



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**  
**PUBLIC NOTICE NO. SAM-2013-01053-SBC**

**September 13, 2013**

**JOINT PUBLIC NOTICE SAM-2013-01053-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**  
**ESCAMBIA COUNTY, ALABAMA**

TO ALL CONCERNED: The U.S. Army Corps of Engineers (Corps), 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 18<sup>th</sup> Street**  
**Birmingham, Alabama 35203**

**LOCATION OF WORK: The transmission line would start at the North Brewton Transmission Substation (Latitude 31.19716° North, Longitude 87.12754° West), located on the southwest side of County Highway 49, near Appleton and would extend generally southwest to the Florida State Line (Latitude 30.9979° North, Longitude 87.2914° West), just south of the Old Atmore Road in Flomaton. The project would be located within multiple Sections of Townships 1 and 2 North, Range 8 East and Townships 2 and 3 North, Range 9 East. The 17.3 mile long linear project would be located in the Lower Conecuh (HUC 03140304) and Escambia (HUC 03140305) Watersheds in the Conecuh River Basin. Perennial streams located within project boundaries include Escambia, Little Escambia, Hall and Burnt Corn Creeks.**

**PROJECT PURPOSE: The overall project purpose is to construct new electrical transmission lines from the existing North Brewton Transmission Substation to existing Gulf Power Company transmission lines located at the Florida state line in order to upgrade the electrical utility infrastructure and provide a reliable and resilient electrical grid for the region.**

**PROPOSED WORK: The applicant proposes to construct approximately 17.3 miles of 230kV electrical transmission line along a 125-foot cleared right-of-way. The project would permanently fill approximately 5.17 acres of medium and high quality forested wetlands and impact approximately 200 linear feet of streambeds via installation of**

corrugated steel culverts secured with riprap rock for stream crossings. Proposed wetland and stream impacts would result from the construction of permanent 18-foot-wide stone access roads and the installation of stone foundation pads of varying sizes to support transmission line structures and provide for turnaround areas for timber trucks during the clearing phase of operations.

Clearing of the right-of-way limits would be performed using specialized wide track and wide tire/low pressure equipment to minimize soil compaction and rutting in wetland soils. Trees would be cut and double-axle skidders would be utilized to remove them from wetland and stream areas. No de-stumping or uprooting of tree trunks, or piling of vegetation in wetlands and streams would occur. Mats would be utilized in areas where excessive rutting or compaction may occur. After initial clearing for construction, the cleared right-of-way would be maintained as a scrub/shrub system.

Wetland delineations performed by the applicant estimate that approximately 45.6 percent (119 acres) of the 261-acre project area is jurisdictional waters of the United States. The applicant's delineation indicated 39 separate wetland areas and 37 streams within or contiguous to the proposed right-of-way. Fill and culverting impacts of the project would take place in 15 separate wetland areas and 9 separate stream reaches.

**AVOIDANCE and MINIMIZATION:** The applicant has stated that the following regarding avoidance and minimization: "Every attempt was made during the planning and design stages to avoid and minimize impacts to jurisdictional waters. The originally designed project, if constructed, would have...resulted in the loss of 17.96 acres of jurisdictional waters. Typically, as [is] the case in this project, constructing a new line paralleling existing [right-of-way] provides substantial benefits, including site access via previously impacted routes. This reduces the need to clear and construct new routes, which in turn reduces impacts to special aquatic sites and other natural resources." "A significant step in further minimizing impacts takes place during the layout of structure locations. While there are many constraints when designing a transmission line (i.e., conductor blowout, span distances, pole strength and height, minimum ground to conductor clearance), wetlands and surface waters are taken into consideration when spotting structure locations. Wetland delineation data [were] provided to the [Alabama Power Company] design team to assist in the placement of structure locations. Every effort was made, where practicable, to design the line so that structures [would be] located outside of jurisdictional waters."

"In order to both avoid and minimize impacts to wetlands, access and design plans were evaluated during a series of on-site field visits at the completion of the design phase. These field visits, consisting of [Alabama Power Company] line construction and environmental staff, were held to identify the condition and prevalence of the existing roads. The field visits also provided additional opportunity to change the location of structures that previously had been planned for placement in wetlands. Seven structures were relocated through design modification to minimize and in some cases avoid impacts."

“In the cases where impacts are unavoidable and absolutely necessary, the footprint has been reduced as much as possible without compromising safety.” “[S]tandard” roadbed width typically ranges from 24 to 28 feet wide as measured at the toe of slopes. To further lessen impacts to wetlands, all of the access roads will be reduced to a width not to exceed 18 feet.” “In some cases where permanent access is not absolutely necessary, construction mats will be utilized, thereby eliminating permanent adverse impacts.” “The movement of equipment within wetlands and streams will be limited to the minimum necessary to accomplish the proposed work.”

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: To offset unavoidable impacts to waters of the United States resulting from the proposed project, compensatory mitigation will be achieved through utilization of [the Alabama Power Company] - Theodore Wetland Mitigation Area and Westervelt-Alabama River Mitigation Bank. As of the date of this proposal, mitigation credit is not available in-basin; therefore, mitigation will need to be addressed out-of-basin. Prior to commencement of construction, proof of stream mitigation purchase and an updated Theodore Mitigation Area ledger showing the credit deduction will be provided [to the Corps of Engineers, Mobile District].”

Mitigation totals proposed by the applicant are outlined in the tables below:

Impact HUC	Credits	Bank	P <sub>x</sub>	Credits Required
3140304	11.63	Theodore	2.71	31.53
3140305	7.78	Theodore	2.27	17.67
<b>Totals</b>				<b>49.21</b>

Wetland Mitigation.

Impact HUC	Credits	Bank	P <sub>x</sub>	Credits Required
3140304	147.1	Alabama River	1.612	237.13
3140305	149.4	Alabama River	1.575	235.31
<b>Totals</b>				<b>472.44</b>

Stream Mitigation

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.

HISTORIC PROPERTIES/CULTURAL RESOURCES: A Phase I cultural resources survey of the site was completed by the University of Alabama, Office of Archaeological Research (OAR) and a subsequent report was issued by them (OAR Project Number: 13-197). The survey report indicated that “no archaeological sites were discovered and

added to the Alabama State Site File (ASSF)” and “no historic structures were noted along the survey corridor with potential for physical or visual impact as a result of this proposed undertaking.” The report went on to conclude, “the proposed North Brewton T.S.-Florida State Line 230 kV transmission line will have no effect on any cultural resources and a finding of no properties is recommended.” After a review of the OAR Phase I survey report, the Alabama Historical Commission issued a letter of concurrence with the project June 14, 2013.

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. In addition to the provided comments from the State Historic Preservation Officer (the Alabama Historical Commission), we are seeking comments from 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 contracted with Thompson Engineering to conduct a survey of all species listed by the U.S. Fish and Wildlife Service (USFWS) as threatened or endangered in Escambia County, Alabama. The survey was conducted during March and April of 2013 and the applicant indicated in a subsequent letter to the USFWS that no species listed as endangered or threatened in Escambia County was observed during the survey. However, the survey did document 73 gopher tortoise burrows (*Gopherus polyphemus*) on the adjacent existing right-of-way and within the proposed project limits. The applicant stated in the letter: “Because the Gopher Tortoise is a Federal candidate species in Escambia County and a protected non-game species in the State of Alabama, measures will be taken to avoid impact to the animals and burrows during all phases of construction. Using the location data from the environmental assessment, [Alabama Power Company] design engineers were able to shift several structure locations to avoid impact to burrow locations. At two locations, burrows were identified within the immediate work area of a structure. At these two locations, heavy equipment is expected to encroach on the 25-foot “no entry” buffer established around the burrow opening.” At the remaining 71 known locations, or within the vicinity of any new burrows located while working on the project, [standard] best management practices (BMPs) will be followed. If the BMPs cannot be met, Alabama Power Company will contact [the USFWS] and the Alabama Department of Conservation and Natural resources (“ADCNR”) for further guidance. In their letter to the USFWS, the applicant requested further guidance regarding the two gopher tortoise burrows that would be in close proximity to “heavy equipment” and other project activities.

In the above-noted letter, the applicant requested USFWS concurrence with this project, but has not received a reply to date. Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicate that, while there are certain issues regarding the candidate species (gopher tortoise) which should be considered, the proposed activity will have no effect on any species currently listed as endangered or threatened within Escambia County. This determination is being coordinated with the USFWS 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 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 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.

