5.0 PUBLIC INPUT AND AGENCY COORDINATION

Since the early 1990s, improvements to SR 126 have been discussed that would facilitate improved traffic operations and safety conditions for the route. The executive board and staff of the KMTPO passed a resolution requesting the preparation of an APR for the route in March 2003. In April 2003, a copy of the resolution was forwarded to TDOT by the Mayor of Kingsport. A response from TDOT was provided in May 2003 acknowledging instructions to initiate an APR, and in September 2003, TDOT selected the SR 126 project as the initial CSS project for Tennessee. The purpose of the CSS Project was to study and prepare a concept plan recommendation for improving the facility.

A CRT was developed as part of the CSS process to facilitate local stakeholder involvement. The CRT agreed upon features in the design plan, safety improvements, points of interest to the community, and other special issues. The CSS process, the CRT involvement, and additional public involvement prior to the development of the DEIS are discussed further in Chapter 1.

Agency coordination for the project was initiated with an initial coordination package describing the project area and distributed to approximately 45 federal, state, and local agencies in December 2008. The initial package included a description of the proposed improvements to SR 126 and the goals of the project. The agencies were invited to become cooperating or participating agencies as applicable, and to provide comments relative to the project. In July 2014, the DEIS was distributed to 35 federal, state and local agencies and interested organizations for review and comment.

This section describes the public involvement activities and agency coordination process that was conducted for this project since the DEIS was made available for review in January 2012. In addition, the key issues that have been identified through those efforts are included in this section.

5.1 Public Input

5.1.1 Public Hearing and Background

Two NEPA public hearings on the DEIS were held on December 11, 2012. The first occurred at 11:30 AM at the Kingsport Civic Center Auditorium and the second at 6:00 PM at the Sullivan County Central High School. A notice advertising the public hearing was published in local newspapers November 9, 2012. Both hearings were well attended with 172 signing in at the first and 128 signing in at the second for a total of 300. TDOT presented the results of the alternatives studied in the DEIS along with a modification to Alternative B, which was referred to as Alternative B Modified. Alternative B Modified was developed in response to comments received from the community in the spring of 2012, following the circulation of the approved DEIS for public review and to incorporate changes to the KMTPO Travel Demand Model.

Each person attending the public hearing was given a general information handout and instructions as to how they could comment on the project (by using a comment card available at the hearing, providing comments to court reporter, or by sending comments by U.S. mail or email). TDOT project staff and the engineering consultant were available to discuss issues with individual citizens. There was broad-based support of the project from residents and local officials, who generally agreed that SR 126 should be improved primarily to address safety deficiencies. However, there were differing opinions regarding a preferred alternative.

Prior to and during the public hearing comment period, TDOT received 202 responses in the form of letters, comment cards, and e-mails regarding the project. Each response was reviewed carefully and comments were recorded and summarized. Several issues were raised that have been considered in determining the selected Preferred Alternative (Alternative B Modified) and preparation of the FEIS. These issues are listed below.

5.1.2 Issues Expressed by the Community

- Safety and speed;
- Differing views on 4-lane and 3-lane cross-section limits;
- Minimize impact to the environment and property;
- Avoid grave relocations;
- Avoid Yancey's Tavern;
- Questioned proposed sidewalks in rural areas;
- Wide shoulders for safety vs. narrow shoulders to lower impacts;
- No continuous left-turn lane (requires ROW and will be used to pass);
- No grass median (requires ROW and maintenance);
- Concern for closing side streets and loss of access;
- Improved sight distance and alignment are needed;
- Guardrail is needed;
- Stop lights at major intersections are needed;
- Need a 4-lane throughout for economic growth and future travel demand;
- Reduce speed limit and enforce the law;
- Process is taking too long and;
- Rumble strips work, but create noise.

