

FINAL ENVIRONMENTAL ASSESSMENT

**KNOX COUNTY
REQUEST FOR DEED MODIFICATION
TENNESSEE VALLEY AUTHORITY
TRACT NUMBERS XTFL-79 AND XTFL-86
(INCLUDING PART OF WRIGHT BLUFF)**

FORT LOUDOUN RESERVOIR
KNOX COUNTY, TENNESSEE

TENNESSEE VALLEY AUTHORITY

Cooperating Agency
Knox County, Tennessee

January 2004

TABLE OF CONTENTS

CHAPTER 1 - PURPOSE OF AND NEED FOR ACTION	1
1.1 INTRODUCTION AND BACKGROUND	1
1.1.1 <i>Original request</i>	1
1.1.2 <i>Modified request</i>	1
1.2 THE DECISION	2
1.3 PUBLIC PARTICIPATION AND ISSUE IDENTIFICATION	5
1.3.1 <i>Public Participation on Knox County's Plans for Seven Islands</i>	5
1.3.2 <i>Identification of Environmental Issues During Scoping</i>	5
1.3.3 <i>Review of Draft Environmental Assessment</i>	6
1.3.4 <i>Review of Modified Proposal Eliminating Keller Bluff from Further Consideration</i>	6
1.4 COOPERATING AGENCIES.....	7
1.5 RELATED ENVIRONMENTAL DOCUMENTS	7
CHAPTER 2 - ALTERNATIVES CONSIDERED	9
2.1 PROPOSED ACTION	9
2.2 ALTERNATIVES CONSIDERED.....	13
2.2.1 <i>Alternative A - No Action</i>	13
2.2.2 <i>Alternative B - Request to Modify Deed With Enhanced Scenic Protection - Wright and Keller Bluff</i>	13
2.2.3 <i>Alternative C - Request to Modify Deed with the Applicant's Scenic Protection for Wright and Keller Bluff (Applicant's Original Proposed Action)</i>	17
2.2.4 <i>Alternative D - Request to Modify Deed on XTFL-79 and -86, Including Part of Wright Bluff)</i>	20
2.3 COMPARISON OF ALTERNATIVES	22
2.4 PREFERRED ALTERNATIVE	24
CHAPTER 3 - AFFECTED ENVIRONMENT	27
3.1 INTRODUCTION.....	27
3.2 RECREATION AND SCENIC FEATURES.....	27
3.3 TERRESTRIAL ENVIRONMENT AND THREATENED AND ENDANGERED SPECIES ...	31
3.3.1 <i>Flora</i>	31
3.3.2 <i>Fauna</i>	32
3.4 AQUATIC ENVIRONMENT	34
3.4.1 <i>Aquatic Ecology</i>	34
3.4.2 <i>Sensitive Aquatic Ecology</i>	37
3.4.3 <i>Wetlands</i>	38
3.5 CULTURAL RESOURCES.....	38
3.6 FLOODPLAINS	39
CHAPTER 4 - ENVIRONMENT CONSEQUENCES	41
4.1 INTRODUCTION.....	41
4.2 RECREATION AND SCENIC FEATURES.....	41
4.2.1 <i>Alternatives A, B, and C</i>	41
4.2.2 <i>Alternative D</i>	43
4.3 TERRESTRIAL ENVIRONMENT AND THREATENED AND ENDANGERED SPECIES ...	46

4.3.1	<i>Flora</i>	46
4.3.2	<i>Fauna</i>	46
4.3.3	<i>Alternative D</i>	47
4.4	AQUATIC ENVIRONMENT	48
4.4.1	<i>Aquatic Ecology</i>	48
4.4.2	<i>Sensitive Aquatic Ecology</i>	49
4.4.3	<i>Wetlands</i>	50
4.5	CULTURAL RESOURCES.....	50
4.6	FLOODPLAINS	50
CHAPTER 5 - COMMITMENTS		53
CHAPTER 6 - LIST OF PREPARERS		55
CHAPTER 7 - LIST OF AGENCIES AND PERSONS CONSULTED		57
CHAPTER 8 - REFERENCES		59
Appendix A - Correspondence		61
A-1	TITLE REPORT	61
A-2	LETTER TO TENNESSEE STATE HISTORIC PRESERVATION OFFICER	63
A-3	TENNESSEE STATE HISTORIC PRESERVATION OFFICER LETTER.....	65
Appendix B - Project Scoping Document		67
Appendix C - Tables and Figures		73
Appendix D - Comments on the Draft EA		79

LIST OF FIGURES

FIGURE 1. VICINITY MAP	3
FIGURE 2. SEVEN ISLANDS PARK	4
FIGURE 3. TRACT NUMBER XTFL-79	10
FIGURE 4. TRACT NUMBER XTFL-80 (NO LONGER UNDER CONSIDERATION)	11
FIGURE 5. TRACT NUMBER XTFL-86	12
FIGURE 6. TRACT XTFL-80 -- ALTERNATIVE B (NO LONGER CONSIDERED)	15
FIGURE 7. TRACT XTFL-86 -- ALTERNATIVE B	16
FIGURE 8. TRACT XTFL-80 -- ALTERNATIVE C (NO LONGER CONSIDERED)	18
FIGURE 9. TRACT XTFL-86 -- ALTERNATIVE C	19
FIGURE 10. TRACT XTFL-86 -- ALTERNATIVE D	21

CHAPTER 1 - PURPOSE OF AND NEED FOR ACTION

1.1 Introduction and Background

1.1.1 Original request

In October 2000, a request was submitted by Knox County, Tennessee, to the Tennessee Valley Authority's (TVA) Little Tennessee Watershed Team to remove a deed restriction which prohibits uses other than public recreation on three tracts of property owned by Knox County. These three properties are identified by TVA as Tract Numbers XTFL-79, XTFL-80, and XTFL-86 and are located in Knox County, Tennessee, on the north shore of Fort Loudoun Reservoir (see Figure 1). The three tracts of land totaling 37.8 acres are on the Tennessee River between Tennessee River miles (TRM) 623 and 634 on the northern shore. They were among five tracts purchased by TVA as part of the original Fort Loudoun project for establishment of the Fort Loudoun Reservoir in the early 1940s and were originally designated as protection areas for principal scenic features of this reservoir and public access. In 1952, TVA transferred the properties above the 820-foot contour elevation (elevation 822 for Tract XTFL-86) to Knox County under Section 4(k)(a) of the TVA Act. Consistent with Section 4(k)(a), the Deed of Transfer specifies that Knox County must use the property for public recreational purposes for the benefit of all members of the public.

Initially, Knox County proposed to sell the three properties on Fort Loudoun Reservoir in order to generate revenue to purchase approximately 58 acres of a planned 155-acre Seven Islands Nature Preserve project. However, while the TVA review of the deed modification was underway, Knox County went ahead and purchased property for the Seven Islands Nature Preserve project using funds generated from another property sale (see Figure 2). The Seven Islands Nature Preserve, established as a county park, is a pastoral area important for aquatic ecology. Native mussels and snail darters have been identified here, and there is ongoing research with transplanted experimental populations of native mussels. In July 2000, lake sturgeon were reintroduced at this site. The U.S. Fish and Wildlife Service (USFWS) is also considering this site for future reintroduction projects involving other aquatic species. A public information session on the proposed Seven Islands Nature Preserve was held by Knox County on August 6, 2001, after a *Knoxville News-Sentinel* article on the Seven Islands project was published on August 3, 2001. The county reported favorable public reaction for the proposed acquisition and the sale of the reservoir tracts.

1.1.2 Modified request

In response to the public concerns raised during review of the Draft EA, the county withdrew the Keller Bluff site from further consideration. Currently, Knox County proposes to sell Tract Numbers XTFL-79 and XTFL-86. Potential buyers desire to use the two tracts for residential use, which would require a deed modification from TVA. Additionally, the potential buyer for Tract XTFL-86 has requested an exchange of residential shoreline access rights to allow for future consideration of the construction of private water-use facilities under Section 26a of the TVA Act. In accordance with the Shoreline Management Initiative FEIS (SMI), this request for residential shoreline access rights on Tract XTFL-86 would be subject to the maintain and gain requirement. TVA would not consider water-use facilities on Tract XTFL-79, since no exchange of water access rights is proposed.

1.2 The Decision

The TVA Board of Directors must decide whether or not to modify the Deeds of Transfer on TVA Tracts Numbers XTFL-79 and XTFL-86 to remove restrictions that prohibit any type of use other than for public recreational purposes.

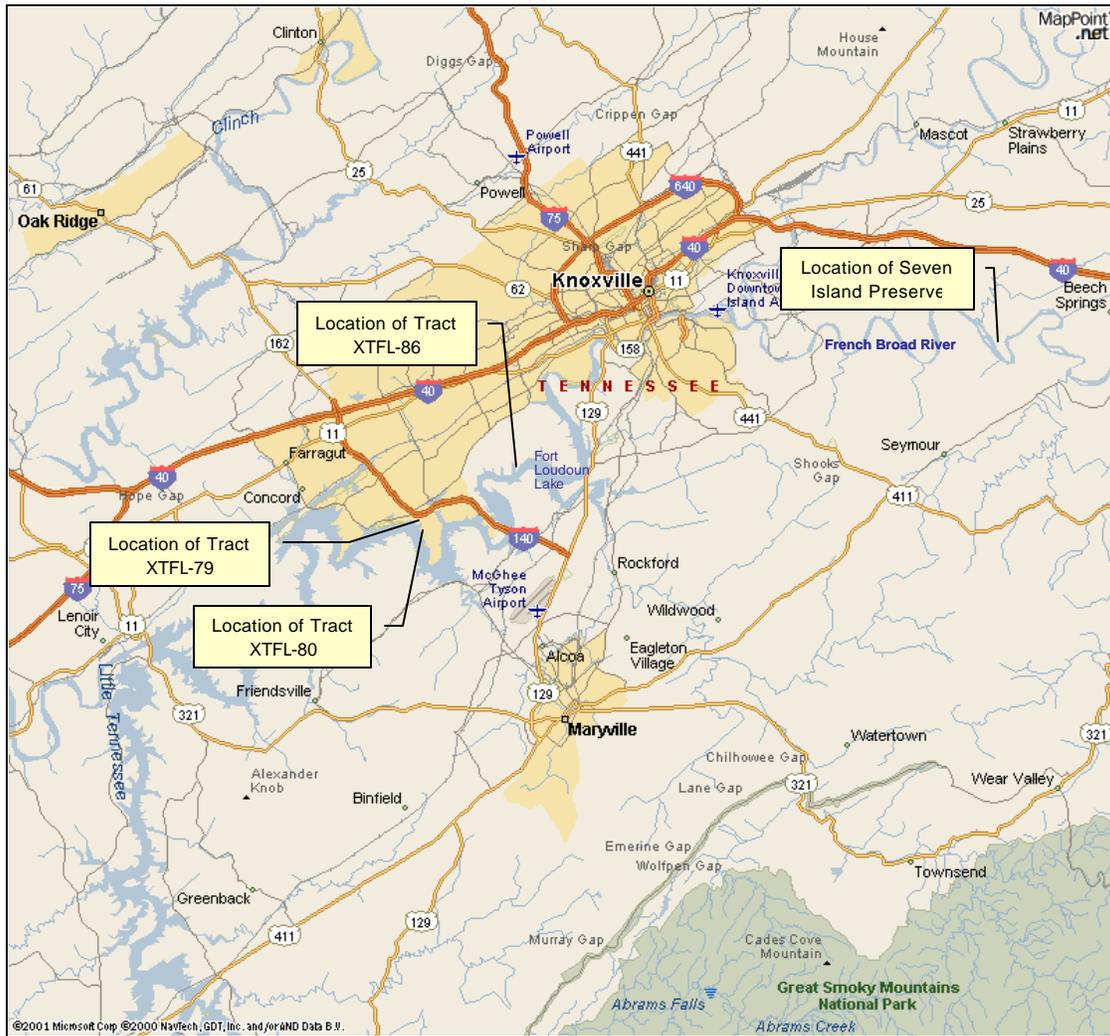


Figure 1. Vicinity Map

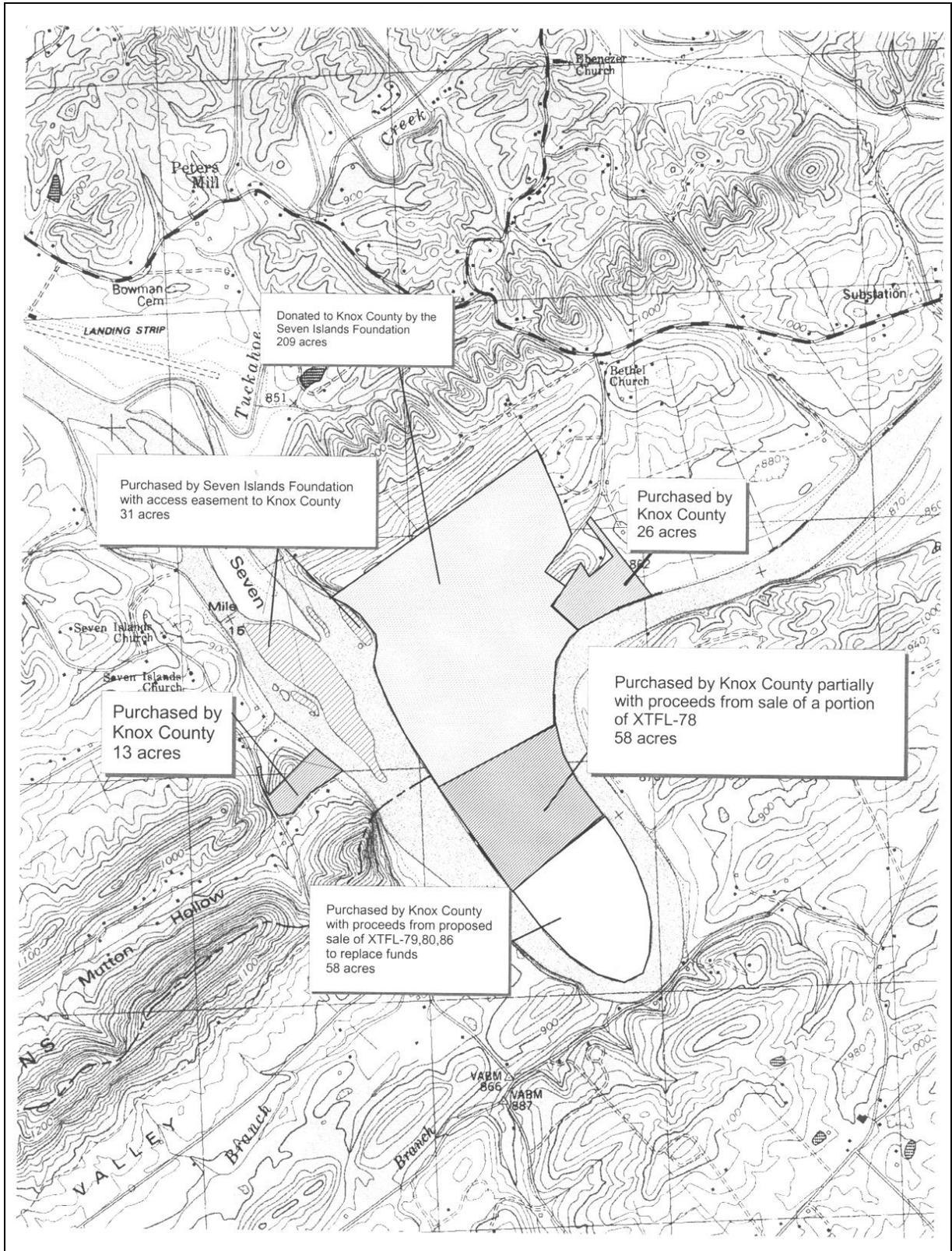


Figure 2. Seven Islands Park

1.3 Public Participation and Issue Identification

1.3.1 Public Participation on Knox County's Plans for Seven Islands

Knox County received front page coverage in the Knoxville News-Sentinel on August 3, 2001, presenting the plans for Seven Islands and offering the public an opportunity to comment on the proposal at a public meeting on August 6, 2001. As a result of the meeting, the county received 82 comments and e-mails. Of these, 71 comments supported the Seven Islands proposal. Of the 26 providing an opinion on the sale of public property on the reservoir, 22 comments supported the sale of the reservoir properties to purchase Seven Islands, and four comments opposed the sale of reservoir properties (Knox County, 2001).

1.3.2 Identification of Environmental Issues During Scoping

After reviewing the comments received from the public on the proposed action, TVA technical staff identified the issues listed below to be discussed in further detail in Chapters 3 and 4 of this FEA. Some opposing comments were received during scoping regarding the direct sale by Knox County to pre-selected individuals rather than a public auction sale. The method of sale by Knox County to private entities is outside the control of TVA. Any permanent structures proposed on the properties may require septic systems which could have a minor effect on groundwater. Provided TVA's standard septic 50-foot setback policy is implemented, there is no need for further analysis.

Recreation and Scenic Features – Currently, the three tracts' recreational use and value is to provide opportunities for public landing access, informal recreation activities, and scenic shoreline for reservoir recreation. Two of the three properties were purchased by TVA, as part of the original Fort Loudoun project for scenic reservations, to protect the principal scenic features and outstanding sections of the shoreline. If TVA removes the deed restriction that limits use of the property for public recreation only, uses such as residential or other developments could occur on the property. The potential loss of public recreational lands obtained for scenic use on this reservoir is addressed in this EA.

Terrestrial Ecology - Potential effects of the proposed action on terrestrial animals and plants are addressed in this EA.

Threatened and Endangered Species - The bluffs on two of the three properties could provide habitats for listed species. The effects of the proposed action on protected species and sensitive habitats are addressed in this EA.

Water Quality - Water quality could be impacted by changes in land use and is addressed in this EA.

Aquatic Ecology - The potential effects of the proposed action on aquatic resources are addressed in this EA.

Wetlands - A review of the USFWS National Wetlands Inventory maps (U.S. Department of Interior, 1987) indicated that no wetlands exist on the tract or in the adjoining areas. The result of an onsite inspection to verify the absence of fringe or other small wetland areas are included in this EA.

Floodplains - There are no immediate plans for activities within the 100- and 500-year floodplains; however, the actions should be reviewed to ensure compliance with Executive Order 11988 (Floodplain Management).

Cultural Resources - Potential impacts of the proposed action on historical and archaeological resources are addressed in this EA.

1.3.3 Review of Draft Environmental Assessment

The Draft EA was distributed for public review on September 11, 2002. Copies of the DEA were mailed to individuals who had requested copies, agencies, and organizations. The DEA was also available on TVA's web site. TVA issued a press release on September 9, 2002, articles appeared in the Knoxville News Sentinel on October 13, 2002, and paid advertisements also appeared in the Knoxville News Sentinel and Maryville DailyTimes. Over 800 letters announcing an open house on September 19, 2002, were mailed to individual stakeholders on Fort Loudoun Reservoir. Included in the letters was a summary of the proposal, an agenda for the open house, and how a copy of the DEA could be obtained. TVA and Knox County held an open house meeting on September 19, 2002, at Bearden High School in Knoxville. The purpose of the open house was to help the public understand the request by Knox County and to provide a public forum for the public to submit comments on the proposal. TVA staff provided information on the land use application process; the environmental review process; and recreational, visual, and terrestrial ecology resources. Knox County provided specific information on the proposed deed modification and their purpose and need for the proposal.

Sixty-six individuals attended the meeting and 102 comments were received on the proposal. Most comments were in opposition to the proposal to sell all three tracts; however, comments focused on opposition to the proposed sale of Keller Bluff (Tract XTFL-80). The preponderance of respondents advocated Alternative A with very few respondents favoring Alternative C. Most preferred that the land not be developed and were concerned about the loss of public land and the potential for future similar requests for the sale of public land. Additional issues that were identified during this review include the possibility for the presence of Indiana Bats, unique and spectacular terrestrial habitat, and recreational opportunities such as rappelling and caving.

1.3.4 Review of Modified Proposal Eliminating Keller Bluff from Further Consideration

In response to the public concerns, the county withdrew the Keller Bluff site from consideration. TVA then wrote to people who had commented and/or attended the public meeting, notifying them that Keller Bluff was no longer part of the proposal and asking for comments about the revised proposal, which continued to involve the sale of Tracts XTFL-79 and XTFL-86. In response to this second request for public comments, the Riverbend Peninsula Homeowners Association, which represents 14 subdivisions and over 600 households in the immediate vicinity, expressed "profound and vigorous" support of Alternative A, noting that it maintains the ecological and scenic integrity of the reservoir, preserves the intent of the Rural Area designation in the Growth Plan for the area, and "maintains the integrity of these referenced scenic reservations for our children and grandchildren." Most other respondents also strongly preferred Alternative A. The Knox County Metropolitan Planning Commission (MPC) noted that the wooded shoreline and the bluff are the primary assets to protect on Wright Bluff and that Alternative B would accomplish this objective. MPC recommended establishing housing density restrictions according to the rural area designation in the county's growth plan to include establishing a building envelope on Tract XTFL-79.

1.4 Cooperating Agencies

Knox County, Tennessee, was invited to be a cooperating agency.

1.5 Related Environmental Documents

The following recent documents discuss the same resources considered in this EA:

Shoreline Management Initiative (SMI): An Assessment of Residential Shoreline Development Impacts in the Tennessee Valley (TVA, 1998). In 1998, TVA completed an Environmental Impact Statement to assess residential shoreline development impacts on its reservoirs throughout the Tennessee Valley. TVA's Shoreline Management Policy (SMP) which implements SMI, seeks to balance residential shoreline development, recreation use, and resource stewardship needs in a way that maintains the quality of life and other important values provided by the reservoir system. TVA has made a commitment to hold residential development on its reservoir shorelines to no more than 38 percent, the total amount possible under current residential access rights. Under certain conditions the SMP does allow TVA to consider proposals to "give up" access rights at one location to "get" these rights at another location when the action would result in no net loss, or preferably, a net gain of public shoreline on the same reservoir.

Deed Modification - Knox County Tract Number XTFL-78, S.2X: Fort Loudoun Reservoir, Knox County, Tennessee (TVA, 1999). In a 1999 action, TVA completed an EA to assess potential impacts of modifying the deed to Tract Number XTFL-78, S.2X (4.4 acres) which would enable Knox County to sell the tract to a private party for residential development above the 820-foot-contour elevation, give ingress and egress rights to the abutting TVA property, and construct private water-use facilities upon approval by TVA. The preferred alternative allowed for up to 11 private residences on the former Knox County tract and designated the use of the sale funds to purchase other land totaling 53.6 acres for public recreation. Knox County provided \$73,000 toward acquisition of a 100-acre parcel adjacent to Forks of the River Wildlife Management area to be managed by Tennessee Wildlife Resources Agency (TWRA). A total of \$238,250 was used to help acquire a 58-acre tract at Seven Islands. A Finding of No Significant Impact (FONSI) was completed in August 1999.

Final Deed Modification - Tennessee Valley Authority, Tract Number XTFL-13, S.1X: Fort Loudoun Reservoir, Blount County, Tennessee (TVA, 2000). In 2000, TVA completed an EA to assess potential impacts of modifying the deed to Tract Number XTFL-13, S.1X (6.1 acres) which would enable TWRA to sell the tract to a private party for residential development above the 820-foot contour elevation, give ingress and egress rights to the abutting TVA property, and to construct private water-use facilities upon approval by TVA. The preferred alternative allowed for up to three private water-use facilities at potential residences on the former TWRA tract and designated the use of the sale funds to 158 acres for public recreation adjacent to TWRA's Forks of the River Wildlife Management Area. This land is now owned and administered by TWRA. A FONSI was completed in September 2000.

Fort Loudoun Reservation Recreation Study (TVA, 1997). The study evaluated the role of TVA's lands in meeting the recreational needs of the Fort Loudoun Reservoir's three-county area and identified strategies to meet future recreational opportunities. It gives specific assessments of 67 TVA and other publicly owned Fort Loudoun tracts and provides information concerning the recreational conditions and trends associated with the reservoir.

Pellissippi Parkway Extension From Interstate Route 40/75 to State Route 115, Knox and Blount Counties, Tennessee (FHWA, 1985). The Federal Highway Administration prepared an Environmental Impact Statement to assess the potential impacts of constructing an extension of the existing Pellissippi Parkway to the Alcoa Highway (State Route 115). The proposed design was a four-lane access control facility on a minimum right-of-way of 250 feet. The length of the project was 12.4 miles. Subsequently, Alternative A-B was selected and this portion of the highway has been completed.

CHAPTER 2 - ALTERNATIVES CONSIDERED

2.1 Proposed Action

Knox County's **initial** proposal was to sell three tracts of public recreation land (Tract Numbers XTFL-79, XTFL-80, and XTFL-86, Figures 3-5) on Fort Loudoun Reservoir and use the proceeds to offset acquisition costs on 58 acres purchased by Knox County in November 2001 for the Seven Islands project on the French Broad River. The tracts are owned in fee by Knox County, Tennessee. Potential buyers desire to use the tracts for residential use, which would require a deed modification from TVA. Knox County has requested that TVA modify the deeds of the Fort Loudoun tracts to remove the public recreational use restrictions.

Tracts XTFL-79, 80, and 86 totaling 37.8 acres are on the Tennessee River between TRM 623 and 634 on the northern shore and have no landward access. These properties were purchased by TVA as part of the original Fort Loudoun project for establishment of the Fort Loudoun Reservoir (TVA, 1949). Tracts XTFL-80 and 86 were acquired as scenic reservations to protect the principal scenic features and to provide public landing access from the reservoir where physical capabilities exist. TVA transferred the properties above the 820 mean sea level (msl) contour elevation (822 elevation for Tract XTFL-86) in 1952 under Section 4(k)(a) of the TVA Act. Consistent with Section 4(k)(a), the Deed of Transfer specifies that Knox County must use the property for public recreational purposes for the benefit of all members of the public.

Subsequent to public review of the Draft EA, Knox County **modified** the proposal by withdrawing the Keller Bluff site (Tract XTFL-80) from consideration. Knox County now requests TVA to modify the deeds only for Tract Numbers XTFL-79 and XTFL-86. A portion of Tract XTFL-86 would be retained by Knox County in public ownership, resulting in a total of 12.0 acres proposed for sale. A deed modification would allow Knox County to sell and transfer Tract XTFL-79 above the 820-msl contour elevation and Tract XTFL-86 above the 822-msl contour elevation to private individuals. Additionally, on Tract XTFL-86 (Wright Bluff), the potential buyer has requested ingress and egress rights to the abutting TVA property, to allow for future construction of private water-use facilities upon approval by TVA. As stated in Chapter 1, ingress and egress rights to Fort Loudoun Reservoir on Tract XTFL-79 are not being considered in this proposal.

To provide a record of TVA's analysis and decision process, TVA has retained the two alternatives from the DEA that contained scenic protection measures applying to both Wright Bluff and Keller Bluff, and retained the results of that impact analysis for comparison with additional scenic protection and public access measures provided in a new alternative. Please note that the applicant's final proposed action does not include the sale of the Keller Bluff tract.

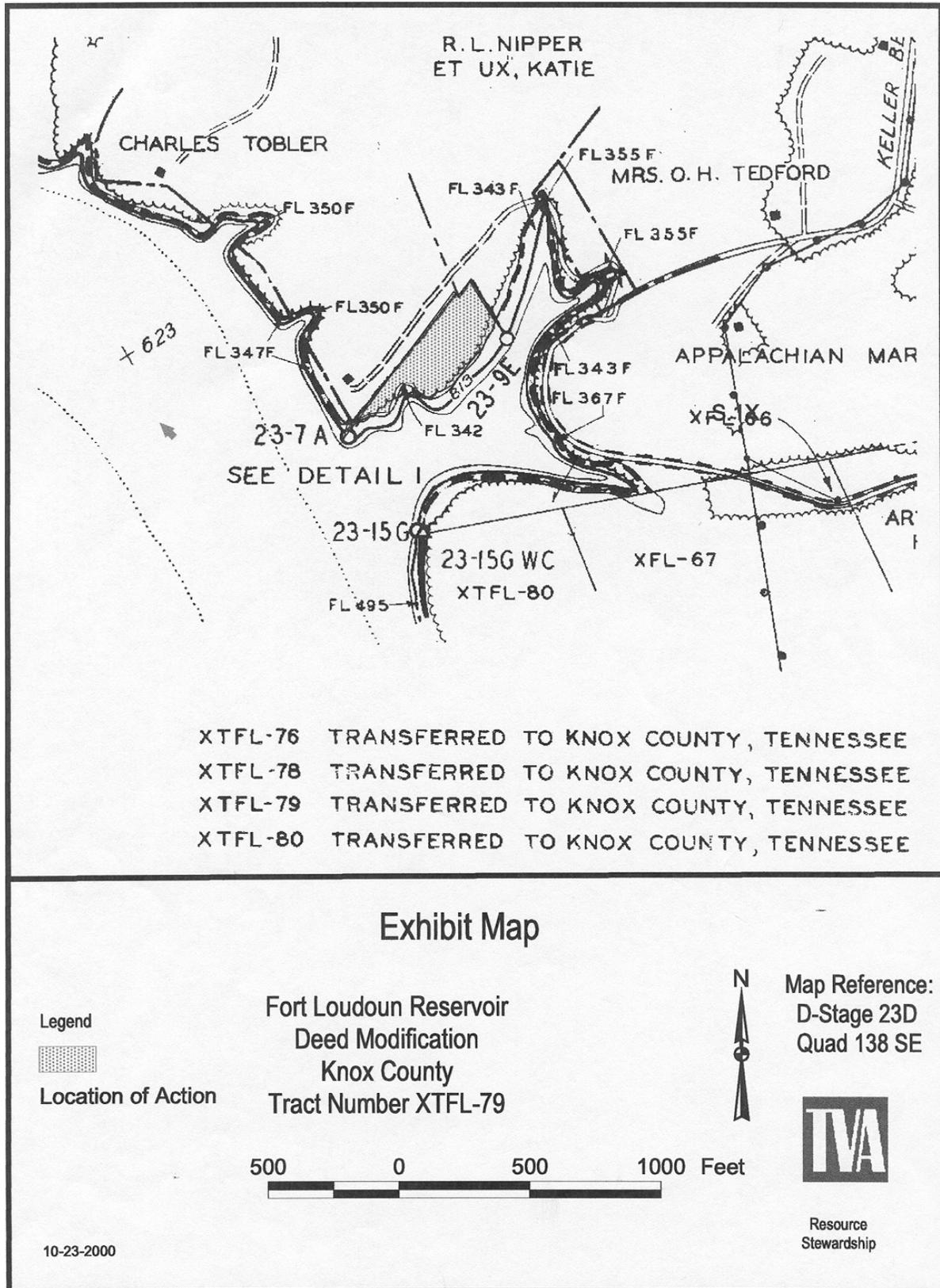


Figure 3. Tract Number XTFL-79

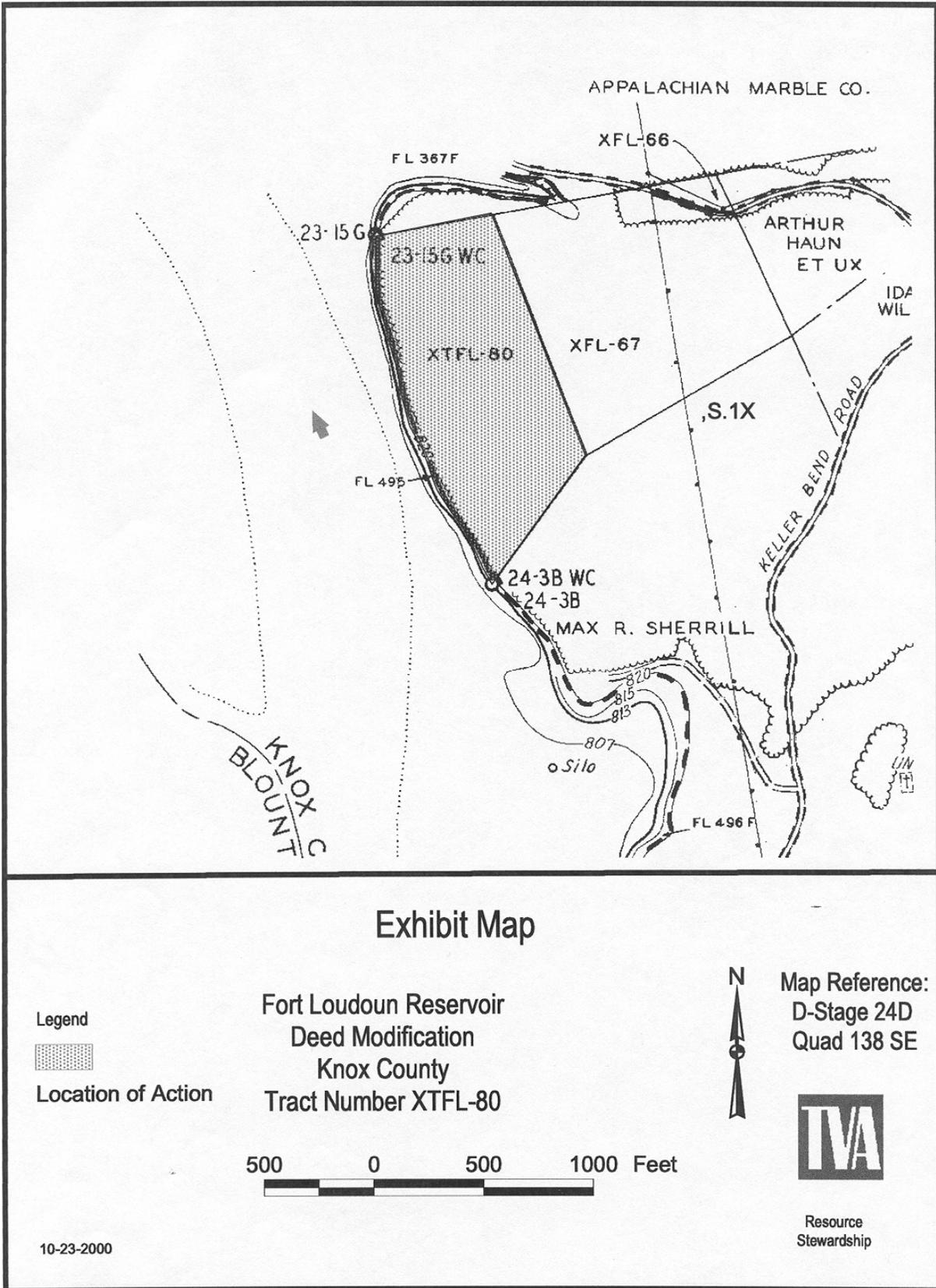


Figure 4. Tract Number XTFL-80 (No Longer Under Consideration)

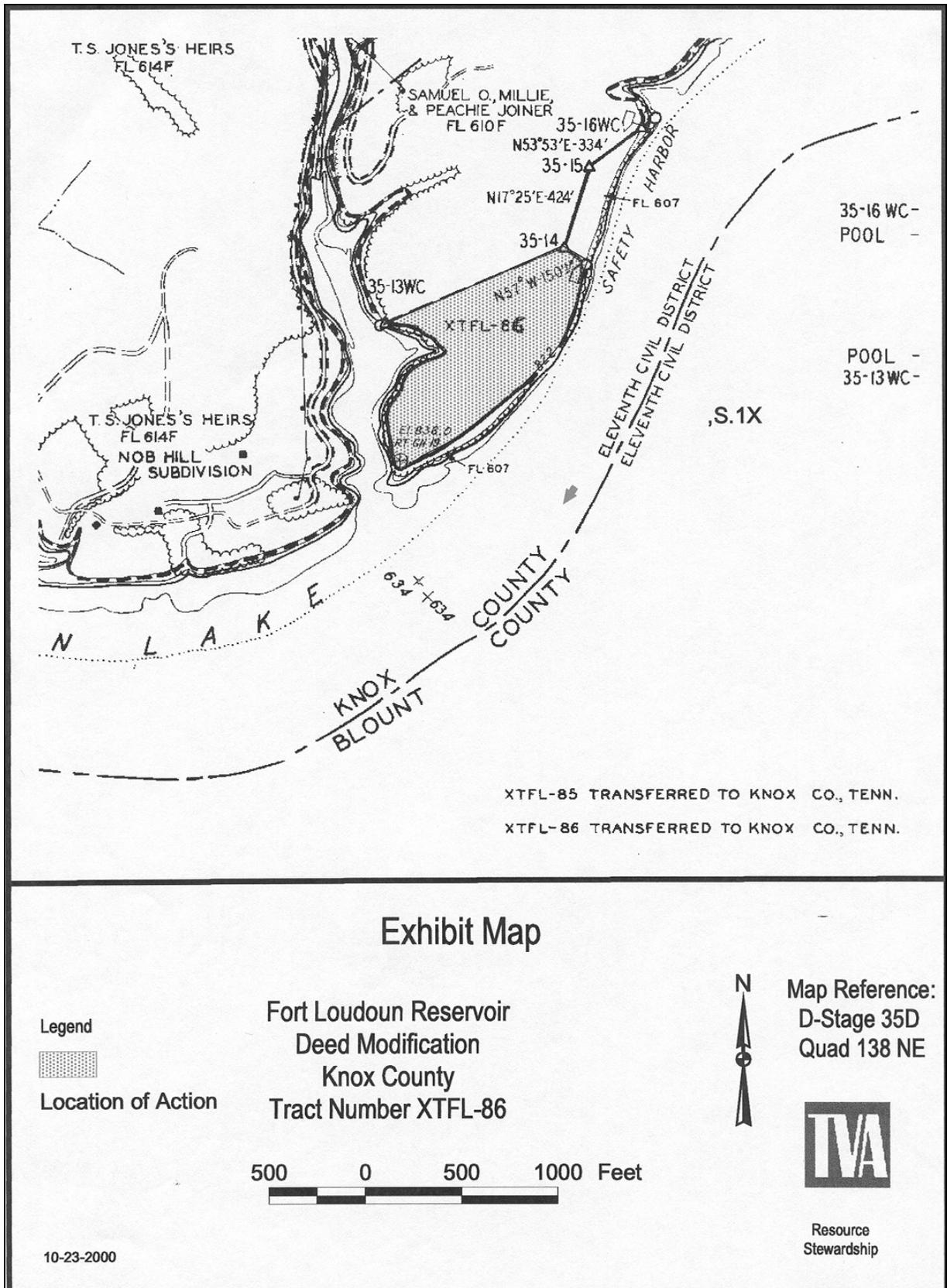


Figure 5. Tract Number XTFL-86

2.2 Alternatives Considered

Four alternatives were developed for evaluation in the EA. The first alternative is a No Action Alternative as required by the NEPA regulations of the Council on Environmental Quality. Three action alternatives have been developed. These three alternatives differ mainly in the amount of scenic protection and public access they provide for the undisturbed bluff sites.

