

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Numbers
**CENAB-OP-RMS (DELMARVA POWER & LIGHT/ PINEY GROVE
TO NEW CHURCH 2016-61596**

PN 17-06

Comment Period: January 19, 2017 to February 8, 2017

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
Kim Teoli, EIT
79NC64 P.O. Box 9239
Newark, Delaware 19714-9239

LOCATION OF THE PROPOSED WORK: In nontidal wetlands adjacent to or abutting unnamed tributaries to Dividing Creek, the Pocomoke River and Nassawango Creek along the existing 21.8 mile Delmarva Power & Light Right of Way, from Piney Grove Substation south of Salisbury, at the Wicomico-Worcester County line to the New Church Substation, in New Church, Accomack County, Virginia. The actual project areas are located in a 6.29 mile portion of the ROW at the Wicomico-Worcester County line south and near Pocomoke City, all in Worcester County, Maryland.

WORK AND PURPOSE: To replace, conductors, insulators, cross-arms and/or structures along 6.29 miles of existing transmission line. The project would consist of the construction of seven (7) H-frame structures, one (1) guyed angle structure, insulators replaced on five (5) structures and cross-arms replaced on two (2) structures. The construction of the H-frame structures would permanently impact approximately 18 square feet (0.0005 acres) of nontidal wetlands and the temporary use of construction matting would impact approximately 87,399 square feet (2.006 acres) of nontidal wetlands. No wetland conversion is proposed for these projects. 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.

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 new H-frame structures will be replaced new in-kind within 5 feet of the existing structure, and 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, Department of the Army, Baltimore District Corps of Engineers, Attn: Regulatory Branch, 10 S. Howard Street, Baltimore, Maryland 21201, 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.

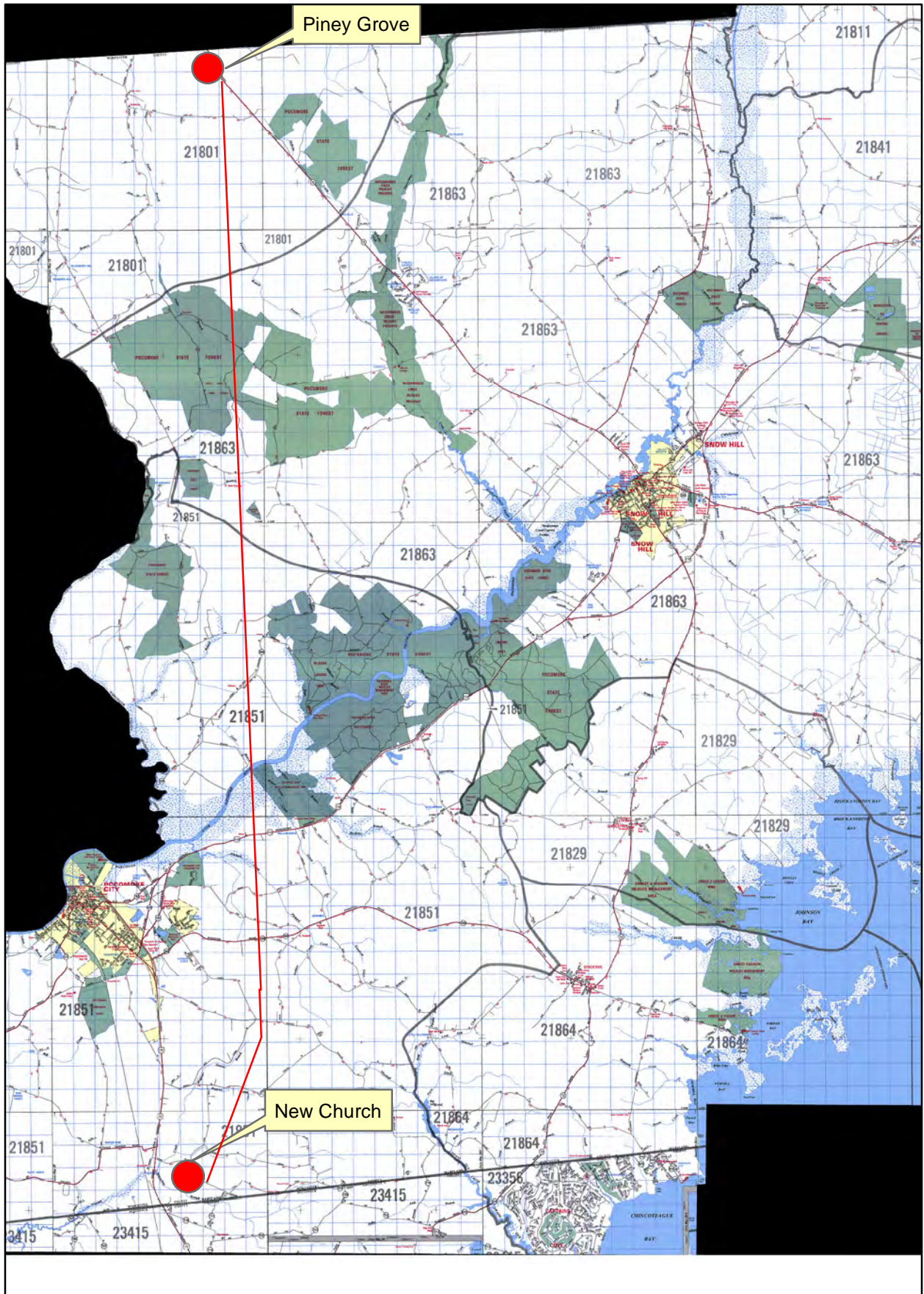
The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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, Department of the Army, Baltimore District Corps of Engineers, Attn: Regulatory Branch, 10 S. Howard Street, Baltimore, Maryland 21201, 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



