4.4 SOCIOECONOMIC IMPACTS

4.4.1 Social and Economic Factors

Construction and operation of the proposed 69-kV transmission line would benefit WTU, MWEC, and residents of their service area by enabling the utilities to provide lower cost, more efficient, and more reliable electric service. The proposed 69-kV transmission line project would convert distribution delivery points to a 69-kV transmission delivery point and improve reliability to MWEC's customers by reducing distribution exposure.

Short-term local employment may be generated during the construction phase of the proposed project, since WTU may use construction contractors to augment its existing work force. Money from construction payrolls would circulate within the local economy, resulting in indirect economic benefits to businesses in the area. In addition, other project-related funds may be used for local purchases of supplies and building materials. If new ROW is required, easement payments would be made to landowners based on the appraised value of land.

Long-term economic benefits potentially resulting from construction of the proposed project are based on the requirement for the utilities to provide a reliable and adequate level of power throughout the service area. Economic growth and development rely heavily on adequate public utilities, including a reliable electrical power supply. Without this basic infrastructure a community's potential for economic growth is constrained.

WTU is required to pay sales tax on its purchases and may be required to pay local property tax on land or improvements. In addition, since WTU will only require easements for its proposed line, no land will be taken off the tax rolls. Therefore, some positive impact to local tax revenues is expected. The cost of designing and constructing the line will be paid for through revenue generated by the sale of electrical service.

4.4.2 Impacts on Community Values

The term "community values" is included as a factor for the consideration of transmission line certification under Section 2.255.(c) of the Public Utility Regulatory Act of 1995, although the term has not been specifically defined for regulatory purposes by the PUC.

For the purposes of evaluating the effects of the proposed transmission line, EH&A has defined the term community values as a "shared appreciation of an area or other natural or human resource by a national, regional or local community". Adverse effects upon community values are defined as aspects of the proposed project which would significantly and negatively alter the use, enjoyment or intrinsic value attached to an important area or resource by a community. This definition assumes that community concerns are identified with the location and specific characteristics of the proposed transmission line and do not include possible objections to electric transmission lines per se.

Impacts on community values can be classified into two areas: (1) direct effects, or those effects which would occur if the location and construction of a transmission line results in the removal of, or loss of public access to, a valued resource; and (2) indirect effects, or those effects which would result from a loss in the enjoyment or use of a resource due to the characteristics (primarily aesthetic) of the proposed line, structures or ROW. Impacts on community values, whether direct or indirect, can be more accurately gauged as they affect recreational areas or resources and the visual environment of an area (aesthetics). Impacts in these areas are discussed in detail in Sections 4.5.2 and 4.5.4, respectively, of this report. In addition, WTU/MWEC held two public open house meetings in the study area in a further attempt to determine local community values. This effort is described in Section 2.2.6.

4.5 LAND USE IMPACTS

4.5.1 Land Use

Land use impacts are determined by the amount of land (of whatever use) displaced by the actual ROW and by the compatibility of electric transmission line ROW with adjacent land uses. During construction, temporary impacts to land uses within the ROW, especially in developed areas, will occur due to the movement of workers and materials through the area. Construction noise and dust, as well as disruption of traffic flow, may also temporarily affect residents and businesses in the area immediately adjacent to the ROW. Coordination among WTU, the contractor, and landowners regarding access to the ROW and construction scheduling should minimize any such disruptions.

Because of the low degree of development throughout much of the study area and the relative abundance of grazingland/rangeland, the potential for impacts to residential and commercial land uses is relatively minor. Potential impacts to grazing and cropland are also considered to be negligible. Major criteria considered to measure potential land use impacts include proximity to habitable structures (i.e., residences, businesses, schools, churches, cemeteries, hospitals, nursing homes, etc.); amount of

existing ROW paralleled (utility, highway, pipeline, etc.); and the general compatibility of adjacent land uses, especially residential, recreational or aviation uses. New ROW that is parallel to existing ROW is generally considered to produce a lesser impact to adjacent land uses than ROW crossing previously undisturbed land, especially if existing property lines are followed.

Alternative Route 1 is the shortest of the two possible alternatives with 5,000 ft of new ROW. Route 1 does not have any habitable structures occurring within 200 ft of the ROW centerline, and it parallels 4,950 ft of existing ROW. Alternative Route 2 has 3 habitable structures occurring within 200 ft of the ROW centerline. It is 1,400 ft longer than the other alternative, with 6,400 ft of new ROW. A total of 5,600 ft of alternative Route 2 parallels existing ROW. Route 2 parallels the greatest amount of existing ROW.

From a land use impact perspective, Route 1 is the preferred route because no habitable structures occur within 200 ft of the ROW centerline. Route 2 has 3 habitable structures within the designated distance parameters. Given the total length of new ROW for the alternative routes, both alternatives parallel about the same amount of existing ROW.

4.5.2 Recreation

There are no recreation areas located within 1,000 ft of any of the proposed ROW centerlines. Thus, impacts to recreation/park areas for these possible routes will be non-existent and will not influence the selection of a preferred route.

4.5.3 Transportation/Aviation

The proposed transmission line facilities will have a minimal effect on aviation operations within the study area. Structure heights will range from 65 to 100 ft. The minimum ground clearance for wires, conductors and cables will be 25 ft. According to Federal Aviation Administration (FAA) Regulations, Part 77 (FAA, 1975), notification of the construction of the proposed transmission line is required if structure heights exceed the height of an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 ft from the nearest point of the nearest runway of a public or military airport having at least one runway longer than 3,200 ft.

No public or military airfields are located within the study area nor within 20,000 ft of any of the proposed ROW centerlines. Thus, potential aviation impacts will have no bearing on selection of a preferred route and FAA notification of line construction will not be required.

4.5.4 Aesthetics

Aesthetic impacts, or impacts upon visual resources, exist when the ROW, lines and/or structures of a transmission line system create an intrusion into, or substantially alter the character of, the existing view. The significance of the impact is directly related to the quality of the view, in the case of natural scenic areas, or to the importance of the existing setting in the use and/or enjoyment of an area, in the case of valued community resources and recreational areas.

In order to evaluate aesthetic impacts, field surveys were conducted to determine the length of the proposed transmission line that would be visible from selected areas. These areas included those of potential community value, recreational areas, particular scenic vistas that were encountered during the field survey, and U.S. and State highways that occur in the study area. The determination of the visibility of the transmission line from various points was completed during the field surveys, considering structure heights at varying distances, and the screening of the route by trees and/or topography.

Construction of the proposed 69-kV transmission line could have both temporary and permanent aesthetic effects. Temporary impacts would include views of the actual assembly and erection of the structures and clearing of the ROW. Where wooded areas are cleared, the brush and wood debris could have a temporary negative impact on the local visual environment. Permanent impacts from the project would be the views of the structures and lines as well as views of cleared ROW.