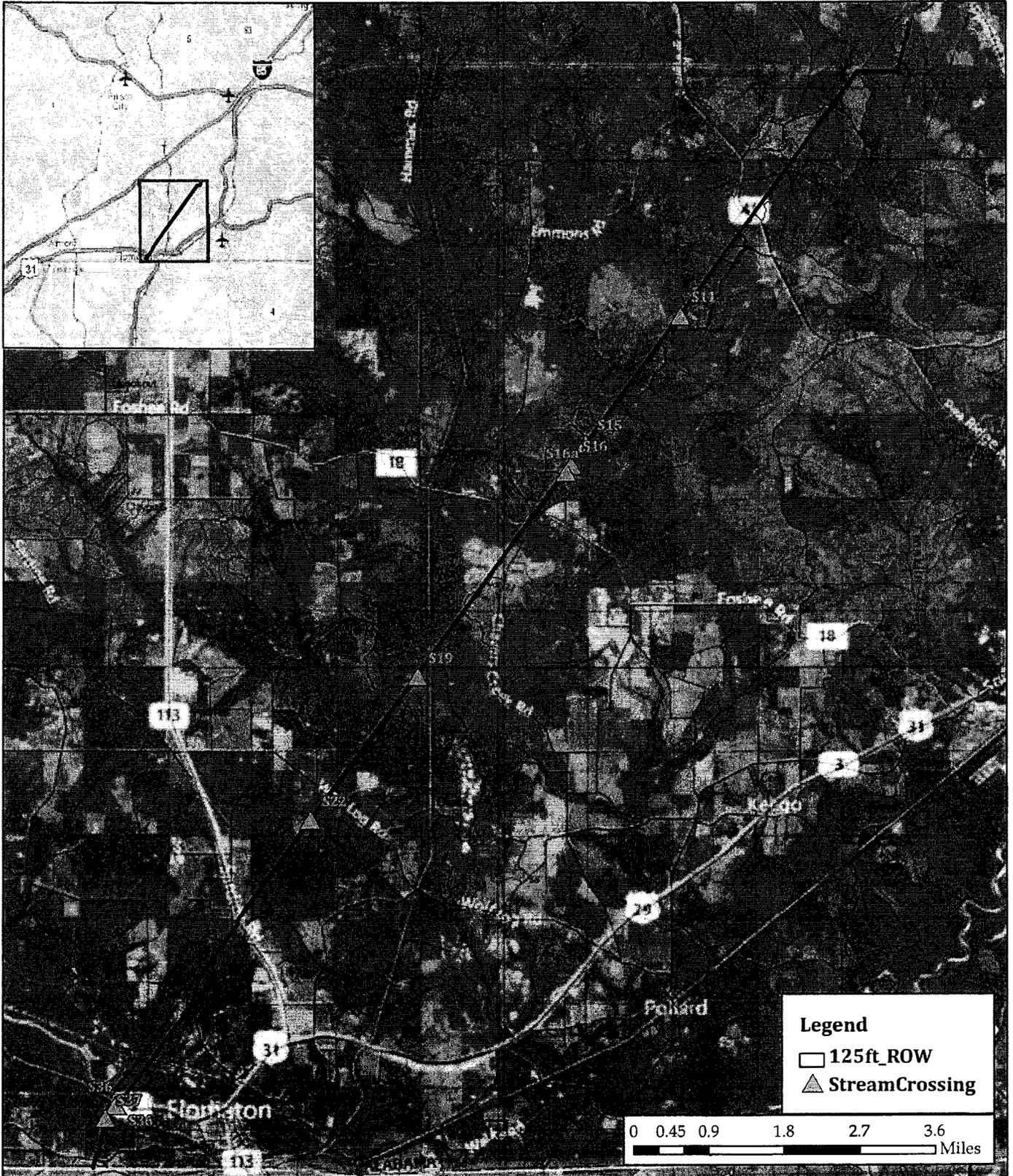
Correspondence concerning this notice should refer to Public Notice Number **SAM-2013-01053-SBC** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Attention: Regulatory Division, South Alabama Branch, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Office of Field Services, Field Operations Division, Post Office Box 301463 Montgomery, Alabama 36130-1463.

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 **(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](http://www.sam.usace.army.mil/Missions/Regulatory).

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures



## N. Brewton T.S. - Florida State Line 230 kV TL



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Name: Stream Crossings

Date: 8/21/2013

Attachment 3

Drawn By: JCDRUMM

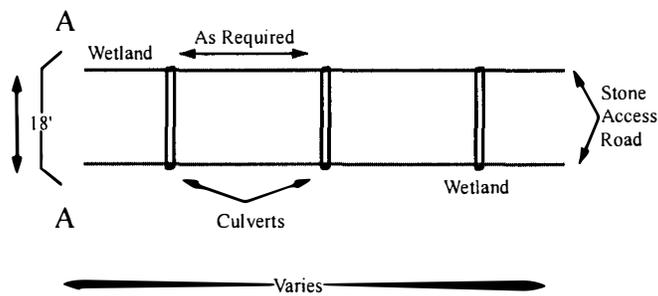


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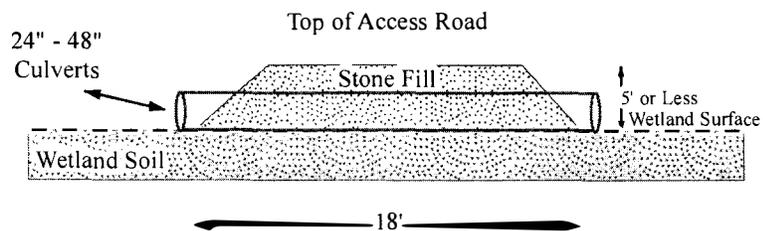
# Drawing 1.1

## Typical Culverted Stone Access Road

### Plan View



### Profile View - AA

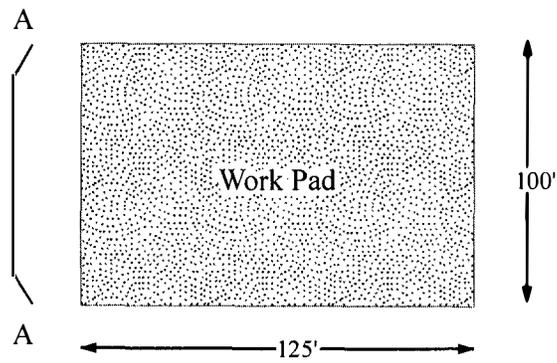


*culverts will be installed at a frequency and size necessary to minimize water impoundment and restriction of flow*

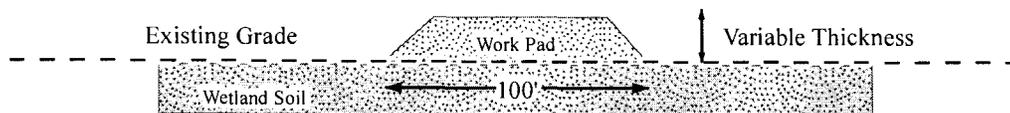
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# Drawing 1.2 Typical Fill Pad

## Plan View



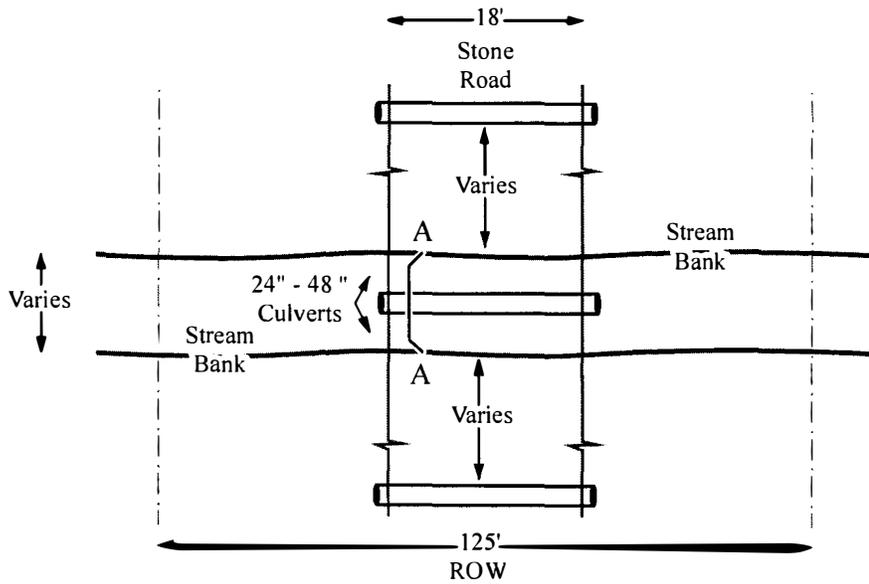
## Profile View - AA



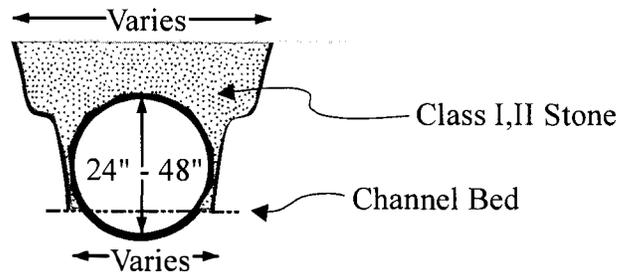
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# Drawing 1.3 Typical Stream Crossing

