6.0 RESPONSE TO PUBLIC COMMENTS

Numerous individuals and organizations made presentations at Marion County High School on April 24, 1996, or submitted written comments during the public comment period following the release of the Draft Environmental Assessment. A total of about 710 cards and letters were received prior to completion of the Final EA. Most of these were supportive of Alternative 2. Those who submitted comments during the public comment period, and their questions and comments, are discussed below. Due to the volume of these comments and their frequent similarity, TVA has summarized all of them. In some cases, the Environmental Assessment was changed because of the comments. TVA has identified, when possible, those individuals and organizations that made similar comments after each summarized response. Because the comments were summarized, the precise wording of the comments was not always used. Also, in some cases, the identified commenters did not individually raise every point or element within a summarized comment. However, TVA tried to retain all important differences among similar comments. Consequently, a number of summarized comments may appear repetitious. Transcripts of the public meeting and all original comments are available for review at the TVA Chickamauga Land Management Office.

A large number of the commenters sent in letters supportive of Alternative 2, and provided several reasons for their support. For convenience, this comment was listed first, and the names of persons submitting the comment were listed in alphabetical order after the comment.

6.1. I support Alternative 2 because the property is underutilized, more diversity of recreation is needed in the county, it would increase the tax base and be an economic boon to Marion County, and it would represent a minor loss of outdoor recreation opportunities compared to the large acreage in the region (Kevin Eugene Abney, John Acuff, Mary W. Adams, Crystal Adkins, Candace Aker, George Alder, Roger Alder, Bruce Allen, Caryl Ann Allen, Ken Allen, Bedford Allison, Brenda Neal Anderson, Clara Anderson, Kevin Anderson, Lois T. Anderson, Virgil Anderson, Annetta Anthony, Marlin Anthony, Marvin Anthony, Alma Ashburn, Gary Ashburn, Guy A. Aycock, Fred Bainhill, John P. Baird, Beulah Baker, Judy Baker, Stan Baker, Wayne Baker, William Baker, R. Ball, Hubert C. Ballard, Lori Ballard, Watson Ballard, Brandi Barnes, James W. Barnes, Robert D. Barnes, Jr., Tom Barnhill, Lindsay Bash, Josh Beene, Rachun Beene, Louis H. Bell, Ashley Berryhill, Daniel Berryhill, Gabe Billingsley, Jake Billingsley, Larry Billingsley, Nathan Billingsley, Mandy Blansett, Samantha Blansett, Christy Blevins, Shell Blevins, Matt Blevins, Stacy Blaze, Carla Blizzard, Deborah L. Blount, J. L. Bonner, Heather Boren, Ann Bowen, June Bowlin, Gary Boyd, Mary Grace Boyd, Jim Boyd, R. Daniel Bracken, Larry Bracket, Ronald Daniel Bracket, Dora Brewer, Lewis Brewer, Angela Brown, Devin Brown, Don Brown, Jere R. Brown, Mary Jo Brown, Mindy Diane Brown, Teneika Brown, Will Broyles, Bary P Bryant, Ben Bumpus, Chris Bumpus, Jane Bumpus, Mac Bumpus, Bob Bynum, Danieal Bynum, [Marion County Partnership for Econ. Dev. Inc.], Robert A. Cagle, Sharon A. Cagle, Emily C. Cameron, Cameron and Leiderman, P.C. [J. Harvey Cameron], Charles Campbell, Lamar Campbell, Dale Carter, Gwen Carter, Rick Carter, Willie Cartwright, Carl E. Case, Connie Case, Erin Case, Jerry Don Case, George Cate, Kenny Case, Lonnie Catlett, Arlen H. Chapman, W. A. Clarke, Susan Chodle, R. E. Choppty, James W. Christian, Frank Coffett, Robert Cole, Donald L. Collins, Jason Collins, Sue C. Collins, Bobby G. Condra, Sam Condra, Sandy Condra, Susie Condra, W. A. Condra, Amanda Cooper, Mandy Cooper, Roger Cooper, Debbi Coppinger, Nelda R. Craig, David Crane, Dennis Crawford, Marilyn Curtis, Misty Dalton, Janet Daniel, Joyce Daniel, Lavon L. Daniel, Gary F. Davis, Jan Davis, Linda Davis, Reba & Joe Davis, Phillip Dawson, Sharon D. Dawson, Thelma B. Defur, Angela DeJarnette, R. Edward DeMars, Louise Dempsey, Scott Desjarlais, Stefer Dietz, Josh Dobson, Abby Dobson, Sissy Dobson, Tommy Dobson, Josh Dodson, Dyan L. Doll, Joy Donenum, Rick Dover, Stephen Dover, Tammy Dover, Donald Downum, Jim Dunwoody, Charlotte Durham, Dallas Durham, Michael Eakins, Ted Edmeston, Janice Elliott, Scott Elliott, Jacquelyn Ellis, Selina Elrod, Libba Estep, Greg Estes, Jeremy Tyler Evans, Sheree Fagin, Emily Featherston, Kevin L. Featherston, Sue Featherston, Wendy Featherston, Billy Forehand, Stacey Forehand, Melissa Foshee, Brenda Foust, Aubney Fox, Danny Fox, James D. Frame, Lee Ann

