



## Department of Energy

Washington, DC 20585

April 30, 2026

Lisa D. Jones  
Executive Director and State Historic Preservation Officer  
468 South Perry Street  
P.O. Box 300900  
Montgomery, AL 36130

**SUBJECT:** U.S. Department of Energy, Office of Energy Dominance Financing, Section 106 Consultation, Alabama Power Company, Bay Minette to Silverhill Fiber Optic Installation Project, Baldwin County, Alabama

Dear Ms. Jones,

Pursuant to its authority under Title XVII of the Energy Policy Act of 2005, as amended, which established a Federal loan guarantee program, the U.S. Department of Energy (DOE) Office of Energy Dominance Financing (EDF) is evaluating whether to provide a Federal loan guarantee to Alabama Power Company (APC, or the Applicant) for the Bay Minette to Silverhill Fiber Optic Installation Project (the Project), located in Baldwin County, Alabama.

The purpose of this letter is to formally initiate consultation with the Alabama State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 United States Code [U.S.C.] 306108), and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800, "Protection of Historic Properties." This letter presents descriptions of the undertaking, the Area of Potential Effects (APE), and the efforts to identify historic properties, and seeks your concurrence with DOE's Finding of No Historic Properties Affected for this Project.

A cultural resources report is included as Attachment 1, and an Alabama Historical Commission (AHC) Review and Consultation Form is included as Attachment 2.

### **Description of the Undertaking**

DOE's action is the issuance of a proposed Federal loan guarantee to the Applicant for the undertaking (i.e., the Project), which includes the proposed installation of a new underground fiber optic cable route along an approximately 25-mile-long and approximately 10-foot-wide corridor within Alabama Department of Transportation (ALDOT) and public road right-of-way (ROW). The Project begins at the APC Bay Minette transmission substation located at 7th Street West, Bay Minette, AL 36507, and is generally oriented in a north-south direction, along the ALDOT ROW of State Route 59,

terminating at the APC Silverhill transmission substation located at 15201 North Boulevard, Silverhill, Alabama, AL 36576.

The proposed project will consist of installing fiber optic cables within the Project corridor via horizontal directional drilling (HDD). Prior to fiber installation, 64 handholes for splicing and pulling stations will be installed at specified intervals along the route. The handholes consist of composite plastic formed access boxes measuring 5.5 x 3 x 3 feet. The handhole boxes will be installed within existing utility easements using “mini” excavators and will be flush with ground-level once installed. Fiber optic cable installation by HDD using small boring equipment and various light duty trucks will be performed subsurface by “pulling” conduit and installing fiber within the conduit. The conduit and fiber optic cables will be installed at a depth of four (4) feet. After the installation is complete, 6-foot-tall ROW monuments will be added to prevent future damage to the subsurface cable.

Additional infrastructure, such as access roads, off-site parking areas, railroad links, docks, water outfalls and intakes, pipelines, and waste treatment facilities are not anticipated to be required for this Project. Construction laydown areas for the proposed project will be located within the project boundaries and the established ROW, if necessary. Vegetation removal or ground disturbance outside of the ROW will not occur. Thus, Project construction activities are expected to be minor and will involve limited ground disturbance.

Additional description of the Project area and maps of the Project are provided in the cultural resource report that is included as Attachment 1.

### **Description of the Area of Potential Effects**

As defined in the Section 106 regulations (36 CFR § 800.16(d)), the APE is the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The dimensions of the APE are influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking. Within the APE, DOE distinguishes different survey areas for identifying archaeological and historic architectural resources (hereafter, the “archaeological survey area” and “architectural survey area”). The archaeological survey area is defined as the construction footprint of the Project where potential physical effects caused by ground-disturbing activities may occur, also known as the limits of disturbance (LOD). The architectural survey area includes the area in the Project LOD and may apply a distance buffer, as appropriate, within which potential non-physical effects (e.g., visual, vibrational, auditory, or atmospheric) could occur. These survey areas collectively comprise the APE for the Project.

The Project’s APE includes the span of the approximately 25-mile-long and approximately 10-foot-wide Project ROW, totaling approximately 31.5 acres.

## **Description of Efforts to Identify Historic Properties**

### *Tribal Outreach*

In accordance with Section 106, DOE identified federally recognized Native American Indian Tribes (Tribes) that may have an interest in the Project area. DOE has notified the following seven (7) federally recognized Tribes to see if they have an interest in the Project: Alabama-Coushatta Tribe of Texas; Alabama-Quassarte Tribal Town; Choctaw Nation of Oklahoma; Coushatta Tribe of Louisiana; Mississippi Band of Choctaw Indians; Muscogee (Creek) Nation; and Seminole Tribe of Florida.

By separate letter sent concurrently with this submission to the SHPO, DOE EDF has requested Tribal respondents to provide their comments on the undertaking, provide information regarding historic properties of religious or cultural significance to Tribes that may be present in the APE, and to identify any additional Tribes that may share an interest in the Project area so DOE EDF can promptly invite them to consult. DOE EDF will consider all comments received from Tribes and will coordinate with the SHPO and other consulting parties, as appropriate, if additional consultation is requested or deemed necessary to resolve objections.