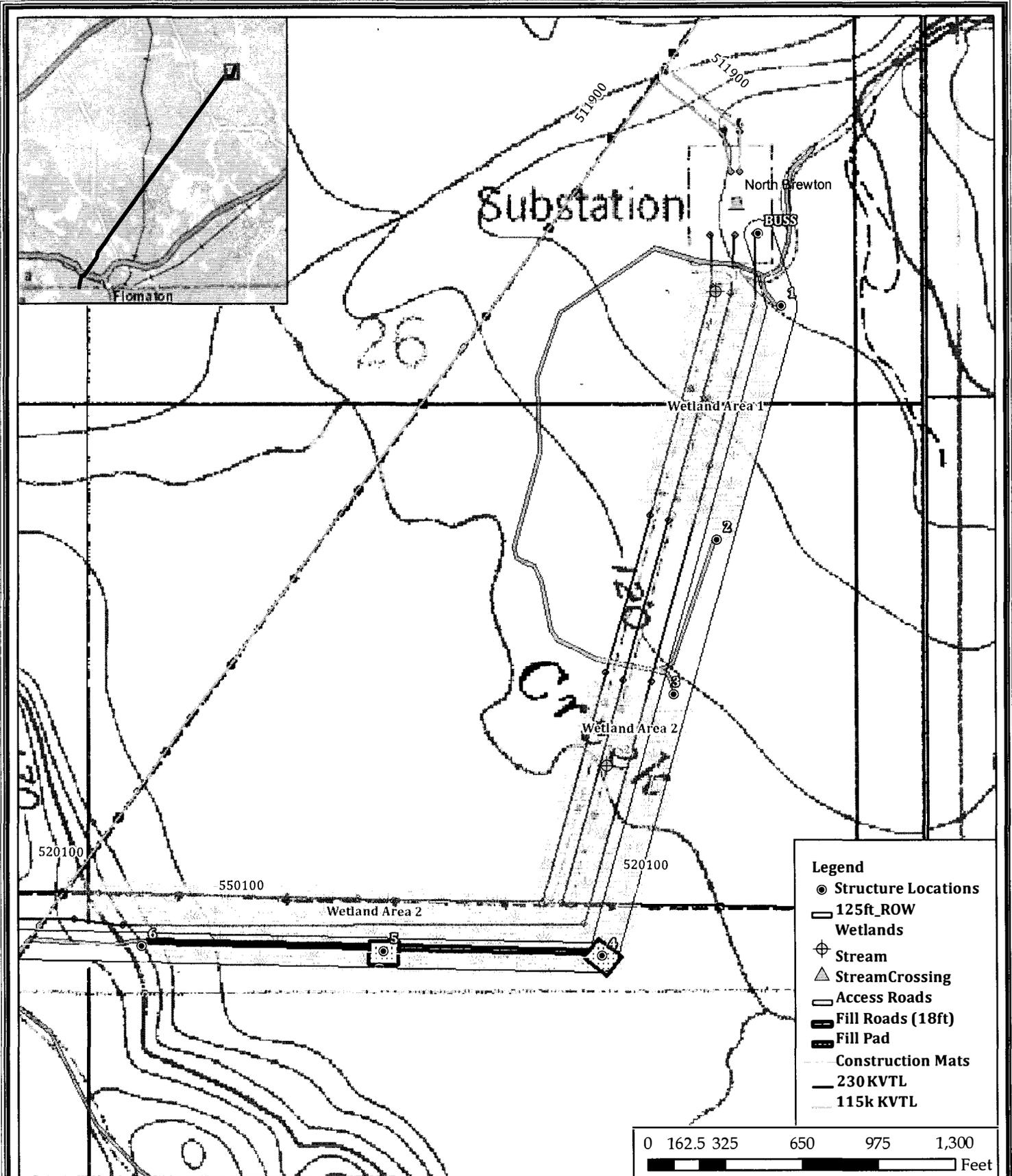
## Plan View



## Profile View - AA



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Name: Quad Grid Impact Maps

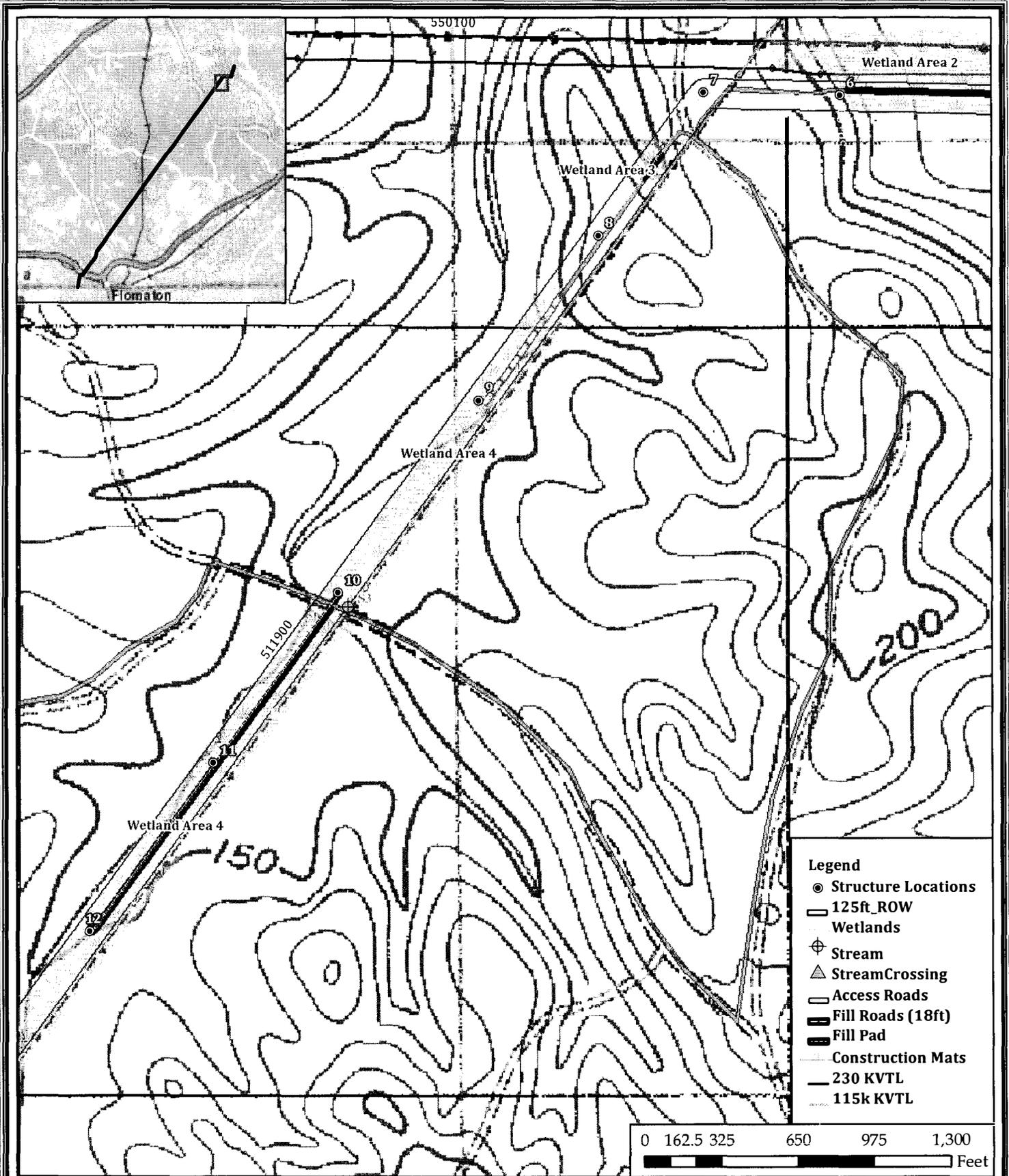
Date: 8/26/2013

Attachment 4.2

Drawn By: JCDRUMM



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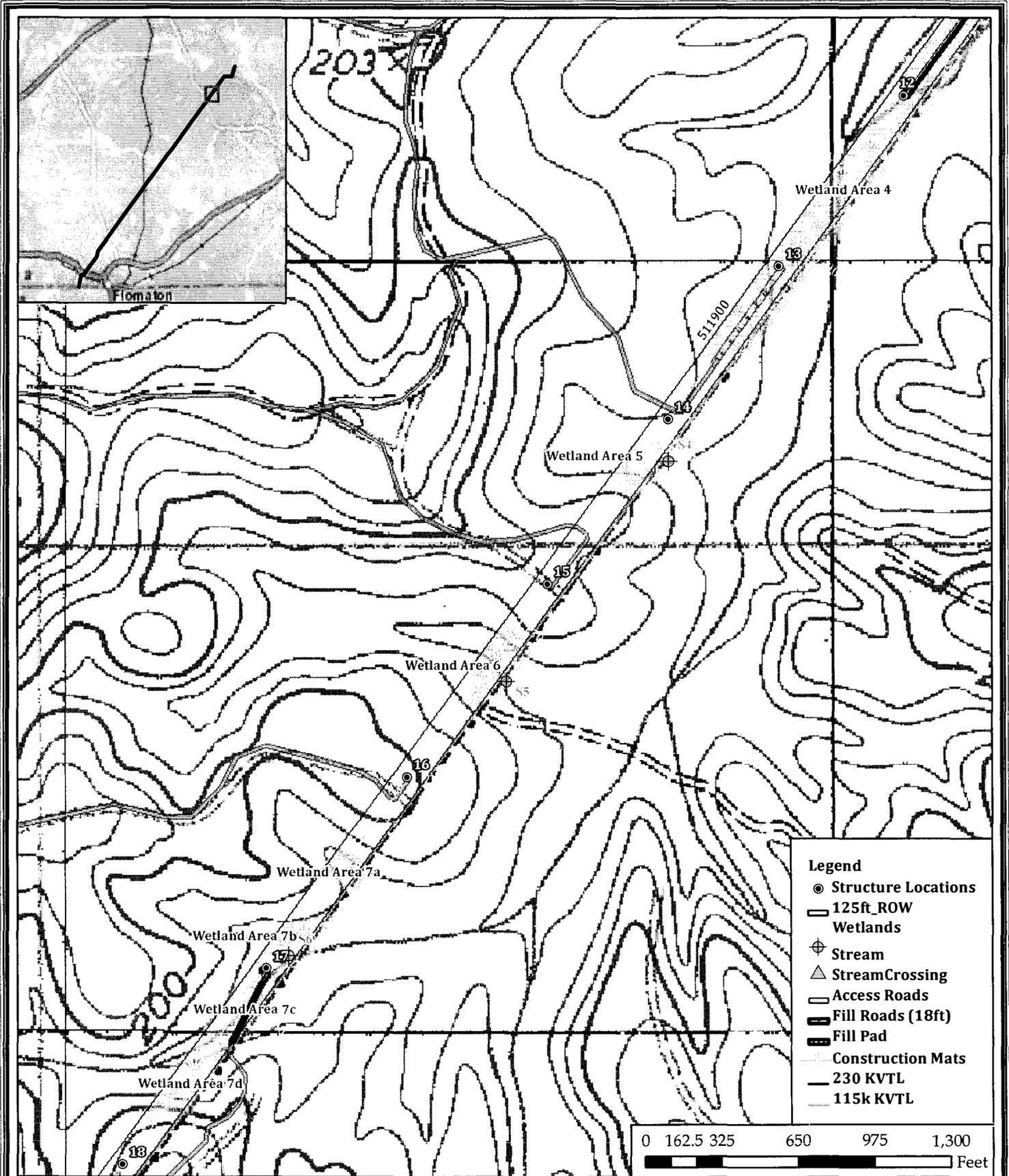
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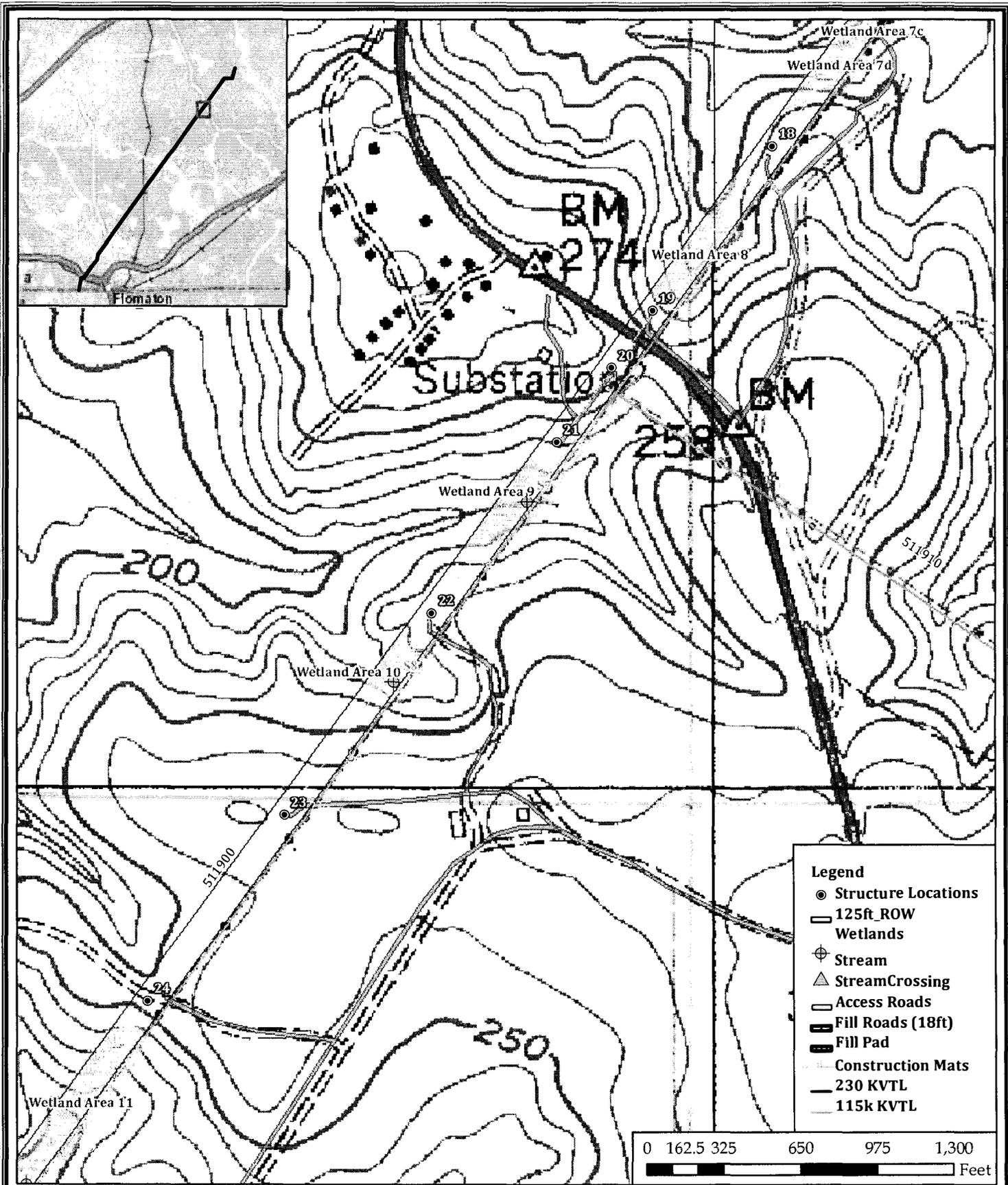
Attachment 4.2

