

**Appendix B-1 –Agency Correspondence Relating to Rutherford-
Williamson-Davidson Power Supply Improvement Project**

Page intentionally blank

E34 080219 001

February 19, 2008

Mr. Brad Bishop
Regulatory Branch
U. S. Army Corps of Engineers
3701 Bell Road
Nashville, TN 37214

Dear Mr. Bishop:

The Tennessee Valley Authority (TVA) is planning a new transmission project in Rutherford, Williamson and Maury Counties in Tennessee. This project will include a new 500-kV substation near Patterson in Rutherford County and new transmission lines in all three counties connecting to this substation. The transmission lines are comprised of a 27-mile 500-kV transmission line and two new 161-kV transmission lines being 9 and 15 miles long. The 27-mile line is located in Rutherford, Williamson, and Maury counties and the other lines are located completely within Rutherford County. The lines will be located on right-of-way ranging from 175 feet for the 500-kV lines and 100 feet for the 161-kV lines. I have enclosed a topographic map (two sheets) showing the overall project layout including the transmission line routes. Also enclosed is a copy of the Draft Environmental Impact Statement for this project.

TVA has identified and delineated eight forested wetlands along the transmission line routes comprising a total of 2.29 acres. The wetland data sheets are enclosed along with topographic maps of each wetland location including its latitude and longitude. Current plans call for clearing to begin sometime in late spring of 2008.

TVA's normal practices for clearing and line construction in wetlands include:

1. During line clearing, construction, and maintenance, identified wetlands, streams, and drainage-ways would not be modified so as to alter their natural hydrological patterns.
2. Hydric soils would not be disturbed or modified in any way that would alter their hydrological properties.
3. Initial right-of-way clearing within forested wetlands would be accomplished using accepted silvicultural practices for timber or vegetation harvesting within wetlands.
4. Within streamside or riparian zones (e.g., Streamside Management Zone), trees would be cut just above the ground line and stumps would not be uprooted or removed. Also, stumps would not be uprooted or removed in wetlands.

Mr. Brad Bishop
Page 2
February 19, 2008

Clearing in wetlands is normally accomplished using either hand-held or other appropriate clearing equipment, such as a feller-buncher. The clearing method is selected based on site-specific conditions and topography to minimize soil disturbance and impacts to the wetlands. TVA has found that in many cases using a low ground pressure feller-buncher to cut and remove trees results in less ground disturbance than cutting trees with chainsaws and dragging them out of the wetlands.

We are requesting your concurrence that the above-mentioned work can be approved under Nationwide Permit 12 guidelines. We look forward to hearing from you as soon as possible. If you have any questions, please call me at (423) 751-3131.

Sincerely,

Original signed by

Hugh S. Barger
Environmental Engineer
Siting and Environmental Design

HSB:TLZ
Enclosures

cc: B. P. Dimick, WT 11C-K
M. H. Dunn, WT 6A-K
B. K. Elder, MR 4B-C
A. E. Masters, LP 5U-C
K. Pilarski, WT 11C-K
H. G. Rucker, WT 11D-K
EDMS, WT CA-K (Enclosures filed in PSO/TLP/SED)



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

January 2, 2008

Mr. E. Patrick McIntyre, Jr.
Executive Director
Tennessee Historical Commission
Clover Bottom Mansion
2941 Lebanon Road
Nashville, Tennessee 37243-0442

Dear Mr. McIntyre:

**TVA, THE RUTHERFORD-WILLIAMSON-DAVIDSON POWER SUPPLY
IMPROVEMENT PROJECT, MAURY, RUTHERFORD AND WILLIAMSON COUNTIES,
TENNESSEE, MEMORANDUM OF AGREEMENT**

Enclosed for your signature is one copy of the Memorandum of Agreement (MOA) and four additional signatory pages regarding the Tennessee Valley Authority (TVA) Rutherford-Williamson-Davidson Power Supply Improvement Project.

TVA has consulted with your office and other consulting parties during the development of the MOA. This MOA is being executed to satisfy TVA's responsibilities under Section 106 of the *National Historic Preservation Act* at 36CFR Part 800. Please sign the four additional enclosed signatory pages and return to me as soon as possible.

TVA will provide your office with the consulting party's signature upon its receipt. Please contact Richard Yarnell at (865) 632-3463 or email wryarnell@tva.gov if you have any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Thomas O. Maher".

Thomas O. Maher, Ph.D.
Manager
Cultural Resources

Enclosures



MEMORANDUM OF AGREEMENT
PURSUANT TO 36 CFR PART 800 BETWEEN THE
TENNESSEE VALLEY AUTHORITY AND THE
TENNESSEE STATE HISTORIC PRESERVATION OFFICER

THE RUTHERFORD-WILLIAMSON-DAVIDSON POWER SUPPLY
IMPROVEMENT PROJECT,
MAURY, RUTHERFORD, AND WILLIAMSON COUNTIES, TENNESSEE

WHEREAS, the Tennessee Valley Authority (TVA) proposes to construct and operate a network of new transmission lines (TL), switching stations, and substations in Middle Tennessee known as the Rutherford-Williamson-Davidson Power Supply Improvement Project (Project); and,

WHEREAS, the Project, as proposed, is comprised of three TLs and an associated substation and switching station: the 500-kV Maury TL, the 161-kV Almadale TL, and the 161-kV Christiana TL; and,

WHEREAS, TVA's preferred routing for the proposed 500-kV Maury TL, the 161-kV Almadale TL, the 161-kV Christiana TL, and associated substations are depicted in Figures 1-4; and,

WHEREAS, TVA has determined that construction of the Rutherford-Maury TL will have an effect on two properties listed in the National Register of Historic Places (NRHP), the Smithson-McCall Farm, and the William Allison House (Figures 5-6); and,

WHEREAS, TVA has determined that alternative sites for the Project are not economically or logistically feasible; and,

WHEREAS, TVA has consulted with the Tennessee State Historic Preservation Officer (TN SHPO) in accordance with 36 CFR Part 800; and,

WHEREAS, TVA has consulted with the Eastern Band of Cherokee Indians, Cherokee Nation, United Keetoowah Band of Cherokee Indians, Muscogee (Creek) Nation of Oklahoma, Poarch Band of Creek Indians, Kialegee Tribal Town, Thlopthlocco Tribal Town, Alabama Quassarte Tribal Town, Alabama-Coushatta Tribe, the Seminole Tribe of Florida, and Chickasaw Nation regarding the potential for this undertaking to affect properties of religious, cultural, and traditional significance to those Indian tribes; and,

WHEREAS, TVA has consulted with the property owners of the Smithson-McCall Farm and the William Allison House; and,

WHEREAS, the property owners of the Smithson-McCall Farm and the William Allison House have been invited as concurring to this agreement; and,

WHEREAS, TVA, in consultation with TN SHPO, has determined that the Project could adversely affect archaeological resource 40WM35, which is potentially eligible for listing in the NRHP (Figure 6); and

WHEREAS, TVA, in consultation with TN SHPO, has determined that the area of potential effects (APE) of the Project is the geographic area in which all ground disturbance would occur and includes a line of sight 0.5 miles in length from which the Project would be visible during the construction, operation, and maintenance; and,

WHEREAS, Pursuant to 36 CFR § 800.6, TVA, in consultation, will seek ways to avoid, minimize, or mitigate the adverse effects of the Project.

NOW, THEREFORE, TVA and TN SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

TVA shall ensure that the following stipulations are carried out:

1. IDENTIFICATION:

a. Phase I archaeological and historic architectural surveys have been conducted for the proposed TL right of ways (ROWs), switching station, and the associated substation. Should the proposed TLs, substation, or switching station be altered in the course of design within the designated ROW, TVA, in consultation with TN SHPO and concurring parties, shall conduct a survey to identify any previously unrecorded historic properties within the revised APE. The survey shall be carried out in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and TN SHPO Standards and Guidelines for Architectural and Archaeological Resource Management Studies. TVA shall submit draft and final reports to TN SHPO and all consulting parties for comment within a thirty (30) day period.

2. EVALUATION:

TVA, in consultation with TN SHPO and other consulting parties, shall conduct investigations to evaluate the significance of the following historic resources:

a. Only those archaeological sites which have not been previously evaluated or require further evaluation within the APE of the TLs, substation, and accompanying infrastructure; and

- b. Only those above-ground historic resources which have not been previously evaluated or require further evaluation.

Should potentially eligible archaeological sites be adversely affected, a Phase II site evaluation shall be conducted in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and TN SHPO Standards and Guidelines for Architectural and Archaeological Resource Management Studies. The Statement of Work will be developed in consultation with TN SHPO and other consulting parties prior to the implementation of the survey. TVA shall submit draft and final reports to TN SHPO and all consulting parties for comment within a thirty (30) day period.

Properties which TVA and TN SHPO agree meet NRHP criteria shall be considered NRHP eligible. Should a dispute arise on the eligibility of a historic property, TVA will consult with TN SHPO to resolve the objection. If TVA and TN SHPO do not agree, or if the Advisory Council on Historic Preservation (Council) or the Secretary of the Interior (Secretary) so request, TVA shall obtain a determination of eligibility from the Secretary pursuant to 36 CFR § 63. If an Indian tribe that attaches religious or cultural significance to a property off tribal land does not agree, it may ask the Council to request the TVA Federal Preservation Officer to obtain a determination of eligibility from the Secretary.

3. TREATMENT PLAN:

a. AVOIDANCE:

TVA, in consultation with TN SHPO and other consulting parties, shall ensure that adverse effects to properties determined eligible for listing in the NRHP shall be avoided whenever prudent and feasible. The following measures shall be taken to avoid adverse effects to historic properties:

1. TVA will avoid locating any TL structure, substation, or infrastructure within the identified boundaries of NRHP-eligible archaeological sites.
2. Sensitive archaeological areas within the TL ROWs will be noted on the line's Plan and Profile sheets that are used in construction and maintenance operations. Any special conditions placed on such areas for construction and maintenance of the TL will be detailed on these sheets.
3. TVA will, to the extent practicable, avoid locating any TL structure, substation, or infrastructure within the viewshed of NRHP-eligible or -listed historic structures.

b. HISTORIC STRUCTURES MITIGATION:

The following measure shall be taken to minimize or mitigate adverse effects to historic structures:

1. TVA will ensure that the silhouette of the TL will be minimized as much as possible to ensure the undertaking does not further compromise the visual setting of the William Allison House and the Smithson-McCall Farm; minimize, to the extent practicable, the number and height of TL structures within the properties' line-of-sight; and use, where possible, vegetative screening measures at the landowners' request.

c. ARCHAEOLOGICAL DATA RECOVERY:

Should there be changes in the project design that could adversely affect NRHP-eligible or -listed properties, TVA, in consultation with TN SHPO, and other consulting parties, shall develop and implement an archaeological data recovery plan for eligible archaeological sites that cannot be feasibly avoided by the TL, substation, or infrastructure construction.

4. REPORTS:

TVA shall ensure that all historical and archaeological investigations undertaken for compliance with this Agreement are recorded in formal written reports that meet the Secretary of Interior's Standards and Guidelines for Identification (48 FR 44720-23) and TN SHPO Standards and Guidelines for Architectural and Archaeological Resources Management Studies.

TN SHPO, and the concurring parties, shall be afforded thirty (30) days to review and comment on any archaeological or historical reports submitted by TVA in accordance with this Agreement.

5. CHANGES IN PROJECT DESIGN:

Should any changes to the Project occur subsequent to this agreement, TVA, in consultation with TN SHPO, will determine the new APE, identify historic properties within APE, and further consult with TN SHPO and other consulting parties.

6. TREATMENT OF HUMAN REMAINS AND FUNERARY OBJECTS:

All archaeological data recovery will be undertaken with the understanding, on the part of TVA, TN SHPO, and all consulting parties, that the NRHP-eligible archaeological property may contain previously unidentified human remains, associated or unassociated funerary objects, sacred objects, or items of cultural patrimony as those terms are defined by *Native American Grave Protection and Repatriation Act (NAGPRA)*. To the extent any such remains are discovered on federal property, the remains will be treated pursuant to *NAGPRA*.

7. TIMETABLE FOR COMPLIANCE

a. Consistent with Stipulation 5, TVA shall ensure that the identification, evaluation, and treatment of historic properties are implemented in consultation with TN SHPO and other concurring parties prior to any changes in the project design.

b. TN SHPO, and the concurring parties, shall have thirty (30) days upon receipt to review and comment on all reports of investigation and treatment plans.