The third action alternative (i.e., Alternative D) was added, after reviewing public comments on the DEA, to provide for continued public access to Wight Bluff for scenic vista viewing from the top of the bluff and other recreational activities. Under this alternative, Knox County removed Tract XTFL-80 from the deed modification request.

2.2.1 Alternative A - No Action

Under the No Action Alternative, no changes would be made to the deeds for Tract Numbers XTFL-79, XTFL-80, and XTFL-86. They could remain as Knox County property, or they could be sold with the deed restrictions intact. Either way, they would continue to provide public recreational opportunities.

2.2.2 Alternative B – Request to Modify Deed With Enhanced Scenic Protection - Wright and Keller Bluff

Under this alternative, the Deeds of Transfer would be modified on Tracts XTFL-79, XTFL-80, and XTFL-86 to allow Knox County to transfer ownership of the properties for private use with some requirements and commitments by Knox County and the future landowners. Thus, the 37.8 acres would become privately owned and some of the property could be developed for residential or other use. Knox County would use the proceeds of the sale to offset acquisition costs on the previously purchased 58 acres for the Seven Islands Nature Preserve which would be committed by deed covenants to public recreation use and be managed in perpetuity for this purpose, consistent with the management objectives established by Knox County. Restrictions for environmental protection would be put into place to protect and maintain affected resources and the benefits associated with the remaining public recreation land transferred.

In addition to TVA's standard conditions such as Best Management Practices (BMPs) routinely included in permit approvals to Knox County on Fort Loudoun Reservoir, the following special conditions are proposed:

1. There shall be no more than one single-family residence on Tract XTFL-79. Except as approved in writing by TVA, no vegetation disturbance or alteration of the TVA shoreline property (i.e., that land below the 820-foot contour) is permitted, and the shoreline shall remain in its natural condition. Particular emphasis shall be placed on retaining the cedar trees that would buffer any new residence.
2. An Undisturbed Scenic Protection Easement will be established along the reservoir on Tracts XTFL-80 and XTFL-86 to protect the environmental conditions, scenic character, and aesthetic qualities of each bluff and their surrounding natural setting. The easement width is based upon a defined area incorporating the face of both the bluff and adjacent slopes, along with a 100-foot minimum setback zone from the crest.

For Tract XTFL-80, the easement shall extend along the entire lake frontage of the tract between TVA Markers 24-3B WC and 23-15G WC. The easement width shall be as shown on Figure 6, with no less than 240 feet from the Elevation 820 contour at the narrowest point. It includes the entire peak surrounding Keller Bluff and nearly half the width of the ridge top extending northward. The back line of the easement shall begin at a point on the Tract's north boundary 240 feet from the north east corner; and end 650 feet from the same corner on the tract's east boundary. With the withdrawal of Keller Bluff from the proposal, this scenic protection easement for Tract XTFL-80 is no longer under consideration.

For Tract XTFL-86, the easement shall extend downstream along the entire lake frontage of the tract, from the shared property boundary with TVA's Safe Harbor (the Safe Harbor will remain under TVA ownership under this alternative) to the mouth of the embayment. The easement width shall be as shown on Figure 7, with no less than 150 feet from the elevation 822 contour at the narrowest point along the mid-section. It includes the entire peak surrounding Wright bluff and the narrow ridge area extending southwest to the embayment. The back line of the easement shall begin at a point on the tract's north boundary 200 feet from TVA Marker 35-14 and end at the elevation 822-contour near the embayment mouth.

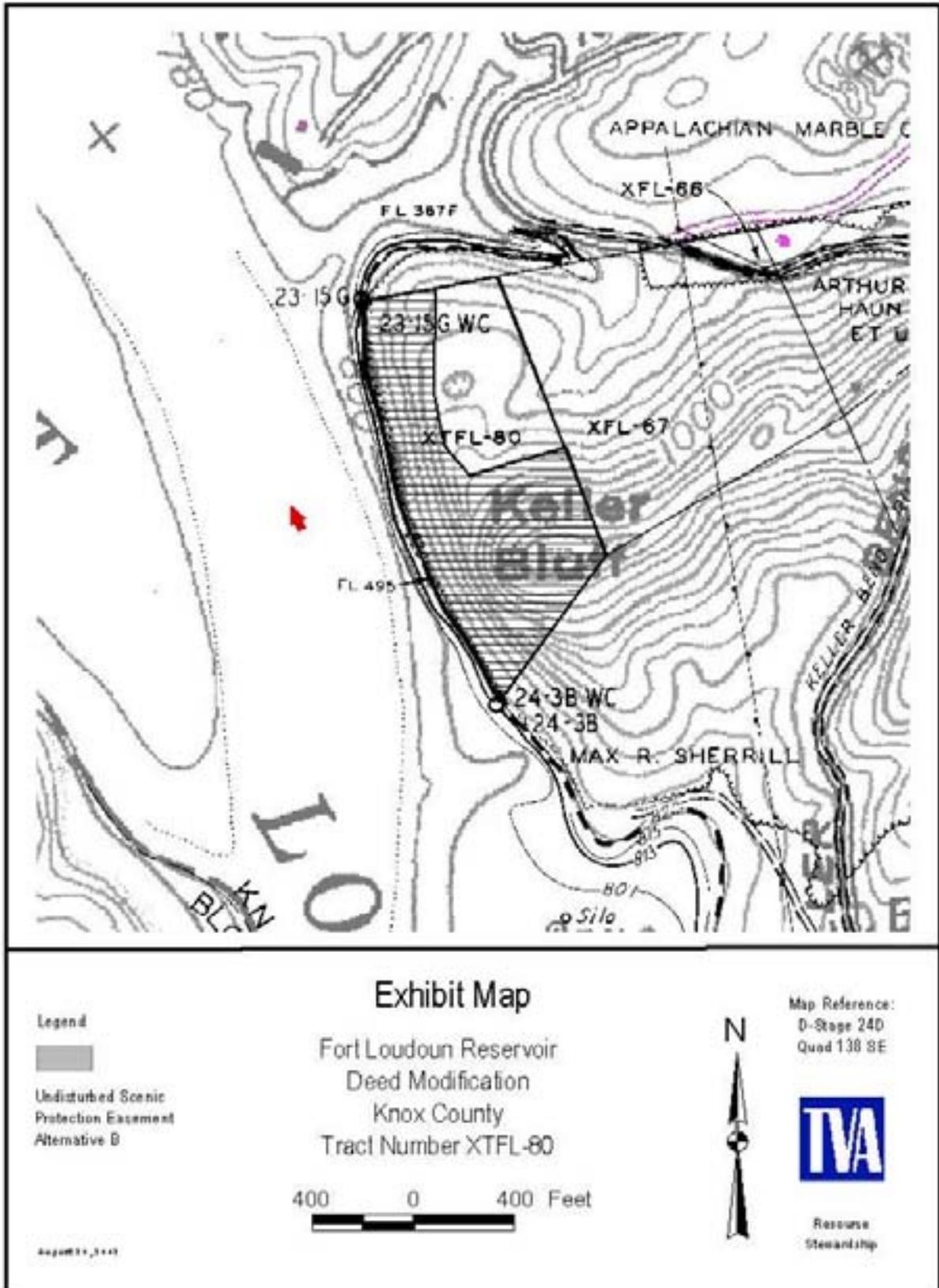


Figure 6. Tract XTFL-80 -- Alternative B (No Longer Considered)

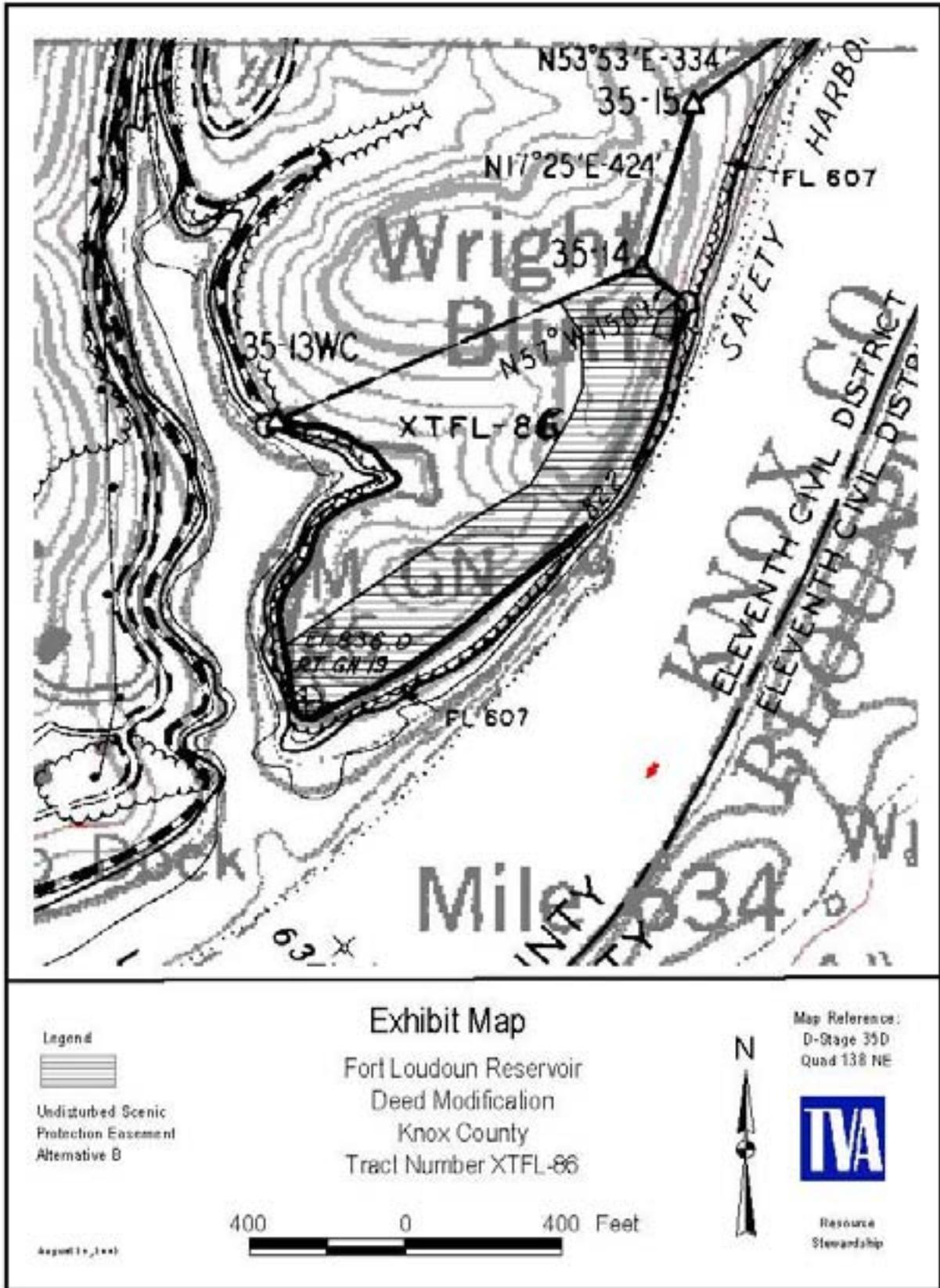


Figure 7. Tract XTFL-86 -- Alternative B

2.2.3 Alternative C - Request to Modify Deed with the Applicant's Scenic Protection for Wright and Keller Bluff (Applicant's Original Proposed Action)

As under Alternative B, the Deeds of Transfer would be modified on Tracts XTFL-79, XTFL-80, and XTFL-86 to allow Knox County to transfer ownership of the properties for private use with some requirements and commitments by Knox County and the future landowners. Thus, the 37.8 acres would become privately owned and some of the property could be developed for residential or other use. Residential development would be restricted to one residence on Tract XTFL-79. The proceeds of the sale would be used to offset acquisition costs on the 58-acre Seven Islands site which would be committed by deed covenants to public recreation use and be managed in perpetuity for this purpose, consistent with the management objectives established by Knox County. Restrictions for environmental protection would be put into place to protect and maintain affected resources and the remaining public land transferred to Knox County by TVA. The key difference between Alternatives B and C is that Alternative C is less restrictive in the development options and provides substantially less scenic resource protection on the three tracts proposed to be sold by Knox County to private individuals. The following conditions are proposed:

1. There will be no more than one single family residence development on Tract XTFL-79. The balance of the tract shall remain in its natural condition with no clearing or alteration of vegetation whatsoever allowed in any portions of the easement area concerned except as approved in writing by TVA. Particular emphasis shall be placed on retaining the cedar trees that would buffer any new residence.
2. An Undisturbed Scenic Protection Easement will be established for Tracts XTFL-80 and XTFL-86 to protect the environmental and boating public aesthetic conditions, as well as scenic qualities, of the bluff immediately adjacent to the reservoir. The easement width is based upon a defined setback incorporating the bluff areas concerned, said width including a 30-foot minimum buffer zone.

With respect to Tract XTFL-80, and beginning at TVA Marker 24-3B WC, the easement width shall be no less than 200 feet from the Elevation 820 contour for a distance of 600 feet downstream. The Easement will then narrow to no less than 150 feet in width for the balance of the lake frontage to within 150 feet of TVA Marker 23-15G WC. The remaining 150 feet of lake frontage shall not be encumbered with this easement (see Figure 8). With the withdrawal of Keller Bluff, this scenic protection easement is no longer needed.

With respect to Tract Number XTFL-86, the easement will extend downstream 1,000 linear feet beginning at the Existing Safe Harbor (the Safe Harbor area is to remain under TVA ownership under this alternate). The easement shall be no less than 100 feet in width beginning at the Elevation 822 contour (see Figure 9).

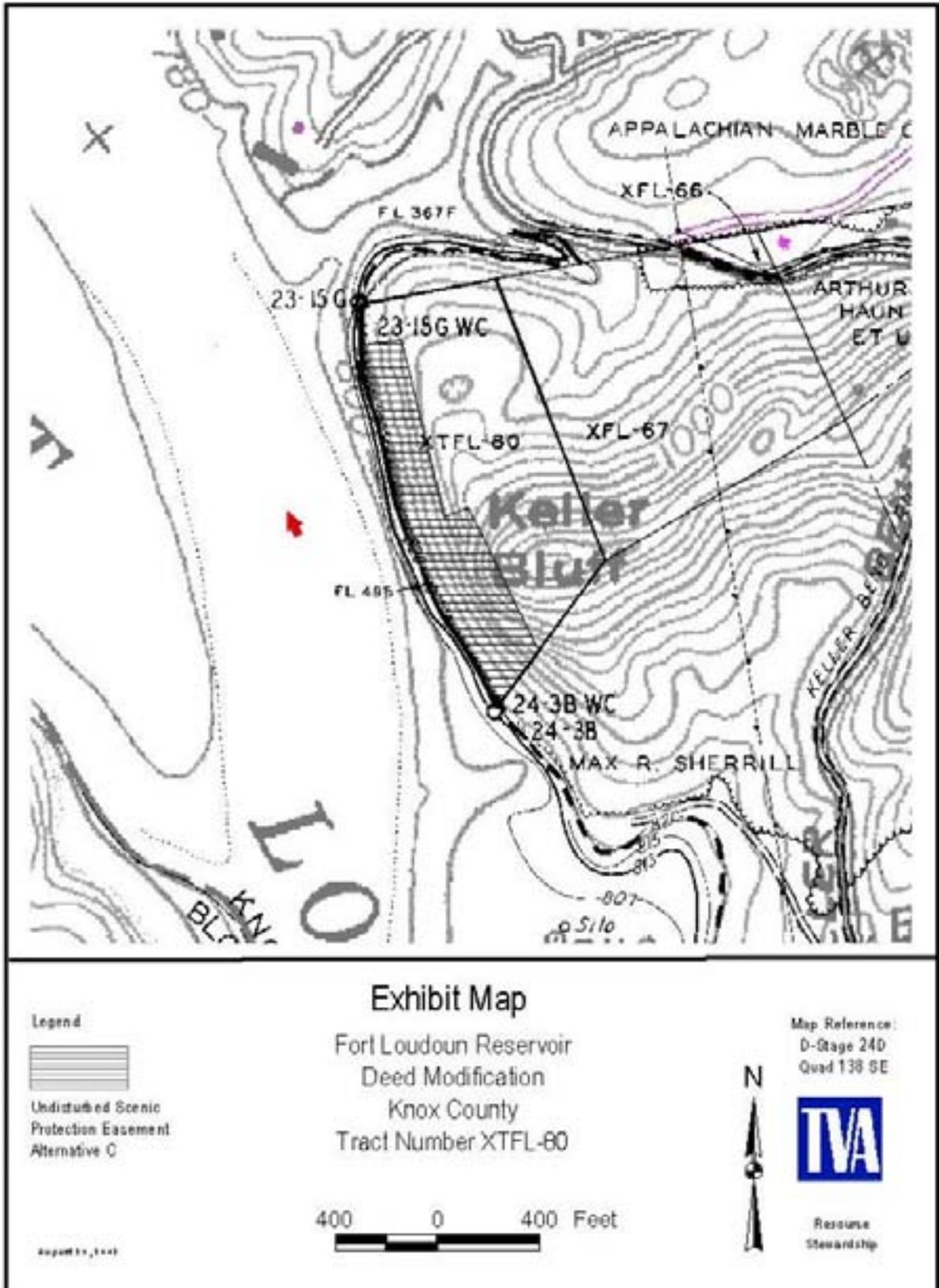


Figure 8. Tract XTFL-80 -- Alternative C (No Longer Considered)

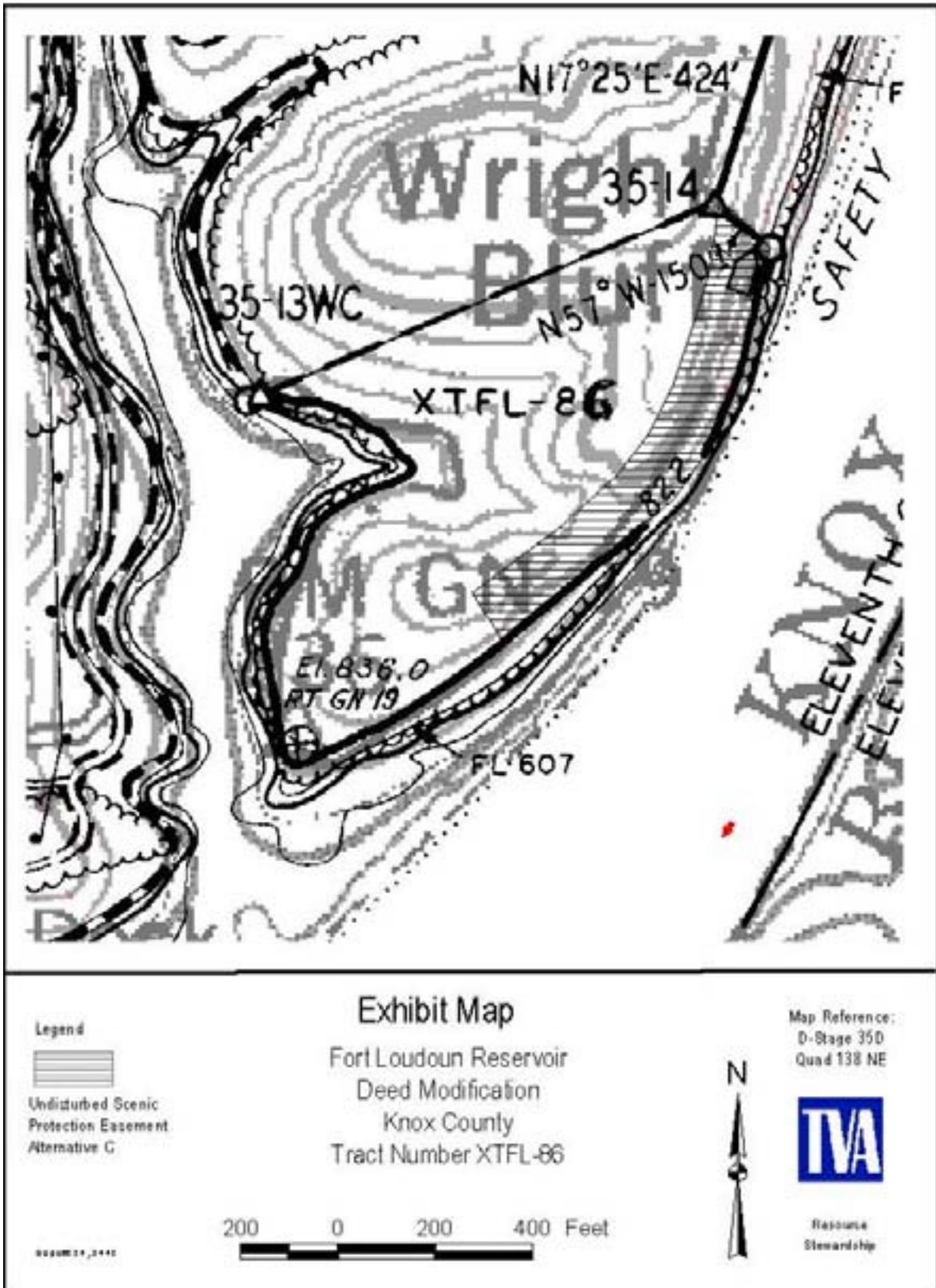


Figure 9. Tract XTFL-86 -- Alternative C

2.2.4 Alternative D - Request to Modify Deed on XTFL-79 and XTFL-86, Including Part of Wright Bluff)

Under this alternative, the Deeds of Transfer would be modified on Tracts XTFL-79 and -86 to allow Knox County to transfer ownership of the properties for private use with some requirements and commitments by Knox County and the future landowners. Only 12.6 acres (2.3 acres on Tract XTFL-79 and 10.3 acres on Tract XTFL-86) could become privately owned and some of the property could be developed for residential or other use. Restrictions for environmental protection would be put into place to protect and maintain affected resources, and the benefits associated with the remaining public recreation land transferred. Knox County would retain ownership of a 3.5-acre buffer on Tract XTFL-86 and therefore, there would be public access to the bluff area (see Figure 10). Additionally, a 0.5-acre conservation easement would be established along the western shoreline to provide for scenic protection and allow the land owner to restrict access and install a fence along elevation 822 feet up the cove. There would be adequate room for the public to land a boat below elevation 822 feet fronting this easement, or along the public land buffer and walk to Wright Bluff. The County is also planning to improve public recreation opportunities on Fort Loudoun Reservoir including better public access and parking at Keller Bluff and improved boat access facilities at Admiral Farragut Park. As stated previously, Tract XTFL-80 (the Keller Bluff Tract) would no longer be considered under this alternative.

The prospective buyer for Tract XTFL-86 has requested an exchange of residential shoreline access rights to allow for future consideration of construction of water-use facilities under Section 26a of the TVA Act. In accordance with the Shoreline Management Initiative FEIS (SMI), this request for residential shoreline access rights on Tract XTFL-86 would be subject to the maintain and gain requirement. The prospective buyer has proposed an exchange of residential shoreline access rights located within Red Hollow cove in exchange for access along the western shoreline of the tract (see Figure 10). Currently, there are no water-use facilities proposed and no plans to subdivide the tract by the potential buyer. Due to the terrain of Tract XTFL-86, the available water surface area within the cove, and depth of the water at winter or summer pool, it is foreseeable that up to four water-use facilities, at the maximum SMP standard of 1,000 square feet each could be considered fronting the requested shoreline for ingress and egress rights. As stated in Chapter 1, TVA would not consider water-use facilities on Tract XTFL-79, since no exchange of water access rights is proposed.

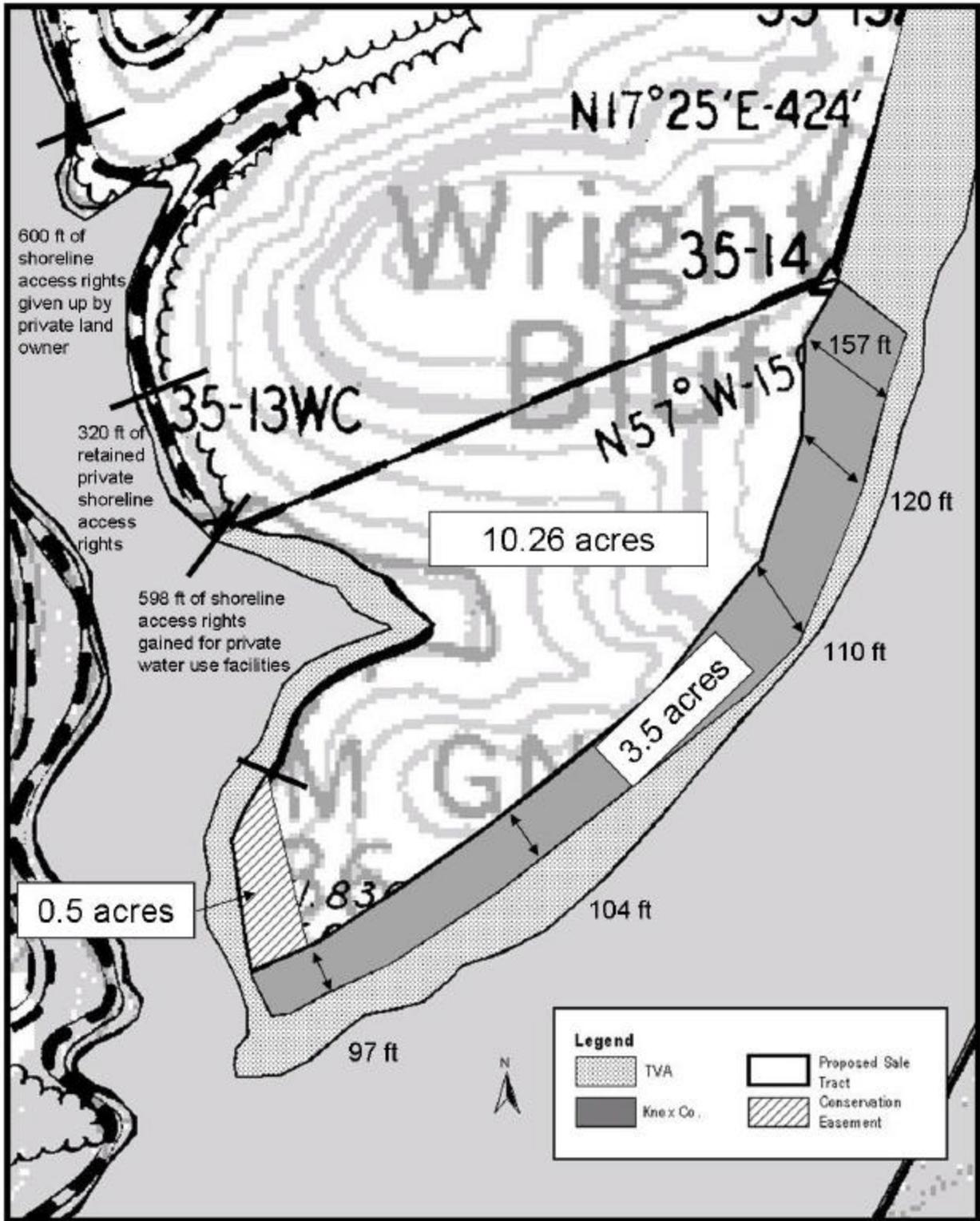


Figure 10. Tract XTFL-86 -- Alternative D

In addition to TVA's standard conditions such as BMPs routinely included in permit approvals to Knox County on Fort Loudoun Reservoir, additional restrictions for environmental protection would be incorporated in the deed modification to protect and maintain affected resources and the remaining public land transferred to Knox County by TVA. The following conditions are proposed:

1. There will be no more than one single family residence development on Tract Number XTFL-79 to help preserve the overall scenic integrity, aesthetic qualities, and very low residential density seen in the cove. The TVA shoreline property along this tract (up to the elevation 820 contour) shall remain in its natural condition. No vegetation disturbance or other alteration is allowed on any part of the area except as approved in writing by TVA in order to retain the undeveloped shoreline appearance and particularly the cedar trees that would buffer any new residence.
2. An Undisturbed Scenic Protection and Public Access Buffer will be retained by Knox County on the reservoir on Tract Number XTFL-86 to protect the environmental conditions, scenic character, and aesthetic quality of the bluff and its natural setting. The buffer width is based upon a defined area incorporating the face of the bluff and adjacent slopes as shown in Figure 10.

The buffer shall extend downstream along the entire lake frontage of the tract, from the shared property boundary with TVA's Safe Harbor (the Safe Harbor will remain under TVA ownership under this alternative) straight along the main channel to the point. The buffer width shall be as shown on Figure 10, with no less than 97 feet from the elevation 822 contour at the narrowest point near the mouth of the embayment.

A shoreline protection or conservation easement will be established from the point at the mouth of the embayment along the western shoreline of the peninsula to provide for scenic protection and allow the land owner to restrict public access and install a fence along elevation 822 up the cove. The width of this easement along the peninsula shall be 100 feet, measured from the 822 contour near the mouth of the embayment.

3. In issuing building permits, the county will ensure structures shall be no higher than 36 feet, measured to the highest point on the roof from the lowest existing ground elevation within the planned building perimeter. Exterior structure and roof colors shall be the darker shades of muted natural colors in the range of grays, greens, and browns.

2.3 Comparison of Alternatives

Because of the acquisition of land and subsequent creation of the Seven Islands Nature Preserve, all alternatives would provide a direct beneficial net increase in public land ownership, more recreational opportunities, and additional habitats for both terrestrial and aquatic species, some of which are federally listed as endangered or threatened. The potential impacts to existing aquatic habitats in the French Broad River would be anticipated as being positive. The federally listed as threatened bald eagle is known to regularly use the Seven Islands area. Therefore, protection of 58 acres by Knox County would probably benefit this species as well as the state listed barn owl, sharp-shinned hawk, and southeastern shrew. Under all the alternatives, there would be no proposed development within the 100-year floodplain. Since no

wetlands occur on any of the Fort Loudoun tracts or on the 58 acres that Knox County acquired in the Seven Islands area, no impacts to wetland functions or values are anticipated. No resources eligible or potentially eligible for the National Register of Historic Places (NRHP) were identified on the three subject tracts. Therefore, no historic properties will be affected upon the sale of these tracts. The Seven Islands tract contains resources potentially eligible for the NRHP. In any future Section 26a reviews, these resources would be considered to assess and mitigate impacts to historic properties.

Under Alternative A, No Action, there may be no change in the current use of the tracts on Fort Loudoun Reservoir. However, under this alternative, Knox County could develop the Fort Loudoun tracts for future recreational use or sell the tracts to anyone as long as the public recreation use restriction remains part of the deed. These alterations could substantially degrade the natural attractiveness of the bluff areas and adversely change the aesthetic sense of place, and could result in minor and insignificant impacts on the terrestrial and aquatic communities on a reservoir-wide and regional perspective, depending on the scale of the future development. Acquisition of both the Seven Islands Park and preserve property, along with maintenance of the three Fort Loudoun tracts as Knox County parkland, would have the greatest net benefit to recreation and land use as no public land would be lost. Because the monies from the sale of lands would not be available for other county recreation park developments, there would be some delays for other capital projects.

Under the original proposal, Alternatives B and C would provide a beneficial net increase (1.5:1 ratio) in public land ownership. This is because indirectly, these alternatives would offset Knox County acquisition costs for the Seven Islands Trust Foundation to preserve a total of 395 acres available for public recreation in Knox County. Although public ownership of land in Knox County would be increased by 20 acres under these alternatives, there would be less public land available on Fort Loudoun Reservoir.

Under Alternative B, one private residence could eventually be developed on Tract XTFL-79 and multiple residences on limited portions of the bluff tracts. There would be potential impacts to the recreational landscape, including visual and recreational resources. However, the proposed scenic protection easement and other restrictions would mitigate potential effects to the undisturbed recreational landscape as seen from the water. However, views from the tracts to the surrounding Fort Loudoun Reservoir would be irreversibly lost due to lack of public access. The proposed restrictions would ensure that impacts to terrestrial and aquatic resources and water quality would be minimal on a local, reservoir-wide and regional basis. There would be no impacts on federal- or state-listed native mussel species or other protected aquatic species.

Alternative C would have impacts somewhat similar to Alternative B, but would provide substantially less visual and aesthetic protection for the bluffs. The undisturbed character and most scenic qualities of the bluff sites would be lost to potential development. Views from the bluffs of surrounding Fort Loudoun would be lost due to lack of public access. With potential adverse changes to these parts of the original scenic reservations, only one other bluff on Fort Loudoun Reservoir would remain in natural surroundings for long-term public enjoyment. However, under this alternative more protection would be provided than if the property were developed under the No Action Alternative. The landscape impact of potential construction around the bluffs would not be completely avoided or reduced by the county's alternative, although a recreational landscape benefit to Knox County would be provided by the Seven Islands Park and nature preserve project. The Seven Islands would result in high-quality

recreational but less scenic property along the French Broad River. Although the riverine setting of the Seven Islands property would have limited off-setting scenic benefit compared to the more unique and dramatic bluff sites, the pastoral character of this riverine setting would have an aesthetic and visual enhancement of its own. While the scenic protection easement would be notably less than that proposed for Alternative B, the proposed easement is expected to adequately protect the sheltered bluff/cliff ledges and caves that provide potential nesting habitat for turkey and black vultures and potential roosting/loafing habitat for wintering and transient bald eagles and gray bats.

Alternative D would provide a beneficial net increase (5.2:1 ratio) in public land ownership. The acreage proposed for sale by the county has been reduced from 37.8 acres to 11.0 acres, a 70 percent reduction. Under Alternative D, the potential impacts to recreation, visual resources, and terrestrial ecology would be substantially reduced as compared to the other proposed alternatives because Tract XTFL-80 (Keller Bluff) would be retained under Knox County ownership for public recreation and could even be enhanced to derive informal recreational benefits in the future. The formulation of Alternative D has eliminated the potential impacts to threatened and endangered species, substantially reduced the potential impacts for the loss of recreational opportunities on Tract XTFL-86, including access for viewing the Fort Loudoun landscape, and visual impacts associated with clearing the tract for development. The new buffer identified for Tract XTFL-86 would:

- provide protection of the scenic character of Wright Bluff,
- preserve public access by boat to Wright Bluff,
- allow continuation of current recreation activities along waterfront,
- improve public recreation opportunities on Fort Loudoun Reservoir,
- provide for more suitable home sites than under Alternative B,
- achieve a compromise for viewshed (future residents could see the lake, but their structures would be substantially screened from boaters), and
- include height restrictions for any structures located adjacent to the public buffer and require an exterior color that would blend into the landscape.

Under Alternative D, the potential adverse impact to public recreation and the scenic character of Wright Bluff (Tract XTFL-86) would be adequately mitigated by Knox County by its retaining a publicly accessible buffer that would extend across the bluff and across the tip of the peninsula. This provides direct onsite mitigation. Development of water-use facilities along the western shoreline of Tract XTFL 86 would not conflict with the public ingress and egress through the permanent public access corridor. The approximately 100 feet of shoreline that fronts the public access buffer would be retained by Knox County, allowing for a safe boat landing area for the recreating public. Because of the site's remote location and user access is by boat only, the projected recreational use is not anticipated to increase. Therefore, there would be no adverse affects from the exchange of shoreline rights related to recreational use at this location. Additional mitigation measures to improve public recreation opportunities on Fort Loudoun Reservoir, including better public access and parking at Keller Bluff and improved boat access facilities at Admiral Farragut Park, would further minimize any potential impacts on current recreational activities.

2.4 Preferred Alternative

TVA has selected Alternative D as the preferred alternative because it balances the competing needs for the resources with insignificant environment impacts. Alternative D provides direct

onsite mitigation and the identified commitments would adequately mitigate the potential adverse impact to public recreation and the scenic character of Wright Bluff (Tract XTFL-86). Additionally, Tract XTFL-80 would benefit from enhanced recreational opportunities and natural resources conservation.

CHAPTER 3 - AFFECTED ENVIRONMENT

3.1 Introduction

The three tracts are located in Knox County on the north shore of Fort Loudoun Reservoir which is formed by the impoundment of the Tennessee River. They are identified by TVA as Tract Numbers XTFL-79, XTFL-80, and XTFL-86 and are owned in fee by Knox County, Tennessee. Knox County initially requested that TVA modify the deeds of the Fort Loudoun tracts to remove the public recreational use restrictions so that Knox County can proceed with the sale to offset acquisition costs on 58 acres for the Seven Islands project on the French Broad River. The Seven Islands Nature Preserve (395 acres) is located along French Broad River mile 15 in eastern Knox County (see Figure 2). The preserve is a scenic area important for aquatic ecology which the county has established as a county park. The size and location for the affected lands are shown in Table 3-1. Subsequent to the DEA public review, Knox County modified its request to only consider Tracts XTFL-79 and 86.

Table 3-1. Specifics for Affected Lands

Tract Number	River Mile	Acreage	Shoreline (Miles)
XTFL-79	TRM 623.3R	2.3	0.4
XTFL- 80	TRM 623.4R	21.3	0.3
XTFL-86	TRM 634.2R	14.2	0.5
7 Islands	FBRM 15R	58	2.7

3.2 Recreation and Scenic Features

Fort Loudoun Reservoir

Knox County has 1,519 acres of park land. Forty-eight percent (736 acres) are located in the southwest sector with over 720 acres being waterfront on Fort Loudoun Reservoir. Fort Loudoun Reservoir hosts a wide variety of recreational activities that include boating, water-skiing, fishing, camping, hunting, and picnicking. These activities are facilitated by local governments through the operation of county parks and private recreational developers who operate marinas. Much of this public and private activity takes place through licenses and land transfers provided by TVA. As part of the Fort Loudoun project, TVA planned that the actual development of recreation areas and facilities around the reservoir would be the responsibility of others. That resulted in TVA transferring 940 acres to local and state governments and committing an additional 175 acres of TVA-retained land for long-term recreation use and management by others (see Table 3.2). In 1952, TVA conveyed fee interest in 21 tracts totaling 880 acres to Knox County for public recreation use only. Of the 21 tracts, eight (705 acres) are currently managed as developed parks and 13 (175 acres) are undeveloped.

The primary reason that the 13 tracts have remained without recreational facilities, such as picnic areas and waterfront access sites, is that public access was intended to originate from the water, and landward access was not necessarily critical to their public use.

