



Filing Receipt

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Appendix A

Agency Correspondence

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FEDERAL

Big Thicket National Preserve
6044 FM 420
Kountze, TX 77625

Mr. Rob Lowe
Southwest Regional Administrator
Federal Aviation Administration
10101 Hillwood Parkway
Fort Worth, TX 76177

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

Mr. Steven Sample
Executive Director
Military Aviation and Installation Assurance
Siting Clearinghouse
3400 Defense Pentagon, Room 5C646
Washington, DC 20301-3400

Ms. Kate Hammond
Regions 6, 7, and 8 Acting Director
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IMRextrev@nps.gov

Ms. Kristy Oates
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NRCS Texas State Office
101 South Main Street
Temple, TX 76501

Regulatory Division
U.S. Army Corps of Engineers – Galveston
District
CESWGRegulatoryInbox@usace.army.mil

Real Estate Division
U.S. Army Corps of Engineers – Galveston
District
swg-re@usace.army.mil

Regulatory Division
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Mr. Jason Story
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1201 Elm Street, Suite 500
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Forest Supervisor
National Forests & Grasslands in Texas
2221 North Raguet Street
Lufkin, TX 75904

Mr. Logan Gallant
District Ranger
Angelina National Forest
111 Walnut Ridge Road
Zavalla, TX 75980

Mr. Logan Gallant
District Ranger
Sabine National Forest
5050 Hwy 21 East
Hemphill, TX 75948

Mr. Jason Roesner
District Ranger
Sam Houston National Forest
394 FM 1375 West
New Waverly, TX 77358

Mr. Frank Stranimier
Special Uses
U.S. Forest Service
394 FM 1375 West
New Waverly, TX 77358

STATE

Ms. Leslie Savage
Chief Geologist
Railroad Commission of Texas
P.O. Box 12967
Austin, TX 78711-2967

Ms. Kathryn Saucedo
Region 10 Director- Beaumont
Texas Commission on Environmental
Quality
3870 Eastex Fwy
Beaumont, TX 77703-1830

Ms. Nicole Bealle
Region 12 Director - Houston
Texas Commission on Environmental
Quality
5425 Polk St., Ste. H
Houston, TX 77023-1452

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Texas Department of Transportation
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Mr. Humberto "Tito" Gonzalez Jr., P.E.
Director, Transportation Planning &
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Texas Department of Transportation
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Beaumont, TX 77708

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Texas Department of Transportation
2591 N. Earl Rudder Freeway
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Texas Department of Transportation
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Lufkin, TX 75901

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Houston District Engineer
Texas Department of Transportation
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Houston, TX 77707

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Trinity River Authority
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Mr. Ed Shackelford
Interim General Manager
San Jacinto River Authority
P.O. Box 329
Conroe, TX 77305

**COUNTY / LOCAL
JASPER COUNTY**

The Honorable Mark Allen
County Judge
Jasper County
121 N. Austin, Room 106
Jasper, TX 75951

The Honorable Seth Martindale
Jasper County Commissioner
Precinct 1
146 CR 80
Jasper, TX 75951

The Honorable Kevin Holloway
Jasper County Commissioner
Precinct 2
1867 FM 777
Jasper, TX 75951

The Honorable Willie Stark
Jasper County Commissioner
Precinct 3
191 CR 411
Kirbyville, TX 75956

The Honorable Dennis Marks
Jasper County Commissioner
Precinct 4
15205 Hwy 1004 W.
Buna, TX 77612

The Honorable Anderson Land
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465 South Main Street
Jasper, TX 75951

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City Manager
City of Jasper
465 South Main Street
Jasper, TX 75951

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Public Works Director
City of Jasper
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Jasper, TX 75951

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Superintendent
Brookeland ISD
187 Wildcat Walk
Brookeland, TX 75931

Mr. John Seybold
Superintendent
Jasper ISD
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Jasper, TX 75951

Mr. Stephen Edwards
Superintendent
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Kirbyville, TX 75956

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Chair
Jasper County Historical Commission
920 County Road 142
Jasper, TX 75951

MONTGOMERY COUNTY

The Honorable Mark J. Keough
County Judge
Montgomery County
501 North Thompson, Suite 401
Conroe, TX 77301

The Honorable Robert C. Walker
Montgomery County Commissioner
Precinct 1
510 Highway 75 North
Willis, TX 77378

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

The Honorable Matt Gray
Montgomery County Commissioner
Precinct 4
P.O. Box 84
New Caney, TX 77357

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County Engineer
Montgomery County Engineering Department
501 North Thompson, Suite 103
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Montgomery County Floodplain
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231 CR 2099
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The Honorable Dr. Guylene Robertson
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The Honorable Mark Dubose
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The Honorable Milt Purvis
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The Honorable Jerry Cassity
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The Honorable Mike Lofton
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TYLER COUNTY

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The Honorable Dough Hughes
Tyler County Commissioner
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100 West Bluff St.
Woodville, TX 75979

The Honorable Mike Marshall
Tyler County Commissioner
Precinct 3
100 West Bluff St.
Woodville, TX 75979

The Honorable Charles “Buck” Hudson
Tyler County Commissioner
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The Honorable Duane Crews
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204 West Elder
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The Honorable Amy Bythewood
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Woodville, TX 75979

Ms. Mandy Risinger
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Superintendent
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375 FM Texas 3290 S.
Warren, TX 77664

Dr. Morgan Wright
Superintendent
Spurger ISD
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Ms. Kay Timme
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The Honorable Brandon Decker
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TRIBAL

Mr. Rick Sylestine
Tribal Council Chairman
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, TX 77351

Mr. Bryant J. Celestine
Tribal Historic Preservation Officer
Alabama-Coushatta Tribe of Texas
571 State Park Road 56
Livingston, TX 77351

**NON-GOVERNMENTAL
ORGANIZATION**

Mr. Chad Ellis
Chief Executive Officer
Texas Agricultural Land Trust
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Mr. Mark Steinbach
Executive Director
Texas Land Conservancy
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Austin, TX 78716

Ms. Lori Olson
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Texas Land Trust Council
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Wimberley, TX 78676

Ms. Suzanne Scott
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Executive Director
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Spring, TX 77381

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Houston, TX 77079

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Executive Director
Deep East Texas Council of Governments
1405 Kurth Drive
Lufkin, TX 75904

Ms. Shanna Burke
Executive Director
South East Texas Regional Planning
Committee
2210 Eastex Freeway
Beaumont, TX 77703

Mr. Roger Fussell
President
Southeast Texas Groundwater Conservation
District
271 East Lamar, Suite 202
Jasper, TX 75951

August 08, 2023
(via Mail)

Big Thicket National Preserve
6044 FM 420
Kountze, TX 77625

RE: Entergy Texas, Inc. Babel to Running Bear 500 kV Transmission Line Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler, and Walker Counties, Texas
POWER Engineers, Inc. Project No. 241178

To Whom It May Concern:

Entergy Texas, Inc. (ETI) is planning to construct a new single-circuit 500 kV transmission line approximately 130 miles in length (depending on the final route) in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler, and Walker Counties. The proposed single-circuit transmission line would be routed from the new proposed Babel Substation to the new proposed Running Bear Substation which is needed to support significant load growth in the region. The proposed Babel Substation will be located approximately 7.4 miles southeast of the intersection of State Highways (SH) 75 and SH 105. The proposed Running Bear Substation will be located approximately 10.2 miles northeast of the intersection of SH 63 and SH 87. **There are no proposed routes for the project at this time.** The study area, the proposed Babel Substation Site, the proposed Running Bear Substation site, and approximate locations of other existing transmission line facilities are shown on the enclosed study area map. The proposed single-circuit transmission line will require a typical right-of-way that would be approximately 225 feet wide but may vary depending on location and conditions.


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 (PUC) 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 to the project endpoints 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 PUC for the project, any necessary permits, easements and/or approvals will be obtained from the appropriate regulatory entities. ETI does not plan to receive any federal funding or federal assistance for this project.

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. Your earliest reply will be appreciated.

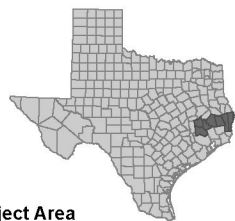
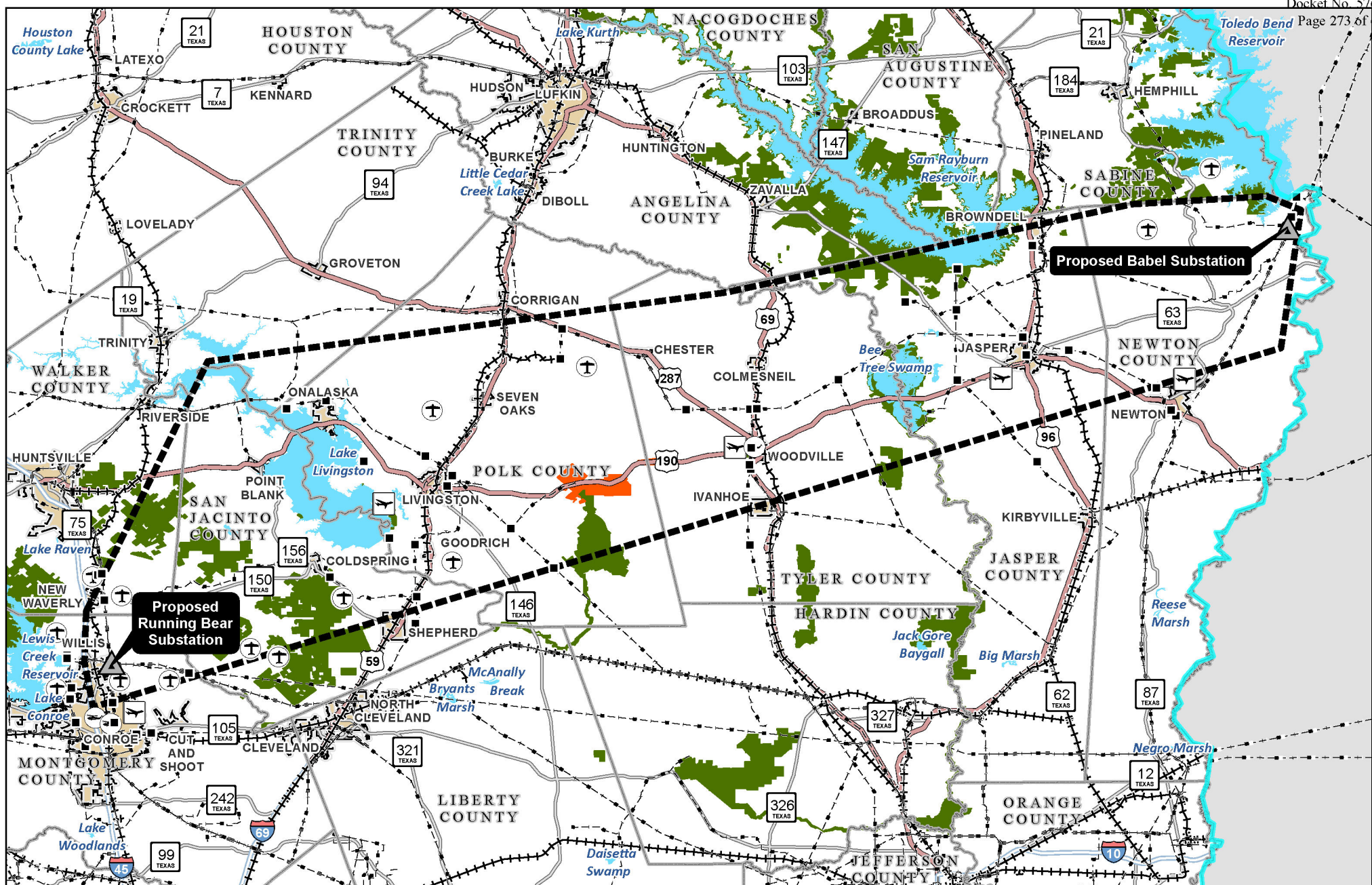
Sincerely,

A handwritten signature in black ink, appearing to read "Gary McClanahan". The signature is fluid and cursive, with the first name "Gary" being more prominent and the last name "McClanahan" following in a similar style.

Gary McClanahan
Environmental Project Manager

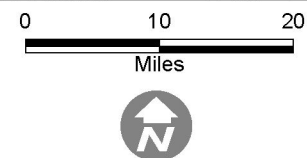
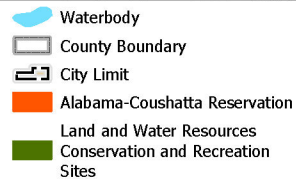
Enclosure: Study Area Map

c: Mr. Brad Coleman – Entergy



Project Area

- | | | | | | |
|---|----------------------------|---|--------------------|---|-----------------------------------|
|  | Substation |  | Private Airstrip |  | Waterbody |
|  | Study Area Boundary |  | Heliport |  | County Boundary |
|  | Existing Substation |  | Railroad |  | City Limit |
|  | Existing Transmission Line |  | Interstate Highway |  | Alabama-Coushatta Reservation |
|  | Public Airport |  | US Highway |  | Land and Water Resources |
| | |  | State Highway |  | Conservation and Recreation Sites |



Date: 7/19/2023

BABEL TO RUNNING BEAR
500-kV TRANSMISSION
LINE PROJECT

Study Area

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From: [Howeth, Whitney M](#)
To: [McClanahan, Gary](#)
Cc: [Craddock, Steven R](#)
Subject: [EXTERNAL] Big Thicket National Preserve - Transmission Line Project - Right-of-Ways
Date: Wednesday, September 6, 2023 9:24:38 AM

CAUTION: This Email is from an **EXTERNAL** source. **STOP. THINK** before you **CLICK** links or **OPEN** attachments.

Good morning Mr. McClanahan-

We received your letter dated August 8, 2023, regarding: Entergy Texas, Inc. Babel to Running Bear 500kV Transmission Line Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler, and Walker Counties, Texas Power Engineers, Inc. Project No. 241178.

We understand from your correspondence that there are currently no proposed routes for the project at this time. However, the enclosed map includes areas of Big Thicket National Preserve in the Study Area Boundary. Please note that Big Thicket National Preserve is part of the National Park Service (NPS) and that there are specific Right-of-Way policies and processes that are unique to the NPS. If you are unfamiliar with our policies and procedures and would like to set up some time to get an overview, please let me know. I can assist with setting up some time that is convenient for you, myself and our right-of-ways specialist.

It would be prudent to do this early in your process as the NPS process can be time consuming depending on the complexity of the issue or project.

Thank you again for your correspondence.

Respectfully-
Whitny Howeth
Program Manager, Resources Management
Big Thicket National Preserve
6044 FM 420
Kountze, TX 77625
409-673-8478 (cell)

CONFIDENTIALITY NOTICE:

This message (including any attachments) is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

Gary McClanahan
Environmental Project Manager
POWER Engineering Inc.
76008 N Capital of Texas Hwy
Suite 320
Austin, TX 78731

RE: Entergy Texas, Inc. Babel to Running Bear 500 kV Transmission Line Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler and Walker Counties, Texas POWER Engineers, Inc. Project No. 241178

Dear Mr. McClanahan,

We acknowledge receipt of your request for review/environmental consultation in reference to the Oncor Electric Delivery Company's proposed Border Tap-Atchison POD 138 kV Transmission Line Project in Loving County, Texas.

☐ We have no comments to offer.

☒ We offer the following comments:

We would request that the community Floodplain Administrator be contacted for the review and possible permit requirements for this project. If federally funded, we would request the project maintain compliance with EO11988 & EO 11990.

The Community Floodplain Administrator for your project contact information is listed below:

Jasper County, TX

Billy Ted Smith
Floodplain Administrator
33625 US Highway 96 S
Buna, TX 77612
billy.smith@co.jasper.tx.us
(409) 994- 2543

Montgomery County, TX

John McKinney
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Trish Basham
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(936) 327 – 6820
Tyler County, TX
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FPA/EMC
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Planning & Development DIR/FPA
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aisbell@co.walker.tx.us
(936) 436– 4939

REVIEWER:
Loukisha Williams
Floodplain Management and Insurance Branch
Mitigation Division
(940) 383-7228

DATE: 08/06/2023

From: [OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC](#)
To: ["Garcia, Erika"](#)
Cc: [OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC](#)
Subject: RE: Entergy Texas, Inc. - Open House Transmission Project - SETEX Area Reliability Project
Date: Thursday, April 18, 2024 7:29:10 AM
Attachments: [image001.png](#)

Good morning Ms. Garcia,

Your Informal Review request for the SETEX Area Reliability Project has been received. We will begin processing the request shortly.

Thank you for the opportunity to review the project.

Very Respectfully,

The Clearinghouse

Military Aviation and Installation Assurance Siting Clearinghouse

Office of the Assistant Secretary of Defense (Energy, Installations and Environment)

Email: osd.pentagon.ousd-a-s.mbx.asd-eie-rp-sc@mail.mil

From: Garcia, Erika <egarci6@entergy.com>

Sent: Wednesday, April 17, 2024 4:22 PM

To: OSD Pentagon OUSD A-S Mailbox ASD EIE-RP-SC <osd.pentagon.ousd-a-s.mbx.asd-eie-rp-sc@mail.mil>

Subject: Entergy Texas, Inc. - Open House Transmission Project - SETEX Area Reliability Project

Dear Sir/Madam,

Please find the attached Open House notice, map of preliminary alternative segments, and questionnaire for the proposed 500 kV SETEX Area Reliability Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker counties. In addition, I have attached the KMZ for the preliminary alternative segments we have identified to date. These are the segments represented in the interactive map on the project website. After we obtain public input on these segments, these could be modified, eliminated, and/or new segments added. The transmission line will typically utilize steel structures centered within a right-of-way that would be up to 225 feet wide. Typical transmission structures supporting 500 kV lines will be approximately 100 to 140 feet above the ground with span lengths of approximately 800 to 1,200 feet between structures.

