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Project Name: Norris Watershed Land
Transfer
Project Number: 2004-124

FINAL ENVIRONMENTAL ASSESSMENT

NORRIS WATERSHED LAND TRANSFER

Anderson County, Tennessee

TENNESSEE VALLEY AUTHORITY

SEPTEMBER 2005

Direct Comments to:

Richard L. Toennisson
NEPA Administration
Tennessee Valley Authority
400 West Summit Hill Drive, WT 9B
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FINAL ENVIRONMENTAL ASSESSMENT

NORRIS WATERSHED LAND TRANSFER ANDERSON COUNTY, TENNESSEE

TENNESSEE VALLEY AUTHORITY

SEPTEMBER 2005

The Proposed Decision and Need

The Tennessee Valley Authority (TVA) is proposing to transfer a 420-acre parcel of fee-owned land (Tract XTNR-117) adjacent to the TVA Norris Dam Reservation in Anderson County, Tennessee, to the city of Norris (City). This land adjoins current City property and is managed under lease as part of the Norris Watershed. The City has requested this action to augment other Norris Watershed property, which was transferred by TVA in the 1950s. Both the City and TVA property are managed together to provide various types of low impact recreation, potable water, and occasional forest products. TVA proposes to transfer the property in fee to the City pursuant to Section 4(k)a of the TVA Act.

Background

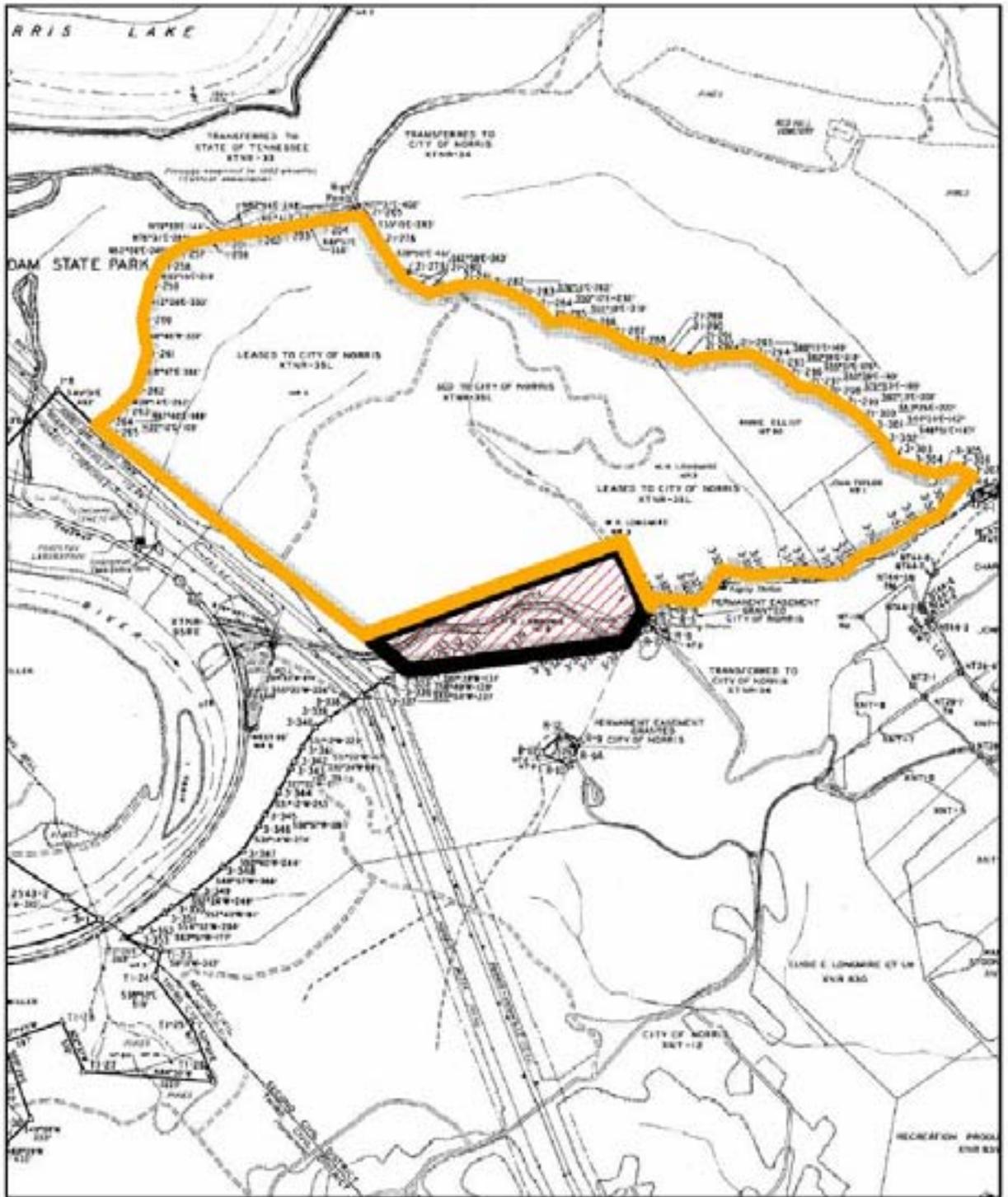
Because of the transfer of a large parcel of land (in this case, 420 acres) and the potential of impacts to the Clear Creek Habitat Protection Area, TVA decided to prepare an Environmental Assessment (EA) to better understand the impacts of the proposal.

