

## APPENDIX A-2 Responses to Public Comments

### Public Comments

Comments on the Draft Environmental Impact Statement - Tellico Reservoir Land Management Plan were received from March 17 through May 8. TVA received 36 sets of comments from individuals, government agencies, and organizations. Comments were received via letters, electronic mail (e-mail), telephone messages (1-800-TVA-LAND), and petitions.

All comments have been summarized and categorized for easier public review. Because comments were summarized, the exact wording was not always used. It should not be assumed that all individuals identified with combined comments necessarily support all facets of that comment. TVA attempted to retain important differences among comments when summarizing or combining them. However, a number of summarized comments may still be somewhat repetitious because further refinements could have distorted an important element of a specific comment. In some instances, individuals submitted multiple comments and were identified with more than one category.

### Public Comment Categories & Number of Comments

Category	# of comments	Category	# of comments
1. Bakers Creek-Wear Bend	11	16. NEPA Issues	4
2. Coytee Springs Recreational Area	1	17. Plan A	1
3. Crime/Safety	4	18. Plan B	3
4. Cultural	2	19. Planning Process	7
5. Development Issues	11	20. Private Water Use Facilities	1
6. Eastern Band Cherokee Development	9	21. Recreation	11
7. Erosion	1	22. Residential	4
8. Greenway	7	23. River Corridor	1
9. Industrial Development	3	24. SMI	2
10. Infrastructure	2	25. Socio-Economic	1
11. Jackson Bend	1	26. TRDA	2
12. Land Plan/Scoping	9	27. Transportation	2
13. Land Transfers	3	28. TVA	1
14. Natural Resource Management Activities	7	29. Zone 3, 4	1
15. Natural/Sensitive Resources	6		

**Responses to Public Comments**

**1. Bakers Creek-Wear Bend Area**

**1.1 Comment:** We are for the proposed plan if there is a possibility this area would be zoned residential.

**Comment by:** Mary McMahan

**1.2 Comment:** We have just bought our home in the town of Greenback and one of the reasons is because of the boat dock, and being able to go fishing around the banks down at Bakers Creek, and even swimming, going horse boat riding and skiing and horse back riding is available for the area down here to enjoy. Please don't ruin this area by letting this go residential or industrial.

**Comment by:** Betty Gurley

**1.3 Comment:** We urge you to consider that this area be zoned for recreation or residential development. The labor market in the area is tight and future labor demand will only make the problem worst. Additionally, the industrial park unoccupied land in the area should be sufficient for future expansion.

**Comment by:** Lou Padgett

**1.4 Comment:** To whom it may concern. I would like the area of Bakers Creek to be a recreation area/park and NOT a industrial park. Thank you.

**Comment by:** Cledia Banton

**1.5 Comment:** In order to maintain the beauty and natural resources of the area, which create a lifestyle that attracts people and development, we need to now preserve these resources to keep the area attractive to those who seek them. It is now time to start protecting the remaining open land for public use prior to it disappearing forever.

**Comment by:** James & Nancy Aquavia

**1.6 Comment:** This is in response to the sign posted in Greenback, TN post office regarding the proposed Tellico Reservoir Land Management Plan for the Bakers Creek/Wear Bend area. Whoever created the flyers is against the plan because there would be no more hunting, horseback riding, hiking, or biking in that area. We are for the proposed plan if there is a possibility it would be zoned residential.

**Comment by:** Mary McMahan

**1.7 Comment:** I strongly oppose development of any kind to this area along Tellico Lake.

**Comment by:** Doug McLemore

**1.8 Comment:** I do not want the are of Bakers Creek to be used for industry or residential. The people who have always lived here have had enough taken from them and I do not believe you have the right to use land that was forced from its owners for private use.

**Comment by:** Shirley M. Brown

**1.9 Comment:** Regarding the proposed Tellico Reservoir Land Management Plan for the Bakers Creek/Wear Bend Area; if the land around the area is not used as Residential, then Industrial would be better than Recreation Area/Park. Area people would benefit

from the extra jobs that would be created. Most of the businesses in Vonore keep their area clean and well groomed so what's wrong with a business if it will bring a bigger payroll to the area.

**Comment by:** Mary McMahan

**1.10 Comment:** Leave this Bakers Creek/Wear Bend Area as a recreational park area.

**Comment by:** Sandra Lovingood

**TVA Response:** *The above comments (1.1 through 1-10) result from a flyer that was placed in the Greenback Post Office advising the area citizens that TVA and TRDA were reallocating the Wear Bend Peninsula to Industrial Use and all recreation activities (hiking, hunting, horseback riding, dog training, etc.) would no longer be allowed. Neither TVA nor TRDA was responsible for the flyer, and neither agency has proposed a change in land use for the Bakers Creek-Wear Bend area.*

*The Wear Bend (Morganton) Peninsula was conveyed to TRDA for industrial purposes and as with all non-TVA lands, is not included in TVA's proposed land use allocations. The recreational uses of the area listed above are occurring on an interim basis, in accord with an agreement between the Tennessee Wildlife Resources Agency and TRDA.*

**1.11 Comment:** We want to go on record that we oppose development of the referenced area (Morganton Cemetery/Wears Bend Area) to industrial uses. We understand that this proposed use has been in place for years, however we feel the circumstances attending the decision to zone this land as industrial are no longer applicable. Since the improvement of 411, the area has seen significant development and more private land is becoming available for development along this corridor. The economic circumstances prevailing at the time the Tellico River area was developed have changed significantly and private money is now available to continue the economic development in this area. The entire rationale for the TVA to foster economic development in this river basin area needs to be reexamined, since the area is now capable of continued economic development solely within the private sector.

**Comment by:** James & Nancy Aquavia

**TVA Response:** *The land in the Morganton Peninsula/Wear Bend area was transferred to the Tellico Reservoir Development Agency to be managed for industrial development (see FEIS Section 2.2.1 and Exhibits 1 and 2). TRDA considers requests for industrial development based on the merits of the proposal, demand, and site suitability. Off-reservoir properties may be more suitable for some industries. To change the designation of this area from industrial to some other category (e.g., residential), TRDA would have to propose this change to TVA for approval. To date, TRDA has not requested this change.*

## **2. Coytee Springs Recreational Area**

**2.1 Comment:** I would support this land use provided: 1) no loud noise, loud speakers, paid amusements, loud music, or rental power boats are permitted; 2) the park's organized activities are terminated at 10 p.m. prevailing local time each day and not begun again until after 7 a.m. the next day, except that over night camping could be permitted; 3) all

bright lights be extinguished at that time, I have no objection to camp fires or low level lighting as may be needed for safety, emergency, rest rooms, etc. at night; 4) use of alcoholic beverages need not be prohibited but be limited to moderate consumption; 5) at least one full time management employee is present on the site at all times it is open between April 15 and October 15 each year.

**Comment by:** Charles P. Furney, Jr.

**TVA Response:** *Comment noted. As proposed under Alternative B (p. 13 of FEIS), recreation development on this tract (Parcel 10) would be for day use only.*

### 3. Crime/Safety

**3.1 Comment:** At present, TVA has no lake patrol to enforce the various laws relative to its use. Neither the local, state or county governments or the US Coast Guard patrol Tellico Lake. Theft of boats and gasoline, stripping boats of valuable materials, such as electronic equipment, motors, etc. takes place every year, especially during the boating season.

**Comment by:** Charles P. Furney, Jr.

**3.2 Comment:** I would love to be able to go back to the Wear and McCall homeplaces and look around, but I am afraid due to so many people who go back there for no good reason other than to drink, and some probably have drugs. It would not be safe for one or two individuals to hike into that area alone.

**Comment by:** Mary McMahan

**3.3 Comment:** TVA created Tellico Lake. Therefore, I think they have a responsibility to manage it, which includes policing it.

**Comment by:** Charles P. Furney, Jr.

**3.4 Comment:** This area is a small county area and it is quiet now; you start bringing big companies in and new houses and you will see crime.

**Comment by:** Greenback Citizen

**TVA Response:** *(Comments 3.1 through 3.4) There are a number of agencies that share the responsibility for patrolling the public waterways and lands of the Tellico Reservoir. TVA Police patrol the area by boat during peak use times and are available on short notice in emergency situations. Local law enforcement agencies, as well as the Tennessee Wildlife Resources Agency, also patrol the area by boat and land. To report an unlawful or dangerous situation call your local law enforcement agency or the TVA Police (865-632-3631 or 1-800-824-3861).*

### 4. Cultural

**4.1 Comment:** How many man-days were expended in searches for archaeological features? Why was so much land not searched?