Please let me know if you have any questions.

Thanks,



Erika N. Garcia

Director of Regulatory Affairs
919 Congress Avenue | Suite 740
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(512) 487-3962
egarci6@entergy.com

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May 31, 2024

Erika Garcia
Entergy Texas, Inc.
919 Congress Avenue; Suite 740
Austin, TX 78701

Dear Ms. Garcia,

As requested, the Military Aviation and Installation Assurance Siting Clearinghouse coordinated within the Department of Defense (DoD) an informal review of the SETEX Area Reliability Project. The results of our review indicated that the transmission line project, located in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker Counties, Texas, as proposed, will have minimal impact on military operations conducted in the area.

Please note that this informal review by the DoD Military Aviation and Installation Assurance Siting Clearinghouse does not constitute an action under 49 United States Code Section 44718 and that the DoD is not bound by the conclusion arrived at under this informal review. To expedite our review in the Obstruction Evaluation Airport Airspace Analysis (OE/AAA) process, please add the project number 2024-04-T-DEV-22 in the comments section of the filing. If you have any questions, please contact me at robbin.e.beard.civ@mail.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Robbin Beard". The signature is fluid and cursive, with the first name "Robbin" and last name "Beard" clearly distinguishable.

Robbin Beard
Deputy Director
Military Aviation and Installation
Assurance Siting Clearinghouse

From: Townes, Daniel W CTR OSD OUSD A-S (USA) <daniel.w.townes.ctr@mail.mil>
Sent: Friday, May 31, 2024 10:58 AM
To: 'Garcia, Erika'
Cc: Beard, Robbin E CIV OSD OUSD A-S (USA)
Subject: Response Letter for the SETEX Area Reliability Project
Attachments: [IR - SETEX Area Reliability Project - Response Letter.pdf](#)
Signed By: daniel.w.townes.ctr@mail.mil

Good afternoon Ms. Garcia,

Attached is the Informal Review Response Letter for the SETEX Area Reliability Project.

Thank you for the opportunity to review your project.

Respectfully,

Dan Townes
Military Aviation and Installation Assurance Siting Clearinghouse
Office of the Assistant Secretary of Defense (Energy, Installations and Environment)
Desk: 571-372-8414 (*limited access*)
NIPR: daniel.w.townes.ctr@mail.mil

From: [McClanahan, Gary](#)
To: [Holle, Chris - FPAC-NRCS, TX](#)
Cc: [Anderson, Ashley - FPAC-NRCS, TX](#); [Williams, Denise](#)
Subject: RE: Environmental Assessment - Project No. 241178 (Babel to Running Bear 500 k V Transmission)
Date: Wednesday, August 30, 2023 12:19:24 PM
Attachments: [Running Bear to Babel SA SHP.zip](#)

See attached as requested.

Thank you for taking the time to review.

As noted in our letter, this project is not being conducted by a federal agency or with federal assistance or federal funding.

Thanks again!

GARY MCCLANAHAN
PROJECT MANAGER
CENTRAL ENV SERVICES/PM DEPARTMENT MANAGER
7600 B North Capital of Texas Hwy, Suite 320
Austin, Tx 78731

Office: [512-735-1805](#)
Cell: [361-648-1406](#)

POWER Engineers, Inc.
www.powereng.com

From: Holle, Chris - FPAC-NRCS, TX <chris.holle@usda.gov>
Sent: Wednesday, August 30, 2023 10:21 AM
To: McClanahan, Gary <gary.mcclanahan@powereng.com>
Cc: Anderson, Ashley - FPAC-NRCS, TX <ashley.anderson@usda.gov>
Subject: [EXTERNAL] Environmental Assessment - Project No. 241178 (Babel to Running Bear 500 k V Transmission)

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Gary,

Due to the size of the affected area, we are in need of a shapefile depicting the boundary line. Would you be able to provide that to either Ashley or myself so that we can get started on our assessment?

Thank you,

Chris Holle
USDA-NRCS

101 S. Main
Temple, Texas
(254) 742-9951

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From: [Holle, Chris - FPAC-NRCS, TX](#)
To: [McClanahan, Gary](#)
Cc: [Stahnke, Alan - FPAC-NRCS, TX](#); [Anderson, Ashley - FPAC-NRCS, TX](#)
Subject: [EXTERNAL] Environmental Assessment Request for Project No. 241178
Date: Tuesday, September 12, 2023 5:41:38 PM
Attachments: [EnergyTexasProjectNumber241178 ProjectLetter.docx](#)
[Babel to Running Bear - Project No. 241178 - 6 Map Composite.pdf](#)

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Mr. McClanahan,

Attached you will find both a .pdf that includes a series of maps and a letter for the requested environmental assessment. This assessment is for the proposed Babel Substation to Running Bear Substation 500 kV Transmission Line project that will include parts of Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler and Walker Counties, Texas (Project No. 241178). Should you have any questions or need additional information, please let me know.

Chris Holle
USDA-NRCS
101 S. Main
Temple, Texas
(254) 742-9951

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United States Department of Agriculture

Natural Resources
Conservation Service

State Office

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

September 11, 2023

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

Attention: Mr. Gary McClanahan

Subject: Energy, Texas Inc. Babel to Running Bear 500 kV Transmission Line Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler and Walker Counties, TX; Project No. 241178

Thank you for the opportunity to provide input on the potential environmental effects of the proposed Energy, Texas Inc. Babel to Running Bear 500 kV Transmission Line Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler and Walker Counties, TX. The proposed site has been evaluated and does not involve any USDA-NRCS easements.

The soils in the proposed project area have been reviewed. There are a few soil limitations in the project area that should be taken into consideration while planning for the project. As with any project, soil erosion is a main concern and erosion prevention practices are recommended. There is a high potential for steel and concrete corrosion for most of the area. There are areas with hydric soils, which can be indicators of wetlands. The location of the possible wetlands should be investigated further in the planning process when routes are determined. There are areas with a high flooding frequency and/or a water table within 20 inches (50 cm) of the soil surface. These water related factors, and implications they may cause, should be considered in future project planning.

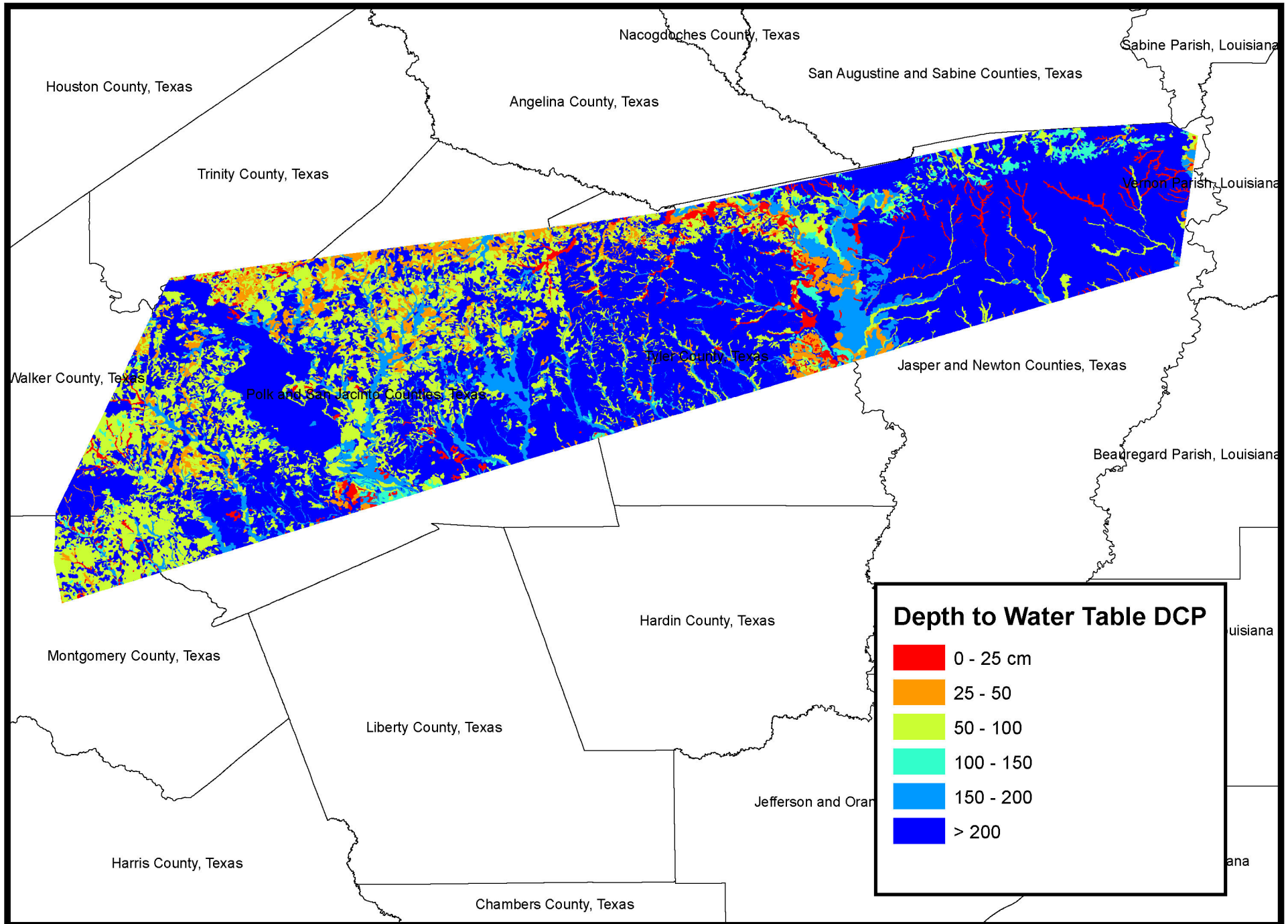
Enclosed is a series of maps illustrating the location and ratings for the soil interpretations that are described above. We encourage you to consider this information during the construction of the proposed transmission line and substation and take measures to protect the soils and water quality.

If you have any questions, please contact me at by email at chris.holle@usda.gov

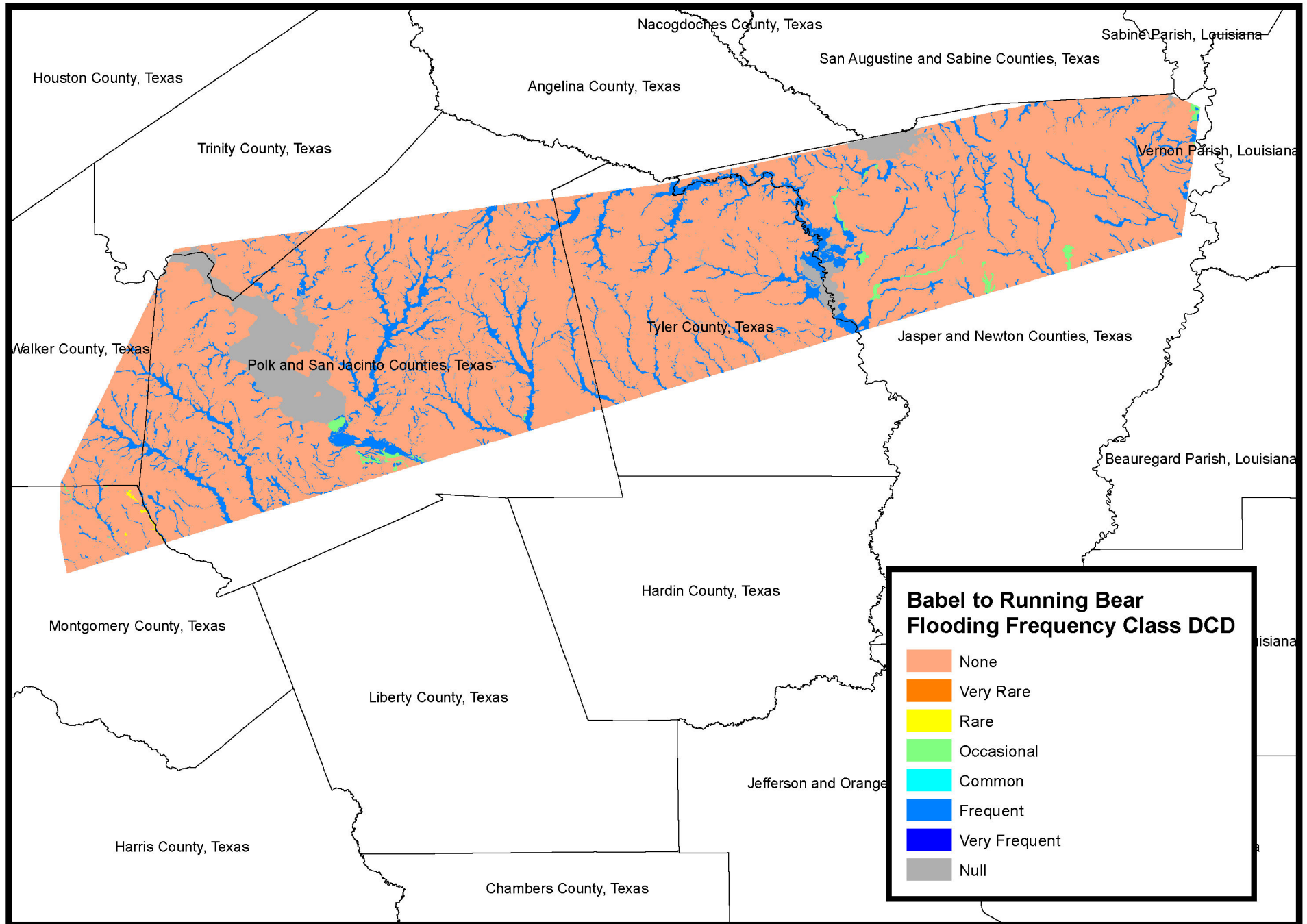
Sincerely,

Chris Holle

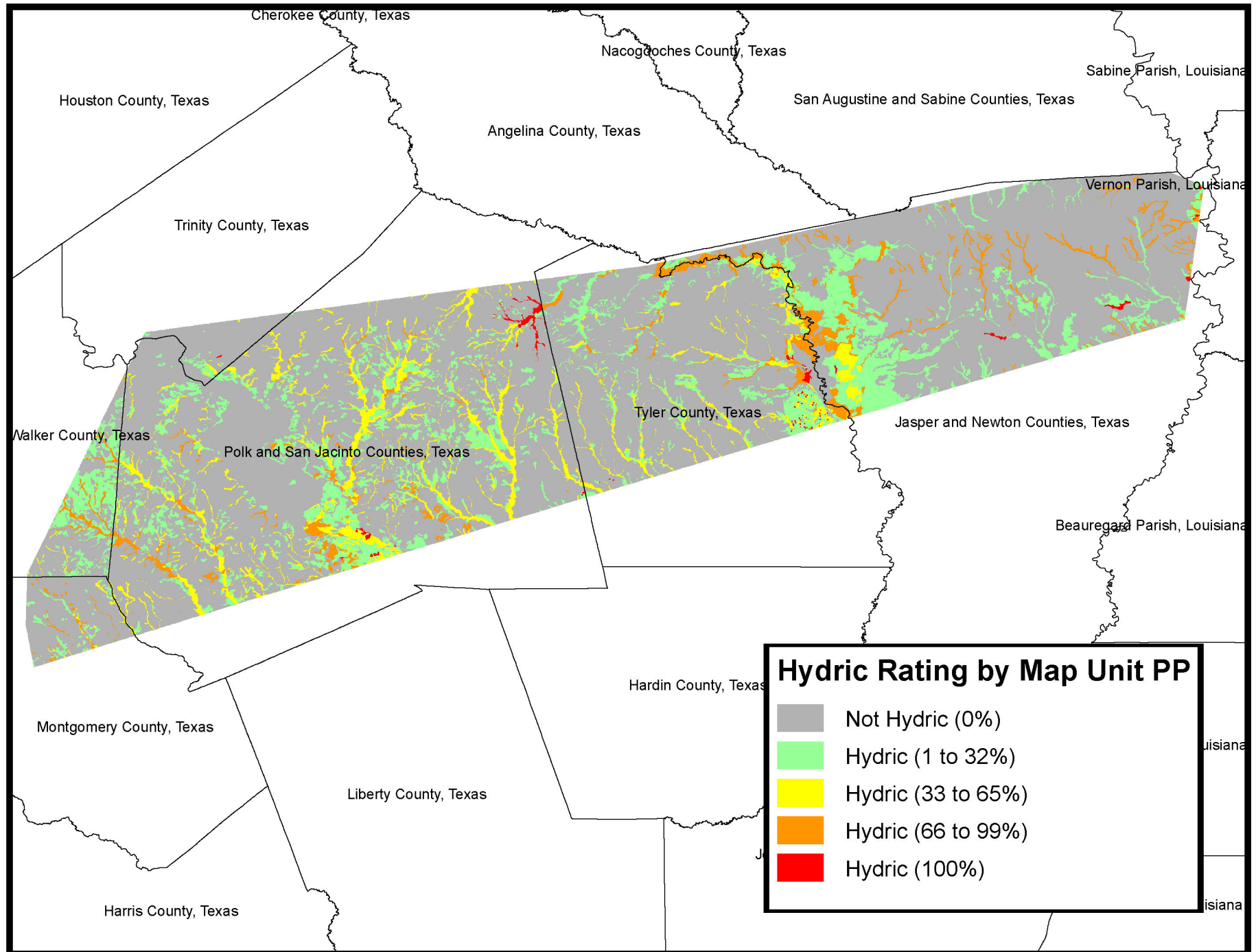
Babel to Running Bear - Depth to Water Table DCP