8. ADMINISTRATIVE CONDITIONS

a. If Stipulations 1 - 7 have not been implemented within three (3) years from the date of this Agreement's execution, this Agreement shall be considered null and void, unless the parties have agreed in writing as provided in Paragraph 8.b. (below) to an extension for carrying out its terms. Upon this Agreement becoming null and void, TVA, TN SHPO, and the concurring parties will resume consultation pursuant to 36 CFR Part 800.

b. If Stipulations 1 - 7 have not been implemented within three (3) years from the date of this Agreement's execution, TVA, TN SHPO, and the concurring parties shall review the Agreement to determine whether the Agreement should be extended. If an extension is deemed necessary, TVA, TN SHPO, and the concurring parties will consult in accordance with 36 CFR § 800.6(c) to make appropriate revisions to the Agreement.

c. The signatories to this Agreement may agree to amend the terms of the Agreement. Such amendment shall be effective upon the signatures of both signatories to this Agreement, and the amendment shall be appended to the Agreement as an attachment.

d. Should any consulting party object within thirty (30) days after receipt of any documents provided for review pursuant to this Agreement, TVA shall consult with the objecting party to resolve the objection.

e. If either signatory to this Agreement determines that the terms of the Agreement cannot be carried out, the signatories shall consult to seek an amendment to the Agreement. If the Agreement is not amended, either signatory may terminate the Agreement. TVA shall either execute a new Agreement pursuant to 36 CFR § 800.6(c)(1) or request the comments of the Council pursuant to 36 CFR § 800.7(a).

Execution of this Agreement by TVA and TN SHPO, and implementation of its terms, evidence that TVA has taken into account the effects of the undertaking on historic properties, and TVA has complied with its obligations under Section 106 of the *National Historic Preservation Act*.

SIGNATORIES:

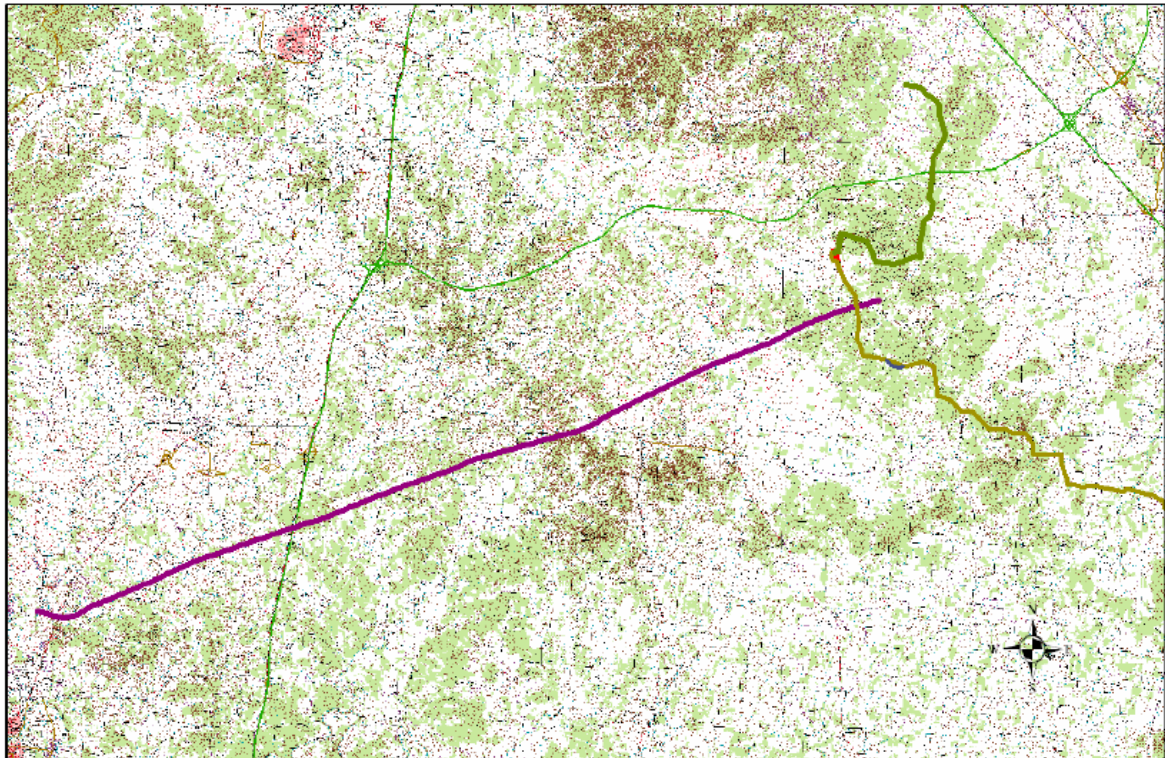
TENNESSEE VALLEY AUTHORITY

By: Bridgette Ellis Date: 1-2-08
Bridgette K. Ellis, Senior Vice President, Office of Environment and Research

THE TENNESSEE STATE HISTORIC PRESERVATION OFFICER

By: E. Patrick McIntyre, Jr. Date: 1-17-07
E. Patrick McIntyre, Jr., Executive Director

Figure 1: Overview of the Project



Legend

- Almadillo
- Christiana
- Maury

Figure 2: Christiana TL Overview

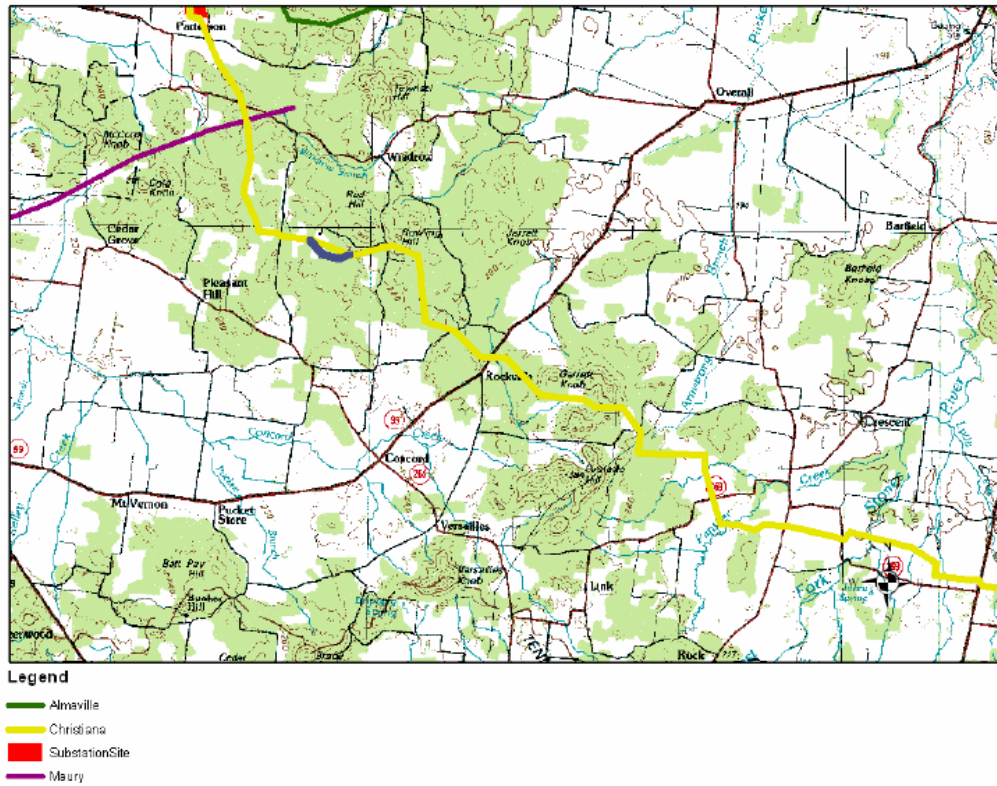
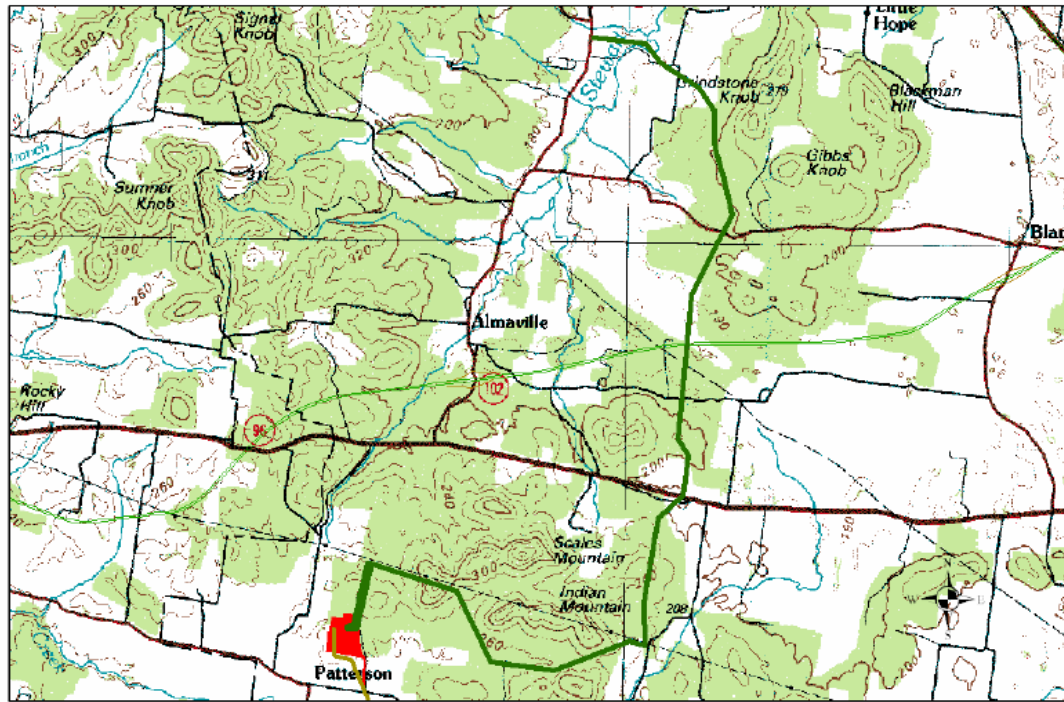


Figure 3: Almadillo TL Overview



Legend

- Almadillo
- SubstationSite

Figure 4: Maury TL Overview

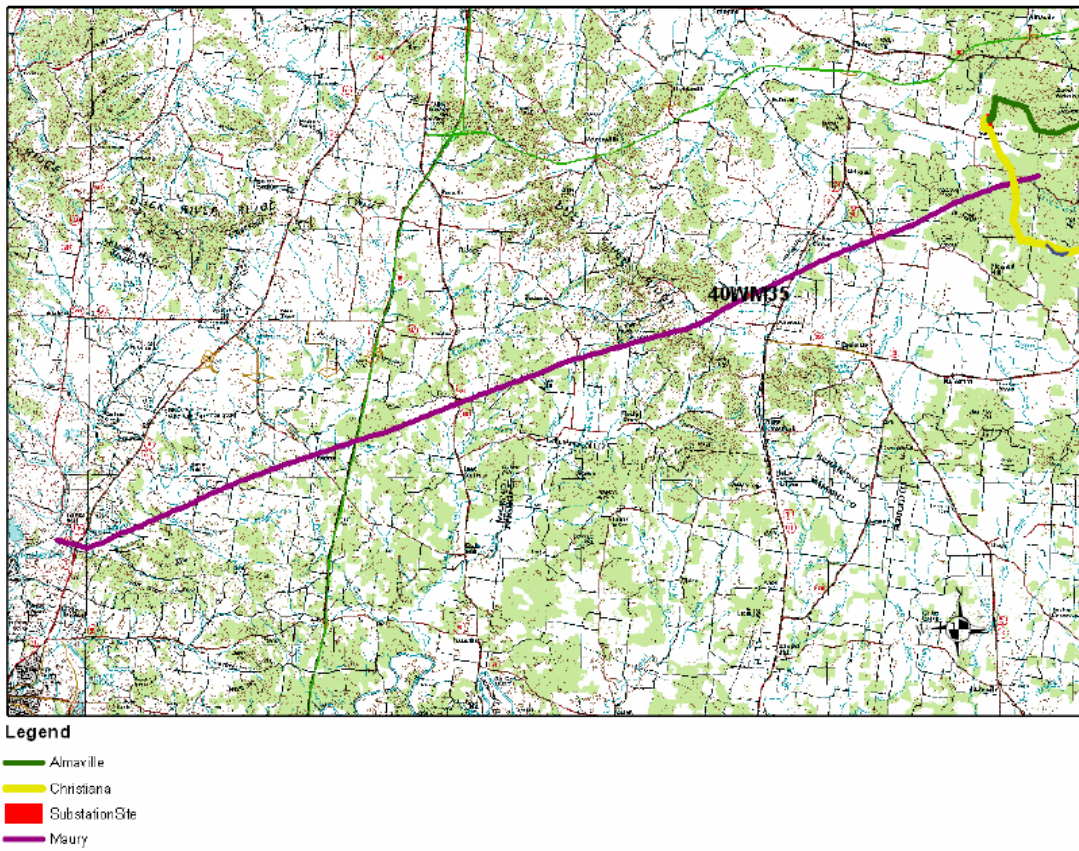
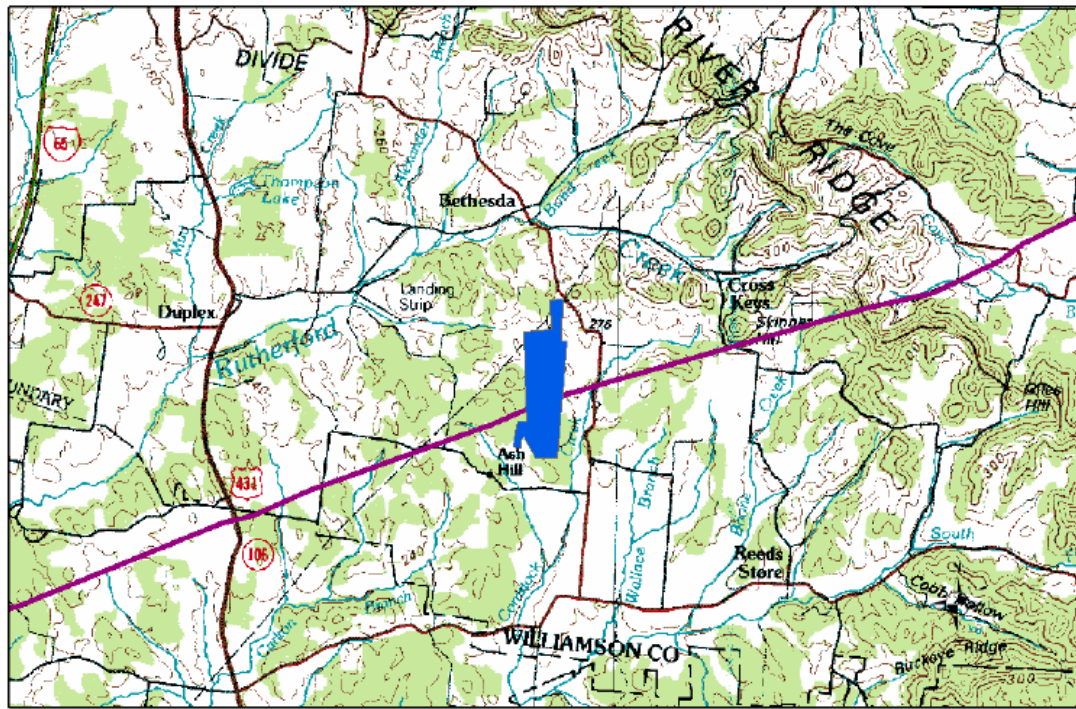