Table 3.2. Property acquired by TVA as part of the reservoir project

	Acres
Transferred in fee for public recreation	940
Sold for various purposes	296
TVA/committed to recreation use	175
TVA/reservoir operations/dam reservation	1416
Total TVA fee-acquired property	2,827

Tract Number XTFL-79 was acquired to provide public access from the reservoir. Tract Number XTFL-80 was acquired to protect the visual character of Keller Bluff. Tract Number XTFL-86 was acquired to provide public access from the reservoir and protect the visual character of Wright Bluff. Public access to Tract Numbers XTFL-79 and XTFL-86 is by water only. TVA owns a 30-foot-wide road easement which connects Tract Number XTFL-80 to Keller Bend Road. A road has not been built on this easement, and these rights were not specifically addressed when Tract Number XTFL-80 was conveyed to Knox County. This easement could be used to provide public access to Keller Bluff.

The area surrounding the three tracts proposed for sale is primarily used for single family residences. This area is designated in the Knoxville-Knox County Farragut Growth Policy Plan as a "rural area," which limits residential development to no more than one dwelling per acre. The future land use for this area is designated as being predominantly rural residential, as proposed in the Southwest Knox County Sector Plan. The landscape character is predominantly rural ridge and valley woodlands, interwoven with lakefront homes, open lawn areas, covered docks, and the reservoir waters. Until recently, the area consisted of woodlands and small family farms. Rapid development of residential subdivisions has occurred in the general area within the past ten years as numerous single-family homes have been constructed. As this development trend continues and rural areas disappear, the scenic value and importance of remaining undisturbed areas would increase.

When the reservoir was constructed, TVA considered these tracts to be among the most scenic sections of reservoir shoreline. In TVA's technical report Number 11, The Fort Loudoun Project, several scenic protection areas are identified that were initially acquired for public use and enjoyment. The bluffs were referred to as "the principal scenic features of this reservoir." There are five undeveloped areas; four are rock-face bluffs and one is an abrupt wooded ridge. Knox County owns three of the bluffs, Wright, Keller, and Badgett, and TVA owns Peter Bluff, located in Knox/Loudon Counties and the Jones tract located in Blount County. The report describes Keller and Wright Bluffs as two of the five "scenic reservations" that were purchased to protect the bluff sites and may assume a dual role through their use as public landing points. It also indicates that access from the land was not a primary factor in their selection for scenic protection. These bluffs are two of the last four remaining on this reservoir in public ownership without development along the top. When these prominent features were identified for scenic protection, the designated areas included the surrounding undisturbed setting. The two bluff sites now owned by Knox County include the adjacent steep wooded slopes and undisturbed ridge tops. They have the least capacity to absorb alteration without substantial visibility and devaluation, so the natural setting shares almost an equal importance with the bluff itself.

Keller Bluff, Tract Number XTFL-80, is the tallest bluff on the reservoir with a peak about 300 feet above the water at normal full pool. It is the end of a steep wooded ridge that continues eastward onto adjacent property, which was formerly part of the original "scenic reservation". A narrow privately owned tract of moderately steep woodland separates the tract from a small embayment to the north. The bluff is a prominent scenic feature with a sheer, gray-colored rock face and steep side slopes that rise to a wooded peak above it. The ridge on the north side becomes less steep and forms a 4-acre plateau of about 100 feet above the water. Mixed woodlands cover the site with similar vegetation at the toe of the bluff and mostly evergreens along the top edge. Tree cover is thinner along the ridge top where the soil is shallow. The wooded tract frames the bluff in a natural setting where no man-made features or alterations are visible. Similar woodland slopes steeply from the south boundary down to a home and dock on the reservoir.

The bluff can be seen by the public in the immediate foreground from passing boats in the adjacent navigation channel and from others on the reservoir within a couple miles. It is visible from several homes on private land a half-mile distance on the opposite bank as well as other homes further upstream. The bluff is also visible from homes a similar distance along the north bank and from Carl Cowan park about a mile downstream. Visitors to the bluff site have views of the internal woodland, as well as broad scenic views from the top of the rock face and along the informal trail leading up to it. From these viewpoints about 260 feet above the water, the serpentine reservoir and adjacent pastoral landscape are visible to the background distance over four miles away. The scenic value of the tract is excellent based on distinctive attractiveness, high scenic integrity, and public visibility.

Tract Number XTFL-79 was part of the "scenic reservation" with Keller Bluff across the cove. The surrounding visual character is the same. The tract slopes moderately to a shoreline of exposed rock along the water's edge. It is covered in mixed woodland with predominantly evergreens near the water. The tract provides a visual buffer of natural shoreline with no discernible man-made alterations. The property narrows to a point on the west end where an adjoining home is visible along with a dock and white satellite dish about 8 feet in diameter. Another home and dock borders the east boundary. Two floating pipe trash booms extend part way across the cove mouth, one anchored near a satellite dish and the other to the south bank.

The tract is visible to the public from boats visiting the cove and those passing on the reservoir nearby. It can be seen from the two neighboring homes and several homes a half-mile distance across the reservoir. Tract 79 can not be seen from Carl Cowen Park as the angle of view is such that only the tract tip at the embayment mouth is visible. The neighbor's satellite dish sits on the tip and their boathouse blocks much of that view. There is no view of the tract from Farragut since the viewing angle is sharper. Motorists on Keller Bend Road can also see it from the back of the cove through intermittent vegetation. The scenic integrity is moderately high and scenic value is good.

Tract Number XTFL-86 is the end of a steep wooded ridge, with Wright Bluff along the east side. Visual character of the surrounding area is similar to that described for the other tracts. The bluff is a prominent visual feature that peaks about 140 feet above the water at normal full pool. The layered, buff-colored rock face has some overhang along the top and rises directly from the water with little vegetation at the toe. The wooded slopes continue above the overhang to the ridge top, which frames the bluff in a natural setting. There is some graffiti on the face which detracts somewhat from the scenic quality when seen from 200 feet or closer. At greater distances the white text tends to blend with lighter tones of the rock. No other man-made

alterations are visible. The site is covered in mostly deciduous woodland, with more evergreens just above the bluff face. Tree cover is thinner along the ridge top where the soil is shallow. The ridge includes another peak near the peninsula tip that rises about 100 feet above the water. The tract generally slopes more moderately to the cove on the west side. Smaller rock outcrops are visible though shoreline vegetation along the safety landing located just north of the tract.

The bluff can be seen by the public in the immediate foreground from boats in the navigation channel and elsewhere on the reservoir for about a mile upstream. The entire tract is visible within a half-mile downstream. It can be seen from several homes a half-mile distance on the opposite bank as well as other homes further upstream. Visitors to the bluff site have views of the internal woodland, as well as broad scenic views from the top of the rock and informal trails along the ridge top. From these viewpoints about 140 feet above the water, the reservoir and adjacent pastoral landscape are visible in the middleground to about three miles. The scenic value is very good based on distinctive attractiveness, high scenic integrity, and public visibility.

The tracts provide opportunities for informal recreation use; i.e., recreational activities which occur on undeveloped land, which could include camping, bank fishing, hiking, boat landing, and bird-watching, and they all have some capability to support facility development if road access were available.

Seven Islands Park

Land use surrounding the Seven Islands site is generally rural with residential homes on larger tracts of land and a few subdivision developments. Although some commercial and residential development is occurring in the area, the land uses remain primarily in a rural, woodland setting. The county desires to increase parkland acreage in east Knox County and the Seven Islands project is consistent with the county's desire.

Seven Islands is composed of 395 acres. Knox County has purchased 155 acres; 209 acres have been donated by the Seven Islands Foundation to the county; and an easement over 31 acres purchased by Seven Islands Foundation was granted to Knox County. The county will manage Seven Islands as a wildlife sanctuary and offer river access facilities at a strategic point on the French Broad River to help fill a 15-mile void between the Knoxville City limits and Knox County line. The Seven Islands park site consists of primarily open lands that adjoin the meandering French Broad River. The surrounding visual character is a gently rolling countryside of low wooded hills and open valleys with widely scattered homes and farmsteads. The large parcel on Kelly Bend is primarily open pasture with a mobile home near the end of the paved road. It is bordered by the river on three sides which averages 500 feet wide and on the north by a farmstead with a couple of buildings and similar pasture lands. Together the natural and man-made elements form a relatively tranquil, rural landscape. There are some rock bluffs about 60 feet high across the river to the southwest and several islands to the north. The small parcel is on the west bank near the islands and includes a wooded hillside, meadow, and driveway access along the south side. Both parcels are visible from nearby homes, occasional watercraft on the river, and briefly by motorists on Seven Islands Road. The large parcel is also visible to motorists on Union Valley Road. The scenic value is good but less than the Fort Loudoun tracts, which have more distinctive scenic qualities, little human alteration, and greater public visibility.

3.3 Terrestrial Environment and Threatened and Endangered Species

3.3.1 Flora

Tract Number XTFL-79 - This tract of ridge and valley second-growth forest land is typical for shallow-soiled, south-facing slopes on Fort Loudoun Reservoir. Dominant tree species include eastern red cedar (*Juniperus virginiana*), Virginia pine (*Pinus virginiana*), sweetgum (*Liquidambar styraciflua*), and several elms (*Ulmus* spp.). Understory vegetation is relatively sparse with common species being saplings of the above-mentioned species as well as other common shrubs and vines including greenbrier (*Smilax* spp.), huckleberry (*Vaccinium* spp.), poison ivy (*Toxicodendron radicans*), and Virginia creeper (*Parthenocissus quinquefolia*). The primarily exposed bedrock shoreline of this tract, where light penetrates into the forest edge, is dominated by exotic, invasive plant species including privet (*Ligustrum* spp.) and amur or bush honeysuckle (*Lonicera maackii*).

The forest/floral community on this tract is typical of other forested shoreline areas on Fort Loudoun Reservoir and in the region. No federally listed as threatened or endangered species are known to occur on the tract. Seven plants listed as threatened or special concern species by the state of Tennessee are known to occur within a 10-mile radius of the tract and include false foxglove (*Aureolaria patula*), bugbane (*Cimicifuga rubifolia*), pursh petunia (*Ruellia purshiana*), goldenseal (*Hydrastis canadensis*), engelmann cyperus (*Cyperus engelmannii*), pigmy-pipes (*Monotropis odorata*), and butternut (*Juglans cinerea*). None of these plants are known to occur on this tract. There is a minimum amount of potential habitat for false foxglove and pursh petunia along portions of the shoreline. Both of these species occur in the partial shade of rather open stands of mixed hardwoods on limestone river bluffs often with eastern red cedar. However, the dense growth of the invasive plant species privet and amur honeysuckle are probably precluding the presence of these species.

Tract Number XTFL-80 - This tract is dominated by the almost sheer west-southwest facing cliffs of Keller Bluff. The vegetation on this tract is similar to that described for Tract Number XTFL-79 with the addition of a significant chestnut oak (*Quercus montana*) and other dry site oaks and hickory (*Carya* spp.) component. A few acres of the southern most portion of the tract supports a older stand of mature white oaks (*Quercus alba*), hickories and yellow poplar (*Liriodendron tulipifera*). Also, as with Tract Number XTFL-79, the bluff base/shoreline interface supports a significant amount of invasive privet and amur honeysuckle. These invasive species, in addition to Japanese grass (*Microstegium vimineum*) are also very common in portions of the tract along the top of the bluff. The dense presence of these invasive species in certain areas is indicative of land use actions that occurred prior to TVA's acquisition of the property and subsequent transfer to Knox County.

The situation with threatened and endangered plant species is similar to that described for Tract Number XTFL-79. Potential habitat for false foxglove and pursh petunia does occur along portions of the face of Keller Bluff, as false foxglove was identified along the east side of the Keller Bend shoreline in 1984 by a University of Tennessee botanical survey conducted during site location work for the Pellissippi Parkway. Again, the dense growth of invasive plants may be precluding the presence of these species in this area.

Tract Number XTFL-86 - Like Tract Number XTFL-80, the dominant feature of this tract is the almost sheer rock face referred to as Wright Bluff. This rock face does support some native vines and fern species, but it also harbors some of the previously mentioned invasive plants as well as another aggressive species commonly referred to as tree-of-heaven (*Ailanthus*

altissima). The southwest portion of this tract is more gently sloping and is mostly comprised of a mixture of oaks, hickories, eastern red cedar, and pines. Along the flatter portions near the shoreline, some sycamore (*Platanus occidentalis*) and yellow poplar are present. However, much of the understory of this area is dominated by the previously mentioned exotic plant species with the addition of mimosa (*Albizia julibrissin*).

As with the other two tracts, no federal- or state-listed threatened, endangered, or species of concern terrestrial plants are known from this tract. Again, there appears to be some potential habitat for false foxglove and purple petunia on portions of the tract that is currently predominantly occupied by invasive plant species.

Seven Islands Parcel - This area is comprised of several habitat types ranging from upland mixed forestland at elevation 1,020 feet above msl to bottomland riparian habitat at elevation 850 feet above msl. Kelly Bend is the dominant land feature in the area and is primarily flat bottomland that is currently in hay/grass production. Much of the area appears to be planted in tall fescue, an introduced pasture and hay grass, with native forbs dominant in areas less frequently mowed. This bend is surrounded by the French Broad River with a ribbon of riparian (streamside) tree species including sycamore, boxelder (*Acer negundo*), silver maple (*Acer saccharinum*), and green ash (*Fraxinus pennsylvanica*). The adjacent river islands (for which Seven Islands is named) are vegetated with these same tree species in addition to black willow (*Salix nigra*) in some of the wetter areas. Some of the shallow water shoals adjacent to the islands are vegetated with water willow (*Justicia americana*), an emergent wetland species and curly-leaved pondweed (*Potamogeton crispus*), an introduced submersed aquatic species.

No federally listed as threatened or endangered plant species are known to occur on these parcels. Five plant species listed as threatened or special concern species by the state of Tennessee are known to occur within a 10-mile radius of the Seven Islands parcels. These include pigmy-pipes, goldenseal, mountain bitter-cress (*Cardamine clematidis*), ginseng (*Panax quinquefolius*), and western false gromwell (*Onosmodium molle*). None of these plants are known to occur on these parcels; however, habitat to support some of these species may occur on portions of the properties.

3.3.2 Fauna

Tract Number XTFL-79 - This tract provides a relatively limited amount of habitat for numerous species of mammals, birds, reptiles, and amphibian species that commonly occur in the region. Common mammals include eastern gray squirrel (*Sciurus carolinensis*), raccoon (*Procyon lotor*), eastern chipmunk (*Tamias striatus*), white-footed mouse (*Peromyscus leucopus*), striped skunk (*Mephites mephites*), and white-tailed deer (*Odocoileus virginianus*). Amphibians and reptiles include American toad (*Bufo americanus*), eastern garter snake (*Thamnophis sirtalis*), northern water snake (*Nerodia sipedon*), and eastern box turtle (*Terrapene carolina*). Common resident birds include red-bellied woodpecker (*Melanerpes carolinus*), northern cardinal (*Cardinalis cardinalis*), and Carolina wren (*Thryothorus ludovicianus*), while common migratory birds include pine warbler (*Dendroica pinus*), red-eyed vireo (*Vireo olivaceus*), and yellow-billed cuckoo (*Coccyzus americanus*).

The shallow water shoreline fronting portions of this tract provides foraging habitat for wading bird species such as great blue heron (*Ardea herodias*), black-crowned night-heron (*Nycticorax nycticorax*), and green-backed heron (*Butorides striatus*), as well as the belted kingfisher (*Ceryle alcyon*). Osprey (*Pandion haliaetus*), which nest on navigation light structures near this tract, occasionally forage in the adjacent embayment.

No federally listed as threatened or endangered terrestrial animal species are known to occur on this tract. Four terrestrial animals listed as threatened, of special concern, or in need of management by the state of Tennessee occur within a 10-mile radius of this tract and include the southeastern shrew (*Sorex longirostris*), common barn owl (*Tyto alba*), king rail (*Rallus elegans*), and sharp-shinned hawk (*Accipiter striatus*). However, this tract offers limited to no habitat for these species, and none are known to occur there.

Tract Number XTFL-80 - Fauna utilizing this tract is similar to that described for Tract Number XTFL-79. The bluff portion of this tract is also used extensively by both black vultures (*Coragyps atratus*) and turkey vultures (*Cathartes aura*) for roosting and possibly nesting habitat. Both of these species use sheltered bluff/cliff ledges as nesting substrate.

No federally listed as threatened or endangered animal species are known to regularly use this tract for life requisites. Wintering and transient bald eagles (*Haliaeetus leucocephalus*), currently listed as federally threatened, are known to occasionally use the bluff portion of this tract for roosting. Gray bats (*Myotis grisescens*), listed as federally endangered, were found in two caves located approximately one mile east of this tract in 1976. Subsequent surveys conducted in 1994 found these caves were no longer inhabited by gray bats; however, they may still be sporadically used as migrating stopover sites during the spring and fall as evidenced by the single gray bat found in Keller Bend Cave on October 22, 2002. Indiana bats (*Myotis sodalis*) are a colonial animal that hibernates in caves or mines during the winter months and can be found in tree cavities or crevices and under loose bark during the summer, where they form small maternity colonies. Indiana bats forage for insects primarily in riparian and upland forests, and while no Indiana bats are known from this site, the upland forests on this tract could provide limited potential roosting and foraging habitat for this mammal.

Four terrestrial animals listed as threatened, of special concern, or in need of management by the state of Tennessee occur within a 10-mile radius of this tract and include the southeastern shrew, common barn owl, king rail, and sharp-shinned hawk. This tract provides limited to no habitat for the southeastern shrew, common barn owl, and king rail. This tract probably receives sporadic use by sharp-shinned hawks especially during spring and fall migration periods.

Tract Number XTFL-86 - Fauna utilizing this tract is similar to that described for Tract Number XTFL-80. As with the other tracts, no federally listed as threatened or endangered animal species are known to regularly use this tract for life requisites. Wintering and transient bald eagles, currently federally listed as threatened, may occasionally use the bluff portion of this tract for roosting. As with Tract XTFL-80, gray and Indiana bats may sporadically use this tract for roosting and foraging habitat especially during the spring and fall migration periods.

Six terrestrial animals listed as threatened, of special concern, or in need of management by the state of Tennessee occur within a 10-mile radius of this tract. In addition to the four species mentioned for Tract Number XTFL-80, the least bittern (*Ixobrychus exilis*) and Tennessee cave salamander (*Gyrinophilus palleucus*) also occur within this radius. As with the previous tracts, this tract provides limited to no habitat for southeastern shrew, common barn owl, king rail, least bittern, or Tennessee cave salamander. As with Tract Number XTFL-80, this tract probably receives sporadic use by sharp-shinned hawks especially during spring and fall migration periods.

Seven Islands Parcel - This area provides extensive and diverse habitat for numerous species of mammals, birds, reptiles, and amphibian species that commonly occur in the region. In addition to the forest and riparian species mentioned for the Fort Loudoun tracts, this area provides habitat for many openland/grassland species including eastern cottontail (*Sylvilagus floridanus*), northern bobwhite (*Colinus virginianus*), eastern meadowlark (*Sturnella magna*), grasshopper sparrow (*Ammodramus savannarum*), red-tailed hawk (*Buteo jamaicensis*), and eastern kingsnake (*Lampropeltis getulus getulus*). Also, great blue herons may be nesting on some of the adjacent islands.

Bald eagles, still federally listed as threatened, are commonly observed in the Seven Islands area. An active bald eagle nest is located approximately 10 miles upstream near McCroskey Island. No other federally listed animal species are known to utilize this area on a regular basis. Four terrestrial animals listed as threatened, of special concern, or in need of management by the state of Tennessee occur within a 10-mile radius of this tract. These include barn owl, sharp-shinned hawk, southeastern shrew, and Tennessee cave salamander. Although not currently known to utilize this area, these parcels have habitat suitable for southeastern shrew, barn owl, and sharp-shinned hawks.

3.4 Aquatic Environment

3.4.1 Aquatic Ecology

Fort Loudoun Tracts XTFL-79, XTFL-80, and XTFL-86 - The near shore aquatic habitats of all three TVA tracts are almost entirely comprised of soil and gravel, wooded, or rock (broken bedrock or bluff) habitats. Shoreline tree cover is mixed pine and hardwood. Aquatic communities in adjacent areas of Fort Loudoun Reservoir may be impacted by activities undertaken in riparian zones which change the topography of the shoreline, reduce the usefulness of shoreline areas for spawning and feeding, or alter shoreline vegetation, particularly the loss of a wooded shoreline.

As part of TVA's Reservoir Vital Signs Monitoring Program, Fort Loudoun Reservoir has been sampled annually from 1990 through 2000. Three sites were sampled; the forebay at TRM 605.5, a mid-reservoir transition station at TRM 624.6, and the inflow at TRM 652.0 (only fish and benthos were sampled at the inflow; other parameters were sampled only at the forebay and transition stations). Overall, Fort Loudoun had a "poor" ecological condition rating in the fall 2000 reservoir monitoring sampling based on analysis of chlorophyll levels (an indicator of primary productivity), dissolved oxygen (DO), fish, benthic macroinvertebrates (worms and insect larvae living on the reservoir bottom), and sediment quality. Ecological indicators were affected by low flows and increased retention times. Chlorophyll concentrations were quite high and therefore rated "poor" at the forebay and transition sites. DO concentrations were reduced in bottom strata at the forebay but did not go below 2 mg/L, the level at which the rating is affected. Sediment quality rated "fair" at both sample sites due to presence of chlordane (TVA, 2001).

Fish and benthic macroinvertebrate assemblages at the forebay and transition stations would be comparable to those in the vicinity of the three tracts, in fact, the transition station is very near two of the tracts. Fish species collected at the inflow station are included in Appendix C (Table C-1), because they could also occur elsewhere in the reservoir. Fish are included in aquatic monitoring programs because they are important to the aquatic food chain, and because they have a longer life cycle which allows them to reflect conditions over time. Fish are also

important to the public for aesthetic, recreational, and commercial reasons. Compared to similar sampling localities in other run of river reservoirs, the fish assemblage rated “good” at all three locations. The better aspects of the forebay and transition zone fish communities were total species diversity, the number of piscivore (i.e., predator) species in the sample, percent of gravel-spawning species, and low occurrence of fish in the sample with obvious external anomalies such as deformities, lesions, or disease. Other positive aspects were the number of sunfish and sucker species and pollution intolerant species in the sample (Appendix C) (TVA, 2001).

Fort Loudoun provides many opportunities for sport anglers. A Sport Fishing Index (SFI) has been developed to measure sport fishing quality for various species in Tennessee and Cumberland Valley Reservoirs (Hickman, 1999). The SFI is based on the results of fish population sampling by TVA and state resource agencies and, when available, results of angler success as measured by state resource agencies (i.e., bass tournament results and creel surveys). In 2000, Fort Loudoun rated above average for largemouth and smallmouth bass, walleye/sauger, and striped bass, but below average for spotted bass, channel catfish, and bluegill. Commercial fishing for catfish in Fort Loudoun is prohibited, and an advisory exists for sport anglers not to consume catfish, largemouth bass over two pounds, or any largemouth bass from the Little River embayment, because of the possibility of polychlorinated biphenyls (PCB) contamination.

Benthic macroinvertebrates (small worms, insect larvae, and other small animals living on the lake bottom) are included in aquatic monitoring programs because of their importance to the aquatic food chain, and because they have limited capability of movement, thereby preventing them from avoiding undesirable conditions. Sampling and data analyses were based on seven parameters (eight parameters prior to 1995) that include species diversity, abundance of selected species that are indicative of good (and poor) water quality, occurrence of long-lived organisms, extent of dominance by a few taxa, lack of total abundance of all species except those indicative of poor water quality, and proportion of samples with no organisms present. The benthic macroinvertebrate communities at the Fort Loudoun forebay and transition sampling stations rated “poor” and “fair”, respectively. The “poor” rating at the forebay was due to low diversity and abundance with only tolerant, short-lived animals present (TVA, 2001).

Seven Islands Parcels - Prior to the construction of Douglas Dam in 1943, the lower portion of the French Broad River had diverse aquatic communities. This diversity was heavily impacted by the subsequent operation of the dam and a general lack of concern/awareness of water quality during that era. However, following recent changes in dam operations carried out through TVA’s Reservoir Releases Improvement (RRI) program, which began in 1987, the aquatic communities in the river have improved. The following subsections describe the recent changes and current status of the fish, benthic (bottom-dwelling) invertebrate, and mollusk communities.

- **Fish** - Allowing for the fact that this river segment is a hydropower tailwater, which is subject to daily fluctuations in flow, and until fairly recently suffered from low dissolved-oxygen concentrations and lack of minimum flows, it is currently inhabited by reasonably diverse fish communities (Appendix C, Table C-2). Species diversity has increased since the RRI monitoring program began in 1987, and some 74 species have been collected at Saffell Island in Douglas tailwater. Nearly as many were found at Seven Islands (66 species) and Campbell Islands (71 species) in recent years.

Fish communities have greatly improved at the three monitoring sites in Douglas tailwater following re-aeration of discharges and minimum flows from Douglas Dam (Appendix C, Figure C-1). Tailwater fish index (TFI) values (Scott, 1999) increased with nearly complete consistency between 1988 and 2001, with greater recovery seen at the sites furthest downstream. The fish community at the Campbell Islands (FBRM 8) site met TFI expectations for excellent in 1996, 2000, and 2001, while that at Seven Islands (FBRM 15) improved to excellent in 2001. The Saffell Island (FBRM 29.8) fish community improved from poor in 1988 to good in 2001.

Lake sturgeon recovery - In light of the dramatic fish community improvements throughout Douglas tailwater during the RRI program, several state and federal agencies, universities, and environmental groups joined together in a cooperative effort to restore lake sturgeon to the lower French Broad River. On July 19, 2000, about 500 yearling lake sturgeon were released into the French Broad River at the public boat ramp near Douglas Dam. Three additional releases were made during 2000: August 4 at the Claussen's property at Seven Islands, October 17 and November 3 at the Kelly Bend access area immediately upstream from Seven Islands. In all, 1,441 lake sturgeon were released into the French Broad River during 2000.

A radio tagging study by Tennessee Technological University (TTU) documented movement of some lake sturgeon within Douglas tailwater, while other sturgeon migrated into Fort Loudoun Reservoir. Still others moved out of the French Broad River and upstream into the Holston River. One radio-tagged fish went through Fort Loudoun Dam and remained near the lock (Ramon Martin, TTU, personal communication).

The entire length of Douglas tailwater was searched on May 8-9, 2001, for lake sturgeon released the previous summer and fall using boat shockers and experimental gill nets. Four lake sturgeon were found: two in swift, shallow areas with vegetation at the lower end of Seven Islands (FBRM 14) and below Johnson Island (FBRM 10) and two in a deep pool area near the John Sevier Highway Bridge (FBRM 4).

Two additional lake sturgeon have been reported outside of the French Broad River. A fisherman reported catching and releasing a 14-inch lake sturgeon on June 24, 2001, near the I-75 bridge (TRM 585) in Watts Bar Reservoir (Rick Bivens, TWRA, personal communication). A TVA reservoir monitoring crew captured and released a 17-inch lake sturgeon on October 3.

- **Benthos** - Benthic invertebrate communities have recently improved in Douglas tailwater. Tailwater benthic community indices (TBI, a metric analogous to the TFI described above) at four sampling stations were rated as fair (30 - 40) in 1990, while another was rated as poor (<30, Appendix C, Figure C-2). By 1995, indices at four of the five stations had improved to the good range (>40). The furthest upstream station lagged behind and was still rated as fair in 1995. Of the three sites sampled in 1997, the lowermost station (FBRM 8.1, Campbell Islands) remained in the good range, while the two uppermost sites (miles 29.6 and 27.1) were rated fair. The other two sites could not be sampled due to high water in 1997.
- **Mollusks** - Freshwater mussels and snails are very sensitive to pollution and habitat alteration and are generally very rare in tributary tailwaters. Their persistence in Douglas tailwater is largely due to the warm temperatures of releases from the dam. Declining

mussel communities of primarily very old individuals are found in the lower half of Douglas tailwater.

A recent survey by Dr. James Layzer, U.S. Geological Survey (USGS) and Tennessee Technological University (personal communication, October 1998), found approximately 120 live mussels of seven species at Seven Islands (FBRM 15.5) during October 1998 (Appendix C, Table C-3). Another species also occurs at this site, bringing the total to eight extant species known to inhabit the middle portion of Douglas tailwater as of 1998. On October 2, 2000, two additional mussel species of note were found at the Seven Islands transplant site during routine USGS monitoring activities. Most important was the discovery of a live pink mucket, a federally listed as endangered species. Also, discovered for the first time in the Tennessee River system upstream from Watts Bar Dam was the pistolgrip mussel. Two individual pistolgrips were found at Seven Islands, and both were only 4-5 years old indicating that this species has recently invaded Douglas tailwater. While the present total species diversity of non-transplanted mussels at Seven Islands stands at ten, the vast majority of living mussels are of only one species, the elephantear (*Elliptio crassidens*).

At least three mussel species are thought to be reproducing in Douglas tailwater presently. Based on collections of fairly young individuals, those species include fragile papershell (*Leptodea fragilis*), pink heelsplitter (*Potamilus alatus*), and giant floater (*Pyganodon grandis*). In addition, a gravid black sandshell (*Ligumia recta*) was found by the USGS in 1998 at Seven Islands (Layzer, personal communication, 1998).

Native mussel restoration - Biological improvements in fish and benthic macroinvertebrate communities have created interest in restoring extirpated mussel species to Douglas tailwater. Since 1998, over ten thousand mussels of 16 common species (Appendix C, Table C-2) have been transplanted from Kentucky Reservoir to three sites (Campbell Islands, Johnson Island, and Seven Islands) in the lower half of Douglas tailwater (Layzer, personal communication, July 2000). Early assessments of transplant success are positive, and future transplants may include federally listed as endangered and/or threatened species. Future reintroductions of federally listed mussel species would be designated by the USFWS as “experimental, non-essential populations.”

The first sign of successful reproduction of mussels transplanted to the Seven Islands area was documented in September 2001. A 14-millimeter pimpleback was recently found during routine, annual monitoring at the transplant site.

Spiny riversnail restoration - Several hundred spiny riversnails (*Io fluviialis*) have been released at Campbell Islands (FBRM 8) each year since 1997. At least one release of spiny riversnails was made along the Seven Islands complex (FBRM 14.4) in 2000. Spiny riversnails were observed laying eggs at Campbell Islands during Spring 2001 (Steve Ahlstedt, USGS, personal communication).

3.4.2 Sensitive Aquatic Ecology

Fort Loudoun Tract Nos. XTFL -79, XTFL-80, and XTFL-86 - A search of the TVA Regional Natural Heritage Project database indicates that there are no records of sensitive aquatic animals in the vicinity of these three tracts of land on Fort Loudoun Reservoir.

Seven Islands Parcels - The Seven Islands area on the French Broad River is known to contain several sensitive aquatic animal species; including, the federally listed as endangered pink mucket, the federally listed as threatened snail darter (*Percina tanasi*), the state-listed threatened blue sucker (*Cycleptus elongatus*), and the tangerine darter (*Percina aurantiaca*), considered In Need of Management by the TWRA. This area is also an experimental transplant site for several native mussel species, one snail species, and the state-listed endangered lake sturgeon (*Acipenser fulvescens*). Early assessments of these transplants are positive and future plans include the experimental introduction of more mussel species, including some that are federally listed as endangered or threatened.

3.4.3 Wetlands

Tract Number XTFL-79, XTFL-80, and XTFL-86 - A review of the USFWS National Wetlands Inventory maps (U.S. Department of the Interior, 1987) indicates that no wetlands exist on any of these tracts. This information is supported by a shoreline wetland inventory conducted by TVA personnel on Fort Loudoun Reservoir in 1997 and on-site inspections of the tracts in November, 2000.

Seven Islands Area - A review of the USFWS National Wetlands Inventory maps (U.S. Department of the Interior, 1987) indicates the presence of palustrine, forested wetlands on the Seven Islands property. On-site inspections identified the presence of riverine emergent wetlands dominated by water willow (*Justicia americana*) and riverine aquatic bed wetlands dominated by curly-leaved pondweed (*Potamogeton crispus*).

3.5 Cultural Resources

For at least 12,000 years, the lands along the Tennessee and French Broad Rivers have been an area for human occupation that became more intense through succeeding cultural periods. In the East Tennessee area, archaeological investigations have demonstrated that Tennessee and the eastern ridge and valley region were the setting for each one of these cultural/temporal traditions from the Paleo-Indian (10,000-8000 BC), the Archaic (8000-1200 BC), the Woodland (1200 BC-1000 AD), the Mississippian (1000-1500 AD), to the Protohistoric-Contact Period (1500-1750 AD). Prehistoric archaeological stages are based on changing settlement and land use patterns and artifact styles. Each of these broad periods is generally broken into sub-periods (Early, Middle, and Late), which are also based on artifact styles and settlement patterns. Smaller time periods, known as "Phases" are represented by distinctive sets of artifactual remains. In addition, historic era cultural traditions have included the Cherokee (1700 AD-present), European, and African-American (1750 AD-present) occupations.

The Paleo-Indian period (10,000-8000 BC) represents the documented first human occupation of the area. The settlement and land use pattern of this period were dominated by highly mobile bands of hunters and gatherers. The subsequent Archaic period (8000-1200 BC) represents a continuation of the hunter-gatherer lifestyle. Through time there is increasing social complexity and the appearance of horticulture late in the period. The settlement pattern during this period is characterized by spring and summer campsites. Increased social complexity, reliance on horticulture and agriculture, and the introduction of ceramic technology characterize the Woodland Period (1200 BC-1000 AD). The increased importance of horticulture is associated with a less mobile lifestyle as suggested by semi-permanent structures. The Mississippian Period (1000-1500 AD), the last prehistoric period in East Tennessee, is associated with the pinnacle of social complexity in the southeastern United States. This period is characterized by

permanent settlements, maize agriculture and chiefdom level societies. The Protohistoric-Contact Period (1500-1750 AD) consisted of the effects of European contact in the region. During this period, European contact arose through trade and construction of European settlements along the borders of Native American territory. Euro-American settlement increased in the early 19th century as the Cherokee were forced to give up their land.

With the expansion of the United States of America, this location became part of Tennessee. Initially, the project area was part of Sevier and Knox Counties (1792-1933), but presently all of the project area is within Knox County. The Tennessee River and French Broad waterways became a part of a significant transportation and trade network throughout the region. By the mid-1800s, railroads were constructed and a more passable roadway system connected Knoxville to Charleston and other prominent cities at that time (McArthur, 1976). All of these developments solved a number of economic needs for Knoxvillians and brought more settlers and skilled workers to the area. With this advantage, East Tennessee had a more mixed economic base than the middle and western portion of the state by 1860. When the Civil War developed, east Tennessee was generally not supportive to the Secessionist movement because of a low slave population and a diverse economy (D'Angelo, 2001). Although a number of significant Civil War battles occurred in the region, no skirmishes are recorded in the project area. Most of the Confederate States after the Civil War had social and economic instability, and East Tennessee was no different. However, the Knoxville economy slowly began to recover through manufacturing and mechanical businesses. Outside of Knoxville, little had changed since the Civil War. Most of the area relied on agriculture and farming. With the development of TVA in 1933, the economy and lifeways changed with the wide availability of low-cost electrical services. This brought about successful ventures in economic development and recreation to Knoxville and the surrounding communities.

The three tracts and the 58 acres of Kelly Bend acquired for the Seven Islands Nature Preserve are considered the area of potential effect (APE). A Phase I cultural resources survey was conducted by TRC Garrow and Associates within the APE. Two archaeological resources were recorded within the three tracts proposed to be sold. These resources were determined to be ineligible for listing in the National Register of Historic Places (NRHP). Additional information acquired determined that further testing would be required along the bluff line of Keller Bluff prior to transfer. Two archaeological resources and one historic farmhouse, which were determined to be potentially eligible for listing in the NRHP, were identified within the 58 acres on Kelly Bend. The Tennessee State Historic Preservation Officer (SHPO) was consulted and concurred with APE and reports findings. Consultation letters were sent to the following tribes: United Keetoowah Band, Cherokee Nation of Oklahoma, Eastern Band of the Cherokee Indians (EBCI), and Muscogee (Creek) Nation of Oklahoma. EBCI provided comments, via telephone conversation, that concurred with TVA Cultural Resources findings.

3.6 Floodplains

The Tennessee River 100-year floodplain at mile 634.2 (Tract Number XTFL-86) is the area lying below elevation 818.0. The TVA Flood Risk Profile (FRP) elevation is 821.9. The FRP is used to control flood damageable development on TVA lands. The Tennessee River 100-year floodplain at mile 623.1 (Tract Number XTFL-79) is the area lying below the 816.9-foot elevation. The FRP elevation is 819.5-feet. The Tennessee River 100-year floodplain at mile 623.3 (Tract Number XTFL-80) is the area lying below elevation 816.9 feet. The FRP elevation is 819.5 feet. At these locations, the FRP elevations are equal to the 500-year flood elevations. Knox County has adopted the 500-year flood as the basis for their floodplain regulations, and any development

must be consistent with these regulations. The floodway adopted by Knox County is that portion of the Tennessee River channel and floodplain that must remain open and unobstructed to allow passage of floodwaters in order to prevent increases in upstream flood elevations. Since the property boundaries are the 820- and 822-foot contour, none of the tracts are in the floodplains.

CHAPTER 4 - ENVIRONMENT CONSEQUENCES

4.1 Introduction

The environmental consequences that would result from adopting the No Action Alternative or the proposed land exchange alternatives are discussed in this chapter.

4.2 Recreation and Scenic Features

4.2.1 *Alternatives A, B, and C*

Under Alternative A, No Action, two scenarios are possible with the current deed restrictions. First, there may be no change in the current use of the tracts on Fort Loudoun Reservoir, which is likely since they have remained undeveloped since 1952 due to lack of landward access to the tracts. The scenic natural character of the undisturbed bluffs and their wooded shoreline setting would probably remain unchanged. If unchanged, they would continue to provide prominent focal points and attractive visual features seen by the boating public and nearby homes. Without further protection, graffiti defacement on Wright Bluff may increase and might begin on Keller Bluff as well. More graffiti on the bluffs would somewhat reduce their scenic integrity and attractiveness.

Under the second scenario, the tracts could be sold with the current deed restrictions, and a private party might pursue recreational development for public use, or Knox County could pursue similar development, under which tree and vegetation removal and erection of structures associated with recreational use would be allowed. This is especially a possibility on the Keller Bluff tract where TVA could exercise its option for an access road. It would probably be unlikely for recreational development to occur on the other property, since there is still no landward access to the two tracts. If this situation were to occur, it would result in the following impacts. Although, rock faces may remain undisturbed, potential clearing and development on the surrounding slopes or ridge tops would add discordant visual contrast and notably reduce scenic integrity. Depending on the scale of future development, the alterations would substantially degrade the natural attractiveness of the bluff areas and adversely change the aesthetic sense of place. Acquisition of the Seven Islands Park Nature Preserve property, along with maintenance of the three Fort Loudoun tracts as Knox County parkland, maintains beneficial effects for reservoir recreation uses and creates beneficial effects for public recreation by adding to the county's park acreage. However, the Knox County Parks and Recreation Department's position is the public's recreation interests are best preserved under Alternative B or C.

