

**VEGETATION MANAGEMENT PLAN  
NICKAJACK SHORES DEVELOPMENT  
JASPER, TENNESSEE  
S&ME PROJECT NO. 1464-06-018**

Prepared for:

**NICKAJACK HOLDINGS  
1307 HIXSON PIKE  
CHATTANOOGA, TENNESSEE 37450**

Prepared by:

S&ME, Inc.  
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October 9, 2007

**Revised by Tennessee Valley Authority, March 10, 2008**

October 9, 2007

Nickajack Holdings  
1307 Hixson Pike  
Chattanooga, Tennessee 37450

Attention: Mr. Brandon Born

Subject: **Vegetation Management Plan**  
Nickajack Shores Development  
Jasper, Tennessee  
S&ME Project No. 1464-06-018

Dear Mr. Born:

S&ME, Inc. (S&ME) has completed a Vegetation Management Plan of the proposed Development of Tract XNJR-3PT (Nickajack Shores) in Marion County, Tennessee.

The Vegetation Management Plan was prepared as outlined in S&ME Proposal No. 6406031, dated April 26, 2006. This report presents our study methods, findings, and recommendations.

S&ME appreciates the opportunity to provide the vegetation management plan for this project. If you have any questions, please feel free to contact us at 423-826-2110.

Sincerely,  
S&ME, Inc.

Nancy Murphy  
Environmental Scientist

Mark C. Harrison, P.E., P.G.  
Branch Manager

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## Appendices

Appendix A: (these will be filed separately due to size constraints)

- Figure 1: Site Vicinity Map
- Figure 2: Property Boundary
- Figure 3: Existing Conditions
- Figure 4: Representative Photographs
- Figure 5: Use of Gyro Trac (Map)

~~Figure 5:~~  
EXHIBIT G

*MJC*

*SDB 3-19-08*

Appendix B: Plants Native to the Tennessee Valley

Appendix C: Invasive and Exotic Undesirable Plants

## **EXECUTIVE SUMMARY**

S&ME, Inc. (S&ME) has prepared this Vegetation Management Plan (VMP) on behalf of Nickajack Holdings, LLC (Nickajack Holdings) in support of the proposed development of Tract XNJR-3PT (Nickajack Shores). TVA has reviewed this VMP and TVA's comments have been incorporated. Nickajack Shores consists of approximately 578 acres of land in Jasper, Marion County, Tennessee. The project area actually lies between the proposed Nickajack Shores property line and the shoreline of the Nickajack Reservoir. This area, known as the vegetation management buffer zone (VMBZ), is approximately 3.8 mile long, approximately 50 feet wide and owned by the TVA. Nickajack Holdings has proposed development of the 578 acre tract for a mixed use development to include private residences, a golf course, a wellness center, bass lake, marina, and a hotel.

Development of this VMP included the following three tasks:

Task 1: entailed a site reconnaissance with representatives of Nickajack Holdings and the Tennessee Valley Authority (TVA);

Task 2: entailed discussions with representatives of the TVA during the preparation of this VMP; and

Task 3: entailed preparation of this VMP.

On May 26, 2006, a representative area of the VMBZ was surveyed during the site reconnaissance. Mark Harrison, Julia Liu, and Nancy Murphy (all of S&ME) along with representatives from Nickajack Holdings and the TVA. The VMBZ is mostly wooded consisting of both native and invasive plant species. During the site reconnaissance, representatives of Nickajack Holdings requested that the TVA allow a test area to be prepared for a portion of the 3.8 mile shoreline to serve as a standard for the remaining VMBZ. Upon TVA approval, a test area was prepared (on June 8, 2006) with representatives of S&ME, Nickajack Holdings, and the TVA onsite. The test area is approximately 50 feet by 200 feet in size. Preparation of the test area consisted of evaluating mature trees for removal and marking individual plant species for removal or nonremoval. Removal activities were accomplished with hand tools. Photographs of the test area, along with additional site photos, are provided in Appendix A.

## **1.0 INTRODUCTION**

### **1.1 Purpose**

S&ME has prepared this Vegetation Management Plan (VMP) for Nickajack Holdings, LLC (Nickajack Holdings). The purpose of this VMP is to identify plant species within the shoreline management zone (VMBZ) and to make recommendations for invasive/exotic species removal and maintenance of existing native materials, including selective thinning, clearing and pruning.