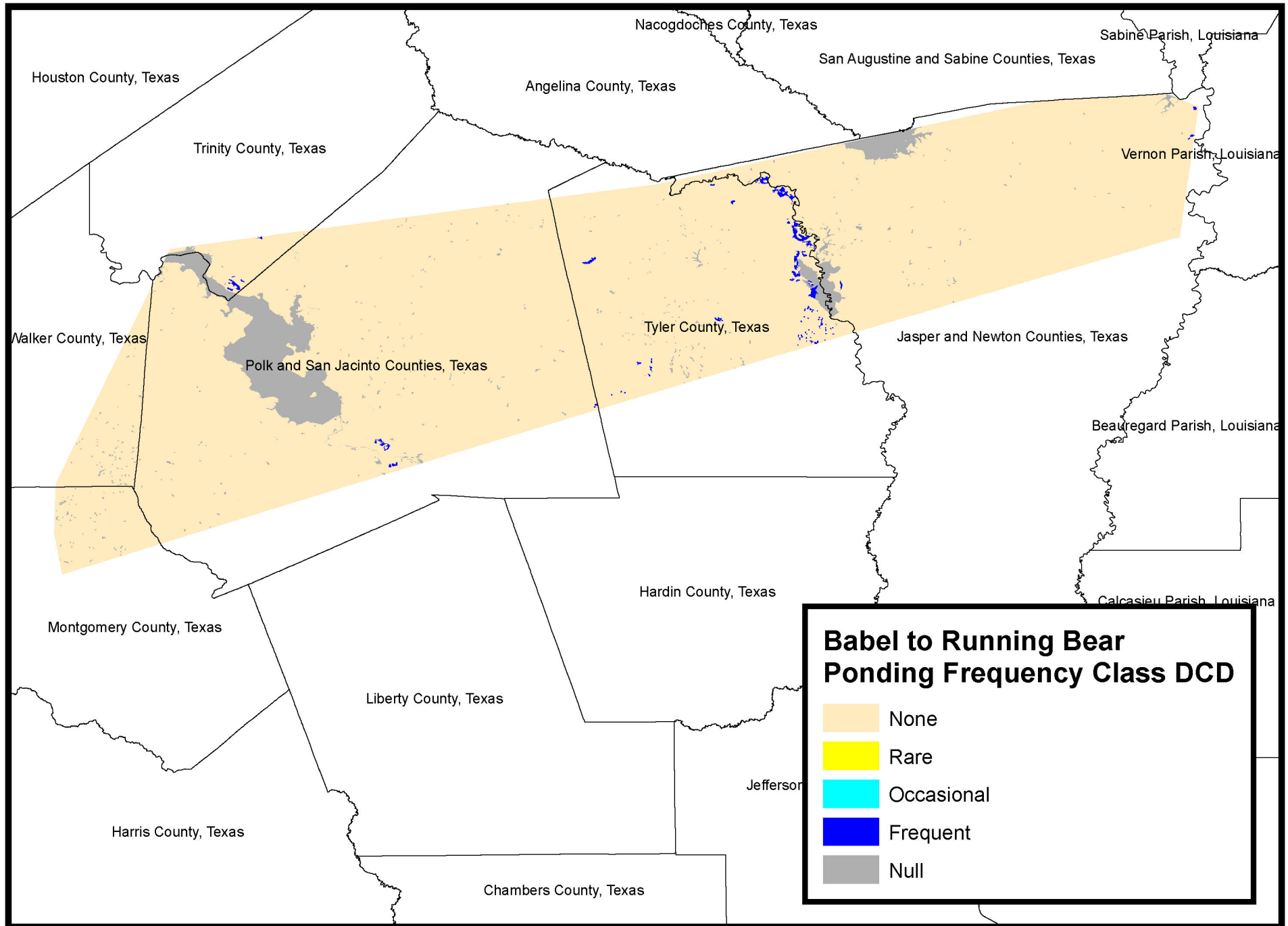
Babel to Running Bear - Flooding Frequency Class DCD



Babel to Running Bear - Hydric Rating by Map Unit



Babel to Running Bear - Ponding Frequency Class DCD



From: Story, Jason E CIV USARMY CESWF (USA)
To: Gilbert, Alyssa
Cc: McClanahan, Gary; Williams, Denise; Harry, Charlene Y CIV USARMY (USA); Nguyen, Tuan A CIV USARMY CESWF (USA); Danella, Michael A CIV USARMY CESWF (USA); Komoroske, Paul E CIV USARMY CESWD (USA); Story, Jason E CIV USARMY CESWF (USA)
Subject: [EXTERNAL] RE: Proposed Babel to Running Bear 500 kV Transmission Line
Date: Wednesday, August 9, 2023 6:43:21 AM
Attachments: Babel to Running Bear Agency Contact U.S. Army Corps of Engineers- Fort Worth.pdf

CAUTION: This Email is from an EXTERNAL source. STOP. THINK before you CLICK links or OPEN attachments.
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Dear Alyssa Gilbert:

The Fort Worth District of the U.S. Army Corps of Engineers has received your inquiry regarding the subject project. Based on your description of the proposed work, and other information available to us, it appears the study area boundary and the proposed projects are located within the Galveston District of the U.S. Army Corps of Engineers.

Please contact Charlene Harry, Galveston District Section 408 Coordinator, telephone (409) 766-3865 or Charlene.Y.Harry@usace.army.mil to determine if authorization under 33 USC 408 (Section 408) is required within the Galveston District.

Authorization may still be required under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899, which are administered by the Regulatory Division. Please contact the Galveston District Regulatory Division for more information.

Sincerely,

Jason Story
Section 408 Coordinator
Fort Worth District
Biologist
RPEC
U.S. Army Corps of Engineers
817-239-8475
jason.e.story@usace.army.mil

For more information on Section 408, visit the Fort Worth District Section 408 webpage at <https://www.swf.usace.army.mil/Missions/Section-408/> [swf.usace.army.mil]

From: alyssa.gilbert@powereng.com <alyssa.gilbert@powereng.com>
Sent: Tuesday, August 08, 2023 2:53 PM

To: Story, Jason E CIV USARMY CESWF (USA) <Jason.E.Story@usace.army.mil>
Cc: gary.mcclanahan@powereng.com; denise.williams@powereng.com
Subject: [URL Verdict: Neutral][Non-DoD Source] Proposed Babel to Running Bear 500 kV Transmission Line

Dear Mr. Story,

On behalf of our client, Entergy Texas, Inc., attached please find a proposed project information letter.

Thank you for your assistance with this proposed electric transmission line project. Please contact our project manager, Gary McClanahan, by phone at 512-735-1805, or by email at gary.mcclanahan@power.com, if you have any questions or require additional information.

Thanks,

ALYSSA GILBERT
ENVIRONMENTAL SPECIALIST I
ENV South Central PM/Planning III Department
512-500-0945

POWER Engineers, Inc.
www.powereng.com

From: Harry, Charlene Y CIV USARMY (USA)
To: Story, Jason E CIV USARMY CESWF (USA); Gilbert, Alyssa
Cc: McClanahan, Gary; Williams, Denise; Nguyen, Tuan A CIV USARMY CESWF (USA); Danella, Michael A CIV USARMY CESWF (USA); Komoroske, Paul E CIV USARMY CESWD (USA)
Subject: [EXTERNAL] RE: Proposed Babel to Running Bear 500 kV Transmission Line
Date: Wednesday, August 9, 2023 10:37:39 AM

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Dear Alyssa,

No Galveston District Section 408 Review is required.

All the Best,
Charlene Harry
Operations 408 Coordinator,
USACE Galveston District
409-766-3865 Office
409-239-4037 Cell

2000 Fort Point Road
Galveston, TX 77550

<https://www.swg.usace.army.mil/Missions/Navigation/Land-Use/> [swg.usace.army.mil]

From: Story, Jason E CIV USARMY CESWF (USA) <Jason.E.Story@usace.army.mil>
Sent: Wednesday, August 9, 2023 6:42 AM
To: alyssa.gilbert@powereng.com
Cc: gary.mcclanahan@powereng.com; denise.williams@powereng.com; Harry, Charlene Y CIV USARMY (USA) <Charlene.Y.Harry@usace.army.mil>; Nguyen, Tuan A CIV USARMY CESWF (USA) <Tuan.A.Nguyen@usace.army.mil>; Danella, Michael A CIV USARMY CESWF (USA) <Michael.A.Danella@usace.army.mil>; Komoroske, Paul E CIV USARMY CESWD (USA) <Paul.E.Komoroske2@usace.army.mil>; Story, Jason E CIV USARMY CESWF (USA) <Jason.E.Story@usace.army.mil>
Subject: RE: Proposed Babel to Running Bear 500 kV Transmission Line

Dear Alyssa Gilbert:

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766-3865 or Charlene.Y.Harry@usace.army.mil to determine if authorization under 33 USC 408 (Section 408) is required within the Galveston District.

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Sincerely,

Jason Story
Section 408 Coordinator
Fort Worth District
Biologist
RPEC
U.S. Army Corps of Engineers
817-239-8475
jason.e.story@usace.army.mil

For more information on Section 408, visit the Fort Worth District Section 408 webpage at <https://www.swf.usace.army.mil/Missions/Section-408/> [swf.usace.army.mil]

From: alyssa.gilbert@powereng.com <alyssa.gilbert@powereng.com>
Sent: Tuesday, August 08, 2023 2:53 PM
To: Story, Jason E CIV USARMY CESWF (USA) <Jason.E.Story@usace.army.mil>
Cc: gary.mcclanahan@powereng.com; denise.williams@powereng.com
Subject: [URL Verdict: Neutral][Non-DoD Source] Proposed Babel to Running Bear 500 kV Transmission Line

Dear Mr. Story,

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Thank you for your assistance with this proposed electric transmission line project. Please contact our project manager, Gary McClanahan, by phone at 512-735-1805, or by email at gary.mcclanahan@power.com, if you have any questions or require additional information.

Thanks,

ALYSSA GILBERT
ENVIRONMENTAL SPECIALIST I
ENV South Central PM/Planning III Department

512-500-0945

POWER Engineers, Inc.

www.powereng.com



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Texas Coastal & Central Plains Esfo
17629 El Camino Real, Suite 211
Houston, TX 77058-3051
Phone: (281) 286-8282 Fax: (281) 488-5882



In Reply Refer To:
Project Code: 2025-0005666
Project Name: SETEX Study Area

11/07/2024 18:04:00 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location 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, Corpus Christi, Fort Worth, and Alamo, Texas, have combined administratively to form the Texas Coastal Ecological Services Field Office. All project related correspondence should be sent to the field office address listed below responsible for the county in which your project occurs:

Project Leader; U.S. Fish and Wildlife Service; 17629 El Camino Real Ste. 211; Houston, Texas 77058

Angelina, Austin, Brazoria, Brazos, Chambers, Colorado, Fayette, Fort Bend, Freestone, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Limestone, Madison, Matagorda, Montgomery, Newton, Orange, Polk, Robertson, Sabine, San Augustine, San Jacinto, Trinity, Tyler, Walker, Waller, and Wharton.

Assistant Field Supervisor, U.S. Fish and Wildlife Service; 4444 Corona Drive, Ste 215; Corpus Christi, Texas 78411

Aransas, Atascosa, Bee, Brooks, Calhoun, De Witt, Dimmit, Duval, Frio, Goliad, Gonzales, Hidalgo, Jackson, Jim Hogg, Jim Wells, Karnes, Kenedy, Kleberg, La Salle, Lavaca, Live Oak, Maverick, McMullen, Nueces, Refugio, San Patricio, Victoria, and Wilson.

U.S. Fish and Wildlife Service; Santa Ana National Wildlife Refuge; Attn: Texas Ecological Services Sub-Office; 3325 Green Jay Road, Alamo, Texas 78516

Cameron, Hidalgo, Starr, Webb, Willacy, and Zapata.

For questions or coordination for projects occurring in counties not listed above, please contact arles@fws.gov.

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your

proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of 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 based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. 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. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <http://www.fws.gov/media/endangered-species-consultation-handbook>.

Non-Federal entities may consult under Sections 9 and 10 of the Act. Section 9 and Federal regulations prohibit the take of endangered and threatened species, respectively, without special exemption. "Take" is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. "Harm" is further defined (50 CFR § 17.3) to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. "Harass" is defined (50 CFR § 17.3) as intentional or negligent actions that create the likelihood of

injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering. Should the proposed project have the potential to take listed species, the Service recommends that the applicant develop a Habitat Conservation Plan and obtain a section 10(a)(1)(B) permit. The Habitat Conservation Planning Handbook is available at: <https://www.fws.gov/library/collections/habitat-conservation-planning-handbook>.

Migratory Birds:

In addition to responsibilities to protect threatened and endangered species under the Act, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts visit: <https://www.fws.gov/program/migratory-birds>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable National Environmental Policy Act (NEPA) documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Texas Coastal & Central Plains Esfo

17629 El Camino Real, Suite 211

Houston, TX 77058-3051

(281) 286-8282

PROJECT SUMMARY

Project Code: 2025-0005666
Project Name: SETEX Study Area
Project Type: Transmission Line - New Constr - Above Ground
Project Description: Transmission line construction
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@30.7685026,-94.7518888972205,14z>



Counties: Louisiana and Texas

ENDANGERED SPECIES ACT SPECIES

There is a total of 14 threatened, endangered, or candidate species on this 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 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
<p>Tricolored Bat <i>Perimyotis subflavus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/10515</p>	<p>Proposed</p> <p>Endangered</p>

BIRDS

NAME	STATUS
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind related projects within migratory route. <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	<p>Threatened</p>
<p>Red-cockaded Woodpecker <i>Dryobates borealis</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7614</p>	<p>Threatened</p>
<p>Rufa Red Knot <i>Calidris canutus rufa</i></p> <p>There is proposed critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind related projects within migratory route. <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p>	<p>Threatened</p>

REPTILES

NAME	STATUS
<p>Alligator Snapping Turtle <i>Macrochelys temminckii</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4658</p>	<p>Proposed</p> <p>Threatened</p>
<p>Louisiana Pinesnake <i>Pituophis ruthveni</i></p> <p>There is proposed critical habitat for this species. Your location overlaps the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4092</p>	<p>Threatened</p>

CLAMS

NAME	STATUS
<p>Louisiana Pigtoe <i>Pleurobema riddellii</i></p> <p>There is proposed critical habitat for this species. Your location overlaps the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/10233</p>	<p>Proposed</p> <p>Threatened</p>
<p>Texas Fawnsfoot <i>Truncilla macrodon</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/8965</p>	<p>Threatened</p>

NAME	STATUS
Texas Heelsplitter <i>Potamilus amphichaenus</i> There is proposed critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/299	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Navasota False Foxglove <i>Agalinis navasotensis</i> There is proposed critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/10115	Proposed Endangered
Navasota Ladies-tresses <i>Spiranthes parksii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1570	Endangered
Neches River Rose-mallow <i>Hibiscus dasycalyx</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1441	Threatened
Texas Trailing Phlox <i>Phlox nivalis ssp. texensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4462	Endangered

CRITICAL HABITATS

There are 4 critical habitats wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Louisiana Pigtoe <i>Pleurobema riddellii</i> https://ecos.fws.gov/ecp/species/10233#crithab	Proposed
Louisiana Pinesnake <i>Pituophis ruthveni</i> https://ecos.fws.gov/ecp/species/4092#crithab	Proposed
Navasota False Foxglove <i>Agalinis navasotensis</i> https://ecos.fws.gov/ecp/species/10115#crithab	Proposed
Texas Heelsplitter <i>Potamilus amphichaenus</i> https://ecos.fws.gov/ecp/species/299#crithab	Proposed

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (□)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season ()

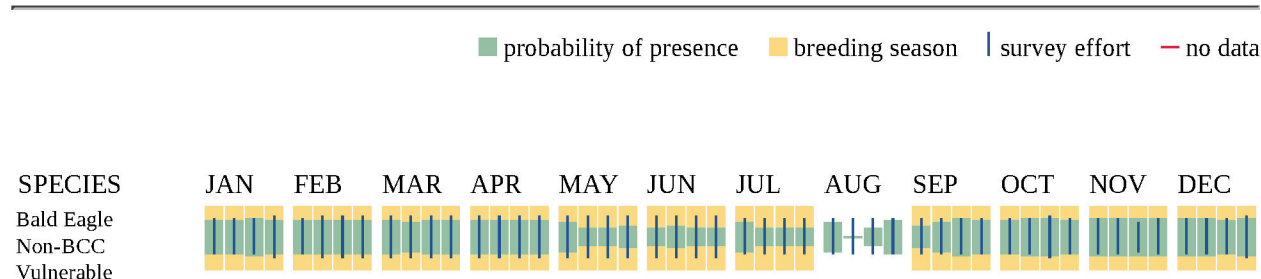
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

