

FINDING OF NO SIGNIFICANT IMPACT

TENNESSEE VALLEY AUTHORITY

PRIVATE WATER USE FACILITIES ON THE FRENCH BROAD RIVER, MILES 3.7 TO 32.3 AND HOLSTON RIVER, MILES 4.4 TO 52.3, JEFFERSON, KNOX, SEVIER, AND GRAINGER COUNTIES, TENNESSEE

The Proposed Action

The Tennessee Valley Authority (TVA) proposes to establish criteria for private water use facilities along portions of the French Broad and Holston rivers. These private water use facilities are subject to TVA approval under Section 26a of the TVA Act. The proposed criteria are designed to reduce the potential for cumulative effects on sensitive aquatic resources.

Background

The Tennessee Valley Authority (TVA) receives numerous requests for Section 26a approval of private water use facilities along the lower French Broad River (river miles 3.7 to 32.3) and lower Holston River (river miles 4.4 to 52.3). These requests are expected to increase with local population growth. Typical private water use facilities requiring TVA Section 26a approval in this area include floating and fixed docks, access ramps and shoreline protection.

Two federally-listed species, the snail darter (*Percina tanasi*) and the pink mucket mussel (*Lampsilis abrupta*) occur in the lower French Broad and Holston rivers. TVA has determined that approval of any individual Section 26a request and the subsequent construction of the proposed facility in accordance with the conditions of approval are unlikely to result in direct adverse effects to the habitat of sensitive aquatic species, including the snail darter and pink mucket. However, construction of private water use facilities subsequent to these approvals could potentially cause adverse cumulative effects on the aquatic environment.

Alternatives

In its environmental assessment (EA), TVA considered 2 alternatives, i.e., a No Action Alternative and the Action Alternative. Under the No Action Alternative, the General and Standard Conditions listed in Attachment 3 of the EA would continue to be used in approving private water use facilities on the lower French Broad and Holston Rivers. Some of these standards and guidelines may not be applicable to the riverine conditions found on the lower French Broad and Holston rivers. Under the No Action Alternative, TVA would continue to evaluate individual 26a requests on a case-by-case basis. These reviews include consultation with the U.S. Fish and Wildlife Service on proposed actions that may affect threatened or endangered aquatic species or their habitat.

Under the Action Alternative, TVA would establish and implement a set of private water use facility construction guidelines and special conditions specific for the subject reaches of the French Broad and Holston rivers. In addition, all of the General Conditions for Section 26a and Land Use, as well as Standard Conditions 6a, 6b, 6d, 6e, 6f, 6g, 6h, and 6i (see Attachment 3 of the EA) would be included in Section 26a approvals on the subject river stretches. The proposed guidelines and conditions deal with dock standards, streambank stabilization and vegetation management. These guidelines and conditions have been

designed to reduce the potential of private water use facilities to adversely affect the habitat of the snail darter, pink mucket and other sensitive aquatic species while allowing restricted, but reasonable, access to the water.

Impacts Assessment

A preliminary environmental review was documented with an Environmental Decision Record (see Attachment 1 to the EA). An interdisciplinary TVA team reviewed the potential effects of instituting the proposed conditions. Potential effects to the following resources were identified and considered in the EA:

- water quality;
- aquatic ecology;
- threatened and endangered aquatic species;
- significant managed areas; and,
- wild and scenic rivers values.

Water Quality, Aquatic Ecology and Threatened and Endangered Aquatic Species

Because virtually the entire shoreline is in private ownership, residential development and its associated environmental impacts could occur on any accessible shoreline of the subject river reaches under either alternative without TVA action or approval. Residential shoreline development tends to cause a reduction in natural vegetation cover and in land area where rainfall can penetrate the soil surface. As development increases, there are usually corresponding increases in the volume and rapidity of runoff during storm events. Some incremental increases in nutrient levels from sewage/septic and residential vegetation management practices associated with residential development of the river shorelines are anticipated under either alternative.

Compared to the No Action Alternative, the Action Alternative would provide a higher level of protection and lower level of cumulative impacts to aquatic resources by establishing a set of specifications for private water use facilities that have been customized for the riverine conditions of the lower French Broad and Holston Rivers. The potential impacts to snail darter and pink mucket habitat, aquatic ecology and water quality are expected to be insignificant if the proposed construction guidelines and the required general and standard conditions of approval are followed. This would ensure that migratory and spawning habitat of the snail darter is maintained and that any suspended sediment caused by construction is kept to a minimum. TVA has determined that, with these measures in place, issuance of approvals for private water use facilities on the lower French Broad and Holston rivers is not likely to individually or cumulatively adversely affect these federally listed species. In letters of September 25, 2002 and December 12, 2002 (see Attachments 5 and 6 to the EA), the U.S. Fish and Wildlife Service concluded that federally listed species are not likely to be adversely affected by private water use facilities, provided those proposed facilities are constructed and maintained in compliance with the provisions in the EA.

Significant Managed Areas

Significant effects to local managed areas are not expected under either alternative. The implementation of construction guidelines, the imposition of special conditions of approval and the application of individual environmental reviews of proposed activities requiring Section 26a approval would help prevent further degradation of the Indian Cave Protection Planning site. Likewise, no effects to the Seven Islands Park are anticipated.

Wild and Scenic Rivers Values

The installation of private water use facilities would result in minor alterations of the free-flowing nature of the rivers under either alternative. The specifications imposed under the Action Alternative would provide additional protection of the rivers' scenic value, water quality, and recreational resources. Thus, adoption of the Action Alternative would not significantly adversely affect the natural, cultural or recreational values of the two subject river segments, nor would it foreclose the designation of these river segments for their wild, scenic and recreational values.

Cumulative Effects

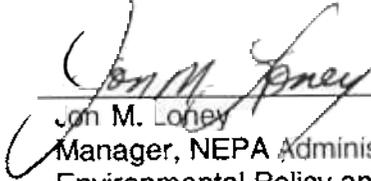
If current trends continue, much of the available riverfront property could eventually be developed for residential use, resulting in increased potential for cumulative adverse environmental effects. This type of development is likely to reduce existing riparian vegetation along the shorelines of these rivers, regardless of the alternative selected.

Under the Action Alternative, construction guidelines would be issued and special conditions would be imposed as conditions of approval of residential water use facilities. These measures would avoid, minimize, or mitigate the individual and cumulative effects of such facilities in the subject reaches of the Holston and French Broad Rivers. Implementation of the proposed guidelines would allow reasonable access to the water while encouraging the use of best management practices, vegetative management zones and other measures expected to maintain or enhance water quality. Implementation of the proposed guidelines would reduce the potential for adverse cumulative effects to sensitive aquatic species from the private water use facilities associated with residential development.

Implementation of the Action Alternative and the associated permitting guidelines would neither cause nor contribute to adverse water quality trends which could adversely affect associated aquatic life in the subject reaches of the Holston and French Broad Rivers. Therefore, TVA has determined that the incremental and cumulative effects of adoption of the Action Alternative, when added to the past, present, and reasonably foreseeable future actions, are insignificant.

Conclusion and Finding

Environmental Policy and Planning's NEPA Administration staff reviewed the subject EA and determined that the potential environmental consequences of TVA's proposed action to implement criteria for private water use facilities along portion of the French Broad and Holston rivers have been addressed in the EA and that the proposed action is not a major federal action significantly affecting the quality of the environment. Accordingly, an environmental impact statement is not required.



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Date Signed