

**Document Type:** EA – Administrative Record  
**Index Field:** Final Environmental Document  
**Project Name:** Sugar Hollow Business Complex Easement  
**Project Number:** 2006-121

FINAL ENVIRONMENTAL ASSESSMENT

**SUGAR HOLLOW BUSINESS COMPLEX EASEMENT**

**REQUEST FOR A 4.7-ACRE ROAD EASEMENT  
AND SECTION 26a APPROVAL TO CONSTRUCT A  
BRIDGE OVER BEAVER CREEK (MILE 22.3)**

**WASHINGTON COUNTY, VIRGINIA**

TENNESSEE VALLEY AUTHORITY

JUNE 2007

Direct Questions to:

Stanford E. Davis  
NEPA Administration  
Tennessee Valley Authority  
400 West Summit Hill Drive, WT 11D  
Knoxville, Tennessee 37902  
Phone: 865.632.2915  
Fax: 865.632.3451  
e-mail: [sedavis2@tva.gov](mailto:sedavis2@tva.gov)

Page intentionally blank

**FINAL ENVIRONMENTAL ASSESSMENT**  
**SUGAR HOLLOW BUSINESS COMPLEX EASEMENT**  
**REQUEST FOR A 4.7-ACRE ROAD EASEMENT**  
**AND SECTION 26a APPROVAL TO CONSTRUCT A**  
**BRIDGE OVER BEAVER CREEK (MILE 22.3)**

**WASHINGTON COUNTY, VIRGINIA**

**TENNESSEE VALLEY AUTHORITY**

**JUNE 2007**

**The Proposed Action and Need**

The City of Bristol, Virginia (City) is developing a new business complex. To be known as Sugar Hollow Business Complex (Business Complex), it would be occupied by clean, nonindustrial facilities that require a nontraditional setting and amenities provided by the City's fiber optic network. The City would invest about \$1.9 million in the project and create an estimated 300 near-term and 1,020 to 1,500 long-term jobs. The project would expand Bristol's tax base, create jobs, and have a locally and regionally beneficial socioeconomic effect. Build-out of the Business Complex is expected to take about 10 years. The development would include recreation and environmental features such as trails and created wetland areas as well as provide for the preservation of local architectural and cultural history. The proposed site for the Business Complex, sold by the Tennessee Valley Authority (TVA) to the City for industrial use, is presently zoned for agriculture. The City would consider the property for conditional rezoning if the access easement is approved. This conditional rezoning would only allow low impact businesses.

Independent of Washington County, the entire project would be located within the City. The City proposes to construct an access road to the Business Complex across land owned by TVA near the Beaver Creek Detention Dam. A portion of this TVA land is under a permanent recreational easement to the City and part of Sugar Hollow Park. All of the land affected by the proposed easement and road is TVA fee-owned dam reservation (see Background). The proposed access road would also cross Beaver Creek and require approval by TVA under Section 26a of the TVA Act (Figures 1 and 2).

TVA must decide whether to modify its current deed restriction over the recreation land, grant an easement over the TVA reservation land, and approve the road and bridge replacement over Beaver Creek under Section 26a. TVA has prepared this environmental assessment (EA) to evaluate the effects of the City's easement, bridge, and access road construction proposal on recreation, wetland, water quality, aquatic life, cultural, and other environmental resources in the impact area. An in-depth environmental evaluation for the sale of land to be occupied by the Business Complex was completed by TVA in 1994 (TVA 1994) for Tract No. XBBCR-1. Therefore, the effects of developing the Business Complex are not reevaluated in this EA. However, measures included in the City's conceptual plans that offset recreation and wetland impacts and socioeconomic, noise, and transportation considerations are incorporated by reference as appropriate (see section entitled Other Environmental Reviews and Documentation).

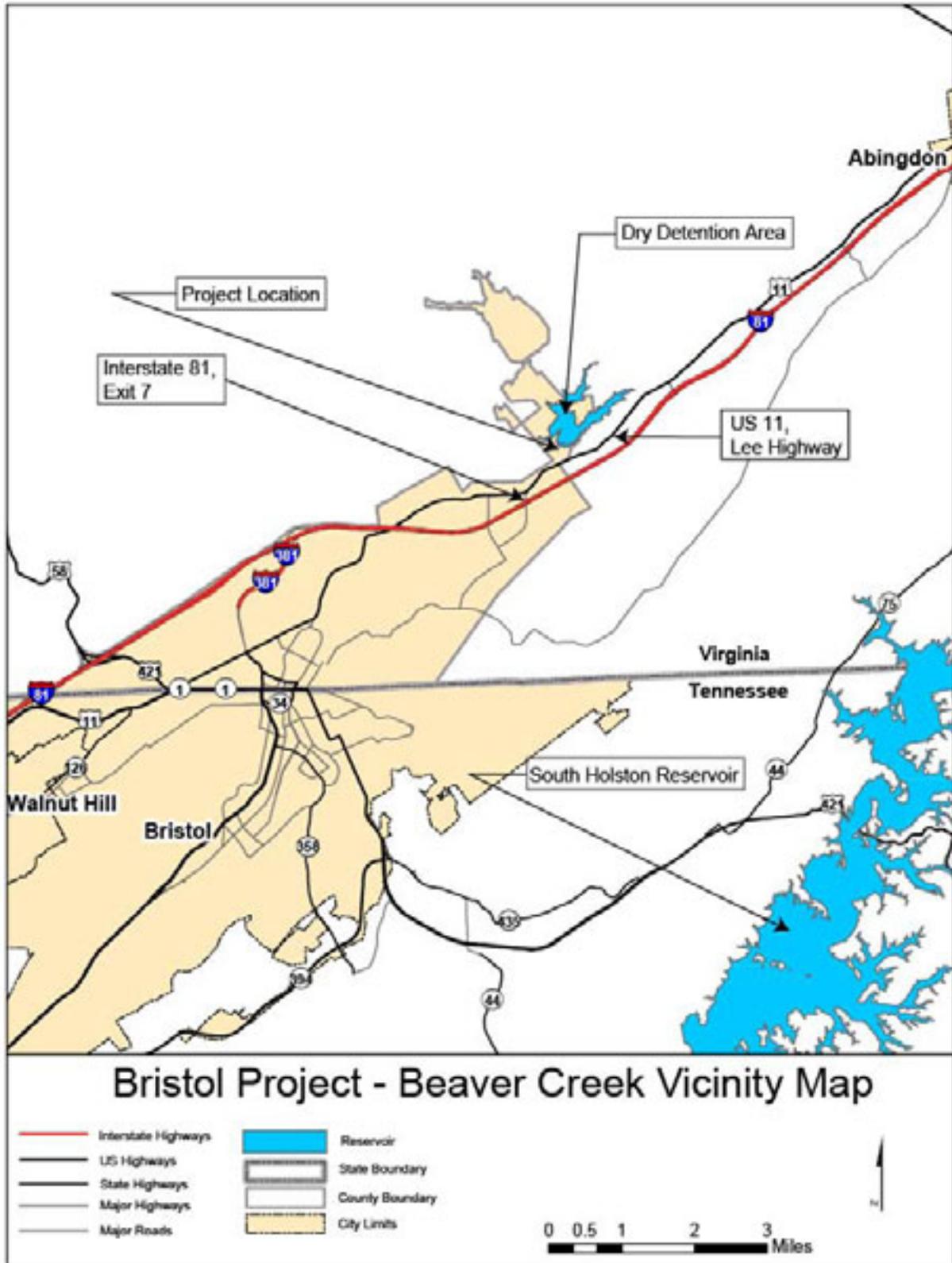


Figure 1. Vicinity Map of the Proposed City of Bristol, Virginia, Sugar Hollow Business Complex in Washington County