Under Alternative B, there would be little impact on local land use patterns as the surrounding private property is already developed into single family residential uses. Housing density per acre utilized for this alternative would most likely closely resemble that of the surrounding private property usage and be governed by local zoning ordinances. The county tracts on Fort Loudoun Reservoir would be sold to the private sector resulting in a loss of 37.8 acres of Fort Loudoun Reservoir public park land and the associated informal recreation use opportunities currently afforded the public. This would constitute a loss of 22 percent of the county's undeveloped reservoir land-base for public recreation or four percent of its total public recreation land on Fort Loudoun Reservoir. Ten undeveloped tracts would remain on the reservoir. The additional revenue would be used for capital projects for park projects in other areas of the county and would offset the county's expenditure to acquire fee interest in 58 acres of the Seven Islands

property. There would be beneficial effects for public recreation by adding a net 20 acres to the county's park acreage and enabling other park capital projects to proceed as scheduled.

On the Fort Loudoun tracts, TVA would require under Alternative B that the potential negative impacts be minimized by modifying rather than simply removing the deed restrictions on the three tracts. If the tracts are sold with the restrictions described in section 2.2.3 and 5.0 and shown in Figures 6 and 7, the scenic resources would be protected. Scenic protection buffers on each tract would include the entire area fronting on the main reservoir. If properly implemented, these buffers would preserve the visual integrity and aesthetic qualities of the prominent bluffs along with their natural setting. No man-made alterations would occur on the surrounding shoreline slopes, ridge tops, and peaks. The building height limitations would minimize potential visible disturbance resulting from development outside the buffers, including the slopes, ridges, and above the wooded skyline. Color limitations would minimize adverse contrast seen through thin ridge top woodland, and particularly when leaves are down. The distinctive scenic attractiveness of the bluff formations and their surroundings would appear undisturbed from public viewing points on the reservoir and from homes on the opposite bank. These remaining parts from two of the five original scenic reservations would be preserved for long-term public enjoyment, along with two other bluffs in Knox County and one in Blount County. Their excellent scenic value would increase over time as development continues to change the visual character of the reservoir landscape.

Under Alternative C, substantially less visual and aesthetic protection would be provided for the bluffs than under Alternative B. The undisturbed character and most scenic qualities of the bluff sites would be lost to potential development. However, more protection would be provided on part of the property than if it were developed under No Action. On Tract XTFL-80, the buffer would include most of the lower slope fronting the reservoir, but not the broad ridge top, the peak above Keller Bluff, or its side slopes. On Tract XTFL-86, the buffer would include less than two-thirds of the slope and ridge top fronting the reservoir and neither the peak and side slopes of the peninsula tip nor the peak above Wright Bluff. The rock faces would remain undisturbed on both tracts. However, clearing for views and the construction of multi-story structures up to 36 feet in height could occur on the surrounding slopes, ridge tops, and peaks outside of the protection easement. Based on preliminary studies by potential buyers, near term development is anticipated on one if not both tracts. That would add substantial adverse contrast, visual discord, and would largely alter the wooded skyline above the bluffs. Potential development would notably reduce scenic integrity from high to low and would impact visual harmony. The alterations would substantially degrade the distinctive scenic attractiveness of the bluff areas and adversely change the aesthetic sense of place. These changes would be seen from boat traffic and would be most prominent from nearby homes. Scenic value would be diminished from excellent to fair by loss of undisturbed setting, adverse contrast of development, and discordant change of scenic character. With potential adverse changes to these parts of the original scenic reservations, only one other Knox County-owned bluff would remain in natural surroundings for long-term public enjoyment.

Because of the physical character and limited accessibility of the tracts, Knox County has not chosen to provide recreational facilities at these sites, and public use is believed to be small. Accordingly, the Knox County proposal would result in a minor decline, if any, in the quality or quantity of recreational activity on Fort Loudoun Reservoir. Although the deed modification would likely lead to sale of the three Fort Loudoun tracts, the likely development would be of a residential type which already occurs locally. It would not conflict with established land uses, disrupt or divide established land use configurations, or conflict with Knox County zoning or other

plans. The landscape character would change from prominent bluffs seen in a natural setting to seeing them surrounded by additional homes. The change of landscape character would likely be noticeable to reservoir recreation users because of what was lost, not because of what was added. Private residences across the lake which look directly at Keller or Wright Bluff would be more affected. Although the recreation and scenic impacts of potential clearing and construction on the bluffs cannot be completely avoided by the county's alternative, the proposed restrictions would offer partial protection of the scenic value of the bluffs. Moreover, a recreation benefit to Knox County is provided by the Seven Islands Park and nature preserve project, which would result in high-quality recreational but less scenic property along the French Broad River with greater accessibility. Although the riverine setting of the Seven Islands property would have minimal off-setting scenic benefit compared to the more unique and dramatic bluff sites, the pastoral character of this riverine setting would have an aesthetic and visual worth of its own. The Seven Islands property is restricted by deed to public recreation use, providing a safeguard against their development in the future.

The recreation and scenic character of Fort Loudoun Reservoir could potentially be cumulatively affected if other similar Knox County parklands are sold. If Alternatives B or C were selected, three of the five tracts would remain undeveloped (two in Knox County and one in Blount County). As a result, a substantial amount of the principal scenic bluffs and their natural setting along Fort Loudoun Reservoir would be lost. However, Alternative B would provide maximum scenic protection for the two bluff sites, although public use of those lands would still be lost.

The three tracts proposed for deed modification represent 22 percent (37.8 acres) of the undeveloped former TVA public land and four percent of total public park land on Fort Loudoun Reservoir. Based on expressed interest by other members of the general public, it is anticipated that additional requests could be forthcoming to modify other deeds for public recreation reservoir land TVA transferred to Knox County. Under Alternatives B and C, in order to avoid long-term cumulative effects of this action on the recreational landscape of Fort Loudoun Reservoir, future deed modification requests (for public recreation land TVA transferred to Knox County on Fort Loudoun Reservoir) which seek to eliminate public recreation use restrictions would be reviewed on a case-by-case basis for the need to require offsetting measures to enhance public recreation opportunities on Fort Loudoun Reservoir. The offsetting measures considered could include the acquisition of additional public recreation land on the reservoir and/or acquiring legal landward access to public recreation property on the reservoir without such access, subject to TVA approval. The purchase and preservation of the Seven Islands Park property would provide some offsetting recreation and aesthetic benefit by preserving an undeveloped river tract in perpetuity. The Seven Islands property is restricted by deed to public recreation use, providing safeguards that it would not be developed in the future.

4.2.2 Alternative D

Additional public input received during review of the DEA indicated that there was public use of the tracts of which TVA was unaware, especially for specialty activities such as rappelling and viewing of scenery from the top of the prominent bluffs. The majority of the public respondents preferred Alternative A, largely because they wanted to retain public access to the bluffs and to protect the scenic amenities of the bluffs. When the analysis considered the public use and user experience related to the bluffs, the technical reanalysis indicated that the loss of these recreational and visual opportunities would be adverse under Alternative B and C. This analysis held even though the Keller Bluff property was removed from consideration. Undesirable effects include:

- Loss of public access to Wright Bluff for other recreation activities;
- Loss of public opportunity to gain sweeping scenic vistas from the top of Wright Bluff;
- Loss of scenic protection of the wooded shoreline and face of Wright Bluff because of the inadequate width of the buffer; and
- Decline in scenic value class of Wright Bluff by two levels, from excellent to fair.

These losses--the opportunity to experience the vista from the bluff and the opportunity to participate in a unique recreational experience, rappelling from the top of Wright Bluff--were unmitigated under Alternatives B and C.

Wright Bluff (14 acres) exhibits a unique 140-foot vertical rock formation facing the main channel of Fort Loudoun Reservoir. The balance of the tract is characterized by two steep drainage systems, covered with predominately hardwood timber species. In comparison, the 58-acre tract that is part of the Seven Island 395-acre preserve is a low-profile, former agricultural environment, exhibiting some scrub-shrub vegetation and bordered by approximately one mile of riverine (French Broad River) shoreline. Although there would be greater opportunity to support a wide-range of active and passive recreation activities at the Seven Island site, the rock climbing, rappelling, and experiencing an elevated scenic vista or viewing for pleasure (scenic observation) can not be replicated. Wright Bluff serves as a local, informal recreational park, or a mini-park, currently used by residents from adjacent neighborhoods, like Wright Ferry subdivision. Relatively few of these local citizens would travel on a frequent basis the increased distance to visit the Seven Island Park, located over 34 miles away.

Fort Loudoun Reservoir has only five publicly owned scenic bluffs along 360 miles of its shoreline. It must be assumed that the fifteen privately owned bluffs identified under the defined criteria for a bluff at some point would be developed, as shoreline property on Fort Loudoun Reservoir becomes a valued commodity due to land scarcity. As stated in the 1949 TVA Fort Loudoun Project, Technical Report No. 11 (page 382), the five scenic reservations (bluffs) totaling approximately 167 acres “were acquired by TVA to protect these unique scenic areas for public use and enjoyment.” Access to the land was not a primary factor in the selection of these scenic protection areas, although in some cases such access is not impossible. At the time TVA was planning for the initial operations of the reservoir, “the authority discussed the necessity to acquire these public areas because the land purchase policy for Fort Loudoun, unlike that for most TVA reservoirs, left most of the water front in private ownership.” TVA’s 1938 copy of The Scenic Resources of the Tennessee Valley, states that “several striking bluffs occur within a few miles of Knoxville and will be the principal scenic features of the reservoir.”

Unmitigated development of one of the few remaining bluffs would be considered an adverse environmental impact as it would substantially reduce the county’s scenic bluff resources on Fort Loudoun Reservoir that supports unique public recreational experiences. Under Alternative D, the potential adverse impact to the scenic character of Wright Bluff (Tract XTFL-86) would be adequately mitigated by Knox County retaining a publicly accessible buffer that would extend across the bluff to the tip of the peninsula. A privately owned conservation easement will be established along the western shoreline of the peninsula to ensure that the scenic character is minimized. Further, potential adverse effects to public recreation would be mitigated by preserving public access by boat to the bluff. This would allow continuation of the current recreation activities along the waterfront. Additionally, benefit would be derived from the entire use of the 395-acre Seven Islands Preserve since it would be dedicated for public conservation,

education, and recreation purposes. Although the proceeds from the sale of Tracts XTFL-79 and -86 would offset the purchase of just the 58-acre tract at Seven Islands, this 58-acre tract is indispensable to the creation of the preserve.

Under Alternative D, the proposed exchange of residential shoreline access rights within Red Hollow cove for access along the western shoreline of the tract XTFL-86 (see Figure 10) has been considered under the SMI's "maintain and gain" policy. Currently, there are no water-use facilities proposed and no plans to subdivide the tract by the potential buyer. Due to the terrain of Tract XTFL-86, the available water surface area within the cove, and depth of the water at winter or summer pool, it is foreseeable that up to four water-use facilities, at the maximum shoreline management policy (SMP) standard of 1,000 square feet each could be considered fronting the requested shoreline for ingress and egress rights. Development of water-use facilities along the western shoreline of Tract XTFL 86 would not conflict with the public ingress and egress through the permanent public access corridor. The shoreline that fronts the public access buffer to be retained by Knox County allows for a safe boat landing area for the recreating public. Because of the site's remote location and user access is by boat only, the projected recreational use is not anticipated to increase. Therefore, there would be no adverse affects from the exchange of shoreline rights related to recreational use at this location. The proposed maintain and gain proposal would not affect visual resources. The small cove is situated away from public views, particularly as seen by recreation users from the main channel of Fort Loudoun Reservoir. The proposed shoreline access gained for private water-use facilities is situated along the northwestern shoreline adjacent to private property. The cove turns abruptly to the east at this point and away from river foreground views. Future water-use facilities located along this portion of the cove may be seen from public property along Wright Bluff to the south. However, these views would be minimal, particularly during the spring and summer, due to vegetation and topography. The proposed privately owned shoreline access property farther north within the cove for which access rights are to be relinquished would remain undeveloped and visually undisturbed. Therefore, there are no visual impacts anticipated as a result of this maintain and gain proposal.

As under Alternatives B and C, the aesthetic value of Tract XTFL-79 would not be adversely affected by maintaining the TVA shoreline property in its natural condition, with no vegetation disturbance or other alteration whatsoever on any part of the area except as approved in writing by TVA. The intent of this mitigation measure is to preserve the cedars, native hardwoods, and other native vegetation that exists, or that may become established by natural succession. The goal is to minimize views of a residence from the water, to the greatest extent possible. As stated in Chapter 1, TVA would not consider water-use facilities on Tract XTFL-79, since no exchange of water access rights is proposed.

Also, as under Alternatives B and C, in order to avoid long-term cumulative effects of this action on the recreational landscape of Fort Loudoun Reservoir, future deed modification requests (for public recreation land TVA transferred to Knox County on Fort Loudoun Reservoir) which seek to eliminate public, recreation-use restrictions would be reviewed on a case-by-case basis for the need to require offsetting measures to enhance public recreation opportunities on Fort Loudoun Reservoir.

4.3 Terrestrial Environment and Threatened and Endangered Species

4.3.1 Flora

Under Alternative A, No Action, the floral community would not be immediately affected by any landscape alterations. However, under this alternative Knox County could develop the Fort Loudoun tracts for future recreational use or sell the tracts to anyone as long as the public recreation use restriction remains part of the deed. These actions could result in minor and insignificant impacts on the floral community on a reservoir-wide and regional perspective, depending on the scale of the future development. Selection of this alternative would not affect the Seven Islands parcel or project. Knox County has purchased the 58 acres of property in the Seven Islands area, thus gaining the opportunity for long-term protection of a portion of both bottomland grassland and mixed, forest-ridge habitat. No federally listed as threatened or endangered plant species or their habitats are known to occur on these tracts or the Seven Islands parcels; therefore, no impacts are expected.

Under Alternative B, future residential development would be allowed which would result in a certain amount of vegetation clearing. However, the deed restriction modifications proposed under this alternative would require that this clearing follow a vegetation management buffer that protects visual character as specified in Section 2.2.2. Adherence to this plan would ensure that impacts to terrestrial floral communities would be minimal and insignificant on a local, reservoir-wide and regional basis. No federally listed as endangered plant species or their habitats are known to occur on these tracts or the Seven Islands parcels; therefore, no impacts are expected. The vegetation management plan prepared for development on Tract Nos. XTFL-80 and XTFL-86 would allow for the identification of potential habitats for state-listed false foxglove and pursh petunia on the bluff portions of these tracts. This alternative would protect the bluff/reservoir interface where state-listed false foxglove and/or pursh petunia could occur if invasive exotic plant species are controlled in the future.

Under Alternative C, potential impacts to terrestrial floral communities would be similar to those described for Alternative B. While the protected vegetative conservation easement would be less than that proposed for Alternative B, adherence to this protective easement would ensure that impacts to terrestrial floral communities would be insignificant on a local, reservoir-wide and regional basis. This alternative would also allow for the opportunity to enhance the existing vegetative community and potential habitat for state-listed false foxglove and pursh petunia with the control of onsite invasive exotic plant species.

4.3.2 Fauna

Under Alternative A, No Action, the faunal community would not be immediately affected by any landscape alterations. However, under this alternative, Knox County could develop the Fort Loudoun tracts for future recreational use or sell the tracts to anyone as long as the public recreation-use restriction remains part of the deed. These actions could result in minor and insignificant impacts on the faunal community on a reservoir-wide and regional perspective, depending on the scale of the future development. Selection of this alternative would require Knox County to seek other funding to replace those used to acquire 58 acres of property in the Seven Islands area. No federally listed as threatened or endangered animal species or their habitats are known to occur with any regularity on the Fort Loudoun tracts; therefore, no impacts are expected. However, should Alternative A be selected, in an effort to minimize any possible impacts to Indiana bats, Knox County should be instructed to restrict the harvesting of dead trees and mature trees greater than 14 inches in diameter to the timeframe October 15 –March

31 when Indiana bats are not likely to be present or conduct (via a qualified contractor) an Indiana bat survey in the future prior to taking any action on the tract.

Under Alternative B, future residential development would be allowed which would result in a certain amount of vegetation and wildlife habitat clearing. Dense development along the top of the bluff on Tract Number XTFL-80 could preclude use by roosting and nesting turkey and black vultures. While neither of these species is considered regionally rare, nesting habitats are somewhat scattered and uncommon. Appropriate deed restriction modifications would require that this clearing follow a vegetation management plan that protects visual character as specified in Section 2.2.2. Adherence to this plan would ensure that impacts to terrestrial faunal communities would be minimal and insignificant on a local, reservoir-wide and regional basis. Selection of this alternative would allow Knox County to replace the funds used to acquire 58 acres of diverse wildlife habitat on the Seven Islands area. No federally listed as threatened or endangered animal species or their habitats are known to occur with any regularity on the Fort Loudoun tracts; therefore, no impacts are expected. However, should Alternative B be implemented, in an effort to minimize any possible impacts to Indiana bats, harvesting of dead trees and mature trees greater than 14 inches in diameter should be restricted to the timeframe October 15 – March 31 when Indiana bats are not likely to be present. The federally listed as threatened bald eagle is known to regularly use the Seven Islands area. Therefore, protection of 58 acres by Knox County would probably benefit this species as well as the state-listed barn owl, sharp-shinned hawk, and southeastern shrew.

Under Alternative C, potential impacts to the faunal community would be similar to those described for Alternative B. While this alternative would allow for more existing habitat alteration and more housing density, these additional potential impacts to terrestrial faunal communities are still expected to be minimal and insignificant on a local, reservoir-wide and regional basis. The proposed conservation easement is expected to adequately protect the sheltered bluff/cliff ledges and caves that provide potential nesting habitat for turkey and black vultures and potential roosting/loafing habitat for wintering and transient bald eagles and gray bats. No federally listed as threatened or endangered animal species or their habitats are known to occur with any regularity on the Fort Loudoun tracts; therefore, no impacts are expected. However, should Alternative C be implemented, in an effort to minimize any possible impacts to Indiana bats, harvesting of dead trees and mature trees greater than 14 inches in diameter should be restricted to the timeframe October 15 – March 31 when Indiana bats are not likely to be present.

4.3.3 Alternative D

Under Alternative D, potential impacts to terrestrial floral communities would be less than those described for Alternative B because of the removal of Tract XTFL-80 from consideration and the modification to Tract Number XTFL-86 to allow for an Undisturbed Scenic Protection and Public Access Buffer to be retained by Knox County. Maintenance of Tract XTFL-80 (Keller Bend) and a portion of XTFL-86 (Wright Bluff) under Knox County management authority could enhance habitat for state-listed false foxglove and purple petunia with the future control of onsite, invasive exotic plant species.

Under Alternative D, potential impacts to the terrestrial faunal community would be less than those described for Alternative B with the removal of Tract XTFL-80 from consideration and the modification to Tract Number XTFL-86 to allow for an Undisturbed Scenic Protection and Public Access Buffer to be retained by Knox County. No federally listed as threatened or endangered animal species or their habitats are known to occur with any regularity on the Fort Loudoun

tracts to include the shoreline along the maintain and gain proposal; therefore, no impacts are expected.

Because the sale of the Tract XTFL-79 and a portion of Tract XTFL-86 would not result in adverse effects to unique terrestrial ecological resources and the tracts are small and scattered, cumulative effects on terrestrial resources are not expected to result from their potential development.

4.4 Aquatic Environment

4.4.1 Aquatic Ecology

Under all the alternatives, the potential impacts associated with the Seven Islands site would be the same, since the site has already been purchased. The intent for purchasing this site is creation of a wildlife preserve and potential impacts to existing aquatic habitats in the French Broad River would be anticipated as being positive. Likewise, it would be assumed that all reasonable efforts would be taken to prevent soil loss into the river or felling of trees along the river during any construction activities associated with roads, parking lots, trails, campground, pedestrian/bicycle bridge, buildings/facilities, and canoe accesses. Other anticipated land-based activities of creating, enhancing, or maintaining a wildlife preserve would be expected to benefit aquatic habitats as well. In short, insignificant adverse effects to aquatic ecology would likely occur as a direct result of the proposed activities with implementation of BMPs to control runoff from the site and minimize loss of woody riparian vegetation. The proposed changes, however, would attract and concentrate recreationists in the affected area and could indirectly cause negative impacts to the aquatic environment at the Seven Islands site.

Under Alternative A, since no actions would be undertaken, aquatic communities would not be impacted. Future recreational development could alter the shoreline condition on these tracts and impact aquatic life; however, such impacts would be assessed under appropriate procedures at the time they were proposed.

Under Alternatives B, C, and D, impacts to existing aquatic habitats fronting the three tracts could be caused by clearing or other disturbance of backlying lands which would result in temporary increases in runoff and turbidity until disturbed soils are stabilized with vegetation or by other means. With adequate measures in place to control removal of vegetation in the riparian zone (particularly woody vegetation) and with implementation of BMPs to control runoff from backlying areas of disturbed soil, aquatic ecology impacts would not be significant. While impacts would be insignificant with only the usual permitting conditions required by TVA, additional restrictions on development on these tracts would further reduce aquatic impacts by preserving existing natural shoreline conditions. The present plan to use funds from the sale of these tracts to acquire a much larger area of waterfront land in the Seven Islands area could protect aquatic habitats at both locations. If deed modification documents include restrictions on uses and development of the three Fort Loudoun tracts while allowing private ownership, alterations of aquatic habitats would be reduced below levels normally associated with private ownership and development.

Under Alternatives B, C, and D, TVA would include standard conditions and BMPs as part of the approval. Construction activities undertaken on these tracts should utilize appropriate storm water management practices to control the quantity and quality of storm water leaving the site. These include, the BMPs listed below:

- All disturbed areas should be stabilized within 30 days of completion of the work authorized. All land-disturbing activities should be conducted in accordance with BMPs as defined by Section 208 of the Clean Water Act to control erosion and sedimentation to prevent adverse water quality and related aquatic impacts. Such practices shall be consistent with sound engineering and construction principles; applicable federal, state, and local statutes, regulations, or ordinances; and proven techniques for controlling erosion and sedimentation, including any required conditions.
- Removal of vegetation would be minimized, particularly any woody vegetation providing shoreline/stream bank stabilization.
- Install silt control structures between construction areas and surface waters prior to any soil-disturbing construction activity and clarification of all water that accumulates behind these devices to meet state water-quality criteria at the stream mile where activity occurs before it is returned to the unaffected portion of the stream.
- Keep equipment out of the reservoir or stream and off reservoir or stream banks to the extent practicable (i.e., performing work "in the dry").
- Avoid contact of wet concrete with the stream or reservoir and avoid disposing of concrete washings, or other substances or materials, in those waters.
- Use erosion control structures around any material stockpile areas.
- Apply clean/shaken riprap or shot rock (where needed at water/bank interface) over a water permeable/soil impermeable fabric or geotextile and in such a manner as to avoid stream sedimentation or disturbance or that any rock used for cover and stabilization shall be large enough to prevent washout and provide good aquatic habitat.
- Remove, redistribute, and stabilize (with vegetation) all sediment which accumulates behind silt control structures.

There would be insignificant impacts to water quality and aquatic resources with implementation of these conditions and commitments to maintain the existing natural shoreline condition.

4.4.2 Sensitive Aquatic Ecology

Under Alternative A, No Action, no sensitive aquatic animals would be impacted since there are no sensitive species known to occur near the three tracts on Fort Loudoun, therefore whatever development that could occur would not impact sensitive species. At Seven Islands, there would be no change from current conditions as a result of this action.

Under Alternatives B, C, and D, there would be no impacts on federal- or state-listed native mussel species or other protected aquatic species. The use by Knox County of funds generated by the sale of these three tracts to offset the purchase of land in the Seven Islands area would likely serve to benefit the sensitive aquatic animal species known to occur in this portion of the French Broad River. Expansion and management of the wildlife preserve would employ BMPs in order to minimize potential impacts to the river. These land-based activities would serve to indirectly benefit aquatic communities in the Seven Island area by reducing siltation and other runoff into the French Broad River. Some minor, indirect impacts to aquatic resources could occur as a result of increased recreational use of this area, but adherence to the guidelines in the French Broad and Holston Rivers Private Water-use Facilities Draft EA and implementation of BMPs for land-based activities would serve to reduce potential impacts to insignificant levels (TVA. 2002).

Because the sale of the two tracts, under the preferred alternative, would not result in adverse effects to unique aquatic ecological resources and the tracts are small and scattered, cumulative effects on aquatic resources are not expected to result from their potential development.

4.4.3 Wetlands

Since no wetlands occur on any of the Fort Loudoun tracts or on the 58 acres that Knox County acquired in the Seven Islands area, no impacts to wetland functions or values are anticipated under any of the three alternatives. Under Alternative D, the 600 feet of shoreline where access rights would be extinguished abuts a palustrine, scrub-shrub wetland area in the head of the Red Hollow cove. The extinguishing of access rights along this shoreline segment would provide a beneficial buffer and help protect the current wetland functions and values in this area. This would result in positive effects on wetlands.

4.5 Cultural Resources

Under all the alternatives, the 58-acre tract on the Seven Islands Nature Preserve would be maintained in its current condition. The Kelly Bend tract contains resources potentially eligible for the National Register of Historic Places (NRHP). In any future Section 26a reviews, these resources would be considered. The Tennessee SHPO and Eastern Band Cherokee Indians (EBCI) have no objection with the implementation to these alternatives (see Appendix A).

Under Alternative A - No Action, no historic properties would be affected. Under Alternatives B and C, no eligible or potentially eligible resources were identified on the proposed transferred tracts. Although no historic properties were identified within these three tracts, further testing would be required along the Keller Bend bluff line prior to the deed modification if Alternative B or C were selected. Under Alternative D, no eligible or potentially eligible resources were identified on the proposed transferred tracts or along the proposed maintain and gain shoreline. The 600 feet of shoreline area where access rights would be extinguished has not been surveyed; however, no actions are proposed within this area. Since no development is planned within this area, there would be no affect to any historic properties (should they be present) under this undertaking. Since the Keller Bluff tract (XTFL-80) was removed from the request, no further investigations of the bluff line would be required.

4.6 Floodplains

Under Alternative A, there would be no proposed development within the 100-year floodplain.

Under Alternatives B and C, TVA would remove the deed restrictions prohibiting the use of the land for other than public recreation on all three tracts. Under Alternative D, TVA would remove the deed restrictions for Tract XTFL-79 and a portion of Tract XTFL-86 only. TVA would retain all land below the 820-foot contour on Tract XTFL-79 and below the 822-foot contour on Tract XTFL-86. Therefore, the proposed removal of deed restrictions would not involve property within the limits of the 100-year floodplain of the Tennessee River which would comply with Executive Order 11988. Further, private water-use facilities that could be considered within the proposed maintain and gain shoreline area for future approval under Section 26a of the TVA Act are considered to be repetitive actions in the 100-year floodplain that should result in minor impacts. The following language should be included in the deed modification requirements to Knox County and in subsequent property deeds and agreements for future development for the three tracts.

- Any future facilities or equipment subject to flood damage are located above or floodproofed to the TVA Flood Risk Profile Elevation (FRP) at that location. The Flood Risk Profile for each Tract shall be that elevation defined by TVA, as established at the time such facilities are under construction.
- All future development is consistent with the requirements of TVA's Flood Control Storage Loss Guideline.
- TVA reserves the right to flood these tracts as needed during flood control operations up to the 820-foot contour on Tracts XTFL-79 and XTFL-80, and the 822-foot contour on Tract XTFL-86.

CHAPTER 5 – COMMITMENTS

Mitigation

In addition to TVA's standard conditions such as BMPs routinely included in permit approvals, as listed in section 4.4 of the EA, to Knox County on Fort Loudoun Reservoir, additional restrictions for environmental protection would be put into place to protect and maintain affected resources and the remaining public land transferred to Knox County by TVA. TVA would remove the deed restrictions that prohibit any type of use other than for public recreational purposes subject to the following conditions that would be documented in the deed modification:

1. Knox County agrees to ensure that there will be no more than one single family residence development on Tract Number XTFL-79 to help preserve the overall scenic integrity, aesthetic qualities, and very low residential density seen in the cove. The TVA shoreline property along this tract (up to the elevation 820 contour) shall remain in its natural condition. No vegetation disturbance or other alteration is allowed on any part of the area except as approved in writing by TVA in order to retain the undeveloped shoreline appearance, and particularly the cedar trees that would buffer any new residence.
2. Knox County agrees to retain an Undisturbed Scenic Protection and Public Access Buffer on Tract Number XTFL-86 to protect the environmental conditions, scenic character, and aesthetic quality of the bluff and its natural setting. The buffer width is based upon a defined area incorporating the face of the bluff and adjacent slopes as shown in Figure 10.

The buffer shall extend downstream along the entire lake frontage of the tract, from the shared property boundary with TVA's Safe Harbor (the Safe Harbor will remain under TVA ownership) to the tip of the peninsula at the mouth of the embayment. The buffer width shall be as shown on Figure 10, with no less than 97 feet from the elevation 822 contour at the narrowest point near the mouth of the embayment.

A conservation easement will be established along the western shoreline of the peninsula to provide for scenic protection. The width of the easement along the peninsula shall be 100 feet, measured from the 822 contour near the mouth of the embayment.

3. For the portions of Tract XTFL-86 that will be available for residential development, the county agrees to ensure that any building permits issued by the county will include the following limitations to preserve the natural woodland skyline along the ridge tops:

Structures shall be no higher than 36 feet, measured to the highest point on the roof from the lowest existing ground elevation within the planned building perimeter.

The exterior colors of the structures and roofs shall be the darker shades of muted natural colors in the range of grays, greens, and browns.

4. Knox County agrees to ensure that the scenic protection buffers and the conservation easement delineated under the selected alternative will remain in their natural condition with no clearing, vegetation disturbance, or other alteration whatsoever allowed in any part of the buffer and easement areas except as approved in writing by TVA. These scenic protection buffers and other restrictions will be recorded as part of the Deed Modification.
5. Due to the terrain of Tract XTFL-86, the available water surface area within the cove, and depth of the water at winter or summer pool, no more than four water-use facilities, fronting the pertinent shoreline (at the maximum SMP standard of 1,000 square feet each) will be considered for approval under Section 26a of the TVA Act.
6. Knox County agrees that future deed modification requests (for public recreation land TVA transferred to Knox County on Fort Loudoun Reservoir) which seek to eliminate public recreation-use restrictions would be reviewed on a case-by-case basis for the need to require offsetting measures to enhance public recreation opportunities on Fort Loudoun Reservoir. The offsetting measures considered could include the acquisition of additional public recreation land on the reservoir, acquiring legal landward access to public recreation property on the reservoir without such access, or other measures that provide reservoir recreation benefits, subject to TVA approval.

CHAPTER 6 - LIST OF PREPARERS

The following list persons assisted in the preparation of this Environmental Assessment:

John T. Baxter	Sensitive Aquatic Resources
Spencer Boardman	Recreation
Robert Buchanan	Navigation/Transportation
Harold Draper	NEPA Administration Team Leader
Janet L. Duffey	Land Use
Charles H. Ellenburg	Recreation
T. Hill Henry	Sensitive Terrestrial Resources
Eric Howard	Cultural Resources
Wesley K. James	Terrestrial Resources
Jon M. Loney	Manager, NEPA Administration
Tere McDonough	Manager, Process Initiatives
Roger Milstead	Floodplains
George Peck	Aquatic Resources/Water Quality
Chett Peebles	Visual Resources
Ralph Porter	Visual Resources
Wayne Rains	Realty
Helen G. Rucker	Environmental NEPA Specialist
Debbie K. Ruth	Project Leader
Richard L. Toennisson	Environmental NEPA Specialist
Edwin Scott	Aquatic Ecology

CHAPTER 7 - LIST OF AGENCIES AND PERSONS CONSULTED

The following list of public agency representatives were consulted in the preparation of this Environmental Assessment:

East Tennessee Development District

Terrence Bobrowski

Knox County Government

Doug Bataille, Director; Parks and Recreation; Knox County, Tennessee
Knox County Metropolitan Planning Commission

Native American Tribal Agencies

James Bird, Tribal Historic Preservation Officer, Eastern Band of the Cherokee Indians
Dr. Richard Allen, History and Culture Office, Cherokee Nation of Oklahoma
Steven "Archie" Mouse, United Keetoowah Band
Joyce Bear, Muskogee (Creek) Nation of Oklahoma

Tennessee Department of Economic and Community Development

Wilton Burnette

Tennessee Department of Environment and Conservation

Greg Denton, Division of Water Pollution Control
Herbert L. Harper, Tennessee Historical Commission
Jennifer Bartlett, Tennessee Historical Commission
Joe Garrison, Tennessee Historical Commission
Joyce Hoyle, Division of Recreation Services
Reggie Reeves, Division of Natural Heritage
Justin P. Wilson, Environmental Policy Office
Andrew N. Barrass, Division of Natural Heritage

Tennessee Department of Transportation

Raymond Brission and Doug Delaney

Tennessee Wildlife Resource Agency

Dan Sherry, NEPA Contact

U.S. Army Corps of Engineers

Lt. Col. Christopher Young and Byron G. Jorns, District Engineer, Nashville

U.S. Fish and Wildlife Service

Lee A. Barclay

Individuals

Adjoining landowners and interested individuals.

CHAPTER 8 - REFERENCES

- Cattermole, J. Mark. 1958. Geology of the Knoxville Quadrangle, Tennessee. U.S. Geological Survey. Map GQ115.
- D'Angleo, James J. 2001. Phase I Cultural Resource Survey of Four Tracts Along Fort Loudoun Lake and the French Broad River in Knox County, Tennessee. TRC Garrow Associates, Inc.
- DeBuchananne, G.G., and Richardson, R.M. 1956. Ground-Water Resources of East Tennessee. Tennessee Department of Conservation, Division of Geology. Bulletin 58, Part 1.
- Dycus and Meinert. 1998. Aquatic Ecological Health Determinations for TVA Reservoirs - 1997. An Informal Summary of 1997 Vital Signs Monitoring Results and Ecological Health Determination Methods. Primary Authors/Editors Don L. Dycus and Dennis L. Meinert. Tennessee Valley Authority Water Management. Chattanooga, Tennessee.
- Hickman, Gary D. 1999. Sport Fishing Index (SFI) - A Method to Quantify Sport Fishing Quality. Tennessee Valley Authority, Resource Stewardship. Norris, Tennessee. Unpublished report. 24 pages.
- McArthur, William J. Jr. 1976. Knoxville's History: An Interpretation. In Heart of the Valley: A History of Knoxville, Tennessee, edited by Lucille Deaderick, pp. 1-67. East Tennessee Historical Society, Knoxville.
- Strata Environmental. 1998. Phase I Environmental Site Assessment, 158 Acre Property, Burnett Creek Road, Knoxville, Tennessee. Prepared for Cannon & Cannon, Inc., Knoxville, Tennessee.
- Scott, E. M. 1999. Tailwater fish index (TFI) development for Tennessee River Tributary Tail waters, in T. P. Simon (Ed.), Assessing the sustainability and biological integrity of water resources using fish communities. CRC Press, Boca Raton, Florida.
- TVA. 1949. The Fort Loudoun Project – Technical Report No. 11. Tennessee Valley Authority, U.S. Government Printing Office, Washington D.C. 1949.
- TVA. 1953. Transfer by United States of America of Certain Lands in Fort Loudoun Reservoir to State of Tennessee for Public Recreation Purposes. January 6, 1953.
- TVA. 1985. Fort Loudoun Reservoir Water Quality—1982. Tennessee Valley Authority TVA/ONRED/AWR-85/17. Chattanooga, Tennessee.
- TVA. 1997. Fort Loudoun Reservoir Recreation Study. Tennessee Valley Authority. Knoxville, Tennessee. May 1997.

- TVA. 1998. Final Environmental Impact Statement, Shoreline Management Initiative, An Assessment of Residential Shoreline Development Impacts in the Tennessee Valley. Tennessee Valley Authority. Knoxville, Tennessee. November 1998.
- TVA. 1999. Environmental Assessment Deed Modification - Knox County, Tract Number XTFL-78, S.2X, Fort Loudoun Reservoir, Knox County, Tennessee. Tennessee Valley Authority. Knoxville. August 1999.
- TVA. 2001. Aquatic Ecological Health Determinations for TVA Reservoirs - 2000. An Informal Summary of 2000 Vital Signs Monitoring Results and Ecological Health Determination Methods. Primary authors/editors Don L. Dycus and Tyler F. Baker. TVA Resource Stewardship. Chattanooga, Tennessee.
- TVA. 2002. Draft Environmental Assessment for Private Water-use Facilities on the French Broad River, Miles 3.7 to 32.3, Jefferson, Knox, and Sevier Counties, Tennessee and Holston River Miles 4.4 to 52.3, Jefferson, Knox, and Grainger Counties, Tennessee. Tennessee Valley Authority, Little Tennessee Watershed Team. Lenoir City, Tennessee.
- Toeninisson, Richard L. 2001. Scoping Document for Seven Islands Land Exchange Proposal, Tennessee Valley Authority, Resource Stewardship. Lenoir City, Tennessee.
- USDA. 1959. Soil Survey, Blount County, Tennessee. United States Department of Agriculture Department. Series 1953, No. 7. July, 1959.
- Walker, K.R. 1977. Varied Mixed Carbonate and Terrigenous Clastic, Shallow-Water Lithologies of the Ottosee Formation. in Ruppel, S.C., and Walker, K.R. The Ecostratigraphy of the Middle Ordovician of the Southern Appalachians (Kentucky, Tennessee, and Virginia), U.S.A.: A Field Excursion. University of Tennessee Studies in Geology Number 77-1.

Appendix A - Correspondence

A-1 Title Report

TITLE REPORT - DEED MODIFICATION
 COUNTY OF KNOX, TENNESSEE
 TENNESSEE VALLEY AUTHORITY (TVA) TRACT NOS. XTFL-79,S.1X, XTFL-80,S.1X, AND
 XTFL-86,S.1X

This has reference to the deed modification requested by the county to allow the sale of TVA Tract Nos. XTFL-79, XTFL-80, and XTFL-86 to private individuals and not for public recreational use. The information provided herein is based on the information contained in the TVA land records. A search of courthouse records pertaining to subject land has not been conducted. The United States of America (USA) transferred these tracts of land consisting of 2.3, 21.3, and 14.2 acres, respectively, to the county by virtue of a deed of transfer dated October 21, 1952. As an appurtenance to said fee land, easement rights to land fronting said TVA Tract Nos. XTFL-79, 80, and 86 were also conveyed to the county.