Originally, the City proposed 453 acres for transfer. This property is designated for Natural Resource Conservation in the Norris Reservoir Land Management Plan (TVA, 2001) and includes a 22-acre habitat protection area. The City does not propose to change the current use of the 453 acres under lease. The following City facilities are located on the 453-acre tract: backwash water lagoon; an 8-inch water main exiting the plant; and a 6-inch water main delivering water to TVA's Norris Dam Reservation located on this tract. In addition, there are two small stone dams with ponds across Clear Creek and the ruins of a Civilian Conservation Corps (CCC) camp, all built by TVA in the 1930s. The land has been leased to the City since January 1991, and the lease will expire in 2010 if no further action is taken.

During review by TVA staff and consultation with the City, the original proposal was amended so TVA would retain 33 acres, which includes the CCC camp, dams, and a smaller habitat protection area (see Figure 1), therefore TVA would transfer approximately 420 acres to the City.

Other Environmental Reviews and Documentation

Norris Reservoir Land Management Plan Environmental Assessment (TVA, 2001). In September 2001, TVA completed an EA on implementation of a land management plan for 27,927 acres of TVA land on Norris Reservoir. In the plan, 315 parcels of land were allocated to one of seven land use zones: Non-TVA Shoreline, Project Operations, Sensitive Resource Management, Natural Resource Conservation, Industrial/Commercial Development, Developed Recreation, and Residential Access. The proposed transfer tract was allocated for Natural Resource Conservation.



Norris Watershed
City of Norris
Request for Transfer
Tract XTNR-117, RLR-158351
(Leased Tract XTNR-35L, RLR-156175)

-  Requested Tract
-  New TVA Boundary including Clear Creek Habitat Protection Area



Figure 1. Land Transfer XTNR-117 and Clear Creek Habitat Protection Area

Public Review

TVA asked for public comments regarding the proposed transfer by placing notices in local newspapers between July 12 and 16, 2004. All of the respondents were in favor of the land transfer from TVA to the City. They cited that the City has successfully managed the land (453 acres) for public recreation on the Norris Watershed, that it is very important to the community, that it should continue to be used for public recreation and preserving the city water supply, and that it would be best preserved if owned by the City. Some comments said restrictions should be placed in the deed to preserve the land for public recreation and protect it from future development.

Agency Review

TVA released the draft EA for agency comment on June 24, 2005; see the list of agencies consulted on page 10. The U.S. Army Corps of Engineers and the East Tennessee Development District responded with no conflicts or had no comment. The Recreation Education Services Division of Tennessee Department of Environment and Conservation concurred with the transfer. The U.S. Fish and Wildlife Service supported the transfer as beneficial to fish, wildlife, and recreation since the property would be used for low impact recreation, potable water, and occasional forest products. In a July 7, 2005 letter the Tennessee Historical Commission (THC) found that the project as proposed may adversely affect properties that are eligible for listing in the National Register of Historic Places (NRHP) and asked for consultation. THC's concerns were based on potential visual impacts to historic structures and the historic designed landscape of Norris Dam from potential development of the tract. On August 1, 2005, TVA provided a letter to THC clarifying that the property, if transferred, would be utilized for informal recreation, forestry, and water supply protection. THC concurred that restricting the transfer for these purposes would not adversely affect the properties eligible for the NRHP.

Alternatives and Comparison

No Action Alternative – Under this alternative, the land (420 acres) would remain in TVA ownership, and the lease agreement with the City, for the entire 453 acre tract, would continue until expiration in 2010.