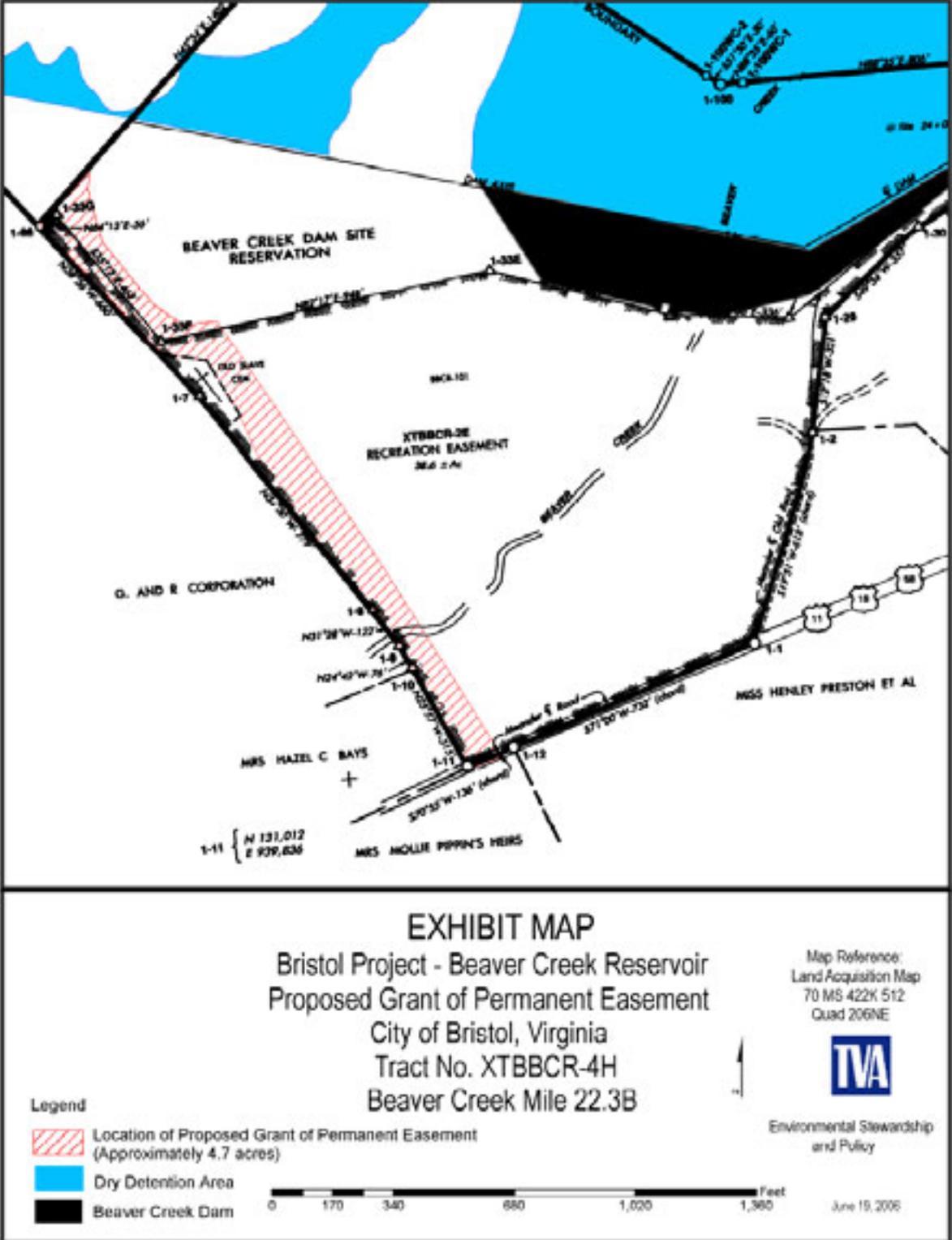


Figure 2. Location of the Proposed 4.7-Acre Easement for Public Road Access to the Sugar Hollow Business Complex

## **Background**

In 1994, TVA evaluated the effects of the proposed sale of 83.7 acres of land at public auction to the City for future industrial use (see the section entitled Other Environmental Reviews and Documentation). The City felt that industrial development on this land could serve as an economic catalyst for the area, but has recently determined that the highest and best use of a portion of this land would be for the planned Business Complex. Since its acquisition from TVA by the City, the tract has not been successfully marketed for potential industrial use. However, since the mid-1990s, substantial retail, business, and commercial developments have occupied other land in the vicinity of Exit 7 of Interstate 81 (I-81), Old Airport Road and Lee Highway. The proposed access road and Business Complex site borders this rapidly growing area and would be readily accessible and only a short distance from this busy I-81 interchange (see Figure 1). The City already holds a permanent recreation easement from TVA over a portion of the property that would be affected by the road easement.

The City acquired the site for the Business Complex from TVA with the understanding that no access was provided at the time. However, the City has had plans to construct an access road to this planned business development property for some time and has consulted with TVA as it examined various alternative routes while attempting to minimize impacts on environmental resources including Sugar Hollow Park. Because road construction or easement costs would be greater or the project would impact facilities on existing recreation land, the City determined other routes are not feasible. The proposed roadway easement would pass close to Resting Tree Slave Cemetery, which would not be directly affected (see Figures 2 and 3).

In addition, in 2005, TVA initiated an environmental review (TVA 2006, unpublished document) on adjoining private property where the applicant, TRANOM LLC (TRANOM), proposed to construct two new bridges over Beaver Creek a short distance downstream. As a part of the mitigation associated with that proposal, the Bristol Historical Association (BHA) would relocate the historic Robert Preston House from its original setting to a 2-acre lot on the Business Complex (see section entitled Other Environmental Reviews and Documentation). At its new location, this historic home would be refurbished and used as a working public museum. TRANOM subsequently withdrew its application in February 2006. It is not known whether BHA would nonetheless go ahead with its proposal to relocate the Robert Preston House.

## **Alternatives and Comparison**

This EA considers two alternatives: 1) No Action and 2) the Proposed Action with Mitigation. Under the No Action Alternative, TVA would not modify its current deed restrictions over the recreation land, grant an easement over the TVA reservation land, or approve the road and bridge replacement over Beaver Creek under Section 26a. The economic benefits of the proposal including development of the Business Complex and associated increased job opportunities could be foregone unless another way to access the property is found. The City already owns the 83.7 acres acquired from TVA, of which a portion would be used for the Business Complex. The City has examined other alternative routes across other TVA land and land over which it has outstanding land rights. As mentioned, these other alternatives are not feasible and would probably have greater impacts on recreation and the integrity of the earthen TVA detention dam. The City is legislatively prohibited from annexing property. Other options considered by the City

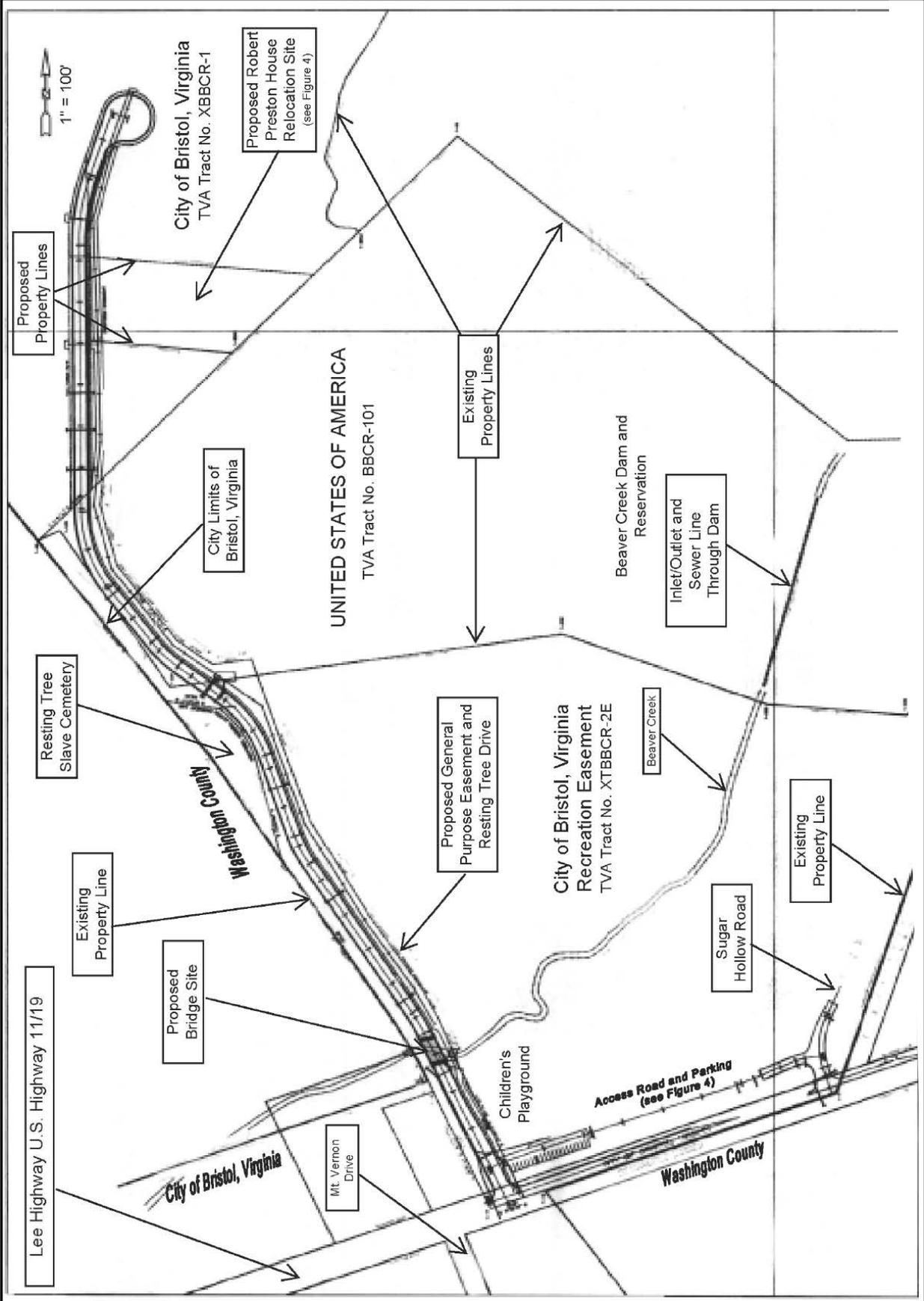


Figure 3. Map of the Proposed Easement Location – the City of Bristol, Virginia’s New Roadway, Resting Tree Drive

included acquiring an easement and building a new road at a previously unconsidered location or negotiating with private entities or individuals. In this regard, the City has also examined other options for developing the site and potentially gaining access (e.g., from Clear Creek Road or Wallace Pike), possibly without building a bridge. Although an access easement and road over private land could possibly avoid the need for a federal authorization, these options would require acquisition from private landowners, construction over more steep terrain, a railroad track (and possibly a stream); or a road of greater length. The steep terrain, the geography and much higher costs make alternative access routes infeasible (Attachment 1).

