

APPENDIX A INITIAL CORRESPONDENCE LETTERS



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memphis Airports District Office
2862 Business Park Dr, Bldg G
Memphis, TN 38118-1555
Phone: 901-322-8180

January 22, 2009

Mr. Tom Love
Transportation Manager
State of Tennessee Department of Transportation
Suite 900, James K. Polk Bld.
505 Deaderick Street
Nashville, TN 37243-0334

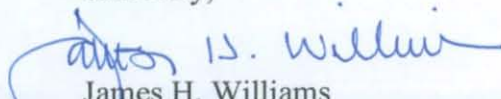
Re: Coordination Package and Invitation to be a Participating Agency for State Route 126 (Memorial Boulevard) for State Route 126 (Memorial Boulevard) from East Center Street, in Kingsport, to Interstate 81, Sullivan County, Tennessee

Dear Mr. Love:

We have reviewed the proposed study and found no issue or concerns that could affect the nearest airport (Tri-Cities Regional Airport) in that area. We feel, from your proposal, that this project will have no environmental impact for future airport development nor is this project located within Airport Clear Zones. We would like to be notified if any changes should occur from the original studies.

Thank you for considering our opinion in your study and if you have any question feel free to call our office.

Sincerely,


James H. Williams
Program Manager



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401

January 13, 2009

Mr. Tom Love
Tennessee Department of Transportation
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Dear Mr. Love:

SUBJECT: COORDINATION PACKAGE AND INVITATION TO BE A COOPERATING AND PARTICIPATING AGENCY FOR STATE ROUTE 126 (MEMORIAL BOULEVARD) FROM EAST CENTER STREET, IN KINGSPORT, TO INTERSTATE 81, SULLIVAN COUNTY, TENNESSEE

In response to your letter of December 15, 2008, TVA is pleased to participate as a cooperating agency in the development of the Environmental Impact Statement for this road project. Depending on the final alignment, the proposed highway improvements may require a TVA Section 26a permit.

As a cooperating agency under SAFETEA-LU and the Tennessee Environmental Streamlining Agreement, we would be pleased to work with you on defining the purpose and need, range of alternatives, and environmental analysis needs. We are not aware of unusual or unique environmental resources in the project area that should be addressed in the environmental review.

Sincerely,

A handwritten signature in blue ink that reads "Charles P. Nicholson".

Charles P. Nicholson
Program Manager
NEPA Resources
Environmental Services and Programs



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
Regulatory Branch
3701 Bell RD
Nashville, TN 37214
January 13, 2009

Regulatory Branch

SUBJECT: File No. 200900048; Proposed Improvements to State Route (SR) 126 (Memorial Boulevard) from East Center Street, in Kingsport, to Interstate 81, in Sullivan County, Tennessee

Mr. Tom Love
Transportation Manager
Tennessee Department of Transportation
Environmental Division
Suite 900, James K. Polk Building
Nashville, Tennessee 37243-0334

Dear Mr. Love:

We gladly accept the Participating Agency role with TDOT and FHWA in the development of the EIS for the subject project. Our participating agency responsibilities are explained in Section 6002 of SAFETEA-LU. In addition, we agree to be a Cooperating Agency in the preparation of the EIS in accordance with our CEQ responsibilities for implementing NEPA.

The Project Data Summary, EIS Coordination Plan for Agency and Public Involvement, maps, and other information submitted indicate that TDOT plans to improve an approximate eight-mile segment of SR-126 east of Kingsport, in Sullivan County, Tennessee. The project has logical termini at existing East Center Street and I-81. The current road would be improved and/or widened to segments of two to four lanes of traffic throughout the proposed planning length. The submittal states that the proposal would improve pedestrian/vehicle safety, emergency response times, and connectivity with eastern Sullivan county areas. In addition, the work would reduce travel delays for through traffic and complement regional and local economic development efforts.

Residential, undeveloped (woodlands, open fields, and active farmlands), and pockets of commercial and industrial land uses exist along the project study area. Alternatives being considered for evaluation include No Build, Transportation System Management, Mass Transit System, and a Build alternative developed through the Context Sensitive Solutions process. The Build alternative consists of improvements to the existing roadway following the existing alignment.

Based on the information provided and a brief examination of the Kingsport-TN and Indian Springs-TN/VA USGS quadrangle maps, we anticipate that Sougan Branch, Fall Creek, and other unnamed

tributaries to the South Fork Holston River (SFHR) would be impacted by the construction of the Build alternative. Impacts could result from culvert extensions and/or new road crossings.


The regulatory authorities and responsibilities of the Corps of Engineers (Corps) are based mainly on two laws: Section 404 of the Clean Water Act (33 USC 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403). Section 404 requires a Corps permit for any discharge of dredged or fill material into waters of the United States (WUS). Section 10 prohibits the obstruction or alteration of navigable waters of the United States (NWUS) without a Corps permit. Sougan Branch, Fall Creek, and other unnamed tributaries to the SFHR are considered WUS. No NWUS exist within the project study area. We do not have enough information at this time to estimate whether jurisdictional wetlands are present and would be affected by this proposal.

Our specific permitting requirements for construction of road crossings over jurisdictional waters would depend on the specific installation methods and associated impacts. Road crossings that would not involve substantial aquatic habitat alteration may qualify for authorization under our Nationwide Permit (NWP) program (33 CFR 330). Activities that do not qualify for NWP authorization would require approval under a standard Department of the Army (DA) permit.

Finally, our permit review would include application of the Section 404(b)(1) Guidelines (40 CFR 230). The Guidelines require that no discharge of dredged or fill material may be permitted if there is a practicable alternative to the proposed discharge that would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.

If you have any questions or wish to discuss DA permit requirements for the project in more detail, please contact me at 615/369-7519 or jose.r.hernandez@usace.army.mil.

Sincerely,



J. Ruben Hernandez
Project Manager
Operations Division

United States Department of Agriculture



Natural Resources Conservation Service
675 U.S. Courthouse
801 Broadway
Nashville, Tennessee 37203

December 22, 2008

Mr. Tom Love
Tennessee Department of Transportation
Suite 900, James K. Polk Bldg.
505 Deaderick Street
Nashville, TN 37243-0334

Dear Mr. Love:

We received your request for Environmental assessment and FPPA information for the State Route 126 highway project from East Center Street in Kingsport to Interstate 81, Sullivan County, TN

Your request for information related to environmental impacts is being forwarded to the Tennessee NRCS National Environmental Policy Act (NEPA) Coordinator to review and coordinate with other NRCS specialists for any comments or recommendations they may have pertaining to this project.

The following NRCS specialist will supply a Farmland Conversion Impact Rating based upon information you submitted on Form CPA-106 and accompanying documents:

Livingston, Richard L, RESOURCE SOIL SCI
KNOXVILLE SERVICE CENTER
9737 COGDILL RD
KNOXVILLE, TN 37918
(865) 671-3830 x 3

Some other items in your request are outside of the authority of our agency or we do not have the expertise to provide that type of information for your organization.

Our soil survey information can also be found online at <http://websoilsurvey.nrcs.usda.gov>. This website will provide you with all of our most current soil survey data and interpretations including prime farmland and hydric soils.

Please feel free to call me at (615) 277-2550, or e-mail me at doug.slabaugh@tn.usda.gov, if you have questions about this request, or if you need assistance with accessing our soils information on the web and any other needs that may arise for Tennessee Soil Survey products or information.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Douglas Slabaugh". The signature is written in a cursive style with a large, prominent initial "J".

J. DOUGLAS SLABAUGH
State Soil Scientist

Cc: (w/enclosures)

Rick Livingston, NRCS Resource Soil Scientist, Knoxville, TN
Carol Chandler, NRCS NEPA Coordinator, Nashville, TN

NRCS:SS:JD Slabaugh::12/22/08

United States Department of Agriculture



Natural Resources Conservation Service
9737 Cogdill Road, Suite 152C
Knoxville, TN 37932
Phone 865-671-3830 x. 112

January 12, 2009

Mr. Tom Love
Tennessee Department of Transportation
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, TN 37243-0334

Project: State Route 126 (Memorial Blvd.) from East Center St. in Kingsport to I-81 Sullivan County, TN

Dear Mr. Love,

The request for soils information that was sent to Mr. Kevin Brown forwarded to me. I will be addressing the portion of the request concerning the Farmland Protection Policy and hydric soils

This information was compiled using a corridor of 1,000 ft. on either side of existing S.R. 126 as specified in the information you sent. This project will result in the conversion of 132 acres of Prime Farmland as defined in the Farmland Protection Policy Act. Form AD-1006 is attached to this letter to document this determination. Prime farmland is land that has the best combination of physical and chemical characteristics, growing season, and moisture supply for producing agricultural crops. Generally, land may be pasture, forestland, or cropland but may not be urban built-up land or waterways. Additionally, construction within an existing right-of-way purchased on or before August 4, 1984 is not subject to the Farmland Protection Policy Act.

Concerning Hydric Soils, there are 54 map units of Bloomingdale silty clay loam. 0 to 2 percent slopes, occasionally flooded within the corridor. These 4 map units occupy about 47 acres of the total 2,100 acres. Hydric soil criteria is only one of the 3 factors used in determining a wetland. Areas of hydric soils may or may not meet all of the requirements of a wetland.

Much of our soils information is available on-line at <http://websoilsurvey.nrcs.usda.gov/app/>
Additional information on Prime Farmland may be obtained at our websites
www.tn.nrcs.usda.gov/technical/soils/fppa.html or www.nrcs.usda.gov/programs/fppa/.

Feel free to contact me if I may be of further assistance.
Sincerely,

A handwritten signature in dark ink, appearing to read "Richard Livingston".

Richard Livingston
Resource Soil Scientist

Enclosure

Helping People Help the Land

An Equal Opportunity Provider and Employer

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		1. Date of Land Evaluation Request December 12, 2008	2. Sheet <u>1</u> of <u>1</u>	
3. Name of Project SR 126, Memorial Boulevard		4. Federal Agency Involved US Department of Transportation, Federal Highway Administration		
5. Proposed Land Use Improved Highway Corridor		6. County and State Sullivan County, TN		7. Type of Project: Corridor <input checked="" type="checkbox"/> Other <input type="checkbox"/>
PART II (To be completed by NRCS)		1. Date Request Received by NRCS		2. Person Completing the NRCS parts of this form
3. Does the site or corridor contain prime, unique, statewide or local important farmland? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (If no, the FPPA does not apply - Do not complete additional parts of this form)		4. Acres Irrigated NA	5. Average Farm Size 120 acres	
6. Major Crop(s) Corn	7. Farmable Land in Government Jurisdiction Acres: 97,375 35%		8. Amount of Farmland As Defined in FPPA Acres: 16,623 6%	
9. Name of Land Evaluation System Used LESA	10. Name of Local Site Assessment System None		11. Date Land Evaluation Returned by NRCS January 12, 2009	
PART III (To be completed by Federal Agency)		Alternative Site Rating		
		Alternate A	Alternate B	
A. Total Acres To Be Converted Directly		239 acres	121 acres	
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres in Site		239 acres	121 acres	
PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime and Unique Farmland		132.0	132.0	
B. Total Acres Statewide and Local Important Farmland		15	5	
C. Percentage of Farmland in County or Local Govt. Unit to be Converted		0.01	0.01	
D. Percentage of Farmland in Govt. Jurisdiction with Same or Higher Relative Value		80%	80%	
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland to be Serviced or Converted (Scale of 0 - 100 Points)		18	18	
PART VI (To be completed by Federal Agency) Corridor or Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b & c))		Max. Points Corridor		
1. Area in Nonurban Use		15	9	9
2. Perimeter in Nonurban Use		10	7	7
3. Percent of Site Being Farmed		20	12	12
4. Protection Provided by State and Local Government		20	5	5
5. Distance from Urban Built-up area		0	NA	NA
6. Distance to Urban Support Services		0	NA	NA
7. Size of Present Farm Unit Compared to Average		10	8	8
8. Creation of Non-Farmable Farmland		25	1	1
9. Availability of Farm Support Services		5	5	5
10. On-Farm Investments		20	10	10
11. Effects of Conversion on Farm Support Services		25	2	2
12. Compatibility with Existing Agricultural Use		10	5	5
TOTAL CORRIDOR OR SITE ASSESSMENT POINTS		160	64	64
PART VII (To be completed by Federal Agency)				
Relative Value of Farmland (from Part V above)		100	18	18
Total Corridor or Site Assessment (From Part VI above or a local site assessment)		160	64	64
TOTAL POINTS (Total of above 2 lines)		260	82	82
PART VIII (To be completed by Federal Agency after final alternative is chosen)				
1. Corridor or Site Selected: Improvements to SR 126, Memorial Blvd. from East Center Street to Interstate 81 in Kingsport, TN.		2. Date of Selection: NA		3. Was A Local Site Assessment Used? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
4. Reason For Selection: Selection has not been made – This is a comparison of the two proposed Build Alternatives. Signature of person completing the Federal Agency parts of this form:		LESA Site Assessment		



United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
710 Locust Street, Second Floor
Knoxville, TN 37902

January 9, 2009

Mr. Tom Love
Tennessee Department of Transportation
Environmental Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Subject: Invitation to be a Participating Agency in Development of an Environmental Impact Statement for Proposed Improvements to State Route 126 (Memorial Boulevard) from East Center Street in Kingsport to Interstate 81, Sullivan County, Tennessee

Dear Mr. Love:

Thank you for your correspondence of December 12, 2008, concerning development of an environmental impact statement (EIS) for the above proposed improvement. The Office of Surface Mining Reclamation and Enforcement's Knoxville Field Office appreciates your invitation to be a participating agency in the development of the EIS. As a coal regulatory agency, our area of interest is generally limited to the coalfields of East Tennessee and this project lies well outside the coalfield area. This in combination with the fact that mineable coal is not known to exist in the Sullivan County area, and the fact that Federal regulations at 30 CFR Section 707 provide for a broadly based exemption from complying with Federal mining regulations for coal extraction incident to government financed highway construction, make it unlikely that our agency would have any jurisdiction or authority with respect to this proposed project. As such, we must decline your invitation to participate. Again thank you for providing this opportunity and we look forward to working with you on future projects.

