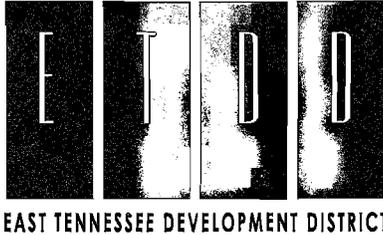


**Appendix G – Comments on the Draft Environmental Assessment**

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March 5, 2009

Mr. Daniel H. Ferry, Senior Manager  
Environmental Services and Programs  
Office of Environment and Research  
Tennessee Valley Authority  
400 West Summit Hill Drive  
Knoxville, TN 37902

Dear Mr. Ferry:

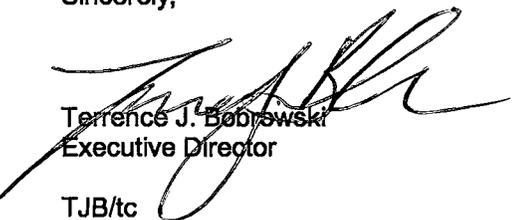
**SUBJECT: Result of Regional Review  
Tennessee Valley Authority - Draft Environmental Assessment for Mesana  
Investments LLC d/b/a Jefferson Park Subdivision in Knox County**

The East Tennessee Development District has completed its review of the above mentioned proposal, in its role as a regional clearinghouse to review state and federally-assisted projects.

ETDD review of this proposal has found no conflicts with the plans or programs of the District or other agencies in the region. However, ETDD or other reviewing agencies may wish to comment further at a later time.

We appreciate the opportunity to work with you in coordinating projects in the region.

Sincerely,



Terrence J. Bobrowski  
Executive Director

TJB/tc



Date Rec'd: 3/16/09  
Saved: Fixed Docks  
Sent to: MS + ER  
File: ✓

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

March 5, 2009

Dr. Thomas Maher  
Tennessee Valley Authority  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902-1499

RE: TVA, FIXED DOCKS/TRM 616.4R, UNINCORPORATED, KNOX COUNTY

Dear Dr. Maher:

Pursuant to your request, this office has reviewed documentation concerning the above-referenced undertaking received Wednesday, March 4, 2009. This is a requirement of Section 106 of the National Historic Preservation Act for compliance by the participating federal agency or applicant for federal assistance. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

Considering available information, , and in accordance with our previous correspondence with your office, we find that the project as currently proposed will not adversely affect any property that is eligible for listing in the National Register of Historic Places. Therefore, this office has no objection to the implementation of this project. Please direct questions and comments to Jennifer M. Barnett (615) 741-1588, ext. 105. We appreciate your cooperation.

Sincerely,

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

EPM/jmb

Rec'd 4/14/09



Doc. Type: EA Administrative Record  
Index Field: Public Comment  
Project Name: Jackson Park Comm. Ass.  
Project No.: 2008-60

STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

Recreation Educational Services  
10th floor - L&C Tower  
401 Church Street  
Nashville, Tennessee 37243

March 17, 2009

Daniel H. Ferry, Senior Manager  
Tennessee Valley Authority  
Environmental Services and Programs  
Environmental Stewardship and Policy  
400 Summit Hill Drive  
Knoxville, TN 37902-1401

**RE: Tennessee Valley Authority-Draft Environment Assessment (DEA) – Mesana Investments LLC proposed Community Facilities, Fort Loudoun Reservoir, Knox County, TN**

Dear Mr. Ferry:

Thank you for including this agency on your review contact list for the above referenced document.

After research of our office's files, we can locate no occasion where the proposed Community Facilities, Fort Loudoun Reservoir would not impact either a federal or state recreation funded grant administrated by this division. Therefore, we have no involvement in the subject area from a state or federal level.

Sincerely,

*Mark Tummons*  
Mark Tummons, CPRP  
Director

MT/lh



# United States Department of the Interior

RECEIVED  
4/6/09 pm

FISH AND WILDLIFE SERVICE  
446 Neal Street  
Cookeville, TN 38501

April 2, 2009

Ms. Peggy Shute  
Tennessee Valley Authority  
Heritage Resources  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902-1499

Re: FWS #09-0307

Dear Ms. Shute:

Thank you for your letter and enclosures of March 3, 2009, concerning the draft environmental assessment (DEA) to evaluate the impacts of the proposed Mesana Investments community facilities project at Little Turkey Creek Miles 1.8L and 2.0L, Loudoun Reservoir, Knox County, Tennessee. The DEA states that the water use facilities would include the construction of two fixed community docks at common lots along 1,334 linear feet of shoreline. It would also include a boat launching ramp adjacent to one of the community docks. Community Dock A would be covered and would measure 58 feet wide by 110 feet long and be capable of mooring 16 boats. Community Dock B would be uncovered and provide mooring for 22 boats. A nonpotable water intake would be attached to both docks to irrigate the two common lots. It would also require approximately 1,334 linear feet of bank stabilization with rip-rap along the shoreline at the proposed facilities. Fish and Wildlife Service personnel have reviewed the information submitted and we offer the following comments.

