

**FINDING OF NO SIGNIFICANT IMPACT AND ADOPTION OF
ENVIRONMENTAL ASSESSMENT PREPARED BY U.S. ARMY
CORPS OF ENGINEERS**

TENNESSEE VALLEY AUTHORITY

**DECATUR HARBOR PROPOSED DREDGING AND EXCAVATION, RETAINING
WALL, AND FLOATING AND FIXED DOCKS FOR RIVERBOAT MOORAGE AND
BOAT LAUNCHING FACILITIES AT TENNESSEE RIVER MILE 303.9L
WHEELER RESERVOIR, MORGAN COUNTY, ALABAMA**

Proposed Action and Need

The city of Decatur proposes to construct a riverboat moorage and boat launching facility on Wheeler Reservoir in Morgan County, Tennessee. The purpose of the proposed work is to provide public boat launching facilities, facilities for fishing tournaments, and moorage for a riverboat. Proposed facilities include a 2,500-foot retaining wall with a riprap toe around the slough/harbor area for bank stabilization, a 2,700-linear foot by 5-foot wide floating dock around the perimeter of the slough/harbor area, a 120-foot by 50-foot fixed and floating dock at the riverboat docking area for passenger loading/unloading, a harbor point fixed dock which would extend 50 feet lakeward for public access, and an approximately 140-foot wide by 100-foot long boat launching ramp. The proposed project would involve dredging of approximately 180,137 square feet of river bottom for the riverboat moorage, excavation of approximately 19,863 square feet of upland area to allow for the riverboat moorage, and excavation of approximately 239,000 square feet of the slough/harbor area to allow for adequate water depth in the boat launching area. TVA's action would be to approve the proposed facilities under Section 26a of the TVA Act.

Public and Intergovernmental Review

On March 17, 2004, a joint public notice was issued by the U.S. Army Corps of Engineers (USACE), TVA, and the state of Alabama. The Alabama Historical Commission and the U.S. Fish and Wildlife Service (USFWS) provided concurrence letters confirming that no effects would occur to historic properties or threatened or endangered species (see attached USACE environmental assessment (EA), Appendix F). Two individuals who own the condominium property adjacent to the proposed project, stated they were in full concurrence with the proposed development. USFWS provided recommendations consistent with TVA's General and Standard Conditions. In addition, they recommend that as the slough/harbor area is being dewatered, the finfish located within this area should be removed by seine and/or by other means of live trapping and collecting fish. By letter of May 11, 2004, the applicant agreed to the USFWS recommended conditions and they have been incorporated into the USACE permit.

Impact Assessment

USACE prepared an EA and on July 6, 2004, issued a Finding of No Significant Impact (FONSI) for the project. On June 18, 2004, the Alabama Department of Environmental Management (ADEM) issued a Section 401 Water Quality Certification for the project. Due to the amount of proposed soil disturbing and dredging activities, TVA decided that an EA level review would allow a better understanding of the potential impacts. TVA has

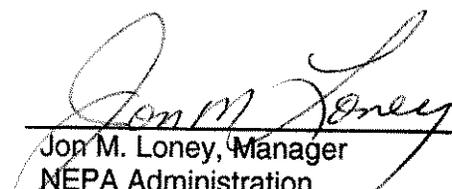
independently reviewed the USACE EA and FONSI and the water quality certification and confirmed their findings (see attached categorical exclusion checklist). TVA has decided to adopt the USACE EA. It is attached and incorporated by reference. No National Register of Historic Places listed or eligible properties or threatened or endangered species that are federally listed would be affected. Impacts to surface water and the aquatic environment resulting from the proposed activities would be insignificant with the implementation of Best Management Practices for erosion and sediment control. The proposed project involves the construction of floating boat docks, a boat launching ramp, a retaining wall and riprap, dredging and excavation, and the placement of fill for a parking area within the 100-year floodplain within the limits of the 100-year floodplain. These facilities are considered to be repetitive actions in the floodplain that would result in minor floodplain impacts. The project would have beneficial impacts to recreational resources.

Commitments

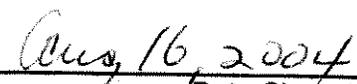
TVA's finding of no significant impact is contingent upon successful implementation of General Condition 9 and Standard Conditions 3c, 6a, 6d, 6e, 6g, and 6i in the Section 26a approval and the special conditions previously identified in the USACE EA and in the ADEM Section 401 Water Quality Certification.

Conclusion and Findings

For compliance with Section 106, TVA has determined that there are no National Register of Historic Places listed or eligible properties affected by this project. By letter of April 19, 2004, the Alabama Historical Commission concurred that no historic properties would be affected by the project. By letter of April 14, 2004, USFWS determined that the requirements of Section 7 of the Endangered Species Act of 1973 had been fulfilled. For compliance with Executive Order 11988, the floating boat docks, boat launching ramp, retaining wall and riprap, dredging and excavation, and the placement of fill for a parking area within the 100-year floodplain are considered to be repetitive actions in the floodplain that should result in minor floodplain impacts. Based on the USACE EA, the ADEM Section 401 Water Quality Certification, and TVA's further review, we conclude that the proposed action would not be a major federal action significantly affecting the environment. Accordingly, an Environmental Impact Statement is not required.



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Date Signed