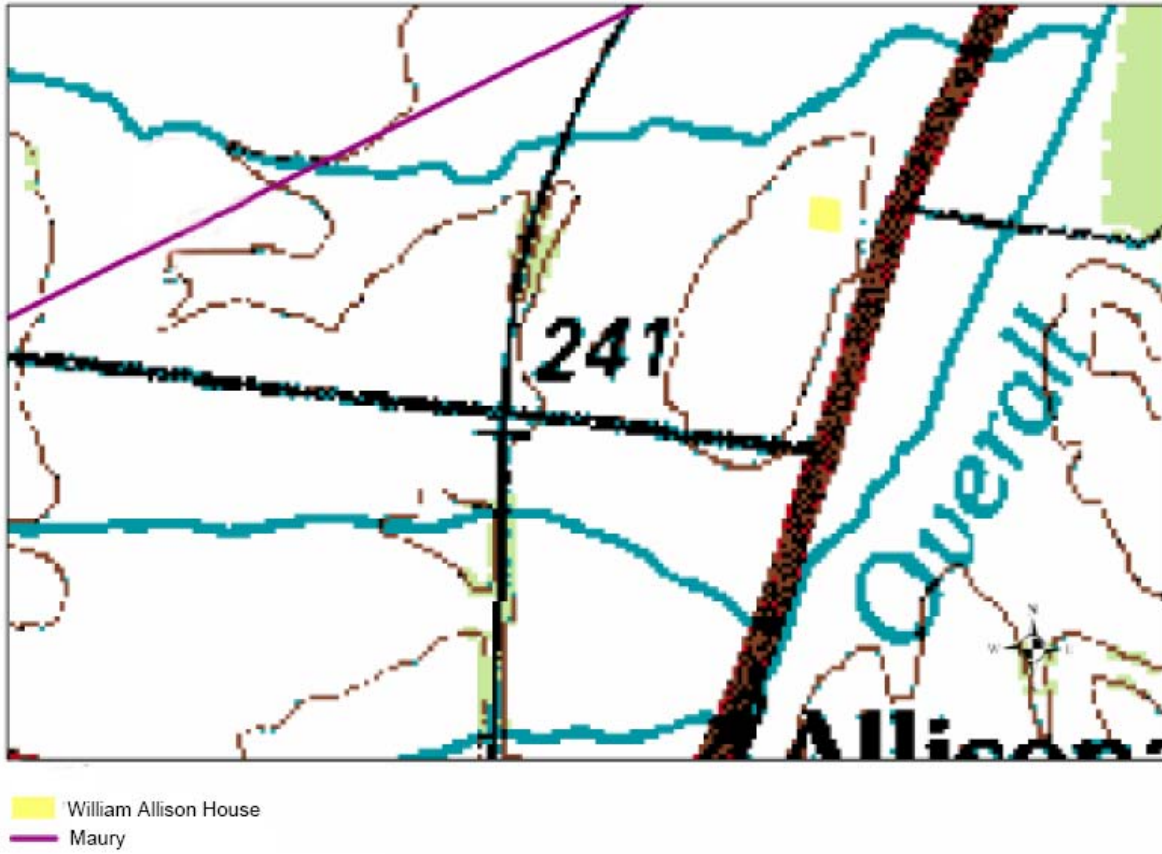
Figure 5: Location of Smithson-McCall Farm



Legend

- Smithson-McCall Farm
- Maury

Figure 6. Location of the William Allison House



Jeff:

I got your phone message. Thanks for your help this one. Jason

TVA proposes one crossing on two NRI streams in Tennessee for the Rutherford 500-kV Transmission Line and Substation EIS. Your review is requested.

Description of Proposed Action

Harpeth River: Construction of new 500-kV transmission line (175-foot right-of-way) across Harpeth River at approximately RM 115.0; see attached map.

Stones River, West Fork: Construction of new 161-kV transmission line (100-foot right-of-way) across Stones River, West Fork at approximately RM 26.0; see attached map.

Affected Environment

Harpeth River: The river at the proposed crossing site, in the College Grove area, abuts agricultural lands and is narrow and shallow with low and accessible vegetated banks. This proposed crossing site is several miles southeast of the noted geologic, historic, and cultural features of the Harpeth primarily in Cheatham County at Harpeth River State Park near Kingston Springs.

Stones River, West Fork: The proposed route crosses the West Fork of Stones River at approximately RM 26 near Christiana.

NRI Information

Harpeth River: Counties: Cheatham, Dickson, Davidson, Williamson, Rutherford; Reach: RM 6, near Jackie Branch on Cheatham/Dickson County line, to RM 121, confluence with Puckett Branch and Concord Creek; ORVs: S, R, G, F, W, H, C; Description: Rich in history and of archaeological significance; evidence of aboriginal towns; extraordinary tunnel at "The Narrows"; impressive carved bluffs, including Paint Rock which is adorned with petroglyphs.

Stones River, West Fork: County: Rutherford; Reach: RM 17, southwest of Murfreesboro, to RM 27, bridge west of Christiana; ORVs: S, R, G, F, H; Description: Prime recreational stream providing variety of opportunities of significant historical interest.

Recommendation on Impact - Standard TVA Best Management Practices will be utilized during construction and maintenance of these transmission lines near stream crossings.

Harpeth River: No significant impacts to this stream's designation as an NRI stream are anticipated because the proposed action of constructing a

transmission line would not, at the proposed site of crossing, affect the natural, cultural, or recreational values of the Harpeth River for which it is recognized; see Affected Environment above. Nor would the proposed actions foreclose options to list this river segment as wild, scenic, or recreational pursuant to the WSR Act.

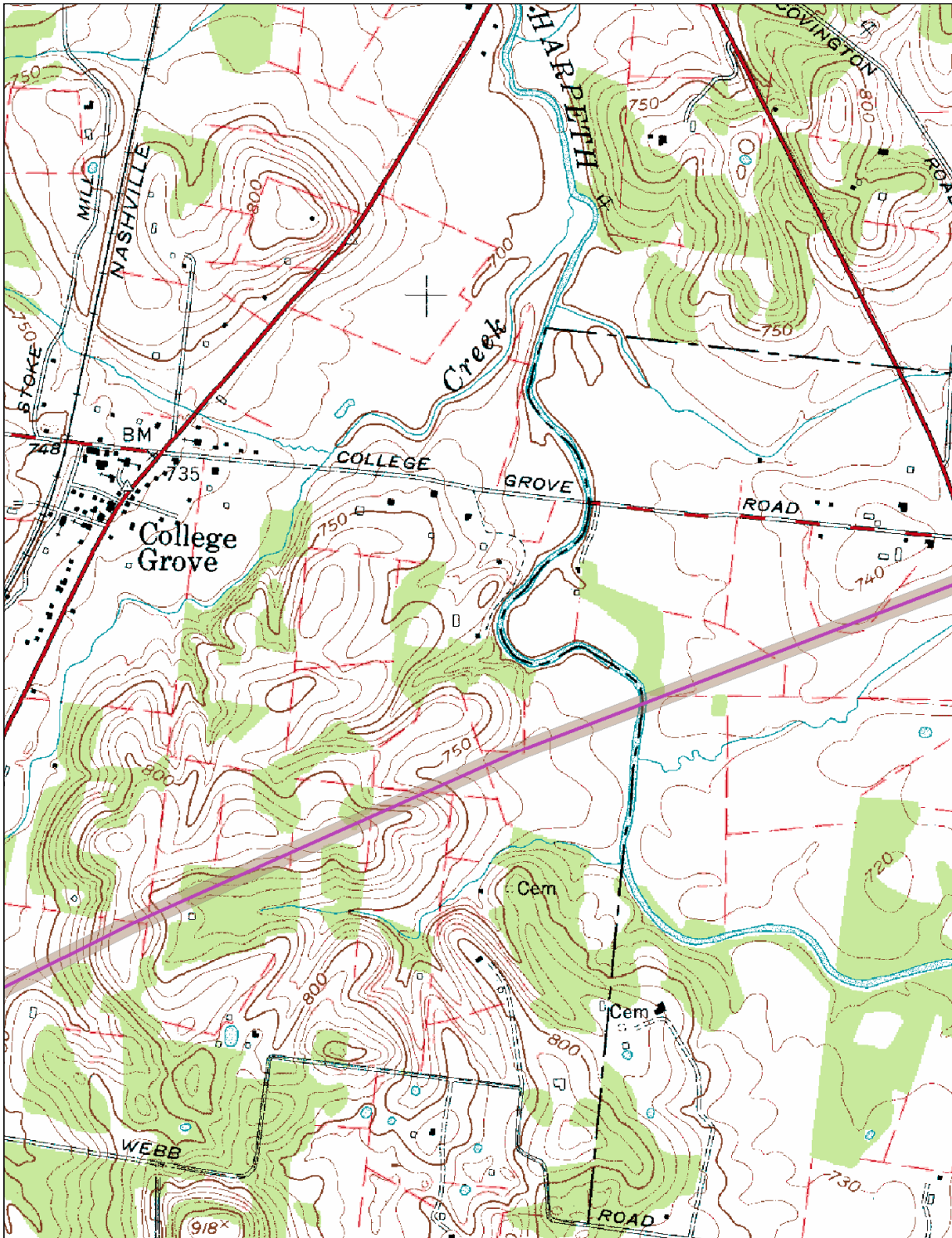
Stones River, West Fork: No significant impacts to this stream's NRI listing are anticipated because the proposed actions would not affect the recreational value of this stream for which it is primarily recognized. Nor would the proposed actions foreclose options to list these river segments as wild, scenic, or recreational pursuant to the WSR Act.