1 inch = 12,500 feet

Location Map



Project Area

Sources: USGS (2016)

Coordinate System:
 NAD 1983 StatePlane Maryland FIPS
 1900 Feet
 Datum: North American 1983

August 18, 2016

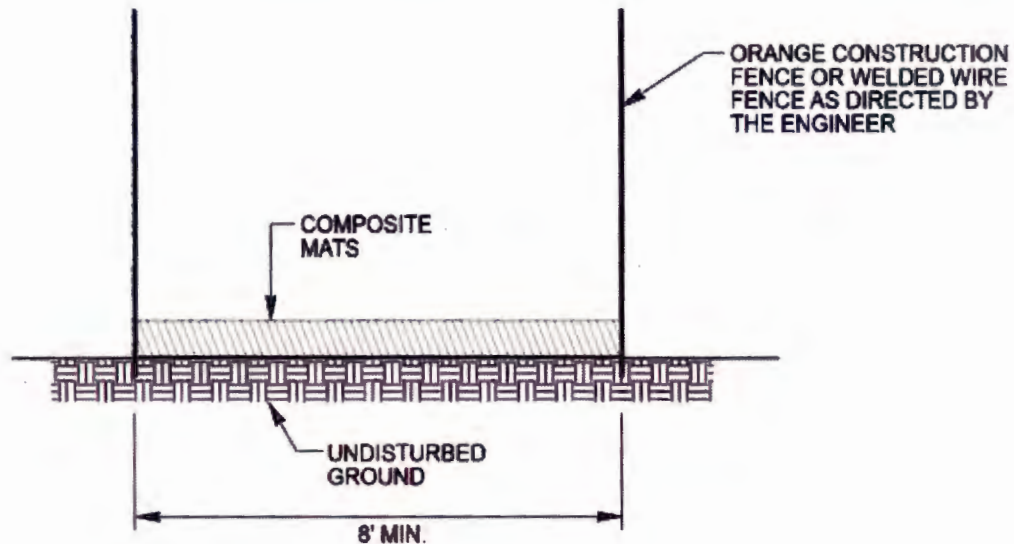


**MARYLAND MAINTENANCE:
 PINEY GROVE-NEW CHURCH
 Figure 1: Regional Location**



**DETAIL B-3-1 ACCESS ROAD
COMPOSITE MATTING**

STANDARD SYMBOL



PROFILE



PLAN VIEW

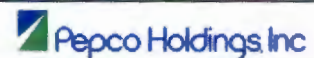
CONSTRUCTION SPECIFICATIONS