Frazier, Mitch Frazier, Lynette Frost, Ed Fuller, Crystal R. Gann, Heather Gann, KaRon Gaston, Dawn F. Gatlin, James Gatlin, Jr., Ron Gedda, General Ecology Corporation [David White], Jim Gentry [Gentry Chevrolet], Georgia R. Gheaing, Beth Goff, Jason Gomer, Michael Goodman, Paul Gott, Phillip and Marla Graham, Judge Thomas W. Graham, Charles C. Grant, Adam Green, Scott Gudger, Joe Dan Gudyer, Christy Guess, Ani Gulas, Charles, Haggard, Donald Haggard, Sally Haggard, Hazel Haggard, Kathy Hampton, Amanda Hansard, Crystal L. Hargis, J. B. Harron, M.D., Barbara Hawkins, Brain Hawkins, Edley Hawkins, Lena Lee Hawkins, Lori Hawkins, Michael Hawkins, Mike Hawkins, Christy Haynes, Martha P. Henry, John A. Heuegley, Chad Hibbs, Charet Hibbs, Tonya Hibbs, Dava Hill, Edwin L. Hill, William C. Hills, April Holcomb, Brad Holden, Joe Holder, Ruth Holland, Chris Holton, Billy Houston, Cheryl Houston, Charlotte Howard, Clarence L. Howard, Sheila Howard, Misty Howard, John Hubert, Tracey Huckabee, Grady Hudson, Kenneth Hudson, Pasty Hudson, Steven B. Hudson, Sheila Huffman, Charles Hunerwader, Jim Hutchins, Melissa Iagnam, Steve Iceland, Ann Ireland, Inez Ireland, Thomas Ireland, George C. Jackson, Glenna W. Jackson, Gwen P. Jackson, Tom Jacobs, Roy Jarred, Jasper Drug Company, Inc. [Bobby G. Condra], Alice Jenkins, Charles, Jenkins, Sr., Charles Jenkins, Laura Jenkins, Tiffany Jenkins, Margaret Johnson, Ronald Johnson, Jason Jones, Susan Jones, Vickie Jones, J. F. Jordan, Jason Keel, Wanda Keel, Kyla Kellermann, Mark Kelley, Zach Kelly, Patrick Kelly, Paul D. Kelly Jr., Ralph Kennedy, Faye Kilgore, Joshua Kilgore, Dr. Kule Kilgore, DDS, Patsy Kilgore, Jeffrey A. Kimsey, Jason King, Eddie Kirk, Jack Kirk, Randall Kirk, Connie Kitchusich, Andy Koger, Debby Koger, Paul Koger, Ralph Koger, T. J. Landen, Valerie Lattimore, Brent Lawson, Lisa Layne, Randy Layne, Rev. Victory LeVan, Kathy Leiderman, Margaret B. Lewis, Henry W. Lodge [Exec. Vice President Lodge Manufacturing Co.], Linda Long, McKenzie Long, Jeff Look, Bartt Looney, Brett Looney, Mary Looney, Michael R. Looney, Reneere Looney, Teresa Looney, Steve Looney, Teresa Looney, Timothy Looney, Tim Looney, Robert A. Lorren, DDS, Camille Loyd, J.D. Loyd, Amanda K. Malane, Marion County Assessor of Property [Gene West], Marion County Chamber of Commerce [Stacey Blye, Bobbie Brad Carter], Marion County Executive [Howell Moss], Anthony Martin, Chris Martin, David Martin, T. A. Martin, W. B. Martin, Renoone Mason, Marty Matthews, Heather McCann, Gina McCallie, Brenda McClain, Roy McClain, Brooke McCloud, Angie McElroy, Gary McElroy, Jackie McGowan, Jonathan