Sincerely,

Earl Bandy, Director
Knoxville Field Office





United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

January 30, 2009

Mr. Tom Love
Tennessee Department of Transportation
Environmental Planning and Permits Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Re: Initial Coordination for State Route 126 Improvements from East Center Street to Interstate 81, Sullivan County, Tennessee

Dear Mr. Love:

The Tennessee Department of Transportation (TDOT), in cooperation with the Federal Highway Administration (FHWA), is initiating an Environmental Impact Statement (EIS) for proposed improvements to State Route 126 in Sullivan County, Tennessee. The proposed project is considered necessary to improve and complete system linkages; enhance regional and local mobility for the general public, as well as, emergency vehicles; improve traffic capacity and safety conditions; and enhance regional and local economic development opportunities.

TDOT and the FHWA have requested that the U.S. Fish and Wildlife Service (Service) be a participating agency with the development of the EIS. Acceptance of this request does not imply that the Service supports the proposal or has any special expertise with respect to the evaluation of the project.

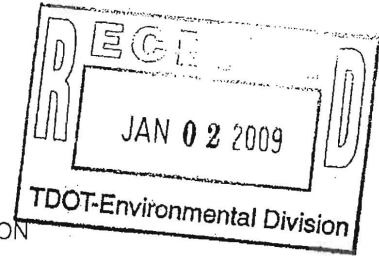
We have reviewed the project summary and the possible role that our agency would have in the development of the State Route 126 improvement project. We accept the invitation to be a participating agency in the development of this project. We have also reviewed our existing database for any records of federally listed species near the proposed project. Our collection records do not indicate that federally listed or proposed endangered or threatened species occur within the proposed study area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality.

If you have any questions regarding the information which we have provided, please contact Robbie Sykes of my staff at 931/528-6481, extension 209.

Sincerely,

A handwritten signature in blue ink that reads "Lee A. Barclay". The signature is written in a cursive style with a large initial "L".

Lee A. Barclay, Ph.D.
Field Supervisor



December 30, 2008

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

Mr. Charles Bush
Tennessee Dept. of Transportation
Suite 700/J. K. Polk Bldg.
Nashville, Tennessee, 37243-0349

RE: FHWA, SR-126/E. CENTER ST. TO I-81, KINGSPORT, SULLIVAN COUNTY

Dear Mr. Bush:

In response to your request, received on Monday, December 22, 2008, 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 YANCEY'S TAVERN, A PROPERTY THAT IS ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES. You should now, through FHWA, 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,

E. Patrick McIntyre, Jr.
Executive Director and
State Historic Preservation Officer

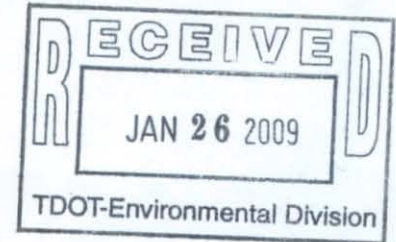
EPM/jyg



TENNESSEE WILDLIFE RESOURCES AGENCY

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

January 20, 2009



Charles Bush
State of Tennessee
Department of Transportation
Environmental Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, TN 37243-0334

Re: Invitation to be a Participating Agency for State Route 126 (Memorial Boulevard) from East Center Street, in Kingston, to Interstate 81 in Sullivan County, Tennessee

Dear Mr. Bush:

The Tennessee Wildlife Resource Agency has received and reviewed the information your office provided to us regarding the invitation to be a participating agency for State Route 126 (Memorial Boulevard) from East Center Street, in Kingston, to Interstate 81 in Sullivan County, Tennessee. Our current concerns are potential environmental impacts associated with potential stream and wetland impacts due to the construction of this project. We accept the invitation to participate in this process and encourage continued consultation with our agency in future phases of this project to further reduce impacts to fish and wildlife resources.

We thank you for the opportunity to comment during the initial coordination process and look forward to working with TDOT personnel in the future to reduce potential impacts to fish and wildlife resources associated with this project.

Sincerely,

Robert M. Todd

Robert M. Todd
Fish and Wildlife Environmentalist

cc: Rob Lindbom, Region IV Habitat Biologist
Bob Nichols, Region IV Manager

The State of Tennessee

IS AN EQUAL OPPORTUNITY, EQUAL ACCESS, AFFIRMATIVE ACTION EMPLOYER

KINGSPORT METROPOLITAN PLANNING ORGANIZATION

TENNESSEE: KINGSPORT, SULLIVAN COUNTY, HAWKINS COUNTY, MOUNT CARMEL, CHURCH HILL
VIRGINIA: SCOTT COUNTY, WEBER CITY, GATE CITY

January 16, 2009

Tom Love
Transportation Manager I
TDOT- Environment Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, TN 37243

Dear Tom:

We are in receipt of your letter to us concerning the initiation of an Environmental Impact Statement on the CSS-based State Route 126 project within the City of Kingsport and Sullivan County. Please note the City of Kingsport, in cooperation with the Kingsport MPO, enthusiastically agrees to, and accepts, your invitation to become a participating agency in this process and will work to provide staff time and/or any input you may need from our resources to complete the review. This includes, but is not limited to, providing early input in determining the range of alternatives for improvements to SR 126, and participation in coordination meetings and joint field reviews.

As we look forward to working with your agency on this phase, we also want to express our appreciation for your willingness to advance one of the MPO's priority projects. In addition, if you need further information or have additional questions concerning this matter, please feel free to call our offices at (423) 224-2677 or (423) 229-9400.

Sincerely,



William A. Albright,
Transportation Planning Manager – Kingsport MPO

CC: John Campbell, City of Kingsport
Jeff Fleming, City of Kingsport
Ray Hensen, TDOT
Steve Allen, TDOT



SULLIVAN COUNTY

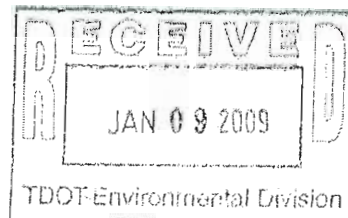
Offices of Land Use

Department of Planning, Zoning & GIS

3411 Hwy. 126, Suite 30
Blountville, TN 37617
Telephone (423) 323-6440
Fax (423) 279-2886

Building Commission
Planning and Zoning
Solid Waste
G. I. S.
Health and Safety

January 7, 2009



Charles E. Bush, Transportation Manager 2
TDOT – Environmental Division
Suite 900, James K. Polk Building
605 Deaderick Street
Nashville, TN 37243-0334

RE: Participation in the SR126/Memorial Blvd. Planning Committee

Dear Mr. Bush,

As a previous member of the Local Resource Team on the SR126/Memorial Blvd. study, representing Sullivan County, I would like to continue my service on this project. Lucian Lawson, Director of Land Use for Sullivan County, received the package of material from you dated December 15, 2008 instructing him to confirm in writing his participation in this transportation planning project. Please note, Mr. Lawson was not previously involved with the Local Resource Committee. His title can be misleading to some, as he serves as director of sanitation, solid waste, sewer expansions and the recycling programs for Sullivan County. I am the county's Director of Planning and would be happy to continue to serve on this city-county-state planning project.

Please accept this confirmation for my participation on behalf of Sullivan County. Thank you for your continued interest and service with Sullivan County's transportation needs.

Warm regards,

Ambre M. Torbett, AICP
director

copy: Mayor, Steve Godsey
Lucian Lawson, Sanitation Director
Bill Albright, Kingsport MPO

APPENDIX B CULTURAL RESOURCES



Preserving America's Heritage

February 18, 2011

Ms. Leigh Ann Tribble
Environmental Program Engineer
FHWA – Tennessee Division
404 BNA Drive, Suite 508
Nashville, TN 37217

Ref: *Proposed Improvements to SR-126 (Memorial Boulevard) from East Center Street to I-81
Kingsport, Sullivan County, Tennessee*

Dear Ms. Tribble:

On February 7, 2011, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Tennessee State Historic Preservation Office (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Najah Duvall-Gabriel at 202-606-8585 or at ngabriel@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov



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

March 22, 2005

Ms. Martha Carver
Tennessee Department of Transportation
505 Deaderick St/900
Nashville, Tennessee, 37243-0349

RE: FHWA, ARCHITECTURAL SURVEY REPORT, SR-126/E, CENTER ST. TO I-81,
KINGSPORT, SULLIVAN COUNTY

Dear Ms. Carver:

In response to your request, received on Thursday, March 17, 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 the information provided, we find that the area of potential effect contains one architectural resources eligible for listing in the National Register of Historic Places that may be affected by this undertaking, the Shipley-Jarvis House. We further find that the area of potential effect contains one architectural resources listed in the National Register of Historic Places that may be affected by this undertaking, Yancey's Tavern. You should notify interested persons and make the documentation associated with this finding available to the public.

All borrow areas outside proposed rights-of-way will require separate certification as specified under Section 107.06-Federal Aid Provisions. If your agency proposes any modifications in current project plans or discovers any archaeological remains during the ground disturbance or construction phase, please contact us to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

This office appreciates your cooperation.

Sincerely,

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

HLH/jyg



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

November 3, 2008

Ms. Martha Carver
Tennessee Department of Transportation
505 Deaderick St/900
Nashville, Tennessee, 37243-0349

RE: FHWA, DOCUMENTATION OF EFFECT, SR-126 IMPVTS./E. CENTER ST. TO I-81,
KINGSPORT, SULLIVAN COUNTY

Dear Ms. Carver:

In response to your request, received on Wednesday, October 22, 2008, 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. Based on the information provided, we concur with your agency's determination that the area of potential effects contains the Yancey's Tavern that is eligible for listing in the National Register of Historic Places.

This office further concurs with TDOT's finding of project adverse impact on the Yancey's Tavern. You should notify interested persons and make the documentation associated with this finding available to the public as defined at 36 CFR 800 and seek the comments of the Advisory Council on Historic Preservation.

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, Jr.
Executive Director and
State Historic Preservation Officer

EPM/jyg



February 26, 2010

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

Mr. Tom Love
TDOT Environmental Division
505 Deadrick Ave./900
Nashville, Tennessee, 37243-0334

RE: FHWA, SR-126/E. CENTER ST. TO I-81, UNINCORPORATED, SULLIVAN COUNTY

Dear Mr. Love:

In response to your request, received on Tuesday, February 16, 2010, 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. You should now, through FHWA, 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,

E. Patrick McIntyre, Jr.
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

July 14, 2010

Mr. Gerald Kline
Tennessee Department of Transportation
Environmental Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

RE: FHWA, ARCHAEOLOGICAL AVOIDANCE PLAN, SR-126/NORTH CENTER ST. TO I-81,
UNINCORPORATED, SULLIVAN COUNTY, TN

Dear Mr. Kline:

At your request, our office has reviewed the above-referenced archaeological avoidance plan in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we find that the revised 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, Jr.
Executive Director and
State Historic Preservation Officer

EPM/jmb



EASTERN SHAWNEE TRIBE OF OKLAHOMA

P.O. Box 350 • Seneca, MO 64865 • (918) 666-2435 • FAX (918) 666-3325

November 24, 2003

Department of Transportation
Environmental Planning & Permitting Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Re: See Attached

To Whom It May Concern:

Thank you for notice of the referenced project(s). The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.

