



U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply to Application Number  
NAB-OPR-M (DP&L 23002 Piney Grove to Indian River -  
Maintenance) 2018-60111

PN 18-27

Comment Period: May 14, 2018 to June 14, 2018

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**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 404 of the Clean Water Act (33 U.S.C. 1344)**, as described below:

**APPLICANT:** Delmarva Power & Light Company (DP&L)  
A subsidiary of Exelon Corporation  
C/o Ms. Annina Hazel  
P.O. Box 9239  
Newark, Delaware 19714-9239

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** In nontidal wetlands draining to Widow Hawkins Branch, Horsebridge Creek, Waste Gate Creek, Nassawango Creek, Campbell Ditch, Aydelottee Branch, Burnt Mill Branch, Race Branch, and South Fork Green Run.

**PROPOSED WORK AND PURPOSE:** To conduct maintenance activities along an approximately 12.1 mile long 69/138 kV aerial transmission line, within the existing utility right-of-way (ROW), beginning at the Piney Grove Substation located at 3779 Layfield Road in Salisbury, Wicomico County, Maryland and ending at the Maryland-Delaware State line at the intersection of Line Church Road and Stockley Road as follows: to emplace temporary construction matting for utility line pole access to replace structural braces and cross-arm members on 176 existing H-frames and to replace 9 existing pole structures with 3 pole structures. The project would result in total permanent impacts to approximately 246 square feet (0.005 acres) of nontidal wetlands at pole structures #185 and #113; temporary impacts to approximately 299,176 square feet (6.868 acres) of nontidal wetlands for emplacing temporary construction access matting at each line structure. The work includes 371 linear feet of temporary stream crossings within an approximately 2,503 square feet (0.057 acres) area. All pole structures removed would be hauled off-site to an upland disposal (non-wetland) site.

The purpose of the project is to ensure the line's integrity and prevent power outages. The work would be achieved by removing and replacing older existing pole structures with new structures, replacing existing braces and cross-arms, and repairing as necessary deteriorated line items as part of the scheduled utility line maintenance activities.

**AVOIDANCE AND MINIMIZATION STATEMENT:** 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 impacts are

temporary in duration and are a result of emplacing temporary interlocking composite matting for construction vehicle access within the existing maintained utility line ROW easement. The permanent impacts are due to placing two new pole structures in close proximity to the original pole structure positions within nontidal wetlands to keep the centerline of the transmission line from deviating from the existing ROW. Due to the linear nature of the project and the route being limited to the existing ROW, there are few options available for complete avoidance. Of the 9 proposed replacement pole structures, only 2 are proposed in nontidal wetlands. Existing access roads currently used during regular ROW maintenance activities would be utilized to the greatest extent possible. Temporary construction access within wetlands was designed to be the minimum width required for construction vehicle access. All stream crossings would be bank-to-bank with no permanent impacts to channel or flow. Where practicable, stream crossings would occur from existing roadways or culvert crossings or through the use of a temporary bank-to-bank bridge crossing. The proposed project would not require replacement of existing culverts.

**MITIGATION STATEMENT:** The applicant has proposed to remediate all temporary construction access impacts following completion of the work. Compensatory mitigation is not being proposed by the applicant for the permanent loss of approximately 0.00556 acres of nontidal wetlands at this time. The permanent impacts are under 1/10<sup>th</sup> of an acre of loss.

All work is proposed to be completed in accordance with the attached plan(s) and work description. If you have any questions concerning this matter, or would like to submit written comments, please contact: Mr. Jason R. Peters, Baltimore District, Corps of Engineers, Regulatory Branch, Easton Field Office, Talbottown Shopping Center  
218 N. Washington Street, Suite 51, (410) 820-8550, [Jason.R.Peters@usace.army.mil](mailto:Jason.R.Peters@usace.army.mil).

The decision whether to authorize this project will be based on an evaluation of 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 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, Regulatory Branch,

Easton Field Office, Talbottown Shopping Center 218 N. Washington Street, Suite 51, Easton, Maryland, 21601, within the comment period specified above.

