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**CITY OF LAKESITE RECREATION EASEMENT AND
WATER USE FACILITIES
DRAFT ENVIRONMENTAL ASSESSMENT**
Hamilton County, Tennessee

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Symbols, Acronyms, and Abbreviations

APE	Area of Potential Effect
HPA	Habitat Protection Area
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
SHPO	State Historic Preservation Office(r)
TDEC	Tennessee Department of Environment and Conservation
TVA	Tennessee Valley Authority
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service

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CHAPTER 1 – PURPOSE AND NEED FOR ACTION

1.1 Background

The City of Lakesite, Tennessee (“City”) has requested from the Tennessee Valley Authority (TVA) the use of an approximately 49-acre tract on Chickamauga Reservoir to develop a public park. A vicinity map is provided as Figure 1-1. The subject property, identified as Tract XTCR-211RE (see Figure 1-2), is owned by the United States and under the control of TVA. The City requested a 30-year easement on the tract and approval under Section 26a of the TVA Act for the construction of water use facilities (a fishing pier, canoe/kayak launch, and a pedestrian bridge) associated with the proposed park and for the placement of approximately 200 linear feet of riprap for bank stabilization.

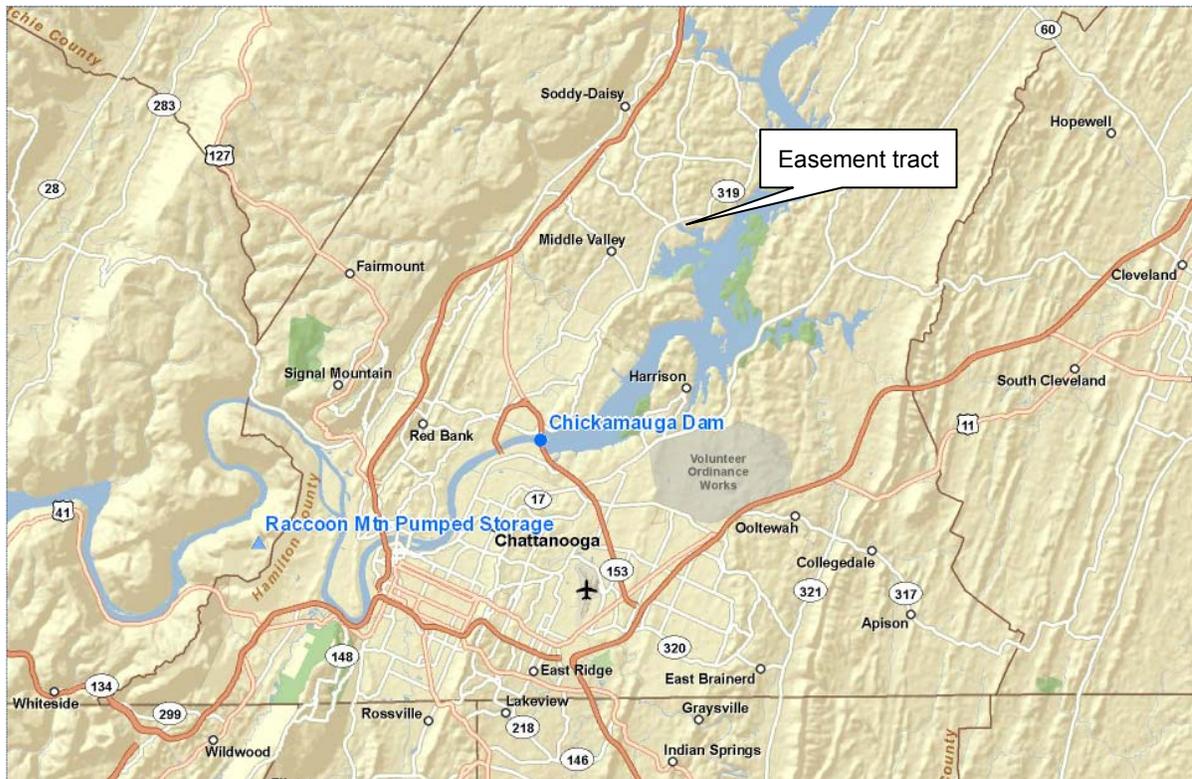


Figure 1-1. Vicinity Map of the Proposed Easement Tract

The City has also requested the United States Army Corps of Engineers (USACE) to issue necessary permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 for the construction of a dock on waters of the United States and a permit under Section 404 of the Clean Water Act for the discharge of fill material associated with the placement of riprap and the installation of the canoe/kayak launch. A USACE permit is not required for the pedestrian bridge.



Figure 1-2. Aerial View of Tract XTCR-211RE

Actions Proposed by the City

The City proposes to establish a public park with minimal disturbance to the existing natural state of the tract or to the neighboring area. The proposed park would be a day-use facility that would provide opportunities for picnicking, fishing, bird watching, short nature walks, Frisbee golf, and limited water access. All park facilities would be constructed consistent with the requirements of the Americans with Disabilities Act. Park development would occur in two phases. Initial development in Phase I would consist of providing utilities (electricity, water and sewer) to the site, grading and graveling the existing access road, and constructing gravel sidewalks and parking lots for approximately 30 vehicles. Four additional parking places would be created for handicapped use. Utilities would connect to existing utilities running along Hixson Pike. Onsite, these utilities would be buried, either in the access road bed or along the road to provide access. Additional Phase I activities would include the creation of a playground and construction of a picnic pavilion with restroom facilities. These features would be located near the waterfront area. A primitive hiking trail would wind through the wooded eastern portion of the tract. A gate and signage would be erected at the entrance on Hixson Pike (State Route 319). The City would supplement its existing contract with the Hamilton County Sheriff's Department to patrol the park and lock the gate at dusk. Water-based amenities to be developed in the first phase include a canoe/kayak launch, a fishing pier, bank stabilization, and a pedestrian bridge and elevated walkway. These proposed actions are described below. The conceptual plan is provided as Figure 1-3.

- Canoe/kayak ramp - The proposed canoe/kayak ramp would be constructed using a mat of interconnected concrete blocks. The ramp would extend into the water and would be approximately 10 feet wide. Signage would indicate that launching would be restricted to canoes, kayaks, and other small craft launched manually. Launching boats using vehicles would be prohibited.

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- Fishing pier - The proposed “T-shaped” fishing pier would extend approximately 50 feet from the shoreline and have a deck platform with dimensions of 70 feet by 10 feet. A 10-foot wide walkway would connect the main platform to the shoreline. The fishing pier deck elevation would be approximately two feet higher than the normal summer pool elevation of Chickamauga Reservoir.
 - Shoreline stabilization - Proposed shoreline stabilization would consist of rock-filled gabions (wire baskets) imbedded into the bank at the normal summer pool waterline. These gabions would be placed along approximately 200 feet of the shoreline at the proposed fishing pier.
 - Pedestrian bridge and walkway - The City proposes to construct a pedestrian bridge over an unnamed tributary to Dallas Bay. This bridge would require TVA Section 26a approval. An additional pedestrian elevated walkway, also subject to Section 26a approval, would be constructed near the pedestrian bridge to avoid potential effects to wetlands. The proposed bridge does not require a USACE permit because it does not involve the discharge of fill material into wetland areas.

Phase II development plans consist of paving the access road and adding additional restroom facilities, pavilions, a playground, and trails (see Figure 1-3). The actual amount of such proposed improvements would depend on public usage and the availability of funding. Because these activities would not occur on the waterfront, they are unlikely to require Section 26a approval or USACE permits. Thus, the need for additional permits from USACE or Section 26a approvals by TVA is not likely.

Development of the proposed park would require removal of approximately 45 trees having diameters of 6 inches or greater. Approximately 70 dead pine trees onsite would be felled and chipped. The chips would be used for landscaping purposes. Additionally, the City would remove invasive privet in the area along Hixson Pike to create open areas.

The potential environmental effects of constructing, operating, and maintaining the proposed facilities shown in Figure 1-3 were considered in this environmental review. However, any additional proposed facilities not identified in Figure 1-3, facilities requiring Section 26a approval, and any facilities not related to the development or enhancement of the tract for public recreation would be subject to further TVA review and approval.

1.2 Decisions to be Made

TVA will decide whether to grant the request for the easement, approve the construction of the proposed onsite facilities, and issue the requested Section 26a approvals. The City could not proceed with the recreation development without securing the requested easement and approvals from TVA. The decision before USACE is whether to issue the requested permits for the proposed fishing dock, canoe/kayak launch, and bank stabilization.

1.3 Related Environmental Reviews and Documentation

TVA prepared the *Chickamauga Reservoir Land Management Plan* (TVA 1989) to determine the future use of the TVA-controlled shoreline property on Chickamauga Reservoir. Tract XTCR-211RE corresponds to Plan Tract 32 in the 1989 Plan and was designated for Public Recreation and for Forest Management.

In July 2011, TVA issued its *Natural Resource Plan* (TVA 2011) and the accompanying final environmental impact statement entitled *Natural Resource Plan, Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia* (TVA 2011a). TVA developed the Natural Resource Plan to guide its natural resource stewardship efforts. The land uses on Tract XTCR-211RE proposed by the City under the requested easement are consistent with the recreation management and forest resource management programs and policies described in the *Natural Resource Plan*.

1.4 Scoping and Public Involvement

1.4.1 TVA Public Notice

TVA posted a public notice on its website and published the notice (Appendix A) in the *Chattanooga Times Free Press* newspaper on September 2, 2010, to solicit comments on its proposed action to grant the City a 30-year easement. The public notice also announced a public meeting hosted by the Lakesite City Commission on September 21, 2010. Consequently, 23 letters, e-mails or facsimiles were received from 46 local residents. Additionally, the United States Environmental Protection Agency (USEPA) contacted TVA on behalf of an adjacent landowner.