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *The recent survey conducted by the University of Tennessee involved 92 days of fieldwork and the crew consisted of 8-10 individuals per day. As described in FEIS Section 3.2, the archaeological survey was concentrated on those tracts with the highest potential for development. See also the response to Comment 4.2.*

- 4.2 Comment:** Pursuant to your request received by this office on Thursday, March 9, 2000, this office has reviewed documentation concerning the above-referenced undertaking. This review is a requirement of Section 106 of the national Historic Preservation Act for compliance by participating federal agency or applicant for federal assistance. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (RIN3010-AA04: June 17, 1999). Considering available information, we find, after applying the Criteria of adverse Effect codified at 36 CFR 800, that the project as currently proposed will ADVERSELY AFFECT PROPERTIES THAT ARE ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES. Therefore, this office has an objection to the implementation of this project. You should now, through TVA, inform the Advisory Council on Historic Preservation of this adverse effect determination and begin immediate consultation with our office. Please enclose a copy of this determination in your notification to the council as delineated at 36 CFR Part 800. Until you have received a final comment on this project from this office and the Council, you have not completed the Section 106 review process. Please direct questions and comments to Joe Garrison (615) 532-1559. We appreciate your cooperation.

**Comment by:** Herbert L. Harper; Tennessee Historical Commission

**TVA Response:** *Pursuant to 36 CFR § 800.6(b)(1)(iv), a Memorandum of Agreement (MOA) has been executed between TVA, the Tennessee State Historic Preservation Office, and the appropriate Indian tribes, to minimize and address any effects to historic properties eligible for listing in the National Register of Historic Places. A copy of this MOA is included in the FEIS.*

## 5. Development Issues

- 5.1 Comment:** The one thing not needed is further development on Tellico. It is the only stretch of water essentially “unmanned” in the immediate vicinity.

**Comment by:** Quent Byerley

**TVA Response:** *Comment noted.*

- 5.2 Comment:** Developing upper Tellico will only undo a prime piece of God’s creation. More boats, more traffic, more activity that undoes the very nature we want to enjoy. Who profits from the development? Certainly the developers. Who suffers? the users and appreciators of the only semi-undeveloped accessible water in the area. It seems that a select few will make money at the expense of the rest.

**Comment by:** Quent Byerley

**TVA Response:** *Of the 4,031 acres of plannable land upstream of Highway 411, only 286 acres is proposed for new development under Alternative B. Of the 286 acres, 139 acres would be available for recreational use. In addition, the land use of about 71 acres*

*Tellico Reservoir Land Management Plan*

*(part of Parcel 79) would be changed from Industrial Development to Natural Resource Conservation.*

- 5.3 Comment:** Please leave some undeveloped land in Loudon County. Let these people build their projects somewhere else.

**Comment by:** John Houston

**TVA Response:** *Comment noted.*

- 5.4 Comment:** I fully agree with the decision to drop the Tellico Landing proposal from the EIS. Sale of additional public land to private developers is not in the public interest.

**Comment by:** Wayne W. Tolbert

**TVA Response:** *Comment noted.*

- 5.5 Comment:** Greenback needs more growth, as long as it is legitimate businesses and good restrictions are set for the prospective businesses.

**Comment by:** Mary McMahan

**TVA Response:** *Comment noted.*

- 5.6 Comment:** You took all that land from farmers and such to build the lake and now you are trying to make millions off of it.

**Comment by:** Greenback Citizen

**TVA Response:** *Comment noted. A very small percentage of plannable lands are being allocated to development (Zones 5, 6, or 7). Most of the plannable lands are being allocated to Zones 3 and 4.*

- 5.7 Comment:** Let's keep the development more nature and people friendly.

**Comment by:** Nancy and Charles Johnson

**TVA Response:** *Comment noted.*

- 5.8 Comment:** In regard to the DEIS, the majority, if not all, of the proposed changes will encourage more development on the shorelines of Tellico.

**Comment by:** Fegan & Dana Kenny

**TVA Response:** *Alternative B would zone more of the reservoir shoreline for uses where shoreline development would not occur than would Alternative A (the present plan). In addition, the Alternative B River Corridor along the upper Tellico River would result in lower levels of shoreline development than would likely occur under Alternative A. (Appendix B1)*

- 5.9 Comment:** Do not completely develop the West side of the reservoir. Coordinate with Loudon and Monroe Counties to consider the extreme potential development and look at opportunities to have controlled development and preserve some of our farm/forest lands look at how the secondary development will impact the entire Tellico Reservoir.

**Comment by:** Peter Schoepke

**TVA Response:** *During this review process, planning agencies within Loudon and Monroe Counties were invited to offer their comments. With the exception of the proposed Eastern Band Cherokee Site (Parcel 94) and three proposed public recreation sites (Parcels 95, 130 and 139), no new development is proposed under either alternative on the west side of the reservoir.*

- 5.10 Comment:** I feel that land along the lake is being developed at too fast a rate as it is. The number one attraction to this area, 5 years ago, to me was the lack of development and I was told there would be large tracts of land left to be green belt areas.

**Comment by:** Doug McLemore

**TVA Response:** *Comment noted.*

- 5.11 Comment:** Development Proposals - We agree with the TVA Board of Director's disapproval of the Tellico Landing, Inc. proposal for development of TVA property due to the public's voiced disapproval and the risk of environmental impact to the reservoir.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency

**TVA Response:** *Comment noted.*

## **6. Eastern Band Cherokee Development**

- 6.1 Comment:** The Cherokee Recreation Area is a bad idea. This site will be highly visible not only from Hwy. 411, but also from the state park and even the nearby mountains. Doesn't seem like a real plus for the aesthetics or even the needs of the area. I haven't been able to think of any plusses for this idea as far as the region is concerned.

**Comment by:** Meredith Clebsch

**TVA Response:** *The Cherokees have expressed an interest in the potential use of Parcel 94 to build overnight accommodations, a restaurant and transient boat docking to provide access to the restaurant by lake users. This would likely be more attractive than the abandoned, kudzu-covered old highway that exists there now. This area is not visible from the developed facilities in the State Park. Any possible view from the "nearby mountains" would appear as distant background where features are not distinguishable.*

- 6.2 Comment:** I am concerned about the inlet to the Tellico Area Services System (TASS) public water supply located on or near Parcel #61. Indian truces, in general, have treaty rights which may prevent TVA from controlling the use of this land, once it is assigned to an Indian tribe. I would consider it very serious if this public water supply was somehow contaminated. I think TVA should investigate very carefully, the legal ramifications of assigning this property to an Indian tribe, to insure that it is not used in a way that might be detrimental to this water supply.

**Comment by:** Charles P. Furney, Jr.

- 6.3 Comment:** I am unalterably opposed to giving the Eastern Band of the Cherokee Indians control of the 38 acre tract of TVA land (parcel 94) located in Vonore between Hwy. 411 and the Tellico River or any other tract of land on any TVA reservoir for the purpose of

developing either public or commercial recreation. In my opinion, the purpose of this proposal by the Cherokees is to develop a gambling operation in Tennessee.

**Comment by:** Ray Payne

- 6.4 Comment:** My support of the land use change/sale/lease to the Eastern Band of the Cherokee Indians is conditioned on the desire not to have a casino built in the area. I therefore request that TVA, as part of any deal with the EBCI, get a written agreement that the EBCI or their agents would never petition any party for a gaming license for use on any part of this property or on private property to which this property adjoins.

**Comment by:** Wayne W. Tolbert

**TVA Response:** *(Comments 6.2 through 6.4) If Parcel 94 is made available to the Eastern Band Cherokee Indian development as proposed under Alternative B, it would not become part of an Indian Reservation. The EBCI would lease land held in fee by TVA and would be subject to all environmental and other regulations and laws including those associated with water quality and gambling.*

- 6.5 Comment:** The Cherokee recreation idea is just plain unacceptable.

**Comment by:** Meredith Clebsch

**TVA Response:** *Comment noted.*

- 6.6 Comment:** I support the proposed land use change that would allow the Eastern Band of the Cherokee Indians (EBCI) to develop a 38-tract, in part to help support the museum. Cherokee and Native American culture is an integral part of the history of the Tennessee Valley and deserves support.

**Comment by:** Wayne W. Tolbert

**TVA Response:** *Comment noted.*

- 6.7 Comment:** Making the museum financially independent or improving other Cherokee sites via development at the expense of the pristine beauty to Tellico and the surrounding area is a backward move.

**Comment by:** Quent Byerley

**TVA Response:** *Comment noted.*

- 6.8 Comment:** We also note the four notional or actually proposed recreational development projects that were listed on page 11 and are to be considered for Alternative B or A: 1) Eastern Band of the Cherokee Indians Development, 2) Greenway, 3) Coytee Springs Recreational Area, and 4) River Corridor. Of these, EPA prefers recreational developments that foster conservation and aesthetic appreciation exemplified by preservation/development of greenways (linear parks), riverine riparian areas, picnic areas and other recreational areas in natural settings along reservoir/river corridors and other selected nearby sites. We prefer these as opposed to other recreational developments such as hotels and restaurants. We therefore find the Greenway, Coytee Springs and River Corridor proposals more so appropriate than the Cherokee Indians Development proposal. While the Cherokee Indian proposal should be considered due to their special governmental status and the fact that use of some of the project revenues would be for

their Sequoyah Birthplace Museum, the need for such a project in this area should be closely reviewed (i.e., how many such amenities already exist relative to the number of expected recreators) as well as the proposal's potential for development impacts, which should not notably diminish the aesthetic value of the reservoir lands being visited by the recreators.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency

**TVA Response:** *Comment noted. The highest justification for the Tellico Reservoir project in 1967 was recreation which accounted for 38% of the potential project benefits. The proposed recreation allocations in Alternative B seek to create a balance between the public's desire for more recreation amenities, existing uses, and anticipated population growth patterns which could influence the recreation use of TVA land. Potential aesthetic impacts have been considered in the proposed tract allocations and will be further considered once a development proposal is received. See the response to Comment 6.1.*

- 6.9 Comment:** With regard to the proposal by The Eastern Band of the Cherokee Indians Development, the League opposes the use of TVA held public lands for the proposed uses outlined in the Draft Plan.