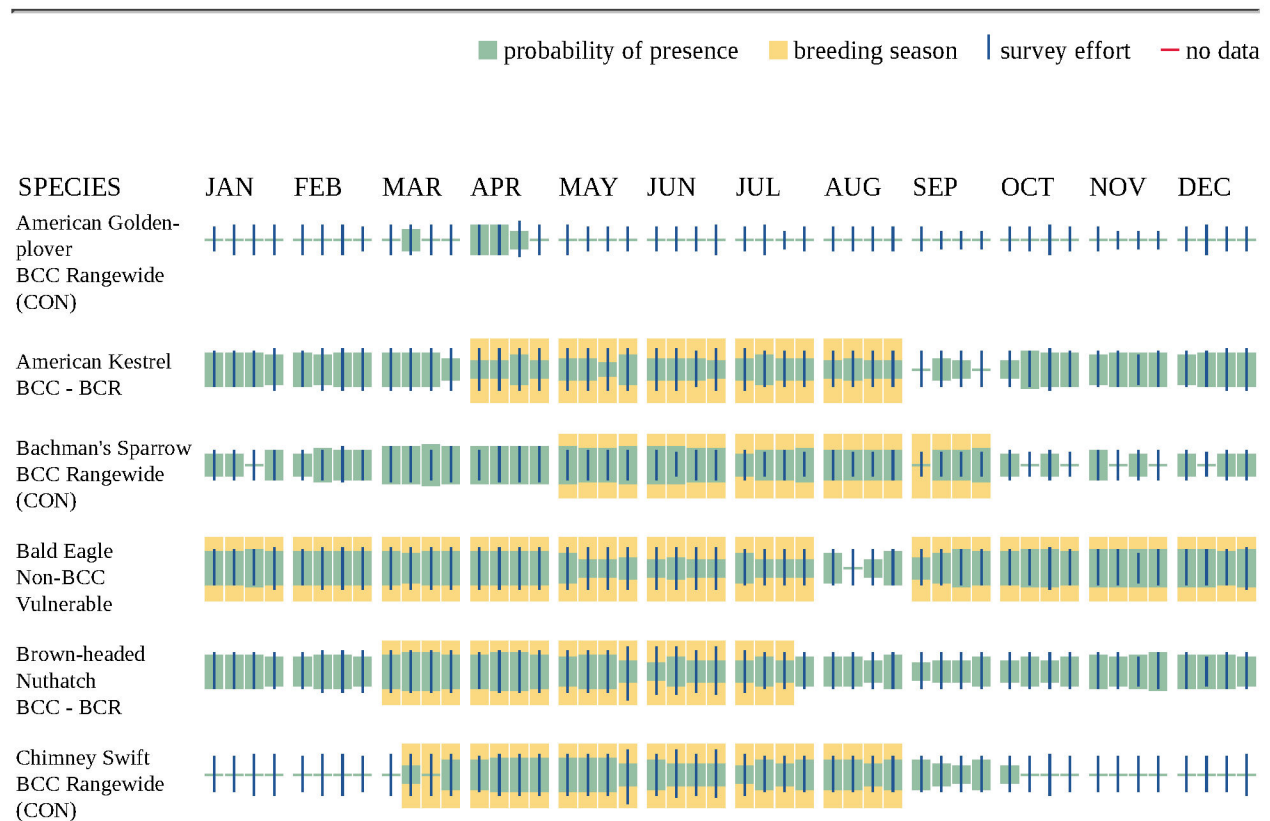
Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>American Golden-plover <i>Pluvialis dominica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/10561</p>	Breeds elsewhere
<p>American Kestrel <i>Falco sparverius paulus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9587</p>	Breeds Apr 1 to Aug 31
<p>Bachman's Sparrow <i>Peucaea aestivalis</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/6177</p>	Breeds May 1 to Sep 30
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1626</p>	Breeds Sep 1 to Jul 31
<p>Brown-headed Nuthatch <i>Sitta pusilla</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9427</p>	Breeds Mar 1 to Jul 15
<p>Chimney Swift <i>Chaetura pelagica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9406</p>	Breeds Mar 15 to Aug 25
<p>Chuck-will's-widow <i>Antrostomus carolinensis</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9604</p>	Breeds May 10 to Jul 10
<p>Eastern Whip-poor-will <i>Antrostomus vociferus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/10678</p>	Breeds May 1 to Aug 20
<p>Henslow's Sparrow <i>Centronyx henslowii</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/3941</p>	Breeds elsewhere

NAME	BREEDING SEASON
Kentucky Warbler <i>Geothlypis formosa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20
Le Conte's Sparrow <i>Ammospiza leconteii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9469	Breeds elsewhere
Least Tern <i>Sternula antillarum antillarum</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/11919	Breeds Apr 25 to Sep 5
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Swallow-tailed Kite <i>Elanoides forficatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8938	Breeds Mar 10 to Jun 30
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

Due to your project's size, the list below may be incomplete, or the acreages reported may be inaccurate. For a full list, please contact the local U.S. Fish and Wildlife office or visit <https://www.fws.gov/wetlands/data/mapper.HTML>

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1/2F
- PFO1/EM1C
- PFO1/EM1A
- PFO1/SS1F
- PFO1/3C
- PFO1A
- PFO1/SS1A
- PFO1/EM1Ad
- PFO1/4C
- PFO1/UBF
- PFO1/SS1C
- PFO1/4A

FRESHWATER EMERGENT WETLAND

- PEM1Fx
- PEM1/ABF
- PEM1Ch
- PEM1/SS1C
- PEM1C

- PEM1/FO1C
- PEM1Ad
- PEM1Cd
- PEM1/FO5F
- PEM1/FO1F
- PEM1A
- PEM1Fh
- PEM1/SS1F
- PEM1F
- PEM1Ah
- PEM1/SS1Ch
- PEM1Cx
- PEM1/FO2F
- PEM1/SS1A
- PEM1/FO1A
- PEM1Ax
- PEM1/SS4A
- PEM1/SS4C
- PEM1/SS2F

LAKE

- L2AB/UBHh
- L2UBFx
- L2ABHh
- L1UBHx
- L1UBHh
- L2UBHh
- L1UBH
- L2USCh
- L2ABFh
- L2USAh
- L1ABHh
- L1UB/ABHh
- L2UBHx
- L2ABH
- L2UBFh
- L2UB/ABHh

FRESHWATER POND

- PAB/UBHx
- PAB3Fh
- PAB/EM1F
- PAB/UBF
- PABH
- PAB4Fx
- PABHh
- PAB/UBFx
- PAB4Fh
- PAB4F
- PABFh
- PAB3H
- PABFx
- PAB/FO1F
- PAB/SS1F
- PABF

IPAC USER CONTACT INFORMATION

Agency: Power Engineers
Name: Bethany Reyes
Address: 16825 North Chase Drive
Address Line 2: Suite 1200
City: Houston
State: TX
Zip: 77060
Email: bethany.reyes@powereng.com
Phone: 3467084120

From: [Williams, Denise](#)
To: [Henriques, Briana](#)
Subject: FW: [External Email]Entergy Babel to Running Bear Transmission Line Project and Angelina/Sabine National Forests
Date: Friday, September 8, 2023 10:51:03 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Denise M. Williams
Associate Project Manager
16825 Northchase Drive
Suite 1200
Houston, TX 77060
281-765-5511 Office
281-794-6885 Cell

POWER Engineers, Inc.
www.powereng.com



From: Moore, Randy - FS, TX <randy.b.moore@usda.gov>
Sent: Thursday, August 24, 2023 11:02 AM
To: McClanahan, Gary <gary.mcclanahan@powereng.com>
Cc: Williams, Denise <denise.williams@powereng.com>; Brewer, Ashley <ashley.brewer@powereng.com>; Rackley, Gray <gray.rackley@powereng.com>; Gallant, Daniel - FS, TX <daniel.l.gallant@usda.gov>
Subject: [EXTERNAL] RE: [External Email]Entergy Babel to Running Bear Transmission Line Project and Angelina/Sabine National Forests

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While we recognize the potential benefits of special use projects, it is essential to prioritize the integrity of our public lands, mainly when other alternatives on private lands exist. The United States Forest Service (USFS) is dedicated to protecting these lands for the benefit of all people, both present and future. Before approving any special use project, a thorough assessment must be conducted to assess its effects on the principles of preserving the environment.

- **Environmental Concerns:** Whenever a project is undertaken on land, there is always concern about the harm it could cause to the environment. This includes issues such as soil erosion and water contamination, which have the potential to cause irreversible damage. It is our responsibility to ensure that we take every precaution to preserve the

beauty of these lands and prevent any actions that could compromise their condition.

- **Protection of Wildlife, Especially T&E Species:** The diverse wildlife found on lands, including threatened or endangered species, can be negatively affected by any project. Introducing infrastructure or increased human activity can potentially disturb their habitats and put them at risk. These changes could result in the displacement of these species and bring them closer to the brink of extinction.
- **Recreation and Public Access:** Our public lands provide recreational opportunities. However, we must be cautious when introducing projects that could potentially restrict access and disrupt our favorite recreational activities and ultimately take away from the overall enjoyment that countless people find when seeking solace and adventure in these spaces.
- **Economic Implications:** Apart from the recreational aspects, we must also consider the financial implications. When it comes to projects on government land, they often tend to be pricier than those on private land.
- **Redundancy and Necessity:** If there is already a project on the land or if the desired goals of the proposed project are already being achieved, it raises serious doubts about the need to introduce a redundant project on public land.

Considering the concerns mentioned above, it is highly recommended that we seriously consider exploring other options on private lands for particular use projects when possible. The primary objective and longstanding commitment of the USFS is centered around conservation and protection. We try not to deviate from this path by approving projects on lands when there are other alternatives.

Thanks,



Randy B. Moore
Realty Specialist

Forest Service
National Forests and Grasslands in Texas,
Angelina/Sabine Ranger District

office: 936-639-8624

cell: 936-977-2295

randy.b.moore@usda.gov

111 Walnut Ridge Road

Zavalla, TX 75980

www.fs.fed.us [fs.fed.us]

[usda.gov] [[twitter.com](#)] [[facebook.com](#)]

Caring for the land and serving people

From: gary.mcclanahan@powereng.com <gary.mcclanahan@powereng.com>

Sent: Thursday, August 24, 2023 9:30 AM

To: Moore, Randy - FS, TX <randy.b.moore@usda.gov>

Cc: denise.williams@powereng.com; ashley.brewer@powereng.com; gray.rackley@powereng.com

Subject: [External Email]Entergy Babel to Running Bear Transmission Line Project and Angelina/Sabine National Forests

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;

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Mr. Moore,

It was a pleasure speaking with you yesterday. As discussed, we are currently in the process of identifying environmental and land use constraints within our study area. Any information you are able to provide in ArcGIS shapefile format and/or kmz file that would assist us in confirming the location of properties owned by the Angelina/Sabine National Forest as well as known locations of Red-cockaded Woodpecker Clusters would be appreciated.

As also mentioned, it is our intent to avoid Forest Service owned properties where feasible with alternative routes we may develop. To help demonstrate to the Public Utility Commission of Texas the reasoning for doing so, could you please provide a brief summary of what precludes an alternative route from crossing forest service property?

Thanks again for your help!

GARY MCCLANAHAN
PROJECT MANAGER
CENTRAL ENV SERVICES/PM DEPARTMENT MANAGER
7600 B North Capital of Texas Hwy, Suite 320
Austin, Tx 78731

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

Cell: [361-648-1406](tel:361-648-1406)

POWER Engineers, Inc.
www.powereng.com

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1805 N. Timberland Dr., Lufkin, TX 75901 | 936.633.4433 | WWW.TXDOT.GOV

September 14, 2023

Gary McClanahan
Environmental Project Manager
7600B N Capital of Texas Hwy
Suite 320
Austin, TX 78731

RE: Entergy Texas, Inc. Babel to Running Bear 500 kV Transmission Project in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler, and Walker Counties, Texas
POWER Engineers, Inc. Project No. 241178

Mr. McClanahan,

Polk and San Jacinto Counties are within TxDOT's Lufkin District. The major corridors in the study area you provided are US 59, US 190, US 287, SH 146, SH 150, SH 156, in addition to numerous FM roads. US 59 is part of the future I-69 corridor and US 190 has been identified as the future I-14 corridor. The development of I-69 is presently underway with projects under construction or fully funded and being developed for construction in both Polk and San Jacinto Counties. The implementation strategy of the I-14 corridor is currently being developed to potentially bring US 190 to interstate standards.

Attached to this letter is a map and list of upcoming TxDOT projects in Polk and San Jacinto Counties. This list is subject to change as priorities and funding shift in the future. If you have any questions or need further clarification, feel free to contact me by phone at 936-633-4349 or email at matt.brazil@txdot.gov.

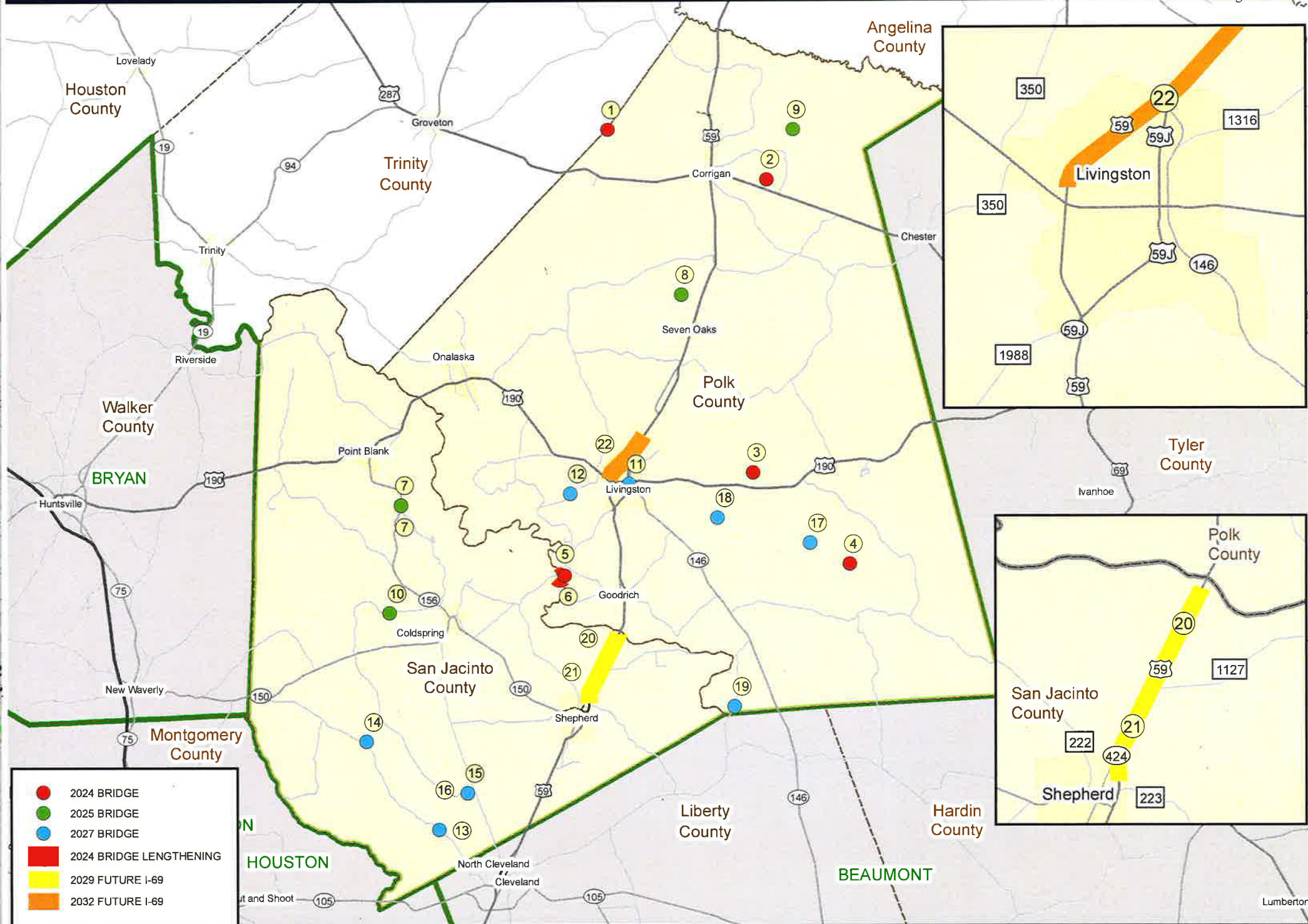
Thank you,

Matt Brazil, P.E.
Lufkin District Director of Transportation Planning and Development