Action Alternative – Under this alternative, TVA would transfer 420 acres to the City under Section 4(k)a of the TVA Act. The property would be restricted to public recreation use and would continue to be managed for that purpose by the City. The remaining 33 acres, which includes the former CCC camp, backwash water lagoon, 8-inch water main, 6-inch water main, and two small stone dams, would remain TVA property; would be designated for Sensitive Resource Management; and would remain under the existing lease agreement. The entire 33-acre Clear Creek tract would be designated at the Clear Creek Habitat Protection Area in order to correspond better to the occurrence of the Kentucky rosinweed (*Silphium wasiotense*) and other natural resources.

Under either alternative, the entire 453 acres would remain in public ownership and continue to be managed for informal recreation activities (hiking, hunting, biking, horseback riding), managed for forestry, and managed to provide watershed protection.

Affected Environment and Evaluation of Impacts

Site Description

The property is of typical East Tennessee ridge and valley terrain, almost completely forested and with very few structures. Clear Creek Valley cuts across the southern end of the tract, while the remainder is steep to moderate hillsides with occasional sinkholes and ridge tops with stone outcrops. The only visible structures are the backwash pond and two stone dams across Clear Creek and gravel and dirt woods roads. It was purchased by TVA in the 1930s as part of the Norris Dam project and has reverted to its natural state, except for brief use of one site as a CCC camp and the construction of the stone dams. The tract is bordered on the north by the Norris Dam State Park, on the west by TVA's Norris Dam Reservation, and on the east and south by the Norris Watershed.

Impacts Evaluated

Cultural - Nine archaeological sites were identified within the project area. During a subsequent assessment, eight of these sites were determined ineligible for listing on the National Register of Historic Places (NRHP). The remaining site (a former CCC camp) is eligible for the NRHP. These findings were reported to the State Historic Preservation Officer. The CCC camp, eligible for NRHP listing, has been excluded from transfer to the City, and the transfer tract was reduced to 420 acres. TVA would require that if human remains were encountered during any future activities that the City may conduct within Tract XTNR-117, work would cease in the area (including a 50-foot buffer). The City would comply with all state burial laws.

Potential visual impacts to historic structures and the historic designed landscape of Norris Dam were reviewed. The Caleb Crosby Threshing Barn and the Aquatic Biology Lab were determined to be ineligible for the NRHP. The James Rice Mill and structures within Norris Dam State Park were determined to be eligible. The Norris Dam Visitors' Center-East Overlook was determined to be potentially eligible. In addition, based on recent structural surveys regarding the Norris-LaFollette Transmission Line (McKee and Karpynne, 2004), the Norris Freeway and Norris Dam State Park were determined to be eligible for listing on the NRHP. The considered boundary of the Norris Dam historic designed landscape is the area shaded in red in Figure 2.

Since the property would be restricted to its current uses and no historic properties are included in the transfer, there would be no effect on historic properties or the historic designed landscape under either the Action or No Action Alternatives.

Terrestrial Ecology - According to Bailey et al. (1994), Anderson County, Tennessee, occurs within the Central Ridge and Valley section of the Ecological Subregion referred to as the Eastern Broadleaf Forest (Oceanic) Province. Küchler (1964) classifies the vegetation type as Appalachian oak forest. The potential natural vegetation may consist of cold-deciduous broad-leaved forest with evergreen needle-leaved trees (Bailey, 1995). The main forest type is oak-pine, with blackjack oak, chestnut oak, post oak, scarlet oak, and southern red oak dominating drier sites and the moister sites dominated by white oak, southern red oak, and black oak. Shortleaf pine can form a major portion of the canopy. Other common trees that constitute a minor portion of the vegetation composition are black gum, several hickory species (bitternut, mockernut, pignut, and shagbark), loblolly pine, and sweet gum (Bailey, 1995).

The most recent land management plan divides the property into 16 stands of trees that are dominated by hardwood forest (93 percent) and mixed pine-hardwood forest (7 percent). The area has been used for commercial (timber removal) and recreation

Under the Action Alternative, the current management practices for the land proposed for transfer would be unchanged by the City. As long as these practices are maintained, there would be no impacts expected under this alternative.

Sensitive Species - No federally-listed species are within the transfer tract. Currently, there is one state-listed plant (Kentucky rosinweed) inside the boundary of the 453-acre tract and five state-listed species within 5 miles of the proposed land transfer (Table 1), including large-leaved grass of Parnassus (*Parnassia grandifolia*), which occurs adjacent to the property (within 500 feet) across from the Grist Mill on Clear Creek Road.