**Comment by:** Marty Marina, Tennessee Conservation League

**TVA Response:** *Comment noted. See the response to Comment 19.1.*

## **7. Erosion**

- 7.1 Comment:** The present concerns I have are the immediate erosion caused by unprotected development sites and increased boat and recreational traffic. This increased pressure has eroded several banks and peninsulas that I used to fish. In addition, the increased sediment build-up in the creek channels has virtually left no water during the winter draw down. TVA should stringently enforce areas of runoff into the Tellico Reservoir. This should be done with the coordinated efforts of local county governments and TRDA.

**Comment by:** Peter Schoepke

**TVA Response:** *In recent years, TVA and cooperators have worked to stabilize critically and severely eroding reservoir shoreline sites where there are public amenities (e.g., in the vicinity of boat ramps, day use areas, and other public use sites). TVA Cooperative Shoreline Stabilization Project activities apply innovative, cost-effective, and environmentally-sound treatments that stress both structural (rip rap) or structural in combination with bioengineering (planting of appropriate vegetation). TVA assessed shoreline erosion conditions on Tellico in 1995 and since then has conducted four projects on Tellico that have stabilized 5,600 feet (1,706 m) of shoreline. TVA may also make shoreline stabilization a condition of granting a permit for various uses of TVA property by individuals, developers, or municipalities. Designation of extensive reaches of shoreline for protection under Zones 3 and 4 should allow maintenance of a forested shoreline on much of those shorelines, and future growth of trees and shrubs on other shorelines as natural succession continues. TVA addresses erosion on tributary streams by entering into partnerships with private landowners, local governments, and other*

*interested parties to improve stewardship on private lands and other non-TVA lands through the use of Best Management Practices (BMPs) on agricultural and non-agricultural lands, establishment of vegetated streamside riparian zones, and improvement of instream aquatic habitats.*

## **8. Greenway**

**8.1 Comment:** I support this land use and encourage its implementation.

**Comment by:** Charles P. Furney, Jr.

**TVA Response:** *Comment noted.*

**8.2 Comment:** My major concern is the so-called “Greenway” it will become a “Trashway” and will negate any protective efforts planned for Zones 3 and 4.

**Comment by:** Chris McBride

**TVA Response:** *Public agencies incur daily risks for abuse of land they manage and TVA land is no exception. However, the presence of TVA or other public agency staff often can reduce potential abuse. By attracting responsible recreation users for walking, hiking, biking, and horseback riding, coupled with a commitment to management by the concerned agency, abuse of public land can be minimized.*

**8.3 Comment:** The greenway is not yet well defined. It could be a good idea or a bad idea depending on just who manages it and how the ideas shake out. As long as we continue to be involved in this process, it might be a good idea, then again, I would like it to be minimal impact, preferable only walking and certainly nothing motorized. I’d like to see a plan to enhance the habitats to reflect as near original landscape as possible. I would not like any developed parks, but only composting toilets at a few sites and well considered picnic tables at a very few sites.

**Comment by:** Meredith Clebsch

**8.4 Comment:** The proposed greenway is not well-defined and would require, although not mentioned, the taking (some would say stealing) of more private land. There are numerous parcels of private land that are mere feet away from the 813’ water mark. Has any actual survey been done by walking this property rather than depending on poorly developed and outdated maps? The state is talking of closing several state parks including Fort Loudon due to funding shortages, so who is going to fund the development and upkeep of a greenway?

**Comment by:** Fegan and Dana Kenny

**TVA Response:** *(Comments 8.3 and 8.4) The concept of the greenway was presented to TVA by the Tennessee Department of Environment and Conservation. TDEC is an appropriate public agency to pursue ultimate development and management of a greenway, or other public agencies like TVA or local governments could be involved. Although Alternative B shows a broad area with greenway potential, the entire length of the area does not have to be utilized nor does it all have to be done at the same time. The plan provides the opportunity for the greenway to happen. Although a potential route has been looked at conceptually, no specific plan is in place. The concept is to ultimately*

*designate a corridor route on public land, with a buffer width which is appropriate for suitable recreation uses. Supporting parking/access nodes at select intervals could also be a component. It is possible that parallel trails to accommodate horses and pedestrians could be developed, however, public use of motorized vehicles would not be acceptable. The 100-foot greenway width mentioned in Section 2.2.2 is for conceptual purposes only. In some areas, because of the available public land base, the greenway would be narrower.*

- 8.5 Comment:** The proposed Greenway does not give the necessary space for any significant wildlife population or forests.

**Comment by:** Peter Schoepke

**TVA Response:** *Although Alternative B shows a broad area with greenway potential, the greenway would encompass only a small portion of the 1000-acre area where the greenway route is proposed. The remaining land would continue to be utilized for natural resource conservation and sensitive resource management purposes.*

- 8.6 Comment:** I support the concept of a greenway corridor from the recently sold TRDA property on Jackson Bend toward Vonore. The proposed development of some parks and day use areas along this side of the lake is needed. I would like to see horseback riding, hiking, and mountain bike use allowed in the narrow corridor with the remainder left in a natural state, except for parks and day use areas.

**Comment by:** Wayne W. Tolbert

**TVA Response:** *Comment noted.*

- 8.7 Comment:** The installation of access points, parking lots, restrooms, and picnic areas will lead to the destruction of the Zone 3 and 4 land for wildlife and plant protection.

**Comment by:** Chris McBride

**TVA Response:** *Although Alternative B shows a broad area with greenway potential, the greenway should encompass only a small portion of the 1000-acre area where the greenway route is proposed. The remaining land would continue to be utilized for natural resource conservation and sensitive resource management purposes. Potential access points have been identified in the land allocation process which minimize direct impacts to sensitive plants, animals or cultural resources and are near existing or proposed roads. (See also response to comment 8.5)*

## **9. Industrial Development**

- 9.1 Comment:** TRDA has a 2000+ tract of land that is still zoned industrial between 411 and 321. This land is the last remaining large tract of undeveloped land in the Tellico Reservoir.

**Comment by:** Peter Schoepke

**TVA Response:** *The tract in question is the Wear Bend Peninsula, which is under the custody of TRDA and no longer belongs to TVA. Because TVA does not own this property, it is not included in either the Alternative A or the Alternative B allocations. See also the response to Comments 1.1 through 1.10.*

- 9.2 Comment:** Industrial/Commercial Development Zone - We believe that most industrial and some commercial development would be incompatible land use for the Tellico Reservoir lands. An example of such development that may be acceptable if properly managed is an office park. Development forms that are less environmentally acceptable are barge terminals and industrial access due to their potential for water quality degradation. Barge terminals used for whole log or wood chip conveyance would have an additional impact due to the land clearing activities that would precede the barge loading, particularly if such clearing occurred on the Tellico Reservoir lands.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency

**TVA Response:** *Under Alternative B, TVA would change the allocation for about 71 acres (part of Parcel 79) previously designated for Industrial Use to Natural Resource Conservation. With the exception of an 18 acre tract proposed for a water treatment plant expansion, all of the other land allocated for industrial use is in narrow strips fronting non-TVA land already designated for industrial use. Outstanding industrial access rights already exist on these tracts. Further TVA review would be required for industries to exercise these access rights; these reviews would consider the direct, indirect, and cumulative impacts of the proposals. See FEIS Section 3.4.2 and the response to Comments 14.1 through 14.6 for information on natural resource management activities on TVA lands.*

- 9.3 Comment:** In light of the transfer of 11,151 acres to the TRDA, the League feels that these proposed lands [allocated for industrial/commercial] should be re-evaluated in terms of their suitability and need as industrial and commercial development sites.

**Comment by:** Marty Marina, Tennessee Conservation League

**TVA Response:** *The 11,151 acres of land under the custody of TRDA do not belong to TVA and are therefore not part of the Alternative A or Alternative B land use plans. See also the response to Comment 9.2.*

## **10. Infrastructure**

- 10.1 Comment:** How about schools? New residences mean more children. The schools in Loudon County are busting at the seams now. Will TVA or the developers build more? I think not. This burden will fall on the taxpayers.

**Comment by:** John Houston

**TVA Response:** *Under either alternative, there would be new residences built in areas around the reservoir. However, neither alternative allocates additional TVA land for residential development. The anticipated changes in school age populations are the same under the two alternatives.*

- 10.2 Comment:** We own 70 acres next to Jackson Bend proposed land. We own two trailer parks and a RV park. I want to know where this road is going to be and how it will affect my property.