**ESSENTIAL FISH HABITAT:** 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). This project does not lie in or adjacent to EFH as described under the MSFCMA

**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, 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.

**COASTAL ZONE MANAGEMENT PROGRAMS:** The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the State's federally-approved Coastal Zone Management Program (CZMP). By this public notice, we are requesting the State's concurrence or objection to the applicant's consistency certification statement. Public comments relating to consistency must be received by the Coastal Zone Division, MDE, Montgomery Park Business Center, 1800 Washington Blvd., Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that Maryland's CZMP has a statutory limit of six (6) months from the date of this public notice in which to make its consistency determination.

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

**ENDANGERED SPECIES ACT:** A preliminary review of this application using the U.S. Fish and Wildlife Service IPaC online screening tool indicates that the proposed work will not affect any Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act (ESA), as amended. The project location and vicinity is not mapped as critical habitat for any known Federally-listed threatened or endangered species under USFWS' jurisdiction. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

**NATIONAL HISTORIC PRESERVATION ACT:** 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. As the evaluation of this proposal continues, additional information may become available which could modify this preliminary determination.

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.

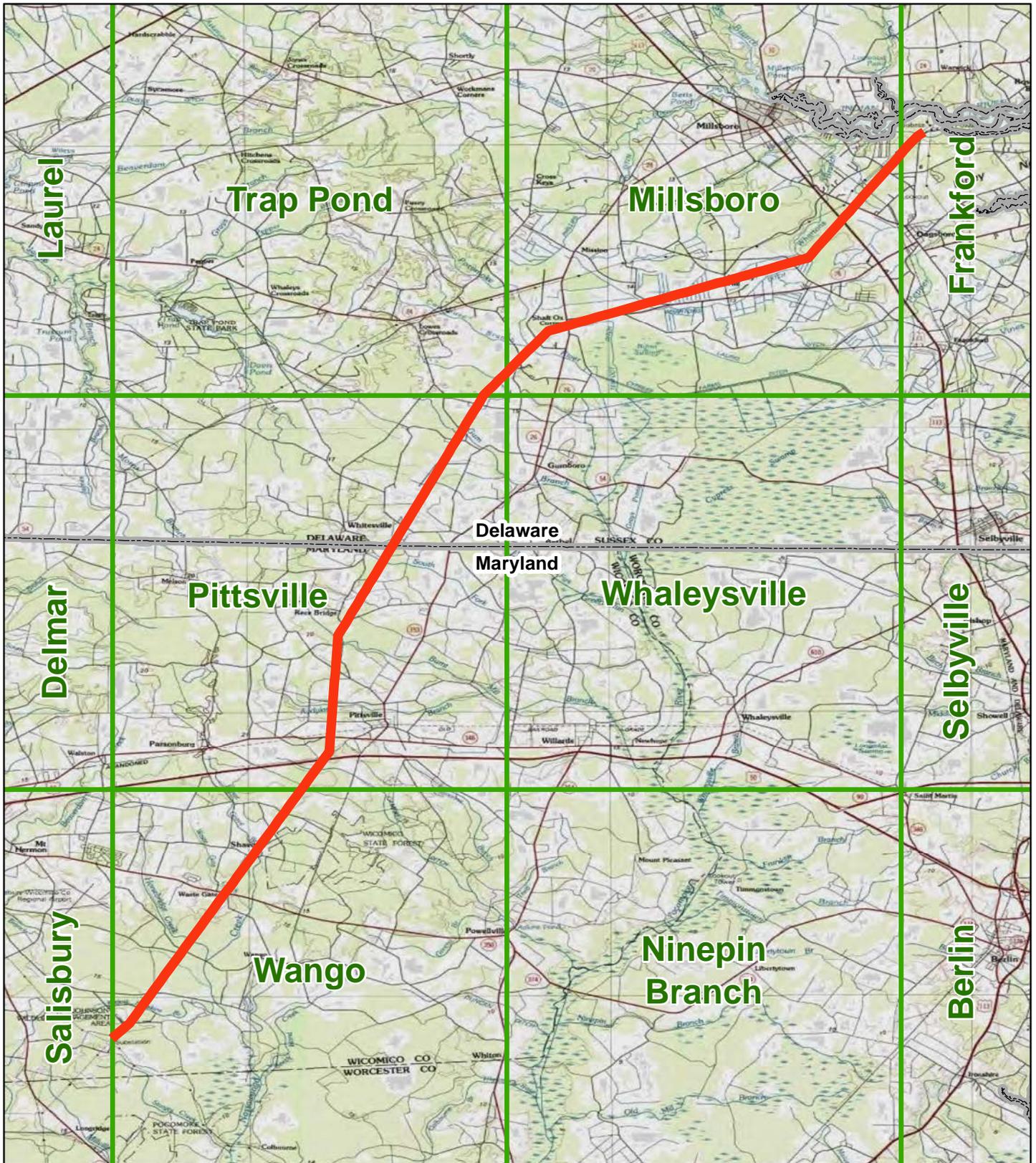
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, District Engineer, U.S.

