

FINDING OF NO SIGNIFICANT IMPACT TENNESSEE VALLEY AUTHORITY

DENNEN STEEL LAND REQUEST AND ASSOCIATED INDUSTRIAL DEVELOPMENT- YELLOW CREEK PORT

Proposed Action and Need

Tennessee Valley Authority (TVA) received a request from Dennen Steel Corporation to purchase 13.6 acres of TVA property located on Pickwick Reservoir, Tennessee-Tombigbee Mile 448.2 (right bank), Tishomingo County, Mississippi. The applicant is planning to construct a new steel coiling manufacturing facility, an adjacent office building, a vehicle parking area, and an access road, as well as install water and sewer service lines. TVA has prepared an environmental assessment (EA) of the proposed land sale and the associated industrial development. The EA is attached and incorporated by reference.

This property is adjacent to the Yellow Creek Industrial Park and is allocated in the 2002 *Pickwick Reservoir Final Environmental Impact Statement and Land Management Plan* for industrial use (Zone 5). Under the proposed action, TVA would declare surplus and authorize the sale of 13.6 acres of TVA property at a public auction in accordance with Section 31 of the *TVA Act*. This EA also addresses the planned construction of an industrial manufacturing facility, and the authorization of the sale would be dependent on the understanding that the ensuing land uses would follow the proposed construction plan as provided by Dennen Steel. TVA approval of the request would constitute an action in keeping with the Industrial (Zone 5) designated use of this parcel of TVA property.

Alternatives

In accordance with the *National Environmental Policy Act* (NEPA), TVA developed and evaluated two feasible alternatives for the proposed actions in the attached EA. These were the No Action Alternative and the Action Alternative.

Under the No Action Alternative, the TVA Board of Directors would not declare the land surplus at this time, and the land would not be sold. Consequently, the applicant would not construct the proposed industrial facility on the sale tract. If TVA were to adopt the No Action Alternative, the subject property would remain in its current condition, the proposed manufacturing facility and infrastructure would not be built, and TVA would retain ownership of the 13.6 acres. The applicant's purpose and need would not be fulfilled, and the minor positive socioeconomic benefits of the proposed facility would be foregone.

Under the Action Alternative, the TVA Board of Directors would declare 13.6 acres surplus and would authorize the sale of the land to the highest-qualified bidder at a Section 31 public auction. The proposed sale of the property and subsequent industrial development would be in accordance with plans and processes as further described and would be consistent with the designated industrial land use as specified by TVA.

The proposed action would include construction of a 50,000-square foot manufacturing facility, an adjacent office building, a vehicle parking area, and an access road, as well as installation of water and sewer service lines, and would disturb about 6 acres of the subject property. The manufacturing process would occur entirely within the facility and would include steel coil

slitting, the stamping of metal parts utilizing presses of various tonnage, and secondary operations to the stamped parts such as press brake forming or fastener insertion.

Impacts Assessment

The property proposed for sale is currently not in use, and there are no structures on the property and no evidence of former buildings or improvements. Approximately 6 acres of the 13.6-acre tract would be disturbed during construction of the proposed manufacturing facility and associated infrastructure. Implementing the Action Alternative would not affect prime or unique farmland, parks, or natural areas. Similarly, no modification to recreational opportunities, navigation, or wild and scenic rivers would be involved. Undertaking the proposed action would not result in measurable changes in visual resources, floodplains, transportation, air quality, or noise, and it would generate minor amounts of solid waste. The approval of the proposal would have minor beneficial impacts to socioeconomics in the area.

Best management practices (BMPs) such as avoiding excavation and grading during wet weather and usage of silt fences prior to any soil-disturbing activities would be implemented. Potential impacts to water quality would be minor with the implementation of prevention measures, as described in the *Mississippi Storm Water Pollution Prevention Plan Guidance Manual for Construction Activities*. Because appropriate protective measures would be followed to prevent adverse effects to water quality and instream habitat, no measurable effects to water quality and local aquatic life or their habitats are anticipated.