Neither of the alternative routes is in an area of potentially high aesthetic value. Both alternative routes have an estimated 2,600 ft of ROW within the foreground visual zone of U.S. and State highways. Thus, from an aesthetic perspective, neither alternative route is preferred over the other.

4.6 IMPACTS ON CULTURAL RESOURCES

Any construction activity has the potential for adversely impacting cultural resource sites which may be located within the study area through changes in the quality of the historical, architectural, archaeological or cultural characteristics of that cultural entity. These impacts may occur when an

undertaking alters the integrity of location, design, setting, materials, workmanship, or association of the property that contribute to its significance in accordance with the National Register criteria.

Impacts may be direct or indirect. Direct impacts may be caused by construction and generally occur at the same time and place. Indirect impacts include those caused by construction that occur later in time or are further removed, but are reasonably foreseeable. These impacts may include alterations in the pattern of land use, changes in population density, or accelerated growth rate, all of which may have an impact on properties of historical, architectural, archaeological, or cultural significance.

As discussed in 36 CFR 800, adverse impacts on National Register or eligible properties may occur under conditions which include, but are not limited to:

1) destruction or alteration of all or part of a property;

2) isolation from or alteration of the property's surrounding environment (setting); or

3) introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting.

4.6.1 Direct Impacts

Construction of the proposed transmission line could cause direct impacts to any unrecorded archaeological or historic sites located along or near any of the proposed routes through increased vehicular and pedestrian traffic in the area during the construction phase of the project. This traffic could lead to damage or vandalism of these sites. Additionally, the integrity of the character of any unrecorded, significant historic structures could also be visually impacted by the construction of this proposed line.

4.6.2 Indirect Impacts

Construction of the proposed transmission line may cause indirect impacts to cultural resource sites located within or near the study area through increased vehicular and pedestrian traffic in the area during the construction phase of the project. This traffic may lead to damage or vandalism of unrecorded cultural resource sites.

The indirect impacts of the proposed construction of the transmission line on cultural resources would likely be adverse. Prehistoric sites located near the study area might be more accessible to vandals, but would otherwise be unaffected. However, the integrity of historical sites and landscapes might be adversely impacted by the visibility of the transmission towers and lines.

4.6.3 Mitigation

The preferred form of mitigation on cultural resources is avoidance. An alternative form of mitigation of direct impacts can be developed for archaeological and historical sites with the implementation of a program of detailed data retrieval. Additionally, relocation may be possible for some historic structures. Indirect impacts on historical properties and landscapes can be somewhat lessened through careful design considerations and landscaping.

4.6.4 Summary of Cultural Resource Impacts

The route selection discussed below was based primarily on the number of feet within each route identified as a High Probability Area (HPA) for the occurrence of cultural resource sites. Areas usually considered HPAs for the occurrence of prehistoric sites include stream confluences, alluvial terraces and any area overlooking or near a source of water. Historic sites, naturally, would be most abundant adjacent to historic roadways.

Other factors, such as the number of recorded sites crossed by the proposed transmission line, the number of sites within 1,000 ft of each of the routes, the number of NRHP eligible or listed sites either crossed or within 1,000 ft of the route were not considered because none of these occurred in the study area.

The preferred route selection for the proposed 69-kV transmission line discussed below was based principally upon the identification of areas having the lowest probability for containing cultural resource sites. The results, from a cultural resource standpoint only, are presented below.

The preferred route based on a cultural resource perspective is Route 1. Route 1 does not contain any areas which can be considered as having a high potential for the location of cultural resource sites. Route 2, however, contains about 2,400 ft considered sensitive for the location of cultural resource sites and thus would be the second choice.

5.0 AGENCY CORRESPONDENCE

5.0 CORRESPONDENCE WITH AGENCIES/OFFICIALS

The following federal, state and local agencies/offices were contacted by letter in July 1996 to solicit comments, concerns and any additional information pertaining to permits or approvals regarding the construction of a 69-kV transmission line in Fisher County. A map of the study area was included with each letter.

- U.S. Army Corps of Engineers (USCE), Fort Worth District
- Fish and Wildlife Service (FWS), U.S. Department of the Interior, Arlington, Texas
- Natural Resources Conservation Service (NRCS) (formerly the Soil Conservation Service (SCS))
- Federal Emergency Management Agency (FEMA)
- Texas Historical Commission (THC)
- Texas Natural Resource Conservation Commission (TNRCC)
- Texas Department of Transportation (TxDOT), Division of Aviation
- Texas Department of Transportation (TxDOT), Division of Environmental Affairs
- Federal Aviation Administration (FAA)
- National Park Service (NPS), U.S. Department of the Interior
- Texas Parks and Wildlife Department (TPWD)
- Texas Biological and Conservation Data System (BCD)
- Texas Water Development Board (TWDB)
- U.S. Environmental Protection Agency (EPA)
- West Texas Council of Governments (WTCOG)
- Fisher County Judge
- Fisher County Commissioners

Written replies were received from 11 of the agencies/offices contacted. Copies of all agency responses received as of 15 November 1996 are included in Appendix A.

The USCE said they were unable at this point to determine whether Department of the Army authorization would be required. They determined, however, that areas subject to Section 404 regulation, such as on-channel ponds or playa lakes, occur in the study area. Department of the Army authorization may be required. The USCE encouraged minimizing impacts to wetlands.

The FWS (Arlington Office) reported that no federally listed threatened or endangered species are known to occur in Fisher County. They indicated that, upon a review of National Wetlands Inventory (NWI) maps, wetlands occur in the study area and recommended that the project be designed to avoid and/or minimize impacts to these areas. Any losses should be mitigated, including restoration, creation and revegetation. They also said that the Environmental Assessment for the project should quantify the impacts to fish/wildlife resources and how these impacts could be mitigated.

The NRCS (SCS) stated that while some prime farmland soils may occur in the study area, no unique cropland, important rangeland, or protected forest lands occur within the study area. They further noted that until the route for the transmission line is selected, they cannot evaluate project impacts on prime farmland soils. They suggested utilizing existing highway and/or transmission line right-of-way (ROW) to avoid adverse impacts on agricultural lands.

The FEMA responded that since Fisher County is not currently participating in the National Flood Insurance Program (NFIP) and has not been mapped by the agency, no federal requirements for flood insurance or floodplain management exist for the county.

In order to comment on the project, the THC requested more information, such as what kinds of ground-disturbing impacts are proposed within the 40- to 60-foot (ft) wide ROW other than the placement of poles.

The TNRCC had no comments pertaining to any water quality effects of the project. However, they mentioned that during construction, stormwater runoff can affect surface water quality by carrying sediment and chemical contaminants into nearby streams. They recommended use of construction and post-construction water quality protection practices. They also noted that, while construction will produce dust and particulate emissions, this action poses no significant impact upon air quality standards.

