



# U.S. Department of Energy

## Categorical Exclusion Determination Form

<u>Categorical Exclusion Number:</u>	CX-270888
<u>Loan Application Number:</u>	EIR0044
<u>Proposed Action Title:</u>	Thurlow Dam-Union Springs 115kV Transmission Line Rebuild
<u>Program of Field Office:</u>	Office of Energy Dominance Financing
<u>Location(s) (City/County/State):</u>	Bullock, Elmore, Macon, and Tallapoosa counties, Alabama
<u>Proposed Action Description:</u>	<p><b>Description of Categorically Excluded Action</b></p> <p>The United States Department of Energy (DOE), Office of Energy Dominance Financing (EDF), 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)).</p> <p>EDF 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 Thurlow Dam-Union Springs 115kV Transmission Line Rebuild 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.</p> <p>The Project will rebuild approximately 31.5 miles of existing overhead transmission line infrastructure within its existing 100-foot-wide right-of-way (ROW). This Project will address constraints that limit the electrical grid's ability to integrate additional generation sources. Additionally, the Project will safely increase the carrying capacity of the existing infrastructure, improve efficiency, reduce power loss potential, and enhance reliability. Accordingly, the Proposed Action considered in this record of categorical exclusion is EDF's issuance of Federal financial support for the Project.</p> <p><b>Project Description</b></p> <p>The Project will include rebuilding approximately 31.5 miles of 115-kV overhead electric powerline within the existing 100-foot right-of-way. The northern terminus of the Project is the Thurlow Dam hydroelectric generating plant (located at the southernmost point of Thurlow Reservoir in the City of Tallassee) and the southern terminus is the Union Springs Transmission Substation (Union Springs TS), located in the City of Union Springs. The project area encompasses approximately 380.8 acres of land in total.</p> <p>From Thurlow Dam, the line runs south immediately adjacent to another existing overhead transmission line within the corridor. The proposed rebuild will remain within the same footprint and center line for approximately five miles. Because the line will remain energized and in service during the rebuild, the new structures must be installed on a new centerline within the existing right-of-way from this point to the end of the project (approximately 26.5 miles). Once the new structures are built and energized, the old structures will be removed. Thirty-seven (37) structure locations along the transmission line are not moving and will be modified or replaced in kind. To move the center line, 170 new concrete pole structures will be installed</p>



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and the old pole structures at these locations will be removed, and holes will be backfilled. No tree clearing is proposed. Existing access roads will be used to construct, operate and maintain the Project.

Laydown areas necessary for Project construction will be located within the existing ROW and outside of environmentally sensitive areas to the greatest extent possible in order to limit temporary impacts. Following construction, the laydown areas will be restored and stabilized in accordance with the Project's Construction Best Management Practices Plan (CBMPP) and the Alabama Handbook for Erosion Control and Sediment Control and Stormwater Management on Construction Sites Urban Areas (Alabama Soil and Water Conservation Commission [ALSWCC], 2018a & 2018b).

The Project is scheduled to begin construction February 1, 2026, with a projected in-service date of May 2027.

The Project is located within the range of species protected by the Endangered Species Act, as amended (16 U.S.C. 1531, *et seq.*), including: northern long-eared bat, tricolored bat, whooping crane, alligator snapping turtle, choctaw bean, fuzzy pigtoe, narrow pigtoe, ovate clubshell, southern clubshell, southern kidneyshell, southern sandshell, monarch butterfly, American chaffseed, Georgia rockcress, and relict trillium. DOE determined that the Project would have no effect or, where applicable, would not jeopardize the continued existence of protected species within the project area. There is no designated critical habitat within the project area.

In accordance with the National Historic Preservation Act (NHPA), EDF consulted with the Alabama State Historic Preservation Office (SHPO). On December 10, 2025, the Alabama SHPO concurred with EDF's finding of no historic properties affected for this project. DOE identified and contacted eight 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; Cherokee Nation; Coushatta Tribe of Louisiana; Eastern Shawnee Tribe of Oklahoma; Mississippi Band of Choctaw Indians; Muscogee (Creek) Nation; and Seminole Tribe of Florida). No tribes responded.

Sixteen new pole structures will be located within jurisdictional wetlands. The Project will utilize best management practices to ensure that impacts to water resources are minimized. The Project involves minimal temporary and permanent impacts to wetlands, which will be permitted under U.S. Army Corps of Engineers (USACE) Nationwide Permit (NWP) 57 and will not require a Pre-Construction Notification (PCN).

