

## **FINDING OF NO SIGNIFICANT IMPACT TENNESSEE VALLEY AUTHORITY**

### **HARBOR LIGHTS MARINA EXPANSION ON CHICKAMAUGA RESERVOIR – SECTION 26A APPROVAL**

The Tennessee Valley Authority (TVA) proposes to issue a 26(a) permit to Harbor Lights Marina to expand the marina along the shoreline fronting the main channel on Chickamauga Reservoir (Tract – XCR-67) and Tennessee River mile 482 right bank in Hamilton County, Tennessee. The proposed expansion includes additional dock facilities and expanded harbor limits established for the marina.

The existing marina has approximately 200 each of wet and dry boat storage, a marine repairs/service bay, a launching ramp, a bathroom facility, a dock store, a sanitation pump-out station and a fuel dispensing dock. Harbor Lights Marina has approximately 200 wet-slips within the slough off the main channel and an additional 200 boats are housed in dry-dock. Currently, the area of the proposed expansion is permitted for two covered floating docks (165'x108' and 165'x128') and a perimeter breakwater within a harbor limit of 500 feet parallel to the shoreline by 200 feet perpendicular to the shoreline. However, these previously permitted docks and breakwater were never constructed.

#### **Alternatives**

The proposed action is the subject of an environmental assessment (EA) prepared by TVA. The EA addresses two alternatives. Implementation of the No Action Alternative would result in the denial or withdrawal of the applicant's request for Section 26a approval for the marina expansion and associated increase in harbor limits. This alternative would restrict the use of the property deeded specifically for commercial recreation use and not meet the needs of the applicant.

Under the Proposed Action Alternative, TVA would issue 26a approval for the marina expansion which would consist of the construction of new floating boat slips and expanded harbor limits. The construction would include:

- The removal of an existing floating dock to facilitate the installation of 95 covered boat slips at Harbor Lights Marina. Spud poles will be driven and cabled cross-bracing will be installed to secure floating sections of the new facility. A metal frame and roof structures will also be constructed on the facility. A proposed 10-ft wide walkway along the north and east (facing channel) perimeter will also serve as a breakwater structure.
- The expansion of the existing harbor limits along the main channel of the Tennessee River. The existing harbor limit of 500 feet parallel to the shore by 200 feet perpendicular to the shore is to be expanded to 600 feet parallel to the shore by 400 feet perpendicular to the shore.

#### **Impacts Assessment**

In the EA, TVA identified relevant environmental issues and reviewed the potential impacts of implementing the project. TVA analyzed potential impacts to the following environmental resource areas:

- Navigation

- Archaeological and Historical Resources
- Recreation
- Threatened and Endangered Species
- Noise
- Visual Resources

TVA determined that the proposed action would have no or negligible impacts on terrestrial ecology (wildlife or plant), aquatic ecology, floodplains, wetlands, air quality, water quality, socioeconomic resources and environmental justice, prime farmland, solid and hazardous wastes, and natural areas.

Generally, TVA's analysis found that most environmental resources would be minimally affected by the proposed action. After a review of the proposed action by TVA subject matter experts, the project was found to have no effect to threatened or endangered terrestrial species. The Tennessee State Historic Preservation Office concurred with TVA's finding that there are no National Register of Historic Places listed or eligible properties affected by the undertaking.

A recreation analysis of the proposed project revealed that the addition of the 95 slips would create a 1% increase of the total number of boats within a 5 mile radius of the marina, and there would not be a significant impact to water-related recreation. The analysis also found the reduction in reservoir surface area per boat would not significantly affect the boater recreation experience.

Noise impacts would be experienced from the expansion of the marina. Construction related noise would be temporary and of short duration. The marina would only be permitted to construct the facilities during weekday daylight hours. The forecasted 1% increase in the number boats within a 5 miles radius would cause an insignificant increase in the noise impacts over marina operations.

A visual evaluation of the proposed project concluded that the expansion would add to the number of discordantly contrasting elements that would be seen along this section of the Tennessee River. Additional watercraft on the lake and increased traffic on local roads would contribute to an increase in visual congestion. New structures and additional watercraft would combine to reduce the existing scenic value class. However, the development would likely not reduce the scenic class value by two levels or more from "good" to "poor", the threshold of significance.

