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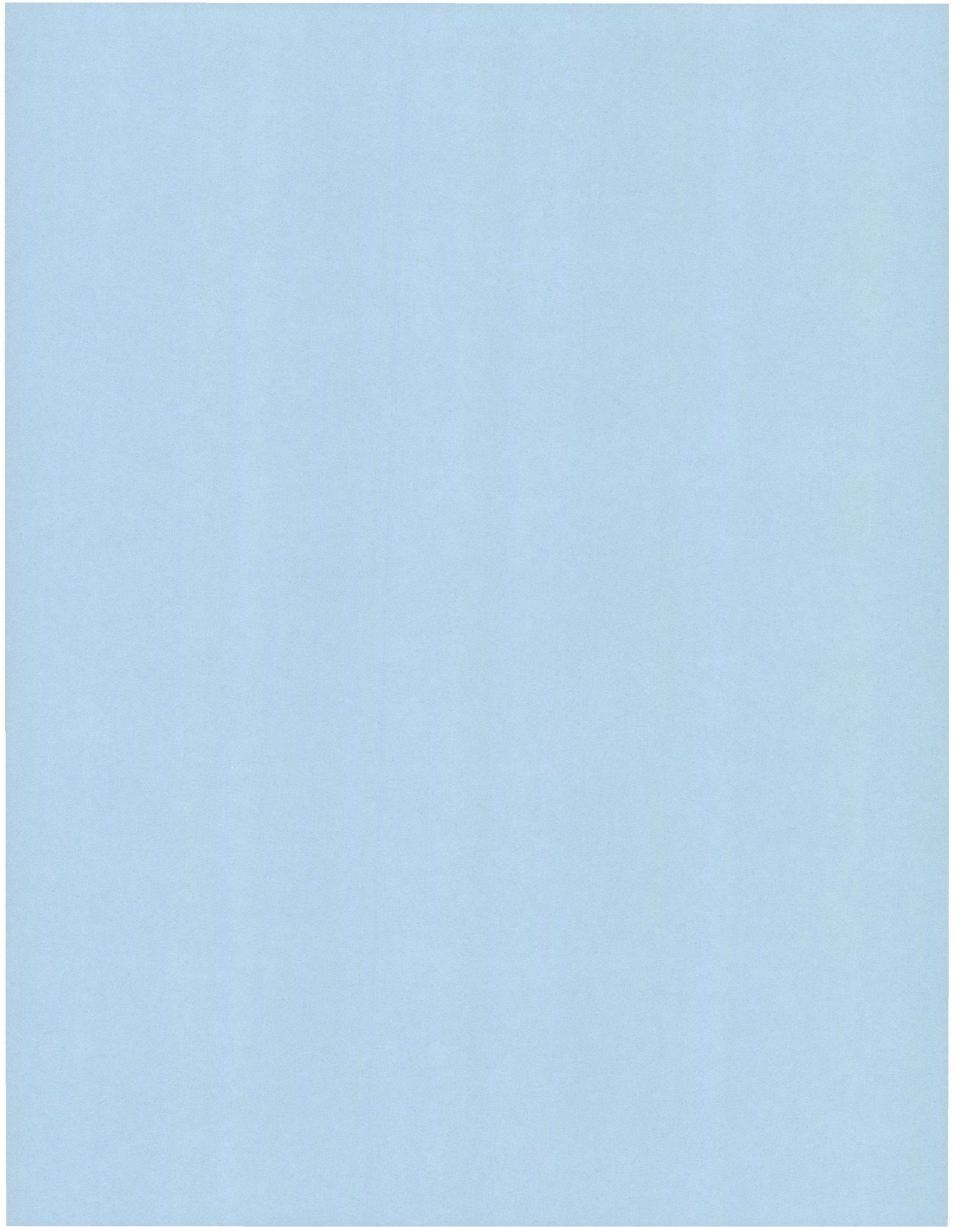
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**APPENDIX A    AGENCY CORRESPONDENCE**





GRIMES TO LEWIS CREEK 230-KV TRANSMISSION LINE PROJECT  
FEDERAL, STATE AND LOCAL AGENCIES

FEDERAL

Mr. Chris Shoulders  
National Operations Supervisor  
Obstruction Evaluation Group  
Federal Aviation Administration  
2601 Meacham Blvd.  
Fort Worth, TX 76193

Mr. Salvador Salinas  
State Conservationist  
NRCS Texas State Office  
101 South Main Street  
Temple, TX 76501

Mr. Ron Curry  
Region 6 Administrator  
U. S. Environmental Protection Agency  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202

Mr. Tony Robinson  
Region 6 Regional Administrator  
Federal Emergency Management Agency  
FRC 800 N. Loop 288  
Denton, TX 76209-3698

Mr. David Hoth  
Assistant Field Supervisor  
U.S. Fish & Wildlife Service  
17629 El Camino Real, Ste. 211  
Houston, TX 77058

Galveston District Regulatory Division  
U.S. Army Corps of Engineers  
(CESWG-PE-R)  
P.O. Box 1229  
Galveston, Texas 77553-1229

Fort Worth District Regulatory Division  
U.S. Army Corps of Engineers  
(CESWF-DE-R)  
P.O. Box 17300  
Fort Worth, Texas 76102-0300

Ms. Sue Masica  
Intermountain Regional Director  
National Park Service  
IMRextrev@nps.gov

Mr. Frank Stranimier  
Natural Resource Specialist  
Lands, Minerals & Special Uses  
Sam Houston National Forest  
394 FM 1375  
New Waverly, TX 77358

STATE

Ms. Julie Wicker  
Wildlife Habitat Assessment Program  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744

Mr. Ray Black  
Park Manager  
TPWD - Huntsville State Park  
P.O. Box 508  
Huntsville, TX 77342-0508

Mr. David Fulton  
Director, Department of Aviation  
Texas Department of Transportation  
125 E. 11th Street  
Austin, TX 78701-2483

Mr. Carlos Swonke  
Director, Environmental Affairs Division  
Texas Department of Transportation  
125 E. 11th Street  
Austin, TX 78701-2483

Mr. James W Koch, P.E.  
Director, Planning & Programming  
Texas Department of Transportation  
125 E. 11th Street

GRIMES TO LEWIS CREEK 230-KV TRANSMISSION LINE PROJECT  
FEDERAL, STATE AND LOCAL AGENCIES

Austin, TX 78701-2483  
Mr. Mark Wolfe  
Executive Director  
Texas Historical Commission  
P.O. Box 12276  
Austin, TX 78711

Ms. Ashley K. Wadick  
Regional Director - Houston  
Texas Commission on Environmental  
Quality  
5425 Polk St., Ste H  
Houston, TX 77023-1452

Mr. George P. Bush  
Commissioner  
Texas General Land Office  
1700 N. Congress Ave., Suite 935  
Austin, TX 78701-1495

Mr. Grant Chambless  
Program Manager, Environmental Permits  
Railroad Commission of Texas  
P.O. Box 12967  
Austin, TX 78711-2967

Mr. Kevin Patteson  
Executive Administrator  
Texas Water Development Board  
1700 North Congress Avenue  
Austin, TX 78701

Ms. Laura Huffman  
State Director  
The Nature Conservancy, Texas  
318 Congress Avenue  
Austin, TX 78701

Mr. Jack Steele  
Executive Director  
Houston-Galveston Area Council  
P.O. Box 22777  
Houston, TX 77227-2777

Mr. Tom Wilkinson, Jr.  
Executive Director  
Brazos Valley Council of Governments  
PO Drawer 4128  
Bryan, TX 77805-4128

Mr. Jordon Austin  
Operations Manager  
San Jacinto River Authority -Lake Conroe  
Division  
P.O. Box 329  
Conroe, Texas 77305

LOCAL

MONTGOMERY COUNTY

The Honorable Craig Doyal  
County Judge  
Montgomery County  
501 N. Thompson, Ste 401  
Conroe, TX 77301

The Honorable Mike Meador  
Montgomery County Commissioner  
Precinct 1  
510 Hwy 75 North  
Willis, TX 77378

The Honorable Charlie Riley  
Montgomery County Commissioner  
Precinct 2  
19110 Unity Park Dr.  
Magnolia, TX 77355

The Honorable James Noak  
Montgomery County Commissioner  
Precinct 3  
1130 Pruitt Rd  
Spring, Texas 77380

GRIMES TO LEWIS CREEK 230-KV TRANSMISSION LINE PROJECT  
FEDERAL, STATE AND LOCAL AGENCIES

The Honorable Jim Clark  
Montgomery County Commissioner  
Precinct 4  
23628 Roberts Road  
New Caney, TX 77357

The Honorable Kirk Jones  
Mayor  
City of Montgomery  
101 Old Plantersville Rd.  
Montgomery, TX 77316

The Honorable Webb K. Melder  
Mayor  
City of Conroe  
300 W. Davis  
Conroe, TX 77301

Dr. Beau Rees  
Superintendent  
Montgomery ISD  
13159 Walden Road  
Montgomery, TX 77356

Mr. Tim Harkrider  
Superintendent  
Willis ISD  
204 W. Rogers  
Willis, TX 77378

Mr. Phil D. Jones  
Floodplain Administrator  
Montgomery County Permit Department  
501 North Thompson, Ste 100  
Conroe, TX 77301

Mr. Larry Foester  
CHC – Chair  
Montgomery County  
414 W. Phillips, Ste 100  
Conroe, TX 77301

WALKER COUNTY

The Honorable Danny Price  
County Judge  
Walker County  
1100 University Ave, Rm 204  
Huntsville, TX 77340

The Honorable BJ Gaines, Jr.  
Walker County Commissioner  
Road & Bridge Precinct 1  
1100 University Ave, Rm 205  
Huntsville, TX 77340

The Honorable Ronnie White  
Walker County Commissioner  
Road & Bridge Precinct 2  
1100 University Ave, Rm 205  
Huntsville, TX 77340

The Honorable Glen R. Reader  
Walker County Commissioner  
Road & Bridge Precinct 3  
1100 University Ave, Rm 205  
Huntsville, TX 77340

The Honorable Jimmy Henry  
Walker County Commissioner  
Road & Bridge Precinct 4  
1100 University Ave, Rm 205  
Huntsville, TX 77340

The Honorable Andy Brauning  
Mayor  
City of Huntsville  
1212 Avenue M  
Huntsville, TX 77340

Dr. Darol Hail  
Superintendent  
New Waverly ISD  
355 Front Street

GRIMES TO LEWIS CREEK 230-KV TRANSMISSION LINE PROJECT  
FEDERAL, STATE AND LOCAL AGENCIES

New Waverly, TX 77358

Dr. Howell Wright  
Superintendent  
Huntsville ISD  
441 FM 2821 East  
Huntsville, TX 77320

Mr. Kevin Glover  
Floodplain Management  
Walker County  
1313 University Ave  
Huntsville, TX 77340

Ms. Lois Blake  
CHC- Chair  
Walker County  
742 Elkins Lake  
Huntsville, TX 77340

GRIMES COUNTY

The Honorable Ben Leman  
County Judge  
Grimes County  
P.O. Box 160  
Anderson, TX 77830

The Honorable Chad Mallett  
Grimes County Commissioner  
Precinct 1  
P.O. Box 160  
Anderson, TX 77830

The Honorable David E. Dobyanski  
Grimes County Commissioner  
Precinct 2  
P.O. Box 572  
Anderson, TX 77830

The Honorable Barbara Walker  
Grimes County Commissioner  
Precinct 3  
205 Veteran's Memorial Drive

Navasota, Texas 77868

The Honorable Gary Husfeld  
Grimes County Commissioner  
Precinct 4  
205 Veteran's Memorial Drive  
Navasota, Texas 77868

Dr. Kay Waggoner  
Superintendent  
Richards ISD  
400 S. Greenville Ave.  
Richardson, TX 75081

Ms. Sara Goolsby  
Superintendent  
Anderson-Shiro CISD  
458 FM 149 West  
Anderson, TX 77830

Mr. Greg Blake  
Floodplain Administrator  
Grimes County Road & Bridge  
P. O. BOX 593  
Anderson, TX 77830

Mr. Russell Cushman  
CHC - Chair  
Grimes County  
403 Holland St.  
Navasota, TX 77868



POWER ENGINEERS, INC.  
7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN TX 78731 USA

PHONE 512-735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Name  
Title  
Company  
Address  
City, State, Zip

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830

Dear Name:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

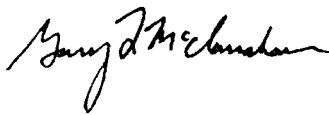
We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving any relevant information you may have regarding major proposed development or construction, areas requiring permits or easements if crossed by a transmission line, or other matters you believe could affect, or be affected by this project. Upon selection of a final route and approval by the PUCT for the transmission line, any necessary permits, easements and/or approvals will be obtained. ETI does not plan to receive any

April 1, 2016

federal funding or federal assistance for this project at this time, but anticipates the project may require federal permitting.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

Sincerely,



Gary McClanahan  
Environmental Project Manager

Enclosure: Study Area Map

cc: Mr. Brad Coleman – Entergy



POWER ENGINEERS, INC.  
7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN TX 78731 USA

PHONE 512-735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Fort Worth District Regulatory Division  
U.S. Army Corps of Engineers  
(CESWF-DE-R)  
P.O. Box 17300  
Fort Worth, Texas 76102-0300

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis  
Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker  
Counties, Texas POWER Engineers, Inc. Project No. 141830

To whom it may concern:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving any relevant information you may have regarding major proposed development or construction, areas requiring permits or easements if crossed by a transmission line, or

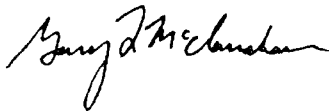
April 1, 2016

other matters you believe could affect, or be affected by this project. Upon selection of a final route and approval by the PUCT for the transmission line, any necessary permits, easements and/or approvals will be obtained. ETI does not plan to receive any federal funding or federal assistance for this project at this time, but anticipates the project may require federal permitting.

As shown in the attached study area map, Lake Conroe is located in the center of the study area. An overhead transmission line route alternative may be considered that would cross Lake Conroe. Any information that you could provide such as the designation of rivers/streams within our study area that may be subject to Section 10 of the Rivers and Harbors Act, other jurisdictional developments or projects in the area, or any sensitive areas or areas of concern within our study area that you are aware of that may influence our route development would be appreciated.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

Sincerely,



Gary McClanahan  
Environmental Project Manager

Enclosure: Study Area Map

cc: Mr. Brad Coleman – Entergy  
Galveston District Regulatory Division





POWER ENGINEERS, INC.  
7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN, TX 78731 USA

PHONE 512-735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Galveston District Regulatory Division  
U.S. Army Corps of Engineers  
(CESWG-PE-R)  
P.O. Box 1229  
Galveston, Texas 77553-1229

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis  
Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker  
Counties, Texas POWER Engineers, Inc. Project No. 141830

To who it may concern:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving any relevant information you may have regarding major proposed development or construction, areas requiring permits or easements if crossed by a transmission line, or other matters you believe could affect, or be affected by this project. Upon selection of a final route and approval by the PUCT for the transmission line, any necessary permits, easements and/or approvals will be obtained. ETI does not plan to receive any

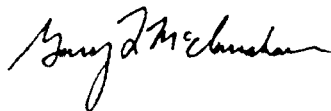
April 1, 2016

federal funding or federal assistance for this project at this time, but anticipates the project may require federal permitting.

As shown in the attached study area map, Lake Conroe is located in the center of the study area. An overhead transmission line route alternative may be considered that would cross Lake Conroe. Any information that you could provide such as the designation of rivers/streams within our study area that may be subject to Section 10 of the Rivers and Harbors Act, other jurisdictional developments or projects in the area, or any sensitive areas or areas of concern within our study area that you are aware of that may influence our route development would be appreciated.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

Sincerely,



Gary McClanahan  
Environmental Project Manager

Enclosure: Study Area Map

cc: Mr. Brad Coleman – Entergy  
Fort Worth District Regulatory Division



POWER ENGINEERS, INC.  
7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN TX 78731 USA

PHONE 512-735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Mr. Frank Stranimier  
Natural Resource Specialist  
Lands, Minerals & Special Uses  
Sam Houston National Forest  
394 FM 1375  
New Waverly, TX 77358

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830

Dear Mr. Stranimier:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving

April 1, 2016

any relevant information you may have regarding major proposed development or construction, areas requiring permits or easements if crossed by a transmission line, or other matters you believe could affect, or be affected by this project. Upon selection of a final route and approval by the PUCT for the transmission line, any necessary permits, easements and/or approvals will be obtained. ETI does not plan to receive any federal funding or federal assistance for this project at this time, but anticipates the project may require federal permitting.