### **1.2 Scope of Services**

S&ME's approach to preparing this VMP consisted of the following three tasks.

- Task 1: This task entailed performing a site reconnaissance of a representative portion of the VMBZ to identify existing species, including trees, shrubs, herbaceous plants, grasses, and approximate percentages of plant species at the site. This task also included general visual observations of on-site conditions that may have an effect on the performance of plant materials.
- Task 2: This task entailed coordinating with the Tennessee Valley Authority (TVA), the regulatory agency, during the preparation of this VMP. This task also included implementing a test area at the site with guidance from the TVA.
- Task 3: This task entailed preparing this VMP with recommendations on species and individual removal and maintenance of the area and providing a list of species native to the Tennessee Valley for use in selective cleaning.

### **1.3 Site Description**

The proposed development is located in Jasper, Marion County, Tennessee. A site vicinity map is presented as Figure 1 in Appendix A. The proposed development is located on Tract 3 (XNJR-3PT) consisting of 578 acres of land adjacent to the Nickajack Reservoir. The approximate property boundaries are presented as Figure 2 in Appendix A. The coordinates of the proposed development area are approximately 35° 0' 48.06"N, 85° 35' 54.42"W. The project area consists of an approximately 50 foot wide area bounded by the 640 foot contour line and the reservoir normal pool level, or the 634 foot contour line. The property is currently undeveloped with the

exception of the Shellmound Recreation Area. This area consists of a beach, camping and picnic facilities, and paved entrance roads and parking area. This recreation area may be relocated to accommodate proposed site development by Nickajack Holdings. The current location of Shellmound Recreation Area is shown on Figure 3, Attachment A.

#### **1.4 Project Goals and Objectives**

The goal of this VMP is to satisfy requirements pursuant to the TVA's Shoreline Management Policy (SMP) effective November 11, 1999. Specific goals of this VMP are to:

1. Maintain a diverse canopy of mature trees;
2. Preserve wildlife habitat along areas leading to the water's edge;
3. Remove invasive/exotic species;

#### **1.5 Significant Assumptions**

This VMP was developed based on conditions at the test area during our site reconnaissance and available information. Should the conditions within the VMBZ differ substantially from the conditions of the test area detailed in this report, we request that S&ME be contacted immediately so that the change can be properly reviewed and the VMP be amended accordingly, if necessary.

## **2.0 SITE RECONNAISSANCE**

### **2.1 Study Methods**

An S&ME horticulturist and environmental engineer conducted a site visit on May 26, 2006. During this site visit, S&ME personnel walked a portion of the 3.8 mile shoreline as shown in Figure 3, Appendix A. S&ME personnel documented a representative portion of the existing vegetation and made general observations of the plant material. Representative photographs are presented as Figure 4 in Appendix A. During the site reconnaissance, representatives of Nickajack Holdings requested that a test area be prepared to serve as a standard for the entire 3.8 mile shoreline. The test area, prepared on June 8, 2006, is discussed in Section 3.2 (Implementation). Photos are provided in Figure 4, Appendix A.

### **2.2 General Existing Conditions**

The subject property is comprised of three categories of identified habitats: early successional, forested, and wetland. Early successional habitats are characterized by pasture land and crop land. Forested habitats are characterized by canopy cover of deciduous hardwoods and pines.

Wetland habitats are characterized as depression wetlands, emergent fringe wetlands, aquatic bed wetlands, forested wetlands, and scrub-shrub wetland.

The incursion of invasive and/or exotic plant materials has reduced the quality of many acres of forested habitat within the proposed development area. Mechanical injury from all-terrain vehicles has adversely affected the quality of the forest floor by preventing establishment of herbaceous vegetation. The riparian zone is littered with human debris (i.e. tires, trash, etc.). Additionally, numerous dead trees were observed along the shoreline of the property.

Two wetland areas are located within the VMBZ. The locations of these wetlands are provided on Figure 3, Attachment A. These two wetlands are depression wetlands and total approximately 1.08 acres. The wetland areas will be retained by TVA, along with a 100 foot buffer area surrounding each wetland. No clearing or removal of vegetation will occur within the wetland areas or a buffer zone area unless agreed upon by the TVA and Nickajack Holdings.

