

**FINDING OF NO SIGNIFICANT IMPACT**  
**TENNESSEE VALLEY AUTHORITY**  
**CARDEN FARMS TRAILS**

Tennessee Valley Authority (TVA) has received a request by Aspire Park to enter into a Cooperative Agreement to construct and maintain approximately 7 to 9 miles of multi-use trails on 174.2 acres of TVA Parcel MHR-1506 (locally referred to as Carden Farms). The trails on TVA's land would connect to additional trails on private property as part of a proposed park. The proposal would add new recreation opportunities for the surrounding community. In considering the request, TVA seeks the appropriate management of its reservoir lands in a manner that maintains the quality of life and other important values. TVA's interest in considering this proposal also arises from its commitment to improve the area's economic base and support sustainable economic growth and to provide recreational opportunities for the public.

The proposed action is also consistent with TVA's land use plan for the area. Completed in 1999, the Melton Hill Land Management Plan (RLMP) reflects TVA's preference to continue to manage these parcels for sensitive resource management, which includes passive recreational use. Additionally, the request meets TVA's objective to provide the public with quality, affordable outdoor recreation opportunities.

In the RLMP, Parcel 146 is allocated as Zone 3 (Sensitive Resource Management). Under TVA's single-use allocation methodology and land planning practices, lands designated as Zone 3 are managed for the protection and enhancement of sensitive resources. Sensitive resources, as defined by TVA, include resources protected by state or federal law or executive order and other land features/natural resources TVA considers important to the area viewscape or natural environment. Natural resource activities such as hunting, wildlife observation, and camping on undeveloped sites can occur in this zone; but the overriding focus is protecting and enhancing the sensitive resource the site supports. As this project proposes to construct multi-use trails on the parcel, the proposed action would be consistent with TVA's RLMP and planning policies.

**Alternatives**

The proposed action is the subject of an environmental assessment (EA) prepared by TVA. The EA addresses two alternatives. Under the No Action Alternative, TVA would not enter into a cooperative agreement with the applicant, and no trails or improvements would be constructed. The property would remain open to the public, and passive recreation would continue to occur. This alternative does not meet the purpose and need of the project. However, it does provide a benchmark for comparing the environmental impacts of the implementation of the Action Alternative.

Under the Proposed Action Alternative, TVA would enter into a cooperative agreement to allow the applicant to construct and maintain approximately 7 to 9 miles of multi-use trails on TVA Parcel MHR-1506. Under the agreement, the applicant would be responsible for maintenance actions on existing facilities.

The proposed trails would be specifically designed for hiking and cycling, and would have an approximate 40 inch tread width. Motorized and equestrian access would be prohibited. The trail

tread would be of natural surface (soil and rock), and no other materials would be added. The proposed trails would be constructed with small machine trail equipment and hand tools. The trails would be bench cut into the existing hillside where necessary to create a semi-flat surface with a slight out-slope to permit water drainage. Uphill and downhill sections of the finished trail would also be mildly sloped to facilitate water drainage and ensure a sustainable trail.

The trail may fall within a 100 foot corridor on either side of the map line shown on the project plans (200 feet total). However, the width of disturbance within the 200 foot corridor will not be greater than 40 inches. The purpose of the wide corridor is two-fold: (1) the corridor would enable construction equipment to maneuver around trees and other obstacles, and (2) the corridor would allow for possible changes in trail routing so that slopes of greater than 10 percent can be avoided and ensure a sustainable trail is constructed. Due to the density of the proposed trails and the wide corridor used to build those trails within, TVA has determined the area of potential effects (APE) to be the entire 174.2-acre tract.

No trees greater than 3 inches in diameter at breast height (DBH) would be removed during trail construction. Trails will not be sited in wetlands, and all wetlands will be avoided during construction. The trail design will either avoid regulated stream features or such features will be crossed by bridges. The project will not place fill in streams. Appropriate Best Management Practices (BMPs) would be used during design and construction to minimize impacts. The installation of directional trail signage is also included in the scope of the review.

### **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:

- Historic and Archaeological Resources
- Threatened and endangered species
- Wetlands
- Floodplains
- Visual Resources
- Recreation

TVA also considered potential effects related to aquatic ecology, terrestrial ecology, transportation, noise impacts, solid and hazardous waste, prime farmland, air quality, and climate change. These resources were eliminated from additional analysis due to either their absence within the study area, or their impacts were determined to be de minimis.