Safety improvements cited by many included straightening the alignment to remove dangerous curves and improving substandard roadway grades that limit sight distances. The lack of shoulders was a consistent issue raised in regard to safety. Side road and driveway profiles were noted as well; concerns included realigning side roads and driveways with poor sight distances or unsatisfactory grades. There were requests made for traffic signals at major intersections and for the installation of guardrails. Some citizens noted the need for more law enforcement and lower speed limits to improve the safety in addition to, or in lieu of, the planned improvements.

While most agreed that safety is a primary concern, one group favored limiting improvements to only those necessary to improve safety with only secondary concern for improving operational performance. This group generally favored Alternative B Modified, which provides for three lanes through most of the route east of Harbor Chapel Road. Some portion of this group preferred to have only shoulders and turn lanes at intersections that are warranted. This group was opposed to improving the roadway beyond what is needed for safety at the expense of environmental and community impacts. Most cited concern that the project would impact the natural beauty of Chestnut Ridge, the historic value of Yancey's Tavern, and the community resource of East Lawn Memorial Park Cemetery. Another group favored improving operational

performance through the Design Year (2037) with additional through lanes in addition to improvements needed for safety. Their preference was that a four-lane alternative with raised median and turn lanes, where needed, be used to I-81, or at least Harr Town Road. They acknowledged the importance of limiting impact to the environment and favored the use of retaining walls, where necessary, to achieve that goal. They also support a narrow four-lane section without a median or sidewalks at Yancey's Tavern and the East Lawn Memorial Park Cemetery. They were concerned that the project would not sufficiently meet the long-term needs of the growing communities on the east end of the project without extending the four-lane sections to those limits.

The limits of the proposed four-lane typical section became a focal point for comments from both groups described above. DEIS alternatives end the four-lane cross-section near Lemay Drive or Cooks Valley Road. Alternative B Modified ends the four-lane section at Harbor Chapel Road (approximately 2.5 miles to the west). Those supporting additional lanes preferred four lanes to be carried to I-81, but to Cooks Valley Road at a minimum. Various comments made by those in favor of a four-lane cross-section, as well as those in opposition are summarized below.

5.1.3 Comments Regarding a Four-Lane Typical Section

The following are typical comments received in support of a four-lane cross-section from east of Lemay Drive to Cooks Valley Road and were considered during TDOT's evaluation of extending the four-lane section to I-81:

- Will support economic development;
- Will provide congestion relief to and beyond the design year;
- Projected LOS for a three-lane section is unacceptable;
- If we do not build a four-lane now, it will never happen;
- It will cost more to widen again in the future;
- The high school is a significant traffic generator and warrants the additional lanes;
- Retaining walls can be used with a compressed section at the [Yancey's] tavern and [East Lawn Memorial Gardens] cemetery (note: this is true, but shoulder widths will have to be reduced, the median reduced, and sidewalks removed) and;
- Provides a LOS D or better in the design year for the rural section, which is seen as a minimum standard by the group supporting a four-lane section.

Typical comments received in opposition of a four-lane cross-section from Lemay Drive to Cooks Valley Road and were considered during TDOT's evaluation of extending the four-lane section to I-81 are:

- Four-lane section will adversely impact Yancey's Tavern and East Lawn Memorial Park Cemetery;
- Four-lane section will impact more properties and require more residential displacements;
- Four-lane section will change the rural character of the corridor;
- Four-lane section will encourage speeding, thus offsetting safety gains;
- Four-lane section will impact environment more in general;

- Four-lane section will cost more and;
- Traffic projections do not warrant the additional lanes. The projections have been questioned claiming the growth factors are too high and that travel demand is actually reducing over time. (It should be noted that traffic projections were based on the KMTPO Travel Demand Model with consideration of data collected at count stations along the corridor.)

5.1.4 Public Comments and Dispositions

There were 202 comments received in the time period between the publishing of the approved DEIS (January 5, 2012) and the end of the public hearing comment period (January 31, 2013). Of those, 165 comments were received. All comments received are summarized in Appendix G. All comments were considered in the selection of the Preferred Alternative (Alternative B Modified). There were many repeat comments by the same households. When the comments are condensed by household, there were 136 households represented by comments.