**Comment by:** Albert Bell

**TVA Response:** *This issue involves a potential development on private property that is in the neighborhood of the Lower Jackson Bend commercial recreation site. Although this TRDA development would likely require TVA approval of water use facilities, TVA has not received a request for such approval. Because detailed development plans for the Lower Jackson Bend area are not available, TVA cannot describe the effects of any associated roads on your property.*

## 11. Jackson Bend

- 11.1 Comment:** My property is directly opposite a large island designated as part of Parcel #24. Locally this island is known as Jackson Bend Island. It is classed as Zone 3-Sensitive Resource Management, which appears to me to be a wise decision.

**Comment by:** Charles P. Furney, Jr.

**TVA Response:** *Comment noted.*

## 12. Land Plan/Scoping

- 12.1 Comment:** I appreciate that TVA is attempting to develop a reasonable plan of land uses that will benefit the public without adverse effects on those of us who live near or on the lake.

**Comment by:** Charles P. Furney, Jr.

**TVA Response:** *Comment noted.*

- 12.2 Comment:** This is a sincere attempt to do something to preserve and protect what remains of the natural aspect of the area included in the study.

**Comment by:** Mikki Boyatt

**TVA Response:** *Comment noted.*

- 12.3 Comment:** TVA is to be commended for following the NEPA process in an open and clear manner. Public scoping and discussion of the Tellico Landing proposal with follow-up surveys was an excellent example of proactively seeking and using public input to agency actions. The public was and is involved as Congress intended under the statute in my opinion. The public meeting on the DEIS was organized in a workshop format so that a person could focus on issues and questions/ areas of concern.

**Comment by:** Wayne W. Tolbert

**TVA Response:** *Comment noted.*

- 12.4 Comment:** The map on page 2, showing TVA retained land, would lead the uninitiated to believe that the agency is retaining ALL of the reservoir shoreline, and then some. The map is grossly misleading.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *Figure 1.1-1, FEIS page 2, is intended to show the Tellico Reservoir area and TVA owned lands. With the exception of an area immediately below Chilhowee Dam, TVA retains ownership of the entire shoreline above the msl.*

- 12.5 Comment:** The two maps included in the DEIS are difficult to read because some colors and patterns are so similar as to be almost undecipherable. I hope that will be corrected in further editions.

**Comment by:** Edward E. C. Clebsch, Ph.D

- 12.6 Comment:** The color coded maps display the very large areas already given over to Tellico Village and the left bank residential. These maps could have been more clearly drawn to make this look less awesome

**Comment by:** Robert Lowery

**TVA Response:** *(Comments 12.5 and 12.6) The Exhibit 1 and 2 Maps have been revised in the FEIS and the final land plan. The maps, when read in conjunction with the parcel descriptions, clarifies any ambiguities caused by the colors and patterns used in the maps.*

- 12.7 Comment:** A few things in the large book would have been good to have in the public summary: Table 2.4-1, and none of the comparison of alternative discussion pp. 21-23. Also, the definitions in Table Z are now only relevant to Alt. A, and even though Table 2.4-1 is helpful, there is still no clear conversion format. Some of the acreage in Table 2 for Alt. A (p.10) are just hard to trace acres to Alt. B, and people find this suspicious. Some of you can't stay with the same land use categories forever, and those used for Alt. B seem more straightforward. But its just hard to look at a detailed planning document and have the fact that two different land use classifications were used for Alt. A and Alt. B jump out at you. Meanwhile, the overall impression of the plan, both Alt. A and Alt. B is that we are fighting a losing recognized retreat... But the reality is there, so where do we go from here?

**Comment by:** Robert Lowery

**TVA Response:** *It is impractical to include all this detail in the summary. It is available in the full Final Environmental Impact Statement and Land Plan.*

- 12.8 Comment:** The public comment section is good and some parts of it should go into the public summary document. Meanwhile, there is no indication of contact with organizations such as environmental groups and civic groups. I assume TVA has an organized approach to civic and neighborhood groups in the TVA region, and these provide ready made focus groups. These results would serve to show TVA's links to communities, and inputs could be developed to more coherent levels than the comment card fragments.

**Comment by:** Robert Lowery

**TVA Response:** *TVA solicited comments from individuals as well as a broad range of civic, environmental, and neighborhood groups during scoping and following the release of the DEIS. A list of recipients of the Draft plan and EIS is included in FEIS section 4.6.*

- 12.9 Comment:** 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. The 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.

**Comment by:** Robert E. Freeman, East Tennessee Development District

**TVA Response:** *Comment noted.*

### **13. Land Transfers**

- 13.1 Comment:** If anyone has the right to despoil the area for profit, let it be the Cherokee descendants of those who were robbed in the first place. The next group with the logical right to the area would be the farmers who were displaced and whose right to profit was unjustly denied.

**Comment by:** Mikki Boyatt

- 13.2 Comment:** Could we please have a moratorium on transferring TVA owned land to shadow agencies, Saudi Arabian developers, and miscellaneous single countries?

**Comment by:** Robert Lowery

**TVA Response :** *Comments 13.1 and 13.2 noted*

- 13.3 Comment:** Regarding the commitments made in the EIS, I would urge TVA to clearly state that no additional land would be transferred or sold to TRDA. While I would agree under some circumstances that trading parcels may be in the public interest, further sales or outright transfers are not, and TVA should state this publicly in the EIS.

**Comment by:** Wayne W. Tolbert

**TVA Response:** *Comment noted. No land is proposed to be transferred to TRDA under either alternative.*

### **14. Natural Resources Management Activities**

- 14.1 Comment:** Increasing access to the resources, particularly the water, does not seem to be in the best interest of the resource. I see any further development of most of these areas as a negative, except for necessary upkeep I regard natural resources as the priority for management, with human needs as secondary. The old intelligent tinkering concept comes to mind regularly when thinking about how to prioritize our shrinking natural resources. There seems to be considerable leeway in a number of the Zone designations for continued development or timber harvesting and this is a major concern. Focus energies on upgrading the landscape instead of degrading it.

**Comment by:** Meredith Clebsch

**14.2 Comment:** I propose that all zone 3 and 4 lands be 100 percent protected against all encroachments to include forbidding even forestry management, which is a nice term for clear cutting hardwoods and replanting non-native pines. Zone 3 and 4 lands should be preserved lands, vehemently guarded to any encroachment other than hikers (foot access only).

**Comment by:** Chris McBride

**14.3 Comment:** Timber harvesting is allowed in Zone 4. This is not necessarily all negative, but why not consider a restoration plan, which would encourage natural hardwood stands and the associated increased diversity instead of continued pine rotations and their sterile conditions? Manage for older growth? Is it more valuable as a functioning forest or as pulpwood and flooring? I'd vote for a long term more natural system.

**Comment by:** Meredith Clebsch

**14.4 Comment:** Natural Resources Conservation Zone Definition - The TVA categories for the upgraded Plan under Alternative B appear reasonable overall. However, we are concerned about certain aspects of the definition of the "Natural Resources Conservation" zone. This category is to provide "enhancement of natural resources for human use and appreciation" and focus on "management of resources." It includes land management for wildlife areas, shoreline conservation areas, river corridor areas, islands of 10 acres or less, and so forth. Activities are to include "hunting, timber harvesting, wildlife observation, and camping on undeveloped sites." While we agree with most of these objectives, we do not concur that timber harvesting should be part of a conservation land use zone and to not believe it would foster "human use and appreciation," since timber harvesting may actually be counterproductive to human appreciation. We suggest that this management objective be eliminated since it is incompatible land use for the circumferential reservoir lands and islands and would likely increase the risk of erosion and sedimentation of the reservoir. At a minimum, timber harvesting should be culled into a separate zone that might be titled the "resource management" or "harvesting" zone, and be kept to a minimum acreage (particularly since other zones such as industrial/commercial development and residential access would already involve land clearing and erosion potential). If timber harvesting is allowed, the amount of acreage proposed for timber harvesting and the proposed harvest methodology should also be documented in the FEIS.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency (EPA)

**14.5 Comment:** The Zone 4 designation (Natural Resource Conservation) allows, among other things, timber harvest. Potentially, 55% of ALL of the Tellico Reservoir lands could have their timber harvested. I presume that 'timber harvest' includes clear-cutting. I would like to enter into the record a request that any proposed change in land activity in Zone 4 lands be publicly aired and that I be informed personally of those proposals.

**Comment by:** Edward E. C. Clebsch, Ph.D

**14.6 Comment:** There are a number of positive changes in Plan B for sensitive species, which is wonderful. I'm also concerned for the many other non-sensitive species. Many of our more common plants and animals like box turtles, warblers, salamanders, butterflies and woodland wildflowers, are easily wiped out in certain management schemes, particularly timber harvesting. I consider these non-threatened species equally important for

protection lest they become threatened. At any rate, I miss them when they're gone. I would like to see reduced disturbances to habitats for these more common residents and even enhancements such as native plantings to encourage them back into degraded areas.