Under Alternative 2, the Proposed Action with Mitigation, the new road would be constructed along an existing graveled utility road on the western edge (near the property line) of Sugar Hollow Park and the dam reservation land. Via a new 65-foot long by 34-foot wide bridge, it would provide access to the 40-acre planned Business Complex, proposed to be constructed on an 83.7-acre tract of former TVA land purchased by the City in the mid-1990s (see Figure 1). Granting the 4.7-acre general purpose easement would allow the City to construct a public street, Resting Tree Drive, into the Business Complex (see Figure 2). A new bridge would be constructed and a submersed water line would also be open-trenched approximately 12 feet across Beaver Creek at the new bridge site. Alternative 2 would provide improved services to the community, provide economic benefits to owners and investors of the Business Complex, benefit the local economy, raise property values, and increase area job opportunities. However, an access road and bridge at this location would impact a small wetland, recreational facilities, and use of the Sugar Hollow Park as well as potentially contribute to traffic congestion on Lee Highway, worsen water quality in Beaver Creek, and increase environmental noise. If Alternative 2 were approved, potentially adverse impacts on environmental resources would be reduced to levels of insignificance or offset through mitigation. As a part of the conceptual plan for the Business Complex, the City would construct a hiking/biking trail system and a boardwalk over a portion of a created wetland on this property. This new trail system would be connected to the existing trail system on the dam reservation and parkland and offset any lost area or recreation opportunity displaced by the 4.7 acres of land for the roadway. The City would also implement other improvements to reduce transportation impacts.

TVA has determined that alternatives considered by the City cover a reasonable range of actions that address the purpose and need for the project in this setting. Design features for the bridge minimize impacts on the Beaver Creek 100-year floodplain and avoid impacting the creek's floodway. The City would also mitigate the effects of its development on wetland resources. Other effects, including those on the Beaver Creek floodplain, would be minor. Therefore, TVA and the City prefer Alternative 2 and believe that no other less impacting, economically feasible, and practical alternative roadway routes to the Business Complex site exist.

### **Other Environmental Reviews and Documentation**

An EA prepared by TVA (1994) evaluated the effects of a sale of 83.7 acres of land to the City, without restriction, for industrial development purposes. This land was part of 296.3 acres TVA granted the city under a permanent recreation easement in 1966 for the Beaver Creek Flood Control project. An adjoining portion of this easement area is now occupied by the Beaver Creek Detention Dam and Sugar Hollow Park, under permanent recreation easement and managed by the City. The easement area includes land above the dam and below the flood contour and TVA retained the right to continue to flood the property, as

necessary. The TVA Board of Directors later approved the sale of the nearby 83.7-acre tract of land to the City at public auction under Section 31 of the TVA Act for industrial use. The 40-acre portion of this site planned for the Business Complex is highly disturbed and largely an early successional reverting field previously used as a borrow pit to obtain material for the construction of the detention dam. Findings from the 1994 environmental review concluded that industrial development of this property would result in minor and insignificant environmental impacts. Upon further review, TVA has verified that the evaluation in the 1994 EA is still valid notwithstanding the passage of several years. Therefore, the effects of developing the Business Complex are not reevaluated as a part of the City's current proposal, except as to the cumulative impact of the Business Complex when added to the impact of the easement and Section 26a decisions currently before TVA. However, measures included in the City's conceptual plans that offset recreation and wetland impacts and socioeconomic, noise, and transportation considerations are incorporated by reference as appropriate.

By vote of the Bristol City Council and gift deed dated May 24, 2005, the City granted approximately 2 acres of this former TVA land to the BHA for a site to relocate the historic Robert Preston House. Subsequently, TVA suspended its review of the TRANOM project when TRANOM withdrew its application. The status of BHA's proposal to move the historic home to the Business Complex site is presently unknown.

The U.S. Army Corps of Engineers (USACE), in cooperation with TVA, completed an EA (USACE 2004) on the effects of the proposed channel widening near 6<sup>th</sup> Street, improvements near 8<sup>th</sup> Street (including removal of 8<sup>th</sup> Street bridge, removal and replacement of a nearby pedestrian bridge, and channel widening at 8<sup>th</sup> Street bridge), and removal of the Sears' building. The proposed actions were to reduce flooding from Beaver Creek on the cities of Bristol, Tennessee, and Bristol, Virginia. Along with the two in-stream structural modifications, this EA also recommended modification of the inlet structure in the TVA-owned Beaver Creek Detention Dam. As indicated above, TVA owns the detention dam and upstream property subject to the City's outstanding recreational easement. The City has requested a general purpose easement from TVA over dam reservation land for road access (Resting Tree Drive) to the Business Complex as well as Section 26a approval for the proposed bridge over Beaver Creek. For the flood reduction project, the City would also need Section 26a approval for downstream stream modifications proposed to affect Beaver Creek in Bristol. TVA is working with USACE on the design of the new inlet structure. USACE would also need TVA approval to install this structure in Beaver Creek Dam. On its land, TVA would continue to own and operate the modified facility, so it is unlikely that any permanent landrights would need to be granted to other entities for this project. The project is presently in the detailed plans and specifications development phase, and project implementation is not expected to begin until sometime in late 2007 or early 2008.

In 2005, TVA initiated an environmental review of TRANOM's proposal to construct two new bridges over Beaver Creek, about 0.7-mile downstream (Beaver Creek Mile 21.6) of Sugar Hollow Park. These bridges, which required approval under Section 26a, would have been located just north of Lee Highway and would have provided road access to a planned retail development, The Highlands Shopping Center, on a 156-acre tract adjoining the west side of the city's proposed Business Complex. Because the TRANOM proposal would have adversely impacted the historic Robert Preston House, listed on the National Register of Historic Places, TVA prepared an EA to evaluate the potential impacts on historic properties and other environmental resources. At that time and in accordance with

an executed memorandum of agreement (MOA), this historic structure would have been relocated from the TRANOM property to the planned Business Complex. At its new location, this historic house would be refurbished and used as a working public museum. Since TRANOM stopped the project in February 2006, and subsequently withdrew its application before TVA, the status of BHA's proposal to relocate the Robert Preston House is presently unknown.

## **Affected Environment and Evaluation of Impacts**

### **Project and Site Description**

The 4.7-acre requested easement area, upon which the new road and single span bridge would be constructed, contains a playground, a bridge, and a gravel utility road on the western edge of Sugar Hollow Park. A majority of the easement and road project would affect land under an existing recreation easement granted to the City (Tract No. XTBBCCR-2E) within the city limits of Bristol, Virginia. It would also affect a sewer easement in the vicinity of Beaver Creek. A submersed water line would also be open-trenched approximately 12 feet across Beaver Creek at the new bridge site. The new public road, Resting Tree Drive, would be 0.62 miles long and provide access from Lee Highway, via a new bridge across Beaver Creek; to the planned Business Complex (Tract No. XBCCR-1; see Figures 2 and 3).

Much of the adjacent recreation area and dam reservation land to the east is maintained as open, mowed grass fields. The easement corridor itself would be on land extensively disturbed from past and current use including grading for playgrounds, ball fields, and construction and operation of other public recreation facilities. The corridor also includes old fields, shrubs, and brush along an existing fence line as well as some scattered young to early mature hardwood and pine trees on the more northern portions dam reservation land. Several large hardwood trees occur in the immediate vicinity of the Resting Tree Slave Cemetery. Mature planted white pines occur on the northwestern side of the TVA property (Figure 4).

