Public Notice

U.S. Army Corps of Engineers
Baltimore District

In Reply to Application Number
CENAB-OP-RMS (DPL/Circuit 6742 Transmission Line Rebuild Project) 2014-60934

PN 14-71 Comment Period: December 23, 2014 to January 12, 2015

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

The Baltimore District has received an application for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Delmarva Power & Light
A subsidiary of Pepco Holdings, Inc
C/o Chuck Reed
401 Eagle Run Road, Mailstop 79NC64
Newark, Delaware 19714

LOCATION: In unnamed tributaries of the Sinepuxent Bay and adjacent wetlands; Herring Creek and adjacent wetlands; unnamed tributaries of Herring Creek and adjacent wetlands; Kitts Branch and adjacent wetlands; unnamed tributaries of Kitts Branch and adjacent wetlands; Ayers Creek; unnamed tributaries of Ayers Creek and adjacent wetlands along 7.44 miles of a 50 to 150-foot wide right of way from the Culver substation located at the intersection of Golf Course Road and Old Bridge Road in West Ocean City, Worcester County, Maryland to the Berlin Substation located on Old Ocean City Road (Route 346) in Berlin, Worcester County, Maryland.

WORK: The project was originally authorized under DA permit CENAB-OP-RMS (DPL/ Circuit 6742 Transmission Line Rebuild Project) 2014-60934 on November 12, 2014. As a result of re-revaluation of the feasibility of project construction, including the alignment of temporary impacts, the applicant has requested a modification to the authorized permit plans. The modified proposal would include an additional 1.1886 acres of temporary construction matting. The applicant proposes to remediate impacts to wetlands associated with the utilization of mats following completion of construction. The modified project is described below:

The proposed project would upgrade an existing electrical line on wooden poles. The applicant proposes to cut the existing wooden poles at grade and remove to an upland disposal site; to replace approximately 7.44 miles of a 69 kV electrical utility line, including the replacement of 143 wooden poles with 75 to 85-foot tall single-pole steel structures driven directly into the ground or placed within an 8-foot diameter (50 square feet) poured concrete foundation. The project would include the installation of 34 new single-pole steel structures within a non-tidal wetland mosaic and two new single-pole steel structures within tidal wetlands, resulting in permanent impacts to approximately 149 square feet of nontidal wetlands and 100 square feet of tidal wetlands. The project includes the conversion of approximately 2,147 square feet of forested tidal wetlands to scrub-shrub tidal wetlands during construction that would be maintained by tree clearing every three to four years. The method of work for wetland conversion is to be conducted by equipment on mats, as identified in the project plans, or to be done by hand. Existing vegetation would be cut above the soil line; material would be hauled out of wetland areas by mats; and any stumps below the soil surface would remain in place. The removed material would be placed, chipped, or chopped in an upland location in the project area and left in place.

Temporary composite interlocking mats would be utilized during construction and would result in temporary impacts to approximately 2.9541 acres of nontidal wetlands and 0.1332 acres (5,800 square feet) of tidal wetlands. The applicant proposes to remediate impacts to wetlands associated with the utilization of mats following completion of construction. Construction would also include temporary bridging of nontidal jurisdictional tributaries for temporary access.

The project includes realignment of a portion of the existing right-of-way (ROW) between poles 126 to 135 along Sunset Avenue in West Ocean City, Worcester County, Maryland to reduce impacts to existing natural resources and improve accessibility to the ROW for future maintenance.

All work is to be completed in accordance with the proposed plan(s). More detailed impact plates are available upon request. If you have any questions concerning this matter, please contact Ms. Laura Shively of this office at (410) 962-6011 or via email at laura.shively@usace.army.mil.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent practicable. The majority of the project would be replacement of existing poles within 10 feet of the original wooden pole position. A portion of the utility line was realigned and would reduce impacts to jurisdictional wetlands. The new single-pole steel structures are proposed in close proximity to current pole locations to reduce impacts to existing wetland habitat and the existing poles would be cut at the substrate and disposed at an off-site location to reduce permanent impacts and soil disturbance within wetland areas. The applicant has proposed to remediate all temporary access impacts following completion of the work. Compensatory mitigation is not being proposed by the applicant for impacts to open water (inter-tidal and sub-tidal) habitat.