As shown in the attached study area map, The Sam Houston National Forest is located in the center of the study area. Any information that you could provide such as sensitive feature locations located within your jurisdiction and a synopsis and timeline of the typical permitting process should an alternative route cross a portion of the Sam Houston National Forest and/or the Lone Star Trail would be appreciated.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

Sincerely,



Gary McClanahan  
Environmental Project Manager

Enclosure: Study Area Map

cc: Mr. Brad Coleman – Entergy



POWER ENGINEERS, INC  
7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN TX 78731 USA

PHONE 512-735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Mr. Jordon Austin  
Operations Manager  
San Jacinto River Authority -Lake Conroe Division  
P.O. Box 329  
Conroe, Texas 77305

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830

Dear Mr. Austin:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

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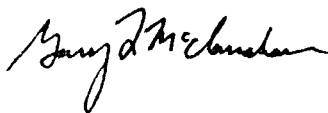
April 1, 2016

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As shown in the attached study area map, Lake Conroe is located in the center of the study area. Any information that you could provide such as sensitive features or concerns within your jurisdiction and a synopsis and timeline of the typical permitting process for an overhead transmission line should an alternative route cross a portion of Lake Conroe would be appreciated.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

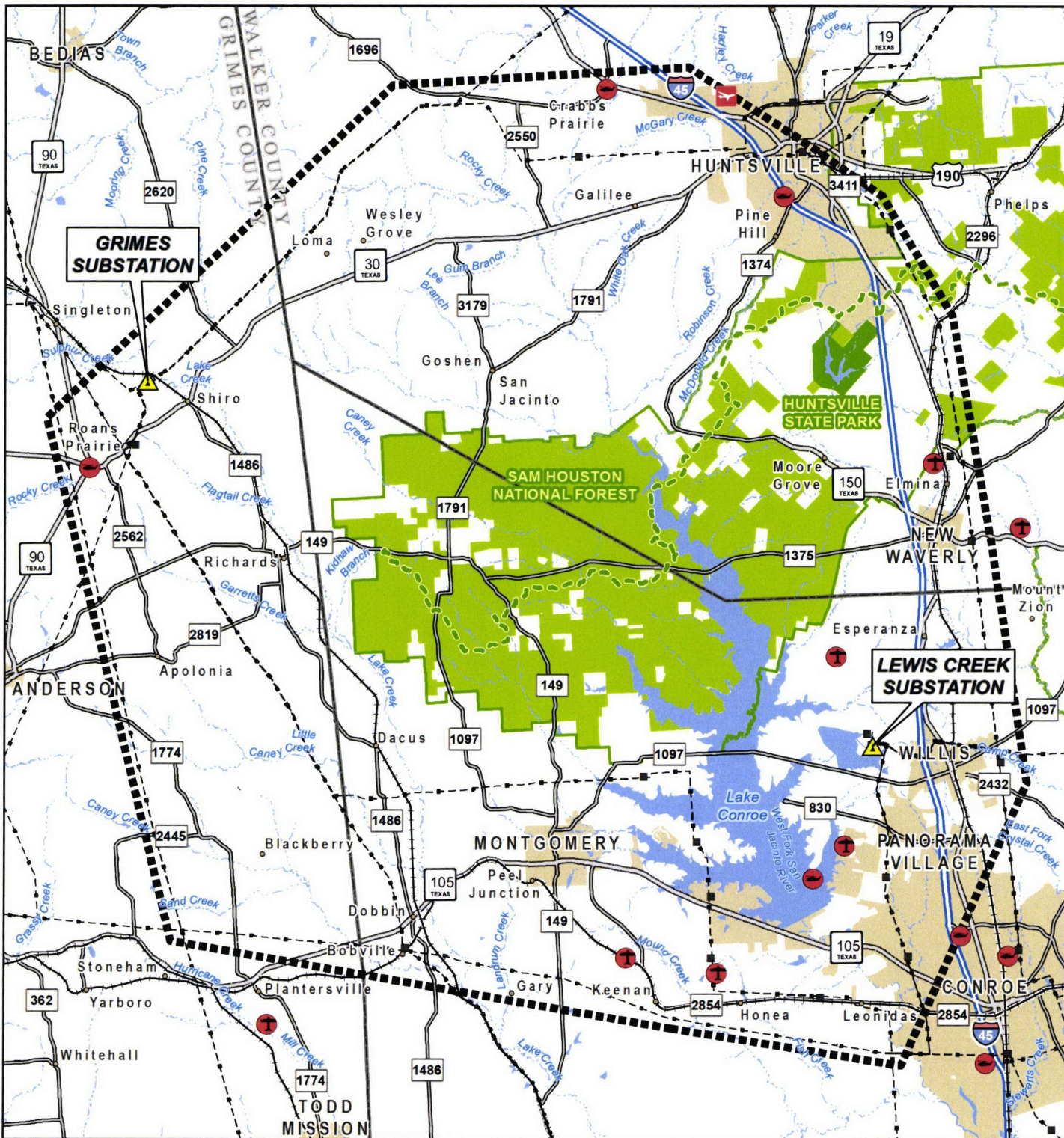
Sincerely,



Gary McClanahan  
Environmental Project Manager

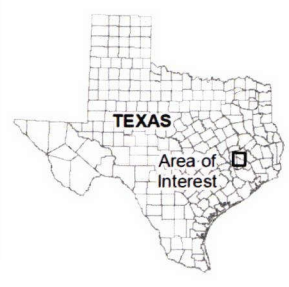
Enclosure: Study Area Map

cc. Mr. Brad Coleman – Entergy

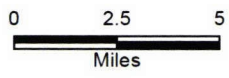


**Legend**

- |                            |                          |   |
|----------------------------|--------------------------|---|
| Project Substation         | Interstate Highway       | Lone Star Trail                                     |
| Study Area Boundary        | US Highway               | Huntsville State Park                               |
| Existing Substation        | State Highway            | Sam Houston National Forest Administrative Boundary |
| Existing Transmission Line | FM Road                  | Sam Houston National Forest                         |
| Public Airport             | Railroad                 | County Boundary                                     |
| Private Airstrip           | River / Stream           |   |
| Private Heliport           | Unincorporated Community |   |
|                            | City Limits              |   |



**GRIMES TO LEWIS CREEK  
230 KV TRANSMISSION  
LINE PROJECT  
STUDY AREA MAP**



**POWER ENGINEERS**  
Date: 3/21/2016



## McClanahan, Gary

---

**From:** Stranimier, Frank M -FS <fstranimier@fs.fed.us>  
**Sent:** Tuesday, June 14, 2016 11:33 AM  
**To:** Gary McClanahan 2405  
**Subject:** Lewis Creek - Grimes 230kV Powerline Crossing NF Lands  
**Attachments:** SF-299[1].rtf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Morning Gary, I apologize for the delay in responding to your request, I've been somewhat overrun with paperwork for the last 4 months and your request was lost in the confusion.

Speaking with Mr. Hicks it sounds like the entire western side of the National Forest is located within the feasibility study, however, one of the proposed routes is located parallel to the existing Entergy powerline located east of Hwy. 75. Generally speaking this would be the most logical location to place a new ROW and would comply with our Forest Plan. However, habitat fragmentation and proximity to a known Red-cockaded Woodpecker cluster is a concern. This is true for the majority of the NF located W. of I-45, the Sam Houston is home to the largest population of RCW's located on public lands w. of the Mississippi, and the majority of that population is located in the project area. Portions of the NF that don't currently have a RCW cluster in the vicinity are usually in areas that don't have the habitat for the birds. And those areas are usually low-lying mesic habitat and are protected by the forest plan as being a stream-side management or wetland habitats. Additionally, this area is some of the most developed portions of the forest, hosting several large road and pipeline ROW's as well as a large majority of our recreation facilities.

Here, is a vague outline of the general process for applying for a special use authorization, the location and size of the ROW will dictate the level of analysis required to comply with the National Environmental Policy Act. All ROW's crossing National Forest property require a special use authorization supported by in depth environmental studies, this process includes at a minimum: a biological evaluation, heritage/archeology reports, wetlands delineation, public notifications & input. Additionally, a plat depicting the proposals location in relation to two National Forest property corners is also required.

All proposals are subject to our initial screening protocol, if the proposal passes screening then a cost recovery bill for processing the application will be issued. Once paid, the Forest Service will then start working on the application. The cost recovery bill is assessed based upon the complexity of the proposal. There are 6 categories whereby a fee is issued for processing the application. Billing for categories 1-4 are established on a graduated scale based on the range of hrs. required by myself and FS specialist to review the proposal. The cost of these categories range from \$122 to \$1,156. Categories 5 & 6 are reserved for more complex projects and are require all specialist track time spent on the project so that the government can be reimbursed for time spent on evaluating the proposal. Please note that there is also a monitoring cost recovery that is structured the same way. However, the bill for monitoring is not issued until installation of an approved project, and payment is not required for the FS to start processing the application for the project.

Not knowing where the exact route will be located, it is difficult to provide more guidance regarding what will be required or what issues might be encountered. However, it is highly recommended that if there is the potential to not include NF lands then that route should be weighted more strongly. As you will see on the webpage link provided above, under the "How do I answer all the questions?" section you will need to provide alternatives to the route selected. If NF lands is required for the primary route then a strong justification not including lower cost and/or fewer restrictions is required. I have attached the application form to be filled out if/when Entergy selects NF lands for the route, I highly recommend planning a meeting to discuss the proposal in greater detail. Also, please let me know if this project is considered a FERC project or not. If it is then there are some additional steps that will have to be completed during the permitting phase.



If you have any questions feel free to give me a call at the number listed below.

Thanks,



**Frank Stranimier**  
**Natural Resource Specialist**  
**Lands, Minerals & Special Use's**

**Forest Service**  
**Sam Houston National Forest**

p: 936-337-7057

f: 936-344-2123

[fstranimier@fs.fed.us](mailto:fstranimier@fs.fed.us)

394 FM 1375 W.

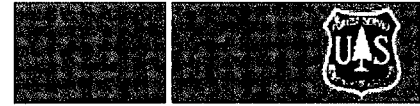
New Waverly, TX 77358

[www.fs.fed.us](http://www.fs.fed.us)



**Caring for the land and serving people**

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## Special Uses—Applying for a Permit

### The Application Process

Obtaining a Special-Use Authorization with the Forest Service

What are special-use authorizations?

When do I need an authorization?

Is my proposal appropriate?

How do I apply?

How do I answer all the questions?

What does an authorization cost?

What are special-use authorizations?

A special-use authorization is a legal document such as a permit, term permit, lease, or easement, which allows occupancy, use, rights, or privileges of NFS land. The authorization is granted for a specific use of the land for a specific period of time.

[Top](#)

When do I need an authorization?

1. If you will need to occupy, use, or build on NFS land for personal or business purposes, whether the duration is temporary or long term.
2. If there is a fee being charged or if income is derived from the use.
3. If an activity on NFS land involves individuals or organization with 75 or more participants or spectators.

[Top](#)

Is my proposal appropriate?

1. Your request must be consistent with laws, regulations, orders, policies of NFS lands, other federal laws, and applicable State and local health and sanitation laws
2. Your request must be consistent or made consistent with the standards and guidelines in the applicable Land and Resource Management Plan

### Special Uses Brochure

Obtaining a Special-Use Authorization with the Forest Service summarizes the permit application process. It is available in a print format (PDF).

### Link to a Local Office

Note All proposals for the use of the National Forest under a Special-Use authorization require a pre-application meeting

Find a link to a national forest or grassland by state or name

### Regulations

Complete regulations on special use permits on national forests are published at 36 CFR 251. View and search on-line for the specific CFR at the National Archives and Records Administration (NARA) Code of Federal Regulations (CFR) Main Page.

### Related Information

BLM right-of-way (ROW) application procedures [LINK](#)

### Sample Right-of-Way Operation and Maintenance Plan

The Special-Use Permit (SUP) granted by the U.S. Department of Agriculture Forest Service (FS) authorizes a right-of-way (R/W) to NorthWestern Corporation (NOR) to operate and maintain power facilities (facilities) located on National Forest System lands (NFS) in the state of Montana. [Sample Plan \(PDF\)](#)

3. Your request must not pose serious or substantial risk to public health or safety.
4. Your request must not require exclusive or perpetual right of use or occupancy.
5. Your request does not unreasonably conflict or interfere with administrative uses, other scheduled or authorized existing uses, or use of adjacent non-NFS lands.
6. The proponent must not owe any fees to the Forest Service from a prior or existing special-use authorization.
7. No gambling or providing of sexually oriented commercial services can be authorized on NFS land, even if permitted under state law.
8. No military or paramilitary training or exercises by private organizations or individuals can be authorized on NFS land, unless it is federally funded.
9. No disposal of solid waste or storage or disposal of radioactive or other hazardous substances can be authorized on NFS land

Top

#### How do I apply?

1. Contact a Forest Service office and request an application.
2. Prior to submitting the proposal, you are required to arrange a preapplication meeting at the local Forest Service office where the use is being requested. A staff member will discuss your proposal, potential land use conflicts, application procedures and qualifications, probable time frames, fees, bonding requirements, additional coordination with other agencies, environmental reports, and field reviews
3. Most commercial uses require additional information with the application. You may need business plans, operating plans, liability insurance, licenses/registrations, or other documents. A commercial use is when an applicant intends to make use of NFS lands for business or financial gain.
4. Complete and submit the application form, including supporting documents, to the local Forest Service office. An incomplete proposal could delay the processing.

Top

#### How do I answer all the questions?

**Name and Address-** Include the full name(s) to be used. If the application includes real property, the name(s) on the legal document must match the application.

**Applicant's Agent-** This person must be at least 21 years old and may or may not be the same as the applicant. Documentation should be included to verify that this person may sign on behalf of the applicant.

**Project Description-** Include enough detail to enable the Forest Service to determine feasibility, environmental impacts, benefits to the public, the safety of the request, lands to be occupied or used, and compliance with applicable laws and regulations

**Environmental Protection Plan-** Include proposed plans for environmental protection and rehabilitation during construction, maintenance, removal, and reclamation of the land

**Map-** Provide a detailed map (U.S. Geological Survey quadrangle or equivalent) or plat (survey or equivalent) showing the requested use

in relation to NFS land, identification of applicant's property (if applicable), scale, map legend, legal description, and a north arrow.

Technical and Financial Capability- Provide documentation to assure the Forest Service you are capable of constructing, operating, maintaining, removing the use off NFS land, and reclaiming the land after the authorization terminates.

Alternatives- You must first consider using nonfederal land. Lower costs or fewer restrictions are not adequate reasons for use of NFS lands. Provide alternative locations for the proposal in your application.

Top

What does an authorization cost?

Cost Recovery Fees- An assessment of fees to recover agency processing costs for special use applications and monitoring costs for special use authorizations. These fees are separate from any fees charged for the use and occupancy of NFS lands.

Land Use Fees- This is an annual rental fee based on the fair market value for the uses authorized and is payable in advance. Fees are established by appraisal or other sound business management principles.

Other Associated Costs- You may be responsible for providing information and reports necessary to determine the feasibility and environmental impacts of your proposal; compliance with applicable laws and regulations; and terms and conditions to be included in the authorization.

Top

STANDARD FORM 299 (6/99)  
 Prescribed by DOI/USDA/DOT  
 P.L. 96-487 and Federal  
 Register Notice 5-22-95

**APPLICATION FOR TRANSPORTATION AND  
 UTILITY SYSTEMS AND FACILITIES  
 ON FEDERAL LANDS**

FORM APPROVED  
 OMB NO 0596-0082

**FOR AGENCY USE ONLY**

NOTE. Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting

Application Number

Date Filed

1. Name and address of applicant (include zip code)

Name, title, and address of authorized agent if different from item 1 (include zip code)

3. Telephone (area code)

Applicant

Authorized Agent

4 As applicant are you? (check one)

- a  Individual
- b  Corporation\*
- c  Partnership/Association\*
- d  State Government/State Agency
- e  Local Government
- f  Federal Agency

5 Specify what application is for: (check one)

- a  New authorization
- b  Renewing existing authorization No.
- c  Amend existing authorization No.
- d  Assign existing authorization No.
- e  Existing use for which no authorization has been received \*
- f  Other\*

\* If checked, complete supplemental page

\* If checked, provide details under item 7

6 If an individual, or partnership are you a citizen(s) of the United States?  Yes  No

7 Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road), (b) related structures and facilities, (c) physical specifications (Length, width, grading, etc); (d) term of years needed (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction, and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

8 Attach a map covering area and show location of project proposal

9. State or Local government approval:  Attached  Applied for  Not Required

10. Nonreturnable application fee:  Attached  Not required

11. Does project cross international boundary or affect international waterways?  Yes  No (if "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

13a. Describe other reasonable alternative routes and modes considered.

b. Why were these alternatives not selected?

c. Give explanation as to why it is necessary to cross Federal Lands.

14 List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency (Specify number, date, code, or name)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality, (b) visual impact, (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water, (e) existing noise levels, and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability

18 Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals

19 State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction

GENERAL INFORMATION  
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

- 1 Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water
- 2 Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
- 3 Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
- 4 Systems for the transmission and distribution of electric energy.
- 5 Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications
- 6 Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
- 7 Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture  
Regional Forester, Forest Service (USFS)  
Federal Office Building,  
P.O. Box 21628  
Juneau, Alaska 99802-1628  
Telephone (907) 586-7847 (or a local Forest Service Office)

Department of the Interior  
Bureau of Indian Affairs (BIA)  
Juneau Area Office  
Federal Building Annex  
9109 Mendenhall Mall Road, Suite 5  
Juneau, Alaska 99802  
Telephone (907) 586-7177

Department of the Interior  
Bureau of Land Management  
222 West 7th Avenue  
P.O. Box 13  
Anchorage, Alaska 99513-7599  
Telephone (907) 271-5477 (or a local BLM Office)

U.S. Fish & Wildlife Service (FWS) Office of the Regional Director 1011 East Tudor Road Anchorage, Alaska 99503 Telephone: (907) 786-3440	National Park Service (NPA) Alaska Regional Office, 2225 Gambell St., Rm. 107 Anchorage, Alaska 99502-2892 Telephone: (907) 786-3440
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Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Office, P O Box 120, 1675 C Street, Anchorage, Alaska 9513

Department of Transportation  
Federal Aviation Administration  
Alaska Region AAL-4, 222 West 7th Ave., Box 14  
Anchorage, Alaska 99513-7587  
Telephone (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
	ATTACHED	FILED*
<b>I - PRIVATE CORPORATIONS</b>		
a Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
c Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate	<input type="checkbox"/>	<input type="checkbox"/>
f If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications	<input type="checkbox"/>	<input type="checkbox"/>
g If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal	<input type="checkbox"/>	<input type="checkbox"/>
<b>II - PUBLIC CORPORATIONS</b>		
a Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above	<input type="checkbox"/>	<input type="checkbox"/>
<b>III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY</b>		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above	<input type="checkbox"/>	<input type="checkbox"/>

\* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed " Provide the file identification information (e.g., number, date, code, name) If not on file or current, attach the requested information

NOTICE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for this collection of information is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information





In Reply Refer To.  
FWS/R2/TCESFO

## United States Department of the Interior

**FISH AND WILDLIFE SERVICE**  
Texas Coastal Ecological Services Field Office  
17629 El Camino Real, Suite 211  
Houston, Texas 77058  
281/286-8282 / (FAX) 281/488-5882



February 1, 2016

Thank you for your request for threatened and endangered species, fish and wildlife, environmental, and/or aquatic resources information, comments, and/or recommendations within the United States Fish and Wildlife Service (Service) Texas Coastal Ecological Service's area (Houston Office) of responsibility.

In order to obtain information regarding fish and wildlife resources concerning a specific project or project area, we recommend that you first utilize the Service developed Information, Planning, and Conservation (IPaC) System. The IPaC system is designed for easy, public access to information about the natural resources for which the Service has trust or regulatory responsibility. Examples include threatened and endangered species, migratory birds, National Refuge lands, and National Wetlands Inventory wetlands. One of the primary goals of the IPaC system is to provide this information in a manner that assists people in planning their activities within the context of natural resource conservation. The IPaC system also assists people through the various regulatory consultation, permitting and approval processes administered by the Fish and Wildlife Service, helping achieve more effective and efficient results for both the project proponents and natural resources.

The IPaC system can be found at the following website address: <http://ecos.fws.gov/ipac/>. Please note, by requesting an Official Species List you will receive an official consultation response letter and tracking number. If you still have questions concerning your project as it relates to fish and wildlife resources after visiting the IPaC system, please feel free to contact our office at the letterhead address above. We will be happy to assist you.

