

***Appendix I –Letters Received from EPA, U.S. FWS, States of Tennessee
and Alabama Historical Commission on the Draft EIS***



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

June 17, 2002

Ms. Chellye Campbell
Project Leader
Tennessee Valley Authority
TVA - Pickwick Watershed Team
Resource Stewardship, West Region
P.O. Box 1010, SB 1H
Muscle Shoals, Alabama 35662

SUBJ: EPA NEPA Comments on the TVA DEIS for the "Pickwick Reservoir Land Management Plan;" Colbert and Lauderdale Counties, AL; Tishomingo County, MS; and Hardin County, TN; CEQ No. 020160

Dear Ms. Campbell:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Tennessee Valley Authority (TVA) Draft Environmental Impact Statement (DEIS) in accordance with EPA's responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The proposed project is to update the current 1981 TVA land management plan for TVA-managed lands associated with Pickwick Reservoir, a 52.7-mile long TVA reservoir with 490.6 miles of shoreline in Alabama, Mississippi and Tennessee.

The land management plan is being updated since some lands (1,200 ac) have been transferred to other agencies since 1981, other lands (2,000 ac) are now submerged, while other lands were not considered in the original plan (1,330 acres, primarily the narrow shoreline "marginal strip" retained by TVA between the reservoir and private property sold by TVA). The 1981 plan also included multiple use categories and requests for development were determined on a more subjective case-by-case basis. In contrast, alternatives for the updated plan offer a more systematic approach that allocates land into more distinct resource categories (land use zones). Overall, the presented alternatives for the updated plan would manage 19,238 acres of land (pg. i) of which 6,304 acres (pg. 16) are uncommitted with the balance already being committed to an existing TVA project or agricultural use. Existing land use commitments would be retained for all alternatives of the updated plans being considered.

Land Use Zones

The alternatives for the updated plan allocate TVA-managed lands into seven land use zones, of which TVA is responsible for lands in Zones 2-7:

- Zone 1 - *Non-TVA Shoreland* - Non-TVA lands above summer pool elevation such as flowage easements or privately-owned shorelands.
- Zone 2 - *Project Operations* - TVA lands used for project operations and public works.
- Zone 3 - *Sensitive Resource Management* - TVA lands managed for the protection and enhancement of sensitive resources such as cultural resources, TVA-designated Natural Areas, ecological study areas, river corridors with sensitive species, wetlands as defined by TVA, significant scenic areas, lands leased for protection purposes and lands fronting areas protected by other agencies.
- Zone 4 - *Natural Resource Conservation* - TVA lands managed for natural resource enhancement or human use appreciation. Categories include forest management areas, recreational areas for hunting and birdwatching, riparian shoreline areas, river corridors not included in Zone 3, small islands (10 acres or less), and lands fronting wildlife and forest management lands owned by other agencies.
- Zone 5 - *Industrial/Commercial Development* - TVA lands managed for economic development such as lands for business parks, industrial access, barge terminals, towing areas and minor commercial landings.
- Zone 6 - *Developed Recreation* - TVA lands managed for active recreational areas requiring capital improvements/maintenance such as campgrounds, marinas, parks, greenways, water access areas and lands fronting such areas managed by other agencies.
- Zone 7 - *Residential Access* - TVA lands requested for waterfront residential access such as docks, piers, corridors, retaining walls, easements and other activities such as fill/excavation.

In regard to activities associated with Zone 4, we note that timber harvesting is currently not included in the *forest management* component of Zone 4 since page 75 states that: “At this time, no timber harvests are proposed on TVA public land surrounding Pickwick Reservoir.” On the other hand, we note that timbering is also not precluded since page 75 further states that: “However, when the need arises, timber harvesting may be considered to address stakeholder requests, issues of safety, etc. from impacts of insect infestation and storms and incorporates the appropriate level of environmental review.” In general, we agree that such timber harvesting in response to weather or insect infestations would constitute forest management. If commercial harvesting is requested and should it be granted by TVA in Zone 4 or elsewhere, we request that the FEIS address the timber harvesting – particularly any potential clearcutting and thinning activities – relative to EPA mandates such as minimizing water quality degradation.

