

## **Appendix D – Public Comments and Responses**

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**PUBLIC COMMENTS**  
Received by TVA on the  
**Draft Environmental Impact Statement**  
**Northeastern Tributary Reservoirs Land Management Plan**  
November 2009

### **Introduction**

The draft environmental impact statement (DEIS) for the Northeastern Tributary Reservoirs Land Management Plan (NTRLMP) was distributed in October 2009. TVA announced a comment period of October 9 to November 23, 2009, but continued to accept comments until December 18, 2009. TVA received 37 comments from 20 commenters (some commenters submitted more than one comment) by letters, electronic mail, TVA's web-based comment system, and oral statements during the comment period on the DEIS. TVA held an open house at the Johnson City Power Board in Johnson City, Tennessee, on October 27, 2009, where 40 people attended. Written and oral comments were received from one organization, nine citizens, and 10 interested agencies. TVA has reviewed all of the comments.

All comments are listed below, organized into logical topics and themes. The order of appearance is not related to importance; all comments were considered. The largest grouping of the public responses to the DEIS focused on natural resources including threatened and endangered species, water resources, and aquatic and terrestrial ecology. There were also comments about the NEPA process and alternatives, historic resources, recreation, and how TVA's land policy is applied.

The comments and TVA's responses to them appear below. In some cases, the EIS was changed because of the information or issues presented in the comments. The names of those individuals, agencies, and organizations providing comments appear after the comment text. Names of persons providing comments may appear in more than one comment if they identified more than one issue. All original comments and letters are kept in the administrative record and are available from TVA upon request. Letters from agencies and some organizations providing more information appear in Appendix C. The Department of the Interior submitted comments on behalf of the U.S. Fish and Wildlife Service's Ecological Services offices in Tennessee and Virginia.

### **Endangered and Threatened Species**

1. Comment: The South Fork Holston River has been designated as a "Threatened and Endangered Waters" by the Virginia Department of Game and Inland Fisheries (VDGIF) and the associated species are the little-winged pearl mussel (*Pegias fabula*, G1/S1/LE/LE), sharphead darter and slabside pearl mussel. The large-leaf pondweed (*Potamogeton amplifolius*, G5/S1S2/NL/NL) has also been historically documented in the South Fork Holston River. Due to the legal status of some of the

natural heritage resources, DCR recommends coordination with USFWS and VDGIF to ensure compliance with the protected species legislation. (Robert Munson, Planning Bureau Manager, Virginia Department of Conservation and Recreation)

Response: TVA coordinated with the USFWS and VDGIF during the scoping period, and both agencies were sent copies of the draft EIS with a request to provide comments. Letters from the VDGIF and the U.S. Department of Interior (of which USFWS is part) are included in Appendix C of this EIS. Review of the TVA Natural Heritage database indicated no records of large-leaf pondweed (*Potamogeton amplifolius*) within 5 miles of the NTRs. If TVA were to develop, or receive proposals to develop, future projects along the NTRs, TVA would conduct a project-specific environmental review of the potential effects to resources including threatened and endangered aquatic plants and animals. TVA would coordinate with state and federal agencies regulating natural resources, as appropriate, during that project-specific review.

2. Comment: According to our records, Middle Fork Holston River which feeds into [South Holston Reservoir] is designated a Threatened and Endangered Species Water due to the presence of federal Threatened state Threatened spotfin chub, state Threatened longhead darter, state Threatened slabside pearlymussel, state Threatened black sandshell and federal Endangered state Endangered rough rabbitsfoot. It appears the lands adjacent to this water as it empties into the reservoir are not owned by TVA. In the case that it is or that it may be acquired by TVA, we recommend that the riparian lands adjacent to this water be placed into Zone 3: Sensitive Resource Management and that naturally vegetated riparian buffers of at least 300 ft be maintained on this water.