The Eastern Shawnee Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Sincerely,

Charles Enyart, Chief
Eastern Shawnee Tribe of Oklahoma

1. 7. Site 1: Culvert Improvements over westbound ramp of I-40 at Log Mile 12.23
Site 2: Bridge repair at the I-40 bridge over State Route 58 at Log Mile 12.34
2. Section 106 initial coordination for proposed improvements to State Route 126 (Memorial Blvd.) from E. Center St. in Kingsport to I-81, Sullivan County, Tennessee 2003190
3. Section 106 initial coordination for proposed bridge improvements to Yarnell Road (E516) over Little Dismal Creek, LM 0.96, Anderson County, Tennessee 2003194
4. Section 106 initial coordination for proposed bridge improvements to Ella West Road (A092) over East Fork Lynn Creek, LM 2.42, Giles County, Tennessee 2003192
5. Section 106 initial coordination for proposed bridge improvements to Earl Townsend Road (A372) over West Fork Shoal Creek, LM 0.07, Giles County Tennessee 2003191
6. Section 106 initial coordination for proposed bridge improvements to Martin Luther King Drive (A584) over Branch, LM 0.08, Madison County, Tennessee 2003193
7. Section 106 initial coordination for proposed bridge improvements to Binkley Acres Road (E488) over Brushy Fork Creek, LM 0.06, Anderson County, Tennessee 2003195
8. Section 106 initial coordination for proposed bridge improvements to Beech Road (A045) over Morgan's Creek, LM 2.79, Overton County, Tennessee 2003197
9. Section 106 initial coordination for proposed bridge improvements to Beech Road (A045) over Bryan's Fork Creek, LM 0.93, Overton County, Tennessee 2003194
10. Section 106 initial coordination for proposed bridge improvements to Trentham Hollow Road over Clear Creek, LM 2.95, Cocke County, Tennessee 2001120



Creek Nation of Oklahoma

Cultural and Historic Preservation

December 11, 2003

Gerald Kline
State of Tennessee-Department of Transportation
Environmental Planning and Permits Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Subjects: SEE ATTACHED

Dear Mr. Kline:

In keeping with a government-to-government relationship and in compliance with 36CFR800, the Muscogee (Creek) Nation appreciates the invitation to participate as a consulting party.

At this time, we are unaware of any cultural or archaeological sites in the above project area that would be eligible for inclusion in the National Register.

In the event that human remains or culturally significant artifacts are inadvertently discovered during construction, please contact me at (918) 732-7732.

Respectfully,

Tim Thompson
Research Specialist
Muscogee Creek Nation

jj

SUBJECTS:

Section 106 Initial Coordination for Proposed Bridge Improvements to Ella West Road (A092) over East Fork Lynn Creek, LM 2.42, Giles County, Tennessee 2003192

Section 106 Initial Coordination for Proposed Bridge Improvements to Earl Townsend Road (A372) over West Fork Shoal Creek, LM 0.07, Giles County, Tennessee 2003191

Section 106 Initial Coordination for Proposed Bridge Improvements to Martin Luther King Drive (A584) over Branch, LM 0.08, Madison County, Tennessee 2003193

Section 106 Initial Coordination for Proposed Bridge Improvements to Binkley Acres Road (E488) over Brushy Fork Creek, LM 0.06, Anderson County, Tennessee 2003195

Section 106 Initial Coordination for Proposed Bridge Improvements to Beach Road (A045) over Morgan's Creek, LM 2.79, Overton County, Tennessee 2003197

Section 106 Initial Coordination for Proposed Bridge Improvements to Beech Road (A045) over Bryan's Fork Creek, LM 0.93, Overton County, Tennessee 2003196

Section 106 Initial Coordination for Proposed Bridge Improvements to Trentham Hollow Road over Clear Creek, LM 2.95, Cocke County, Tennessee 2001124

X ~~*~~ Section 106 Initial Coordination for Proposed Bridge Improvements to State Route 126 (Memorial Blvd) from E. Center St. in Kingsport to I-81, Sullivan County, Tennessee 2003190

Section 106 Initial Coordination for Proposed Bridge Improvements to Yarnell Road (E516) over Little Dismal Creek, LM 0.96, Anderson County, Tennessee 2003194

Section 106 Initial Coordination for Proposed Bridge Improvements to State Route 70 over Nolichuncky River, LM 8.51, Green County, Tennessee 98059



The Eastern Band of Cherokee Indians

Tribal Historic Preservation Office
P.O. Box 455, Cherokee, NC 28719
(828) 488-0237 / Fax (828) 497-1590

3/19/09

- RE: PFH-306(7)-POIK Co
- Petty Lane (A571) over Carter Creek, LM 2.32, Maury Co 2003207
 - Fitzgerald Rd (A088) over Snow Creek, LM 2.98, Maury Co 2005205
 - Cane Creek Church Rd (A130) over Cane Creek, LM 0.06, Perry Co 2003202
 - State Route 141 (N) at State Route 10/25, Transylvania Co 2003202
 - State Route 245 (Campbellsville Pike) and Indian Camp Springs Rd, Maury Co 2003045
 - Roaring Fork Creek (A845) over Roaring Fork Creek, LM 0.01, Sevier Co 2001074
 - Bridge Improvement to SR 56 over Pigeon Creek, LM 20.56, Grundy Co 2002020
 - Bridge Improvement to SR 56 over Barren Fork, LM 77, Warren Co 2001111
 - " " " SR 286 " " " LM 2.54, " " 2001111
 - Bridge Improvements to Trentham Hollow Rd over Clear Creek LM 2.95, Rock

The Eastern Band of Cherokee Indians appreciates the invitation to participate as a consulting party in compliance with 36CFR800 on the above referenced project(s). According to the information you provided, the EBCI THPO is unaware of any known cultural resources or archaeological sites in the project area significant to our Tribe. However, should any cultural resources or human remains be encountered during the proposed project's activities, work should cease and this office should be contacted immediately.

As a consulting party we request that you send all information pertaining to cultural resources within the above-referenced project(s) area of potential effect (APE) for our review and comment. If you have any questions, please direct them to me at (828) 488-0237.

Sincerely,

Michelle Hamilton
Tribal Historic Preservation Specialist
Eastern Band of Cherokee Indians
(828) 488-0237
michhami@nc-chokeee.com

PS: Sorry for the delay - working through a backlog

- Bridge Improvements to Earl Townsend Rd (A372) over West Fork Shoal Creek, LM 0.07, Giles Co 2003191
- Bridge Improvements to MLK Dr. (A584) over Branch LM 0.08, Madison Co 2003190
- Bridge Improvements to Binkley Acres Rd (E488) over Brushy Fork Creek LM 0.06, Anderson Co 2003190
- Bridge Imp. to Beech Rd (A045) over Morgan's Creek LM 2.79, Overton Co 2003190
- Bridge Imp. to Beech Rd (A045) over Bryan's Fork Creek, LM 0.93, Overton Co 2003190
- Bridge Imp. to Ella West Rd (A042) over East Fork Lynn Creek LM 2.42, Giles Co 2003194
- Bridge Imp. to Yarnell Rd (E516) over Little Dismal Creek, LM 0.96, Anderson Co 2003194
- Bridge Imp. to SR 70 over Nolichucky R, LM 8.51, Greene Co 98059
- Imp. to SR 126 (Memorial Blvd) from E. Center St in Kingsport to I-81, Sullivan Co 2003190
- Imp in Roane Co 1) Culvert Imp over westbound ramp of I-40 @ LM 12.23, 2) Bridge repair at I-40 Bridge over SR 58 @ LM 12.34 2003203
- Imp in Marion Co 1) Rehab drainage on SR 2 @ LM 26.93, 2) Rehab drainage on SR 2 @ LM 27.79, 3) Replace drainage on SR 283 @ LM 5.40 2003204
- Imp SR 96 (Mar freesboro Rd) and Royal Oaks Blvd, Williamson Co 2003018
- Bridge Imp to West 9th St Bridge over CSX Railroad LM 0.01, Maury Co 2000187
- Bridge Imp to Kennings Bend Rd (A230) over Lost Creek LM 1.23, Smith Co 200301
- Bridge Imp to Harris Hollow Rd (A047) over Depated Creek, LM 0.14, Smith Co 200301
- Bridge Imp to SR 247 over Carters Creek LM 15.78, Maury Co 2000120
- Bridge Imp to SR 1 (Kingston Pike) over Norfolk Southern Railroad, LM 1517, RMC 2000
- Bridge Imp to SR 33 (E. Broadway) over Bown Creek, LM 12.51, Blount Co 200001
- Bridge Imp to Rock Branch Rd over Hanging Rock Creek, LM 0.78, Macon Co 200318
- Bridge Imp to Carr Branch Rd over Carr Creek LM 0.89, Macon Co 2003175
- Bridge Imp to W. Wixtown Rd over West Fork Long Creek, LM 1.00, Macon Co 200318
- Bridge Imp to Trammel Creek Rd over Pig Trammel Creek, LM 0.91, Macon Co 2003
- Imp to SR 15 (US 64) at SR 117, McNairy Co > NOT IN TERRITORY! 200318
- Bridge Imp to SR 269 over Knob Creek, LM 11.10, Bedford Co 2001071
- Imp to SR 416-A, Two segments of Birds Creek Rd, Sevier Co 2003164
- Imp to Big-Pass Rd from SR 16 to Georgia Crossing Rd, Georgia Crossing Rd from Big-pass Road to east of Greenview Dr in Franklin Co 2003168

- Bridge Imp to SR 127 over I-24, LM 3.74, Coffee Co 2002015
- Imp at SR 336 and Blackhouse Rd, Blount Co 2003185
- Imp to SR 400 Bridge over Brush Creek @ LM 4.99, Washington Co 200201
- Imp to SR 1 over Southern Railroad @ LM 19.47, Knox Co 2002005
- Bridge Imp to SR 2 over Duck River, LM 12.72, Coffee Co 2002016
- Bridge Imp to Hawkins Rd over Big Trammel Creek, LM 0.82, Macon Co 2001150
- Bridge Imp to SR 107 over Indian Creek, LM 8.67, Union Co 2000154
- Bridge Imp to SR 37 (US 19E) over Doe River, LM 6.65, Carter Co 2002008
- Bridge Imp to Sycamore Rd over Sycamore Creek, LM 7.32, Cannon Co 20011
- Imp to SR 30 (White St) to near Davidson Rd, McMinn Co 2004005
- Bridge Imp to I-24 over Elk River @ LM 1.25 and over Patla ~~Creek~~
@ LM 1.57, Grundy Co 2003200

APPENDIX C ECOLOGY



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

November 17, 2011

Ms. Leigh Ann Tribble
Federal Highway Administration
Tennessee Division Office
404 BNA Drive, Suite 508
Nashville, Tennessee 37217

Subject: FWS #12-CPA-0072. Proposed construction to State Route 126 (Memorial Boulevard) from Center Street to Interstate 81; PIN# 105467.00, P.E. 82085-1225-14, Sullivan County, Tennessee.

Dear Ms. Tribble:

Thank you for your letter dated October 26, 2011, transmitting acoustic and mist netting survey results for the proposed construction to State Route 126 from Center Street to Interstate 81 in Sullivan County, Tennessee. At the request of our office, surveys were conducted along the proposed corridor to determine if the area is being utilized as summer roosting habitat by the federally endangered Indiana bat (*Myotis sodalis*). Personnel of the U.S. Fish and Wildlife Service have reviewed the information provided and offer the following comments.

Joint mist netting and acoustical studies were performed from August 3 through August 10, 2011, at six sites determined to contain suitable habitat for the Indiana bat. The acoustical study resulted in the recording of 883 bat calls, of which none were identified as Indiana bats. The mist netting efforts resulted in the capture of 26 bats, of which two individuals were federally endangered gray bats (*Myotis grisescens*). The Tennessee Division Office agrees with the determination made by the Tennessee Department of Transportation (TDOT) that the project is "not likely to adversely affect" the Indiana bat because none were observed during surveys.

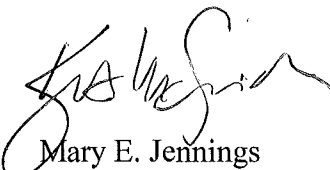
Due to negative Indiana bat surveys, we concur with TDOT's finding of "not likely to adversely affect" for the Indiana bat. Although it is likely that this project would have an insignificant effect on the Indiana bat, we would appreciate consideration given to the removal of trees with a DBH (diameter at breast height) of five inches or greater from October 15 through March 31 to further minimize potential for harm to the Indiana bat. Based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under the Act must be reconsidered if (1) new information reveals impacts

of the proposed action that may affect listed species or critical habitat in a manner 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.

The capture of two gray bats during survey efforts would indicate that this species utilizes the area streams as travel/feeding corridors. Our database indicates that the nearest gray bat cave is Morrell Cave, approximately 10 miles east of the project. 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 implemented throughout the project to minimize potential for harm to the gray bat.

If you have any questions regarding our comments, please contact John Griffith of my staff at 931/525-4995 or by email at john_griffith@fws.gov.

Sincerely,



Mary E. Jennings
Field Supervisor



3 HMB Circle
 U.S. 460
 Frankfort, KY 40601
 Office: (502) 695-9800
 Fax: (502) 695-9810

November 8, 2007



Lee Barclay, Field Supervisor
 U.S. Fish and Wildlife Service
 Cookeville Field Office
 446 Neal Street
 Cookeville, TN 38501

Subject: Aquatic and Terrestrial Technical Study
Project: State Route 126 (Memorial Boulevard)
Sullivan County, Tennessee

Dear Mr. Barclay:

The Tennessee Department of Transportation has contracted with HMB Professional Engineers, Inc. to conduct a technical study for the proposed improvement of State Route 126 in Sullivan County, TN. The study will provide an assessment of the aquatic and terrestrial environment from Hermitage Drive in Kingsport, to Interstate 81 near Overhill Drive. The study corridor would include 1000 feet to either side of the existing SR 126.

HMB Professional Engineers, Inc. and the Tennessee Department of Transportation are requesting information concerning possible stream and wetland impacts, and potential impacts to threatened and endangered species that may occur within the area of this project.

Please review the enclosed information and provide any comments and concerns that might be associated with the proposed action. The USGS 7.5 minute quadrangle mapping which applies to the project has been included, and a copy of the project corridor has been included.