1.4.2 United States Army Corps of Engineers Joint Public Notice

The USACE issued Joint Public Notice 10-44 (Appendix B) regarding the City's proposal on December 10, 2010. In a January 22, 2011, letter, USEPA provided site-specific comments based on information in the Public Notice and on comments it received from residents near the proposed project site. USEPA stated that the Public Notice did not provide an adequate alternatives analysis or justification of the least environmentally damaging practicable alternative and did not show adequate avoidance and minimization of impacts to aquatic resources. Thus, USEPA determined that the project does not comply with Clean Water Act Section 404 (b)(1) Guidelines and recommended denial of the project. USEPA also recommended preparation of an environmental assessment.

A representative of the USEPA, along with staff from USACE and TVA, visited the site of the proposed easement on November 16, 2011. Following this site visit, USEPA informed USACE and TVA that with the exception of the elevated boardwalk for the trail, EPA did not foresee any direct impacts to jurisdictional wetlands or onsite waters from the proposed project. USEPA recommended the use of natural design techniques in bank stabilization to maintain site aesthetics and the installation of vegetated buffer zones of 50 feet wherever possible to maintain site integrity and aesthetics and to prevent the encroachment of invasive plants. Additionally, USEPA recommended eradication of invasive plants (specifically privet) in conjunction with improvements in site access.

The United States Fish and Wildlife Service (USFWS) responded to the Joint Public Notice by letter of January 10, 2011 (see Appendix C), stating that records available to USFWS do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. Thus, USFWS concluded that requirements under Section 7 of the Endangered Species Act of 1973 are fulfilled. The Tennessee State Historic Preservation Officer (SHPO) responded to the Joint Public Notice in a letter of January 13, 2011 (Appendix C), stating that the SHPO concurs that no National Register of Historic Places listed or eligible properties would be affected by this undertaking.

1.4.3 Identification of Relevant Environmental Issues

TVA's granting of an easement and issuance of Section 26a approvals to the City are administrative actions that would cause few, if any, direct environmental effects. However, because the City's implementation of plans for the proposed park is contingent upon TVA action, the development and operation of the proposed park are related actions that fall within the scope of this environmental review. Thus, an analysis of the potential effects of the City's proposed actions is included in this environmental review.

Based on comments from the public and on internal scoping, TVA and USACE determined that the following resources could be affected by the proposed action and are within the scope of the environmental review:

- Terrestrial resources (plants; animals; and terrestrial threatened and endangered species)
- Aquatic resources (water quality; water depth; aquatic weeds; wetlands; aquatic life; and aquatic threatened and endangered species)
- Recreation (local recreational opportunities, boat traffic, and site suitability)
- Community character (local aesthetic quality; traffic safety; potential for crime, abuse of neighboring property, and loud or illicit behavior; and environmental justice)
- Cultural resources (archaeological resources and historic structures/sites)

1.5 Necessary Permits or Licenses

In addition to the necessary approvals from TVA, the City is required to obtain a permit from USACE pursuant to Section 10 of the Rivers and Harbors Act of 1899 for the construction of a dock on waters of the United States. The City is also required to obtain a permit under Section 404 of the Clean Water Act for the discharge of fill material for the proposed boat ramp and riprap for bank stabilization.

The Tennessee Department of Environment and Conservation (TDEC) Division of Water Pollution Control authorized alterations to a wet weather conveyance (for the purpose of constructing the pedestrian bridge) by issuing a General Permit for the Alteration of Wet Weather Conveyances to the City's construction contractor. Likewise, TDEC issued a General Permit for Bank Stabilization and a General Permit for Construction of Launching Ramps and Public Access Structures for the proposed waterfront improvements. The effective dates for these three General Permits are July 1, 2010, until June 30, 2015.

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CHAPTER 2 - ALTERNATIVES

A description of the proposed action and its alternatives, together with a brief comparison of their potential environmental effects, are contained in this chapter.

2.1 Description of Alternatives

Based on preliminary internal scoping, TVA has determined that from the standpoint of the National Environmental Policy Act (NEPA), there are two alternatives available. These are Alternative A (the No Action Alternative), and Alternative B (the Action Alternative).

2.1.1 Alternative A – The No Action Alternative

Under the No Action Alternative, TVA would deny the applicant's request for an easement over Tract XTCT-211RE and would not issue the requested Section 26a approval for water use facilities. Likewise, under this alternative, USACE would neither issue the permit requested pursuant to Section 10 of the Rivers and Harbors Act of 1899 for the proposed construction of a fishing dock nor issue a permit under Section 404 of the Clean Water Act for the discharge of fill material for riprap and the proposed canoe launch.

Alternately, the applicant could choose to withdraw the requests. Nevertheless, in the absence of the requested easement, TVA Section 26a approval, and USACE permits, the proposed park facility would not be established under this alternative.

Under the No Action Alternative, Plan Tract 32, as identified in the *Chickamauga Reservoir Land Management Plan* (TVA 1989), would retain its current land use designations, i.e. Public Recreation and Forest Management. Thus, TVA would continue to make this parcel available for dispersed public recreation use. Consistent with its *Natural Resource Plan* (TVA 2011), TVA could develop the property for public recreation use or entertain requests from responsible entities for such uses. As needed, TVA could implement forest resource management activities as outlined in the *Natural Resource Plan* (TVA 2011). Such actions would tend to complement the existing recreational, visual, and biological characteristics of the tract.

2.1.2 Alternative B – The Action Alternative

Under Alternative B, the applicant's request for the easement and Section 26a approval would be approved by TVA. Thus, TVA would grant a 30-year easement over Tract XTCT-211RE with the provision that the property is used for public recreation. The onsite actions proposed by the City in developing the proposed park, including the felling of dead pine trees, the removal of invasive vegetation (privet), and the provision of improved site access, are consistent with the forest management actions and goals described in the *Natural Resource Plan* (TVA 2011).

Likewise, TVA would issue Section 26a approval for the proposed water use facilities (i.e., a fishing pier, a canoe/kayak launch, and a pedestrian bridge over an unnamed tributary to Dallas Bay) and shoreline stabilization as described above in Section 1.1. As conditions of TVA approval, the applicant would be required to implement specific measures to minimize or reduce potential environmental effects of the proposed project. These measures are listed in Section 2.3.

Under the Action Alternative, USACE would issue the requested Section 10 and Section 404 permits for the proposed fishing dock, bank stabilization, and canoe/kayak launch ramp.

2.1.3 Alternatives Considered but Eliminated From Further Discussion

2.1.3.1 Reallocate Plan Tract 32 as a Habitat Protection Area

Under this alternative, TVA would not grant the requested easement to the City or issue the requested Section 26a approvals, and USACE would not issue the requested permits. Consequently, the proposed park could not be established by the City.

Under the 1989 *Chickamauga Reservoir Land Management Plan*, the allocated land uses for Plan Tract 32 are Public Recreation and Forest Management. Several respondents to the public notices suggested that TVA establish a nature preserve, wildlife sanctuary or otherwise change the allocation of Plan Tract 32 so that it would be retained in a natural and undisturbed state. TVA establishes Habitat Protection Areas (HPAs) to protect rare plants and animals, exemplary biological communities, or unique geological features. Because of its small size and lack of sensitive resources (e.g., caves, rare species, unique habitats or unique features), this tract does not meet the definition of an HPA, and TVA does not believe that reallocation of the tract is a feasible or necessary alternative.

2.1.3.2 Dispose of Tract XTCR-211RE

Under this option, TVA would neither grant an easement to the City nor issue the requested Section 26a approvals. Likewise, USACE would not issue the requested Section 10 and Section 404 permits. Rather, TVA would sell its fee simple interest in Tract XTCR-211RE. Such a transaction would likely be at public action to qualified bidders. Disposal of the tract is predicated on the condition that TVA no longer considers the property necessary to carry out its programs and purposes and thereby has declared the property surplus. TVA does not consider the tract unnecessary to its operations and does not consider the property surplus at this time. Thus, this alternative was infeasible and was not considered further.

2.1.3.3 Grant an Easement over Tract XTCR-211RE but Deny Section 26a Approval and USACE Permits

Under this alternative, TVA would grant a 30-year term easement to the City for recreational use of Tract XTCR-211RE. However, TVA would not issue the requested Section 26a approvals, and USACE would not issue the requested permits. Therefore, construction of the waterfront facilities (fishing pier, canoe/kayak launch) and the proposed bank stabilization could not be undertaken. This option is contrary to the City’s desire to provide lake access to park users, and implementing it would limit the recreational opportunities afforded to park users. For these reasons, this alternative was determined to be infeasible and was not given further consideration in the environmental review.

2.2 Comparison of Alternatives

The environmental effects anticipated under the two alternatives considered are compared and summarized below in Table 2-1.

