

FINDING OF NO SIGNIFICANT IMPACT TENNESSEE VALLEY AUTHORITY

PROPOSED SECTION 31 PUBLIC AUCTION FOR SUBSTATION CONSTRUCTION, PERMANENT EASEMENT FOR NEW TRANSMISSION LINE, AND SECTION 26a APPROVAL FOR FILL – BLUE RIDGE MOUNTAIN ELECTRIC MEMBERSHIP CORPORATION TOWNS COUNTY, GEORGIA

At the request of Blue Ridge Mountain Electric Membership Corporation (BRMEMC), the Tennessee Valley Authority (TVA) proposes to sell at public auction pursuant to Section 31 of the *TVA Act* approximately 1.4 acres of the 9.4-acre TVA Tract XCHR-12R (also known as Parcel 52) on Chatuge Reservoir and to grant the successful bidder a permanent easement on approximately 0.2 acre of Parcel 52 and approval under Section 26a of the *TVA Act* for placement of fill material within the floodplain on Parcel 52. These actions have been requested by BRMEMC to facilitate its construction and operation of a new electrical substation. BRMEMC is experiencing increased demands for electric power and anticipates that the demands will exceed its transmission and distribution system's capacity in June 2009. The substation BRMEMC has proposed to construct on Chatuge Parcel 52 would address this capacity expansion need.

The potential effects of the proposed land use and permitting actions, as well as the resulting construction and operation of the proposed substation and a short length of connecting transmission line on Parcel 52, have been evaluated in an environmental assessment (EA) prepared by TVA; this EA is incorporated by reference. The EA evaluated two alternatives in detail: (1) the No Action Alternative, under which TVA would not sell at public auction the 1.4 acres of land that would be used to construct a substation nor would TVA grant a 0.2-acre permanent easement for the construction of a new transmission line or Section 26a approval for the placement of fill material within the floodplain, and (2) the Action Alternative, under which TVA would sell at a Section 31 public auction 1.4 acres of land that would be used to construct a substation and would grant the successful bidder a 0.2-acre permanent easement for the construction of a new transmission line and Section 26a approval for the placement of fill material within the floodplain.

The EA concludes that the proposal would not cause impacts to navigation, drinking water supply, minority or low-income populations, wetlands, aquatic ecology, or natural areas. There would be no impacts to endangered or threatened species or species of conservation concern, and impacts to other wildlife and vegetation would be insignificant. Construction of the substation and new transmission line would create a transient and temporary insignificant impact on traffic. Noise-related impacts resulting from the proposal also would be insignificant. The proposed action would result in a change of land use for a portion of Parcel 52 from agricultural and natural resource conservation to industrial; this change would not adversely affect surrounding land uses. The remainder of Parcel 52 would continue to be available for agricultural and natural resource conservation uses, as well as any potential future recreational uses. The proposed action would not affect recreation. Potential adverse visual impacts of the substation would be mitigated by the installation and maintenance of vegetative screening; with this mitigation, impacts to visual resources would be insignificant. The impacts to groundwater,

hazardous waste generation, prime farmland, water quality, and socioeconomics would also be insignificant. The proposal is consistent with Executive Order (EO) 11988 on floodplain management. TVA determined that the proposal would not adversely affect historic properties listed in or eligible for the National Register of Historic Places, and the Georgia State Historic Preservation Officer concurred with this determination.

TVA has determined that there will be insignificant cumulative impacts associated with selling the requested land and granting a permanent easement and Section 26a approval. TVA also reviewed the cumulative impacts of the upgraded transmission line in its entirety. The TVA Natural Heritage database indicated that no wetlands, endangered or threatened species, or species of conservation concern would be impacted by the transmission line upgrade. Because the upgraded transmission line would be located in either the existing BRMEMC or highway rights-of-way, there would be no or insignificant cumulative impacts to land use, floodplains, recreation, prime farmland, terrestrial ecology, aquatic ecology, water quality, socioeconomics, visual resources, and navigation. The potential for eligible archaeological sites to be present within the rights-of-way is low due to previous disturbance. In sections where the transmission line deviates from the highway right-of-way, the potential to affect archaeological sites would increase.

BRMEMC's proposed action was the subject of a public notice issued by TVA on April 29, 2008, in response to which TVA received comments from 12 stakeholders and one county commissioner. As of September 29, 2008, a total of 128 stakeholders commenting on the Mountain Reservoirs Land Management Plan and associated draft environmental impact statement provided comments pertaining to the BRMEMC proposal. The draft EA associated with the BRMEMC proposal was released for public comment on October 22, 2008. An open house-style public meeting was held November 13, 2008. During the public meeting, 113 people registered in attendance, and 47 comments were submitted. The public comment period on the draft EA officially closed on November 24, 2008, and TVA received a total of 58 comments. The majority of these comments were opposed to TVA's proposed actions, and TVA has addressed all of the comments in the EA.

Mitigation and Permit Conditions

Development Commitments

The following development commitments would be required of the successful bidder for the development on the approximately 1.4-acre portion of Parcel 52. TVA evaluated the proposal to auction this portion of Parcel 52 based on the premise that the property would be developed for electrical substation purposes.

- The use of the property is limited to one use—electrical power substation only. TVA has the right to reenter and take possession of the property if it is used for any other purpose.
- TVA has the right to buy back the property at cost plus an annual inflation rate if the successful bidder wishes to sell the property.
- Grantee will be required to invest no less than \$2,000,000 in the property in support of electrical power substation use within one year.

Environmental Commitments

Under the Action Alternative, TVA would require the successful bidder to comply with all applicable federal, state, and local regulations. In addition to the use of construction-related best management practices, permit conditions and mitigation measures would be required. The general and standard Section 26a permit conditions are located in Attachment I of the EA. The following nonroutine measures would reduce the potential for adverse environmental effects. The measures, at a minimum, would be listed as additional conditions in the Section 26a permit.

- The applicant will comply with applicable requirements for the control of oil and hazardous substance spills and install secondary containment surrounding the substation.
- A vegetative screen of mixed evergreen and deciduous shrub species will be planted at a 25-foot-minimum width around all sides of the substation. Shrubs will be 4.5 to 5 feet tall when planted and will have a mature height of 10 to 12 feet. The shrubs will be planted with a maximum spacing of 5 feet between each shrub. The vegetative screen must have a 100 percent survival rate for one year. The shrubs will not be planted within 20 feet of the proposed substation gates.
- An 8-foot-high chain link fence with dark green vinyl slats will be constructed around the substation.
- All substation, new transmission line, and associated construction lights will be fully shielded or have internal low-glare optics, such that no light will be emitted from the fixture at angles above the horizontal plane.
- Best management practices (Muncy 1999) for revegetation of disturbed lands will be implemented in the areas surrounding the fill to prevent the spread of invasive plant species.

Conclusion and Findings

TVA has assessed the potential impacts associated with the BRMEMC proposal. We conclude that, with implementation of the above-described mitigation measures and permit conditions, the proposed land actions and issuance of the Section 26a approval would not be a major federal action significantly affecting the environment. Accordingly, preparation of an environmental impact statement is not required.



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Date Signed