The purpose of the project is to increase the ampacity of Circuit 6742 to meet local electricity demands.

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 effect essential fish habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for *Pleuronectes americanus* (winter flounder), *Scopthalmus aquosos* (windowpane flounder), *Pomatomus saltatrix* (blue fish), *Stenotomus chrysops* (scup), *Centropristus striata* (black sea bass), and *Paralicthys dentatus* (summer flounder) juvenile and adult; *Urophycis chuss* (red hake) eggs, larvae, and juvenile; *Peprilus triacanthus* (Atlantic butterfish) and *Sphyrna lewini* (scalloped hammerhead shark) juvenile; *Clupea harengus* (Atlantic sea herring) and *Prionance glauca* (blue shark) adult; *Odontaspis taurus* (sand tiger shark) larvae and adult; *Squatina dumerili* (Atlantic angel shark) and *Charcharinus plumbeus* (sandbar shark) larvae, juvenile, and adult; *Charcharinus obscurus* (dusky shark) and *Galeocerdo cuvieri* (tiger shark) larvae; and eggs, larvae, juvenile, and adult stages of *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia); all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by alteration of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on approximately 5,900 square feet (0.1354 acres) of EFH as described under the MSFCMA for the species and life stages identified above. This habitat consists of a mostly intertidal marsh habitat that does not support submerged aquatic vegetation (SAV) or hard clams (*Mercenari mercenary*). The proposed project would temporarily disturb approximately 5,800 square feet of tidal wetlands; convert a tidal forested wetland to scrub-shrub wetland habitat; and permanently impact 100

square feet of tidal wetlands. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. Temporary impacts would be remediated following completion of the proposed work. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

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 and fiber production, 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, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

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, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230 within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

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 listed 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 requested permit.

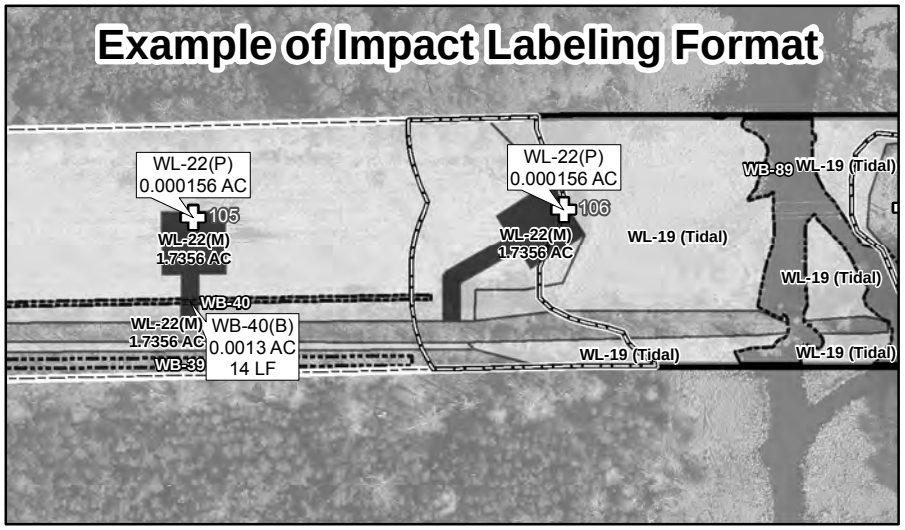
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest, which may be adversely affected by the issuance of this permit, may request a public hearing. The District Engineer must receive the request, which must be in writing, U.S. Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest that may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known 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

Kathy B. Anderson
Chief, Maryland Section Southern



On individual map pages, impacts are labeled with their Wetland or Waterbody ID (WL or WB), then impact type in parentheses, then Acreage (AC) and/or Linear Feet (LF) of impact. Wetland impacts can be Permanent (P), Forested Wetland Conversion (FWC), or Temporary Matting (M). Temporary Bridging (B) is the only Waterbody impact type.