### **2.3 Site Vegetation**

During the site visit conducted by S&ME personnel on May 26, 2006, a representative section of the VMBZ was investigated for plant material identification purposes. This representative area is shown on Figure 3, Attachment A.

Vertical zones were designated as: canopy, subcanopy, shrub layer, and forest floor. For the purpose of this VMP, the following definitions apply: canopy is defined as the top layer of trees; subcanopy zone is defined as materials from approximately 12 feet above the ground layer to just below canopy level; shrub layer is defined as the zone from two to ten feet above the forest floor; and forest floor is defined as anything from two feet and below, including vines.

Table 1, below, provides a list of species observed in the canopy zone. The canopy zone, as observed during the site reconnaissance, contains all native species.

**Table 1: Canopy Zone Vegetation**

Common Name	Scientific Name	Estimated Percentage
Eastern red cedar	<i>Juniperus virginiana</i>	10
Sweetgum	<i>Liquidambar styraciflua</i>	13
Oak (various)	<i>Quercus spp.</i>	13
White pine	<i>Pinus strobus</i>	1
Ash	<i>Fraxinus sp.</i>	5
Tulip tree	<i>Liriodendron tulipifera</i>	20
American holly	<i>Ilex opaca</i>	1
Persimmon	<i>Diospyros virginiana</i>	5
Boxelder	<i>Acer negundo</i>	5
American elm	<i>Ulmus americana</i>	2
Black cherry	<i>Prunus serotina</i>	25

Tables 2, 3, and 4 provide a list of species observed in the subcanopy, shrub, and forest floor zones, respectively. These zones contained both native and invasive species. The invasive species observed within each zone are appropriately noted in the tables below. Saplings and seedlings observed within each zone are also noted in the tables.

**Table 2: Subcanopy Zone Vegetation**

Common Name	Scientific Name	Estimated Percentage
Flowering dogwood	<i>Cornus florida</i>	18
Eastern redbud	<i>Cercis canadensis</i>	18
Eastern red cedar	<i>Juniperus virginiana</i>	5
Sweetgum	<i>Liquidambar styraciflua</i>	15
Oak (various)	<i>Quercus spp.</i>	10
Boxelder	<i>Acer negundo</i>	3
Tulip tree	<i>Liriodendron tulipifera</i>	11
Black cherry	<i>Prunus serotina</i>	15
Mimosa <sup>(i)</sup>	<i>Albizia julibrissia</i>	5

(i) = invasive species

**Table 3: Shrub Zone Vegetation**

Common Name	Scientific Name	Estimated Percentage
Flowering dogwood <sup>(s)</sup>	<i>Cornus florida</i>	7
Eastern redbud <sup>(s)</sup>	<i>Cercis canadensis</i>	7
Tulip tree <sup>(s)</sup>	<i>Liriodendron tulipifera</i>	6
Black cherry <sup>(s)</sup>	<i>Prunus serotina</i>	7
Blackberry	<i>Rubus sp.</i>	2
Multiflora rose	<i>Rosa sp.</i>	23
Sumac	<i>Rhus sp.</i>	1
Indigo	<i>Amorpha fruticosa</i>	4
Viburnum	<i>Viburnum sp.</i>	2
Sassafras	<i>Sassafras albidum</i>	2
Chinese Privet <sup>(i)</sup>	<i>Ligustrum sinense</i>	35
Japanese Honeysuckle <sup>(i)</sup>	<i>Lonicera japonica</i>	4

(i) = invasive species; (s) = seedling

**Table 4: Forest Floor Zone Vegetation**

Common Name	Scientific Name	Estimated Percentage
Ferns	<i>Osmunda sp.</i> <i>Asplenium sp.</i>	3
River oats	<i>Chasmanthium latifolium</i>	3
Virginia creeper	<i>Parthenocissus quinquefolia</i>	3
Trumpet creeper <sup>(i)</sup>	<i>Campsis radicans</i>	5
Tulip poplar <sup>(s1)</sup>	<i>Liriodendron tulipifera</i>	10
Eastern redbud <sup>(s1)</sup>	<i>Cercis canadensis</i>	5
Sweetgum <sup>(s1)</sup>	<i>Liquidambar styraciflua</i>	15
Eastern red cedar <sup>(s1)</sup>	<i>Juniperus virginiana</i>	5
Poison ivy <sup>(i)</sup>	<i>Toxicodendron radicans</i>	15
Fescue species	<i>Festuca sp.</i>	5
Grape vines <sup>(i)</sup>	<i>Vitis sp.</i>	3
Bristly greenbrier	<i>Smilax bona-nox</i>	1
Trillium	<i>Trillium sp.</i>	.1
Mayapple	<i>Podophyllum peltatum</i>	.1
Chinese lespedeza <sup>(i)</sup>	<i>Lespedeza cuneata</i>	15.8
American holly <sup>(s1)</sup>	<i>Ilex opaca</i>	1
Japanese grass	<i>Microstegium vimineum</i>	10