McGuire, R. L. McIlveene, Jerry McNabb, Justin McNeece, Karen McNeece, Wayne McNeece, Janet Middlebrooks, Jason Middlebrooks, Latonia Miller, Pasty Miller, Hail J. Millock, John Milsay, Denise Minter, Dwight Minter, Dale Moore, John Moore, Mandy Moore, Susie Moree, Joe Morgan, Oscar & Anita Morgan, Scott Mogran, Stacey Morrow, Trecia Moss, Ronda Moretz, Tonya Moss, Bill & Gladys Mullixix, J. R. Murner, Anna Murray, Peter Neall, Betty S. Nimbey, Ronald G. Nuber, Proctor Sux Nuts, Janice Odell, Ronnie Odell, Mr . & Mrs. William A. O'Leary, Robert O'New, Jason Owens, Amy Parker, Eric Parker, Gnuye W. Parker, Joe J. Parks, K. A. Patel, Carey Patrick, Peggy Patterson, Laura Paul, Charlie Pawurn, Marvin Payne, Tonya Payne, Charlene Peacock, Larry Peacock, Rita Peacock, Debbie Peardon, Ruby Peardon, Wes Peardon, Janice Peebles, Allen Peoples, Lydia Peoples, Riannon Phillips, Bob D. Pickering [Sequachee Valley Electric Coop.], Joyce Pickett, Philip J. Pinhard, Jack Plank, Raven Poe, Charles E. Porter, Rleuth Powell, William C. Powers, Kristopher Prene, Layne Price, Vickie Pricherd, E. L. Prince, Mike Prince, James Prince, Chris Pryor, Kristy Raines, Aaron Raulston, Charlene Raulston, David Raulston, Michael Raulston, Scott Reames, Eddie Reardon, Jane Reardon, Tim Reardon, Tommy Rector, R. Reel, Jill Reeves, C. J. Reynolds, Jeanette Reynolds, Norma J. Reynolds, Wayne Reynolds, Devan Rhal, Tina M. Ridley, Nancy Rigsby, Winnie Rittenberry, Clyde Rogers, John P. Rogers, Meegan Rogers, Neva Rogers, Michael R. Rowen, Chris J. Rowland, James Salisbury, Jr., Traci J. Salisbury, Kenneth N. Schibul, Hallee Schreckanback, Robert Schreckenbach, Sequatchie Concrete Service [Robert R. Thomas], Sara Sensing, Joy Shadrick, Ronald Shanon, Jenny Shrun, Larry Simcox, Sheila Sizemore, Brenda Smith, Jeremy R. Smith, John Smith, Kaydean Smith, Randall Smith, Ronnie Smith, Dottie Sneed, Jimmy Sneed, City of South Pittsburg [Margaret A. Pratt], Candace Spangler, Joe Spangler, Sherr Spangler, Louise Spears, Tommy Stanfill [Cumberland Realty], Tommye K. Stanfill, Kristy St. Clair, Chris Steele, Dannette Steele, Angela Stephens, Ann Stopp, Steren H. Strain, Graham Swafford, Paul A. Swafford, Paul W. Swafford, Swafford & Swafford [Graham Swafford], Darien R. Swann, Clyde Swofford, Lance Talley, Ruby Tankersly, Abby Taylor, Nat G. Taylor, Les Thomas, Shirley Thomas, Herb Thomasson, Edward Thompson, Steve Thompson, Susan Thompson, Tommy Thompson, Brent Tilley, Dustin Triplett, Samantha Trudess, Kevin E. Tudis, Chris Turner, Lisa Turner, W. C. Turner, Jr., Cristall Wadkins, Ann Walden, James Walden, Jr., Jonathan Walden, Keith