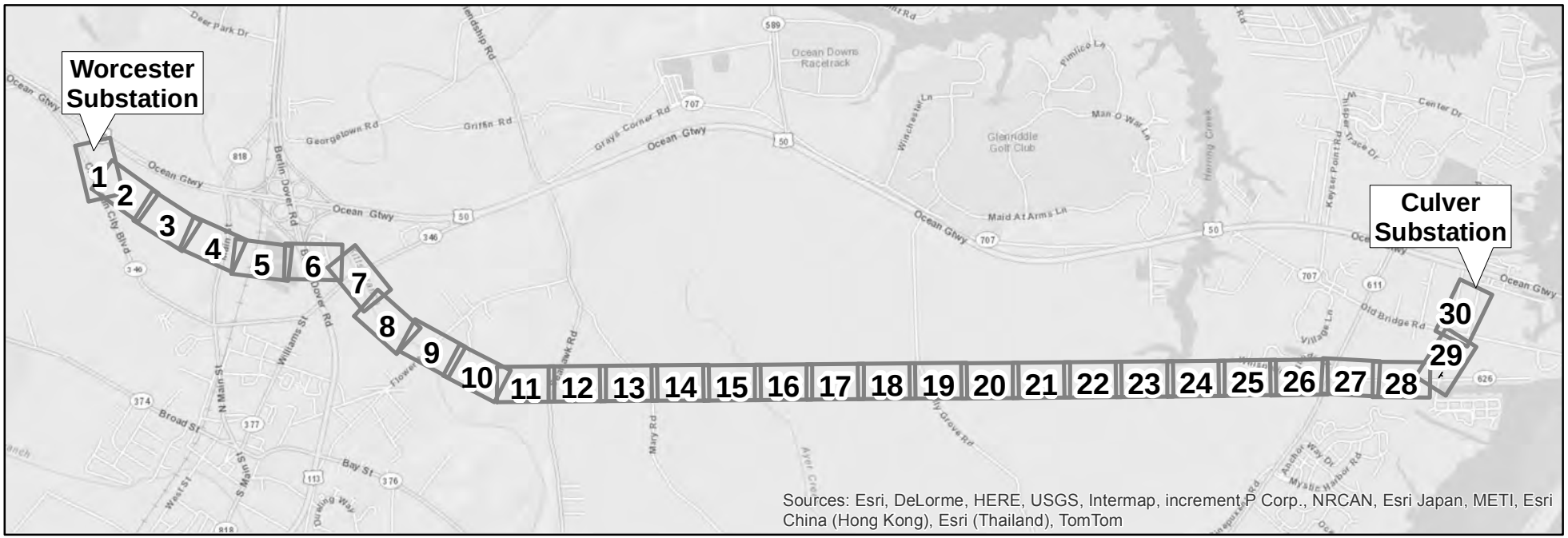
(B), (P), and (FWC) impacts are labeled individually, the acreages of each impact should be totaled to calculate the impact to the entire Wetland or Waterbody. Matting (M) impact totals are labeled per wetland, each label for a wetland indicates the total matting impact in that wetland. Multiple (M) labels do not indicate additional matting impacts.

In the example at left, the following impacts are labeled:

- Two separate Permanent (P) impacts to wetland WL-22, each of which is 0.000156 acres in size, due to the installation of proposed utility poles 105 and 106. Each label indicates a separate impact.

- One Temporary Bridging (B) impact to waterbody WB-40, 0.0013 acres in area, with 14 linear feet of impact. Each label indicates a separate impact.

- The total Temporary Matting (M) impact to wetland WL-22, which is 1.7536 acres. This label includes the total impact of all matting present within the named wetland, even if the wetland spans multiple map pages and is labeled multiple times.