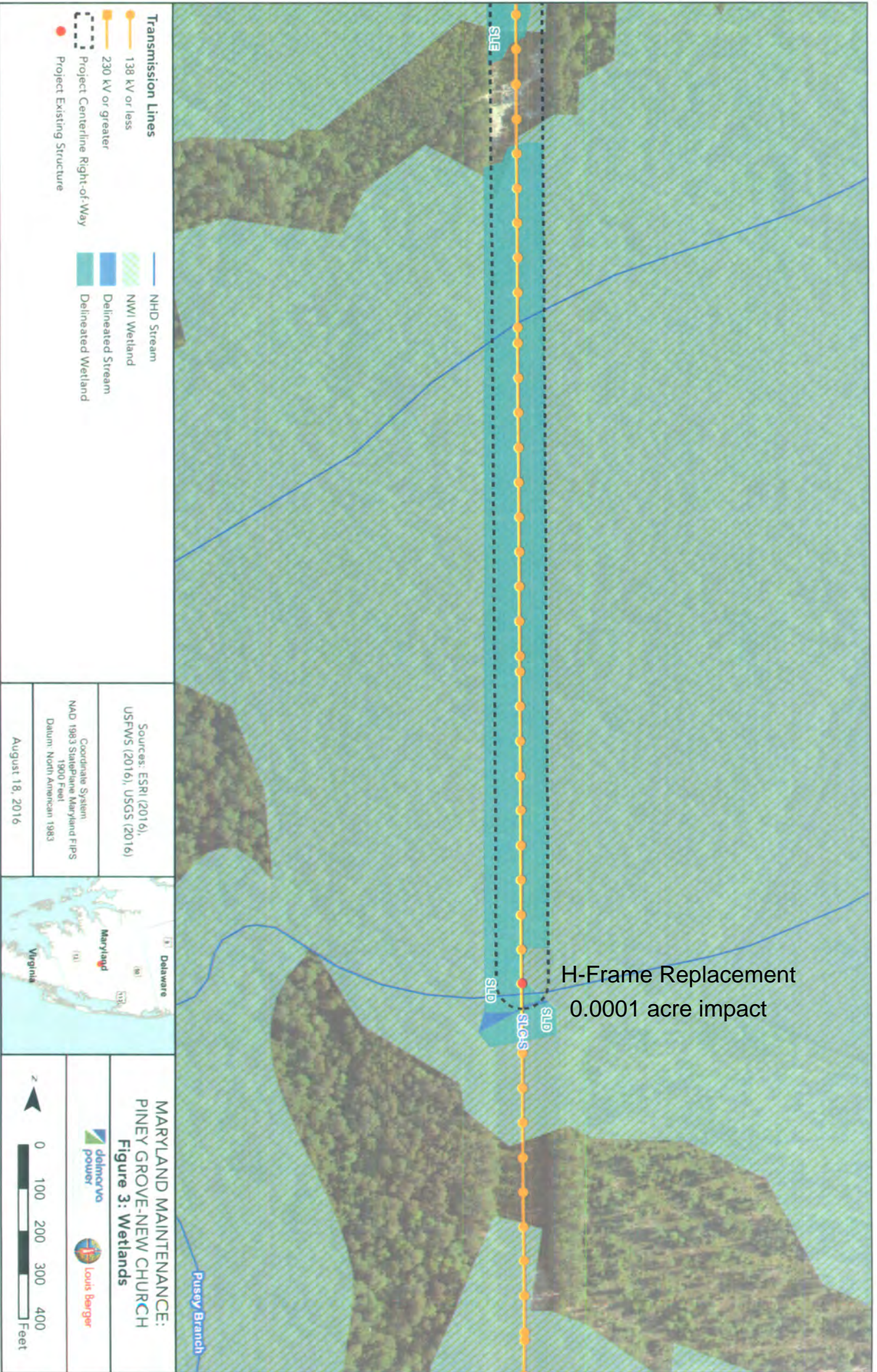
1. COMPOSITE MATS TO BE INSTALLED AS INDICATED ON CONSTRUCTION DOCUMENTS OR AS DIRECTED BY ENGINEER.
2. ACCESS ROUTES TO BE VERIFIED BY ENGINEER AT PRE-CONSTRUCTION MEETING. REVISIONS TO THE ALIGNMENT THAT MINIMIZE DISTURBANCE ARE ENCOURAGED, AND REQUIRE REVIEW AND APPROVAL BY THE ENGINEER.
3. CONTRACTOR SHALL MAINTAIN COMPOSITE MAT THROUGHOUT CONSTRUCTION PERIOD.
4. SCARIFICATION OF THE ROADWAY AND STABILIZATION TO OCCUR UPON REMOVAL OF ACCESS ROAD.