The TxDOT, Division of Aviation, stated that the FAA should be contacted if either of the following criteria applies: 1) if any of the structures obstructs a slope of 1 ft of vertical height for each 100 ft of horizontal distance out to a total distance of 20,000 ft from the nearest point of any public-use runway, existing or planned, of more than 3,200 ft in length; or 2) if any of the structures are 200 ft above ground level. TxDOT stated that there are no public airports within 20,000 ft of the study area boundary. While TxDOT plans no new airport construction projects within 20,000 ft of the study area,

they suggested contacting the Texas Airport Development Office, Airports Division, of the FAA concerning any proposed FAA airport construction plans in the general area.

The FAA was unaware of any particular environmental concerns that would require FAA involvement. They did, however, enclose Form 7460-1 should the project meet the requirements of having to notify the FAA prior to construction.

The NPS noted that the project would have no apparent effects on NPS management or program responsibilities.

The TPWD/BCD reported that there were no known occurrences of special species or natural communities within the general vicinity of the proposed project. They recommend constructing the transmission line along existing ROWs to minimize impacts to fish and wildlife resources.

As of 15 November 1996, EH&A had not received a reply from the other agencies/offices contacted.

6.0 PREFERRED ROUTE SELECTION

6.0 PREFERRED ROUTE SELECTION

The purpose of this study was to evaluate alternative routes for WTU's proposed Longworth 69-kV transmission line located in Fisher County, Texas, and to recommend a least-impacting route to WTU.

Following the two public open-house meetings held in the study area, EH&A completed the environmental analysis of the two primary alternative routes, the results (Table 6-1), a summary of the environmental evaluation and a recommendation of a preferred route were presented to WTU. The environmental evaluation was a comparison of alternatives from a strictly environmental viewpoint, based upon the measurement of environmental criteria and the consensus opinion of EH&A's group of evaluators. EH&A's evaluation is discussed below. WTU subsequently conducted an evaluation of environmental, engineering, and cost factors, reviewed public input received at the open-house meetings, and then selected a preferred route, as presented in Section 6.2.

6.1 EH&A'S ENVIRONMENTAL EVALUATION

EH&A professionals with expertise in different environmental disciplines (wildlife biology, plant ecology, land use/planning, and archaeology) evaluated the two alternative routes based upon environmental conditions present along each route (augmented by aerial photo interpretation and a field survey, where possible). Each EH&A staff person independently analyzed the routes and the environmental data presented in Table 6-1. The evaluators then met as a group and discussed their independent results. The relationship and relative sensitivity among the major environmental factors were determined by the group as a whole. The group then selected a preferred route based strictly upon the environmental data.

The land use evaluation concentrated on the number of habitable structures, the overall length of the route, and the length of route parallel to existing ROW. Route 1 has no habitable structures within 200 ft, compared to three for Route 2. Route 1 parallels existing ROW for its entire length. The fact that Route 1 is shorter and has no habitable structures within 200 ft led to its selection as the preferred alternative from a land use perspective.

With respect to potential ecological impacts, the most important consideration was the amount of woodland/brushland crossed. Between the two alternatives under consideration, Route 1

TABLE 6-1

ENVIRONMENTAL DATA FOR
TRANSMISSION LINE EVALUATION
LONGWORTH 69-KV PROJECT

	ALTERNATIVE ROUTES	
	1	2
LAND USE		
Length of alternative route	5,000	6,400
Number of habitable structures[1] within 200 ft of ROW centerline	0	3
Length of ROW parallel to existing ROW (transmission lines, pipelines, roads, etc.)	4,950	5,600
Length of ROW through recreational areas	0	0
Number of parks and/or recreational areas within 1,000 ft of ROW centerline	0	0
Length of ROW through cropland	4,900	2,600
Length of ROW through grazingland/rangeland	0	2,900
Length of ROW through irrigated pasture or cropland	0	0
Length of ROW across prime farmland soils	4,500	5,800
Length of ROW across gravel pits, mines or quarries	0	0
Number of pipeline crossings	0	0
Number of transmission line crossings	0	0
Number of U.S. and State highway crossings	0	0
Number of FM and county road crossings	1	1
Number of FAA-listed airfields within 10,000 ft of ROW centerline	0	0

TABLE 6-1 (Cont'd)

	ALTERNATIVE ROUTES	
	1	2
Number of commercial AM radio transmitters within 10,000 ft of ROW centerline	0	0
Number of FM radio transmitters, microwave towers, etc. within 2,000 ft of ROW centerline	0	0
AESTHETICS		
Estimated length of ROW within foreground visual zone[2] of U.S. and State highways	2,600	2,600
Estimated length of ROW within foreground visual zone[2] of recreational or park areas	0	0
Estimated length of ROW within foreground visual zone[2] of churches, schools, hospitals and cemeteries	0	0
ECOLOGY		
Length of ROW through upland brushland/woodland	0	800
Length of ROW through bottomland/riparian woodland	0	50
Length of ROW across wetlands	0	0
Length across known habitat of endangered/threatened species	0	0
Length of ROW across open water (lakes, ponds)	0	0
Number of stream crossings	1	1
Number of river crossings	0	0
Length of ROW parallel (within 100 ft) to streams	0	0
CULTURAL RESOURCES		
Number of recorded historic or prehistoric sites crossed	0	0
Number of recorded historic or prehistoric sites within 1,000 ft of ROW centerline	0	0

TABLE 6-1 (Concluded)

	ALTERNATIVE ROUTES	
	1	2
Number of National Register listed or determined eligible sites crossed	0	0
Number of National Register listed or determined eligible sites within 1,000 ft of ROW centerline	0	0
Length of ROW through areas of high archaeological/historic site potential	0	2,400

[1] Residences, businesses, schools, churches, cemeteries, hospitals, nursing homes, etc.
[2] One-half mile, unobstructed

crosses none of this important habitat and was thus preferred from an ecological viewpoint. It also crosses no streams.

Potential cultural resources impacts were judged by the number of known sites within 1,000 ft of the route centerline and the potential impact to areas of high probability for unrecorded cultural resource sites. Since there were no known sites (prehistoric or historic) within 1,000 ft of either of the alternatives, potential impacts to high-probability areas was the prime factor. Because Route 1 crosses no high-probability areas, it was selected as the preferred route from a cultural resources perspective.

Following the evaluation by each discipline, the group discussed the relative importance and sensitivity of the various criteria as they applied to the two alternative routes under consideration, and selected a preferred route to recommend to WTU. Between the two alternatives, it was the decision of the group that Route 1 would be EH&A's recommended route based primarily on the following advantages:

- no habitable structures within 200 ft
- is the shortest alternative route
- crosses the least amount of woodland/brushland
- crosses no cultural resource high-probability areas.

