

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Numbers
**CENAB-OP-RMS (DELMARVA POWER & LIGHT/KINGS CREEK
TO LORETTO) 2014-61447**

PN 15-03

Comment Period: January 12, 2015 to February 12, 2015

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to **Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

APPLICANT: Delmarva Power & Light
Ms. Annina Hazel
401 Eagle Run Road
Newark, Delaware 19714-9239

LOCATION OF THE PROPOSED WORK: In the headwater nontidal wetlands adjacent to unnamed tributaries of Loretto Branch, Jones Creek, Manokin Branch, Kings Creek, Tangs Creek and Taylors Branch along the existing Delmarva Power & Light Right of Way, from Loretto Substation to Kings Creek Substation in Princess Anne, Dorchester County Maryland.

WORK AND PURPOSE: To replace, in-kind, the existing wooden H-frame structures and to install optical ground wire (OPGW) along 7 miles of exiting transmission line. The OPGW would replace existing static wire and would be strung along the top of each H-frame structure. The project is 7 miles long from the Loretto Substation to Kings Creek Substation which involves replacement of 32 poles in wetlands that would impact approximately 100.53 square feet (0.0023 acres) of nontidal wetlands and temporary use of construction matting that would impact approximately 338,510.86 square feet (7.7712 acres) of nontidal wetlands. All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Eugene Morgenthaler at 410-820-8629.

No wetland conversion is proposed for these projects.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to aquatic resources to the maximum extent practicable. Proposed pole locations have been moved wherever possible to avoid wetlands, in consideration of the ROW constraints and distance possible between pole requirements. Compensatory mitigation is not proposed by the applicant.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 reasonable 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, economic, 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 and fiber production, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers 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 provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715 within the comment period specified above.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH).

The project site does not lie in or adjacent to EFH as described under MSFCMA. The project is unlikely to adversely affect EFH or the species of concern by alteration of spawning, nursery, forage and/or shelter habitat.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the **Maryland Department of the Environment**. Any written comments concerning the work described above which relate to water quality certification must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

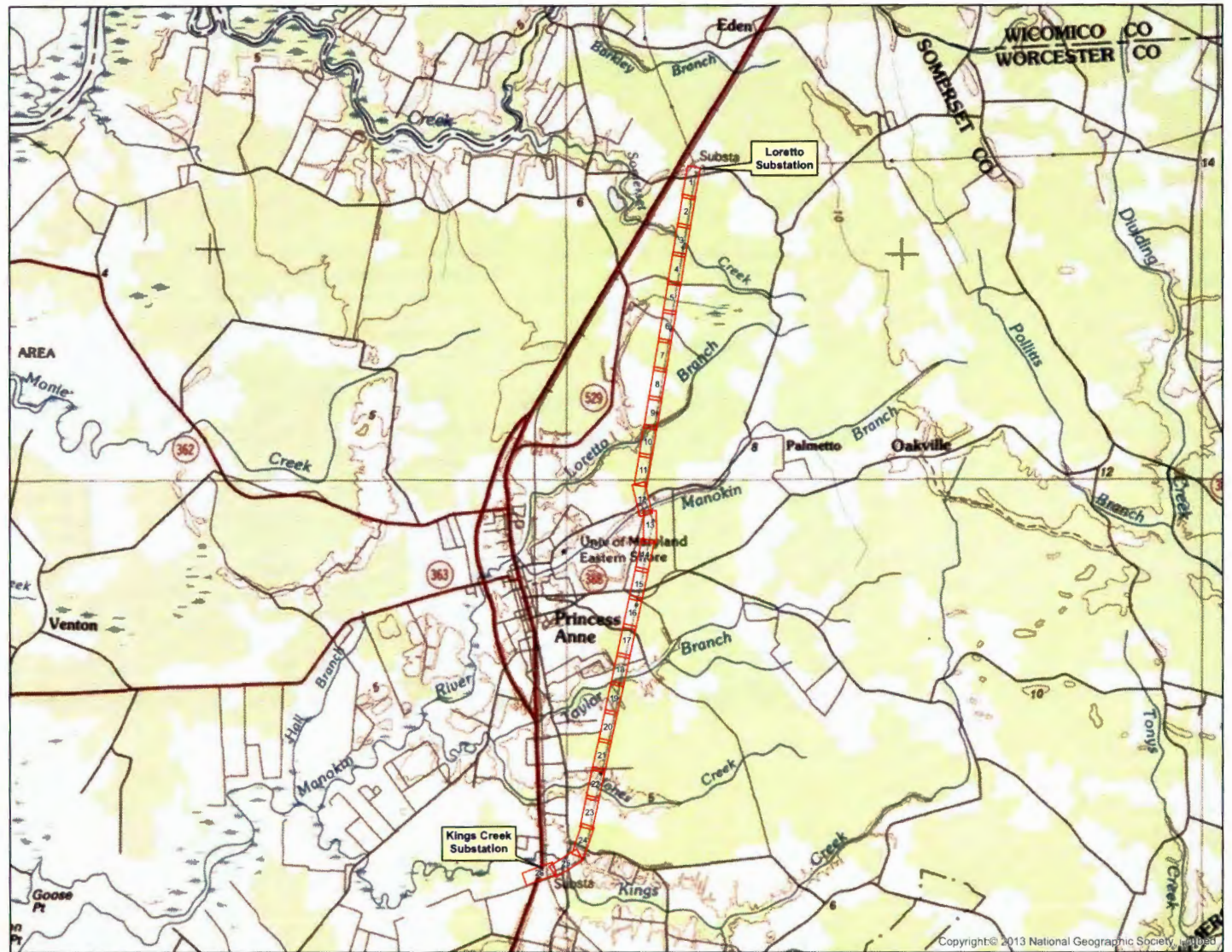
KATHY B. ANDERSON
Chief, Maryland Section Southern