The Sugar Hollow Park site is generally bordered by business and commercial development to the south and west, particularly in the vicinity of the I-81 Exit 7 interchange. Much new commercial, business, and retail development, including The Home Depot, Decorator's Warehouse and Mullins Jewelry Store, Red Lobster Restaurant, Salsarita's Fresh Cantina, and the Tinseltown Movie Theaters, is located in the vicinity of the I-81 interchange in recently constructed Walnut Grove and Linden Square Shopping Centers. East of Sugar Hollow Park and along Lee Highway, the developed landscape consists largely of scattered low-density residential, some commercial development, and agricultural lands to the north and east.

The shoreline of Beaver Creek in the vicinity of the proposed Resting Tree Drive and the new bridge has been disturbed by highway and park developments, and the stream is bordered by a few scattered hardwood trees. In the park, grass is mowed to the edge of the stream. One small wetland area, about 0.1 acre and dominated by cattail and black willow, occurs within the Beaver Creek floodplain just south of the existing bridge over Beaver Creek on the western edge of the park. In 2004, the Index for Biotic Integrity (IBI), an indicator of fish community health, rating was poor to very poor (USACE 2004). Studies conducted downstream at Beaver Creek Mile 17.6 in Washington County by TVA for

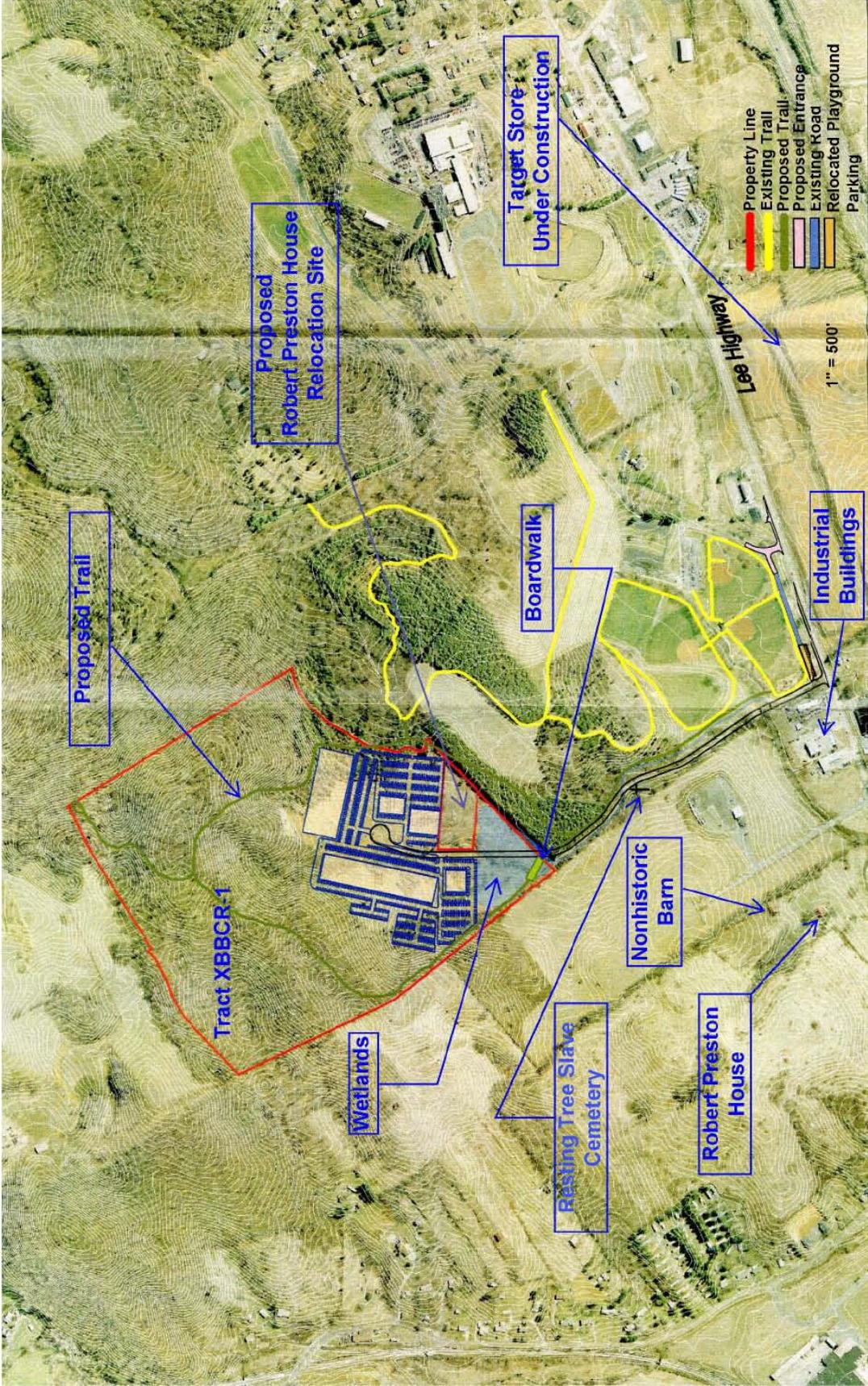


Figure 4. Sugar Hollow Business Complex Conceptual Plan, nearby development, and features of interest

fish species have shown similar poor health for bottom or benthic life. This reach of Beaver Creek (Mile 22.3) is listed by the State of Virginia as “impaired waters” due in part to periodic high fecal coliform levels, lead, and polychlorinated biphenyls (PCBs) (see Aquatic Resources below). Although Beaver Creek is classified as impaired, a few species of minnows and small fish probably occur in Beaver Creek on the project site. No state-listed or federally listed aquatic threatened or endangered species are known from the reach of Beaver Creek or immediate vicinity (see Endangered Species below).

The larger area and region are characterized as having steep mixed hardwood-forested northeast- to southwest-trending ridges with a diversity and abundance of fish and terrestrial wildlife. The forest and lesser plant communities and wildlife species in this area are common to the region, and no state-listed or federally listed terrestrial threatened or endangered species are known from the site or immediate vicinity.

### Impacts Evaluated

Granting the easement and Section 26a permit and subsequent construction of the access road and bridge would not affect endangered species (see Endangered Species section), prime or unique farmland, groundwater, unique or important terrestrial habitats, state or national forests, wilderness, scenic, or other ecologically critical areas. Staff also determined that there would be no effect on archaeological resources found to occur on the easement property (see Cultural Resources subsection below). The project site is in an attainment area for ozone. Other than normally expected solid waste associated with road construction and fugitive dust, no air or land emissions of pollutants, hazardous waste or waste requiring special handling and disposal would be generated by the project and no impacts from such waste products are anticipated. During construction activities, the City would control fugitive dust by methods outlined in 9 VAC 5-50-60 et seq. of the Regulations for the Control and Abatement of Air Pollution. No open burning of construction or demolition material or land-clearing debris would take place onsite. The City would also obtain any necessary air pollution permits for fuel-burning construction equipment.

Section 26a approval would be required for a new road bridge across Beaver Creek. The single small palustrine emergent wetland in the Beaver Creek floodplain would be directly impacted by the roadway and bridge construction over Beaver Creek (see Project and Site Description). This wetland functions to help filter sediments and pollutants from the highway and Sugar Hollow Park parking lot and adjoining areas prior to runoff entering Beaver Creek. In association with construction of the Business Complex, the City’s conceptual plans include designing and building a wetland as a part of its storm water drainage control and treatment system. Loss of this existing small wetland and its ecological service functions would be fully mitigated through the creation of a wetland to serve these functions on the Business Complex site.

The City of Bristol and Washington County are both participants in Federal Emergency Management Agency’s National Flood Insurance Program (NFIP). As indicated above (Alternatives and Comparison), other sites considered in the evaluation were found to be unsuitable due to the geography, the steep terrain and much higher costs. TVA, therefore, concludes that there is no practicable alternative to construction of the road and bridge in the floodplain of Beaver Creek. Consistent with Executive Order 11988 (Floodplain Management), bridges are considered repetitive actions in the floodplain that would result in minor impacts. Road construction would only require a minor amount, if any, of floodplain fill. Therefore, under the preferred alternative (Alternative 2), anticipated impacts

on local flooding and floodplain values would be insignificant. The project has been designed to meet the requirements of the NFIP and all local ordinances.

Given the nature of surrounding business development, other than temporarily during construction, noise levels are not expected to increase (see Noise subsection below). This project would not cause a significant increase in traffic volumes (see Transportation subsection below). Mitigation for effects on recreation associated with Sugar Hollow Park is planned and incorporated into the City's conceptual plans for the Business Complex. Socioeconomic impacts would be positive, but insignificant (see Socioeconomics subsection below).