Jason Mitchell

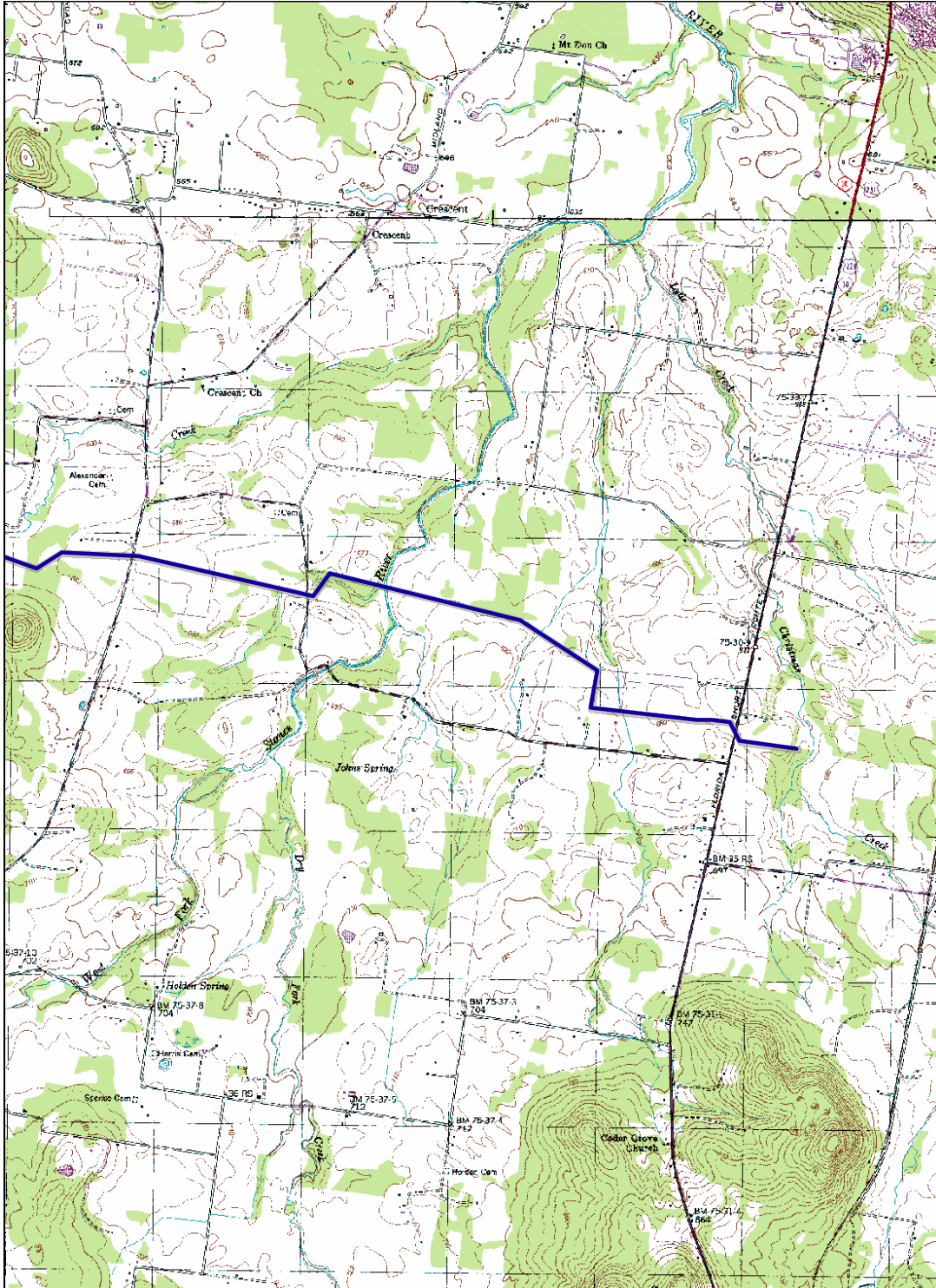
TVA Natural Areas Coordinator

865/632-6414(See attached file: Harpeth River.doc)(See attached file: Stones River, West Fork.doc)

Rutherford-Maury TL Crossing of Harpeth River
College Grove quad (358676)



Rutherford-Christiana TL Crossing of Stones River, West Fork Fosterville Quad (358684)





United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

December 5, 2007

Ms. Peggy Shute
Manager, Regional Natural Heritage
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: FWS # 2007-FA-0942

Dear Ms. Shute:

Thank you for your letter dated October 4, 2007, concerning the proposed construction of three transmission lines, a switch station, and a substation in Maury, Rutherford, and Williamson counties, Tennessee. That letter supplements the previous letter from TVA, dated August 20, 2007, which requested concurrence with your determination that the proposed project is not likely to adversely affect populations of Pyne's ground plum or adversely modify designated critical habitat (DCH) for Braun's rock cress. Fish and Wildlife Service biologists concurred that the proposed project is not likely to adversely affect Pyne's ground plum, Braun's rock cress, or its DCH in a letter dated September 21, 2007.

In your supplemental letter of October 4, 2007, you determined that the proposed project would not affect Price's potato bean, leafy prairie clover, Tennessee coneflower, or yellow-eyed grass. You did not observe suitable habitat for Price's potato bean or yellow-eyed grass in the project area. Glade habitat was present in the proposed project area; however, you did not see individuals of leafy prairie clover or Tennessee coneflower during the appropriate monitoring season. Therefore, we concur with your determination that the proposed project is not likely to adversely affect these four species.

You further determined that the proposed project is not likely to adversely affect the gray bat or the Indiana bat. We agree that the Indiana bat record from Benderman Cave in Maury County, Tennessee, is questionable and that most of the affected habitat is of poor quality based on your evaluation using the Romme et al. protocol (1995). However, we are concerned that the Romme et al. protocol, developed in Indiana, might not be the best predictor of quality Indiana bat habitat in Tennessee. We believe that roosting and feeding habitats differ enough that they should be evaluated separately. Future effects determinations should consider these differences. Protective measures for the Indiana bat include timber harvesting for right-of-way clearing in the six areas of moderately suitable habitat would take place between October 15 and March 31. Note that, in

situations where proposed project sites are near Indiana hibernacula, a timber clearing period of November 15 through March 31 would be more appropriate. Gray bat protective measures include a 500-foot buffer around Nanna Cave, an entrance to the Snail Shell Cave System, and standard best management practices (BMPs) for all stream crossings. Based on the protective measures for these bat species, we concur that the proposed project is not likely to adversely affect the gray bat or the Indiana bat.

Your supplemental letter also concludes that the proposed project will not adversely affect the Nashville crayfish, birdwing pearlymussel, Cumberland monkeyface, orange-foot pimpleback, or the tan riffleshell, and that it will not adversely modify DCH for the Cumberlandian combshell and oyster mussel. This determination is based on use of BMPs, hand-held removal of trees within stream management zones (SMZs) or use of equipment that will result in minimal soil disturbance, and no soil displacement in SMZs. Further, the proposed project does not cross any streams in the Mill Creek system, where the Nashville crayfish is located. We concur that the proposed project is not likely to adversely affect these species or adversely modify the DCH in the Duck River with the use of the above-mentioned protective measures.

We believe that the requirements of section 7 of the Endangered Species Act have been fulfilled for these species. Obligations under section 7 must be reconsidered, however, if: (1) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Thank you for the opportunity to comment. If you have any questions, please contact Stephanie Chance or Dave Pelren of my staff at 931/528-6481, ext. 211 or ext. 204, respectively.

Sincerely,



Lee A. Barclay, Ph.D.
Field Supervisor

RECEIVED



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
3701 Bell Road
NASHVILLE, TENNESSEE 37214

NOV 26 2007

November 20, 2007

Doc. Type: _____
Index Field: _____
Project Name: _____
Project No.: _____

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: File No. 2005-01629; Tennessee Valley Authority Proposed Power Supply Improvement Project in Rutherford, Williamson and Davidson Counties, Tennessee

Mr. Jon M. Loney
TVA, Manager, NEPA Administration
Environmental Policy and Planning
400 West Summit Hill Drive
Knoxville, TN 37902-1401

Dear Mr. Loney:

This is in response to your letter requesting Corps of Engineers comments concerning the Draft Environmental Impact Statement (DEIS) for the proposed Rutherford-Williamson-Davidson Power Supply Improvement project. Please refer to File No. 2005-01629 in any future correspondence with us concerning this project.

The DEIS was reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Section 10 of the Rivers and Harbors Act of 1899 requires that a Department of the Army (DA) permit be obtained for certain structures or work in or affecting navigable waters of the United States (U.S.), prior to conducting the work (33 U.S.C. 403). Section 404 of the CWA requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344).

The DEIS indicated that both waters and/or wetlands would be impacted by the construction (i.e. crossings) of the proposed improvements. Please note that any wetlands and streams in your project area may be considered waters of the United States pursuant to Section 404 of the CWA.

My preliminary jurisdictional determination is that a DA permit would be required for the work proposed in your DEIS. When available, please provide detailed plans of all proposed impacts to wetlands and waters of the US and a location map on 8½" x 11" sized paper.

We encourage an alignment and construction plan that would avoid wetland and stream impacts wherever possible. Also, we would request that you avoid impacts to the floodplain and riparian

-2-

vegetation to the extent possible. Your application should include plans of the work, locations of all crossings, wetland delineations if available, any proposed mitigation, and any supporting environmental documentation.

The Nashville District is available to participate in any onsite inspections of the proposed site and/or attend pre-application meetings to discuss aquatic resource impact avoidance and minimization.

Thank you for including this office in your scoping process. If we can be of further assistance or if you have any questions regarding DA permit requirements, please contact me at the above address, telephone 615-369-7506.

Sincerely,

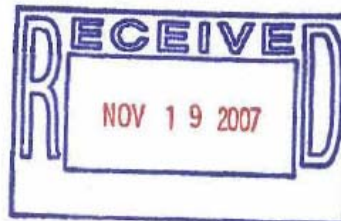


Kathleen J. Kuná
Project Manager
Operations Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

November 15, 2007



Ms. Anita E. Masters
Senior NEPA Specialist
Tennessee Valley Authority
1101 Market Street, LP 5U
Chattanooga, Tennessee 37402

Subject: EPA NEPA Comments on TVA DEIS for "Rutherford-Williamson-Davidson Power Supply Improvement Project; Rutherford, Williamson, and Maury Counties, TN; CEQ #20070412; ERP #TVA-E08022-TN

Dear Ms. Masters:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject Tennessee Valley Authority (TVA) Draft Environmental Impact Statement (DEIS) in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. TVA proposes to construct or upgrade a 500-kV substation and associated 500-kV and 161-kV power transmission lines in anticipation of additional growth in Middle Tennessee, which has been rapidly growing at a rate of 4.3 percent per year since 1990.

Alternatives

TVA initially screened four alternatives for the propose action. The four alternatives considered were described in the DEIS (pp. 12 to 19) and excerpted (pp. S-1 to S-2) below. Hereafter in this letter, these four initial options are referred to as the "new construction", "new construction and upgrade", "upgrade", and "conservation" alternatives, respectively.

** New Brentwood 500-kV Substation and Associated Transmission Lines* – Construct and operate a new 500-kV substation in southwest Rutherford County, 25-30 miles of 500-kV transmission line on vacant, TVA-owned right-of-way (ROW), and about 23 miles of new 161-kV transmission lines in Rutherford, Maury, and Williamson counties.

** New Brentwood 500-kV Substation and Transmission Line Upgrades* – Construct and operate a new 500-kV substation in northeast Williamson County near Brentwood and upgrade about 126 miles of existing 161-kV transmission lines. The transmission lines to be upgraded are in Davidson, Rutherford, Williamson, Sumner, Coffee, Franklin, and Bedford counties.

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

** Pinhook 500-kV Substation Expansion and Associated Transmission Line Upgrades* – Expand TVA’s Pinhook 500-kV Substation in southeast Davidson County and upgrade of about 134 miles of existing 161-kV transmission lines. These transmission lines are located in Davidson, Rutherford, Williamson, Sumner, Wilson, Franklin, and Bedford counties.

** Load Management/Conservation* – Rely on load management and conservation by achieving a reduction in current peak loads by at least 800 megawatts.

The “new construction” (above first) alternative was selected by TVA as its preferred alternative. This action alternative as well as the No Action Alternative were the only alternatives that TVA carried forward for analysis in the DEIS, as Alternatives 2 and 1, respectively. TVA based its selection on overall costs, engineering problems, meeting the 2010 in-service date, and on the judgment that load management and conservation would not satisfy the project need. The preferred site and route were considered (pg. S-2) to have the least impacts as well as being the most cost effective.

From an environmental perspective, the “upgrade” (above third) alternative only involves upgrades. It therefore intuitively would be less environmentally damaging than the “new construction” alternative since it involves much less or no disruption of “greenfield” areas. However, we note (pg. 14) that these upgrades would cost more, include blasting during construction, and perhaps most importantly, involve outages during construction and line loss during operation. These constraints would also cause delays (2012) beyond the expected need (2010).

Per NEPA, the environmentally preferable alternative should be identified in the Final EIS (FEIS). Based on our review, that appears to be the “upgrade” alternative. Given its environmental benefits, the “upgrade” alternative should have also been a candidate for detailed EIS analysis for comparison against the TVA-preferred “new construction” alternative (Alt. 2) and the no action (Alt. 1). TVA may wish to re-consider the benefits and limitations of this alternative during its FEIS development.

Although the “conservation” (above fourth) alternative may not provide adequate or reliable baseload or transmission capabilities for future demand, EPA requests that the FEIS review what conservation incentives are being offered by TVA. These might include peak-load conservation incentives, green power options (active solar, wind, co-firing with energy grasses, home electricity generation with the option to sell excess power to TVA) as well as other options, with reference to any information available on the TVA website.

Project Impacts

Potential project environmental impacts include effects on surface waters, vegetation, wildlife, water quality, waters of the U.S. (streams, waterbodies, wetlands, floodplains, etc.), federally-listed endangered species, noise and air quality, cultural resources, EMF, and societal issues including EJ. EPA will primarily address water

quality, waters of the U.S., noise, EMF and EJ issues and defer endangered species and cultural resources to the U.S. Fish and Wildlife Service and Tennessee SHPO, respectively. We appreciate that coordination with these agencies has already been initiated. We offer the following comments for TVA's consideration and response in the FEIS:

* *Water Quality* – The project ROWs would cross several streams including the Harpeth River and others used for water supply. Such activities could cause increases in turbidity and siltation during construction. The DEIS (pg. S-5) indicates a potential for clearing riparian vegetation and stream canopy, but suggests that construction BMPs would minimize stream-bank clearing. While we agree with the use of BMPs, the FEIS should more importantly discuss stream-bank avoidance, i.e., could streams and stream bank vegetation be spanned by transmission lines to avoid clearing these sensitive areas? If unavoidable, stream-bank clearing should be minimized and quickly revegetated for soil erosion control.