According to our records, South Fork Holston River which feeds into the reservoir is designated a Threatened and Endangered Species Water due to the presence of state Endangered sharphead darter. It appears the lands adjacent to this water as it empties into the reservoir is not owned by TVA except perhaps for the area designated as "Access Area 7" and shown as a hatched green polygon. In the case that it is or that it may be acquired by TVA, we recommend that the riparian lands adjacent to this water be placed into Zone 3: Sensitive Resource Management and that naturally vegetated riparian buffers of at least 300 ft be maintained on this water. (Amy Ewing, Environmental Services Biologist, Virginia Department of Game and Inland Fisheries)

Response: The NTRLMP addresses each of the species noted, except the rough rabbitsfoot, for which the TVA Natural Heritage database indicated no records within 10 miles of TVA-managed parcels on South Holston Reservoir. State designations for these waters have been incorporated into the South Holston Reservoir Land Management Plan. TVA does not manage property along the Middle Fork Holston River. Lands adjacent to the South Fork Holston River as it empties into the reservoir are not owned by TVA with the exception of Parcel 32, designated as "Access Area 7." Parcel 32 contains a riparian buffer that is important to sensitive aquatic species nearby, and it is allocated to Zone 4 (Natural Resource Conservation) under Alternative C, TVA's preferred alternative. TVA has no current plans to acquire additional lands along either of these rivers.

3. Comment: TVA has determined that no plants or habitat suitable for plants that are federally listed were identified on or within 5 miles of the parcels addressed in the NTRLMP. Additionally, TVA has determined that land planning on the NTRs has no potential to affect on any federally listed terrestrial species. TVA has also assumed that none of the parcel allocations in the NTRLMP would have the potential to affect federally listed aquatic species. We recommend that TVA consult with the Department on individual site-specific projects in the future when details become known. If there is a potential for a “likely to adversely affect” determination to be made during site-specific consultation in the future, the Department advises that “likely to adversely affect” is the appropriate determination at the programmatic consultation level, also. However, after reviewing the EIS and discussing the NTRLMP with TVA staff, we believe that the likelihood of reaching a determination of “likely to adversely affect” at the site specific consultation level in the future is unlikely. In view of this, we believe that the requirements of Section 7 of the Endangered Species Act (Act) of 1973, as they apply to the NTRLMP, have been fulfilled. (Gregory Hogue, Environmental Officer, U.S. Department of the Interior)

Response: TVA agrees that it is unlikely that future project-specific environmental reviews on the NTRs parcels evaluated in the NTRLMP EIS would reach a determination of “likely to adversely affect” a federally listed species. Any future action on NTR lands that is proposed by TVA or subject to approval through Section 26a of the *TVA Act* would undergo site-specific environmental reviews, and would be subject to the requirements of NEPA, the *Endangered Species Act*, and other regulations. TVA would coordinate with federal and state regulatory agencies, including the USFWS, as appropriate during these reviews.

### **Water Resources and Wetlands**

4. Comment: The Division of Water Supply has received and reviewed the Draft Environmental Impact Statement .... There are several privately owned dams adjacent to the proposed project area. A review of the community and non-community water supplies in the area shows that a significant portion of the proposed project will be in Source Water Protection Area. There are private water supplies in the proposed area. Please be advised that not all the water wells that are in existence are in this database and there may be older wells that we have no record of as well as hand dug wells whose existence we would not have recorded. All water wells that are encountered should be plugged and abandoned by a licensed well contractor. There are a number of system registered underground injection control (UIC) sites within the proposed project area. The system should be properly plugged and abandoned before construction. Please be advised that not all old large capacity septic systems or storm water injection points that are in existence are on this database. All UIC wells that are encountered should be plugged and abandoned according to approval from the UIC program. The plan for the proposed project locates the project in a karst area, the county you are working in is in mature karst terrain and has abundant sinkholes and other karst features. In Tennessee the modification of sinkholes is regulated under the Underground Injection Control (UIC) program, which is housed in the Ground Water Management section. If there is to be a modification of any sinkhole on this project it will be necessary for you to have a letter of authorization from the UIC program to proceed. (Scotty Sorrells, Manager, Ground Water Management Section, Division of Water Supply, Tennessee Department of Environment and Conservation)

Response: Any future action on NTR lands that is proposed by TVA or subject to approval through Section 26a of the *TVA Act* would undergo site-specific environmental reviews that fulfill the requirements of NEPA and other regulations. This includes assessing potential impacts to drinking water supplies, potable water, surface water, and groundwater systems. Coordination with regulatory agencies is part of the site-specific review, when appropriate. It is also indicated on the TVA Section 26a Permit that TDEC approval/coordination is needed.