0 0.5 1 2 3 4 5 Miles

Legend

- Wetland and Waterbody Impact Map Page
- Proposed Structure Location
- Temporary Matting and Bridging Impact
- Forested Wetland Conversion Impact
- Critical Area 100-ft. Buffer
- Critical Area
- PHI Delineated Wetlands
- PHI Delineated Waterbodies
- Project Study Area

Wetland and Waterbody Impacts Map Index

Worcester to Culver Rebuild
Worcester County, Maryland

Cardno ENTRIX
10 Corporate Circle, Suite 300
New Castle, DE 19720
ph. (302) 395-1919
fx (302) 395-1920
www.cardnoentrix.com

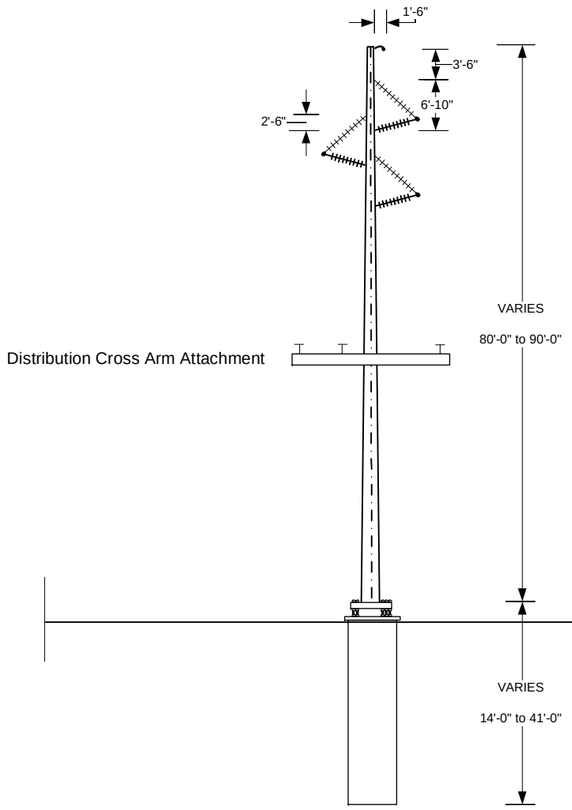
Spatial Coordinates (Longitude & Latitude, WGS84)
Upper left-hand corner: -75.2398000 38.3574180
Lower right-hand corner: -75.0965130 38.3165140

6/2/2014, 4:09 PM | GIS Analyst: Dan.Call | Map Document: S:\GIS\PHI - Worcester to Ocean City Rebuild\MXD\USACE B+W Wetland and Waterbody Impact Maps Index 20140522.mxd | Plot Size: 8.5" x 11"