And, in common with the other primary alternative, Route 1:

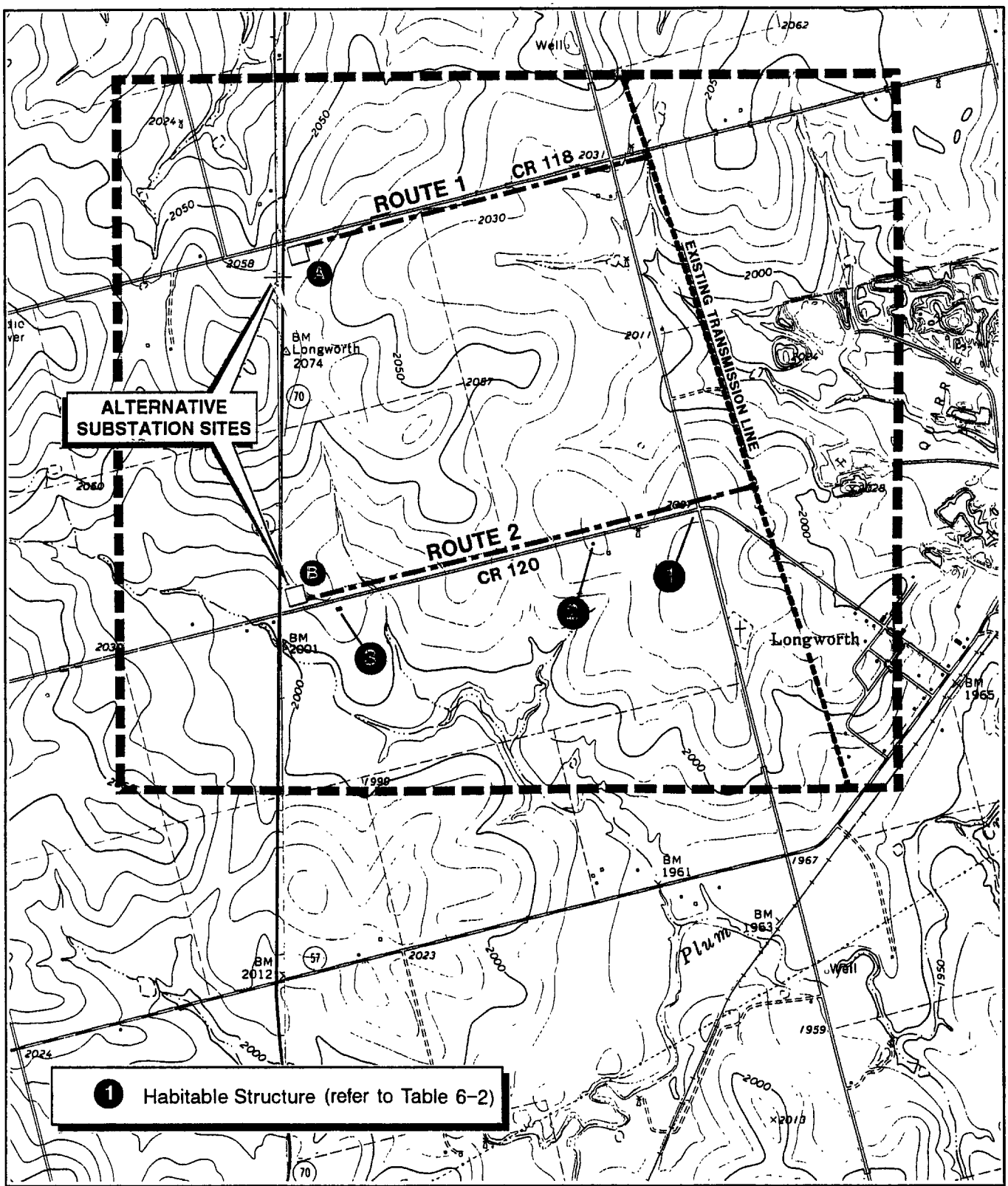
- crosses or is within 1,000 ft of no parks or recreation areas
- is within 10,000 ft of no FAA-registered airstrips
- crosses no irrigated cropland or pastureland with center-pivot or rolling irrigation systems
- crosses no open water
- crosses no known endangered or threatened species habitat
- crosses no areas of potential high aesthetic value
- crosses or is within 1,000 ft of no known historic or prehistoric sites
- crosses or is within 1,000 ft of no known NRHP-listed or -eligible sites

6.2 PREFERRED ROUTE SELECTION

Following EH&A's environmental evaluation, WTU was provided with a draft of the environmental assessment report. This document included EH&A's environmental evaluation of the alternatives and a recommended and alternate transmission line route. In addition to reviewing EH&A's environmental evaluation, WTU also undertook an internal engineering review of the primary alternative routes based on cost, design, construction, operation, maintenance and ROW factors. As a result of this review, agency comments, and their knowledge of the study area, WTU selected Route 1 as their preferred route based on a combination of environmental and engineering factors and concerns. In addition, WTU selected Route 1 as their preferred route because Substation Site A has good access to Highway 70 that would provide all weather access to the substation and would require less site preparation than Substation Site B, and because Substation Site A is located more toward the load center for MWEC's distribution feeders.

The location of habitable structures within 200 ft of the centerline of the Preferred Route (Route 1) and the Alternate Route (Route 2) are shown in Figure 6-1, and information on these structures is presented in Table 6-2. No other land use features within the distance categories requested by the PUC occur along the preferred or alternate route.

In summary, WTU concluded, after considering a wide range of factors including potential environmental impacts, monetary costs, landowner and agency concerns, engineering requirements, construction and ROW needs, that Route 1 is the preferred route for the proposed Longworth 69-kV transmission line project.



Espey, Huston & Associates, Inc.
Engineering & Environmental Consultants

Figure 6-1

HABITABLE STRUCTURES
IN THE VICINITYOF THE
PREFERRED AND ALTERNATIVE ROUTES
LONGWORTH 69-KV PROJECT

TABLE 6-2

HABITABLE STRUCTURES IN THE VICINITY OF WTU'S
PREFERRED AND ALTERNATIVE ROUTES FOR THE
LONGWORTH 69-KV PROJECT

Preferred Route	Alternate Route	Map Number *	Type of Feature	Approximate Distance & Direction from ROW Centerline
Route 1		None	None	
	Route 2	1	Single-family residence	120 ft south
		2	Single-family residence	135 ft south
		3	Single-family residence	120 ft south

* Refer to Figure 6-1

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7.0 REFERENCES

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APPENDIX A
AGENCY CORRESPONDENCE

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

REPLY TO
ATTENTION OF

July 19, 1996

Operations Division
Regulatory Branch

SUBJECT: Project Number 199600419

Mr. Rob R. Reid
Espey, Huston & Associates, Inc.
206 Wild Basin Road, Suite 300
P.O. Box 519
Austin, Texas 78767-0519

Dear Mr. Reid:

Thank you for your letters of June 13, 1996, and July 12, 1996, concerning a proposal by West Texas Utilities Company and Midwest Electric Cooperative, Inc. to construct a series of 69-kV transmission lines that would connect five existing and proposed substations located between the cities of Snyder and Roby in Scurry and Fisher counties, Texas. This project has been assigned Project Number 199600419. Please include this number in all correspondence concerning this project. Failure to reference the project number may result in a delay.