5. Comment: Work involving earthmoving, land clearing, or similar activities that meet the criteria for a discharge of dredged or fill material in tributaries, wetlands, or other waters of the United States is likely to require Section 404 Clean Water Act permits. Further, it is very important to document efforts to avoid, minimize, and only after all efforts to avoid and minimize, then mitigate for adverse aquatic impacts. We can also verify that the South Fork of the Holston River is a navigable water from the Virginia line to Loves Mill Dam (river mile 93.8) as regulated by Section 10 of the Rivers and Harbors Act, so that permits would be required for work or structures in that waterway. (John Evans, Acting Chief, U.S. Army Corps of Engineers, Norfolk District, Western Virginia Regulatory Section)

Response: Any future action on NTR lands that is proposed by TVA or subject to approval through Section 26a of the *TVA Act* would undergo site-specific environmental reviews that fulfill the requirements of NEPA and other regulations. This includes assessing potential impacts to wetlands or other Waters of the United States. Coordination with the USACE pursuant to the *Clean Water Act* and the *Rivers and Harbors Act* would be part of the site-specific review, when appropriate.

6. Comment: EPA Region 4 recommends that TVA coordinate its efforts and/or become an active participant with the Beaver Creek Task Force (BCTF). In 1998, EPA led a group of agencies, institutions, and utilities to form a partnership to determine how to address impacts to impaired streams in this rapidly urbanizing watershed. The BCTF has undertaken a number of major projects, including a flood study, a watershed inventory, and an outreach & education program. The partnership currently includes:

Beaver Creek Watershed Association  
AmeriCorps  
City of Knoxville  
Environmental Protection Agency, Region 4  
Hallsdale-Powell Utility District  
Knox County Engineering and Public Works Storm Water Management Division  
Knox County Health Department  
Knox County Parks and Recreation  
Knox County Soil Conservation District  
Knox Land and Water Conservancy  
Knoxville-Knox County Metropolitan Planning Commission  
Knoxville/Knox County Utility Board GIS  
Legacy Parks Foundation  
Tennessee Department of Education and Conservation  
Tennessee Department of Transportation  
Tennessee Valley Authority

Tennessee Water Resources Research Center, University of Tennessee  
 USDA Natural Resources Conservation District  
 United States Geological Survey  
 Water Quality Forum  
 West Knox Utility District  
 (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: As noted in the comment, TVA is currently a participating member of the BCTF (see also responses to Comments 7 and 8 below). However, the BCTF addresses the Beaver Creek watershed in Knox County, Tennessee, in the Lower Clinch River watershed (06010207). The NTRLMP EIS addresses Beaver Creek Reservoir and Beaver Creek in Washington County, Virginia, in the South Fork Holston River watershed (06010102). Beaver Creek and Beaver Creek Reservoir in Washington County, Virginia, are not connected to the Beaver Creek watershed in Knox County, Tennessee.

7. Comment: EPA recommends that future TVA watershed activities remain in compliance with all approved FEMA flood studies that have been completed in the Beaver Creek Watershed. (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: The Beaver Creek watershed (Knox County) is not within the scope of the NTRLMP EIS. However, if TVA should conduct activities within the Beaver Creek watershed, impacts to floodplains would be evaluated as a standard part of TVA's site-specific environmental review.