Table 2-1. Summary and Comparison of Alternatives by Resource Area

Resource Area	Impacts From the No Action Alternative	Impacts From the Action Alternative
Terrestrial resources	No changes from current biological conditions are likely to occur. No	Temporary disturbance of some resident wildlife from construction is

Resource Area	Impacts From the No Action Alternative	Impacts From the Action Alternative
	effects to any state-listed or federally listed threatened or endangered terrestrial or aquatic species. No effects to eagles, wading bird colonies or existing osprey nests are expected.	likely. Site would remain forested, but would have a more open forest understory. No effects to any state-listed or federally listed threatened or endangered terrestrial species. No effects to eagles, wading bird colonies or existing osprey nests are expected.
Aquatic resources	No changes from current conditions are likely. No effects to wetlands or local aquatic life are expected. No effects to any state-listed or federally listed aquatic animals are expected.	Construction is not likely to adversely affect surface waters. No significant effects to adjacent wetlands. No effects to any state-listed or federally listed aquatic animals are expected.
Recreation and natural areas	The site would remain available for dispersed recreational use; no additional local recreational opportunities would be provided. No effects to local recreational facilities are likely. No effects on local boating, Nationwide Rivers Inventory streams, Wild and Scenic Rivers or TVA HPAs are expected.	The proposed park would provide additional recreational opportunities, primarily for local residents. Local boating traffic is not expected to increase significantly. No effects to streams on the Nationwide Rivers Inventory or any Wild and Scenic Rivers. No effects to TVA HPAs are likely, due to distance.
Community character	Vehicular access to the site would remain restricted. Visual setting and noise levels would likely remain unchanged from current conditions. Likelihood of illegal or nuisance activities at the site would remain low.	Minor changes in the aesthetic character of the site could occur. Site would be vehicle accessible. Additional traffic on Hixson Pike would be minor. Likelihood of illegal or nuisance activities at the proposed park is low.
Cultural resources	No effects to historic properties, including the Trail of Tears, would occur.	No effects to historic properties, including the Trail of Tears, would occur.

2.3 Identification of Mitigation Measures

TVA would impose the following routine conditions and terms as conditions of the easement and approval of the water use facilities under Section 26a.

1. The City of Lakesite shall ensure that appropriate construction best management practices are implemented to prevent the introduction of runoff and sediment into surface waters.
2. Tract XTCR-211RE shall be used exclusively for the purpose of public recreation. TVA reserves the right to terminate the easement agreement if, in its sole discretion, TVA determines that the easement property is not being used for such purposes or if the park has become a public nuisance.

2.4 The Preferred Alternative

TVA's preferred alternative is Alternative B, the Action Alternative. Under Alternative B, TVA would grant a 30-year easement over Tract XTGR-211RE to the City of Lakesite and would issue Section 26a approval to the City for the proposed water use facilities.

CHAPTER 3 – AFFECTED ENVIRONMENT

All comments received from the public and other agencies sent in response to the public notices were analyzed. Virtually all of the comments received from the public were opposed to the establishment of a park on TVA Tract XTCT-211RE. Many of those commenting questioned the City's financial ability to construct and maintain the proposed park and feared that taxes would increase as a result. Others questioned the City's ability to adequately police the proposed park. Several citizens stated that the City did not adequately consult its citizenry concerning the proposed park. Because these issues are matters between local government and citizens, and not relevant to TVA's decision, they were determined to be beyond the scope of the environmental analysis and were not considered further in the environmental assessment.

The following environmental issues and concerns were identified based on internal scoping and on the analysis of comments received in response to the public notices. The potential effects to these resources from implementing the proposed action were evaluated.

3.1 Terrestrial Resources

Terrestrial resources, as considered here, consist of plant and animal life, including occurrences of any rare or unique species and their habitats.

3.1.1 Plants

The approximately 49-acre site is mostly forested with deciduous trees. However, some evergreens, mainly pines and eastern redcedars, occur in the understory. The tract has several dead, standing pine trees. Areas of privet, an invasive species, occur along Hixson Pike on the western side of the tract and along portions of the old access road. Tree cover comes to the edge of the summer pool along most of the shoreline. Because winter water levels are less than summer levels, the shoreline and much of the bottom of the slough is exposed in the winter months. The plants found onsite are typical of the local area.

3.1.2 Animals

Animals found on the proposed park site are typical of those in the area. Common terrestrial animals include opossums, skunks, squirrels and other rodents, and a variety of songbirds. Local residents have reported observing beavers and white-tailed deer in the area.

There are two records in the TVA Natural Heritage database of wading bird colonies in Hamilton County. The closest colony is approximately 0.7 mile from the site of the proposed park. Records also indicate the presence of an osprey nest approximately 2.5 miles from the site. This nest is located on a navigation structure near the western shore of the reservoir.

3.1.3 Terrestrial Threatened and Endangered Species

A review of the TVA Natural Heritage database indicated that five rare plant species are known to occur within five miles of the proposed project. Occurrences of the large flowered skullcap (*Scutellaria montana*), which is federally listed as threatened, have been documented within five miles of the proposed park. The proposed park could potentially provide suitable habitat for the large flowered skullcap. Two state-listed as endangered plant species, i.e., nestronia (*Nestronia umbellula*) and tall larkspur (*Delphinium exaltatum*), are known from the vicinity but not from the site of the proposed park. Additionally, the

three-parted violet (*Viola tripartita* var. *tripartita*) and yellow jessamine (*Gelsemium sempervirens*), have been recorded in the area. These two plant species are considered to be of special concern in Tennessee. A field survey of the proposed park site was conducted on May 25, 2010. No state-listed or federally listed plant species were observed.

Review of the TVA Natural Heritage database in April, 2010, indicated that no federally listed terrestrial animals are known to occur within a three-mile radius of the project area. However, one Tennessee state-listed terrestrial animal species, Bachman's sparrow (*Aimophila aestivalis*), is known to occur within three miles of Tract XTCR-221-RE. Bachman's sparrows prefer brushy patches within pine woodlands. This habitat does not occur in the project area.

There are no recorded caves, Designated Critical Habitats for terrestrial animals, or any other habitats that are unique or important to terrestrial animals within three miles of the proposed project.

The bald eagle (*Haliaeetus leucocephalus*) is no longer considered threatened or endangered, but it is federally protected under the Bald and Golden Eagle Protection Act. The nearest known eagle nest sites are over three miles distant. This species prefers to nest in tall conifer trees adjacent to large waterways, where it forages for fish. The project site is near suitable foraging habitat, and there is an abundance of such habitat in the area.

3.2 Aquatic Resources

Tract XTCR-211RE is situated at the head of the Dallas Branch arm of the Dallas Bay embayment of Chickamauga Reservoir at Tennessee River Mile 480.5. Water levels here vary approximately 5 to 7 feet between summer and winter. During the summer, the embayment is covered with shallow water (see Figure 1-2). However, as shown in Figure 3-1, wide mud flats are exposed in the upper embayment in the winter. Because of the shallow water in the upper reaches of the embayment, large beds of submerged aquatic plants typically become established in the summer months. These beds create cover for a variety of common warm-water gamefish, as well as other common reptiles, amphibians and aquatic insects typical of the area.

3.2.1 Water Quality

The embayment fronting Tract XTCR-211RE is fed by two small, unnamed tributary streams. One stream enters at the western end of the property. This stream crosses under Hixson Pike via a box culvert and is channelized on the north side of the highway. This stream has been monitored by the state for livestock watering and wildlife (fully supporting); irrigation (fully supporting); fish and aquatic life (partially supporting); and recreation (not assessed). The other stream also crosses Hixson Pike in a box culvert and enters the property slightly west of the entrance road on Hixson Pike. This stream has not been assessed for any designated uses.

TVA monitors water quality at four locations on Chickamauga Reservoir, and monitoring is usually done on a two-year cycle. The Dallas Bay area is not monitored specifically; however, monitoring is performed downstream near Chickamauga Dam and several miles upstream at mid-reservoir. With the exception of 2007, when there were uncharacteristically low flows, the ecological health rating of the reservoir was good from 1994 through 2009 (TVA 2011b). According to the Tennessee Department of Environment

and Conservation (2011), there are no advisories or restrictions on the consumption of fish in the vicinity of Tract XTCR-211RE.



Figure 3-1. Tract XTCR-211RE and Adjacent Embayment during Winter Reservoir Drawdown

3.2.2 Wetlands

TVA staff biologists conducted a site visit on June 1, 2010, to determine the presence, extent, and condition of wetlands on the site. An emergent, scrub-shrub, and forested shoreline wetland was identified in the upper reaches of the embayment (see Figure 1-3). According to the TVA Rapid Assessment Method for evaluating wetlands, the onsite wetland achieved a score of 60, which categorized it as a Category 3 wetland. Category 3 wetlands are considered of high quality or of regional or statewide concern. To avoid adverse effects to wetlands, the City made the following revisions to the original site plan.

- The canoe/kayak launch was moved to the south, such that it would be located beyond the boundary of the wetland.
- Necessary paths or trails within jurisdictional wetland areas would be constructed on elevated boardwalks.
- A 50-foot buffer around wetland areas would be established.
- Only native plant species would be used for landscaping and for the restoration of vegetation within the 50-foot wetland buffer.
- The location of the proposed parking lot nearest the entrance was shifted northward and some parking places were eliminated to avoid encroachment into the 50-foot wetland buffer zone.

3.2.3 Aquatic Life

As stated in Section 3.2, and as shown in Figure 3-1, portions of the upper Dallas Branch arm of Dallas Bay adjacent to the proposed easement area become exposed mud flats during the winter months. However, during the summer, these shallow water areas support a variety of typical aquatic life, including game fish, forage fish, amphibians (i.e., frogs), reptiles (snakes and turtles), and aquatic insects.

3.2.4 Aquatic Threatened and Endangered Species

A review of the TVA Natural Heritage database in May 2010 indicated that one federally listed as threatened fish, the snail darter (*Percina tanasi*), is known to occur within a 10-mile radius of the proposed easement. Additionally, three federally listed as endangered mussel species, i.e., the orange-foot pimpleback (*Plethobasus cooperianus*), the pink mucket (*Lampsilis abrupta*), and the rough pigtoe (*Pleurobema plenum*), have been reported to occur within ten miles of the proposed park site. The highfin carpsucker (*Carpoides velifer*), a fish that is state-listed as in need of management, and the Chickamauga crayfish (*Cambarus extraneus*), which is state-listed as threatened, are reported to occur within a ten-mile radius of the site. However, habitat to support these species is not present in the Dallas Bay area.