Table 1. List of Threatened and Endangered Species Occurring Within 5 Miles of the Proposed Land Transfer

Common Name	Scientific Name	Federal Rank	State Rank	Habitat Description
Appalachian Bugbane	<i>Cimicifuga rubrifolia</i>	–	T	Rich woods
Heartleaf Meehania	<i>Meehania cordata</i>	–	T	Wooded mountain slopes
Kentucky Rosinweed	<i>Silphium wasiotense</i>	–	E	Moist slopes
Large-Leaved Grass of Parnassus	<i>Parnassia grandifolia</i>	–	S	Calcareous seeps
Running Strawberry Bush	<i>Euonymus obovatus</i>	–	E	High elevation woods
Sullvantia	<i>Sullvantia sullvantii</i>	–	E	Moist shaded cliffs

E=endangered; S=special concern; T=threatened

Presently, the Kentucky rosinweed occurs within the 22 acres of the Clear Creek Habitat Protection Area that was designated in 2001 for protection of this species. Signs were placed along the road to limit mowing of the plants during the growing season. Recently 917 plants were counted along Clear Creek Road, covering an area of approximately 850 feet (Table 2). In 2001, there were 300 plants known to occur within the area; therefore, the commitment to avoid mowing the plants during the growing season has greatly enhanced the success of the Kentucky rosinweed.

Table 2. Number of Individuals of *Silphium wasiotense* Counted Along Clear Creek Road

Area 1: Control Mowed Area West Sign to First Mill Dam (325 feet)	Number of Individuals
a. Top of road bank cut up into the woods	113
b. Along road edge	194
Area 2: Mill Dam to East Control Mowed Sign (500 feet)	
a. Top of road bank cut up into the woods	348
b. Along road edge to top of the road bank cut	260
Area 3: Outside of the No Mow Zone	
Total Number of Plants	917

Under either alternative, management of the Clear Creek Habitat Protection Area is critical for the protection of the Kentucky rosinweed, which occurs along Clear Creek Road within the Clear Creek Habitat Protection Area (Figure 1), by enforcing the mowing regime set up for roadside maintenance within the area designated by the habitat protection signs. Mowing of the roadside between the signs designated on Clear Creek Road would be avoided during the growing season (April 1 to October 1). Any maintenance of the roadside, such as mowing and controlling woody vegetation, would take place from October through March and not during the plant's growing and reproduction season.

Under the No Action Alternative, the property would continue to be used for its current purposes for the foreseeable future and would continue to be managed by TVA and leased to the City. No impacts to federal- or state-listed threatened and endangered species are expected as a result of the No Action Alternative.

If TVA chooses the Action Alternative, the City would continue to manage the road right-of-way subject to a letter agreement with TVA to continue to provide adequate protection for the Kentucky rosinweed through the mowing practices described above. With this commitment in place, there would be no impacts to threatened and endangered species.

Aquatic - Lower Clear Creek provides spawning habitat for trout that enter the creek from Norris tailwater, and so provides a unique aquatic habitat that should be protected to the extent possible during future uses of this tract. This can be accomplished by maintaining the present undeveloped nature of the watershed (as the City plans) and implementing Best Management Practices (BMPs) during any road construction or timber harvest activities in the watershed. There would be no impacts to aquatic resources provided the City maintains this tract in its present undeveloped condition.

Forestry - Forest management has been conducted on the leased portion of the Norris Watershed in a cooperative agreement between TVA and the City since the lease was executed. TVA has assisted in timber management, road maintenance, wildlife management, recreation, and other management activities. Timber management activities on the 453 acres include approximately 159 acres of selective harvests (some of this was storm damage) and 38 acres of clear-cut harvests. The most recent management plan was written by TVA in 1993 and is based on extensive field sampling conducted in fall and winter 1992-93.

As described in the terrestrial section, hardwoods dominate the Norris Watershed, comprising 93 percent of the forest with the remaining 7 percent in a mixed pine-hardwood stand. Upland hardwood, comprised of black oak, white oak, chestnut oak, hickory, yellow-poplar, and red maple occupy 363 acres (80 percent), while mixed hardwood, oaks, beech, yellow-poplar, hickory, and red maple comprise 59 acres (13 percent). The mixed pine-hardwood stand is situated on 31 acres and is primarily shortleaf pine, oaks, hickory, and yellow-poplar. As with many forests in the eastern United States, the understory composition is lacking oak regeneration and is dominated by shade-tolerant species such as red maple, beech, sourwood, dogwood, and black gum.