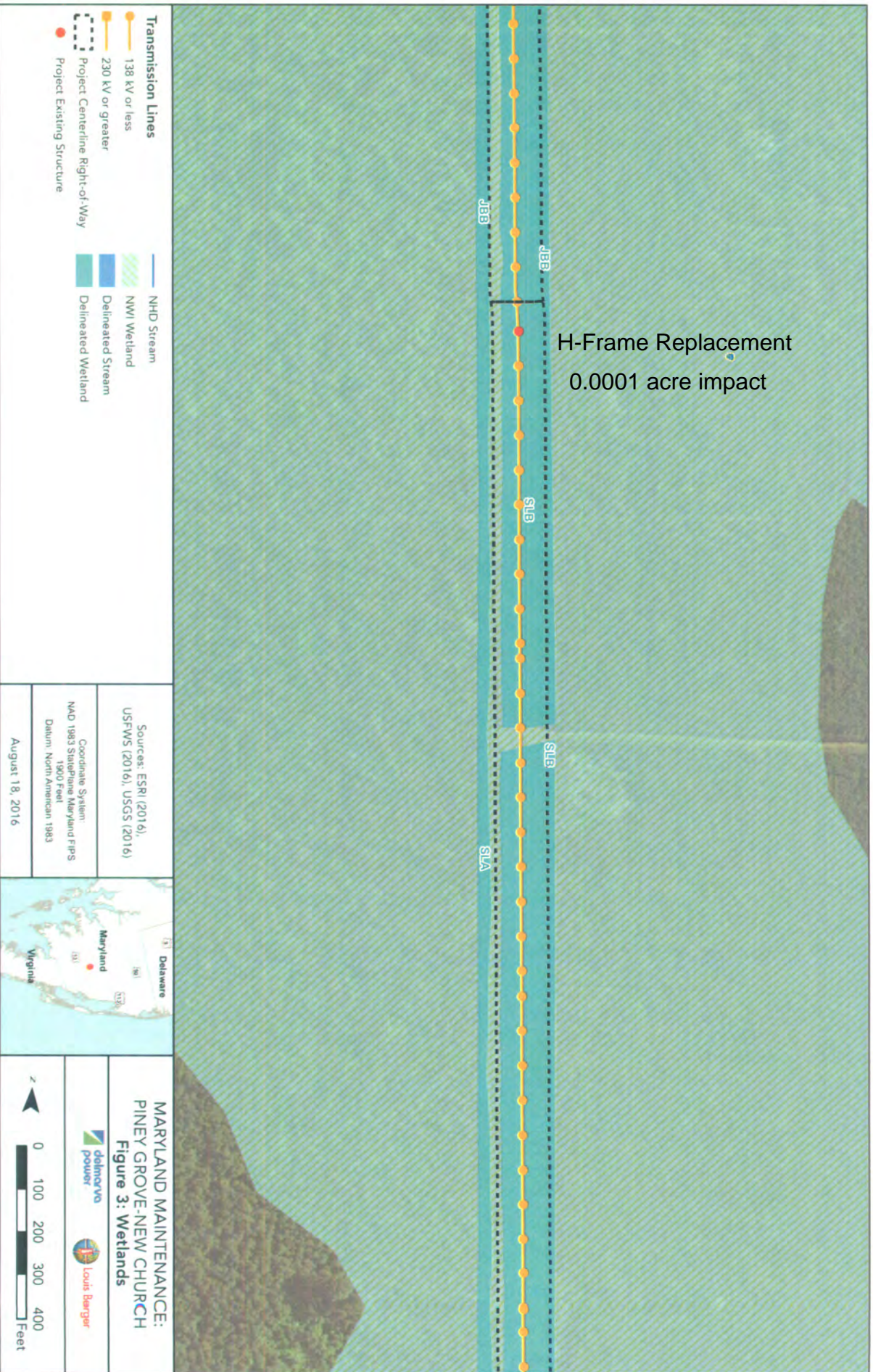
PHI STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL

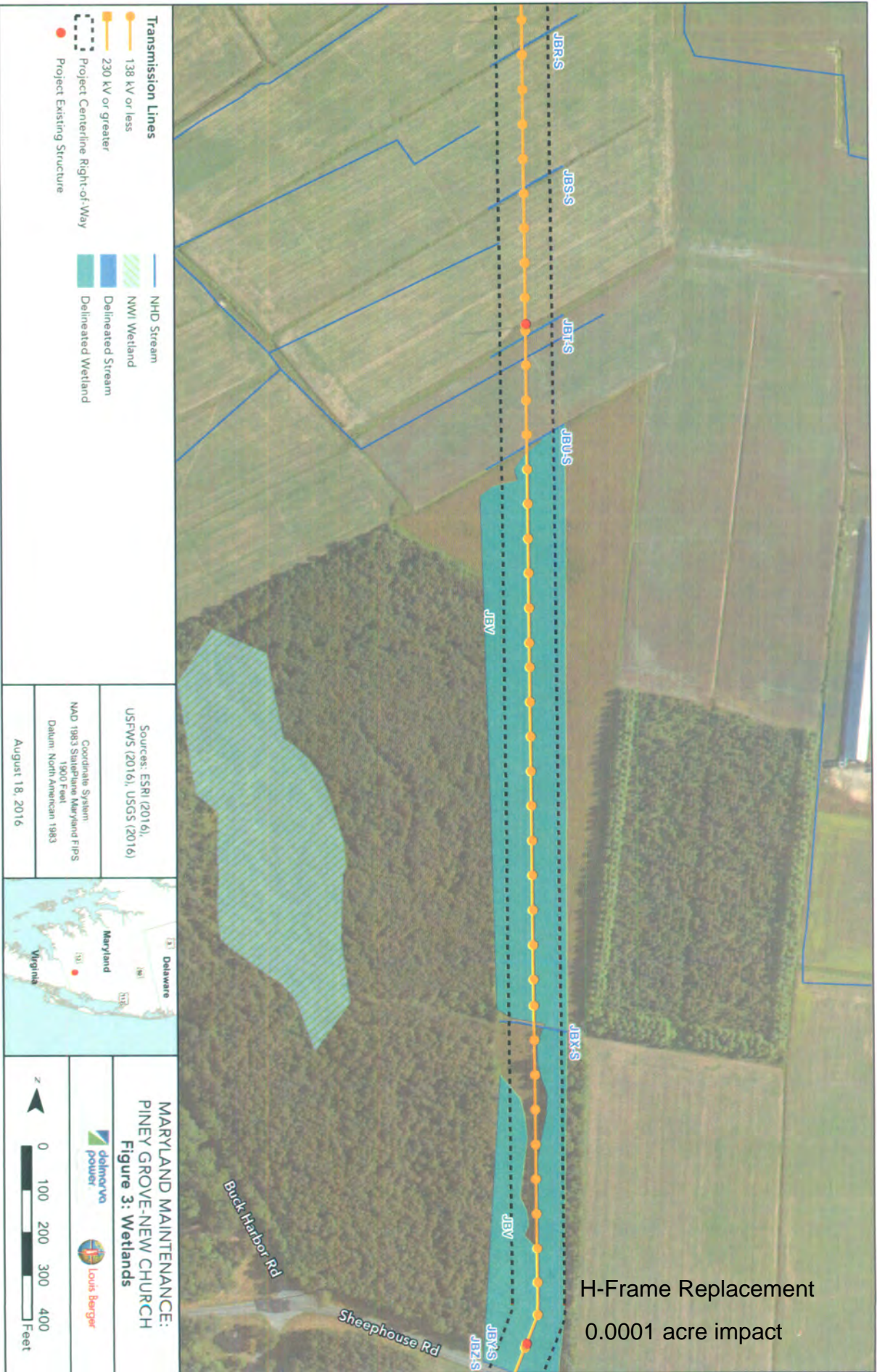
SOURCE: U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

