PMC-EF2a
(2.04.02)

U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION

RECIPIENT: Metro Nashville & Davidson County **STATE:** TN

PROJECT TITLE : EECBG Program Music City Bikeway

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-00013	EE0000956.002		0

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

B5.1 Actions to conserve energy, demonstrate potential energy conservation, and promote energy-efficiency that do not increase the indoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, designers), organizations (such as utilities), and state and local governments. Covered actions include, but are not limited to: programmed lowering of thermostat settings, placement of timers on hot water heaters, installation of solar hot water systems, installation of efficient lighting, improvements in generator efficiency and appliance efficiency ratings, development of energy-efficient manufacturing or industrial practices, and small-scale conservation and renewable energy research and development and pilot projects. The actions could involve building renovations or new structures in commercial, residential, agricultural, or industrial sectors. These actions do not include rulemakings, standard-settings, or proposed DOE legislation.

Rational for determination:

The Metropolitan Government of Nashville and Davidson County would continue development of the "Music City Bikeway" by constructing a new 4.6 mile branch that would connect White Bridge Road (where the existing Richland Creek Greenway currently terminates) with Percy Warner Park. Approximately 2.1 miles of the new bikeway would consist of greenway construction, and the remainder would be created on existing roadways and consist of new signage and bikeway markers. The proposed bikeway would be developed in a total of seven segments.

Segment 1 would run from White Bridge Road to the north side of Davidson Road and consist of approximately 6,200 linear feet (lf) of greenway and approximately 400 lf of boardwalk. The boardwalk portion would consist of 400 feet of elevated wood post, frame and joist on concrete foundations with wood or composite decking. The boardwalk path would be approximately 9 feet in width with a 42" guard rail along the entire length. The boardwalk would allow the bike path to safely transition beneath two existing bridge structures; Old White Bridge and White Bridge Road, where the greenway segment would begin. The greenway segment would consist of a 12' wide (maximum) asphalt or pervious concrete, where appropriate, path, that would run along the north side of existing railroad tracks and Richland Creek. The majority of segment 1 would be located within the FEMA Flood Zone AE (an area inundated by 100-year flooding, for which Base Flood Elevations have been determined) and floodway for Richland Creek.

Segment 2 would run from the south side of Davidson Road to the north side of Leake Avenue and consist of approximately 4,000 lf of greenway, including an approximately 40 foot prefabricated bridge that would cross Jocelyn Hollow Branch (approximately 10 feet in width) near Leake Avenue. Preliminary plans propose a bridge of welded, steel, open truss construction with wood or composite decking, a 12' width, and 42-inch high railings on each side The greenway segment would again consist of a 12' wide (maximum) asphalt or pervious concrete, where appropriate, path, that would run along the south side of existing railroad tracks and to the north of Harding Pike. The City has indicated that bridge abutments and/or footers will be located outside the floodway and meet all storm water regulations for obtaining a no-rise certification. The majority of segment 2 would also be located within the FEMA Flood Zone AE and floodway for Richland Creek.

Segments 3 through 6 would run along approximately 11,800 lf of existing paved roadways starting from Harding Pike (at the intersection with Leake Avenue) to Percy Warner Blvd., Percy Warner Blvd. to Vaughn's Gap Road, and from Vaughn's Gap Road to Highway 100. Shared signage and pavement markings would be installed to note the presence of the bikeway on these public roads

Segment 7, the final segment, would be an approximately 500 lf greenway segment constructed to run from Vaughn's Gap Road, paralleling Highway 100, to the Percy Warner Park Deep Well Entrance. The greenway would consist of a 12' wide (maximum) asphalt or pervious concrete, where appropriate, path.

Potential environmental impacts of the project and associated actions include:

• Land Use – Greenway construction will take place in previously undeveloped areas, adjacent to railroad tracks and nearby residences however, the development would be limited to installation of the proposed bike path which would have minimal impact on the land as it currently exists. As noted below, the majority of greenway work will occur within the existing floodplain which puts significant constraints on other types development in the area. Therefore the presence of a bike path is a more compatible use. Additionally, the proposed path is part of the City's Greenway Master Plan. The proposed greenway segments would be installed on both public and private land. The City would request public easements from private owners to develop the greenway segments where necessary.