Generally, most of the forest is approaching maturity. Large sawtimber comprises over 86 percent (390 acres) of the area, with poles and saplings comprising 11 and 3 percent, respectively. Because of past selective harvesting, most of the stands (341 acres; 75 percent) are various aged; the older components, dominated by oaks, range from 110 to 170 years old, with the younger trees ranging from 40 to 100 years. Even-aged stands over 70 years old account for 11 percent (49 acres), while only 14 percent (63 acres) of the forest is less than 70 years old; 38 acres of this is included in three clear-cuts

conducted from 1973-1992. Although the watershed has been harvested in the past, timber volumes in sawtimber stands remain above average for this region, averaging over 6,386 board feet (international ¼ scale) per acre. Total sawtimber volume on the original 453-acre transfer proposal exceeds 2.49 million board feet. Although transferring the land with the commitments provided would have little or no impact on the existing forest, TVA would encourage the City to continue its current forestry practices and use of the forest management plan.

Recreation - The original 453 acres proposed for transfer include Longmire Trail, Freeway Trail, High Point Trail/Road, and portions of Lower Clear Creek Road. The main recreation activities on the tract include mountain biking, hiking, horseback riding, hunting (small and large game), bird watching, and sight-seeing.

The watershed has become one of the most popular mountain biking spots for the Knoxville metropolitan area for short evening trips of less than 4 hours. On weekends, this is a very popular place for one-day horseback riding trips.

The recreation activities that currently occur in the Norris Watershed are compatible with the types of activities and facilities that are provided by the adjacent TVA dam reservation and Norris Dam State Park. This results in an area of balanced outdoor recreation opportunities.

Transferring the 420-acre tract (see Figure 1) would not cause any significant impacts to recreation as long as the tract continued to be used for the current recreation activities. The transfer agreement would require that the tract be used for low impact recreation, potable water, and the harvesting of occasional forest products by the City.

Other Impacts - The proposed action would consist of 420 acres of land with no environmentally sensitive resources and thus would have insignificant impacts to the environment. No natural or cultural features, or federally listed as threatened or endangered species would be affected. There would be no potential for pollutant generation. With the implementation of BMPs to control erosion runoff, the potential for any indirect impact to surface water or the nearby state-listed species would be unlikely. The proposed action would have minimal social or economic effects as long as the use of the property is not changed.

Cumulative Impacts

Under either alternative, the 453 acres would remain in public ownership (by either TVA or the City) and continue to be managed as an informal recreation and watershed protection area. There would be no significant cumulative impacts.

Mitigation Measures

Mowing of the roadside between the signs designated on Clear Creek Road would be avoided during the growing season (April 1 to October 1). Avoiding mowing during the growing season would enhance the success of the Kentucky rosinweed, a state-listed species occurring on the roadside site. Any maintenance of the roadside, such as mowing and controlling woody vegetation, would take place from October through March.

If human remains are encountered during any future activities that the City may conduct within Tract XTNR-117, work would cease in the area (including a 50-foot buffer) in order to protect the site until a determination of the remains are made and consultation with state and local officials occur. The City would comply with all state burial laws.

BMPs would be used with all ground-disturbance activities including forestry, road and trail construction, or maintenance.

The fee tract would be transferred to the City on the condition that all of the lands, properties, interests, and rights transferred be used solely for low impact informal public recreation (such as hiking, hunting, equestrian, mountain bike riding, etc.), in accordance with generally recognized standards of city operation. In addition, the City would be prohibited from leasing, selling, or dividing the tract into smaller parcels; and the City would continue to manage and maintain the forest resources on the fee tract, in order to preserve the Norris Dam State Park historic viewshed. The fee tract includes the watershed which is the source of water supply for the City; therefore, the use of the fee tract by the City must be consistent with its protection.

Conclusion and Findings

The tract of land is part of the public recreation available in the Norris vicinity, and the proposed action would result in a use consistent with the surrounding existing land use. No federally listed as threatened or endangered species or historic properties are known to exist in the project area, and the area is not within a floodplain. Therefore, TVA has determined that with the inclusion of BMPs during any ground disturbance, the transfer of 420 acres of Tract XTNR-117 would have minor, insignificant impacts.

Preferred Alternative

The preferred alternative is the Action Alternative, where 420 acres would be transferred to the City, and the remaining property would be allocated for Sensitive Resource Management.