Soil erosion should also be controlled along ROWs, particularly in sloped areas. We note that the proposed project would result in the clearing of 370 acres of forested land for the ROWs and the new substation to be located on a 53.1-acre site. It was suggested that vegetative impacts would be minimal since the project area is highly disturbed herbaceous vegetation (pg. S-6) and includes 40,000 acres of increased forestland. In order to help determine the magnitude of the project's proposed deforestation (particularly given that an "upgrade" alternative exists), the FEIS should discuss if these areas are silvicultural (monoculture) or truly reforested/afforested areas with diverse forest species. We also note that some proposed transmission line sections would cross over or near some designated managed areas and streams (pg. S-10). We will defer to the state or federal managers of these areas as to the significance of these crossings.

We note that care would be exercised when herbicides are used for ROW maintenance. We wish to emphasize the need to follow label directions and (as planned) to only use EPA-registered herbicides. Manual/Mechanical methods should replace herbicide use near waterways and karstic geologic features such as caves and sinkholes that may flood.

* *Waters of the U.S.* – The proposed ROWs and substation site includes 3.43 acres of wetlands, including 2.29 acres of forested, 2.04 acres of moderate quality and 0.1 acres of very high quality wetlands. The footprint of the actual project, however, would reportedly impact less acreage. Specifically, 2.29 acres forested wetlands would be converted to herbaceous wetlands along the ROWs while "[t]he construction and operation of the proposed Rutherford Substation would not directly affect wetlands" (pg. S-9), and the site also lies outside the floodplain. The FEIS should discuss how the ROW wetlands impacts would be addressed and any nationwide or individual permit requirements pursuant to Section 404 of the Clean Water Act (CWA).

Although 303(d) listed waterbodies occur in the area, the project will apparently not cross them. However, should they ultimately be crossed and impacted by the project, the

FEIS should disclose the 303(d) pollutants of concern and avoid exacerbation of those pollutants by the project.

* *EMF* – Since new ROWs for 500-kV transmission lines (as well as 161-kV lines) would be constructed (or existing vacant ROWs utilized) by TVA’s preferred Alternative 2, we recommend that the ROWs be of adequate breadth to account for potential EMF impacts. Although international research on EMF effects have been inconclusive, we recommend that the potential for such effects be considered, particularly in populated areas and associated with high-voltage lines like 500-kV. We also recommend that no overhead lines be routed over residences or businesses for both 500-kV and 161-kV lines.

The DEIS (pg. 148) indicates that “[a]lthough no federal standards exist for maximum EMF strengths for transmission lines, six states (not including Tennessee), do have such standards.” Moreover, it was stated that “[t]he expected strengths at the edge of the proposed ROW would fall well within these standards.” We are pleased that such state standards will voluntarily be followed by TVA. We suggest that these standards for minimum ROW widths and the attenuation of EMF strengths at those distances from the centerline be disclosed. The FEIS should also verify that there are no industry or other guidelines or standards (e.g., Public Service Commission or equivalent oversight entity, or industry research group such as the Electric Power Research Institute: EPRI) regarding minimum ROW widths for various line magnitudes (especially 500-kV). Finally, would these state standards also be satisfied by the existing ROWs associated with the above “upgrade” alternative?

While EMF guidelines/standards are important to help protect public health, ROW design must also consider minimizing impacts to wetlands and other sensitive areas along ROWs consistent with the CWA and EO 11990. Slight alignments shifts may be helpful in addressing both EMF and wetland issues.

* *EJ* – The DEIS (pg. S-14) states that “[t]here is potential for environmental justice impacts (disproportionate impacts on low-income and minority populations) as a result of the construction and operation of the proposed substation and transmission lines.” Some examples are cited (Maury and Williamson counties) where project areas along the ROW have higher EJ concentrations than the county. These examples are further addressed in the text (pg. 145) but are not supported with data. The FEIS should provide a numeric comparison (using U.S. Census percentages) between project sections and larger, encompassing areas (block groups, counties, etc.) for these areas of potential impact. A final determination of any EJ impacts should be provided in the FEIS for the potential EJ areas of concern, and any offsets for impacts suggested as appropriate.

* *Noise and Air Quality* – Noise and air emissions need not be significant for the project. However, we recommend that they be briefly addressed in the FEIS for project construction as well as operation (little air and noise quality information was found in the DEIS other than reference to the occasional “hissing or crackling” of high-voltage 500-kV lines: pg. 146). Basic noise levels for construction equipment should be provided and can be located and cited from the literature. All construction equipment should be

properly tuned to minimize air emissions and be equipped with appropriate mufflers and engine housings to minimize noise levels. The length of construction time should also be estimated to help define the magnitude of the construction impacts. Any substantive operational noise beyond the fence line of the proposed substation should also be disclosed as well as discussion on the number of nearby residents.

To further help minimize construction air emissions, we recommend the use of reduced idling practices, cleaner fuels, and emission retrofits for construction equipment used by TVA contractors whenever feasible. TVA may wish to discuss this further with EPA Region 4 (Dale Aspy at 404/562-9041).

* *Visual Effects* – Siting new transmission lines to maximize screening of mature trees and rolling landscape or collocated with other lines, visual effects can be lessened. In addition, the pole supports of major lines such as 500-kV, also visually affect the area. The FEIS should address what type of line poles will be used (especially for the 500-kV line) and if metallic poles will be colored or left as metallic. Have any surveys been done over the years regarding public preference as to which color is considered to blend best with various environmental landscapes and backgrounds (e.g., trees vs. rolling topography vs. sky), and what is the predominant landscape of the project area?

Recommendations & Rating

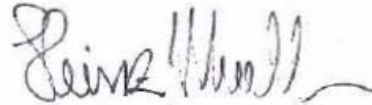
The TVA preferred Alternative 2 would affect greenfields by proposing to construct and operate a new 500-kV substation and associated new 500-kV and 161-kV transmission lines on new or vacant ROW. Our primary environmental concerns involve the potential for ROW line construction to impact water quality, wetlands and remove riparian vegetation at waterway crossings (unless waterways are successfully spanned) as well as the additional conversion of forested wetlands along the ROWs. In addition, new lines would likely be perceived by most of the public as new visual impacts. Other project impacts are less clear pending further discussion with regulatory agencies. These impacts should be further addressed in the FEIS. In contrast, we note that the new ROW distances for TVA's preferred alternative will be relatively short and the proposal will partly utilize existing (vacant) TVA ROW, and that impacts to the new substation site need not be substantive.

For the FEIS, EPA also recommends that the "upgrade" alternative be acknowledged as the environmentally preferred alternative since it does not involve greenfield construction and the associated impacts. For comparison against Alternatives 1 and 2, it would also have been beneficial to have carried the "upgrade" alternative forward in the EIS for detailed analysis.

EPA rates this DEIS as an "EC-2" (Environmental Concerns, additional information requested in the FEIS). We base this rating on potential water quality and wetland impacts on new alignment and the additional information requested.

We appreciate the opportunity to review this DEIS. Should you have questions on our comments, please contact Chris Hoberg of my staff at 404/562-9619 or hoberg.chris@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz Mueller", with a stylized flourish at the end.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management



TENNESSEE WILDLIFE RESOURCES AGENCY

ELLINGTON AGRICULTURAL CENTER
P. O. BOX 40747
NASHVILLE, TENNESSEE 37204

RECEIVED

November 14, 2007

Tennessee Valley Authority
Attention: Jon M. Loney, Manager
NEPA Administration
Environmental Policy and Planning
400 West Summit Hill Drive
Knoxville, TN 37902-1499

NOV 20 2007

Doc. Type: _____
Index Field: _____
Project Name: _____
Project No.: _____

Re: Comments Regarding the Draft Environmental Impact Statement – Rutherford-Williamson-Davidson Power Supply Improvement Project, Rutherford, Williamson, and Maury Counties, Tennessee

Dear Mr. Loney:

The Tennessee Wildlife Resource Agency has reviewed the Draft Environmental Impact Statement (DEIS) - Rutherford-Williamson-Davidson Power Supply Improvement Project and provides the following comment. If Alternative 2 – The Action Alternative - is chosen there will be a permanent impact to a total of 2.29 acres of wetlands due to the loss of functions and values associated with the conversion of forested wetlands to emergent/scrub-shrub wetlands and their maintenance. These impacts are found on page 131 of the DEIS under 4.7.22 Maury Transmission Line which states 0.64 acre of forested wetland will be converted to emergent/scrub-shrub wetland, under 4.7.2.3 Almaville Transmission Line which states 0.02 acre of forested wetland will be converted to emergent/scrub-shrub wetland, and under 4.7.2.4 Christiana Transmission Line which states 1.63 acre of forested wetland will be converted to emergent/scrub-shrub wetland. It is suggested in the DEIS that the impacts of these conversions would result in insignificant impacts to the wetlands with potential compensatory mitigation and use of BMPs. It is the opinion of the Tennessee Wildlife Resources Agency that compensatory mitigation and BMPs should be implemented to compensate for the loss of function and values due to the conversion of forested wetlands to emergent/scrub-shrub wetlands.

Thank you for the opportunity to comment.

Sincerely,

Robert M. Todd
Fish and Wildlife Environmentalist

The State of Tennessee

IS AN EQUAL OPPORTUNITY, EQUAL ACCESS, AFFIRMATIVE ACTION EMPLOYER

cc: David Sims, Region II Habitat Biologist
Steve Patrick, Region II Manager
Andrea English, Region II Wildlife Diversity Coordinator
Dr. Lee Barkley, U.S. Fish and Wildlife Service
Darryl Williams, Environmental Protection Agency



RECEIVED and discuss in detail planning
current and 70 years

October 18, 2007

OCT 18 2007

Jon M. Loney, Senior Manager, NEPA Policy
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1401

Doc. Type: _____
Index Field: _____
Project Name: _____
Project No.: _____

Re: TVA - Draft Environmental Impact Statement: Rutherford-Williamson-Davidson
Power Supply Improvement Project, Rutherford, Williamson, And Maury Counties,
Tennessee
GNRC #2008-17

Dear Mr. Loney:

In accordance with the Project Review Process (approved by the Executive Committee at the April 1995 Executive Board Meeting), the Greater Nashville Regional Council has reviewed the above referenced project.

Our evaluation reveals no conflict with existing or proposed planning activities. We are notifying you that your proposal is deemed acceptable on the basis of information now available to this office.

We may wish to comment further at a later time. This letter should be attached to your application. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Sam H. Edwards
Executive Director

SHE/pyc

cc:



RECEIVED



OCT 29 2007

STATE OF TENNESSEE
 DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 WATER POLLUTION CONTROL
 401 CHURCH STREET
 6TH FLOOR L&C ANNEX
 NASHVILLE, TN 37243

Doc. Type: _____
 Index Field: _____
 Project Name: _____
 Project No.: _____

October 16, 2007

Mr. Jon M. Loney
 Tennessee Valley Authority
 400 West Summit Hill Drive
 Knoxville, Tennessee 37902-1401

**SUBJECT: Rutherford-Williamson-Davidson County Power Supply Project
 Draft Environmental Impact Statement (DEIS)**

Dear Mr. Loney:

Thank you for your recent request for preliminary information on the above referenced proposed DEIS project in Rutherford, Williamson, and Davidson Counties, Tennessee, relative to any potential environmental impacts or concerns the Division of Water Pollution Control (Division) may have.

The Division's general concerns about construction projects such as the one proposed include, but are not limited to:

- Identification and assessment of all water resources must be made prior to construction
- All appropriate permits must be obtained prior to commencement of construction
- Impacts to water resources, including wetlands should be avoided when possible
- Appropriate mitigation must be undertaken for unavoidable impacts
- Appropriate erosion prevention and sediment control measures must be installed and maintained

An Aquatic Resource Alteration Permit (ARAP) will be needed if there are any alterations to waters of the state, and coverage under Tennessee's *General NPDES Permit for Discharges of Storm Water Associated with Construction Activities* (CGP) will be needed for any land disturbance of one acre or more.

Please understand that there may be other regulatory programs applicable to this project that are administered by other divisions of the Department of Environment and Conservation. The applicant is responsible to determine all regulatory programs that are applicable to this project. This letter is intended to give information on this Division's regulatory role in the process and to provide guidance on possible impacts to waters of the state. It is **not** a complete evaluation of all potential

Rutherford-Williamson-Davidson Power Supply Improvement Project

Page 2 of 2
October 16, 2007

environmental impacts that this project could have on the affected watersheds. A complete evaluation of the proposed project will be done when detailed plans and permit applications are submitted to the Division.

If you have any questions regarding these comments, please contact Joey Holland at (615) 687-7020.

Sincerely,

A handwritten signature in black ink that reads "Regan McGahan" with a stylized flourish at the end.