**Comment by:** Meredith Clebsch

**TVA Response:** *(Comments 14.1 through 14.6) Land use Zone 4, Natural Resource Conservation, is defined in FEIS Section 2.2.2 as land to be managed for the "enhancement of natural resources for human use and appreciation." As stated in FEIS Section 3.4.2 Environmental Consequences for Terrestrial Ecology, Alternative B discussion, any future timber harvesting or forest management activities would be for the purpose of maintaining or enhancing present levels of ecological diversity. Future management activities, including forest management, would be planned and implemented through a natural resources management planning process for specific tracts, or aggregates of tracts (i.e., management units). This planning process would tier off the FEIS and would rely on input received from peer agencies and the public to ensure that future management activities are scientifically valid, and consistent with the needs and values of TVA's stakeholders.*

If forest management is judged to be an acceptable strategy for use in maintaining or enhancing present levels of ecological diversity and for addressing the needs of TVA's public lands stakeholders, Best Management Practices (BMP's) would be applied as necessary to minimize the potential for soil erosion. In addition, appropriate width buffers, particularly in areas proximal to roads, the reservoir shoreline, and other thoroughfares would be protected.

- 14.7 Comment:** The proposed updated Plan should be somewhat modified to eliminate or minimize timber harvesting of the circumferential reservoir lands and islands and to eliminate incompatible forms of commercial and industrial development of the TVA Tellico Reservoir lands. Instead, the Plan should maximize conservation of these lands to promote/maintain water quality and foster the recreational appreciation value of these lands through preservation/development of greenways, riverine riparian areas, picnic areas, landings, and other recreational areas in natural settings located along reservoir/river corridors and other selected nearby sites.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency (EPA)

**TVA Response:** *Comment noted.*

## **15. Natural/Sensitive Resources**

- 15.1 Comment:** It is my belief that the more area designated as Sensitive Resource Management, the better. I mean better for the plants, animals, and the recreational user. It might cramp the plans of certain speculators who could benefit personally and monetarily from continued natural habitat destruction.

**Comment by:** Mikki Boyatt

**TVA Response:** *Comment noted.*

- 15.2 Comment:** One need only look at the destruction occurring in the Smokies. The trails and other access areas will be littered with trash, will be trampled by people, and will be abandoned by the wildlife. While I support your designation of specific land used to control development, I am opposed to any development of Greenways. The public access afforded by Greenways will only accelerate the destruction of the natural land.

**Comment by:** Chris McBride

**TVA Response:** *Comment noted.*

- 15.3 Comment:** I am concerned about habitat protection, especially the river bottom dwellers or benthic community as defined in the report. It is obviously in trouble. Any society is judged by its weakest link. This is the reservoir's weakest link and it is a basic one in the aquatic food chain. To be ignorant of these conditions is one thing, but to do nothing in a drastic way to improve them is negligent. Until this basic environment is improved, all the water quality is in trouble.

**Comment by:** Mikki Boyatt

**TVA Response:** *As explained in the EIS, the likely causes of the poor benthic community in Tellico are not associated with decisions related to the uses of TVA lands on the reservoir. Tellico's cold, nutrient and mineral-poor inflow is unlike the inflow of other run-of-river reservoirs to which Tellico is compared for analysis. In fact, poor benthic communities are common in TVA tributary reservoirs because of oxygen depletion in deep waters caused at least partly by natural decomposition processes (similar processes likely occur in deeper waters which become trapped in the Tellico forebay). Although the benthic community in deeper reservoir areas is generally considered poor, there are apparently adequate benthic animals in shallower areas to support fish in those areas. The overall fish species diversity in Tellico Reservoir is relatively good.*

*As described in FEIS Sections 3.7.2 and 3.8.2, the proposed land use allocations would likely result in more opportunities to protect and enhance water quality and the aquatic community, especially in shoreline areas. TVA also has other ongoing programs to improve water quality in the reservoir area; see the response to Comment 7.1.*

- 15.4 Comment:** Looks like the shorelines associated with Industrial/Commercial lands, Zone 5, are managed as Zone 5 in Plan B. That seems to allow these areas less protection than in the past. Whereas the Zone 5 areas are the least protected in terms of natural resources, wouldn't they benefit most from at least shoreline habitat protection? What advantages would this new designation allow industries? Taking land out of protection seems contrary to other resource protection goals.

**Comment by:** Meredith Clebsch

**TVA Response:** *The TVA lands fronting Industrial/Commercial properties reflect the outstanding rights of and commitments to the backlying property owners and are designated accordingly. The rights of the backlying owners would not change under either alternative. With few exceptions, this land is still available for use by the general public. (See also response to comment 92.)*

- 15.5 Comment:** I would like to see the 2,200 plus acres of land rezoned specifically for wildlife (natural). If we desire to provide any significant area for sportsman or naturalist around the main reservoir, this is the only land remaining.

**Comment by:** Peter Schoepke

**TVA Response:** *The property in question, in the Bakers Creek-Wear Bend area, was conveyed to TRDA and as all non-TVA lands, is not being planned under either alternative. See the response to Comments 1.1 - 1.10.*

- 15.6 Comment:** What man-day effort was expended in field searches for plants? For animals?

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *About 35 person days were spent on plant and animal surveys in support of this plan and EIS. Individual tracts were first examined using aerial photographs and then via boat to eliminate areas having poor potential for rare species, such as those tracts dominated by extensive fescue fields. Field surveys were then performed during spring and summer months on specific tracts potentially having habitat for rare organisms. During our field surveys several new populations of state-listed plants and animals were identified, as well as rare or uncommon communities such as canebrake and cave habitats. Survey information from previous studies of Tellico Reservoir was also considered.*

## 16. NEPA Issues

- 16.1 Comment:** We note that only two alternatives were presented. Alternative A (no action) and Alternative B (proposed allocation action alternative). Although not inconsistent with NEPA, more than one action alternative would have been preferable for an EIS document. As such, we recommend that TVA be flexible in modifying its allocation alternative in response to public comments.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency (EPA)

**TVA Response:** *As explained in FEIS Section 2.3, during the development of the DEIS TVA considered another action alternative. In response to public comments, this alternative was rejected. Public comments have been a major factor in the development of Alternative B, the allocation alternative. In response to public comments, the proposed use of Parcel 23 has been changed from Recreation to Natural Resources Conservation.*

- 16.2 Comment:** Comments Due Date - It should be noted that the due date for public comments listed on the abstract page of the DEIS as April 24, 2000, is not consistent with the EPA due date (May 1, 2000) based on when the DEIS was officially filed with EPA in Washington, DC and listed in the Federal Register. We therefore recommend that the comment period remain open until May 1, 2000, and comments will be officially received by TVA until at least that time.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency (EPA)

**TVA Response:** *TVA assumed that EPA would publish the Notice of Availability in the Federal Register on March 10, 2000, and the April 24, 2000 due date published in the DEIS was based on that assumption. The Notice of Availability was published on March 17, 2000. TVA received comments through May 8, 2000.*

- 16.3 Comment:** Sale of or change in use of private land near the Tellico Reservoir for residential, commercial, or industrial purposes carries with it impacts on use of TVA lands and the reservoir itself. Every extension of TASS waterlines silently encourages further development and the conversion of farmland to other uses. The DEIS does not address those higher order, cumulative, regional impacts on Tellico Reservoir and its environment. I think it should, and would like to know why it hasn't. In short, this DEIS is written 'close to the facts' and is not adequate in its scope of time or of geography.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *TVA acknowledges that much of the privately owned land in the vicinity of Tellico Reservoir, as well as the TRDA lands, will eventually be developed for residential, commercial, or industrial purposes, and that this development may result in environmental impacts. The impacts of this likely development were a consideration in TVA's planning process. Of the 12,643 acres of TVA land being planned, only 505 acres (4% of the total planned acreage) of previously uncommitted land are, under Alternative B, being proposed for development. Through its recently adopted Shoreline Management Policy, TVA has taken steps to reduce the cumulative impacts of residential shoreline development on the Tellico Reservoir and surrounding lands.*

- 16.4 Comment:** NEPA, under which this document was developed, states (to the best I can remember) that the purpose of the act is to improve and enhance the environment. I do not find that issue addressed in the DEIS.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *The purpose of the National Environmental Policy Act, as defined in Section 2 [42 USC § 4321] is, among other things, "to declare a national policy which will encourage productive and enjoyable harmony between man and his environment," and "to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man." In addition to setting a national environmental policy, NEPA requires federal agencies to follow certain procedures when taking actions affecting the environment. This EIS has been prepared to satisfy the procedural requirements of NEPA. TVA also believes that its proposed action is in accord with the purpose of NEPA.*

## **17. Plan A**

- 17.1 Comment:** We are strongly for alternative A which calls for no action.

**Comment by:** Fegan and Dana Kenny

**TVA Response:** *Comment noted. Both alternatives will be given equal consideration by TVA when making the selection.*

**18. Plan B**

**18.1 Comment:** It is my opinion that of the two plans, B is better than A, but that it continues to leave too much area vulnerable to major habitat destruction.

**Comment by:** Mikki Boyatt

**TVA Response:** *Comment noted.*

**18.2 Comment:** Overall, there seem to be a number of improvements as far as natural resource protection is concerned in Plan B.