Said land and easement areas were conveyed subject to the condition that they be used only for public recreational purposes and for no other purpose. The USA retained the right to reenter upon the breach of said condition. The USA also reserved the right to enter upon said land at any and all times for the purpose of doing and performing or causing the performance of any and all things considered or determined to be necessary, desirable, convenient, or proper in connection with any present or future statutory function, activity, or program of TVA, or any function, activity, or program authorized by the TVA Act, as amended, whether related to river control and development or otherwise. Additional rights reserved included the right to drawdown Fort Loudoun Reservoir and to flood and submerge all portions of said fee land and any and all portions of the easement areas temporarily or permanently with water from any source or sources. The USA reserved the right to enter upon said land and in and upon all buildings, structures, improvements, and facilities which may be located thereon to inspect said land, buildings, structures, improvements and facilities and the operations of the county thereon and therein.

Covenants affecting said land and easement areas include the covenant made by the county whereby it agreed to release the USA from, and agreed that the USA would not incur, any liability for damages which may occur as a result of the application of larvicides and chemicals on said land; as a result of the exercise or enforcement of flooding or water fluctuation rights reserved; as a result of any erosion or saturation of the land which may accompany or occur in consequence of any flooding or wave action; or as a result of the exercise or enforcement of any of the rights or interests reserved, excepted, or otherwise retained under said deed of transfer. In addition, the county made a covenant and agreed that the land and easement rights would be used only for public recreation and for no other purpose or purposes.

It will be necessary to determine to what extent the above-referenced conditions, reservations, covenants and reversionary rights will be modified.

Final Environmental Assessment

This is the first modification of the deed for these tracts of land so the tract numbers for this transaction would be as referenced above.

This title report is certified to November 28, 2001.

Janice K. Pulver
Attorney
CST 7D-C

A-2 Letter to Tennessee State Historic Preservation Officer

November 29, 2001

Jennifer Bartlett
Tennessee Division of Archaeology
5103 Edmondson Pike
Nashville, TN 37211

TVA, Seven Islands Nature Preserve, Parks and Recreation, Knox County

Dear Ms. Bartlett:

The Knox County Parks and Recreation Program have proposed the Seven Islands Nature Preserve on approximately 400 acres along the French Broad River. Most of the proposed Nature Preserve property has been previously acquired through donations, private or county funding. The County proposes no development within the Nature Preserve but will maintain it under its current conditions. A canoe access and bridge been discussed, but no formal plans have been drafted regarding these activities. The canoe access and bridge proposals, when developed, will be reviewed under the current TVA 26a permitting process and will comply with Section 106 of the National Historic Preservation Act. The County proposes to sell three land tracts (XTFL-79, XTFL-80, and XTFL-86) of TVA fee land previously transferred for public recreation on Fort Loudoun and use the proceeds as part of a land exchange for 60 acres (Kelly Bend tract) within the proposed Nature Preserve. The three transferred tracts are approximately 38 acres and are located at Tennessee River Mile 623.1-623.4R and 634-634.3R along Fort Loudoun Reservoir. The area of potential effect (APE) for this project is defined as the three transfer tracts and the 60 acres of Kelly Bend acquired for the Nature Preserve. A Phase I cultural resources survey was conducted by TRC Garrow and Associates within in the APE. The draft survey report is enclosed.

The description, location, and boundary of the APE is defined in the enclosed copy of the survey report; *Phase I Cultural Resource Survey of Four tracts Along Fort Loudoun Lake and the French Brad River In Knox County, Tennessee*. The investigation identified three archaeological sites and one historic farmstead. Two of these sites (40KN262 and 40KN265) were recommended as potentially eligible for the National Register of Historic Places. One site (40KN264) was recommended ineligible for the NRHP. In addition, a historic structure and associated farmstead were recorded (HS-1)

along the Kelly Bend tract and this site is recommended as potentially eligible for the NRHP.

No eligible or potentially eligible resources were identified on the three transferred tracts. Therefore, it is TVA Cultural Resources opinion that no historic properties will be affected upon the sale of these tracts. The Kelly Bend tract contains resources potentially eligible for the NRHP. No development is proposed within the 60 acre tract. If project plans are changed and these resources could not be protected and avoided, then Phase II investigations would be conducted to determine the eligibility of 40KN262, 40KN265 and HS-1.

TVA Cultural Resources staff has reviewed the Phase I draft survey report and agrees with the findings and recommendations of the authors. Therefore, pursuant to the requirements of Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR Part 800.4, TVA Cultural Resources office is requesting your concurrence on these findings and recommendations.

If you have any questions or comments please contact me or Eric Howard (865) 632-1403.

Sincerely,

J. Bennett Graham
Senior Archaeologist

Enclosure

cc: Joe Garrison, Tennessee Historical Commission
Enclosure
Doug Bataille, Knox County Director of Parks and Recreation
Pete Claussen, Seven Islands Foundation
Harold Draper
Debra Ruth

A-3 Tennessee State Historic Preservation Officer Letter



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

December 11, 2001

Mr. J. Bennett Graham
Tennessee Valley Authority
Cultural Resources
Post Office Box 1589
Norris, Tennessee 37828-1589

**RE: TVA, ARCHAEOLOGICAL ASSESSMENT, SEVEN ISLANDS NATURE
PRESERVE, UNINCORPORATED, KNOX COUNTY, TN**

Dear Mr. Graham:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided and current project plans, we find that the project area contains no archaeological resources eligible for listing in the National Register of Historic Places.

Therefore, this office has no objection to the implementation of this project. If project plans are changed to include ground disturbance or archaeological remains are discovered subsequent to the land transfer, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Herbert L. Harper".

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

HLH/jmb

Appendix B - Project Scoping Document

In October 2000, a request was submitted to the TVA Little Tennessee Watershed Team to remove a restriction on the deed of property owned by Knox County prohibiting the use of property for other than public recreational use. Knox County proposes to sell the property to private individuals. Knox County proposes an exchange of the three tracts for land of equivalent monetary and public value with at least 5 to 1 ration of increase in area. The proposed buyer currently holds an option to buy a tract on the French Broad River intended for the exchange.

The TVA Board of Directors would need to decide whether or not to modify the deed to the three tracts (37.8 acres) which would enable Knox County to exchange the tract for some of the Seven Islands tract upstream.

The three tracts owned by Knox County being considered are deeded to Knox County for public recreation use; however, they are small and with inadequate or difficult access for expanded public use and difficult to maintain and patrol. Also, two of these properties are designated as having visual significant and were purchased by TVA as part of the original Fort Loudoun project for that purpose.

An environmental assessment in accordance with the National Environmental Policy Act will be prepared by the applicant prior to TVA's decision to approve or deny this proposal.

An internal scoping meeting was held on November 1, 2000, which outlined the basic action and identified issues. On August 6, 2001, Knox County held a public information meeting.

On August 27, 2001, we received a letter from Tom Schumpert, Knox County Executive, that requests a waiver of processing and environmental review costs for consideration of a deed modification that would allow sale of three reservoir tracts on Fort Loudoun and use of the proceeds to buy more property at Seven Islands.

Public Notification

Knox County held an information meeting on August 6, 2001, where about 80 people attended or provided written comments. Over 70 of the comments supported the Seven Islands project. Some comments approved of the sale of the Fort Loudoun tracts to support the purchase. Some comments did not support the sale. TVA has not yet determined public involvement for NEPA.

Although well placed in the newspapers, the articles did not adequately deal with the existing public land nor did it provide adequate notification time.

The county has indicated they would acquire the land regardless of the exchange proposal outcome. In addition, Knox County indicated they were not aware that legal

access exists to Keller Bluff; therefore, the information presented to the public was somewhat flawed in that they were informed that no access existed.

Issues identified during the internal scoping were:

- Land Use
- Recreation
- Water Quality
- Aquatic Ecology
- Terrestrial Ecology
- Threatened and Endangered Species
- Sewage and Groundwater
- Wetlands
- Cultural Resources
- Visual Resources
- Navigation Safety
- Private Use of Public Lands
- Public Sale of Public Lands

Significant Issues

These were identified during internal scoping:

1. Loss of Visual Resources
2. Loss of Public Lands on Fort Loudoun
3. Potential residential use of former public lands
4. T&E Species

Individuals Providing Comments on the DEA

Lucinda M. Albiston
Knoxville, Tennessee

Robert Albiston
Knoxville, Tennessee

Claude Alexander

June Alley
Knoxville, Tennessee

Lee A. Barclay, Ph.D.
US Fish and Wildlife Service
Cookeville, Tennessee

Russell Bebb
Knoxville, Tennessee

John Bertoncella
Bertoncella@aol.com

Terrence J. Bobrowski
East Tennessee Development District
Knoxville, Tennessee

Lisa Bogarty
Knoxville, Tennessee

Russ and Cindy, Lara and Scott Carvin
Knoxville, Tennessee

Ron & Barbara Collins
Knoxville, Tennessee

James C. Cone, Esq.
Louisville, Tennessee

John & Jane Conley
Knoxville, Tennessee

Ed Coppinger

Thomas Cressler
Knoxville, Tennessee

Lawrence M. Crouch
Larry.Crouch@aventis.com

Ken Cruikshank
Knoxville, Tennessee

Reza Dabestani, Ph.D.
Knoxville Tennessee

Stuart Daw
East Tennessee Grotto of the National
Speleological Society

C. Tandall De Ford
Knox Heritage, Inc. - President
Knoxville , Tennessee

Pat Dietrich
Pat Dietrich [patd@niscuscorp.com]

Frank Duncan
Knoxville, Tennessee

Tim Robinson and Elaine Clark
Knoxville, Tennessee

Charles Farmer
CFFarmer@ftb.com

Richard Fields
rfields@woodvil.org

Craig Fischer
Knoxville, Tennessee

Charles J. Garvey III
Knoxville, Tennessee

Dr. H. Charles Goan
Louisville, Tennessee

Rocky Hall
Tennessee Valley Sportsmen's Club
Knoxville, Tennessee

James H. Hargis, Sr.
Knoxville, Tennessee

Jean Harrell
Knoxville, Tennessee

Don Hinton
Knoxville Tennessee

Gaye and Kenneth Honeycutt
Knoxville, Tennessee

S.E. Jenkinson
President, University of Tennessee
Canoe and Hiking Club
Knoxville, Tennessee

Ewing M. Johnson
Metropolitan Planning Commission,
Director, Development Services
Knoxville, Tennessee

Richard R. Josr
Knoxville, Tennessee

Chris Kerr
Chairman, Smoky Mountain Grotto,
Knoxville, Tennessee

Susan Kincaid
Knoxville, Tennessee

Theodore C. Labotka
University of Tennessee
Knoxville, Tennessee

Lynn J. Landry
Knoxville, Tennessee

Walter R. Lane
Knoxville, Tennessee

Earl R. Layman
Knoxville, Tennessee

Ann Marie and Douglas F. Layne
Knoxville, Tennessee

James Lewis
VerticalJM@aol.com

Final Environmental Assessment

David and Ellen Lovett
Kelsey Forest Homeowners Assoc.,
Pres
Knoxville, Tennessee

Kimbro Maguire
Knoxville, Tennessee

James K. Maguire Jr.
Knoxville, Tennessee

Tom & Ruby McBride
Knoxville, Tennessee

Gary F. McCracken
Knoxville, Tennessee

Mark McCreedy
Oak Ridge, Tennessee

Gerald McElyea

Wilson McGiin
Louisville, Tennessee

W. E. "Bill" McReynolds
Knoxville, Tennessee

William G. Minser
Tennessee Conservation League,
Foothills Land Conservancy, National
Wild Turkey Federation
Maryville, Tennessee

Dr. Phillip, Trish, Brendan, Meaghan &
Connor Mitchell
zulu@icx.net

Robert Nichols
Louisville, Tennessee

John O'Donnell
JOHN.ODONNELL1@worldnet.att.net

Mike Parish
Knoxville, Tennessee

Alan Parker
Knoxville, Tennessee

Paula and Ron Parson
paula.parson@bms.com

Karen W. Peck
Knoxville, Tennessee

Larry J. Peck
Knoxville, Tennessee

M. Pickens
Knoxville, Tennessee

Cheryl Pratt
prattdcjj1@aol.com

Doug Reed
Knoxville, Tennessee

S.M. Rudder
Knoxville, Tennessee

Patra & Ken Rule
Knoxville, Tennessee

Bob Savery
Knoxville, Tennessee

M.L. Schnabel
Knoxville, Tennessee

Kellerbend Homeowners Assn - Board
of Directors
Knoxville, Tennessee

William R. Schriver
Knoxville, Tennessee

Charles E. Seivers
Knoxville, Tennessee

Greg Shanks
Knoxville, Tennessee

William H. Skelton
Knoxville, Tennessee

Kristen Smith
Knoxville, Tennessee

Chris Soro
Knoxville, Tennessee

Sandra K. Stoutt
SStoutt@aol.com

Bill Terry
Knoxville, Tennessee

Bill and Ruth Tyrrell
MIMITYRRELL@aol.com

Sarah E. "Sallie" Tyrrell
sarah_tyrrell@mereck.com

Tim Tyrrell
Tyrrellrytaninc@aol.com

Blanche and Tom Vester
Knoxville, Tennessee

Michael Webb
Knoxville, Tennessee

Dan Yearout
SMTP:danyear@knology.net

MMumf50789@aol.com

crgreenberg@comcast.net

Mmcodonnell@aol.com

Appendix C - Tables and Figures

Table C-1 - Species Occurrence in Electro-Fishing and Gill Net Sampling at the Forebay and Transition Stations, and Electro-Fishing Only at the Inflow Station on Fort Loudoun Reservoir, 2000.

Common name	Forebay	Transition	Inflow
American brook lamprey	-	-	X
American eel	-	-	X
Skipjack herring	X	X	-
Gizzard shad	X	X	X
Threadfin shad	X	X	X
Common carp	X	X	X
Golden shiner	-	X	-
Emerald shiner	-	X	X
Spotfin shiner	X	X	X
Bluntnose minnow	-	-	X
Northern hog sucker	X	X	X
Smallmouth buffalo	X	X	-
Black buffalo	X	X	X
Spotted sucker	X	X	X
Silver redhorse	X	X	X
Golden redhorse	X	X	X
Blue catfish	X	X	-
Channel catfish	X	X	X
Flathead catfish	X	X	-
Brook silverside	X	X	X
White bass	X	X	-
Yellow bass	X	X	X
Striped bass	X	X	-
Rock bass	-	-	X
Redbreast sunfish	X	-	X
Green sunfish	X	X	X
Warmouth	X	X	X
Bluegill	X	X	X
Redear sunfish	-	X	X
Hybrid sunfish	-	X	-
Smallmouth bass	X	X	X
Spotted bass	-	-	X
Largemouth bass	X	X	X
White crappie	X	X	X
Black crappie	X	X	-
Snubnose darter	-	-	X
Yellow perch	X	-	-
Logperch	X	X	X
Sauger	X	X	-
Freshwater drum	X	X	X
Species collected	30	32	29

Table C-2 - Listing of Fish Species Collected in Douglas Tailwaters, 1987-2001.

Common Name	Scientific Name	Saffell Island FBRM 29.8	Seven Islands FBRM 15.0	Campbell Islands FBRM 8.0
Ohio lamprey	<i>Ichthyomyzon bdellium</i>		X	X
Chestnut lamprey	<i>I. castaneus</i>	X	X	
American brook lamprey	<i>Lampetra appendix</i>		X	X
Spotted gar	<i>Lepisosteus oculatus</i>	X	X	X
Longnose gar	<i>L. osseus</i>	X	X	X
Mooneye	<i>Hiodon tergisus</i>	X	X	X
Skipjack herring	<i>Alosa chrysochloris</i>	X	X	X
Gizzard shad	<i>Dorosoma cepedianum</i>	X	X	X
Threadfin shad	<i>D. petenense</i>	X	X	X
Largescale stoneroller	<i>Campostoma oligolepis</i>	X	X	X
Whitetail shiner	<i>Cyprinella galactura</i>	X	X	X
Spotfin shiner	<i>C. spiloptera</i>	X	X	X
Goldfish	<i>Carassius auratus</i>	X		
Grass carp	<i>Ctenopharyngodon idella</i>			X
Common carp	<i>Cyprinus carpio</i>	X	X	X
Bogey hub	<i>Hybopsis amblops</i>	X		X
Striped shiner	<i>Luxilus chrysocephalus</i>	X		
Speckled chub	<i>Macrhybopsis aestivalis</i>	X	X	X
Silver chub	<i>M. storeriana</i>	X		
River chub	<i>Nocomis micropogon</i>		X	X
Golden shiner	<i>Notemigonus crysoleucas</i>	X		X
Emerald shiner	<i>Notropis atherinoides</i>	X		X
Tennessee shiner	<i>N. leuciodus</i>		X	
Silver shiner	<i>N. photogenis</i>	X	X	X
Rosyface shiner	<i>N. rubellus</i>	X	X	X
Sand shiner	<i>N. stramineus</i>	X		
Telescope shiner	<i>N. telescopus</i>		X	
Mimic shiner	<i>N. volucellus</i>	X	X	X
Stargazing minnow	<i>Phenacobius uranops</i>	X		
Bluntnose minnow	<i>Pimephales notatus</i>	X	X	X
Fatted minnow	<i>P. promelas</i>	X		
Bullhead minnow	<i>P. vigilax</i>		X	X
Blacknose dace	<i>Rhinichthys atratulus</i>			X
River carpsucker	<i>Carpionodes carpio</i>	X	X	X
Quillback	<i>C. cyprinus</i>	X	X	X
White sucker	<i>Catostomus commersoni</i>			X
Blue sucker	<i>Cycleptus elongatus</i>		X	
Northern hog sucker	<i>Hypentelium nigricans</i>	X	X	X
Smallmouth buffalo	<i>Ictiobus bubalus</i>	X	X	X
Black buffalo	<i>I. niger</i>	X	X	X
Spotted sucker	<i>Minytrema melanops</i>	X	X	X
Silver redhorse	<i>Moxostoma anisurum</i>		X	X
River redhorse	<i>M. carinatum</i>	X	X	X
Black redhorse	<i>M. duquesnei</i>	X	X	X
Golden redhorse	<i>M. erythrurum</i>	X	X	X
Shorthead redhorse	<i>M. macrolepidotum</i>	X	X	X

Common Name	Scientific Name	Saffell Island FBRM 29.8	Seven Islands FBRM 15.0	Campbell Islands FBRM 8.0
Black bullhead	<i>Ameiurus melas</i>	X		X
Yellow bullhead	<i>A. natalis</i>	X	X	X
Brown bullhead	<i>A. nebulosus</i>	X		X
Blue catfish	<i>Ictalurus furcatus</i>	X		
Channel catfish	<i>I. punctatus</i>	X	X	X
Mountain madtom	<i>Noturus eleutherus</i>		X	X
Flathead catfish	<i>Pylodictis olivaris</i>	X	X	X
Rainbow trout	<i>Oncorhynchus mykiss</i>	X	X	
Brown trout	<i>Salmo trutta</i>	X		
Northern studfish	<i>Fundulus catenatus</i>		X	
Blackstripe topminnow	<i>F. notatus</i>	X	X	X
Western mosquitofish	<i>Gambusia affinis</i>	X	X	X
Brook silversides	<i>Labidesthes sicculus</i>	X	X	X
Banded sculpin	<i>Cottus carolinae</i>	X	X	X
White bass	<i>Morone chrysops</i>	X	X	X
Yellow bass	<i>M. mississippiensis</i>	X	X	X
Striped bass	<i>M. saxatilis</i>	X	X	X
Rock bass	<i>Ambloplites rupestris</i>	X	X	X
Redbreast sunfish	<i>Lepomis auritus</i>	X	X	X
Green sunfish	<i>L. cyanellus</i>	X	X	X
Warmouth	<i>L. gulosus</i>	X		X
Bluegill	<i>L. macrochirus</i>	X	X	X
Redear sunfish	<i>L. microlophus</i>	X	X	X
Smallmouth bass	<i>Micropterus dolomieu</i>	X	X	X
Spotted bass	<i>M. punctulatus</i>	X	X	X
Largemouth bass	<i>M. salmoides</i>	X	X	X
White crappie	<i>Pomoxis annularis</i>	X	X	X
Black crappie	<i>P. nigromaculatus</i>	X	X	X
Greenside darter	<i>Etheostoma blennioides</i>	X	X	X
Bluebreast darter	<i>E. camurum</i>			X
Stripetail darter	<i>E. kennicotti</i>	X		
Redline darter	<i>E. rufilineatum</i>	X	X	X
Snubnose darter	<i>E. simoterum</i>	X	X	X
Banded darter	<i>E. zonale</i>	X	X	X
Yellow perch	<i>Perca flavescens</i>	X		X
Tangerine darter	<i>Percina aurantiaca</i>	X		
Logperch	<i>P. caprodes</i>	X	X	X
Gilt darter	<i>P. evides</i>	X		
Dusky darter	<i>P. sciera</i>		X	X
Snail darter	<i>Percina tanasi</i>	X	X	X
Sauger	<i>Stizostedion canadense</i>	X	X	X
Walleye	<i>S. vitreum</i>	X		
Freshwater drum	<i>Aplodinotus grunniens</i>	X	X	X
TOTAL SPECIES		74	66	71

Table C-3 - Listing of freshwater mussel species recently found in or transplanted to Douglas tailwater, 1998-2000.

Common Name	Scientific name	Observed at Seven Islands FBRM 15.5	Transplanted to three sites FBRM's 8, 10, 15
Mucket	<i>Actinonaias ligamentina</i>		
Threeridge	<i>Amblema plicata</i>		X
Purple Wartyback	<i>Cyclonaias tuberculata</i>		X
Butterfly	<i>Ellipsaria lineolata</i>		X
Elephantear	<i>Elliptio crassidens</i>	~100	X
Spike	<i>E. dilatata</i>		
Ebonysheal	<i>Fusconaia ebena</i>		X
Wabash Pigtoe	<i>F. flava</i>		X
Washboard	<i>Megaloniaias nervosa</i>		X
Pink Mucket	<i>Lampsilis abrupta</i>	X¹	
Wavyrayed Lampmussel	<i>L. fasciola</i>		X
Pocketbook	<i>L. ovata/cardium</i>	1	
Fragile Papershell	<i>Leptodea fragilis</i>	~5	X
Black Sandshell	<i>Ligumia recta</i>	1	
Threehorn Wartyback	<i>Obliquaria reflexa</i>		X
Sheepnose	<i>Plethobasus cyphus</i>		
Ohio Pigtoe	<i>Pleurobema cordatum</i>	1	X
Pyramid Pigtoe	<i>P. rubrum</i>		
Round Pigtoe	<i>P. sintoxia</i>		
Pink Heelspliter	<i>Potamilus alatus</i>	~10	X
Giant Floater	<i>Pyganodon grandis</i>	2	
Monkeyface	<i>Quadrula metanevra</i>		X
Pimpleback	<i>Q. pustulosa</i>	1	X
Pistolgrip	<i>Tritogonia verrucosa</i>	X ¹	X
Deertoe	<i>Truncilla truncata</i>		X
Mountain Creekshell	<i>Villosa vanuxemensis</i>		
	No. of specimens (No. of species)	~120 (8)	10,000+ (16)

¹Found during mussel transplant monitoring, 10/02/00.

Figure C-1. Tailwater fish index (TFI) values in Douglas Tailwater, 1987-2001.

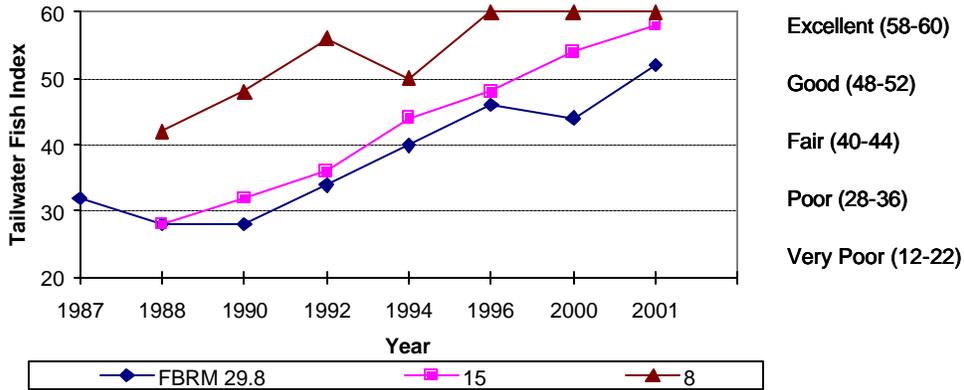
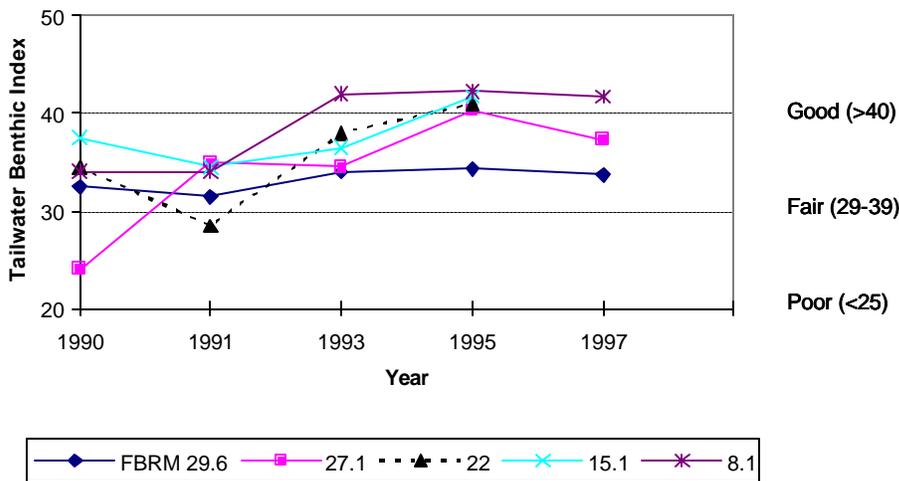


Figure C-2. Tailwater benthic index (TBI) values in Douglas Tailwater, 1990-1997.



Appendix D – Comments on the Draft EA

**Summarized Comments from the Public on
Draft Environmental Assessment
Request for Deed Modification Affecting 37.8 acres on
TVA Tract Numbers XTFL-79, -80, and -86
(Wright and Keller Bluffs)**

Table of Contents

INTRODUCTION.....	82
ADDITIONAL PUBLIC REVIEW.....	82
COMMENTS RECEIVED.....	82
<i>Opposed/Support of Alternative A</i>	83
<i>Comments on Alternative A - No Action</i>	85
<i>Comments on Alternative B</i>	86
<i>Comments on Alternative C</i>	86
<i>In favor of the proposal</i>	87
<i>Disagree with Purpose and Need / Relevance to Seven Islands</i>	88
<i>Issue of Tracts being Landlocked</i>	90
<i>Land Management Policy and Practice Issues</i>	91
<i>Precedent Setting</i>	92
<i>Loss of Public Land/Property</i>	94
<i>Loss of undisturbed land/shoreline</i>	96
<i>Too much development/Preserve for future generations/Leave as is</i>	96
<i>Threatened and Endangered Species</i>	99
<i>Terrestrial Ecology</i>	100
<i>Recreation</i>	102
<i>Visual/Scenic</i>	103
<i>Site Pollution/Runoff</i>	105
<i>Fair market value</i>	105
<i>Method of Sale/ Sell at Auction/ Open Public Sale</i>	106
<i>Eminent domain</i>	107
<i>Alternatives – Actions; Uses for Property</i>	108
<i>Local Zoning issues</i>	109
<i>Infrastructure - County Roads</i>	110
<i>Level of Environmental Review</i>	111
<i>Keller Bluff</i>	111
<i>Parcel 80 – Keller Bluff</i>	112
<i>Other</i>	117
<i>Deed Modification and the Public Interest</i>	118
ADDITIONAL COMMENTS RECEIVED ON THE REVISED SCOPE – FEBRUARY 2003.....	120
<i>Support Alternative B (restrictions)</i>	120
<i>Tract XTFL- 79</i>	121
<i>Tract XTFL-86</i>	121
<i>Support Proposal</i>	121
<i>Opposed to the Sale of XTFL-79 and 86/ Support Alternative A/Keep it As Is</i>	122
<i>Visual</i>	123
<i>Rural Zoning/Natural Character</i>	123
<i>Remain As Public Property/Loss of Public Property</i>	124
<i>Disagree with Knox County’s Purpose and Need</i>	125
<i>Recreation</i>	126
<i>Wildlife</i>	127
<i>TVA policy</i>	127

Introduction

On September 10, 2002, the draft EA was distributed for public review through October 14, 2002. An open house was held on September 19, 2002, at Bearden High School in West Knoxville, Tennessee. Approximately 60 people attended the meeting. In total, 95 comments were received throughout the comment period. Several comments were from multiple authors and some commenters provided several responses. This resulted in 102 individuals providing comments as of October 14, 2002. Ninety percent of the comments received were opposed to the deed modification. Of those who were in favor of the deed modification, two preferred Alternative C. Six were in favor of the proposal because of the Seven Islands Project. Organizations providing comments include:

Organization Name	Position
University of Tennessee; UT Faculty member	Opposed
Smoky Mountain Grotto, Chairman, local group	Opposed
Foothills Land Conservancy, Tennessee Conservation League	Opposed
Riverbend Peninsula Homeowners Association	Opposed
National Wild Turkey Federation	Opposed
U. S. Fish and Wildlife Service	Prefers No Action
Keller Bend Homeowners Association	Opposed
University of Tennessee Canoe and Hiking Club	Opposed
Cove Pointe Homeowners Association, Inc.	Opposed
East Tennessee Grotto of the National Speleological Society	Opposed
Knox Heritage, Inc.	Opposed
Tennessee Valley Sportsmen's Club	Opposed
East Tennessee Development District	Recommended housing density of 1 per acre
Metropolitan Planning Commission (MPC), Knoxville, Knox County	Recommended housing density of 1 per acre.

Additional Public Review

Due to the new information received on the Keller Bluff tract, ranging from presence of threatened and endangered species, unique habitat, and recreational use, Knox County revised their request by withdrawing Tract XTFL-80 from the proposal for deed modification and subsequent sale. Since a large portion of the comments received on the Draft EA were focused on the Keller Bluff tract, TVA requested additional public comments on the revised proposal. The revised proposal was sent to everyone providing comments on the draft EA and/or who attended the public meeting on September 19, 2002.

Comments Received

The comments received have been summarized and grouped by issue and a TVA response is provided. In response to some comments, the text of the final EA has been

changed. Even when a comment did not require modifying the final EA, TVA has provided a response to the issue raised.

Opposed/Support of Alternative A

- I oppose this attempt to sell this property - there is so much development along the waterfront that results in very limited coves for use overnight or dinner afloat. *(Comment by: Seivers, Charles E.; Albiston, Lucinda M.)*
- I object to sale of the properties *(Comment by: Duncan, Frank; Hinton, Don; McGiin, Wilson; Layne, Ann Marie Irwin; Peck, Larry J.)*
- I own property that faces Wright Bluff (tract XTFL-86). I oppose the opening of the property to residential development because of the loss of habitat that would result, and for the aesthetic loss to humans of the trees and wildlife that could result. *(Comment by: Landry, Lynn)*
- I am strongly opposed to any deed modifications that would allow the sale of these public lands. *(Comment by: McCreedy, Mark; Landry, Lynn J.)*
- I am opposed to any disposal of public property, particularly in an area where it's so heavily settled. *(Comment by: McCracken, GARY; McGinn, Wilson)*
- I am writing this letter to express my strong opposition to the proposed sell of Keller Bluff by Knox County. *(Comment by: Dabestani, Ph.D., Reza)*
- As a boater and one who heads a boating family, please allow me to voice a loud NO to the plans... Please maintain our TVA controls, promised when the original owners lost the property, in place and keep the public trust. *(Comment by: Carvin, Russ, Cindy, Lara and Scott)*
- this comes in opposition to the sale of TVA public lands in the Keller Bend area. *(Comment by: Farmer, Charles)*
- I oppose any removal of deed restrictions in this area. *(Comment by: Reed, Doug; Dietrich, Pat; O'Donnell, John Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor; Lovett, David and Ellen)*
- Please enter my comments as being opposed. *(Comment By: Coppinger, Ed)*
- The University of Tennessee Canoe and Hiking Club is the largest sports club at the University. The organization is comprised of around 300 Students, Faculty, and Staff interested and concerned about the environment and outdoor recreation. Two of the many outdoor activities the Club takes part in are caving and rappelling. At the October 2, 2002 meeting the Canoe and Hiking Club voted to oppose the modification of a deed, which would allow Knox County to sell two tracts of public land for residential development. *(Comment By: Jenkinson, S.E.)*
- We are writing to state that we support TVA keeping the existing deed restrictions to Keller and Wright Bluffs (Tracts XTFLs 76, 80 and 86). These are some of the last remaining undeveloped bluffs on Fort Loudoun and they should remain that way. *(Comment By: Conley, John & Jane; De Ford, C. Tandall – Knox Heritage)*
- I am writing as a concerned citizen to protest lifting deed restrictions on the properties connected with Keller Bluff on Lake Fort Loudon *(Comment By: Mmcodonnell@aol.com)*
- This letter is written on behalf of the East Tennessee Grotto of the National Speleological Society and is in response to the TVA's call for comments on the subject request by Knox County. The members of East Tennessee Grotto (ETG) wish to make you and TVA aware of their strong objection to the plan as it now stands. *(Comment By: Daw, Stuart)*

- On behalf of the Board of Directors of Knox Heritage, we are writing to express our support of existing deed restrictions on property on Wright and Keller Bluffs (TVA tract numbers XTFL-79, XTFL-80, and XTFL-86). We urge the Board of Directors of TVA to decline Knox County's request to modify the existing deed restrictions, which would allow the sale of this land for private development. *(Comment By: De Ford, C. Tandall – Knox Heritage)*
- The selling of these tracts, whether for residential, as proposed, or for other private use, is unacceptable by members of Tennessee Valley Sportsmen's Club. We object to the sale of this property because of the precedence it would set for other future TVA lands, which TVA acquired through tax-payers dollars going from public to private entities. *(Comment By: Hall, Rocky - Tennessee Valley Sportsmen's Club)*
- Comments about Wright and Keller Bluffs: Resolution: The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society, opposes the selling of public lands -Tract Numbers XTFL-80 and XTFL-86, Keller and Wright Bluffs, respectively- for the purposes of private development as proposed in Alternatives B and C of the "Request for Deed Modification...", TVA, September 2002. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*
- I had been meaning to write to express opposition to let Knox County turn over to private developers these pieces of property. *(Comment By: Yearout, Dan)*
- We strongly urge the TVA staff and the TVA board to deny Knox County's modification request. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*
- XTFL-79, 80, 86: I strongly prefer the No Action proposal, however, Alternative B is acceptable. Alternative C is not acceptable at all. *(Comment by: Parish, Mike)*
- Please consider leaving Wright Bluff as a haven for wildlife and a spiritual haven for people. If the best means toward that goal is Alternative Plan A-No Action, then I support that plan. *(Comment by: Landry, Lynn)*
- The Board of Riverbend Peninsula Homeowners Association wishes to express its profound and vigorous support of Alternative A (No Action)... Riverbend Peninsula Homeowners Association represents 14 subdivisions and over 600 households that are immediately and directly affected by this issue. • Alternative A prevents the proposed and profound loss of public land and its use fronting the Fort Loudon Reservoir. • Alternative A maintains the ecological and scenic integrity of the Fort Loudon Reservoir and the Riverbend area. • Alternative A preserves the intent of the approved and agreed Rural Area designation of the Growth Plan for the Riverbend area. • Alternative A maintains the integrity of these referenced Scenic Reservations for our children and their children. Consequently, the Board vigorously supports Alternative A (No Action) regarding the deed modification proposal, namely to preserve the current status, use and deeded restrictions of the referenced tracts. *(Comment by: Bogaty, Lisa)*
- I wish to express my profound and vigorous support of Alternative A (No Action) *(Comment by: Fischer, Craig)*
- Alternative A prevents the proposed and profound loss of public land and its use fronting the Fort Loudoun Reservoir, maintains the ecological and scenic integrity of the Fort Loudoun Reservoir and the Riverbend area, preserves the intent of the approved and agreed Rural Area designation of the Growth Plan for the Riverbend area, and maintains the integrity of these referenced Scenic Reservations for our children and their children. ... these Scenic Reservations represent an integral part of our quality of life here in the Tennessee Valley. *(Comment by: Fischer, Craig)*

- Under Alternative A, No Action: “Maintenance of the three Fort Loudon tracts as Knox County parkland would have the greatest net benefit to recreation and land use.” Selling would have the greatest benefit to the developers and only the developers! *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- Tract XTFL-79, 80, and 86: Would vote for Alternative A as the most reasonable and honest choice according to the original purposes of TVA. *(Comment By: Josr, Richard R.)*
- I support the No Action Alternative, no changes would be made to the deeds for Tract Numbers XTFL-79, XTFL-80, and XTFL-86. They could remain as Knox County property, or they could be sold with the deed restrictions intact. Either way, they would continue to provide public recreational opportunities. *(Comment By: Smith, Kristen)*
- The DEA adequately describes the resources within the three project impact areas and the proposed actions' impacts on these resources. Obviously, Alternative 1 (no actions alternative) would result in the fewest adverse impacts to fish and wildlife resources while maintaining public recreational opportunities in the areas. If one of the other alternatives is chosen, we believe Alternative 2 would have the fewest impacts to fish and wildlife resources between the action alternatives, and would have the greatest opportunities for public recreation. *(Comment by: Barclay, Ph.D. Lee A., USFWS)*

Response: Comments noted. Subsequent to receipt of these public comments, TVA and Knox County developed a new alternative (Alternative D), which consists of removing Tract XTFL-80 (Keller Bluff) from further consideration and retaining a public-accessible shoreline buffer on Tract XTFL-86 (Wright Bluff). This would change the amount of land originally proposed for the deed modification from 37.8 acres to 12.3 acres, which is a 67 percent reduction. Alternative D and related analysis have been included in the Final EA.