Walden, Linda Walden, Melissa Walden, Chip Wampler, Christy Ware, Sherry Warren, Peter Webb, Jeannie Weber, Josh Weeks, Sherry L. Wesson, Carolyn West, Robert West, Frank Westmoreland, Mark E. Wesson, David West, Elizabeth West, Paul West, Robert Eugene West, Eric Westmoreland, Billy Wheeler [President Sequatchie Valley Planning & Development District], Dr. & Mrs. R. B. White, Virgil White, Crystal Wilernan, Robin, Williams, Ronnie L. Williams, Wallace Ray Williams, Connie Willis, Charles H. Wilson [West Wind Technology], Joe Ray Wilson [Wilson Reality], Larry Wilson, Samantha Wilson, Toby Wilson, Lee Winders, Richard C. Winslow, David Wood, Sharon Wood, Leroy Woodard, W. L. Worley, Tom Wright, Monica Yarbrough, Charlene Young, Charles W. Young, Frances Young, Larry Ziegler

TVA Response: This comment has been reviewed and noted.

6.2. The total man-days for use in hunting and related activities is 4255 per year. Thus, less than 12 hunters per day use this property (Cameron and Leiderman, P.C.-J. Harvey Cameron)

TVA Response: The number of hunters per day cannot be calculated by dividing the total of the man days of use (as shown in Table 1) by 365. This is because hunting seasons are not in effect 365 days out of the year. Only non-consumptive uses of wildlife, such as wildlife observation, are allowed throughout the year.

6.3. If TVA does not need the Little Cedar Mountain property, it should return it to the individuals that had previous title (Kirk Johnson, George C. Jackson, William C. Killian, Martha Campbell) **If the Little Cedar Mountain tracts were acquired for public use, would this not limit development of this land for public use only and exclude residential?** (Herb Gravitt)

TVA Response: TVA intends to retain the property. The proposed use is consistent with TVA's goals for the property. TVA intends to use the Little Cedar Mountain properties to accomplish the broad land management goals established in the Nickajack Reservoir Land Management Plan, including: (1) provision of improved public recreation opportunities, (2) protection of the natural and cultural environment, and (3) enhancement of economic development opportunities. Even if TVA did not need the property or wished to change the purpose for which it was originally acquired, the agency may dispose of it or change its use as permitted by statute. A change or abandonment of the original purpose for which the property was acquired does not affect the validity of the acquisition or permit the government to return the property to the original owners. Under Section 31 of the TVA Act, real estate that in the opinion of the TVA Board is necessary to carry out TVA's plans and projects may be held by the agency. The fulfillment of the goals established in the Nickajack Land Management Plan make it necessary for TVA to hold title to the Little Cedar Mountain properties. Further, even in the situation where these properties are no longer necessary, such properties are required by the TVA Act to be sold at a public auction to the highest bidder. TVA may make changes in the uses of land under its custody and control following appropriate NEPA review.

6.4. Two of the five lower Cherokee towns of the 1780s and 1790s, Nickajack and Running Water, were located within sight of Little Cedar Mountain. The area is rich in archaeological material. If Tract 1 contains 5 burial sites, there is the possibility for even more sites on Little Cedar Mountain.(Kirk Johnson, Gary N. Williams, Fred Felix, Sandra Scott, Lauranna Clark, Susan E. Lutin, J. Benjamin Lutin, Linda Lutin, Cynthia Kennedy, Ronnie Kennedy, Linda D. Kilgore, Ruben Gardner, Jennifer K. Riddle, Gregory Kicking Bird Woman, Rita A. Pappas, Linda A. Riddle, Renee Downs)

TVA Response: An archaeological survey was conducted by the Division of Archaeology, University of Alabama. This information is summarized in the EA.

6.5. **Little Cedar Mountain (tract 5) should be a natural area and there should not be any future possibility of development** (Kirk Johnson, Stephen P. Frye, Paul W. Turner, Delores Howard, Donna Lawson, Tom Lawson, Karen Null, Charles F. Landis, Jr., Charlotte Landis,)

TVA Response: TVA is not proposing to develop tract 5 and would take steps to heighten protection of the sensitive resources on the tract.

6.6. **I support the use of tract 3 for a public park but not leasing or selling it to a developer** (Kirk Johnson, James Brooks - Tennessee Ornithological Society)

TVA Response: Your comment has been reviewed and noted.

6.7. **I support no change: I could live with a golf course but not the residential component and manicured lawns** (Juanita Terry, William Terry, Richard Sims)

TVA Response: This comment has been reviewed and noted.

6.8. **This development would take only a minimum amount of the public land and preserved land in the Prentice-Cooper State Forest, Franklin-Marion State Forest, and Foster Falls are 32,975 acres. TVA owns an additional 4875 acres, and the Tennessee River Gorge trust owns 2,322 acres. Therefore, 40,172 acres, or 12 percent of the land is already set aside for recreation. Large corporate owners own 53,000 acres, all of which is open to the public. Thus, we have 3.66 acres per person set aside for recreation. Marion County residents are only using 22,000 acres of 6.79 percent of our 324,480 acres for residences and commerce** (Bobbie Brad Carter, John Moore, George Alder)

TVA Response: This comment has been reviewed and noted.