(i) = invasive species; (s) = seedling; (s1) = sapling

### **3.0 SHORELINE MANAGEMENT ZONE**

#### **3.1 Vegetation Assessment**

S&ME made observations regarding the vegetation in the reconnaissance area. The following is a summary of these observations for the Canopy Zone, Subcanopy Zone, Shrub Zone, Forest Floor and Vine Zone, and the water line trees.

##### **3.1.1 Canopy Zone**

The site reconnaissance of the representative portion indicates the canopy zone contains native tree species such as Eastern Red Cedar, oak, and black cherry. Table 1 summarizes the tree species that currently dominate the canopy zone of the reconnaissance area.

Within the canopy zone of the VMBZ, the individual existing trees will be evaluated on the following criteria:

1. overall health;
2. competition from other canopy trees;
3. competition from other vegetation;
4. percentage of existing foliage vs. percentage of possible foliage;
5. hazard limbs;
6. mechanical injury;
7. disease/insect injury; and
8. vine encroachment.

The expected goals for the evaluation will be to designate the tree for:

1. pruning/trimming to reshape the tree as referred to in Section 3.2;
2. removal of dead, dying, hazard branches and all species as referred to in Section 3.2;
3. removal;
4. removal of competing vegetation within a four foot radius of the target tree; or
5. no action.

Based on the site reconnaissance, it is estimated that no more than 25 percent of the existing canopy zone trees would warrant removal.

### **3.1.2 Subcanopy Zone**

The site reconnaissance of the representative portion revealed the presence of subcanopy trees native to the area including but not limited to flowering dogwood, Eastern redbud, Eastern red cedar, and sassafras. There is also a strong presence of invasive trees in this zone, notably mimosa. Table 2 summarizes the species that currently dominate the subcanopy zone in the reconnaissance area.

Within the subcanopy zone of the VMBZ, the individual existing materials will be evaluated on the following criteria:

1. native or invasive material;
2. overall health;
3. competition from canopy zone trees;

4. competition from other vegetation within the zone;
5. competition with desirable plant materials in the lower zones;
6. mechanical injury;
7. disease/insect injury; and
8. overabundance of species within the zone.

The expected goals for the evaluation will be to designate the tree or shrub for:

1. pruning/trimming to reshape the tree as referred to in Section 3.2;
2. removal of dead, dying, hazard branches and all species as referred to in Section 3.2;
3. removal of competing vegetation within a four foot radius of the target tree; or
4. removal
5. no action.

Based on the site reconnaissance of the test area, it is estimated that no more than 35 percent of the existing subcanopy trees and shrubs would warrant removal.

### **3.1.3 Shrub Zone**

The site reconnaissance of the test area revealed the presence of shrub zone trees and shrubs that are native to the area including but not limited to; flowering dogwood, eastern redbud, tulip poplar, black cherry saplings; indigo; *viburnum* sp.; and sassafras. The percentage of invasive/exotic and undesirable species is much greater in the shrub zone than in the canopy or subcanopy zones. Table 3 summarizes the species that currently dominate the shrub zone.

Within the shrub zone of the test area, the individual existing trees and shrubs will be evaluated on the following criteria:

1. native or invasive material;
2. overall health;
3. competition from subcanopy trees;
4. competition from other vegetation within the zone;
5. competition to forested floor and vine zone materials;
6. mechanical injury;
7. disease/insect injury; and
8. overabundance of species within the zone.

The expected goals for the evaluation will be to designate the tree or shrub for:

1. removal of dead, dying, hazard branches and all species as referred to in Section 3.2
2. removal of competing vegetation within a four foot radius of the target tree or shrub; or
3. removal
4. no action.