3.3 Recreation and Natural Areas

Two parks, Chester Frost Park, operated by Hamilton County, and the 1,200-acre Harrison Bay State Park, are located within three miles of the proposed park. Chester Frost Park is located within an approximate 1-mile radius (approximately 5 miles by road) to the south of Tract XTCR-211RE, and Harrison Bay State Park is located about 1.8 miles (direct distance) to the southeast on the opposite side of Chickamauga Reservoir. Chester Frost Park provides various recreational amenities including: shelters and a large pavilion; nine fishing piers; two boat ramps; 200 campsites; a swimming area with a sand beach; volleyball and tennis courts; playgrounds; restrooms; and picnic tables. Camping facilities include tent and recreational vehicle sites with and without water and electrical hook-ups. Harrison Bay State Park provides a wide range of recreational opportunities, including a marina, 128 recreational vehicle campsites with hook-ups, a golf course, a group campsite, hiking trails, a 100-seat meeting facility, three picnic pavilions, and a swimming pool.

TVA has established HPAs on property it controls to protect rare plants, animals, exemplary biological communities, or unique geological features. TVA HPAs within a five-mile radius of Tract XTCR-211RE include Chigger Point HPA, Three Bs HPA, Fairview Slope HPA, and a portion of Soddy Creek HPA. All of these areas are at least four miles away from Tract XTCR-211RE.

3.4 Community Character

The City of Lakesite is located approximately 15 miles north of downtown Chattanooga. Lakesite was incorporated in 1972, and has a population of approximately 2,000 people and an area of about 1.7 square miles.

Within 10 miles of the proposed park, minorities comprise about 18 percent of the population, according to the 2010 Census of Population (<http://www.census.gov/>). This is well below the Hamilton County share of 28.0 percent, the state share of 24.4 percent, and the national share of 36.3 percent. The poverty level in this area is about 11 percent, also lower than the Hamilton County level of 14.7 percent, the state level of 16.5 percent, and the national level of 13.8 percent. Most of the census tracts with relatively high shares of either low-income or minority residents are located within the outer bounds of the 10-mile range, about eight or more miles from Tract XTCR-211RE.

3.4.1 Aesthetic Character

Much of the property surrounding Tract XTCR-211RE is residential. The homes in the area tend to be upper middle-class to large, up-scale waterfront residences. Several commercial establishments are located along Hixson Pike to the north of the property.

3.4.2 Traffic

Hixson Pike borders the northern edge of Tract XTCCR-211RE, and vehicular access to the proposed park would be via Hixson Pike. Hixson Pike is a four-lane state route along the tract. However, it narrows to a two-lane highway as it leaves the tract and approaches Lakesite. Traffic counts for Hixson Pike in the area between the Hunt Road and Dallas Hollow intersections with Hixson Pike indicate the annual average daily traffic is 9,389 (Tennessee Department of Transportation 2010).

Level of service (LOS) is a standardized descriptor of the operational conditions within a traffic stream. Derivation of the LOS for a highway segment includes average highway speed, lane width, shoulder width, and road alignment. There are six levels, which are described as LOS A through LOS F. LOS A is defined as the highest quality of service that a particular class of highway can provide. It is a condition of free flow in which there is little or no restriction on speed or maneuverability caused the presence of other vehicles. The LOS on Hixson Pike at the entrance to the proposed park is LOS A. However, the LOS for Daisy Hollow Road immediately north of Hixson Pike is LOS D (approaching unstable flow). The two-lane section of Hixson Pike east of the Daisy Hollow intersection is LOS C (at or near free-flow traffic conditions).

3.4.3 Public Safety and Security

Law enforcement for the City of Lakesite is provided by the Hamilton County Sherriff's Office. Fire protection and medical first responder services are provided by the Dallas Bay Volunteer Fire Department. Hamilton County provides emergency medical services.

According to local residents, the site of the proposed park was previously frequented by juveniles and was the source of concern by those residents. However, once vehicular access to the site was blocked by the installation of a highway guardrail on Hixson Pike, this situation ceased.

3.5 Cultural Resources

Cultural resources include archaeological resources as well as historic structures and sites. Such resources are protected under various laws, including the National Historic Preservation Act (NHPA), the Archaeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act.

3.5.1 Archaeological Resources

The archeological area of potential effect (APE) was considered to be all areas within Tract XTCCR-211RE proper. A Phase I archaeological survey (Vogel and Guymon 2010) was conducted in accordance with the requirements of Section 106 of the NHPA. No historic properties were identified within the tract.

3.5.2 Historic Structures and Sites

The architectural APE included Tract XTCCR-211RE and those adjacent areas within view of the site. The architectural assessment identified four structures over 50 years of age within the viewshed. Due to alterations and lack of architectural significance, these structures are considered ineligible for listing in the National Register of Historic Places. A portion of the historic Trail of Tears (the Taylor's and Brown's Trail of Tears Route) generally borders Tract XTCCR-211RE. The Trail of Tears followed a route now occupied by Hixson Pike along the northwest edge of the tract, then turned northward along the present Dallas Hollow Road. No physical remnants of the actual Trail of Tears remain in this area.

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CHAPTER 4 – ENVIRONMENTAL CONSEQUENCES

4.1 Terrestrial Resources

4.1.1 Alternative A

Under Alternative A, the No Action Alternative, TVA would neither grant the requested easement over the property nor issue Section 26a approval for the requested water use facilities. Similarly, USACE would not issue the requested permits under the No Action Alternative. Lacking the necessary easement and Section 26a approval from TVA, and Section 10 and 404 permits from USACE, the City could not develop the proposed park. Consequently, Tract XTCR-211RE would remain in its current condition for the foreseeable future. Land use on the tract would not change, and the land would retain its current TVA land use allocation (Public Recreation and Forest Management) until the current land plan for Chickamauga Reservoir is either superseded or revised.

For the foreseeable future, the tract would remain available for dispersed recreation. No active forest management is likely. No significant changes or effects with respect to terrestrial resources, including threatened or endangered species, are anticipated. Nevertheless, if any changes did occur, they would not likely be the result of TVA action. Similarly, no indirect or cumulative effects to terrestrial life are anticipated as a result of TVA actions under this alternative.

4.1.2 Alternative B

Under Alternative B, the Action Alternative, TVA would grant the requested easement and Section 26a approval to the City, and USACE would issue the requested Section 10 and Section 404 permits. Consequently, the proposed park would be developed. To reduce the amount of tree removal necessary to create open activity areas, building sites for pavilions, and parking areas, the City proposes to fell about 70 dead pine trees and remove the privet along Hixson Pike and the access road. However, about 45 trees with diameters six inches or greater would be removed. Thus, there would be a slight change in the existing plant community from a primarily forested area to a combination of small open areas and forest with an open understory. However, the majority of the site would remain in forest. Because the City plans to remove existing privet and revegetation would be accomplished with native or non-native, non-invasive plant species, this project is not likely to facilitate the spread of exotic or invasive plant species. No uncommon terrestrial plant communities are known from the area, and none are expected to be affected by creation and operation of the proposed park.

Construction activities associated with establishing the proposed park could temporarily disturb resident wildlife. However, these activities would be short-term, and common, local wildlife species would likely return after construction activities are complete. Most local wildlife species have adapted to a residential environment, thus, human disturbance from day-use activities at the proposed park is not likely to significantly affect or displace local wildlife species.

A field survey did not reveal the presence of any state-listed or federally listed plant species on the proposed park site. Similarly, no suitable habitat for the state-listed Bachman's sparrow, the only listed terrestrial animal known from the area, occurs on the site. Thus, implementation of the Action Alternative would not affect any state-listed or federally listed terrestrial animals. Although the proposed park site is adjacent to suitable foraging habitat

for bald eagles, establishment and operation of the park are not expected to adversely affect eagles due to the abundance of foraging habitat locally. Construction activities associated with the proposed park would not affect any unique or important terrestrial habitats such as caves, Designated Critical Habitat, or uncommon terrestrial plant communities because no such resources are known to occur within three miles of the proposed park site.

Because the closest wading bird colony is 0.7 mile from the proposed park site, no effects to this colony are likely. For similar reasons, the nearest osprey nest would not be affected.

4.2 Aquatic Resources

4.2.1 Alternative A

Under the No Action Alternative, Tract XTCR-211RE would remain in its current condition. Thus, there would be no foreseeable direct effects to local aquatic conditions from adopting this alternative. Any future changes in local surface water quality and aquatic life would be due to circumstances and conditions other than TVA action.

4.2.2 Alternative B

Phase 1 and Phase 2 activities to install buried utility lines and the site preparation and construction of park facilities, such as parking lots and pavilions, would incorporate appropriate best management practices to reduce or eliminate the potential for runoff into adjacent waters. Construction of the waterfront facilities (i.e., canoe/kayak launch, fishing pier, and bank stabilization) would likely be undertaken during the winter months when better access would be afforded by lower water levels. Thus, construction and maintenance of these facilities is not likely to adversely affect water quality beyond a minor extent. Utilities, including electric power, water, and sewer, would be buried in the access road or adjacent to the roadway for easy access. Toilet facilities for the proposed park would connect to the Hamilton County Waste Water Treatment Authority system, which is located adjacent to the property. Thus, no contamination of groundwater is anticipated.

