



U.S. Department of Energy

Categorical Exclusion Determination Form

<u>Categorical Exclusion Number:</u>	CX-270849
<u>Loan Application Number:</u>	EIR0044
<u>Proposed Action Title:</u>	Chickasabogue Substation to Mobile Network Underground Fiber Optics
<u>Program of Field Office:</u>	Loan Programs Office
<u>Location(s) (City/County/State):</u>	Mobile, Alabama (Mobile County)

Proposed Action Description:

Description of Categorically Excluded Action

The United States Department of Energy (DOE), Loan Programs Office (LPO), may provide loan guarantees for energy infrastructure projects under Section 1706 of Title XVII of the Energy Policy Act of 2005, as amended by the Inflation Reduction Act of 2022 (42 U.S.C. 16517) and the One Big Beautiful Bill Act (Pub. L. No. 119-21, 139 Stat. 72 (July 4, 2025)) (the Energy Dominance Financing or EDF Program). The purpose of the EDF Program is to finance projects and facilities in the U.S. that retool, repower, repurpose, or replace energy infrastructure that has ceased operations or enable operating energy infrastructure to increase capacity or output (42 U.S.C. 16517(a)(2) and Pub. L. No. 119-21, 139 Stat. 72 (July 4, 2025)).

LPO is considering whether to issue a loan guarantee of a funding facility to Alabama Power Company (APC) pursuant to its authority under the EDF Program. In its application, APC has identified the Chickasabogue Substation to Mobile Network Underground Fiber Optics Project (Project) for inclusion in the funding facility that is the subject of DOE's loan guarantee. APC may request inclusion of multiple individual projects with independent utility in the funding facility that is the subject of the DOE loan guarantee; accordingly, DOE will complete an environmental review pursuant to the National Environmental Policy Act (NEPA) for these projects prior to their inclusion in the funding facility that is the subject of DOE's loan guarantee.

The Project includes installing approximately 4.6 miles of fiber. The Project will enhance system operational flexibility that will facilitate the planned fleet transition. The proposed activity will enhance incremental transmission capacity, high-speed communication paths (Fiber), and system automation.

Project Description

DOE's Proposed Action is the issuance of a proposed Federal loan guarantee to the APC for the Project, which includes the proposed installation of approximately 4.6-miles of fiber optic cable within public roadside utility rights-of-way (ROW). The Project will consist of installing fiber optic cables within the Project corridor via horizontal directional drilling (HDD). Fiber optic cable installation will be performed subsurface by pulling conduit and installing fiber within the conduit utilizing up to fifteen (15) new handholes for splicing and pull-points that will be installed along the Project route. Construction laydown areas for the proposed Project, if necessary, will be located within the Project boundaries and the existing utility ROW, which is approximately 60 feet wide. No additional infrastructure (e.g., new access roads or off-site parking areas) is expected to be required for the Project. Vegetation removal or ground disturbance outside of the Project corridor will not occur during construction. Six-foot-tall ROW monuments will be added to prevent future damage to the cable during unrelated excavation not associated with the Project.

Construction activities will involve limited ground disturbance within the existing ROW, including the installation of fiber optics by HDD and installation of handhole boxes within existing utility easements. The fiber optic line will be installed underground along a series of streets in a near-riverfront industrial area, just north of the downtown area of the city of Mobile, Alabama, and the fiber optic cables will be installed at a depth of 4 feet below grade. The installation of the fiber optic cable will consist of approximately 4.6 miles of directional boring/HDD and approximately 400 linear feet of 2-foot-wide by 4-foot-deep open trenching at the existing APC substation. Cable installation will occur via splicing or pulling stations accessible by up to fifteen (15) handholes, which are rectangular plastic/resin boxes that measure 5 feet x 3 feet x 3 feet in size and will be



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buried 3 feet deep and will be installed at specified intervals along the route. These handholes will also provide access to the fiber optic line for maintenance once installed. Lastly, two pairs of boring/recovery points will be utilized at locations where the Project will be directionally bored beneath waterways along the route to allow for equipment and machinery to be set up on either side of the waterway for directional boring operations.

The Project is located in the highly developed Greater Mobile area. Major transportation routes are within or near the Project, including Alabama State Highway 43, U.S. Interstate 65 and Interstate bypass 165, and active railroads. The existing right-of-way (ROW) is primarily bordered by residential, commercial, and industrial development east of I-165, turning to secondary growth woods and scattered residential parcels to the northwest of the interstate. Much of the terrain along this portion of the survey area includes low-lying marginal and standing water wetlands.

In accordance with Section 7 of the Endangered Species Act, LPO's review of the Project found that there would be no effect to designated critical habitat. Additionally, for ten (10) Federally threatened, endangered, proposed, and candidate species with potential to occur in the Project area (tricolored bat, West Indian manatee, rufa red knot, Alabama red-bellied turtle, alligator snapping turtle, black pinesnake, eastern indigo snake, gopher tortoise, gulf sturgeon, and monarch butterfly. LPO has reached a *no effect* determination based on 1) primarily underground construction/installation, 2) no in-water or in-stream work proposed, 3) no tree or vegetation clearing proposed, and 4) the results of desktop and field-based assessments indicating no ground disturbance within suitable habitat areas for these species.

In accordance with the National Historic Preservation Act (NHPA), LPO consulted with the Alabama State Historic Preservation Office (SHPO). On October 23, 2025, the Alabama SHPO concurred with LPO's finding of no historic properties affected for this project. DOE identified and contacted seven federally recognized Native American Indian Tribes (Tribes) that may have an interest in the Project area (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.). The Choctaw Nation of Oklahoma provided comments that are reflected herein.