Thank you for your prompt attention to this request. If you have any questions or need further information, please contact John W. Brown, HMB Environmental Project Manager, or myself at (502) 695-9800 or at either of the following email addresses: srice@hmbpe.com or jwbrown@hmbpe.com.

No significant adverse impacts to wetlands or federally listed endangered or threatened species are anticipated from this proposal.

Lee Barclay 12/7/07
 Field Supervisor Date
 U. S. Fish and Wildlife Service
 Cookeville, TN 38501

- Highway Engineering
- Structural Engineering
- Water & Wastewater
- Site Development
- Master Planning
- Environmental Planning
- Surveying
- Project Management
- Cost Estimation
- Construction Inspection
- Aviation Services
- Environmental Remediation



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

March 25, 2010

Mr. Tom Love
Tennessee Department of Transportation
Environmental Planning and Permits Division
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

Subject: Concurrence points I and II. Proposed construction to State Route 126 (Memorial Boulevard), Sullivan County, Tennessee.

Dear Mr. Love:

The Tennessee Department of Transportation (TDOT), in cooperation with the Federal Highway Administration (FHWA), is initiating National Environmental Policy Act (NEPA) documentation and analysis for the proposed construction to approximately 8.4 miles of State Route 126 between East Center Street and Interstate 81 (I-81) in Sullivan County, Tennessee. The purpose of this project is to improve the existing two-lane roadway, reduce the crash rates, and enhance travel and emergency response times from East Center Street in Kingsport to I-81. TDOT, the City of Kingsport, and local citizens conducted a Context Sensitive Solutions process which documents the majority decisions made by a Community Resource Team regarding design elements, roadway cross sections, and components of the project's purpose and need.

The *Purpose and Need and Study Area/ Alternatives to be Evaluated Package* was developed by TDOT to justify this project and outline the preferred build alternatives and their potential impacts in accordance with the National Environmental Policy Act and the Tennessee Environmental Streamlining Agreement (TESA). In accordance with TESA, TDOT has requested that the U.S. Fish and Wildlife Service review and provide concurrence (or non concurrence) on concurrence points 1 and 2, *Purpose and Need and Study Area/ Alternatives to be Evaluated Package*.

We have reviewed the *Purpose and Need and Study Area/ Alternatives to be Evaluated Package* and concur that it is adequate and that TDOT should proceed to Concurrence Point 3, *Draft Environmental Assessment*. Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by

various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner 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. The signed TESA concurrence points 1 and 2 package for this project is attached.

If you have any questions regarding our comments, please contact John Griffith of my staff at 931/528-6481 (ext. 228) or by email at john_griffith@fws.gov.

Sincerely,

A handwritten signature in cursive script that reads "Mary E. Jennings". The signature is written in dark ink and is positioned above the typed name.

Mary E. Jennings
Field Supervisor

Enclosure

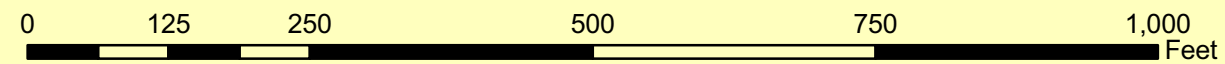
APPENDIX D BUILD ALTERNATIVES CONCEPTUAL LAYOUTS



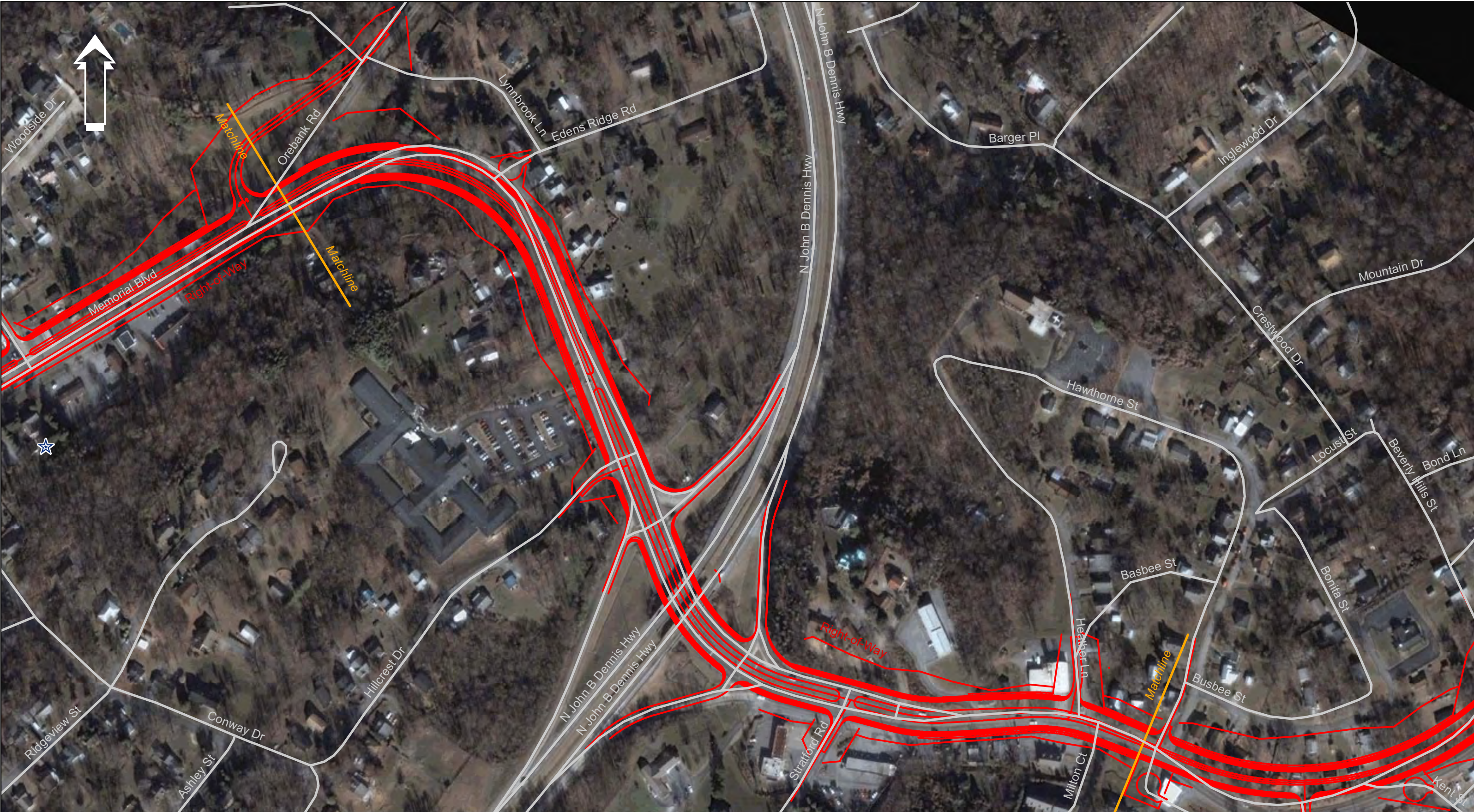
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— Alternative A

**Alternative A on
Aerial Photography**



**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**



Legend

— Alternative A

Alternative A on Aerial Photography

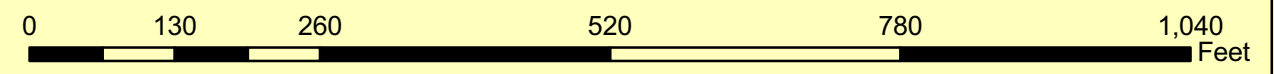
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**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.2



Legend
 — Alternative A



**Alternative A on
 Aerial Photography**

**Sullivan County
 SR 126 (Memorial Boulevard)
 Alternative A**



Legend

— Alternative A

Alternative A on Aerial Photography

0 190 380 760 1,140 1,520 Feet

**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.4



Legend

— Alternative A

Alternative A on Aerial Photography

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**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.5



Legend

— Alternative A

Alternative A on Aerial Photography

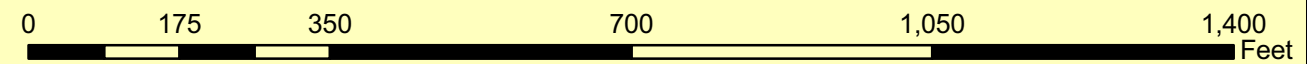
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**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.6

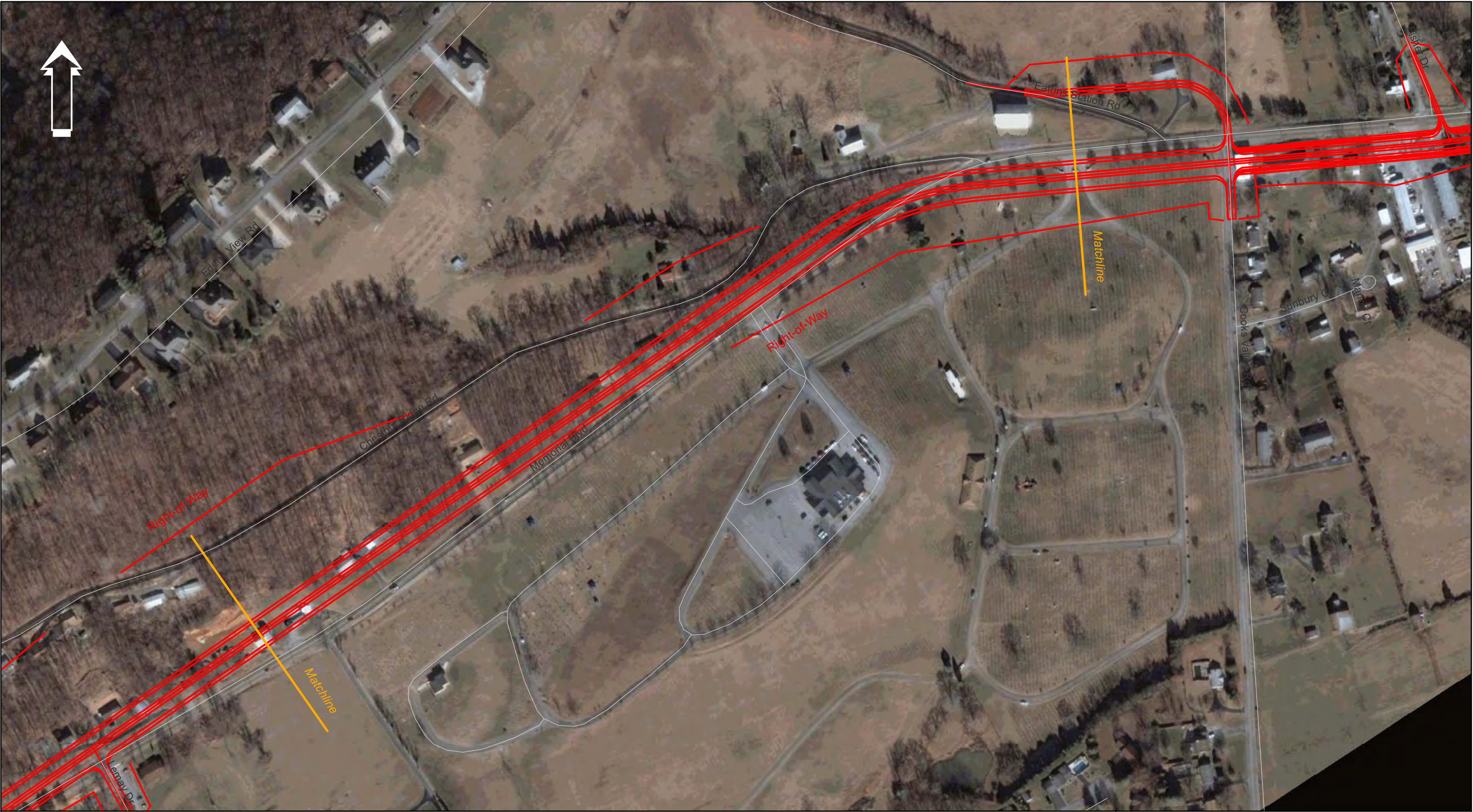


Legend
 — Alternative A



**Alternative A on
 Aerial Photography**

**Sullivan County
 SR 126 (Memorial Boulevard)
 Alternative A**



Legend

— Alternative A

Alternative A on Aerial Photography

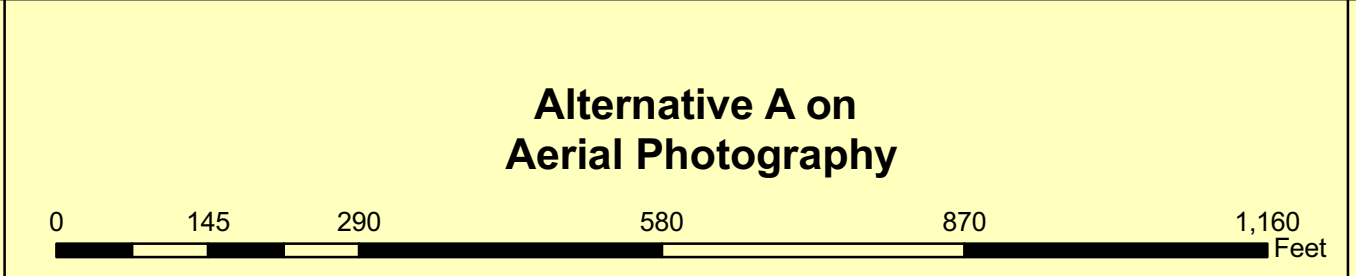
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**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.8