As stated in Section 3.2.2, the City revised proposed site plans to avoid potential adverse effects to adjacent wetlands. Although a portion of the existing access road is within the proposed wetland buffer, TVA considers its current location the least environmentally damaging location for the road. The only direct wetland impacts would consist of the proposed boardwalk crossings on trails. Therefore, no significant adverse effects to wetlands are anticipated under Alternative B.

Because appropriate best management practices would be implemented during construction of the proposed inland facilities (e.g., parking areas, pavilions, and trails), the potential for runoff and transport of sediment to local surface water is minimal. Thus, no adverse effects to local aquatic life from construction are anticipated. Onsite operations at the proposed park are not expected to introduce water pollutants that would adversely affect local water quality or aquatic life. Boating opportunities afforded by the park would be limited to canoes, kayaks, and other small craft. Thus, any adverse effects to local aquatic life from recreational boating originating from the proposed park would be insignificant.

With the exception of the highfin carpsucker, all of the state-listed or federally listed endangered, threatened, or special concern aquatic animal species known to occur within ten miles occur downstream of Chickamauga Dam or outside the subject watershed. The highfin carpsucker is known from the main portion of Chickamauga Reservoir. Because the

proposed park is over a mile from the main channel, the proposed action would not cause any habitat disturbance in the main body of the reservoir. Thus, there would be no effects to any state-listed or federally listed aquatic animal species under Alternative B.

4.3 Recreation and Natural Areas

4.3.1 Alternative A

If Alternative A were adopted, the proposed park would not be established and the additional recreational opportunities that would be provided by the park would be foregone. However, TVA would continue to make Tract XTCR-211RE available for dispersed recreation use. Because of the limited vehicular access to the site, recreational access to the site would necessarily be from adjacent properties or by boat. Thus, future recreational use is likely to be light under Alternative A.

The designated uses of Plan Tract 32 for public recreation and forest management, as established in the *Chickamauga Reservoir Land Management Plan* (TVA 1989) would remain under this alternative. Any actions undertaken by TVA to enhance recreational opportunities or to protect forest resources would be accomplished consistent with the *Natural Resource Plan* (TVA 2011).

4.3.2 Alternative B

Creation of the proposed park would afford additional recreational opportunities for the local community in the form of a day-use facility. The site could also provide additional educational and recreational opportunities for local school groups. The proposed park is intended to provide informal, short-term recreational opportunities. As such, the proposed park is not expected to impinge on the recreational opportunities at other local parks such as Chester Frost and Harrison Bay State Park, which offer various developed recreational opportunities such as RV camping, boating, swimming, and ball fields.

The proposed park would have a canoe and kayak launch facility. Boating use originating at the proposed park is expected to be light and centered in the local embayment. Because the embayment is mainly a shallow-water area, it is not an especially suitable area for larger power boats. Thus, the amount of boat traffic in the immediate area, primarily the number of power boats, is not expected to increase significantly due to the presence of additional small watercraft launched from the proposed park.

Tract XTCR-211RE, which corresponds to Plan Tract 32 in the *Chickamauga Reservoir Land Management Plan*, is allocated for Public Recreation and Forest Management. Currently, the tract receives only light informal recreational use, primarily due to restricted vehicular access. The proposed use of the tract as a day-use community park is consistent with TVA's zoning of the area for public recreation. Although the proposed park would be open to anyone, it is expected to be used mainly by local residents.

No streams listed on the Nationwide Rivers Inventory are located on the site of the proposed park or in the vicinity. Likewise, no Wild and Scenic Rivers are located in the vicinity. Thus, establishment of the proposed park would not affect those waters.

Although four TVA HPAs occur within five miles of the site of the proposed park, no effects to any of these natural areas are expected because all of these HPAs are at least four miles distant from the site.

4.4 Community Character

4.4.1 Alternative A

Under the No Action Alternative, the proposed park site would remain in its current condition, and its visual and aesthetic character would likely remain unchanged for the foreseeable future. Vehicular access to the tract from the highway would remain closed, and TVA would continue to allow dispersed recreational use of the site.

Because there is no vehicular access, Tract XTZR-211RE is not currently subject to regular police patrol. Although the possibility exists for illegal or nuisance activities to occur, the lack of recent reports indicates that such actions are unlikely on the property in the foreseeable future under the No Action Alternative.

4.4.2 Alternative B

Under the Action Alternative, development of the proposed park would cause some minor changes in the visual character of the site due to the construction of buildings and the creation of open areas. The presence of buildings and other facilities would be most apparent to neighboring residents during the late fall and winter. However, the site would likely retain its forested character. Noise generated from park uses would likely be slightly above current background levels in the immediate area. However, because most use is likely to occur in the warmer months, when ambient outdoor noise is highest, the overall contribution to local noise levels from the park would be minor and insignificant.

Vehicular access to the proposed park would be from Hixson Pike. The park would have approximately 30 regular parking spaces and an additional four spaces reserved for handicapped visitors. Although delays could occur if all vehicles were leaving the park at the same time, traffic on Hixson Pike would not likely be affected, as a contribution of 34 vehicles to the existing traffic load on this highway is negligible.

Law enforcement and police patrol of the proposed park would be the responsibility of the Hamilton County Sheriff's Department. The park would be day-use only, and would be locked at night. Thus, unauthorized use of the park for unintended or illicit activities at the proposed park is unlikely. However, in the event that the park becomes a public nuisance or is used for purposes beyond those originally intended in the easement agreement, TVA could exercise its right to terminate the easement and return the site to its former condition (see Section 2.3).

The presence of nearby public recreation opportunities can affect the market value of local real estate, usually positively. However, the presence of the proposed park is not expected to affect local real estate markets or assessed property values noticeably. Because the proposed park would be available to the public and because its operation would be financed from local tax revenues, no disproportionate adverse effects to any minority or economically disadvantaged populations are anticipated. Thus, the proposed action is consistent with the requirements and intent of Executive Order 12898 Environmental Justice.

4.5 Cultural Resources

4.5.1 Alternative A

Because there would be no change from current conditions under Alternative A, no direct, indirect or cumulative effects to cultural resources are expected from adopting this alternative.

4.5.2 Alternative B

No archaeological sites were identified onsite during the survey. TVA considers the four structures over 50 years old within the viewshed ineligible for inclusion on the National Register of Historic Places due to alterations to these structures and lack of architectural significance. The City proposes to maintain the proposed easement property in a natural setting with existing tree cover. Even though some trees would be removed, there would be no noticeable changes to the visual character along Hixson Pike, and no visual alterations would be introduced to the Trail of Tears. TVA has determined that no historic properties would be affected by the undertaking.

Pursuant to Section 106 of the National Historic Preservation Act, TVA sought the concurrence of the Tennessee SHPO. The Tennessee SHPO concurred with TVA's findings in a letter of November 4, 2010 (Appendix C). TVA also consulted with the following federally recognized Indian tribes regarding properties that may be of religious and cultural significance and eligible for the National Register of Historic Places: Cherokee Nations, Eastern Band of Cherokee Indians, United Keetoowah Band of Cherokee Indians in Oklahoma, Muscogee (Creek) Nation of Oklahoma, Kialegee Tribal Town, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Thlopthlocco Tribal Town, Seminole Tribe of Florida, Seminole Nation of Oklahoma, Absentee Shawnee Tribe of Oklahoma, Eastern Shawnee Tribe of Oklahoma, and the Shawnee Tribe. Responses stating no objection to the proposed project were received from the Eastern Shawnee Tribe of Oklahoma and the United Keetoowah Band of Cherokee Indians in Oklahoma.

4.6 Cumulative Impacts

The creation of additional recreational opportunities, especially water-based recreation, could result in more boaters in the Dallas Bay embayment. However, because of the shallow water in the vicinity of the proposed park and because the park would offer no docking or landing facilities for power boats, significant increases in motorized boat traffic are unlikely and are not expected due to the presence of the proposed park.

4.7 Unavoidable Adverse Environmental Impacts

Construction activities associated with the proposed park could cause short-term displacement of resident wildlife. Clearing activities for parking areas, facilities, and activity areas would create openings in a primarily forested area. However, these changes would be minor, and are not expected to cause significant changes in local wildlife habitats or populations. Similarly, construction would generate minor amounts of fugitive dust and noise. However, these adverse effects would be minor and temporary in nature.

4.8 Relationship of Short-Term Uses and Long-Term Productivity

The allocated uses of the proposed easement site under the *Chickamauga Reservoir Land Management Plan* are Public Recreation and Forest Management. No consumptive uses of onsite resources are planned or foreseeable under either alternative. The proposed use of Tract XTZR-211RE as a day-use park is consistent with the tract's allocation and the intended use for the property. Although the use of Tract XTZR-211RE over the next 30 years or more for public recreation would preclude use of the site for other planned uses for the duration of the easement agreement, this term use is not likely to adversely affect the long-term productivity of the site.

4.9 Irreversible and Irretrievable Commitments of Resources

As used here, irreversible commitments of resources include the use or consumption of non-renewable resources as a result of a decision or implementing a proposed action. For example, extraction of ore is an irreversible commitment. Irretrievable commitments involve the use or commitment of resources for a long period of time. An example of an irretrievable resource commitment is the loss of timber production on a newly cleared transmission line right-of-way through a previously forested area. In that case, removal of the right-of-way would eventually result in the restoration of forest land and timber productivity.

Construction and operation of the proposed park facilities would result in the irreversible commitment of certain fuels, energy, and building materials. TVA's issuance of a term easement on Tract XTCCR-211RE would constitute an irretrievable commitment of land resources and land use for the duration of the easement agreement. However, because the proposed recreational use of the tract is consistent with the planned and intended use, these commitments would likely have minor and insignificant effects with respect to land use. The felling of approximately 45 live trees, the removal of approximately 70 dead trees, and the removal of patches of privet to create openings for park facilities would constitute a minor loss of forest habitat for the life of the proposed park.