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 plant species, aquatic species, and jurisdictional wetlands and waters.

Impacts to threatened and endangered bat species would be minimized with the implementation of specific mitigation measures identified in TVA's programmatic consultation with the USFWS. Additionally, a 200 foot avoidance buffer was placed around a cave feature to further minimize impacts to listed species. These activities and associated conservation measures would be implemented as part of the proposed project.

Potential impacts to cultural resources were determined to be insignificant with the implementation of a 50-meter buffer to reduce impacts to potential resources. However, In April 2020, Aspire Park requested to build an additional trail along the Clinch River. The newly proposed trail will follow an existing roadbed approximately 8 to 10 feet wide. The new trail would be within the 50 meter protective buffer around 40AN263, but would not be within the site boundary itself. The additional trail would not be within the buffer around site 40AN173.

TVA and Aspire Park have considered alternatives, but surrounding terrain is not conducive to trail construction. The newly proposed trail could result in indirect or cumulative effects resulting from an increase in unauthorized foot traffic on site 40AN263. As a result of the increased foot traffic in the vicinity of the site and increased potential for adverse effects, TVA will create a vegetative visual buffer between the trail and the site, which will be comprised of white pine planting.

Recreation opportunities are expected to increase with the completion of the trail system. Consistent with EO 11988, walking trails (walkways) are considered to be repetitive actions in the 100-year floodplain. To minimize adverse impacts, standard BMPs would be used during construction of the trails. Therefore, the trails would neither significantly impact flood elevations and the natural and beneficial values of floodplains, nor suffer significant monetary damage in a flood.

#### **Public Involvement and Intergovernmental Review**

Pursuant to Section 106 of the National Historic Preservation Act, TVA consulted with the Tennessee State Historic Preservation Officer (SHPO) requesting concurrence that the proposed action would have no effect on cultural resources. The SHPO concurred with this determination in a letter dated December 27, 2019.

TVA re-consulted with the TN SHPO regarding the newly proposed trail and vegetative buffer addressed in the October 2020 white paper that TVA prepared to evaluate the proposed additional trail. On June 22, 2020, the TN SHPO concurred with TVA's findings that the proposed action would have no effect on historic properties. TVA also consulted with federally recognized tribes on the proposed undertaking. The Cherokee Nation requested copies of both TN-SHPO concurrence letters. TVA provided the Cherokee Nation with the letters; no other tribal comments were received.

#### **Mitigation Measures**

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

To avoid impacts to cultural resources, the following mitigation measures will be incorporated:

- A 50-meter buffer restricting trail construction has been added to site 40AN173.
- A vegetative visual buffer comprised of white pine would be planted around 40AN263.
- TVA will add language to the cooperative agreement with Aspire Park, giving TVA the right to close the trail within the identified buffer area around 40AN263 if any damage occurs beyond the buffer.
- Tree planting would occur during dormant season to ensure viability.

- TVA Natural Resources staff will visit the trail twice per calendar year to monitor for damage.
- TVA Cultural Resources staff will visit the trail once per calendar year to monitor for damage.

To minimize impacts to threatened and endangered species, the following mitigation measures will be incorporated:

- A number of activities associated with the proposed project were addressed in TVA's programmatic consultation with the U.S. Fish and Wildlife Service on routine actions and federally listed bats in accordance with ESA Section 7(a)(2) and completed in April 2018. For those activities with potential to affect bats, TVA committed to implementing specific conservation measures. These activities and associated conservation measures are identified on page 5 of the TVA Bat Strategy Project Screening Form (attached) and need to be reviewed/implemented as part of the proposed project.
- A 200 foot protective buffer has been placed around the cave identified in the eastern portion of the property. No herbicide use is permitted within 200 feet of the cave due to potentially sensitive subterranean aquatic resources. Hand or small machinery is the only equipment permitted for use in the area to minimize the potential for increased sediment inputs in the cave. Vehicles and equipment are confined to existing access roads and personnel should avoid entering the cave.

### **Conclusion and Findings**

Based on the findings and the analyses in the EA and subsequent white paper, we conclude that the proposed action to enter into a cooperative agreement to allow construction and maintenance of 7 to 9 miles of multi-use trails on TVA Parcel MHR-1506 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