In the event that ground-disturbing work uncovers significant archaeological materials, such as stone arrowheads, ceramics, or early building foundations, or if work uncovers human burials or human remains, ground disturbing activities will immediately be stopped within a 300-foot radius and the materials will be protected. The SHPO and tribes, including the Choctaw Nation Historic Preservation Department, will be contacted as soon as possible and given an opportunity to provide input before construction resumes. Additionally, if any archaeological or cultural materials are discovered during the project undertaking, neither the construction team nor the applicant will disclose this information to the public or the media in any manner, including social media. Discoveries of archaeological and historic materials will be kept private and confidential.

If human remains are encountered during construction, the provisions of the Alabama Burial Act (*Code of Alabama* 1975 §13A-7-23.1, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) would be followed. This stipulation would be included in construction plans.

New handhole and monument placement will meet local and federal floodplain management requirements. Work areas will be temporary and will not require modifications to site elevations. Temporary erosion controls will be installed and maintained until the work areas are restored and stabilized. Base flood elevations will not be affected by the Project.

The project will cross Three-Mile Creek, and a tributary thereof, which are regulated under Section 10 of the River and Harbor Act of 1899 ("Section 10") water. As authorized by 33 U.S.C. 401 et seq.; 33 U.S.C. 1344; 33 U.S.C., APC will be requesting that the proposed activities be covered under provisions of Nationwide Permit 57 (NWP 57) and Section 10 of the River and Harbor Act of 1899 ("Section 10") (33 U.S.C. 403). This NWP authorizes discharges of dredged or fill material into waters of the United States and structures or work in or over navigable waters for crossings of those waters associated with the construction, maintenance, or repair of electric utility lines and telecommunication lines and associated facilities in waters of the United States, provided the activity does not result in the loss of greater than 1/2-acre of waters of the United States for each single and complete project.



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Categorical Exclusion(s) Applied:

B4.7 - Fiber optic cable

Categorical Exclusion(s) Description:

The Project is consistent with and covered by DOE categorical exclusions in 10 Code of Federal Regulations (CFR) 1021, Appendix B4, Categorical Exclusions Applicable to Electric Power and Transmission. Specifically, the Project is covered by DOE Categorical Exclusion:

B4.7 Fiber Optic Cable

Adding fiber optic cables to transmission facilities or burying fiber optic cable in existing powerline or pipeline rights-of-way. Covered actions may include associated vaults and pulling and tensioning sites outside of rights-of-way in nearby previously disturbed or developed areas.

Per 10 CFR 1021.102, application of categorical exclusions (classes of actions that normally do not require EAs or EISs), the following clarifications are provided to assist in the appropriate application of categorical exclusions that employ the term or phrase “previously disturbed or developed”:

- (1) *“Previously disturbed or developed” refers to land that has been changed such that its functioning ecological processes have been and remain altered by human activity. The phrase encompasses areas that have been transformed from natural cover to nonnative species or a managed state, including, but not limited to, utility and electric power transmission corridors and rights-of-way, and other areas where active utilities and currently used roads are readily available.*

Regulatory Requirements Defined in 10 CFR § 1021

The proposed loan guarantee for actions described above was subjected to an environmental due diligence review by DOE LPO staff to ensure consistency with the specific category of action (categorical exclusion) contained in Appendix B of 10 CFR Part 1021 and the conditions for applying categorical exclusions specified in Section 102 of Part 1021. To ensure that the requirements of Appendix B were met, LPO Environmental Compliance obtained numerous project-related documents between March and September 2025 and participated in several conference calls with APC staff to ensure a complete understanding of the activities associated with the Project.

The environmental due diligence review determined that there is no controversy regarding the potential environmental impacts of the Project, and that the actions associated with the loan guarantee would not adversely affect any physical, biological, or socio-cultural resources associated with the deployment of the project. The environmental due diligence review determined the Proposed Action has not been segmented to meet the definition of a categorical exclusion.

Signature by APC’s designated representative in the Corporate Validation section (below) is an indication of APC’s concurrence with the findings and determinations presented herein.



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For the DOE procedures regarding categorical exclusions, including the full text of each categorical exclusion, see [10 CFR 1021.102](#) and Appendix B to 10 CFR Part 1021, and also Section 5.4 (Applying one or more categorical exclusions to a proposal) and Appendices B and C of [DOE's National Environmental Policy Act Implementing Procedures](#) (June 30, 2025).

Requirements and guidance in 10 CFR 1021.102 and DOE's NEPA Implementing Procedures: (See full text in regulation and in Implementing Procedures)

- ☒ The proposal fits within a class of actions that is listed in Appendix B to 10 CFR Part 1021 or Appendix B and C of DOE's NEPA Implementing Procedures (June 30, 2025).

To fit within the classes of actions listed in Appendix B to 10 CFR Part 1021, or Appendix B of DOE's NEPA Implementing Procedures, a proposal must satisfy the conditions that are integral elements of the classes of actions in Appendix B of both 10 CFR Part 1021 and DOE's NEPA Implementing Procedures.

- ☒ There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. DOE or an applicant may modify the proposal to avoid reasonably foreseeable adverse significant effects such that the categorical exclusion would apply.

- ☒ The proposal has not been segmented to meet the definition of a categorical exclusion.

Based on my review of the proposed action, as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class(es) of action, the other requirements and guidance set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Corporate Validation:

Comments: _____

Applicant Signatory: Stacey Turner
Vice President, Environmental Affairs
Alabama Power Company

Signature:

Date:

10-27-25

DOE Signatory: Todd Stribley
Director, Environmental Compliance
DOE Loan Programs Office

Signature:

Date Determined:

10/27/2025