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.

Assuming all special conditions to minimize Environmental impacts listed in Chapter 5 of the DEA are strictly followed during construction and throughout the life of the project, we concur that the proposed actions would result in no significant adverse impacts to fish and wildlife species.

These constitute the comments of the U.S. Department of the Interior in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Please contact Robbie Sykes (telephone 931/528-6481, ext. 209) of my staff if you have questions regarding the information provided in this letter.

Sincerely,

A handwritten signature in cursive script that reads "Lee A. Barclay".

Lee A. Barclay, Ph.D.  
Field Supervisor

March 31, 2009

Mr. Daniel H. Ferry, Senior Manager  
Environmental Services and Programs  
Office of Environment and Research  
Tennessee Valley Authority  
400 West Summit Hill Drive  
Knoxville, TN 37902

RE: Draft Environmental Assessment – Mesana Investments LLC  
Proposed Community Facilities  
File No. 2008-00262

Dear Mr. Ferry:

As a follow-up to our letter of March 11, 2008, written by Thomas M. Hale, we continue to oppose the community dock facilities of Jefferson Park Subdivision.

We are owners of residences on lakefront lots in Mallard Bay Subdivision. We held the belief and understanding that the authors of the Draft Environmental Assessment for the above-referenced application were independent and objective, until we reviewed the Draft Report.

At the outset, one observation evident throughout the report deserves comment. The factor of obvious overriding concern to the authors of the report is that the applicant “fully recogniz[e] the economic benefits from his investment.”<sup>1</sup> (Draft Report, § 2.3(a)). Although this consideration is stated numerous times in the Draft Report (§§ 2.3(A) & (B), 3.4 Economics (p. 17), 3.5 Cumulative and Secondary Impacts (p.19)), there is no further substantive analysis or data provided to quantify this gross generalization. Moreover, while the authors are overcome with concern for the applicant’s return on its investment, there is no quantification of the adverse

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<sup>1</sup> The Draft Environmental Assessment, Mesana Investments LLC d/b/a Jefferson Park Subdivision (File Number 2008-00262), February 27, 2009 will be referred to herein and cited as “Draft Report,” followed by the citation to the section number where the cited material is located.

impact upon the return on investment to the owners of lakefront lots in the neighboring subdivisions by the unique opportunity to provide seasonal moorage to the back-lying lot owners in Jefferson Park. The closest the Draft Report comes is in the unsubstantiated and unsupported conclusion that "because the proposal is similar in nature to the existing neighborhood facilities, it would not have a negative effect upon currently owned or future properties of these nearby subdivisions." (Draft Report, § 3.4, p. 17).

In fact, there are no other neighboring subdivisions that provide anything approaching or similar to the plan proposed by the applicant. The applicant seeks to provide moorage for 73 additional boats, including 38 docks for interior lot owners, and all that goes with such a fleet. In addition, the applicant proposes a ramp for an untold number of the other potential 200 residents of the subdivision to put in additional boats. The neighboring subdivisions only provide docks for lakefront lots, a ramp and short piers where only one or to three boats can temporarily moor. Thus, the underlying premise supporting the authors' conclusion of no negative economic impact on neighboring property owners is false.

We respectfully submit that even if the premise was true, the stated conclusion as a matter of pure common sense simply does not follow. It is simply unreasonable to conclude that the addition of the proposed 38 boat docks for interior lot owners of Jefferson Park, together with the associated environmental and other effects admitted and acknowledged by the Draft Report, will have no negative economic impact on owners of property in neighboring subdivisions lying within the Little Turkey Creek embayment, a relatively small and confined area already populated by many waterfront lots.

Leaving aside the relative economics of those impacted, as noted, the Draft Report acknowledges environmental impacts that will result from the applicants proposed plan. With no quantitative analysis, those impacts are simply said by the authors throughout the Draft Report to be "minor." How the impacts are calculated to be "minor" is unstated in the Draft Report. The impact on the substrate is said to be "negligible." (Draft Report, § 3.2, p. 7) However, it appears that major excavation may be required before the proposed Dock B will fit into the area proposed. Moreover, the impacts of the applicant's plan on storm, wave, and erosion buffers, as well as shore erosion and secretion patterns are said to be "minor"; however, there is no quantifiable basis provided. (Draft Report, § 3.2, p. 9) The same can be said of the impact of the anticipated changes on aquatic sites, and the habitat for aquatic organisms, plants and wildlife, boating traffic, water safety, noise, conservation and aesthetics. (Draft Report, § 3.3, pp. 9-10) The impact of the proposal for additional boats to be housed in embayment on boating pressure and safety is noted, but is described as "slight" and "minor." (Draft Report, §3.4, p.12) No individual measures of these things are provided, nor is any attempt made to objectively determine the overall cumulative impact.