Sincerely,

Charles Ardizzone  
Field Supervisor



POWER ENGINEERS, INC  
7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN TX 78731 USA

PHONE 512 735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Mr. David Hoth  
Assistant Field Supervisor  
U.S. Fish & Wildlife Service  
17629 El Camino Real, Ste. 211  
Houston, TX 77058

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830

Dear Mr. Hoth:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving any relevant information you may have regarding major proposed development or



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Texas Coastal Ecological Services Field Office  
17629 EL CAMINO REAL, SUITE 211  
HOUSTON, TX 77058  
PHONE: (281)286-8282 FAX: (281)488-5882  
URL: [www.fws.gov/southwest/es/TexasCoastal/](http://www.fws.gov/southwest/es/TexasCoastal/);  
[www.fws.gov/southwest/es/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/es/ES_Lists_Main2.html)

Consultation Code: 02ETTX0-2016-SLI-0595

April 06, 2016

Event Code: 02ETTX0-2016-E-00647

Project Name: Grimes - Lewis Creek Transmission Line Project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The U.S. Fish and Wildlife Service (Service) field offices in Clear Lake, Tx, and Corpus Christi, Tx, have combined administratively to form the Texas Coastal Ecological Services Field Office. A map of the Texas Coastal Ecological Services Field Office area of responsibility can be found at: <http://www.fws.gov/southwest/es/TexasCoastal/Map.html>. All project related correspondence should be sent to the field office responsible for the area in which your project occurs. For projects located in southeast Texas please write to: Field Supervisor; U.S. Fish and Wildlife Service; 17629 El Camino Real Ste. 211; Houston, Texas 77058. For projects located in southern Texas please write to: Field Supervisor; U.S. Fish and Wildlife Service; 6300 Ocean Drive, Unit 5837, Corpus Christi, Texas 78412.

The enclosed species list identifies federally threatened, endangered, and proposed to be listed species; designated critical habitat; and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list is provided by the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information from updated surveys, changes in the abundance and distribution of species, changes in habitat conditions, or other factors could change the list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation for updates to species list and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Candidate species have no protection under the Act but are included for consideration because they could be listed prior to the completion of your project. The other species information should help you determine if suitable habitat for these listed species exists in any of the proposed project areas or if project activities may affect species on-site, off-site, and/or result in "take" of a federally listed species.

"Take" is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. In addition to the direct take of an individual animal, habitat destruction or modification can be considered take, regardless of whether it has been formally designated as critical habitat, if the activity results in the death or injury of wildlife by removing essential habitat components or significantly alters essential behavior patterns, including breeding, feeding, or sheltering.

### **Section 7**

Section 7 of the Act requires that all Federal agencies consult with the Service to ensure that actions authorized, funded or carried out by such agencies do not jeopardize the continued existence of any listed threatened or endangered species or adversely modify or destroy critical habitat of such species. It is the responsibility of the Federal action agency to determine if the proposed project may affect threatened or endangered species. If a "may affect" determination is made, the Federal agency shall initiate the section 7 consultation process by writing to the office that has responsibility for the area in which your project occurs.

**Is not likely to adversely affect** &ndash; the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The Federal agency or the designated non-Federal representative should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.

**Is likely to adversely affect** &ndash; adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires the Federal action agency to initiate formal section 7 consultation with this office.

**No effect** &ndash; the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area). No further coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Regardless of your determination, the Service recommends that you maintain a complete record of the evaluation, including steps leading to the determination of affect, the qualified personnel

conducting the evaluation, habitat conditions, site photographs, and any other related articles.

Please be advised that while a Federal agency may designate a non-Federal representative to conduct informal consultations with the Service, assess project effects, or prepare a biological assessment, the Federal agency must notify the Service in writing of such a designation. The Federal agency shall also independently review and evaluate the scope and contents of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

The Service's Consultation Handbook is available online to assist you with further information on definitions, process, and fulfilling Act requirements for your projects at: [http://www.fws.gov/endangered/esa-library/pdf/esa\\_section7\\_handbook.pdf](http://www.fws.gov/endangered/esa-library/pdf/esa_section7_handbook.pdf)

### **Section 10**

If there is no federal involvement and the proposed project is being funded or carried out by private interests and/or non-federal government agencies, and the project as proposed may affect listed species, a section 10(a)(1)(B) permit is recommended. The Habitat Conservation Planning Handbook is available at

<http://www.fws.gov/midwest/endangered/permits/hcp/hcphandbook.html>.

### **Service Response**

Please note that the Service strives to respond to requests for project review within 30 days of receipt, however, this time period is not mandated by regulation. Responses may be delayed due to workload and lack of staff. Failure to meet the 30-day timeframe does not constitute a concurrence from the Service that the proposed project will not have impacts to threatened and endangered species.

### **Candidate Species**

Several species of freshwater mussels occur in Texas and five are candidates for listing under the ESA. The Service is also reviewing the status of six other species for potential listing under the ESA. One of the main contributors to mussel die offs is sedimentation, which smothers and suffocates mussels. To reduce sedimentation within rivers, streams, and tributaries crossed by a project, the Service recommends that that you implement the best management practices found at: <http://www.fws.gov/southwest/es/TexasCoastal/FreshwaterMussels.html>.

Candidate Conservation Agreements (CCAs) or Candidate Conservation Agreements with Assurances (CCAAs) are voluntary agreements between the Service and public or private entities to implement conservation measures to address threats to candidate species. Implementing conservation efforts before species are listed increases the likelihood that simpler, flexible, and more cost-effective conservation options are available. A CCAA can provide participants with assurances that if they engage in conservation actions, they will not be required to implement additional conservation measures beyond those in the agreement. For additional information on CCAs/CCAAs please visit the Service's website at <http://www.fws.gov/endangered/what-we-do/cca.html>.

## **Migratory Birds**

The Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of migratory birds. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals or eggs. If project activities must be conducted during this time, we recommend surveying for active nests prior to commencing work. A list of migratory birds may be viewed at <http://www.fws.gov/migratorybirds/regulationspolicies/mbta/mbtandx.html>.

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the Act on August 9, 2007. Both the bald eagle and the golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For more information on bald and golden eagle management guidelines, we recommend you review information provided at <http://www.fws.gov/midwest/eagle/pdf/NationalBaldEagleManagementGuidelines.pdf>

The construction of overhead power lines creates threats of avian collision and electrocution. The Service recommends the installation of underground rather than overhead power lines whenever possible. For new overhead lines or retrofitting of old lines, we recommend that project developers implement, to the maximum extent practicable, the Avian Power Line Interaction Committee guidelines found at <http://www.aplic.org/>.

Meteorological and communication towers are estimated to kill millions of birds per year. We recommend following the guidance set forth in the Service Interim Guidelines for Recommendations on Communications Tower Siting, Constructions, Operation and Decommissioning, found online at: <http://www.fws.gov/habitatconservation/communicationtowers.html>, to minimize the threat of avian mortality at these towers. Monitoring at these towers would provide insight into the effectiveness of the minimization measures. We request the results of any wildlife mortality monitoring at towers associated with this project.

We request that you provide us with the final location and specifications of your proposed towers, as well as the recommendations implemented. A Tower Site Evaluation Form is also available via the above website; we recommend you complete this form and keep it in your files. If meteorological towers are to be constructed, please forward this completed form to our office.

More information concerning sections 7 and 10 of the Act, migratory birds, candidate species, and landowner tools can be found on our website at: <http://www.fws.gov/southwest/es/TexasCoastal/ProjectReviews.html>.

## **Wetlands and Wildlife Habitat**

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to

ood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provides food and cover for wildlife, stabilizes banks and decreases soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. The Service also urges taking precautions to ensure sediment loading does not occur to any receiving streams in the proposed project area. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation, and follow established rights-of-way whenever possible. All machinery and petroleum products should be stored outside the oodplain and/or wetland area during construction to prevent possible contamination of water and soils.

Wetlands and riparian areas are high priority fish and wildlife habitat, serving as important sources of food, cover, and shelter for numerous species of resident and migratory wildlife. Waterfowl and other migratory birds use wetlands and riparian corridors as stopover, feeding, and nesting areas. We strongly recommend that the selected project site not impact wetlands and riparian areas, and be located as far as practical from these areas. Migratory birds tend to concentrate in or near wetlands and riparian areas and use these areas as migratory ways or corridors. After every effort has been made to avoid impacting wetlands, you anticipate unavoidable wetland impacts will occur; you should contact the appropriate U.S. Army Corps of Engineers office to determine if a permit is necessary prior to commencement of construction activities.

If your project will involve filling, dredging, or trenching of a wetland or riparian area it may require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers (COE). For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, Texas 77553-1229, (409) 766-3002.

### **Beneficial Landscaping**

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping (42 C.F.R. 26961), where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs, and herbaceous species that are adaptable, drought tolerant and conserve water.

### **State Listed Species**

The State of Texas protects certain species. Please contact the Texas Parks and Wildlife Department (Endangered Resources Branch), 4200 Smith School Road, Austin, Texas 78744 (telephone 512/389-8021) for information concerning fish, wildlife, and plants of State concern or visit their website at:

[http://www.tpwd.state.tx.us/huntwild/wild/wildlife\\_diversity/texas\\_rare\\_species/listed\\_species/](http://www.tpwd.state.tx.us/huntwild/wild/wildlife_diversity/texas_rare_species/listed_species/).

If we can be of further assistance, or if you have any questions about these comments, please contact 281/286-8282 if your project is in southeast Texas, or 361/994-9005 if your project is in southern Texas. Please refer to the Service consultation number listed above in any future correspondence regarding this project.

Attachment





United States Department of Interior  
Fish and Wildlife Service

Project name: Grimes - Lewis Creek Transmission Line Project

## Official Species List

**Provided by:**

Texas Coastal Ecological Services Field Office  
17629 EL CAMINO REAL, SUITE 211  
HOUSTON, TX 77058  
(281) 286-8282  
<http://www.fws.gov/southwest/cs/TexasCoastal/>  
[http://www.fws.gov/southwest/cs/ES\\_Lists\\_Main2.html](http://www.fws.gov/southwest/cs/ES_Lists_Main2.html)

**Consultation Code:** 02ETTX0-2016-SLI-0595

**Event Code:** 02ETTX0-2016-E-00647

**Project Type:** TRANSMISSION LINE

**Project Name:** Grimes - Lewis Creek Transmission Line Project

**Project Description:** Proposed Grimes - Lewis Creek Transmission Line Project

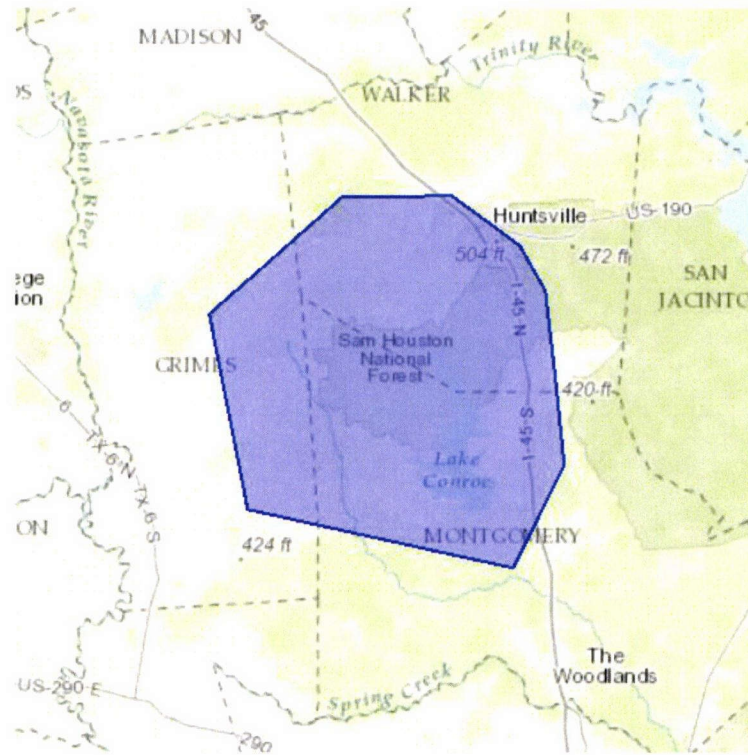
**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Grimes - Lewis Creek Transmission Line Project

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-95.63777955288859 30.307716505461165, -95.90877883433234 30.35853322552781, -95.96553964531678 30.60822348094891, -95.76925173428249 30.7584846443476, -95.6072372395612 30.761073543436584, -95.54825831493261 30.725002118864204, -95.50413126256831 30.696513280486403, -95.468543236421 30.638600773998835, -95.45184882158692 30.526049879981656, -95.43884226113072 30.416867186891334, -95.51381962047176 30.28557382762796, -95.63777955288859 30.307716505461165)))

**Project Counties:** Grimes, TX | Montgomery, TX | Walker, TX



United States Department of Interior  
Fish and Wildlife Service

Project name: Grimes - Lewis Creek Transmission Line Project

## Endangered Species Act Species List

There are a total of 8 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 3 of these species should be considered only under certain conditions. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Least tern ( <i>Sterna antillarum</i> ) Population: interior pop	Endangered		Wind related projects within migratory route.
Piping Plover ( <i>Charadrius melodus</i> ) Population: except Great Lakes watershed	Threatened	Final designated	Wind related projects within migratory route.
Red Knot ( <i>Calidris canutus rufa</i> )	Threatened		Wind related projects within migratory route.
Red-Cockaded woodpecker ( <i>Picoides borealis</i> ) Population: Entire	Endangered		
Whooping crane ( <i>Grus americana</i> ) Population: except where EXPN	Endangered	Final designated	
<b>Clams</b>			
Smooth Pimpleback ( <i>Quadrula houstonensis</i> )	Candidate		



United States Department of Interior  
Fish and Wildlife Service

Project name: Grimes - Lewis Creek Transmission Line Project

Texas Fawnsfoot ( <i>Truncilla macrodon</i> )	Candidate		
<b>Flowering Plants</b>			
Navasota ladies'-tresses ( <i>Spiranthes parksii</i> )	Endangered		



United States Department of Interior  
Fish and Wildlife Service

Project name: Grimes - Lewis Creek Transmission Line Project

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.



**DEPARTMENT OF THE ARMY**  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

April 6, 2016

Regulatory Division

**SUBJECT: Project Number SWF-2016-00130, Grimes to Lewis Creek 230 kV Transmission Line Project**

Gary McClanahan  
Power Engineers, Inc.  
7600B North Capital of Texas Highway  
Suite 320  
Austin, TX 78731

Dear Mr. McClanahan:

Thank you for your letter received April 4, 2016 concerning a proposal by Entergy Texas Inc to construct additional electric transmission infrastructure located in Grimes County, Texas. This project has been assigned Project Number SWF-2016-00130. Please include this number in all future correspondence concerning this project.

Mr. Joe Shelnett has been assigned as the regulatory project manager for your request and will be evaluating it as expeditiously as possible.

We are unable to determine from the information provided whether Department of the Army authorization will be required. Please provide a more detailed description of the entire proposed project, a suitable map of the proposed project area showing the location of proposed discharges, the type and amount of material (temporary or permanent), if any, to be discharged, and plan and cross-section views of the proposed project. Please refer to the enclosed guidance for Department of the Army submittals for additional details about what you should submit for this and future projects.

If a Department of the Army permit is required, the project may be authorized by one or more general permits. For work to be authorized by general permit it must comply with the specifications and conditions of the permit. Projects that would not meet the specifications and conditions of a general permit may require authorization by individual permit.

We encourage you to avoid and minimize adverse impacts to streams, wetlands, and other waters of the United States in planning this project. Please forward your response to us as soon as possible so that we may continue our evaluation of your request. If we do not receive the requested information within 30 days of the date of this letter, we will consider your application administratively withdrawn. If withdrawn, you may re-open your application at a later date by submitting the requested information.

Please note that it is unlawful to start work without a Department of the Army permit when one is required.

You may be contacted for additional information about your request. For your information, please refer to the Fort Worth District Regulatory Branch homepage at <http://www.swf.usace.army.mil/Missions/regulatory> and particularly guidance on submittals at <http://media.swf.usace.army.mil/pubdata/environ/Regulatory/introduction/submittal.pdf>, and mitigation at <http://www.swf.usace.army.mil/Missions/Regulatory/Permitting/Mitigation> that may help you supplement your current request or prepare future requests.

If you have any questions about the evaluation of your submittal or would like to request a copy of one of the documents referenced above, please contact Mr. Joe Shelnuttt at the address above or telephone (817) 886-1738 and refer to your assigned project number.

If you have any questions about the evaluation of your submittal or would like to request a copy of one of the documents referenced above, please refer to our website at <http://www.swf.usace.army.mil/Missions/Regulatory> or contact Mr. Joe Shelnuttt at the address above or telephone 817-886-1738 and refer to your assigned project number. Please note that it is unlawful to start work without a Department of the Army permit if one is required.

Please help the regulatory program improve its service by completing the survey on the following website: [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey)

Stephen L. Brooks  
Chief, Regulatory Division



**DEPARTMENT OF THE ARMY  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300**

August 3, 2016

Regulatory Division

**SUBJECT: Project Number SWF-2016-00276, Grimes or Rocky Creek to Lewis Creek 230kV  
Transmission Line Project**

Jennifer Culbertson  
Entergy Texas  
9425 Pinecroft  
The Woodlands, TX 77380

Dear Ms. Culbertson:

Thank you for your letter received August 1, 2016 concerning a proposal by Entergy Texas to construct a single circuit 230 kV electric transmission line located in Grimes and Walker Counties, Texas. This project has been assigned Project Number SWF-2016-00276. Please include this number in all future correspondence concerning this project.

Ms. Hannah Halydier has been assigned as the regulatory project manager for your request and will be evaluating it as expeditiously as possible.

We are unable to determine from the information provided whether Department of the Army authorization will be required. Please provide a more detailed description of the entire proposed project, a suitable map of the proposed project area showing the location of proposed discharges, the type and amount of material (temporary or permanent), if any, to be discharged, and plan and cross-section views of the proposed project. Please refer to the enclosed guidance for Department of the Army submittals for additional details about what you should submit for this and future projects.

If a Department of the Army permit is required, the project may be authorized by one or more general permits. For work to be authorized by general permit it must comply with the specifications and conditions of the permit. Projects that would not meet the specifications and conditions of a general permit may require authorization by individual permit.

We encourage you to avoid and minimize adverse impacts to streams, wetlands, and other waters of the United States in planning this project. Please forward your response to us as soon as possible so that we may continue our evaluation of your request. If we do not receive the requested information within 30 days of the date of this letter, we will consider your application administratively withdrawn. If withdrawn, you may re-open your application at a later date by submitting the requested information.



