil erosion in the Project. Rover stated in a letter filed to the Commission on June 21, 2018 that restoration of the Burgettstown Lateral is more than 50% complete, which further indicates a reduced risk of soil erosion. Moreover, we continually assess the progress of the Burgettstown Lateral Project restoration through our compliance monitoring program to ensure there are no significant impacts to soils. Therefore, we do not anticipate any significant cumulative soil impacts.

B.9.2. Land Use

The proposed Project would permanently convert about one acre of agricultural land to industrial land use. Furthermore, continued agricultural use of the land within the temporary workspace may not be economical even during operations given the meter

station's constrained configuration with respect to nearby forest, fence lines and Highway 221.

The UGS Interconnecting Pipeline and Rover Pipeline Project Burgettstown Lateral, which are adjacent or within the footprint of the proposed Project, would not permanently impact land use because the pipelines in those projects are buried. Pre-construction agricultural land uses could resume once restoration of the projects is complete. Therefore, we do not anticipate any cumulative land use impacts.

B.9.3. Cumulative Impact Conclusion

Overall, the cumulative impacts of the Project are anticipated to be minimal due to the limited scope of the Project, as well as the limited resource impacts from other projects identified within the Project's geographic scopes that could occur during the construction and operation of the Project. We conclude that cumulative impacts of the Project when combined with past, present, and reasonably foreseeable projects would have minimal cumulative effects on all resources.

C. ALTERNATIVES

In accordance with NEPA and FERC policy, we evaluated alternatives to the Project to determine whether they would be reasonable and environmentally preferable to the proposed action. These alternatives included the no-action alternative, system alternatives, and site alternatives. The evaluation criteria used for developing and reviewing alternatives were:

- ability to meet the Project's stated objective;
- technical feasibility and practicality; and
- significant environmental advantage over the proposed action.

Through environmental comparison and application of our professional judgment, each alternative is considered to a point where it becomes clear if the alternative could or could not meet the three evaluation criteria. To ensure a consistent environmental comparison and to normalize the comparison factors, we generally use desktop sources of information (e.g., publicly available data, geographic information system data, aerial imagery) and assume the same workspace requirements.

The alternatives were reviewed against the evaluation criteria in the sequence presented above. The first consideration for including an alternative in our analysis is whether or not it could satisfy the stated purpose of the Project. An alternative that cannot achieve the purpose for the Project cannot be considered as an acceptable replacement for the Project.

Many alternatives are technically and economically feasible. Technically practical alternatives, with exceptions, would generally require the use of common construction methods. An alternative that would require the use of a new, unique or experimental construction method may not be technically practical because the required technology is not available or is unproven. Economically practical alternatives would result in an action that generally maintains the price competitive nature of the proposed action. Generally, we do not consider the cost of an alternative as a critical factor unless the added cost to design, permit, and construct the alternative would render the project economically impractical.

Alternatives that would not meet the Project's objective or were not feasible were not brought forward to the next level of review (i.e., significant environmental advantage). Determining if an alternative provides a significant environmental advantage requires a comparison of the impacts on each resource as well as an analysis of impacts on resources that are not common to the alternatives being considered. The determination must then balance the overall impacts and all other relevant considerations. In comparing the impact between resources, we also considered the

degree of impact anticipated on each resource. Ultimately, an alternative that results in equal or minor advantages in terms of environmental impact would not compel us to shift the impacts from the current set of landowners to a new set of landowners.

C.1. No Action Alternative

Under the no-action alternative, the Project would not be constructed and no environmental impacts would occur. However, Rover would be unable to meet the customer's transportation requirements for natural gas volumes and pressures at the intended delivery and receipt points. It is reasonable to assume that the customers would identify alternative transportation measures that would also result in some level of environmental impact. Based on the minor impacts identified for the Project, the alternative of the customers seeking another transportation mechanism is not likely to provide a significant environmental advantage. Further, the no-action alternative would not meet the objective of the Project. Therefore, we did not consider it further.

C.2. System Alternatives

We assessed system alternatives to evaluate whether a system alternative could satisfy the objective of the Project and provide a significant environmental advantage over the Project. System alternatives to the Project include making use of existing, modified, or already proposed natural gas pipeline systems to meet the objectives of the Project. A system alternative may make it unnecessary to construct all or part of the Project, although some modifications or additions to other existing pipeline systems may be required to increase the respective capability, or another entirely new system may need to be constructed. Such modifications or additions would result in environmental impacts that could be less than, similar to, or greater than that associated with the Project.

Based on the nature of the Project to meter and regulate gas, any other system would necessarily entail the same kinds of facilities. We did not identify system alternatives that would provide a significant environmental advantage over the Project.

C.3. Site Alternatives

Rover's proposed M&R Station site would not result in any significant environmental impacts. Any other project sites would likely have similar or greater impacts. Additionally, we did not receive any comments during scoping requesting us to evaluate alternatives to the proposed location. Therefore, alternative site locations were not considered.

