

**ADOPTION AND FINDING OF NO SIGNIFICANT IMPACT
TENNESSEE VALLEY AUTHORITY**

NORTHWEST CONNECTOR STATE ROUTE (SR) 462 FROM SR 1
(UNITED STATES HIGHWAY [US] 70) TO SR 298 (GENESIS ROAD)
CROSSVILLE (CUMBERLAND COUNTY), TENNESSEE

The Tennessee Department of Transportation (TDOT) has requested approval under Section 26a of the Tennessee Valley Authority (TVA) Act for proposed stream channel encapsulation and relocations, wetland and channel fill, and placement of riprap associated with a new SR 462 connector roadway between SR 1 (US 70) and SR 24 (US 70 North) near Crossville in Cumberland County, Tennessee. TDOT's approximately 4.5 miles of planned new roadway would affect Procter Creek and associated tributaries of the Obed River. The proposed construction includes two 12-foot-wide lanes, a continuous center turn lane, and 8-foot-wide shoulders and ditches. The purpose of the proposed roadway improvements project is to alleviate much of the congestion in this area and provide residents and visitors with an overall, more modern, efficient transportation route and safer and legal access to new and existing industrial and commercial developments. The proposed new SR 462 northwest connector is included in the current TDOT 2008-2011 Statewide Transportation Improvement Program and its Long Range Transportation Plan. The project is in the Crossville Planning Commission Urban Growth Plan.

In 2007, the Federal Highway Administration (FHWA) and TDOT completed a final environmental assessment (EA). The EA evaluated 4.5 miles of new roadway construction located between SR 1 (US 70) and SR 298 near Crossville in Cumberland County, Tennessee. Two alternatives were evaluated in the EA, i.e., the No Build Alternative and a Build Alternative, which would construct the roadway in three sections. A new roadway would be constructed in Section 1, and most of Section 2 and Section 3 would be constructed along an existing alignment. A finding of no significant impact was issued by FHWA on October 20, 2008.

In accordance with TVA's procedures for implementing the National Environmental Policy Act, TVA has reviewed the proposed action and reasonable alternatives (No Build Alternative and Build Alternative) from the 2007 FHWA/TDOT EA. The FHWA/TDOT EA is incorporated by reference.

Two alternatives, i.e., the No Action Alternative and an Action Alternative, were considered by TVA. Under the No Action Alternative, TVA would not issue Section 26a approval for TDOT's permit request as presently proposed; thus, there would be no direct environmental effects resulting from TVA's actions. Under the Action Alternative, TVA would issue the requested Section 26a approval. Consistent with the Build Alternative as assessed in the FHWA/TDOT final EA dated June 13, 2007, TVA's Preferred Alternative is the Action Alternative, issue Section 26a approval for stream channel encapsulations and relocations, channel and wetland fill, and placement of riprap as proposed by TDOT.

TVA has concluded that implementation of the Action Alternative would result in minor and insignificant impacts to land use, water quality, aquatic resources (stream and wetlands), terrestrial resources (vegetation, wildlife), and habitat. Temporary or short-term impacts,

including fugitive dust, siltation, equipment noise, visual, etc., would occur during the construction period.

The proposed new roadway construction would involve the acquisition of approximately 41 acres of new roadway right-of-way and the relocation of one residence and one business. The Natural Resources Conservation Service completed a Farmland Conversion Impact Rating (form 1006) and determined the total point rating to be below the threshold necessary to be considered alternate routes. The proposed project, as designed, complies with the Farmland Protection Policy Act of 1981. Thus, conversion of the identified prime farmland would not be significant.

Terrestrial and wildlife habitats in the project area are common and well represented throughout the region. There would be permanent impacts to terrestrial and wildlife habitat from the roadway construction; however, cumulatively, project-related effects to terrestrial and wildlife habitat would be regionally insignificant. Much of the project area has previously been disturbed, and a complete recovery of terrestrial and wildlife habitat is expected following the cessation of construction activities.