Army Corps of Engineers, Baltimore District, Regulatory Branch, Easton Field Office, Talbottown Shopping Center, 218 N. Washington Street, Suite 51, Easton, Maryland, 21601, 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 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  
Chief, Maryland Section Southern

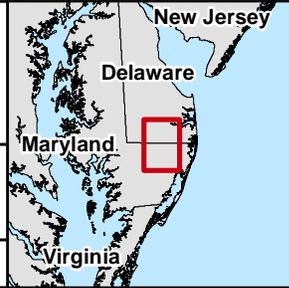


- █ Project Area
- State Boundary
- USGS 24k Topo Quad Boundary

Sources:  
USGS (2013)

Coordinate System:  
NAD 1983

October 11, 2017



**Piney Grove - Indian River**  
Figure 1: Regional Location

  
An Exelon Company



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Plan Sheet	Wetland	Wetland Impact Type	Nontidal Wetland				25-Foot Nontidal Wetland Buffer			
			Permanent Impact		Temporary Impact		Permanent Impact		Temporary Impact	
			SF	AC	SF	AC	SF	AC	SF	AC
FIGURE-5	GRB	PEM	0	0.0000	0	0.0000	0	0.0000	1,598	0.037
	GRA	PEM	0	0.0000	0	0.0000	0	0.0000	1,209	0.028
FIGURE-6	GRA	PEM	236	0.0054	5,371	0.123	0	0.0000	729	0.017
	GRC	PEM	0	0.0000	2,711	0.062	0	0.0000	137	0.003
FIGURE-7	GRC	PEM	0	0.0000	17,565	0.403	0	0.0000	0	0.000
FIGURE-8	GRC	PEM	0	0.0000	7,804	0.179	0	0.0000	418	0.010
	GRF	PEM	0	0.0000	2,296	0.053	0	0.0000	2,124	0.049
FIGURE-9	GRK	PEM	0	0.0000	912	0.021	0	0.0000	1,558	0.036
FIGURE-10	KGA	PEM	0	0.0000	12,703	0.292	0	0.0000	2,654	0.061
FIGURE-11	KGA	PEM	0	0.0000	5,783	0.133	0	0.0000	2,885	0.066
FIGURE-12	KGB	PEM	0	0.0000	6,974	0.160	0	0.0000	2,822	0.065
FIGURE-13	KGC	PEM	0	0.0000	9,173	0.211	0	0.0000	1,268	0.029
	KGD	PEM	0	0.0000	985	0.023	0	0.0000	3,335	0.077
FIGURE-14	KGD	PEM	0	0.0000	809	0.019	0	0.0000	4,366	0.100
	KGI	PEM	0	0.0000	0	0.0000	0	0.0000	1,395	0.032
FIGURE-15	KGJ	PEM	0	0.0000	0	0.0000	0	0.0000	1,090	0.025
FIGURE-16	KGK	PEM	0	0.0000	217	0.005	0	0.0000	10,046	0.231
	KGK	PEM	0	0.0000	0	0.0000	0	0.0000	1,947	0.045
FIGURE-17	GRR	PEM	0	0.0000	2,395	0.055	0	0.0000	1,876	0.043
FIGURE-18	GRR	PEM	0	0.0000	17,965	0.412	0	0.0000	0	0.000
FIGURE-19	GRR	PEM	0	0.0000	5,597	0.128	0	0.0000	447	0.010