Please note that it is unlawful to start work without a Department of the Army permit when one is required.

You may be contacted for additional information about your request. For your information, please refer to the Fort Worth District Regulatory Branch homepage at <http://www.swf.usace.army.mil/Missions/regulatory> and particularly guidance on submittals at <http://media.swf.usace.army.mil/pubdata/envirom/Regulatory/introduction/submital.pdf>, and mitigation at <http://www.swf.usace.army.mil/Missions/Regulatory/Permitting/Mitigation> that may help you supplement your current request or prepare future requests.

If you have any questions about the evaluation of your submittal or would like to request a copy of one of the documents referenced above, please contact Ms. Hannah Halydier at the address above or telephone (817) 886-1745 and refer to your assigned project number.

If you have any questions about the evaluation of your submittal or would like to request a copy of one of the documents referenced above, please refer to our website at <http://www.swf.usace.army.mil/Missions/Regulatory> or contact Ms. Hannah Halydier at the address above or telephone 817-886-1745 and refer to your assigned project number. Please note that it is unlawful to start work without a Department of the Army permit if one is required.

Please help the regulatory program improve its service by completing the survey on the following website: [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey)

Stephen L. Brooks  
Chief, Regulatory Division



DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 1229  
GALVESTON TX 77553-1229

April 12, 2016

REPLY TO  
ATTENTION OF:

Evaluation Branch

**PLEASE NOTE: THIS IS NOT A PERMIT**

**SUBJECT: Acknowledgement – Department of the Army Permit Application – Proposed Grimes to Lewis Creek 230 kV Transmission Line Project – Grimes, Montgomery and Walker Counties, Texas**

Gary McClanahan  
Environmental Project Manager  
Power Engineers, Inc.  
7600B N Capital of Texas Hwy, Suite 320  
Austin, Texas 78731

This is to acknowledge receipt of your April 5, 2016, request for Department of the Army permit authorization to perform certain work associated with the proposed Grimes to Lewis Creek 230 kV Transmission Line Project. The project site is located in Grimes, Montgomery and Walker Counties, Texas. Please note the items listed below.

- ◆Date Request Received in Evaluation Branch: April 5, 2016
- ◆Applicant (if other than Requestor): **Entergy Texas, Inc.**
- ◆File Number Assigned: **SWG-2016-00244**
- ◆Regulatory Specialist Assigned: **Mr. Wesley Holt**
- ◆Telephone Number of Regulatory Specialist: **409-766-3982**
- ◆Email Address of Regulatory Specialist: **Wesley.M.Holt@usace.army.mil**
- ◆Mailing Address: Wesley M. Holt  
CESWG-RD-E  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Please reference **the above file number** in all future correspondence with our office related to this request. You may contact the project manager at the address or telephone number listed above. As always, we are here to assist you in any manner we can regarding this request.

Sincerely,

*Jill C. Wiggins*

Jill C. Wiggins  
Legal Instruments Examiner

**PLEASE NOTE: THIS IS NOT A PERMIT**



**DEPARTMENT OF THE ARMY**  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 1229  
GALVESTON, TEXAS 77553-1229

April 25, 2016

REPLY TO  
ATTENTION OF:

Evaluation Branch

SUBJECT: Permit Application - SWG-2016-00244

Gary McClanahan, Environmental Project Manager  
Power Engineers  
7600B North Capital of Texas Highway, Suite 320  
Austin, Texas 78731

Dear Mr. McClanahan:

This is in response to your request for information, dated April 5, 2016, regarding the potential construction of an electric transmission infrastructure as part of the Western Region Economic Project. The infrastructure would connect the existing Grimes Substation, located on County Road 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation, located between Longstreet Road and Lewis Creek Reservoir west of Willis, Texas. The proposed electrical transmission infrastructure would traverse through both Grimes and Montgomery Counties, and potentially Walker County, Texas.

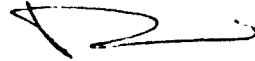
The United States Army Corps of Engineers (Corps), Regulatory Division, regulates the placement of structures and/or work performed in/or affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). The Corps, Regulatory Division, also regulates the discharge of dredged and/or fill material into waters of the United States, including navigable waters, under Section 404 of the Clean Water Act (Section 404). A Department of Army Permit is required for any work in Section 10 waters of the United States and/or discharge of fill material into Section 404 waters of the United States.

Your letter suggests that you will be proposing to construct an aerial electrical transmission line. The Corps has issued preauthorized Nationwide Permits (NWP) which pertain to certain types of commonly requested projects, assuming they meet the required terms and conditions. NWP are specifically designed to keep all impacts to a minimum while allowing for a more expeditious permitting process than the other types of permits offered by the Corps. NWP are to be verified by the Corps, prior to the commencement of any activities and may also require a preconstruction notification. Assuming you meet the required terms and conditions, the NWP 12 for utility lines may apply to the type of project in which you are referring to in your letter and would require a preconstruction notification prior to commencement. If your project does not meet the mandatory terms and conditions, an evaluation under a different type of permit may be necessary and mitigation may also be required. Additional information regarding the Corps permitting process, materials required for a complete application, as well as descriptions of all permits offered by the Corps can be found at <http://www.swg.usace.army.mil/BusinessWithUs/Regulatory/Permits.aspx>.

-2-

The Regulatory Specialist that has been assigned to your file is Mr. Wesley M. Holt. Please reference file number SWG-2016-00244 in future correspondence pertaining to this subject. If you have any questions, please contact Mr. Holt at the letterhead address or by telephone at 409-766-3945. To assist us in improving our service to you, please complete the survey found at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andria Davis', with a stylized flourish at the end.

Andria Davis  
Leader, North Evaluation Unit



Natural Resources  
Conservation Service

State Office

101 S. Main Street  
Temple, TX 76501  
Voice 254.742.9800  
Fax 254.742.9819

April 8<sup>th</sup>, 2016

Power Engineers  
7600B N Capitol of Texas Hwy, Suite 320  
Austin, Texas 78731

Attention: Gary McClanahan

Subject: Proposed Grimes County Transmission Line  
Project No. 141830  
Grimes, Montgomery, Walker Counties, Texas

We have reviewed the information provided in your letter dated April 1<sup>st</sup>, 2016 concerning the proposed transmission lines in Grimes, Montgomery, and Walker Counties, Texas. This review is part of the National Environmental Policy Act evaluation for the Public Utilities Commission of Texas. We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The soil surveys of all counties did identify important farmland in the study area however, we do not consider power lines to be a conversion of farmland because the site can still be used after construction therefore your study area is considered exempt from FPPA for this project. We have completed a Farmland Conversion Impact Rating (AD-1006) indicating the exemption and it is enclosed. If you plan any permanent substations or similar structures we will rate those when the exact location is known. We urge you to use approved erosion control methods during construction of the project

If you have any questions, please contact me at (254)742-9857 or by email at [alan.stahnke@tx.usda.gov](mailto:alan.stahnke@tx.usda.gov)

Sincerely,

**ALAN  
STAHNKE**

Alan Stahnke  
State Soil Scientist

Digitally signed by ALAN STAHNKE  
DN: c=US, o=U.S. Government,  
ou=Department of Agriculture, cn=ALAN  
STAHNKE,  
0.9.2342.19200300.100.1.1=12001000351887  
Date: 2016.04.08 10:52:14 -05'00'

Attachment

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request 4/1/2016				
Name of Project Grimes Co Transmission Line		Federal Agency Involved PUCT				
Proposed Land Use		County and State Grimes, Montgomery, Walker				
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS 4/7/2016				
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Acres Irrigated	Average Farm Size	
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS 4/12/2016				
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly						
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site						
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use		(15)				
2. Perimeter In Non-urban Use		(10)				
3. Percent Of Site Being Farmed		(20)				
4. Protection Provided By State and Local Government		(20)				
5. Distance From Urban Built-up Area		(15)				
6. Distance To Urban Support Services		(15)				
7. Size Of Present Farm Unit Compared To Average		(10)				
8. Creation Of Non-farmable Farmland		(10)				
9. Availability Of Farm Support Services		(5)				
10. On-Farm Investments		(20)				
11. Effects Of Conversion On Farm Support Services		(10)				
12. Compatibility With Existing Agricultural Use		(10)				
TOTAL SITE ASSESSMENT POINTS		160				
<b>PART VII</b> (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100				
Total Site Assessment (From Part VI above or local site assessment)		160				
TOTAL POINTS (Total of above 2 lines)		260				
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form:					Date:	

(See Instructions on reverse side)

**From:** [david\\_hurd@nps.gov](mailto:david_hurd@nps.gov) on behalf of IMRextrev, NPS  
**To:** [Lea Dibrell 2400](mailto:Lea.Dibrell.2400)  
**Cc:** [Gary McClanahan 2405](mailto:Gary.McClanahan.2405)  
**Subject:** Re: Proposed Grimes to Lewis Creek 230-kV Transmission Line Project  
**Date:** Thursday, April 21, 2016 10:17:04 AM  
**Attachments:** [image002.png](#)

---

Dear Ms. Dibrell,

The National Park Service (NPS) would like to thank you for the opportunity to be involved in your project. The NPS has reviewed this project and has no comments at this time.

Regards,

National Park Service  
Intermountain Region External Review Team  
Serving MT, UT, WY, CO, AZ, NM, OK, TX  
[imrxtrev@nps.gov](mailto:imrxtrev@nps.gov)

On Fri, Apr 1, 2016 at 9:08 AM, Lea Dibrell <[lea.dibrell@powereng.com](mailto:lea.dibrell@powereng.com)> wrote:

April 1, 2016

*(via Email)*

Ms. Sue Masica

Intermountain Regional Director

National Park Service

[IMRextrev@nps.gov](mailto:IMRextrev@nps.gov)

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830

Dear Ms. Masica:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving any relevant information you may have regarding major proposed development or construction, areas requiring permits or easements if crossed by a transmission line, or other matters you believe could affect, or be affected by this project. Upon selection of a final route and approval by the PUCT for the transmission line, any necessary permits, easements and/or approvals will be obtained. ETI does not plan to receive any federal funding or federal assistance for this project at this time, but anticipates the project may require federal permitting.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

Sincerely,





Gary McClanahan  
Environmental Project Manager

Enclosure: Study Area Map

cc: Mr. Brad Coleman – Entergy



TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

April 7, 2016

Gary McClanahan  
Power Engineers, Inc.  
7600B N. Capital of Texas Hwy, Suite 320  
Austin, TX 78731-1190

Re: Entergy Texas, Inc. Western Region Economic Project-Proposed Grimes to Lewis Creek  
230-kV Transmission Line Project  
Grimes, Montgomery and Walker Counties, Texas  
POWER Engineers, Inc. Project No. 141830

Dear Mr. McClanahan:

On behalf of Commissioner Bush, I would like to thank you for your letter concerning the above referenced project.

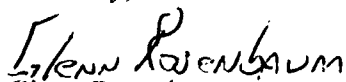
Using your map depicting the project's work area, it does not appear that the General Land Office will have any environmental issues or land use constraints at this time.

When a final route for this proposed project has been determined, please contact me and we can assess the route to determine if the project will cross any streambeds or Permanent School Fund (PSF) lands that would require an easement from our agency.

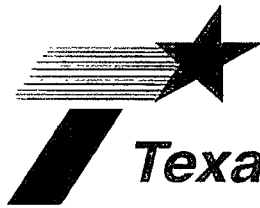
In the interim, if you would like to speak to me further about this project, I can be reached by email at [glenn.rosenbaum@glo.texas.gov](mailto:glenn.rosenbaum@glo.texas.gov) or by phone at (512) 463-8180.

Again, thank you for your inquiry.

Sincerely,



Glenn Rosenbaum  
Manager, Right-of-Way Department  
Leasing Operations



# Texas Department of Transportation

AVIATION DIVISION

125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • 512/416-4500 • FAX 512/416-4510

Mr. Gary McClanahan  
Power Engineers, Inc.  
7600B N. Capitol of Texas Highway  
Suite 320, Austin, Texas 78731

April 7, 2016

Dear Mr. McClanahan;

I received your letter dated April 1, 2016 concerning Power Engineers project number 141830.

Title 14, US Code, Part 77 of the Federal Aviation Administration's (FAA) Federal Aviation Regulations (FAR) requires notice to the FAA if the facility to be constructed fits either of the below listed conditions:

77.9 a. Any construction or alteration that is more than 200 ft. AGL (Above Ground Level) at its site.

77.9 b.(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section

There are two public use airports in or near the study area; Conroe North Houston Regional Airport (CXO) at Airport Reference Point (ARP) 30-21-12.2239N / 095-24-54.2950W. The longest runway is 7501 feet. Huntsville Municipal Airport (UTS) at Airport Reference Point (ARP) 30-44-48.80N / 095-35-13.80W. The longest runway is 5005 feet. There are no public use heliports in or near the study area.

If the criterion of FAR 77.9a or 9b1 is met, the FAA must be notified electronically at <http://oeaaa.faa.gov>.

  
William B. Gunn  
Compliance

THE TEXAS PLAN

REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY  
PRESERVE THE VALUE OF TRANSPORTATION ASSETS

*An Equal Opportunity Employer*



RECEIVED

APR 04 2016

TXDOT AVIATION DIVISION

POWER ENGINEERS, INC

7600B N CAPITAL OF TEXAS HWY  
SUITE 320  
AUSTIN TX 78731 USA

PHONE 512-735-1800  
FAX 512-735-1899

April 1, 2016  
(via Mail)

Mr. David Fulton  
Director, Department of Aviation  
Texas Department of Transportation  
125 E. 11th Street  
Austin, TX 78701-2483

RE: Entergy Texas, Inc. Western Region Economic Project- Proposed Grimes to Lewis  
Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker  
Counties, Texas POWER Engineers, Inc. Project No. 141830

Dear Mr. Fulton:

Entergy Texas, Inc. (ETI) proposes to add electric transmission infrastructure in Grimes, Montgomery and potentially Walker counties as part of the Western Region Economic Project. ETI is planning to construct a new single circuit 230 kilovolt (kV) electric transmission line approximately 30-50 miles in length (depending on the final route) that would connect the existing Grimes Substation located on County Road (CR) 240 north of Shiro in Grimes County, to the existing Lewis Creek Substation located between Longstreet Road and Lewis Creek Reservoir west of Willis in Montgomery County. There are no proposed routes for the project at this time. The study area and approximate locations of the proposed end points and existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line would be erected utilizing either concrete or steel single-pole structures within a right-of-way that would be approximately 125 feet wide, depending on location.

POWER Engineers, Inc. (POWER) is preparing a state-level environmental assessment and alternative route analyses for the proposed project that will support ETI's application to the Public Utility Commission of Texas (PUCT) to amend its Certificate of Convenience and Necessity (CCN). POWER is currently in the process of gathering data on the existing environment and land use within the study area that will be used in the development of an environmental and land use constraints map. POWER will also identify potential alternative route segments that consider environmental and land use constraints.

We are requesting any information concerning important environmental and land use concerns that you may have regarding the potential environmental effects from the construction of a transmission line within the designated study area. Your input will be an important consideration towards the identification of constraints, the development of alternative routes, and in the avoidance, minimization, and assessment of potential impacts to land use and the natural environment. In addition, POWER would appreciate receiving any relevant information you may have regarding major proposed development or

April 1, 2016

construction, areas requiring permits or easements if crossed by a transmission line, or other matters you believe could affect, or be affected by this project. Upon selection of a final route and approval by the PUCT for the transmission line, any necessary permits, easements and/or approvals will be obtained. ETI does not plan to receive any federal funding or federal assistance for this project at this time, but anticipates the project may require federal permitting.

Thank you for your assistance with this electric transmission line project. If you have any questions concerning this project or our request for information, please call me at 512-735-1805, or by email, [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com). Your earliest reply will be appreciated.