**Comment by:** Meredith Clebsch

**TVA Response:** *Comment noted.*

**18.3 Comment:** Of the two alternatives presented, I strongly lean toward Alternative B, but with significant reservations.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *Comment noted.*

**19. Planning Process**

**19.1 Comment:** EPA strongly recommends that the overall objective of the updated Plan be one that emphasizes conservation, water quality, habitat preservation and compatible land use planning of the Tellico Reservoir lands. This is important for two main reasons: 1) the TVA Tellico reservoir is susceptible to soil erosion/sedimentation and other nonpoint- and point-source impacts associated with development of its circumferential lands and islands, and 2) the objective of the former TVA lands conveyed to the TRDA (11,151 acres of unplannable lands that are now part of the Tellico Project) is to “use the acquired lands that surround the reservoir in a way that would permit the project to make the maximum possible contribution to the economy of the region” (page 2). While such maximum economic contributions need not have unacceptable environmental consequences since environmental regulations such as Section 404 of the Clean Water Act would still apply, such an economic goal could result in implementation of various forms of commercial and industrial development, timber harvesting, land grubbing and clearing, and related activities for a portion of or the majority of these lands, which in turn could result in a measure of environmental degradation to the reservoir. Accordingly, the proper management of those retained lands still under direct TVA purview (6, 103 acres) becomes even more important given that these conveyed lands are no longer under TVA purview (or are under only limited TVA purview due to any residual link for being former federal lands and any environmental language in the TVA-TRDA conveyance contract No. TV-60000A). Such management should emphasize

overall compatible land use planning in order to minimize potential additional environmental impacts to the reservoir that may result from prospective development of the conveyed lands.

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency (EPA)

**TVA Response:** *Comment noted. Every permit request for use of TVA property or for construction of water use facilities is reviewed by environmental specialists. One of the Reservoir Land Planning objectives is, as stated in the Land Management Plan, to “Assure the plan maintains and provides opportunities for the continued enhancement of the quality of life afforded by the natural setting and recreational amenities on and along Tellico Reservoir.” TVA believes that its proposed land use allocations meet this objective as well as the other planning objectives.*

- 19.2 Comment:** Alternative B (TVA Proposed Action) - Zone Percentages - We recommend that in addition to the acreages provided for each zone of the updated Plan for Alternative B (page 16), the percent of total land for each zone should also be provided in the FEIS (as they were documented for Alternative A, page 10). Based on our calculations, those percentages approximate the following: Project Operations (5.0%), Sensitive Resource Management (17.3%), Natural Resource Conservation (55.3%), Industrial/Commercial Development (2.6%), Recreation (15.4%), and Residential Access (4.4%).

**Comment by:** Heinz J. Mueller, United States Environmental Protection Agency (EPA)

**TVA Response:** *This change has been made in the FEIS.*

- 19.3 Comment:** TVA has attempted to capture many of the concerns expressed by the Tennessee Conservation League in the past. We applaud this effort. However, in light of the disposition of 11,151 acres to the TRDA, the League believes that some adjustments to this Draft Plan, specifically Alternative B, are warranted. The League would like to discuss these concerns and others regarding TRDA, with TVA at your convenience.

**Comment by:** Marty Marina, Tennessee Conservation League

**TVA Response:** *Comment noted. A meeting with Mike Butler and Marty Marina of TCL to discuss their comments on the draft plan took place May 19. The following letter describes the results of this meeting.*

June 2, 2000

Ms. Marty Marina  
Executive Director  
Tennessee Conservation League  
300 Orlando Avenue  
Nashville, Tennessee 37209-3200

Dear Ms. Marina:

Thank you for the opportunity to meet with you and Mike Butler in Cookeville on May 19. The meeting was very productive and positive from our perspective. Summarized below are brief responses to some of the issues that were raised in your May 5 letter to Steve Akers and discussed in our meeting.

### **Public Recreation Projects**

The proposed recreation projects noted in the draft Environmental Impact Statement have not been formalized and will be individually reviewed under the NEPA process when formal requests are developed.

The Eastern Band of the Cherokees development concept has been supported by TVA since 1990 and has the potential to provide substantial public benefits. If approved, a portion of commercial revenues generated would be used to support the Sequoyah Birthplace Museum, and a substandard public access site would be replaced by an improved public reservoir access facility. This proposal will also receive full environmental review, including public involvement, at the time a formal request is submitted by the Eastern Band. Your suggestions to integrate educational conservation themes in the museum's activities, keep the boat access area free to public use, and use environmentally sensitive design concepts have been noted.

The majority of the public land associated with the proposed greenway and river corridor is recommended for natural resource conservation (Zone 4) or sensitive resource management (Zone 3). We do not feel it is appropriate to lump all recreation project acreage into Zone 4, since the purpose of the land use plan is to provide for future uses and needs. For the general public to be properly informed, these development concepts need to be addressed in the plan, rather than waiting to a later date when they are formally proposed.

We will review the Zone 6 (Recreation) parcel descriptions to ensure the final plan clearly states the kinds of recreation uses (formal, informal, commercial, etc.) that could be considered on a given parcel of land. Also, since our meeting, we have reevaluated the allocation of parcel 23 (the tract adjacent to Lotterdale Cove campground). As a result of your comments and those of others we received during the public review period, we plan to designate this parcel as Zone 4 (Natural Resource Conservation) in the final plan.

### **Residential Access Proposed Allocations**

The residential development category (Zone 7) does not allow residential use or dwellings to be constructed on TVA property. These areas are public shoreline zones where requests for private water use facilities from adjacent private property owners can be considered. These shoreline areas are available for public use, but any approved dock facilities are considered private. There are no additional areas or acreage proposed for Zone 7 beyond those that already exist. These Zone 7 areas were classified as TVA-Owned Residential Access Shoreland during the development of the Shoreline Management Policy. The map reflects current conditions which are driven by outstanding deeded access rights and TVA's contract with TRDA.

*Continued on next page*

*Ms Marty Marina letter continued:*

**Proposed Recreation Allocations**

We concur that strong stakeholder support continues for the protection of public lands, but there is also strong support for additional quality public access facilities, trails, and greenways. As you are fully aware, TVA's mission is multipurpose in nature. Therefore, we work to balance a diverse and sometimes conflicting set of objectives and stakeholder needs in the management of lands and reservoirs. About 274 additional acres are proposed for this category in the draft plan (Alternative B). Except for 90 acres in parcels 7, 49, and 71 (marginal strip shoreline) and parcel 94 (Eastern Band development) proposed for commercial recreation development, the balance of TVA land in Zone 6 - Recreation (1,853 acres) is proposed for public recreational use. TVA's past experience has shown that inadequate reservoir access and sanitary facilities, as well as unmanaged informal use, result in resource abuse and environmental degradation. We feel it is important to inform the public and avoid piece-mealing the review of future projects and proposals. Again, any future proposals will be fully reviewed under NEPA and evaluated for feasibility.

**Industrial/Commercial Development Proposed Allocations**

The 11,151 acres of land under the custody of TRDA do not belong to TVA, and the review of this property is outside the scope of the land use plan. Issues in regard to TRDA can best be addressed with the TRDA Board. Tellico Reservoir was created to provide a host of benefits, including residential and industrial development. TRDA was created and lands transferred to that agency to ensure that these objectives are fully realized.

In summary, an extensive effort has been made to develop land management plans for TVA lands on Tellico Reservoir that provide balanced and multipurpose public benefits. Of the 12,642.8 acres considered under the plan, a total of 11,034 acres is recommended for allocations under sensitive resource management (2,184.5 acres), natural resource conservation (6,996.4 acres) and public (noncommercial) recreation (1,853.3 acres).

We appreciate the strong interest shown by the League in Tellico Reservoir concerning future use and protection of TVA public land. Please call me at (865) 632-6373 if you have additional questions or need further information on this or any subject of interest.

Sincerely,

Eric W. Rauch  
Regional Manager  
Resource Stewardship  
Mideast Region

- 19.4 Comment:** In general, the League believes that creating exceptions for individual recreation projects within the Tellico Reservoir Land Management Plan is unwise, and could unintentionally benefit one user group at the expense of another. We believe the Tellico Plan should be developed and finalized, and then these projects proposed and approved or denied upon their individual merits. Thus, the League is opposed to listing these projects within the Tellico Reservoir Land Management Plan EIS. Specifically, we are concerned that some of the proposals have not been formalized. Their listing within this document could mislead the public that these projects have been approved.

Additionally, without details, the League is wary to endorse any public recreation project. We recommend that all lands contained within The Eastern Band of the Cherokee Indians Development, the TDEC Greenway concept, the Coytee Springs Recreation Area, and River Corridor concept be placed in a natural resource conservation designation. Future proposals concerning these projects can be brought up individually, and at later dates when more details are specific. Additionally, the environmental impacts of such projects have not and cannot be adequately addressed in the Draft Tellico Reservoir Land Management Plan. Lastly, we are concerned that “lumping” these proposals together could possibly impact the need for cumulative impacts assessments and other natural resource assessments.