Also, although Zone 7 addresses TVA-owned or managed lands for residential access to the reservoir, it is unclear if any of the Zones 2-7 are specifically established for potential new residential development on TVA-owned or managed shore-lands along the Pickwick Reservoir. The FEIS should clarify.

Public Concerns

Issues that were raised by the public during public meetings were listed in the DEIS (pg. iii) as: terrestrial ecology, sensitive plant and animal species, water quality, aquatic ecology, wetlands, recreation, and visual resources. In addition, the TVA staff identified significant natural areas, floodplains, land use and prime farmland conversion, navigation and socioeconomics and environmental justice as important issues. It should be noted (pg. 74) that “TVA received several comments during scoping that expressed concern for the preservation of natural resources (e.g., natural areas, wildlife habitat, wetlands) and the ways in which these resources may be compromised by increased development (e.g., loss of sensitive habitat, clear cutting of land along the shoreline).” Therefore, it appears that the public has an interest in the preservation of the natural areas of the Pickwick Reservoir shorelands.

TVA Preferred Alternative

Three alternatives were considered in the DEIS. These were the continuance of the current 1981 plan (Alternative A: No Action) and two updated plan options (Alternative B: a “balanced” (pg. v) alternative, and Alternative C: a “conservation” (pg. v) alternative). Although TVA did not identify a preferred alternative in the DEIS, page 27 indicates that “TVA prefers the action alternatives (B and C) over the No Action Alternative.” EPA agrees with the TVA preference for B and C over A.

Alternative B vs. C

In general, B and C would allocate more lands to environmentally protective zones – Zone 3 (Sensitive Resources) and Zone 4 (Natural Resources) – compared to current practices under A, with C being more protective than B. Specifically based on Table 1, B and C would allocate 7.0% and 7.8%, respectively, of the TVA managed lands into Zone 3 (compared to 6.3-6.9% for A), and 62.8% and 63.6%, respectively, into Zone 4 (compared to 25.2-48.1% for A). Allocations into Zone 5 (Industrial/Commercial) would be more restrictive than for A (2.3-13.0%), with B allocating more (2.8%) than C (2.3%). Allocations into Zone 7 (Recreation) would essentially be unchanged from A (5.5%), with B allocating slightly more (5.6%) than C (5.5%). Those lands previously unplanned in the 1981 plan (1.3%) would be allocated to Zone 4 for both B and C. Those lands previously committed under A, would remain committed to their land use.

Land Parcels 37, 53 & 156

Specific to these differences between B and C, TVA is soliciting public comments regarding the development (B) versus conservation (C) of some 145 acres in Parcels 37, 53 and 156. Three proposals have been made to TVA for commercial or industrial development of these parcels and are considered in the DEIS, while additional unfinalized proposals appear to be pending. Alternative B would consider these three requests by allocating lands into Zones 5, 6

and 7, while C would not consider the requests by allocating all of these lands into Zone 4. Environmental characterizations (Chapter 3) of these parcels and descriptions of the specific proposal for their development are as follows:

* Parcel 37 (City of Florence Proposal) - This 35.97-acre tract was allocated for industrial development under the 1981 plan (barge terminal). The City of Florence in Alabama has requested that it be used for "...public recreation facilities including trails, overlooks, and future commercial recreation." Ecologically, Parcel 37 has been altered by earthmoving activities but small areas of forested wetlands exist, herons have been observed nearby, and neotropical birds use the site as a travel corridor during migrations (presumably, enough of such areas still exist since recreational development is being proposed). Alternative B would allocate this parcel into Zone 6, while C would allocate it into Zone 4.

* Parcel 53 (Southeast Tissue Proposal) - This 88.59-acre tract was allocated as Upland Wildlife and General Forest Management under the 1981 plan. The parcel includes a gas line easement and fronts an industrial site. Southeast Tissue has requested access to allow construction of an industrial discharge for their proposed tissue plant. Ecologically, Parcel 53 is entirely forested including a large stand of hardwoods that "provides excellent habitat for wildlife" and small areas of forested wetlands. It also provides a visual buffer from adjacent industrial development. Alternative B would allocate this parcel into Zone 5, while C would allocate it into Zone 4.

