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## Categorical Exclusion Checklist Information about CEC 20339

NEPA User:  
Kenneth P Parr

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<b>Checklist Preparer</b>	Lesley M. White	
<b>Date Started</b>	04/15/2009	
<b>Initiating Organization</b>	OE&R - Environmental Stewardship & Policy	
<b>Initiating Org Tracking ID</b>	RLR183453	
<b>ALIS ID(s)</b>	183453	
<b>Project Initiator/Manager</b>	Lesley M. White	
<b>Project Title</b>	Easement Category RLR183453 Gerald F. Nicely Guntersville Reservoir	
<b>Description of Proposed Action</b>	TDOT is requesting a permanent easement across approximately 15.4 acres of TVA land in order to increase safety for the entry/exit ramps from I-24 to Hwy 72 in Kimball, TN. This will require an allocation change from industrial use to project operations. The proposal involves extensive excavation and fill, flood control, and wetland mitigation. Applicant(s): Gerald F. Nicely Suite 700, James K. Polk Building Nashville TN 37243 Tennessee Department of Transportation Environmental Division Suite 600 J. K. Polk Building 505 Deaderick Street Nashville TN 37243-0337	
<b>TVA Facility</b>	Guntersville-Tims Ford Watershed Team	
<b>Location Description</b>	County, State: MARION, TN Land Tract(s): XT GR 181 F Map Sheet(s): 100 SW Quad Sheet 99 C/D Stage Streams(s): Battle Cr Tennessee R RM 418 R	
<b>Primary Media Expert Reviewer(s)</b>	Ella C. Guinn (Tina) * Roger A. Milstead Raymond J Moore Lesley M. White	complete 04/16/2009 complete 05/14/2009 complete 01/07/2010 complete 01/11/2010
<b>Secondary Media Expert Reviewer(s)</b>	James R. Hagerman Kim Pilarski-Brand Erin E. Pritchard	complete 05/13/2009 complete 05/18/2009 ongoing
<b>Review/Concurrence</b>	Mary A McBryar Lesley M. White	signed 01/11/2010 signed 01/11/2010
<b>Additional Closer</b>	Preparer Only	
<b>Due Date</b>	05/15/2009	
<b>Business Sensitive</b>	No	

**CEC Status**

**Closed on 01/11/2010, EA Created**

\* Denotes reviewer who coordinates secondary media reviewers

## Categorical Exclusion Checklist for Proposed TVA Actions

Categorical Exclusion Number Claimed	Organization ID Number RLR183453	Tracking Number (NEPA Administration Use Only) 20339
Form Preparer Lesley M. White	Project Initiator/Manager Lesley M. White	Business Unit OE&R - Environmental Stewardship & Policy
Project Title Easement Category RLR183453 Gerald F. Nicely Guntersville Reservoir		Hydrologic Unit Code
Description of Proposed Action (Include Anticipated Dates of Implementation) <input checked="" type="checkbox"/> Continued on Page 3 (if more than one line) For Proposed Action See Attachments and References		
Initiating TVA Facility or Office Guntersville-Tims Ford Watershed Team	TVA Business Units Involved in Project	
Location (City, County, State) For Project Location see Attachments and References		

Parts 1 through 4 verify that there are no extraordinary circumstances associated with this action:

### Part 1. Project Characteristics

Is there evidence that the proposed action---	No	Yes	Information Source
1. Is major in scope?	X		White L. M. 05/19/2009
2. Is part of a larger project proposal involving other TVA actions or other federal agencies?	X		For comments see attachments
*3. Involves non-routine mitigation to avoid adverse impacts?	X		For comments see attachments
4. Is opposed by another federal, state, or local government agency?	X		White L. M. 05/19/2009
*5. Has environmental effects which are controversial?	X		White L. M. 05/19/2009
*6. Is one of many actions that will affect the same resources?	X		White L. M. 05/19/2009
7. Involves more than minor amount of land?	X		For comments see attachments

\* If "yes" is marked for any of the above boxes, consult with NEPA Administration on the suitability of this project for a categorical exclusion.