The Project intersects a navigable water subject to Section 10 of the Rivers and Harbors Act, specifically the Tallapoosa River. A Section 10 permit was acquired from the USACE for the existing transmission line crossing. Further, it is anticipated that the rebuild of this existing line crossing of the Tallapoosa River for this undertaking would be authorized by the USACE under a non-notifying Nationwide Permit 3 (Maintenance) since the transmission line would only span this feature and final sag of the transmission line would not be lower than currently existing infrastructure.

Section 5(d) of the Wild and Scenic Rivers Act (WSRA) requires federal agencies to consider potential national wild, scenic and recreational river areas in decision-making. To this end, the NPS has compiled and maintains a Nationwide Rivers Inventory (NRI). The NRI is a register of rivers that may be eligible for inclusion in the National Wild and Scenic River System. The intent of the NRI is to provide information to assist agencies in making balanced decisions regarding the use of the nation's river resources and to prevent potential impacts to the values for which a river has been placed on the list. The reach of the Tallapoosa River near the project site is listed on the NRI because of the degree to which it is free flowing (without straightening, diversion, ripraping, or other modifications of the channel), and for its outstandingly remarkable cultural, fish, historic, recreational, scenic, and wildlife values. Given aerial pulling, no vegetation removal, and no in-water work, DOE finds that the project will have **no adverse effect** on the ORVs for the Tallapoosa River at this crossing. Additionally, DOE finds that Project would not foreclose options to classify any portion of the NRI segment as wild, scenic, or recreational river



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areas. On January 20, 2026, the NPS concurred with DOE's determination that the proposed project would not adversely affect the Tallapoosa River and its outstandingly remarkable values (ORVs).

No regulatory floodway encroachments and/or impacts would occur as a result of the Project. The Project involves the replacement of fifty-six (56) structures within 100-year floodplains with no additional or new impacts to floodways or floodplains (i.e., no net change).

The Project requires the following permits:

- Section 402 National Pollutant Elimination Discharge System (NPDES), Stormwater discharges associated with construction activity for standalone construction projects (Permit No. ALR1000000) – The Project includes construction activities resulting in more than one acre of land disturbance. APC will acquire an ADEM Construction Stormwater permit to address erosion and sediment controls during the proposed rebuild.
- Clean Water Act Section 404/10 Permit, Nationwide Permit No. 57 (NWP 57) for Electric Utility Line and Telecommunications Activities - This project meets the requirements of non-notifying NWP 57; no further action is required. The Project would not require a pre-construction notification (PCN). Furthermore, APC will ensure that the final sag height of the rebuilt transmission line is equal to or above current conditions and does not necessitate additional permitting with the USACE and ADEM for stream crossings.

### Categorical Exclusion(s) Applied:

**B4.13 - Upgrading and rebuilding existing powerlines**

### 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:

#### **B4.13 Upgrading and Rebuilding Existing Powerlines**

*Upgrading or rebuilding existing electric powerlines, which may involve relocations of small segments of the powerlines within an existing powerline right-of-way or within otherwise previously disturbed or developed lands (as discussed at section 5.4(b)(1)). Upgrading or rebuilding existing electric powerlines also may involve widening an existing powerline right-of-way to meet current electrical standards if the widening remains within previously disturbed or developed lands and only extends into a small area beyond such lands as needed to comply with applicable electrical standards. Covered actions would be in accordance with applicable requirements, including the integral elements listed at the start of this appendix; and would incorporate appropriate design and construction standards, control technologies, and best management practices. This categorical exclusion does not apply to underwater powerlines. As used in this categorical exclusion, "small" has the meaning discussed at section 5.4(b)(2)).*

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 terms or phrases "previously disturbed or developed" and "small" or "small- scale":

- (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*



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*electric power transmission corridors and rights-of-way, and other areas where active utilities and currently used roads are readily available.*

(2) DOE considers terms such as “small” and “small-scale” in the context of the particular proposal, including its proposed location. In assessing whether a proposed action is small, in addition to the actual magnitude of the proposal, DOE considers factors such as industry norms, the relationship of the proposed action to similar types of development in the vicinity of the proposed action, and expected outputs of emissions or waste. When considering the physical size of a proposed facility, for example, DOE would review the surrounding land uses, the scale of the proposed facility relative to existing development, and the capacity of existing roads and other infrastructure to support the proposed action.

### 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 EDF 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, EDF Environmental Compliance obtained numerous project-related documents between August and November 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.

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.



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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:

1-27-24

DOE Signatory: Todd Stribley  
Director, Environmental Programs  
DOE Office of Energy Dominance  
Financing

Signature:

Date Determined:

1/27/2026