Kings Creek to Loretto OPGW Project



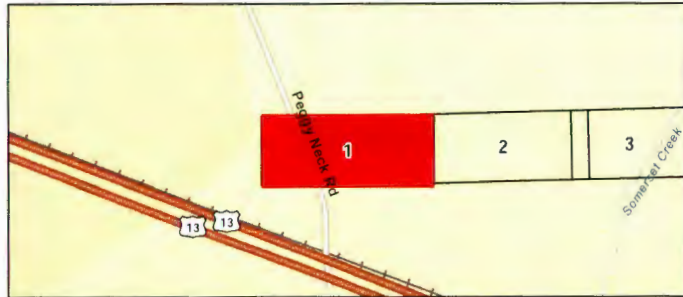
Sheet Index

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Wetland Index - USACE Impact Calculations

Sheet(s)	Wetland (WL)	Class	Wetland Size		Temporary Protective Matting		Permanent Impacts		No. of Poles (2 ft diameter)
			Sq. Ft	Acres	Sq. Ft	Acres	Sq. Ft	Acres	
25	WL-01	E2EM / PSS	94,012.93	2.1582	5.77	0.0001	0.00	0.0000	0
24,25	WL-03	PEM	2,274.55	0.0522	0.00	0.0000	0.00	0.0000	0
23,24	WL-04	PEM / PSS	197,183.53	4.5267	15,683.60	0.3600	0.00	0.0000	0
22	WL-05	PEM	57,077.70	1.3103	0.00	0.0000	0.00	0.0000	0
21	WL-06	PEM	6,127.39	0.1407	0.00	0.0000	0.00	0.0000	0
20,21	WL-07	PSS / PEM	191,625.14	4.3991	21,465.07	0.4928	6.28	0.0001	2
20,19,18	WL-08	PSS / PEM	183,690.33	4.2170	22,329.63	0.5126	0.00	0.0000	0
18,17,16	WL-10	PEM / PSS	258,437.35	5.9329	24,915.44	0.5720	6.28	0.0001	2
17,16	WL-11	PEM / PSS	182,956.34	4.2001	21,087.75	0.4841	0.00	0.0000	0
15,14	WL-12	POW / PEM / PFO / PSS	36,983.33	0.8490	823.08	0.0189	0.00	0.0000	0
14,13,12	WL-13	PEM / PSS	52,089.04	1.1958	2,282.98	0.0524	0.00	0.0000	0
12	WL-15	PEM	968.26	0.0222	0.00	0.0000	0.00	0.0000	0
12,11,10,9	WL-16	PSS	456,850.17	10.4879	58,467.77	1.3422	12.57	0.0003	4
9,8,7,6,4	WL-18	PSS / PEM	888,177.81	20.3898	93,439.41	2.1451	43.98	0.0010	14
4,3,2,1	WL-19	PEM / PSS	782,052.91	17.9535	78,010.37	1.7909	31.42	0.0007	10
TOTALS			3,390,506.77	77.8356	338,510.86	7.7712	100.53	0.0023	32



