



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

CESAM-RD-A-S

March 18, 2013

JOINT PUBLIC NOTICE SAM-2013-00256-SBC
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**PROPOSED FILLING OF WATERS OF THE UNITED STATES IN CONJUNCTION
WITH THE CONSTRUCTION OF NEW ELECTRICAL TRANSMISSION LINES IN
KUSHLA, MOBILE COUNTY, ALABAMA**

TO ALL CONCERNED: The U.S. Army Corps of Engineers, Mobile District, (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all known interested persons to assist in developing facts on which a decision by the Corps can be based. Please communicate this information to interested parties.

APPLICANT: Alabama Power Company
Attention: Mr. Mike Godfrey
600 North 18th Street
Birmingham, Alabama 35203

AGENT: Barry A. Vittor & Associates, Inc.
Attention: Mr. David Knowles
8060 Cottage Hill Road
Mobile, Alabama 36695

LOCATION OF WORK: Transmission line will start on the east side of State Highway 45, at the North Mobile Transmission Substation, and will extend west to Lott Road. Specifically, the project will be located in Sections 13, 14, 15, 16, 17, 18, 24, and 37 of Township 3 South, Range 2 West.

NEAREST WATERBODIES: Seabury Creek and Chickasaw Creek.

PROJECT PURPOSE: The overall project purpose is to construct new electrical transmission lines along existing transmission line corridors in central Mobile County to order to increase reliability of the electrical grid.

PROPOSED WORK: The applicant proposes to permanently fill approximately 7.64 acres of

CESAM-RD-A-S

Public Notice Number SAM-2013-00256-SBC

medium-quality forested wetlands and permanently impact 50 linear feet of perennial stream in order to construct a 5.7-mile long electrical transmission line with a right-of-way (ROW) that is 100-feet in width. Specifically, the wetland and stream impacts would be necessary due to the installation of stone pads needed to support structures, and permanent stone access roads that are necessary for clearing of rights-of-way and future maintenance and repairs. Access roads would be 25-feet in width (toe-to-toe), and one 36-inch culvert would be installed for approximately every 300-feet of roadway constructed in wetlands in order to maintain existing surface flow and drainage. The above impacts would take place in 5 separate wetlands and 2 separate streams.

AVOIDANCE & MINIMIZATION: The applicant has stated that they will avoid “the installation of roads into wetlands where there are alternative routes to and from structure sites.” The applicant indicated that, while impacts to several wetlands along the route were avoided, the construction of stone roads into some wetlands “were unavoidable due to access issues and feasibility for reaching structure sites with necessary equipment.” The applicant further stated that they “will allow the area within the ROW to grow back in a scrub-shrub habitat instead of perpetually maintaining it in a herbaceous state.” The Corps has not verified the adequacy of the applicant’s avoidance and minimization at this time.

MITIGATION: The applicant has stated the following concerning mitigation for unavoidable impacts to Waters of the United States: “Mitigation for the loss of 7.64 acres of wetlands that primarily consist of forested, medium-quality wetland habitat will be accomplished through restoration of pine savanna at Alabama Power Company’s (APCO) 230-acre designated mitigation area in south Mobile County, Alabama” (the Theodore Mitigation Bank). “The mitigation area is owned by APCO and contains approximately 216 acres of wetlands that had become heavily dominated by slash pine, shrubs, and greenbrier growth. The Corps has allowed APCO to establish this piece of land as acceptable mitigation for impacts occurring in Mobile County.” The applicant further stated that they will “set aside (subtract from their ledger) 22.92 acres at the Theodore Mitigation Bank in order to offset impacts to wetlands.

In regards to mitigation for stream impacts, the applicant stated that they “will need to offset impacts to 50 linear feet of perennial stream, which results in a need for 109.25 stream credits. APCO will preserve 72.8 linear feet (utilizing a 1X buffer) of intermittent stream in order to generate 32.77 credits (30% of required credits) at their Theodore Mitigation Bank, and will offset the remaining impacts (65.55 credits) through purchase of credits at a Corps authorized bank.

The Corps has not verified the adequacy of these mitigation proposals at this time.

WATER QUALITY: The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made by the Alabama Department of Environmental Management.

CESAM-RD-A-S

Public Notice Number SAM-2013-00256-SBC

HISTORIC PROPERTIES: A Phase I cultural resources assessment of the site was in progress at the time of the submittal of the application. The applicant has stated that they “will provide the Alabama Historical Commission and the Corps of Engineers with a report detailing the results of a cultural resource survey upon its completion.” In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the undertaking defined in this notice is being considered for the potential to affect cultural and historic properties within the permit area. Although the extent of federal control and responsibility for these considerations are confined to the limits of the permit area for this particular project, the potential indirect effects that may occur to historic properties as a result of the this undertaking are also being considered. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the U.S. Department of the Interior, National Park Service, Division of Archeological Services, and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area.