**Comment by:** Marty Marina, Tennessee Conservation League

**TVA Response:** *Comment noted. The proposed Reservoir Land Management Plan determines how the TVA land would be used for the foreseeable future. Therefore, because the four recreation proposals listed in your comment are foreseeable, TVA is proposing zoning that would accommodate them. The potential individual and cumulative impacts of these proposals are analyzed in the EIS to the extent that they are foreseeable. TVA believes that these proposed developments can occur in a manner that would not result in significant negative environmental impacts. Once TVA receives formal proposals for these developments, TVA will conduct any necessary additional environmental reviews, and the results of these reviews will be available to the public. Following the review of formal proposals, TVA will either approve or deny the proposals based on their individual merits.*

*Much of the land within the proposed River Corridor is available for the construction of private water-use facilities based on existing landrights. The River Corridor proposal would provide a higher level of protection of natural resources, and accommodate a higher level of compatible public use, than would otherwise occur under TVA’s Shoreline Management Policy. The only proposed recreation development within the River Corridor, an access site on a 3 acre tract, was endorsed by TCL on April 6, 2000. In addition, the great majority of the land within both the Greenway and River Corridor areas is allocated to either Sensitive Resource Management or Natural Resource Conservation.*

- 19.5 Comment:** There is enough discussion of the relationship between TVA and TRDA that it seems reasonable to raise questions about a few details. If TVA did sell TRDA 11,151 acres, what was the price? If indebtedness was incurred by TRDA, has any of that debt been repaid? What was the interest rate on the debt? How have the funds obtained by TRDA for the sale of land been used? How much has come back to TVA? What has been the disposition of those funds? Further concerning TRDA, is there a provision in the relationship with TVA by which lands can be returned to TVA without paying the current market price for residential or industrial lands?

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *These financial questions are beyond the scope of this land planning process and should be addressed directly to the Little Tennessee Watershed Team and/or TRDA. There is no provision in Contract No. TV-60000A that addresses the return of land from TRDA to TVA.*

**19.6 Comment:** There is so much emphasis in so many places in the document dealing with the rights of backlying land owners to have access privileges (albeit with leases) to the shoreline and privileges to build private docks that it is easy to become suspicious that something fishy is going on. I would like to see a map which shows all current boat docks on the reservoir and which shows, by contrast, a boat dock in every place that one could be allowed. Similar maps showing access leases would be similarly instructive. I further suggest that the original plan for the reservoir be reviewed and that the contrasts between the original 'contract' with the citizenry and the current plan be made explicit.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *The inclusion in this EIS of maps showing all private docks is impractical. The differences between the Contract No. TV-60000A land plan (Alternative A) and the proposed land plan (Alternative B) are described in Section 2.4 and elsewhere in the FEIS.*

**19.7 Comment:** The primary concern that the Tennessee Wildlife Resources Agency has with Tellico Reservoir Management planning is with the tenure of the easement this agency has with TVA. At present, we have short-term revocable licensing agreements with TVA at our Tellico Lake Wildlife Management Area (WMA). We would prefer long-term easements. At a recent meeting with TVA staff, we were advised that, when the subject Plan is finalized, TWRA would need to present a long-term management plan for the WMA in order to facilitate consideration for long-term easements. If this is still the case, we would appreciate notification of the end of the environmental Impact Statement process so we can present our long-range planning to TVA. Please advise us if this approach should be varied

**Comment by:** Dan Sherry, Tennessee Wildlife Resources Agency

**TVA Response:** *Once TVA's Board of Directors has selected an alternative, TVA staff will notify TWRA so that long term tenure options for the wildlife management areas can be explored. The proposed land plan does not change any licensing agreements with TWRA.*

## **20. Private Water Use Facilities**

**20.1 Comment:** I'm disgusted by the already ridiculous number of private water use facilities which only serve the few and not the public. This should never have been allowed and it should be more difficult, not easier, for individuals to access what I consider public lands.

**Comment by:** Meredith Clebsch

**TVA Response:** *Comment noted.*

## **21. Recreation**

**21.1 Comment:** Changes to Recreation status from C/PU/OS Reallocation of about 388 acres from C/PU/OS to Recreation. 38 acres to Cherokees, 140 remaining acres to Commercial Recreation for which there are no formal proposals, and 211 acres to Public Recreation.

This recreation status worries me since it looks like it would be easy to develop these areas without much public notice. Who will decide how these areas are developed?

**Comment by:** Meredith Clebsch

- 21.2 Comment:** Both, Parcel 10 (Coytee) and Parcel 23 (Lotterdale Campground) are designated “Cultural/Public Use/Open Space” in the current plan. This commercial recreation designation allows for marinas, boat docks, resorts, campgrounds, and golf course

**Comment by:** Meredith Clebsch

**TVA Response:** *(Comments 21.1 and 21.2) Parcels proposed for future recreation use under Alternative B have a Zone 6 allocation, with the exception of the Greenway Corridor. The tract descriptions have been revised to more specifically define the allowable recreational uses of each tract. This proposed plan establishes the conditions under which these tracts could be developed. Specific development proposals will be reviewed under NEPA and public notification will occur consistent with TVA’s Resource Stewardship land use guidelines.*

- 21.3 Comment:** This is a narrow lake that is already overcrowded.

**Comment by:** Fegan & Dana Kenny

**TVA Response:** *TVA considered allocating additional land for marinas and boating access. However, due to the public’s expressed concern and TVA staff’s knowledge that boating use is heavy on Tellico Reservoir, additional marinas were not proposed. The new boating access areas proposed under Alternative B are in parts of the reservoir where access is limited. Existing allocations would allow consideration of requests for marinas in Bat Creek and Lower Jackson Bend which are both controlled by TRDA. Regulation of water craft and their operation is the responsibility of the Tennessee Wildlife Resources Agency.*

- 21.4 Comment:** It’s a shame that developers can come in and buy TVA property and the land owners in and stop all the fishing. This land once belonged to the Indians and was given to us for enjoyment, to fish, hunt, and relax.

**Comment by:** Sharon Seay

**TVA Response:** *Comment noted.*

- 21.5 Comment:** There are not any docks accessible to older people to use for fishing.

**Comment by:** Sharon Seay

**TVA Response:** *Fishing facilities are available at Tellico Canal, 441 bridge, and the Lotterdale Cove and Toqua recreation areas. The Tellico Canal facility meets Americans with Disability Act accessibility specifications.*

- 21.6 Comment:** We have been led to believe that a new proposed Tellico Reservoir Management Plan for Bakers Creek/Wear Bend area from the old Morgantown Cemetery to Highway 411 is zoned/slotted for industrial development. We urge you to consider that this area be zoned for recreation or residential development; the possibility of Tennessee state part closures in the area makes a case for recreational zoning.

**Comment by:** Lou Padgett

**TVA Response:** *Comment noted. See also the response to Comments 1.1-1.10.*

- 21.7 Comment:** Under Goals and Objectives (page 130), one goal includes “meet public needs for recreation activities.” Should this be revised to reflect carrying capacity issues? Is meeting all recreationists needs possible or desirable? TVA avoids this question since you do not manage the water itself, I think TWRA has that responsibility?

**Comment by:** Meredith Clebsch

**TVA Response:** *The broad goal was established to reflect the variety of potential recreation needs identified through the planning process through which TVA land could or should be utilized to help meet future recreation needs. Thus, the carrying capacity of existing facilities was considered in recommending land allocations. No new marinas are proposed by TVA, and the proposed new access areas are in parts of the reservoir where access is presently limited.*

- 21.8 Comment:** We request that TVA place the 1,943.6 acres of land into natural resource conservation designation. This designation will not preclude TVA from entertaining recreational proposals in the future, and this designation will protect these lands from ill-thought or politically motivated proposals. Lastly, this change in designation will better TVA’s ability to measure the merits of proposals based upon their individual benefits and costs.

**Comment by:** Marty Marina, Tennessee Conservation League

**TVA Response:** *Of the 1,803.5 acres proposed to be allocated to Zone 6 - Recreation under Alternative B, 1,529.1 acres are already recreation areas and TVA is not proposing to change this use. Of the uncommitted 414.5 acres, 170 acres are part of either the Eastern Band of the Cherokee Indians, Greenway, or Coytee Springs Recreation Area concepts, and 15.1 acres would be used for two access sites on the Tellico River. See the response to Comment 19.5 for more discussion of these allocations. The remaining uncommitted tracts allocated to Zone 6 are adjacent to existing recreation areas and none of them contain natural resources that would be significantly impacted by the proposed use. TVA will assess the individual merits of the recreation proposals by conducting appropriate NEPA reviews at the time a specific proposal is submitted to the agency for approval.*

- 21.9 Comment:** In the greenway proposal, we are asked to accept a plan totally lacking in detail. It is analogous to our being asked to accept the general plan of TLI, Inc. in the January 1999 public meeting. Further, are not the recreational development proposals in parcels 8 and 10 not antithetical to the greenway concept? Still further, why should the greenway be stopped at the Lower Jackson Bend Commercial Recreation site (parcel 7) when it could be extended through that parcel and through the natural resource conservation and sensitive resource management lands to the north to make the greenway longer and more accommodating.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *Parcels 8 and 10 are viewed as potential components of the greenway and as stand-alone public recreation areas which could develop independently of the*

greenway. The two parcels can serve as access nodes for the greenway and they can each meet future public recreation needs. The greenway was stopped at Parcel 8 because this is a logical break point between public and commercial uses, and it minimizes impacts to Tract No. 4.