TVA Preparers

Steve Cottrell, Biologist, Lenoir City, Tennessee
Patricia Cox, Botanist, Knoxville, Tennessee
Joe Feeman, Forester, Lenoir City, Tennessee
David B. Harrell, Land Use Specialist, Lenoir City, Tennessee
Eric Howard, Archaeologist, Knoxville, Tennessee
George Humphries, Recreation Specialist, Lenoir City, Tennessee
Richard Toennisson, NEPA Specialist, Knoxville, Tennessee

Agencies and Others Consulted

Federal Agencies

Lee A. Barclay, U.S. Fish and Wildlife Service, Cookeville, Tennessee
Lt. Col. Byron G. Jorns, U.S. Army Corps of Engineers, Nashville, Tennessee
Ron Gatlin, U.S. Army Corps of Engineers, Nashville, Tennessee

State Agencies

Douglas J. Delaney, Tennessee Department of Transportation, Environmental Planning and Permits Division, Nashville, Tennessee
Terry Oliver, Tennessee Department of Agriculture, Nashville, Tennessee

Wilton Burnette, Tennessee Department of Economic and Community Development, Nashville, Tennessee
Robert M. Todd, Tennessee Wildlife Resources Agency, Nashville, Tennessee
Terrence Bobrowski, East Tennessee Development District, Knoxville, Tennessee
Mark Morgan, Norris Dam State Park, Lake City, Tennessee
Reggie Reeves, Tennessee Department of Environment and Conservation, Division of Natural Heritage, Nashville, Tennessee
Mark Tummons, Tennessee Department of Environment and Conservation, Division of Recreation Educational Services, Nashville, Tennessee
Paul Davis, Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Nashville, Tennessee
Jennifer Barnett, Tennessee Division of Archaeology, Nashville, Tennessee
Joe Garrison, Tennessee Historical Commission, Nashville, Tennessee

Individuals

Don Barger, Norris, Tennessee	Faye Gregory, Norris, Tennessee
Ken Berry, Norris, Tennessee	Jean and Karl Heinzman, Norris, Tennessee
Janie K. Bollinger, Norris, Tennessee	Denise Lay, Norris, Tennessee
Roger W. Bollinger, Norris, Tennessee	Edward W. McEleney, Norris, Tennessee
J. L. C. Borgers, Norris, Tennessee	Liz McGeachy, Norris, Tennessee
Alberta Brewer, Knoxville, Tennessee	Timothy J. Marema, Norris, Tennessee
Cheryl Carrington, Knoxville, Tennessee	Lucy Scanlon, Norris, Tennessee
Jean Creswell, Norris, Tennessee	Tonia Sheppard, Norris, Tennessee
Jerry Crossno, Norris, Tennessee	Carolyn and Frank Stribling, Norris, Tennessee
Jill Elmendorf, Norris, Tennessee	Jane Stribling, Norris, Tennessee
Grace Foster, Norris, Tennessee	Richard F. Stribling, Norris, Tennessee

References

Bailey, R., P. E. Avers, T. King, W. H. McNab, editors. 1994. Ecoregions and Subregions of the United States (map 1:7.500,000). U.S. Geological Survey, Washington, D.C.

Bailey, R. 1995. Description of the Ecoregions of the United States, Second Edition. Miscellaneous Publication 1391. USDA Forest Service, Washington, D.C., 108 pages.

Küchler, A. W. 1964. Potential Natural Vegetation of the Conterminous United States. Special Publication 36. American Geographic Society, New York, New York, 116 pages.

McKee and Karpynee. 2004. Phase I Cultural Resources Survey of the Proposed Replacement of the Norris-LaFollette 161-kV Transmission Line in Anderson and Campbell Counties, Tennessee.

Tennessee Valley Authority. 2001. Norris Reservoir Land Management Plan Environmental Assessment. Norris, Tennessee

Attachments



United States Department of the Interior

FISH AND WILDLIFE SERVICE
446 Neal Street
Cookeville, TN 38501

July 20, 2005

RECEIVED
Environmental Policy and Planning

Mr. Jon M. Loney
Manager, NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1401

JUL 26 2005
Doc. Type: EA Admin Record
Index Field: Agency Comment
Project Name: Norris Watershed Trust
Project No.: 2004-124

Re: FWS #05-1354

Dear Mr. Loney:

Thank you for your correspondence of June 24, 2005, regarding the Tennessee Valley Authority's (TVA) Draft Environmental Assessment (DEA) for the Norris Watershed Land Transfer in Anderson County, Tennessee. TVA proposes to transfer a 420-acre parcel of fee-owned land (Tract XTNR-117) to the City of Norris. The land would remain in public ownership and continue to be managed for informal recreation, forestry, and watershed protection. Fish and Wildlife Service (Service) personnel have reviewed the document and we offer the following comments.

The DEA adequately describes the resources within the project area and the impacts of potential alternatives to these resources. The Service supports the preferred alternative (Action Alternative) for the land transfer provided that language is incorporated into the deed to preserve the land in its present condition for public recreation. TVA should ensure that this special condition is included as a binding condition in the deed of trust and/or other legal documents affecting the transfer. The Service then believes the transfer would remain beneficial to fish and wildlife of the area and provide continued recreational opportunities.