* Parcel 156 (Cabin Lessees' Proposal) - This 21-acre tract is located just upstream of the Pickwick Landing State Park. It includes nine cabins leased from TVA, which are intermingled along the Parcel 155 shoreline. These 1.5- to 5.5-acre plots contain homesite and utility corridor clearings. The cabin lessees have requested to purchase the cabins. Ecologically, Parcel 156 contains exotic plants and no wetlands, but "contains good habitat for wildlife." It is utilized by neotropical birds during migrations and bald eagles and ospreys use nearby mature trees for foraging lookouts. Alternative B would allocate this parcel into Zone 7, while C would allocate it into Zone 4.

Modified C Alternative

Alternatives B and C offer more environmental benefits than A, and C offers more than B based on their percentages of land to be allocated in Zones 3 and 4. As suggested in the DEIS, C is the environmentally preferred alternative that provides the greatest environmental protection. However, C would also not consider any of the three requests for development of Parcels 37, 53 and 156, since all 145 acres of these parcels would be allocated into Zone 4. Although controlling shoreline development is a referenced public concern and has water quality benefits strongly supported by EPA and is consistent with the Clean Water Act, there is also a practical component to consider for certain types of development. As such, TVA might consider modifying C in the FEIS to allow some reasonable exceptions for development of natural areas. This could either be in the form of a more flexible C, or through development of new alternatives such as a "Modified

C” or a “B/C Hybrid” (all C options hereafter called “Modified C”). Such a modification would allow case-by-case determinations of requests for development outside of designated development zones (5, 6 & 7), similar to current procedures used for A. However, different from A, tradeoffs compensating for granted additional development would be required by allowing proportionately less development in Zones 5, 6 and 7. In general, a Modified C alternative would consider requests outside development zones from a perspective that is less developmental than B but slightly more development than C. If a Modified C is implemented, TVA should also generate guidelines for making decisions for such exceptions for consistency in decision-making and to perhaps minimize the potential for unrealistic requests contrary to these guidelines. Once decisions have been made for Parcels 37, 53 and 156 and an updated land management plan has been adopted by TVA, prospective developers should also be encouraged to only request development within zones designated for development by the adopted plan (Zones 5, 6 & 7), such that exceptions under a Modified C approach are infrequently requested or granted. However, a mechanism to consider such requests would be in place.

In response to TVA’s request for comments on Parcels 37, 53 and 156, we offer the following specific comments. For Parcel 37, development of the requested recreational facilities seems reasonable given the fact that the parcel is classified as a barge terminal industrial site under the current 1981 plan, parts of the site have been disturbed, and that recreational facilities are less disruptive than most commercial or industrial developments. Such construction for recreational benefit would be consistent with a Modified C approach. Similarly, in the case of Parcel 156 where cabins already exist as leased homesites, acquisition of these cabins by the lessees with water access would not need to produce significant additional water quality degradation and would be consistent with a Modified C approach. Allowance of additional construction of additional cabins on this site, however, should not be considered consistent with a Modified C approach. Parcel 53 proposing water access for a point source industrial discharge should also not be considered consistent with a Modified C approach since the facility is only proposed (as opposed to existing) and the waste discharge – even if permitted – would be received by reservoir lentic waters (as opposed to riverine lotic waters). In essence, development requests for these and other potential requests under a Modified C approach might be based on whether proposals are compatible with reservoir resources, exhibit an existing as opposed to proposed need, result in limited water quality and wetland effects, and will be monitored for performance standards if implemented. In any case, such construction would also need to be consistent with state and federal statutes and a TVA or TVA-concurred watershed management plan for Pickwick Reservoir.

Previously Committed Lands

As indicated above, those lands previously committed under A, would remain committed to their land use. While this “grandfathered” approach seems reasonable, it is clear that these land uses would still need to comply with state and federal statutes relative to wetland losses, water quality standards, endangered species, required permitting, and any other applicable laws and regulations.

