

**FINDING OF NO SIGNIFICANT IMPACT**  
**TENNESSEE VALLEY AUTHORITY**  
SOUTH HARRIMAN BAPTIST CHURCH  
PROPOSED STREAM ALTERATION OF AN UNNAMED TRIBUTARY OF CANEY CREEK  
TENNESSEE RIVER MILE 562.3, RIGHT BANK  
WATTS BAR RESERVOIR  
ROANE COUNTY, TENNESSEE

**Proposed Action and Need**

South Harriman Baptist Church (SHBC) proposes to relocate 150 feet and encapsulate 300 feet of an unnamed tributary of Caney Creek, Tennessee River Mile 562.3, right bank, in Roane County, Tennessee. The purpose of this project is to allow construction of two access roads from Baumgartner Road and a church parking lot, as well as to provide space for future development of a Christian service and education facility. The scope of the Tennessee Valley Authority (TVA) evaluation includes the linear footage of the unnamed tributary stream affected and the area of the proposed new parking lot.

In August 2008, Charles Kerr, trustee, on behalf of SHBC, requested that TVA and the U.S. Army Corps of Engineers (USACE) approve these stream fills and obstructions. The USACE proposes to approve the placement of fill pursuant to Section 404 of the *Clean Water Act* and TVA proposes to approve obstructions to the unnamed tributary pursuant to Section 26a of the *TVA Act*.

**Alternatives**

The USACE prepared an environmental assessment (EA) of its related permitting action in March 2009. TVA was a cooperating agency in the preparation of this EA. The following four alternatives were evaluated in the EA:

- A. No Action, under which the permit approvals would be denied or SHBC would elect to modify its proposal to avoid triggering federal jurisdiction, and the proposed work requiring TVA approval would not be performed
- B. Applicant's Proposed Action
- C. Applicant's Proposed Action With Special Conditions
- D. Other Alternatives

Under the Applicant's Proposed Action or the Applicant's Proposed Action With Special Conditions, TVA would approve the proposed stream alterations. These two Action Alternatives differ in the number of special conditions and mitigation measures imposed to reduce potential environmental impacts; many of the conditions included in the Applicant's Proposed Action With Special Conditions are standard requirements for TVA permits. Under Alternative C (Applicant's Proposed Action With Special Conditions), which is TVA's preferred alternative, the applicant would provide on-site compensatory mitigation for the loss of stream habitat and related values.

TVA has independently reviewed the USACE EA and concurs with its conclusions, and the EA is attached and incorporated by reference.

Under Alternative D (Other Alternatives), the fill material could have involved different designs, location, or configurations likely to result in the same or additional impacts, but other alternatives would not provide adequate space for parking and envisioned facility development. Therefore, Alternative D was determined to be impractical.

### **Impacts Assessment**

The approximate 49.2-acre watershed, composed largely of disturbed sparsely vegetated, commercial and residential areas, contributes to the flow in the affected unnamed tributary in the South Harriman community. It flows into Caney Creek, recognized as impaired on the Tennessee Department of Environment and Conservation's (TDEC) Section 303(d) list, at Mile 7.3. No pollution sources causing these impaired conditions are found in the project area. As compensatory mitigation, in-stream habitat, channel improvements, and a riparian buffer would be established on the downstream 310 linear feet of stream on the property. In addition, 50 feet of an old storm water conveyance pipe, discharging silt into the stream, would be removed and replaced with grass and native stone. Stream mitigation areas would be protected from disturbance. Bio-retention areas would be constructed around the parking lot, and monitoring and reporting to USACE and TDEC are required. With mitigation, the EA concludes that long-term tributary stream impacts of this proposal on water quality and aquatic life would be minor and insignificant and would not worsen pollution levels or adversely impact aquatic life in Caney Creek. On December 31, 2008, TDEC issued a conditional water quality certification for this proposal (Appendix C in the attached EA). No wetlands occur along the affected stream.

Existing noise levels in the community following construction would not significantly increase, and noise impacts, therefore, would be insignificant. Impacts to terrestrial wildlife and vegetation, recreation, aesthetics, transportation, air quality, and environmental justice would be insignificant. The access entries and parking lot would be constructed entirely on land owned and managed by SHBC, which has been in existence for over 100 years at or near its current location. There would be no short-term increase in traffic. Because the proposed expansion would take place between existing areas of development and at some future time likely accompanied by or following other road improvements in the area, no long-term effects on transportation are expected. Construction-related employment and a slight increase in the sale of goods and services would result in minor beneficial socioeconomic impacts to the community. The SHBC site lies within the Roane County flood insurance study area: (Floodway Map #47145C0087F [panel 87 of 335]) but is not considered located in a floodplain. Therefore, no impacts to floodplain values are expected, and the proposal complies with Executive Order 11988 (Floodplain Management).

TVA's review indicates that there are two federally listed and eight state-listed plants known from within 5 miles of the project site. Because of past and current use of the SHBC site, no suitable habitat for these federally or state-listed plant species would occur. No state-listed animals are known from the site. By letter dated January 15, 2009, the U.S. Fish and Wildlife Service (USFWS) stated that, according to its records, there are no federally listed or proposed endangered or threatened plants or animals in the impact area of the project, and the requirements of Section 7(c) of the *Endangered Species Act of 1973*, as amended, are fulfilled.

During the conduct of its review, TVA Cultural Resources staff visited the site, and no historic properties, including archaeological or architectural structures, were identified at or near the SHBC site. By letter dated December 29, 2008, the Tennessee Historical Commission (THC),

State Historic Preservation Officer, concurred that there are no National Register of Historic Places-listed or -eligible properties affected by this undertaking. Furthermore, it confirmed the authorizing agencies' conclusions that the effects of the construction on historic properties have been taken into account and that the responsibilities under Section 106 of the *National Historic Preservation Act* have been met.

**Public and Intergovernmental Review**

On December 19, 2008, Joint Public Notice (JPN) No. 08-81 was published advertising the proposed actions. Comments in response to the JPN were received from the Tennessee Wildlife Resources Agency, USFWS, and THC. Comments provided by these agencies have been addressed in the EA. No comments were received from the general public.

**Mitigation**

As part of its Section 26a approval, TVA would require use of best management practices and other general and standard conditions. SHBC would also adhere to conditions of approval contained in the USACE and TDEC authorizations, including compensatory stream mitigation. Several of these listed special conditions in the EA are standard conditions of TVA Section 26a approvals. TVA has not identified the need for other mitigation to further reduce potential impacts.

**Conclusion and Findings**

TVA has independently reviewed the USACE EA, found it to be adequate, and is therefore adopting this EA. TVA has determined that the approval of the Section 26a permit for the proposed stream alterations would not be a major federal action significantly affecting the quality of the environment. Accordingly, an environmental impact statement is not required. This finding of no significant impact is contingent upon adherence to the permit conditions and completion of the mitigation measures described above and in the attached USACE EA.



April 15, 2009

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Date Signed