On behalf of all of those in the neighboring subdivisions, we submit that reason and commonsense dictate that the cumulative adverse effect of the several admitted environmental impacts, when coupled with the negative economic impact on the many, many existing owners'

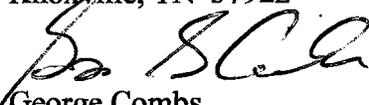
Mr. Daniel H. Ferry, Senior Manager  
March 31, 2009  
Page 3

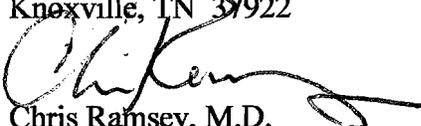
property values outweigh a single developer's need to receive a greater return on its investment in Jefferson Park Subdivision.

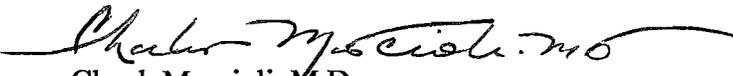
We further submit that reaching the conclusion we outline herein which supports denial of the permit does not require a hearing; however, if the decision makers are inclined to reach the unsupported conclusions set out in the draft report, a hearing should be held.

Yours truly,

  
Jeff Fuqua, M.D.  
12419 Mallard Bay Drive  
Knoxville, TN 37922

  
George Combs  
12317 Mallard Bay Drive  
Knoxville, TN 37922

  
Chris Ramsey, M.D.  
12325 Mallard Bay Drive  
Knoxville, TN 37922

  
Chuck Mascioli, M.D.  
12501 Mallard Bay Drive  
Knoxville, TN 37922

cc: Ms. Deborah T. Tuck  
Mr. Stanford E. Davis

WOODS AT MONTGOMERY COVE  
HOMEOWNERS ASSOCIATION, INC.  
P.O. Box 24071  
Knoxville, Tennessee 37933

March 30, 2009

Hon. Daniel H. Ferry  
Tennessee Valley Authority  
Environmental Services and Programs  
Office of Environment and Research  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902

In re: Proposed Community Boat Docks on Little Turkey Creek, Miles 1.8 and 2.0, Right Bank Opposite Tennessee River Mile 616.4, Right Bank, Fort Loudon Reservoir, Knox County, Tennessee

Dear Mr. Ferry:

This letter is written in behalf of the officers of the Homeowners Association for the Woods at Montgomery Cove. We greatly appreciate the opportunity to express our sentiments regarding the proposed community boat dock facilities on Little Turkey Creek, Miles 1.8 and 2.0, Right Bank Opposite Tennessee River Mile 616.4, Right Bank, Fort Loudon Reservoir, Knox County, Tennessee. We believe the residents of our subdivision remain unanimously opposed to the proposed boat dock facilities.

TVA has expressed the following opinion in its Draft Environmental Assessment dated February 27, 2009 ("the Assessment"): "Approval of these community docks would meet the needs of the applicant, allow convenient lake access for subdivision residents, enhance market value of the development properties, and likely result in economic benefits to the developer and community." Our association takes issue with the opinions expressed in the Assessment.

There is no "need" of the developer for these other community boat docks, in an accurate sense of that term. More aptly there is a *desire* to maximize profits from the enterprise in which the developer is engaged. The desire of the developer to maximize profits is not a consideration that TVA should consider relevant in the calculus of deciding whether or not to approve these particular applications. To assist one particular entity, such as this developer, to make a profit should not be part of any reason for approving or disapproving the

applications. A primary goal of TVA has not been to assist private individuals in making a profit when there are so many other considerations which would trump such a goal.

In viewing the Assessment, and in otherwise becoming aware of the sentiments of those other residents in the area of these boat docks, it is patently obvious that the vast majority of these other affected individuals are strongly opposed, as we are, to the project. A proper goal of TVA should be to respond to the sentiments of the majority of those who will be most directly affected by the project. When that very relevant consideration is brought to bear on the decision-making process, a very clear indication against approval is present. We request that TVA contact the landowners that would be affected (e.g., Montgomery Cove, the Woods at Montgomery Cove, Mallard Bay, Preston Park, Willow Cove and Taylor's Landing subdivisions) and officially record the results of the canvassing regarding the issue of whether these applications should be approved. We expect that the overwhelming majority will voice vehement opposition to the proposals.