	KGP	PEM	0	0.0000	3,423	0.079	0	0.0000	1,679	0.039
FIGURE-22	KGQ	PEM	0	0.0000	2,682	0.062	0	0.0000	1,413	0.032
FIGURE-23	KGR	PEM	0	0.0000	2,330	0.053	0	0.0000	1,644	0.038
FIGURE-24	KGT	PEM	0	0.0000	6,154	0.141	0	0.0000	2,914	0.067
FIGURE-25	KGT	PEM	0	0.0000	26	0.001	0	0.0000	452	0.010
	KGU	PEM	0	0.0000	7,840	0.180	0	0.0000	2,688	0.062
FIGURE-26	KGU	PEM	0	0.0000	3,157	0.072	0	0.0000	3,207	0.074
	KGW	PEM	0	0.0000	6,715	0.154	0	0.0000	464	0.011
FIGURE-27	KGAB	PEM	0	0.0000	0	0.0000	0	0.0000	868	0.020
FIGURE-28	KGAB	PEM	0	0.0000	7,356	0.169	0	0.0000	2,638	0.061
FIGURE-29	KGAG	PEM	0	0.0000	386	0.009	0	0.0000	1,592	0.037
FIGURE-30	KGAG	PEM	0	0.0000	387	0.009	0	0.0000	1,142	0.026
FIGURE-31	KGAV	PEM	0	0.0000	24,119	0.554	0	0.0000	1,099	0.025
FIGURE-32	KGAX	PEM	0	0.0000	18,194	0.418	0	0.0000	3,863	0.089
	KGAX	PEM	0	0.0000	7,089	0.163	0	0.0000	987	0.023
FIGURE-33	KGAZ	PEM	0	0.0000	13,709	0.315	0	0.0000	2,700	0.062
	KGBA	PEM	0	0.0000	0	0.0000	0	0.0000	343	0.008
FIGURE-34	KGBA	PEM	0	0.0000	31,920	0.733	0	0.0000	546	0.013
	KGBA	PEM	0	0.0000	4,607	0.106	0	0.0000	755	0.017
FIGURE-35	KGBB	PEM	0	0.0000	13,292	0.305	0	0.0000	3,615	0.083
FIGURE-36	KGBB	PEM	0	0.0000	0	0.0000	0	0.0000	4,129	0.095
	KGAQ	PEM	0	0.0000	12,024	0.276	0	0.0000	2,051	0.047
FIGURE-37	KGAN	PEM	0	0.0000	887	0.020	0	0.0000	3,891	0.089
FIGURE-38	KGBN	PEM	0	0.0000	0	0.0000	0	0.0000	475	0.011
FIGURE-41	KGBS	PEM	0	0.0000	4,205	0.097	0	0.0000	479	0.011
FIGURE-43	KGCK	PEM	0	0.0000	2,721	0.062	0	0.0000	426	0.010
FIGURE-44	KGCK	PEM	0	0.0000	575	0.013	0	0.0000	1,623	0.037
	KGCI	PEM	0	0.0000	2,098	0.048	0	0.0000	583	0.013
FIGURE-45	KSB	PSS	0	0.0000	4,205	0.097	0	0.0000	1,309	0.030
FIGURE-46	KSB	PSS	10	0.0002	17,654	0.405	0	0.0000	402	0.009
FIGURE-49	KSH	PFO	0	0.0000	2,161	0.050	0	0.0000	911	0.021
FIGURE-50	KSK	PFO	0	0.0000	0	0.0000	0	0.0000	899	0.021
<b>TOTAL IMPACTS</b>			<b>246</b>	<b>0.0056</b>	<b>299,176</b>	<b>6.868</b>	<b>0</b>	<b>0.0000</b>	<b>93,691</b>	<b>2.151</b>