**POLK/SAN JACINTO COUNTY
PROJECT LIST**

Year	EST. LET. DATE	CCS	CS	County	Highway	Limits From	Limits To	Project Description	Authorized Amount	ID
2024	2-May-24	0911-04-094	0911-04-094	Polk	CR 151	Carmona Road at Piney Creek		Replace Bridge and Approaches	\$1,100,000.00	1
2024	2-May-24	0911-04-094	0911-04-095	Polk	CR 272	Kennedy Rd at Tributary of McManus Creek		Replace Bridge and Approaches	\$599,400.00	2
2024	2-May-24	0911-04-094	0911-04-096	Polk	CR 1241	Darden Road-CR 1241 at Bluff Creek		Replace Bridge and Approaches	\$785,000.00	3
2024	2-May-24	0911-04-094	0911-04-097	Polk	CR 1077	CR 1077-Sunflower Rd at Big Sandy Creek.		Replace Bridge and Approaches	\$810,000.00	4
2024	9-Jul-24	3198-02-018	3198-02-018	San Jacinto	FM 3278	At Trinity River Bridge		Bridge Lengthening	\$2,000,000.00	5
2024	9-Jul-24	3198-02-018	3198-03-007	Polk	FM 3278	At Trinity River		Lengthen bridge and other various repairs	\$808,000.00	6
2025	1-May-25	0403-01-050	0403-01-050	San Jacinto	SH 156	AT STEPHEN CREEK		Replace Bridge and Approaches (BSSP - Higher Risk)	\$1,540,000.00	7
2025	1-May-25	0911-04-098	0911-04-098	Polk	CR 201	Bering Road at Long King Creek		Replace Bridge and Approaches	\$775,000.00	8
2025	1-May-25	0911-04-098	0911-04-099	Polk	CR 129	Nine Bridge Road at Piney Creek Branch		Replace Bridge and Approaches	\$475,000.00	9
2026	8-Oct-25	2594-01-015	2594-01-015	San Jacinto	FM 945	At E Fork San Jacinto River		Replace Bridge and Approaches	\$7,200,000.00	10
2027	1-Jan-27	0176-06-015	0176-06-015	Polk	BU 59J	AT CHOATES CREEK		Replace Bridge and Approaches	\$3,360,000.00	11
2027	1-Feb-27	0928-01-013	0928-01-013	Polk	FM 350	AT TEMPE CREEK		Replace Bridge and Approaches	\$2,016,000.00	12
2027	1-Feb-27	1582-01-025	1582-01-025	San Jacinto	FM 1725	AT ROCKY BRANCH		Replace Bridge and Approaches	\$1,456,000.00	13
2027	1-Feb-27	1582-01-025	1582-01-026	San Jacinto	FM 1725	AT NEBLETT CREEK		Replace Bridge and Approaches	\$1,568,000.00	14
2027	1-May-27	0756-05-021	0756-05-021	San Jacinto	FM 945	E Fork San Jacinto River		Replace Bridge and Approaches	\$3,220,000.00	15
2027	1-May-27	0756-05-021	0756-05-022	San Jacinto	FM 945	E Fork San Jacinto River Relief		Replace Bridge and Approaches	\$3,220,000.00	16
2027	1-Jul-27	0911-04-105	0911-04-105	Polk	CR 1076	Wilson Rd	At W Fork Double Branch Creek.	Replace Bridge and Approaches - HBP	\$488,000.00	17
2027	1-Jul-27	0911-04-106	0911-04-106	Polk	CR 1227	Andrew Jackson Dr	At Menard Creek.	Replace Bridge and Approaches - HBP	\$488,000.00	18
2027	1-Jul-27	2591-01-015	2591-01-015	Polk	FM 2610	FM 2610	At Menard Creek.	Bridge System Safety Program - Higher Risk	\$3,420,670.00	19
2029	1-Mar-29	0177-02-103	0177-02-104	San Jacinto	US 59	NORTH END OF TRINITY RIVER BRIDGE	0.5 MI NORTH OF FM 1127	HIGHWAY IMPROVEMENT	\$127,680,000.00	20
2029	1-Mar-29	0177-02-104	0177-02-104	San Jacinto	US 59	0.5 MI NORTH OF FM 1127	0.2 MI N OF FM 223	HIGHWAY IMPROVEMENT	\$106,399,999.00	21
2032	1-Mar-32	0176-05-193	0176-05-193	Polk	US 59	1.9 MI S OF SL116 (N. LIVINGSTON)	US 190	HIGHWAY IMPROVEMENT	\$109,760,000.00	22

LIVINGSTON AREA OFFICE - Polk and San Jacinto Counties





TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

August 15, 2023

Gary McClanahan
Power Engineers, Inc.
7600B N Capital of Texas Hwy Ste 320
Austin, TX 78731-1245

Re: Proposed Entergy Texas Inc., Babel to Running Bear 500-kV Transmission Line Project
in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler and Walker Counties, Texas
POWER Engineers, Inc. Project No. 241178

Dear Mr. McClanahan:

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

Using your map depicting the project's study 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) land that would require an easement from our agency.

In the interim, if you would like to speak to me further on this project, I can be reached by email at jeff.burroughs@glo.texas.gov or by phone at (512) 463-7845.

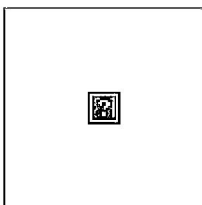
Again, thank you for your inquiry.

Sincerely,

Jeff Burroughs
Manager, Right-of-Way Department
Leasing Operations

From: noreply@thc.state.tx.us
To: McClanahan, Gary; reviews@thc.state.tx.us
Subject: [EXTERNAL] Entergy Texas, Inc
Date: Wednesday, September 6, 2023 7:45:34 AM

CAUTION: This Email is from an **EXTERNAL** source. **STOP. THINK** before you **CLICK** links or **OPEN** attachments.



Re: Project Review under Section 106 of the National Historic Preservation Act
THC Tracking #202312376

Date: 09/06/2023
Entergy Texas, Inc

Description: construct a single-circuit 500 kV transmission line from new Babel Substation to new Running Bear Substation

Dear Client:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act.

The review staff, led by Marie Archambeault, Caitlin Brashear and Emily Dylla, has completed its review and has made the following determinations based on the information submitted for review:

Archeology Comments

- An archeological survey is required. You may obtain lists of archeologists in Texas through the Council of Texas Archeologists and the Register of Professional Archaeologists. Please note that other qualified archeologists not included on these lists may be used. If this work will occur on land owned or controlled by a state agency or political subdivision of the state, a Texas Antiquities Permit must be obtained from this office prior to initiation of fieldwork. All fieldwork should meet the Archeological Survey Standards for Texas. A report of investigations is required and should be produced in conformance with the Secretary of the Interior's Guidelines for Archaeology and Historic Preservation and submitted to this office for review. Reports for a Texas Antiquities Permit should also meet the Council of Texas Archeologists Guidelines for Cultural Resources Management Reports and the Texas Administrative Code. In addition, any buildings 45 years old or older that are located on or adjacent to the tract should be documented with photographs and included in the report. To facilitate review and make project information available through the Texas Archeological Sites Atlas, we appreciate the submittal of survey area shapefiles via the Shapefile tab on eTRAC concurrently with submission of the draft report. Please note

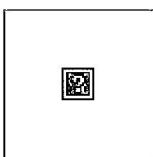
that while appreciated for Federal projects this is required for projects conducted under a Texas Antiquities Permit. For questions on how to submit these, please visit our video training series at: <https://www.youtube.com/playlist?list=PLONbbv2pt4cog5t6mCqZVaEAx3d0MkgQC> [youtube.com]

We have the following comments: Significant portions of the study area have not been subject to a survey by a professional archeologist; however, the study area does have a number of known archeological resources. As such, an archeological survey will likely be required once a proposed route has been identified. Additionally, the project area crosses the reservation of the Alabama-Coushatta Tribe. Consultation with their Historic Preservation Office is required for any proposed actions on tribal land. Deed research is strongly recommended in this area to identify any tribal lands.

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 review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: marie.archambeault@thc.texas.gov, caitlin.brashear@thc.texas.gov, emily.dylla@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit <http://thc.texas.gov/etrac-system> [thc.texas.gov].

Sincerely,



for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Please do not respond to this email.



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September 28, 2023

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David Yoskowitz, Ph.D.
Executive Director

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

RE: Entergy Texas, Inc. Proposed Babel to Running Bear 500kV Transmission Line Project, POWER Engineers, Inc. Project No. 241178; Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler, and Walker Counties, Texas

Dear Mr. 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 and recommendations 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 (PWC) section 12.0011. For tracking purposes, please refer to TPWD project number 51213 in any return correspondence regarding this project.

Project Description

Entergy Texas, Inc. (ETI) is planning to construct a new single-circuit 500 kV transmission line approximately 130 miles in length (depending on the final route) in Jasper, Montgomery, Newton, Polk, San Jacinto, Tyler, and Walker Counties. The proposed single-circuit transmission line would be routed from the new proposed Babel Substation to the new proposed Running Bear Substation. The proposed Babel Substation will be located approximately 7.4 miles southeast of the intersection of State Highways (SH) 75 and SH 105. The proposed Running Bear Substation will be located approximately 10.2 miles northeast of the intersection of SH 63 and SH 87. The proposed single-circuit transmission line will require a typical right-of-way (ROW) that would be approximately 225 feet wide but may vary depending on location and conditions. There are no proposed routes for the project currently.

ETI will be filing an application with the Public Utility Commission of Texas (PUC) to amend its Certificate of Convenience and Necessity (CCN) for this project. A study area has been developed to consider possible routes connecting the proposed

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.

substations and these future route alternatives will be included in the CCN application for filing with the PUC.

POWER Engineers, Inc. (POWER) is preparing an Environmental Assessment (EA) and Alternative Routing Study to support an application for a Certificate of CCN from the PUC. POWER is currently in the process of gathering environmental data and identifying environmental and land use constraints within the project study area.

TPWD offers the following comments and recommendations concerning this project.

Recommendation: TPWD recommends using existing facilities whenever possible. Where new construction is the only feasible option, TPWD recommends routing new transmission and distribution 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* found online within the TPWD website. Please review the recommendations and incorporate these measures into design and construction plans.

Parks, Public Recreation Areas, Scientific Areas, Wildlife Refuges, or Historic Sites

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. If a proposed transmission line route is located within a TPWD property, approval for an easement from the Parks and Wildlife Commission will be required.

Recommendation: TPWD recommends reviewing the Protected Areas data provided within the U.S. Geological Survey (USGS) PAD-US data suite, available online. USGS offers multiple ways to access these data, including an online data explorer, downloadable data layers, and metadata. TPWD recommends the length of routes through these properties be included in any accounting of alternative route impacts presented in the EA.

Recommendation: TPWD recommends avoiding project alternatives that cross TPWD properties. To minimize the impacts to the state's fish and wildlife resources TPWD recommends routing around TPWD managed properties as well as other properties managed for natural resources conservation or outdoor recreational purposes. If a route is designed which would necessitate crossing natural resources conservation or recreation areas, TPWD recommends paralleling existing transmission line ROW through the entirety of the property so that impacts

to the state's fish and wildlife resources and public use would be minimized. If the proposed project would impact and TPWD Wildlife Management Area, please contact Mr. Dennis Gissell (Dennis.Gissell@tpwd.texas.gov).

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 online databases such as the Protected Areas Data Portal and the National Conservation Easement Database, 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.

General Construction Recommendations

TPWD would like to provide the following general construction recommendations to assist in project planning.

Recommendation: Where trenching or other excavation is involved in construction, TPWD recommends that contractors keep trenching and excavation and backfilling crews close together to minimize the number of trenches or excavation areas left open at any given time during construction. TPWD recommends that any open trenches or excavation areas be covered overnight and inspected every morning to ensure no wildlife species have been trapped. Trenches left open for more than two daylight hours should be inspected for the presence of trapped wildlife prior to backfilling. If trenches and excavation areas cannot be backfilled the day of initial excavation, then escape ramps should be installed at least every 90 meters (approximately 295 feet). Escape ramps can be short lateral trenches or wooden planks sloping to the surface at an angle less than 45 degrees (1:1).

Recommendation: For soil stabilization and revegetation of disturbed areas within the proposed project area, TPWD recommends erosion and seed and mulch stabilization materials that avoid entanglement hazards to snakes and other wildlife species. Because the mesh found in many erosion control blankets or mats

pose an entanglement hazard to wildlife, TPWD recommends the use of no-till drilling, hydromulching, or hydroseeding rather than erosion control blankets or mats due to a reduced risk to wildlife. If erosion control blankets or mats will be used, the product should contain no netting or contain loosely woven, natural fiber netting in which the mesh design allows the threads to move, therefore allowing expansion of the mesh openings. Plastic mesh matting and hydromulch containing microplastics should be avoided.

Recommendation: During construction, operation, and maintenance of the proposed facility, TPWD recommends observing slow (25 miles per hour, or less) speed limits within the project site. Reduced speed limits would allow personnel to see wildlife in the vehicle path and avoid wildlife injury or death.

Recommendation: TPWD recommends the judicious use and placement of sediment control fence to exclude wildlife from the construction area. In many cases sediment control fence placement for the purposes of controlling erosion and protecting water quality can be modified minimally to also provide the benefit of excluding wildlife access to active construction areas. For extensive projects, fencing need only be installed and maintained around active work sites. The exclusion fence should be buried at least six inches and be at least 24 inches high. The exclusion fence should be maintained during active construction and only be removed after the construction is completed. Construction personnel should be encouraged to examine the inside of the exclusion area daily to determine if any wildlife species have been trapped inside the active construction area and provide safe egress opportunities prior to initiation of daily construction activities.

Lighting

Light pollution can have negative impacts on wildlife, particularly sky glow and the unnecessary lighting of unpaved areas. Sky glow because of light pollution can have negative impacts on wildlife and ecosystems by disrupting natural diurnal and nocturnal behaviors such as migration, reproduction, nourishment, rest, and cover from predators. Artificial nighttime lighting can attract and disorient night-migrating birds as well as insects. Birds or insects circling the lights' glare can cause exhaustion mortality, or insects may be heavily preyed upon. A single artificial light source can disrupt normal flight activity, long distance migrations, or even attract insects that don't normally move from their habitat. Nighttime lighting can also disrupt the breeding of amphibians.

The International Dark Sky Places (IDSP) Program was founded in 2001 to encourage communities, parks, and protected areas around the world to preserve and protect dark sites through responsible lighting policies and public education. As of January 2022, there are over 195 certified IDSP in the world with 16 certified IDSPs in Texas. The International Dark-sky Association utilizes a rigorous designation process to designate IDSPs. The IDSP Program offers five types of designations: IDS Communities, IDS Parks, IDS Reserves, IDS Sanctuaries, and Urban Night Sky Places. Sky glow from light pollution can have negative impacts on wildlife and ecosystems by disrupting

natural day and night cycles inherent in managing behaviors such as migration, reproduction, nourishment, sleep, and protection from predators.

Wildlife impacts from light pollution and potential impacts to IDSP are of concern to TPWD. The severity and impacts of light pollution increase with the overall cumulative presence of artificial lighting across the landscape. Implementation of the following recommended lighting minimization practices can be meaningful, even when these practices are employed within an already-developed area.

Recommendation: When lighting is added, TPWD recommends minimizing sky glow by focusing light down on the facility, with full cutoff luminaries to avoid light emitting above the horizontal.

Recommendation: As bird protection measures for migrant and resident birds as well as other wildlife, TPWD recommends utilizing the minimum amount of permanent night-time lighting needed for safety and security and encourages the use of dark sky friendly lighting. TPWD recommends minimizing the project's contribution toward skyglow by focusing light downward, with full cutoff luminaries to avoid light emitting above the horizontal, and to use dark-sky friendly lighting that is on only when needed, down-shielded, as bright as needed, and minimizes blue light emissions. Appropriate lighting technologies, beneficial management practices, and other dark sky resources can be found at the International Dark-Sky Association and McDonald Observatory websites.

Federal Regulations

Federal Law: 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 section 332.3(e)(3); item 11.B.2. in Compensatory Mitigation for Losses of Aquatic Resources (73 Federal Register 19596, April 10, 2008).

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 either Ms. Beth

Bendik (Beth.Bendik@tpwd.texas.gov) or Ms. Sue Reilly (Sue.Reilly@tpwd.texas.gov) regarding aquatic habitat impacts and mitigation.

Recommendation: If the proposed project would impact waterways or associated wetlands, TPWD recommends consulting with the USACE for potential impacts to WOTUS including jurisdictional determinations, delineations, and mitigation. All waterways and associated floodplains, riparian corridors, playa lakes, springs, and wetlands provide valuable wildlife habitat and should be protected to the maximum extent possible. Natural buffers contiguous to any wetlands or aquatic systems should remain undisturbed to preserve wildlife cover, food sources, and travel corridors. During construction, trucks and equipment should use existing bridge or culvert structures to cross creeks. Destruction of inert microhabitats in waterways such as snags, brush piles, fallen logs, creek banks, pools, and gravel stream bottoms should be avoided, as these provide habitat for a variety of fish and wildlife species and their food sources. Erosion control and sediment runoff control measures should be installed prior to construction and maintained until disturbed areas are permanently revegetated using site specific native vegetation. Measures should be properly installed to effectively minimize the amount of sediment and other debris from entering the waterway.

Federal Law: Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control, 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.