The statement that the approval would allow convenient lake access for inland subdivision residents is accurate, so long as it is emphasized that the "convenient lake access" would be limited to the residents of Jefferson Park subdivision. The inland residents of Montgomery Cove, the Woods at Montgomery Cove, Mallard Bay, Preston Park, Willow Cove and Taylor's Landing subdivisions would not benefit by allowing "convenient" water access. In fact, the access of the residents of these subdivisions would be less convenient, less enjoyable and more dangerous. There are no community boat docks in those subdivisions, and the residents of those subdivisions would be the victims of invidious discrimination, and there is no basis for the preferential treatment that would be bestowed on the inland residents of Jefferson Park subdivision. Is TVA prepared to set a precedent for granting community boat docks in all other similarly situated subdivision in this area?

The statement that the market values of Jefferson Park subdivision properties would be "enhanced" is also no doubt accurate. However, the real property values of the properties in the other subdivisions previously mentioned (Montgomery Cove, the Woods at Montgomery Cove, Mallard Bay, Preston Park, Willow Cove and Taylor's Landing subdivisions) would just as certainly be *decreased*. Again, it seems preposterous to invidiously discriminate against the other affected property owners, who would not only *not* enjoy any benefit from the preferential treatment, but would, in fact, suffer from the discriminatory preferential treatment.

We reject the statement that approval of the applications would "likely result in economic benefits to the developer and the community." We concede that the developer and the residents of Jefferson Park would enjoy economic

benefits from approval. It is unclear what the authors intended by the term "community" in the context of the Assessment document. We, and the other affected property owners outside of Jefferson Park, could not expect any "economic benefit," and, as indicated above, would suffer an economic *detriment* if the applications are approved. If there are facts and data which underpin the apparent conclusion by TVA that an economic benefit would result to entities other than those in Jefferson Park, we request that term be more clearly defined in the context of these applications, and we further request that some detailed analysis be provided that would underpin that assertion. Merely increasing tax revenues is not an economic benefit to the "community," and there are no other economic benefits cited.

We note the sentence in the report which reads, "Because the proposal is similar in nature to the existing neighborhood facilities, it would not have a negative effect upon currently owned or future properties of these nearby subdivisions." We categorically reject that conclusion. The conclusion reflected in the quoted sentence is an obvious non-sequitur, and ignores several other relevant considerations. The detriment to the other properties would in fact be palpable, and any "similarity" of the facilities would not counter that effect. Moreover, what is the similarity? The boat docks in the other subdivisions to our knowledge are exclusively single resident/user docks. A community boat dock is significantly *dissimilar* in many respects to a single resident/use dock.

The health and safety issues have been addressed before, by not only our subdivision representatives, but by others similarly affected. It appears that TVA has glossed over those very important considerations. Our particular cove is very narrow, very shallow, and already has too much water vehicle traffic. Those health and safety considerations need to be more properly addressed, and we request that much more work in that regard is completed before TVA further considers these applications.

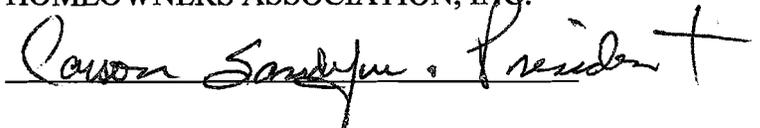
We feel that the conclusions reached in the initial report are largely speculative, not well researched or supported, and slanted in favor of approval. We strongly oppose approval of the projects, and request that the applications be denied.

Thanking you for your consideration, we are

Yours truly,

WOODS AT MONTGOMERY COVE  
HOMEOWNERS ASSOCIATION, INC.

BY:

 Carson Sandifer, President

GEORGE B. COMBS  
12317 MALLARD BAY DRIVE  
KNOXVILLE, TENNESSEE 37922

March 28, 2009

Mr. Stanford E. Davis, Senior NEPA Specialist  
Tennessee Valley Authority  
400 West Summit Hill Drive, WT 11D  
Knoxville, TN 37902

*Via: Fax 865-632-3451  
U.S. Postal Service*

Dear Mr. Davis,

I have reviewed the information contained in the TVA Draft Environmental Assessment (DEA) of the proposed community boat docks for the interior lots of Jefferson Park subdivision.

First and foremost, no other neighborhood in the Little Turkey Creek area has a community boat dock for boat storage. Trying to draw a parallel or establish a precedent between the proposed boat storage docks for Jefferson Park and the day docks that exist in the other neighborhoods (e.g. Mallard Bay, Montgomery Woods) is refutable. People don't wash or service their boats on day docks. No one is denied access to the water. There happens to be a marina ½ mile away and a number of community parks, boat ramps, and recreation areas even closer. These exist for all of us, including the residents of Jefferson Park.