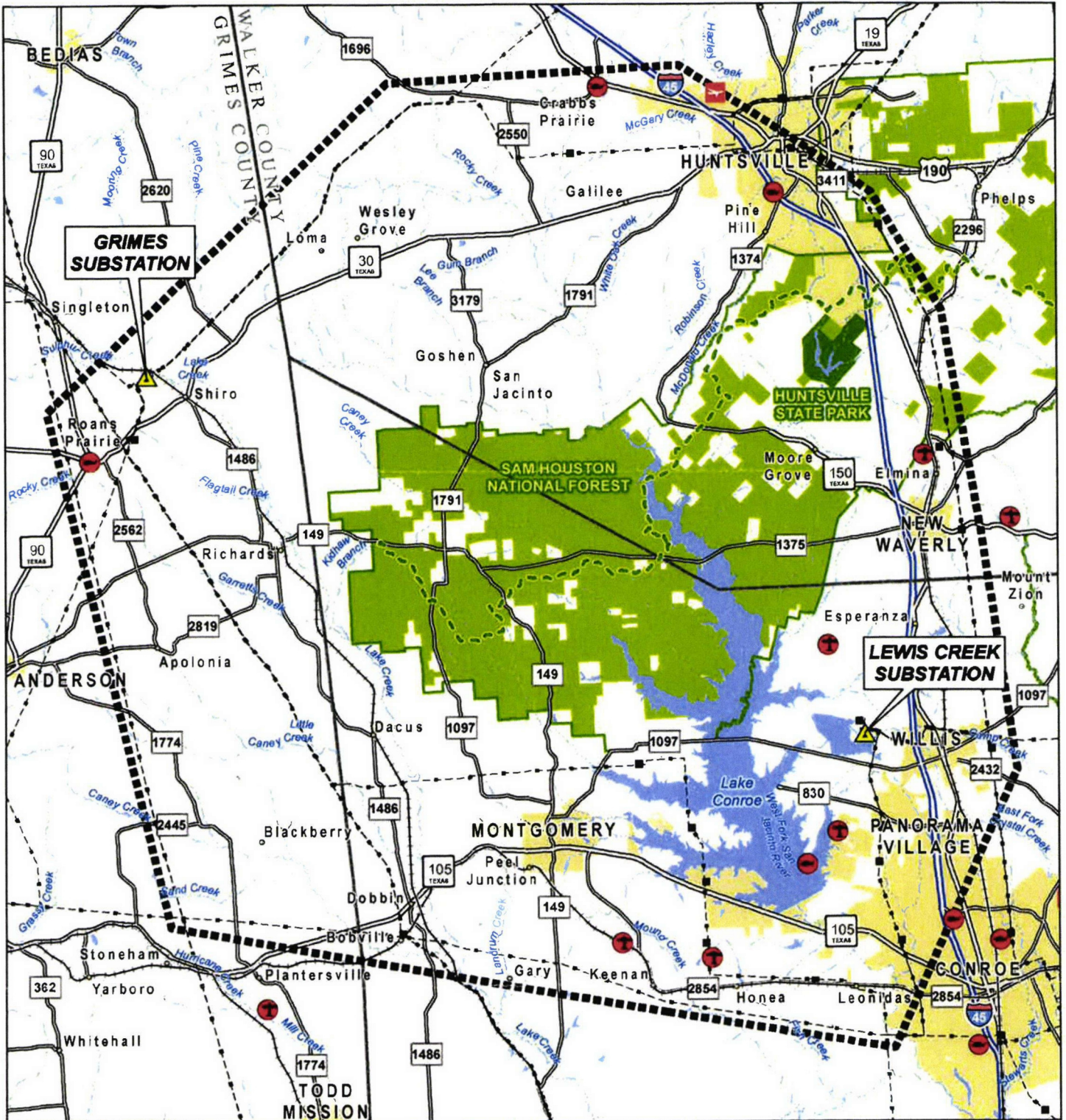
Sincerely,



Gary McClanahan  
Environmental Project Manager

Enclosure: Study Area Map

cc: Mr. Brad Coleman – Entergy

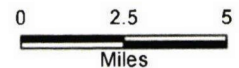


**Legend**

- |                            |                          |                             |
|----------------------------|--------------------------|-----------------------------|
| Project Substation         | Interstate Highway       | Lone Star Trail             |
| Study Area Boundary        | US Highway               | Huntsville State Park       |
| Existing Substation        | State Highway            | Sam Houston National Forest |
| Existing Transmission Line | FM Road                  | Administrative Boundary     |
| Public Airport             | Railroad                 | Sam Houston National Forest |
| Private Airstrip           | River / Stream           | County Boundary             |
| Private Heliport           | Unincorporated Community | City Limits                 |



**GRIMES TO LEWIS CREEK  
230 KV TRANSMISSION  
LINE PROJECT  
STUDY AREA MAP**



**POWER ENGINEERS**  
Date: 3/21/2016





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Executive Director

June 2, 2016

Mr. Gary McClanahan  
Environmental Project Manager  
POWER Engineers, Inc.  
7600B N. Capital of Texas Highway, Suite 320  
Austin, TX 78731

RE: Preliminary Information Request for Entergy Texas, Inc. Western Region  
Economic Project- Proposed Grimes to Lewis Creek 230-Kv Transmission  
Line Project; Grimes, Montgomery, and Walker Counties, Texas.  
POWER Engineers, Inc. Project No. 141830

Dear Mr. Gary McClanahan:

Texas Parks and Wildlife Department (TPWD) received the preliminary information request regarding the above-referenced proposed transmission line project. TPWD staff has reviewed the information provided and offers the following comments concerning this project.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency may be required by state law. For further guidance, see the Texas Parks and Wildlife Code, Section 12.0011, which can be found online at <http://www.statutes.legis.state.tx.us/Docs/PW/htm/PW.12.htm#12.0011>. For tracking purposes, please refer to TPWD project number 36452 in any return correspondence regarding this project.

**Project Description**

Entergy Texas, Inc. (ETI) is proposing to develop electric transmission infrastructure in Grimes, Montgomery, and potentially Walker Counties, Texas. ETI proposes to construct a new 230-kilovolt (kV) electric transmission line approximately 30 to 50 miles in length depending on the final route (no routes are currently proposed). The new 230-kV transmission line would connect the existing Grimes Substation to the existing Lewis Creek Substation. The proposed transmission line would be erected using either concrete or steel single-pole structures within a right-of-way (ROW) approximately 125-feet wide.

POWER Engineers, Inc. (POWER) is preparing an Environmental Assessment (EA) and Alternative Route Analysis for ETI to support their Certificate of Convenience and Necessity (CCN) application for the Public Utility Commission of Texas (PUC). POWER is gathering data on the existing environment and identifying environmental and land use constraints within the study area that will be used in the creation of an environmental and land use constraints map.

4200 SMITH SCHOOL ROAD  
AUSTIN, TEXAS 78744-3291  
512.389.4800  
[www.tpwd.texas.gov](http://www.tpwd.texas.gov)

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

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POWER will identify potential alternative route segments that consider these environmental and land use constraints.

**Recommendation:** TPWD recommends using existing facilities whenever possible. Where new construction is the only feasible option, TPWD recommends routing new transmission lines along existing roads, pipelines, transmission lines, or other utility ROW and easements to reduce habitat fragmentation. By utilizing previously disturbed, existing utility corridors, county roads, and highway ROW, adverse impacts to fish and wildlife resources would be mitigated by avoiding and/or minimizing the impacts to undisturbed habitats. Please see the *TPWD Recommendations for Electrical Transmission/Distribution Line Design and Construction*, available at [http://tpwd.texas.gov/huntwild/wild/wildlife\\_diversity/habitat\\_assessment/media/tpwd\\_electrical\\_transmission.pdf](http://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/media/tpwd_electrical_transmission.pdf). Please review the recommendations and incorporate these measures into design and construction plans.

### **Federal Laws**

#### *Clean Water Act*

Section 404 of the Clean Water Act (CWA) establishes a federal program to regulate the discharge of dredged and fill material into the waters of the U.S., including wetlands. The U.S. Army Corps of Engineers (USACE) and the Environmental Protection Agency are responsible for making jurisdictional determinations and regulating wetlands and other waters under Section 404 of the CWA.

Wetland mitigation is out-of-kind and insufficient to compensate for impacts to stream functions. For unavoidable stream impacts, stream compensation is **required** under 33 CFR §332.3(e)(3); item II.B.2. in Compensatory Mitigation for Losses of Aquatic Resources (73 Federal Register 19596, April 10, 2008); and the Interim Galveston District Stream Condition Assessment Standard Operating Procedure for Compensatory Stream Mitigation (dated July 7, 2011).

**Recommendation:** TPWD recommends consulting with the USACE for potential impacts to waters of the U.S. including jurisdictional determinations, delineations, and mitigation.

**Recommendation:** TPWD recommends mitigation for all impacts to aquatic resources. The wetland and stream mitigation plan should be developed in consultation with TPWD. The applicant should coordinate with Mr. Winston Denton (Montgomery and Walker Counties; (281) 534-0138, [Winston.Denton@tpwd.texas.gov](mailto:Winston.Denton@tpwd.texas.gov)) and Mr. Travis Tidwell (Grimes County;



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(512) 389-8160, Travis.Tidwell@tpwd.texas.gov) regarding aquatic habitat impacts and mitigation.

#### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act (MBTA) prohibits taking, attempting to take, capturing, killing, selling/purchasing, possessing, transporting, and importing of migratory birds, their eggs, parts and nests, except when specifically authorized by the Department of the Interior. This protection applies to most native bird species, including ground nesting species. The U.S. Fish and Wildlife Service (USFWS) Migratory Bird Office can be contacted at (505) 248-7882 for more information on potential impacts to migratory birds.

Lakes, streams, and wetlands are located within the study area. Please note that birds typically establish flight corridors along and within river and creek drainages. There is potential for electrocution and collision of large-bodied waterfowl and avian predators with electrical wires near these water features.

**Recommendation:** TPWD recommends vegetation clearing be scheduled to occur outside of the March to August nesting season; if clearing must occur during nesting season, nest surveys should be conducted prior to clearing. If nests are observed during surveys, an area of buffer vegetation no less than 25-feet in all directions should remain around the nest until young have fledged. If there are abandoned nests in the area these nests should be removed to prevent reoccupation. Raptor nesting occurs late winter through early spring; TPWD recommends construction activities be excluded from a minimum zone of 100 meters surrounding any raptor nest during the period of February 1 through July 15. Contact the USFWS at the number listed above for further information.

**Recommendation:** TPWD recommends routing the transmission line to avoid crossing or disturbing water resources in the project area to the extent feasible. Lines that cross or are located near rivers, creeks, drainages, and wetlands should have line markers installed at the crossings or closest points to the drainages to reduce potential collisions by birds flying along or near the drainages. For additional information, please see the guidelines published by USFWS and the Avian Power Lines Interaction Committee (APLIC) in the updated guidance document *Reducing Avian Collisions with Power Lines: State of the Art in 2012*. This manual, released on December 20, 2012, identifies best practices and provides specific guidance to help electric utilities and cooperatives reduce bird collisions with power lines. A companion document, *Suggested Practices for Avian Protection on Power Lines*, was

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published by APLIC and the USFWS in 2006. For more information on both documents, please visit [www.aplic.org](http://www.aplic.org).

Numerous records of colonial waterbird rookeries occur in the study area. In general, nesting dates for herons and egrets range from early February to late August in Texas, depending on the species. Great Blue Herons (GBHE) are usually the first to nest. If nesting GBHE are disrupted and abandon nesting, other species of herons and egrets may not attempt to nest at the rookery that year. Nesting dates for Texas species within rookeries can be found in *Nuisance Heronries in Texas*: [http://www.tpwd.state.tx.us/publications/pwdpubs/media/pwd\\_bk\\_w7000\\_0134.pdf](http://www.tpwd.state.tx.us/publications/pwdpubs/media/pwd_bk_w7000_0134.pdf).

**Recommendation:** If rookeries are encountered, TPWD recommends avoiding/minimizing disturbance during nesting. TPWD recommends a primary buffer area of 300 meters (984 feet) from the rookery periphery to avoid any vegetation clearing as a protection measure to protect the rookery species and their habitat. Transmission line construction and permanent easements that would encroach within this buffer area should be re-routed, adjusted, or narrowed to avoid clearing within this buffer area. Utilizing areas that have already been cleared within this buffer area may be acceptable depending on site-specific characteristics. Additionally, human foot traffic or machinery use should not occur within this buffer area during the nesting season.

**Recommendation:** TPWD recommends a secondary buffer area of 1000 meters (3281 feet) from the rookery periphery to avoid clearing activities or construction using heavy machinery during the breeding season (courting and nesting). If rookeries are identified in the project area and details regarding the rookeries are provided, TPWD staff can discuss the ability to feasibly meet the recommended setback distances. Details to aid in decision making includes the size of the rookery (number of nests and area of rookery), species utilizing the rookery, distance of rookery periphery from the construction area, and characteristics regarding the habitat within and surrounding the rookery.

#### *Bald and Golden Eagle Protection Act*

Numerous records of the bald eagle (*Haliaeetus leucocephalus*) occur within in the study area. The Bald and Golden Eagle Protection Act (BGEPA) prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The BGEPA provides criminal penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any

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bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof. The BGEPA defines "take" as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.

**Recommendation:** TPWD recommends that route alternatives be assessed for nesting, foraging, or roosting habitat for the bald eagle. For protection of bald eagles, please refer to the USFWS National Bald Eagle Management Guidelines <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/eagles-gd.php>. When potential impacts to the bald eagle are anticipated, TPWD recommends consultation with USFWS – Houston Ecological Services at (281) 286-8282 regarding compliance with the BGEPA. TPWD also recommends consultation with TPWD because the bald eagle is state-listed as threatened.

#### *Endangered Species Act*

Federally-listed animal species and their habitat are protected from “take” on any property by the Endangered Species Act (ESA). Take of a federally-listed species can be allowed if it is “incidental” to an otherwise lawful activity and must be permitted in accordance with Section 7 or 10 of the ESA. Any take of a federally-listed species or its habitat without the required take permit (or allowance) from the USFWS is a violation of the ESA.

Based on a review of the study area, suitable habitat for the red-cockaded woodpecker (*Picoides borealis*, listed by the ESA as federal-endangered) appears to be present. Numerous records of red-cockaded woodpecker occur within the study area. The red-cockaded woodpecker is found in mature pine forests of east Texas and the southeastern U.S. It is the only species of woodpecker that excavates its cavities exclusively in living pines. In Texas, cavities have been found in longleaf (*Pinus palustris*), loblolly (*P. taeda*), shortleaf (*P. echinata*), and slash (*P. elliottii*) pines. Most cavities are found in trees 60 to 70 years of age or older. Preferred nesting and roosting cluster sites are mature, park-like pine stands with a grassy or herbaceous understory, and few or no midstory hardwood or pine trees above 6 feet in height. Red-cockaded woodpeckers will utilize habitats unsuitable for nesting as foraging habitat (e.g., pine-mixed hardwood habitat).

**Recommendation:** TPWD recommends avoiding disturbance to mature, open pine forests required by the red-cockaded woodpecker. If disturbance of this species’ nesting, roosting, or foraging habitat is anticipated, TPWD recommends a qualified biologist conduct pre-construction surveys for red-cockaded woodpecker. TPWD recommends that if the red-cockaded woodpecker or their habitat would be impacted by the proposed project, ETI

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consult with TPWD and the USFWS, as appropriate, to determine avoidance, minimization, and mitigation strategies. TPWD also recommends employing strategies outlined above regarding MBTA compliance and in the above-referenced APLIC guidelines.

Navasota ladies'-tresses (*Spiranthes parksii*, listed by the ESA as federal-endangered) is a species subject to ESA protection and appears to have suitable habitat within the study area. This species is found within the Oaks and Prairies region of Texas, associated with mesic sites along riparian edge habitat. This species' blooming is dependent on the timing and amount of soil moisture available, and therefore cannot be expected to bloom annually. When not blooming this species is very cryptic, making both detection and identification difficult.

**Recommendation:** TPWD recommends avoiding disturbance to the areas of moist ground along wooded edges required by Navasota ladies'-tresses. If disturbance is anticipated, TPWD recommends a qualified biologist conduct pre-construction surveys for Navasota ladies'-tresses. TPWD recommends that if Navasota ladies'-tresses or its habitat would be impacted by the proposed project, ETI should coordinate with TPWD and the USFWS, as appropriate, to determine avoidance, minimization, and mitigation strategies.

### **State Laws**

#### *Aquatic Resources*

TPW Code Section 1.011 grants TPWD authority to regulate and conserve aquatic animal life of public waters. Title 31, Chapter 57, Subchapter B, Section 57.157 of Texas Administrative Code (TAC) regulates take of mussels which are **not limited to state-listed mussels**. Section 12.301 of TPW Code identifies liability for wildlife taken in violation of TPW Code or a regulation adopted under TPW Code.

Under TPW Code Section 12.015, 12.019, 66.015 and TAC 52.101-52.105, 52.202, and 57.251-57.259, TPWD regulates the introduction and stocking of fish, shellfish, and aquatic plants into public waters of the state. The *Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters* allows for movement (i.e., introduction, stocking, transplant, relocation) of aquatic species in waters of the state. Movement of aquatic species, even within the same river or estuary, has potential natural resources risk (e.g., exotics, timing for successful survival); therefore, a permit is required to minimize that risk.

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Dewatering or other construction activities can trample, dredge or fill areas exhibiting stationary aquatic resources such as plants and mussels. To avoid or reduce impacts if dewatering or other construction activities are proposed in aquatic habitat, TPWD recommends relocating aquatic life, including, but not limited to, fish, turtles, and mussels, to an area of suitable habitat outside the project footprint. Relocation activities are done under the authority of a TPWD *Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters*. Information regarding this permit can be obtained at <http://www.tpwd.texas.gov/publications/fishboat/forms/>.

**Recommendation:** Aquatic Resource Relocation Plans (ARRPs) are used to plan resource handling activities and assist in the permitting process. If construction occurs during times when water is present in streams and dewatering activities or other harmful construction activities are involved (such as placement of temporary or permanent fills), then TPWD recommends relocating potentially impacted native aquatic resources in conjunction with a *Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters* and an ARRP. The ARRP should be completed and approved by the department 30 days prior to activity within project waters and/or resource relocation and submitted with an application for a no-cost *Permit to Introduce Fish, Shellfish, or Aquatic Plants into Public Waters*. ARRPs can be submitted to Mr. Winston Denton and Mr. Travis Tidwell. Please contact Mr. Winston Denton (Montgomery and Walker Counties; (281) 534-0138, [Winston.Denton@tpwd.texas.gov](mailto:Winston.Denton@tpwd.texas.gov)) and Mr. Travis Tidwell (Grimes County; (512)389-8160, [Travis.Tidwell@tpwd.texas.gov](mailto:Travis.Tidwell@tpwd.texas.gov)) regarding aquatic habitat impacts and mitigation.

**Recommendation:** All waterways and associated floodplains, riparian corridors, and wetlands, regardless of their jurisdictional status, provide valuable wildlife habitat and should be protected to the maximum extent possible. If dewatering activities and other project-related activities cause mortality to fish and wildlife species, then the responsible party would be subject to investigation by the TPWD Kills and Spills Team (KAST) and will be liable for the value of the lost resources under the authority of TPW Code Sections 12.0011 (b) (1) and 12.301.

#### *State-Listed Species*

Section 68.015 of the Parks and Wildlife Code regulates state-listed species. Please note that there is no provision for capture, trap, take, or kill (incidental or otherwise) of state-listed species. A copy of TPWD Guidelines for Protection of State-Listed Species, which includes a list of penalties for take of species, can be found on-line at

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[http://www.tpwd.state.tx.us/huntwild/wild/wildlife\\_diversity/habitat\\_assessment/media/tpwd\\_statelisted\\_species.pdf](http://www.tpwd.state.tx.us/huntwild/wild/wildlife_diversity/habitat_assessment/media/tpwd_statelisted_species.pdf). State-listed species may only be handled by persons with the appropriate authorization obtained through TPWD. For more information on this authorization, please contact the Wildlife Permits Office at (512) 389-4647.

TPWD provides online access to state-listed species information through the TPWD Rare, Threatened, and Endangered Species of Texas application found at <http://tpwd.texas.gov/gis/rtest/>. This application provides county-level information regarding potential occurrence of protected species (federal- or state-listed threatened or endangered) species and may be utilized to inform development project planning. Additionally, records of occurrence for these protected species are tracked within the Texas Natural Diversity Database (TXNDD) and are publicly available by request.

Please note that the absence of TXNDD information in an area does not imply that a species is absent from that area. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presence, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and cannot be used as presence/absence data. This information cannot be substituted for on-the-ground surveys. Determining the actual presence of a species in a given area depends on many variables including daily and seasonal activity cycles, environmental activity cues, preferred habitat, transiency and population density (both wildlife and human). The absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations, taking into account all the variable factors contributing to the lack of detectable presence.

**Recommendation:** The study area is extensive and appears to provide suitable habitat for multiple state-listed species. During project planning, TPWD recommends POWER and ETI reference the information for protected species potentially occurring within Grimes, Montgomery, and Walker Counties, which is provided in the TPWD Rare, Threatened, and Endangered Species application. TPWD also recommends POWER and ETI request the most current data from TXNDD as project planning and route alternatives development progresses. The TXNDD is updated continuously; please request the most current and accurate information at [TexasNatural.DiversityDatabase@tpwd.texas.gov](mailto:TexasNatural.DiversityDatabase@tpwd.texas.gov).