8. Comment: EPA also recommends that TVA coordinate its future efforts with the EPA Region 4 TMDL Program. A number of pathogens and sediment TMDLs have been approved by EPA for the Beaver Creek Watershed, and the NPS should consider the allowable loadings and available assimilative capacity (if any) in the water bodies with established TMDLs. EPA is also currently working with the local governments to develop a formal Ecological Trading Program, and TVA should consider joining in this endeavor. Sediment and nutrient trading plans are currently being developed using work accomplished for the TMDL studies. (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: The Beaver Creek watershed (Knox County) is not within the scope of the NTRLMP EIS. However, in response to EPA's comment, TVA is currently working with the Beaver Creek Watershed Association in Knox County, Tennessee, to implement a Section 319 grant that addresses pathogens and sediment in the impaired streams. TVA has provided technical support including water quality monitoring and pollutant load modeling, which served as a basis for the load reduction strategies in the Watershed Restoration Plan and 319 grant implementation plan. TVA used the available state total maximum daily loads (TMDLs) to set the initial load reduction goals in the Watershed Restoration Plan and 319 grant implementation plan. TVA has hosted members of USEPA Region 4 offices and the Washington office to tour the Beaver Creek watershed and will continue to provide updates as efforts move forward.

TVA is currently working with the BCTF to implement a pilot Eco-trading project in Beaver Creek watershed in Knox County, Tennessee. The project is named

Watershed Based Demonstration for Tennessee's Beaver Creek Watershed. The goal of the project is stated as: To develop and pilot-test an Ecological Credit Market designed to achieve water quality goals and ecosystem benefits in the Beaver Creek watershed. The scope of the project, for which we are requesting funds at this time, consists of six tasks: (1) Market Assessment; (2) Credit Definition and Development; (3) Market Framework - principles and tools; (4) Market Transactions; (5) Project Evaluation; and (6) Grant Administration. This project will result in a credit market that will address sediment and nutrients within the framework of Knox County's new Storm Water Ordinance and the NPDES permits for Hallsdale-Powell and West Knox Utilities.

TVA would welcome an opportunity to further collaborate with USEPA and local governments on additional Ecological Trading Program projects.

9. Comment: EPA Region 4 also recommends that TVA coordinate its efforts with the State of Tennessee's Nonpoint Source Management Program, which has been created to measurably reduce nonpoint source pollution and thus improve water quality. (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: Comment noted. TVA is coordinating with partners to address nonpoint source pollution. TVA is currently working with partners to implement a Section 319 grant in the Beaver Creek watershed in Knox County, Tennessee, to address nonpoint source pollution as referenced above. TVA has a good working relationship with the Tennessee Department of Agriculture, which administers the 319 grant program. The State of Tennessee's Nonpoint Source Management Program staff has been very supportive of TVA, the BCTF, and Beaver Creek Watershed Association, and we greatly appreciate the support.

10. Comment: EPA recommends that TVA review the [sediment model for the Beaver Creek Watershed (completed by the University of Tennessee in 2005)] results, as these are useful for prioritization of any proposed bank stability projects. (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: Comment noted. As noted above, the Beaver Creek watershed (Knox County, Tennessee) is not within the scope of this EIS.

## **Aquatic Ecology**

11. Comment: Cox Mill Creek which feeds into [South Fork Holston River, South Holston] reservoir has been designated a wild trout water known to support rainbow trout. We recommend consideration of this important fishery during development of the land management plan. Access to this water for angling by the public and sampling by our biologists should be incorporated into that plan. We recommend coordination with Bill Kittrell, VDGIF Region III Fisheries manager regarding this resource. (Amy Ewing, Environmental Services Biologist, Virginia Department of Game and Inland Fisheries)

Response: TVA-managed property adjacent to the Cox Mill Creek confluence with the South Fork Holston River (Parcel 38) is committed under a recreation easement to Washington County, Virginia. The TVA-managed parcel is undeveloped land

fronting Washington County Roadside Park. Opportunities for informal bank fishing and other recreational activities currently exist and would continue under any of the alternatives proposed in the NTRLMP. Requests for formal water access or water use facilities on the parcel allocated to Zone 6 would be considered, but only from the Washington County Park Board.