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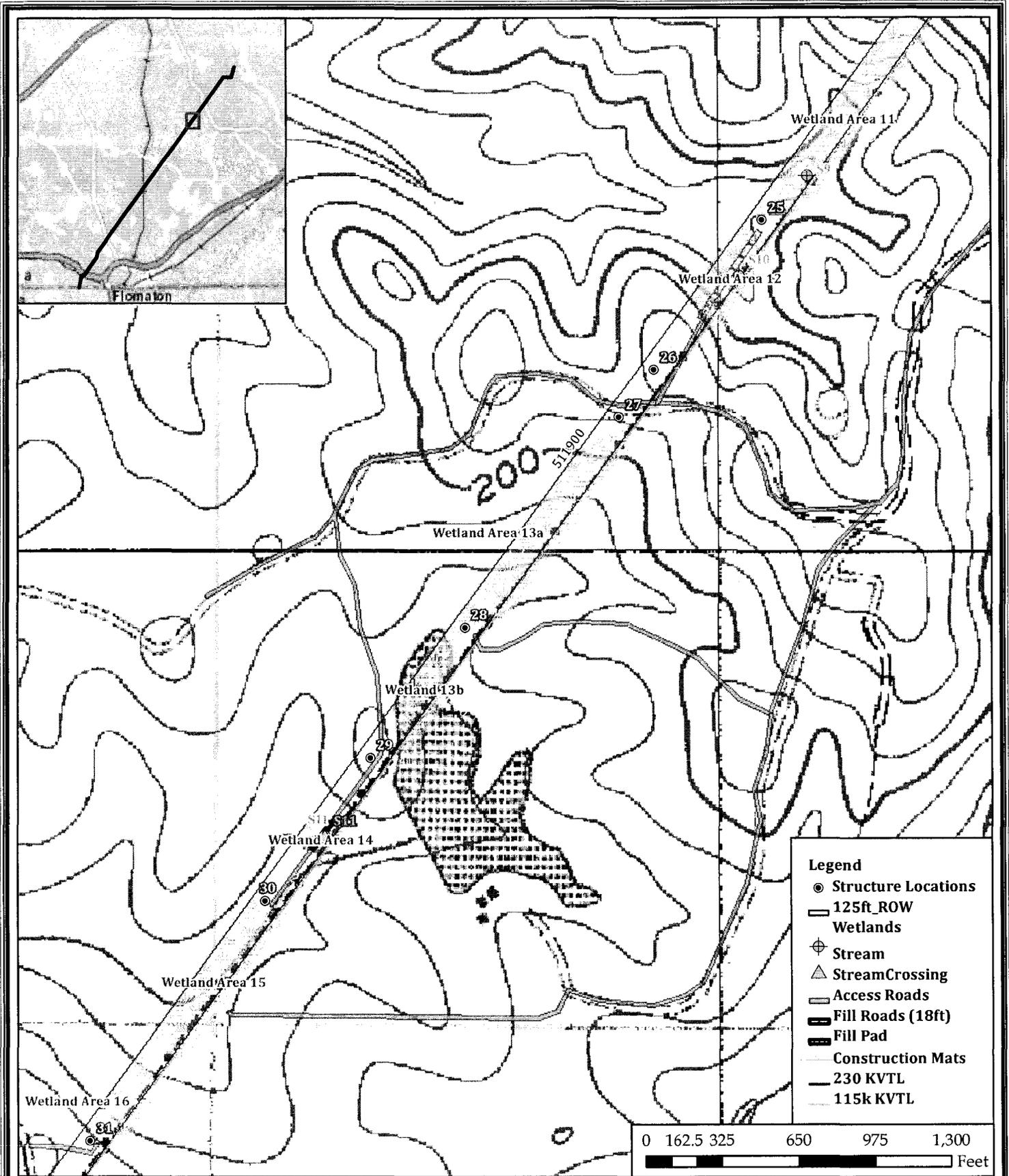
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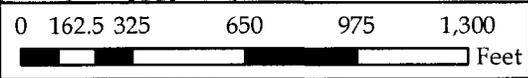


**SAM-2013-01053-S2C**



**Legend**

- Structure Locations
- ▭ 125ft ROW
- ▨ Wetlands
- ⊕ Stream
- △ Stream Crossing
- ▭ Access Roads
- ▭ Fill Roads (18ft)
- ▭ Fill Pad
- Construction Mats
- 230 KVTL
- 115k KVTL