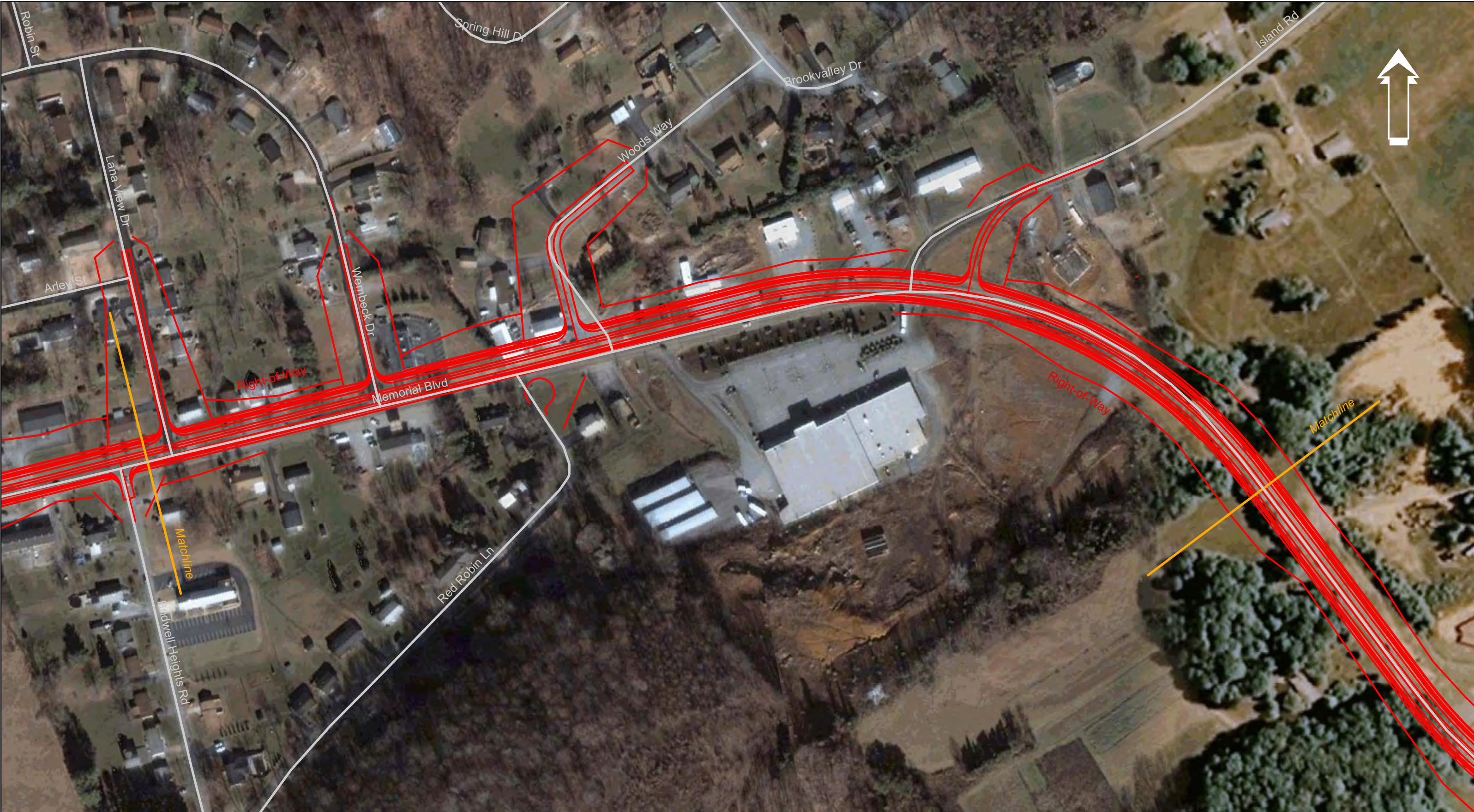


Legend
— Alternative A



**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.9



Legend

— Alternative A

Alternative A on Aerial Photography

0 137.5 275 550 825 1,100 Feet

**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.10



Legend

— Alternative A

Alternative A on Aerial Photography

0 145 290 580 870 1,160 Feet

**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.11



Legend

— Alternative A

Alternative A on Aerial Photography

0 145 290 580 870 1,160 Feet

**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.12



Legend

— Alternative A

Alternative A on Aerial Photography

0 145 290 580 870 1,160 Feet

**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.13



Legend

— Alternative A

Alternative A on Aerial Photography

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**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

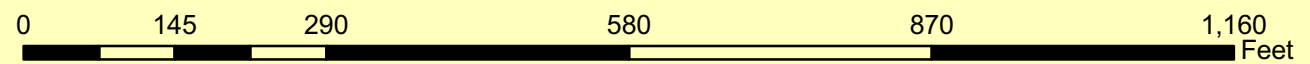
A.14



Legend

— Alternative A

**Alternative A on
Aerial Photography**



**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**



Legend

— Alternative A

Alternative A on Aerial Photography

0 190 380 760 1,140 1,520 Feet

**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.16



Legend

— Alternative A

Alternative A on Aerial Photography

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**Sullivan County
SR 126 (Memorial Boulevard)
Alternative A**

A.17



Legend

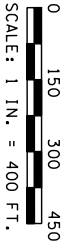
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**Alternative A on
Aerial Photography**

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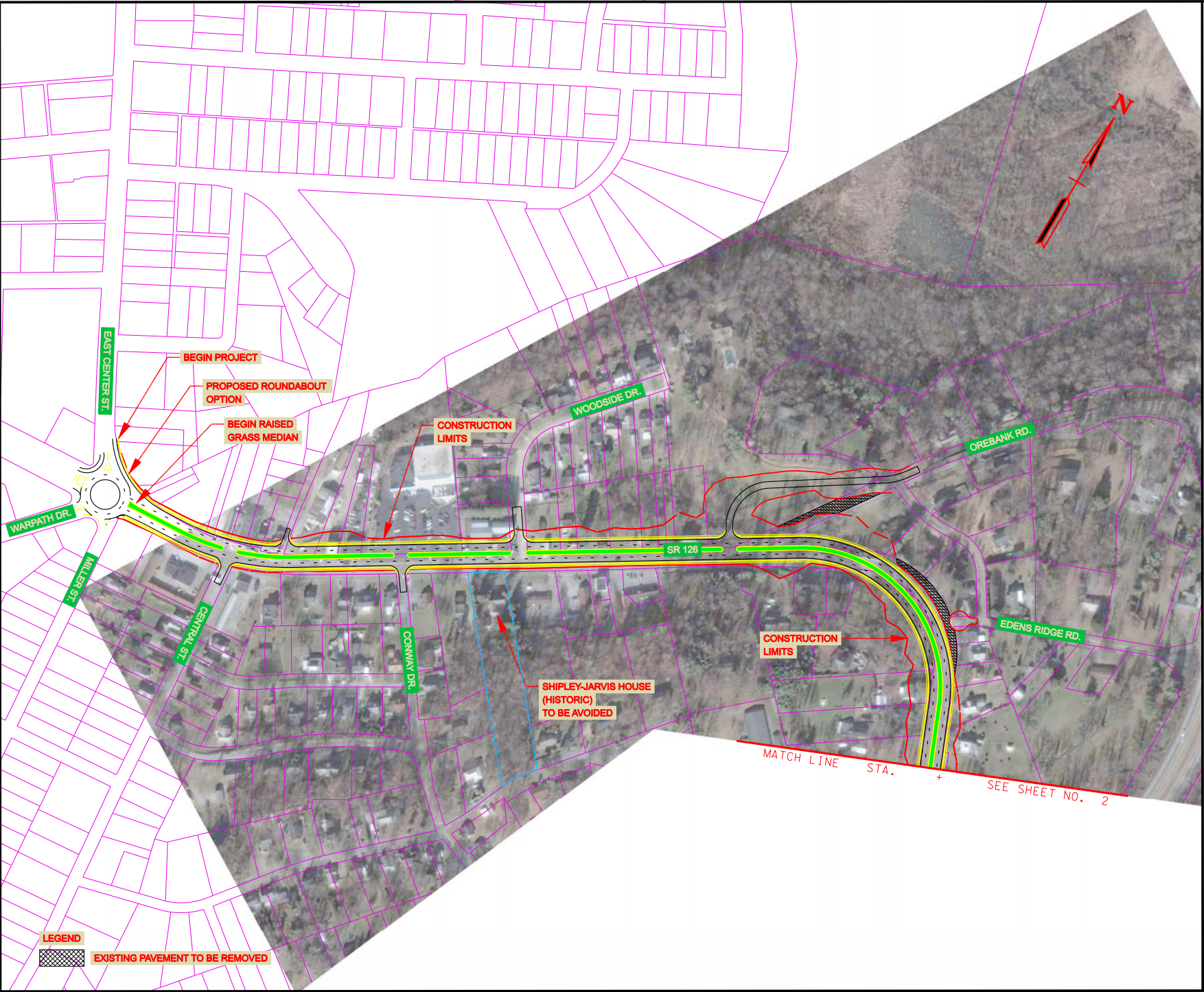
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SR 126 (Memorial Boulevard)
Alternative A**