Regan McGahan
Environmental Specialist
Division of Water Pollution Control

cc: File
Mary Parkman, TDEC - Office of General Counsel
Joey Holland, Water Pollution Control, Nashville EFO



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

August 23, 2007

Dr. Thomas Maher
Tennessee Valley Authority
400 W. Summit Hill Drive
WT 11D - Cultural Resources
Knoxville, Tennessee 37902

RE: TVA, ARCHAEOLOGICAL ASSESSMENT, MAURY-RUTHERFORD/
SWITCHING STATION, UNINCORPORATED, MAURY COUNTY, TN

Dear Dr. Maher:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (*Federal Register*, December 12, 2000, 77698-77739). Based on the information provided, we concur that the project area contains no archaeological resources eligible for listing in the National Register of Historic Places.

If project plans are changed or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

E. Patrick McIntyre
Executive Director and
State Historic Preservation Officer

EPM/jmb



August 16, 2007

TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

Dr. Thomas O. Maher
Tennessee Valley Authority
400 West Summit Hill Dr.
Knoxville, Tennessee, 37902-1499

RE: TVA, 161 KV LINE/ALMAVILLE SHRISTIANA, UNINCORPORATED, RUTHERFORD COUNTY

Dear Dr. Maher:

In response to your request, received on Friday, August 3, 2007, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at <http://www.tennessee.gov/environment/hist/federal/sect106.shtml>.

Based on available information, we concur that the project as currently proposed will NOT ADVERSELY AFFECT ANY NATIONAL REGISTER OF HISTORIC PLACES-LISTED PROPERTY SO LONG AS THE FOLLOWING CONDITION (S) ARE MET:

This project avoids archaeological site 40RD280 AND 40RD281

Unless project plans change, and so long as the condition is met, this office has no objection to the implementation of this project. Should project plans change, please contact this office to determine what additional action, if any, is necessary. Questions and comments may be directed to Joe Garrison (615) 532-1550-103. Your cooperation is appreciated.

Sincerely,

A handwritten signature in black ink that reads "E. Patrick McIntyre".

E. Patrick McIntyre
Executive Director and
State Historic Preservation Officer

EPM/jyg



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

June 29, 2007

Dr. Thomas O. Maher
Tennessee Valley Authority
400 West Summit Hill Dr.
Knoxville, Tennessee, 37902-1499

RE: TVA, 500 KV TRANSMISSION LINE, RUTHERFORD, MAURY COUNTY

Dear Dr. Maher:

In response to your request, received on Monday, June 18, 2007, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at <http://www.tennessee.gov/environment/hist/federal/sect106.shtml>

Considering available information, we find, after applying the Criteria of Adverse Effect codified at 36 CFR Part 800, that the project as currently proposed will **ADVERSELY AFFECT PROPERTIES THAT ARE ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES**, namely the **Smithson-McCall Farm** and the **William Allison House**. You should now, through TVA, inform the Advisory Council on Historic Preservation of this adverse effect determination and begin immediate consultation with our office. Please enclose a copy of this determination in your notification to the Council as delineated at 36 CFR Part 800. Until you have received a final comment on this project from this office and the Council, you have not completed the Section 106 review process. Please direct questions and comments to Joe Garrison (615) 532-1550-103. We appreciate your cooperation.

Sincerely,

Richard G. Tune
Deputy State Historic
Preservation Officer

RGJ/jyg

Rutherford-Williamson-Davidson Power Supply Improvement Project



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Natural Heritage
 7th Floor L&C Annex
 401 Church Street
 Nashville, Tennessee 37243
 Phone 615/532-0431 Fax 615/532-0046

May 8, 2006

Charles P. Nicholson
 TVA Environmental Policy and Planning
 400 West Summit Hill Dr., WT 9B
 Knoxville, TN 37902-1401

Subject: Rutherford-Williamson-Davidson Power Supply Improvement Project

Dear Mr. Nicholson:

The Division of Natural Heritage (DNH) has reviewed the documents available on your website regarding the Rutherford-Williamson-Davidson Power Supply Improvement Project, including: Notice of Intent, Scoping Document, and Project Area Map. According to these documents, the Tennessee Valley Authority (TVA) proposes to construct a new 500-kV substation and associated transmission line upgrades in middle Tennessee. The substation would be located in Rutherford County, with new and/or upgraded transmission facilities also located in Rutherford, Williamson, and Maury Counties. We have reviewed the project summary information and submit the following comments for consideration.

A review of our rare species database indicates that the following listed species have been documented within the footprint or in very close proximity to the proposed substation locations indicated in Figure 3. of the Scoping Document:

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank
Vascular Plant					
<i>Astragalus tennesseensis</i>	Tennessee Milk-vetch		S	G3	S3
<i>Talinum calcarticum</i>	Limestone Fame-flower		S	G3	S3
Nonvascular Plant					
<i>Cololejeunea ornata</i>	Ornate Cololejeunea		T	G2G4	S1
<i>Lejeunea sharpii</i>	Sharp's Lejeunea		E	G1G2	S1S2
Vertebrate Animal					
<i>Gyrinophilus palleucus</i>	Tennessee Cave Salamander		T	G2G3	S2
<i>Typhlichthys subterraneus</i>	Southern Cavefish		D	G4	S3
Invertebrate Animal					
<i>Pseudanopthalmus acherontis</i>	Echo Cave Beetle			G1	S1S2

Many of these rare species are concentrated at Snail Shell Cave and Echo Cave including: the Echo cave beetle, Tennessee cave salamander, and southern cavefish. The Echo cave beetle is a G1 species and is considered critically impaired, with 3 occurrences in the world, two of which are at Echo Cave and Snail Shell Cave. Disturbance of either of these populations would make this species vulnerable to extinction. The Tennessee cave salamander, listed as State Threatened, is also considered very rare and imperiled throughout its range. We have also attached a separate list of rare species that have been documented within a 4-mile radius of the project area. Consideration for these species should likewise be given, if suitable habitat exists in the project area for these species. The DNH encourages TVA to seek a location for the substation and its associated transmission lines that will not impact these rare species and their associated habitat.

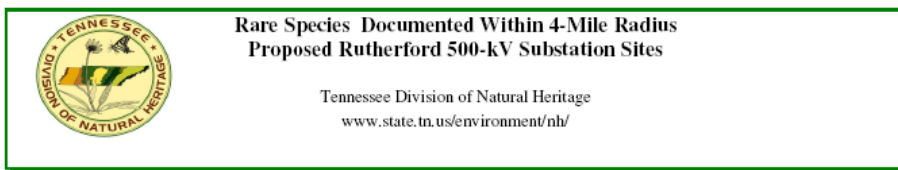
In addition, our review revealed that numerous sinks and karst features are known from the project area. These depressional karst features oftentimes provide specialized habitats for sensitive subterranean life. Please keep in mind that the majority of these geologic features have not been surveyed for rare species and that a lack of records for any particular site is not a statement that rare species are absent from that area. For additional information regarding Tennessee's rare and endangered species or interpretation of Status or Ranks, please visit our website at <http://www.state.tn.us/environment/nh/>.

The DNH would also like to stress that care be taken to prevent revegetation of the project area with plants listed by the Tennessee Exotic Pest Plant Council as harmful exotic plants. We advocate planting and restoring the impacted areas with native plant species, preferably those found onsite prior to construction activities.

Thank you for the opportunity to comment on the subject proposal and for considering Tennessee's rare species throughout the planning of this project. Should you have any questions, please do not hesitate to contact me at (615) 532-0440.

Sincerely,

Kirstin Condict, Data Manager



Vascular Plant		Federal Status	State Status	Global Rank	State Rank
<i>Arabis hirsuta</i>	Western Hairy Rockcress		T	G5	S1
<i>Arabis perstellata</i>	Braun's Rockcress	LE	E	G2	S1
<i>Aster praealtus</i>	Willow Aster		E	G5	S1
<i>Astragalus bibullatus</i>	Pyne's Ground-plum	LE	E	G1	S1
<i>Astragalus tennesseensis</i>	Tennessee Milk-vetch		S	G3	S3
<i>Carex davisii</i>	Davis' Sedge		S	G4	S1
<i>Echinacea tennesseensis</i>	Tennessee Coneflower	LE	E	G2	S2
<i>Eleocharis compressa</i>	Flat-stemmed Spike-rush		S	G4	S1
<i>Evolvulus nuttallianus</i>	Evolvulus		S	G5	S3
<i>Leavenworthia exigua var. exigua</i>	Glade-cress		S	G4T3	S3
<i>Neviusia alabamensis</i>	Alabama Snow-wreath		T	G2	S2
<i>Phlox bifida ssp. stellaria</i>	Glade Cleft Phlox		T	G5?T3	S3
<i>Schoenolirion croceum</i>	Yellow Sunnyside		T	G4	S3
<i>Talinum calcacticum</i>	Limestone Fame-flower		S	G3	S3
Nonvascular Plant					
<i>Cololejeunea ornata</i>	Ornate Cololejeunea		T	G2G4	S1
<i>Lejeunea sharpii</i>	Sharp's Lejeunea		E	G1G2	S1S2
Vertebrate Animal					
<i>Ambystoma barbouri</i>	Streamside Salamander		D	G4	S2
<i>Gyrinophilus palleucus</i>	Tennessee Cave Salamander		T	G2G3	S2
<i>Notropis rupestris</i>	Bedrock Shiner		D	G2	S2
<i>Typhlichthys subterraneus</i>	Southern Cavefish		D	G4	S3
Invertebrate Animal					
<i>Pseudanophthalmus acherontis</i>	Echo Cave Beetle			G1	S1S2

William W. Overton
 Stewardship Chairman
 Southeastern Cave Conservancy, Inc.
 4209 Gourley Rd
 Pegram, TN 37143



25 April 2006

Steve Pitt
 Engineer
 c/o TVA
 1101 Market Street
 Chattanooga, TN 37402-2801

Dear Mr. Pitt,

The Southeastern Cave Conservancy, Inc. (SCCi) is a tax-exempt not-for-profit corporation dedicated to cave conservation, ownership, and management in the Southeastern United States. Incorporated in 1991, the SCCi has grown to become the largest cave and karst conservancy in North America, with twenty five karst preserves located in six states and containing more than fifty caves.

One of our most sensitive and important cave preserves – indeed, one of the most sensitive and important caves in Tennessee – lies directly in the path of the proposed Rutherford, Williamson, and Davidson Counties, Tennessee Proposed Power System Improvements. This letter is in response to these proposed system improvements. While we do not argue the needs of the community for additional electrical power, we do have serious concerns about the location of the proposed transmission lines and the protection of the sensitive surface and cave life on our property.

The primary activities of the SCCi include the acquisition, ownership, protection, and management of significant caves in the Southeast United States. Potential acquisitions are carefully evaluated before a purchase is considered. Presence of endangered plants like the Limestone Flameflower (*Talinum calcaricum*) or animals such as the Tennessee Cave Salamander (*Gyrinophilus palleucus*), significant geological and hydrological features, wilderness quality, threats from development or exploitation, and access issues all play a role in the evaluation process. The SCCi is particularly interested in biologically significant caves which are threatened with destruction or closure or those which provide a habitat for endangered species such

as the Grey Bay, Tennessee Cave Salamander, or Harts Tongue Fern. Our mission is to preserve caves and cave environments and to manage them responsibly. For all these reasons and more, we purchased our 88-acre Snail Shell Cave Preserve property near Murfreesboro in Rutherford County, Tennessee in 2002.

Snail Shell Cave is one of the most biologically significant cave sites in the Southeastern United States and is recognized the world over for its importance. It was designated as one of the Top Ten Threatened and Endangered Karst Ecosystems by the Karst Waters Institute in 1999, and is widely recognized as one of the major biodiversity hot spots in the southeastern US. A sigh of relief was felt by cavers, biologists, geologists, and hydrologists upon the acquisition by SCCI of this property, which contains the main entrance and the heart of this 12-mile-long cave system.

Though we recognized a number of primary threats to the cave including trespassing and vandalism, logging, and factors related to the encroaching sprawl and development from the nearby city of Murfreesboro, we did not anticipate construction of a power transmission line on the property. This letter is written in order to share with you our concerns related to the proposed TVA options #4, #5, #6, #8 and #9 and to offer some possible ways to address those concerns.

Of the proposed routes, option #4 is the most alarming to us. Our primary objection is that the proposed route appears to run within a few hundred feet of the main entrance to the cave system, a 150-foot wide 80-foot deep karst window containing and exposing a major underground stream. Construction of the proposed power line would involve clear cutting, grading, heavy equipment use, drilling, and possible use of explosives all directly on top of the underlying cave passages and waterways and in close proximity to the cave entrance. Any one of these could have a substantial negative impact on the cave, or worse, provide direct access into the cave for runoff and silt by opening an unknown sink. No one knows what may happen with blasting in a karst environment. Further, in some areas the overburden above known cave passages is very thin and the cave passages below are very large, creating a serious risk of sinkhole collapse beneath construction equipment. The safety issues alone warrant serious consideration of alternative routes.

With limited overburden – in some places less than ten feet – construction of the pole platforms could cause devastating collapse, drilling could open new and unwanted drainage into the system, and clearing or grading would almost certainly cause silt to enter the cave via cracks now covered with soil and groundcover, degrading stream quality and damaging aquatic life in the cave. Maintenance of the route would almost certainly involve chemicals that would run throughout the entire cave system and could have substantial negative impacts on cave life.