AUGUST 30, 2013
REVISION 1.0

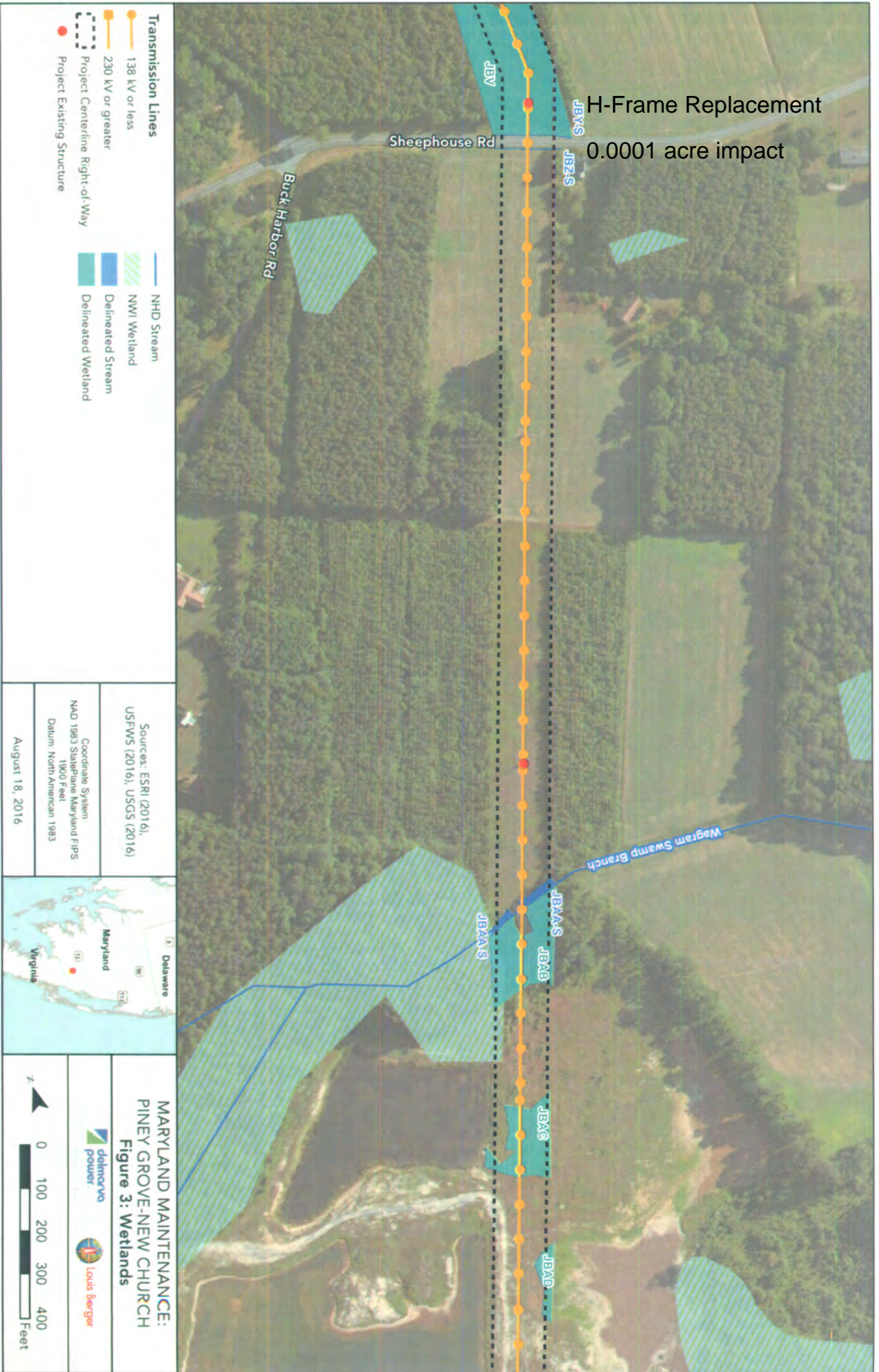








H-Frame Replacement
 0.0001 acre impact



H-Frame Replacement
0.0001 acre impact

- Transmission Lines**
- 138 kV or less
 - 230 kV or greater
- Wetlands**
- NHD Stream
 - NWI Wetland
 - Delimited Stream
 - Delimited Wetland
- Other Features**
- Project Centerline Right-of-Way
 - Project Existing Structure

Sources: ESRI (2016),
USFWS (2016), USGS (2016)