A.18

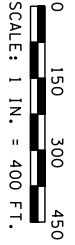


SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 1

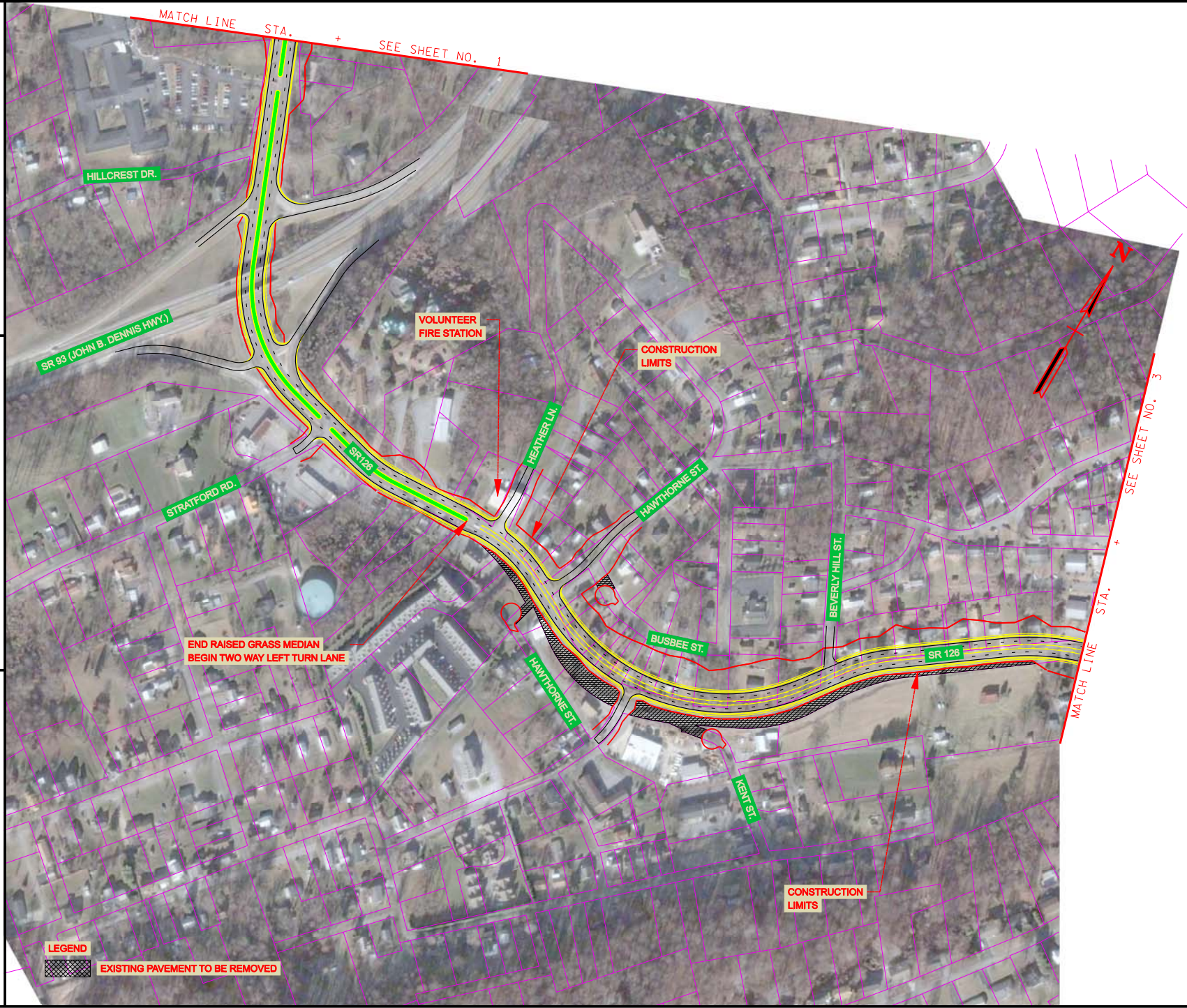


LEGEND
 **EXISTING PAVEMENT TO BE REMOVED**

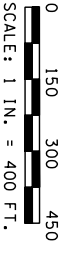


SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 2

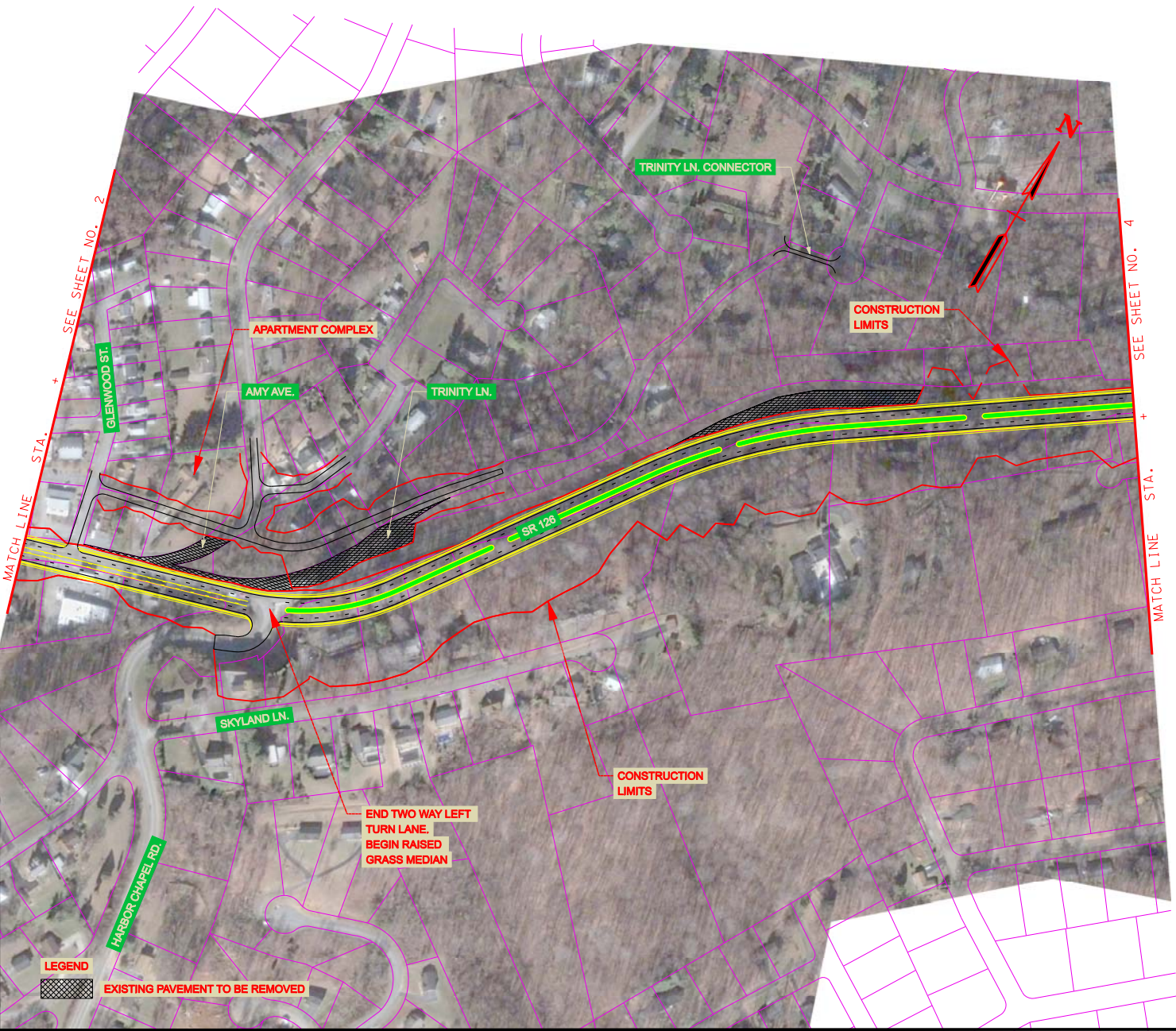


LEGEND
 **EXISTING PAVEMENT TO BE REMOVED**

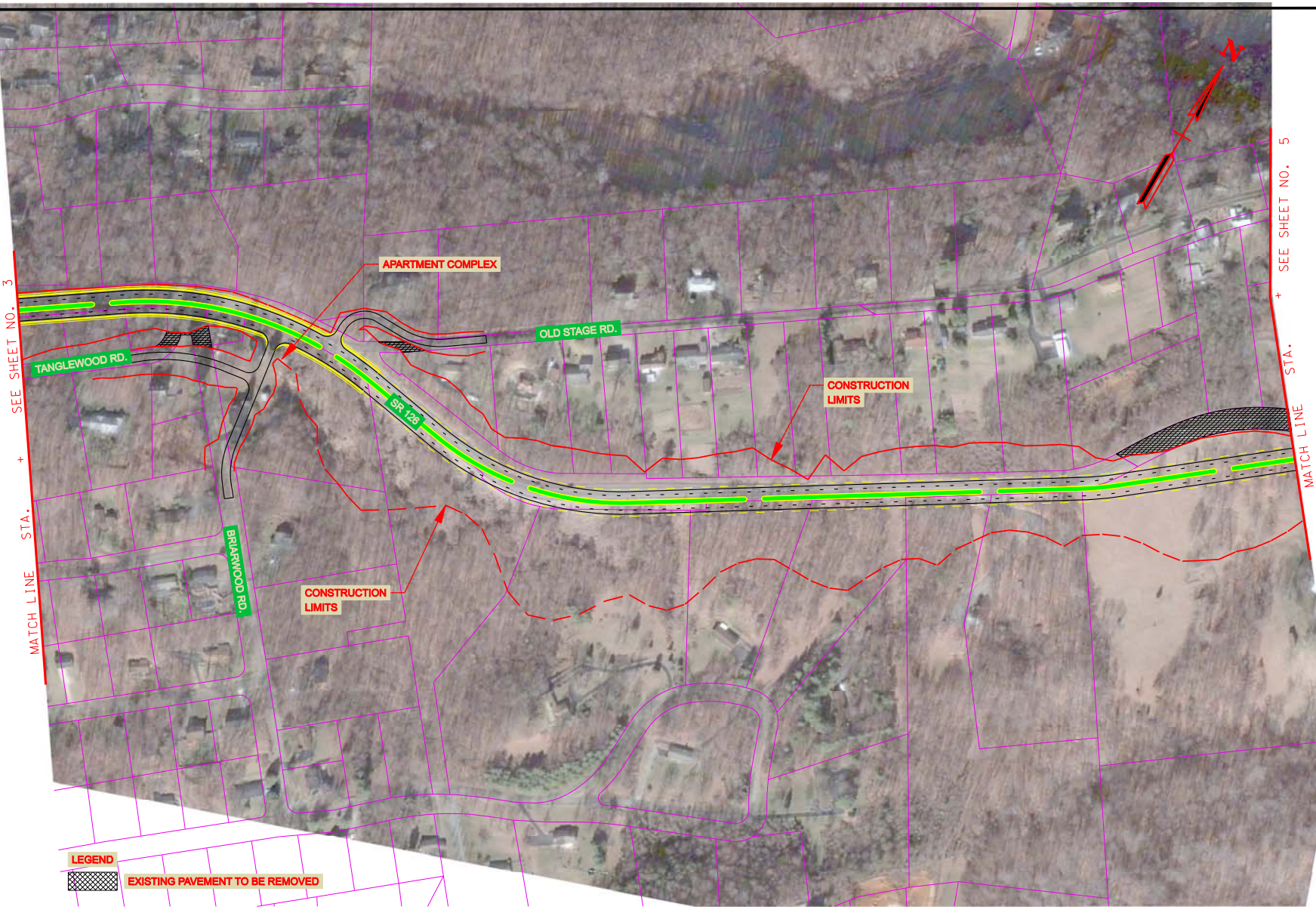


SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

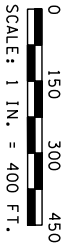
PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 3



LEGEND
 **EXISTING PAVEMENT TO BE REMOVED**



SEE SHEET NO. 3 + MATCH LINE STA. + SEE SHEET NO. 5



SR 126 Improvement Project
 From East Center Street to I-81
 Sullivan County, Tennessee

PROJECT LOCATION MAP
 ALTERNATIVE B
 SHEET 4

LEGEND
 EXISTING PAVEMENT TO BE REMOVED

CONSTRUCTION LIMITS

CONSTRUCTION LIMITS

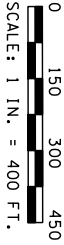
APARTMENT COMPLEX

OLD STAGE RD.

SR 126

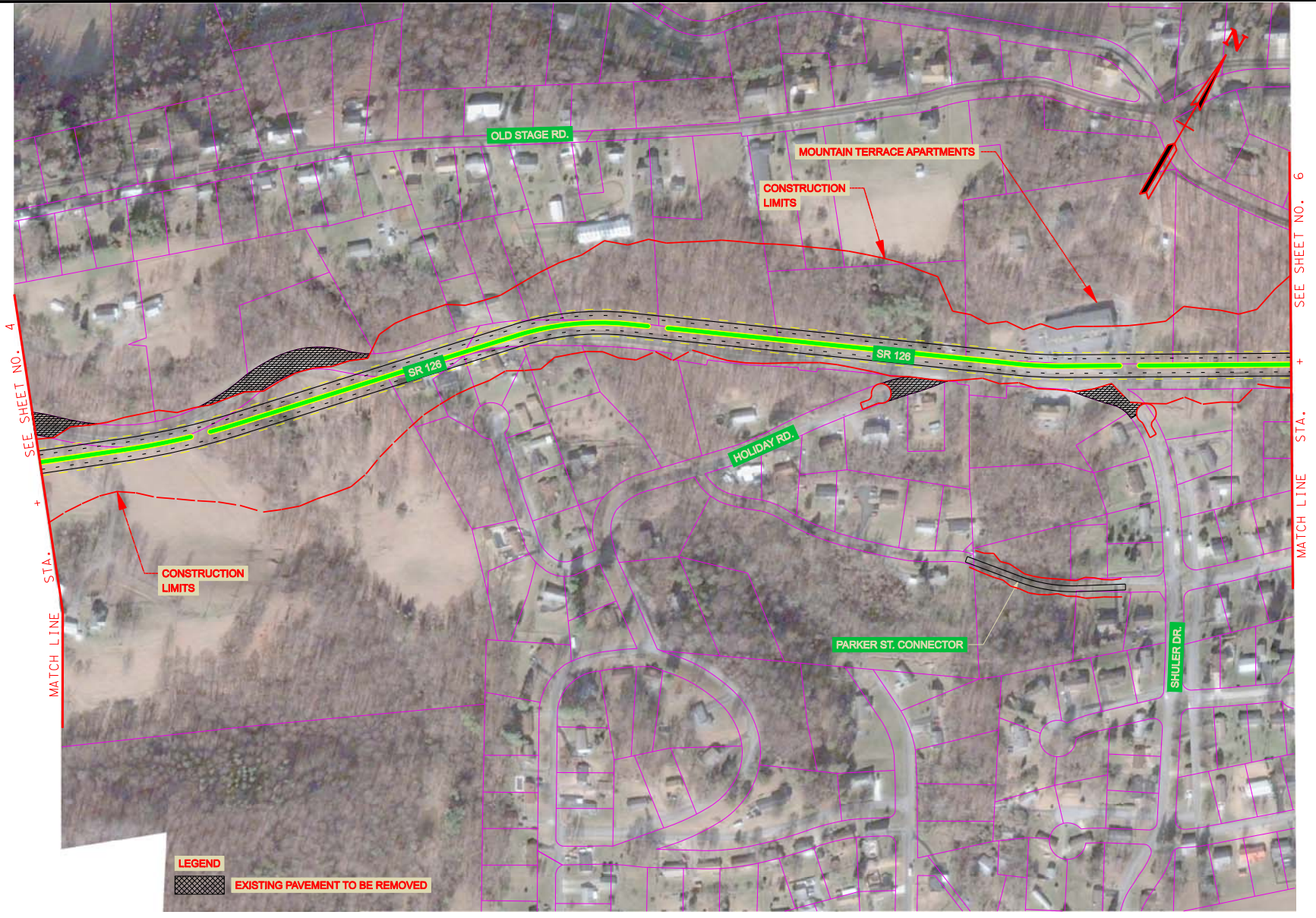
TANGLEWOOD RD.

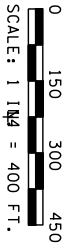
BRIARWOOD RD.



SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

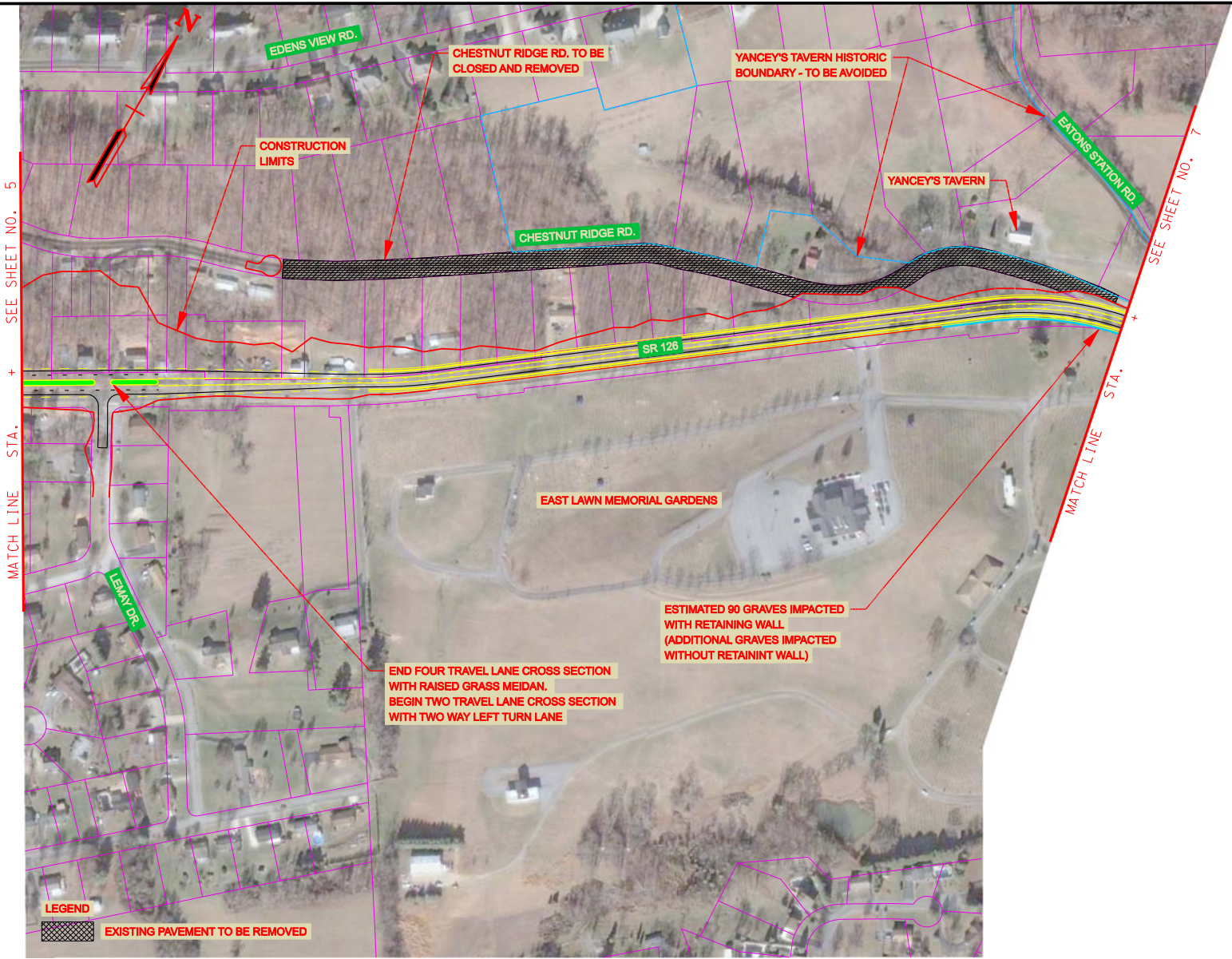
PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 5





SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 6



LEGEND
 EXISTING PAVEMENT TO BE REMOVED

END FOUR TRAVEL LANE CROSS SECTION WITH RAISED GRASS MEIDAN.
 BEGIN TWO TRAVEL LANE CROSS SECTION WITH TWO WAY LEFT TURN LANE

ESTIMATED 90 GRAVES IMPACTED WITH RETAINING WALL
 (ADDITIONAL GRAVES IMPACTED WITHOUT RETAININT WALL)

CONSTRUCTION LIMITS

CHESTNUT RIDGE RD. TO BE CLOSED AND REMOVED

YANCEY'S TAVERN HISTORIC BOUNDARY - TO BE AVOIDED

YANCEY'S TAVERN

CHESTNUT RIDGE RD.

SR 126

EAST LAWN MEMORIAL GARDENS

LEMAY DR.

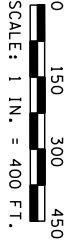
EDENS VIEW RD.

MATCH LINE STA.

SEE SHEET NO. 7

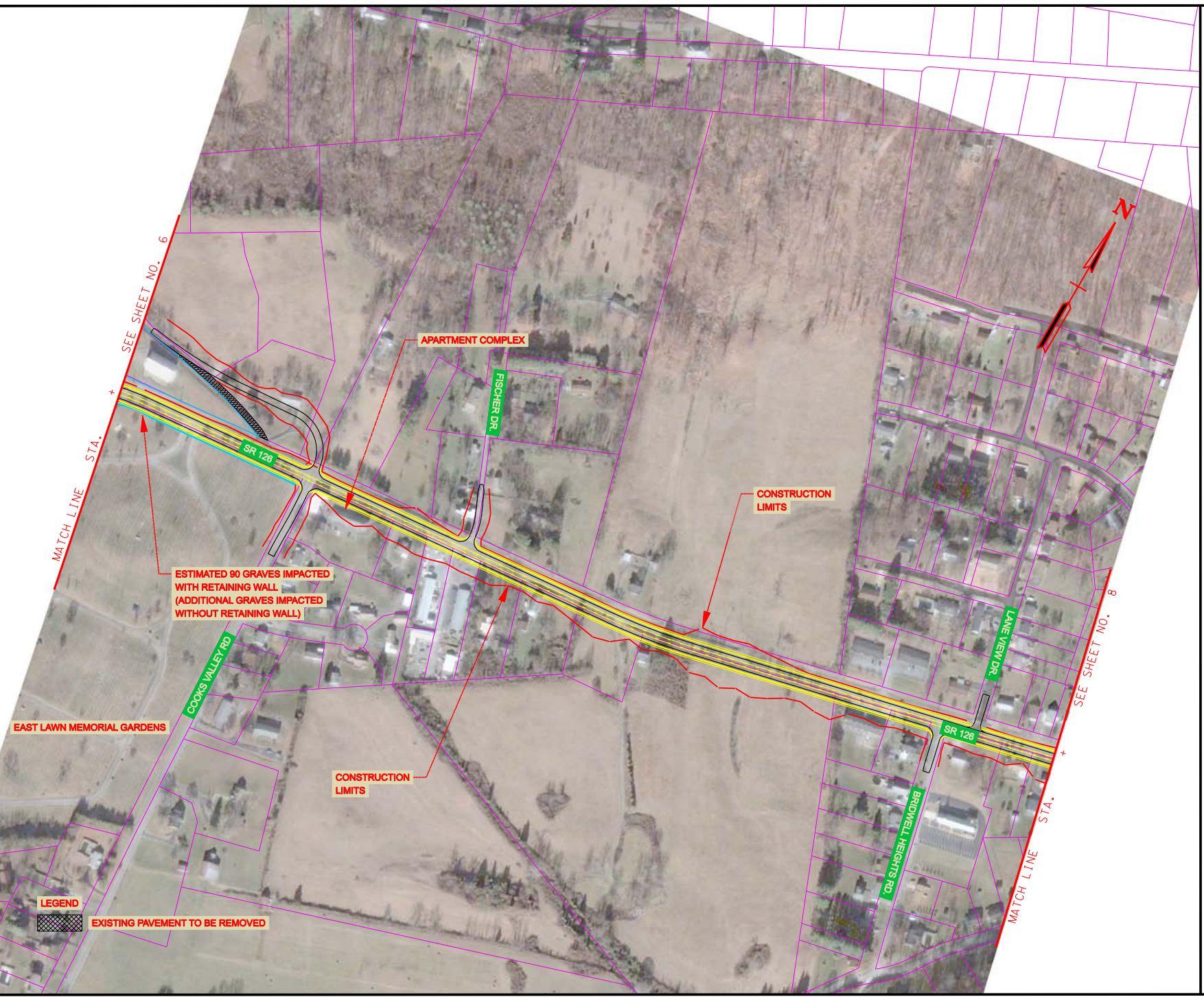
SEE SHEET NO. 5

MATCH LINE STA.