In addition to the issue regarding the number of lanes, the following table shows a representative sample of comments received with the associated disposition.

TABLE 5-1: COMMENT SUMMARY AND RESPONSES FROM 2012 PUBLIC HEARING

Comment	Disposition
Thirty-two comments were submitted opposing the disturbance of graves at the East Lawn Memorial Park Cemetery.	TDOT has developed a preliminary design that avoids impacting known grave sites and will continue to evaluate alternatives in the FEIS to avoid relocating any grave sites. The TDOT Design Division conducts the final design and will evaluate design considerations to avoid impacting graves.
A number of comments were submitted opposing any impacts to Yancey's Tavern, a NRHP listed property.	TDOT has developed Alternative B Modified that avoids taking property from Yancey's Tavern. The SHPO has concurred in a "No Adverse Effect" finding on the latest proposed design.
Thirty comments were received regarding side road and driveway access and possible street closings. Issues with sight distance and oncoming traffic were mentioned.	TDOT will, in the final design of the roadway, evaluate each side road connection for safety and access. Some side roads will be realigned and others that have unsafe sight distance or unsatisfactory grades will be closed and connected to other existing roadways.
Fifteen comments were submitted regarding the need for sidewalks and bike lanes along sections of the proposed roadway.	TDOT, in the final design of the roadway, will provide adequate sidewalks and shoulders for pedestrians and bicyclists. Sidewalks will be provided in appropriate areas where pedestrian traffic warrants. Shoulders will be provided along the entire route. The adequate width of the shoulder will be determined during final design to meet approved design standards.
Thirteen comments were submitted regarding the addition of shoulders and guardrail to improve safety of the roadway.	TDOT, in the final design, will include shoulders based on current design standards and guardrail in appropriate areas along the roadway to improve safety for the traveling public.
Five commenters opposed the raised median. They felt it would be a maintenance issue and requires more ROW.	TDOT, in the final design of the project, will apply acceptable design criteria in evaluating the safest median design required along the roadway.

TABLE 5-1: COMMENT SUMMARY FROM 2012 PUBLIC HEARING (CONTINUED)

Comment	Disposition
Ten comments were submitted regarding the use of retaining walls to reduce the amount of needed ROW, improve safety and sight distances.	TDOT evaluated the use of retaining walls in the conceptual design of the Preferred Alternative (Alternative B Modified) to reduce ROW impacts where appropriate for safety and cost effectiveness. This will be considered and finalized during design of the project.
Five comments were submitted questioning the traffic projections. Requested recalculating traffic data using expanded socio-economic data and trend lines.	The current traffic projections used in this study are a function of the 2012 KMTPO Model, which is a travel demand model, and existing traffic counts.
Eighteen comments were submitted regarding minimizing impacts to the environment. There were concerns over the physical and visual impact to Chestnut Ridge, as well as the Holly Springs area, Yancey's Tavern, Memorial Park and the loss of trees and other vegetation.	TDOT will design the project to minimize as many environmental impacts as reasonable and feasible. TDOT will use the best construction methods possible to reduce the physical and visual impacts. Retaining walls and native vegetation will be used wherever practicable to reduce physical and visual impacts.
Five comments were submitted favoring the No-Build Alternative, citing driver behavior as the cause of most accidents.	Comments are noted.
Several commenters stated the project is needed for future economic development in the project area.	Comments are noted.
Four comments were submitted requesting the project stay on the existing alignment and only add shoulders and guardrail.	Comments are noted.
Five comments were submitted regarding impacts to private property. Specifically regarding the process to identify property impacts, compensation and acquiring the property. One commenter questioned property lines as well as, ownership of certain tracts of land shown on the layouts.	TDOT will pay a fair market value for all properties impacted by displacement / relocation and ROW needs, and provide sufficient notice of intent to acquire the property to minimize any harm. The relocation of displaced households, businesses, and any other affected property will be administered in accordance with the provisions and procedures of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-646) and the Tennessee Uniform Relocation Assistance Act of 1972. All damages will be considered during the ROW negotiation and acquisition process. Before final ROW plans are completed, a title search will be conducted as surveyors check for specific items such as fences, circle drives, underground storage tanks, and building types and add them to the final ROW plans as appropriate. Where possible, the designer will reevaluate ROW plans based on new information. Any damages will be considered during the ROW process.
A number of comments were submitted regarding the installation of traffic signals and adding guardrail at major intersections to slow drivers down and improve safety.	TDOT, in the final design of the project, will evaluate intersections and include traffic signals where warranted along the roadway to promote safe and efficient traffic operations.