Comments on Alternative A - No Action

- I am confused how Alternative A gives the least protection to the bluffs. Can't we trust Knox Co to protect these landmarks if the deed is left unchanged? *(Comment by: Peck, Karen W.)*

Response: Alternative A, No Action, would allow Knox County to develop the tracts for recreational purposes according to the current deed. There are no deed restrictions limiting the amount of clearing or type of recreational activity. Alternatives B and C include scenic protection buffers that would reduce potential aesthetic impacts. Subsequent to public comments, TVA and Knox County have developed a new alternative (Alternative D), which consists of removing Tract XTFL-80 (Keller Bluff) from further consideration and retaining a public-accessible shoreline buffer on Tract XTFL-86 (Wright Bluff). Alternative D has been included in the Final EA.

Comments on Alternative B

- The scenic protection easement makes no description of leaving these areas open for public use with public access from the development proposed. Thus it is a private park for the private developers. I am against this. *(Comment by: Kerr, Chris)*
- Alt B might be less disruptive of the natural beauty and environment. *(Comment by: Albiston, Robert)*
- Under the Alternatives B & C, no housing density restrictions were placed on tracts 80 & 86. I appreciate the high and color restrictions on structures but believe that the number of houses per acre should be addressed. *(Comment by: Peck, Karen W.)*
- If the land is sold, then Alternative B is the only acceptable choice. *(Comment By: Josr, Richard R.)*
- Should the sale of these properties proceed, the alternative that best protects the value of the open space, including shorelines, bluffs, and hillside forest cover for the these three sites, is Alternative B. The restrictions placed on Tract XTFL-79 and the Undisturbed Scenic Protection Easements identified for Tracts XTFL-80 and XTFL-86 will help to minimize potential impacts on the undisturbed portions of these properties. *(Comment By: Johnson, Ewing M. (MPC))*
- If TVA judges that deed modifications are acceptable, we strongly prefer Alternative B which would so much further in safeguarding the beauty of our lake, compared to Alternative C which is unacceptable. *(Comment By: Lovett, David and Ellen)*

Response: Comment noted. TVA did not believe that housing density restrictions were necessary as the Knoxville Farragut Growth Plan addresses zoning restrictions for residential development. Tract XTFL-79 provides minimal public or recreational functions.

Comments on Alternative C

- The scenic protection easement makes no description of leaving these areas open for public use with public access from the development proposed. Thus it is a private park for the private developers. I am against this. *(Comment by: Kerr, Chris)*
- Tract XTFL-80 and 86: Strongly oppose Alternative C. *(Comment By: Lovett, David and Ellen)*
- Furthermore, the deed restrictions which would apply are very strict and certainly would not allow for any widespread development. I favor Alternative C. This would allow just one residence on the upper part of the property and it would be nowhere near the bluff itself. In fact, it would only be a few feet from where I can build on my property. Canon and Canon surveyors have done a line-of-site study (see enclosed diagram) and it would be impossible to see a house built there when facing the bluff from the lake. This alternative would protect the bluff and would allow Knox County the opportunity to sell the property for a reasonable amount. This plan would protect the beauty of the bluff and would maximize the amount of land that Knox County can purchase. Land which would be placed into conservancy, land which the public can use for recreation. *(Comment by: Maguire Jr., James K.)*
- This plan [Alternative C] would protect the beauty of the bluff and would maximize the amount of land that Knox County can purchase. Land which would be placed in conservancy, land which is accessible, land which has special value from an environmental standpoint. *(Comment By: Maguire, Kimbro)*

Response: Comments noted. Subsequent to public comments, TVA and Knox County have developed a new alternative (Alternative D), which consists of removing Tract XTFL-80 (Keller Bluff) from further consideration and retaining a public accessible shoreline buffer on Tract XTFL-86 (Wright Bluff).

In favor of the proposal

- Due to the radical under use of these parcels and my understanding of the original intent of existing deed restrictions, the revenues created by a sale of these tracts if used to create a planned wildlife/recreational/nature use refuge such as the Seven Islands project, is a prudent and responsible use of public land and revenues. Rather than these scattered and underused tracks which benefit only a small number of people and possible as a buffer to adjacent landowners, better to create a well conceived and managed refuge for the obvious increase in the public good and benefit. *(Comment by: Lane, Walter R.; Skelton, William H)*
- Knox County doesn't need to own this property. The money can be better spent elsewhere. *(Comment by: Shanks, Greg)*
- This comment is in support of the 7 islands development. If the sale of the land-locked property would aid in this regard, this comment supports the same. *(Comment by: Soro, Chris; Clark, Elaine; Robinson, Tim)*
- The three tracts in question have no real public access, no one uses them, and the only possible benefit to the public is as a view for a few houses nearby. Contrast this with the benefit to the public from the land acquisition at the Seven Islands Nature Preserve, which will allow public access to trails for walking, jogging, nature study, fishing, picnicking, and other related uses. *(Comment by: Skelton, William H)*
- Until I became more informed, I was against the change in the restrictions. The information on the TVA website and Sam Venable's article changed my mind. I believe the land will be protected and it will be a win-win situation for everyone. *(Comment by: Bertoncella, John)*
- If the true purpose of selling Keller Bend Bluff is to raise money for the county then do it publicly. I myself am interested. *(Comment by: MMumf50789@aol.com)*
- I happen to be one of the adjacent property owners. In terms of linear feet, my property has more contact with the land in question than anyone else's. When I initially heard of the proposed sale of the property I considered opposing the sale but as I examined the issues in more detail I changed my mind. I realized that the best way to preserve the property is to own it. What happens to the property has a greater impact on me than on anyone else. After examining the issues in detail I came to realize that as things stand now there is nothing to keep Knox County from radically altering the landscape of the property. In fact, wholesale clear cutting of the land is not forbidden by the current deed restrictions as long as the property is used for "public recreation". The current proposal actually protects the property more than what is in place. *(Comment by: Maguire Jr., James K.)*
- Alternative C would be the best for Knox County as a whole and for land conservancy in general. This alternative would protect the bluff and would allow Knox County the opportunity to sell the property for a reasonable amount. *(Comment By: Maguire, Kimbro)*

Response: Comments noted.

Disagree with Purpose and Need / Relevance to Seven Islands

- If Knox County needs money for Seven islands, let there be alternate methods of revenue. *(Comment by: Albiston, Lucinda M.)*
- You are taking from Mile # 623 to supplement your budget deficit! What happened to "public use"? *(Comment by: Seivers, Charles E.)*
- While I can see the value of the Seven Islands Sanctuary; I do not think this property should be sacrificed to pay for it. *(Comment by: Pickens, M.)*
- Seven Islands is a great use of \$2.5 M of the County's money and since purchase is complete is of no issue in the decision. *(Comment by: Savery, Bob)*
- Why reverse a good thing with more people in K'ville not forks-of-the river. Come up with another way to get your money to develop the forks-of-the river matching 200 acres. *(Comment by: Alley, June)*
- I support the desire to have some recreational acres in the East Knox County, but this should not be achieved at the expense of the ecology, culture, and visual aesthetics of the TN River. The TN River has suffered (been impacted) enough. That should be considered, in addition to the location of recreational property, what is the relative impact on the 2 rivers? *(Comment by: McGiin, Wilson)*
- It would be preferable if the needed money could come from a resource other than one resulting in the degradation of the TN River shoreline. *(Comment by: McGiin, Wilson)*
- I have great concerns about the decision that's been made to sell some lakefront property to make money to buy lakefront property. It seems like one of the justifications is that there is more public lands, recreational deeded lands, in the eastern part versus the southeastern part of the county and that really is not a very good justification for selling this land. If that happens, then we're looking at losing the protective buffer around the lake here in the southeast. So to the extent that we're going to lose 50 percent of the land we have in the southeast, using that justification doesn't really make sense to do that. *(Comment by: McGinn, WILSON)*
- I don't see any necessary or any obvious link between the sale of this property and the Seven Islands Park, because they already own the Seven Islands Park. At this point, it's just a matter of money. To my mind it's not a matter -- it's not obvious that there is a link between these two deals, except they want to get money to reimburse. But it's not like they need it to buy the land that they're going to use. *(Comment by: McCracken, GARY)*
- TVA should not allow Knox County to violate the current deed restriction, only for the purpose of selling the land to raise funds for the general fund of Knox County. *(Comment by: Parker, Alan)*
- From what I have read the deed restrictions on Keller Bluff were accepted with the intent that they would remain in perpetuity. I see no emergency situation that causes that agreement to be violated. *(Comment by: crgreenberg@comcast.net)*
- The proposed reasons for changing the deed modifications on these properties are not sufficiently compelling. The apparent rationale for the sale of the bluffs is for the preservation of Seven Islands. Knox County has already purchased the Seven Islands property, thereby rendering the issue of its preservation moot. As Knox County taxpayers, we would prefer capitalizing improvements to Seven Islands over a very long period of time rather than sacrificing the bluffs to private developers. *(Comment By: Conley, John & Jane)*

- Frankly, I can see no benefit at all of removing the deed restrictions and conveying the property to developers. The paltry sum received would do little to reduce the agency's debt. If the intention is to rid the agency of excess property... *(Comment By: Fields, Richard)*
- We do not believe it is in the best interest of the residents of Knox County to sacrifice such a prominent natural area for the sake of correcting the county's budget shortfalls. The development of the Seven Island Park is a worthy endeavor, but it's funding should stand on its own merits, without requiring the sacrifice of other unique public lands. *(Comment By: Daw, Stuart)*
- If no modification means that Knox County must wait on further capital projects for Parks and Recreation that is FINE. *(Comment By: Lovett, David and Ellen)*
- The very high scenic, recreational and ecological value of the Keller Bluff site to Knox County residents is not balanced by Knox County's desire to raise additional revenue for the County's operation. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*
- Knox County Parks should expand without robbing other recreational areas of the county. As a member of the Halls Community, one that lacks park development in Knox County, How would a west Knoxvilleian feel if their pars was sold to establish a park for them in Halls? *(Comment by: Kerr, Chris)*
- In the Environmental Assessment, why was Seven Islands included? I got the distinct impression that someone wants Seven Islands to emerge as more important than the three tracts that are at issue. It appears as if Knox County is using Seven Islands as a way to justify their selling to a private party. The county is crying over spilled milk if funding for Seven Islands is an issue. Knox County should have made a more responsible decision when they purchased Seven Islands. This is a diversion! *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- Why Is Knox County using Seven Islands as a cover for a deal between the county and the "potential buyers" who are known to be Keller Bend Properties, Charles Hayes and John Fiser, principals. It is common knowledge that Keller Bend Properties has been attempting to purchase Keller Bluff Tract XTFL-80 for the past twenty years. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- Despite the tone of TVA's Environmental Assessment, this is not a choice between preserving the bluffs over the preservation of Seven Islands. Knox County already owns the Seven Islands property, and it is in no danger of being lost to private development. The fact that Knox County may have to defer capital improvements to Seven Islands without the sale proceeds from the bluffs can in no way justify the sale of this public land. *(Comment By: De Ford, C. Tandall – Knox Heritage)*
- Perhaps we could find a way to help Knox County in their Seven Island Project without their disturbing the peace and let TVA keep their integrity concerning original intent. It was not wise, in our opinion, for Knox County to begin the Seven island project without proper funding. *(Comment By: Josr, Richard R.)*
- The Draft Environment Assessment essentially presents Knox County's purpose in requesting the deed modification to enable the County to purchase other parkland in East Knox County on the French Broad River. However, we strongly believe Chapter 1 of DEA, "Purpose Of and Need for Action," is erroneously stated. The undisputed facts are that Knox County has already purchased such land in East Knox County, and thus the stated purpose is moot. This "proposed deed modifications and sale" of Keller Bluff can have no genuine relationship to the Seven Islands project. We request, therefore, that all reference to the Seven Islands project be removed from the

TVA Environmental Assessment. (*Comment By: Kellerbend Homeowners Assoc - Board of Directors*)

Response: When the project was first presented to TVA, the 58-acre tract on Seven Islands County Park had not been purchased. Therefore, TVA believes there is a legitimate linkage between the two projects in terms of county park planning and a desire of the county to distribute parkland throughout the county. However, because this linkage has become more tenuous with time, TVA has considered alternatives that do not rely on offsets from the establishment of the Seven Islands Nature Preserve to mitigate impacts on resources on Fort Loudoun Reservoir.

Issue of Tracts being Landlocked

- Being landlocked should not be such a powerful argument for selling these tracts. You can bet that private developers will find a way to access each one and the county could do the same... I understand TVA has the option to develop an access road at Keller Bend. (*Comment by: Garvey III, Charles J.*)
- These properties are not land locked; neighbors has blocked entrances; if land locked the county can go the e-domain route to obtain right of ways so that argument is void. (*Comment by: Duncan, Frank*)
- The proposed buyer, Mr. William Sansom, already owns half of the bluff. With this purchase he will own it all and he already has a road to the property from Badgett Road. So, it is not landlocked. (*Comment by: Landry, Lynn*)
- Beginning at a meeting over one year ago, Knox County held that this land was landlocked and inaccessible to the public. HOWEVER, TVA holds a 30' easement from Keller Bluff out to Keller Bend Road, making the Bluff accessible by trail to the public. (*Comment by: Dabestani, Ph.D., Reza, Cressler, Thomas*)
- Knox County's proposition that Keller Bluff is landlocked has evidently led them to offer the bluff to the developers at less than 10% of its true market value. (*Comment by: Dabestani, Ph.D., Reza*)
- The opponents to this sale have argued that there is public access to the land. From a practical standpoint this is not true. I don't believe anyone uses the current easement to visit the property. It is a difficult and almost impassable hike. Everyone who visits trespasses across my property to get to it. (*Comment by: Maguire Jr., James K.; Maguire, Kimbro*)
- Why has Knox County publicly claimed Keller Bluff to be "landlocked"? A 30-foot wide road easement is owned by TVA and "could be used to provide public access to Keller Bluff". (*Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor; Mmcodonnell@aol.com; Parker, Alan; Rule, Patra & Ken*)
- TVA's Environmental Assessment should also be amended to reflect that the existence of this public access... (*Comment By: Kellerbend Homeowners Assoc - Board of Directors*)
- It should also be noted that we have reviewed the comments from some of the public meetings held by TVA on this proposal. In both public meetings held on this issue in August 2001 and September 2002, the Knox County Director of Parks & Recreation, Mr. Doug Bataille, erroneously presented the Keller Bluff tract as being inaccessible by land and inaccurately inferred that this scenic and recreational site was not accessible to the public. As you know, the Draft Environmental Assessment clearly states otherwise and notes that an easement exists from Keller Bend Road to Keller

Bluff. In fact this is a road easement which TVA reserved when it sold the tract adjacent to Keller Bluff, and this easement runs from Keller Bend Road essentially south a distance of 720 feet to the top of the ridge line to Keller Bluff. This is a public easement, and the public has the right to use this right of way for access to and from Keller Bluff. TVA's Environmental Assessment should point out the error made by Knox County in assuming Keller Bluff was inaccessible by land. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*

Response: Since the DEA was published, TVA has verified that Tract XTFL-80 does have access from Keller Bend Road and the tract does receive a wider range of informal recreational usage than originally thought. In response to these comments, Knox County has removed Tract XTFL-80 from further consideration. Tract XTFL-86 does not have public access from land, but it does have legal public access from the water. Based on public responses and TVA staff observations, Tract XTFL-86 does receive more informal recreational usage than originally thought in the DEA. Therefore, under Alternative D, Knox County proposes to retain a publicly-accessible buffer along the shoreline of Tract XTFL-86, which would allow public access on the bluff.

Land Management Policy and Practice Issues

- As I researched the available property to buy and build my home a major influence in my decision was that the property across the cove and directly in my view (Tract XTFL-86) was owned by the county and restricted by TVA such that it would always be withheld from private development. Property owners must be able to rely on their county, state, and federal governments to adhere to the covenants into which they enter with the public. To release the restrictions is a violation of that covenant to all residents in general and me in particular. *(Comment by: Cruikshank, Ken)*
- TVA acquired much of the property for and adjacent to the lake through condemnation "for the public good" To now sell that property for public use violates the spirit if not the letter of that action. The selfless and forward looking administration of TVA restricted the use of those lands for the public good in perpetuity and that was part of the agreement when the land was acquired. What now gives any of the right to violate that agreement and present a windfall to private individuals at the expense of the original landowner and the public? Be the land sold or not TVA has an obligation to retain the same restrictions and covenants against development. *(Comment by: Cruikshank, Ken)*
- That this issue keeps coming up reflects no policy or an inadequate policy by the TVA Board of Directors concerning public lands. TVA is under annual threat of Congress to privatize the agency, like Duke Power. One bond that is holding TVA together is stewardship of public land, not a normal activity for private enterprise. If TVA is not a good steward or continues to wilt to pressures to sell public land, then part of TVA's reason for existence is gone. We suggest that TVA demonstrate its commitment to land stewardship by making a land use policy reflecting a no-loss of public land stance. *(Comment by: Minser, William G.)*
- Since the TVA Board of Directors appears to be unable to develop a consistent land use policy for disposition of public land, it may be a good idea to request Congressional oversight. Pressures from developers for TVA to sell public lands must sometimes be intense. Congressional support of TVA to protect public land

may be the support needed for the TVA Board to make a clear and lasting policy.
(*Comment by: Minser, William G.*)

- If the deed is modified and development occurs, who will enforce the restrictions and protect the vegetation? (*Comment by: Peck, Karen W.*)
- TVA is not a general funding agency for Knox County. Instead TVA owes stewardship duties to protect the scenic property held in fee by the United States of America along the Fort Loudon embayment of the Tennessee River. (*Comment by: Parker, Alan*)
- TVA is the steward of this property and has a duty to hold it in trust for the people of the United States of America which own this scenic land. This deed modification will not enhance the public's interest in the remaining Fort Loudon reservoir property, as have other deed modifications. Instead, the only reason for this deed modification is to allow Knox County to abandon and abdicate its duty to maintain Keller Bluff for recreational purposes only. TVA's reversionary deed to Knox County provides that if Keller Bluff is not used for recreational purposes the land is to revert to TVA.
(*Comment by: Parker, Alan*)
- One of TVA's six strategic objectives is to "enhance the quality of life in the Tennessee Valley through environmental stewardship." Maintaining the existing deed restrictions would show the public that TVA is truly committed to this goal. (*Comment By: De Ford, C. Tandall – Knox Heritage*)
- It also upsets us that TVA spends extra tax dollars via your employees having to prepare and attend these Open Houses and Public Hearing every time a municipality or developer (like Rarity Pointe) approaches TVA Board with a hand out. (*Comment By: Layne, Ann Marie and Douglas F.*)
- We think TVA needs to stop accepting such petitions to sell public land on an ad hoc basis and clearly indicate through policy directives that their stewardship role in protecting public lands for conservation and recreational purposes is of the highest priority. Public lands left in an "undeveloped," natural state should be considered desirable insofar as this is the primary reason much of this land was protected over fifty years ago, for its scenic value. (*Comment by: Rule, Patra & Ken*)
- This destroys the original intent of TVA to retain this land for public use, such as recreation, by deeding it to Knox County in 1952. (*Comment by: Honeycutt, Gaye and Kenneth*)

Response: Both Knox County and TVA can be considered joint managers of this property and share public responsibilities for its proper use. TVA recognized that the needs of Knox County, and public values, may change over time. Acceptable recreational use in 1952 may not be the same as county needs 50 years later. As a result of this review, TVA recognizes that the two undeveloped and unique river bluffs still serve public needs. TVA has attempted to craft alternatives that protect them, while still being responsive to the County's request. However, Tract XTFL-79 provides minimal public or recreational functions and there is less need to provide protection or offsetting property.

Precedent Setting

- If you allow one developer to buy public TVA land you just encourage others to request the same. (*Comment by: Minser, William G.*)

- This would be a precedent-setting sale. I fear that if this occurs there will be a cascade of other property sales. *(Comment by: McCracken, Gary F.)*
- I am also worried about the precedent this may set. Can all park lands taken by TVA under "eminent domain" now be sold to the highest bidder? This would be immoral and quite possible, illegal. *(Comment by: Webb, Michael)*
- If TVA continues to welcome petitions by public to sell TVA public land, the domino effect of petitions will continue. We get tired of going to your public hearings to answer the same old questions. Our answers will always be the same. NO: PUBLIC LANDS ARE NOT FOR SALE. *(Comment by: Minser, William G.)*
- the cumulative impact. Is this the first of many public sales of public land deeded by TVA, a public utility, for specific use, recreational? These three are first. How many more are in the works? According to the presenter today, 29 percent of the property in and around this lakeside peninsula area of the county is currently undeveloped. That's not a high level, that's a low level. We already have the land near Island Home. *(Comment by: Bogaty, Lisa)*
- I think this is a dangerous precedent that's about to be set in with TVA every time someone comes to them just for a small parcel here or a small parcel there. *(Comment by: Layne, Ann Marie Irwin)*
- My third comment is that this would be precedent setting. And I'm worried because of the high value of the land and development pressures that this would result in -- this would set the stage for increased numbers of these sorts of sell offs. And I think that that could be tragic to the open land space of the area. *(Comment by: Mccracken, GARY)*
- I fear that the modification of these deeds and sale of this property will lead to sell off of more public property and the character of the river will change. *(Comment by: Peck, Karen W.)*
- If this deed modification is allowed it will set a terrible precedent and could allow for the sale by Knox County or any county of other TVA reservoir property held by the county under reversionary deeds if the county decided it wanted to dump the land for private sale in order to produce funds to go to the Knox County general fund. *(Comment by: Parker, Alan)*
- The idea of modifying the deeds now in order to create protection for 7 island "in perpetuity: is very odd, for by doing it we show just how TEMPORARY are these restrictions which guarantee protection "in perpetuity". *(Comment By: Lovett, David and Ellen)*

Response: Regardless of TVA's decision on the two remaining tracts under consideration, Knox County and TVA expect to receive other proposals. Future deed modification requests (for public recreation land TVA transferred to Knox County on Fort Loudoun Reservoir) which seek to eliminate public recreation use restrictions would be reviewed on a case-by-case basis for the need to require off-setting measures to enhance public recreation opportunities on Fort Loudoun Reservoir. The offsetting measures considered would include the acquisition of additional public recreation land on the reservoir, acquiring legal landward access to public recreation property on the reservoir without such access, or other measures that provide reservoir recreation benefits, subject to TVA approval.

Loss of Public Land/Property

- I'm opposed to the loss of public lands. There is precious little public land in this heavily populated area. *(Comment by: McCracken, Gary F.)*
- Development of these properties for non-recreational activities was not the original intent for taking of these lands. Once removed from the public property, these tracts will be lost forever. *(Comment by: Kerr, Chris)*
- Why do these questions keep coming up: "what is your opinion of the proposed sale of public TVA land tract X?" The answer that you hear over and over is the same. "TVA public recreation land is a cherished item. It is a national treasure and should not now and never be for sale. TVA's Board of Directors are not listening. We need a public policy from the BOARD reflecting public will. PUBLIC TVA LAND IS NOT FOR SALE!!" *(Comment by: Minser, William G.)*
- Whether these properties are suitable for public access or not I do not know but I strongly believe that with the West Knoxville population growth, we need to increase not decrease public lands available for boating use in that area. *(Comment by: Terry, Bill)*
- I do not approve of transferring public land to private developers. I think public lands should be kept for the use of the public. *(Comment by: Rudder, S.M.)*
- These lands were bought with taxpayer money with the understanding that they would be protected as public lands. This action would possibly violate the law, but undoubtedly violates the trust the public has placed in TVA. *(Comment by: McCreedy, Mark)*
- The Tennessee Conservation League and Foothills Land Conservancy support the continued stewardship by TVA and its natural resources division of public lands on TVA reservoirs. We are concerned, however, that TVA continues to present proposals to the public for consideration of sale of public lands being managed by TVA. The public, including our organizations, have said over, and over, and over, loud and crystal clear that public recreational lands and lands designated for conservation are a national treasure and we totally oppose sale of them. Public lands should not now and never should be for sale; don't even bother to ask! *(Comment by: Minser, William G.)*
- Yes, TVA has a lot of land. But the land was purchased with taxpayers' money and the fair thing is to have it available to the taxpayers as open land, or in this case undeveloped land. *(Comment by: Layne, Ann Marie Irwin)*
- I dislike the idea of giving up any public property. There's so little of it. So I find myself opposed to any disposal of public property, particularly in an area where it's so heavily settled. So much of it is already in private hands. *(Comment by: Mccracken, GARY)*
- This public property was taken from an individual with the promise - underscored by strong deed restrictions - that it would always remain in the public domain. *(Comment by: Dietrich, Pat)*
- It has been brought to my attention that TVA has been selling and plans to sell in the future large amounts of TVA land for private use, private development, and industrial development for relatively low prices. Most of this is prime waterfront land for lakefront access, boating, camping, fishing, hunting, and other recreational activities. I have camped, fished, and hunted on this TVA land all my life, and there were times when I could not afford to use a private boat dock or private lands. There are millions of people just like me. Therefore, I am very much opposed to this giveaway of public

lands. This amounts to taking this land from millions of people like me and letting an elite and rich few have it. *(Comment by: Hargis, Sr., James H.)*

- This effort blatantly violates the public trust. TVA should not consider any proposals to sell public lands preserved for recreational use and should not approve Knox County's proposed deed modifications. Knox County's efforts toward modifying the TVA deed are not in keeping with the spirit or intent of preserving public land for recreational use. The facts as they develop in this case make it increasingly hard to believe that Knox County's efforts will in any way serve the public interest. *(Comment by: Rule, Patra & Ken)*
- It seems the environment issues mainly deal with public sale of public land and land use. While I think the purchase of the Seven Islands Nature Preserve was the correct policy for Knox County, I strongly disagree with the policy of selling the 3 tracts to offset this cost. The cost is quite small compared to the yearly budget of the county, and only a tiny increase in property tax would be necessary to cover this cost if there were no other way. Land for habitat and/or future recreation is limited and only becomes more expensive in the future. It would be extremely shortsighted to sell this property even if the funds were not to be used to offset the Seven Islands project. *(Comment by: Hinton, Don)*
- Club members further believe that these two tracts of land are valuable assets to the county that would be lost if sold. The University of Tennessee Canoe and Hiking Club believes that it would be a loss to the people of Knox County to lose these tracts for their wealth of recreational use. *(Comment By: Jenkinson, S.E.)*
- These properties have unfortunately become an exception on the lake - areas of undeveloped natural beauty. These tracts are a respite from a seemingly uninterrupted string of housing and condo projects. Keller Bluff, which has public access, remains a natural treasure of wildlife and flora. We should not give up what public land remains on Fort Loudon unless there are extraordinary compelling reasons. *(Comment By: Conley, John & Jane)*
- I was saddened to hear that we may lose another parcel of public land...Even if I never go there again I hope that TVA will support conserving the bluff and other public lands for other generations to enjoy. *(Comment By: McReynolds, W. E. "Bill")*
- Cities and Counties will always have other means of developing without acquiring additional property from TVA. We object to TVA disposing of, not just these tracts, but all public lands up and down 34 reservoirs within the system for private gains. *(Comment By: Layne, Ann Marie and Douglas F.)*

Response: Subsequent to public comments, TVA and Knox County have developed a new alternative (Alternative D), which consists of removing Tract XTFL-80 (Keller Bluff) from further consideration and retaining a public-accessible shoreline buffer on Tract XTFL-86 (Wright Bluff). Future deed modification requests (for public recreation land TVA transferred to Knox County on Fort Loudoun Reservoir) which seek to eliminate public recreation use restrictions would be reviewed on a case-by-case basis for the need to require off-setting measures to enhance public recreation opportunities on Fort Loudoun Reservoir. The offsetting measures considered would include the acquisition of additional public recreation land on the reservoir, acquiring legal landward access to public recreation property on the reservoir without such access, or other measures that provide reservoir recreation benefits, subject to TVA approval.

Loss of undisturbed land/shoreline

- All prominent land features along the river should be protected as well as the natural area surrounding them. There is too little undisturbed land along the river. Parks are not undisturbed land and while their use is for the public, it does not provide habitat for flora and fauna. *(Comment by: Parish, Mike)*
- My point is that undeveloped shoreline tracts in Knox County are now a rarity, and it would behoove us all to protect the few which remain. *(Comment by: Schriver, William R.)*
- We are writing to state that we support TVA keeping the existing deed restrictions to Keller and Wright Bluffs (Tracts XTFLs 76, 80 and 86). These are some of the last remaining undeveloped bluffs on Fort Loudoun and they should remain that way. *(Comment By: Conley, John & Jane)*
- It is very disturbing to think that TVA would even remotely consider modifying the deed. Under Alternatives B & C, "only one other bluff would remain in natural surroundings for long term public enjoyment". Modifying the deed would be a travesty. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- We appreciate Knox County and others for having the foresight to bring Seven Islands to a reality. TVA lands were acquired and managed for, among other things, "resource development needs and to improve the quality of life: for the region. It has gotten to the time for all municipalities to look at undeveloped land as an asset as they are, undeveloped. *(Comment By: Layne, Ann Marie and Douglas F.)*
- The combination of recreational and scenic opportunities provided at Wright and Keller Bluffs would be difficult, if not impossible, to replace in Knox County. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*

Response: Comments noted. Knox County has withdrawn Keller Bluff from consideration and TVA and the County developed an alternative that provides more protection for Wright Bluff.

Too much development/Preserve for future generations/Leave as is

- Tract XTFL-79: I oppose this attempt to sell this property - there is so much development along the waterfront that results in very limited coves for use overnight or dinner afloat. *(Comment by: Seivers, Charles E.)*
- The Seven Islands project is commendable, BUT DUE to the Knox County Commissions demonstrated commitment to the "development" of the areas resources, we are in grave danger of suffering so much "progress" that we no longer will have an area worth living in... do not allow this to happen again, please. *(Comment by: Albiston, Robert)*
- There's too little regard for wildlife. There's too little land in the county left undeveloped. *(Comment by: Hinton, Don)*
- XTFL-86: more and more houses - can't anything be left "as is"? So little land conducive for canoes/kayaks. *(Comment by: Alley, June)*
- XTFL-80: we need green space and trees. *(Comment by: Schnabel, M.L.)*
- And I think as citizens of this country, this state, we entrust this land to TVA to protect it. At some point we have to stop development and stop the incursion onto these pristine natural lands in order to protect the lake for the ecological reasons, cultural

reasons, and just the aesthetics for the people that use the lake. That brings great wealth in itself to this area of the country. *(Comment by: McGinn, WILSON)*

- The opponents to this sale have argued that the land is being sold to developers. It is true that the owners of the other adjacent property are developers but I am not. I am a physician who has practiced in Knoxville since 1989. My wife was born here. We do not want to see the wholesale development of any of the land in question. *(Comment by: Maguire Jr., James K.)*
- We see the constant development of property with the destruction of animal habitat and degrading of the visual environment. *(Comment by: Hinton, Don)*
- This causes too many pressures on the environment and will over crowd the River and the area. *(Comment by: Reed, Doug)*
- XTFL-86: This should be left undisturbed. *(Comment by: Albiston, Robert)*
- Why does Knox County not keep this for future & long-term use - Has Knox County ever spent money on this land? *(Comment by: Seivers, Charles E.)*
- One of their greatest assets is their scenic beauty and that should be maintained - once gone they cannot be replaced. *(Comment by: Pickens, M.)*
- Property along the river should especially be protected as it is the most susceptible to deterioration due to erosion and the natural instability of the shoreline. *(Comment by: Parish, Mike)*
- TVA acquired this for the public benefit and it should remain in the public domain. *(Comment by: Parish, Mike)*
- XTFL-79: Keep it for public recreation.
- General comments: xtfl-79: 2.3 acres should be left as is - use for recreation *(Comment by: Schnabel, M.L.)*
- XTFL-86: 13.7 acres is on river and cove - a lot of land to sell for individual parcels- no one should buy it all. It is very valuable and should be left "as is". No developer should get richer doing this. LEAVE IT ALONE *(Comment by: Schnabel, M.L.)*
- Why should a few people benefit financially - let us all own this land. *(Comment by: Schnabel, M.L.)*
- For the benefit of the wildlife and recreational nature lovers, the vast majority of all three tracts of land should be preserved in tact. *(Comment by: Webb, Michael)*
- We have a beautiful wildlife preserve on Wright Bluff that deserves to stay in its natural state, not only for the sake of the birds and animals, but also for the people who appreciate that once these nature preserves are gone, they cannot be replaced. *(Comment by: Landry, Lynn)*
- I expect TVA to preserve this land mark by not allowing Knox County to reach its ugly goal. *(Comment by: Dabestani, Ph.D., Reza)*
- The area in question is a beautiful nature area and should be reserved for public use as specified in the deed conveying the property to Knox County. There are few nature areas in Knox County and the few we have should be retained, not conveyed to developers to further urban sprawl at the expense of the public. *(Comment by: Cressler, Thomas)*
- Please maintain our TVA controls, promised when the original owners lost the property, in place and keep the public trust. *(Comment by: Carvin, Russ, Cindy, Lara and Scott)*
- We have so little beautiful land left here in Knoxville and Knox County. Let's preserve what we have. *(Comment by: Tyrrell, Sarah E. "Sallie")*

- We further request that you weigh the sensibility of permitting this area to remain natural and wild while permitting the public to fully enjoy this most scenic and beautiful bluff on the Tennessee River. *(Comment by: Rule, Patra & Ken)*
- My family uses the park for recreation. It should remain a park for public use - as it was intended when the land was confiscated from the original owners. *(Comment by: Collins, Ron & Barbara)*
- TVA acquired the Keller Bluff and Wright Bluff in the 1940s for scenic preservation and they are worth preserving for generations to come. Development will mar these unspoiled bluffs forever. Please take the long term view and not allow Knox Co to cash in on valuable property at the expense of preserving the scenic beauty of our reservoir. *(Comment by: Peck, Karen W.)*
- I would like the bluffs and the surrounding slopes to remain undisturbed, please leave the deed as it is. Better yet - leave the public recreation restriction in place and layer the visual and aesthetic protection of Alternative B on top of it. *(Comment by: Peck, Karen W.)*
- This property should be preserved and protected from development. *(Comment by: Hinton, Don)*
- It is my opinion that those who set aside such green space many years ago did so with great forethought, and we should be most careful in any attempt to undo such trust in our future stewardship. *(Comment by: Farmer, Charles)*
- Hopefully TVA will preserve the intentions of the 1940 officials who intended to preserve the scenic features, and the 1952 deed that "Knox county must use the property for public recreational purposes for the benefit of all members of the public". *(Comment By: O'donnell, John)*
- As stewards of the Tennessee river system, TVA has a responsibility to the public and to future generations. We want our grandchildren to travel Fort Loudoun and see that urban sprawl does not invade all land along the water. We want to take them on a hike to Keller Bluff to see the many beauties of nature. *(Comment By: Conley, John & Jane)*
- Knox Heritage is a non-profit organization dedicated to helping Knoxville and Knox County preserve historically significant parks, buildings, and open spaces. We can think of no better examples in Knox County of open spaces needing protection than these bluffs. The existing deed restrictions do just that and should remain in place. *(Comment By: De Ford, C. Tandall – Knox Heritage)*
- TVA acquired these bluffs as "scenic reservations to protect the principal scenic features" and to provide access for all members of the public. As two of the last undeveloped bluffs on Fort Loudoun, they are public treasures, whether viewed from the lake, from Blount County or from their prominences. Neither the purpose behind their acquisition nor the character of the properties has changed, and they should remain in the public domain for our great grandchildren to enjoy. *(Comment By: De Ford, C. Tandall – Knox Heritage)*
- My husband and I are interested in what happens to TVA and other public lands. We do not want to see the recreation restriction on the deeds to Tract XTFL-79, XTFL-80, and XTFL-86 changed. This land should remain as recreation, even if the only access to it would be from the waterfront. *(Comment By: Layne, Ann Marie and Douglas F.)*
- These properties were identified by wise public servants as the scenic highlights of the lake, which deserved to be protected permanently. *(Comment By: Lovett, David and Ellen)*

- I would like for TVA to keep their commitment; that the Bluffs be left alone for the general public to enjoy them. I know that the proposal probably is a done deal and that no amount of opposition will change that but I put my two cents worth in.....
(*Comment By: Yearout, Dan*)

Response: Comments noted. Two residences are visible from the cove adjacent to Tract XTFL-79. Tract XTFL-80 is no longer being considered for a deed modification.

Threatened and Endangered Species

- XTFL-79: There is a substantial probability that many caves in the Keller Bend area are occupied by federally listed as endangered grey and/or Indiana Bats. The surrounding forested habitat may be important foraging areas. I do not believe that the areas have been thoroughly or adequately surveyed for these bats. This comment also applies to Tract 80. I don't know tract 86. (*Comment by: McCracken, Gary F.*)
- ...There's some pretty extensive caves and little crawl spaces that open up into substantial caverns. There's a very real possibility of both grey bats and Indiana bats in that area, both federally listed endangered species... I'm not sure that there has been a rigorous assessment of the possibilities here. One might be, in the near vicinity of the Lots 80 and 79. (*Comment by: Mccracken, GARY*)
- It does not take a 'significant cave' - ambiguous undefined term- to harbor endangered species. (*Comment by: Kerr, Chris*)
- XTFL-86: Any development could disturb nesting bald eagles. (*Comment by: Parish, Mike*)
- While not very large, these caves are known to be of sufficient size to allow human access and could serve as potential migrating stopovers, hibernaculum, or maternity sites for federally endangered gray bats (*Myotis grisescens*). As reported in the draft EIS, gray bats were found previously in two caves one mile east of Keller Bluff, in an area with very similar geological conditions. The caves are also likely habitats for the threatened Tennessee cave salamander (*Gyrinophilus palleucus*), which has also been observed in nearby areas. Even caves too small for human access are still used by both these species. (*Comment By: Daw, Stuart*)
- Concurrent with our transmittal of this letter, we are also notifying the Tennessee Nature Conservancy, which may also be able to provide advice and or assistance in this regard. It is possible that further actions to protect endangered or threatened fauna will be appropriate even if the county's request is denied. (*Comment By: Daw, Stuart*)
- Further, we wish to point out that there appears to be at least one important error in the current draft Environmental Impact Statement (EIS). Until this apparent error is resolved, we believe that TVA should at least delay action on the proposed deed modification. The specific draft EIS error to which we refer concerns Parcel # 80, where Keller Bluff is located. Although the draft EIS reports that there are no known caves on this parcel, our information indicates that Keller Bluff has, in fact, at least three limestone caves. These caves are listed in the Tennessee Cave Survey and are described by location in the state publication titled "The Geology of Knox County", Bulletin 70, 1973, Plate I. All three have been surveyed and are referred to as Keller

Bluff Cave Number 1 (TKN 61), Keller Bluff Cave Number 2 (TKN 34), and Sleeping Bag Cave (TKN 77). (*Comment By: Daw, Stuart*)

- XTFL-86: Alternative A - No Action - This is not only a scenic bluff but also known habitat for Bald eagles, wild turkeys, least bittern, and TN cave salamander. General Comments: Disregard for fauna and flora habitat and disregard for continuity of habitat has led us to species extinctions and endangerments. Why add to this serious problem by selling our Knox Co. land. We need wild lands to preserve our plants' and animals' diversity and survival. (*Comment by: Kincaid, Susan*)
- If TVA insists on continuing with this misguided effort to further degrade the natural environment and quality of life for humans, plants and animals by allowing development of this property, it should at the very least require a comprehensive environmental impact statement to identify and catalogue the scope of destruction. There may be endangered species on the property that should be identified before development begins: The agency should not precipitate another snail darter fiasco. (*Comment By: Fields, Richard*)

Response: Because of these comments, TVA biologists and terrestrial zoologists surveyed the tracts and surrounding areas along the shoreline. Among the caves inspected, two individual gray bats were found, one being located in a cave on Tract XTFL-80 and the other on private property in the Keller Bend area. No caves were found on Wright Bluff or on Tract XTFL-79. Bald eagles have not been observed nesting on these areas. Sporadic use of these areas, particularly Tract XTFL-80, by migrating and wintering bald eagles is noted in the EA.

