



Department of Energy
Washington, DC 20585

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Ashley McVicar, P.E.
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Alabama Power Company
600 18th Street North
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Subject: U.S. Department of Energy, Office of Energy Dominance Financing,
Completion of Environmental Review for the Proposed Bay Minette-
Silverhill Network Underground Fiber Optics Project, Baldwin County,
Alabama

Dear Ashley McVicar:

The United States Department of Energy (DOE), Office of Energy Dominance Financing (EDF) has issued a Federal loan guarantee to Alabama Power Company (APC) pursuant to DOE's authority under Title XVII of the Energy Policy Act of 2005, as amended. The loan guarantee to APC is intended to provide financing for many projects over the life of the Federal loan guarantee. Each project is reviewed and considered individually prior to being approved for financing under the Federal loan guarantee. This letter confirms that EDF has completed the environmental review of APC's **Bay Minette-Silverhill Network Underground Fiber Optics Project** (Project), in Baldwin County, Alabama, prior to approving the Project for financing under the Federal loan guarantee. A description of the Project and EDF's environmental review findings follows.

The project includes installing approximately 25 miles of underground fiber optic line in an existing public road right-of-way (ROW). The proposed 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. Sixty-four (64) handholes for splicing and pull-points will be installed, and construction laydown areas for the proposed project will be located within the project boundaries and the established ROW if necessary. 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.

Fiber optic cables will be installed at 4-foot depths. Installation will occur via splicing or pulling stations, accessible by sixty-four (64) handholes which measure 5.5-foot x 3-foot x 3-

foot deep at specified intervals along the route. Six-foot tall ROW monuments will be added to prevent future damage to the cable during unrelated excavation. Vegetation removal or ground disturbance outside of a 10-foot-wide work zone will not occur.

EDF, in coordination with the APC, has identified environmental statutes and Executive Orders applicable to the proposed Federal financial support for the Project include, but are not limited to:

1. Section 7 of the Endangered Species Act (16 USC 1536)
2. Section 106 of the National Historic Preservation Act (54 USC 306108)
 - a. Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

Section 7, Endangered Species Act (16 USC 1536)

DOE generated an Official Species List on May 5, 2026 (USFWS project code: 2026-0085677). Five threatened, endangered, or proposed for listing species were identified as having potential to occur in the project area. No designated critical habitat exists within the project area.

DOE reached a “no effect” determination for all species. The rationales for the “no effect” determinations vary by species. In summary, EDF reached these determinations based on no suitable habitat present, no in-water work proposed, or a “no effect” determination result using the U.S. Fish and Wildlife Service “Determination Keys” (D-key).

Section 106, National Historic Preservation Act (54 USC 306108) and EO 13175

In accordance with Section 106 of the National Historic Preservation Act (NHPA), on April 30, 2026, DOE initiated consultation with the Alabama State Historic Preservation Office (SHPO) and 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.

DOE’s consultation package indicated a Finding of No Effect to Historic Properties, consistent with 36 CFR § 800.4(d)(1).

On May 29, 2026, the Alabama SHPO provided a letter of concurrence with DOE’s Finding of No Effect to Historic Properties. The Alabama SHPO’s concurrence letter stipulates:

If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal, and glass objects. The federal agency or the applicant receiving federal assistance should contact [SHPO’s] office immediately. If

human remains are encountered, the provisions of the Alabama Burial Act (Code of Alabama 1975, §13A-7-23.I, as amended Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed. This stipulation shall be placed on the construction plans to ensure contractors are aware of it.

The Choctaw Nation requested to consult on the undertaking and delivered comments to DOE on May 26, 2026. APC and DOE have reviewed the Choctaw Nation's concerns.

In consultation with the Choctaw Nation, DOE and APC agree that, where needed, trees and shrubs shall be cut off at ground level, leaving root systems intact, and that all heavy equipment will be staged and operated on stable soil, in dry conditions. APC confirmed that the Project will not impact cemeteries. Finally, the following inadvertent discovery clauses will be added to all contracts, permits, and relevant construction documents:

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 protected. The State Historic Preservation Officer and the Choctaw Nation Historic Preservation Department will be contacted as soon as possible and given an opportunity to provide input before construction resumes.

and,

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.

No other Tribes responded and no objections were received from these parties within 30 days of receipt of DOE's Finding; therefore, in accordance with 36 CFR § 800.4(d)(1)(i), DOE's responsibilities under section 106 are fulfilled.

Conclusion

DOE notes that APC is responsible for obtaining permits, approvals, and/or authorizations required for the construction and/or operation of the Project.

With this letter, DOE confirms that it has completed the environmental reviews and consultations required by the applicable and relevant environmental statutes and Executive Orders associated with its proposed Federal financial support.

Respectfully,

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Office of Energy Dominance Financing

cc: Denis O'Meara, EDF Vertical Lead and Deal Captain
Todd Stribley, Director, EDF Environmental Programs
Guilio Areinamo-Duque, EDF Portfolio Management Division