ENDANGERED SPECIES: The applicant stated that they “did not encounter any federally listed species during two surveys of the proposed transmission line right of way,” and indicated that “they will submit a threatened and endangered species survey report to the U.S. Fish and Wildlife Service (USFWS), and will provide the Corps with a copy of the USFWS findings.”

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that the proposed activity will have no effect on any listed endangered or threatened species. This determination is being coordinated with the U.S. Fish and Wildlife Service via this Public Notice.

COMMENTS: This public notice is being distributed to all known interested persons and serves to solicit comments from the public, Federal, State, and local agencies and officials, Indian Tribes, and other interested parties, in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based.

Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in

CESAM-RD-A-S
Public Notice Number SAM-2013-00256-SBC

writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources.

The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

Correspondence concerning this notice should refer to Public Notice Number SAM-2010-0192-SBC and should be directed to:

District Engineer
U.S. Army Engineer District, Mobile
Attention: Regulatory Division, South Alabama Branch
Post Office Box 2288
Mobile, Alabama 36628-0001

With copies to:

Alabama Department of Environmental Management
4171 Commanders Drive
Mobile, Alabama 36615

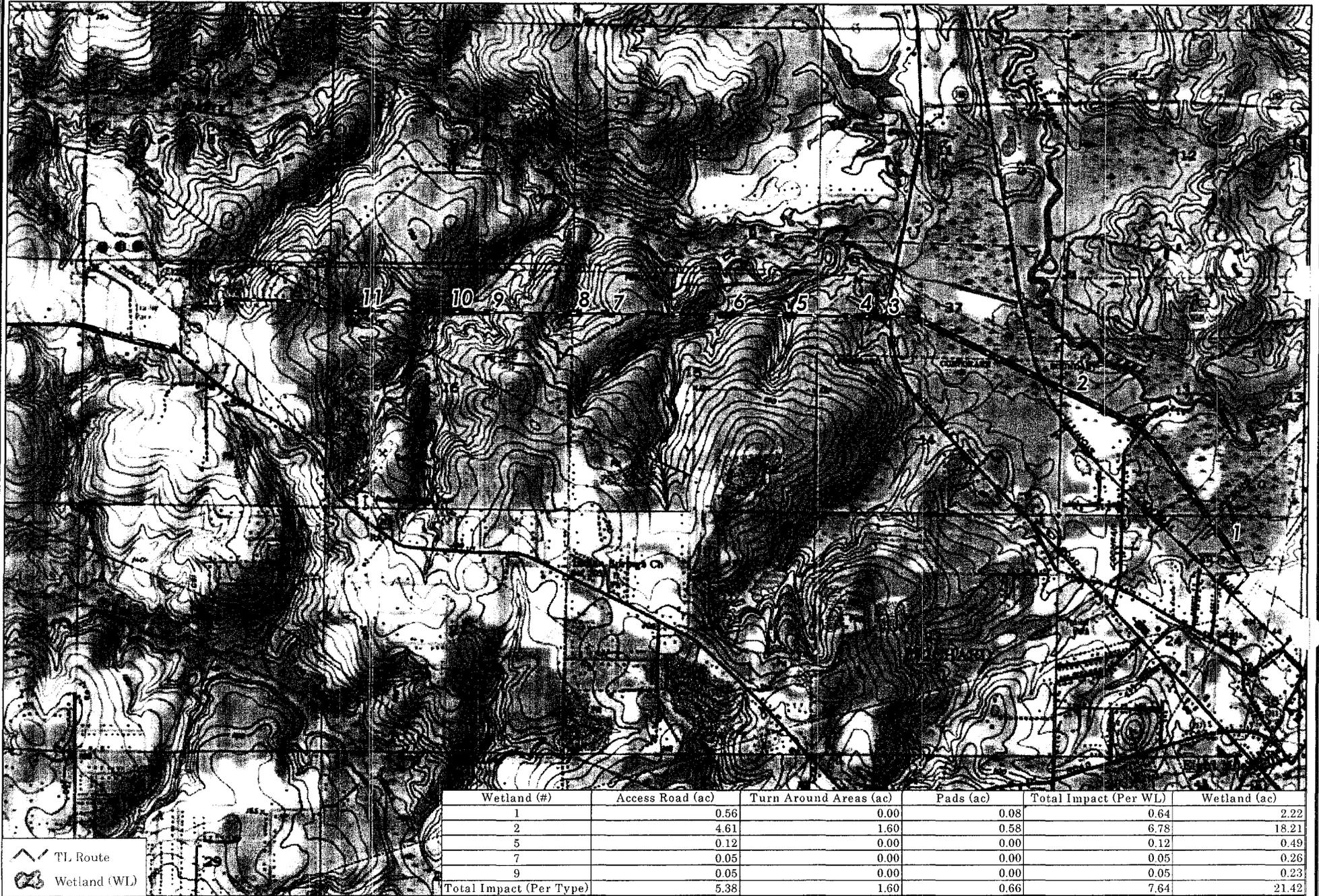
Comments should be received no later than **30 days** from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager, Mr. S. Brad Crosson at telephone number (251) 694-3664, or via e-mail at **steven.b.crosson@usace.army.mil** Please refer to the above public notice number.