Terrestrial Ecology

- We need more not less open habitat in our largely urbanized county. (*Comment by: Parish, Mike*)
- Three sites currently provide homes to numerous indigenous plants, animals, and reptiles. Commercializing through residential or any other development, permanently displaces all this flora, fauna, and wildlife. (*Comment by: Bogarty, Lisa*)
- One of the reasons that I oppose the lift on the restrictions is that the bluff is home to many Great Blue Herons. The development of that land could cause the loss of these beautiful birds as well as the many other animals and wildflowers that thrive there. The following information comes from a website devoted to the preservation of Great Blue Heronries on Puget Sound, but it pertains to our river as well: <http://www.ecy.wa.gov/programs/sea/pugetsound/species/heron.html> Do Not Disturb In general, herons select nesting sites away from human activity, in quiet clusters of trees. If humans disturb heronries during breeding season, several studies show, the reproductive rate of the colony can drop or adult herons may move the entire colony. Winter Survival Herons also seek undisturbed areas for winter hunting. In the fall and winter, many great blue herons survive by catching meadow voles - a tiny mouse-like mammal that tunnels in grass. Herons stalk these small mammals in quiet meadows, marshes, and farm fields. Herons need abundant small fish, as frequently found in eelgrass meadows, and older shoreline trees for breeding. As development spreads, shoreline trees are removed, nesting sites are disturbed, and eelgrass beds are destroyed. We have a beautiful wildlife preserve on Wright Bluff that deserves to stay in its natural state, not only for the sake of the birds and animals, but also for the

people who appreciate that once these nature preserves are gone, they cannot be replaced. Please consider leaving Wright Bluff as a haven for wildlife. *(Comment by: Landry, Lynn J.)*

- Third and final is the terrestrial ecology. These sites currently provide homes to numerous indigenous plants, animals, and reptiles. Commercialization through residential or any other development permanently displaces all this flora, fauna, and wildlife. This not only is a problem for the wildlife but is a problem for homeowners in and around these sites as these displaced animals search desperately for homes in garages, crawl spaces, attics, and other areas. *(Comment by: Bogaty, Lisa)*
- To be clear, I do not consider parks with swings, benches, tables, etc. to be nature areas. *(Comment by: Cressler, Thomas)*
- The Bluffs represent a unique habitat for wildlife and fauna as well as being a unique geological resource. .. there is a cave on the property that serves as a home to a colony of bats. Bats are an environmentally sustainable way to keep down the flying insect population. With the introduction of West Nile Virus into our area, as evidenced by cases in Loudon County, now is not the time to compromise the habitat of vector-eating creatures. In addition to the bats, many other species of birds, plants and animals live on and around the bluff and would be negatively impacted if the property were developed. Eagles, carrion and birds of prey live and hunt there. Red foxes, wild turkey and deer also call that area home. Unique wildflowers cling to the meager soil in crags on the rocky face that are not in abundance elsewhere in our area. Finally, fossils have been found on the bluff and identified as being quite ancient by Dr. Theodore Labotka, a geology professor at the University of Tennessee. The geologic record of the area is no less important than the more recent cultural record left by Native Americans that have stopped or slowed other projects in our area. *(Comment By: Fields, Richard)*
- Response to part of comment #75, by Richard Fields regarding Fossils. ... it was a large gastropod (*Maclurides*, I think), several inches in diameter. It is a relatively common Ordovician (~400 million years old) fossil that can be found locally, although the specimen he showed me was nicer than most. I'm not a fossil expert, but I think these fossils can be found in places along Fort Loudon Lake where they have been eroded from the limestone cliffs. *(Comment By: Labotka, Theodore C.)*
- Our objection is based on the expected negative impact of granting Knox County's request to the environmental, scenic, and recreational value of Wright and Keller bluffs. *(Comment By: Daw, Stuart)*
- The nature of the prominent limestone geology around Keller Bluff makes the presence of such small caves extremely likely. This is also true for Wright Bluff, on parcel #86. *(Comment By: Daw, Stuart)*
- These sites still are important for shoreline habitat protection and scenic value. *(Comment By: Johnson, Ewing M. (MPC))*

Response: Unique or uncommon wildlife is not present on Tract XTLF-79. Keller Bluff, which contains caves and a few acres mature trees, has been withdrawn from the County's request. The face of Wright Bluff would be protected under Alternatives B, C, and D. Further, under Alternative D, the public would continue to have access to Wright Bluff along the buffer strip. Fossils are common in the limestone geology underlying most of Knox County and the Ridge and Valley Physiographic area.

Recreation

- XTFL-86: Wright Bluff is one of the highest and best rappelling bluffs along the Tennessee River in Knox County. The loss of this area is not replaced by a comparable rappel spot at Seven Islands Parks (the rappel is technical and a freefall drop from the top of the bluff to the Tennessee River can be made. I enjoy using this bluff for rappelling and overlook purposes. *(Comment by: Kerr, Chris)*
- The transferal of this property will eliminate access to an area used by organized cave explorers as well as youth's referred to as "flashlight explorers, the report does not indicate any effort was made to take these groups into account. *(Comment by: Kerr, Chris)*
- Tract XTFL-79: I oppose this attempt to sell this property - there is so much development along the waterfront that results in very limited coves for use overnight or dinner afloat. *(Comment by: Seivers, Charles E.)*
- I don't believe there is adequate lake access in the Rocky Hill - Lyons Bend Area. To the best of my knowledge there is no boat ramp between Cherokee Park and the parks out in the Concord/Farragut area. *(Comment by: Terry, Bill)*
- XTFL-79, 80, 86: these properties were deeded to Knox County for recreation purposes. *(Comment by: Pickens, M.)*
- I would hope that anyone purchasing property would have to make the property accessible to the public. *(Comment by: Pickens, M.)*
- I would hate to see a situation develop like the beach wars in California. While I can understand purchasers want view property - the maintenance of public access is important. *(Comment by: Pickens, M.)*
- XTFL-79: Keep it for public recreation.
- I have personally observed people fishing, picnicking, and biking on these properties - the original intent. *(Comment by: Bogarty, Lisa)*
- To be clear, I do not consider parks with swings, benches, tables, etc. to be nature areas. *(Comment by: Cressler, Thomas)*
- Knox County's efforts toward modifying the TVA deed are not in keeping with the spirit or intent of preserving public land for recreational use. The facts as they develop in this case make it increasingly hard to believe that Knox County's efforts will in any way serve the public interest... *(Comment by: Rule, Patra & Ken)*
- The club has used Wright Bluff (XTFL-86) and Keller Bluff (XTFL-80) for rappelling and caving in the past and hopes to continue using these locations in the future. Both sites offer wonderful rappelling opportunities. Keller Bluff offers a practice site that trains adventures in safe rappelling techniques. Wright Bluff, a more technical and advanced site, offers the next level of rappelling a feature, which makes it unique in Knox County. Keller Bluff also offers three caves that are fun and useful for training and recreation. *(Comment By: Jenkinson, S.E.)*
- Our objection is based on the expected negative impact of granting Knox County's request to the environmental, scenic, and recreational value of Wright and Keller bluffs. *(Comment By: Daw, Stuart)*
- These tracts, according to the studies, are being used for recreational pursuits. Having lived for 30+ years with TVA/Knox County Buffers surrounding our Knox County home, we are always kind to the fishermen and campers and beachcombers who appear very close to our home. We respect that access is given to the public. Would not like to see money-hungry developers buy next to us, across the cove from us or across the lake. *(Comment By: Josr, Richard R.)*

- Background: The members of the grotto discussed the proposal at their regularly scheduled business meeting on October 1, 2002. A review of the "Request..." found that Alternatives B and C do not allow for public access of the bluffs. These bluffs are used for recreational activities and for safety training and practice purposes, by individual club members and the group. Members have accessed the Wright and Keller Bluffs for these activities by land and by water. Recreational activities include the exploration and surveying of caves (Keller Bluff) and/or for rappelling and practicing of single rope techniques (both bluffs). *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*
- The Request for Deed Modification (RDM) does not address these recreational activities. The recreational activities -caves and 100 foot high bluffs suitable for rappelling- enjoyed by grotto members at Wright and Keller Bend are rare and not found at the Seven Island Park. The removal of Tracts 80 and 86 from the public lands would result in a loss of recreational opportunities for the public. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*
- Wright Bluff has a peak that overhangs the Tennessee River. It affords the experienced rope climber and rappeler a unique free fall drop of 115 feet to the river bank. Attached are photographs of club members enjoying recreational activities at Wright Bluff. Rappelling and single rope techniques at the bluffs have utilized standing timber as belay points for rigging. Suitable trees are often found twenty to fifty feet from the cliff face. A loss of trees at the cliff areas would require more difficult riggings or placement of man-made anchors. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*
- In conclusion, the Smoky Mountain Grotto and its members wish to continue visiting the Wright and Keller Bluffs for public recreational activities. The unique value of these areas, recognized by TVA when purchased, afford recreational opportunities that would be lost to club members and the general public if these tracts were sold for private development. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*

Response: In response to these comments, TVA has developed a new alternative that preserves recreational access to Wright Bluff, and retains Keller Bluff in public ownership. Tract XTFL-79 does not have any unique scenic or recreational assets.

Visual/Scenic

- XTFL- 79: Alternative A No Action - This property and XTFL-80 are in plain view of Carl Cowan Park and Admiral Farragut Park; it is important that park visitors be able to see wild land and not just unrelieved development across the water. *(Comment by: Kincaid, Susan)*
- General comments: The placement of any housing on the bluff tops would greatly detract from the scenic beauty of lands adjacent to the river. *(Comment by: Kerr, Chris)*
- General Comments: These tracts are extremely beautiful. For them to be covered with residences would be nothing short of criminal. *(Comment by: Albiston, Lucinda M.)*

- XTFL-79: This parcel of land is evocative of the soul of this region - that is, the natural beauty of this undeveloped tract is far more valuable to the people as it is now than it will be should it be developed. Easy on the eye and restful to the psyche, lake travelers enjoy a direly needed respite from the toils and cares of life. To mar this towering beauty with its echoes of the past by planting luxury homes and condos in its stead would - given that this spot still stands undisturbed - be an example of civic leadership failure. *(Comment by: Albiston, Robert)*
- Their proposed 45-units are not anything I want to see at this location *(Comment by: Seivers, Charles E.)*
- One of their greatest assets is their scenic beauty and that should be maintained - once gone they cannot be replaced. *(Comment by: Pickens, M.)*
- The "RECREATIONAL ENHANCEMENTS" proposed do not have the same value as the land that would be lost to public use. There are precious few tracts of public land left where people can find natural beauty. Do not permit the loss of these important values. *(Comment by: McCreedy, Mark)*
- My only concern is with the scenic environment. I see no problem with the proposal, as such, as long as they keep the scenic buffers. *(Comment by: Mcelyea, Gerald)*
- Please, please lets leave some beauty for the children of Knox county to enjoy. I would hope that this area would one day be like Radnor Park in Nashville. *(Comment by: Crouch, Lawrence M.)*
- This property's development into condos would remove a wonderful and lovely vista from Fort Loudoun lake forever. *(Comment by: Carvin, Russ, Cindy, Lara and Scott)*
- Knox County and East Tennessee can ill afford the loss of these Scenic Reservations as they represent what we believe to be an integral part of our quality of life here in the Tennessee Valley. *(Comment by: Bogaty, Lisa)*
- On page 22 of your "Draft Environmental Assessment" you note that "TVA considered these three tracts to be among the most scenic sections of reservoir shoreline. The Bluffs were referred as the principal scenic features of the reservoir." In the last fifty years this has not changed and the importance of protecting these bluffs has only increased as population pressures in this region increase. *(Comment by: Rule, Patra & Ken)*
- Public lands left in an "undeveloped," natural state should be considered desirable insofar as this is the primary reason much of this land was protected over fifty years ago, for its scenic value. *(Comment by: Rule, Patra & Ken)*
- TVA acquired the Keller Bluff and Wright Bluff in the 1940s for scenic preservation and they are worth preserving for generations to come. Development will mar these unspoiled bluffs forever. Please take the long term view and not allow Knox Co to cash in on valuable property at the expense of preserving the scenic beauty of our reservoir. *(Comment by: Peck, Karen W.)*
- Currently, the beauty of the reservoir is sustained by the large tracts of undeveloped land primarily owned by Knox Co. and TVA. I fear that the modification of these deeds and sale of this property will lead to sell off of more public property and the character of the river will change. *(Comment by: Peck, Karen W.)*
- The Bluff is a beautiful piece of land and should remain pristine. *(Comment by: crgreenberg@comcast.net)*
- The bluff is a thing of beauty and we are loosing more such every day. *(Comment By: O'Donnell, John)*

- Our objection is based on the expected negative impact of granting Knox County's request to the environmental, scenic, and recreational value of Wright and Keller bluffs. *(Comment By: Daw, Stuart)*
- These sites still are important for shoreline habitat protection and scenic value. *(Comment By: Johnson, Ewing M. (MPC))*
- As a boater who enjoys the tranquility offered by the pristine bluffs it would be a shame to put housing on them. Thank you for noting my concern. *(Comment By: Vester, Blanche and Tom)*
- The scenic appreciation aspect of the Wright and Keller Bluffs is incompletely addressed in the RDM. The bluffs may be nice to look at from a distance, as described in Alternatives B and C, but they are equally as nice to explore on the ground. The view from the top of the cliffs at Keller Bluff, in particular, is one of the most impressive in Knox County. That people visit the Keller Bluff despite the difficult access problems only attests to the spectacular nature of the spot. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*

Response: TVA has added additional evaluations to recognize the scenic attributes and values of the view from Keller Bluff and Wright Bluff. Additionally, Tract 79 lies on the north side of the small embayment. The angle of view from Carl Cowan Park is such that only the tract tip at the embayment mouth is visible. The neighbor's satellite dish sits on the tip and their boathouse blocks much of that view. There's no view of the tract from Farragut since the viewing angle is sharper. Because Tract 80 has been removed from further consideration, there would be no potential for visual impacts from Admiral Farragut or Carl Cowan Park.

Site Pollution/Runoff

- I'm concerned about the environmental impact, eco, the runoff, etc. from developing these lands, even if it's just for residential, is going to be a negative effect. *(Comment by: McGinn, WILSON)*
- In regards to the building of -- the use of this present proposal, the site pollution needs to be considered, too, even though they talk about offsetting any development from what bluffs there are involved. *(Comment by: Layne, Ann Marie Irwin)*

Response: Property development would be subject to the use of erosion and sedimentation controls as a condition of the deed modification. In addition, development would be subject to state and federal regulations.

Fair market value

- Knox County will not get fair market value for this transaction. Currently, lake home property is selling for \$125,000 acres in the area. *(Comment by: Bogarty, Lisa)*
- Along the same line, Know County will not get fair market value for this transaction. Currently, lakefront property in that area is selling for at a minimum of \$125,000 an acre. Those 48 acres will not be sold to whomever buys them, particularly if sold in a private sale to homeowners located around that, for that kind of money. *(Comment by: Bogarty, Lisa)*

- The sale price mentioned by Knox County officials over the last year range from \$220,000 to \$400,000. The proposed selling price is based on false premises, excludes the general public from the “selling process”, and grossly underestimates fair market value of unique ridge-top, shoreline property. *(Comment by: Rule, Patra & Ken)*
- We are trying to develop a few acres of our land which lies off Lake Front Drive. To provide easier access to the property I sought permission from TVA to place a 20-ft driveway across TVA Tract XTFL-82 which lies between Lake Front Drive and our property. At that point the TVA parcel is only about 50-ft wide. I was told by Jenna Duffy on September 4, 2002, that TVA would not approve such a request. (Ms. Duffy is the TVA Project Manager for all Fort Loudoun Lake Property.) She told me that the land was for private recreational uses only, and that my claim that the route would cost much less than other routes was not sufficient justification. How is it that a private citizen can't put a simple driveway across a piece of useless TVA land while entrepreneurs can get priceless property at a bargain price? *(Comment by: Honeycutt, Gaye and Kenneth)*
- The deed of transfer specifies that Knox County must use the property for public recreational purposes. If Knox County is proposing to sell these tracts to offset acquisition costs of the Seven Islands Nature Preserve, why are they selling them below market value? Doug Bataille has publicly quoted that the county expects to sell Keller Bluff for “at least \$220,000”. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- In August of 1999, a 2+ -acre lot on the lake, approximately .4 miles from Keller Bluff sold for \$355,000. Keller Bluff is 21.3 acres. Keller Bluff is far more valuable than what the County is willing to sell it for. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*

Response: When an action alternative is implemented, TVA expects the County would sell the property at fair market value.

Method of Sale/ Sell at Auction/ Open Public Sale

- If by some chance that the properties are sold like the episode at Tellico Village - the following should transpire - 1.) appraise the property @ market value. 2.) have an advertised (nationally) auction - (minimum bids at appraised value) 3.) Return all funds or money less original costs and sale cost to original property owners or their heirs. (Nippers and Joiners) I think the public is fed up on government entities condemning property and reselling it. *(Comment by: Duncan, Frank)*
- The very fact that this is even being considered being sold without a public auction is unthinkable. *(Comment by: Pickens, M.)*
- XTFL-79: If this property [XTFL-79] is sold, it should be sold at a public auction. The profit (difference between what TVA paid to the owners from when TVA took the property and the auction price) should be submitted to the original owner. *(Comment by: Schriver, William R.)*
- If this property [XTFL-86] is sold, it should be sold at a public auction. The profit (difference between what TVA paid to the owners from when TVA took the property and the auction price) should be submitted to the original owner. *(Comment by: Schriver, William R.)*

- It's bad enough that you would consider selling this property to anyone under any circumstances, but the idea that these two developer/neighbors would be able to buy this TVA property at less than market value is truly abhorrent. I could at least understand an open market auction to the highest bidder, but this proposal is really nothing more than robbery. *(Comment by: Dietrich, Pat)*
- If, as I suspect, the purpose is a political payola then I resent my public beautiful land being given away for a pittance. This is a raping of public domain and an abuse of working taxpayers. This deal amounts to one public agency (TVA) politically dealing with another government agency (Knox County) to cheat the tax payer out of real appraised value of land and/or cheating them out of the use of this land. *(Comment by: MMumf50789@aol.com)*
- Another misrepresentation is that I and the other adjacent property owners are being given some sort of under-the-table, sweetheart deal. Again, this is a distortion of the truth. I would have no objection what-so-ever to the sale of this land at public auction. This would give everyone a fair chance to buy it at whatever the market would command. Most likely, I would be able to purchase the property for even less than whatever Knox County ultimately asks for it because the limited access and severe restrictions make the land much less valuable. Certainly, Knox County wants to maximize the amount of money it can get for the property. In any event, this issue is not really the TVA's concern since it is Knox County who will be selling the property. *(Comment by: Maguire Jr., James K.)*
- The manner of sale of this property is disturbing. This property becomes worth millions to those with physical access to it, how can Knox Co put a price on this land? *(Comment by: Peck, Karen W.)*
- Other individuals or organizations might still want to purchase this property - even if it is landlocked. *(Comment by: Peck, Karen W.)*
- We are also curious about the procedure for selling public land. It would seem that if this public land is available, it would be offered to the highest bidder not just to the adjacent property owners. *(Comment by: McBride, Tom & Ruby)*
- Why is this not an open, public sale? There are interested parties that would purchase Keller Bluff without deed modifications, but Knox County isn't interested in negotiating with these parties. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*

Response: Comment noted. When an action alternative is implemented, Knox County's commission would approve how the property would be disposed of in accordance with Knox County policy.

Eminent domain

- To me it's simple - land taken by "eminent domain" laws MUST stay as land "for the public good" TVA breaks this law by "changing" the deed to do anything else with this land and lawsuits should follow any attempt to skirt the law. *(Comment by: Savery, Bob)*
- Much of TVA land was taken through the power of eminent domain, one of the most serious actions can use on its citizens. To them sell condemned land would be a breach of public trust. *(Comment by: Minser, William G.)*
- properties were obtained or condemned for a very low sum. *(Comment by: Duncan, Frank)*

- TVA took these properties from owners under the right of eminent domain: to provide flood control. This was valid. The benefits of the many outweighed the property rights of the few. Land that was not needed was either maintained by TVA for water control/navigation or deeded to the county as public recreation land. Again - a benefit to the many. Removing this deed restriction abrogates the original argument for eminent domain and reverses the impact. Now, the desires of the few are overriding the benefits of the many - for scenic riverways, animal habitat and recreation. *(Comment by: Bogarty, Lisa)*
- I represent a homeowners association of 500 families around the proposed sale of land. Personally, I have three major concerns. First and foremost is the philosophical concern. TVA took these properties from the owners in 1952 under the right of eminent domain. The purpose was to provide flood control. This is valid. The benefits of the many should outweigh the property rights of the few in situations like this. Land that was not needed for flood control was either maintained by TVA for water control and navigation or it was deeded to the county as public recreational land. A public good. Again, the benefit to the many. Removing this deed restriction abrogates the original argument for eminent domain and reverses the impact. Now the desires of a few are overriding the benefits of the many for scenic river ways, animal habitat, and recreation. I personally observe people fishing, picnicking, and hiking on these properties, which was the original intent. *(Comment by: Bogaty, Lisa)*
- It is unjust for Knox County to take people's homes away from them to use for the good of the public, then sell to potential buyers for residential use. Residential use is not for the good of all the public. If sold for residential use the tracts original owners should never have been forced to move. *(Comment By: Smith, Kristen)*

Response: Comments noted.

Alternatives – Actions; Uses for Property

- Tract XTFL-79 (at cove-point only) Perhaps sell this piece to use the money to purchase right of way access to XTFL-80 - Keller Bend Bluffs off of Keller Bend. *(Comment by: Garvey III, Charles J.)*
- In order to still gain money, the possibility of selling the land to a conservationist group should be thoroughly explored. *(Comment by: Webb, Michael)*
- I believe TVA should advertise the easement to the public and mark the easement route to encourage use. TVA should encourage Knox County to do the right thing, to honor the deed and the spirit of the deed. *(Comment by: Cressler, Thomas)*
- If Knox County refuses to use the land for public use then I suggest TVA should reclaim the land for lack of use or potential misuse and develop the nature area for the public as TVA has done in many other locations. Failing this I believe the land should be conveyed to the original land owners or their heirs and not to developers. *(Comment by: Cressler, Thomas)*
- If you go to the property and walk the area I'm sure you will agree this is a beautiful area and one that should be preserved and improved for public use. The only reason the public does not use the property now is because most do not know about the property. It is incumbent on Knox County and TVA to make the public aware of this jewel in our immediate area. *(Comment by: Cressler, Thomas)*

- Why can't TVA do something useful for the entire community like dedicating it for a community park or some similar act? *(Comment by: Harrell, Jean)*
- We are confident that there is strong support in this community and beyond for Keller Bluff to be a designated natural hiking area that could be established and maintained by volunteers in the community. We would propose to head up this effort and sign up the volunteers willing to accept the stewardship of this area. *(Comment by: Rule, Patra & Ken)*
- I implore you to consider other options, like donating the land to the Foothills Land Conservancy, so that these unique properties can be saved for the public to enjoy. *(Comment By: Fields, Richard)*
- Additional Considerations: There may be opportunities for property owners who live near by these three sites to work with a local conservation organization, such as the Knox Land and Water Trust, to purchase these properties and maintain them as open space. Because Tracts XTFL-80 and 86 have values associated with wildlife observation and scenic views from the bluffs, public easements for trail access should be considered in any transfer process. Tract XTFL-80 has a connection by means of an undeveloped right-of-way that could be improved. *(Comment By: Johnson, Ewing M. (MPC))*

Response: Comments noted. Subsequent to receipt of these public comments, Knox County has withdrawn the Keller Bluff tract from further consideration. Under the new alternative, Alternative D, a buffer would be retained in public ownership along the shoreline of Tract XTFL-86 (Wright Bluff) which would allow public access and continued informal recreational use. Knox County is working with the Keller Bend Homeowners Association to develop alternative uses for the Keller Bluff tract. Proposed plans include establishing a parking area on private property across Keller Bend Road, establishing a striped crosswalk, and adding new road signage in both directions to notify vehicles of the parking area and crosswalk. There are already volunteers that are informally patrolling the area, removing trash, and of course hiking and birdwatching. Because this use is consistent with the transfer agreement, TVA would have no involvement except for technical assistance as requested by Knox County or the community.

Local Zoning issues

- ...any land use greater than two units per acre exceeds the present "accepted and understood" density of not more than two residential units per acre in an "agricultural zone;" thereby abrogating the "rural area" designation in the twenty-year Growth Plan. I understand at present MPC accepts that lands with a "rural area" designation shall be used in keeping with the present land uses permitted in an agricultural zone. *(Comment by: Alexander, Claude)*
- My opinion is that should Knox County Commission permits medium density residential use of these lands in issue, the Commission will establish a precedent, opening the flood gates to comparable development in all rural areas. *(Comment by: Alexander, Claude)*
- The quality of life would be greatly reduced for residents of the area. The twenty-year Growth Plan put restrictions on such zoning for this very reason. *(Comment by: Alexander, Claude)*

- Under the Alternatives B & C, no housing density restrictions were placed on tracts 80 & 86. I appreciate the high and color restrictions on structures but believe that the number of houses per acre should be addressed. *(Comment by: Peck, Karen W.)*
- These tracts have been designated in MPC's Southwest County Sector Plan (1977) and in the Knox County Parks Plan (1998) as being appropriate for recreation and open space. *(Comment By: Johnson, Ewing M. (MPC))*
- Tract XTFL-79. As stated in the Draft Environmental Assessment, only one single-family residence would be permitted on this property. A building envelope should be identified for the potential location of a structure, and the remaining portion of the property set aside for protection, as outlined under Alternative B (page 12). Easements should be established to protect the site's woodland and shoreline areas. *(Comment By: Johnson, Ewing M. (MPC))*
- Tract XTFL-80: This tract is the location of Keller Bluff, the tallest bluff on the reservoir. Alternative B would protect the shoreline and bluff areas and a knoll, leaving a relatively level area for development. *(Comment By: Johnson, Ewing M. (MPC))*
- In view of the Knox County portion of the Growth Policy Plan, which identifies this area as rural, and the Southwest County Sector Plan, which identifies the surrounding area for rural and low density of no more than one dwelling unit per acre. Based on an estimated size of 6.3 acres for the developable portion of the site, total development should be limited to six (6) dwellings to be consistent with the surrounding rural residential character. *(Comment By: Johnson, Ewing M. (MPC))*
- Tract XTFL-86: The wooded shoreline and what is known as Wright Bluff are the primary assets to protect. Alternative B would accomplish this objective and still leave a portion of the site for development, which includes land adjacent to the cove. *(Comment By: Johnson, Ewing M. (MPC))*
- Again, future residential development should be limited to no more than one dwelling unit per acre because of the site's location in a rural area (Growth Policy Plan), and the area's future land use as being predominantly rural residential (Southwest County Sector Plan). Based on an estimate that there are 6.9 acres on the developable portion of the site, total development should be limited to seven (7) dwellings to be consistent with the surrounding rural residential character. *(Comment By: Johnson, Ewing M. (MPC))*
- Tract XTFL-79: strongly oppose more than one residence. *(Comment By: Lovett, David and Ellen)*

Response: If an action alternative is implemented, TVA anticipates that any development would be consistent with local zoning regulations.

Infrastructure - County Roads

- Secondly if these tracts of land are sold for residential development there would be a considerable increase in traffic on Keller Bend Road. Keller Bend is a very narrow, curvy road and the last thing we need is an increase in traffic (let alone the large construction equipment). *(Comment by: McBride, Tom & Ruby)*
- The only way that any such development should be allowed at this site is if Keller Bend Road first receives substantial improvement. This road is very dangerous with the amount of traffic it currently carries, and the traffic added by a subdivision of the

size envisioned at Keller Bluff would present serious problems. (*Comment by: crgreenberg@comcast.net*)

- Keller Bend Road would not be able to handle the increased traffic. (*Comment by: Alexander, Claude*)
- TVA needs to consider Keller Bend Road and the number of people this would put on this road which is not able to handle extra traffic. (*Comment By: Stoutt, Sandra K.*)
- the effect on the surrounding infrastructure will be negative. (*Comment By: O'donnell, John*)
- As a resident of Mariners Pointe, I believe it would be a serious mistake to construct multi-family housing along Keller Bend Road. We already meet too many cars across the center line of the heavily curved road. Putting more residents and cars on this peninsula would increase the traffic and, thus, the possibility of wrecks. (*Comment By: Bebb, Russell*)
- Keller Bend Rd. is not large enough to handle traffic from a condominium complex (*Comment By: Mmcodonnell@aol.com*)
- As residents of Mariners Pointe on Keller Bend Road we oppose the removal of deed restrictions. We feel this action would negatively impact the area environmentally and pose traffic hazards on Keller Bend Road. (*Comment By: Parson, Paula and Ron*)

Response: The new alternative, which removes Tract XTFL-80 from further consideration, would eliminate these potential impacts or concerns associated with the proposal regarding traffic on Keller Bend Road. Only one house would potentially be constructed on Tract XTFL-79.

Level of Environmental Review

- If TVA insists on continuing with this misguided effort to further degrade the natural environment and quality of life for humans, plants and animals by allowing development of this property, it should at the very least require a comprehensive environmental impact statement to identify and catalogue the scope of destruction. There may be endangered species on the property that should be identified before development begins: The agency should not precipitate another snail darter fiasco. (*Comment By: Fields, Richard*)

Response: As a result of new information received from the public, additional surveys were conducted for terrestrial ecology [natural environment] to include threatened and endangered species. TVA and Knox County have developed a new alternative which avoids impacts to threatened and endangered resources and minimizes the impacts to all resources. TVA expects impacts of this revised proposal to be insignificant. Accordingly, an Environmental Impact Statement is not required.

Keller Bluff

- We are writing to you on behalf of the members of the Keller Bend Homeowners' Association. Our association made a Tennessee Public Records Act request to

Knox County, and we found no document in the Knox County records indicating that the County had made any benefit study which determined that this deed modification would have substantial benefits for the public. The Draft Environmental Assessment includes a statement that "Knox County has evaluated the public impacts and benefits of this proposed action and determined that it would have substantial benefits for the public". We therefore request that TVA make further inquiry as to whether any formal study occurred. If so, we request that you please provide us a copy of that study. If not, then we request that any reference to such study be deleted from the final Environmental Assessment. (*Comment By: Kellerbend Homeowners Assoc - Board of Directors*)

Response: The statement was taken from comments provided to TVA by Knox County officials and was not meant to suggest that a formal study was done. The statement has been removed from the final EA.

Parcel 80 – Keller Bluff

- Tract XTFL-80: Alternative A No Action - This is a very scenic bluff - highest on the reservoir and the tract should be left undisturbed, unless TVA wants to develop a narrow access road and hiking paths. Also in plain view of all lake properties in the area - development would be an eye sore for all lake users, dwellers, and park users. Also the turkey nesting sites should be protected - turkeys are having to move into existing residential areas due to lack of habitat and incontinuity of habitats. (*Comment by: Kincaid, Susan*)
- XTFL-79: There is an substantial probability that many caves in the Keller Bend area are occupied by federally listed as endangered grey and/or Indiana Bats. The surrounding forested habitat may be important foraging areas. I do not believe that the areas have been thoroughly or adequately surveyed for these bats. This comment also applies to Tract 80. I don't know tract 86. (*Comment by: McCracken, Gary F.*)
- Tract XFTL-80 - Bluffs - Keller Bend -Please save this tract for future generations. The views from the bluffs are unbelievable. At least 200 degrees or more. In the past, many people have practiced climbing and rappelling from these cliffs. There is a trail from the southeast side leading up to the tallest part of the bluffs that has a good size dry cave part way up. The best access to this trail would be across the portion marked Max Sherrill from Keller Bend. Another access trail is from the north from the end of the small cove but parking would be harder due to steep terrain. I just hate to see private developers lock up such a beautiful view from everyone else. (*Comment by: Garvey III, Charles J.*)
- XTFL-80: There are several caves and a splendid bluff at this location. The bluff allows a good training spot for single ropes techniques as well as recreational rappelling activities. I enjoy using them and taking my friends there. The loss of access to these features by transfer of the property out of public property and to private landowners is not equitably replaced by activities at the Seven Island Park (where no caves and rappelling spots are to be found) (*Comment by: Kerr, Chris*)
- XTFL-80: Prefer to leave undisturbed - (*Comment by: Albiston, Robert*)
- XTFL-80: In no way should any development take place that can even be seen when viewing the Keller Bluff. That would detract from the natural beauty of that prominent

feature. I feel that even Alternative B should be more restrictive on this lot. *(Comment by: Parish, Mike)*

- XTFL-80: You should be ashamed for wanting to sell this - it will definitely affect the water with so many houses-what about all the wildlife? *(Comment by: Alley, June)*
- BUT it [XTFL-80] should be retained by Knox County for its intrinsic beauty for public enjoyment. *(Comment by: Schriver, William R.)*
- This tract [XTFL-80]has public access via the easement to Keller Bend Road... It was duplicitous and disingenuous to try to push this tract as landlocked property to be sold to adjoining property owners for development. *(Comment by: Schriver, William R.)*
- It should be opened as a day-use-only Nature Park. *(Comment by: Schriver, William R.)*
- Keller Bluff is a treasure, viewed either from the Lake or from its prominence; it truly has an ethereal beauty. It would be a true tragedy to see this beauty replaced with condos. *(Comment by: Schriver, William R.)*
- I am writing this letter to express my strong opposition to the proposed sell of Keller Bluff by Knox County. *(Comment by: Dabestani, Ph.D., Reza)*
- No matter the price, our view is that Keller Bluff is NOT FOR SALE because it is the public's land. No more land is being made and certainly not "public" land. *(Comment by: Dabestani, Ph.D., Reza)*
- I want to register my complete disagreement with the idea of selling Keller Bluff to my neighbors for them to develop at a profit. *(Comment by: Dietrich, Pat)*
- Knox County is asking TVA to allow them to sell to developers the 24 acre preserve known as Keller Bluff. Keller Bluff was taken from its owners when Lake Loudoun was impounded and then given to Knox County in 1952 with strong deed restrictions that it be forever retained by Knox County for public use and recreation and specifically denying any other use. Knox County is asking TVA to remove all restrictions from its conveyance, so that Knox County may sell it to the developers of two adjoining tracts to expand their condo project. This is outrageous. Don't do it!. *(Comment by: Layman, Earl R.)*
- I am sending this to e-mail to convey my OPPOSITION to changing the deed restrictions on Keller Bluff. *(Comment by: Crouch, Lawrence M.)*
- Our entire family are very much opposed to the lifting of deed restrictions which promised that Keller Bluff would be forever retained for public use and recreation and specifically denied any other use! *(Comment by: Tyrrell, Bill and Ruth)*
- Just catching a glimpse of a deer or fox bounding through the trees, even sometimes hearing the call of a wild turkey, was our reward. Now just to think of covering that beautiful Bluff with condos, depriving young people the opportunity of hiking up the trail, as our family did, seems so short sighted. *(Comment by: Tyrrell, Bill and Ruth)*
- I would like to add my voice to the many who are opposing the sale of Keller Bluff to Developers... To sell out to developers in an already over developed area is just wrong. *(Comment by: Harrell, Jean)*
- Where will our children grow up - on Kingston Pike or in a beautiful city blessed with beautiful natural resources? How many more tears must be shed and how much relocation and new businesses must we lose before we finally get the picture? I am very strongly opposed to the sale of Keller Bluff and think it should remain natural. *(Comment by: Tyrrell, Sarah E. "Sallie")*