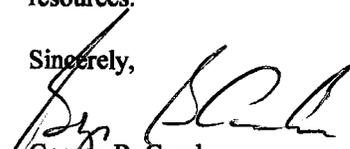
Secondly, it is irrefutable the proposed community boat docks would result in increased noise pollution, increased water pollution, increased air pollution, light pollution, decreased oxygen content in the water, and would only worsen as the neighborhood is built out. So says TVA. It is irresponsible on the part of TVA to produce a document that tries to minimize this environmental impact "to enhance market value" of a single individual. This document clearly shows TVA to be reckless stewards of our resources and environment. Quite frankly, I am ashamed to have read it. I can see why TVA is coming under increased scrutiny for contributing to environmental pollution. It is justified.

Thirdly, I have been boating on TVA waters for the past 15 years and have lived in Mallard Bay for the past two. The Little Turkey Creek area has become increasingly congested. A day doesn't go by in the summer that I don't see a near miss or accident waiting on the waters behind my house. For TVA to say that the increased congestion will not "jeopardize" boaters as long as they practice safe boating practices is BEYOND IRRESPONSIBLE on the part of TVA. If we could eliminate boating accidents by simply telling everyone to practice safe boating then we wouldn't need TWRA to police the water anymore. The unfortunate reality is few boaters know safe boating practices and even fewer practice them. It is what it is.

I find it interesting some of the letters previously sent in protest of the Jefferson Park community boat docks seem to be missing from your file, including mine.

I am opposed to community boat docks other than day docks being built on Little Turkey Creek and would challenge the DEA and approval in federal court. Denying community boat docks is in the best interest of the safety of the community and in the preservation of the environment. Approving community boat docks would limit access to publicly owned resources, would obstruct navigation (by TVA stating the docks must have navigation lights is admitting to obstructing navigation), and adversely affect living and natural resources.

Sincerely,

  
George B. Combs

March 25, 2009

Mr. Daniel H. Ferry  
Sr. Manager  
Environmental Services and Programs  
Office of Environment and Research  
Tennessee Valley Authority  
400 West Summit Hill Dr.  
Knoxville, TN 37902

Dear Mr. Ferry:

I am including my comments for the Draft Environmental Assessment evaluating a proposal by Mesana Investments LLC to construct and operate two community docks. The Draft Environmental Assessment prepared by Stanford Davis is a fair review of the issues that are affecting the local community in developing these two common docks. The analysis for proposed activity which includes Chapter I seems to be complete; however, in Chapter II, the alternative analysis seems to fall short in offering any alternatives to the original proposal.

In Chapter II specifically 2.2 under heading C, there is no proposed action of special conditions offered. It seemed to every plan there is always alternatives that would be acceptable or even attempted compromises between the different parties.

The alternative proposal is for Mr. Scott Davis to construct two common docks **without** the ability of moorage. I believe this would give the people of this community access to swimming, fishing and lake recreation without the added adverse affect of providing a significant amount of boat traffic and loss of property value by viewing a "marina".

Several points of comparison were noted in the DEA and Mr. Scott Davis' letter comparing the two common docks. They compared these docks in structural size but failed to mention the fact that they differ in moorage capabilities. I believe that the structural size is comparable to the other common dock facilities but stress the important difference of moorage capabilities which make this proposal wholly different from the other common docks. Therefore, in Chapter II, an alternative proposal would afford Mr. Scott Davis the same rights and privileges as a common dock similar to the other neighborhoods without the ability of moorage. In Chapter III, a fair assessment was also performed in this chapter. Again, glossing over the main points and providing no specific facts to back up their assessments, a general consensus was made by both Sanford Davis and Scott Davis that the increase in boat traffic would be negligible.

Specifically Chapter 3.4 titled Water Related Recreation; Sanford Davis seems to almost echo the comments of Scott Davis. Comments taken from Sanford Davis directly state, "The two community docks at Jefferson Park would provide permanent moorage for 38

Page 2  
Cont.

boats, and convenient lake access to interior lot owners who would otherwise have less convenient access to the lake." I am not sure why only 38 boat slips were selected and why they are not concerned about the other 327 interior lot owners who would not be afforded this same convenience. The Davises seem okay with discriminating against these other individual inland lot owners. Why the fortunate 38 were selected, I do not know.

Also in Mr. Sanford Davis' further analysis, he indicated that TVA only assumes 25% boat stored at these new facilities would likely be used in a typical summer day but again he fails to recognize that there are approximately 327 homes in this neighborhood that could possibly use the reservoir by using the boat ramp and placing their boats into the water at the same time.