For additional information about our Regulatory Program, please visit our web site at **www.sam.usace.army.mil/Missions/Regulatory.aspx**, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

Race Track - North Mobile TS 115kV TL Wetlands



TL Route
Wetland (WL)

Copyright 2013
All Rights Reserved
Alabama Power Company



Race Track - North Mobile TS 115kV TL Wetland 1



-  TL Route
-  Stone Pads
-  Stone Roads (Width 25 ft)
-  WL w/in Existing TL ROW
-  Wetland (WL)

Wetland (#)	Access Road (ac)	Turn Around Areas (ac)	Pads (ac)	Total Impact (Per WL)	Wetland (ac)
1	0.56	0.00	0.08	0.64	2.22

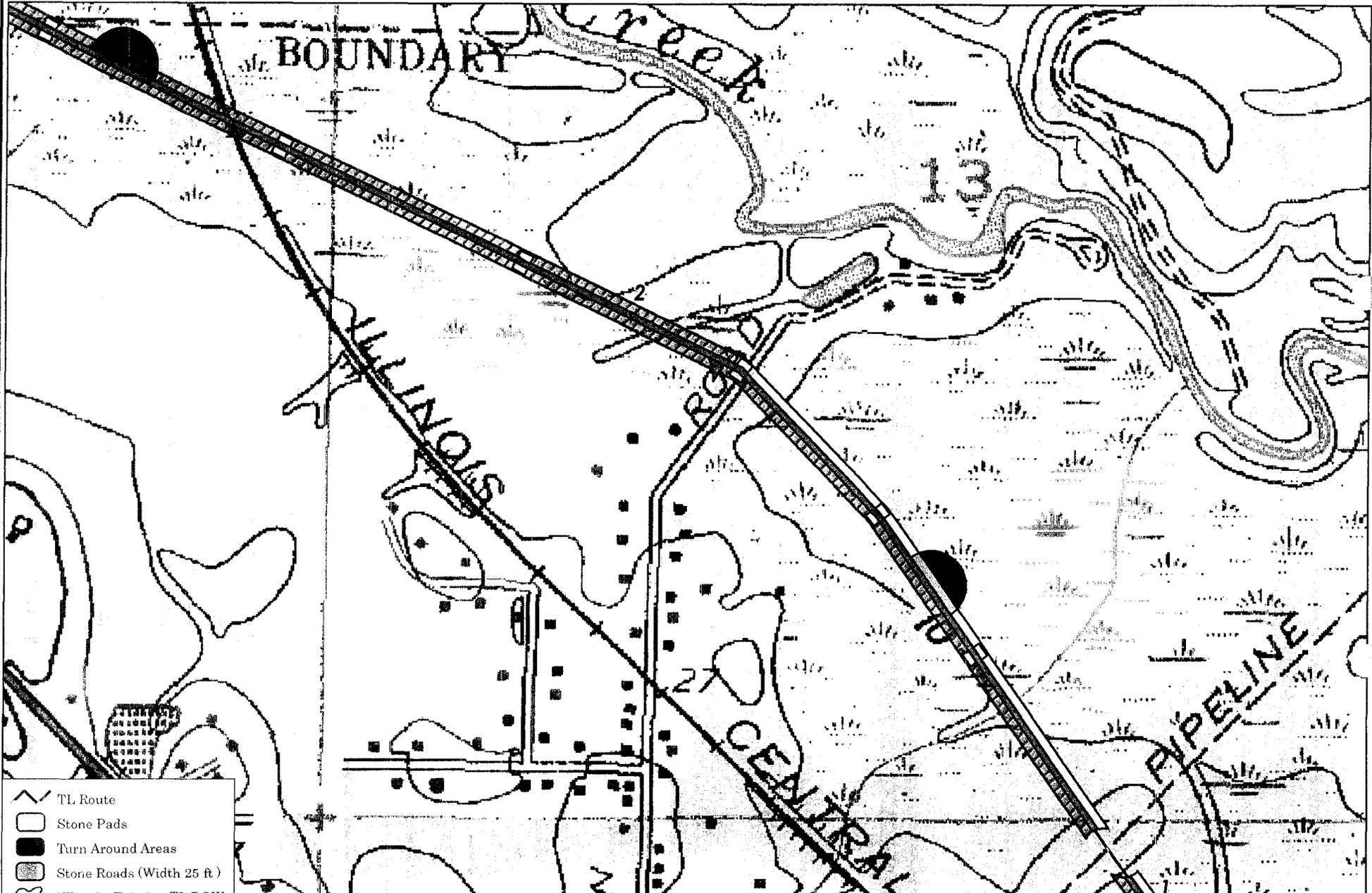
Copyright 2013
All Rights Reserved
Alabama Power Company



