Final Environmental Impact Statement

State Route 126 (Memorial Boulevard)
Improvement Project

From East Center Street to Interstate 81
Sullivan County, Tennessee

Submitted Pursuant to the
National Environmental Policy Act of 1969
42 U.S.C. 4332(2)(C) and 49 U.S.C. 303

Lead Agencies:

US Department of Transportation
Federal Highway Administration

Tennessee Department of Transportation

Cooperating Agencies:

US Army Corps of Engineers, Nashville District
Tennessee Valley Authority

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The State Route 126 (Memorial Boulevard) improvement project is a joint effort between the Tennessee Department of Transportation (TDOT) and the Federal Highway Administration (FHWA). The limits of the 8.4-mile-long project extend from East Center Street, within the City of Kingsport's City Limits, east to Interstate 81 (I-81) in Sullivan County, Tennessee. A Preferred Alternative has been selected after the review of social, ecological, and cultural impacts as well as the consideration of public and agency comments. This document identifies and assesses the environmental impacts of the Preferred Alternative and previously studied alternatives.

11/19/2014
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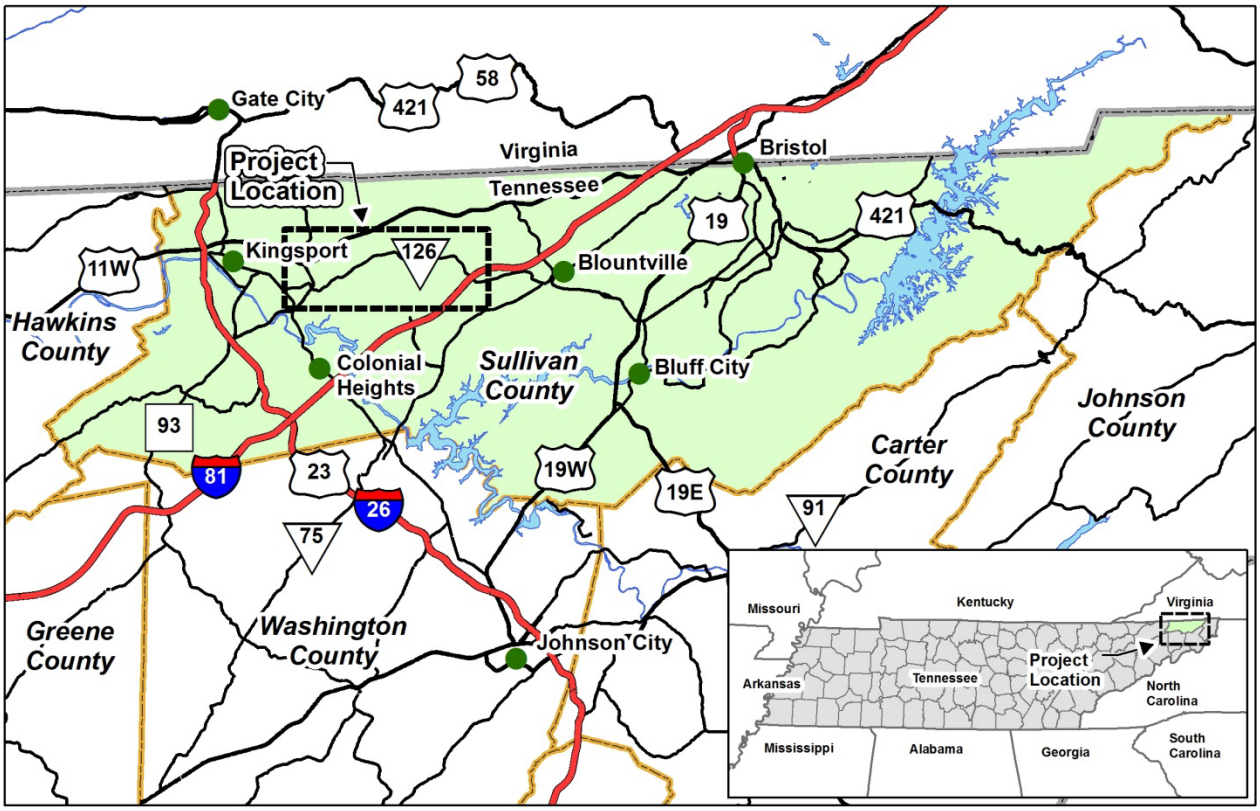
SUMMARY