12. Comment: According to our records, Beaver Creek has been designated a stockable trout water. We recommend that the land management plan for this reservoir consider this important fisheries resource. We recommend coordination with Bill Kittrell, VDGIF Region III Fisheries Manager regarding stocking and angling activities as well as opportunities for recreational access in and around the reservoir, if appropriate. (Amy Ewing, Environmental Services Biologist, Virginia Department of Game and Inland Fisheries)

Response: The current uses (and allocations) of TVA property on Beaver Creek do not affect the stockable trout stream designation. TVA's proposed reservoir land management plan would not modify the current land uses or allocations. TVA-managed public land located on Beaver Creek Reservoir contains approximately 250 acres of the 400-acre Sugar Hollow Park. It is under easement to the City of Bristol, Virginia, to provide developed recreation facilities. Sugar Hollow Park offers a variety of facilities including a softball complex, soccer fields, picnic tables, picnic shelters, the Waldo Miles Pavilion, a campground, a swimming pool, playgrounds, biking trails, and hiking trails. The remainder of the 40 acres on Beaver Creek Reservoir makes up the Beaver Creek Dam Reservation. Dispersed recreation, including bank fishing, is allowed in the park and on the Beaver Creek Dam Reservation.

13. Comment: According to the information currently in our files, the South Fork-Middle Fork Holston River Stream Conservation Unit [SCU] is located within Access Area 7 (Parcel Number 32). SCUs identify stream reaches that contain aquatic natural heritage resources, including 2 miles upstream and 1 mile downstream of documented occurrences, and all tributaries within this reach. SCUs are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. The South Fork-Middle Fork Holston River Stream Conservation Unit has been given a biodiversity significance ranking of B2, which represents a site of very high significance. (Robert Munson, Planning Bureau Manager, Virginia Department of Conservation and Recreation)

Response: Parcel 32 on South Holston Reservoir contains a small undeveloped parking area and riparian buffer that is important to sensitive aquatic species nearby. It is allocated to Zone 4 (Natural Resource Conservation) under the preferred alternative. Any future activities proposed for this parcel would undergo site-specific environmental and programmatic review, and would be subject to the requirements of the ESA and NEPA as well as TVA's Land Policy and state and federal permitting requirements.

14. Comment: To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. (Robert Munson, Planning Bureau Manager, Virginia Department of Conservation and Recreation)

Response: As a regional federal agency, TVA's best management practices (BMPs) are required to be as stringent as any of the seven surrounding states to ensure compliance across the Power Service Area. As a federal agency, TVA must comply with all federal and state laws, regulations, and codes. All actions on TVA land parcels would require compliance with the Section 26a General and Standard Conditions/BMPs (TVA 2005).

### Recreation and Natural Areas

15. Comment: I would like to see camping stay on TVA sites. (Beverly Jenkins)

Response: Overnight camping is a popular recreational pursuit on public and private lands adjacent to northeastern tributary reservoirs. A list of camping (and other recreation) opportunities on TVA-managed lands on the NTRs can be found at: [www.tva.com/river/recreation](http://www.tva.com/river/recreation). Primitive camping with a maximum 14-day stay is also available on TVA lands that support dispersed recreation. TVA lands that provide camping at developed and dispersed areas are indicated in the individual land plans.

16. Comment: We have two boat ramps on South Holston Reservoir. One is located near the confluence of Fifteenmile Creek and one is located near the location on the map designated as "Area 6 ramp." We recommend that the land management plan for this reservoir include consideration of these boat ramps and the need for continued access to the ramps for management and maintenance purposes. We support continuing to allow the public access to this reservoir. Bill Kittrell may be contacted for more information or guidance about recreational access. (Amy Ewing, Environmental Services Biologist, Virginia Department of Game and Inland Fisheries)

Response: TVA's proposed South Holston Reservoir Land Management Plan identifies both boat ramps mentioned by VDGIF. TVA does not propose changes to the management strategies of those parcels. TVA's recreation strategy and implementation process encourage partnerships, especially with government agencies, to manage and maintain access to land and water on TVA reservoirs. TVA is pleased with the VDGIF's commitment to providing safe and quality boat access on South Holston Reservoir.