Plan Sheet	Stream			
	Permanent Impact		Temporary Impact	
	SF	AC	SF	AC
FIGURE-8	0	0.0000	107	0.0025
FIGURE-9	0	0.0000	80	0.0018
FIGURE-20	0	0.0000	157	0.0036
FIGURE-21	0	0.0000	118	0.0027
FIGURE-28	0	0.0000	58	0.0013
FIGURE-29	0	0.0000	180	0.0041
FIGURE-30	0	0.0000	48	0.0011
FIGURE-31	0	0.0000	46	0.0011
FIGURE-36	0	0.0000	80	0.0018
FIGURE-39	0	0.0000	35	0.0008
FIGURE-40	0	0.0000	67	0.0015
FIGURE-42	0	0.0000	64	0.0015
FIGURE-43	0	0.0000	50	0.0011
FIGURE-45	0	0.0000	32	0.0007
FIGURE-46	0	0.0000	149	0.0034
FIGURE-47	0	0.0000	240	0.0055
FIGURE-48	0	0.0000	640	0.0147
FIGURE-49	0	0.0000	352	0.0081
<b>sum</b>	<b>0</b>	<b>0.0000</b>	<b>2,503</b>	<b>0.0575</b>



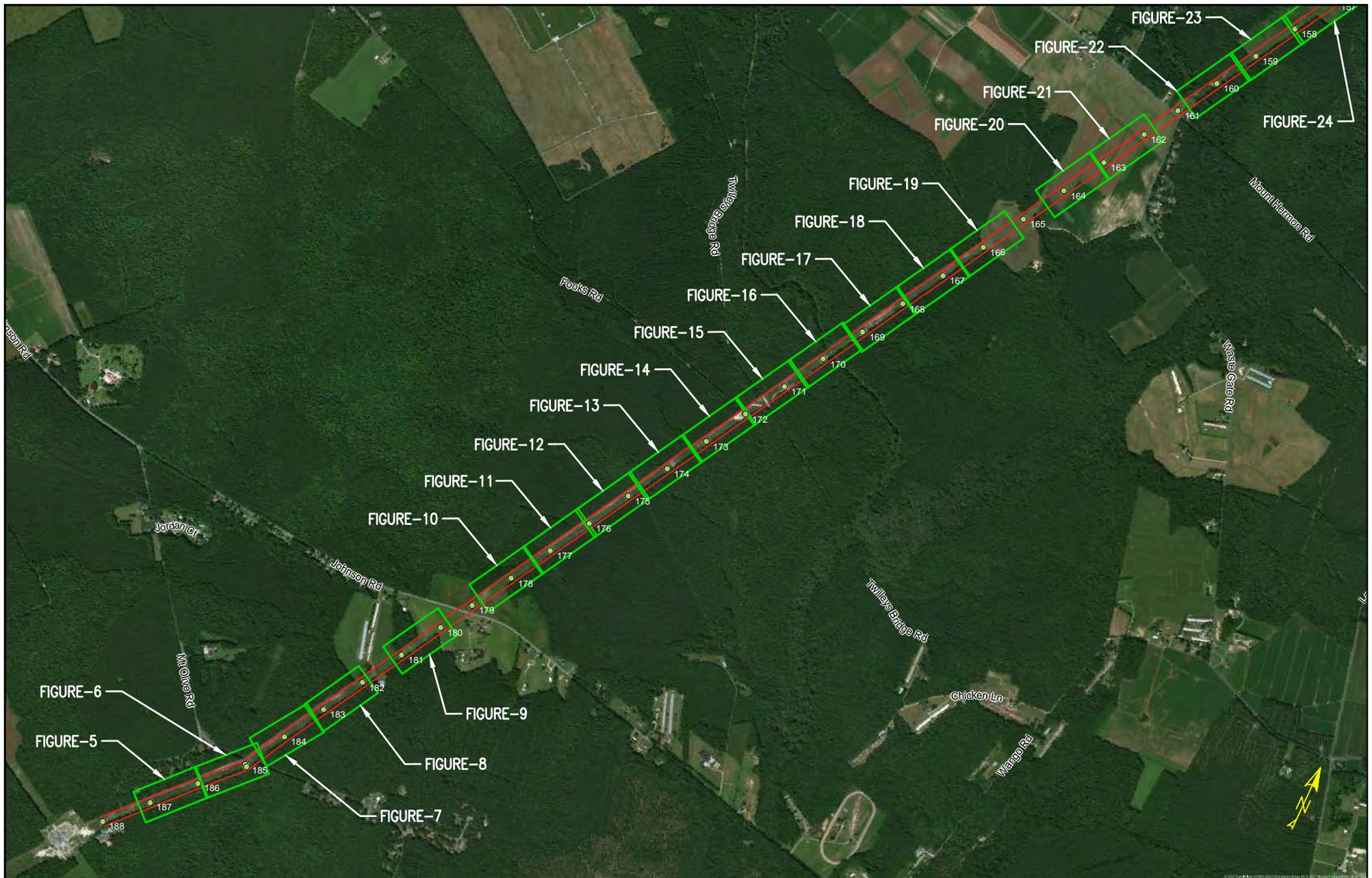
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 Phone: 610-280-4000