Reservoir Health

The general health of Pickwick Reservoir appears reasonable based on the results of TVA's water quality, benthic and fishery sampling in its Vital Signs Monitoring program (Table 3.5-1: pg. 49). However, we note that chlorophyll levels have increased since 1991 causing TVA to score this water quality indicator as only *fair* or *poor* more often than *good*. This suggests that nutrient-laden runoff from reservoir and/or upstream development is entering the reservoir and influencing water quality. Although TVA ratings for dissolved oxygen, fish and benthos were generally rated as *good*, some years were also only rated as *fair*. The DEIS may therefore have somewhat overstated the health of the reservoir by characterizing the fish as a "diverse and healthy community" and the benthos as "rich in benthic fauna with a mussel sanctuary" (pg. viii). It is also unclear what perturbation or synergism is affecting these resources in parts of the reservoir to cause a *fair* or *poor* rating (e.g., pollution, water quality, disease, overfishing, year class, etc.). The FEIS may wish to discuss in greater detail. Ultimately, the TVA decision-making process regarding selection of an updated land management plan and proposals for development should consider these Vital Signs Monitoring results and the potential effects of additional development.

As suggested above, the rise in chlorophyll (Chlorophyll *a*) in the reservoir is a concern to EPA since it is a good indicator of trophic level and reservoir health. The FEIS should discuss if the State of Tennessee has a Chlorophyll *a* standard for this lake and, if not, what the prospects might be for setting one.

Reservoir Management Goal

It is unclear if a "management goal" for the Pickwick Reservoir has been established for the lake. Such a goal should be the foundation of the land management plan. One such goal, for example, would be to at least maintain the present level of water quality, habitat diversity, species, etc. Some lakes have good fisheries information that help set goals. The seven land use zones presented in the DEIS might shape the management goal, as well as selection of Alternative A, B or C since they vary in the level of development allowed.

Reservoir Shoreline Development

The TVA Shoreline Management Initiative (SMI) based on a 1999 TVA EIS and ROD has been applied to Pickwick Reservoir in terms of residential shoreline construction and water access. SMI categorized the shoreline into three categories: *Shoreline Protection* (areas where sensitive resources exist), *Residential Mitigation* (areas where sensitive resources may exist or can be mitigated) and *Managed Residential* (areas where sensitive resources do not exist). For the Pickwick Reservoir, 20% (95.8 mi) of its 490.6-mile shoreline was considered residential shoreline. Page 7 indicates that for that shoreline, 2% (1.9 mi) is in Shoreline Protection, 81% (77.6 mi) is in Residential Mitigation, and 17% (16.3 mi) is in Managed Residential. EPA concurs with TVA's proposed separation of land use categories involving industrial/commercial

development (Zones 5 & 6) from sensitive and natural resource areas (Zone 3 & 4) in the updated land management plan.

Watershed Protection Plan

Before any additional development is allowed on TVA-managed lands or back-lying areas near Pickwick Reservoir, EPA strongly recommends that a watershed protection plan be developed by TVA for TVA-owned and managed lands. While SMI offers good overall guidance for shorelines, implementation of a watershed protection plan specific to Pickwick Reservoir is critical. The FEIS should indicate if such a plan has been developed, is perhaps already required by SMI, and how it will be funded, implemented, monitored and enforced. We recommend that a summary of any developed or draft plan be included in the FEIS. Any alternative selected by TVA in the FEIS (A, B, C, Modified C, other) must be consistent with this plan.

It is clear that TVA can only directly control those activities on TVA-owned or managed lands. However, for back-lying watershed areas, we further recommend that TVA also be an important stakeholder in the community regarding overall watershed issues. In general, the water quality in a reservoir is much more impacted by the conditions in the larger watershed than just the immediate shoreline area. For example, at Lake Lanier in Georgia, the U.S. Army Corps of Engineers (COE) seem to have made a considerable effort to be engaged in a wide variety of issues in the lake's watershed that effect lake water quality. They have hosted seminars on BMPs for forestry, erosion control and storm water management. They also report violations to state and local officials. They comment on wastewater discharges in the lake's watershed and at least keep abreast of land management plans by local governments in the watershed. We suggest that the FEIS explore such opportunities outside of the immediate shoreline for TVA to have a role that ultimately protects or improves the water quality in the lake. A discussion of community outreach (present and proposed) would also be pertinent. In essence, while the scope of the EIS focuses on the TVA-owned and managed lands, EPA recommends that the EIS also consider the bigger watershed picture and overall cumulative impacts. Ideally, the watershed protection plan would address issues of the larger watershed as opposed to only TVA-owned and managed shorelands.