17. Comment: The management plan for the Holston River addresses the recreational and scenic needs of the lake. However, there are few boat launch opportunities along the entire lake shoreline and the existing ones need to be mapped better. Providing additional boat launches will help to address the great demand for boat access to Virginia's waters. The lake is also within the proposed corridor for the Beaches to bluegrass statewide trail. Coordinate existing trail upgrades and the construction of new trails, so that they can be a part of that statewide trail system. (Robert Munson, Planning Bureau Manager, Virginia Department of Conservation and Recreation)

Response: TVA's recreation strategy and implementation process encourage partnerships, especially with government agencies, to manage and maintain access to land and water on TVA reservoirs. TVA is receptive to coordinating with local governments to meet and manage unmet recreation needs, particularly when they relate to SCORP (State Comprehensive Outdoor Recreation Plans). As such, TVA is interested in the statewide trail system and invites VDCR's coordination if the proposed trail could/would bisect TVA land. Additionally, TVA has online resources that promote recreation opportunities on public and private lands adjacent to TVA reservoirs ([www.tva.com/river/recreation](http://www.tva.com/river/recreation)). Currently TVA is updating spatial data and linking this with online map services such as Google Earth.

18. Comment: Our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized. (Robert Munson, Planning Bureau Manager, Virginia Department of Conservation and Recreation)

Response: Comment noted.

### **Terrestrial Ecology**

19. Comment: The Virginia Karst Program and the Virginia Speleological Survey know of one cave within the polygon, a resurgence (spring associated) cave called Thomas Cave No. 2. Please coordinate with Wil Orndorff to document and minimize adverse impacts to karst features. (Robert Munson, Planning Bureau Manager, Virginia Department of Conservation and Recreation)

Response: TVA appreciates the data provided by VDCR. Based upon the map provided, the subject cave is located about 0.5 mile from the nearest TVA-managed parcel. TVA has determined that activities greater than 200 feet from a cave entrance do not normally adversely affect cave habitat. As there are no changes proposed for the area surrounding this cave, the proposed actions within the plan would not result in impacts to this resource. Monitoring and assessing impacts to cave environments is a standard part of TVA's environmental review procedures.

### **Cultural and Historic Resources:**

20. Comment: The Boones Creek Historical Trust ('BCHT') strongly recommends that TVA consider joint development of Section 33 - current site of the William Bean Historical Monument (near the confluence of Boones Creek and Carroll Creek into Boone Lake) into a historical park. We envision a Picnic/Meeting Pavilion

containing a diorama illustrating historic sites and a timeline of the development of the first community in East Tennessee - Boones Creek. This pavilion would provide a setting for family enjoyment, historical lectures and conferences. Nature trails and historical placards could be developed to educate the casual visitor. We truly believe that this land should be preserved and utilized to recognize the historical presence of the William Bean cabin site down in the lake. Please let me know if BCHT should submit a formal application to participate in this potential development. Thank you in advance for your consideration. (Carlos C. Whaley, President, Boones Creek Historical Trust)

Response: TVA agrees that William Bean was an important historical figure in the early development of East Tennessee. TVA manages reservoir lands to provide multiple public benefits including recreation and conservation of sensitive resources. To pursue this proposed project, TVA encourages you to contact the Holston-Cherokee-Douglas Watershed Team office in Gray, Tennessee.

21. Comment: I live on the lake, Carroll Creek area, Johnson City. As a member of the Boone Creek Historical Trust, was interested in locating the William Beam (*sic*) monument. He was a gunsmith, he was the father of Russell Beam, who was the first child born to a settler in Tennessee. The monument was moved from under water to the portion that you have marked at 40-40 William Beam Historical on the map. It's Zone 3, Sensitive Resource Management area. It contains a little over twenty-five acres. It was in the pines and the pines were eaten up with the beetles, and it would have been dangerous to get in there. The Historical Trust would like to work out a deal some way to get a pathway or some development in that area where people could get to the monument, because right now, about the only way to get there is by boat. (George E. Boy)

Response: TVA agrees that William Bean was an important historical figure in the early development of East Tennessee. TVA manages reservoir lands to provide multiple public benefits including recreation and conservation of sensitive resources. To pursue this proposed project, TVA encourages you to contact the Holston-Cherokee-Douglas Watershed Team office in Gray, Tennessee.