The proposed new roadway construction would not affect federally listed endangered or threatened species or federally designated critical habitat because no federally listed species or their habitats occur in the project area (i.e., areas considered for the Section 26a approval along the proposed new SR 462 northwest connector). In a letter dated January 26, 2006, and updated by e-mail on April 28, 2010, the United States Fish and Wildlife Service stated no significant adverse impacts to federally listed species are anticipated from the proposal for the 4.5 miles of SR 462. A search of the Tennessee Department of Environment and Conservation (TDEC), Division of Natural Areas, database indicated there are four occurrences of state-listed threatened or endangered species within the project area, but no species are likely to be present due to lack of suitable habitat. A review of the TVA Natural Heritage database in June 2011 concurred with these findings. Therefore, no direct, indirect, or cumulative impacts to federally listed or state-listed species are anticipated, and requirements under Section 7 of the Endangered Species Act have been met.

TDOT has stated that the roadway design would comply with floodplain management criteria set forth in the National Flood Insurance Regulations and management guidelines for implementing Executive Order (EO) 11988, Floodplain Management. Roadway construction is included among the list of repetitive actions that TVA has assessed and determined to have minimal effects on the natural and beneficial floodplains values. The project would not cause any loss of flood storage or power storage volumes. Therefore, as proposed, the planned action is consistent with EO 11988.

TDOT's new SR 462 connector project would involve the permanent filling of 1.17 acres of wetlands in 11 separate locations and temporary wetland impacts to 0.08 acre. TDOT proposes to compensate for the permanent wetland impact at a 4:1 ratio resulting in a debit of 4.68 acres of wetland credits from the Coffee County Wetland Mitigation Bank. In order to address stream impacts, TDOT proposes 626 feet of on-site stream replacement in-kind and compensation for 191 feet of stream channel loss through a proposed total payment of \$38,200 to the In-Lieu-Fee Stream Mitigation Program. In addition, on-site tree planting would be incorporated into the project design at certain locations to further reduce anticipated stream and wetland impacts. The planned off-site wetland compensation at the mitigation bank would reduce overall wetland impacts to insignificant levels and, therefore, is consistent with EO 11990, Protection of Wetlands. Implementation of planned on-site stream replacement and stream compensation

would reduce impacts to the affected watercourses to minor and insignificant levels. Implementation of these measures would adequately avoid potential adverse effects to wetlands and streams, and TVA would not require any mitigation as a condition of Section 26a approval.

TDEC issued a Section 401 Certification and Aquatic Resources Alteration Permit on June 6, 2011. TDOT's compliance with these permits would also reduce stream, wetland, and water quality impacts to insignificant levels.

The FHWA/TDOT EA indicates that no archaeological resources potentially eligible for the National Register of Historic Places (NRHP) would be affected. In a letter dated June 16, 2010, the Tennessee State Historic Preservation Officer (SHPO) concurred that the project area contains no archaeological resources eligible for listing. A historic resource (Howard Springs School) eligible for listing in the NRHP occurs in the project area; however, in a letter dated March 23, 2005, the SHPO stated that the project would not adversely affect the Howard Springs School. Therefore, under the Action Alternative, the proposed undertaking would not adversely affect any historic properties that are potentially eligible or currently listed in the NRHP. No direct, indirect, or cumulative impacts to historic resources are anticipated, and requirements under Section 106 of the National Historic Preservation Act have been satisfied.

Conclusion and Findings

TVA independently reviewed the impacts assessed in the FHWA/TDOT EA and confirmed its findings and that stream and wetland impacts within the 4.5 miles of SR 462 would be adequately offset by the proposed compensation. TVA has decided to adopt the FHWA/TDOT EA.

Based on the FHWA/TDOT findings listed above, the analyses in the FHWA/TDOT EA, and TVA's consideration of potential environmental effects of the applicant's proposed action, TVA concludes that the approval of the proposed improvements to SR 462 under Section 26a of the TVA Act is not a major federal action significantly affecting the quality of the environment. Accordingly, an environmental impact statement is not required.


for SJK

July 15, 2011

Susan J. Kelly, Senior Manager
Federal Determinations
Environmental Permits and Compliance
Tennessee Valley Authority

Date Signed