We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U. S. Army Corps of Engineers regulates the discharge of dredged and fill material into waters of the United States, including wetlands. Our responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Any such discharge or work requires Department of the Army authorization in the form of a permit.

We are unable to determine from the information you provided whether Department of the Army authorization will be required. However, we have determined that areas subject to Section 404 regulation, such as the Clear Fork Brazos River, Buffalo Creek, Spring Creek, Cottonwood Creek, and Alkali Creek, as well as playa lakes and on-channel ponds, occur within the proposed project area. Mechanized land clearing, building transmission line towers, and constructing temporary and permanent road crossings are examples of transmission line construction activities that may require Department of the Army authorization where they occur in waters of the United States.

If a Department of the Army permit is required, the project may be authorized by one or more nationwide permits. For work to be authorized by nationwide 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 impacts to wetlands and other waters of the United States in the planning of this project. When more detailed information about the project is available, please provide us with the type and amount of material to be discharged into waters of the United States, the location of each discharge on a suitable map, and plan and cross-section views of the proposed project. Please note that it is unlawful to start work without a Department of the Army permit when one is required.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Mr. David Martin at the address above or telephone (817)334-4625.

Sincerely,

Presley B. Hatcher

for Wayne A. Lea
Chief, Regulatory Branch

Copy Furnished:

Mr. Rollin MacRae
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

NATIONWIDE PERMITS 26
HEADWATERS AND ISOLATED WATERS DISCHARGES

Discharges of dredged or fill material into headwaters and isolated waters provided:

a. The discharge does not cause the loss of more than 10 acres of waters of the United States;

b. The permittee notifies the district engineer if the discharge would cause the loss of waters of the United States greater than one acre in accordance with the "Notification" general condition. For discharges in special aquatic sites, including wetlands, the notification must also include a delineation of affected special aquatic sites, including wetlands. (Also see 33 CFR 330.1(e)); and

c. The discharge, including all attendant features, both temporary and permanent, is part of a single and complete project.

For the purposes of this nationwide permit, the acreage of loss of waters of the United States includes the filled area plus waters of the United States that are adversely affected by flooding, excavation or drainage as a result of the project. The ten-acre and one-acre limits of NWP 26 are absolute, and cannot be increased by any mitigation plan offered by the applicant or required by the DE.

Subdivisions: For any real estate subdivision created or subdivided after October 5, 1984, a notification pursuant to subsection (b) of this nationwide permit is required for any discharge which would cause the aggregate total loss of waters of the United States for the entire subdivision to exceed one (1) acre. Any discharge in any real estate subdivision which would cause the aggregate total loss of waters of the United States in the subdivision to exceed ten (10) acres is not authorized by this nationwide permit; unless the DE exempts a particular subdivision or parcel by making a written determination that: (1) the individual and cumulative adverse environmental effects would be minimal and the property owner had, after October 5, 1984, but prior to January 21, 1992, committed substantial resources in reliance on NWP 26 with regard to a subdivision, in circumstances where it would be inequitable to frustrate his investment-backed expectations, or (2) that the individual and cumulative adverse environmental effects would be minimal, high quality wetlands would not be adversely affected, and there would be an overall benefit to the aquatic environment. Once the exemption is established for a subdivision, subsequent lot development by individual property owners may proceed using NWP 26. For purposes of NWP 26, the term "real estate subdivision" shall be interpreted to include circumstances where a landowner or developer divides a tract of land into smaller parcels for the purpose of selling, conveying, transferring, leasing, or developing said parcels. This would include the entire area of a residential, commercial or other real estate subdivision, including all parcels and parts thereof. (Section 404)

NATIONWIDE PERMIT CONDITIONS

GENERAL CONDITIONS: The following general conditions must be followed in order for any authorization by a nationwide permit to be valid:

1. Navigation. No activity may cause more than a minimal adverse effect on navigation.

2. Proper maintenance. Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.

3. Erosion and siltation controls. Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills must be permanently stabilized at the earliest practicable date.

4. Aquatic life movements. No activity may substantially disrupt the movement of those species of aquatic

life indigenous to the waterbody, including those species which normally migrate through the area, unless the activity's primary purpose is to impound water.

5. Equipment. Heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.

6. Regional and case-by-case conditions. The activity must comply with any regional conditions which may have been added by the division engineer (see 33 CFR 330.4(e)) and any case specific conditions added by the Corps.

7. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status. Information on Wild and Scenic Rivers may be obtained from the National Park Service and the U.S. Forest Service.

8. Tribal rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

9. Water quality certification. In certain states, an individual state water quality certification must be obtained or waived (see 33 CFR 330.4(c)).

10. Coastal zone management. In certain states, an individual state coastal zone management consistency concurrance must be obtained or waived. (see 33 CFR 330.4(d)).

11. Endangered Species. No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the district engineer if any listed species or critical habitat might be affected or is in the vicinity of the project and shall not begin work on the activity until notified by the district engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. Fish and Wildlife Service and National Marine Fisheries Service. (see 33 CFR 330.4(f))

12. Historic properties. No activity which may affect Historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the DE has complied with the provisions of 33 CFR 325, Appendix C. The prospective permittee must notify the district engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)).

13. Notification. (a) Where required by the terms of the NWP, the prospective permittee must notify the District Engineer as early as possible and shall not begin the activity:

(1) Until notified by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) If notified by the District or Division engineer that an individual permit is required; or

(3) Unless 30 days have passed from the District Engineer's receipt of the notification and the prospective permittee has not received notice from the District or Division Engineer. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) The notification must be in writing and include the following information and any required fees:

(1) Name, address and telephone number of the prospective permittee;

(2) Location of the proposed project;

(3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), regional general permit(s) or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity;

(4) Where required by the terms of the NWP, a delineation of affected special aquatic sites, including wetlands; and

(5) A statement that the prospective permittee has contacted: (i) The USFWS/NMFS regarding the presence of any Federally listed (or proposed for listing) endangered or threatened species or critical habitat in the permit area that may be affected by the proposed project; and any available information provided by those agencies. (The prospective permittee may contact Corps District Offices for USFWS/NMFS agency contacts and lists of critical habitat.)

(ii) The SHPO regarding the presence of any historic properties in the permit area that may be affected by the proposed project; and the available information, if any, provided by that agency.

(c) The standard individual permit application form (Form ENG 4345) may by used as the notification but must clearly indicate that it is a PDN and must include all of the information required in (b)(1)-(5) of General Condition 13.