Snail Shell Cave is home to approximately ten unique species of plants and animals, some endangered, some threatened, and several of special concern. All have little if any tolerance to disruption of their delicate environment. Even if no immediate harm comes from the construction phase of this project, the long term maintenance of the right away and transmission lines still raise major concerns. If herbicides are used for control of vegetation, runoff and overspray will certainly enter the entrance sink and cave system. The protected plant life would certainly be damaged but the aquatic life in the cave has no tolerance for these chemicals. Even if the process is carefully regulated, some spills and overspray are inevitable. Any substantial spill could be disastrous.

Keeping the transmission lines away from the cave and its sensitive aquatic life is paramount. Sadly, accidents do happen, spills occur, and the unexpected will eventually come to pass. Once damaged, this cave system of worldwide biological significance can never be returned to its current condition. That would be a loss beyond words. We strongly urge you to relocate the proposed transmission lines to an area far enough from the cave system to provide an adequate buffer against potential damage. We have information including hydrologic studies and maps of the cave and its passages, and will be glad to make these available to you.

In order to avoid Snail Shell Cave and its associated drainage area, the transmission line route of Option #4 would have to be moved north almost to Windrow and further east to Overall Springs.

Options #5, #6, #8 and #9 run over the recharge area and some upstream passages of the cave system as well. As a result, many of the same concerns noted for option #4 exist for those options as well. The recharge area draining into the cave system covers much of the area directly north of Concord and west Rockvale. Moving the transmission line south would be required to avoid the recharge area and cave passages.

When dealing with any endangered, threatened, or protected species, as well as when considering worker safety, it is always better to err on the side of caution. We strongly urge TVA to consider locating the proposed line as far from the cave as possible in order to provide an appropriate buffer for site protection and to avoid the possibility of sinkhole collapse during construction.

With future development almost certain and the customary practice of running new services alongside of existing ones, the need for such a buffer is obvious – construction of the proposed line on top of the cave will lead to its destruction, and may lead to worker injury or even loss of life. While these requested moves may seem extreme they are actually quite conservative given the possible consequences of building on top of the cave. Consideration of a wider buffer zone is certainly in order.

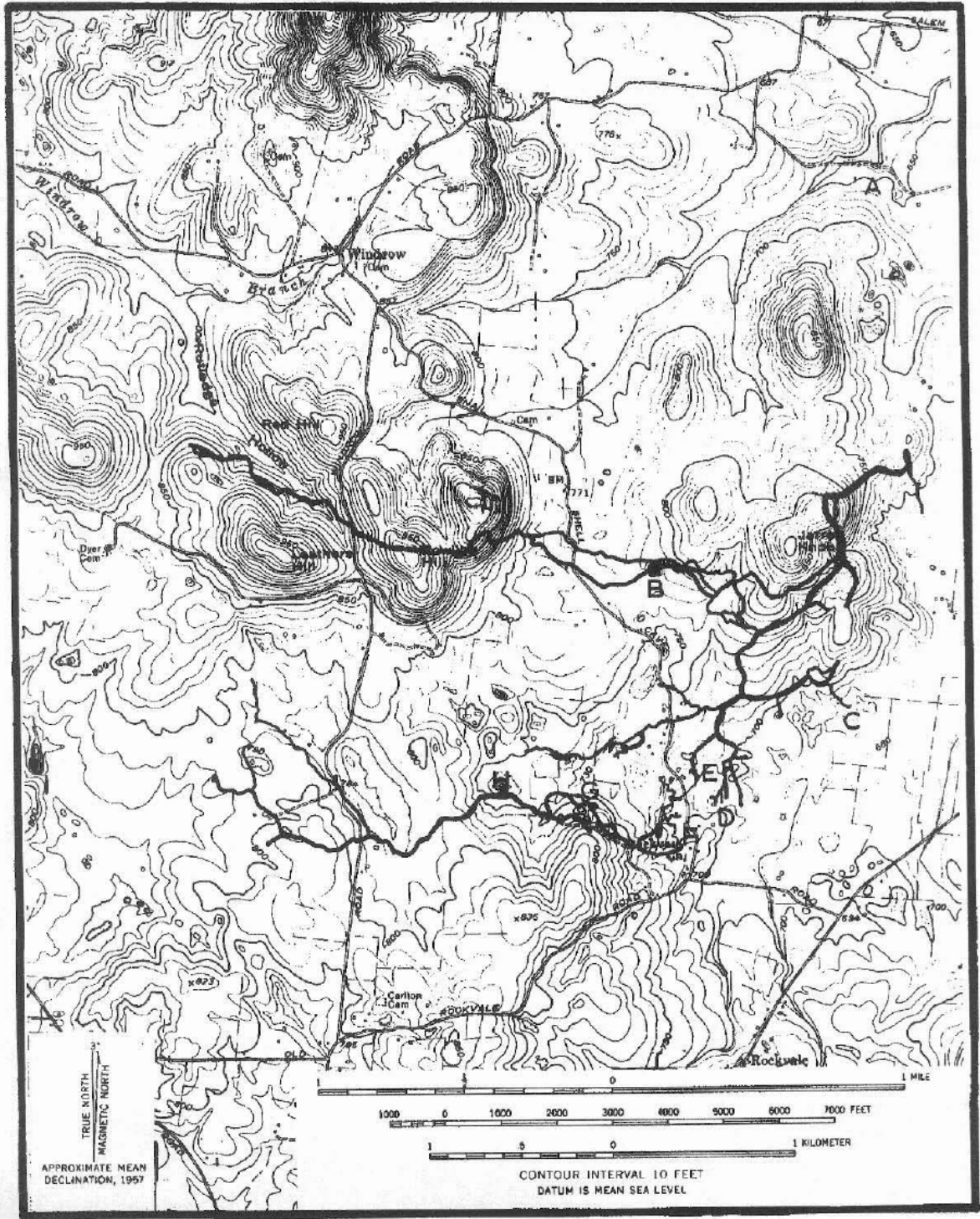
The SCCi will gladly work with TVA to provide access to the cave and surface areas of our property, and to our extensive documentation of its unique plants, animals, geology, and hydrology. I look forward to working with you to address these concerns.

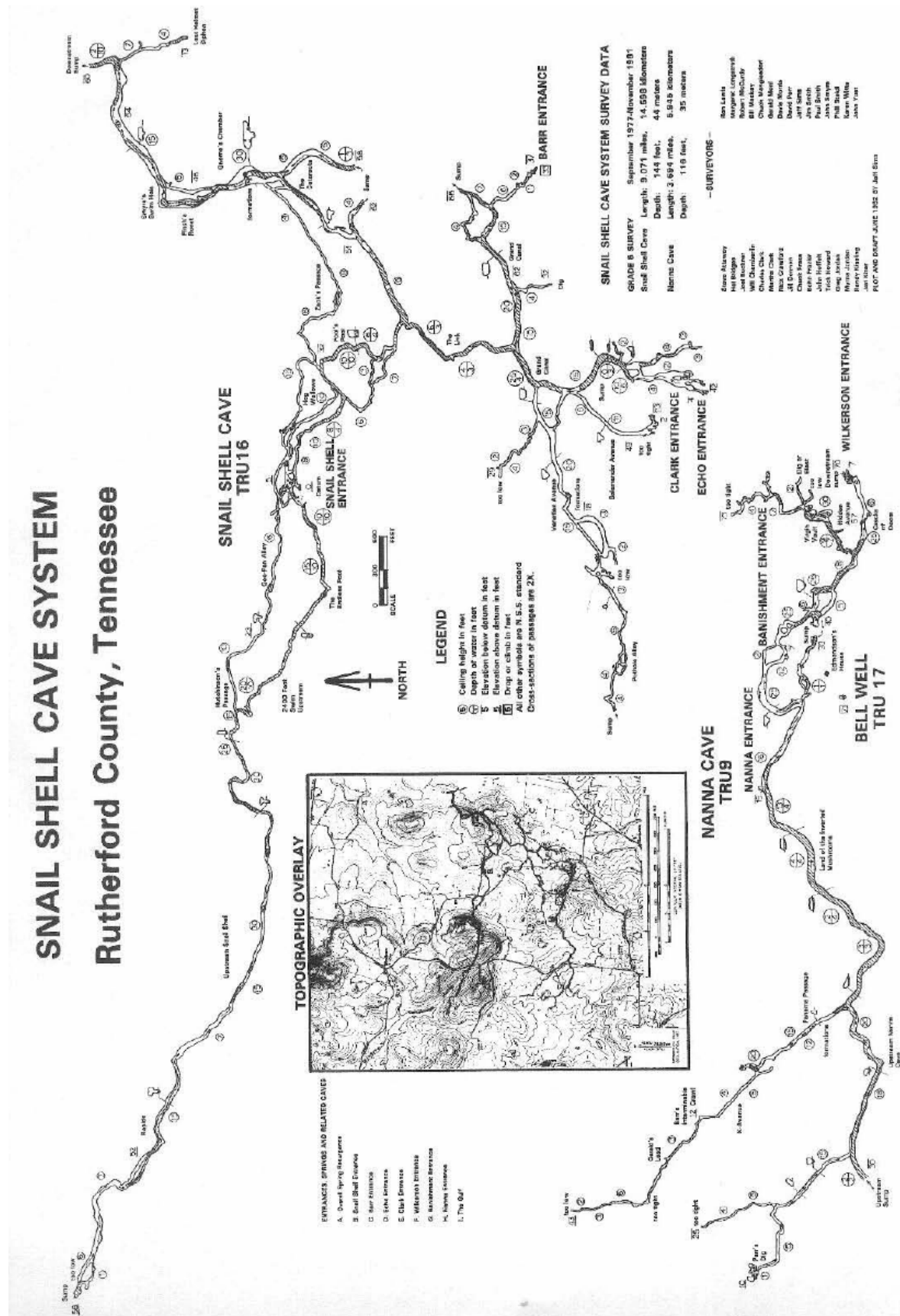
Respectfully,

A handwritten signature in cursive script that reads "William W Overton".

William W. Overton
Stewardship Chairman
Southeastern Cave Conservancy, Inc
4209 Gourley Rd
Pegram, TN 37143
Phone 615-714-2283
Email boverton@scci.org

TOPOGRAPHIC OVERLAY







THE LAND TRUST FOR TENNESSEE

209 10th Avenue South, Suite 53
Nashville, Tennessee 3720

Board of Directors

Chair

Steven J. Mason

President/Executive Director

Jean Nelson

Secretary

Mary Brockman

Treasurer

Orville Kronk

Gentry Barden

E. Warner Bass

Derek Bell

Robert S. Brandt

Martin S. Brown

Doug Cameron

Anne Clay

G. William Coble

Charles A. Elcan

Mack Finley

Debbie B. Frank

Steve Fridrich

Johnny Hayes

Michelle Haynes

Alice Hooker

Sally Huston

William B. King

J. W. Luna

Robert Mathews, Jr.

Betsy McInnes

Sandy Spitz

John F. Stein

Pete Stringer

Ann Tidwell

Byron R. Trauger

Charles A. Trost

Cal Turner, III

Gail Carr Williams

Clark E. Harwell

Ex-Officio

Charles P. Nicholson
TVA Environmental Policy and Planning
400 West Summit Hill Drive, WT 9B
Knoxville, TN 37902-1401

March 2, 2006

Dear Mr. Nicholson

As you know, The Land Trust for Tennessee assists private landowners and communities to conserve their critical natural and historic resources for future generations. Our main tool to protect these lands is the permanent conservation easement. We are committed to meeting important conservation needs throughout Middle Tennessee and other regions of the state.

We currently hold permanent conservation easements on more than 10,000 acres throughout the state, including Steven and Susan Fisher's Farm, on 6779 Comstock Road, College Grove, Tennessee. This gift of a conservation easement is a significant act by this family to see this historic farm and uniquely situated landscape remain intact and undeveloped.

With our interest in this property, we would like to request that we be included on any future notices regarding TVA possibly running a line through the property in its Rutherford-Williamson-Davidson Power Supply Improvement Project. Please send notices to:

The Land Trust for Tennessee
Attn: Eileen Hennessy
209 10th Avenue South, Suite 530
Nashville, TN 37203

We understand the need of the Tennessee Valley Authority to meet power distribution needs for the region. However, we would like to encourage TVA to look for alternative properties through which to run the line that would lead to less degradation of the scenic, agricultural and water quality resources of the Steven and Susan Fisher family property.

Sincerely,

Jean C. Nelson
President and Executive Director

Phone: (615) 244-5263 Fax: (615) 244-6948 Email: info@landtrusttn.org Website Address: www.landtrusttn.org



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Recreation Educational Services
10th floor - L&C Tower
401 Church Street
Nashville, Tennessee 37243

RECEIVED
Environmental Policy and Planning

MAR - 6 2006

Doc. Type: EIS-Admin Record
Index Field: Access Comment
Project Name: Rutherford-Williamson-
Project No.: 2005-107 David

February 27, 2006

Mr. Jon M. Loney, Manager
Tennessee Valley Authority
Environment Policy and Planning
400 Summit Hill Drive
Knoxville, TN 37902-1401


**RE: Tennessee Valley Authority-Preparation of Environmental Impact Statement
for Rutherford-Williamson-Davidson Power Improvement Project.**

Dear Mr. Loney:

Thank you for including this agency on your review contact list for the above referenced document.