Structures To Be Replaced		Existing Structures		Legend	
	H-Frame Structure		H-Frame Structure		B&V Surveyed Wetlands
	3-Pole Structure		3-Pole Structure		Wetland Class
	Circuit		Circuit		PEM
	Access Path		Access Path		PSS
	Streams (USGS NHD)		RTE - Bidens coronata		PFO
	Contour Lines (2-foot)		RTE - Ludwigia glandulosa		E2EM
	Project Area		RTE - Stachys aspera		POW
	Temporary Matting		Critical Areas		B&V Surveyed Watercourses
	Pulling Locations		B&V Surveyed Wetland Buffer Area		25ft Riparian Zone Buffer Area
	B&V Surveyed Watercourses		MD State DNR Wetlands		25ft MD State DNR Wetland Buffer Area
	25ft Surveyed Wetland Buffer Area		MD Wetlands of Special State Concern (WSSC)		100R MD Wetlands of Special State Concern Buffer Area
	25ft Riparian Zone Buffer Area		FEMA 100-year Floodplain		

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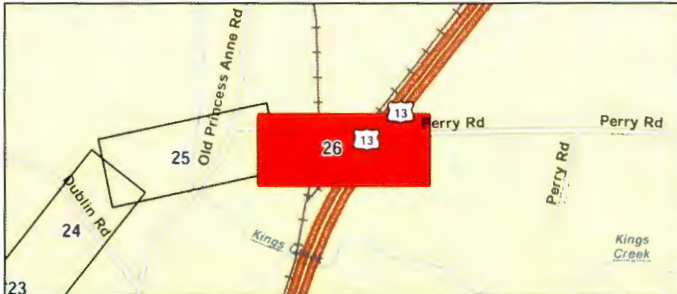
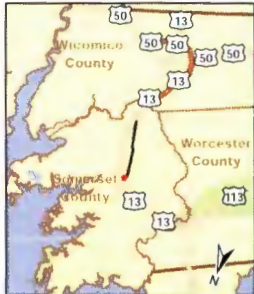
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0 50 100 200
 Feet
 1 inch equals 100 feet
 when viewed at 11x17

Notes:
 1. Features outside ROW sourced from public domain GIS data.
 2. 2' contours obtained from the Maryland DNR.
 3. Field wetland delineation and flagging performed by CRI during November 2013
 4. Wetland flags located by SAM, Inc. with a Trimble® Dual Frequency GPS unit in November 2013.
 5. Aerial Source - USGS 2010
 6. Other Data Sources: Coastal Resources Inc., FEMA, MD DNR, MD SHA.

Project Plans
 Kings Creek to Loretto
 OPGW Project

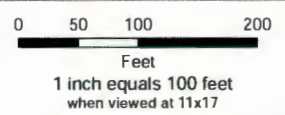
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Structures To Be Replaced		Contour Lines (2-foot)		Legend	
H-Frame Structure	Project Area	B&V Surveyed Wetlands	B&V Surveyed Watercourses	Wetland Class	25ft Surveyed Wetland Buffer Area
3-Pole Structure	Temporary Matting	PEM	25ft Riparian Zone Buffer Area	PSS	MD State DNR Wetlands
Existing Structures	Pulling Locations	PFO	25ft MD State DNR Wetland Buffer Area	EZEM	MD Wetlands of Special State Concern (WSSC)
H-Frame Structure	RTE - Bidens coronata	E2EM	100ft MD Wetlands of Special State Concern Buffer Area	POW	FEMA 100-year Floodplain
3-Pole Structure	RTE - Ludwigia glandulosa				
Circuit	RTE - Stachys aspera				
Access Path	Critical Areas				
Streams (USGS NHD)					

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