S.1 General Project Description

The State Route (SR) 126 (Memorial Boulevard), SR 126 hereafter, improvement project is a joint effort between the Tennessee Department of Transportation (TDOT) and the Federal Highway Administration (FHWA). The limits of the 8.4-mile-long project extend from East Center Street, within the city limits of Kingsport, east to Interstate 81 (I-81) in Sullivan County, Tennessee. Figure S-1 illustrates the vicinity of the project.

FHWA approved the *Draft Environmental Impact Statement* (DEIS) on January 5, 2012. This document is the *Final Environmental Impact Statement* (FEIS) and summarizes all changes and updates since approval of the DEIS.

FIGURE S-1: PROJECT VICINITY MAP



SR 126 is primarily a two-lane facility (one travel lane in each direction) throughout the study corridor. The Preferred Alternative (Alternative B Modified) proposes four travel lanes from East Center Street to Harbor Chapel Road. From Harbor Chapel Road to I-81, the Preferred Alternative (Alternative B Modified) proposes two travel lanes, one in each direction. There is an additional eastbound travel lane from Harbor Chapel Road to Old Stage Road to accommodate trucks ascending the steep grade of Chestnut Ridge. There will be a continuous, left-turn lane separating the two travel lanes from Old Stage Road to Harr Town Road. For the section of roadway between Yancey's Tavern, which is listed on the National Register of Historic Places (NRHP) and East Lawn Memorial Gardens Cemetery, the Preferred Alternative (Alternative B

Modified) proposes to compress (reduce) the right-of-way (ROW) and cross-section width to minimize impacts. This is accomplished by utilizing retaining walls, reducing the lane widths for the two travel lanes and center left turn lane, and including a sidewalk only on one side of the roadway.

Improved shoulders will be provided along the entire corridor, and sidewalks will be extended to the majority of the commercial and residential areas.

The proposed SR 126 improvement project is located within the Kingsport Metropolitan Transportation Planning Organization (KMTPO) jurisdiction. Improvements along SR 126 are included in the KMTPO's *2035 Long Range Transportation Plan (LRTP)*, dated June 7, 2012, and the current (2014 – 2017) *Transportation Improvement Program (TIP)*, dated December 19, 2013.

S.2 Purpose and Need

The purpose of the project is to provide a safe and efficient route for local traffic along SR 126 between the City of Kingsport and I-81 that achieves a reduction in crash rates, improves roadway deficiencies and improves access management along the commercial areas of the route.

The proposed action is intended to address the following transportation needs in the study area:

- Improve roadway safety;
- Reduce the crash rate along the corridor;
- Improve roadway geometrics and width deficiencies to provide adequate roadway and shoulder widths for vehicles and;
- Improve access management and traffic operations.

Secondary goals include minimizing impacts to and complementing the rural nature of the area and improving pedestrian and bicycle connectivity.

S.3 Alternatives

In selecting reasonable alternatives to meet the purpose and need of the project, TDOT consulted with local, state and federal officials and agencies, identified environmentally sensitive areas, and held six public involvement sessions and two public hearings in the project corridor. The SR 126 project was the initial Context Sensitive Solutions (CSS) Project for TDOT. The CSS process included a Community Resource Team (CRT) that made recommendations that were utilized to develop project alternatives.