### Part 2. Natural and Cultural Features Affected

Would the proposed action---	No	Yes	Permit	Commitment	Information Source for Insignificance
1. Potentially affect endangered, threatened, or special status species?		X	No	No	For comments see attachments
2. Potentially affect historic structures, historic sites, Native American religious or cultural properties, or archaeological sites?	X		No	No	For comments see attachments
3. Potentially take prime or unique farmland out of production?	X		No	No	White L. M. 05/19/2009
4. Potentially affect Wild and Scenic Rivers or their tributaries?	X		No	No	White L. M. 05/19/2009
5. Potentially affect a stream on the Nationwide Rivers Inventory?	X		No	No	White L. M. 05/19/2009
6. Potentially affect wetlands, water flow, or stream channels?		X	Yes	No	For comments see attachments
7. Potentially affect the 100-year floodplain?		X	No	No	For comments see attachments
8. Potentially affect ecologically critical areas, federal, state, or local park lands, national or state forests, wilderness areas, scenic areas, wildlife management areas, recreational areas, greenways, or trails?	X		No	No	White L. M. 05/19/2009
9. Contribute to the spread of exotic or invasive species?		X	No	No	For comments see attachments
10. Potentially affect migratory bird populations?	X		No	No	Moore R. J. 05/04/2009
11. Involve water withdrawal of a magnitude that may affect aquatic life or involve interbasin transfer of water?	X		No	No	White L. M. 05/19/2009
12. Potentially affect surface water?		X	No	No	For comments see attachments
13. Potentially affect drinking water supply?	X		No	No	White L. M. 05/19/2009
14. Potentially affect groundwater?	X		No	No	White L. M. 05/19/2009
15. Potentially affect unique or important terrestrial habitat?	X		No	No	Moore R. J. 05/04/2009
16. Potentially affect unique or important aquatic habitat?		X	No	No	For comments see attachments

### Part 3. Potential Pollutant Generation

Would the proposed action potentially (including accidental or unplanned)---	No	Yes	Permit	Commitment	Information Source for Insignificance
1. Release air pollutants?	X		No	No	White L. M. 05/19/2009
2. Generate water pollutants?	X		No	No	White L. M. 05/19/2009
3. Generate wastewater streams?	X		No	No	White L. M. 05/19/2009
4. Cause soil erosion?		X	Yes	Yes	For comments see attachments
5. Discharge dredged or fill materials?	X		No	No	For comments see attachments
6. Generate large amounts of solid waste or waste not ordinarily generated?	X		No	No	White L. M. 05/19/2009
7. Generate or release hazardous waste (RCRA)?	X		No	No	White L. M. 05/19/2009
8. Generate or release universal or special waste, or used oil?	X		No	No	White L. M. 05/19/2009
9. Generate or release toxic substances (CERCLA, TSCA)?	X		No	No	White L. M. 05/19/2009
10. Involve materials such as PCBs, solvents, asbestos, sandblasting material, mercury, lead, or paints?	X		No	No	White L. M. 05/19/2009
11. Involve disturbance of pre-existing contamination?	X		No	No	White L. M. 05/19/2009
12. Generate noise levels with off-site impacts?	X		No	No	White L. M. 05/19/2009
13. Generate odor with off-site impacts?	X		No	No	White L. M. 05/19/2009
14. Produce light which causes disturbance?	X		No	No	White L. M. 05/19/2009
15. Release of radioactive materials?	X		No	No	White L. M. 05/19/2009
16. Involve underground or above-ground storage tanks or bulk storage?	X		No	No	White L. M. 05/19/2009
17. Involve materials that require special handling?	X		No	No	White L. M. 05/19/2009

