1. Utilizing federal funds from the Federal Highways Administration (FHWA), the Tennessee Department of Transportation (TDOT), proposes to widen State Route 266 (SR-266) from two lanes to a five-lane highway. The construction would result in improvement of SR 266 to the junction of Nissan Lane, at the western terminus and extend 4.1 miles east to a point approximately 0.3 mile east of the junction with Interstate 840 at the eastern terminus. The project purposes, as stated by TDOT are as follows: to relieve traffic congestion, improve the level of service and travel times, and improve the overall safety along the roadway; to accommodate growth and increased traffic in the Town of Smyrna and Rutherford County; to address geometric features that do not meet current standards; to support future economic development efforts in and around the study area and to provide increased parks and recreation opportunities through interconnectivity to a greenway and bikeway system.

2. Improvements would consist of widening the existing highway by constructing four 12-foot wide travel lanes divided by a 12-foot wide center turn lane with 1-foot wide outside shoulders, two feet of curb and gutter, and six-foot wide sidewalks; and four 12-foot wide travel lanes divided by a 14-foot wide raised median with two-foot wide inside shoulders, 10-foot wide outside shoulders, two feet of curb and gutter, and six-foot wide sidewalks. The expanded sections would also have five-foot bike lane for both the center turn lane and raised median typical sections. TDOT has an existing easement with USACE (DACW62-2-68-0233) that would be modified to accommodate the highway improvement project. Based on information submitted by the applicant, the current proposal for highway reconstruction would add 8,254 acres of permanent impacts to the existing easement and include an additional 2,052 acres of temporary construction easement area.

3. Construction of the roadway would require the placement of 118,217 cubic yards (cy) of clean-sourced material on government fee land below elevation 510 feet above msl (top of the flood control pool). As part of the project, TDOT has proposed to excavate 165,516 cy of material below the flood control pool elevation by constructing a basin on USACE property near the West Fork Boat Ramp. Thus, the project would result in a net cut (gain) of 47,299 cy below the flood control pool elevation of 510’ msl. After excavation is complete, topsoil
would be distributed over the basin and the site would be planted with native forb, shrub and
tree species.

4. In accordance with ER 200-2-2, “Policy and Procedures for Implementing NEPA”, an
Environmental Assessment (EA) was prepared and circulated to the public, other
governmental agencies, groups, and other interested parties. Two alternatives were
evaluated: Alternative 1- (No Action Alternative) and Alternative 2 – (Approval of the
Proposed Improvements to State Route 266). The EA determined that Alternative 1 (No
Action Alternative) would not allow improvements to SR-266 and the level of service to public
travelers would remain unsatisfactory. The EA determined that Alternative 2 (Approval of the
Proposed Improvements to State Route 266) would allow the construction of necessary
improvements to improve efficiency of traffic flow and safety on the existing reach of SR-266.
Alternative 2 would not result in significant adverse environmental impacts and was
therefore, the recommended plan.

5. To facilitate completion of the road construction project, approximately 1,182 linear feet of
stream and 1.017 acres of wetlands would be permanently filled. A permit application for
impacts to waters of the U.S. was submitted to the Nashville District Regulatory Division for
review under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and
Harbors Act and is currently pending. The Tennessee Department of Environment and
Conservation (TDEC) is currently reviewing a Section 401 CWA Individual Water Quality
Certification application for this project, which was submitted by TDOT. To comply with these
permits, TDOT has proposed to mitigate wetland impacts through the purchase of 2.03
wetland credits from the Coffee County Wetland Mitigation Bank (2:1 mitigation ratio) and
mitigate stream impacts through the purchase of 859 credits from Neely’s Bend Mitigation
Bank.

6. The proposed work would result in some minor and relatively short-term impacts during
construction. Although construction would induce temporary turbid conditions, long-term
water quality conditions and fisheries would not be significantly impacted. A Stormwater
Construction Permit (Section 402 CWA) would be required from TDEC before construction of
the project. Best management practices required by the construction stormwater permit
would minimize turbidity and sedimentation in J. Percy Priest Lake and tributaries.

7. Pursuant to 36 C.F.R § 800.2(a)(2), the Federal Highways Administration (FHWA) is the
lead Federal agency for the proposed project. TDOT, on behalf of FHWA, completed cultural
resource assessments of the proposed project to comply with Section 106 of the National
Historic Preservation Act. In addition to the TDOT consultation, USACE initiated consultation
with Tennessee Historical Commission (THC) on May 8, 2019, recommending a finding of
‘no adverse effects to historic properties”. The THC concurred with this determination in a
letter dated May 24, 2019. An addendum letter dated July 1, 2020 was sent to THC to
incorporate the installation of guardrails along Hurricane Creek Boat Ramp Road and the East Fork Boat Ramp Road into the project’s Area of Potential Effects. USACE concurred with TDOT’s previous assessment of the project footprint and recommended to the THC no additional field investigations and a finding of “no adverse effects to historic properties”. The THC concurred with the USACE determination in a letter dated July 1, 2020, thus fulfilling the USACE Section 106 obligations with the THC.

8. Consultation under Section 7 of the Endangered Species Act (Section 7) for potential impacts to threatened and endangered species within the entire road corridor was conducted by TDOT (on behalf of FHWA) throughout the past several years. Based on survey results, USFWS concurred with the TDOT determination that the project was “not likely to adversely affect” the Indiana Bat (*Myotis sodalis*) and northern-long eared bat (*Myotis septentrionalis*) on October 20, 2017. In the same letter, USFWS addressed potential impacts to the gray bat (*Myotis grisescens*) indicated there were no records of caves or cave-like structures within the project area and concluded that best management practices, to include stringent erosion and sediment control measures, should be sufficient to minimize potential for harm to the gray bat. USFWS later concurred with TDOT’s assessment that gray bat are not likely to be present at newly discovered cave features near the project site and provided an updated project Section 7 clearance in an email dated February 27, 2019. USFWS restated these determinations and maintained that all ESA requirements have been met by TDOT in a response to the USACE project scoping notice dated July 10, 2020.

9. I have reviewed the proposed SR-266 Highway Improvement and Widening Project, the public and agency comments, and the EA in light of the general public interest. I have determined that issuing the respective approvals, and allowing the proposed project to be constructed would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, as amended. Accordingly, I have concluded that preparation of an Environmental Impact Statement is not required.

Sonny B. Avichal, P.E.
Lieutenant Colonel, U.S. Army
District Commander