Circuit 6724 Worcester – Ocean City

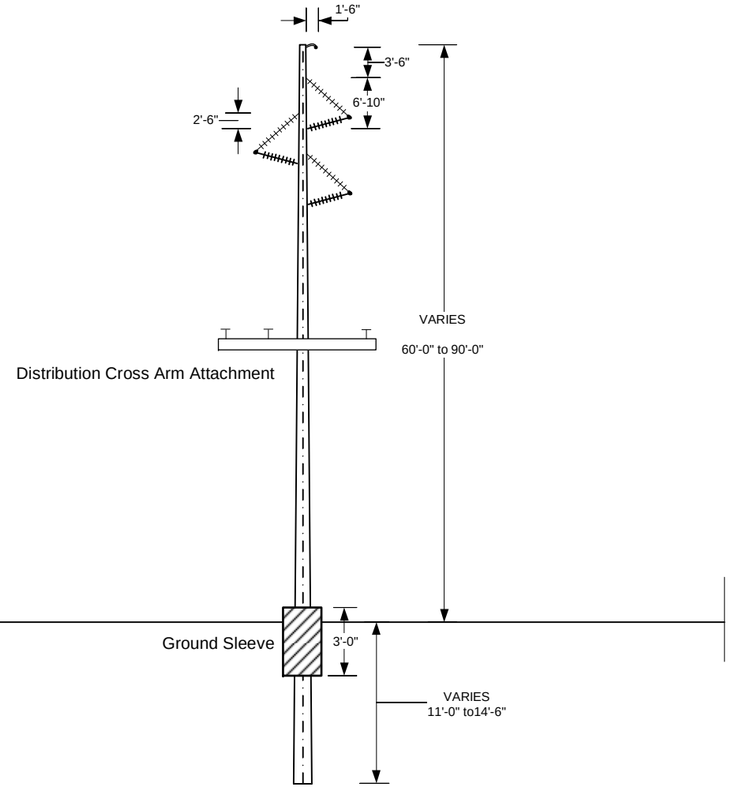
Proposed Configuration

CAISSON
FOUNDATION



NUMBER OF STRUCTURES: 43
AVERAGE CAISSON LENGTH: 23 FEET

DIRECT EMBEDMENT
FOUNDATION



NUMBER OF STRUCTURES: 76

STRUCTURE CONFIGURATION:	SINGLE POLE, STEEL, DELTA
INSULATOR TYPE:	HORIZONTAL BRACED POST
AVERAGE SPAN LENGTH:	275'
STATIC WIRE:	OPGW
CONDUCTOR TYPE:	1590 ACSR 45/7

ALL DIMENSIONS ARE TYPICAL APPROXIMATIONS
CONDUCTOR WILL BE PERPENDICULAR TO THE PAGE

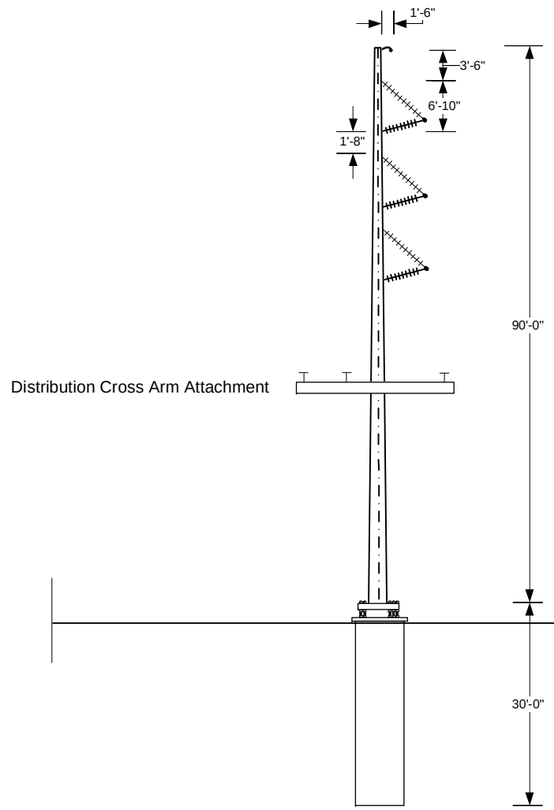
FOR REFERENCE ONLY
Date: July 2014
Not To Scale