### Part 4. Social and Economic Effects

Would the proposed action---	No	Yes	Commitment	Information Source for Insignificance
1. Potentially cause public health effects?	X		No	White L. M. 05/19/2009
2. Increase the potential for accidents affecting the public?	X		No	White L. M. 05/19/2009
3. Cause the displacement or relocation of businesses, residences, cemeteries, or farms?	X		No	White L. M. 05/19/2009
4. Contrast with existing land use, or potentially affect resources described as unique or significant in a federal, state, or local plan?	X		No	For comments see attachments
5. Disproportionately affect minority or low-income populations?	X		No	White L. M. 05/19/2009
6. Involve genetically engineered organisms or materials?	X		No	White L. M. 05/19/2009
7. Produce visual contrast or visual discord?	X		No	White L. M. 05/19/2009
8. Potentially interfere with recreational or educational uses?	X		No	White L. M. 05/19/2009
9. Potentially interfere with river or other navigation?	X		No	White L. M. 05/19/2009
10. Potentially generate highway or railroad traffic problems?	X		No	For comments see attachments

### Part 5. Other Environmental Compliance/Reporting Issues

Would the proposed action---	No	Yes	Commitment	Information Source for Insignificance
1. Release or otherwise use substances on the Toxic Release Inventory list?	X		No	White L. M. 05/19/2009
2. Involve a structure taller than 200 feet above ground level?	X		No	White L. M. 05/19/2009
3. Involve site-specific chemical traffic control?	X		No	White L. M. 05/19/2009
4. Require a site-specific emergency notification process?	X		No	White L. M. 05/19/2009
5. Cause a modification to equipment with an environmental permit?	X		No	White L. M. 05/19/2009
6. Potentially impact operation of the river system or require special water elevations or flow conditions??	X		No	White L. M. 05/19/2009
7. Involve construction of a new building or renovation of existing building (i.e., major changes to lighting, HVAC, and/or structural elements of building of 2000 sq. ft or more) on which TVA will pay/pays the utilities??	X		No	White L. M. 05/19/2009

Parts 1 through 4: If "yes" is checked, describe in the discussion section following this form why the effect is insignificant. Attach any conditions or commitments which will ensure insignificant impacts. Use of non-routine commitments to avoid significance is an indication that consultation with NEPA Administration is needed.

An  EA or  EIS will be prepared.

Based upon my review of environmental impacts, the discussions attached, and/or consultations with NEPA Administration, I have determined that the above action does not have a significant impact on the quality of the human environment and that no extraordinary circumstances exist. Therefore, this proposal qualifies for a categorical exclusion under Section 5.2. \_\_\_\_\_ of TVA NEPA Procedures.

Project Initiator/Manager Lesley M. White		Date 01/11/2010
TVA Organization RSOE-ESP	E-mail lmwhite@tva.gov	Telephone

**Site Environmental Compliance Reviewer****Final Review/Closure**

\_\_\_\_\_  
Signature

Lesley M. White

01/11/2010

\_\_\_\_\_  
Signature**Other Review Signatures (as required by your organization)**

Mary A McBryar  
\_\_\_\_\_  
Signature

01/11/2010

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature**Attachments/References**

## Description of Proposed Action

TDOT is requesting a permanent easement across approximately 15.4 acres of TVA land in order to increase safety for the entry/exit ramps from I-24 to Hwy 72 in Kimball, TN. This will require an allocation change from industrial use to project operations. The proposal involves extensive excavation and fill, flood control, and wetland mitigation. Applicant(s): Gerald F. Nicely Suite 700, James K. Polk Building Nashville TN 37243 Tennessee Department of Transportation Environmental Division Suite 600 J. K. Polk Building 505 Deaderick Street Nashville TN 37243-0337

## Project Location

County, State: MARION, TN Land Tract(s): XT GR 181 H Map Sheet(s): 100 SW Quad Sheet 99 C/D Stage Streams(s): Battle Cr Tennessee R