TVA Navigation reviewed the proposed marina and harbor limits expansion and determined that the proposed 400 foot lakeward extension was too close to the navigation channel from a safety standpoint. In addition, the marina is adjacent to the River's Edge Subdivision where many homes have docks in close proximity to the marina. TVA determined the 600 foot width of the proposed marina harbor limits would encroach on the space and safety of nearby existing docks in addition to creating more of a traffic hazard for commercial vessels. Therefore, a modified harbor limit was developed, which reduced the proposed harbor limits to approximately 300 feet lakeward extension on the most southern side and angled out to extend approximately 375 feet lakeward extension on the most northern side. The dock would be angled to contour the channel for better water depth accessibility without further extending into the channel. Additionally, the length of the harbor limits parallel to the shore was also reduced to approximately 550 feet. TVA Navigation determined this modified harbor limit would not have significant impacts to navigation on this portion of the Tennessee River.

## **Public Involvement and Intergovernmental Review**

Two separate 30-day public comment periods and two public meetings were provided to invite the public to comment on the proposed project.

In accordance with TVA policy on Section 26(a) permit requests for expanding commercial recreation harbor limits, the applicant issued a public notice on December 19, 2016 in the Chattanooga Times Free Press. The notice stated that TVA is requesting public comments on a requested Section 26(a) permit to expand harbor limits and install additional slips that would increase capacity at Harbor Lights Marina by about 30 percent. TVA also published the public notice on its website. The notice initiated a 30-day public comment period ending on January 18, 2017. TVA received no comments during the stated period. However, TVA received two written comments after the period had closed. One commenter noted that he was president of the home-owner association for the adjacent neighborhood and that his comments represented the residents of the subdivision. TVA determined that these out-of-time comments and requests would be accepted and addressed in the same manner as if they were received during the published 30-day request for comments.

TVA hosted an informal meeting with the residents of the subdivision on March 7, 2017 at the Sequoyah Nuclear Plant (SQN) Training Center to address the questions and concerns from the residents of the neighboring subdivision. Eight residents from the subdivision attended the meeting and no additional written comments were received.

The U.S. Army Corps of Engineers (USACE) issued a 30-day public notice on April 20, 2017. This was not a Joint Public Notice with TVA, but the notice did indicate that the action required a 26(a) permit from TVA. In response to the notice, both USACE and TVA received comments via phone, email and traditional mail. Several comments were received that requested a meeting with both the USACE and TVA. TVA participated in an informal meeting held by the Corps on June 1, 2017 at the SQN Training Center. Twenty two members of the public attended the meeting and 11 individuals provided written comments to the USACE. Several of the individuals provided multiple comments and two separate attorneys representing one or more individuals from the neighboring subdivision provided multiple comments as well. The USACE will document these comments in their decision document per 33 CFR 325.

Prior to implementing the proposal, a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899, issued by the U.S. Army Corps of Engineers will be required to address potential impacts to navigable waters.

## **Mitigation Measures**


TVA would implement the routine environmental protection measures listed in this EA. In addition to those routine measures, the following non-routine measures would be implemented to reduce the potential for adverse environmental effects.

- The following mitigation measures were developed to reduce navigation safety concerns.
  - The applicant's originally requested harbor limit expansion was reduced. The expanded harbor limits shall be limited to 550 feet parallel to the shore by 375 feet perpendicular to the shore at the upstream extent and tapering to 300 feet perpendicular to the shore at the downstream extent.

- The following mitigation measures were developed to reduce and minimize impacts to visual resources and scenic values.
  - All color schemes for roofs and boat slip exteriors will be visually compatible with natural background colors such as dark brown, gray, or green.
  - All permanent and associated temporary construction lights will be fully shielded or have internal low-glare optics, such that no light is emitted from the fixture at angles above the horizontal (Nelson, 2006).
- The following mitigation measures were developed to reduce and minimize construction related noise impacts.
  - All construction work will be restricted to day light hours, Monday through Friday.

### Conclusion and Findings

Based on the findings and the analyses in the EA, we conclude that the proposed action to permit the requested marina expansion on Chickamauga Reservoir 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