Recommendation: TPWD recommends any clearing be scheduled outside of the general bird nesting season of March 15th to September 15th; however, if clearing must occur during nesting season, TPWD recommends surveying the area proposed for disturbance to ensure that no nests with eggs or young will be disturbed by construction. Nest surveys should be conducted not more than five days prior to clearing activities to maximize detection of active nests. TPWD generally recommends a 100-foot radius buffer of vegetation remain around active nests until the eggs have hatched and the young have fledged; however, the size of the buffer zone depends on various factors and can be coordinated with the local or regional USFWS office.

Raptor nesting occurs late winter through early spring; TPWD recommends construction activities be excluded from a minimum zone of approximately 328 feet (100 meters) surrounding any raptor nest during the period of February 1 through July 15. The USFWS can be contacted at the number listed above for further information.

The potential exists for birds to collide with power lines and associated guy wires and static lines. Bird fatalities can also occur due to electrocution if perching birds simultaneously contact energized and grounded structures.

Recommendation: TPWD recommends bird collision and electrocution risks be considered during project routing and design and recommends incorporating design features which minimize those risks. 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 published by APLIC and the USFWS in 2006.

Federal Law: Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BGEPA) prohibits anyone, without a permit issued by the Secretary of the Interior, from taking bald eagles (*Haliaeetus leucocephalus*) or golden eagles (*Aquila chrysaetos*), 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 bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.” The BGEPA defines “take” as to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.

Recommendation: When potential impacts to the bald eagle are anticipated, TPWD recommends consultation with USFWS – Clear Lake Ecological Services at (281) 286-8282 regarding compliance with the BGEPA.

Federal Law: 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.

Texas trailing phlox (*Phlox nivalis* ssp. *texensis*) is a federally listed endangered plant documented within the project study area. Red-cockaded woodpecker (*Picoides borealis*) and Louisiana pine snake (*Pituophis ruthveni*) are federally listed endangered animals documented within the project study area.

Recommendation: Please review the *Federal Law: Migratory Bird Treaty Act* section above for recommendations as they would also serve to minimize potential impacts to federally listed birds.

Recommendation: The project proponent should access the USFWS online tool, Information for Planning and Consultation (IPaC), and review the generated list of federally listed species that could be impacted by the project. If potential exists for impacts to endangered species, TPWD recommends consultation with USFWS – Clear Lake Ecological Services regarding compliance with the ESA.

State Regulations

State Law: Parks and Wildlife Code – Chapter 64, Birds

Texas Parks and Wildlife Code (PWC) section 64.002, regarding protection of nongame birds, provides that no person may catch, kill, injure, pursue, or possess a bird that is not a game bird. PWC section 64.003, regarding destroying nests or eggs, provides that, no person may destroy or take the nests, eggs, or young and any wild game bird, wild bird, or wild fowl.

Recommendation: Please review the *Federal Law: Migratory Bird Treaty Act* section above for recommendations as they are also applicable for Chapter 64 of the PWC compliance.

State Law: Aquatic Resources

PWC section 1.011 provides TPWD authority to regulate and conserve aquatic animal life in public waters. Title 31, chapter 57, subchapter B, section 57.157 of the Texas Administrative Code (TAC) regulates relocation of native fish, shellfish, freshwater mussels and clams, and plants in state waters, and section 12.301 of the PWC identifies liability for wildlife taken in violation of PWC or a regulation adopted under the PWC.

Based on desktop review of the project location, wetlands and streams could be impacted by the project.

Recommendation: To minimize impacts to water resources, TPWD recommends the project proponent avoid stream and wetland impacts, including avoiding using stream crossings for access roads, maintaining natural drainage patterns within the proposed project site, and implementing BMP for preventing erosion and sedimentation during construction activities. TPWD recommends implementing at least a 50-foot buffer on intermittent streams and wetlands.

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. During construction, trucks and equipment should use existing bridge or culvert structures to cross streams, and equipment staging areas should be located in previously disturbed areas outside of riparian corridors. Destruction of inert microhabitats in

waterways such as snags, brush piles, fallen logs, creek banks, pools, and gravel stream bottoms should be avoided, as these provide habitat for a variety of fish and wildlife species and their food sources.

Recommendation: TPWD requires a no-cost *Permit to Introduce Fish, Shellfish or Aquatic Plants into Public Waters* (AIP) for revegetation efforts within wetlands and other public waters. This form is available online, and assistance with completing the form is available by contacting TPWD Coastal Fisheries Division, Dickinson Marine Lab, by phone at 281-534-0129.

State Law: Parks and Wildlife Code, Section 68.015

PWC regulates state-listed threatened and endangered animal species. The capture, trap, take, or killing of state-listed threatened and endangered animal species is unlawful unless expressly authorized under a permit issued by USFWS or TPWD. A copy of TPWD Protection of State Listed Species Guidelines, which includes a list of penalties for take of species, can be found online at the TPWD Wildlife Habitat Assessment Program: Laws and Regulations Applicable to TPWD Review webpage. For purposes of relocation, surveys, monitoring, and research, State-listed species may only be handled by persons with the appropriate authorization obtained through the TPWD Wildlife Permits Program. 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 by County (RTEST) application. This application provides county-level information regarding occurrence of protected species (federal or state listed threatened or endangered) 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 request the most current and accurate information at TexasNatural.DiversityDatabase@tpwd.texas.gov.

Recommendation: TPWD recommends POWER review the current county lists for each impacted county utilizing the RTEST application. The species lists and information regarding preferred habitats should be utilized during route development. TPWD recommends avoiding areas of habitat preferred by state-listed species.

Recommendation: TPWD recommends POWER request the most current data available from the TXNDD, to utilize in the development of environmental constraints and route alternatives.

Recommendation: Upon route selection, TPWD recommends qualified personnel (employed by ETI or a private consulting firm) survey potentially disturbed areas for state listed species habitat prior to construction. If suitable habitat for species is

observed in the area, disturbance of the habitat should be avoided to the extent feasible.

Species of Greatest Conservation Need

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 but are also considered species of greatest conservation need (SGCN). TPWD actively promotes their conservation and considers it important to evaluate and, if necessary, minimize impacts to rare species and their habitat to reduce the likelihood of endangerment and preclude the need to list. These species and communities are tracked in the TXNDD.

TPWD notes that it is the responsibility of the project proponent to evaluate all of the species listed on the TPWD Rare, Threatened, and Endangered Species of Texas by County online application (RTEST or TPWD county list), not just state and federally listed species, and to determine if those species have habitat within the project area and if those species have the potential to be impacted by the construction of the proposed project.

Recommendation: Please review the TPWD county list for all impacted counties because species in addition to those discussed in this letter could be present within the project area depending upon habitat availability. TPWD recommends including a discussion and evaluation of potential impacts to SGCN (in addition to state listed and federally listed species) in the EA for this project. The USFWS should be contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally listed species.

Determining the actual presence of a species in an 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, considering all the variable factors contributing to the lack of detectable presence. If encountered during construction, measures should be taken to avoid impacting all wildlife, regardless of listing status.

Vegetation

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). Additionally, TPWD has made available a web application useful for viewing EMST data. The Texas Ecosystem Analytical Mapper (TEAM) is a user-friendly way to access EMST data, view these data in the context of other data layers (e.g., soils or hydrology), export custom maps, and more. More information about the EMST, including a link to download shape files or access to the TEAM, can be found at the TPWD Maps and Data webpage.

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.

Recommendation: TPWD recommends that the removal of native vegetation during construction be minimized to the extent feasible. Unavoidable removal of vegetation should be mitigated by revegetating disturbed areas with site specific native plant species where feasible. The replacement of native plants will help control erosion, provide habitat for wildlife, and provide native species an opportunity to compete with undesirable, non-native, invasive plant species.

Invasive Species

The study area is susceptible to colonization by a variety of invasive species of aquatic and 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.

Recommendation: TPWD recommends the project proponent establish sanitation procedures to prevent the spread of invasive plants. TPWD recommends such a plan include the following measures to minimize invasive plant spread: 1) Inspect the site for infestation prior to 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 the project proponent avoid utilizing invasive species in seed mixes or plantings for revegetation or soil stabilization purposes. More information and resources regarding revegetation and restoration with native plants may located within the TPWD website, including the Pollinator Partnership Planting Guides webpage.

Monarch and Pollinator Conservation

In December 2020, the USFWS determined that Endangered Species Act listing for the monarch butterfly (*Danaus plexippus*) was warranted; however, listing was precluded by higher priority listing actions. Currently, the monarch butterfly is a candidate for listing and the USFWS will review the species status annually until a proposal for listing is developed.

There is widespread concern regarding the decline of monarch butterflies and other native insect pollinator species due to reductions in native floral resources. To support pollinators and migrating monarchs, TPWD encourages the establishment of native wildflower habitats on private and public lands. Establishing wildflower habitats in new developments can contribute to pollinator conservation. Infrastructure ROW can

provide habitat for a diverse community of pollinators, providing forage for food and breeding or nesting opportunities. Infrastructure ROW extends across a variety of landscapes and can aid dispersal of pollinators by linking fragmented habitats. By acting as refugia for pollinators in otherwise inhospitable landscapes, this habitat can contribute to the maintenance of healthy ecosystems and provide ecological services such as crop pollination services. Recent publications on conserving pollinators in Texas can be found at the TPWD Wildlife Habitat Assessment Program: Planning Tools and Best Management Practices webpage.

Recommendation: To contribute to pollinator conservation efforts, TPWD encourages the project proponent to revegetate impacted areas with vegetation that provides habitat for monarch butterflies and other pollinator species. Species appropriate for the project area can be found by accessing the Lady Bird Johnson Wildflower Center, working with TPWD biologists to develop an appropriate list of species, or utilizing resources found at the Monarch Watch website or the Xerces Society's Guidelines webpage.

Recommendation: To create benefits for grassland wildlife and pollinators, TPWD recommends revegetating areas disturbed by project activities with site-specific native species to mitigate for unavoidable loss of native vegetation, with attention to providing habitat for pollinator species. TPWD recommends that incorporating native grass and floral species into the permanent revegetation plan for the project as funding and seed availability allow. TPWD recommends incorporating pollinator conservation into maintenance plans for the ROW, to promote and sustain the availability of flowering species throughout the growing season. TPWD recommends scheduling ROW maintenance to occur once the seed from pollinator plants has been released.

Recommendation: TPWD advises against planting the non-native milkweed species black swallow-wort (*Cynanchum louiseae*) and pale swallow-wort (*C. rossicum*). Monarch butterflies will lay eggs on these plant species, but the larvae are unable to feed and complete their life cycle. Additionally, these plant species can be highly invasive. TPWD also advises against planting the non-native tropical milkweed (*Asclepias curassavica*), a popular commercial nursery milkweed that can persist year-round in southern states. The year-round persistence of tropical milkweed fosters greater transmission of the protozoan *Ophryocystis elektroscirrha* (OE), increasing the likelihood that monarchs become infected with the debilitating parasite.

Data Reporting and the Texas Natural Diversity Database

As mentioned earlier in this letter, TPWD maintains records of occurrence for protected and rare species, or SGCN, within the TXNDD and these data are publicly available by request. The TXNDD is intended to assist users in avoiding harm to rare species or significant ecological features. The TXNDD is updated continuously, and relies partially on information submitted by private parties, such

as developers or their consultants. 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.

Recommendation: To aid in the scientific knowledge of a species' status and current range, TPWD encourages reporting encounters of protected and rare species to the TXNDD according to the data submittal instructions found at the TPWD Texas Natural Diversity Database: Submit Data webpage.

Thank you for considering project impacts to Texas' fish and wildlife resources. If you have any questions, please contact me at Rachel.Lange@tpwd.texas.gov or (979) 732-4213.

Sincerely,

A handwritten signature in black ink that reads "Rachel Lange". The signature is written in a cursive, flowing style.

Rachel Lange, CWB
Ecological and Environmental Planning Program
Wildlife Division

RAL:51213

From: Daniel Hilderbrandt
To: McClanahan, Gary
Cc: Ed Shackelford; Matt Barrett
Subject: [EXTERNAL] SJRA Response to Project No. 241178
Date: Monday, August 21, 2023 6:46:56 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)
[image006.jpg](#)
[image007.png](#)

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Mr. McClanahan:

The San Jacinto River Authority (SJRA) has received your letter regarding Entergy Texas's project for the Babel to Running Bear 500kV Transmission Line Project (Project No. 241178).

SJRA has no existing infrastructure in the proposed route area and there would not be any permitting responsibilities with the SJRA. For your consideration, below is some information regarding potential long-term projects that SJRA and other entities are involved in for regional raw water supply and flood management.

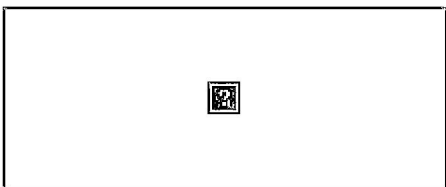
Lake Livingston to Lake Conroe Transfer: The following link will take to you SJRA's completed Raw Water Master Plan (<https://www.sjra.net/about/raw-water-enterprise-projects/raw-water-supply-master-plan/> [sjra.net]). Specifically, I suggest looking at Appendix D, PDF page 20, which includes a map of potential routes for the transfer. We are in the process of updating the plan, but ultimately don't see Entergy's proposed project causing any major issues with our potential future project. We can send any updates to the plan as we receive them.

San Jacinto Regional Watershed Master Drainage Plan: The following link will direct you to the master drainage plan documents (<https://www.hcfd.org/Activity/Active-Projects/San-Jacinto-River/C-17-San-Jacinto-River-Watershed-Study> [hcfd.org]). Page 26 of the Executive Summary shows the proposed project locations, and there is more detailed information throughout the report, appendices, etc. While none of the recommended reservoirs in the project area are currently being designed or constructed, there is a possibility one or more could be pursued in the future. SJRA helps to facilitate as many master drainage plan projects as possible and feasible. You may want to take the potential future flood detention reservoirs and their inundation limits into consideration when planning the route for the Transmission Line Project.

Please let us know if you have any additional questions.

Thanks, Dan

Daniel Hilderbrandt, P.E.
Technical Services Manager



1577 Dam Site Rd., Conroe, TX 77304

Office: (936) 588-7121

Cell: (936) 828-6088

dhilderbrandt@sjra.net

www.sjra.net [sjra.net]

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STATE OF TEXAS

§

COUNTY OF SAN JACINTO

§

RESOLUTION 2025-01

CITY OF COLDSRING

§

A RESOLUTION OF THE CITY OF COLDSRING, TEXAS, IN OPPOSITION TO THE CONSTRUCTION OF PROPOSED TRANSMISSION LINE ROUTES AND SEGMENTS BY ENTERGY TEXAS, INC., DUE TO NEGATIVE IMPACTS ON THE CITY OF COLDSRING, SAN JACINTO COUNTY, TEXAS.

WHEREAS, Entergy Texas, Inc. (“**ETI**”) is an integrated energy company operating under CCN number 30076 and having a business address of 350 Pine Street, 12th Floor, Beaumont, TX 77701 that is planning to construct a new single-circuit 500-kV transmission line (the “**SETEX Area Reliability Project**”) being approximately 130 miles in length in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler and Walker counties.

WHEREAS, the City of Coldspring, Texas (the “**City**”) is the County Seat of San Jacinto County, Texas being incorporated within 1.86 square miles in a geographic area at the south end of Lake Livingston.

WHEREAS, ETI has proposed numerous preliminary alternative routes and segments for the construction of the SETEX Area Reliability Project. ETI’s current landowner interactive map and *Landowner Notice Map* are available at the following website: <https://www.entergy-texas.com/transmission/setex/>. In accordance with ETI’s current *Landowner Notice Map* for the SETEX Area Reliability Project, several preliminary alternative routes include segments that negatively impact the City in varying capacities. The preliminary alternative segments opposed by the City include, but are not limited to, the following: 68, 69, 71, 72, 73, 74, 75, 76, 77a, 77b, 78, 95a, 95b, 96, 97a, 97b, 282, 283, 284, and 285. The City recognizes ETI may change or modify these preliminary alternative routes and segments prior to filing its Certificate of Convenience and Necessity (CCN) application with the Public Utility Commission of Texas (PUCT), but any variation like the above list will continue to negatively impact the City and will be opposed by the City.

WHEREAS, the City recognizes that the construction of the aforementioned routes and segments by ETI in the area to the south and southwest of Lake Livingston is in close proximity to the City and would conflict with the goals of the City’s master plan.

WHEREAS, the City recognizes that the construction of the aforementioned routes and segments would also degrade the unique and historic design of its downtown, including its architectural quality and characteristics.

WHEREAS, the City recognizes that the construction of the aforementioned routes and segments would also restrain and constrain economic development and growth for the City, including the ability for the City to expand its jurisdictional limits.

WHEREAS, the City recognizes that the construction of the aforementioned routes and segments could increase erosive effects from the width and length of the required easement area for the transmission line.

WHEREAS, the City recognizes that the construction of the aforementioned routes and segments would also result in transmission towers that alter the view from the City and affect the quality of life of City residents.

WHEREAS, the City recognizes that a transmission line currently exists within the full purpose limits of the City and that the SETEX Area Reliability Project would add additional utility easements that confine the City while adding little to no benefit for City residents or the surrounding community.