CHAPTER 5 – LIST OF PREPARERS

5.1 NEPA Project Management

Charles P. Nicholson

Position: Manager, NEPA Compliance
 Education: Ph.D., Ecology and Evolutionary Biology; M.S., Wildlife Management; B.S., Wildlife and Fisheries Science
 Experience: 33 years in Zoology, Endangered Species Studies, and NEPA Compliance
 Involvement: NEPA Compliance

James F. Williamson Jr.

Position: Contract Senior NEPA Specialist
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 Experience: 10 years in Forest Management, Inventory, and Software Development; 20 years in NEPA Compliance
 Involvement: NEPA Compliance and Document Preparation

5.2 Other Contributors

Patricia B. Cox

Position: Botanist, Specialist
 Education: Ph.D., Botany; M.S. and B.S., Biology
 Experience: 31 years in Plant Taxonomy at the Academic Level; 8 years in Rare Species Monitoring, Environmental Assessment, and NEPA Compliance
 Involvement: Threatened and Endangered Species Compliance, Invasive Plant Species, and Terrestrial Ecology

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 Involvement: Wetlands

James H. Eblen

Position: Contract Economist
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 Involvement: Socioeconomics and Environmental Justice

Patricia Bernard Ezzell

Position: Program Manager, Tribal Liaison and Corporate Historian
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Experience: 24 years in History, Historic Preservation, and Cultural Resource Management; 9 years in Tribal Relations
Involvement: Cultural Resources

Ella Christina Guinn

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Experience: 17 years in Land Use Analysis; 11 years in Environmental Services
Involvement: Project Coordination

Heather M. Hart

Position: Natural Areas Biologist
Education: M.S., Environmental Science and Soils; B.S., Plant and Soil Science
Experience: 9 years in Environmental Assessments, Specializing in Surface Water Quality, Soil and Groundwater Investigations, and Natural Areas
Involvement: Natural Areas (Managed Areas and Ecologically Significant Sites)

Clinton E. Jones

Position: Manager, Biological Compliance
Education: B.S., Wildlife and Fisheries Science
Experience: 19 years in Environmental Consultation and Fisheries Management
Involvement: Aquatic Ecology and Aquatic Threatened and Endangered Species

RaSharon M. King

Position: Watershed Representative
Education: B.S., Forestry, MPA
Experience: 19 years in Land Management
Involvement: Project Coordination

Holly G. LeGrand

Position: Biologist/Zoologist
Education: M.S., Wildlife; B.S., Biology
Experience: 8 years in Biological Surveys, Natural Resource Management, and Environmental Reviews
Involvement: Terrestrial Ecology and Threatened and Endangered Species

Mark S. McNeely

Position: Program Manager
Education: M.S., Education; B.S., Biological Sciences
Experience: 18 years in Resource Stewardship; 6 years in Environmental Education
Involvement: Document Layout and Publishing Coordinator

Sabrina L. Melton

Position: Project Manager, Special Land Use Projects
Education: M.S., Recreation Administration; M.S., Business Administration; B.S., Recreation and Tourism Management
Experience: 9 years Recreation Research and Administration
Involvement: Recreation Resources

W. Chett Peebles, RLA; ASLA

Position: Specialist, Landscape Architect
Education: Bachelor of Landscape Architecture
Experience: 23 years in Site Planning, Design, and Scenic Resource Management; 5 years in Architectural History and Historic Preservation
Involvement: Visual Resources and Historic Architectural Resources

Erin E. Pritchard

Position: Archaeological Specialist
Education: M.A., Anthropology
Experience: 14 years in Archaeology and Cultural Resource Management
Involvement: Cultural Resources

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CHAPTER 6 – ENVIRONMENTAL ASSESSMENT RECIPIENTS

6.1 Federal Agencies

U.S. Environmental Protection Agency, Atlanta Georgia

U.S. Fish and Wildlife Service, Cookeville, Tennessee

6.2 Federally Recognized Tribes¹

Absentee Shawnee Tribe of Oklahoma, Shawnee, Oklahoma

Alabama Quassarte Tribal Town, Wetumka, Oklahoma

Alabama-Coushatta Tribe of Texas, Liivingston, Texas

Cherokee Nation, Tahlequah, Oklahoma

Eastern Band of the Cherokee Indians, Cherokee, North Carolina

Eastern Shawnee Tribe of Oklahoma, Seneca, Missouri

Kialegee Tribal Town, Wetumka, Oklahoma

Muscogee (Creek) Nation, Okmulgee, Oklahoma

Seminole Nation of Oklahoma, Wewoka, Oklahoma

Seminole Tribe of Florida, Clewiston, Florida

Shawnee Tribe, Miami, Oklahoma

Thlopthlocco Tribal Town, Weleetka, Oklahoma

United Keetoowah Band of Cherokee Indians in Oklahoma, Tahlequah, Oklahoma

6.3 State Agencies

Tennessee Department of Conservation, Water Pollution Control, Nashville, Tennessee

Tennessee Historical Commission, Nashville, Tennessee

Tennessee Wildlife Resources Agency, Nashville, Tennessee

6.4 Local Government

The Honorable Ken Wilkerson, Mayor of the City of Lakesite

6.5 Individuals²

Joe E. and Judy Bailey, Lakesite, Tennessee

Judy Bailey, Lakesite, Tennessee

Paula Bonner, Lakesite, Tennessee

Kim Bracket, Hixson, Tennessee

Edward F. Brannon, Hixson, Tennessee

¹ Tribes were informed of the availability of the draft document.

² Individuals were informed of the availability of the draft document by mail.

Lakesite Recreation Easement

Virginia Brannon, Hixson, Tennessee
Scott F. and Mary C. Bussey, Soddy Daisy, Tennessee
Jim Cofer, Hixson, Tennessee
Terry and Diane Conley, Hixson, Tennessee
Charles T. and Janet Dobson, Lakesite, Tennessee
Valiera Feldman, Hixson, Tennessee
David and Terrie Ann Flewellen, Lakesite, Tennessee
Steve Gross, Hixson, Tennessee
Catherine and Tommy Henderson, Hixson, Tennessee
Charles and Gail Herport, Lakesite, Tennessee
Jeanne Hinchee, Hixson, Tennessee
Rudy and Sharon Hogan, Lakesite, Tennessee
John and Elaine Holden, Soddy-Daisy, Tennessee
Joan Kirby, Soddy-Daisy, Tennessee
Wayne Kohlmann, Lakesite, Tennessee
John and Vivian Marty, Lakesite, Tennessee
Raymond D. Mayfield, Hixson, Tennessee
Linda Plott Miller and William D. (Chip) Miller, Hixson, Tennessee
John Mullin, Lakesite, Tennessee
Michelle Olson, M.A., Hixson, Tennessee
Kathleen Peters, Lakesite, Tennessee
John Picklesimer, Chattanooga, Tennessee
Kent Ready, Lakesite, Tennessee
George Rockefeller, Lakesite, Tennessee
Al Rosamond, Hixson, Tennessee
Alvin and Melissa Rosamond, Hixson, Tennessee
Dan Scannell, Lakesite, Tennessee
Bob Sheets, Hixson, Tennessee
Kelly M. Sheets, Hixson, Tennessee
Michael D. and Tina R. Smith and family, Hixson, Tennessee
Robert I. and Darlene Smith, Hixson, Tennessee
Linda Sprouse, Lakesite, Tennessee
Tammy Sprouse, Lakesite, Tennessee
Elaine Swafford, Ph.D., Hixson, Tennessee
Ben Swann, Lakesite, Tennessee
Trey White, Lakesite, Tennessee
Mark S. Wojnovich, Soddy-Daisy, Tennessee

CHAPTER 7 – LITERATURE CITED

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Appendix A – TVA Public Notice

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Public Notice

August 30, 2010

Proposed Action

City of Lakesite Request for 30-year recreation easement

Location

Chickamauga Reservoir, Tennessee River Mile 480.5 in Hamilton County, Tennessee

Description

The City of Lakesite has requested that TVA grant a 30-year easement for the development, operation, and maintenance of an approximate 49 acre park located in Dallas Branch at Tennessee River Mile 480.5 on Chickamauga Reservoir in Hamilton County, Tennessee.

The Lakesite City Commission will hold a public information meeting at 7:45 pm on Tuesday, September 21, 2010 at the Lakesite City Hall located at 9201 Rocky Point Road, Lakesite, TN 37379 to explain and answer questions regarding the application submitted to TVA.

TVA is interested in receiving comments on the potential affects the proposed action might have on the environment or historic properties, and requests comments to identify other issues associated with the proposal. The comments will be used in reaching a decision concerning the proposed action.

Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection. All written comments on this proposed action must be received on or before September 29, 2010 and should be directed to:

RaSharon M. King

Tennessee Valley Authority
Chickamauga-Hiwassee Watershed Team
110 Market Street, PSC-1E
Chattanooga, TN 37402-2801

Phone: 423-876-6703

Fax: 423-876-4016

E-mail: rmking@tva.gov

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Appendix B – USACE Joint Public Notice

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**US Army Corps
of Engineers.**

Public Notice

Public Notice No. 10-44

Date: **December 10, 2010**

Nashville District

Application No. **2010-00908**

Expires: **January 10, 2010**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
and
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Public Fishing Dock, Bank Stabilization, and Canoe Launching Ramp at Dallas Branch Embayment, Tennessee River Mile 480.5L, Chickamauga Lake, Hamilton County, Tennessee

TO ALL CONCERNED: The application described below has submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** for the construction of docks on waters of the United States, and a **Section 404 of the Clean Water Act** for discharge of fill material for riprap and boat ramp; and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**.