6.9. **Development of the Little Cedar Mountain project will set a dangerous precedent for development of public lands. Other federal agencies will do the same thing** (General Ecology Corporation-David White, Dennis Haldeman, Frank S. McDonald, Kenneth Wills - Alabama Environmental Council, Joe & Dara Chernicki)

TVA Response: TVA disagrees. TVA has historically accomodated a wide variety of uses on lands under its control. It frequently leases lands for various commercial recreation uses such as marinas and campgrounds. TVA has also sold land to local reservoir development agencies for commercial and residential purposes on such reservoirs as Tims Ford and Tellico. Each proposal would continue to be evaluated on its own merits by TVA. Further, each Federal agency must make its own decision regarding uses for public lands in accordance with the agency's charter.

6.10. **Development that does take place should be of the highest order. We can have economic growth and environmental preservation. This project should be an example of sustainable development** (General Ecology Corporation-David White, Frank S. McDonald)

TVA Response: TVA agrees with the thrust of this comment, which is generally consistent with TVA's goals for public recreational development.

6.11. **Please explain why the Tennessee River Gorge Trust area of operations did not extend downstream from Old Hales Bar Lock and Dam** (John Moore)

TVA Response: Tennessee River Gorge Trust is an independent organization and chose to include an area between Tennessee River Miles 434 and 456 as their area of concern for conservation efforts. TVA did not influence this decision.

6.12. If TVA develops their property, I will also develop mine. We will make along that river a beautiful community (George Alder). **The document does not address any alternatives of development adjacent to the TVA tracts**. (Reginald G. Reeves - Tennessee Division of Natural Heritage, James Brook - Tennessee Ornithological Society)

TVA Response: TVA recognizes in the EA that adjacent property owners may choose to develop their property in response to the action TVA may take. However, the extent and nature of these private actions is speculative at this time. TVA has no control over and is not aware of any proposals to develop adjacent tracts. Also, it is not clear that adjacent tracts would be as attractive for the specific public recreation proposed as the Little Cedar Mountain tracts.

6.13. The Eastern Band of the Cherokee Indians wishes to acquire and preserve properties relative to the Cherokee Nation History. The site could be returned to Native Americans for interpretive parks, living history, or archaeological purposes (Walter Williams, Joyce C. Dugan - The Eastern Band of the Cherokee Indians, Dennis Haldeman, Dale F. Cook, Sr., Joe & Dara Chernicki)

The area should be promoted for historical interpretation (Richard Wilkey)

TVA Response: TVA is both aware of, and sensitive to, its stewardship responsibility for cultural resource sites (both historic and prehistoric) on TVA land. TVA considers long-term historic preservation and interpretation from a regional perspective. While TVA does not plan historic interpretation for the three land tracts involved in the current proposal, it has done so in other cases and is considering long-term preservation at other locations across the Tennessee River valley. In addition, TVA provided land and money to the Eastern Band for the Sequoyah Birthplace Museum in Vonore, Tennessee to interpret the Overhill Cherokee history in the Little Tennessee River valley.

6.14. In order to maintain biodiversity in the U.S., it is important not to sell or misplan any federal land (Walter Williams, Dennis Haldeman)

TVA Response: This comment has been reviewed and noted. Commitments in the EA related to endangered and threatened species would help preserve biodiversity, as would the reallocation of Tract 1 to a wildlife management designation.

6.15. I am opposed to sale of public land. This is a selloff of public land for just a few. TVA is supposed to be a public steward (Daisy Branan, Leaf Myczack, Dara Chernicky, Katuah Earth First--John Johnson, Louis Campbell, Prentice Hicks, Southeast Center for Ecological Awareness-Sheila Cheyenne, Jeff Pfitzer, League of Women Voters of Chattanooga and Hamilton County-Caroline Williams, Jo A. Walters, Richard Wilkey, Glenn Donahue, Kenneth Wills - Alabama Environmental Council, Martha Campbell, William C. Killiam, Ernest B. AlteKruse, Joan AlteKruse, Mary Ramsey, Stephen P. Fry, Vicki Hill, Vicki L. Bettis, Joe & Dara Chernicki, Ronald Flowers, Linda Pfitzer, William H. Terry, Leonie Galil, Jesse Spencer, Carol Stephens, Delores Mittoward, Martha L. Glenn, Vicki Hillman, Ann P. Murray - Tennessee Conservation League)

TVA Response: This comment has been reviewed and noted. Proposed development of Tracts 3 and 4 would produce important socioeconomic benefits for the general public, local and county governments, and the developers.