### Cultural Resources

TVA property maps of the Beaver Creek Dam Reservation depict a cemetery on the western side of the proposed easement area right-of-way. Archaeological investigations of the Resting Tree Slave Cemetery (44WG0562) were undertaken by the Virginia Department of Historic Resources in June 2005 to evaluate the mapped east and north boundaries of the cemetery and to assess whether plans for construction of the proposed roadway would disturb the cemetery or other cultural resources. Reportedly, this cemetery served the enslaved communities of the Preston family in the 19<sup>th</sup> century. The roadway would not encroach onto the western or southern boundaries of the cemetery, and therefore no investigations were conducted along those boundaries (Klatka 2005). Although the investigators did not discover any graves outside the established east and north boundaries of the cemetery nor were any other cultural resources found, the City has designed the road to avoid the cemetery altogether. Furthermore, as a condition of the TVA easement, the City would place a temporary highly reflective fence around the north and east sides of Resting Tree Slave Cemetery and the limits of construction in this area would also be fenced so that all heavy equipment and related construction traffic and ground disturbance would not inadvertently impact this cemetery (see May 1, 2007 letter from the Virginia Department of Historic Resources (VDHR) in Attachment 4). With measures to avoid this area, TVA concurs with the survey report and concludes that the road would have no effect on this cemetery.

Additional documentation was obtained from other surveys in the vicinity of this proposed action. An unpublished survey of the TRANOM property just west of and adjacent to the proposed ROW did not identify any cultural remains. Likewise, a survey for a sewer line project along Beaver Creek did not identify any cultural remains near the ROW site and proposed roadway (McIlhany 1992).

TVA Cultural Resources staff also conducted a field review of the proposed ROW easement on August 18, 2006. The TVA property over which the ROW is requested has been extensively graded as a part of building, maintaining, and operating Sugar Hollow Park, especially the ball fields at the southwest corner of the park adjacent to the proposed ROW. Cultural material consisting of three undiagnostic chert flakes was recovered from two shovel tests near Beaver Creek along the fence line between Sugar Hollow Park and the TRANOM property. Because no other cultural material was identified in the vicinity during previous investigations, it is likely the chert flakes identified in the shovel tests were displaced from the previously disturbed area of the ball fields to the east and north. Therefore, these remains are not considered to be potentially eligible for listing in the National Register of Historic Places (NRHP).

The Robert Preston House or Walnut Grove (state historic property # 95-22), a property listed on the NRHP, is situated approximately 1200 feet west of the proposed ROW and 2000 feet south-southwest of Business Complex (see Figure 4). In the 1994 EA on the sale of Tract XBBCR-1 (Business Complex property), TVA concluded that the Robert Preston house is visually screened from the sale tract by intervening topography. However, in a July 18, 1994 letter, the Virginia State Historic Preservation Officer commented that development of the sale tract could have an effect on property # 95-22 (Attachment 2).

The former farm property on which the Robert Preston House is sited is likely to be developed in the foreseeable future. The recent TRANOM development proposal described above prompted the property owner to transfer ownership of the house to the BHA with the condition that the structure would be moved. The City of Bristol deeded BHA a two-acre tract within Business Complex (see Figure 4) on which to relocate the historic structure. The Virginia State Review Board and the Historic Resources Board gave pre-move approval to keep the structure listed on the Virginia Landmarks Register and the NRHP at the Boards' joint meeting of June 1, 2005 (see Attachment 2).

As previously stated, TVA does not know whether BHA would still proceed with relocating the Robert Preston House (TVA 2006, unpublished document). In the absence of this information, TVA has assessed the impact of construction of the proposed access route and the Business Complex on the Robert Preston House under two alternative scenarios: (1) that the House would remain at the present location and (2) that the House would be relocated to a site within the Business Complex.

In its present location, the Robert Preston House is visually screened from the Business Complex by intervening topography. Structures on the highest elevation of the Business Complex property would have to be a minimum of seventy feet in height to be visible from the roof of the Robert Preston House. There is also significant existing development to the south of the Robert Preston House along Lee Highway (US 11) that is much closer to the Robert Preston House than the minimum distance (ca. 2000 feet) to proposed development in Business Complex. Development along the highway includes a new Target Store under construction. The proposed Resting Tree Drive entrance to the Business Complex would be visible from the Robert Preston House for less than 500 feet from its exit off Lee Highway. There are also existing industrial/business structures between the Robert Preston House and the proposed Resting Tree Drive along this line-of-sight. The remainder of Resting Tree Drive would be screened from the Robert Preston House by intervening topography. As noted in the Transportation section below, there could ultimately be up to 1500 people working in Business Complex accounting for 3,000 vehicles per day (VPD) on Resting Tree Drive. At a distance of approximately 600 feet from the Robert Preston House, Lee Highway has an average annual daily traffic (AADT) of 9,000 VPD. TVA concludes that, because of the visual separation between the Robert Preston House, Resting Tree Drive, and the Business Complex and because of the degree of existing development near the Robert Preston House, there would be a slight effect on the historic property but the effect would not be adverse.

If the Robert Preston House is moved to the donated parcel in the Business Complex, the visual setting of the historic structure would be much different. The view to the southeast of this site is pine woodland which is part of the Sugar Hollow Park on TVA's Beaver Creek Dam property. There is no anticipated change of land use in this direction. The view to the southwest is the former farm property on which the house presently stands. It may be assumed that if the house is moved, it would be because the farm property is being developed and the view in that direction could change dramatically. To the north and west

of the relocation parcel lays the main portion of the Business Complex property and business structures, and vehicle parking is planned immediately adjacent to the property line on both sides. The development of business structures and large parking lots would be an adverse visual effect on the Robert Preston House's new location. To reduce or minimize this adverse effect, TVA would include conditions in the general purpose easement agreement requiring the City to establish and maintain a visual buffer zone between the west and north boundaries of the 2-acre donated parcel and the business park development, if the Robert Preston House is ever relocated to this parcel. This buffer zone would be a minimum of fifty (50) feet in width and would be planted with native species of trees and shrubs of sufficient height and density to screen the house setting from development in the Business Complex. If necessary, the City would also move the Resting Tree Drive 50 feet to the west in the vicinity of the donated parcel to accommodate the visual buffer. With the establishment of the buffer zone, the effect on the relocated Robert Preston House would not be adverse.

By letter dated May 31, 2007, the VDHR concurred with TVA's determination that, with commitments to protect the Robert Preston House, the proposed project will not adversely affect historic properties. TVA will include, as a condition of its easement, a commitment to avoid potential inadvertent impacts on the Resting Tree Slave Cemetery. VDHR indicated that no further consultation is necessary (Attachment 4). To comply with VDHR's request, TVA will also take documentary photographs of the potential visual effects on the Robert Preston House during the fall or winter of 2007-2008 after leaf fall and submit the photographs to VDHR.

#### Aquatic Resources

The project is in the Holston River sub-basin of the Tennessee River. According to the Virginia Department of Environmental Quality (VDEQ), the site is in hydrologic unit code 06010102, VAS-007R and Beaver Creek's classification in the Virginia Water Quality Standards is section 4, Class IV Mountainous Zone Water. This reach of Beaver Creek is listed under section 303(d) of the Clean Water Act as a Total Maximum Daily Load (TMDL) segment for aquatic life, bacteria, lead, and PCBs found in fish tissue. The IBI rated Beaver Creek in the vicinity of this project as poor to very poor (USACE 2004). TMDL restricts the amount of sediment entering the stream.

The proposed new bridge is designed to span the entire width of the existing floodway, and the deck elevation of the new structures would be above the 100-year flood elevation. The clear span bridge design would allow the bridge to be constructed without disturbing the designated floodway of Beaver Creek. Hydraulic modeling results, including analysis with the existing bridge support structures in the creek, which would be removed, suggest that the proposed new bridge structures would not increase the level or extent of flooding and meet the Federal Emergency Management Agency requirements. There would be minor and temporary stream and water quality impacts from slightly increased sedimentation from work on the stream banks. However, because the City or its contractor would implement sound engineering and construction best management practices (BMPs), impacts from bridge construction would be minor and insignificant and, in the long-term, would not cause the currently impaired water quality conditions in Beaver Creek to worsen. BMPs would include the use of silt screens, staked hay bales, as well as water bars, check dams, temporary sediment basins, and, if needed, temporary detention ponds to filter sediment from storm water. All disturbed areas not paved would be seeded, fertilized, mulched, watered, and maintained until adequate vegetation became established.

By letter dated January 27, 2006, the USACE, Norfolk District, indicated that the project does not involve a discharge of dredge or fill material into waters of the United States, and no permit would be required for the bridge crossing. By letter dated February 7, 2006, the Virginia Department of Conservation and Recreation (VDNR), also representing the Virginia Department of Agriculture and Consumer Services (VDACS), cautioned that the initial construction plans did not appear to preclude effects of a bridge abutment on the designated floodway of Beaver Creek. Upon receipt of additional information, VDNR indicated that this project, including the water line, would be acceptable as proposed (Attachment 3).