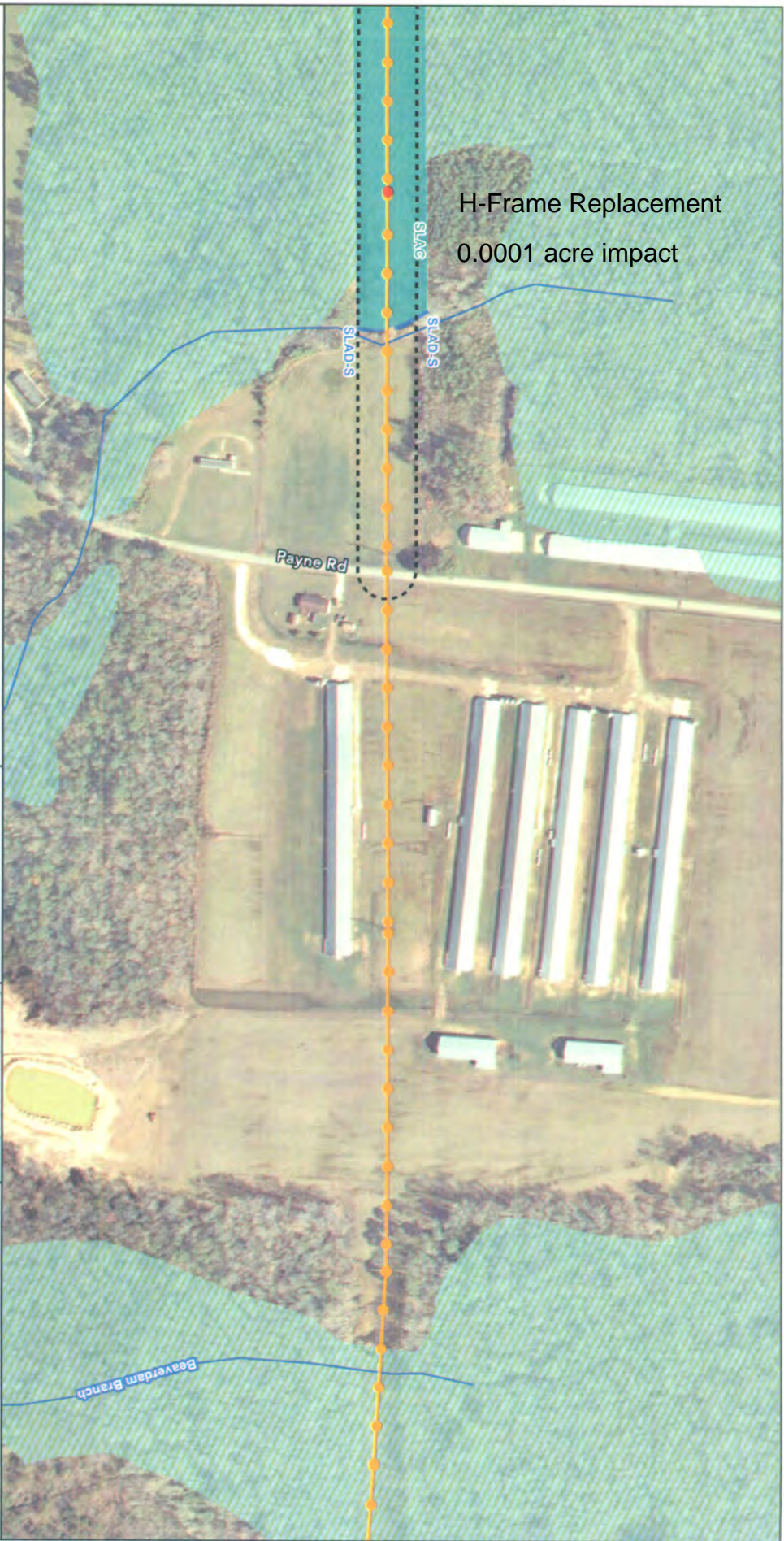
Coordinate System
NAD 1983 StatePlane Maryland FIPS
1900 Feet
Datum: North American 1983

August 18, 2016



MARYLAND MAINTENANCE:
PINEY GROVE-NEW CHURCH
Figure 3: Wetlands

0 100 200 300 400
Feet



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