I think that he seems to be concentrating on these 38 boats alone and not the whole impact of the entire neighborhood! He also mentions that there will be a slow ramp up into this increased activity into the Little Creek embankment area. I am not sure that a ramp up should even be considered to any significant degree but final affects is all that matters to the community.

The only analysis that seems to be mentioned is this technical report which is entitled, "Boating Density Analysis-A comparison among Tennessee Valley Authority and other Federal, State, and Investor-owned utilities," technical report prepared by Jerry Foust. This report does not specifically compare or analyze the density in the Little Turkey Creek embayment area. This information would be imperative in order to base the decision or assessment of the boat traffic in this area.

A study of the boat density could be evaluated during this summer season to assess and verify the complaints of local home owners in this area. What is not considered in a lot of these comments is that this Little Turkey Creek and Turkey Creek embayment area is not part of the main channel and several boaters from local public boat ramps travel to this area in order to water ski and participate in recreation because this is off the main channel. During a normal summer day, it is impossible to waterski in this area due to the congestion and traffic in this area. The idea that at least 25% of the 327 homeowners and also the 25% of a 38 boat slips from the common docks is inconceivable. This is not a minor increase in boat traffic nor is this negligible. I think the error is really in not analyzing the impact of the whole neighborhood, not just the new 38 boat slips.

When an embayment is already at a high density level, increasing this density is significant and makes it dangerous for other boat users in the area and also for recreation of my family and others as far as swimming in this area.

Page 3  
Cont.

The next section on the same Chapter, Chapter 3.4 under Navigation, Mr. Sanford Davis again makes a comparison of the numerous private boat docks and/or community boat docks within the Little Turkey Creek embayment area and tries to do a comparison of the size of the boat docks with the proposed project. Again, this does not specify the key difference of moorage capabilities versus non moorage capabilities. Therefore, I would suggest that there should be an alternative to Mr. Scott Davis' request in that he should be afforded common docks of the same size as the other neighborhoods without the capability of moorage.

The next section which is Section 3.5, Mr. Sanford Davis makes the comment in the fourth paragraph that it would also be economically beneficial to the applicant in realizing a return in his investment to be allowed these two common docks. He also indicated that the local economy would likely benefit from the revenues associated with the recreational spending and increased property values. Again, these are two opinions of Mr. Sanford Davis that seem to mirror Scott Davis' beliefs.

Although they share the same last name, I am not sure they are two different individuals when reading this report. In Mr. Sanford Davis' word about Mr. Scott Davis' returns on investment, maybe he should be worried about other property owners in the area and their return on the investment.

I currently own a lot in Mallard Bay and also the Woods at Montgomery Cove which are on the lake. My vacant lot in Mallard Bay is right across from one of the proposed common docks. If he believes that my property value would be increased by looking at a covered 16 slip common dock facility, I believe he is gravely mistaken. An example would be the three common dock facility that was approved for the Mallard Bay development. This is referred to by Mr. Scott Davis in his letter. This common dock did not start out as a three slip common dock and was first permitted for a single floatable dock that measured 5 feet by 10 feet. This 10 foot by 5 foot dock was replaced by the current large three slip dock. This permit was actually unnoticed by several of the Mallard Bay residents and Montgomery Cove residents until the construction was already underway and nearly completed.

The property owner next to this common dock resides in the Woods of Montgomery Cove and is the owner of lot 200. He has lost value in his property that is adjacent to this structure because of the size of the structure. This common dock facility has actually been the reason for the uproar in the proposal of these other two common dock facilities. We are currently trying to stop past historical mistakes. If a loss in property value is experienced over a three slip common dock, I can only imagine the loss of property value when a 22 slip common dock gets approved and also a 16 slip common dock gets approved.

Page 4

Cont.

My proposal is that this project be placed on hold until a more appropriate density determination can be derived from the Little Turkey Creek embayment area. I think this would be the only fair and justifiable manner in seeing if this increase in density is negligible.

The concerns from the surrounding homeowners seem to echo the same cry which seems to be glossed over and not supported by any factual evidence. The concerns seem to be zeroed in on the return of value of Mr. Scott Davis. I believe that Tennessee Valley Authority and U.S. Army Corps of Engineers should stay consistent with their approval of permits to the already established community standard. I believe that the density in this area is severely underestimated and not factually determined.

I appreciate your concerns in this matter in trying to get a realistic and fair proposal for these two common docks that meets the concerns of all stockholders and community citizenry.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul L. Becker', written in a cursive style.