Although the proposed action would clear about 6 acres of the 13.6-acre site, any potential effects to wildlife or plant life would be minor. Several federally and state-listed plant and animal species are known from Tishomingo County, but no listed species or their suitable habitat occurs in the impact area. Therefore, there would be no effect to state- or federally listed endangered or threatened species.

A Phase 1 Archaeological Survey was completed on the 13.6-acre property and other nearby tracts of TVA property in the Yellow Creek Industrial Park in 2006 to determine suitability for potential development on TVA property. Based upon this survey, TVA concluded that no archaeological resources were present, and no historic structures occur on or in the immediate vicinity of the subject property. TVA determined that the proposed action would not affect historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP), and the Mississippi State Historic Preservation Officer (SHPO) concurred with this determination.

Implementation of the proposed Action Alternative would result in the clearing and fill of a 1.04-acre Category 1 wetland. Because of its low quality, TVA further determined that effects on the wetland would be insignificant and not require mitigation. The proposed action was selected as the most practicable design configuration based on engineering and environmental evaluations and coordination with the United States Army Corps of Engineers (USACE). USACE visited the wetland site and determined that it did not meet jurisdictional criteria due to a lack of continuity with the waters of the United States. Therefore, a permit to fill the wetland area would not be required, and a water quality certification from Mississippi Department of Environmental Quality would not be necessary.

Mitigation

No specific nonroutine environmental commitments or mitigation measures were identified to reduce potential environmental effects. Implementation of the routine conditions and BMPs outlined in the attached EA during construction will minimize potential environmental effects

associated with the construction and operation of the proposed manufacturing facility and the associated infrastructure.

Public and Intergovernmental Review

- TVA received concurrence from the Mississippi SHPO in a letter dated July 7, 2005, that there would be no effect to NRHP-listed or -eligible properties affected by this undertaking.
- Appropriate recognized Native American tribes were consulted concerning the proposed undertaking. TVA received no objection from any of these tribes.
- The proposed action was the subject of a public notice (see Attachment A of the EA) issued by TVA in local newspapers and on TVA's Web site. The comment period ended on March 10, 2010.
- TVA issued a second public notice requesting public comments regarding TVA's determination of no practicable alternative for wetland impacts that would occur under the Action Alternative. The notice was issued on TVA's Web site March 5, 2010, and allowed for a 14-day comment period. Any comments received will be taken into account appropriately in advance of a decision on the proposed action.

Conclusion and Findings

Adoption and implementation of the proposed action would cause no effects to any federally listed terrestrial or aquatic species or to their habitats. Thus, consultation with the United States Fish and Wildlife Service under Section 7 of the *Endangered Species Act* (ESA) was not necessary, and the proposed action complies with the ESA. There are no historic structures within the viewshed of the proposed actions. Based on field survey results, TVA has determined that the proposed undertaking would not affect any historic properties that are eligible or currently listed in the NRHP. By the SHPO's concurrence with this "no effect" finding, TVA's obligations under Section 106 of the *National Historic Preservation Act* have been satisfied. No placement of fill within the floodplain would be necessary, and proposed actions would not affect floodplain values or functions adversely. Implementation of the Action Alternative would be consistent with Executive Order (EO) 11988, Floodplain Management. The proposal involves the fill of a 1.04-acre nonjurisdictional wetland. Based on the engineering and environmental evaluations, in accordance with EO 11990, Protection of Wetlands, TVA has determined that there is no practicable alternative to the proposed construction in the wetland.

Based on the findings of the EA, TVA has concluded that the authorization of the sale of 13.6 acres of TVA property and subsequent construction of a steel coil manufacturing facility would not result in significant adverse impacts to the environment. The proposed action is not a major federal action significantly affecting the quality of the environment. Accordingly, an environmental impact statement is not required.



3/10/10

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Date Signed