**N. Brewton T.S. - Florida State Line 230 kV TL**



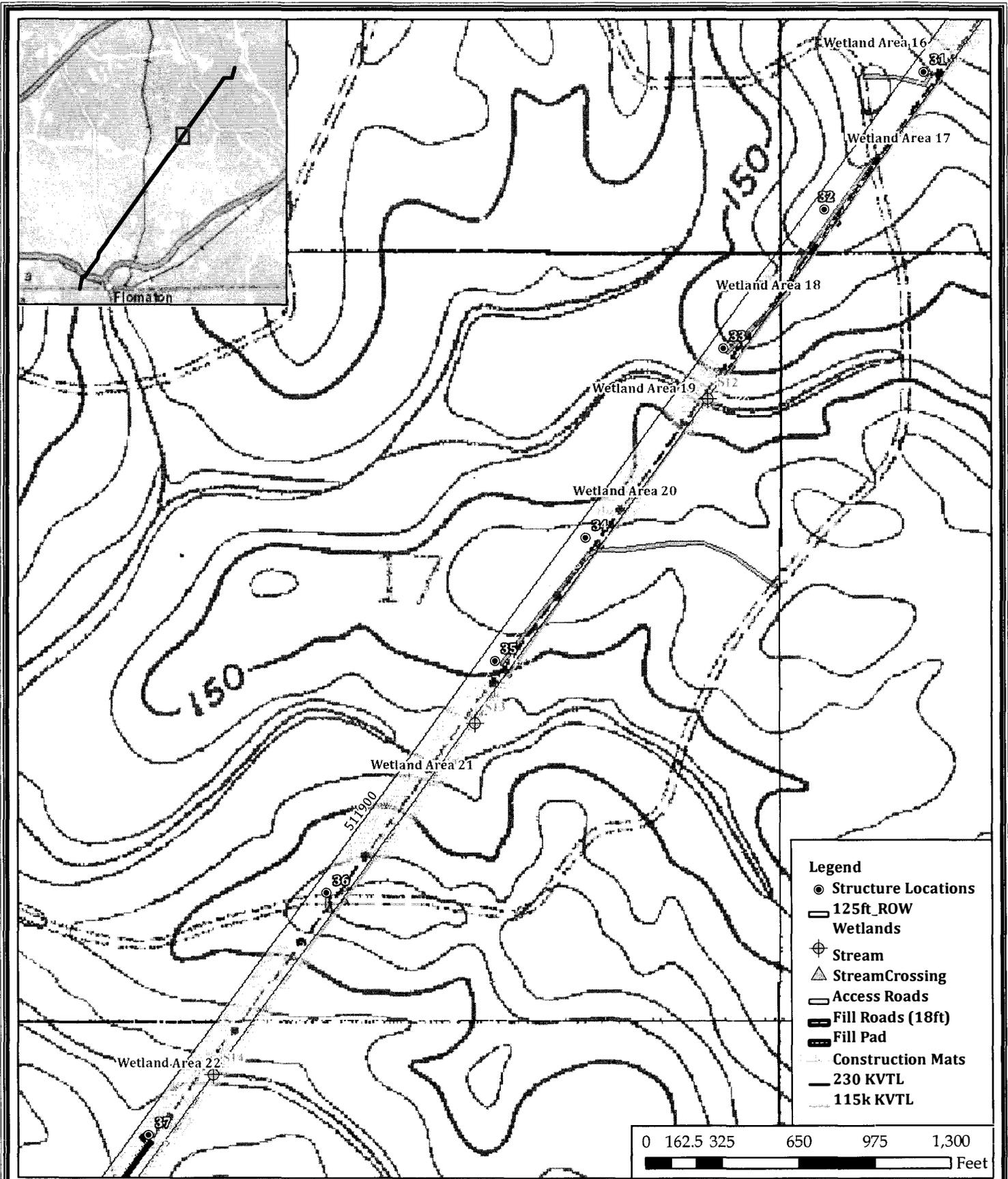
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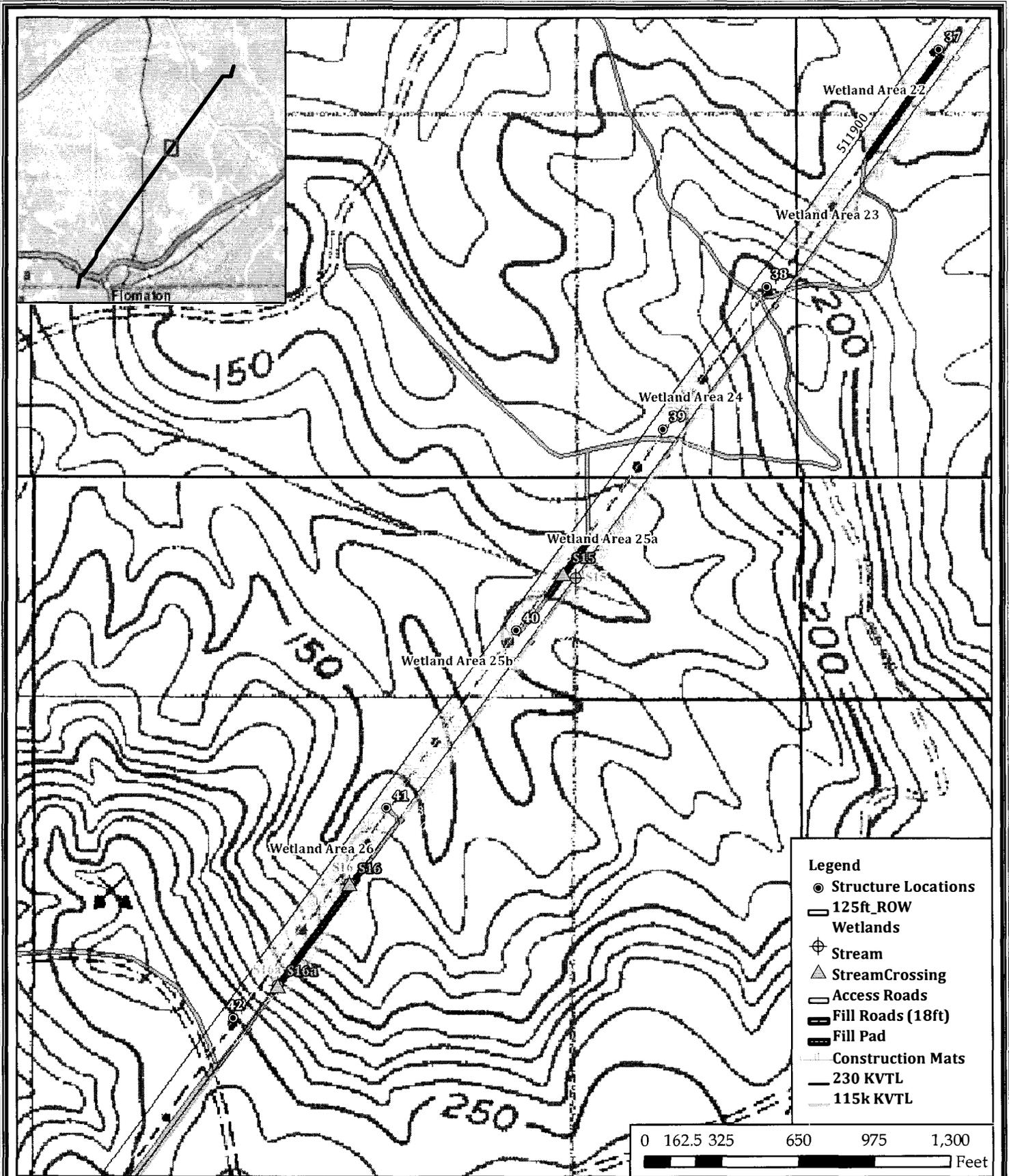
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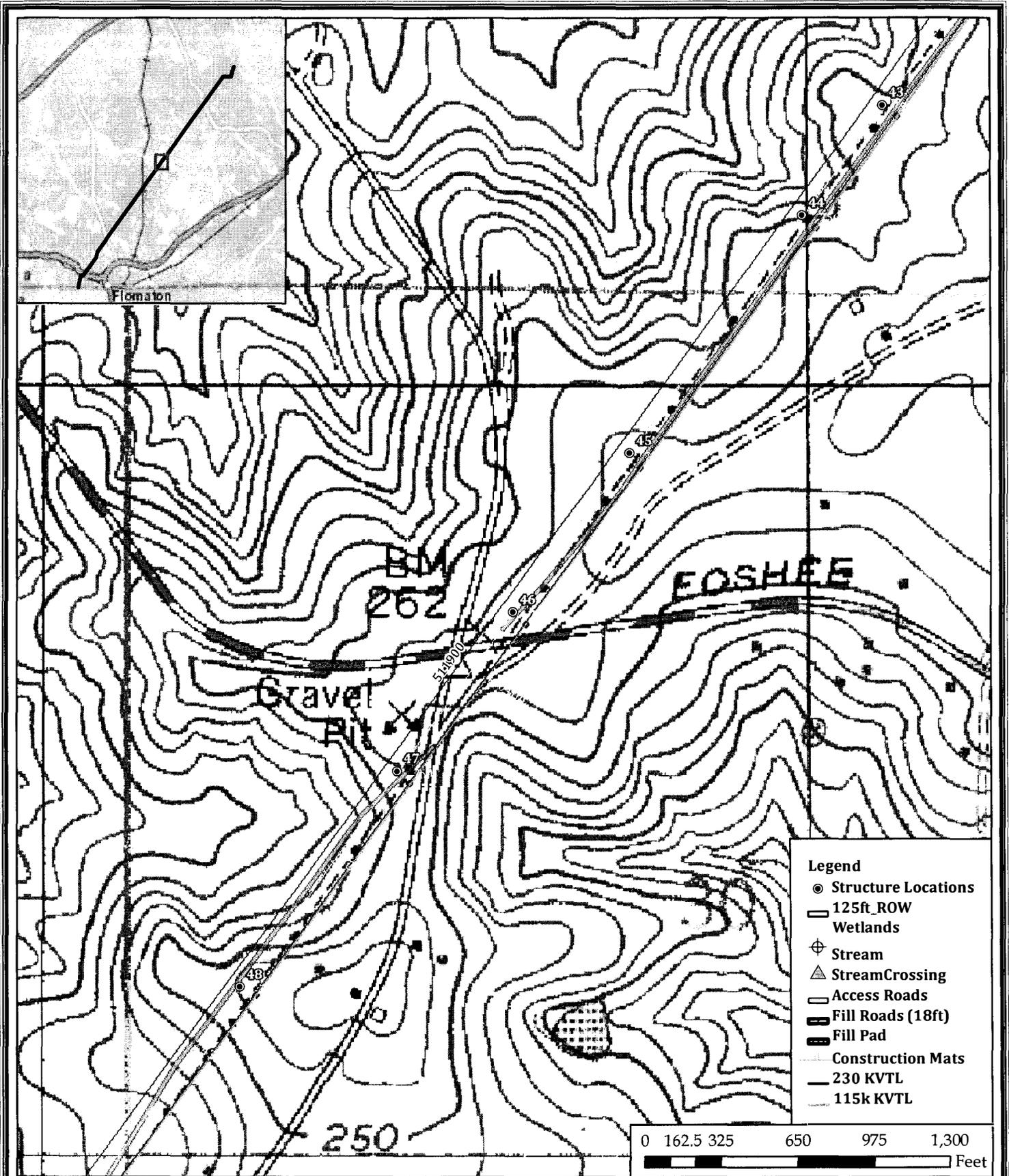