Two build alternatives (Alternative A and Alternative B) were considered in the DEIS. Alternative A is based on recommendations made by the CRT, which proposes four travel lanes from East Center Street to Cooks Valley Road and two travel lanes from Cooks Valley Road to I-81. Alternative B was developed as a modification to Alternative A to reduce impacts. It proposes four travel lanes from East Center Street to east of Lemay Drive and two travel lanes from there to I-81. Following approval of the DEIS, a third build alternative, Alternative B Modified was developed to further reduce impacts and incorporate changes made to the KMTPO travel demand model. Alternative B Modified proposes four travel lanes from East Center Street to

Harbor Chapel Road, three travel lanes from Harbor Chapel Road to Old Stage Road, and two travel lanes from Old Stage Road to I-81. These three build alternatives, as well as the No-Build Alternative, were presented at two public hearings. Additional alternatives that were considered but eliminated were: a continuous four-lane facility, Transportation Systems Management (TSM), and Mass Transit.

Alternative B Modified was developed as the Preferred Alternative after TDOT reviewed the impacts associated with each alternative, comments on the DEIS, and comments from the public hearings. The Preferred Alternative (Alternative B Modified) meets the purpose and need of the project and improves safety while minimizing impacts to the environment and the community. It is the only build alternative considered that does not have an adverse visual effect to the NRHP-listed Yancey's Tavern or disturb known grave sites at East Lawn Memorial Gardens Cemetery. It requires less ROW and has a lower estimated number of residential and business displacements, and is supported by the mayor of Kingsport and the mayor of Sullivan County.

S.4 Environmental Impacts

The No-Build Alternative would only provide normal roadway maintenance for SR 126 and the other existing roads. It would have minimal environmental impacts but would not meet the project's identified purpose and need. The environmental impacts for Alternative A, Alternative B, and the Preferred Alternative (Alternative B Modified) are compared in Table S-1. Table S-2 compares the estimated costs of the alternatives.

TABLE S-1: POTENTIAL ENVIRONMENTAL IMPACTS COMPARISON

Impact Category	Preferred Alternative (Alternative B Modified)	Alternative A	Alternative B
Estimated ROW Acquisition	100 acres	239 acres	121 acres
Transportation	Improved geometry, safer access, and adequate widths for emergency vehicles, school buses, and mail delivery	Improved geometry, safer access, and adequate widths for emergency vehicles, school buses, and mail delivery	Improved geometry, safer access, and adequate widths for emergency vehicles, school buses, and mail delivery
Land Use	Conversion of approximately 100 acres to highway ROW, potential indirect impact of development of vacant land along corridor	Conversion of approximately 239 acres to highway ROW, potential indirect impact of development of vacant land along corridor	Conversion of approximately 121 acres to highway ROW, potential indirect impact of development of vacant land along corridor
Farmland (Acres)	5 prime and/or unique	15 prime and/or unique	5 prime and/or unique

Impact Category	Preferred Alternative (Alternative B Modified)	Alternative A	Alternative B
SOCIAL and ECONOMIC			
Social Impacts	No adverse impact, access improved for schools and buses, and emergency response time improved	Adverse impact to grave sites. Access improved for schools and buses, and emergency response time improved	Adverse impact to grave sites. Access improved for schools and buses, and emergency response time improved
Residential Displacements[1]	Total: 104 81 single-family 22 multi-family 1 mobile home	Total: 241 102 single-family 135 multi-family 4 mobile homes	Total: 162 90 single-family 69 multi-family 3 mobile homes
Business Displacements[1]	24 businesses	43 businesses	30 businesses
Non-Profit Displacements[1]	1 (volunteer fire station)	1 (volunteer fire station)	1 (volunteer fire station)
Environmental Justice	No disproportionately high and adverse impact to minority or low-income populations	No disproportionately high and adverse impact to minority or low-income populations	No disproportionately high and adverse impact to minority or low-income populations
Economic	Economic impacts due to relocations	Economic impacts due to relocations	Economic impacts due to relocations
Pedestrians and Bicyclists	Will provide paved shoulders wide enough to accommodate pedestrians and bicyclists	Would provide paved shoulders wide enough to accommodate pedestrians and bicyclists	Would provide paved shoulders wide enough to accommodate pedestrians and bicyclists
NATURAL RESOURCES			
Wetlands Impacts (Acres)	None	None	None
Stream Impacts (Linear Feet)	Total: 3,107 2,841 perennial 266 intermittent	Total: 4,863 4,243 perennial 620 intermittent	Total: 3,107 2,841 perennial 266 intermittent
Floodplains Impacts (Acres)	3.2	4	3.2
Forest Land Acquired (Acres)[2]	50	75	55
Threatened and Endangered Species (Federal and State)	None. An updated ecological survey will be completed prior to construction	None	None