5.1.5 TDOT Consideration of Public Comments

TDOT reviewed the comments received at the public hearing and during the official comment period. All comments were read and considered in TDOT's alternative decision-making process. Most comments indicate that safety is a primary concern. However, as discussed in Section 5.1, there were two distinct perspectives on what the selected alternative should include. One group favored limiting improvements to only those necessary to improve safety with only secondary concern for improving operational performance. This group generally favored Alternative B Modified, which provides for three lanes for most of the route east of Harbor Chapel Road. Another group favored improving operational performance through the Design Year (2037) with additional through lanes in addition to improvements needed for safety. Their preference was a four-lane alternative, with raised median and turn lanes to I-81 or at least to Harr Town Road. When tabulated by household, there were more comments in support of limiting the impact to the community than those in support of providing additional capacity.

5.2 Agency Coordination

5.2.1 2012 Agency DEIS Comments

The DEIS was approved on January 5, 2012, and made available to both the public and agencies for review and comment at the time of approval. One agency comment on the DEIS was provided to TDOT.

U.S. Department of the Interior: Office of the Secretary for Environmental Policy and Compliance (June 19, 2013)

Comment: The Department of Interior (Department) has reviewed the DEIS for SR 126 Improvement Project. We have no comments at this time.

Response: No response required.

5.2.2 2014 Agency DEIS Comments

In July 2014, the DEIS was re-distributed to 35 federal, state and local agencies and interested organizations to ensure they had an opportunity to comment on the 2012 DEIS. The DEIS was also re-distributed to ensure agency coordination was consistent with the guidelines provided in 23 CFR 771.123, or the Tennessee Environmental Procedures Manual.

Eight agency responses were received. A summary of the comments and disposition is provided below. Copies of the agency responses that were received are included in Attachment H.

Tennessee Department of Environment and Conservation: Division of Remediation (July 16, 2014)

Comment: We conclude that there are no DoR sites that will be affected by the proposed activity.

Response: No response required.

U.S. Department of Transportation: Federal Aviation Administration (August 1, 2014)

Comment: Based on the DEIS and documents in our office it has been determined that Indian Springs Airport (3TN0), Kingsport, TN is the closest airport facility to the proposed road project. Please coordinate any high lift construction equipment with the airport. Please notify us if the project boundaries change.

Response: TDOT will coordinate with the Indian Springs Airport should any high lift construction equipment be used for the project. In addition, TDOT will coordinate with the Federal Aviation Administration (FAA) should the project boundaries change.

U.S. Department of the Interior: Fish and Wildlife Service (August 13, 2014)

Comment: We recommend that consideration be given to construction of the crossings with bottomless culverts or a span bridge design to minimize any long-term alterations to stream functions.

Response: TDOT will consider design improvements that minimize adverse impacts to natural resources and make design accommodations as feasible. In addition, TDOT will continue to coordinate with the USFWS throughout the project design, ROW acquisition, permitting and construction phases.

Comment: Bat surveys were conducted along the proposed corridor in the summer of 2011…we concurred with TDOT's determination of "not likely to adversely affect" in a letter dated November 9, 2011; however due to the time elapsed since the survey, TDOT will need to recoordinate with our [USFWS] office for potential impacts to the Indiana bat prior to letting of the project for construction.