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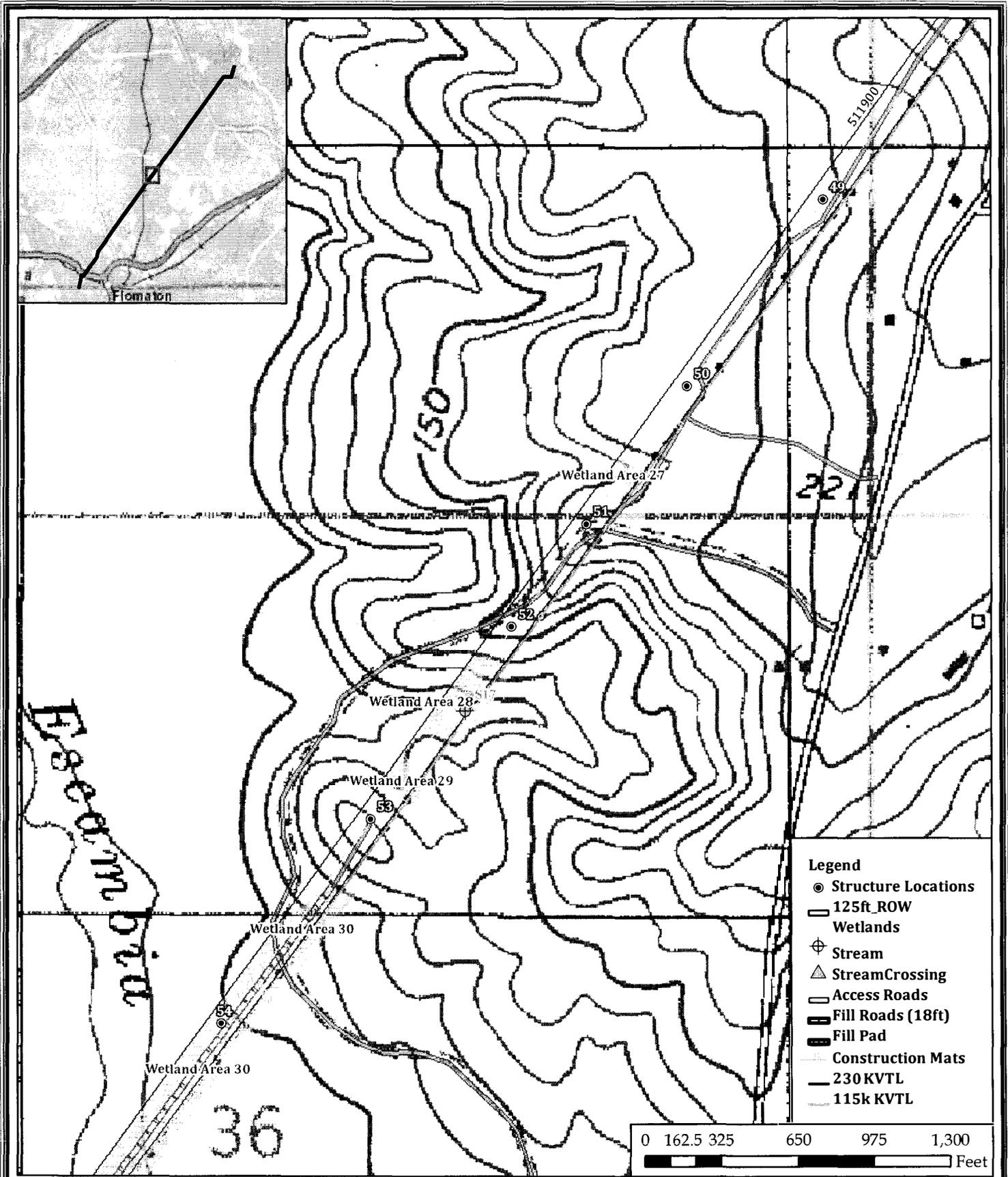
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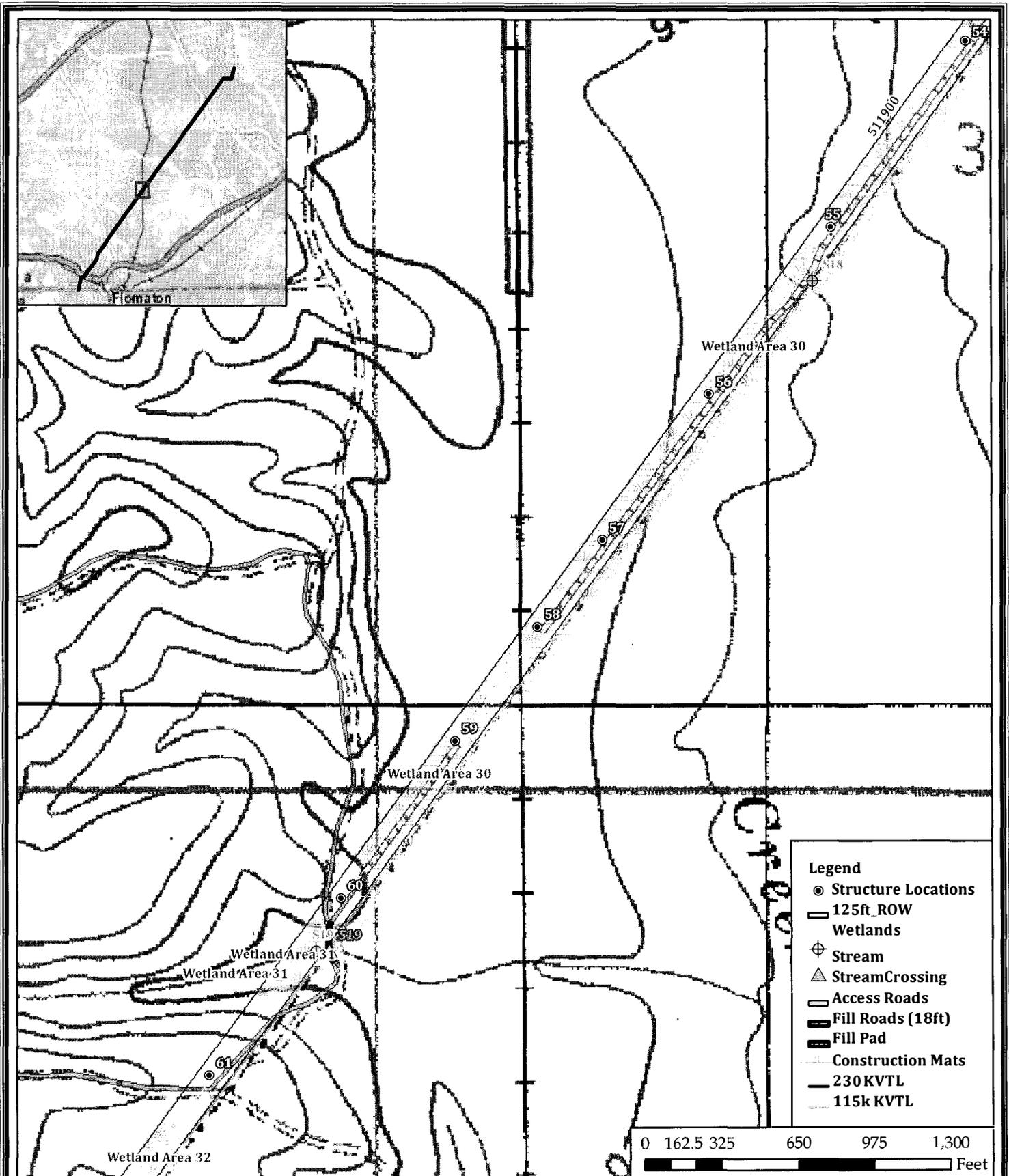
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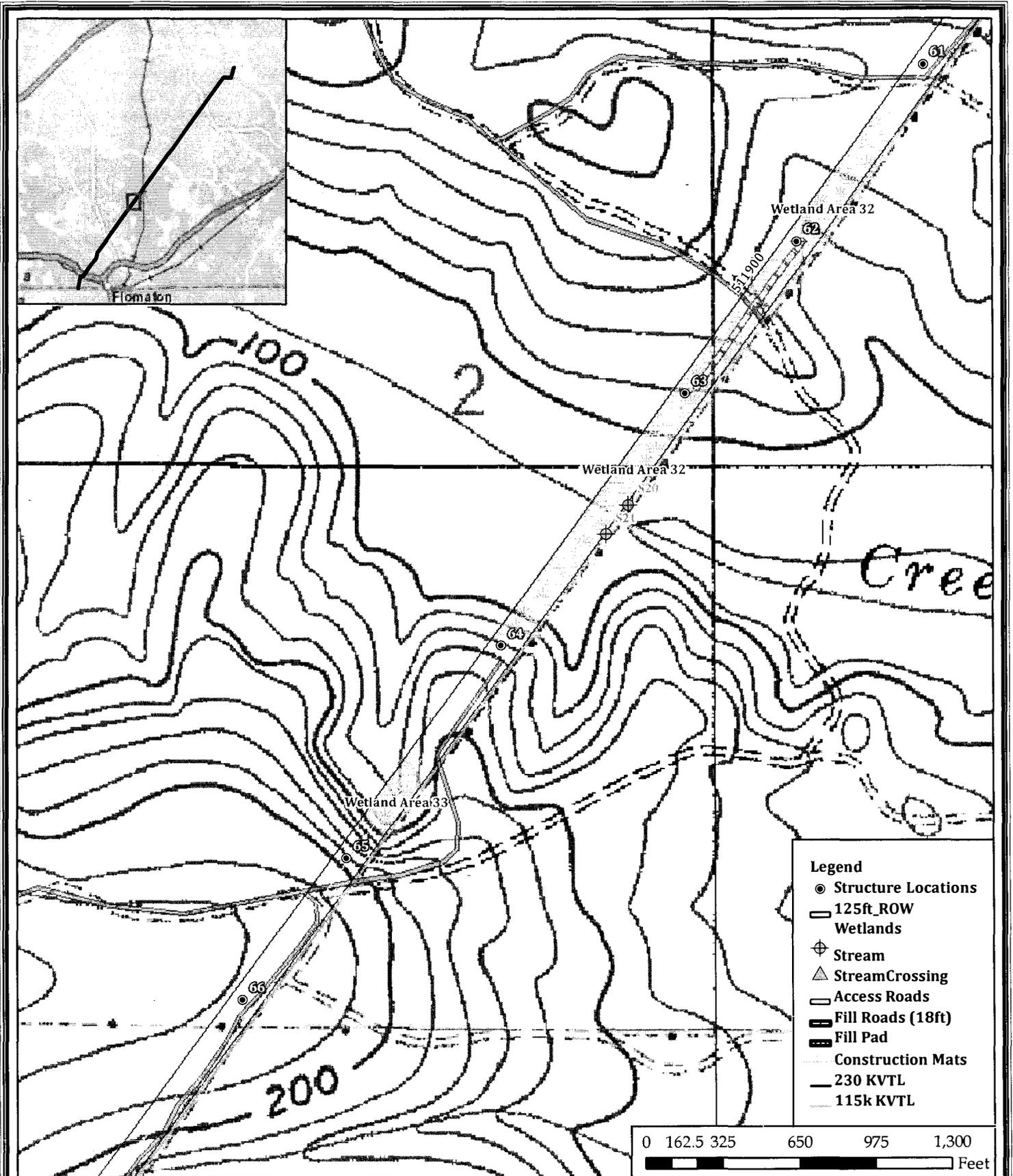