Cross Section
Tangent Structures
Delta Configuration

Circuit 6724 Worcester – Ocean City

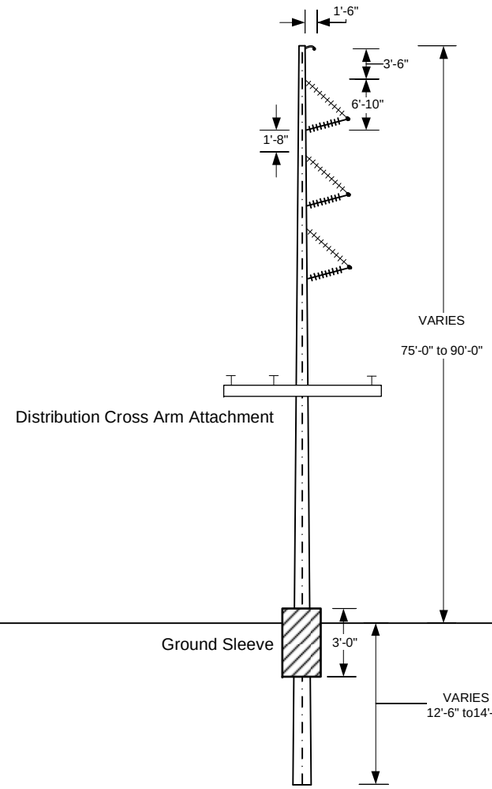
Proposed Configuration

CAISSON
FOUNDATION



NUMBER OF STRUCTURES: 1

DIRECT EMBEDMENT
FOUNDATION



NUMBER OF STRUCTURES: 8

STRUCTURE CONFIGURATION:	SINGLE POLE, STEEL, VERTICAL
INSULATOR TYPE:	HORIZONTAL BRACED POST
AVERAGE SPAN LENGTH:	275'
STATIC WIRE:	OPGW
CONDUCTOR TYPE:	1590 ACSR 45/7

ALL DIMENSIONS ARE TYPICAL APPROXIMATIONS
CONDUCTOR WILL BE PERPENDICULAR TO THE PAGE

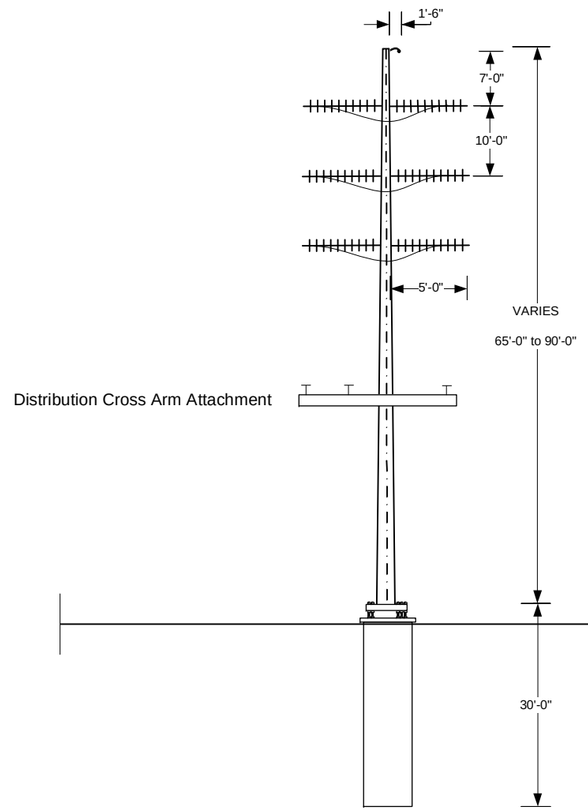
FOR REFERENCE ONLY
Date: July 2014
Not To Scale