WHEREAS, the City recognizes that the construction of the aforementioned routes and segments could also result in a decrease in property values of City residents and stifle residential growth and development in the area.

WHEREAS, the City recognizes that alternate routes and segments are being proposed by ETI that include areas to the north of Lake Livingston where municipalities and residences are less concentrated.

WHEREAS, the City of Coldspring desires for ETI to work with the Public Utility Commission of Texas to select those alternate routes and segments to the north of the lake for the construction of the SETEX Area Reliability Project, which include but may not be limited to routes including segments 59, 81-83, and 90-94, for the purpose of limiting the potential for negative economic, social and environmental impacts on the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLDSRING, TEXAS, THAT:

ARTICLE 1. It is hereby officially found and determined that the construction of the SETEX Area Reliability Project by Entergy Texas, Inc. in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler and Walker counties could tremendously impact the City and its residents depending on the specific routes and segments selected for the transmission line, and that the routing of the transmission line in the geographical area to the north of Lake Livingston would be best for enabling the viability and well-being of the community and residents of the City of Coldspring, Texas.

ARTICLE 2. The City of Coldspring officially opposes any SETEX Area Reliability Project transmission line routes and segments to be constructed in the geographical area to the south of Lake Livingston, including but not limited to preliminary alternative routes including segments

68, 69, 71, 72, 73, 74, 75, 76, 77a, 77b, 78, 95a, 95b, 96, 97a, 97b, 282, 283, 284, and 285, in accordance with ETI's *Landowner Notice Map* for the SETEX Area Reliability Project.

ARTICLE 3. The City of Coldspring officially supports any SETEX Area Reliability Project transmission line routes and segments to be constructed in the geographical area to the north of Lake Livingston, including but not limited to segments 59, 81-83, and 90-94, in accordance with ETI's *Landowner Notice Map* for the SETEX Area Reliability Project.

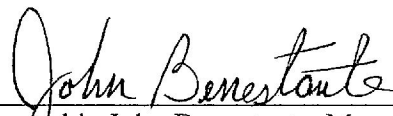
ARTICLE 4. The City Secretary is hereby authorized and directed to file official correspondence on behalf of the City of Coldspring with the Public Utility Commission of Texas affirming the City's opposition for certain routes and segments and support for certain routes and segments in accordance with the determinations of this Resolution.

Effective Date.

This Resolution shall be effective upon the date of passage by the City Council.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Coldspring, Texas, this 27 day of Jan., 2025.

CITY OF COLDSRING, TEXAS
a political subdivision of the State of Texas


Honorable John Benestante, Mayor

ATTEST:


Jody Barr, City Secretary

Appendix B

Open-House Information

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Entergy Texas, Inc.
8630 Eastex Freeway
Beaumont, TX 77708

April 15, 2024

[First Name] [Last Name] [Suffix]
[Address_1]
[Address_2]
[City], [State] [Zip]

Property ID: [PROP_ID]

Re: SETEX Area Reliability Project

Dear Landowner,

Entergy Texas, Inc. (Entergy Texas or ETI) is committed to ensuring a safe, reliable, affordable, and sustainable supply of power for our customers. Part of that commitment requires working today to plan for our region's infrastructure requirements to meet future growth. Ensuring reliable and affordable electricity is critical to the future success of the communities in which we live and serve.

Proposed Project

Entergy Texas, Inc. (Entergy Texas or ETI) is planning to construct a new single-circuit 500 kilovolt (kV) transmission line approximately 130 miles in length (depending on the route ultimately approved by the Public Utility Commission of Texas (PUCT)) in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker Counties (Project). The new transmission line will connect the proposed Babel 500 kV Switching Station to the proposed Running Bear Substation.

The proposed Babel Switching Station will be constructed at one of three potential locations currently under consideration that will connect into the existing Layfield to Hartburg 500 kV transmission line south of Toledo Bend Reservoir in Newton County.

The proposed Running Bear Substation will be constructed at one of multiple locations currently under consideration that will connect into either ETI's existing Lewis Creek facilities along Longstreet Road between Lake Conroe and Interstate Highway 45 or ETI's existing transmission facilities east of Willis between Farm-to-Market Road 1097 and County Line Road in Montgomery County.

ETI operates within the Midcontinent Independent System Operator, Inc. (MISO), which is a regional transmission organization that manages the flow of power across its footprint. MISO has identified this Project as required to comply with federal reliability standards. The Project will increase operational flexibility, help meet the growing power demands of Southeast Texas, and increase reliability and resiliency during extreme events, such as Winter Storm Uri.

It is important for us to make sure that you are fully informed of our plans and have an opportunity to share your thoughts with us. For this reason, we have established a Project website (<https://www.entergytexas.com/transmission/setex/>) that you can access and from which you may download materials explaining the Project and its relationship to your property. For your convenience, Entergy Texas will hold three Open Houses (at different locations within the study area) to present information about the Project. Each Open House will have the same information available to attendees. These Open Houses will be held from 4:00pm through 7:00pm on the following dates and at the following locations:

- **May 7, 2024:** Polk County Commerce Center located at 1017 US 59 Loop N., Livingston, TX 77351
- **May 8, 2024:** Willis Community Center located at 109 W. Mink St., Willis, TX 77378
- **May 9, 2024:** Lone Star Community Center at 750 Burch St., Jasper, TX 75951

What's Next?

There is a carefully structured process put in place and overseen by the PUCT. The process requires Entergy Texas to request that the PUCT approve the Project and select the route of the proposed transmission line by submitting an application to amend Entergy Texas's Certificate of Convenience and Necessity (CCN), which obligates Entergy Texas to provide reliable electric service. This application will include a diverse set of alternative routes from which the PUCT selects a route on which the Project will be constructed. Entergy Texas is in the early stages of this process where POWER Engineers, a consulting firm hired for the Project, has identified several preliminary alternative transmission line route segments between alternative stations.

Maps with greater detail and additional Project information are available on the Project's website (<https://www.entergytexas.com/transmission/setex/>) through a link titled "Online Open House." It should be noted that these route segments are only preliminary and are subject to change based on further study and information gathered during the Open Houses. Information on the website provides the opportunity to review Project details and offer feedback or comments. The feedback options are provided via a questionnaire, email, or phone voicemail system. The email address and phone number are listed at the bottom of this letter. Entergy Texas appreciates your comments and looks forward to communicating with you.

Landowners invited to attend the Open Houses include names listed on the current county tax rolls as owners of land within 500 feet of the center line of any proposed preliminary route segment. Your input, and that of others who may be affected by this Project is important, especially in evaluating locations for new transmission facilities and assessing the Project's impacts. The comment period will be active from May 7, 2024 through June 7, 2024. All comments should be made during this four-week period. Comments initiated after June 7, 2024 cannot be guaranteed to be incorporated in the Project decisions included in the CCN application.

Public Meetings

The Open Houses will have an informal "come-and-go" format consisting of staffed information stations addressing the various aspects of the Project. You will be able to review each station at your

own pace, ask questions, and find out approximately where the proposed line segments are located in relation to your property. Entergy Texas will also make a questionnaire available to you to obtain your input before you leave or if you prefer to take with you, consider and return it no later than June 7, 2024.

Project Questionnaire

The information that you provide will be carefully considered in the transmission line route selection process. The best way for you to communicate this information is by completing the Project Questionnaire that has been included in this mailing, will be available at the Open Houses, or available online through the Project website and the “Online Open House” link. You have three options for returning the Project Questionnaire: (1) complete the Project Questionnaire online; (2) return in person at one of the Open Houses; or (3) return via U.S. mail using the address below. In the months following the Open House review period, Entergy Texas and POWER Engineers will develop a diverse set of alternative routes to be included in the application to be filed with the PUCT next year. At that time, Entergy Texas will provide notice of the application as prescribed by the PUCT rules. **All routes and route segments included in this notice are available for selection and approval by the PUCT.** If approved, only one route (consisting of multiple route segments) from the new Babel Switching Station to the new Running Bear Substation will be selected by the PUCT.

Any changes to the above dates or the stated processes above due to conditions that are unforeseen will be communicated on the Project website. Entergy Texas appreciates your patience and understanding during this time, and we look forward to our future discussion on this Project.

If you have any questions about the proposed transmission Project or upcoming Open Houses, please contact Brad Coleman and the Project team in one of the following manners:

By Mail:

Entergy Texas
Attn: Brad Coleman
8630 Eastex Freeway
Beaumont, TX 77708

By Project Questionnaire:

Included in this mailing or by completing the same Questionnaire online through the Project website and the “Online Open House” link.

By Phone:

409-347-5125

By Email:

setex@entergy.com

We look forward to seeing or hearing from you.

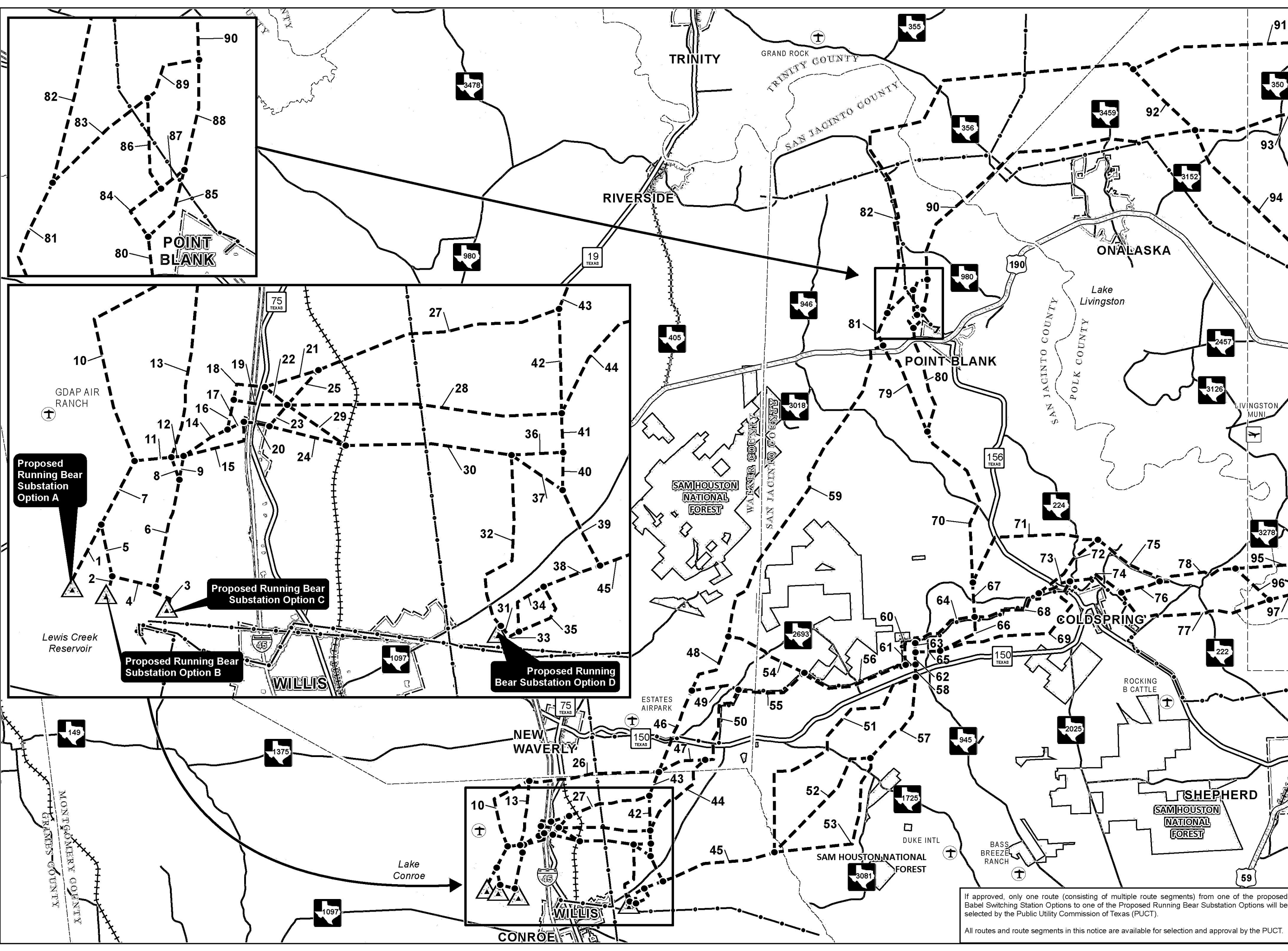
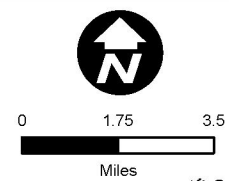
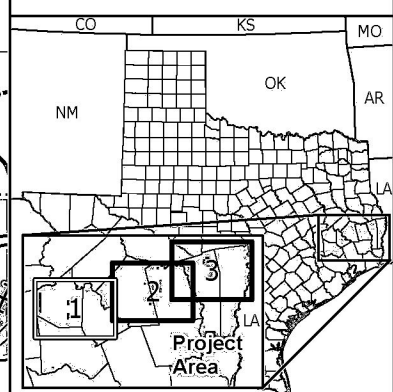
Sincerely,

A handwritten signature in black ink, appearing to read 'Stuart Barrett', with a large, stylized flourish at the end.

Stuart Barrett
Vice President, Customer Service

SETEX AREA RELIABILITY
PROJECT
PRELIMINARY ALTERNATIVE
ROUTE SEGMENTS
SHEET 1 OF 3

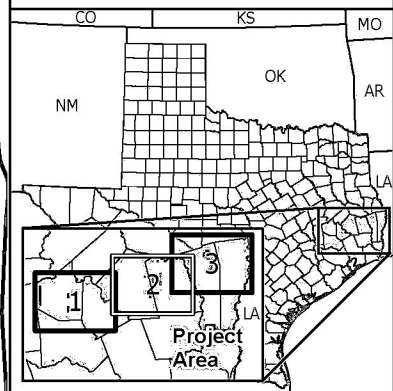
- Project Station
- Preliminary Alternative Segment, Node, and ID
- Existing Electrical Transmission Line
- Public Airport
- Private Airstrip
- Interstate Highway
- US Highway
- State Highway
- Farm-to-Market Road
- Railroad
- Waterbody
- National Forest/National Preserve Property Boundary
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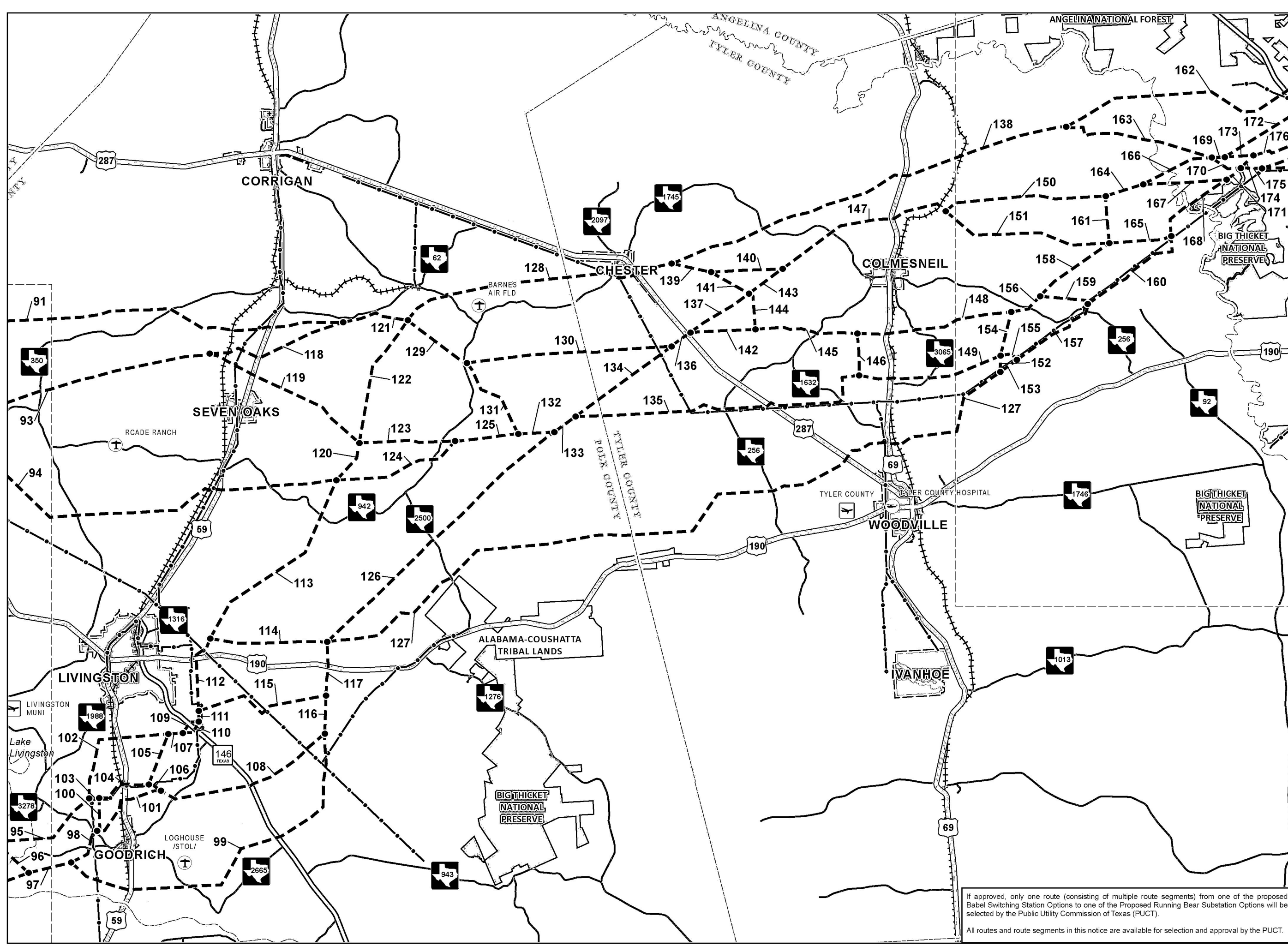
SETEX AREA RELIABILITY
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PRELIMINARY ALTERNATIVE
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SHEET 2 OF 3