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*Parks and Wildlife Code, Chapter 26*

Chapter 26 of the Parks and Wildlife Code requires that before a state agency can approve any project that will result in the use or taking of public land designated and used as a park, public recreation area, scientific area, wildlife refuge, or historic site, that state agency must provide certain notices to the public, conduct a hearing, and render a finding that there is no feasible and prudent alternative and that the project includes all reasonable planning to minimize harm to the property. Chapter 26 is modeled on a federal statute known as "section 4(f)" and codified at 49 U.S.C. §303. In fact, much of Chapter 26 is taken word for word from section 4(f). If a proposed transmission line route is located within a TPWD property, approval for an easement from the Parks and Wildlife Commission may be required, which can be a several month to year long process.

The TPWD maintains a statewide inventory of Land and Water Resources Conservation and Recreation Plan (LWRCRP) data depicting conservation and recreation lands in Texas, which can be found at <http://www.tpwd.state.tx.us/gis/apps/lwrcrp/>. TPWD has identified Huntsville State Park and Sam Houston National Forest Wildlife Management Area (WMA) as properties owned or managed by TPWD within the study area that are subject to Chapter 26. Numerous city, county, and federal properties within the study area may also be subject to Chapter 26.

**Recommendation:** TPWD strongly discourages project alternatives that cross TPWD properties. TPWD recommends avoiding Huntsville State Park and Sam Houston National Forest WMA and routing around TPWD property. If the proposed project could result in impacts to TPWD parks or historic sites, please contact David Riskind at [david.riskind@tpwd.texas.gov](mailto:david.riskind@tpwd.texas.gov), if the project could impact a WMA in the study area please contact Bill Adams at [robert.adams@tpwd.texas.gov](mailto:robert.adams@tpwd.texas.gov).

**Recommendation:** TPWD recommends avoiding lands owned or managed for conservation or recreation by other county, city, state, and/or federal entities such as the USFWS, USACE, US Department of Agriculture (USDA) Forest Service, and the Texas Historical Commission (THC). Such entities should be contacted early in the planning process to determine if a transmission line may impact their property.

**Rare Species**

In addition to state- and federally-protected species, TPWD tracks special features, natural communities, and rare species that are not listed as threatened or endangered. Rare species are considered by TPWD to be "species of greatest

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conservation need” (SGCN), and information about these species can be found in the above-referenced Rare, Threatened, and Endangered Species of Texas application found at <http://tpwd.texas.gov/gis/rtest/>. These SGCN, natural communities, and special features are tracked in the Texas Natural Diversity Database (TXNDD), and TPWD actively promotes their conservation. TPWD considers it important to evaluate and, if necessary, minimize impacts to SGCN and their habitat to reduce the likelihood of endangerment.

Based upon the information provide by POWER and upon review of publicly available information including the Rare, Threatened, and Endangered Species of Texas application and TXNDD, it appears that multiple rare species and other valuable natural resources occur within the study area, and could potentially be impacted by the proposed project.

**Recommendation:** The study area is extensive and appears to provide suitable habitat for multiple SGCN, natural communities, and special features. During project planning, TPWD recommends POWER and ETI reference the information for SGCN and other valuable natural resources tracked within the TXNDD as well as the TPWD Rare, Threatened, and Endangered Species application (<http://tpwd.texas.gov/gis/rtest/>) for SGCN potentially occurring within Grimes, Montgomery, and Walker Counties.. The TXNDD is updated continuously; TPWD recommends POWER and ETI request the most current and accurate data at [TexasNatural.DiversityDatabase@tpwd.texas.gov](mailto:TexasNatural.DiversityDatabase@tpwd.texas.gov) as project planning and route alternatives development progresses.

**Recommendation:** TPWD recommends that during project planning and route alternatives development, precautions be taken to avoid impacts to SGCN, natural plant communities, and special features. The USFWS should be contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally listed species. For the USFWS rare species lists by county please visit <http://ecos.fws.gov/ipac/>.

### **Vegetation**

The proposed project crosses the Omernik Ecoregions of South Central Plains, Blackland Prairies, and East Central Texas and would occur within various vegetation types associated with the regions. The Ecological Mapping Systems of Texas (EMST) provide recently mapped vegetative cover based on the NatureServe Ecological System Classification System as described by Comer (2003). More information and downloads from the EMST can be obtained at <http://tpwd.texas.gov/gis/data/downloads#EMS-T>.



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**Recommendation:** TPWD recommends utilizing EMST data during project planning and minimizing impacts to native vegetation to the maximum extent feasible during project planning, design, and construction. For assistance with EMST, please contact Ms. Amie Treuer-Kuehn at [Amie.Treuer-Kuehn@tpwd.texas.gov](mailto:Amie.Treuer-Kuehn@tpwd.texas.gov).

**Recommendation:** Mitigation should be planned for unavoidable loss of native vegetation disturbed by project activities and should be developed in coordination with TPWD. TPWD recommends utilizing online resources concerning vegetation clearing and revegetation, available at [http://tpwd.texas.gov/huntwild/wild/wildlife\\_diversity/habitat\\_assessment/tools.phtml](http://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/tools.phtml). Specific requirements apply to impacts to wetlands; please reference the above **Federal Regulations CWA** and **State Regulations Aquatic Resources** sections for information on coordination of wetland mitigation with federal and state agencies.

### **Invasive Species**

The study area is susceptible to colonization by a variety of invasive species of terrestrial plants. These plants often outcompete native plant species and establish monocultures, making the area less useful for wildlife, people, and lowering aesthetic value of an invaded area. Invasive species of particular concern are common water hyacinth (*Eichhornia crassipes*), giant reed (*Arundo donax*), Japanese honeysuckle (*Lonicera japonica*), Chinese tallow (*Triadica sebifera*), Japanese climbing fern (*Lygodium japonicum*), Golden bamboo (*Phyllostachys aurea*), kudzu (*Pueraria montana var. lobata*), Chinaberry (*Melia azedarach*), giant salvinia (*Salvinia molesta*), Chinese wisteria (*Wisteria sinensis*), mimosa (*Albizia julibrissin*), and Chinese privet (*Ligustrum sinense*).

**Recommendation:** TPWD recommends ETI develop sanitation procedure protocols during project planning, in order to prevent the spread of invasive terrestrial plants. TPWD recommends such protocols should include the following measures to minimize invasive plant spread: 1) Inspect the site and infestation before operations. 2) Avoid driving vehicles, mowers, all-terrain vehicles or spray equipment through infestations in seed or fruit. 3) Brush and wipe all seeds and debris from clothes, boots, socks, and personal protective equipment. 4) Clean motorized equipment, especially the undercarriage and tire surfaces. 5) Cover loads or bag cut invasive plants before transport.

**Recommendation:** TPWD recommends ETI not utilize invasive species in seed mixes or plantings utilized for revegetation or soil stabilization purposes. More information regarding revegetation may be found at [http://tpwd.texas.gov/huntwild/wild/wildlife\\_diversity/habitat\\_assessment/me](http://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/me)

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dia/tpwd\_disturbed\_landscapes.pdf and  
<http://www.pollinator.org/PDFs/Monarchs/Monarch.Habitat.Manual.ROW.SouthEast.ver1.pdf>.

The zebra mussel (*Dreissena polymorpha*), a highly invasive aquatic species, has been documented in Texas lakes (see map at <http://tpwd.texas.gov/huntwild/wild/species/exotic/>) including lakes in the Red River Basin, Trinity River Basin, and Brazos River Basin. The zebra mussel larvae and post-larval forms are known to spread between waters via contaminated equipment; post-larval forms can survive several days out of water before being carried to other waters. Post-larval zebra mussels attach to hard surfaces, such as boats, intake structures and piers. The larvae, called veligers, are microscopic and are visually undetectable, thus they are unknowingly carried to other waters via live wells, bait buckets, scuba equipment, and anything that carries small amounts of water.

Statewide rules have been enacted per TAC Title 31, Part 2, Chapter 57, Subchapter N that requires persons leaving or approaching public fresh water to drain all water from their vessels and on-board receptacles (includes live wells, bilges, motors and any other receptacles or water-intake systems coming into contact with public waters). This rule applies to all sites where boats can be launched and includes all types and sizes of boats whether powered or not, personal watercraft, sailboats, kayaks/canoes, or any other vessel used to travel on public waters. Furthermore, per TAC Title 31, Part 2, Chapter 57, Subchapter A, it is an offense for any person to possess, transport, or release into the water of this state any species, hybrid of a species, subspecies, eggs, seeds, or any part of any species defined as a harmful or potentially harmful exotic fish, shellfish, or aquatic plant. This rule applies not only to zebra mussels (live or dead) and their larvae but also to any species (or fragments thereof) designated as harmful or potentially harmful under this subchapter (e.g., giant salvinia, hydrilla, Eurasian watermilfoil).

**Recommendation:** TPWD recommends ETI review the *TPWD Clean/Drain/Dry Procedures and Zebra Mussel Decontamination Procedures for Contractors Working in Inland Public Waters* and incorporate this information to the sanitation protocols, recommended for development above. The procedures can be obtained at [http://tpwd.texas.gov/huntwild/wild/wildlife\\_diversity/habitat\\_assessment/media/WHAB\\_ZebraMussel\\_CleanDrainDryDecontaminationProcedures\\_Final\\_02052015.pdf](http://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/media/WHAB_ZebraMussel_CleanDrainDryDecontaminationProcedures_Final_02052015.pdf).

### **Monarch Conservation**

Significant declines in the population of migrating monarch butterflies (*Danaus plexippus*) have led to widespread concern about this species and the long-term persistence of the North American monarch migration. Augmenting larval feeding and adult nectaring opportunities is part of an international conservation effort for the monarch.

**Recommendation:** For disturbed sites within the monarch migration corridor, TPWD recommends revegetation efforts include planting or seeding native milkweed (*Asclepias* spp.) and nectar plants as funding and seed availability allow. Where appropriate and sustainable, TPWD recommends landscaping plans incorporate monarch-friendly plants and/or butterfly gardens. Information regarding monarch butterfly habitat creation in utility ROW is available at <http://www.pollinator.org/PDFs/Monarchs/Monarch.Habitat.Manual.ROW.SouthEast.ver1.pdf>. Information about monarch biology, migration, and butterfly gardening can be found at <http://www.monarchwatch.org>.

### **Conservation Easements**

A conservation easement is a legal agreement between a landowner and a land trust or governmental agency that permanently limits uses of the land (including future fragmentation) to protect and conserve the land's natural values such as fertile soils, mature trees, and wildlife habitat. Lands with conservation easements protect existing wildlife habitat from future fragmentation and therefore have greater environmental integrity than comparable lands without conservation easements. Potential fragmentation of wildlife habitat from transmission line construction on properties where conservation agreements serve to protect the state's natural resources now and in the future is of concern to TPWD.

**Recommendation:** TPWD recommends properties protected by conservation easements be identified in the constraints analysis and avoided during development of alternative routes. Data sources for the location of these properties include, but are not limited to, online databases such as the Protected Areas Data Portal at <http://gapanalysis.usgs.gov/padus/> and the National Conservation Easement Database at <http://conservationeasement.us/>, as well as available county records. If properties protected by conservation easements would be affected, TPWD recommends the length of routes through these properties be included in any accounting of alternative route impacts presented in the EA.

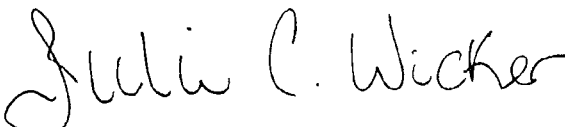
Mr. Gary McClanahan  
Page 14 of 14  
June 2, 2016

**Mitigation Plan**

TPWD recommends preparing a mitigation plan to provide compensatory mitigation for those habitats where impacts from the transmission line cannot be avoided or minimized. This would include impacts to species and habitats covered under federal law (wetlands and associated habitats, threatened or endangered species) and state resource habitat types not covered by state or federal law (riparian areas, native prairies). At a minimum, TPWD recommends a replacement ratio of 1:1 for state resource habitat types. For more detailed suggestions or information regarding a mitigation plan, please contact this office.

I appreciate the opportunity to provide preliminary input on potential impacts related to this project, and I look forward to reviewing the EA. Please contact me at (361) 576-0022, (361) 412-9012, or [Rachel.Lange@tpwd.texas.gov](mailto:Rachel.Lange@tpwd.texas.gov) if you have any questions.

Sincerely,

*for*   
Rachel A. Lange  
Wildlife Habitat Assessment Program  
Wildlife Division

RAL:36452

cc: Ms. Karen Hubbard, PUC

## TEXAS HISTORICAL COMMISSION

*real places telling real stories*

Gary McClanahan  
Power Engineers, Inc.  
7600B North Capital of Texas Highway, Suite 320  
Austin, Texas 78731

Re: *Project Review under Section 106 of the National Historic Preservation Act, Proposed 230-kV Transmission Line, Grimes Substation to Lewis Creek Substation, Grimes, Montgomery, and Walker Counties, Project No. 141830 (PUCT/106, THC #201606027)*

Mr. McClanahan:

Thank you for your correspondence regarding the above-referenced project, which proposes construction of a new high-voltage transmission line between the existing Grimes Substation in Grimes County and the existing Lewis Creek Substation in Montgomery County. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The Archaeology Division staff, led by Jeff Durst, has completed its review. The project setting includes numerous landforms occupied by prehistoric and historic Native Americans. Numerous water ways, including the West Fork of the San Jacinto River, are located within the proposed study area and will likely be crossed by the proposed transmission line route.

This area has a moderate- to high-probability of containing significant cultural resources and an archaeological investigation is most likely warranted. In order to conduct our review, please submit the precise routes and any proposed substations plotted on USGS 7.5' topographic maps. Please submit this information or have your archaeological contractor identify the high-probability areas for further investigations. We will be pleased to review the methodology and probability maps when available.

The History Programs Division staff, led by Justin Kockritz, has also completed its review. The proposed study area includes numerous above-ground historic resources, including four properties that are currently listed in the National Register of Historic Places: the Arnold-Simonton House in Montgomery; and, the John W. Thomason House, Austin Hall/Austin College Building, and the Sam Houston House in Huntsville. More than two dozen Recorded Texas Historic Landmarks are also within the study area. These and other known historic resources are shown on our Historic Sites Atlas ([atlas.thc.state.tx.us](http://atlas.thc.state.tx.us)). Please be aware, should this project include any federal involvement, all historic resources within the Area of Potential Effect that are listed in, or eligible for listing in, the National Register must be identified.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our comments on archaeological resources you can contact Jeff Durst at 512-463-8884 or [jeff.durst@thc.state.tx.us](mailto:jeff.durst@thc.state.tx.us); if you have any questions concerning our comments on above-ground historic resources you can contact Justin Kockritz at 512-936-7403 or [justin.kockritz@thc.state.tx.us](mailto:justin.kockritz@thc.state.tx.us).

Sincerely,



Justin Kockritz, Historian, Federal Programs  
For: Mark Wolfe, State Historic Preservation Officer



**From:** [Wilds, Dan](#)  
**To:** [Gary McClanahan 2405](#)  
**Subject:** ETI - Grimes to Lewis Creek Project  
**Date:** Tuesday, April 05, 2016 10:11:36 AM

---

Mr. McClanahan:

Phil Jones referred your letter dated April 1, 2016 to me. The letter requests any information in regards to the study area. We are unable to identify specific issues for the proposed project. Please note that for Montgomery County, development permits are required for improvements in any Special Flood Hazard Area identified on the FEMA FIRM panels. Utility approvals would also be required for utilities that cross or are constructed in a County road right-of-way.

As your route becomes more clear, please feel free to contact our office to ascertain the County requirements specific to your project.

Regards,

Dan Wilds, P.E.  
Assistant County Engineer  
Montgomery County  
936-538-3522

**From:** [Greg Blake](#)  
**To:** [Gary McClanahan 2405](#)  
**Cc:** "[Ben Leman](#)"; [chad.mallett@co.grimes.tx.us](mailto:chad.mallett@co.grimes.tx.us); "[Patti Stem](#)"; "[Bobbie Burns](#)"; "[Sam Nobles](#)"; "[Michelle Sanders](#)"; "[Sandra Leibham](#)"  
**Subject:** RE: Entergy Texas Proposed Grimes County to Lewis Creek 230kV Line  
**Date:** Monday, April 11, 2016 12:40:19 PM

---

Mr. McClanahan,  
Judge Ben Leman has requested your presence at the next Commissioner's Court meeting at 9am on April 26<sup>th</sup> to discuss specifics around the proposed Entergy project within Grimes County.

Also and if the planning has progressed to this point, I will need copies of aerial alignment sheets (google earth or similar) denoting access and egress points requested along any county roadways. My department will review and approve / disapprove requested passages based on specific road conditions and planned county activities.

Please respond to all attached so that we can add you to the published agenda.

Thank you,  
**Greg Blake**

Grimes County Texas  
Road & Bridge Administrator  
P.O. Box 593  
Anderson, Texas 77830  
936-873-4436  
[greg.blake@co.grimes.tx.us](mailto:greg.blake@co.grimes.tx.us)

<https://www.facebook.com/grimescountyroads/>

**From:** Gary McClanahan [<mailto:gary.mcclanahan@powereng.com>]  
**Sent:** Wednesday, April 06, 2016 11:13 AM  
**To:** Greg Blake  
**Cc:** 'Ben Leman'; [chad.mallett@co.grimes.tx.us](mailto:chad.mallett@co.grimes.tx.us); 'Patti Stem'; 'Bobbie Burns'; Sam Nobles  
**Subject:** RE: Entergy Texas Proposed Grimes County to Lewis Creek 230kV Line

Thanks for your response. Is there a source available (preferably electronic) that we can obtain that accurately depicts county roads and county road names for Grimes County? For our mapping, we generally start with GIS data sets from TxDOT and/or TNRIS, which are good for state maintained roads, but not always reliable for county roads.

Gary McClanahan  
Office: 512-735-1805

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Energy • Facilities • Communications • Environmental  
[www.powereng.com](http://www.powereng.com)

**From:** Greg Blake [<mailto:greg.blake@co.grimes.tx.us>]

**Sent:** Wednesday, April 06, 2016 10:57 AM

**To:** Gary McClanahan 2405

**Cc:** 'Ben Leman'; [chad.mallett@co.grimes.tx.us](mailto:chad.mallett@co.grimes.tx.us); 'Patti Stem'; 'Bobbie Burns'; Sam Nobles

**Subject:** Entergy Texas Proposed Grimes County to Lewis Creek 230kV Line

Mr. McClanahan,

We receive your letter this morning and I wanted to get in touch with you concerning the proposed Entergy project HV line.