Thank you for the opportunity to comment on this proposed action. If you have any questions regarding the information which we have provided, please contact Wally Brines of my staff at 931/528-6481, extension 222.

Sincerely,

Lee A. Barclay Ph.D.
Field Supervisor



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
NASHVILLE, TENNESSEE 37202-1070

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Environmental Policy and Planning

IN REPLY REFER TO

JUL 08 2005

Project Planning Branch

JUL 19 2005

Doc. Type: EA-Admin Record
Index Field: Agency Comment
Project Name: Norris's Waterford Tract
Project No.: 2004-124

Mr. Jon M. Loney, Manager
Tennessee Valley Administration
NEPA Administration
Environmental Policy and Planning
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1401

Dear Mr. Loney:

This is in response to your June 24, 2005, letter requesting comments in relation to potential environmental impacts of transferring 420 acres of forest land to the city of Norris, Tennessee.

At this time, we have no comments regarding environmental resources or possible environmental impacts for this area.

Thank you for the opportunity to participate in your planning process. If you have any questions concerning these comments, please feel free to contact Mr. Tom Swor at (615) 736-7853.

Sincerely

Douglas L. Radley, A.I.C.P.
Chief, Project Planning Branch



DEPARTMENT OF THE ARMY
NASHVILLE DISTRICT, CORPS OF ENGINEERS
3701 Bell Road
NASHVILLE, TENNESSEE 37214

REPLY TO
ATTENTION OF:

July 25, 2005

Regulatory Branch

SUBJECT: File No. 2005-01651; Proposed Land Transfer of TVA Tract XTNR-117, Adjacent to Clear Creek Mile 0.2, Clinch River Mile 78.1L, Norris Lake, Anderson County, Tennessee

Mr. Richard L. Toennisson
TVA NEPA Administration
400 West Summit Hill Drive, WT 9B
Knoxville, TN 37902-1499

Dear Mr Toennisson:

This is in response to your June 24, 2005 letter requesting review/comments of the subject proposal.

The U.S. Army administers regulatory jurisdiction over navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 and all waters of the U.S., including wetlands, under Section 404 of the Clean Water Act. If the proposal would impact these waters, a Department of the Army permit would be required.

Based on the information provided, it does not appear that the project would directly impact these waters. Please advise the City of Norris to contact this office so that we may review any proposals impacting these waters. An application may be obtained via our website at <http://www.orn.usace.army.mil/cof/>.

Thank you for the opportunity to comment. If you have any questions, you can contact me at the above address, telephone (615) 369-7518, or by email at deborah.s.tuck@usace.army.mil.

Sincerely,

Deborah T. Tuck
Regulatory Specialist
Operations Division

Furnished:

Mr. Jon M. Loney
TVA NEPA Administration
400 West Summit Hill Drive
Knoxville, TN 37902-1401



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Environmental Policy and Planning

JUL 06 2005

Doc. Type: EA-Admin Record
Index Field: Agency Comment
Project Name: Norris Watershed Trans
Project No.: 2004-124

July 1, 2005

Mr. Jon M. Loney, Manager
NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902-1401

Dear Mr. Loney:

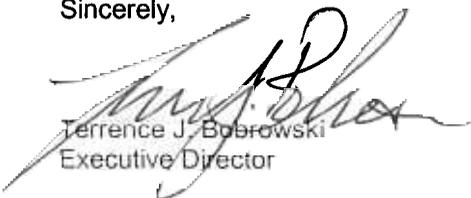
SUBJECT: Result of Regional Review
Tennessee Valley Authority - Draft Environmental Assessment for the Norris Watershed Land
Transfer in Anderson County

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



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Environmental Policy and Planning

AUG 01 2005

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Doc. Type: EA-Admini Record
Index Field: Agency Comment
Project Name: Norris Watershed Land
Project No.: 2004-121

July 28, 2005

Mr. Jon M. Loney, Manager
NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1409

**RE: Draft Environmental Assessment (EA) – Norris Watershed Land Transfer –
Anderson County, Tennessee**

Dear Mr. Loney:

Thank you for the opportunity to comment on the above referenced document.

After a research of our office's files, we can locate no occasion where a grant administrated by this division has been awarded to the subject property involved in the transfer of 420 acres of forestland located in the Norris Watershed in Anderson County. Therefore, we have no direct involvement in the subject area from a state or federal level.

In addition, we concur with the recommended alternative to transfer 420 acres to the City of Norris. However, our only concern is the City of Norris in an adequate financial and management position to continue the current recreation opportunities/demand? This can only be answered by the City and TVA.

Thank you for including this office during the review period.