Response: During the development of the FEIS, TDOT has continued coordination with the USFWS regarding an updated bat study, which will occur prior to letting of the project for construction. A commitment reflecting this has been included in the Environmental Commitments ("Green Sheet").

Comment: We are unaware of any caves that would be impacted by the project and are concerned mainly for water quality along travel/feeding corridors. Best management practices, to include stringent erosion and sediment control measures, should be sufficient to address our concerns for the gray bat.

Response: No response required.

Comment: The northern long-eared bat was proposed for federal listing under the ESA on October 2, 2013. No designated critical habitat has been proposed at this time. While proposed species are not afforded protection under the ESA, if/when the species is listed, the prohibition against jeopardy, and the prohibition against taking a listed species under section 9 of the ESA, becomes effective immediately, regardless of the proposed action's stage of completion. The listing decision for this species should be announced on or before April 2, 2015. If clearing of trees would occur after listing, we would need to coordinate for potential impacts.

Response: TDOT will continue to coordinate with the USFWS throughout the project design, ROW acquisition, permitting and construction phases.

U.S. Department of Agriculture: Natural Resources Conservation Service (August 20, 2014)

Comment: We are pleased to see that comments and information provided for the preparation of the DEIS for prime farmland conversions and hydric soils are incorporated in the DEIS. We do not have any changes or additional information to provide for these elements in the project area.

Response: The information provided by the NRCS is also carried forward with the FEIS.

Tennessee Department of Environment and Conservation (August 21, 2014)

Comment: We note that much of the information is dated by a couple of years. TDEC recommends TDOT update all relevant data and information prior to completing the final DEIS. In particular, TDEC notes that six (6) [hazardous materials] sites were noted in the DEIS as needing some sort of follow-up investigation or evaluation given the business operations that are and have historically occurred on those sites. TDEC recommends…that all the information pertaining to these sites that has been developed between the original time frame for this DEIS and the final DEIS be included and discussed in the final DEIS, including any additional, necessary environmental commitments.

Response: All information provided in the DEIS has been updated as part of the FEIS. Regarding the hazardous materials sites reported in the DEIS,

Phase I evaluations were completed, satisfying the commitment made in the DEIS. Below is a summary of those findings:

English Cabinets (5236 Memorial Boulevard)
The Phase I report for the English Cabinets recommended a Phase II. However, TDOT Hazmat Office concluded that it was not needed because the plans do not indicate ROW acquisition at this location and that further investigation is not warranted at this time.

People's Food Store (3104 Memorial Boulevard)
The Phase I report for People's Food Store recommended a Phase II, which was concurred by the TDOT Hazmat Office.

Richard Chadbourne Property (5340 Memorial Boulevard) – A/K/A: Riviera Apartment Complex
The Phase I report for Riviera Apartment complex determined a Phase II was not needed at this time.

During these investigations two additional properties were identified as needing a Phase II investigation:

- Garden Basket Convenience Store #4 (3109 Memorial Boulevard)
- Amoco Service Station (3101 Memorial Boulevard)

Additional Hazardous Materials Commitments in the DEIS included a Phase II investigation for three properties:

- Fuel and Convenience Store (4001 Memorial Boulevard) – A/K/A: Roadrunner Market
- Dry Cleaning Service (3200 Memorial Boulevard) – A/K/A: B&W Cleaners
- Fuel and Convenience Store (5121 Memorial Boulevard) – A/K/A: Greenwood Market

In summary, there are six properties that need a Phase II investigation as identified in the DEIS and subsequent technical studies:

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

These sites are listed as commitments in the FEIS and will be conducted during the final design process.

Comment: The Division of Water Resources has reviewed the DEIS and notes that Alternative A would require a total of 1,278 feet of culverts to be constructed and a total of 3,585 feet of stream would be relocated within the project's proposed right-of-way. Alternative B would require a total of 846 feet of culverts to be constructed and a total of 2,261 feet of stream would be relocated within the project's proposed right-of-way. The Division requests that TDOT commit to using natural stream design for relocations greater than 200 feet in length where practicable.