Impact Category	Preferred Alternative (Alternative B Modified)	Alternative A	Alternative B
Air Quality Impacts Requiring Mitigation	None	None	None
Noise Impacts Requiring Mitigation	None	None	None
CULTURAL RESOURCES			
Historic Property Adversely Impacted	None	Yancey's Tavern Visual impact	Yancey's Tavern Visual impact
Archaeological Sites Impacted	None	None	None
Recreation	None	None	None
Section 4(f)	None	None	None
Section 6(f)	None	None	None
Gravesites Impacted	None	350 (East Lawn Memorial Gardens)	90 (East Lawn Memorial Gardens)
Hazardous Materials Sites (Potential)	Six sites will require a Phase II study	Eight sites would require a Phase II study	Six sites would require a Phase II study
Visual Impacts	None	Adverse visual impact on Yancey's Tavern	Adverse visual impact on Yancey's Tavern
Wild and Scenic Rivers	None	None	None
Energy Impacts	No adverse impact-involves the commitment of energy resources during the short-term construction period and during the long-term operation	No adverse impact-involves the commitment of energy resources during the short-term construction period and during the long-term operation	No adverse impact-involves the commitment of energy resources during the short-term construction period and during the long-term operation
Construction Impacts	Maintenance of traffic, access to properties adjoining the road, and utility relocations	Maintenance of traffic, access to properties adjoining the road, and utility relocations	Maintenance of traffic, access to properties adjoining the road, and utility relocations

1. *Source: TDOT- Right-of-Way Division (4/8/2010, 8/22/2012).*
2. *Includes all forest land impacted within the estimated construction limits.*

TABLE S-2: ESTIMATED COST COMPARISON

Cost Category	Preferred Alternative (Alternative B Modified)	Alternative A	Alternative B
ROW	$43,440,000	$66,000,000	$52,800,000
UTILITIES	$ 4,795,000	$ 5,847,600	$ 5,021,500
CONSTRUCTION	$51,700,000	$60,500,000	$51,700,000
TOTAL COST	$99,935,000	$132,347,600	$109,521,500

Source: ICA Engineering, Inc. (2014)

S.5 Areas of Controversy

Community members had differing opinions regarding the location of the four-lane and two-lane sections of the proposed project. Some thought there should be four lanes from east of Lemay Drive to Cooks Valley Road, and that there should be more consideration to extending the four lanes to I-81. Their primary reasons were supporting economic development and providing congestion relief to and beyond the design year.

Another group of citizens opposed extending four travel lanes in general and specifically from Lemay Drive to Cooks Valley Road. One key concern of these citizens was the impacts to the historic Yancey's Tavern and the East Lawn Memorial Gardens cemetery, as well as Chestnut Ridge. Another concern was that four travel lanes would change the rural character of the area.

S.6 Statute of Limitations on Filing Claims

The FHWA may publish a notice in the Federal Register, pursuant to 23 USC § 139 (l), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for this project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or written such that a shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

S.7 Other Major Federal Actions

The following stream and miscellaneous water quality permits may be required for the proposed project:

- Aquatic Resource Alteration Permit from the State of Tennessee;
- Individual or Nationwide 404 Permit from the U.S. Army Corps of Engineers;
- Section 26a Permit from the Tennessee Valley Authority and;
- National Pollutant Discharge Elimination System permit from the State of Tennessee.

TDOT will undertake further coordination with the regulatory agencies before preparing mitigation plans and submitting permit applications for the Preferred Alternative (Alternative B Modified). Permit requirements and mitigation plans will be based on these discussions.