By letter dated April 6, 2006, Virginia Marine Resources Commission (VMRC) issued a conditional authorization for the clear span bridge and utility installation. This permit, VMRC # 05-2670, requires the implementation of sound engineering and erosion and sediment control BMPs. VMRC and, by email dated January 27, 2006, Virginia Department of Game and Inland Fisheries (VDGIF) also would require that in-stream work be conducted during low-flow conditions, using nonerodible cofferdams, blocking no more than 50 percent of the stream flow, stockpiling excavated material in a manner that prevents reentry into the stream, restoring original streambed and stream bank contours, revegetating barren areas with native vegetation, and implementing strict erosion and sediment control measures. In accordance with the VMRC permit, activities would be accomplished throughout construction in accordance with the *Virginia Erosion and Sediment Control Handbook* (VDNR 1992) and the *Virginia Erosion and Sediment Control Field Manual* (VDNR 1995). In addition, if blasting to construct the water line trench were necessary, VDGIF would be notified a week prior to blasting to allow a representative to be present during blasting to observe the operation (Attachment 3).

In association with construction of the Business Complex, the City's conceptual plans include designing and building a wetland as a part of its storm water drainage control and treatment system. Water discharge from this created wetland would drain through a narrow ditch to Beaver Creek along the new roadway. Based on TVA analysis of the road and bridge construction proposal, there would be no significant impact on water quality if implemented in accordance with state approvals. Furthermore, functions mitigated by the created wetland at the Business Complex site would compensate for the wetland loss caused by the project. The created wetland would be buffered with a minimum of 100 feet of vegetation between it and the Business Complex. Therefore, the existing water quality in Beaver Creek would not be negatively impacted by the City's proposal.

### Endangered Species

Terrestrial Species - A review of the TVA Regional Natural Heritage database for listed terrestrial animals during May 2007 revealed no records of Virginia state-listed species within three miles of the Business Complex site. Records of two federally listed species have been reported from Washington County: Virginia northern flying squirrel (*Glaucomys sabrinus fuscus*) and gray bat (*Myotis grisescens*). A third federally listed species, Indiana bat (*Myotis sodalis*) has also been found in Washington County during a study along the Holston River (Yates and Evers, 2006).

The Virginia northern flying squirrel occurs in high elevation spruce-fir, and occasionally hardwood forests, down to 4000 feet. No suitable habitat for this species occurs in the project area, and this species would not be impacted. Gray bats roost year-round in caves or occasionally similar structures, and forages over reservoirs, rivers, and streams. No gray bat caves are known to occur in Washington County, although one gray bat colony

has been reported from a culvert in Bristol, 4.8 miles away. This roost would not be affected and no other roosting habitat for gray bats occurs in the project area. A minimal amount of suitable foraging habitat for gray bats probably occurs over Beaver Creek, but the bridge replacement associated with this project would not impact this foraging habitat. Indiana bats roost in caves during hibernation, and mature forests with open sub-canopies outside of hibernation. Neither habitat exists at the project site or impact area. Some mature blocks of forests in north and east of the site probably provide some suitable roosting and foraging habitat for this species; but this habitat would not be disturbed by the proposed action, and this Indiana bat would not be impacted. Therefore, TVA has determined that this project would have no effect on any state- or federally listed terrestrial species, or their habitats (see emails from the U.S. Fish and Wildlife Service (USFWS) in Attachment 4).

**Aquatic Species** - A similar database review indicates that six listed fish and listed rare mussel species are known to occur in the North Fork and South Fork Holston River drainages within 10 miles of the proposed Business Complex (Table 1). In addition, the Cumberland moccasinshell (*Medionidus conradicus*), fluted kidneyshell (*Ptychobranchnus subtentum*), and mountain creekshell (*Villosa vanuxemensis*) have been reintroduced into the North Fork Holston River, although their population viability is unknown.

Ground disturbance would be minimized, and all work would be conducted in accordance with applicable BMPs (see reference above). Due to the nature and distance from the project site, along with implementation of proper BMPs, there would be no effect on any sensitive aquatic animals or their habitats identified in Table 1 downstream in the North and South Fork Holston River drainages. And, although the federally listed spotfin chub occurs in the North Fork Holston River; the proposed easement and road would have no effect on this species.

### Noise

The proposed general purpose easement and roadway would run along the western edge of Sugar Hollow Park. This recreational area is developed and is used for playgrounds and active sports, such as soccer and softball. Additionally, there are day-use activities on the site, including picnicking, biking, and walking. Adjoining properties west of the park are used for a small mechanic's garage, a vacant construction and paving company site, and pasture. There is dense commercial development and activity along Lee Highway where Resting Tree Drive would intersect. Across the highway from the Sugar Hollow Park is a Home Depot, and there are many restaurants and other commercial establishments on both sides of the highway in both directions, but particularly west toward I-81. The City and its supporting suburban development are rapidly growing in this general area (see Project and Site Description above).

Traffic noise is plainly heard on the recreational area from vehicles on Lee Highway and from I-81, which is located about 0.5 mile to the southeast. Other noise sources in the immediate area are restaurant ventilation systems; heating, ventilation, and air conditioning for businesses; and medium and heavy delivery trucks. The current noise environment is typical for a high-density, suburban, commercially developed highway.

Table 1. Sensitive Fish and Mussel Species Known to Occur in the North Fork and South Fork Holston River Drainages within Ten Miles of the Proposed Sugar Hollow Business Complex Easement in Washington County, VA.

Common Name	Scientific Name	Status <sup>1</sup>	
		Federal	State
<b>Fish</b>			
Spotfin Chub	<i>Cyprinella monacha</i>	THR	VA - THR (S1)
Tennessee Dace	<i>Phoxinus tennesseensis</i>	--	TN - NMGT (S3)
Popeye Shiner	<i>Notropis ariommus</i>	--	VA - SPCO (S2S3)
Black Sculpin	<i>Cottus baileyi</i>	--	VA - NOST (S2)
Bluebreast Darter	<i>Etheostoma camurum</i>	--	VA - SPCO (S2)
Blotchside Logperch	<i>Percina burtoni</i>	--	VA - SPCO (S1)
<b>Mussels</b>			
Tennessee Pigtoe	<i>Fusconaia barnesiana</i>	--	VA - SPCO (S2)

Status abbreviations: THR = Threatened; NMGT = In Need of Management; NOST = Tracked, No Official Status; SPCO = Species of Concern.

State rank abbreviations: S1 = Critically imperiled; S2 = Imperiled; S3 = Vulnerable.

Because of the present and likely increasing future level of environmental noise generated by various independent private sources in the vicinity of this proposal, no significant potential noise impact would occur if this permanent easement, bridge, and new roadway were approved. Road access construction as well as the eventual development of the

Business Complex would generate noise from construction, business activity, and traffic at levels that would cause no additional impacts in the area. Noise generated by road and bridge building and erecting nonindustrial buildings is usually confined to business hours during the traditional business week, Monday through Friday. This time does not coincide with the peak use of Sugar Hollow Park, and the construction noise would not impact the commercial activities along Lee Highway. Most people would use the recreational site during the spring, summer, and fall seasons after business hours or on the weekend. People using the recreational area during business hours would also hear a high level of daytime noise from the highway, so the potential increase in noise level from construction would be insignificant.

Traffic accessing the Business Complex via Resting Tree Drive would generate noise that could be heard by users of the adjacent recreational areas. The potential impact of this traffic noise is insignificant for the following reasons: (1) most of the traffic would occur during usual commuting hours; (2) there would be low speed on the access road; and (3) the nonindustrial businesses would not have many heavy truck deliveries. Background

traffic noise from the Lee Highway corridor peaks during usual commuting hours so that the low-speed vehicles accessing the proposed Business Complex would not add to the present background noise environment. Also, a few heavy truck deliveries throughout the day to the Business Complex would not cause a significant increase in the current noise environment around the Lee Highway corridor.

Instead of industrial facilities, the City's intended occupants of the Business Complex are nonpolluting, nonindustrial businesses that want to use the City's fiber optic network (TVA 1994 and also see Attachment 1). These types of businesses usually do not generate noise that is heard outside of their respective buildings; consequently, there is no noise impact from their operations.

### Transportation

Resting Tree Drive and the new bridge would be built on the general purpose easement for 0.62 mile to serve the Business Complex. The new road would intersect Lee Highway approximately 1 mile north of the Old Airport Road interchange with I-81. Lee Highway is a two-lane highway (with middle turn lane) in the vicinity of the proposed new road intersection. Old Airport Road is a multilane facility between Lee Highway and I-81. According to the latest traffic counts available from the Virginia Department of Transportation, Lee Highway has an AADT volume of 9,000 VPD north of the proposed intersection and an AADT volume of 12,000 VPD south toward Old Airport Road. Old Airport Road has an AADT volume of 16,000 VPD between I-81 and Lee Highway. The interchange of I-81 and Old Airport Road has been upgraded within the last 10 years in anticipation of additional growth and expansion in this area.