ALABAMA POWER
A SOUTHERN COMPANY



Race Track - North Mobile TS 115kV TL Wetland 2



-  TL Route
-  Stone Pads
-  Turn Around Areas
-  Stone Roads (Width 25 ft)
-  WL w/in Existing TL ROW
-  Wetland (WL)

Wetland (#)	Access Road (ac)	Turn Around Areas (ac)	Pads (ac)	Total Impact (Per WL)	Wetland (ac)
2	4.61	1.60	0.58	6.78	18.21

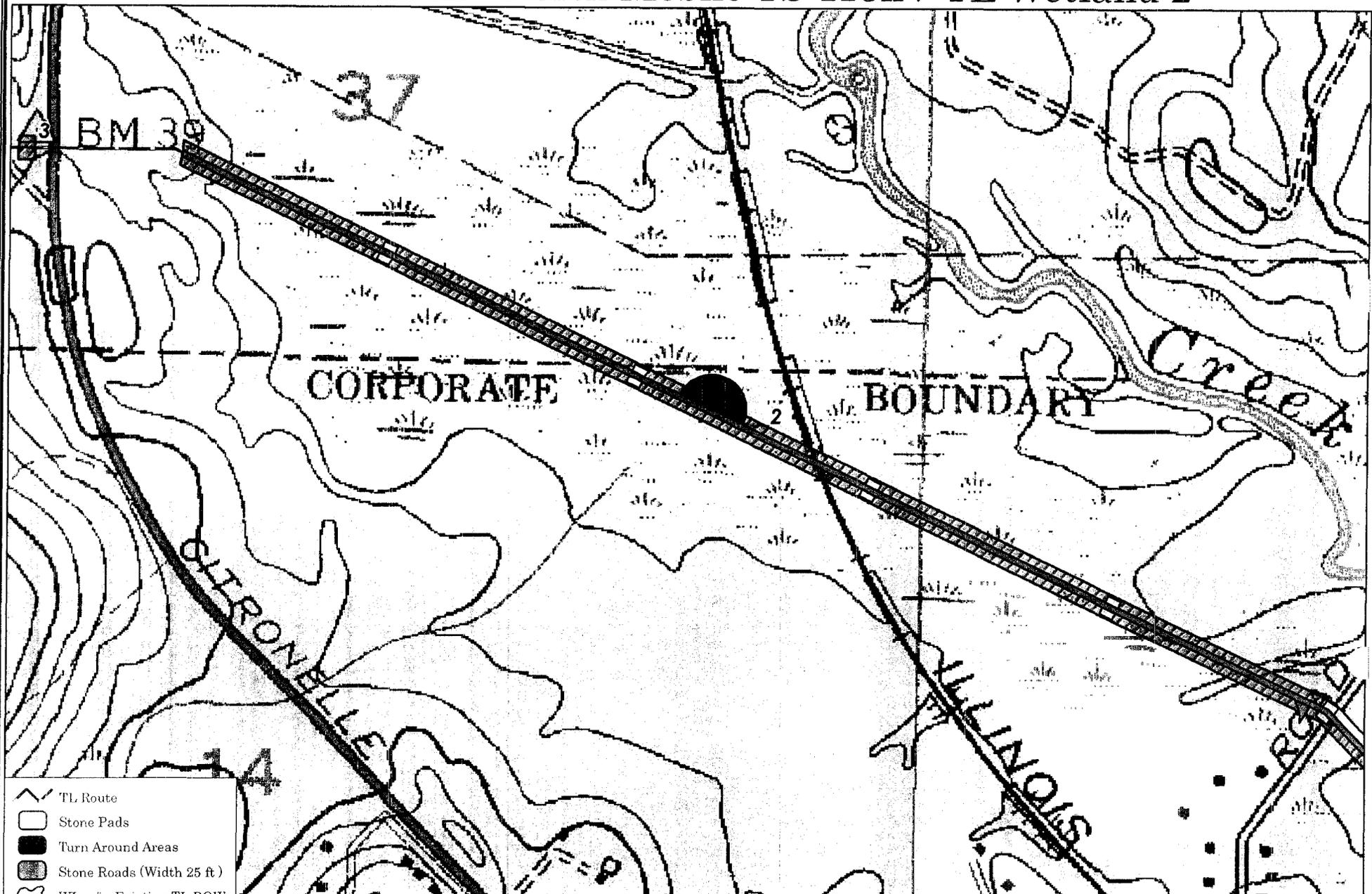
Copyright 2013
All Rights Reserved
Alabama Power Company