LIST OF ACRONYMS

AADT	Average Annual Daily Traffic
ACHP	Advisory Council on Historic Preservation
ACS	American Community Survey
ADA	Americans with Disabilities Act of 1990
APE	Area of Potential Effects
APR	Advance Planning Report
ARAP	Aquatic Resource Alteration Permit
AST	Above-ground Storage Tank
ASTM	American Society for Testing and Materials
BG	Block Groups
BMP	Best Management Practices
CAAA	Clean Air Act Amendments of 1990
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Act Information System
CFR	Code of Federal Regulations
CRT	Community Resource Team
CSRP	Conceptual Stage Relocation Plan
CSS	Context Sensitive Solutions
DAR	Dial-A-Ride
DBH	Diameter at Breast Height
DEIS	Draft Environmental Impact Statement
DOT	Department of Transportation
DUST	TDEC Division of Underground Storage Tanks
EIA	U.S. Energy Information Administration
EIS	Environmental Impact Statement
EJ	Environmental Justice
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FPPA	Federal Farmland Protection Policy Act of 1981
GHG	Greenhouse Gas
HCM	Highway Capacity Manual
HCS	Highway Capacity Software
HVAC	Heating, Ventilation and Air Conditioning
KATS	Kingsport Area Transit Service
KMTPO	Kingsport Metropolitan Transportation Planning Organization
LM	Log Mile
LOS	Level of Service
LRTP	Long Range Transportation Plan
LUST	Leaking Underground Storage Tank
LWCFA	Land and Water Conservation Fund Act of 1965
MBTA	U.S. Migratory Bird Treaty Act of 1918

MOA	Memorandum of Agreement
MOE	Measure of Effectiveness
MPO	Metropolitan Planning Organization
MSAT	Mobile Source Air Toxics
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NCHRP	National Cooperative Highway Research Program
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act of 1966
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
RCRA	Resource Conservation and Recovery Act of 1976
REC	Recognized Environmental Conditions
ROW	Right-of-Way
RSAR	Road Safety Audit Review
SARA	Superfund Amendments and Reauthorization Act of 1986
SHPO	Tennessee State Historic Preservation Office
SIP	State Implementation Plan
SR	State Route
SSWMP	Statewide Stormwater Management Plan
SWPPP	Stormwater Pollution Prevention Plan
TACIR	Tennessee Advisory Commission on Intergovernmental Relations
TDEC	Tennessee Department of Environment and Conservation
TDOT	Tennessee Department of Transportation
TESA	Tennessee Environmental Streamlining Agreement
TIP	Transportation Improvement Program
TNM	Traffic Noise Model
TRIMS	Tennessee Roadway Information Management Systems
TSM	Transportation Systems Management
TVA	Tennessee Valley Authority
TWLTL	Two-way Left-turn Lane
TWRA	Tennessee Wildlife Resources Agency
USACE	U.S. Army Corps of Engineers
USC	United States Code
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geologic Survey
UST	Underground Storage Tank
UT	University of Tennessee
VDOT	Virginia Department of Transportation
VMT	Vehicle Miles Traveled

Environmental Commitments

☒ Commitments are involved on the project.

List of Environmental Commitments

1. **Hazardous Materials**

Based on Phase I Preliminary Assessment studies and a review of the current design plans, Phase II Environmental Site Assessments will be performed at the following sites during the final design process to determine the presence or absence of contamination:

- Site 2 - Roadrunner Market (Fuel and Convenience Store) (4001 Memorial Boulevard, Kingsport, TN);
- Site 5 - B&W Cleaners (Dry Cleaning Service) (3200 Memorial Boulevard, Kingsport, TN);
- Site 7 - Greenwood Market (Market and Deli) (5121 Memorial Boulevard, Kingsport, TN);
- Site 12 – People's Food Store (Fuel and Convenience Store) (3104 Memorial Boulevard, Kingsport, TN);
- Site 13 - Garden Basket Convenience Store #4 (3109 Memorial Boulevard, Kingsport, TN) and;
- Site 14 - Amoco Service Station (3101 Memorial Boulevard, Kingsport, TN)

