

ADOPTION AND FINDING OF NO SIGNIFICANT IMPACT TENNESSEE VALLEY AUTHORITY

STATE ROUTE (SR) 30, FROM EAST OF THE TENNESSEE RIVER
TO THE NEW SR 30 IN DECATUR, MEIGS COUNTY, TENNESSEE

Proposed Action and Need

On September 13, 2005, the Tennessee Department of Transportation (TDOT) submitted a land use application to the Tennessee Valley Authority (TVA) requesting a permanent easement over TVA Chickamauga Reservoir Reservation property for additional right-of-way (ROW) necessary to complete construction of 5.6 miles of roadway improvements to SR 30 between the Tennessee River and Decatur, Tennessee. The easement area is adjacent and south of SR 30. Additional information provided by TDOT in January 2010 identified the easement area to be a total of 4.3 acres.

The improvements along about half of SR 30 would involve construction on a new alignment. The remaining segment of existing SR 30 would be widened. The proposed construction would consist of two 12-foot-wide lanes and two 12-foot shoulders within a minimum 150 feet of ROW. TDOT also proposes to add a 12-foot-wide left-turn lane at intersections with heavy turn volumes. Project implementation would improve vertical and horizontal alignments, improve safety, and increase the level of service to motorists on this stretch of SR 30. The proposed project would also bring SR 30 up to current route design standards for a rural minor arterial.

On June 10, 2009, TDOT also submitted a joint TVA/Department of the Army permit application for approval under Section 26a of the *TVA Act* for improvements to SR 30. The stream crossings for the roadway improvements require Section 26a approval for the installation of corrugated metal and concrete pipe, box culverts, riprap, channel relocations, and placement of fill material. The project includes mitigation for impacts to permanent wetlands by debiting 0.49 acre from available wetland credits at the Shady Valley Wetland Mitigation Bank. For the stream-related impacts, TDOT would pay a total of \$265,100 to the In-Lieu Fee Stream Mitigation Program.

In order to construct the new SR 30 roadway, TDOT also requested that TVA relocate the portion of its Decatur-Dayton 69-kilovolt (kV) Transmission Line between Structures 222 and 226. TVA categorically excluded this action on August 27, 2009.

The Federal Highway Administration (FHWA) and TDOT prepared an environmental assessment (EA) and completed a finding of no significant impact (FONSI) for the SR 30 improvement project on September 5, 2002, evaluating the proposed improvements along this 5.6-mile section of SR 30. TVA was a cooperating agency in the preparation of this EA. TVA has decided to adopt the FHWA/TDOT EA and it is incorporated by reference.

Alternatives

FHWA/TDOT considered two alternatives in their EA: the No Build Alternative and the Build Alternative. Under the No Build Alternative, SR 30 would not be improved, and the road would remain in its present condition. TDOT would not need Section 26a approval or an easement across TVA property for new ROW. Foreseeable safety and level of service improvements

would be foregone, and design standards of the roadway would remain substandard. Additionally, TVA would not retire and/or remove three utility poles.

Under the Build Alternative, TDOT would widen the existing road from just east of the Tennessee River to Cottonport Road. At this point, the alignment would shift to a new location and remain on that new alignment to the end of the project at new SR 30, west of downtown Decatur, Tennessee. Safety, service, and upgraded design standards would be achieved. TDOT prefers the route as laid out in the Build Alternative.

Impacts Assessment

Land uses in the 5.6-mile SR 30 roadway improvement project area are a mix of residential, commercial, farmland, pasture, and forested areas. The Build Alternative would remove about 18 acres of prime farmland from potential production. The project complies with the *Farmland Protection Policy Act of 1981* as supported by the farmland assessment in the TDOT/FHWA EA that yielded a score of 115, substantially less than the threshold of 160 that is reflective of the need for further analysis. Thus, conversion of the 18 acres of prime farmland would not be a significant impact. Both the Chickamauga Wildlife Management Area and the TVA Chickamauga Reservoir Reservation are located adjacent to the highway improvement project on its south side. However, due to the nature of the work involved, no direct or indirect impacts to designated natural areas are anticipated.

Displacements and relocation of families would occur with implementation of this project. TDOT prepared a conceptual stage relocation plan (CSRP) to assess the effects of displacements and to determine the probability of families achieving relocation within the project area. The CSRP showed that the acquisition of ROW would require five residential displacements and no business or nonprofit displacements. Because suitable replacement properties are available in the same general area and the CSRP would be implemented to assist displaced families in securing replacement housing, socioeconomic effects would be insignificant in the long term. The proposed project would not have a disproportionately high or adverse impact on minority or low-income populations.

The proposed project involves the construction and installation of concrete and metal pipe, culverts, fill, and a highway, portions of which are located within the 100-year floodplain. Consistent with Executive Order 11988, these are considered repetitive actions in the floodplain that would have minor impacts. Based on information provided in Khalil Ahmed's (TDOT) June 10, 2009, letter to Daniel C. Eagar, Tennessee Department of Environment and Conservation (TDEC), the project would comply with the National Flood Insurance Program. About 0.6 acre-foot of flood control storage would be displaced by the highway construction. The proposed project would comply with the TVA Flood Control Storage Loss Guideline because there would be less than 1 acre-foot of displaced flood control storage.