Cross Section
Tangent Structures
Vertical Configuration

Circuit 6724 Worcester – Ocean City

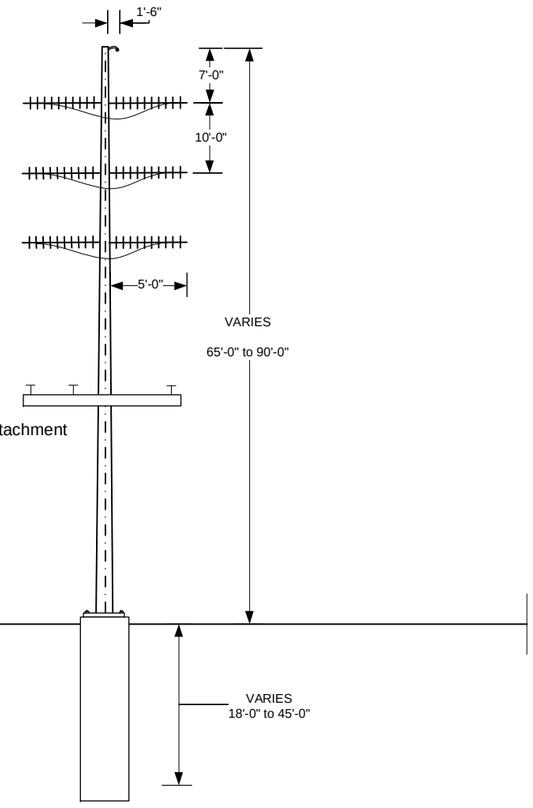
Proposed Configuration

CAISSON
FOUNDATION



NUMBER OF STRUCTURES: 19

CONCRETE ANCHOR BOLT
FOUNDATION



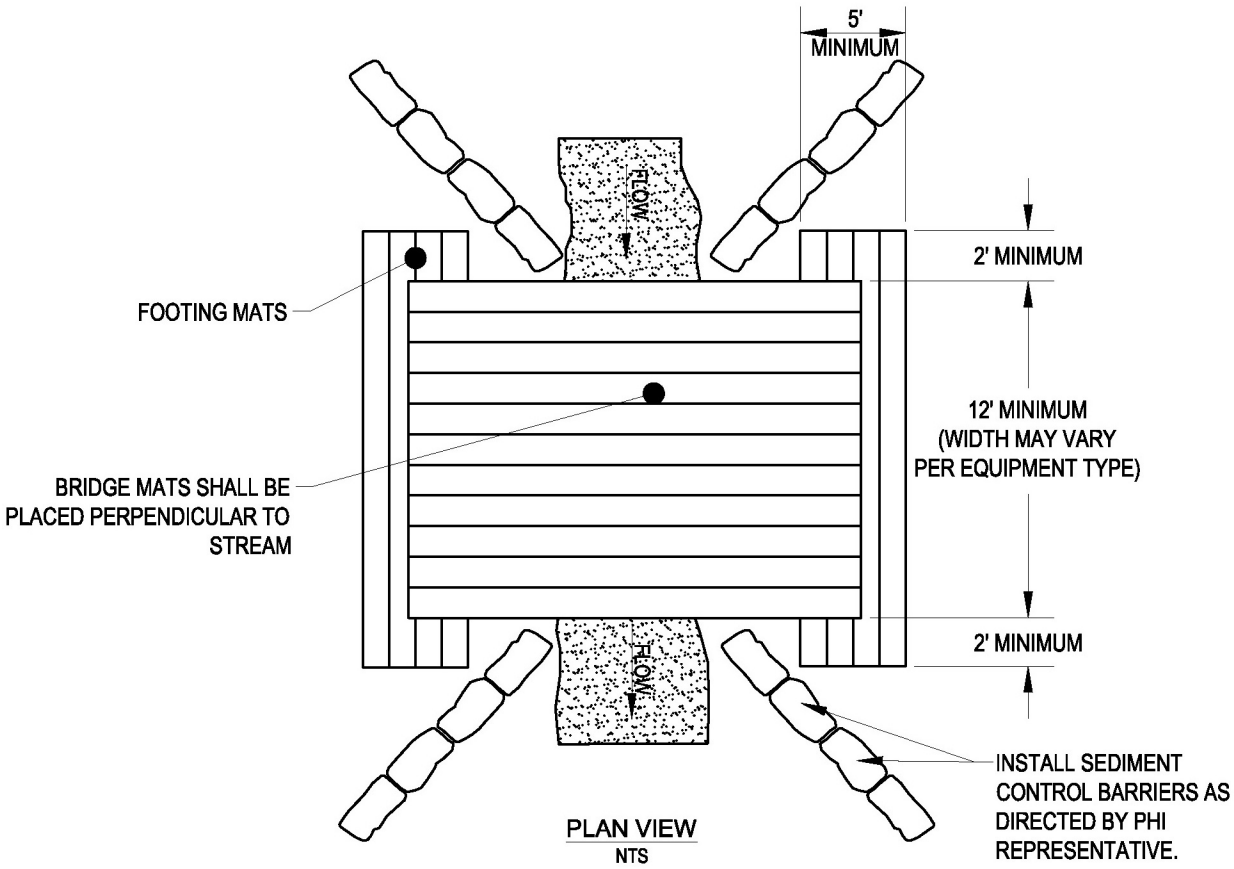
NUMBER OF STRUCTURES: 4

STRUCTURE CONFIGURATION:	SINGLE POLE, STEEL
INSULATOR TYPE:	STRAIN DEAD END
AVERAGE SPAN LENGTH:	275'
STATIC WIRE:	OPGW
CONDUCTOR TYPE:	1590 ACSR 45/7

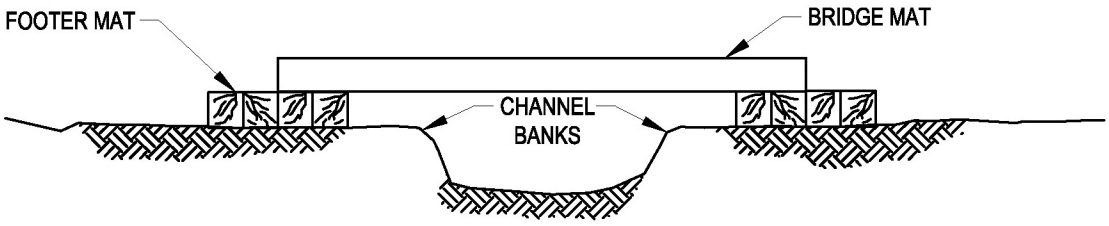
ALL DIMENSIONS ARE TYPICAL APPROXIMATIONS
CONDUCTOR WILL BE PARALLEL TO THE PAGE

FOR REFERENCE ONLY
Date: July 2014
Not To Scale

Cross Section
Dead End Structures



PLAN VIEW
NTS



SECTION VIEW
NTS

NOTES:

1. TEMPORARY BRIDGE MATS SHALL BE INSTALLED SUCH THAT NEITHER THE CHANNEL BANKS NOR THE STREAM BED ARE DISTURBED.
2. BRIDGE PLACEMENT - A TEMPORARY BRIDGE STRUCTURE SHALL BE CONSTRUCTED ABOVE THE BANK ELEVATION TO PREVENT THE ENTRAPMENT OF FLOATING MATERIALS AND DEBRIS.