## NEPA Document and Alternatives

22. Comment: Thank you for the opportunity to participate. This is a very thorough and well written document. I would suggest adding the maps to the document for increased clarity. (Richard Odum)

Response: Maps showing the location and proposed zone allocation for each TVA-managed parcel are available in a pocket at the end of each reservoir land management plan (Volumes II-VI) and on TVA's Web site at <http://www.tva.gov/environment/reports/ntrlmp/index.htm>.

23. Comment: Parcel 29 on Boone Reservoir has good designation of Natural Resource Conservation. Thank you for a great presentation and study. (Bryan Mount)

Response: Comment noted.

24. Comment: My Department prefers Alternative C, too. (Mike Atchison, Tennessee Department of Economic and Community Development)

Response: Comment noted.

25. Comment: I live on Boone Lake and after reviewing the document I support either Alternative B or Alternative C since they are the same on Boone Lake. (Richard Odum)

Response: Comment noted.

26. Comment: Recognizing that the difference in acreage allotted to Zone 3 is minor (35 acres) between Alternative B and C and that there would be added protection to the Carolina Hemlock/Great Laurel Forest under Alternative C, we agree with TVA's decision to select Alternative C as the preferred alternative. This is also taken into account, the potential for dispersed recreation and potential associated indirect impacts from such activities. (Gregory Hogue, Environmental Officer, U.S. Department of the Interior)

Response: Comment noted.

27. Comment: The Tennessee Wildlife Resources Agency recommends a blend of Alternatives B and C that would honor existing land use commitments and agreements, increase boating access for hunters and fishermen where needed, protect rare plants where present, and expand the acreage allocated to the Natural Resource Conservation zone. (Robert Todd, Tennessee Wildlife Resource Agency)

Response: Comment noted. The difference between Alternatives B and C in number of acres allocated to each zone is minor. Both Alternatives B and C honor existing land use commitments and agreements. Threatened or endangered plants would be protected under both alternatives. Both alternatives were developed to be as consistent as possible with TVA's goals for multiple land uses, which include recreation and conservation of natural resources. Therefore, TVA believes the addition of another alternative would not offer a meaningful variation from existing alternatives.

28. Comment: I concur with Alternative "C" but would ask that an additional category be included - "historical or preserved locations". This would incorporate any <if any> zones <or micro-zones> that might contain a location of historical value <cemetery, mills, special significance areas> that may be historical, of community significance, or archeological in present or future value. (Charles Jones)

Response: The existing Zone 3 (Sensitive Resource Management) provides for the protection of significant or potentially significant archaeological resources and historic sites and structures listed, or eligible for listing, in the National Register of Historic Places.

29. Comment: It is essential that the FEIS provide a clear understanding of the potential direct, indirect (secondary) and cumulative environmental impacts the proposed alternatives will have on the aquatic and other affected resources within the project area in association with other past, present, and reasonably foreseeable

future projects. Therefore, EPA recommends that the FEIS provide a cumulative impact analysis for the Beaver Creek Reservoir. (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: Direct, indirect, and cumulative impacts of the proposed action and alternatives, including on lands around Beaver Creek Reservoir, are addressed in the FEIS.

30. Comment: EPA's Alternative preference is Alternative B in which TVA would prepare an RLMP addressing the seven NTRs with minimum land disturbance. Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: Comment noted.

31. Comment: We rate this document EC-2. We have concerns that the preferred alternative will have impacts on the environment that could and should be avoided. The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment. Additional information, data, analyses, or discussion should be included in the final EIS. (Heinz J. Mueller, Chief, NEPA Program Office, Office of Policy and Management)

Response: Comment noted. Based on the full comments provided by EPA, TVA believes the rating and EPA's concerns are based upon the EPA's assumption that the EIS addresses the Beaver Creek watershed in Knox County, Tennessee. As noted in the response to Comment No. 6 above, the Beaver Creek and Beaver Creek Reservoir addressed in the NTRLMP is within the South Fork Holston River watershed in southwest Virginia. Data clarifying the watersheds in which NTRs are located has been added to Chapter 3.1 of the FEIS.