APPLICANT: City of Lakesite
9201 Rocky Point Road
Lakesite, Tennessee 37379

LOCATION: Dallas Branch Embayment, Tennessee River Mile 480.5, Left Bank, Chickamauga Lake, Hamilton County, Tennessee (Daisy Quad; lat 35.20417, lon -85.15)

DESCRIPTION: The City of Lakesite is requesting the use of TVA Tract No. XCT-32PT to build, utilize, and sustain a public park. The City of Lakesite has no public access to the waterway and is proposing a public park to provide increased recreational opportunities. The master plan proposes a plan to minimally disturb the natural state of the land to provide the facilities. The proposed impacts to the waters of the United States involve construction of a fishing dock, canoe launching ramp, bank stabilization, and wetland impacts. The fishing dock would be a fixed dock 70' wide by 65' long. The dock would be located in an area where no dredging of the lake would be required. Bank stabilization would be provided along 200' of shoreline and would be constructed rock gabions. A canoe/kayak launching ramp would be provided and constructed of armorflex mats. The ramp would be approximately 10' wide. No vehicles would utilize the ramp for large boats. There are wetlands located on the property and within the shallow water

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areas of the embayment. However, the applicant has designed the plans to avoid the wetland and shoreline impacts to the maximum extent possible. A 50' undisturbed buffer would be left between any work/disturbed land and any delineated wetland areas. Only one area would not accommodate the 50' buffer, which would be due to the natural topography of the land and existing roadbed. Also, a pedestrian boardwalk/bridge would be constructed over one wetland area for a proposed walking trail. The upland facilities would consist of entry gate, entrance road, a pavilion and restrooms, parking, playground, primitive trails, and disc golf areas.

The applicant indicated that the overall strategy is to provide a passive, public park area with minimal disturbance to the natural state of the land and its neighbors. The majority of the acreage is within the City of Lakesite's boundary, near the business district, and accessible to the surrounding communities. The City's vision is to provide an attractive public recreation area which will enhance the physical well-being of its users, promote economic and community development in the neighboring business area, and create environmental education potential for students from neighboring schools such as McConnell Elementary and Loftis Middle.

The proposed riprap and boat ramp associated with the project has previously been approved for purposes of Section 404 of the Clean Water Act under authority of a DA Nationwide Permits #13 and #36, which became effective on March 19, 2007 [33 CFR 330, Appendix A].

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

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preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The work has been categorically excluded from environmental documentation by 33 CFR Part 325, Appendix B, Paragraph 6, which became effective on March 4, 1988. An Environmental Assessment may be prepared if extraordinary circumstances are revealed during the public interest review.

The applicant and TVA have previously coordinated with the Tennessee Historical Commission (THC) for the proposed activities. The THC responded by letter dated November 4, 2010, that they reviewed a cultural resources survey report in accordance with regulations codified at 36 CFR 800. Based on the information provided, THC concurred that the project area contains no historic properties eligible for listing in the National Register of Historic Places. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

The State of Tennessee, Department of Environment and Conservation (TDEC), denied without prejudice 401 certification for the Nationwide Permits for the riprap and boat ramp. However, the ramp and bank stabilization would meet the conditions for a General Permit.

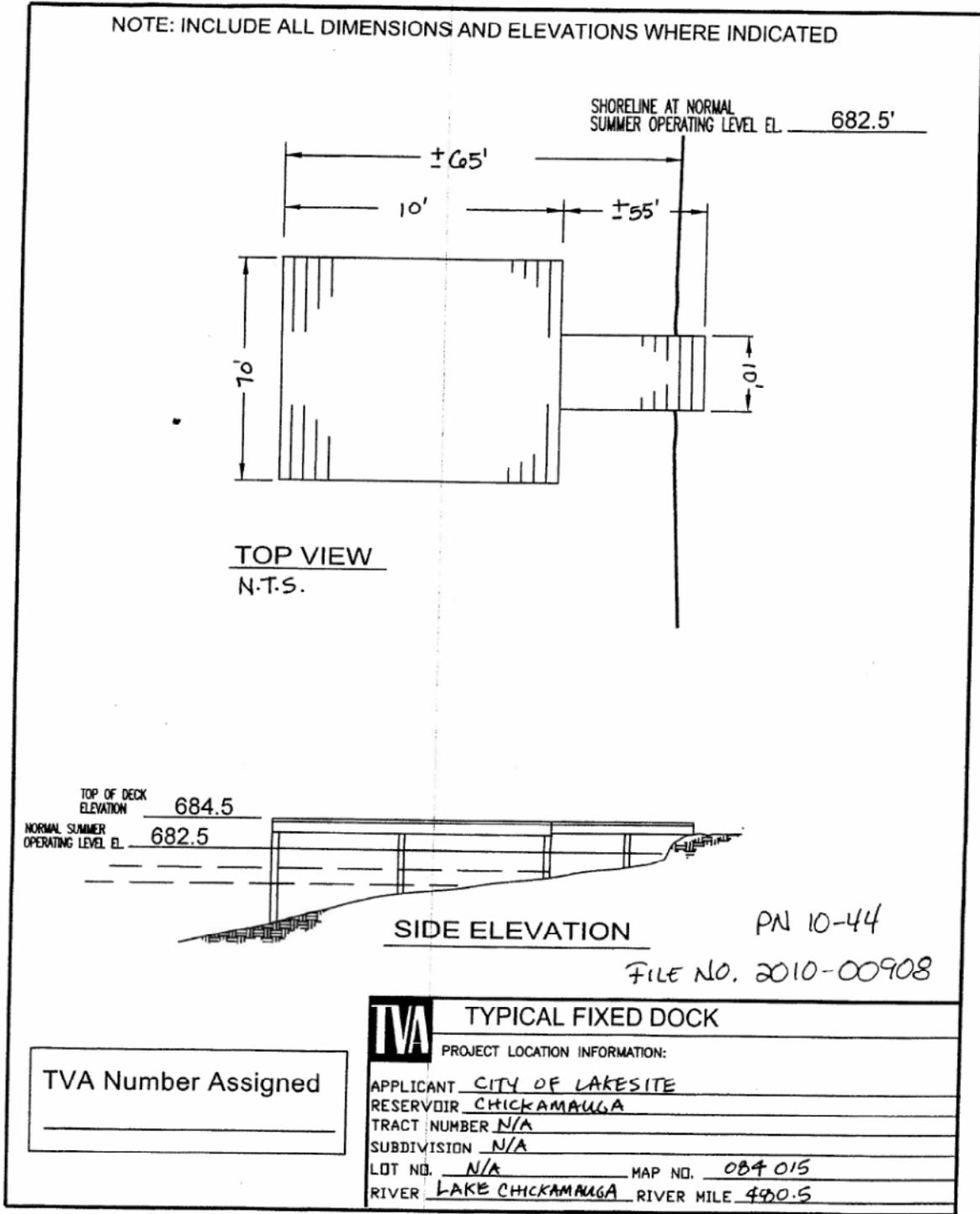
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