(d) In reviewing an activity under the notification procedure, the District Engineer will first determine whether the activity will result in more than minimal individual or cumulative adverse environmental effects or will be contrary to the public interest. The prospective permittee may, at his option, submit a proposed mitigation plan with the predischarge notification to expedite the process and the District Engineer will consider any optional mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed work are minimal. The District Engineer will consider any comments from Federal and State agencies concerning the proposed activity's compliance with the terms and conditions of the nationwide permits and the need for mitigation to reduce the project's adverse environmental effects to a minimal level. The district engineer will upon receipt of a notification provide immediately (e.g. facsimile transmission, overnight mail or other expeditious manner) a copy to the appropriate offices of the Fish and Wildlife Service, State natural resource or water quality agency, EPA, and, if appropriate, the National Marine Fisheries Service. With the exception of NWP 37, these agencies will then have 5 calendar days from the date the material is transmitted to telephone the District Engineer if they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 10 calendar days before making a decision on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency. The District Engineer will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects are minimal, he will notify the permittee and include any conditions he deems necessary. If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then he will notify the applicant either: (1) that the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; or (2) that the project is authorized under the nationwide permit subject to the applicant's submitting a mitigation proposal that would reduce the adverse effects to the minimal level. This mitigation proposal must be approved by the District Engineer prior to commencing work. If the prospective permittee elects to submit a mitigation plan, the DE will expeditiously review the proposed mitigation plan, but will not commence a second 30-day notification procedure. If the net adverse effects of the project (with the mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant informing him that the project can proceed under the terms and conditions of the nationwide permit.

(e) Wetlands Delineations: Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 30-day period will not start until the wetland delineation has been completed.

(f) Mitigaton: Factors that the District Engineer will consider when determining the acceptability of appropriate and practicable mitigation include, but are not limited to:

(1) To be practicable the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of overall project purposes;

(2) To the extent appropriate, permittees should consider mitigation banking and other forms of mitigation including contributions to wetland trust funds, which contribute to the restoration, creation, replacement, enhancement, or preservation of wetlands.

Furthermore, examples of mitigation that may be appropriate and practicable include but are not limited to: reducing the size of the project; establishing buffer zones to protect aquatic resource values; and replacing the loss of aquatic resource values by creating, restoring, and enhancing similar functions and values. In addition, mitigation must address impacts and cannot be used to offset the acreage of wetland losses that would occur in order to meet the acreage limits of some of the nationwide permits (e.g. 5 acres of wetlands cannot be created to change a 6 acre loss of wetlands to a 1 acre loss; however, the 5 created acres can be used to reduce the impacts of the 6 acre loss).

SECTION 404 ONLY CONDITIONS: In addition to the General Conditions, the following conditions apply only to activities that involve the discharge of dredged or fill material and must be followed in order for authorization by the nationwide permits to be valid:

1. Water supply intakes. No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.

2. Shellfish production. No discharge of dredged or fill material may occur in areas of concentrated shellfish production, unless the discharge is directly related to a shellfish harvesting activity authorized by nationwide permit 4.

3. Suitable material. No discharge of dredged or fill material may consist of unsuitable material (e.g., trash, debris, car bodies, etc.) and material discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

4. Mitigation. Discharges of dredged or fill material into waters of the United States must be minimized or avoided to the maximum extent practicable at the project site (i.e. on-site), unless the DE has approved a compensation mitigation plan for the specific regulated activity.

5. Spawning areas. Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.

6. Obstruction of high flows. To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).

7. Adverse impacts from impoundments. If the discharge creates an impoundment of water, adverse impacts on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.

8. Waterfowl breeding areas. Discharges into breeding areas for migratory waterfowl must be avoided to

the maximum extent practicable.

9. Removal of temporary fills. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

NATIONWIDE PERMITS

The following is a listing of the Nationwide Permits currently in effect.

1. AIDS TO NAVIGATION
2. STRUCTURES IN ARTIFICIAL CANALS
3. MAINTENANCE
4. FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES
* 5. SCIENTIFIC MEASUREMENT DEVICES
6. SURVEY ACTIVITIES
* 7. OUTFALL STRUCTURES
8. OIL AND GAS STRUCTURES
9. STRUCTURES IN FLEETING AND ANCHORAGE AREAS
10. MOORING BUOYS
11. TEMPORARY RECREATIONAL STRUCTURES
12. UTILITY LINE BACKFILL AND BEDDING
*13. BANK STABILIZATION
*14. ROAD CROSSING
15. U.S. COAST GUARD APPROVED BRIDGES
16. RETURN WATER FROM UPLAND CONTAINED DISPOSAL AREAS
*17. HYDROPOWER PROJECTS
*18. MINOR DISCHARGES
19. 25 CUBIC YARD DREDGING
20. OIL SPILL CLEANUP
*21. SURFACE MINING ACTIVITIES
22. REMOVAL OF VESSELS
23. APPROVED CATEGORICAL EXCLUSIONS
24. STATE ADMINISTERED SECTION 404 PROGRAMS
25. STRUCTURAL DISCHARGE
*26. HEADWATERS AND ISOLATED WATERS DISCHARGES
27. WETLAND RESTORATION ACTIVITIES
28. MODIFICATIONS OF EXISTING MARINAS
29. RESERVED
30. RESERVED
31. RESERVED
32. COMPLETED ENFORCEMENT ACTIONS
*33. TEMPORARY CONSTRUCTION AND ACCESS
*34. CRANBERRY PRODUCTION ACTIVITIES
35. MAINTENANCE DREDGING OF EXISTING BASINS
36. BOAT RAMPS
*37. EMERGENCY WATERSHED PROTECTION
*38. CLEANUP OF HAZARDOUS AND TOXIC WASTE
39. RESERVED
40. FARM BUILDINGS

* These Nationwide permits may require that notification be provided to the U S Army Corps of Engineers.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Stadium Centre Building
711 Stadium Drive East, Suite 252
Arlington, Texas 76011

2-12-96-I-285

July 22, 1996

Mr. Rob R. Reid
Espey, Huston and Associates
P.O. Box 519
Austin, Texas 78767-0519

Dear Mr. Reid:

This responds to your July 12, 1996, letter requesting comments on the proposed construction of a new 69 kV transmission line between an existing West Texas Utilities Company line, located northwest of Longworth, and a proposed substation to serve Midwest Electric Cooperative, located on State Highway 70, Fisher County, Texas. The line will be constructed on single poles (wood, steel, or concrete) within a 40 to 60 foot right-of-way. At present, there are no proposed routes for the transmission line.

Threatened and Endangered Species

There are no federally listed threatened or endangered species known to occur at present in Fisher County.

For information regarding State listed species, contact the Texas Parks and Wildlife Department, Texas Biological and Conservation Data System, 3000 South IH-35, Suite 100, Austin, Texas 78744, or call them at (512) 912-7011.

Wetlands and Wildlife Habitat

A review of the Longworth, Texas, National Wetlands Inventory (NWI) map indicates the presence of wetlands within the proposed general project area. Enclosed is a copy of the NWI map for your information.