• Floodplain – Approximately 10,000 lf of greenway (the majority of segments 1 and 2) would be constructed within the 100 year floodplain of Richland Creek. While the proposed path will be located within the floodplain, construction will take place at existing grade and not require more than nominal fill to achieve level surfaces. The presence of the path will not create impediments to stormwater flow that would contribute to increased flood levels upstream. The City has indicated that, "all portions of the project within the floodplain are subject to Metro's storm water regulations and will not impact flooding. Floodplain portions will be compliant with all applicable local, state, and federal storm water and floodplain regulations. It is anticipated that a "no-rise" certification will not be needed, but it will be obtained if necessary. The City has also indicated that, "The design consultant will, per standard operating procedures for Metro Nashville Greenways, adhere to all applicable regulations regarding the floodplain, including compliance with the U.S. Fish and Wildlife Service review for determination of no adverse impact to wetlands or endangered or threatened species, will not involve placement of dredge and/or fill material into waters of the U.S., including wetlands, will comply with Executive Order 11988 Floodplain Management, obtain a NPDES Construction General Permit from the Tennessee Division of Water pollution Control, not increase noise levels or air quality impacts to sensitive receptors, and comply with Wild and Scenic Rivers."

• Wetlands – Wetlands are present in the area of proposed segments 1 and 2. The final bikeway design has not been completed; therefore the extent to which wetlands may/would be impacted by the bikeway can not be determined at this time. The City has indicated that during the survey phase of the project the minimization of wetland impacts would be part of the siting criteria. Until such time as a final design is known, wetland impacts can not be evaluated.

• Vegetation – The Greenway portions of the proposed bikeway consist of a mix of grassy areas and tree/shrub areas (in addition to wetlands as discussed below). Based on the review of aerial images the highest tree density is within segment 1. The City has indicated that tree removal will be required to install the bike path. While exact removal details are not known, the City has also indicated that during the survey stage to establish the final bike path they would make every effort to preserve mature canopy. While some canopy may be removed, conditions will still exist outside of the path and any required buffer to allow for additional planting and natural revegetation.

While wetland impacts can not yet be determined, there would be no or negligible impacts to cultural resources, air quality, visual resources or other sensitive resources.

The project constitutes efforts to conserve energy and, within the limitations prescribed below, is categorically excluded under NEPA under B5.1.

NEPA PROVISION

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:
Installation of greenway bike segments within wetlands is prohibited without the prior review of DOE. Prior to construction the RECIPIENT shall consult with DOE if any greenway segments as described above are proposed to fall within or impact wetlands.

Installation of greenway bike segments that require more than nominal fill for the purpose of leveling the path to complete construction at existing grade is prohibited without the prior review of DOE. Prior to construction the RECIPIENT shall consult with DOE if any greenway segments as described require more than nominal fill to achieve level paths at existing grade.

This restriction does not preclude you from:
This does not prohibit the RECIPIENT from implementing components of the proposed project outside of greenway

construction within wetlands, and consulting with the US Army Corps of Engineers, U.S. Fish and Wildlife Service and/or Tennessee Department of Environment and Conservation with respect to evaluating potential impacts or mitigation measures associated with developing greenways segments through wetlands.
If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

Insert the following language in the award:

You are required to:
Recipient shall ensure the safety and structural integrity of any repair, replacement, construction and/or alteration performed under this project.

All portions of the project within the existing floodplains shall be subject to Metropolitan Nashville – Davidson County's storm water regulations. Floodplain portions shall also be compliant with all applicable local, state, and federal storm water and floodplain regulations.

Prior to the expenditure of Federal funds the recipient has the affirmative responsibility to ensure that it has a waste management plan addressing waste generated by their proposed actions. The plan will describe the plan to dispose of any sanitary or hazardous waste, e.g. construction and demolition debris, old light bulbs, lead ballasts, piping, roofing materials, discarded equipment, debris, packaging materials, asbestos, etc. generated as a result of the proposed project. The recipient must ensure that it will comply with all federal, state and local regulations for waste disposal.

Note to Specialist :

None Given.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____ Date: 6/7/10
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

☐ Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

☐ Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
☐ Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____ Date: _____
Field Office Manager