



**US Army Corps
of Engineers**®
Memphis District

ISSUE DATE: November 23, 2022

EXPIRATION DATE: December 7, 2022

PUBLIC NOTICE

**U.S. Army Corps of Engineers
Memphis District**

U.S.C. Chapter 33, Section 408 Permission Evaluation

TITLE: Section 408 Permission Evaluation for Atmos Energy Corporation Replacement of Natural Gas Pipeline Crossing at the North Fork Obion River, Obion County, Tennessee

INTRODUCTION: The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers (USACE) federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408. Atmos Energy Corporation has requested to route a natural gas line using an existing crossing under the North Fork of the Obion River via horizontal directional drill (HDD), near Union City, Obion County, Tennessee (Figure 1).

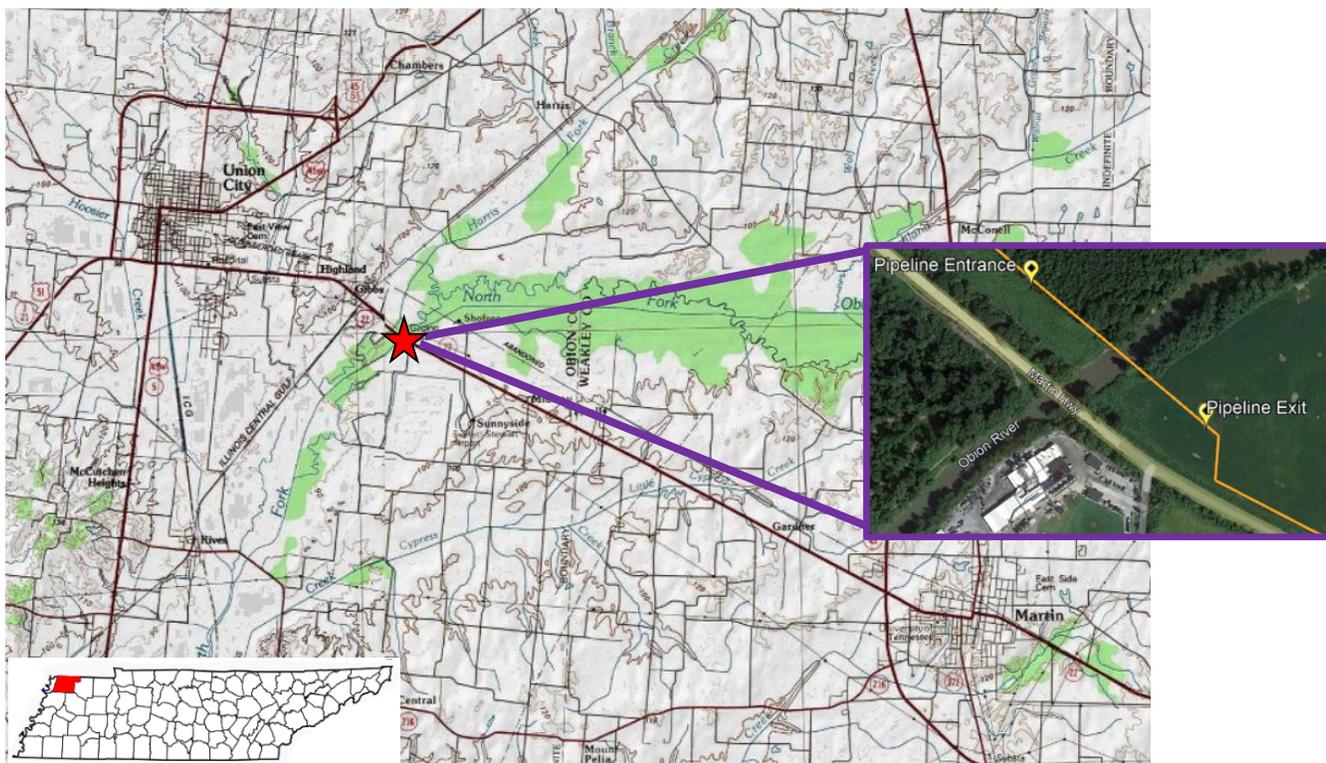


Figure 1. Proposed Horizontal Directional Drilling location for natural gas pipeline replacement at North Fork Obion River (Hwy 431 crossing), Obion County, Tennessee.

PROJECT DESCRIPTION: Section 408 authorizes USACE to grant permission for the alteration or occupation or use of the project if USACE determines that the activity will not be injurious to the public

interest and will not impair the usefulness of the project. The West Tennessee Tributaries Project, the federally authorized civil works project proposed for alteration, provides for managing flood risks across eight counties in west Tennessee. Atmos Energy Corporation (Atmos) is updating an existing 4-inch steel natural gas pipeline with 36,100 feet of 8-inch steel pipeline and 6,500 feet of High Density Polyethylene pipe in Obion and Weakley Counties, Tennessee. The pipeline will supply natural gas to Union City; it will run northwest to southeast, from Union City to an existing substation near the intersection of Tennessee State Route 431 and Cypress Creek Road. The proposed pipeline will cross the North Fork of the Obion River north of the Highway 431 bridge. Atmos' proposed request involves using a HDD near to an existing Tennessee Valley Authority (TVA) river crossing to route the pipeline under the North Fork of the Obion River. For this pipeline update, Atmos will use bore pits on either side of the river to complete an approximately 700-foot bore from start to finish at 15-feet below the bottom of the river depth. The proposed project site would be accessed via permanent easements, temporary construction easements, and associated workspace areas for equipment and material laydown. Temporary erosion and sediment control measures would be implemented during excavation activities, and affected areas would be mitigated or restored to their prior state.

ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review should be limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration. The proposed project meets criteria set forth in Nationwide Permit 12, Oil or Natural Gas Pipeline Activities. Atmos has applied for a Section 404(b)(1) permit from the Memphis USACE Regulatory Branch for proposed impacts from HDD to wetlands near the west bank of the North Fork Obion River. Atmos has also applied for an Aquatic Resources Alteration Permit from the Tennessee Department of Environmental Quality. This proposed project would affect no known historic properties, and no impacts to cultural resources are anticipated. The project is also anticipated to have no adverse effects to any federally listed endangered or threatened species or their critical habitats, pursuant to the Endangered Species Act. The decision on this Section 408 request is being analyzed in accordance with NEPA and is limited to the Section 408 boundaries described herein.

PUBLIC INTEREST REVIEW: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; Native American tribes; and other interested parties. Comments received within 15 days of publication will be used in the evaluation of potential impacts of the proposed action on important resources. All comments will be considered in preparing environmental documentation pursuant to NEPA. USACE has jurisdiction under 33 USC 408, only over the specific activities that have the potential to alter existing USACE projects. Please limit comments to the area of the alteration and those adjacent areas that are directly or indirectly affected by the alteration to the federally authorized civil works project described herein. **Comments may be submitted to Kristina.L.Mitchell@usace.army.mil and should be received by December 7, 2022.**

Sincerely,



Edward P. Lambert
Chief, Environmental Compliance Branch,
Regional Planning and Environmental Division South