Wetlands and riparian corridors are high priority fish and wildlife habitat, serving as important sources of food, cover, and habitat for numerous species of fish and wildlife. Waterfowl and other migratory birds use wetlands and riparian corridors as stopover, feeding, and nesting areas. We recommend that proposed projects be designed to avoid and/or minimize impacts to

these areas. However, if you anticipate that there will be unavoidable impacts to wetlands, Federal policy provides that these impacts be minimized and losses mitigated to restore lost habitat values of equal or greater value to fish and wildlife resources. This includes restoring or creating areas that retain the primary hydrological characteristics of the affected wetlands and revegetating the disturbed land with native plant species appropriate to habitat type. Additionally, if wetland areas are to be filled or drained, you should contact the Fort Worth District Corps of Engineers, Permits Section, SWFOD-O, P.O. Box 17300, Fort Worth, Texas 76102-0300, to determine if a permit is required by that Agency prior to commencement of construction activities.

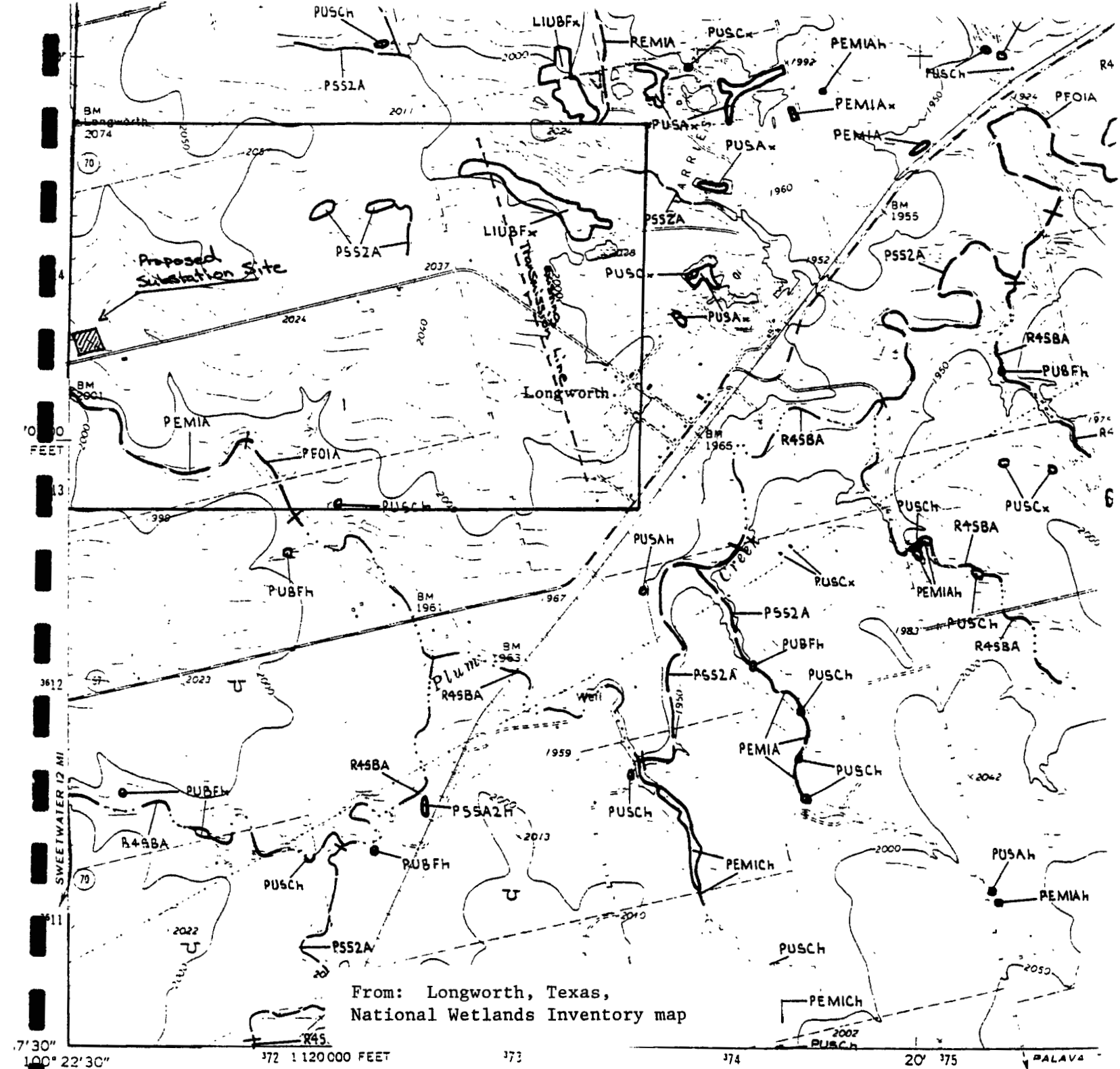
The Environmental Assessment for the proposed project should include a qualification and quantification of all impacts to fish and wildlife resources (especially to wetland, riparian, and upland forested areas). A mitigation plan should be developed early in the project planning process, and subsequently reviewed by the resource agencies, which demonstrates how impacts to fish and wildlife resources would be avoided, how impacts would be minimized, and plans developed to rectify/compensate for project related impacts.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact Clayton Napier or Don Wilhelm at (817) 885-7830.

Sincerely,

Robert M. Short
Field Supervisor

Enclosure



From: Longworth, Texas,
National Wetlands Inventory map

BIG SPRING NE
SNYDER

SCALE 1:24 000

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 5 0 1 KILOMETER

1 acre

10 acres

20 acres

ACREAGE GUIDE

SPECIAL NOTE

This document was prepared primarily analysis of high altitude aerial photographs identified on the photographs based on v hydrology, and geography in accordance tion of Wetlands and Deepwater Habita States (FWS/OBS - 79/31 December 1 photographs typically reflect conditions d year and season when they were taken. is a margin of error inherent in the u photographs. Thus, a detailed on the grou analysis of a single site may result in wetland boundaries established throu interpretation. In addition, some small w obscured by dense forest cover may no

United States Department of Agriculture
Soil Conservation Service
101 South Main Street
Temple, Texas
76501-7682

July 22, 1996

Mr. Rob R. Reid
Project Manager - Vice President
Espey, Huston & Associates, Inc.
P. O. Box 519
Austin, TX 78767-0519

Dear Mr. Reid:

We have reviewed the location of the area of interest associated with West Texas Utilities Company and Midwest Electric Cooperative's proposed new electric transmission facilities in Fisher County, Texas.

Some prime farmland soils may occur within the area of interest. No unique cropland, important rangeland, or protected forest lands are present.

Until the routes for the transmission lines are selected, we cannot evaluate project impacts on prime farmland soils. To avoid adverse impacts on agricultural lands, we suggest utilizing any existing highway and/or transmission line right-of-ways.

Thank you for allowing us to review and comment on this project.

Sincerely,

FOR Thomas M. Domingez

HARRY W. ONETH
State Conservationist

cc: Mickey Black, ASC (FO), Lubbock, TX
Charles Terrell, Natl. Environ. Coord., Washington, DC

Federal Emergency Management Agency

Region VI
Federal Regional Center
800 North Loop 288
Denton, TX 76201-3698

July 23, 1996

Mr. Rob R. Reid
Project Manager/Vice President
Espey, Huston & Associates, Inc.
P.O. Box 519
Austin, Texas 78767-0519

Dear Mr. Reid:

We are in receipt of your letter dated July 12, 1996 regarding the proposed construction of new electric transmission facilities in Fisher County, Texas.