The proposed action would result in permanent impacts to a total of 0.122 acre of four wetlands and a total temporary impact to 0.036 acre of wetland. Proposed mitigation, at a 4:1 ratio, by debiting 0.49 acre at the Shady Valley Wetland Mitigation Bank is sufficient to offset cumulative permanent wetland impacts. The total temporary wetland impact of 0.036 acre would be remediated by stockpiling topsoil removed from all areas. Temporarily impacted areas would first be restored to preconstruction contour, and then the stockpiled topsoil would be reapplied. TDOT would mitigate a total of 1,325.5 feet of stream impacts within eight unnamed tributaries to the Tennessee River, Poe Branch, Lick Branch, two unnamed tributaries to Lick Branch, Dry Branch, and an unnamed tributary to Decatur Creek in the project area by paying \$265,100 to

the In-Lieu Stream Mitigation Program. With the proposed wetland and stream mitigation, impacts to these resources should be insignificant.

TDOT has committed to implementing best management practices (BMPs) for erosion and sediment control. TDEC issued an Aquatic Resource Alteration Permit/401 Water Quality Certification on September 10, 2009, for the project. A storm water pollution prevention plan will be prepared in accordance with the National Pollutant Discharge Elimination System permitting program and incorporated into the construction plans. Therefore, for these reasons and based on TVA's evaluation, water quality impacts would be insignificant.

Minor impact to the terrestrial ecology from removal of vegetative cover, primarily along the new SR 30 alignment, would be conversion of wildlife habitat to highway usage. This conversion will result in some loss in biotic diversity in the immediate project area but regionally should have insignificant impact. No unique plant or animal communities occur in the immediate project area, and therefore no impacts to unique communities would occur. A search of the TDEC, Division of Natural Areas, database conducted on April 1, 2009, revealed that three state-listed species occur within 1 mile of the project area and seven state-listed species occur within 1 and 4 miles of the project area. TDOT biologists did not observe any state-listed species or their habitat during a site visit. Therefore, TDOT concluded that none of these species are likely present in the ROW and are not affected by this project. In July 2009, a review of available databases by TVA revealed the presence of two federally listed as endangered mussels recorded near the project area since the 2002 FHWA/TDOT EA was completed. Neither of these would be affected by the proposed project. An additional field survey was conducted by TDOT in September 2009 for one species of fish and four species of freshwater mussels. Because most of the streams are intermittent, the survey revealed no available suitable habitat in any of the streams for the five species.

The Jim Godsey house is the only property in the project area that is listed in the National Register of Historic Places. TDOT determined that the improved road would not introduce visual elements that diminish the integrity of the historic property, either directly or indirectly, or alter any physical features within its setting that contribute to its historical significance. TVA concurs with TDOT's determination. TVA completed an additional review of the proposed easement area in February 2010 and determined the easement area had no potential for prehistoric and historic cultural resources.

Anticipated noise levels were compared to the FHWA noise-abatement criteria to determine noise impacts. The proposed project would result in a small, long-term increase in noise levels to two residences (receptors). Under the Build Alternative and considering the need for noise-abatement measures, two receptors at two locations would exceed the 6- to 15-decibel increase threshold for considering noise-abatement measures. However, based upon review of possible noise-abatement criteria, existing site conditions, and predicted traffic conditions, noise impacts were determined to be minor, and noise-abatement measures were not recommended.

Impacts to traffic resulting from construction activities would be short term in duration. No land emissions of pollutants, hazardous waste, or waste requiring special handling and disposal are anticipated.

Public and Intergovernmental Review

On July 31, 2000, an initial coordination package was sent to 53 federal, state, and local agencies and officials and to Native American tribes seeking comments on TDOT's plans to improve SR 30. By letter dated September 20, 2000, the U.S. Fish and Wildlife Service

(USFWS) stated that based on the best available information at that time, no federally listed as endangered or threatened species were known to occur within the impact area of the proposed project. FHWA/TDOT also determined that no archaeological resources potentially eligible for listing in the National Register of Historic Places would be impacted by the proposed project. By letter dated November 27, 2001, the Tennessee State Historic Preservation Officer concurred with that finding.

A public notice was published in local newspapers on July 8, 2002, announcing the availability of the FHWA draft EA for public review and comment. A corridor and design public hearing for the proposed project was held on August 1, 2002, at the Meigs County High School in Decatur. Comments received during the public meeting, as well as from the interagency review of the project, were addressed in the subsequent FHWA final EA and FONSI.

The Tennessee Wildlife Resources Agency provided an e-mail dated January 13, 2009, that BMPs would be sufficient to minimize impacts to any rare species for the project. Due to a concern from the USFWS about rare species, a field survey was conducted on September 9, 2009, for one species of fish and four species of freshwater mussels, and TDOT submitted a revised biological assessment (BA) to the FHWA on December 10, 2009. TDOT concluded in the revised BA that this project was not likely to adversely affect the species listed above. On January 14, 2010, USFWS concurred with this finding.

On June 26, 2009, the U.S. Army Corps of Engineers issued Nationwide Permit No. 14 (Linear Transportation Projects) pursuant to Section 404 of the *Clean Water Act* for the discharge of dredged or fill material associated with the proposed project.

Mitigation and Special Permit Conditions

TVA has not identified the need for any additional mitigation measures in order to minimize impacts. The following permit condition will be included in Section 26a approval:

- Because the project is immediately adjacent to Chickamauga Wildlife Management Area (WMA), TDOT should notify the TVA Chickamauga Watershed Team and the WMA manager, Jim Zimmerman, at (931) 484-9571 prior to beginning work.

Conclusion and Findings

TVA has independently reviewed the FHWA/TDOT EA and found it to be adequate. TVA is therefore adopting the EA. Based on the findings in the EA, TVA concludes that the issuance of Section 26a approval for the 5.6-mile improvement to SR 30 and approval of the land use request for additional highway ROW would not be major federal actions significantly affecting the environment. Accordingly, an environmental impact statement is not required.



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Date Signed