ALABAMA POWER
SOUTHERN COMPANY



Race Track - North Mobile TS 115kV TL Wetland 2



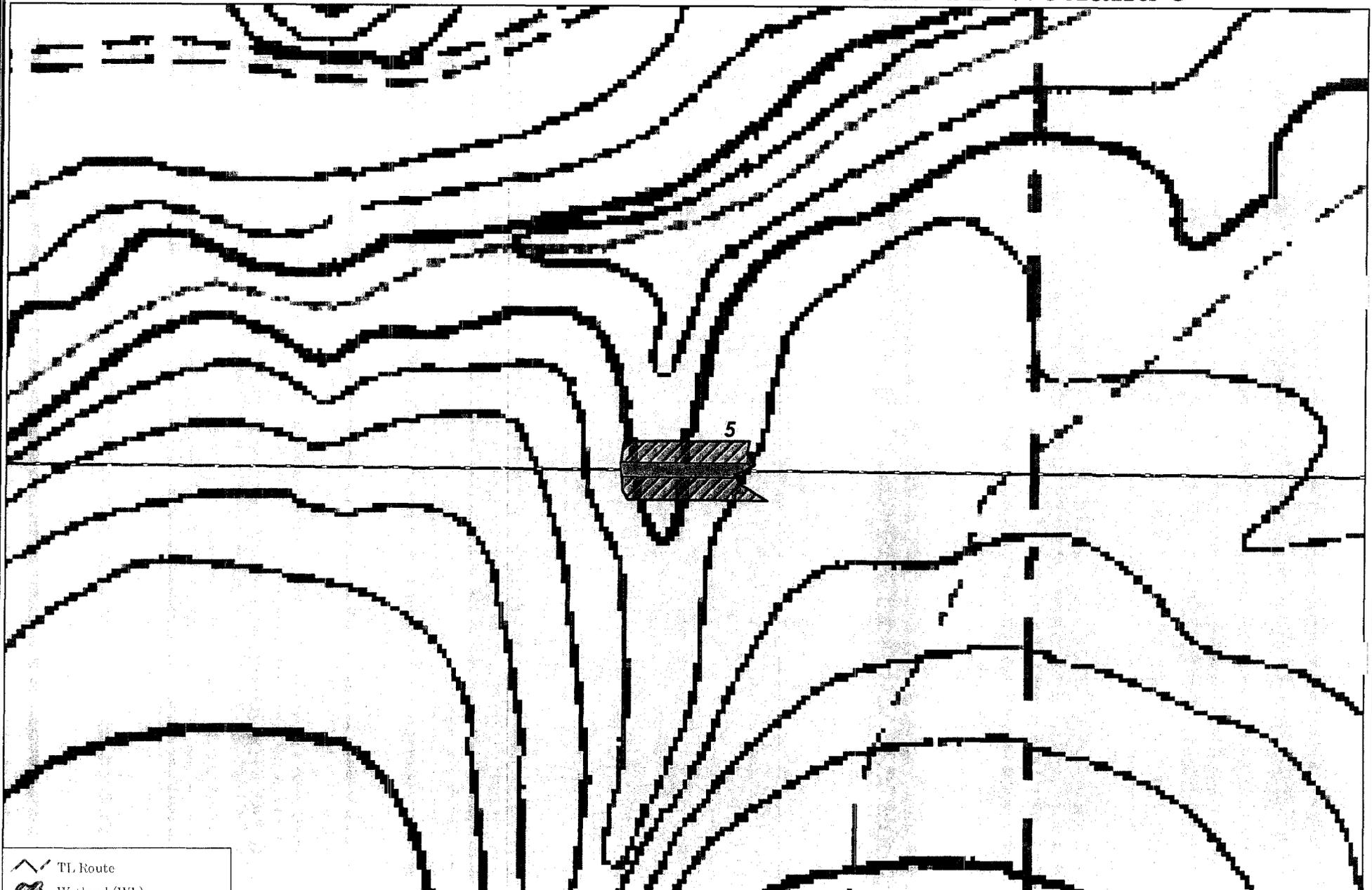
Wetland (#)	Access Road (ac)	Turn Around Areas (ac)	Pads (ac)	Total Impact (Per WL)	Wetland (ac)
2	4.61	1.60	0.58	6.78	18.21

Copyright 2013
 All Rights Reserved
 Alabama Power Company



ALABAMA POWER
 A SOUTHERN COMPANY

Race Track - North Mobile TS 115kV TL Wetland 5



- TL Route
- Wetland (WL)
- Stone Roads (Width 25 ft)