CEC General Comment Listing

1. This project received Core Team concurrence for an EA level of review on May 6, 2009  
By: Mary A McBryar 05/19/2009
2. The T&E species list provided for this CEC was erroneous (wrong county). The proper information has been supplied to Ken Parr in preparing the EA. CEC reopened and closed by J. F. Williamson on 12/11/09 to document the error.  
By: James F. Williamson 12/11/2009
3. Pre-award form  
By: ALIS Added Comment  
Files: Pre-award-form.pdf 10/17/2008 260,955 Bytes
4. Easement drawings  
By: ALIS Added Comment  
Files: easement\_drawings.pdf 10/17/2008 2,642,432 Bytes
5. permit drawings  
By: ALIS Added Comment  
Files: MAUS72\_Permit\_Sketches\_08012008.pdf 10/17/2008 2,450,554 Bytes
6. Land Disposal Attachment  
By: ALIS Added Comment  
Files: application.pdf 10/17/2008 619,389 Bytes
7. Cover letter for application  
By: ALIS Added Comment  
Files: Cover\_letter.pdf 10/17/2008 171,296 Bytes
8. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Working\_Vicinity\_Map.pdf 04/10/2009 208,162 Bytes
9. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Working\_exhibit.pdf 04/10/2009 610,298 Bytes
10. Land Disposal Attachment  
By: ALIS Added Comment  
Files: TDOT\_Kimball\_easements2.pdf 04/10/2009 333,718 Bytes
11. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract1\_appraisal\_report1.pdf 04/10/2009 2,753,005 Bytes
12. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract1\_appraisal\_report2.pdf 04/10/2009 1,280,006 Bytes
13. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract1\_appraisal\_report3.pdf 04/10/2009 2,714,379 Bytes
14. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract1\_appraisal\_report4.pdf 04/10/2009 2,448,683 Bytes
15. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract2\_appraisal\_report1.pdf 04/10/2009 2,749,530 Bytes
16. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract2\_appraisal\_report2.pdf 04/10/2009 2,728,490 Bytes
17. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Tract2\_appraisal\_report3.pdf 04/10/2009 2,228,704 Bytes

CEC General Comment Listing

18. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Photos1.pdf 04/10/2009 416,804 Bytes
19. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Photos2.pdf 04/10/2009 434,681 Bytes
20. Land Disposal Attachment  
By: ALIS Added Comment  
Files: FIC.pdf 04/10/2009 540,360 Bytes
21. Land Disposal Attachment  
By: ALIS Added Comment  
Files: image2009-04-16-170520.pdf 04/16/2009 571,277 Bytes
22. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Flood\_storage\_mitigation\_plan.pdf 04/23/2009 717,270 Bytes
23. Land Disposal Attachment  
By: ALIS Added Comment  
Files: cross\_section\_culverts.pdf 04/23/2009 655,508 Bytes
24. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Cultural resources documents, PIN 102236.00.pdf 05/21/2009 621,734 Bytes
25. Land Disposal Attachment  
By: ALIS Added Comment  
Files: updated ecology information, PIN 102236.00.pdf 05/21/2009 82,297 Bytes
26. Land Disposal Attachment  
By: ALIS Added Comment  
Files: EcologyInformationPIN102236.00\_1.pdf 05/21/2009 2,819,512 Bytes
27. Land Disposal Attachment  
By: ALIS Added Comment  
Files: EcologyInformationPIN102236.00\_2.pdf 05/21/2009 1,424,393 Bytes
28. Land Disposal Attachment  
By: ALIS Added Comment  
Files: EcologyInformationPIN102236.00\_3.pdf 05/21/2009 2,594,842 Bytes
29. Title Report Attached  
By: ALIS Added Comment  
Files: titlerpt.doc 07/10/2009 31,744 Bytes
30. No Realty CERCLA required for this action.  
By: ALIS Added Comment  
Files: No Realty CERCLA.doc 07/10/2009 19,968 Bytes
31. Land Disposal Attachment  
By: ALIS Added Comment  
Files: PublicNotice2009-81.pdf 11/20/2009 1,885,911 Bytes
32. Land Disposal Attachment  
By: ALIS Added Comment  
Files: Estimated\_Admin\_Costs.xls 01/29/2010 65,536 Bytes

CEC Comment Listing

Part 1 Comments

CEC Comment Listing

2. This will be covered in the EA review.  
By: Lesley M. White 05/19/2009
3. This will be covered in the EA review.  
By: Lesley M. White 05/19/2009
7. This will be covered in the EA review.  
By: Lesley M. White 05/19/2009