Rigorous traffic analysis (Level of Service analysis) for the proposed development was not performed because the exact nature of the final completed Business Complex is presently uncertain. The development has been described as a business complex with low-impact, nonindustrial end uses. Primary traffic would be generated by employees commuting to and from this Business Complex. After construction, material delivery into and out of the facility is expected to contribute very little to the anticipated traffic volume. The City's estimates of the number of people that could eventually be employed at this facility vary from 1,020 up to about 1,500 after an incubation period (build-out) of perhaps 10 years. This could account for an additional maximum of 3,000 trips per day into and out of the Business Complex. During this time, additional highway improvements to the local road network are likely to occur. Due to the short distance from the development to I-81, the traffic volume generated by the Business Complex, and the expected capacity of Lee Highway and Old Airport Road, the traffic impact due to the proposal is not expected to be significant. Given the nature of surrounding business and recreation development, it is not anticipated that this project would cause a substantive increase in traffic volumes or create additional safety concerns. In addition, the City has indicated its intention to install traffic signals at the intersection of the new Resting Tree Drive and Lee Highway and at the Sugar Hollow Park entrance to control traffic and enhance safety (see Recreation Section below and Attachment 1). Therefore, impacts on transportation from the City's proposal and resultant TVA actions are expected to be minor and insignificant.

### Recreation

Sugar Hollow Park provides several types of recreation opportunities including soccer and softball fields, camping sites, a recreational building, swimming pool, a playground, hiking trails, as well as other informal uses. The Clear Creek Golf Course is located adjacent to TVA Clear Creek Dam Reservation, upstream of Sugar Hollow Park. This is the only

developed recreation area within approximately 5 miles of the Business Complex easement, bridge, and access road project.

The number of users at Sugar Hollow Park has never been measured by the City; however, the park is used by a moderate to high number of both City and county residents, particularly during the warmer seasons, holidays, and weekends. The athletic fields are used by several sports leagues, high schools, and some colleges for regular games and tournaments. The playground adjacent to the proposed road is also a heavily used area (see Figure 4).

Construction of Resting Tree Drive would directly impact a small portion of the parking lot and an existing playground between Lee Highway and Beaver Creek. To mitigate this impact and provide safe separation, the City has proposed to relocate the entrance to Sugar Hollow Park approximately 800 feet east of the present entrance on Lee Highway. As previously mentioned, the City has indicated its intention to install traffic signals at the intersection of the new Resting Tree Drive and Lee Highway and at the Sugar Hollow Park entrance (see Attachment 1). Furthermore, the access road and recreation area would be physically separated by fencing, gating, or landscaping (e.g., hedgerow or other vegetation planting/screening) along its entire length (0.62 mile) to ensure a safe environment for children to play. Loss of parking space would be replaced by a redesigned parking area of equal capacity located in the area (see Figure 4). These actions would not affect Beaver Creek, but would occur on Lee Highway or on already disturbed recreation land under permanent easement to the City. With the proposed relocation of the park entrance and the replacement of the parking area, impacts on recreation would be insignificant.

The City also proposes to construct a hiking/biking trail system and a boardwalk over a portion of a created wetland on this property. This internal trail system would be connected to the existing trail system on the dam reservation and parkland and would be available for use by Business Complex employees and the general public (see Figure 4).

### Socioeconomics

The proposed permanent easement is sought from TVA by the City with the intention of developing the planned 40-acre, nonindustrial Business Complex. The City estimates that, as a result of the easement and access road, construction of the complex would employ 300 short-term workers and would eventually result in 1,020 to 1,500 long-term jobs. Approximately \$1.9 million of public funding would be invested in the project. The road and bridge construction would result in small, temporary socioeconomic impacts to the City and county and would not likely attract workers from outside Bristol and Washington County.

Long-term employment impacts are difficult to estimate accurately given the uncertainty of the ultimate tenants of the Business Complex. The City expects build-out to occur at the complex in perhaps 10 years. According to the latest Bureau of Labor Statistics (BLS) data, if the estimate of 1,020 to 1,500 jobs is accurate, this alone would represent up to a 20 percent increase in employment (currently 7,883) in the City. As of August 2006, unemployment in Bristol rests at 4.5 percent or 353 persons. Unemployment in Washington County is 4.2 percent or 1,122 persons. Therefore, up to 1,500 jobs would likely bring new residents to Bristol and Washington County. With their families, relocating employees would contribute a noticeable increase to the current population of 17,335 and 52,085 in the City and county, respectively. However, the population increase in Bristol and Washington County would be moderated if current commuting patterns hold and additional population growth would be expected during the Business Complex build-out period.

According to 2000 census data, 35 percent of those employed in Washington County commute into Washington County from other counties.

Without knowing what types of businesses that would locate in the Business Complex, it is also difficult to say whether the new jobs would raise or lower the existing average annual wage. According to the BLS, this annual wage is presently \$26,102 in the City. New residents would place increased demands on city infrastructure and public services, but would also bring additional property tax and sales tax revenue. The net impacts on the City are difficult to estimate, but this and other appropriate matters would probably be taken into account when the City considers rezoning the property. During the build-out period, additional employers are likely to move into the area, particularly considering other development in the vicinity of Lee Highway and the I-81 interchange in recent years (see subsection entitled Project and Site Description). Considering the extended timeframe for development, other development, and commuting patterns, TVA generally expects that granting this easement and associated construction and use of the roadway and Business Complex would have a positive socioeconomic impact on the City and county, but not a significant one.

According to the 2000 U.S. Census, the Bristol, Virginia census tract 204, which contains the Business Complex property, has a minority population of 3.35 percent. This is well below the City's 8.08 percent minority population. The Washington County census tracts to the immediate west (102), north (103), and east (101) of the property have minority populations of 1.76 percent, 2.43 percent, and 2.13 percent, respectively. These are all below the 2.95 percent Washington County minority population. Hence, there would be no disproportionate impacts on the minorities in the area. Also according to the 2000 U.S. Census, census tract 204 has a poverty rate of 8.7 percent. This is well below the 16.2 percent poverty rate the City. The Washington County census tracts in the immediate vicinity of the property (102, 103, and 101) have poverty rates of 10.7 percent, 16.7 percent, and 9.4 percent, respectively. Of these, only county census tract 103 to the north of the property has a poverty rate that exceeds the 10.9 percent rate for Washington County. The geographic area of possible socioeconomic impacts from the proposed action is unknown, but given that the poverty rates in the census tract 204 and the two closest county census tracts (102 and 101) are below the poverty rates for city and county, respectively; TVA expects that there would be no disproportionate impacts on those living in poverty in the area.

### **Potential for Cumulative Effects**

As previously mentioned, the I-81 corridor through southwestern Virginia in the vicinity of Exit 7 is rapidly developing, and in recent years has attracted numerous retail, business, and commercial developments. Except for recreation on land already under easement to the City and the Beaver Creek Detention Dam property, most existing and current development is on private land. Approval of the City's easement and roadway proposal would result in the eventual development of 40 acres of former TVA land for the Business Complex. Some currently undeveloped former TVA property sold to the City for industrial development would remain in the area, but this complex could spur similar development on the remaining 43.7 acres (TVA 1994) of this property. Other TVA land under easement to the City for recreational use in Sugar Hollow Park and the dam reservation would remain open and available for formal and informal recreational activities.

Other requests for use of TVA land or for approval of projects (under Section 26a) that could affect Beaver Creek, its floodplain, or other tributaries of the Tennessee River are

probable in the future. Other federal agencies, as well as state and local government agencies, would also likely exercise jurisdiction over these projects. These agencies have collectively provided conditional authorization for projects in the general vicinity of the proposed roadway and bridge construction site (Beaver Creek Mile 22.3) in the past that had the potential to cumulatively affect water quality and aquatic resources in Beaver Creek (which flows into South Fork Holston River at Boone Reservoir). However, TVA, USACE, VDCR, VMRC, VDEQ, and other local agencies have and would continue to impose conditions and mitigation measures needed to minimize water quality impacts. At a minimum, these measures would include rigorous implementation of BMPs for control of erosion and sedimentation at and in the vicinity of the City's project site (see Aquatic Resources subsection above) and at other sites. Successful implementation of these mitigation measures would reduce the potential for cumulative impacts to water quality and aquatic life in Beaver Creek and not make conditions worse. Other smaller streams in the immediate area and downstream would be similarly protected. With measures built into development plans for the Business Complex, the loss of the small wetland adjacent to Beaver Creek resulting from this project would not contribute significantly to wetland loss in the area.