After a research of our office's files, we can locate no occasion where the proposed Rutherford-Williamson-Davidson Power Improvement Project would not impact a grant administrated by this division. Therefore, we have no involvement in the subject area from a state or federal level.

Sincerely,


Mark Tummons, CPRP
Director

MT/lh

Copy: Mr. Charles Nicholson, TVA
Mr. Jim Hammontree, Middle TN, RES PARTAS Consultant



RECEIVED
Environmental Policy and Planning

FEB 17 2006

February 15, 2006

Mr. Jon M. Loney
Tennessee Valley Authority
400 West Summit Hill Dr.
Knoxville, Tennessee, 37902-1499

TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

Doc. Type: EIS-Admnl Record
Index Field: Agency Comment
Project Name: Rutherford-Williamson
Project No: 2007-107 Davidson SSOE V2

RE: TVA, RUTHERFORD/WILLIAMSON/DAVIDSON 500 KV SUBSTADION AND ASSOCIATED TRANSMISSION LINE UPGRADE, MULTI COUNTY

Dear Mr. Loney:

In response to your request, received on Wednesday, February 8, 2006, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. You have submitted documents that are insufficient for us to complete our review. To complete the Tennessee State Historic Preservation Office review of this undertaking, you will need to provide us with ALL of the following documents unless instructed otherwise by the Tennessee Historical Commission's Review and Compliance Coordinator. Please provide us with ALL of the following documents:

1. A letter requesting Section 106 review of your undertaking that should include: (a) The name of the federal agency funding, licensing, or permitting your undertaking, (b) The name, address, and phone number of the applicant for federal funding, licensing, or permitting, (c) The street address, city, and county of the undertaking, (d) A list of Consulting Parties invited to participate in consultation relative to the undertaking, (e) A USGS 7 1/2 minute topographic map (be sure to include the name of the map) clearly indicating the boundary of the undertaking, the location of all undertaking elements, and the undertaking's Area of Potential Effect. You may obtain such a map by contacting the Tennessee Office of Map Sales at (615) 532-1516.
2. Other suitably scaled maps or site plans as necessary to depict the extent of the undertaking and its locational relationship to its surroundings and environment.
3. A narrative which describes the undertaking in sufficient detail to enable a reader unfamiliar with the undertaking or its location to gain a full understanding of the undertaking and all of its elements and their potential to affect directly and indirectly any historic properties within the Area of Potential Effect.
4. Original chemical or digital photographs of the undertaking Area of Potential Effect that are numbered and clearly keyed to one of the above maps or site plans.
5. Any available information including dates of construction of buildings either inside the undertaking footprint or within view or sound of the undertaking. Be sure to include photographs of buildings within the undertaking's Area of Potential Effect.

Upon receipt of this documentation, we will complete our review of this undertaking as quickly as possible. Please be advised that until this office has provided you a final written comment on this undertaking, you have not met your Section 106 obligation under federal law. Please direct questions and comments to Joe Garrison (615) 532-1550-103. We appreciate your cooperation.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer
HLH/jyg





STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

September 7, 2005

Mr. Jon M. Loney, Manager
NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1409

RECEIVED
Environmental Policy and Planning

SEP 14 2005

Doc. Type: EIS-Admin. Record
Index Field: Agency Comment
Project Name: Rutherford-Williamson-
Project No. 2007-107 Williamson Spoke #1

RE: Intergovernmental Review – Tennessee Valley Authority – Preparation of Environmental Impact Study for Rutherford—Williamson-Davidson Power Supply Improvement Project

Dear Mr. Loney:

Thank you for the notification of TVA intention to prepare an Environmental Impact Statement (EIS) regarding the proposed construction and operation of a new or expanded 500-kilovolt substation and associated transmission line upgrades in Rutherford, Williamson and Davidson counties.

We contacted Charles Nicholson and discussed the location of any new substation, plus the location of any new power lines. Mr. Nicholson noted that the exact locations of any upgrades or new facilities had not been determined, but explained that TVA was currently looking at three alternatives.

1. A new 500-kV substation in southwest Rutherford County, construction of 25-30 miles of 500-kV transmission lines on vacant right-of-way owned by TVA, and construction of about 22 miles of new 161-kV transmission lines. The proposed transmission lines would be in Rutherford, Maury, and Williamson counties.
2. A new 500-kV substation in northeast Williamson County near Brentwood and upgrading of about 75 miles of 161-kV transmission lines. The transmission lines to be upgraded are in Davidson, Rutherford, Williamson, Sumner, Wilson, Coffee, Franklin, and Bedford counties. The upgrade work could range from replacing the conductors to completely rebuilding the lines.
3. Expansion of TVA's Pinhook 500-kV substation in southwest Davidson County and upgrading of about 115 miles of existing 161-kV transmission lines. These transmission lines are located in Davidson, Rutherford, Maury, Williamson, Coffee, Franklin, and Bedford counties. The upgrade work could range from replacing the conductors to completely rebuilding the lines.

Recreation Educational Services Division*10th Floor, L&C Tower*401 Church Street*Nashville, TN 37243
Phone (615) 532-0748
Fax (615) 532-0778

Intergovernmental Review – TVA- EIS- Power Supply Improvement Project
September 7, 2005
Page 2

After a research of our office's files, we can locate no occasion where a grant administrated by this division has been awarded to the subject areas noted above from a state or federal level.

As TVA prepares the scope for the EIS the particular issues that we would like to see addressed in the project area is for TVA to conduct a recreation safety assessment, assess the impact to known recreation areas, assess relationship of project operations and recreation resources within the project area.

Thank you for including this office in your notification of EIS for the above project.

Sincerely,



Mark Tummons, CPRP
Director

MT/lh

Copy: Jim Hammontree, Middle TN PARTAS Consultant



RECEIVED
Environmental Policy and Planning

August 17, 2005

AUG 22 2005

Jon M. Loney, Manager - NEPA Administration
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1401

Doc. Type: EIS - Admin. Record
Index Field: Agency Comment
Project Name: Rutherford-Williamson-Davidson
Project No.: 2007-107 500-KV TL

Re: Intergovernmental Review – TVA - Preparation Of Environmental Impact Statement For Rutherford-Williamson-Davidson Power Supply Improvement Project
GNRC #2006-7

Dear Mr. Loney:

In accordance with the Project Review Process (approved by the Executive Committee at the April 1995 Executive Board Meeting), the Greater Nashville Regional Council has reviewed the above referenced project.

Our evaluation reveals no conflict with existing or proposed planning activities. We are notifying you that your proposal is deemed acceptable on the basis of information now available to this office.

We may wish to comment further at a later time. This letter should be attached to your application. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Sam H. Edwards
Executive Director

SHE/pyc





STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL
9th FLOOR, L & C ANNEX, 401 CHURCH STREET
NASHVILLE, TN 37243-1531
TELEPHONE: (615) 532-0554

RECEIVED
Environmental Policy and Planning

AUG 03 2005

Doc. Type: EIS - Administrative Record
Index Field: Agency Comment
Project Name: Rutherford-Williamson Diversion
Project No.: 2005-107 SUB-KV TL

July 29, 2005

Mr. Tom M. Loney
Manager, NEPA Administration
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902-1401

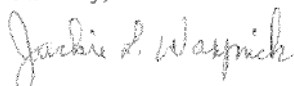
Dear Mr. Loney:

I have received your letter dated July 7, 2005 in which you outlined the intent of Tennessee Valley Authority (TVA) to prepare an Environmental Impact Statement (EIS) for the Rutherford-Williamson County Power Supply Improvement project. I have no comments on this project at this time.

Please provide me a copy of the draft EIS when it becomes available.

Thank you for allowing me the opportunity to comment on this project.

Sincerely,

for 
Barry R. Stephens, P. E.
Director

BRS:JLW:gc

RECEIVED
Environmental Policy and Planning

AUG 15 2005

Doc. Type: EIS - Administrative Record
Index Field: Agency Comment
Project Name: Rutherford-Williamson-Davidson
Project No.: 2005-107 SD&K/TL



STATE OF TENNESSEE
Department of Environment and Conservation
Ground Water Protection
10th Floor, L & C Tower
401 Church Street
Nashville, Tennessee 37243-1540

July 25, 2005

Mr. Jon M. Loney, Manager NEPA Administration
Tennessee Valley Authority
Environmental Policy and Planning
400 West Summit Hill Drive
Knoxville, TN 37902-1401

Re: INTERGOVERNMENTAL REVIEW - TENNESSEE VALLEY AUTHORITY -
PREPARATION OF ENVIRONMENTAL IMPACT STATEMENT FOR
RUTHERFORD-WILLIAMSON-DAVIDSON POWER SUPPLY IMPROVEMENT
PROJECT

Dear Mr. Loney:

The Division of Ground Water Protection regulates all aspects of the subsurface sewage disposal (SSD) program in the State of Tennessee. In this regard, division staff has worked closely with municipalities, government agencies and/or property owners on those construction projects, where it is anticipated that the project will potentially impact existing SSD systems.

Regarding the above referenced project, the Division of Ground Water Protection anticipates that the RUTHERFORD-WILLIAMSON-DAVIDSON POWER SUPPLY IMPROVEMENT PROJECT may impact existing SSD systems. If it becomes apparent that staff assistance will be requested on this project, we ask that they be given adequate prior notice to allow for scheduling of the additional workload.

If you have any questions or think that assistance will be requested on this project, you should contact the following individuals for their respective counties of jurisdiction: Mr. Tom Carlton for Rutherford County at 615-687-7030; Mr. Larry Robinson for Williamson County at 615-790-5717 and Mr. Spencer Hissam for Davidson County at 615-340-3604.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent Taylor".

Kent Taylor, Director
Division of Ground Water Protection



REPLY TO
ATTENTION OF:

Regulatory Branch

DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
3701 Bell Road
NASHVILLE, TENNESSEE 37214

July 21, 2005

RECEIVED
Environmental Policy and Planning

JUL 26 2005

Doc. Type: EIS-Admin. Record
Index Field: Agency Comment
Project Name: Rutherford-Williamson-
Project No.: 2009-107 Davidson-DeKitt

SUBJECT: File No. 2005-01629; Tennessee Valley Authority Proposed Power Supply Improvement Project in Rutherford, Williamson and Davidson Counties, Tennessee

Mr. Jon M. Loney
TVA, Manager, NEPA Administration
Environmental Policy and Planning
400 West Summit Hill Drive
Knoxville, TN 37902-1401

Dear Mr. Loney:

This is in response to your letter requesting Corps of Engineers comments concerning the proposed power supply improvement project. Please refer to File No. 2005-01629 in any future correspondence with us concerning this project.

Your proposed project was reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Section 10 of the Rivers and Harbors Act of 1899 requires that a Department of the Army (DA) permit be obtained for certain structures or work in or affecting navigable waters of the United States (U.S.), prior to conducting the work (33 U.S.C. 403). Section 404 of the CWA requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344).

Your letter did not indicate if any waters and/or wetlands would be impacted by the construction (i.e. crossings) of the proposed improvements. Please note that any wetlands and streams in your project area may be considered waters of the United States pursuant to Section 404 of the CWA. However, your proposed plan lacks the necessary information sufficient for a determination whether a permit is required.

My preliminary jurisdictional determination is that a DA permit would likely be required for the work proposed in your request. When available, please provide detailed plans of any proposed impacts to waters of the US and a location map on 8½" x 11" sized paper.

Therefore, we encourage an alignment and construction plan that would avoid wetland and stream impacts wherever possible. Also, we would request that you avoid impacts to the floodplain and riparian

-2-

vegetation to the extent possible. Your application should include plans of the work, locations of all crossings, wetland delineations if available, any proposed mitigation, and any supporting environmental documentation.

The Nashville District is available to participate in any onsite inspections of the proposed site and/or attend pre-application meetings to discuss aquatic resource impact avoidance and minimization.

Thank you for including this office in your scoping process. If we can be of further assistance or if you have any questions regarding DA permit requirements, please contact me at the above address, telephone 615-369-7506.

Sincerely,



Kathleen J. Kuná
Project Manager
Operations Division



RECEIVED
Environmental Policy and Planning

July 15, 2005

TENNESSEE HISTORICAL COMMISSION

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

JUL 19 2005

Doc. Type: EIS-Administrative
Index Field: Agency Comment
Project Name: Rutherford-Williamson-
Project No: Davidson-500-kV TL
72005-101

Mr. Jon M. Loney
Tennessee Valley Authority
400 West Summit Hill Cr.
Knoxville, Tennessee, 37902-1499

**RE: TVA, RUTHERFORD-WILLIAMSON-DAVIDSON POWER SUPPLY,
UNINCORPORATED, MULTI COUNTY**

Dear Mr. Loney:

In response to your request, received on Tuesday, July 12, 2005, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process.

Considering available information, we find that the project as currently proposed **MAY AFFECT PROPERTIES THAT ARE ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.** You should continue consultation with our office, designated consulting parties and invite them to participate in consultation, and provide us with appropriate survey documentation for review and comment. Please direct questions and comments to Joe Garrison (615) 532-1550-103. We appreciate your cooperation.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jyg

Page intentionally blank