Response: Culvert improvements will be made during final design, including using natural stream design for relocations greater than 200 feet in length where practicable. TDOT will continue to coordinate with TDEC during the design, permitting, and construction phases.

Comment: The Division of Solid Waste Management has reviewed the DEIS and notes that any asbestos encountered in the displacements that will occur with either Build Alternative should be managed in accordance with appropriate regulations and law and disposed of in an approved landfill. Similarly, any contaminated soils/debris from commercial sources should be evaluated, a determination made, and the materials should be handled in accordance with appropriate regulations and law.

Response: Comment noted. No response required.

Comment: The Division of Air Pollution Control notes that two air monitoring stations are located within 1,000 to 1,500 feet of the proposed project. One site is operated by Eastman Chemical and the other is the Division's Blountville ozone monitoring site. Although it appears the specific monitoring sites are located outside the proposed construction right-of-way, use of certain equipment and activities associated with construction of the proposed project could adversely impact the monitors and monitoring activities. High readings at these monitors could impact the area's ability to remain in attainment for one or more pollutants, which could then impact the area's ability to continue economic development and growth. TDEC recommends TDOT coordinate with the Division of Air Pollution Control to plan for and establish mitigating measures to be incorporated into bid specifications to reduce the potential impacts to these monitors and local air quality during construction.

Response: TDOT will coordinate with the TDEC Division of Air Pollution Control to establish appropriate measures to incorporate into 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. This has been added to the Environmental Commitments ("Green Sheet").

Comment: The Division of Air Pollution Control also notes that long-term traffic volume may be a concern, but it appears both existing and future traffic volumes, as included in Table 1.5.6 of the DEIS do not approach traffic volumes that would be a concern for ozone or other pollutants.

Response: Updated traffic volumes used for the air quality analysis are included as part of the FEIS. Both existing and future traffic volumes do not approach (volumes) that would be a concern for ozone or other pollutants.

Comment: The Division of Air Pollution Control also notes that each owner or operator of a demolition activity is required to thoroughly inspect the facility for the presence of asbestos prior to the commencement of the demolition (Rule 1200-03-11-.02(2)(d)1). The person inspecting a structure for asbestos containing material must be accredited by the state of Tennessee. Additionally, Division Rule 1200-03-11-.02(2)(d)2., subparts (i) and (iii)(I), requires each owner or operator of a demolition activity to provide the Technical Secretary of the Division with written notice of intention to demolish at least ten working days before demolition begins. Notification is required even when there is no asbestos present.

Response: TDOT will continue to coordinate with the TDEC Division of Air Pollution Control regarding asbestos inspections, including intent to demolish structures containing asbestos materials.

Comment: The Division of Natural Areas has reviewed the DEIS and has no comments.

Response: No response required.

Kingsport Metropolitan Planning Organization (August 21, 2014)

Comment: A number of comments were provided on the project's design, which resulted from a meeting with representatives from TDOT Right-of-Way Design Division and TDOT Region 1. The comments are listed in bullets below:

- Proposed Roundabout at Center Street – this would likely be a 2 lane roundabout – this needs to be thoroughly studied for operational issues.
- Section from Center Street to John B. Dennis Highway (SR 93) – recommend continuous center turning lanes (eliminate initial plan to include grass medians. Note; there are too many curb cuts that currently exists that would be removed creating significant side-street level of service and access issues if a grass median with limited turning lanes were installed.
- Section from John B. Dennis Highway (SR 93) to Harbor Chapel Road – recommend continuous center turning lanes – this keeps design and operations consistent with the previous section.
- Section from Hawthorn to Beverly Hills Road – need to insure alignment corrects sharp curves and severe site distance problems that exists along this section. Use northern alignment (will require taking of several homes to the north side).