- 21.10 Comment:** It is difficult to accept that TVA, having acquired the land, constructed the dam, created the reservoir, engineered the creation of a state agency to perform land sales (from which TVA is prohibited in the 1933 TVA Act), and held marginal lands, now dismisses concerns about overuse of the water body as being in the domain of TWRA and not in its own. TVA has prided itself on its catalytic roles, and I suggest that it should reach out to agencies like TWRA and not just to the regulatory agencies that it must pay attention to like USACE and USFWS and the Tennessee Water Pollution Control agency.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *Comment noted.*

- 21.11 Comment:** The document encourages, in a wide variety of ways, increased use of its lands and TRDA's lands while failing to address the issue of carrying capacity of the subject lands and waters for recreation pursuits, for commercial purposes, for residential development, or for industrial development. To be sure, the land use plan is a guideline for only 20 years, but I am concerned that carrying capacity for some uses may well be exceeded within that time.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *TVA considered allocating additional land for marinas and boating access in Alternative B. However, due to the public's expressed concern and TVA staff's knowledge that boating use is heavy on Tellico Reservoir, additional marinas were not proposed and new boating access was provided only in limited areas of the reservoir where access is limited. Shoreline strips fronting residential, commercial, or industrial tracts already have existing water use rights and the land management plan simply reflected these existing commitments and do not affect the back-lying property. See the response to Comment 21.7.*

## 22. Residential

- 22.1 Comment:** We have been led to believe that a new proposed Tellico Reservoir Management Plan for Bakers Creek/Wear Bend area from the old Morgantown Cemetery to Highway 411 is zoned/slotted for industrial development. We urge you to consider that this area be zoned for recreation or residential development.

**Comment by:** Lou Padgett

**TVA Response:** *Comment noted. The Wear Bend Peninsula was conveyed to TRDA for industrial use and is not considered for reallocation under this planning process. An allocation change proposal would need to come from TRDA to TVA and public input would be solicited during the review of the proposal.*

- 22.2 Comment:** Appear to be additional Residential lands, parcel #27 for example, taken from previous designation of C/PU/OS. These allow for “other activities” like fill, excavation and grading. Any additional residential property essentially removes that shoreline from all but very limited public use and has fewer restrictions on levels of abuses which are allowed. Again, doesn’t seem like a good idea for the whole, only the few.

**Comment by:** Meredith Clebsch

**TVA Response:** *Parcel 27 is among those areas that are proposed as residential because they are currently impacted by private water use facilities and because residential water access rights already exist. The effort was not to create additional residential lands but to depict the conditions as they exist. However, even under these conditions, any requests for private water use facilities in this area will receive an appropriate environmental review. In addition, new shoreline policies regulating the use of TVA shoreline properties are much more stringent and would be applied as appropriate.*

- 22.3 Comment:** The League is opposed to the allocation of TVA lands for residential purposes. Taking into consideration that TVA disbursed 11,151 acres to the Tellico River Development Agency for the purpose of economic development, we strongly oppose the development of remaining TVA public lands on Tellico Reservoir.

**Comment by:** Marty Marina, Tennessee Conservation League

**TVA Response:** *The Alternative B plan would allocate as residential those areas with existing access rights and/or areas clearly impacted by existing residential development. What appears to be new residential designations is in fact a recognition of these access rights or existing conditions. Neither alternative creates additional residential property along the shoreline of Tellico Reservoir.*

- 22.4 Comment:** The large Wear Bend tract has, as I understand it, already been changed from industrial land to residential land. Would its use not be more appropriate as a natural area? Could TVA regain control over the land? Could the agency persuade TRDA to develop or to encourage the development of a low impact use on the land--lower, even, than residential?

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *The land use of the Wear Bend Peninsula is not considered under either alternative and remains as industrial development property administered under TRDA’s ownership. Issues relating to the development of the land would be directed to the TRDA Board*

## **23. River Corridor**

- 23.1 Comment:** I have no objection to this land use provided precautions are taken to avoid contaminating the water supply.

**Comment by:** Charles P. Furney, Jr.

**TVA Response:** *Comment noted.*

**24. SMI**

**24.1 Comment:** Residential Access Zone: Residential access to the reservoir is a reasonable aspect of the updated Plan given its recreational objective. However, access should be carefully managed to monitor the number of people recreating in the area to help control the environmental impacts introduced by people. Any residential development of the TVA Tellico lands should be consistent with TVA guidelines documented within the TVA Shoreline Management Initiative FEIS relative to criteria for developable lands, buffer strips, and dock configuration and construction.

**Comment by:** Heinz Mueller, Environmental Protection Agency)

**TVA Response:** *Comment noted.*

**24.2 Comment:** If permits to access lakefront from backlying property owners are available and permits to construct boat docks are potentially available, should not the permittees be required to mitigate soil and other disturbances just as TVA itself is required to mitigate disturbances to wetlands and other regulated lands?

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *All permitting actions on or across TVA property are dependent on the results of TVA's environmental review. Best management practices are required for all ground disturbing activities that would impact water quality or aquatic ecosystems.*

**25. Socio-Economic**

**25.1 Comment:** The Plan and DEIS put the Tellico Project in a regional perspective in only the most superficial ways. Economic impacts of the project are essentially not addressed in terms of dollars, and so it is with ecological, (even!) environmental, and recreational impacts. I would like to see addressed what the economic impact of Alternative A had been to date and what its impact will be in future decades, and similarly, what the economic impacts of your preferred Alternative B will be. Further, they need to be compared.

**Comment by:** Edward E. C. Clebsch, Ph.D

**TVA Response:** *The uncertainties associated with the decisions that ultimately would be made under either alternative preclude any reasonable quantification of the economic impacts. Demand and the decisions of other agencies and of the private sector will determine the actual development that occurs, within the framework set by the Land Management Plan. Attempts to forecast these decisions would result in a long series of assumptions that could be more misleading than enlightening. Some of the more foreseeable impacts from use of reservoir lands are described in Section 3.9 of the FEIS.*

**26. TRDA**

**26.1 Comment:** We also would question, but not ask for in the DEIS, the usefulness and procedures of TRDA. It looks like another “Fleecing of America,” a gold mine for a few developers with deep pockets or political connections.

**Comment by:** Fegan & Dana Kenny

**TVA Response:** *Comment noted.*

**26.2 Comment:** TVA needs to address its relationship with TRDA. TRDA seems to have outlived any conceivable usefulness. The financial arrangement with TVA, not paying back for the lands it develops and so continuing to develop, seems highly counter productive for the region as a whole, not to mention damned nonsensical from any perspective. I would suggest that some one with TVA address this issue and assist in redirecting TRDA’s resources toward more positive land use measures more in tune with the desires of those of us living in the region.

**Comment by:** Meredith Clebsch

**TVA Response:** *Comment noted. See response to Comment 19.5.*

**27. Transportation**

**27.1 Comment:** Please rethink the industrial development plans for the Baker Creek-Wear Bend area. The present roads are certainly inadequate. The thought of traffic on E. Tellico Parkway and down the cemetery road is very wrong. Tellico Lake does not need any industrial pollution from factories. The families with loved ones in the Morganton Cemetery must be very worried.

**Comment by:** Nancy and Charles Johnson

**TVA Response:** *The Baker Creek-Wear Bend Peninsula area is owned by TRDA and its land use is not a part of either alternative action. The cemetery road, as referred to, is located on TVA property. The trustees of the privately owned Morganton Cemetery have perpetual deeded access rights for a road to the cemetery. No change in these rights is proposed.*

*Access to the Baker Creek-Wear Bend area is from East Tellico Parkway, which has recently been upgraded at its intersection with Highway 411. No significant change in traffic in this area is anticipated to result from TVA’s proposed action. Additional upgrading would likely be required if TRDA develops the Baker Creek-Wear Bend area.*

**27.2 Comment:** We have a two lane road over Fort Loudoun Dam. As a deputy sheriff I have had to cross the Dam on many life threatening emergencies. Hwy. 321 through Lenoir City is a nightmare during peak hours. Where is all the traffic caused by this project going to go? Anyone who travels Hwy. 11E can tell you how dangerous it is—there is no more room for increased traffic in Loudon County.

**Comment by:** John Houston

**TVA Response:** *TVA has been cooperating with the Tennessee Department of Transportation on a proposal to upgrade U.S. 321 (State Route 73) in Loudon County to increase traffic capacity. This will likely be accomplished by improving lane and shoulder widths, sight distance and by adding lanes to increase traffic capacity.*

**28. TVA**

**28.1 Comment:** If TVA is supposed to be good at one thing, it is regional planning. Do the forecasts and chronicle the land use changes, and get the data disseminated to communities on a regular basis. Then EIS documents won't be traumatic.

**Comment by:** Robert Lowery

**TVA Response:** *Comment noted.*

**29. Zone 3, 4**

**29.1 Comment:** The changed Zone of #23 concerns me greatly because it seems unnecessary, and only a small step to lump the management of this parcel into the Campground, which is TRDA managed. Not good. I'd very much like to see this changed to Zone 3 or 4.

**Comment by:** Meredith Clebsch

**TVA Response:** *The proposed use of Parcel 23 under Alternative B has been changed from Zone 6, Recreation to Zone 4, Natural Resource Conservation.*