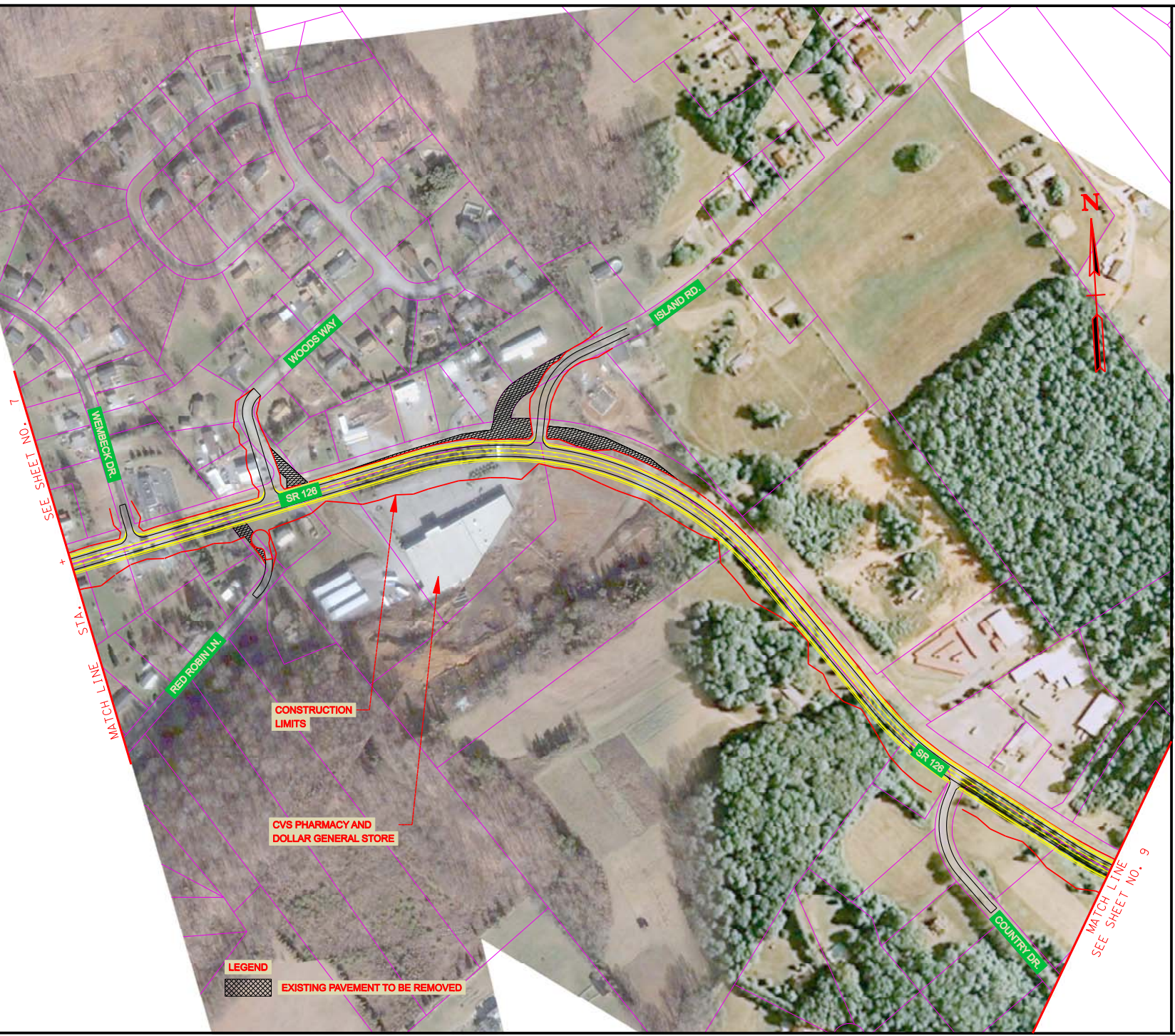


SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 7



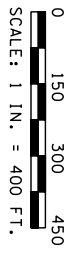
LEGEND
EXISTING PAVEMENT TO BE REMOVED



CONSTRUCTION LIMITS

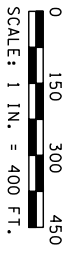
CVS PHARMACY AND DOLLAR GENERAL STORE

LEGEND
EXISTING PAVEMENT TO BE REMOVED



SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 8

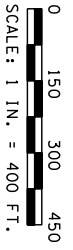


SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 9



LEGEND
EXISTING PAVEMENT TO BE REMOVED

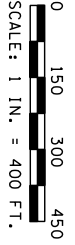
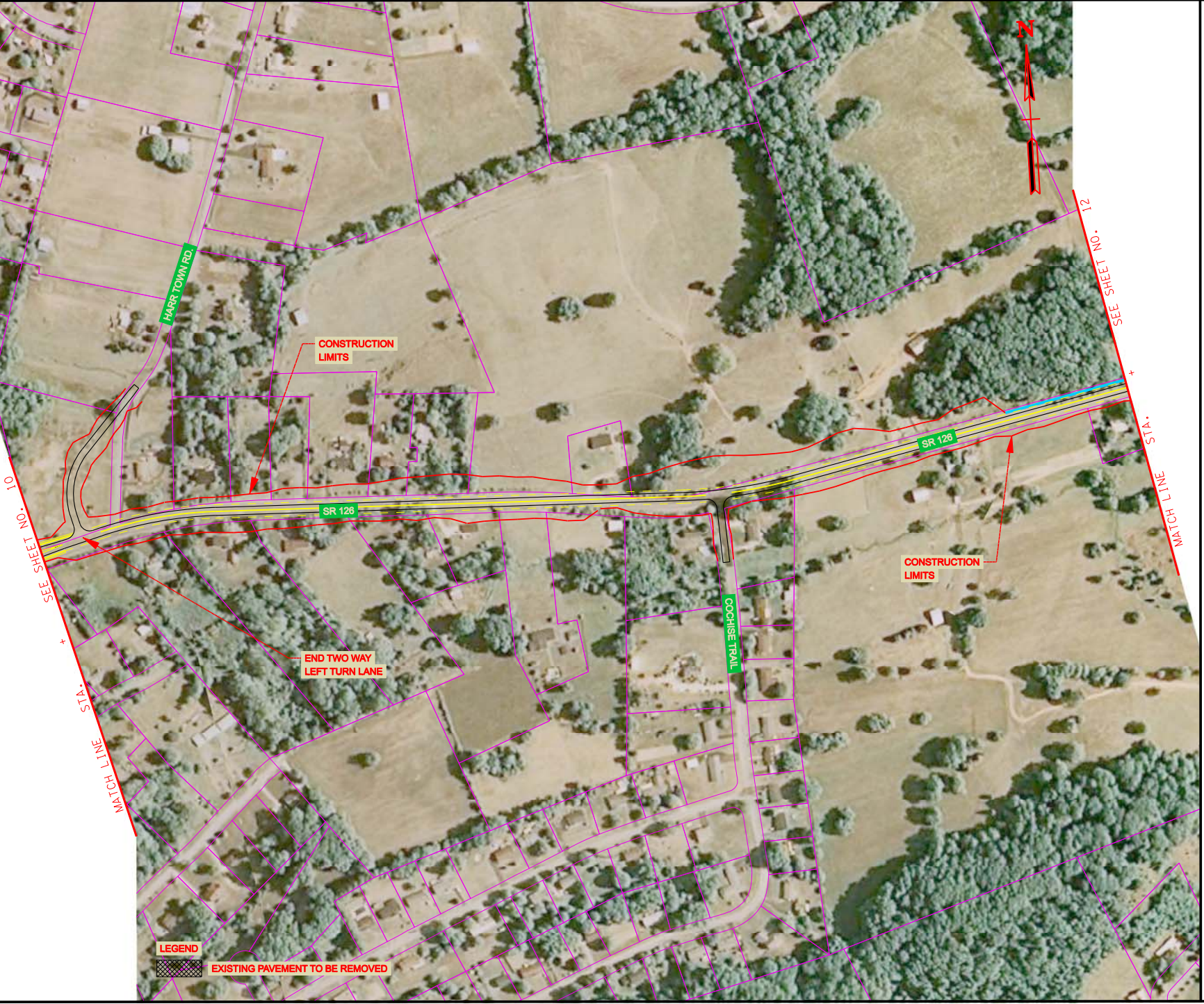


SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 10



LEGEND
[Hatched Box] EXISTING PAVEMENT TO BE REMOVED



SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 11

LEGEND

 EXISTING PAVEMENT TO BE REMOVED



CONSTRUCTION LIMITS

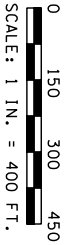
SR 126

SARLOLA RD.

CONSTRUCTION LIMITS

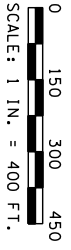
LEGEND

EXISTING PAVEMENT TO BE REMOVED



SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

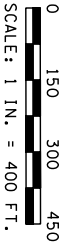
PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 12



SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

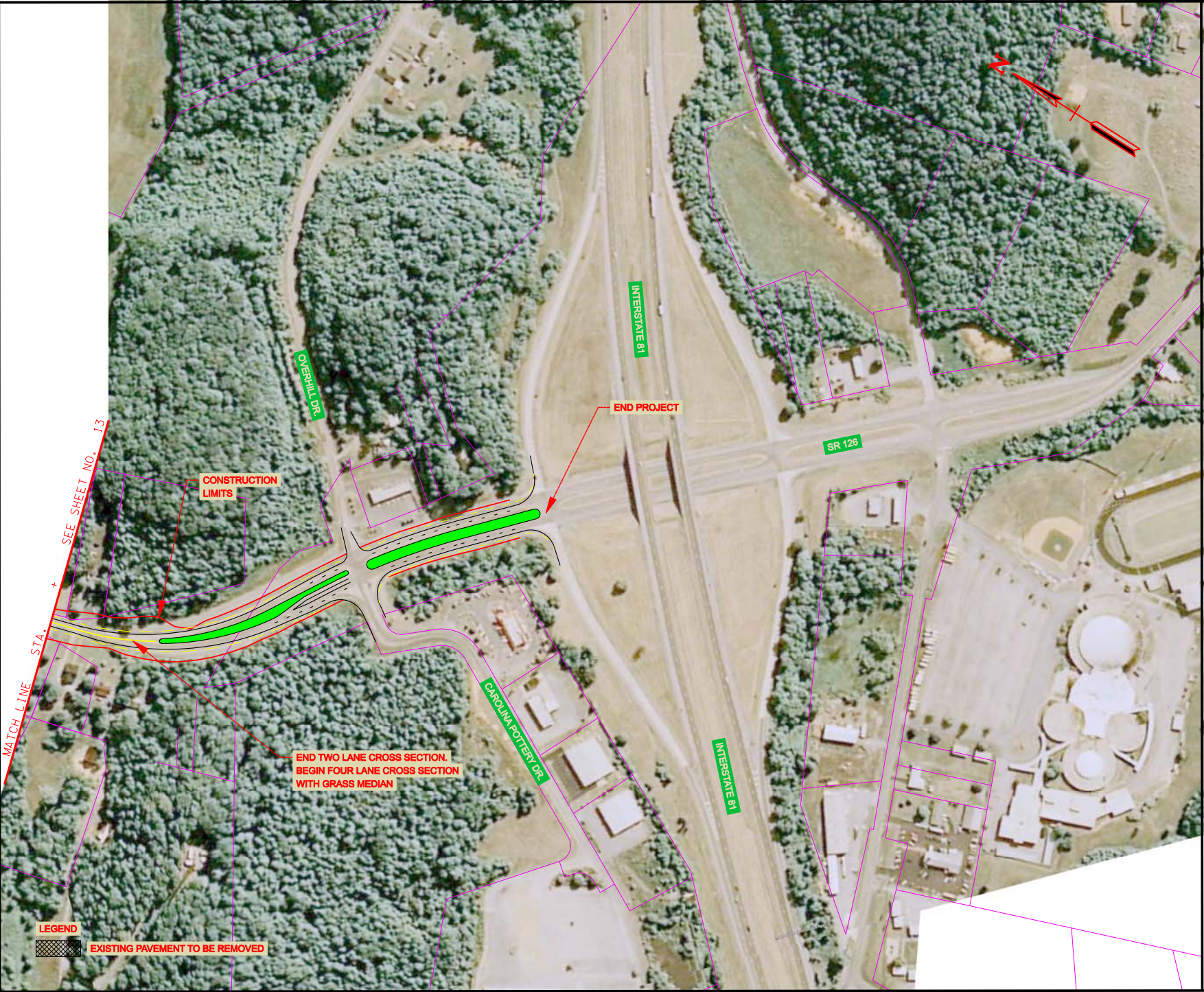
PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 13





SR 126 Improvement Project
From East Center Street to I-81
Sullivan County, Tennessee

PROJECT LOCATION MAP
ALTERNATIVE B
SHEET 14



LEGEND



EXISTING PAVEMENT TO BE REMOVED

**APPENDIX E CONTEXT SENSITIVE SOLUTIONS CONCEPTUAL
ALTERNATIVES**

Summary of Cross Section Elements from Concepts A, B, & C

Section 1 West -- East Center Street to Orebank Road

	Concept A	Concept B	Concept C
Design speed	35	35	35
Travel lanes	1 eastbound and 1 westbound (14' each)	2 eastbound and 2 westbound (11' each)	2 eastbound and 2 westbound (11' each)
Median	Raised landscaped	Center turn lane	Raised landscaped
Bikeways	Share travel lane	4' shoulder	4' shoulder
Sidewalks	Yes	Yes	Yes
Curb and Gutter	Yes	Yes	Yes
Special features	One-lane roundabout at East Center Street		Roundabout with flared right turns at East Center Street (alternate option is signalized intersection)
Access Notes	Median openings and turn lanes at Central Street, Conway Drive, Woodside Drive, and Orebank Road	No access restrictions	Median openings and turn lanes at Central Street, Conway Drive, Woodside Drive, and Orebank Road

Section 1 East -- Orebank Road to West of Hawthorne Street

	Concept A	Concept B	Concept C
Design speed	35	35	35
Travel lanes	2 eastbound and 2 westbound	2 eastbound and 2 westbound	2 eastbound and 2 westbound
Median	Raised landscaped	Center turn lane	Raised landscaped
Bikeways	4' shoulder	4' shoulder	4' shoulder
Sidewalks	Yes	Yes	Yes
Curb and Gutter	Yes	Yes	Yes
Special Features	None	none	none
Access Notes	Median opening at eastern driveway for Sun Bridge Hillside Care and Rehab	No access restrictions	Median opening at eastern driveway for Sun Bridge Hillside Care and Rehab

Section 2 -- West of Hawthorne Street to Harbor Chapel Road

	Concept A	Concept B	Concept C
Design speed	35	35	35
Travel lanes	2 eastbound and 1 westbound	1 eastbound and 1 westbound	2 eastbound and 2 westbound
Median	No	Center turn lane	Center turn lane
Bikeways	4' shoulder	4' shoulder	4' shoulder
Sidewalks	Yes	Yes	Yes
Curb and Gutter	Yes	Yes	Yes
Special Features	None	none	none
Access Notes	None	none	none

Section 3 West -- Harbor Chapel Road to East of Old Stage Road

	Concept A	Concept B	Concept C
Design speed	35	45	45
Travel lanes	2 eastbound and 1 westbound, west of Briarwood Road; 1 eastbound and 1 westbound, east of Briarwood Road	1 eastbound and 1 westbound	2 eastbound and 2 westbound
Median	None west of Briarwood Road; a center turn lane east of Briarwood	Center turn lane	Raised landscaped
Bikeways	4' shoulder on both sides	4' shoulder on north side 10' stabilized (8' paved) shoulder on south side	8' stabilized (6' paved) shoulder on both sides
Sidewalks	Yes	Yes on north side only	Pedestrians use shoulder
Curb and Gutter	Yes	Yes on north side only	No
Special Features	None	none	none
Access Notes	None	none	none

Section 3 East -- East of Old Stage Road to Cooks Valley Road

	Concept A	Concept B	Concept C
Design speed	45	45	45
Travel lanes	1 eastbound and 1 westbound	1 eastbound and 1 westbound	2 eastbound and 2 westbound
Median	Centerline rumble strip	Center turn lane or raised barrier	Raised landscaped
Bikeways	8' stabilized (6' paved) shoulder on both sides	4' shoulder on north side 10' stabilized (8' paved) shoulder on south side	8' stabilized (6' paved) shoulder on both sides
Sidewalks	Pedestrians use shoulder	Yes on north side only	Pedestrians use shoulder
Curb and Gutter	No	Yes on north side only	No
Special Features	None	none	none
Access Notes	None	none	none

Section 4 -- Cooks Valley Road to Cochise Trail

	Concept A	Concept B	Concept C
Design speed	45	45	45
Travel lanes	1 eastbound and 1 westbound	1 eastbound and 1 westbound	2 eastbound and 2 westbound
Median	Centerline rumble strip	Center turn lane	Raised landscaped
Bikeways	8' stabilized (6' paved) shoulder on both sides	6' shoulder on both sides	8' stabilized (6' paved) shoulder on both sides
Sidewalks	Pedestrians use shoulder	Yes	Pedestrians use shoulder
Curb and Gutter	No	Yes	No
Special Features	None	none	none
Access Notes	None	none	none

Section 5 -- Cochise Trail to Interstate 81

	Concept A	Concept B	Concept C
Design speed	45	45	45
Travel lanes	1 eastbound and 1 westbound	1 eastbound and 1 westbound	2 eastbound and 2 westbound
Median	Centerline rumble strip	Center turn lane	Raised landscaped
Bikeways	8' stabilized (6' paved) shoulder on both sides	10' stabilized (8' paved) shoulder on both sides	8' stabilized (6' paved) shoulder on both sides
Sidewalks	Pedestrians use shoulder	Pedestrians use shoulder	Pedestrians use shoulder
Curb and gutter	No	No	No
Special Features	Modify the two to four- lane transition area near Overhill Drive to provide longer tapers and better advance warning and sight distance	Modify the two to four- lane transition area near Overhill Drive to provide longer tapers and better advance warning and sight distance	Correct deficient curve west of Overhill Road and narrow existing median width at Overhill Road / Carolina Pottery intersection to improve safety
Access Notes	None	none	none