- Section from Beverly Hills Street to Harbor Chapel Road – move entire alignment (cross-section) southward to open field (mini-farm) – which eliminates taking of several houses to the north side of the alignment.
- Section from Harbor Chapel Road to 100 yards past Old Stage Road – current plans include sidewalks on both sides. No residential or commercial access exists on the north side, significantly reducing need for sidewalks on this side – therefore we are suggesting to remove sidewalk on this side, but keep sidewalk on south sides. This will free up some space to add an 8 to 10 foot center median (or barrier) of some type (concrete, grass, or other) to provide separation from on-coming traffic, which is a constant safety hazard that currently exists. The sidewalks on both sides or the alternative "center barrier and sidewalk on south side" could impact the taking of additional right-of-way on the south side. In order to mitigate this we suggest installing retaining walls where necessary.
- The "S Curves" found in the section from Old Stage Road to Holiday Hills road should be soften (straightened) more. Significant horizontal curvature still exists in the preliminary plans. This section could also get by with sidewalks on one side only.
- Section from Holiday Hills to Cemetery Property – in order to reduce cut and fill consider installing sidewalks on one side (south side) and add a couple more feet to shoulders on north side.
- Section from west end of Cemetery to Cook's Valley Road – to reduce cut and fill consider sidewalks on one side (south side) and add a couple feet to shoulders on north side. Also add a west-bound turning lane to the approach to Cook's Valley Road in project.
- Consider removing apartment building on south side of SR 126 adjacent to Shuler – for better access and site distance from Shuler (as opposed to closing Shuler).
- Add fiber-option cabling (underground) throughout entire project – for future use (camera systems, computer access, variable message boards, other communication needs).
- Where possible throughout the entire project wide shoulders (6 to 10 feet) should be installed in order to provide safer clear zones and/or forgiveness zones and to also provide pullover areas for motorists (and location for police and emergency vehicles to park, when needed). This is important !

Response: The project is currently based on a preliminary design. This design was derived from the 2003 APR, and modified during the NEPA process, which included coordination with the Kingsport MPO and local government representatives. TDOT will continue to explore design options in the design phase, including the modifications suggested by the Kingsport MPO.

Tennessee Wildlife Resources Agency (August 25, 2014)

Comment: We recommend that Alternative B be given serious thought for the Preferred Alternative since Alternative B has fewer stream and floodplain impacts. Also, Alternative B required fewer relocations to complete the project.

Response: Comment noted. The Preferred Alternative (Alternative B Modified) identified in the FEIS is a modification of Alternative B and has the same amount of stream and floodplain impacts. It also requires less relocations than Alternative B.

U.S. Department of the Army: Corps of Engineers, Nashville District (August 26, 2014)

Comment: Potential impacts to perennial and intermittent streams are addressed; however, ephemeral streams may also be waters of the U.S. and subject to Section 404 of the CWA [Clean Water Act] permitting requirements. Therefore, any impacts to ephemeral streams should be included in the DEIS where appropriate, including Table A in Summary, Chapter 4.0, and the Comparisons of Stream Impacts in linear feet.

Additionally, mitigation of stream impacts is discussed in the Water Quality section. While it is correct that typically "mitigation is required for all stream impacts which do not meet requirements for certain Nationwide Section 404 permits", it is also true that compensatory mitigation may be required for certain Nationwide Permits to ensure lost aquatic resource function is replaced. If compensatory mitigation is required for Nationwide Permits and/or Standard Permits, compliance with 33 CFR 332 (Compensatory Mitigation for Losses of Aquatic Resources) must be demonstrated. We recommend that a stream and wetland delineation of the sites be provided to this office for verification prior to submittal of a DA permit application.

Response: Comments noted. As stated in Section 4.9 – Ecological Impacts, an updated environmental boundary and mitigation report will be completed with appropriate consultation with the USFWS, TWRA, TDEC, and USACE prior to construction. Impacts to perennial, intermittent, and ephemeral streams within the project corridor will be included in this documentation. The Preferred Alternative (Alternative B Modified) will be designed to avoid major impacts to these resources to the extents practicable. Efforts to further minimize impacts will continue throughout the design, permitting, and construction processes. Unavoidable impacts will be mitigated as required by applicable laws and regulations.