2. **Ecology**

An updated environmental boundary and mitigation report for the Preferred Alternative (Alternative B Modified) will be completed with appropriate consultation with the U.S. Fish and Wildlife Service (USFWS), Tennessee Wildlife Resources Agency (TWRA), and Tennessee Department of Environment and Conservation (TDEC) prior to construction. The updated report will include the review of federal and state-listed and proposed threatened and endangered species and the potential impacts by the Preferred Alternative (Alternative B Modified). An updated bat survey will also be conducted for the Preferred Alternative (Alternative B Modified) project area prior to construction letting.

3. **Historic/Architectural Impacts**

Design commitments will be carried out to minimize impacts to Yancey's Tavern as detailed in the Addendum Documentation of Effects report submitted by TDOT to Tennessee State Historic Preservation Office (SHPO) on June 3, 2013. The SHPO responded on June 11, 2013, that the project as currently proposed will not adversely affect the historic property. The commitments are as follows:

- The proposed project will shift the right-of-way from Yancey's Tavern to the south onto the East Lawn Memorial Gardens Cemetery, but will not be shifted so far to the south that known occupied graves would need to be relocated;

- Only a temporary construction easement will be needed within the National Register boundary of Yancey's Tavern and that the construction easement will be returned to the current grade and appearance after construction is completed;
- TDOT is proposing an aesthetic treatment to the retaining wall that will be compatible with the historic landscape and will be minimalistic in its design. TDOT will consult with the SHPO and consulting parties in designing the retaining wall in order to get their review and comments on the proposed design feature;
- The cross-section is reduced by the removal of the proposed sidewalk on the northern side of SR 126;
- In order to re-screen the area in front of Yancey's Tavern, TDOT will develop a detailed landscaping plan that will be created in consultation with the SHPO and consulting parties to provide appropriate plantings for the area;
- Landscaping and aesthetic details will be presented to the SHPO and consulting parties for review and comment;
- Chestnut Ridge Road will end slightly to the southeast of Yancey's Tavern and a branch turn-around will be provided at the dead-end to give travelers the opportunity to turn around. Having a branch turn-around rather than a cul-de-sac will give the dead-end a more rural feel rather than the suburban feel of a bulb-out cul-de-sac. The branch turn-around will be away from the Yancey's Tavern historic property and outside the National Register Boundary and;
- The branch turn-around will require some of the mature trees to the southwest of Yancey's Tavern to be removed; however, TDOT will develop a detailed landscaping plan, in conjunction with the SHPO and consulting parties, that will replace the vegetation that will need to be removed with the branch, turn-around design.

4. Air Quality

TDOT will coordinate with the TDEC Division of Air Pollution Control to establish appropriate measures to incorporate into contract bid specifications to reduce potential impacts to two air quality monitoring stations located within 1,000 to 1,500 feet of the proposed project during construction.

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Attachment A – 2014-2017 Kingsport Metropolitan Transportation Planning Organization KMTPO) Transportation Improvement Program (TIP) Page and 2035 KMTPO Long-Range Transportation Plan (LRTP)

Attachment B – Farmland Coordination

Attachment C – Conceptual Stage Relocation Plan

Attachment D – Section 7 Coordination (Correspondence)

Attachment E – Section 106 Historic Architectural Correspondence

Attachment F – Section 106 Archaeological Correspondence

Attachment G – Hazardous Materials Correspondence

Attachment H – 2014 DEIS Agency Coordination

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Appendix A – Traffic Analysis Summary

Appendix B – Air Quality Report

Appendix C – Noise Evaluation Update

Appendix D – Section 106 Historic Architectural Coordination and Addendum Documentation of Effects

Appendix E – Section 106 Archaeological Coordination

Appendix F – Hazardous Materials Studies

Appendix G – Public Involvement Coordination

Appendix H – Agency Coordination

Appendix I – Conceptual Layouts

Appendix J – 2012 Draft Environmental Impact Statement

Appendix K – Pages from Websites Used in the FEIS