According to our records, Fisher County is not currently participating in the National Flood Insurance Program (NFIP), nor has the county been mapped by this agency. Therefore, no Federal requirements for flood insurance or floodplain management exist for the county.

If we can be of further assistance, please contact this office at (817) 898-5380.

Sincerely,

Kathy R. Hand
Hazard Mitigation Specialist

TEXAS
HISTORICAL
COMMISSION

George W. Bush • *Governor*
John L. Nau, III • *Chairman*
Curtis Tunnell • *Executive Director*

The State Agency for Historic Preservation

July 29, 1996

Mr. Rob R. Reid
Project Manager/Vice President
Espey, Huston & Associates, Inc.
P.O. Box 519
Austin, TX 78767-0519

Re: Proposed Electric Transmission Facilities in Fisher County, Texas (PUC, T2, T10)

Dear Mr. Reid:

Thank you for the opportunity to comment on the above-referenced proposed facilities in Fisher County, Texas. To fully comment on the effects of the project on cultural resources, we request more specific documentation on the impacts associated with the transmission line. Specifically, other than the placement of poles, what kinds of ground-disturbing impacts are proposed within the 40-60 foot wide right-of-way?

With receipt of this documentation, and information on the proposed route of the transmission line, we will continue our review of the project. If you have any questions, please contact Dr. Timothy K. Perttula of our staff at 463-5866 or tperttula@access.texas.gov.

Sincerely,

James E. Bruseth, Ph.D.
Deputy State Historic Preservation Officer

Timothy K. Perttula, Ph.D.
Associate Director for Antiquities Review

TKP/JEB/tp

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

July 30, 1996

Mr. Rob R. Reid
Espey, Huston & Associates, Inc.
P.O. Box 519
Austin, Texas 78767-0519

Re: West Texas Utilities Company (WTU)/Midwest Electric Cooperative, Inc. (MEC)
Construction of new electric transmission facilities in Fisher County, Texas
EH&A Project No. 17653

Dear Mr. Reid:

The following staff of the Texas Natural Resource Conservation Commission (TNRCC) has reviewed the above-referenced project and offer the following comments:

Water Planning & Assessment Division:

The staff of the Research and Environmental Assessment Section has reviewed the above-referenced project and has no comments pertaining to any water quality effects of the project.

However, during construction, runoff of storm water can affect surface water quality. This so-called nonpoint source pollution can have an impact on water quality and aquatic life by carrying sediment and chemical contaminants into nearby streams.

These impacts can be minimized by the use of construction and post-construction water quality protection practices, and we urge you to use such practices as you undertake this project.

If you have questions regarding water quality comments, please feel free to contact Mr. Tom Remaley at (512) 239-4576.

Office of Policy and Regulatory Development:

The Office of Policy and Regulatory Development has reviewed the above-referenced project for General Conformity impacts in accordance with 40 CFR Part 93 and Chapter 101.30 of the TNRCC General Rules. The proposed project is located in Fisher and Scurry Counties, Texas, which is unclassified or in attainment of the National Ambient Air Quality Standard (NAAQS) for all six criteria air pollutants, therefore, general conformity does not apply.

Although the construction will produce dust and particulate emissions, this action poses no significant impact upon air quality standards. The minimal dust and particulate emissions during construction can easily be controlled with standard dust mitigation techniques by the construction contractor.

If you have any questions regarding air quality, please feel free to contact Mr. Buddy Henderson, Air Policy and Regulations Division, at (512) 239-1510.

Thank you for the opportunity to review this project, and if you need anything further, please contact me at (512) 239-3503.

Sincerely,

Sidney Wheeler

(Ms.) Sidney Wheeler
Program Administrator
Intergovernmental Relations Division

Texas Department of Transportation

AVIATION DIVISION

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

August 14, 1996

Mr. Rob R. Reid
Project Manager/Vice President
Espey, Huston & Associates, Inc.
P.O. Box 519
Austin, Texas 78767-0519

Dear Mr. Reid:

We have received your letter of July 12, 1996, concerning the Midwest Electric Cooperative's proposed 69-kV transmission line in Fisher County, Texas, EH&A Project No. 17653. This office has no environmental requirements pertaining to this proposed project. However, Part 77 of the Federal Aviation Administration's (FAA) Federal Aviation Regulations (FAR) describes what would constitute an obstruction to air navigation and requires notice to the FAA if the proposed transmission line would fit either of the below listed conditions:

1. Any construction or alteration which would obstruct a slope of one foot of vertical height for each 100' of horizontal distance out to a total distance of 20,000' from the nearest point on any runway, existing or planned, at any public use airport with at least one runway in excess of 3200' in length; or

2. Any construction or alteration of more than 200' above the surface of the ground at its location.

There are no public use airports shown on the aeronautical charts inside or within 20,000' of the project study area and there are currently no new airport construction projects planned by the Texas Department of Transportation inside or within 20,000' of the project study area. The FAA should be contacted at:

Texas Airport Development Office
Airports Division
Federal Aviation Administration
Ft. Worth, Texas 76193-0650

concerning any proposed FAA airport construction plans in this general area. Their phone number is (817)222-5650.

If the selected route would obstruct the above mentioned slope or if any pole or the lines between any poles would be more than 200' above the ground at any point, the FAA must be notified using FAA Form 7460-1, "Notice of Proposed Construction or Alteration."

Should you have any further questions, please feel free to contact me.

Sincerely,

Jim Cummins
Airport Planner

U.S. Department
of Transportation
**Federal Aviation
Administration**

Southwest Region
Arkansas, Louisiana,
New Mexico, Oklahoma,
Texas

Fort Worth, Texas 76193-0000

August 19, 1996

Mr. Rob R. Reid
Project Manager/Vice President
Espy Huston & Associates
P.O. Box 519
Austin, TX 78767-0519

Dear Mr. Reid:

We have received your letter dated July 12, 1996, requesting the Federal Aviation Administration's (FAA's) comments regarding the Environmental Assessment for the proposed transmission line project, EH&A Project No. 17653.

We are presently unaware of any particular environmental concerns that would require FAA involvement. However, we have enclosed FAA Form 7460-1, Notice of Proposed Construction or Alteration, for your review. In the event the transmission line towers meet the criteria established under Federal Aviation Regulation (FAR) Part 77, please complete the form and mail it to the following address:

Department of Transportation
Federal Aviation Aviation Administration
Southwest Regional Headquarters
Air Traffic Division, ASW-530
Fort Worth, TX 76137-0530

If you have any questions regarding this matter, you may contact the FAA Air Traffic Division at (817) 222-5531 or me at (817) 222-5658.

Sincerely,

Ralph B. Christian III
Program Manager
Texas Airport Development Office

Enclosure