Cumulative Impacts

Regardless if B or a more protective C or Modified C alternative is selected, outside (non-TVA) development in back-lying or TVA-managed lands could nevertheless impact the reservoir. For example, TVA should coordinate with the Federal Highway Administration (FHWA) on the Memphis-Atlanta Corridor (pg. 8) as appropriate if it crosses the lake. Such projects should be consistent with the watershed management plan and the selected updated land management plan. The prospects/effects of development outside of TVA managed lands should also be considered in the selection process of a B versus C level of development for the updated land management plan.

Additional Comments

* Acreage Figures (pg. i and DEIS) - For the updated land management plan, 19,238 acres would be allocated into seven land use categories (zones) which includes previously committed and agricultural lands as well as 6,304 acres of lands that remain uncommitted. Although this summarizes the general approach, some apparent inconsistencies regarding specific acreage figures exist within the document. While these apparent inconsistencies are not significant to the overall updated plan, they should be corrected or clarified in the FEIS. A tabular summary would also be helpful.

Table 2-5 (pg. 24), indicates that 19,238 acres of TVA land would be allocated under the updated plans of B and C. The DEIS abstract indicates that 12,849.42 acres are already committed (via land transfers, leases and contracts) to given land uses, and page 16 indicates that these existing land uses would be retained under the new plan. Page 16 also states that 6,304 acres remain uncommitted. As such, the statement on page i indicating that 19,238 acres are “available for allocation to future uses” seems inappropriate since well over half of these acres are already committed. Furthermore, if 19,238 acres are allocated, and 6,304 are uncommitted, then 12,934 acres (19,238 minus 6,304) would seem to be committed instead of the 12,849 acres reported in the abstract. Also, page 15 and Table 2-5 state that 2,861 acres are committed for TVA project lands, while page 16 states that “[a]pproximately 9,987.92 acres (52.1 percent) of the TVA public land surrounding Pickwick Reservoir are committed due to existing land uses.” We assume that the 9,988-acre figure includes both TVA project lands (2,861 ac) and other lands (conceivably agricultural lands although page 16 indicates that agricultural lands were not considered committed because they are interim use) since the 19,238 total acres minus the 6,304 uncommitted acres (pg. 16) would equal 2,934 committed acres, which is much less than the 12,849 committed acres reported in the abstract.

* Parcel 37, 53, & 156 Acreage (pg. v) - Page v references the sum of these three parcels as 245 acres, which is inconsistent with the EPA-calculated total of 145.56 acres from Table 2-4 and the stated total of 145 on page 74. We assume therefore that 145 acres is correct. The FEIS should discuss this.

* Air Quality (pg. ix) - The summary discussion on air quality should be updated in the FEIS. It is stated that “[t]hese new standards [ozone and particulate matter], including an 8-hour standard for ozone that would supersede the old 1-hour standard, have been challenged in the courts and it may be a year or more before these matters are ultimately resolved.” However, it should be noted instead that, on February 27, 2001, the Supreme Court upheld the health basis for revising the ozone and the particulate matter standards, but remanded some issues regarding the level of the standards back to the Washington D.C. Circuit Court of Appeals. On March 26, 2002, the Circuit Court upheld both the 8-hour ozone standard and the fine particulate matter standard, thereby resolving all outstanding legal issues. The EPA is moving forward to develop implementation guidance for both of these standards, and expects to promulgate designations for the 8-hour ozone standard by 2004.

* Wetlands (pg. 17) - Wetlands are referenced as a resource protected under Zone 3. However, it is unclear what is meant by wetlands “as defined by TVA” (pg. 17). Does/How does this differ from wetland definitions in guidance from the U.S. Army Corps of Engineers (COE 1987 manual) or the U.S. Fish and Wildlife Service (Cowardin)? In addition to jurisdictional wetlands, we suggest that the TVA definition for the purposes of the updated land management plan also include transitional and isolated wetlands that may not satisfy all three COE criteria (vegetation, soils and hydrology) for jurisdictional wetlands and are no longer considered jurisdictional by the COE, since such wetlands still have functional value and should be considered sensitive areas.

* Zones 3 & 4 (pg. 21 vs. App. B) - Page 21 indicates that C would allocate Parcels 37, 53 and 156 into Zones 3 or 4 while Appendix B lists only Zone 4 for these three parcels for C. The FEIS should clarify. EPA has assumed Zone 4 in this letter.