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 NEWARK, DE 19714  
 Phone: 302-454-4343

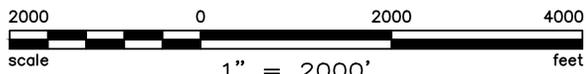
DELMARVA POWER & LIGHT COMPANY  
 PINEY GROVE – INDIAN RIVER 230kV  
 TRANSMISSION LINE CROSS ARM  
 REPLACEMENT PROJECT  
WETLAND IMPACT SUMMARY  
 WICOMICO COUNTY, MARYLAND

PROJECT NO. 2002796.033.17	DATE FALL 2017
DRAWN BY MF/SJ	DESIGNED BY KS
SCALE AS SHOWN	CHECKED BY AF
FIGURE-1	



**LEGEND:**

- EXISTING STRUCTURE
- VIEW FRAME
- RIGHT OF WAY LINE



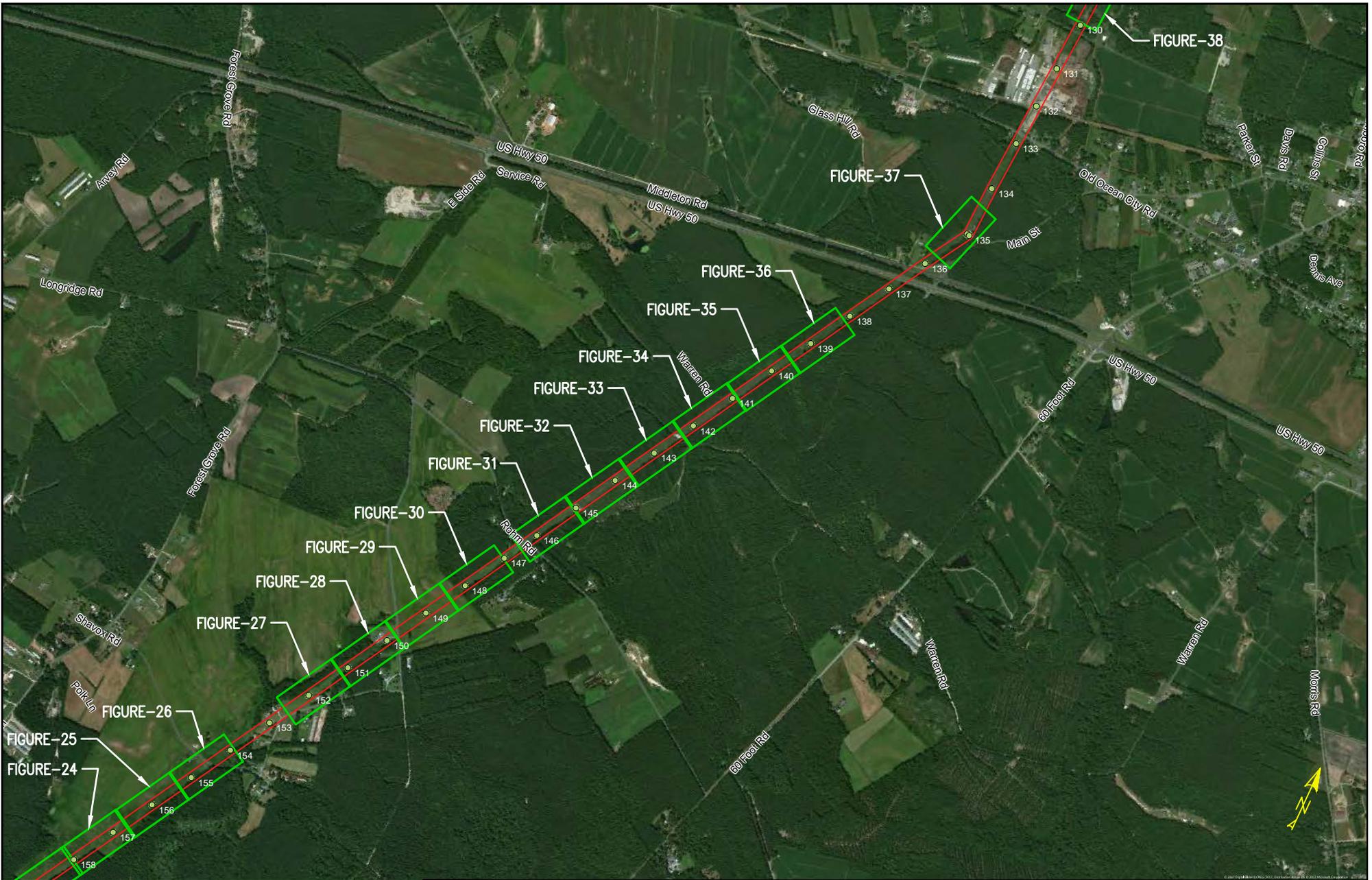

**Louis Berger**  
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 Phone: 610-280-4000



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DELMARVA POWER & LIGHT COMPANY  
 PINEY GROVE – INDIAN RIVER 230kV  
 TRANSMISSION LINE CROSS ARM  
 REPLACEMENT PROJECT  
 KEY PLAN 1 OF 3  
 WICOMICO COUNTY, MARYLAND