Based on the observations of the reconnaissance area it is estimated that approximately 70 percent of the existing shrub zone materials would warrant removal.

#### **3.1.4 Forest Floor and Vine Zone**

The site reconnaissance revealed the presence of forest floor and vine zone materials that are native to the area, including but not limited to ferns, river oats, Virginia creeper, Eastern redbud, sweetgum, Eastern red cedar, tulip tree seedlings, fescue, and local honeysuckle. The percentage of invasive/exotic and undesirable species is very high in the forest floor and vine zone of the target property. Table 4 summarizes the species that currently dominate the forest floor and vines zone observed in the reconnaissance area.

Within the forest floor and vine zone of the reconnaissance area, the individual existing tree seedlings, shrubs and vines will be evaluated on the following criteria:

1. native or invasive material;
2. overall health;
3. competition from shrub zone materials;
4. competition from other vegetation within the zone;
5. disease/insect injury; and
6. overabundance of species within the zone.

The expected goals for the evaluation will be to designate the tree seedlings, shrubs and vines for:

1. removal;
2. removal of competing vegetation within a two foot radius of the target material;  
or
3. no action.

Based on the site reconnaissance of the forest floor and vine zone area, it is estimated that approximately 60 percent of the existing forest floor and vine materials would warrant removal.

### **3.2 Implementation**

The developer and/or appointed representatives of the Rarity Club homeowners association have permission to manage the vegetation on TVA owned and/or controlled lands, the VMBZ (Vegetative Management Buffer Zone), contiguous to Rarity Club in Marion County, Tennessee as specifically set forth in this section. 3.2 Implementation, and shown on the attached map (Exhibit G).

1. No vegetation removal shall occur within 100 feet of locations where cultural resources or wetlands are present without specific approval by a TVA representative. No vegetation removal shall occur within the yellow portion, shown on Exhibit G, of the TVA property adjacent to the heron colony site without prior written approval of TVA.

2. Removal of invasive and/or undesirable species of vegetation, regardless of size, listed on TVA's Invasive/Undesirable Species List, attached as Exhibit A is permissible, without further approval, outside of the areas described in number 1 above. The removal of invasive or undesirable species, as set forth above, can be conducted by hand, chain saw or Gyro Trac in accordance with the following location standards:

Chain saws can be used throughout the VMBZ, except within areas where vegetation removal is specifically prohibited.

The Gyro Trac shall only be used in areas within the VMBZ as approved by TVA. TVA will provide a map designating such areas.

The Gyro Trac shall be the only piece of "heavy equipment" used within the TVA VMBZ. The size of the Gyro Trac permitted for use is limited to the GT-13XP model.

3. Fallen/dead/diseased/infested trees within the VMBZ can be removed upon approval by TVA. Because of the creation of valuable habitat, fallen trees in the water shall remain unless TVA determines that they are a floating navigation hazard.

4. All dead limbs from existing vegetation within the VMBZ can be removed without prior approval.
5. Vegetation within the VMBZ measuring 3-inches or less at ground level can be removed without prior TVA approval, except in areas described in #1 above where no vegetation can be removed without prior TVA approval.
6. In the event that after performing step 5 as described above, there are fewer than five (5) stems of greater than 3 inches at ground level remaining in the VMBZ adjacent to a Rarity Club home site as designated on the plat submitted to Marion County, Rarity Communities, Inc. agrees to bring the total number of stems greater than 3 inches at ground level to no less than five (5) with additional plantings using TVA's list of acceptable species. The new plantings shall be spaced approximately 20 feet apart and/or in a natural random fashion within the VMBZ adjacent to each private home site where said conditions occur.
7. Trees measuring 6" or greater at diameter breast height (DBH = 4.5' high from ground level) may be pruned up to 14' from ground level or no more than 1/3 the total crown canopy **whichever is less**. All trees under 6" DBH may be pruned, trimmed, limbed-up, and shaped if done in accordance with International Society of Arboriculture (ISA) guidelines for crown raising and pruning practices of young trees.
8. There is an existing agreement between TVA and the Rarity organization as it relates to a golf hole at Rarity Club and the scope of clearing that is allowed. TVA and Rarity Communities affirm this agreement as follows:

TVA has reviewed and conditionally approved the removal of vegetation within two specific areas in the buffer zone to facilitate a flight line for one golf hole across a slough (See Exhibit G). Tree species and non-native shrubs removed from the tree side of the golf hole (west bank) shall not exceed 150 linear feet. Tree species and non-native shrubs removed from the green side of the golf hole (east bank) shall not exceed 250 linear feet. During removal and ground disturbance, Best Management Practices (BMPs) will be used to prevent sediment from entering the reservoir. Prior to the removal of vegetation from areas, a landscaping/vegetation plan shall be submitted to TVA for review and approval. Upon completion and approval of the

landscaping/vegetation plan the above referenced areas along the waters edge shall be replanted in native grasses and low growing native shrubs such as button bush, silky dogwood, false indigo, and water willow, and other native shrubs for the above referenced area of the buffer zone.

9. The nesting season of migratory birds typically occurs annually between the months of May and June. Vegetation removal within the VMBZ shall not be conducted during the months of May and June.

10. In areas where the forest floor would be disturbed, best management practices for erosion control shall be maintained until ground cover is reestablished by replanting.

11. A portion of the TVA property has been managed as pastureland. Mowing with a compact tractor with a bush hog attachment is permitted 2 times a year in this area, designated as the brown areas shown on Exhibit Map G. Mowing is not permitted elsewhere on the TVA property.

### **3.2.1 Maintenance**

To slowly and eventually eliminate the encroachment of additional invasive/exotic or undesirable species, the project site shall be inspected for treatment annually.

### **3.2.2 Pine Plantation**

Rarity Communities, Inc. proposes that they be allowed to retain the option to remove some, no more than 50%, of the loblolly pine plantation which was established in 1984. The location of the pine plantation is shown in Figure 3, Appendix A. The above statement does not constitute TVA approval for removal of the loblolly pines that exists on TVA property. Rarity Communities, Inc. shall submit, to TVA, detailed plans showing the pines proposed for removal. No pine removal shall occur until TVA provides written approval.

### 3.2.3 Other Locations

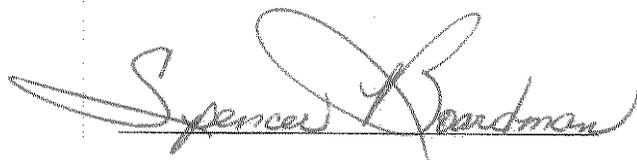
The parties also agree that the provisions of this vegetation management plan will also be considered in the plans for "The Enclave of Rarity Bay" and "Rarity Rivers" developments owned by entities related to Rarity Communities, Inc., provided, however, that TVA, at its sole discretion, can alter the vegetation management plan based on existing conditions or programmatic concerns such as: endangered & threatened species and habitat for those species, wetlands, floodplains, cultural resources, and water quality as determined by its environmental review conducted pursuant to the National Environmental Policy Act of 1969, as amended.

## 4.0 INDEMNIFICATION

The developer and/or appointed representatives of the Rarity Club homeowners association agree to fully indemnify and hold the United States of America, TVA, and its directors, officers, agents, and employees harmless from and against any and all claims, demands, liability, losses, damage, costs or expenses of any nature or kind whatsoever, arising out of or otherwise resulting from the developer's or representatives' activities on the premises or the use of the premises covered by this agreement, except liability caused by the sole negligence of TVA, its directors, officers, agents or employees.

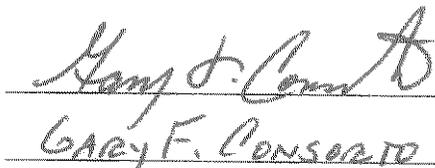
## 5.0 AGREEMENT

By signing below, the parties indicate their agreement to this Vegetation Management Plan:



Spencer Boardman  
Manager, Watershed Operations Support

3-19-08  
Date



Title: V. P. CONST.

3/19/08  
Date

## **6.0 References**

Boardman, Spenser et al. 2005. Supplemental Environmental Assessment: Proposed Development of Tract XNJR-3T (Nickajack Shores). Tennessee Valley Authority.

Tennessee Exotic Pest Plant Council (<http://www.tneppc.org/>)

Tennessee Valley Authority (<http://www.tva.gov>)

TerraServer (<http://terraserver.microsoft.com/>)