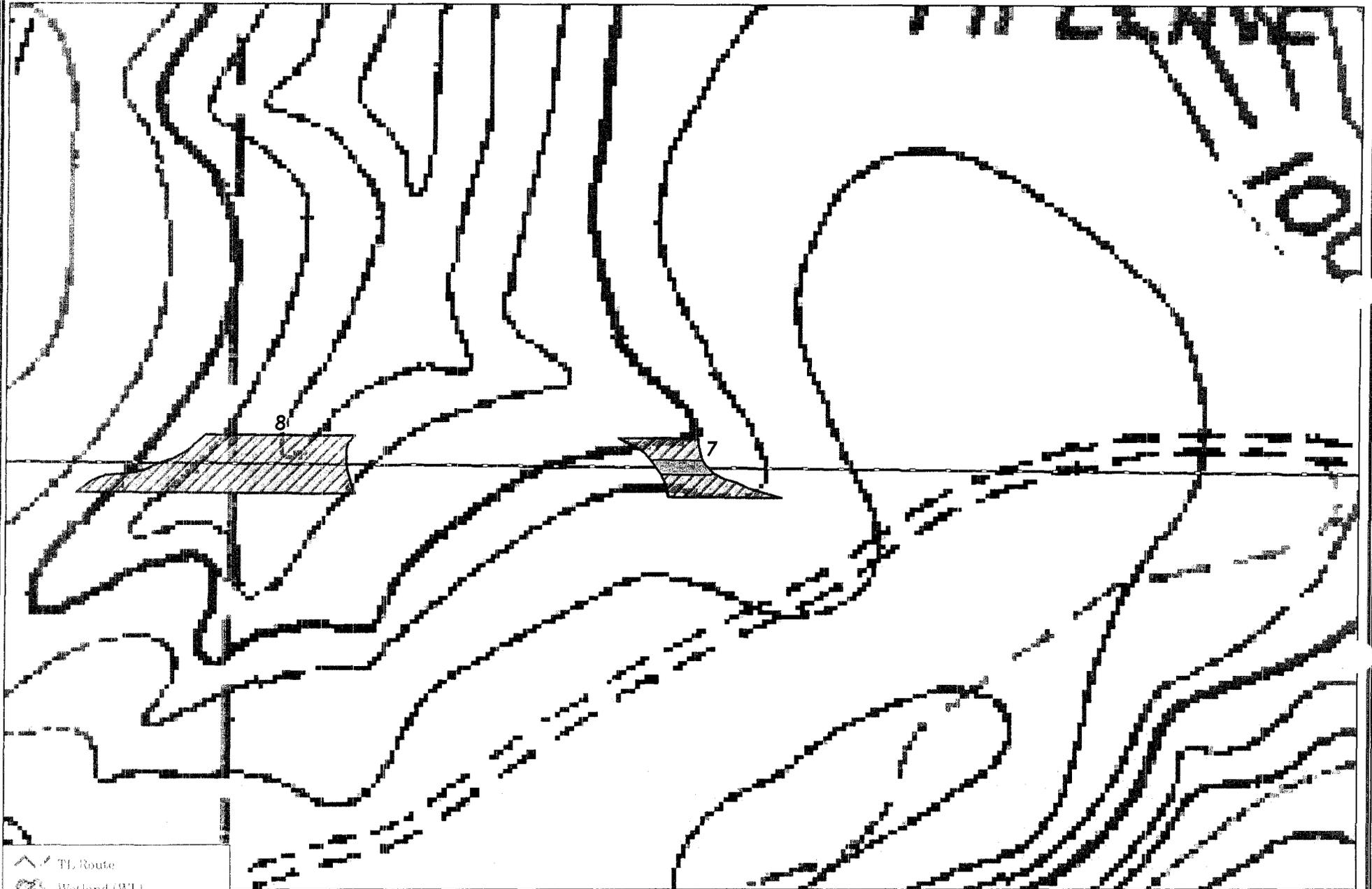
Wetland (#)	Access Road (ac)	Turn Around Areas (ac)	Pads (ac)	Total Impact (Per WL)	Wetland (ac)
5	0.12	0.00	0.00	0.12	0.49

Copyright 2013
All Rights Reserved
Alabama Power Company



ALABAMA POWER
A SOUTHERN COMPANY

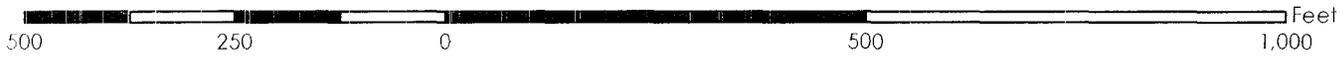
Race Track - North Mobile TS 115kV TL Wetland 7