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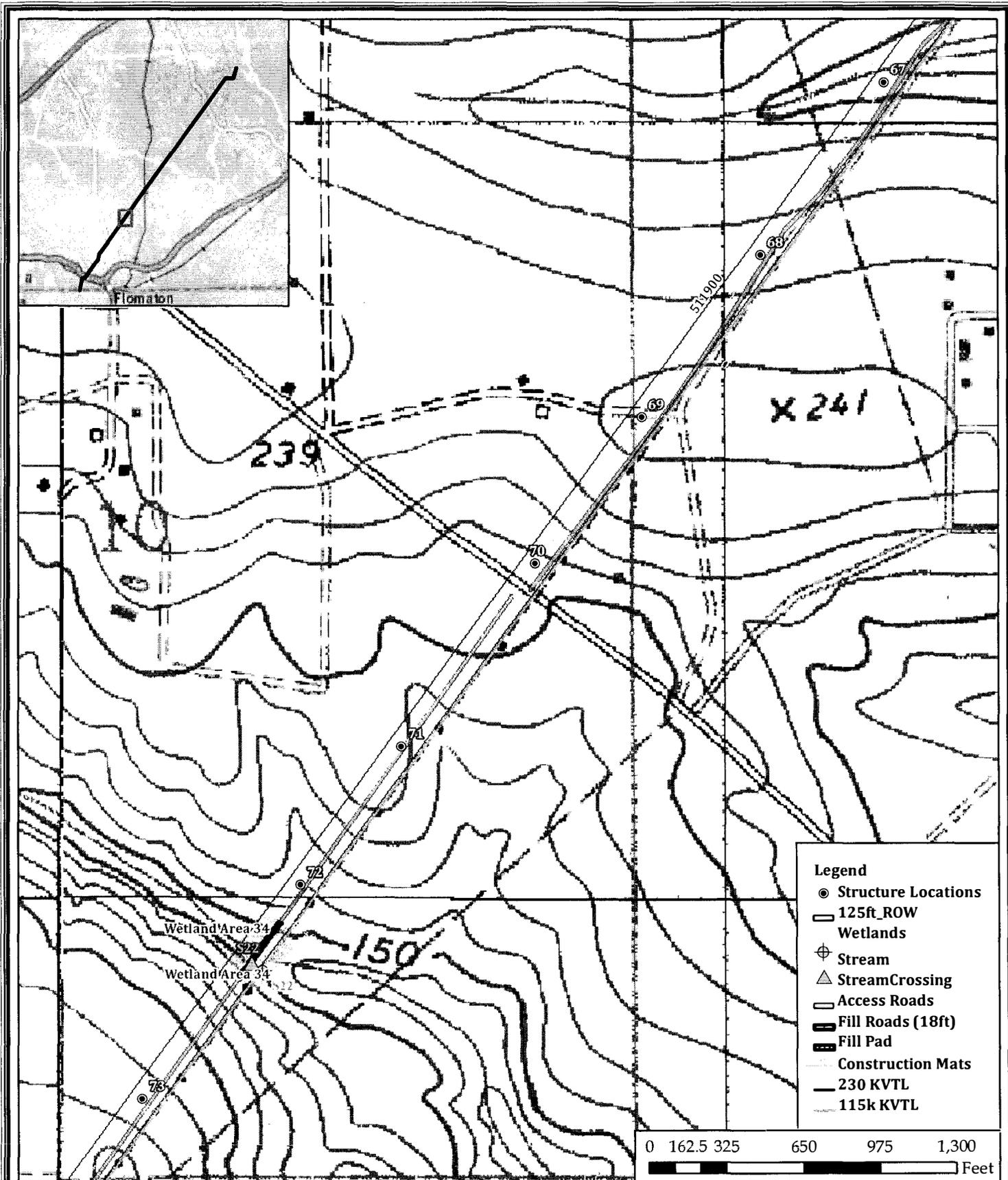
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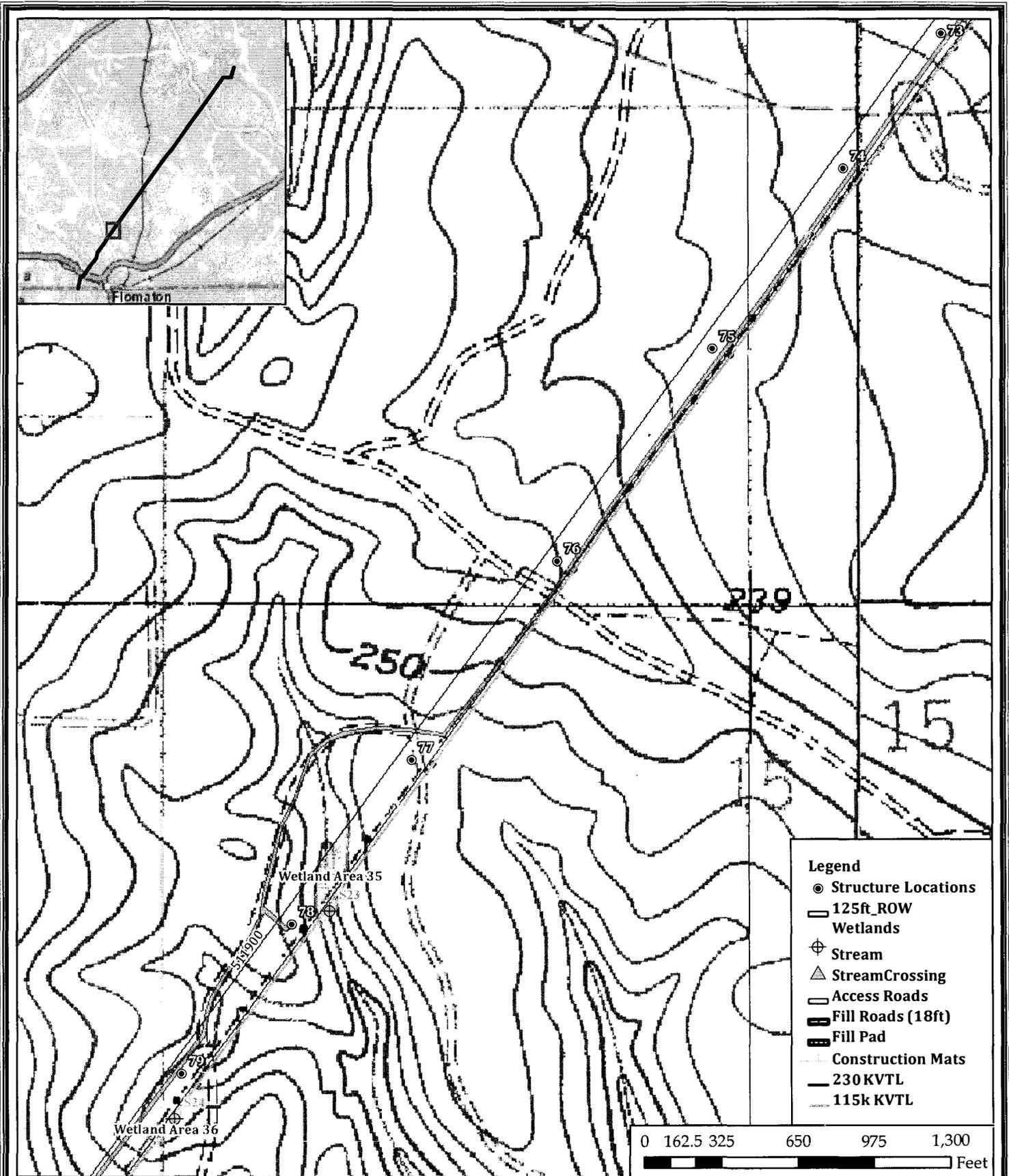
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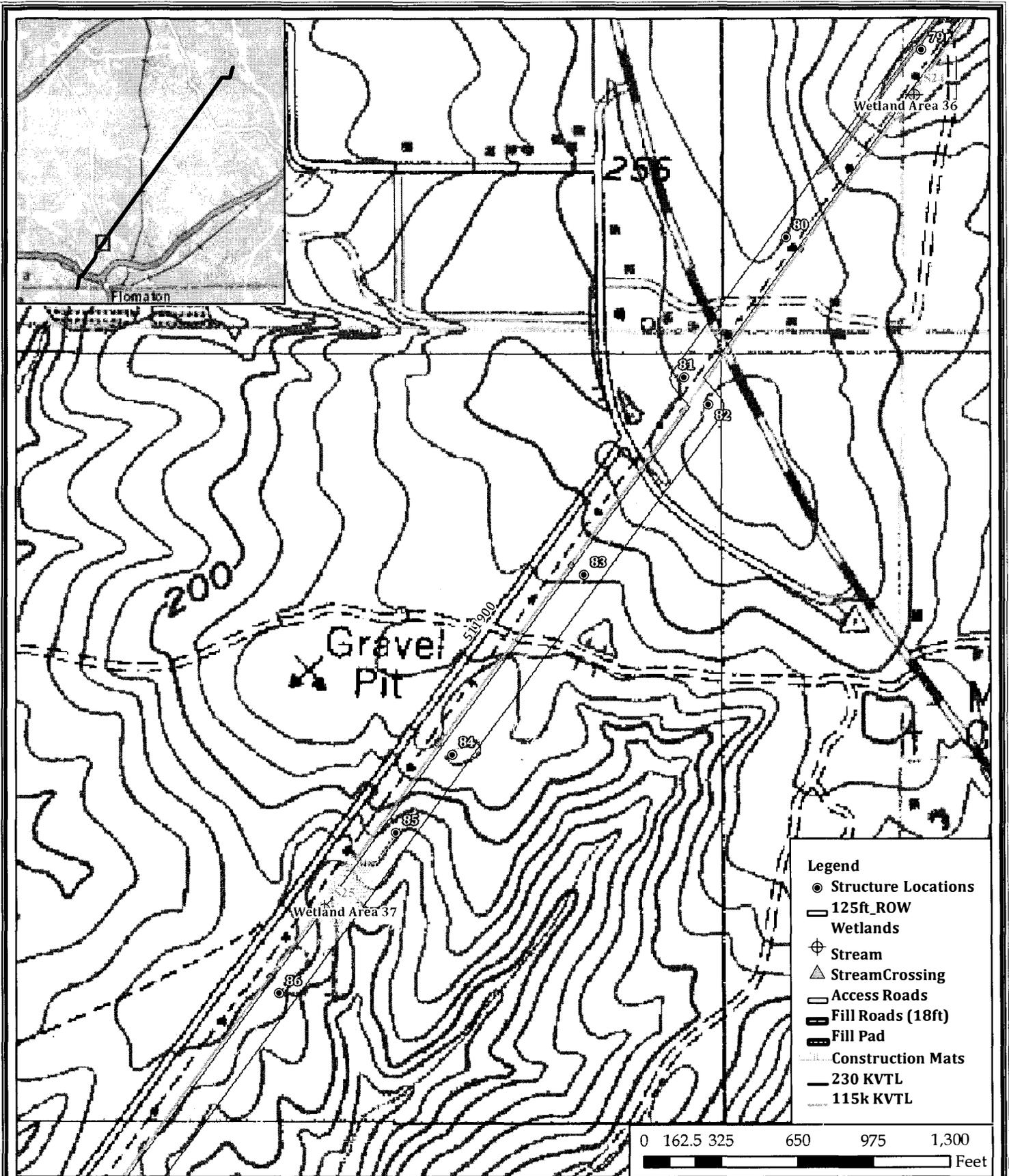
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Attachment 4.2