With the use of standard practices, BMPs, and additional site-specific mitigation measures proposed, the road and bridge construction project, in combination with past, present, and reasonably foreseeable future actions, is not expected to lead to further adverse trends or degradation of water quality, aquatic resources, or other natural or cultural resources in or along Beaver Creek, Boone Reservoir, or the surrounding area. Because of environmental protection commitments and mitigation requirements that are normally placed on TVA, USACE, VDGIF, and VMRC permit approvals, cumulative effects to water resources in the watershed would be substantially reduced and are anticipated to be minor.

### **Public Review**

TVA conducted a preliminary review of the project proposal, site inspections, and internal scoping in July 2006. TVA also issued a public notice in the *Bristol Herald Courier* on September 12, 2006, and *Mountain City Tomahawk* on September 13, 2006. This notice identified the applicant, purpose and need for the project, and asked for comments by October 11, 2006. One comment was received on the proposal. The commenter mentioned that he is a regular visitor to Sugar Hollow Park, has great interest in the Robert Preston House, and suggested ways of stabilizing and preserving the historic home at its present location. The commenter indicated that he would like to see this land (i.e., Business Complex property) be prepared for a useful purpose.

At a regular commissioners' meeting at its headquarters, on February 28, 2006, the VMRC included the City's proposed roadway project on its agenda. The request, the City of Bristol (VMRC # 05-2670), described the City's need to obtain authorization to install 12 linear feet of submersed water line beneath and construct a 65-foot-long by 34-foot-wide bridge across Beaver Creek to facilitate vehicular access and private utility installation to the Business Complex (see Attachment 3). The VMRC recommended approval with the inclusion of standard in-stream permit conditions.

USACE, VDCR, VDACS, VMRC, VDEQ, and VDGIF reviewed the City's proposal and, as appropriate, determined the jurisdiction would not be exercised or issued conditional approvals. All agency comments have been considered, and issues raised were taken into account in this EA (see Attachment 3).

TVA circulated the draft EA to 8 local, state, and other federal agencies and interested organizations on April 11, 2007. This included sending the document to the VDEQ, which serves as the state clearinghouse, the City, and BHA for review and comment. Comments were requested by May 14, 2007, but upon request, extended to May 18, 2007. Comments were received from USFWS, 3 individuals affiliated with BHA, and 6 state entities including VDCR, VDGIF, Division of Air Quality, VDHR, Waste Division, and VDEA (and the City) commented via VDEQ (see Attachment 4). All comments and recommendations have been considered and, as appropriate, incorporated into this final EA.

### **Permit Conditions and Mitigation**

The City and Washington County are both participants in the NFIP. The City would comply with its floodplain management ordinance prohibiting encroachments into the Beaver Creek floodway.

The City would adhere to conditions included in all state permits and approvals as well as implement sound engineering and construction BMPs to prevent sedimentation from entering Beaver Creek. The City will conduct project activities, particularly during any in-stream construction, in accordance with the Virginia Marine Resources Commission permit and the *Virginia Erosion and Sediment Control Handbook* (VDCR 1992) and the *Virginia Erosion and Sediment Control Field Manual* (VDCR 1995). If blasting is required, the City would notify Virginia Department of Game and Inland Fisheries and allow a representative to be present to observe the operation. The City would comply with its floodplain management ordinance prohibiting encroachments into the Beaver Creek floodway.

In association with construction of the Business Complex, the City will:

- mitigate the wetland loss caused by the project by designing and building a wetland as a part of its storm water drainage control system.

To compensate road construction and use effects on parking and recreation in the Sugar Hollow Park, the City will:

- relocate the entrance to Sugar Hollow Park on Lee Highway,
- separate, by fencing, gating, and landscaping, the recreation facilities and area from the new Resting Tree Drive along its entire length,
- install traffic signals at the intersection of the new Resting Tree Drive and Lee Highway and at the Sugar Hollow Park entrance,
- replaced lost parking space by a redesigned parking area in the same vicinity, and
- construct a hiking/biking trail system and a boardwalk over a portion of a created wetland on Business Complex property and then connect the new trail system to the existing trail system on the dam reservation and parkland.

The City has designed Resting Tree Drive, on the easement area to avoid the Resting Tree Slave Cemetery. However, as a condition of the TVA easement, the City will:

- place a temporary highly reflective fence around the north and east sides of Resting Tree Slave Cemetery and the limits of construction in this area so that all heavy equipment and related construction traffic and ground disturbance will not inadvertently impact this cemetery, and
- establish and maintain a visual buffer zone on the west and north sides of the 2-acre donated parcel if the Robert Preston House is ever relocated to this parcel. This buffer zone will be a minimum of 50 feet in width and will be planted with native species of trees and shrubs of sufficient height and density to screen the

house setting from development in the Business Complex. If necessary, the City will also move the Resting Tree Drive 50 feet to the west in the vicinity of the donated parcel to accommodate the visual buffer.

As a condition of the consultation under Section 106 of the National Historic Preservation Act, TVA will:

- take documentary photographs of the potential visual effects on the Robert Preston House during the fall or winter of 2007-2008 after leaf fall and submit the photographs to VDHR.

### **TVA Preparers**

F. C. Bennett, Specialist, Regional Watershed Process, Holston-Cherokee-Douglas Watershed Team, Environmental Stewardship and Policy (ES&P)

Stanford E. Davis, Senior Specialist, NEPA Services, Resources, Realty, and Environmental Services, ES&P

John J. McFeters, Project Manager, Environmental Support, Research and Technology Applications

Jonathan D. McNutt, Contract Recreation Representative, CDI Information Service, ES&P

Danny E. Olinger, Archaeologist, Cultural Resources, ES&P

Anne W. Patrick, Land Use Representative, Holston-Cherokee-Douglas Watershed Team, ES&P

Ralph M. Perhac Jr., Economist, Economic Development, Information and Technology Services

Harold Lynn Petty, Civil Engineer, Civil Engineering Site Section, Fossil Power Group

### **Agencies and Others Consulted**

Bristol Historical Association

U.S. Army Corps of Engineers

Virginia Department of Agriculture and Consumer Services

Virginia Department of Conservation and Recreation

Virginia Department of Game and Inland Fisheries

Virginia Department of Historic Resources, State Historic Preservation Office

Virginia Marine Resources Commission

### **References**

*Executive Order 11988, Floodplain Management, 42 Federal Register 26951 (May 24, 1977).*

Klatka, T. S. 2005. *Archaeological Investigations at the Resting Tree Slave Cemetery (44WG0562) Near the City of Bristol in Washington County, Virginia*. Roanoke Regional Office, Virginia Department of Historic Resources.

McIlhany, C. W. 1992. *A Phase I Investigation of Archaeological Resources Along the Bristol, Virginia, Utilities Beaver Creek Intercept Extension in Washington County, Virginia*. Report submitted to Wiley and Wilson, Architects, Engineers, Planners, 2310 Langhorne Road, Lynchburg, Virginia, Virginia Department of Historic Resources File No. 92-0857F.

*National Historic Preservation Act*, 16 USC 470 et seq. (1966).

Tennessee Valley Authority. 1994. *Final Environmental Assessment – Sale of Approximately 83.7 Acres of the Beaver Creek Flood Control Project Property*. TVA/RG/EM-94/4.

\_\_\_\_\_. 2006. *Draft Environmental Assessment – TRANOM, LLC – Highlands Parkway Request for Section 26a Approval to Construct Bridges From US 11 (Lee Highway) Over Beaver Creek (Mile 21.6) for Access to the Highlands Shopping Center, Washington County, Virginia*, unpublished TVA report.

*Tennessee Valley Authority Act of 1933*, as amended, 16 USC 831 et seq. (2006).

U.S. Army Corps of Engineers, Nashville District. 2004. *Detailed Project Report and Environmental Assessment, Section 205 – Flood Damage Reduction, Beaver Creek Flood Damage Reduction Study – The Cities of Bristol, Tennessee, and Bristol, Virginia* (in cooperation with Tennessee Valley Authority).

Virginia Department of Conservation and Recreation. 1992. *Virginia Erosion and Sediment Control Handbook*. Retrieved from <[http://www.dcr.virginia.gov/soil\\_&\\_water/e&s-ftp.shtml](http://www.dcr.virginia.gov/soil_&_water/e&s-ftp.shtml)> (n.d.)

\_\_\_\_\_. 1995. *Virginia Erosion and Sediment Control Field Manual*. May be ordered from <[http://www.dcr.virginia.gov/pub\\_list.shtml](http://www.dcr.virginia.gov/pub_list.shtml)>.

Yates, D., and D.C. Evers. 2006. *Assessment of bats for mercury contamination on the North Fork of the Holston River, VA- 2005*. Report BRI 2006-9. BioDiversity Research Institute, Gorham, ME.

Page intentionally blank