### **Section 26a Approval**

32. Comment: I am a property owner in The Harbour neighborhood on Watauga Lake. I am a property rights advocate but also value the scenic beauty of the reservoir. I want to make certain this plan does not mean the application process for docks on Watauga Lake will be discontinued. Will there be any major changes to the way property owners can use their lands? (Anonymous)

Response: Access rights are determined by the landrights in your deed, through TVA policy, or are implied, and will not change as a result of the NTRLMP. The proposed NTRLMP would not change the Section 26a application or approval process, or TVA's Land Policy. Reservoir shorelines with residential access rights have been identified and designated as Zone 7 (Shoreline Access).

### Reservoir and Shoreline Conditions

33. Comment: On coves such as Sharps Creek on South Holston Lake, the inlet is filling in rapidly and trees are toppling. We lost 10 horizontal feet of bank in a year. The problem is that TVA refuses to recognize small coves such as this must be declared no wake. Jet skiers circle continually in the cove. Yes, I know the state authorities must take legislative action, but TVA needs to facilitate the action. (Powell Foster)

Response: State agencies regulate boating and evaluate the appropriate locations of “no wake zones.” In this location, placement of no wake buoys is the jurisdiction of the Tennessee Wildlife Resources Agency.

34. Comment: Land Management Plan associated with Boone Lake. I see nothing in the plan relating to the enormous effort or funding for cleaning and removing trash from Boone Lake. Only Boone Lake Association [BLA] makes any effort in removing trash from the shores and waters. TVA is cutting BLA's support when it should be increasing it. Included in this plan should be generous allocations for removing trash hazardous to wildlife, environment and recreational users. (Allison Hall)

Response: Budgeting for specific TVA projects is not part of the reservoir land management plan. TVA expresses appreciation and commitment to the association for the scope and depth of their work on Boone Reservoir. TVA management decisions are based upon aligning with TVA's Strategic Plan.

### Beaver Creek Flood Control

35. Comment: Our only comments to your draft EIS pertain to Beaver Creek Dam, described in Chapter 3 and further discussed in Volume II of the document. In December 2004 the Corps completed an Environmental Assessment (EA) addressing flood damage reduction to the cities of Bristol, Tennessee and Bristol, Virginia. TVA adopted this EA and signed a Finding of No Significant Impact in March 2006. One alternative planned for implementation includes modifying the outlet structure of Beaver Creek Dam to increase detention times for smaller storm events and heavy rainfalls to allow floodwaters below the dam to move through the twin cities before releasing water from the upper Beaver Creek drainage area. We suggest your draft EIS recognize the modification to the structure and address any implications thereof relevant to your study. (Patricia Coffey, Chief, Project Planning Branch, Nashville District, U.S. Army Corps of Engineers)

Response: TVA adopted the Corps-prepared EA and issued a FONSI for the Bristol Flood Damage Reduction Study, as stated in the comment and in Section 1.5 of the EIS. TVA and the Corps developed a draft memorandum of agreement (MOA) for construction, operation, and maintenance of the proposed outlet structure on Beaver Creek Dam. However, the MOA was never signed, and the construction of the modified outlet has not begun. TVA is prepared to work with the Corps if this project is funded in the future.

## Roads

36. Comment: Any changes to entrances or the use of an existing entrance to state owned rights of way will need to be coordinated through the Abingdon Residency Office. (Donald Necessary, Virginia Department of Transportation)

Response: Comment noted. Should any future proposed actions involve entrances to state-owned rights-of-way, TVA will coordinate with the Virginia Department of Transportation.

37. Comment: Thank you for the opportunity to comment on the scope of the [NTRLMP Draft EIS]. At this time, the Tennessee Department of Transportation has no comments. (Gerald F. Nicely, Commissioner, Tennessee Department of Transportation)

Response: Comment noted.