-  TL Route
-  Wetland (WL)
-  Stone Roads (Width 25 ft)

Wetland (#)	Access Road (ac)	Turn Around Areas (ac)	Pads (ac)	Total Impact (Per WL)	Wetland (ac)
7	0.05	0.00	0.00	0.05	0.26

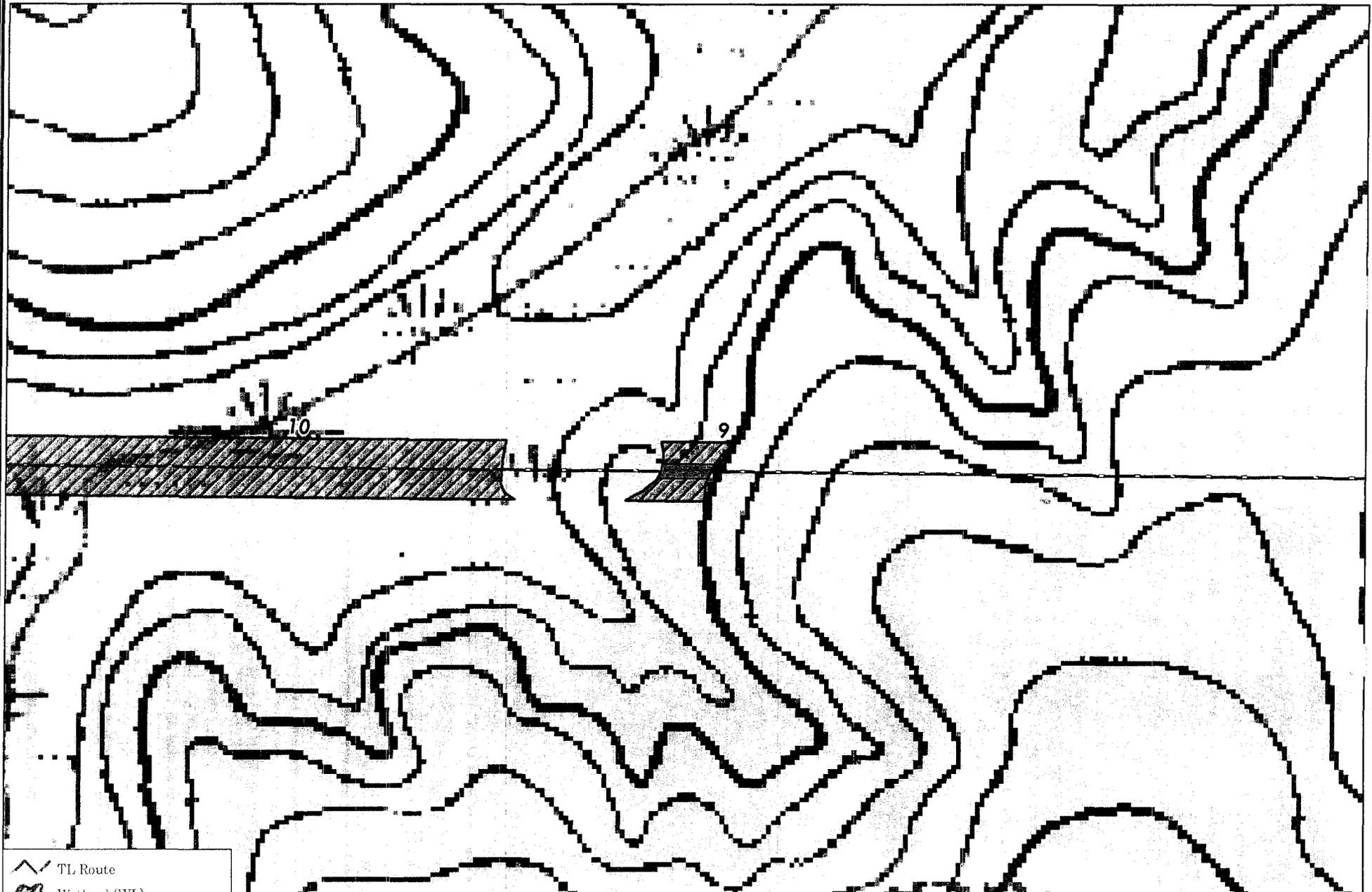
Copyright 2013
 All Rights Reserved
 Alabama Power Company



ALABAMA POWER
 SOUTHERN COMPANY



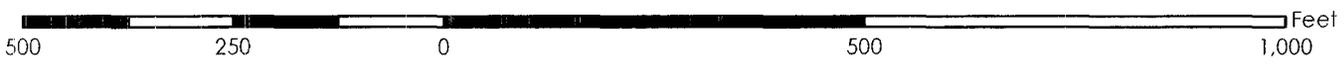
Race Track - North Mobile TS 115kV TL Wetland 9