Paul L. Becker, MD

PLB/bb

Dear Ms. Tuck,

I have again reviewed the proposed plans for two marinas and a concrete boat launch for the residents of Jefferson Park. Additionally, I have reviewed Mr. Davis's comments to the Nashville District Corps of Engineers dated June 19th, 2008. As a resident of Mallard Bay, I am still vehemently opposed to the construction of the two marinas that would only benefit the interior property owners of Jefferson Park and would not provide any good for the general public. In Mr. Davis's letter dated June 19th, he makes a weak argument about the 3 slip dock that services lot 24, 25 and 26. His argument is that this dock provides dock access to 3 land locked properties, which in and of itself is incorrect. Lot 24 is a Lake front lot so the dock only provides 2 additional slips to interior lots. To try to compare 2 slips to an additional 38 boat slips is like comparing the Titanic to a small fishing boat. The two additional boat slips that service lots 25 and lot 26 were approved in Oct. of 2003 long before Little Turkey Creek Tributary had the immense number of developments and private docks that it currently has. This small water access currently serves 5 different developments (Jefferson Park, Montgomery Cove, Preston Park, The Woods at Montgomery Cove and Mallard Bay). I think it is admirable that Mr. Davis wants to provide the interior lots of his development lake access, but that can easily be accomplished with only building the 25' Boat Launch and a standard finger pier to service interior lots of Jefferson Park during the weekends. Additionally, this would be consistent with the development and lake access of all other neighborhoods in Knox and Blunt County's. This is a fair alternative and would keep the boat traffic in Little Turkey Creek to a safe and acceptable level and would certainly cause less environmental disruption. This solution achieves what Mr. Davis claims he is trying to do by providing lake access to those who may not be able to afford it, while maintaining property values of similar neighborhoods, protecting the eco-system and keeping Little Turkey Creek as a safe body of water from exponential boat traffic growth.

I hope the Nashville District Corps of Engineers will support this fair and equitable resolution to all who are involved.

Respectfully,

Gary A. Price

**From:** jackieannk tds.net [jackieannk@tds.net]

**Sent:** Saturday, April 04, 2009 5:04 AM

**To:** Davis, Stanford E

**Subject:** Comments on DEA for Jefferson Park Proposal, vile number 2008-00262

Dear Mr. Davis,

I realize 5 hours have passed since the deadline for submitting comments about the Draft Environmental Assessment for the proposed community facilities for Jefferson Park, file number 2008-00262. My computer crashed, preventing me to finish my submission.

I remain opposed to the proposal based on the following reasons:

1. The overall findings of the DEA suggest there would be "minor and insignificant impact" of this proposal on natural resources (page 21). The DEA states numerous times that the developer will install riprap to preserve the shoreline and prevent erosion. This has not been done to date despite several reports to Knox County Codes. The shoreline has eroded and mud has washed into the lake (page 7) particularly during the heavy rainfalls of December 2008 and the spring 2009. The developer has not demonstrated the ability to act according to published codes, leaving doubt that "best practices" would be followed during the construction of the facilities.
2. The DEA states there would be "minor site-specific and cumulative impact" from noise (page 14). There has already been an increase in noise due to the massive clearing of vegetation along the shoreline. Reverberation of train noise has increased. The noise will naturally increase as more homes are built, but even more so if 38 boats are moored in the area.
3. The DEA states there will be a minor impact on the "recreational boating opportunities" (page 12). The section also states that the proposed facilities are consistent with existing facilities at Concord Park and Concord Marina. The Concord facilities are PUBLIC facilities, not private. They are NOT consistent with surrounding NEIGHBORHOOD facilities.
4. Thirty-five individual docks have been approved for Jefferson Park. That is consistent with existing neighborhoods. When the number of individual docks (35) is combined with the number of boats at the mooring facility (38) the total of additional boats in the area is significant. This does not even include jet ski traffic. Page 12 states that "not all 73 boats from the community and neighborhood docks are expected to be on the reservoir at the same time." TVA "assumes" that all of these boats would not be in use on any given weekend day or holiday. However, the estimation of 26 additional boats in the reservoir on a summer holiday weekend will have a SIGNIFICANT impact and certain safety implications.
5. The DEA states the proposal is similar to surrounding community docks (page 12-Navigation). The community facilities for Mallard Bay and Montgomery Cove in particular are very DISSIMILAR. While these neighborhoods offer community DOCKS, they do NOT offer mooring facilities for 38 boats.
6. Page 18 states that "community docks and other day use facilities supporting about 400 homeowners have been approved in association with the Mallard Bay, The Woods at Montgomery Cove, Preston Park, Lakewood and Lakeside Estates communities." The facilities at Mallard Bay are community DOCKS, not community boat MOORING facilities. There is a vast difference between the two. While Mallard Bay offers temporary docking facilities and fishing piers, this is NOT the same as a facility for permanent storage of 38 boats.