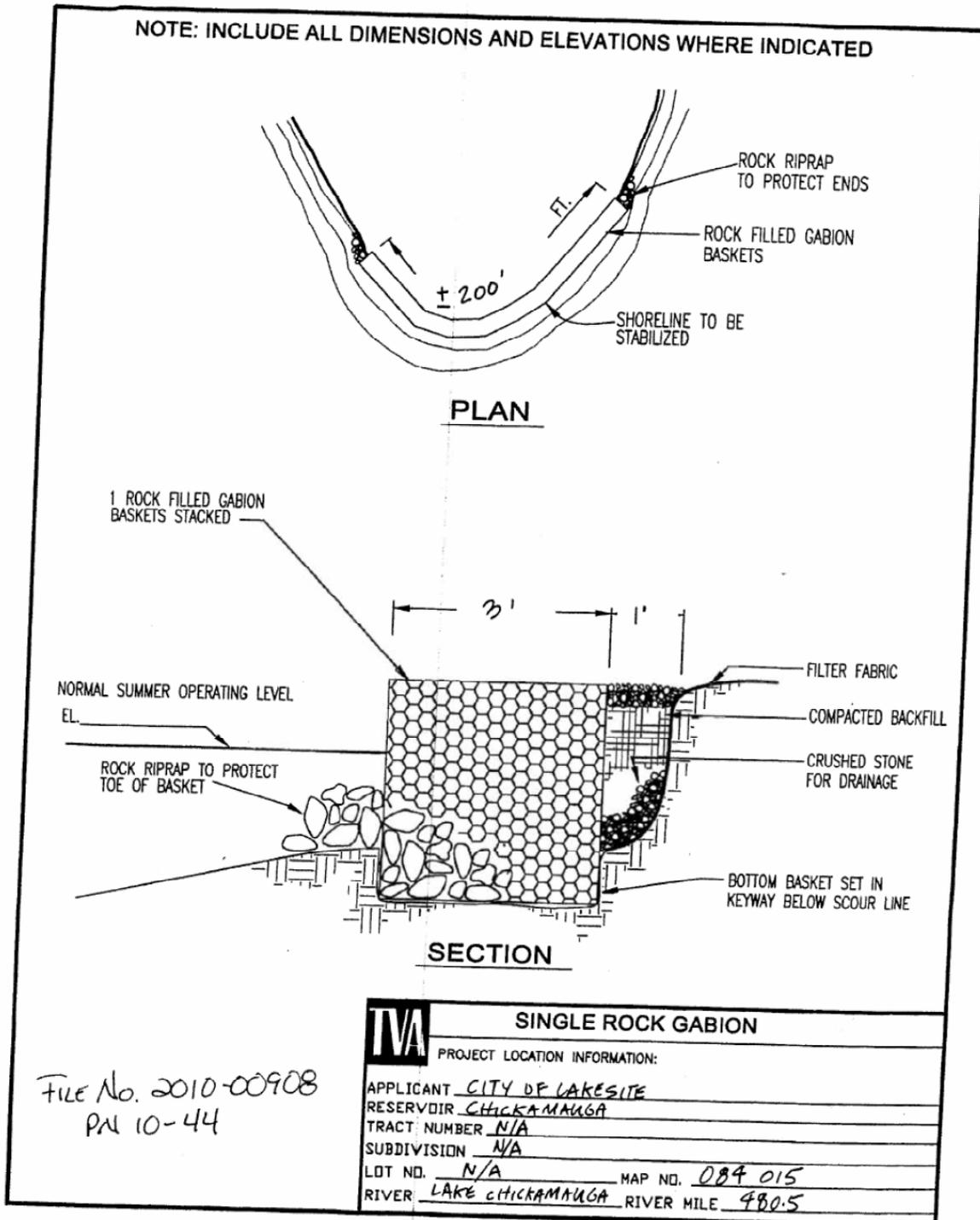
Lakesite Recreation Easement

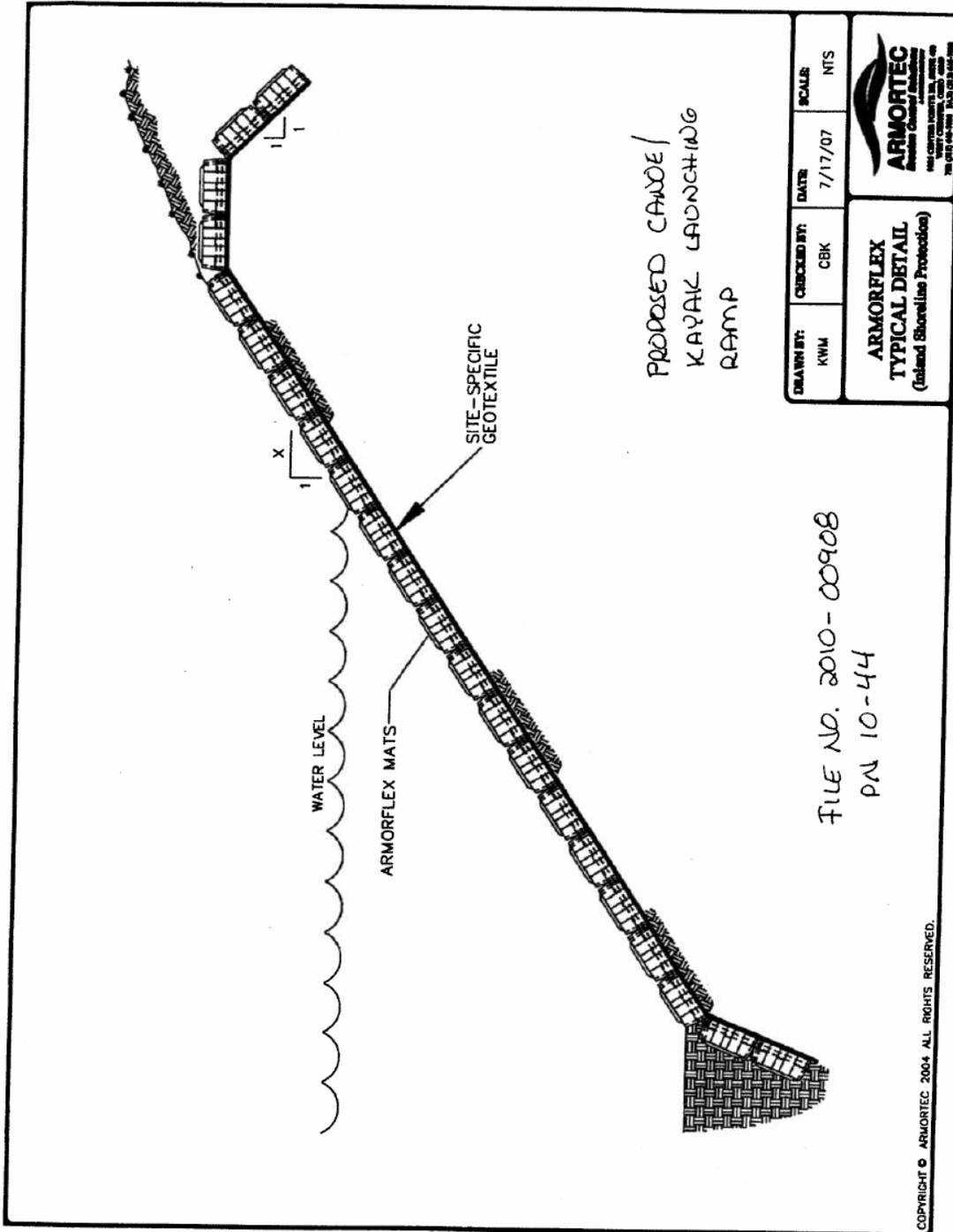
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Written statements received in this office on or before **January 10, 2011** will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Ms. RaSharon King, Tennessee Valley Authority, Chickamauga Lake, 110 Market Street, Chattanooga, Tennessee 37402, or email: rmking@tva.gov.

If you received this notice by mail and wish to view all of the diagrams, visit our web site at: <http://www.lm.usace.army.mil/cof/notices.htm>, or contact Amy Robinson at the above address or phone number.







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Appendix C – Correspondence

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
446 Neal Street
Cookeville, TN 38501

January 10, 2011

Lt. Colonel Anthony P. Mitchell
District Engineer
U.S. Army Corps of Engineers
3701 Bell Road
Nashville, Tennessee 37214

Attention: Ms. Amy Robinson, Regulatory Branch

Subject: Public Notice No. 10-44. City of Lakesite, Proposed Public Park, Hamilton County, Tennessee.

Dear Colonel Mitchell:

Fish and Wildlife Service (Service) personnel have reviewed the subject public notice. The applicant (City of Lakesite) proposes to construct a public park at the Dallas Branch Embayment at Tennessee River Mile 480.5, Left Bank, Chickamauga Lake, Hamilton County, Tennessee. The applicant proposes to construct a 70-foot by 65-foot fishing dock, a canoe/kayak launching ramp, pedestrian boardwalk, pavilion and restrooms, parking, playground, trails, and a disc golf area. The applicant also proposes to place riprap along 200 linear feet of shoreline for bank stabilization. The following constitute the comments of the U.S. Department of the Interior, provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

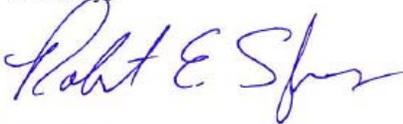
Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the action that may affect listed species or critical habitat in a manner not previously considered, (2) the action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical

habitat designated that might be affected by the action.

Best management practices should be utilized during the construction of the project to minimize runoff of sediment into water of the United States. All sediment structures should be inspected and cleaned regularly to ensure the maximum level of sediment control. If structures fail or are found to be inadequate, work should cease and not resume until appropriate corrective measures have been taken. Provided best management practices are utilized, we would have no objection to the issuance of a permit for the work described in the subject public notice.

Thank you for this opportunity to review the subject notice. Please contact Robbie Sykes of my staff at 931/528-6481 (ext. 209) if you have questions about these comments.

Sincerely,



Mary E. Jennings

Mary E. Jennings
Field Supervisor



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

January 13, 2011

Ms. Amy Robinson
United States Army Corps of Engineers
Nashville District
Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214

RE: COE-N, PN# 10-44/FISHING DOCK/TRM 480.5L, UNINCORPORATED,
HAMILTON COUNTY

Dear Ms. Robinson:

The Tennessee State Historic Preservation Office has reviewed the above-referenced undertaking received on Wednesday, December 22, 2010 for compliance by the participating federal agency or applicant for federal assistance with Section 106 of the National Historic Preservation Act. The Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

After considering the documentation submitted, we concur that there are no National Register of Historic Places listed or eligible properties affected by this undertaking. This determination is made either because of the location, scope and/or nature of the undertaking, and/or because of the size of the area of potential effect; or because no listed or eligible properties exist in the area of potential effect; or because the undertaking will not alter any characteristics of an identified eligible or listed property that qualify the property for listing in the National Register or alter such property's location, setting or use. Therefore, this office has no objections to your proceeding with the project.

If your agency proposes any modifications in current project plans or discovers any archaeological remains during the ground disturbance or construction phase, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act. You may direct questions or comments to Jennifer M. Barnett (615) 741-1588, ext. 105. This office appreciates your cooperation.

Sincerely,

E. Patrick McIntyre, Jr.
Executive Director and
State Historic Preservation Officer

EPM/jmb



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

November 4, 2010

Mr. A. Eric Howard
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

RE: TVA, CULTURAL RESOURCES ASSESSMENT, PUBLIC PARK AT
CHICKAMAUGA RES., LAKESITE, HAMILTON COUNTY, TN

Dear Mr. Howard:

At your request, our office has reviewed the above-referenced cultural resources survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we concur that the project area contains no historic properties eligible for listing in the National Register of Historic Places.

If project plans are changed or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

A handwritten signature in black ink that reads "E. Patrick McIntyre, Jr.".

E. Patrick McIntyre, Jr.
Executive Director and
State Historic Preservation Officer

EPM/jmb