Line denotation from the Entergy plant will run along CR **229N**, not CR 240 as represented by Google.

I will review the document and comment to you by this Friday.

Thank you,

**Greg Blake**

Grimes County Texas  
Road & Bridge Administrator  
P.O. Box 593  
Anderson, Texas 77830  
936-873-4436  
[greg.blake@co.grimes.tx.us](mailto:greg.blake@co.grimes.tx.us)

<https://www.facebook.com/grimescountyroads/>



**From:** [Greg Blake](#)  
**To:** [Gary McClanahan 2405](#); [Ronnie Hale](#); "[Ben Leman](#)"; "[Sandra Leibham](#)"  
**Cc:** [patti.stem@co.grimes.tx.us](mailto:patti.stem@co.grimes.tx.us); "[Bobbie Burns](#)"  
**Subject:** RE: Entergy Texas Proposed Grimes County to Lewis Creek 230kV Line  
**Date:** Tuesday, April 19, 2016 9:00:48 AM

---

Gary, Ronnie;

Ronnie and I talked late last night and we believe that the better day for Any Commissioner's court presentation would be on the May 10<sup>th</sup> court date.

Any documentation, or multiple plans or other details that are to be presented, will Need to be given to Sandra by noon on May 4<sup>th</sup>./

### **Greg Blake**

Grimes County Texas  
Road & Bridge Administrator  
P.O. Box 593  
Anderson, Texas 77830  
936-873-4436  
[greg.blake@co.grimes.tx.us](mailto:greg.blake@co.grimes.tx.us)

<https://www.facebook.com/grimescountyroads/>

**From:** Gary McClanahan [mailto:[gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com)]  
**Sent:** Wednesday, April 06, 2016 11:13 AM  
**To:** Greg Blake  
**Cc:** 'Ben Leman'; [chad.mallett@co.grimes.tx.us](mailto:chad.mallett@co.grimes.tx.us); 'Patti Stem'; 'Bobbie Burns'; Sam Nobles  
**Subject:** RE: Entergy Texas Proposed Grimes County to Lewis Creek 230kV Line

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Gary McClanahan  
Office: 512-735-1805

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[www.powereng.com](http://www.powereng.com)

**From:** Greg Blake [mailto:[greg.blake@co.grimes.tx.us](mailto:greg.blake@co.grimes.tx.us)]  
**Sent:** Wednesday, April 06, 2016 10:57 AM  
**To:** Gary McClanahan 2405  
**Cc:** 'Ben Leman'; [chad.mallett@co.grimes.tx.us](mailto:chad.mallett@co.grimes.tx.us); 'Patti Stem'; 'Bobbie Burns'; Sam Nobles  
**Subject:** Entergy Texas Proposed Grimes County to Lewis Creek 230kV Line

Mr. McClanahan,

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Line denotation from the Entergy plant will run along CR **229N**, not CR 240 as represented by Google.

I will review the document and comment to you by this Friday.

Thank you,

**Greg Blake**

Grimes County Texas  
Road & Bridge Administrator  
P.O. Box 593  
Anderson, Texas 77830  
936-873-4436  
[greg.blake@co.grimes.tx.us](mailto:greg.blake@co.grimes.tx.us)

<https://www.facebook.com/grimescountyroads/>

**From:** [Larry Foerster](#)  
**To:** [Gary McClanahan 2405](#)  
**Cc:** [Coleman, Brad](#); [Darren Schubert 5568](#); [Jahleen Sefton 2419](#)  
**Subject:** RE: Entergy Texas proposed transmission line through Montgomery County  
**Date:** Tuesday, April 12, 2016 9:41:02 AM

---

Gary, it sounds like you have everything you need. Feel free to contact me if I can be of any help

*Larry L. Foerster, Chairman*

**MONTGOMERY COUNTY HISTORICAL COMMISSION**

414 West Phillips, Suite 100  
Conroe, Texas 77301  
936-756-3337 (Office)  
936-756-2606 (Fax)  
936-756-1416 (Home)

**From:** Gary McClanahan [<mailto:gary.mcclanahan@powereng.com>]  
**Sent:** Tuesday, April 12, 2016 9:01 AM  
**To:** Larry Foerster  
**Cc:** Coleman, Brad; Darren Schubert; Jahleen Sefton  
**Subject:** RE: Entergy Texas proposed transmission line through Montgomery County

Thank you Mr. Foerster for your insight.

I will forward this information to our team of archeologists/historians helping with this project. We have obtained historical and archeological site information from the Texas Historical Commission (THC) and the Texas Archeological Research Laboratory (TARL), as well as the location of cemeteries that the THC has on file. Hopefully, we have all of the known/ previously recorded sites and cemeteries in the area.

Thanks again!

Gary McClanahan  
Office 512-735-1805

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[www.powereng.com](http://www.powereng.com)

**From:** Larry Foerster [<mailto:foerster@dfcllp.com>]  
**Sent:** Monday, April 11, 2016 4:55 PM  
**To:** Gary McClanahan 2405  
**Subject:** Entergy Texas proposed transmission line through Montgomery County

Gary:

I have received your letter relating to a proposed transmission power line through north Montgomery County connecting to the Lewis Creek Substation.

The area along ETI's Lewis Creek Power plant is located on a former historic cotton plantation—the Lewis Plantation--along Longstreet Road west of the city of Willis. There are a number of old cemeteries in the vicinity as one proceeds west toward Grimes County.

Please keep me informed of the final proposed route, at which time I may be of assistance to you.

You are welcome to call me if you have any further questions.

Thank you, Larry

*Larry L. Foerster, Chairman*

**MONTGOMERY COUNTY HISTORICAL COMMISSION**

414 West Phillips, Suite 100

Conroe, Texas 77301

936-756-3337 (Office)

936-756-2606 (Fax)

936-756-1416 (Home)

**From:** [Rees, Beau](#)  
**To:** [Gary McClanahan 2405](#); [Debbie Whitaker](#)  
**Subject:** Re: Proposed Western Region Economic Project--Grimes to Lewis Creek  
**Date:** Wednesday, April 20, 2016 5:27:48 PM

---

Gary--

Thanks for the clarification. I will "doctor" up the map with locations of future school sites from Montgomery ISD and scan and email a copy to you tomorrow.

Thanks again,  
Beau Rees

On Wed, Apr 20, 2016 at 9:20 AM, Gary McClanahan <[gmcclanahan@powereng.com](mailto:gmcclanahan@powereng.com)> wrote:

Mr. Rees,

Thank you for your response. The map we provided with our letter does not show any proposed routes for this project. The lines depicted on the map are existing transmission lines that are already in place. The project we reference in our letter is for a new line that we do not have any established alternative routes for yet. We are currently collecting information regarding potential constraints within our depicted study area so that we can attempt to avoid areas such as new school sites while planning and developing alternative routes for this project.

Would it be possible for you to provide us with more specific locations of the new school sites (such as a map, address, or parcel ID number)? We want to make sure we have these new school sites identified and mapped properly so we know where they are as we develop alternative routes.

Feel free to call me at your convenience at [512-735-1805](tel:512-735-1805) if you would like to discuss further.

Thank you,

Gary McClanahan

Office: [512-735-1805](tel:512-735-1805)

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Energy • Facilities • Communications • Environmental

[www.powereng.com](http://www.powereng.com)

**From:** Rees, Beau [mailto:[brees@mysd.org](mailto:brees@mysd.org)]

**Sent:** Tuesday, April 19, 2016 5:26 PM

**To:** Gary McClanahan 2405

**Subject:** Proposed Western Region Economic Project--Grimes to Lewis Creek

Gary McClanahan:

Montgomery ISD is in receipt of your correspondence regarding Entergy Texas proposed Grimes to Lewis Creek Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830

Based on the drawing and route provided, Montgomery ISD has the following concern. A portion of the line running south of FM 2854 through the Kennan Area potentially is running through the site of our 2nd high school (about to start construction this summer) as well as another school site that houses an elementary and middle school.

Please provide further documentation or information regarding this planned transmission line project. Based on the drawing, it is going to be very close to these new school sites and

there are a number of new sub divisions that are planned for this area as well.

Thank you for your time. I look forward to hearing back from you.

Sincerely,

Beau Rees

Beau Rees, Ed. D.

Montgomery ISD Superintendent

13159 Walden Road

Montgomery, TX 77356

936.582.1333

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--

Beau Rees, Ed. D.  
Montgomery ISD Superintendent  
13159 Walden Road  
Montgomery, TX 77356  
936.582.1333

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**From:** [Rees, Beau](#)  
**To:** [Gary McClanahan 2405](#)  
**Subject:** Re: Proposed Western Region Economic Project--Grimes to Lewis Creek  
**Date:** Tuesday, May 03, 2016 2:30:06 PM  
**Attachments:** [Page 49 from Demographic Update Montgomery Nov 2010.pdf](#)

---

Gary--

Take a look at the attached map....it covers the Montgomery ISD territory and everything shaded pink is a school or a future school site.

Hope this helps.

Thanks,  
Beau Rees

On Wed, Apr 20, 2016 at 9:20 AM, Gary McClanahan <[gmcclanahan@powereng.com](mailto:gmcclanahan@powereng.com)> wrote:

Mr Rees,

Thank you for your response. The map we provided with our letter does not show any proposed routes for this project. The lines depicted on the map are existing transmission lines that are already in place. The project we reference in our letter is for a new line that we do not have any established alternative routes for yet. We are currently collecting information regarding potential constraints within our depicted study area so that we can attempt to avoid areas such as new school sites while planning and developing alternative routes for this project.

Would it be possible for you to provide us with more specific locations of the new school sites (such as a map, address, or parcel ID number)? We want to make sure we have these new school sites identified and mapped properly so we know where they are as we develop alternative routes.

Feel free to call me at your convenience at [512-735-1805](tel:512-735-1805) if you would like to discuss further.

Thank you,

Gary McClanahan



Office. [512-735-1805](tel:512-735-1805)

**POWER Engineers, Inc.**

Energy ▪ Facilities ▪ Communications ▪ Environmental

[www.powereng.com](http://www.powereng.com)

**From:** Rees, Beau [mailto:[brees@misd.org](mailto:brees@misd.org)]

**Sent:** Tuesday, April 19, 2016 5:26 PM

**To:** Gary McClanahan 2405

**Subject:** Proposed Western Region Economic Project--Grimes to Lewis Creek

Gary McClanahan:

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Please provide further documentation or information regarding this planned transmission

line project. Based on the drawing, it is going to be very close to these new school sites and there are a number of new sub divisions that are planned for this area as well.

Thank you for your time. I look forward to hearing back from you.

Sincerely,

Beau Rees

Beau Rees, Ed. D.

Montgomery ISD Superintendent

13159 Walden Road

Montgomery, TX 77356

936.582.1333

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--

Beau Rees, Ed. D.  
Montgomery ISD Superintendent  
13159 Walden Road  
Montgomery, TX 77356  
936.582.1333

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# **OVERSIZED MAP(S)**

**To View**

**OVERSIZED Map**

**Or**

**Documents**

**You can call CENTRAL RECORDS**

**Main Line**

**(512) 936-7180**

**From:** [Taebel, Jeff](#)  
**To:** [Gary McClanahan\\_2405](#)  
**Subject:** Entergy Texas, Inc. Western Region Economic Project  
**Date:** Monday, April 25, 2016 1:52:02 PM  
**Attachments:** [H-GAC Mapping Tool Screen Shots.pdf](#)  
[Eco-Logical-Glossary.pdf](#)

---

Dear Mr. McClanahan,

Thank you for contacting the Houston-Galveston Area Council (H-GAC) in reference to the Entergy Texas, Inc. Western Region Economic Project – Proposed Grimes to Lewis Creek 230-kV Transmission Line Project in Grimes, Montgomery and Walker Counties, Texas POWER Engineers, Inc. Project No. 141830.

H-GAC has a two online mapping tools that may be of use to you during the initial data collection phase of the proposed project.

*Eco-Logical Tool*

- <http://www.h-gac.com/community/environmental-stewardship/eco-logical/>
- Provides information about eco-types, land use, and cumulative metric rankings (priority levels 1, 2, and 3).

*Riparian Buffer Planning Tool*

- <http://www.h-gac.com/go/riparian>
- Buffer Tool mapping application on tab 4 can be used to draw the proposed transmission line route with a 125 foot wide right-of-way.
- Watershed rankings found on tab 3 provide information about ecological, stressor, and social attributes associated with the project area.

Please refer to the attached documentation for more detail about these tools, or contact me if you have any questions at [jtaebel@h-gac.com](mailto:jtaebel@h-gac.com) or 713/993-4560. I would also suggest you contact TXDOT and the local Floodplain Manager in the jurisdictions that will be affected by this project.

Jeff Taebel, Director  
Community and Environmental Planning  
Houston-Galveston Area Council

**From:** [Aron Kulhavy](#)  
**To:** [Gary McClanahan 2405](#)  
**Subject:** Entergy 230-kV transmission line, Project # 141830  
**Date:** Friday, April 29, 2016 10:11:54 AM  
**Attachments:** [Entergy 230kV line Grimes to Lewis Creek.docx](#)  
[Map 2-3a Future Land Use Map.pdf](#)  
[Map 2-3b Future Land Use.pdf](#)  
[Map 2-1 Existing Community Character.pdf](#)  
[Texas Grand Ranch-3A-Vicinity Map-Scan.pdf](#)

---

Mr. McClanhan,

Please see the attached information requested on this project. If you need anything else, please let me know.

AK  
Aron Kulhavy, AICP  
Community and Economic Development Director  
936-294-5793

The material in this e-mail is intended only for the use of the individual to whom it is addressed and may contain information that is confidential, privileged, and exempt from disclosure under applicable law. If you are not the intended recipient, be advised that the unauthorized review, use, disclosure, duplication, distribution, or the taking of any action in reliance on this information is strictly prohibited. If you have received this e-mail in error, please notify the sender by return email and destroy all electronic and paper copies of the original message and any attachments immediately. Please note that neither City of Huntsville nor the sender accepts any responsibility for viruses and it is your responsibility to scan attachments (if any). Thank you.



CITY OF  
**Huntsville**

Incorporated in 1845 under the Republic of Texas

April 28, 2016

Gary McClanahan  
Environmental Project Manager  
Power Engineering  
Gary.mcclanahan@powereng.com

RE: Entergy Texas, Inc. Western Region Economic Project, Project No. 141830

Dear Mr. McClanahan:

The City of Huntsville is in receipt of your letter dated April 1, 2016 concerning the above referenced project. We are excited about this potential project and see the benefits an additional 230kV electric line would provide to the area and hope that Huntsville and our ETJ are seriously considered for the development of this project.

As with any major infrastructure project, there are some environmental and land use concerns when deciding exactly where to locate this project. We request that the proposed project not be located through our established neighborhoods nor our existing parks and recreation areas. In addition, the City wishes to preserve views of the Sam Houston Statue along IH 45, especially for northbound traffic. The Bruce Brothers Huntsville Regional airport is also located within the study area and special considerations must be given for vertical improvements in proximity to the airport. Also in the vicinity of Huntsville are numerous properties owned by various governmental agencies such as the US Forest Service, Texas Department of Criminal Justice, Huntsville State Park, and Sam Houston University. We recommend that you contact each of these entities directly if their properties are considered for this project.

With this letter, I have attached a copy of the City's existing land use inventory and future land use plan. This inventory shows the existing use of property within the City limits and the future land use plan serves as a guide for future development in the area. The City is promoting several large tracts both in the northwest and southeast corners of the community for future industrial development. These areas would likely be our largest power users within the scope of study. One large project currently under construction within the study area is the Texas Grand Ranch Subdivision. This subdivision consists of approximately 750 lots on 2,500 acres just south of the Huntsville City limits. A vicinity map of this project is also included with this letter.

You have also requested information concerning important land use and environmental concerns

**PUBLIC WORKS DEPARTMENT**

448 State Hwy. 75 North • Huntsville, TX 77320-1118 • 936-294-5700 • 936-294-5795 fax • [www.huntsvilletx.gov](http://www.huntsvilletx.gov)

*Our vision for the City of Huntsville is a community that is beautiful, historic, culturally diverse, affordable, safe, and well planned with great opportunity for our citizens.*

April 29, 2016

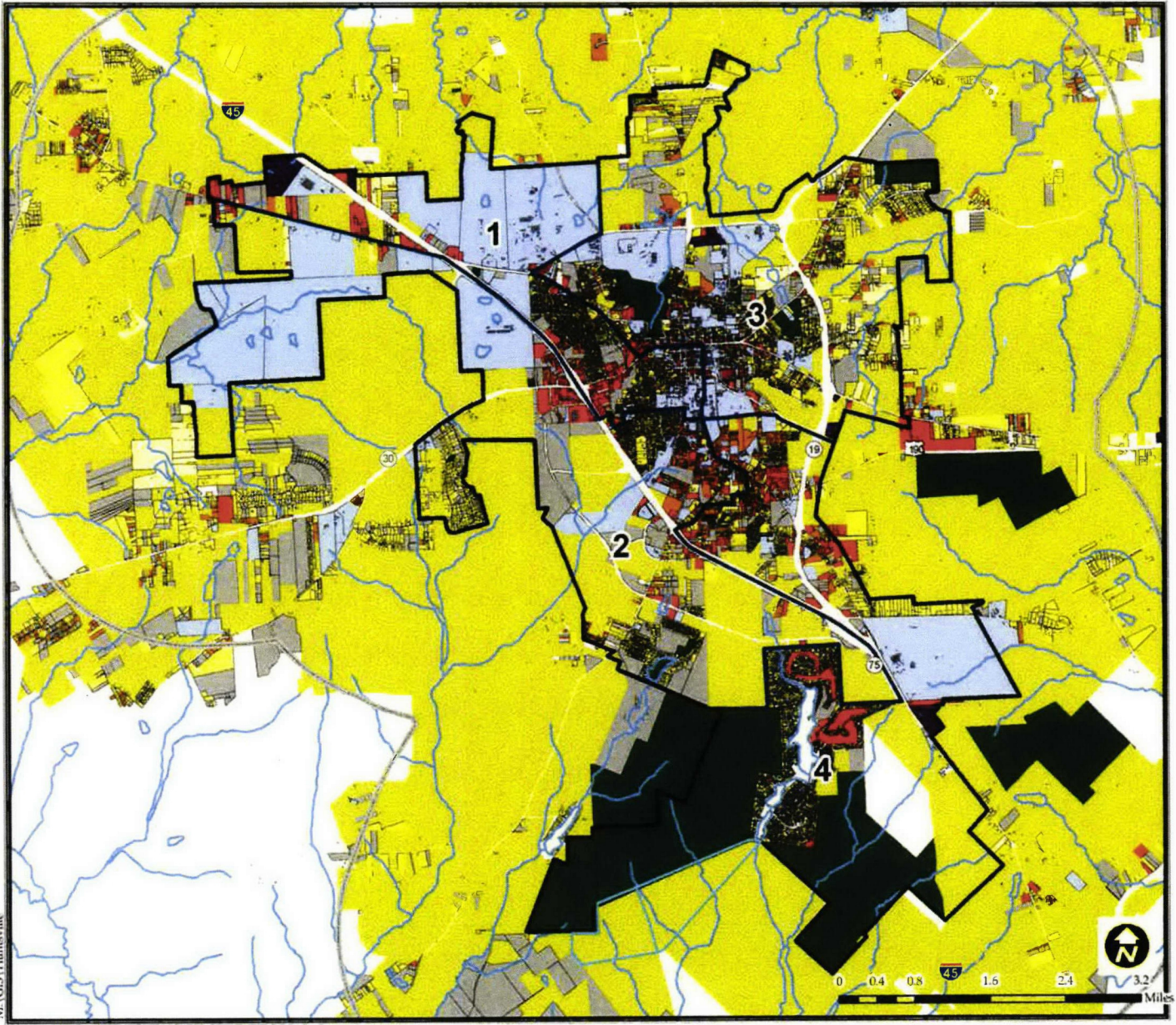
that we may have in our jurisdiction. In addition to the numerous parks and national forest area throughout the community, we have a couple of locations in town that warrant special attention. The properties we have in town that deserve special consideration are the Huntsville Municipal Airport and the Sam Houston Statue and Visitor's Center. There are certain height restrictions surrounding the airport property and these must be adhered to when constructing any vertical improvements. As for the Sam Houston statue, we have local ordinances protecting the views of the statue and request that any infrastructure installed be mindful of any potential impacts to the statue.