* Map of Parcels (pg. 21) - Although Appendix B provides good information on all the parcels associated with Pickwick Reservoir, a location map of the Parcels 37, 53 and 156 and other parcels discussed in DEIS would have been a helpful reference.

EPA Conclusions and Recommendations

We offer these conclusions and recommendations on the following DEIS issues:

* Watershed Protection Plan - Before any additional development is allowed near Pickwick Reservoir, EPA strongly recommends that a watershed protection plan be developed by TVA for TVA-owned and managed lands to supplement SMI guidance. The FEIS should indicate if such a plan has been developed, is perhaps already required by SMI, and how it will be funded, implemented, monitored and enforced. A summary of any developed or draft plan should be included in the FEIS. Any alternative selected by TVA in the FEIS (A, B, C, Modified C, other) must be consistent with this plan.

In addition to managing TVA shorelands, we further recommend that TVA also be an important stakeholder in the community regarding larger watershed issues and consider the bigger watershed picture and the overall cumulative impacts on the lake. Ideally, the watershed protection plan would address issues of the larger watershed as opposed to only TVA-owned and managed shorelands.

* Management Goal - If not already established, EPA strongly recommends that TVA select a management goal for Pickwick Reservoir that should be the foundation of the land management plan. The seven land use zones presented in the DEIS might shape the management goal, as well as selection of Alternatives A, B or C since they vary in the level of development allowed.

* Alternatives - TVA should identify a preferred alternative in the FEIS for its updated land management plan. This decision should fully consider that the public has indicated an interest in the preservation of natural areas of reservoir shorelands; the management goal of the reservoir;

that 20% of the existing shoreline (including sensitive areas) is already developed; that reservoir chlorophyll levels have been increasing; that the reservoir shorelands contain wetlands, riparian zones, federally protected endangered species and numerous (750+) archeological sites; the cumulative effects from projects in back-lying areas and on TVA-managed areas; and that C would be the most environmentally protective alternative. From a practical perspective, TVA should also consider a Modified C alternative that would allow consideration of development requests from a perspective that is less developmental than B but slightly more developmental than C. These requests would be considered on a case-by-case basis for reasonable development on TVA parcels outside of designated development Zones 5, 6 and 7. Such exceptions should require tradeoffs that will compensate for the additional development by allowing proportionately less development in Zones 5, 6 and 7. If a Modified C is implemented, TVA should also generate guidelines for making decisions for such exceptions for consistency in decision-making and to perhaps minimize the potential for unrealistic requests contrary to these guidelines. These guidelines might include that proposals are compatible with reservoir resources, exhibit an existing as opposed to proposed need, result in limited water quality and wetland effects, and will be monitored for performance standards if implemented. In any case, all development must be consistent with state and federal statutes and a TVA or TVA-concurred watershed protection plan for Pickwick Reservoir. Prospective developers should also be encouraged to only request development within zones designated for development by the adopted plan (Zones 5, 6 & 7), such that exceptions under a Modified C approach are infrequently requested or granted. However, a mechanism to consider such requests would be in place.

* Parcels 37, 53 and 156 - Employing the concept of a Modified C alternative, the request for recreational development of Parcel 37 would be reasonable and consistent with a Modified C approach since the parcel is an industrial (barge terminal) site under the current 1981 plan, parts of the site have been disturbed, and because recreational development is less disruptive than most industrial/commercial development. In the case of Parcel 156 where cabins already exist as leased homesites, acquisition of these cabins by the lessees with water access would not need to produce significant additional water quality degradation. The request would be consistent with a Modified C approach and could be granted if no additional cabins were constructed. However, the request for Parcel 53 proposing water access for a point source industrial discharge should not be considered consistent with a Modified C approach since the facility is only proposed (as opposed to existing) and the waste discharge would be received by impounded waters (as opposed to riverine waters). Any construction consistent with a Modified C approach would still need to comply with all state and federal statutes and a TVA or TVA-concurred watershed protection plan for Pickwick Reservoir.