3. BRIDGE SPAN - BRIDGE SHALL BE CONSTRUCTED TO SPAN THE ENTIRE CHANNEL. NO FOOTINGS, PIERS, OR BRIDGE SUPPORTS SHALL BE CONSTRUCTED WITHIN THE WATERWAY.
4. FOOTER AND BRIDGE MAT MATERIALS - ALL MATS SHALL EITHER BE LOGS, SAWN TIMBER, PRESTRESSED CONCRETE BEAMS, METAL BEAMS, OR OTHER APPROVED MATERIALS.
5. BRIDGE MAT - BRIDGE MAT(DECKING) MATERIALS SHALL BE OF SUFFICIENT STRENGTH TO SUPPORT THE ANTICIPATED LOAD. ALL DECKING MEMBERS SHALL BE PLACED PERPENDICULAR TO FOOTER MATS AND STREAM CHANNEL. DECKING MATERIALS MUST BE BUTTED TIGHTLY TOGETHER TO PREVENT ANY SOIL MATERIAL TRACKED ONTO THE BRIDGE FROM FALLING INTO THE WATERWAY BELOW.

Temporary Stream Crossing - Bridge Mats

Worcester to Culver Rebuild
Worcester County, Maryland

Cardno ENTRIX
10 Corporate Circle, Suite 300
New Castle, DE 19720
ph. (302) 395-1919
fx (302) 395-1920
www.cardnoentrix.com

July 10, 2014