7. Page 19 states that "boaters could be inconvenienced by increase users at public assess ramps and docs on summer weekends and holidays" due to the increase demand that might occur. A solution CONSISTENT WITH EXISTING COMMUNITIES is to offer a neighborhood boat launch, similar to Mallard Bay. This would provide access to land-locked lots in Jefferson Park. Please note that Montgomery Cove offers a DOCK, not a neighborhood boat launch.

8. There are numerous references throughout the document regarding the developer's investment. Page 17 addresses the allowance of "... the applicant to fully utilize the property to derive economic benefits from his investment." While that is every developer's dream, he cannot do so at the expense of environmental issues and to the detriment of surrounding neighborhoods. There is a great misunderstanding of the surrounding community facilities as evidenced by the statements that this proposal is similar to those.

9. The DEA states: "Because the proposal is similar in nature to the existing neighborhood facilities, it would not have a negative effect upon currently owned or future properties of these nearby subdivisions." Again, there is a misunderstanding of surrounding neighborhoods. Thirty-eight boats moored in a small cove WILL have an effect on current properties due to the increase of noise, pollution and aesthetic effects.

10. The present residents in Mallard Bay and Montgomery cove would like to enjoy full economic benefit and enjoyment of their investments by being able to swim around their individual docks without the reduction of space and increased traffic that would occur.

If the developer changed his proposal to offer community facilities consistent with Mallard Bay and Montgomery Cove, a community DOCK or BOAT LAUNCH would be in order. However, the suggestion that mooring 38 boats is consistent with existing facilities is false.

I would prefer to be contacted by email and regular mail.

Sincerely,  
Joe and Jackie Campbell  
12665 Bayview Dr.  
Knoxville, TN 37922  
865-671-3575  
[JackieAnnK@tds.net](mailto:JackieAnnK@tds.net)

**From:** charles mascioli [greygoosecjm@yahoo.com]

**Sent:** Sunday, April 05, 2009 5:08 PM

**To:** Davis, Stanford E

**Subject:** Jeffersaon Park Marina

Dear Mr Davis,

We need a hearing on Mr. Scott Davis's plan for TWO private marinas. There is not enough space between the shorelines to allow this without a tremendous effect on the residents of several subdivisions. Mr Davis states it will only effect six waterfront homes but this is quite untrue as the sound will travel. I invite you to come spend any summer day at Mallard Bay and you will see that the water is ALREADY quite congested and this will get worse will just the 72 shore based docks never mind two marinas! The only person who benefits is Mr. Davis! If he was so concerned about the interior lot owners he would have proposed a marina which was across from Boyd Station Rd. He did not because those lots were too valuable and the marina would be close to HIS personal residence. Thus he chose the part of the Jefferson Park shoreline he could not sell as waterfront lots. Please reconsider and allow a hearing or just deny this unwise proposal.

Thank you for your consideration,  
Chuck Mascioli  
Mallard Bay resident

**Jefferson Park Comments Received as of 3/23/09**

3/6/09

Damon Faulkner  
1107 Blue Teal Lane  
Knoxville, TN 37922

dwoffaulkner@charter.net  
865-405-9660

My primary concern is safety on this part of the lake. The community boat docks and ramp in Jefferson Park will dramatically increase the boat traffic and increase the likelihood of accidents. TVA should limit this cove to only individual resident dock permits. Thank you, Damon Faulkner

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3/11/09

Gary and Kathy Lafferty  
12401 Mallard Bay Drive  
Knoxville, TN 37922

glaff@charter.net  
865-288-0071

As a resident in a community (Mallard Bay) sharing the same bay area as Jefferson Park we want to express our concern with JP's plans to establish two docking area's to serve the homes inside the JP community. Our understanding is that this would add an additional 24 boats to this area beyond the waterfront lots. This small bay area is home to 5 communities, all having docks assigned to the lakefront properties. This is quite crowded already, add to that the JP proposed dockage and we will have significant problems from safety to pollution or gas / oil spill issues. We recognise that this waterfront community will need to offer dockage to lakefront lots, but strongly oppose the additional docks for the inside lots for the above reasons, also as a matter of precedent, if approved for JP, then why not the other communities. You need to nip it in the bud now. Thank You!

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3/17/09

Keven Bowdle  
12644 Woodcove Lane  
Knoxville, TN 37922

dkbowdle@charter.net  
865-671-0394

I personally have severe reservations regarding the addition of community boat docks in this area. The Montgomery Cove area of Turkey Creek is already a congested boat traffic area. The addition of this much more potential traffic and crowding of the waterway would pose a threat to safety. The navigable area is already narrow as it is, and this proposal will do nothing to improve the situation.