- This letter is to express my opposition to the Knox County proposal to allow for the development of the Keller Bluff property. *(Comment by: Tyrrell, Tim)*
- This property is unique and should be preserved for the enjoyment of the general population and not allowed to be spoiled by development of yet another residential development. *(Comment by: Tyrrell, Tim)*
- The public would be deprived of access to and use of a fantastic parcel of land, which is the second highest bluff on the Tennessee River reservoir. The views from the bluff and from the water are outstanding and this bluff has always been a landmark in the Bluegrass-Concord communities. *(Comment by: Rule, Patra & Ken)*
- Wildflowers are in abundance on this bluff tract and many birds and other wildlife frequent this area, also. *(Comment by: Rule, Patra & Ken)*
- Keller Bluff park is similar to the House Mountain hiking area – steeply graded trails that afford expansive views through woodland ridges. Fantastic views are afforded from the bluffs and of the bluffs from the water; scenic protection can be maintained while providing public access to the park by land and from the water along the shoreline. *(Comment by: Rule, Patra & Ken)*
- Please add our names to the concerned Knox County residents who are appalled that Knox County is asking TVA to allow it to remove restrictions from Keller Bluff, a 24 acre plot off Keller Bend Road. *(Comment by: Honeycutt, Gaye and Kenneth)*
- Please preserve the Keller Bluff park land. Do not modify the deed so that the land can be sold to developers. *(Comment by: Collins, Ron & Barbara)*
- We oppose the sale of the Keller Bluff public property first on principal (Deed restrictions should be upheld). *(Comment by: McBride, Tom & Ruby)*
- Secondly if these tracts of land are sold for residential development there would be a considerable increase in traffic on Keller Bend Road. Keller Bend is a very narrow, curvy road and the last thing we need is an increase in traffic (let alone the large construction equipment). *(Comment by: McBride, Tom & Ruby)*
- The scenic value of the Keller Bluff tract is of immeasurable public value to the people of the United States of America and to the citizens of Knox County and should not be allowed to be sold into private hands. *(Comment by: Parker, Alan)*
- In addition to the view, the natural area next to cliff is very different from any other site in Knox County. The rock formations, and very old cedars, gnarled and bent from the control updrafts at the cliff are very scenic and appear similar to the types of formations seen on the Monterrey Peninsular in California. There is nothing like this anywhere else in Knox County. This is an incredibly valuable resource to maintain within public control and protection. *(Comment by: Parker, Alan)*
- The scenic value of Keller Bluff is fully described in the Draft Environmental Assessment on pp. 22 and 23 thereof, and those comments found there are incorporate into my comments here by reference. The scenic value of Keller Bluff is immense. The impact of the view is on the scale of the Grand Canyon. From the cliff top to the left is the best view in Knox County of Fort Loudon lake 300 feet below and the whole expanse of the Smoky Mountains in the distance. To the right is the best view of west Knox County and the Cumberland Mountains. Straight ahead is the most scenic view there is of Fort Loudon Lake all the way west into Loudon County will incredible views of the water, shore lines, hills and valleys, the boats on the water, incredible sky views and breathtaking sunsets. None of this can be duplicated or replicated on any other site and all of this will be lost to public if this deed modification is allowed. *(Comment by: Parker, Alan)*
- Natural value. Keller Bend is one of the last of the Knox County river bends to be developed and most of it is still owned in large tracts greater than 10 acres each. As

a result, wild life is abundant, deer, fox, raccoon, other small mammals. I have seen river otter at deep cove which is the area where TVA's easement joins to Keller Bend road. Wild Turkey are on this property. Osprey Eagles have nesting habitat on Keller Bend established by TWRA and the Osprey use the heights of Keller Bluff for their hunting. This area is also nesting and roosting sites for Red Tail Hawks and I have often seen these hawks on the road lifting off carrying a squirrel or rabbit up to the Bluff to the nest. There are at least three species of owls on Keller Bluff. The entire Keller Bend area is a critical habitat for the Gray Bat which is on the endangered species list and the extensive cave system on Keller Bend is the home for these bats. Some of this cave system is found on Keller Bluff. The trees on Keller Bluff have almost reached climax forest in their development and offer some of the most beautiful fall color foliage any where in Knox County. None of these trees should be removed or disturbed. Plus, the remoteness of Keller Bluff, due to the Cliff to the west and the steep slopes to the south and north, provide a protected habitat for the deer population and for fawns. The same is true for fox and other animals that have dens on Keller Bluff. *(Comment by: Parker, Alan)*

- This area should be protected as public land as a wild life preserve. It is a valuable resource to have so close to suburban west Knox County and public access and protection of Keller Bluff should be preserved for further educational purposes and for the protection of this importance wildlife area. *(Comment by: Parker, Alan)*
- Keller Bluff is home for many rare wild flowers not commonly found in West Knox County such as Trout Lilies, Trillium, many other spring wild flowers plus blue asters in the fall. The Bluff is also home to a variety of cactus which is not seen elsewhere in Knox County. *(Comment by: Parker, Alan)*
- In a nutshell, this site is of immense scenic value and natural value. It has adequate public access. It should be maintained for public enjoyment, for educational purposes, and to protect the unique natural resources that exist on Keller Bluff. 4. *(Comment by: Parker, Alan)*
- No alternative other than denying this deed modification will protect and preserve the scenic and natural environmental value of Keller Bluff. No buffer zone will adequately work. We see this at the county park at the end of Keller Bend. Condominium owners coopt the park land as part of their yard, cut the natural trees, plant nonnative species, plant formal gardens and completely change the natural quality of the area. The same will happen on Keller Bluff but the scenic, wildlife, and environmental value of Keller Bluff is even higher and should be protected without any buffer but maintained as is in its naturally protected state. *(Comment by: Parker, Alan)*
- It cannot be replaced it cannot be duplicated elsewhere It is unique, historic, scenic and of great environmental value. Its value is much greater than the any price for which Knox County can sell it. *(Comment by: Parker, Alan)*
- Aren't there quite a few caves along Keller Bluff, including Keller Bluff Cave? Some of these are quite large and definitely things of natural beauty. Are these to be protected and still accessible for the enjoyment of the people who currently use that area now? *(Comment by: Lewis, James)*
- The complex would spoil one of the remaining natural bluffs on Fort Loudon Lake Keller Bluffs one of the few natural environments in the area supporting Bald Eagles *(Comment By: Mmcodonnell@aol.com)*
- I am concerned about loosing the access to the bluffs and caves on Keller Bend area. Please let me know what I can do to prevent selling it to developers. *(Comment By: Pratt, Cheryl)*

- I am putting my concerns in writing with regard to the request for Deed Modification affecting 37.8 acres on TVA Tract Numbers XTFL 79, 80, and 86. I am mainly concerned with Tract XTFL 80, Keller Bluff. My family is adamantly opposed to any changes in the deed. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- I hope that TVA will consider the following when making their decision. TVA needs to seriously consider why they chose to protect Tract XTFL-80 “Keller Bluff” for the past 53 years. The assessment sites “to protect the visual character”. TVA considers this tract to be among the “most scenic sections of reservoir shoreline.” The bluffs are referred to as “the principal scenic features” of the Fort Loudon reservoir. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- Keller Bluff is the tallest bluff on the reservoir comprising 21.3 acres. The scenic value of this tract is described as: “excellent, based on distinctive attractiveness, high scenic integrity and public visibility”. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- My family and many families in the area enjoy and use Keller Bluff. *(Comment By: Mitchell, Dr. Phillip, Trish, Brendan, Meaghan & Connor)*
- We are against residential development on the area called Keller Bluff. *(Comment By: Vester, Blanche and Tom)*
- As a resident of Mariner's Pointe with 2 teenage drivers, I am concerned of increased traffic during development and in future. *(Comment By: Vester, Blanche and Tom)*
- Grotto members are familiar with two cave-like karst features at Keller Bend that are not described in the literature (Geology of Knox County, Tennessee, Tenn. Division of Geology, Bulletin 70, 1973, Plate I). One, Salamander Hole, is a cave too short to qualify for the Tennessee Cave Survey. It is a 2 entrance cave near the sinkhole on the northern end of the tract (RDM, Figure 8.). *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*
- The moist conditions and capturing nature of the entrances make this a good habitat for salamanders; the Tenn. Blind Cave Salamander has not been found there. *(Comment By: Kerr, Chris - The Smoky Mountain Grotto, the Knoxville chapter of the National Speleologic Society)*
- We believe that the TVA staff has determined that current recreational use of the Keller Bluff site is much higher and diverse than previously believed. Such recreational activities include: site seeing from the summit of the bluff, viewing the undisturbed bluff from the water by boat, bird watching, wild flower viewing, nature hikes, wildlife viewing, rock climbing, hiking, etc. This scenic site offers unprecedented opportunities for its use as a nature park. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*
- We applaud the vision of the original TVA planners in setting aside the scenic reservoir tracts on Keller Bend for the public's perpetual use and benefit. The loss of the beautiful forest on Keller Bluff would be very destructive to the otherwise natural visual image of Keller Bend and will greatly diminish habitat for the very diverse population of birds, including an usually large number of birds of prey. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*
- As an agency with a mandate to improve the quality of life in the Valley, TVA has only one responsible choice: PRESERVE KELLER BLUFF, LEAVING IT IN ITS NATURAL STATE PROTECTED BY THE CURRENT DEED RESTRICTIONS. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*

- One of our members, Bill Schriver, owns land on Keller Bend Road almost opposite TVA's easement to Keller Bluff, and he will work with TVA and/or Knox County to provide visitor parking space. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*
- In conclusion, we believe Knox County's real purpose and need for the proposed deed modification is solely to allow the County to be in the Land Brokering business and to allow the Knox County Parks & Recreation Department to abandon its stewardship responsibilities to protect the Keller Bluff tract for current and further recreational use by the residents of Knox County. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*
- We strongly urge the TVA staff and the TVA board to deny Knox County's modification request. *(Comment By: Kellerbend Homeowners Assoc - Board of Directors)*

Response: After reviewing the public comments, Knox County has modified its request to remove the Keller Bluff Tract (XTFL-80) from further consideration for the deed modification.

Other

- The only posted notices are not accessible which results in silencing the voices of the public. I happened to be on the lake yesterday and saw a sign that is about 12 x 18 inches at the bottom of the bluff just south of the mouth of the Little River on the Knox County side of the lake between Duncan Boat Dock and the Knoxville Boat Club. I could not get close enough in my boat to get information that was provided, nor was there anything explaining what the sign was for except that there was a phone number and a fax number on the sign. There was not even that much information on the Keller Bluff. I drive Keller Bend Road at least twice most days since I live on that road past the Bluff. I have never seen a sign on Keller Bend Road nor did I see one at the base of the Keller Bluff. *(Comment By: Fields, Richard)*

Response: TVA issued a public notice of the proposed action on September 9, 2002. The request also received extensive local newspaper coverage and extensive public comments were received, as can be shown by a review of this section of the EA. TVA believes that interested and affected public were informed of the proposal.

- In fact TVA is not the owner of the fee to this property. The land is held in fee by the United States of America. A reversionary deed was given to Knox County only to use this land for public recreational purposes, otherwise the land is to revert to the United States of America, the underlying owner of the fee simple absolute. *(Comment by: Parker, Alan)*

Response: As fee owner, Knox County may sell the property without TVA's permission. In that case, the land would be restricted to public recreational purposes.

- Indeed, the request for deed modification is a de facto and de jure violation of the deed restriction and not only should not be allowed but should be just cause for TVA to require the Keller Bluff tract to revert to TVA sole ownership and control. Indeed,

Knox County, by its request, has demonstrated that it can not be a trusted steward of the Keller Bluff tracts or the Wright Bluff tract. Knox County has in fact abdicated its responsibility to protect and preserve this historic and environmentally valuable and scenic site. (*Comment by: Parker, Alan*)

Response: Comment noted.

Deed Modification and the Public Interest

- The purpose of this correspondence is to respond to and to assert strong opposition against the Request by Knox County for a Deed modification to Tract Numbers XTFL-79, XTFL-80 and XTFL 86. As explained below, the undersigned adjacent Blount County property owners whose properties are situated directly across from Keller Bluff are unanimously and strongly opposed to any deed modifications by TVA that would enable Knox County to transfer the Tracts to private buyers for private residential purposes without the restrictions that are currently in place. We are property owners in and members and representatives of Cove Pointe Subdivision and the Cove Pointe Homeowners Association, Inc. Tract Numbers XTFL-79 and XTFL-80, also known as Keller Bluff, are across from our homes. In fact, our property boundary lines are actually adjacent to the Bluff because the property lines of Cove Pointe home owners extend to approximately the middle of the riverbed. We respectfully submit that, as a matter of law, the proposed deed modification exceeds and violates the statutory mandate that permitted TVA to transfer these Tracts to Knox County on or about October 21, 1952. The 1952 deeds to Knox County are replete with “exceptions, reservations, covenants, and conditions” restricting the use of the Tracts in question to “recreational purposes for the benefit and enjoyment of the general public, . . . to be used only for public recreation and for no other purpose or purposes, and the Grantee [Knox County], by its acceptance hereof, covenants to observe and abide by said conditions at all times . . . [and said restrictions to] be forever binding upon the Grantee, its successors and assigns.” TVA transferred these Tracts to Knox County pursuant to the provisions of 16 U.S.C. 831c(k)(a) wherein Congress specifically limited TVA’s authority to transfer property. Therefore, TVA only has the authority to: [C]onvey by deed, lease, or otherwise, any property in the possession of or under the control of the [TVA] to any person or persons, for the purpose of recreation or use as a summer residence, or for the operation on any such premises of pleasure resorts for boating, fishing, bathing, or any similar purpose. . . . 16 U.S.C. 831c(k)(a) and see also Request for Deed Modification Affecting 37.8 Acres on Tennessee Valley Authority Tract Numbers XTFL-79, XTFL-80, and XTFL-86 (Wright and Keller Bluffs), section 2.1, p. 7 (September 2002). TVA acquired the Tracts in question as “scenic reservations to protect the principal scenic features and to provide public landing access from the reservoir where physical capabilities exist”. Id. Knox County proposes to sell the Tracts to private buyers, who intend to use the property exclusively for private residential purposes, and the private residential use that Knox County proposes is entirely inconsistent with the exceptions, reservations, covenants, and conditions contained in the 1952 Deed from TVA to Knox County as well as the provisions of 16 U.S.C. 831c(k)(a). Id. Consequently, it is abundantly clear that Knox County’s request to remove the public use restrictions would exceed and violate its fundamental authority granted by

Congress in 16 U.S.C. 831c(k)(a) that permitted the transfer the property to Knox County in the first place. If Knox County's Request is granted and the deed restrictions that were required by 16 U.S.C. 831c(k)(a) are removed as proposed, TVA would be effectively transferring the property in 2002 under conditions that were not authorized by Congress in 1952 when the property was transferred to Knox County. TVA certainly has the authority to retain the public use restrictions regardless of this Request by Knox County, and even over its objection. In *Gold Point Marina, Inc. v. Tennessee Valley Authority*, 635 F. Supp. 39 (E.D. Tenn. 1986), a private property owner purchased property on Chickamauga Lake in Hamilton County, Tennessee pursuant to 16 U.S.C. 831c(k)(a) and received a special warranty deed conveying the property subject to public use restrictions that are at least similar if not identical to the restrictions in the 1952 Deeds to Knox County. *Id.* at 40, 41. The plaintiff requested that TVA remove the restrictions in the special warranty deed to permit private residential development, and TVA refused to do so because removing the restrictions would “not be in the best interest of the general public” and in order to “ensure that the remaining land would not be irrevocably lost to public recreation”. *Id.* at 41. The District Court in that case pointed out that the [p]laintiff purchased the property with “notice of the existence of the restrictive covenant contained in the deed” and “[p]laintiff knew of the restriction that the covenant imposed but now does not desire to abide by it”. *Id.* at 44. Ultimately, the District Court dismissed the property owner’s legal challenge to TVA’s denial of the property owner’s request to remove the public use restrictions. The same situation exists here where nearly identical deed restrictions contained in the deed to Knox County were known when Knox County acquired the property. The fact that Knox County now desires to remove the public use restrictions is simply not a sufficient basis to justify the removal of the public use restrictions that have now been in place for almost 50 years. Even assuming that TVA has the statutory authority to remove the public use restrictions that are required by 16 U.S.C. 831c(k)(a), the removal of the public use restrictions will certainly not be in the best interest of the general public and would inevitably result in the irrevocable loss of public recreation and public benefit. Knox County is not motivated by concerns for public use in requesting the removal of the public use restrictions. Instead, Knox County proposes to sell the Tracts “in order to generate revenue to offset acquisition costs of 58 acres purchased in November 2001 for the Seven Islands Nature Preserve”. Request for Deed Modification, section 1.1, p.1. We respectfully submit that it is neither the function nor the purpose of TVA to provide convenient funding opportunities to Knox County at the expense of property owners who do not live in Knox County and the public in general. If, as the Environmental Assessment suggests, there would be a net benefit to the public by allowing Knox County to sell the Tracts for private residential purposes so Knox County could fund its acquisition of other properties for public use, then Knox County should simply raise taxes on its own citizens to pay for this net increase in public benefit. Obviously, the reason Knox County is requesting the removal of the public use restrictions is that it is more politically expedient to sell these tracts than to raise taxes. If Knox County proposes to create a riverine setting in the Seven Islands Nature Preserve, TVA should simply require Knox County to fund its obligations from its other resources instead of further limiting the aesthetic, visual, and majestic aspects of Keller Bluff and the surrounding property, which TVA itself characterized as one of the “principal scenic features of this reservoir” in TVA’s Technical Report Number 11, *The Fort Loudon Project*. See Request for Deed Modification, section 3.2, p.22. Furthermore, in the Environmental Assessment, the assumption is made that development under the public use

restrictions as they currently exist would be more adverse than private residential development. The Environmental Assessment provides no specific explanation of the basis for this assumption, and despite inquiry made to TVA and Knox County representatives at the public hearing on this matter, we have not been able to determine a reasonable basis for such a broad assumption. Even if this assumption is true, it is certainly undisputed that there will be a total loss of the preservation of the Tracts purely for public benefit when the property is developed for residential purposes. The alleged offsetting benefits of the Seven Islands Park would not come close to replacing the resulting loss of public use and benefit of the Tracts at issue. The greatest public benefit would be achieved if Knox County simply funded its own obligations and projects, and TVA maintained the current protection of the Tracts that include Keller Bluff and the surrounding property. TVA has the opportunity to preserve one of the last and best “principal scenic features of this reservoir”, and we, as adjoining land owners and members of the general public, request in the strongest possible terms that TVA abide by its Congressionally mandated authority and deny Knox County’s request to remove or alter in any way the public use restrictions contained in the deeds to the Tracts in question. We would be pleased to provide additional information and input with respect to our opposition to Knox County’s request, and would be pleased to meet with representatives of TVA if necessary. Please provide us with all additional information and alternatives, if any TVA is considering, notice of any other public or private meetings, and the ultimate decision of TVA with respect to Knox County’s request. (**Comment by:** Alan Parker)

Response: Comment noted. TVA decided to consider the deed modification request because of the potential for greater public benefit at Seven Islands. In regard to the statement in the EA, that development under the public use restrictions as they currently exist could be more adverse than the proposed private residential development, TVA’s purpose of the statement was to point out that Knox County, as the fee owner, may take actions consistent with the property’s recreation restrictions. As indicated in the EA, there would be some offsetting benefits; but TVA agrees that there would not be complete offsets. With the removal of Keller Bluff from the proposal and with public access to Wright Bluff preserved, TVA believes that any adverse effects would be minimized.

Additional Comments Received On The Revised Scope – February 2003

Support Alternative B (restrictions)

- Should these properties be sold, the alternative that best protects their open space value, including the shoreline, bluff, and woodland areas covering these sites, is Alternative B. (**Comment by:** Ewing Johnson, MPC)

Response: Comment noted. TVA developed Alternative D in response to public comments in order to address public access for the shoreline area and a wider buffer for visual protection than under Alternative B. Under Alternative D, approximately 4.5 acres of upland hardwood, rock bluff and crevice, and riparian habitat would be retained by Knox County and remain publicly accessible.

Tract XTFL- 79

- A building envelope should be identified for the potential location of a structure, and the remaining portion of the property set aside for protection, as outlined under Alternative B (page 12.) Easements should be established to protect the site's woodland and shoreline areas. (**Comment by:** Ewing Johnson, MPC)
- XTFL 79 is rich in wildlife and can be easily seen from Carl Cowan and Admiral Farragut parks. (**Comment by:** Susan Kincaid)
- Tract XTFL-79: My understanding of this tract is there has never been any public use, practical access is not available except by boat and the present location is adjacent to already developed property. If this is correct then I see no reason why the property should not be sold provided monies from such sale are used to replace the property with other property that is more user friendly. (**Comment by:** Tom Cressler)

Response: Comments noted. TVA does not believe it is necessary to designate a building site on Tract XTFL-79, as no unique or valuable resources were identified requiring protection. TVA shoreline property would remain in its natural condition.

Tract XTFL-86

- The wooded shoreline and what is known as Wright Bluff are the primary assets to protect on this site. Alternative B would accomplish this objective and still leave a portion of the site, which includes land adjacent to the cove, available for development. Future residential developed should be limited to no more than one dwelling per acre because of the site's location in the "rural area," as designated in the *Knoxville-Knox County Farragut Growth Policy Plan*, and the area's future land use as being predominantly rural residential, as proposed in the *Southwest Knox County Sector Plan*. Based on an estimate that there are approximately 6.9 acres on the developable portion of this site, total development should be limited to no more than seven (7) dwellings, which would be consistent with the rural residential character of the surrounding area. (**Comment by:** Ewing Johnson, MPC)
- Wright Bluff should not be sold for private residence. Many of the flora and fauna exist here and in few other places (like Keller Bluff). Also, due to its high elevation it is viewed from many directions and is an attractive feature of the landscape. (**Comment by:** Susan Kincaid)

Response: Comments noted. If an action alternative is chosen, TVA would expect any development to be consistent with local zoning regulations. Under Alternative D, the deed for 9.7 acres would be modified to remove the restriction for recreation for public use only. Also, under Alternative D, the wooded shoreline would be retained by Knox County and preserved for public use.

Support Proposal

- We support Knox County's [revised] proposal to sell these two tracts and use the proceeds to offset a portion of the acquisition costs for the Seven Islands Nature Preserve Property. (**Comment by:** Ewing Johnson, MPC)

Response: Comment noted.

Opposed to the Sale of XTFL-79 and 86/ Support Alternative A/Keep it As Is

- I am opposed to the sale of XTFL-79 and 86 (**Comment by:** Susan Kincaid)
- I vigorously support Alternative A (No Action), namely to preserve the current status, use and deeded restrictions of the referenced tracts. Knox County and East Tennessee can ill afford the loss of these Scenic Reservations as they represent what we believe to be an integral part of our quality of life here in the Tennessee Valley. (**Comment by:** Craig Fischer)
- The Board of Riverbend Peninsula Homeowners Association continues to express its profound and vigorous support of **Alternative A (NO ACTION)** as outlined in the Draft Environmental Assessment (**Comment by:** Swanee Sexton, President of Riverbend Peninsula Homeowners Association)
- I am against such easing of restrictions. (**Comment by:** David Driver)
- I hope that you will be interested in helping make sure that Wright Bluff stays in its natural state, both for humans and for wildlife. Keeping the TVA restrictions "as is" would make it difficult for the land to be developed for residential use. Knox County could still sell it to an individual, but someone interested in dividing it into home lots would probably not be interested in buying it with those restrictions on its use. (**Comment by:** Lynn Landry)
- Without knowing the full details of the proposed sell off including what restrictions would be imposed on building densities I am opposed to anymore defacing of our natural resources. (**Comment by:** Lawrence M. Crouch)
- Be the land sold or not TVA has an obligation to retain the same restrictions against development...I urge you not to acquiesce to the Knox County request for deed modification. (**Comment by:** Kenneth A. Cruikshank)
- The properties should NOT be sold for private use. The deed restrictions should NOT be removed. If Knox County does not want these properties for the intended use (public recreation), they should be returned to TVA and protected and used for public recreation. (**Comment by:** Mark M. McCreedy)
- I strongly object to the changing of the deed for Knox County to sell the public land, for residential use. Particularly at the Wright Ferry, Red Hollow area. (**Comment by:** John U. Weishaupt, Jr.)
- I feel strongly that this property should not be sold to adjoining landowners for "residential purposes". If the land was to be held by the landowners and not developed either by them or landowners is the future. I would not be in opposition, but the way this is stated the landowners can build a subdivision. (**Comment by:** Lucinda Albiston)
- Please know that I oppose the transfer of the above lands XTFL-79 and XTFL-80 and XTFL-86 to any private party whatsoever. (**Comment by:** Robert Albiston)
- My husband David and I strongly oppose the change. (**Comment by:** Alice Torbett)
- I support transferring the title from the county to the Sansons but only if the deed restriction preventing any development remains. While I do not question the motives of the Sansons I fear that when they are deceased their heirs or others may wish to develop the property in a manner destructive to the scenic beauty and wildlife. (**Comment By:** Robert R. Scott)
- This is a short but heart-felt plea to you to do everything you can to save Keller Bend from the ravages of developers!! (**Comment By:** Diane Blane)

- The members of the Knoxville Chapter of the Tennessee Ornithological Society unanimously passed a resolution at their April 2, 2003 meeting opposing modification of the deed restrictions... (**Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)

Response: Comments noted. TVA believes that Alternative D balances the competing needs for the resources with insignificant environment impacts. Additionally, Tract XTFL-80 would benefit from enhanced recreational opportunities and natural resources conservation. Under Alternative D, the potential adverse impact to public recreation and the scenic character of Wright Bluff (Tract XTFL-86) would be adequately mitigated by Knox County retaining a publicly-accessible buffer that would extend across the bluff and across the tip of the peninsula.

Visual

- When you look out across the water and see only subdivisions, that is bleak. (**Comment by:** Susan Kincaid)
- Alternative A maintains the ecological and scenic integrity of the Fort Loudoun Reservoir and the Riverbend area... for our children and their children. (**Comment by:** Craig Fischer, Swanee Sextion, President of Riverbend Peninsula Homeowners Association)
- You would be bringing in terrible visual pollution by letting tract #XTFL-79 be developed. All of this could be seen from Farragut Park where so many people go to enjoy nature. (**Comment by:** June Alley)
- I believe the original TVA decision to keep the bluff as an undeveloped scenic area when Fort Loudon Lake was formed was good. (**Comment By:** Robert R. Scott)
- The birds and other wildlife are an important part of the scenic beauty of our rivers. (**Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)

Response: Tract XTFL-79 lies on the north side of the small embayment. The angle of view from Carl Cowen Park is such that only the tract tip at the embayment mouth is visible. The neighbor's satellite dish sits on the tip and their boathouse blocks much of that view. There's no view of the tract from Farragut since the viewing angle is sharper. Because Tract XTFL-80 has been removed from further consideration, there would be no potential for visual impacts from Admiral Farragut or Carl Cowen Park. TVA has determined that the buffer identified in Alternative D is substantially adequate for reducing visual impacts.

Rural Zoning/Natural Character

- I am a resident living near the tract of land referred to as Wright Bluff. I chose this area to live in because of its wilder nature. We need undeveloped public land as much to restore our spirits as other species do for their habitat. (**Comment by:** Jo Huisingh)
- Alternative A preserves the intent of the approved and agreed Rural Area designation of the Growth Plan for the Riverbend and Ft. Loudoun area (**Comment by:** Craig

Fischer, Swanee Sextion, President of Riverbend Peninsula Homeowners Association)

- I personally looked two years for a home that was located in an area close to Knoxville yet had the pleasures of nature to include abundant wildlife. I settled on Wright Ferry Road for this reason primarily. (**Comment by:** David Driver)
- Those 13 acres on Wright Bluff provide a home to many birds and animals and provide us in the neighborhood with an enhanced quality of life. (**Comment by:** Lynn Landry)
- As property owners in a developed community we count on covenants and restrictions to maintain the type of community that we bought or built into. The restrictions on the property at XTFL-86 had and have a major influence on the value of community in the Nob Hill and Wright Ferry Landing Subdivisions. As citizens of Knox County and the Tennessee River Valley we have every right to expect that the Knox County Government and the Administration of the Tennessee Valley Authority will not renege on their responsibilities as stewards of the Tennessee River Valley by changing the long standing restrictions of the property in questions. (**Comment by:** Kenneth A. Cruikshank)
- Undeveloped green space is such a valuable resource -- it makes Knox County a much more desirable place to live, as well as a more responsible entity in the world environment. (**Comment by:** Alice Torbett)

Response: Comments noted. TVA developed Alternative D for the FEA to address the potential adverse impact to public recreation and the scenic character of Wright Bluff (Tract XTFL-86). Under Alternative D, the scenic character and public recreational opportunities would be adequately mitigated by Knox County retaining a publicly accessible buffer that would extend across the bluff and across the tip of the peninsula.

Remain As Public Property/Loss of Public Property

- Though I realize the value of waterfront property, I do believe that value should remain available to as many people as possible. (**Comment by:** Jo Huisingh)
- My position in this regard has not changed. These tracts were acquired from the private sector under condemnation for the expressed purpose of maintaining the property for public recreation into perpetuity. Any attempt to transfer these properties into the private sector is without an ethical basis. (**Comment by:** Craig Fischer Swanee Sextion, President of Riverbend Peninsula Homeowners Association)
- Alternative A prevents the proposed and profound loss of public land and its use fronting the Fort Loudoun Reservoir (**Comment by:** Craig Fischer, Swanee Sextion, President of Riverbend Peninsula Homeowners Association)
- Basically, what you are proposing is to take this land from the general public and sell to a few rich people so that they may have homes on the lake, while people like me and my family has more and more difficulty finding lake access or land for recreational activities. (**Comment by:** James H. Hargis, Sr.)
- You are taking away from the citizens of Knox County for money. (**Comment by:** June Alley)

- TVA took property from landowners for public use and it seems to me all such property should be used for the public, even when the property has been deeded to another government body. **(Comment by:** Tom Cressler)
- These properties were purchased by TVA as public land for the use and enjoyment of the public. These properties were transferred to Knox County with the restriction that they be used for public recreation. **(Comment by:** Mark M. McCreedy)
- Let be used for what it was intended for. {"They were originally designated as protection areas for principal scenic features of this reservoir and public access"} **(Comment by:** John U. Weishaupt, Jr.)
- The loss of the regions' natural landscape and heritage to development must be slowed. TVA can serve an important role by keeping these few properties in trust for all citizens. **(Comment by:** Robert Albiston)
- Plus, that land should belong to all citizens, not just a privileged few. Surely public money was used in acquiring it. **(Comment by:** Alice Torbett)
- More than ever now, it's critically important to preserve unspoiled "pockets" and areas of land for public use and enjoyment. **(Comment By:** Diane Blane)
- Such areas are greatly valued by people in the surrounding communities and by boaters. Few natural areas with public access remain in West Knox County. **(Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)
- We ask TVA to protect the environment for Tennessee's wildlife by preventing the sale by Knox County of these irreplaceable public natural areas. **(Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)
- [To Congressman John J. Duncan, Jr.] ..to alert you that the citizens of Knox County would probably find this to be a very unacceptable situation. We obviously would like to retain as much green space and park land as possible along the river. **(Comment By:** Paul S. Ambrose, M.D.)

Response: Comments noted. Knox County has identified the need for additional park acreage in the Eastern sector of the County. As previously indicated in the environmental review, Knox County has withdrawn the 21.3-acre Keller Bluff site (XTFL-80) from consideration and this tract will remain available for public use. Under Alternative D, the deed modification would only affect 12 acres (9.7 acres on Tract XTFL-86). Additionally, Knox County will maintain ownership of a shoreline buffer (approximately 4.5 acres) on Tract XTFL-86 (Wright Bluff) to preserve public access to Wright Bluff. TVA believes that benefit would be derived from the entire use of the Seven Islands Nature Preserve since it would be dedicated for public conservation, education, and recreation purposes. Although the proceeds from the sale of Tracts XTFL-79 and -86 would offset the purchase of just the 58-acre tract, this 58-acre tract is indispensable to the creation of the preserve.

Disagree with Knox County's Purpose and Need

- ..The Bluff is landlocked by Bill Sansom's property but can be accessed by the public via water for recreational use under the current restrictions. This means there is not too much of a threat of it becoming a "nuisance park," which Mr. Battelle suggested (threatened) that it might if it remains a Knox County "park" and is not sold. **(Comment by:** Lynn Landry)

- I find the notion of a "Nuisance park" to be very arrogant: A nuisance to whom? The same animals that roam that park come into my back yard. The joy of watching them is a blessing to me. Further encroachment on their habitat might force them to become a nuisance in the neighborhood before they disappeared altogether. **(Comment by:** Jo Huisingh)
- I therefore urge TVA most strongly not to let Knox County sell this land for development just because they want to generate money for a "Nature Preserve," which will have very limited public use. **(Comment by:** James H. Hargis, Sr.)
- In addition, due to the limited access (by water only) the value of easing restrictions doesn't make sense and basically is not logical...Sure the current landowner will be teased with money to sell off portions to allow access, but he has no intention of this. **(Comment by:** David Driver)
- Knox County's decision to enter into a land acquisition in another part of the county without adequate resources to pay for it in no way justifies their request or TVA's complicity in a change to the restrictions to XTFL-79 and 86. **(Comment by:** Kenneth A. Cruikshank)

Response: TVA agrees that none of these parks are nuisances. However, they may present property administration problems for the county because of their restricted access from land. Knox County's proposal would result in additional public recreational land with access by public road and by water at Seven Islands. The entire Seven Islands nature preserve provides a variety of recreational opportunities for the public. A 4.5-acre buffer of public land will be retained by Knox County on Wright Bluff to protect visual quality, and provide public access along the reservoir shoreline and to the bluff.

Recreation

- I walk in our neighborhood and other parks regularly and if hiking trails were to be developed on Wright bluff, I would walk there instead of driving to other parks much further away. I believe Knoxville would be a more attractive city if it had more, smaller neighborhood parks. The decision you make now will have an effect on the overall health of the city that Knoxville will become. **(Comment by:** Jo Huisingh)
- This is prime waterfront land that can presently be used by the general public for lakefront access, boating, camping, fishing, hunting, and other recreational activities. **(Comment by:** James H. Hargis, Sr.)
- I frequently canoe to the bluff from the cove at the end of Red Hollow. **(Comment By:** Robert R. Scott)
- Surveys show that wildlife watching and fishing are the two most popular recreational activities. **(Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)
- From the water, boaters are treated to beautiful scenery at places like Keller Bluff and enjoy observations of East Tennessee's wildlife, including the many wading birds like the Great Blue Herons that nest in their colony on the Knox County tract at the entrance to Craig Cove. **(Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)

Response: Comments noted. In response to the public comments, TVA developed Alternative D which would protect approximately 4.5 acres of along the rock bluff and

the entire shoreline. Knox County would retain this shoreline to not only protect the resources but to preserve public access (by boat).

Wildlife

- With the abundant wildlife to include foxes, owls, hawks, deer, etc. in the immediate area, it is a natural sanctuary for these creatures in a sprawling city/county. Keeping the restrictions would assist Knoxville area to keep its wildlife instead of in zoo's or in county/city parks surrounded by development. (**Comment by:** David Driver)
- Those 13 acres on Wright Bluff provide a home to many birds and animals and provide us in the neighborhood with an enhanced quality of life. When I walk the cove road in the mornings and evenings, I've seen owls, foxes, deer, hawks, snakes, turtles, herons, etc. Not many people as close to town as we are have that pleasure. (**Comment by:** Lynn Landry)
- In its' present condition it is also an important wildlife area. We have turkeys in our neighborhood occasionally and last year I had red crossbills visiting a pond in my yard. I am certain they were attracted to Knox County by the undeveloped condition of the Wright Bluff area and the contiguous property owned by the Sansons. (I observed the crossbills flying from my house in the direction of Wright Bluff.) (**Comment By:** Robert R. Scott)
- Our shrinking wildlife populations need as much habitat as possible, too. (**Comment By:** Diane Blane)
- The opportunity to enjoy the herons, Osprey, Bald Eagles, ducks and many more species of birds will not exist for future generations if we do not provide undeveloped natural areas for wildlife. (**Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)
- The loss of habitat is the greatest threat to birds and the actions of TVA will play a very important part in the preservation of birds and our natural heritage along the Tennessee River. (**Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)
- ...like the Great Blue Herons that nest in their colony on the Knox County tract at the entrance to Craig Cove. (**Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)
- These small natural areas of undeveloped land in the midst of rapidly developing West Knox County provide invaluable and irreplaceable refuges for birds and other wildlife. (**Comment by:** David Trently, Knoxville Chapter of the Tennessee Ornithological Society)

Response: Comments noted. TVA agrees that undeveloped habitat is important to wildlife resources on Fort Loudoun Reservoir and describes these resources in Section 3.3.2 of the FEA. Alternative D, the selected alternative, would protect approximately 4.5 acres of upland hardwood, rock bluff and crevice, and riparian habitat, along with a "travel lane" up to the 822-foot contour, important to a variety of wildlife species in this area of Fort Loudoun Reservoir.

TVA policy

- What is TVA's policy on sale of property taken for public use? Does the policy allow TVA to take property and then resell it later to the highest bidder? If so then

something is amiss. TVA makes a profit that should have gone to the original property owner, assuming they wanted to sell the property, while the original property owner is denied use and enjoyment of the property while TVA held the property and the profit when TVA sells the property. If the property is now deemed to not be needed for public use then it seems only fair the original property owners or their descendents be given first right of refusal to repurchase the property for the amount paid by TVA for the property plus any improvements to the property. If the offer is not taken and it is deemed there is no practical public value for the property then sale or transfer of the property would be appropriate. **(Comment by: Tom Cressler)**

- TVA acquired much of the property in and adjacent to the Tennessee River through condemnation “for the public good”. To now sell that appropriated property for private use violates the spirit if not the letter of that action. The selfless and forward looking administrators of TVA restricted the use those lands for the public good in perpetuity and that was part of the agreement when the land was acquired. What now gives any of us a right to violate that agreement and present a windfall to private individuals at the expense of the original owner and the public? **(Comment by: Kenneth A. Cruikshank)**
- As to a recommendation on Knox County's request for deed modification of the two remaining tracts, I would ask that TVA establish (with public input) a policy for the use/retention of land they own or control rather than approaching each developer-initiated request for its sale and development on an ad hoc basis. Citizens of the Valley cannot rely upon the vagaries of outcomes of battles between the public and coalitions of development-hungry local governments/private developers. Many residents of the Valley, I included, still look to TVA as the protector of last resort for TVA lakes and shorelines. I suppose I am simply asking that TVA do its public duty as outlined in the TVA Act. **(Comment By: William Shriver)**
- ...the actions of TVA will play a very important part in the preservation of birds and our natural heritage along the Tennessee River. **(Comment by: David Trently, Knoxville Chapter of the Tennessee Ornithological Society)**
- I have over the years regarded TVA acquisition of properties they say they needed were some what overstated...I hope in the future that TVA considers the plight of the home owner that has been disposed of his right to make a living on the family farms. Don't take his land and enrich some one who has big bucks. I think that TVA has had the greatest positive impact on the valley than anyone could ever have expected. And I wouldn't want to have it remembered for not caring for the people they displaced. **(Comment by: Dan Yearout)**

Response: Comments noted. TVA considers each land use request and evaluates the potential impacts, merits, and benefits associated with each proposal. Proposals may be given consideration if they support TVA's mission for economic development and environmental stewardship, and provide public benefits. TVA acquires property at fair market price and TVA is not required to convey property back to the original owners, or their descendents. This property is currently owned by Knox County and it is expected that Knox County will recoup fair market value from the conveyance of the subject property once the deed modifications have been removed. Under the TVA Act, TVA was given a broad spectrum of responsibility in the management of its lands. TVA's processes contain flexibility for updates or revisions to land use allocations, and requests for such changes can be initiated by individuals as well as public agencies. Knox County has determined that the public would be better served by allowing the properties to be used and use the proceeds for current recreation priorities.

I have been involved both personally and as a Board Member of the Keller Bend Homeowners Association in the preservation of Tract XTFL-80(Keller Bluff), and I wish to express my gratitude to all the TVA staff who diligently generated and analyzed information for their Environmental Assessment. I might add that we are delighted in the outcome of our efforts and that of many others who sought to preserve Keller Bluff for public use and the prohibition of developer's plans to place condos on this public treasure. (**Comment By:** William Shriver)

Response: Comment noted.