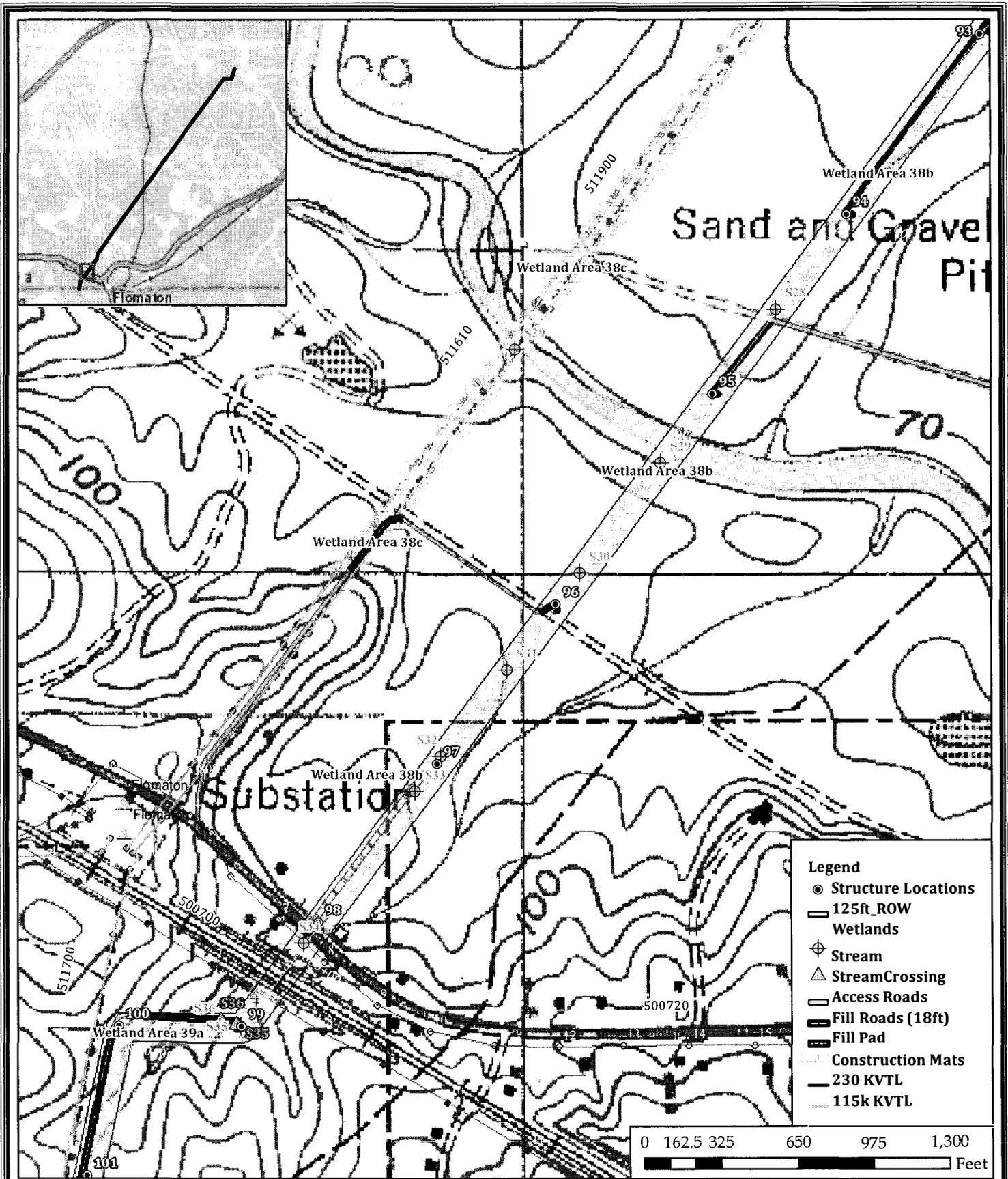
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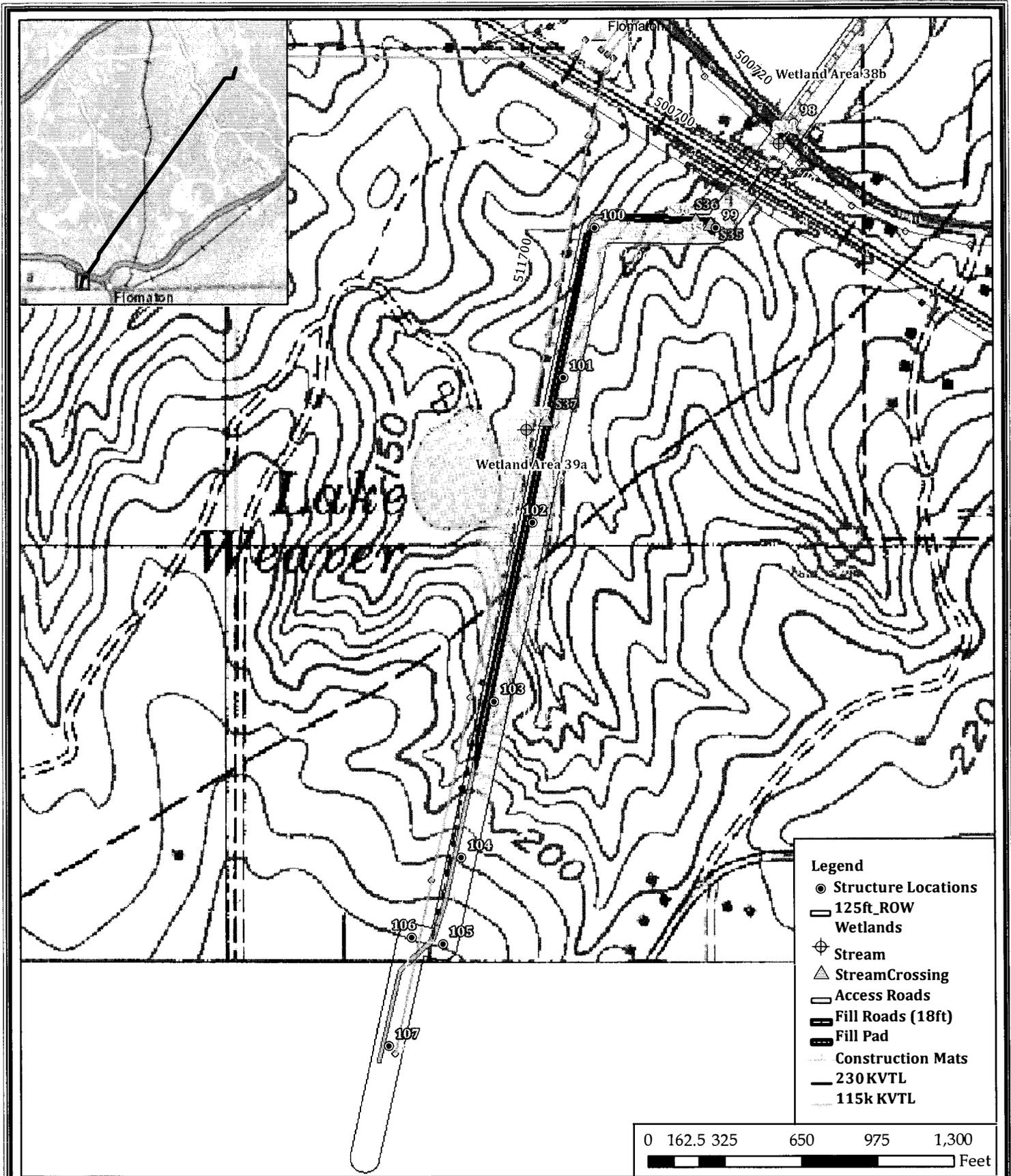
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