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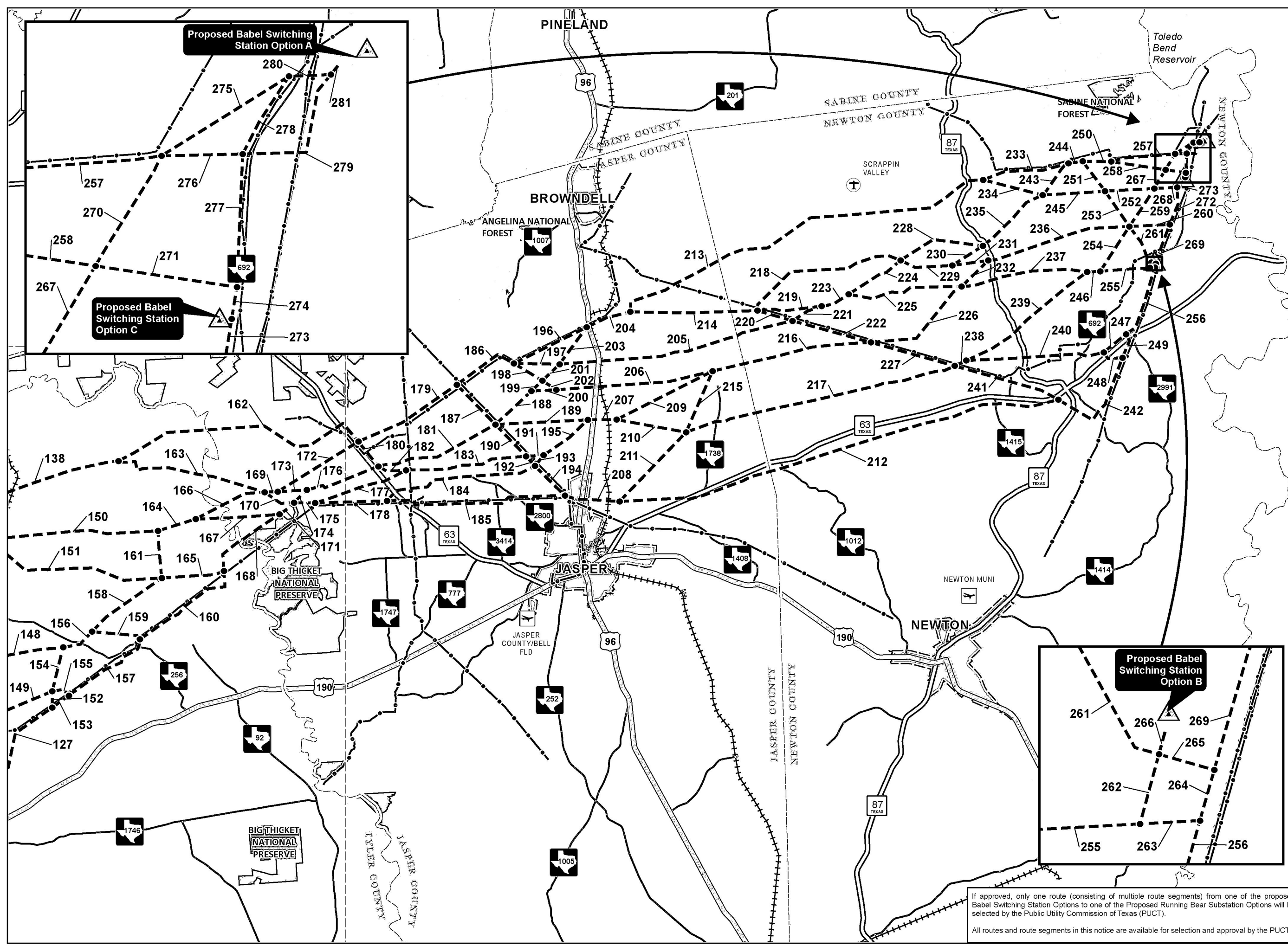
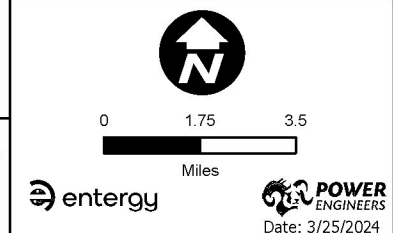
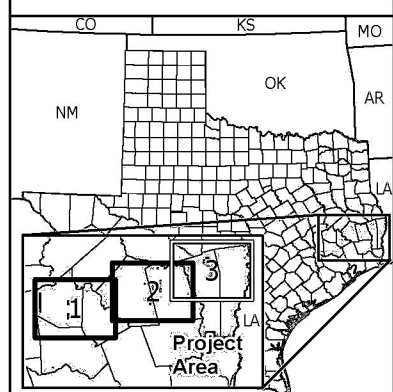
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Miles



If approved, only one route (consisting of multiple route segments) from one of the proposed Babel Switching Station Options to one of the Proposed Running Bear Substation Options will be selected by the Public Utility Commission of Texas (PUCT).
All routes and route segments in this notice are available for selection and approval by the PUCT.

SETEX AREA RELIABILITY
PROJECT
PRELIMINARY ALTERNATIVE
ROUTE SEGMENTS
SHEET 3 OF 3

- Project Station
- Preliminary Alternative Segment, Node, and ID
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Entergy Texas, Inc.
8630 Eastex Freeway
Beaumont, TX 77708

May 24, 2024

[First Name] [Last Name] [Suffix]
[Address_1]
[Address_2]
[City], [State] [Zip]

Property ID: [PROP_ID]

Re: SETEX Area Reliability Project

Dear Landowner,

Entergy Texas, Inc. (Entergy Texas or ETI) is committed to ensuring a safe, reliable, affordable, and sustainable supply of power for our customers. Part of that commitment requires working today to plan for our region's infrastructure requirements to meet future growth. Ensuring reliable and affordable electricity is critical to the future success of the communities in which we live and serve.

Proposed Project

Entergy Texas, Inc. (Entergy Texas or ETI) is planning to construct a new single-circuit 500 kilovolt (kV) transmission line approximately 130 miles in length (depending on the route ultimately approved by the Public Utility Commission of Texas (PUCT)) in Jasper, Montgomery, Newton, Polk, San Jacinto, Trinity, Tyler, and Walker Counties (Project). The new transmission line will connect the proposed Babel 500 kV Switching Station to the proposed Running Bear Substation.

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It is important for us to make sure that you are fully informed of our plans and have an opportunity to share your thoughts with us. For this reason, we have established a Project website (<https://www.energytexas.com/transmission/setex/>) that you can access and from which you may download materials explaining the Project and its relationship to your property.

On May 7-9, 2024, Entergy Texas held open houses across Southeast Texas to address initial preliminary route segments. Since that time, we have developed additional preliminary route segments in the Livingston area that may affect your property. For your convenience, Entergy Texas will hold an additional Open House to present information about the Project. This Open House will be held from 4:00pm through 7:00pm on the following date and at the following location:

- **June 18, 2024:** Polk County Commerce Center located at 1017 US 59 Loop N., Livingston, TX 77351

What's Next?

There is a carefully structured process put in place and overseen by the PUCT. The process requires Entergy Texas to request that the PUCT approve the Project and select the route of the proposed transmission line by submitting an application to amend Entergy Texas's Certificate of Convenience and Necessity (CCN), which obligates Entergy Texas to provide reliable electric service. This application will include a diverse set of alternative routes from which the PUCT selects a route on which the Project will be constructed. Entergy Texas is in the early stages of this process where POWER Engineers, a consulting firm hired for the Project, has identified several preliminary alternative transmission line route segments between alternative stations.

Maps with greater detail and additional Project information are available on the Project's website (<https://www.energytexas.com/transmission/setex/>) through a link titled "Online Open House." It should be noted that these route segments are only preliminary and are subject to change based on further study and information gathered during the Open House. Information on the website provides the opportunity to review Project details and offer feedback or comments. The feedback options are provided via a questionnaire, email, or phone voicemail system. The email address and phone number are listed at the bottom of this letter. Entergy Texas appreciates your comments and looks forward to communicating with you.

Landowners invited to attend the Open House include names listed on the current county tax rolls as owners of land within 500 feet of the center line of any proposed preliminary route segment. Your input, and that of others who may be affected by this Project is important, especially in evaluating locations for new transmission facilities and assessing the Project's impacts. The comment period will be active until June 25, 2024. Comments initiated after June 25, 2024 cannot be guaranteed to be incorporated in the Project decisions included in the CCN application.

Public Meetings

The Open House will have an informal "come-and-go" format consisting of staffed information stations addressing the various aspects of the Project. You will be able to review each station at your own pace, ask questions, and find out approximately where the proposed line segments are located in relation to your property. Entergy Texas will also make a questionnaire available to you to obtain

your input before you leave or if you prefer to take with you, consider and return it no later than June 25, 2024.

Project Questionnaire

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Any changes to the above dates or the stated processes above due to conditions that are unforeseen will be communicated on the Project website. Entergy Texas appreciates your patience and understanding during this time, and we look forward to our future discussion on this Project.

If you have any questions about the proposed transmission Project or upcoming Open House, please contact Brad Coleman and the Project team in one of the following manners:

By Mail:

Entergy Texas
Attn: Brad Coleman
8630 Eastex Freeway
Beaumont, TX 77708

By Project Questionnaire:

By completing the Questionnaire, included in this mailing or available on the Project website using the “Online Open House” link, and mailing to the Project email address below.

By Phone:

409-347-5125

By Email:

setex@entergy.com

We look forward to seeing or hearing from you.

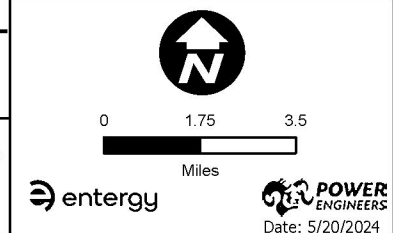
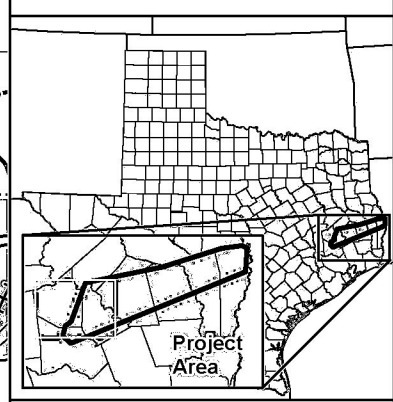
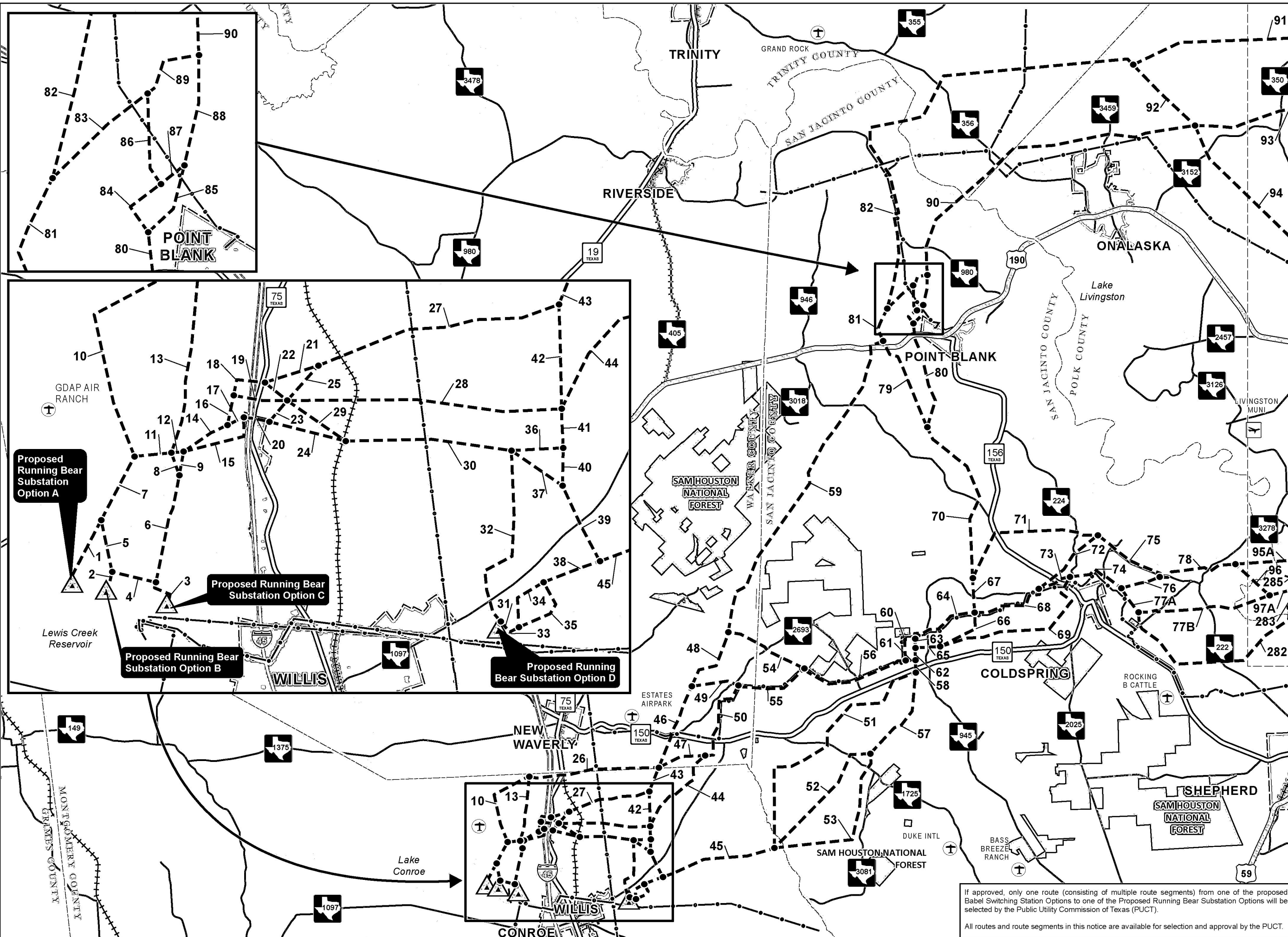
Sincerely,

A handwritten signature in black ink, appearing to read "Stuart Barrett", with a stylized flourish at the end.

Stuart Barrett
Vice President, Customer Service

SETEX AREA RELIABILITY
PROJECT
PRELIMINARY ALTERNATIVE
ROUTE SEGMENTS
SHEET 1 OF 3

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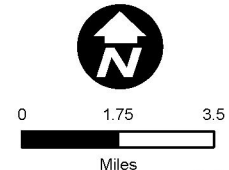
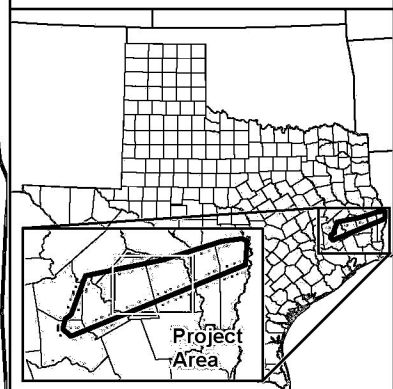
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PROJECT
PRELIMINARY ALTERNATIVE
ROUTE SEGMENTS

SHEET 2 OF 3

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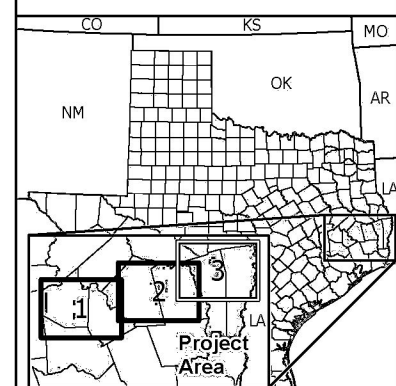
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SETEX AREA RELIABILITY
PROJECT

PRELIMINARY ALTERNATIVE
ROUTE SEGMENTS

SHEET 3 OF 3

- | | |
|--|---|
| | Project Station |
| | Preliminary Alternative Segment, Node, and ID |
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Miles



Date: 3/25/2024

If approved, only one route (consisting of multiple route segments) from one of the proposed Babel Switching Station Options to one of the Proposed Running Bear Substation Options will be selected by the Public Utility Commission of Texas (PUCT).

All routes and route segments in this notice are available for selection and approval by the PUCT.

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