### *Records Search*

As part of the Section 106 identification process, the Applicant contracted the Office of Archaeological Research (OAR) at the University of Alabama to conduct cultural resource surveys. OAR prepared the cultural resources report that is included as Attachment 1 and summarized below.

OAR conducted a search of the Alabama Cultural Resources Online Database (ACROD), Alabama State Site File (ASSF), Alabama Register of Landmarks and Heritage (ARLH) and related supplements, and the National Register of Historic Places (NRHP) to identify previously conducted surveys and previously recorded cultural resources and historic properties within a 1-mile radius of the Project. This background research identified 17 previous surveys within a 1-mile radius of the Project, four of which are adjacent to the current Project's APE but do not overlap the APE. A total of five (5) previously recorded archaeological sites were identified within a 1-mile radius of the Project, all of which are outside the current Project's APE. Five (5) NRHP-listed historic properties and five (5) ARLH-listed properties are located within the 1-mile-radius study area, none of which overlap the APE. Lastly, eight (8) cemeteries are located within the 1-mile search radius, none of which are within the APE for the Project.

Following the completion of background research, OAR completed a Phase I cultural resources survey to identify newly recorded resources within the APE. The results of the survey are provided in Attachment 1 and summarized below.

### *Archaeological Resources*

The archaeological field investigations consisted of pedestrian walkover of the archaeological survey area employing visual inspection of the ground surface and subsurface testing where conditions allowed. The amount of prior disturbance resulting from road construction and other activities has greatly reduced or even negated the potential for many areas of the APE to contain intact subsurface or even surficial evidence of prior aboriginal or historic occupation. The extensive terraforming along portions of the ROW aligned with Highway 31 and Highway 59 leaves very little evidence of intact landforms suitable for shovel testing. Many areas encountered within the APE were not shovel tested due to placement of the proposed fiber optic line in evidently highly disturbed locales, primarily road prism placement in ditches and along embankment slopes. In the ROW near Bay Minette and around the town of Loxley, the proposed fiber optic line is often contained within a narrow roadside alignment corridor replete with multiple fiber, water, sewer and other utility lines already present, which were therefore shovel tested sparingly. Photographic documentation was undertaken to provide evidence of the varying environments and disposition of the APE.

A total of 509 shovel tests were excavated in the course of this survey, with only three (3) positive for cultural material recovery. All positive shovel tests were at newly recorded site 1Ba753. The site area has been previously disturbed by clearing and grading related to modern construction (e.g., roadways, transmission line, commercial development and landscaping) and previous agricultural use. No evidence of any surface or subsurface features associated with the site were identified. The artifacts recovered indicate a general date range between the late nineteenth century and early twentieth century; however, given the relative paucity of material recovered and absence of any features, no significant associations with historic events or people could be ascertained, and the site is considered to exhibit an extremely low potential for providing significant additional information. Therefore, site 1Ba753 is recommended as not eligible for inclusion in the NRHP.

Additional details on the archaeological survey methods and survey results, as well as a site description and an archaeological site form for 1Ba753 are provided in Attachment 1.

### *Historic Architectural Resources*

Because the Project primarily involves installation of subsurface infrastructure, the architectural survey area coincides with the linear ROW corridor. The proposed six-foot-tall ROW monuments that will be installed after construction will not impose a substantial visual profile that would result in visual effects at any significant distance from the Project, and thus the APE does not include a viewshed buffer area extending beyond the boundary of the Project ROW.

The route does not cross any previously recorded historic resources or districts, and no new historic-aged standing structures were identified within the APE during the survey. As discussed above, all previously recorded historic resources that were identified within the 1-mile search radius surrounding the Project are situated well outside of the APE. Because

the Project will not introduce new or novel visual changes to the surrounding setting, no visual or other non-physical effects are anticipated and no further work to identify historic properties is warranted.

### **Requesting your Concurrence and Next Steps**

Based on DOE's review of the efforts to identify historic properties and conclusions drawn from this information, DOE is issuing a Finding of No Historic Properties Affected, consistent with 36 CFR § 800.4(d)(1). As part of the Section 106 process, DOE requests the concurrence of the Alabama SHPO on the Finding of No Historic Properties Affected, as well as any comments you may have on the APE or the Project **within thirty (30) days of receipt of this letter**.

In the event of a post-review unanticipated discovery of cultural resources and/or human remains during construction, DOE EDF will determine actions to resolve adverse effects and notify the SHPO, any Tribe that might attach religious and cultural significance to the affected property, and the Advisory Council on Historic Preservation (ACHP) within 48 hours of the discovery, pursuant to 36 CFR 800.13(b)(3).

We look forward to consulting with your office throughout the Section 106 process. If you have any questions or would like to discuss this project further, please contact me at 240-687-7266 or via email at [EDF\\_Environmental@doe.gov](mailto:EDF_Environmental@doe.gov).

Sincerely,

Molly R. Cobbs  
Environmental Project Manager  
Office of Energy Dominance Financing

### **Attachments:**

Attachment 1. OAR Cultural Resources Report

Attachment 2. Alabama SHPO Project Review and Consultation Form