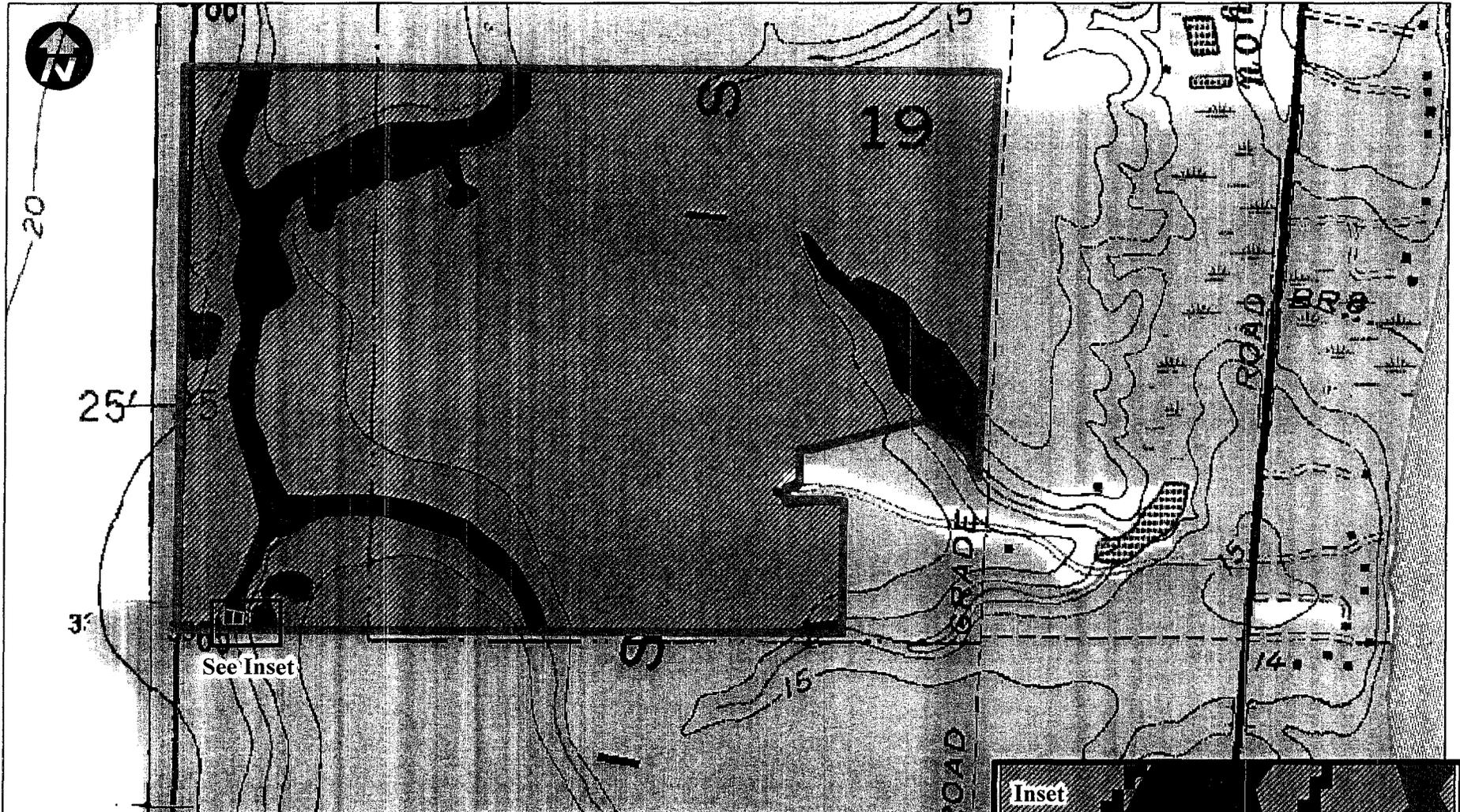


-  TL Route
-  Wetland (WL)
-  Stone Roads (Width 25 ft)

Wetland (#)	Access Road (ac)	Turn Around Areas (ac)	Pads (ac)	Total Impact (Per WL)	Wetland (ac)
9	0.05	0.00	0.00	0.05	0.23

Copyright 2013
All Rights Reserved
Alabama Power Company





**ALABAMA POWER COMPANY
THEODORE MITIGATION SITE
PERMIT: SAM-1922-MBM**

-  Property Boundaries (260.8 acres)
-  Pine Savannah (228.5 acres)
-  Bottomland Hardwood Drains (23.7 acres)
-  Upland Areas (8.6 acres)
-  Stream Preservation with 1X (50-ft) Buffer (72.8 ft)

0 250 500 1,000 1,500 Feet