Part 2 Comments

1. The following federally listed species have been identified within Marion County, TN: One bird (*Haliaeetus leucocephalus*), one fish (*Percina tanasi*), two mammals (*Myotis grisescens* and *Myotis sodalis*), six mussels (*Toxolasma cylindrella*, *Dromus dromas*, *Lampsilis abrupta* (= *Lampsilis orbiculata*), *Pleurobema plenum*, *Plethobasus cooperianus*, and *Plethobasus cicatricosus*), two snails (*Atheurina anthonyi*, and *Marstonia ogmoraphe*), and four plants (*Scutellaria montana*, *Asplenium scolopendrium*, *Apios priceana*, and *Platanthera integrilabia*). There are six federally protected species and seven state protected species known to occur within a five mile radius of the proposed project. Due to the close proximity of protected aquatic species within the proposed project vicinity, a further review from a TVA heritage aquatic specialist will be needed. 12/14/09  
By: Raymond J Moore 12/14/2009
1. Coordination with TVA heritage aquatic specialist will occur with the environmental assessment that is being prepared for the project.  
By: Lesley M. White 01/11/2010
2. This will be covered in the EA review.  
By: Lesley M. White 05/19/2009
6. Review of project plans and discussion with TVA project staff indicates this CEC will be moved to an EA level review. The EA will provide detailed analysis of wetland impacts and associated wetland mitigation.  
By: Kim Pilarski-Brand 05/18/2009
6. There are documented wetlands found on the south and southwest portions of I-24 adjacent to the proposed project site. Recommendations would be to have TVA wetland biologists review potential impacts for the proposed action.  
By: Raymond J Moore 05/04/2009
7. The proposed permanent easement is needed for highway construction, portions of which are located within the limits of the 100-year floodplain. Consistent with Executive Order 11988, highway construction is considered to be a repetitive action in the floodplain. Based on information provided by the Tennessee Department of Transportation, material will be excavated from TVA property in the project area to offset the fill material required for construction. Therefore, there would be no loss of flood control storage which would comply with the TVA Flood Control Storage Loss Guideline. From the standpoint of Flood Control, we have no objection to the permanent easement provided the following conditions are included in the final CEC and any transfer document(s): 1. Any future facilities or equipment subject to flood damage are located above the 500-year flood elevation 619.4. 2. Any future development proposed within the limits of the 100-year floodplain, elevation 614.5 is consistent with the requirements of Executive Order 11988. 3. All future development is consistent with the requirements of TVA's Flood Control Storage Loss Guideline. 4. You are advised that TVA retains the right to flood this area and that TVA will not be liable for damages resulting from flooding.  
By: Roger A. Milstead 05/14/2009
9. There is always the potential for the spread of exotic or invasive species when material is brought in from an off-site location. The applicant should be made aware of this potential and take the appropriate measures if exotic or invasive species are identified. Recommendations would be for the applicant to implement exotic and invasive control if permit is awarded for easement to ensure other adjacent public properties are not impacted by exotic and invasive vegetation in the future.  
By: Raymond J Moore 05/04/2009
12. Standard conditions 5c, 6a, 6d, 6e, 6g, and 6i will apply.  
By: Raymond J Moore 05/04/2009

CEC Comment Listing

16. Project review by a TVA heritage aquatic specialist will determine any affect to habitat. 12/14/09  
By: Raymond J Moore 12/14/2009

Part 3 Comments

4. Minimal impacts are anticipated with application of standard Best Management Practices  
By: James R. Hagerman 05/13/2009
5. This will be covered in the EA review.  
By: Lesley M. White 05/19/2009

Part 4 Comments

4. This will be covered in the EA review.  
By: Lesley M. White 05/19/2009
10. This will be covered by the EA review.  
By: Lesley M. White 05/19/2009

CEC Permit Listing

Part 2 Permits

6. Section 404 Permit (404 Clean Water Act)  
By: Kim Pilarski-Brand 05/18/2009
6. Aquatic Resource Alteration Permit  
By: Kim Pilarski-Brand 05/18/2009

Part 3 Permits

4. Stormwater Discharge Permit  
By: James R. Hagerman 05/13/2009

CEC Commitment Listing

Part 3 Commitments

4. Best Management and Best Engineering Practices will be used to prevent the introduction of soil or any other pollutants into the stream.  
By: James R. Hagerman 09/17/2009