Conclusion

We did not identify any alternatives that would meet all three evaluation criteria to be considered a successful alternative to the Project. In summary, we have determined that the proposed action, as modified by our recommended mitigation measures, is the preferred alternative that can meet the Project's objectives.

D. CONCLUSIONS AND RECOMMENDATIONS

Based upon the analysis in this EA, we have determined that if Rover was to construct and operate the proposed facilities in accordance with its application, supplements, Project-specific plans, and the staff's recommended mitigation measures below, approval of the Project would not constitute a major federal action significantly affecting the quality of the human environment. The staff recommends that the Commission Order contain a finding of no significant impact and the following mitigation measures be included as conditions of any Certificate the Commission may issue.

1. Rover shall follow the construction procedures and mitigation measures described in its application and supplements, including responses to staff data requests and as identified in the EA, unless modified by the Order. Rover must:
 - a. request any modification to these procedures, measures, or conditions in a filing with the 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.**
2. The Director of OEP, or the Director's designee, has delegated authority to address any requests for approvals or authorizations necessary to carry out the conditions of this Order, and take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the Project. This authority shall allow:
 - a. the modification of conditions of the Order;
 - b. stop-work authority; and
 - c. the imposition of any additional measures deemed necessary to ensure continued compliance with the intent of the conditions of the Order as well as the avoidance or mitigation of unforeseen adverse environmental impact resulting from Project construction and operation.
3. **Prior to any construction**, Rover shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, environmental inspectors (EI), and contractor personnel will be informed of the EI'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.

4. The authorized facility locations shall be as shown in the EA, as supplemented by filed alignment sheets. **As soon as they are available, and before the start of construction**, Rover shall file with the Secretary any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Rover's exercise of eminent domain authority granted under Natural Gas Act (NGA) section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. Rover's right of eminent domain granted under NGA section 7(h) does not authorize it to increase the size of its natural gas facilities to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

5. Rover shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP **before construction in or near that area**.

This requirement does not apply to extra workspace allowed by the FERC's Plan and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;
- b. implementation of endangered, threatened, or special concern species mitigation measures;
- c. recommendations by state regulatory authorities; and
- d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.

6. **Within 60 days of the acceptance of the authorization and before construction begins**, Rover shall file an Implementation Plan with the Secretary for review and written approval by the Director of OEP. Rover must file revisions to the plan as schedules change. The plan shall identify:

- a. how Rover will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EA, and required by the Order;
- b. how Rover 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 Rover will give to all personnel involved with construction and restoration (initial and refresher training as the Project progresses and personnel change),
- f. the company personnel (if known) and specific portion of Rover's organization having responsibility for compliance;
- g. the procedures (including use of contract penalties) Rover will follow if noncompliance occurs; and
- h. a Gantt or PERT chart (or similar Project scheduling diagram), and dates for:
 - (1) the completion of all required surveys and reports;
 - (2) the environmental compliance training of onsite personnel;
 - (3) the start of construction; and
 - (4) the start and completion of restoration.

7. Rover shall employ at least one EI. 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. 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
 - e. responsible for maintaining status reports.
8. Beginning with the filing of its Implementation Plan, Rover shall file updated status reports with the Secretary on a **biweekly** basis until all 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 Rover's efforts to obtain the necessary federal authorizations;
 - b. the construction status of the Project, 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 EI(s) 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 the corrective actions implemented in response to all instances of noncompliance;
 - e. the effectiveness of all corrective actions implemented;
 - f. a description of any landowner/resident complaints which 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 Rover from other federal, state, or local permitting agencies concerning instances of noncompliance, and Rover's response.
9. Rover must receive written authorization from the Director of OEP **before commencing construction of any Project facilities**. To obtain such authorization, Rover must file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).
10. Rover must receive written authorization from the Director of OEP **before placing the Project into service**. Such authorization will only be granted following a determination that rehabilitation and restoration of the right-of-way and other areas affected by the Project are proceeding satisfactorily.
11. **Within 30 days of placing the authorized facilities in service**, Rover 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 conditions in the Order Rover has complied with or will comply with. This statement shall also identify any areas affected by the Project where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.

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F. LIST OF PREPARERS

Monib, Kareem –Project Manager

M.S., Chemical Engineering, Pennsylvania State University

B.S., Chemical Engineering, University of Delaware

Allen, Christine E. –Water Resources, Vegetation, Wildlife, Special Status Species

B.S. Marine Biology, University of North Carolina, Wilmington, 2005

Boros, Laurie – Cultural Resources

B.A., Anthropology/Archaeology, 1980. Queens College, City University of New York

Polit, Juan, Project Manager – Geology and Soils

M.S., Forest Ecology, 1992, University of Illinois B.S., Forest Science, 1989, University of Illinois