Sincerely,

Mark Tummons, CPRP
Director

MT/lh

Copy: Anne Marshall, East TN PARTAS Consultant



July 7, 2005

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

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Environmental Policy and Planning

JUL 11 2005

Doc. Type: EA - Admin Record
Index Field: Agency Comment
Project Name: Norris Watershed
Project No.: 2004-124

Mr. Jon M. Loney
Tennessee Valley Authority
400 West Summit Hill Dr.
Knoxville, Tennessee, 37902-1499

**RE: TVA, NORRIS WATERSHED LAND TRANSFER, UNINCORPORATED,
ANDERSON COUNTY**

Dear Mr. Loney:

In response to your request, received on Wednesday, June 29, 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 available information, we find that the project as currently proposed **MAY ADVERSELY AFFECT PROPERTIES THAT ARE ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES.** You should now begin immediate consultation with our office and provide us with a draft preservation covenant to run with the transfer document. Please direct questions and comments to Joe Garrison (615) 532-1550-103. We appreciate your cooperation.

Sincerely,

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

August 1, 2005

Dr. Joe Garrison
Tennessee Historical Commission
Clover Bottom Mansion
2941 Lebanon Pike
Nashville, Tennessee 37243-0442

TENNESSEE VALLEY AUTHORITY, NORRIS LAND TRANSFER DEED CONDITION,
ANDERSON COUNTY

Dear Dr. Garrison:

Per previous discussions, the Tennessee Valley Authority (TVA) is proposing to transfer a 420-acre parcel of land (Tract XTNR-117) on Norris Reservoir, Anderson County, Tennessee, to the City of Norris (City). In a letter dated May 31, 2005, your office raised concerns about this transfer and conditions were placed in the deed to address these concerns. This condition is the following:

The fee tract would be transferred to the City of Norris (City) on the condition that all of the lands, properties, interests, and rights transferred be used solely for low impact informal public recreation (such as hiking, hunting, equestrian, mountain bike riding, etc.), in accordance with generally recognized standards of city operation, and for no other purposes; further, the tract will not be leased, sold, or divided into smaller parcels. The fee tract includes the watershed which is the source of water supply for the City therefore the use of the fee tract by the City must be consistent with its protection. In order to obtain the maximum public recreation values on the fee tract consistent with the protection of the watershed, the City would continue to develop, utilize, conserve, and manage, upon a sustained yield basis, the forest resources on the fee tract.

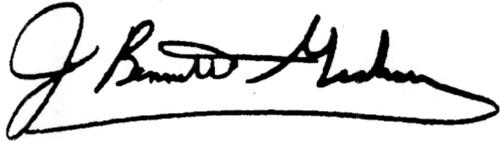
With this deed condition, it is TVA Cultural Resources' opinion, that the proposed land transfer will not have an effect on historic properties.

Pursuant to the requirements of Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR Part 800.4, TVA Cultural Resources office is requesting your concurrence on these findings and recommendations.

Dr. Joe Garrison
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August 1, 2005

If you have any questions or comments, please contact me at (865) 632-2458 or Eric Howard at (865) 632-2457 or by e-mail aehoward@tva.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bennett Graham". The signature is fluid and cursive, with a long horizontal flourish at the end.

J. Bennett Graham, Manager
Cultural Resources

AEH:SBW

cc: Ms. Jennifer M. Barnett
Tennessee Division of Archaeology
Cole Building #3
1216 Foster Avenue
Nashville, Tennessee 37210

Nancy R. Greer, LCB 1A-LCT
Richard L. Toennisson, WT 9B-K
EDMS



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

August 4, 2005

Mr. J. Bennett Graham
Tennessee Valley Authority
400 West Summit Hill Dr.
Knoxville, Tennessee, 37902-1499

RE: TVA, NORRIS LAND TRANSFER, UNINCORPORATED, ANDERSON COUNTY

Dear Mr. Graham:

In response to your request, received on Tuesday, August 2, 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. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at www.state.tn.us/environment/hist/sect106.shtm.

Based on available information, we concur that the project as currently proposed will **NOT ADVERSELY AFFECT ANY NATIONAL REGISTER OF HISTORIC PLACES-LISTED PROPERTY SO LONG AS THE FOLLOWING CONDITION (S) ARE MET:**

The covenant conditions enumerated in your letter of August 1, 2005 are applied to this project.

Unless project plans change, and so long as the condition is met, this office has no objection to the implementation of this project. Should project plans change, please contact this office to determine what a dditional action, if a ny, is necessary. Questions and comments may be directed to Joe Garrison (615) 532-1550-103. Your cooperation is appreciated.

Sincerely,

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

HLH/jyg