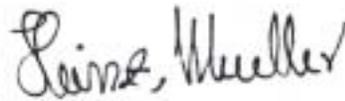
* EPA DEIS Rating - Since a preferred alternative was not identified in the DEIS, EPA has rated all three alternatives presented. Based on the above comments and concerns, we rate C as "LO" (Lack of objections) and B and A as "EC-1" (Environmental Concerns, with some additional information requested), with B being favored over A. We also rate a Modified C as LO. Overall, we rate the DEIS an EC-1 since B was rated EC-1 and it remains unclear which alternative TVA will select in the FEIS. We request that our DEIS comments be addressed in the FEIS.

Summary

EPA recommends that TVA select an updated land management plan for Pickwick Reservoir based on the management goals for the reservoir taking into consideration existing reservoir water quality, shoreline development, natural resources, public comments, and the potential impacts of further development of reservoir shorelands and back-lying areas. EPA strongly supports water quality protection but acknowledges the need for some development from a practical perspective. EPA also recommends that TVA develop a specific watershed protection plan for Pickwick Reservoir for TVA-owned and managed lands. In addition to managing TVA shorelands, we further recommend that TVA also be an important stakeholder in the community regarding larger watershed issues in order to better address the bigger watershed and the overall cumulative impacts issues of the lake.

Thank you for the opportunity to provide comments on the DEIS. The staff contact for this project is Chris Hoberg, who can be reached at 404/562-9619.

Sincerely,



Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

cc: Harold Draper - TVA: Knoxville, TN



United States Department of the Interior

OFFICE OF THE SECRETARY

OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE

Richard B. Russell Federal Building

75 Spring Street, S.W.

Atlanta, Georgia 30303

ER 02/373

June 7, 2002

Mr. Jon M. Loney
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

RE: Review of Draft Environmental Impact Statement for the Land Management Plan for Pickwick Reservoir, Colbert and Lauderdale Counties, AL; Tishomingo County, MS; and Hardin County, TN

Dear Mr. Loney:

The Department of the Interior has reviewed the referenced document and have the following comments:

The Tennessee Valley Authority's (TVA) Draft Environmental Impact Statement for the Pickwick Reservoir Land Management Plan, adequately describes the resources within the project area and the proposed actions' impact on our trust resources. We support Alternative C for TVA's involvement in the land management plan, and believe it would benefit fish and wildlife resources of the area and provide adequate recreational opportunities.

If you have any questions concerning these comments, I can be reached at 404-331-4524.

Sincerely,

Gregory Hogue
Regional Environmental Officer

cc:
OEPC, WASO
BBell, FWS-R4



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

May 13, 2002

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

RE: TVA, DRAFT ENVIRONMENTAL IMPACT STATEMENT, PICKWICK RES. LAND
MANAGEMENT PLAN, UNINCORPORATED, HARDIN COUNTY

Dear Mr. Loney:

At your request, our office has reviewed the above-referenced draft environmental impact statement in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). We concur with the document, that all proposed action alternatives must comply with Section 106 of the National Historic Preservation Act. In particular, any proposed undertakings that include ground-disturbing activities have the potential to impact archaeological resources. Undertakings implemented in accordance with the chosen management option should be submitted to this office for our review and comment.

Your cooperation is appreciated.

Sincerely,

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

HLH/jmb

cc: Mr. J. Bennett Graham, TVA



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
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LEE H. WARNER
EXECUTIVE DIRECTOR

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May 24, 2002

Jon M. Loney
Manager, NEPA Administration
Environmental Policy and Planning
TVA
400 West
Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: AHC 01-2269; DEIS for Pickwick Reservoir Land Management Plan, Colbert and
Lauderdale Counties, Alabama

Dear Mr. Loney

Thank you for forwarding the Draft Environmental Impact Statement for the above referenced project. We understand that under any alternative, TVA will abide by the Programmatic Agreement (when finalized) regarding Land Plans in Alabama. TVA will also utilize a phased process to conduct identification and evaluation treatment plans for avoidance, protection, and maintenance of historic properties which are National Register eligible. We look forward to receiving the Final Environmental Impact Statement as soon as it becomes available.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, please contact Amanda McBride of this office and **include the AHC tracking number referenced above.**

Very truly yours,

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/ALM/alm

Cc: J. Bennett Graham
TVA
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Norris, Tennessee 37828-1589