I hope this information is helpful in making your decision for the location of the additional transmission. We believe this additional asset will be a benefit to the region and hope that consideration in or near Huntsville will be given to the project. If you need any additional information, please feel free to contact me [akulhavy@huntsvilletx.gov](mailto:akulhavy@huntsvilletx.gov) or 936-294-5793.

Sincerely,

Aron Kulhavy, AICP  
Director of Community and Economic Development

Attachments:  
Existing Land Use  
Future Land Use  
Texas Grand Ranch



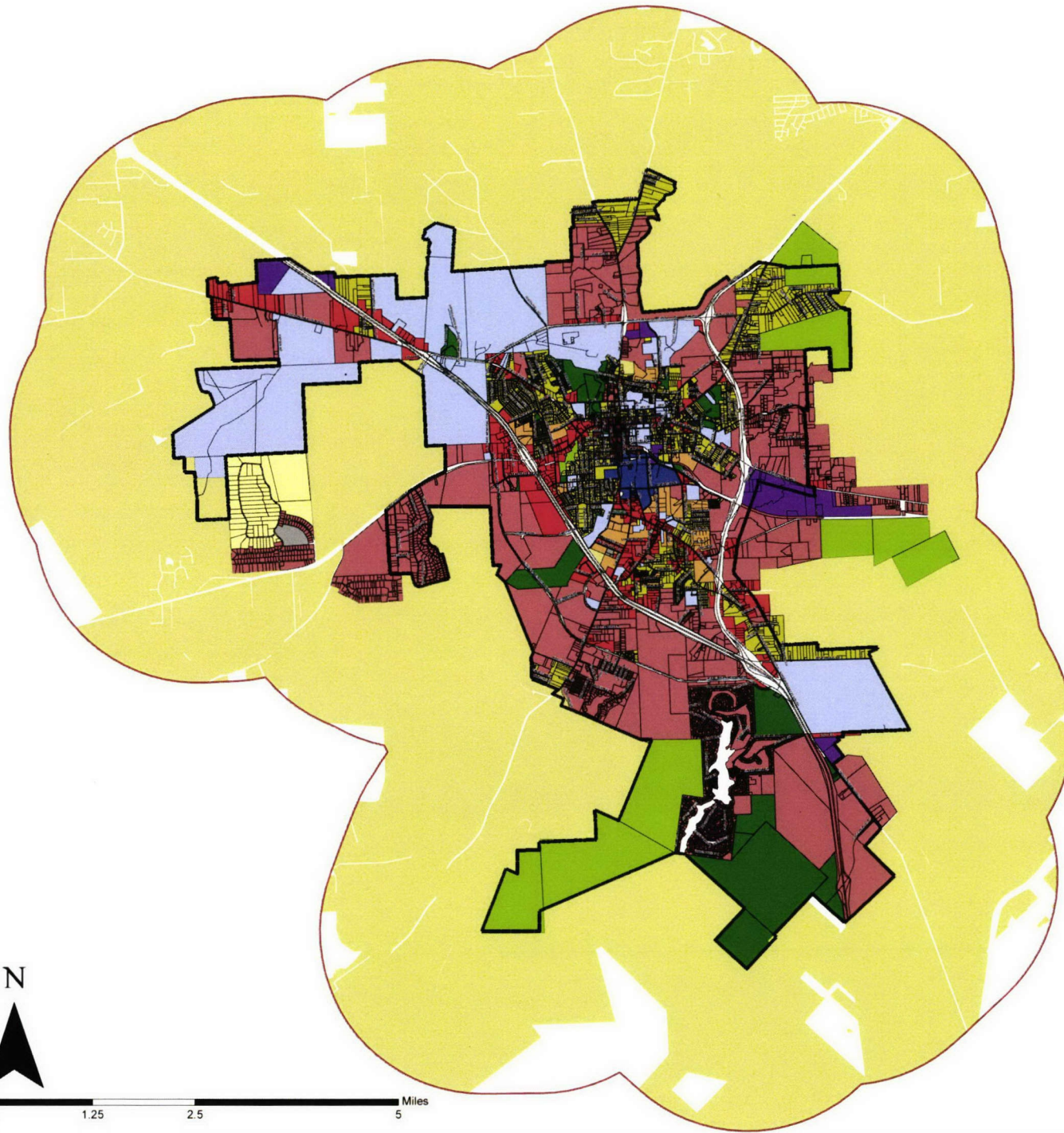
**Figure 2.1**  
**Existing**  
**Community**  
**Character**

**Legend**

- Extraterritorial Jurisdiction Boundary (ETJ)
- City Limits
- Council Wards
- Streams
- Buildings
- Community Character**
- Vacant
- Estate
- Auto-Urban Single-Family
- Auto-Urban Multi-Family
- Auto-Urban Commercial
- Urban Commercial
- Industrial
- Institutional
- Parks and Recreation
- Rural and Agricultural



**Figure 2.3a,  
Future Land Use Plan**



**Legend**

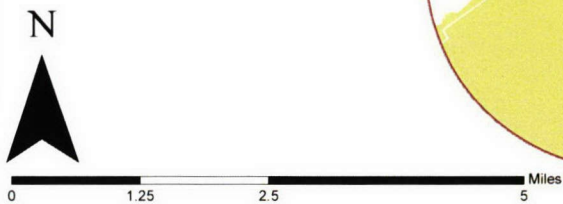
**Future Land Use**

-  Vacant
-  Neighborhood Conservation
-  Estate
-  Suburban Residential Commercial
-  Auto-Urban Single-Family
-  Auto-Urban Multi-Family
-  Auto-Urban Commercial
-  Urban Central Business District
-  Urban University
-  Industrial
-  Public and Institutional
-  Parks and Recreation
-  Natural
-  Rural and Agricultural
-  City Limit
-  ETJ



**Adopted 04/10/07**

NOTE: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



**Figure 2.3b,  
Future Land Use Plan**

**Legend**

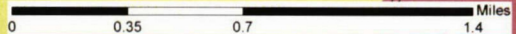
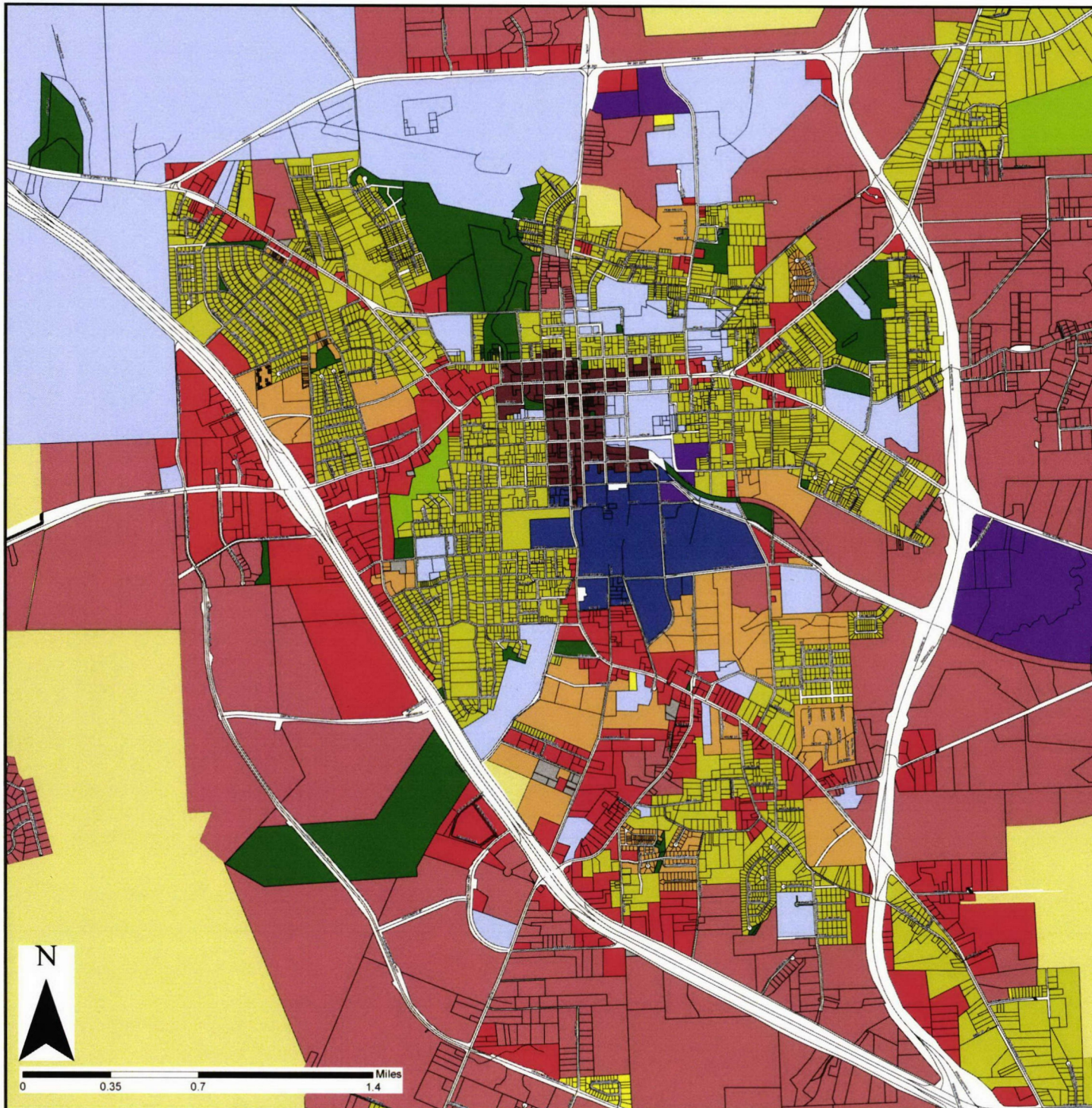
**Future Land Use**

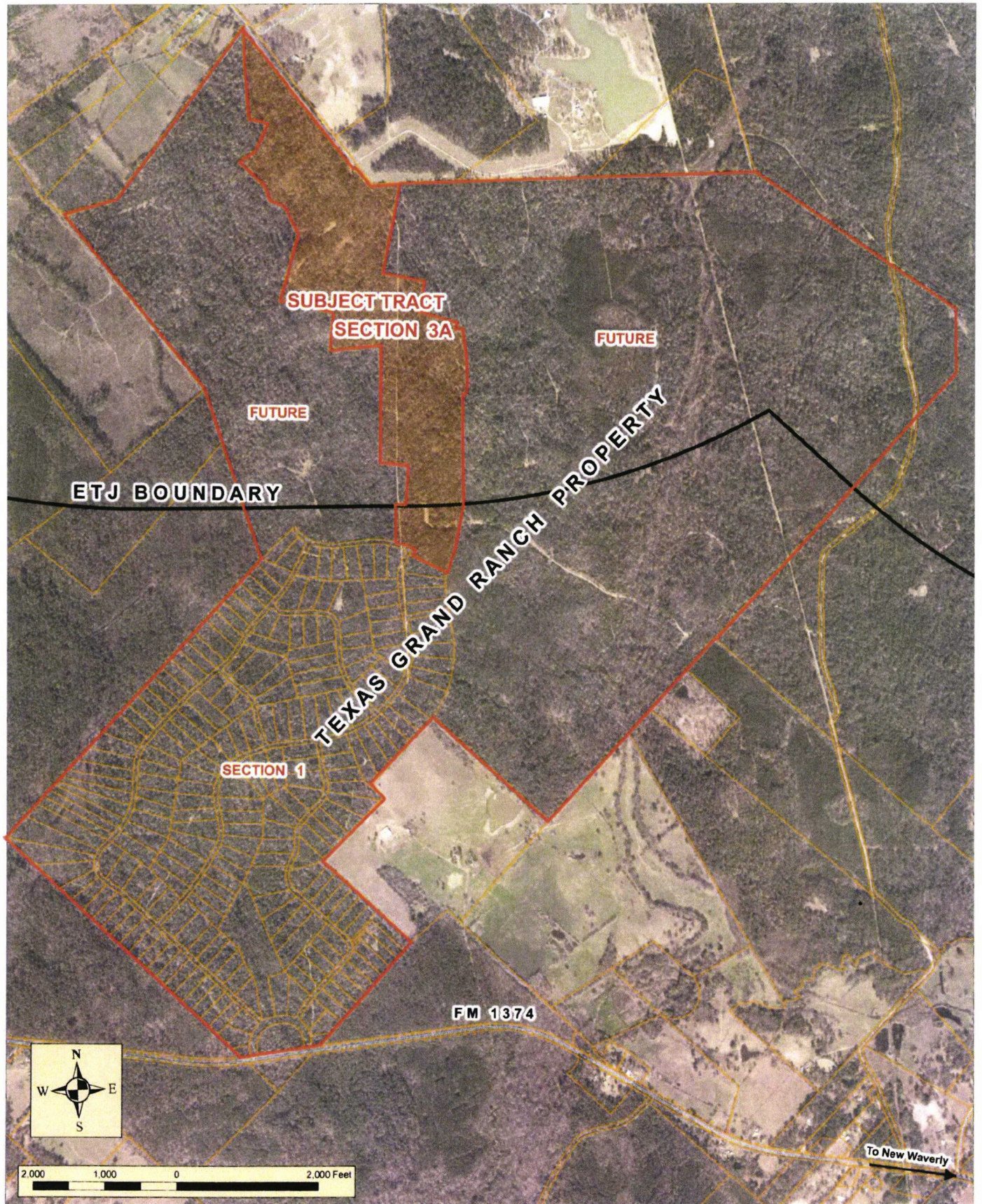
- Vacant
- Neighborhood Conservation
- Estate
- Suburban Residential Commercial
- Auto-Urban Single-Family
- Auto-Urban Multi-Family
- Auto-Urban Commercial
- Urban Central Business District
- Urban University
- Industrial
- Public and Institutional
- Parks and Recreation
- Natural
- Rural and Agricultural
- CityLimit



**Adopted 04/10/07**

NOTE: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.





**PLANNING COMMISSION MEETING - February 4, 2016**  
**VICINITY MAP**  
**TEXAS GRAND RANCH - SECTION 3A**

**From:** [Bulpitt, Matt](#)  
**To:** [Coleman, Brad](#); [OLSON, CARL A](#); [Gary McClanahan 2405](#)  
**Subject:** FW: Notes from August 9 Meeting with Huntsville  
**Date:** Friday, September 16, 2016 10:15:36 AM  
**Attachments:** [Huntsville Meeting 1.jpg](#)  
[Huntsville Meeting 2.jpg](#)  
[Huntsville Meeting 3.jpg](#)

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Matt Bulpitt, P E  
Manager, Capital Projects  
281-297-3494 (work)  
817-975-2084 (cell)

**From:** Bulpitt, Matt  
**Sent:** Wednesday, August 17, 2016 12:21 PM  
**To:** CYR, PAULA L; SCHEURICH, PAUL A; OLSON, CARL A; DICHARRY, JEFF; HALE, RONALD D; Coleman, Brad; [gary.mcclanahan@powereng.com](mailto:gary.mcclanahan@powereng.com)  
**Subject:** Notes from August 9 Meeting with Huntsville

On our prior WREP call, I had summarized the results of the meeting that Ronnie, Jeff, and I had with the Huntsville Community and Economic Development Director, Aron Kulhavy on 9 August 2016. I had mentioned I would send along some more detailed notes as a follow-up.

**Overall, the main takeaways included:**

1. The city continues to be very supportive of the project.
2. They would like us to look at relocating one of our Veteran's Memorial Hwy crossings to the intersection of FM1374 to avoid having to place it underground. It was clear they would prefer not to have the termination structures on each side of the road for an underground crossing. However, they did not seem so worried that they would relax their development code to allow us to cross above ground at our currently proposed locations.
3. They will strongly oppose an I45 crossing at the current location of segment AX1.
4. We need to look at segment HA relative to the TXDOT planned expansion of the 145/HWY 19 interchange.

The following provides expanded details on these takeaways:

As you folks will remember, one of the main purposes for this meeting was to discuss the city's development code that refers to the need to place utilities that cross the Veteran's Memorial Parkway underground. During this meeting, we inquired whether they believe this code applies to transmission lines. Aron said that it does apply to transmission lines, but we would not have to go underground if we crossed at a state highway or freeway. We showed him the pictures of what the termination structures look like for an underground crossing. His immediate comment back was, "let's figure out a way to have the line cross at a state road". We discussed two locations where they would be okay with an above ground crossing. They are noted in the first attached picture. During this discussion, we did bring up the issue of cost, and the potential that the city might end up being responsible for the cost of an underground crossing if they forced us that direction. Aron