PROJECT NO. 2002796.033.17	DATE FALL 2017
DRAWN BY MF/SJ	DESIGNED BY KS
SCALE AS SHOWN	CHECKED BY AF
FIGURE-2	



**LEGEND:**

- EXISTING STRUCTURE
- VIEW FRAME
- RIGHT OF WAY LINE

2000      0      2000      4000  
 scale      1" = 2000'      feet



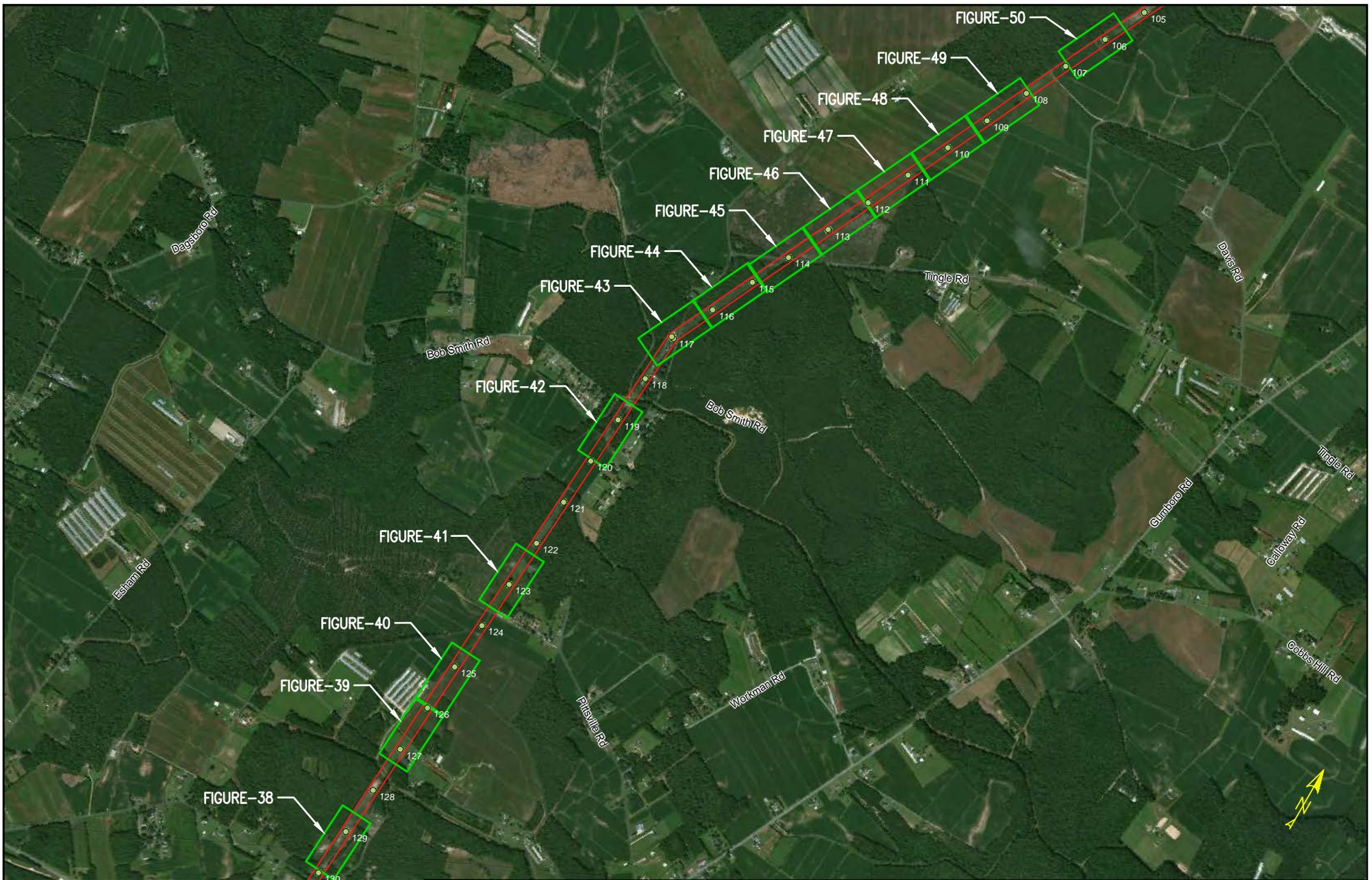
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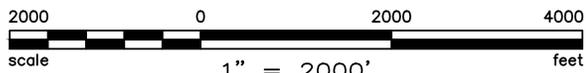
DELMARVA POWER & LIGHT COMPANY  
 PINEY GROVE – INDIAN RIVER 230kV  
 TRANSMISSION LINE CROSS ARM  
 REPLACEMENT PROJECT  
 KEY PLAN 2 OF 3  
 WICOMICO COUNTY, MARYLAND

PROJECT NO. 2002796.033.17	DATE FALL 2017
DRAWN BY MF/SJ	DESIGNED BY KS
SCALE AS SHOWN	CHECKED BY AF
FIGURE-3	



**LEGEND:**

- EXISTING STRUCTURE
- VIEW FRAME
- RIGHT OF WAY LINE



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DELMARVA POWER & LIGHT COMPANY  
 PINEY GROVE – INDIAN RIVER 230kV  
 TRANSMISSION LINE CROSS ARM  
 REPLACEMENT PROJECT  
 KEY PLAN 3 OF 3  
 WICOMICO COUNTY, MARYLAND

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FIGURE-4