6.16. The land should be some type of nature park with a living history component (James O'Neal)

TVA response: This comment has been reviewed and noted. Allocation of Tract 1 to wildlife management would not preclude an interpretive facility or a "nature park" area. Creating a nature park or

living history interpretive site, although a less intensive land use, would result in environmental impacts from building construction and utilities, as well as from increased public use.

6.17. What will TVA do with the money? It will go to fund Land Management. There are better ways to fund this (James O'Neal)

TVA Response: Revenues generated in Land Management from the use of TVA lands are generally used for a broad range of stewardship activities within the Resource Group that pertain to the operation of TVA dams and reservoirs.

6.18. A golf course is a bad idea for other creatures living on the river, such as the owls and the two endangered species of bats who use it as their habitat (Leaf Myczack, Katuah Earth First--John Johnson, Sandra F. Webb, Jeff Pfitzer)

TVA Response: Section 4.1 of the EA discusses anticipated impacts to wildlife and wildlife habitats. As noted in this section, development of commercial recreational facilities, including a golf course and marina, would negatively impact some species of wildlife by eliminating or reducing the availability of suitable habitat. As noted in Section 4.5, however, two species of endangered bats known from the local area would not be adversely affected.

6.19 Nickajack Reservoir is not the cleanest reservoir in the valley, contrary to the EA, because it has the highest nutrient budget (Leaf Myczack).

TVA Response: The EA does not refer to Nickajack Reservoir as the cleanest reservoir in the Valley. It states that TVA's 1994 RiverPulse report designated Nickajack Lake as the ecologically "healthiest" lake on the river system. Nutrient data discussed in the EA were from a location at TRM 425.5 just off Shellmound Recreation Area. The sampling period covered January 23, 1990 through June 19, 1995 and for standard water chemistry parameters, covered approximately 50 sampling events. Higher nutrient loading is found in other TVA lakes.

Selected Water Quality Parameters at TRM 425.5(mg/L)

Parameter	Mean)± STD Dev	Maximum	Minimum
NO_2-NO_3 N-Total	0.2852±0.0922	0.52	0.10
Phosphate Total	0.031667±0.0001122	0.090	0.020
BOD*	2.00±1.0	2.7	1.3
un-ionized NH_3-N**	0.0007796±0.0006441	0.003	0.00002
Chlorophyll A µg/L (vertical) corrected	5.31±3.76	21.00	1.00

*Based on only 2 measurements, **Based on 20 measurements

Clean waters are generally considered to have a BOD of less than 3 mg/L while "grossly polluted" waters are those having a BOD of greater than 12 mg/L. Late winter concentrations of 0.3 mg/l NO_3-N and 0.01 PO_4 are considered as the critical limits for eutrophic waters. Examples of advanced eutrophic nutrient levels would be NH_4-N, 0.27 mg/l; albuminoid-N, 0.0212 mg/L; NO_3-N,7.6 mg/L. Clorophyll A levels of > 25 µg/L would also be considered as highly eutrophic. Thus, this station does not exhibit highly eutrophic nutrient levels.

6.20. If TVA wants to modify the Nickajack Reservoir Land management Plan, they must conduct a comprehensive EIS which deals with the cumulative and offsite and onsite impacts of the proposed changes (Katuah Earth First--John Johnson, Cielo Sand Myczack, Jeff Pfitzer, James Brooks - Tennessee Ornithological Society, Dennis Haldeman)
It is a procedural violation and illegal to modify the Nickajack Land Management Plan and [illegible] a violation of Section 7 of the Endangered Species Act (Cielo Sand Myczack)

TVA Response: Cumulative, offsite, and onsite impacts have been assessed in Section 4. The Nickajack Reservoir Land Management Plan provides general guidelines for allocating uses of TVA lands. Specific projects, such as the Little Cedar Mountain proposal, are subjected to the appropriate level of NEPA and Endangered Species Act review.

6.21. Section 3.2 displays a short-term profit-oriented world view (Katuah Earth First--John Johnson)

TVA Response: The section has been modified in response to this comment.

6.22. Section 4.1 points out that the habitat is not well represented on public lands. This is all the more reason to preserve it (Katuah Earth First--John Johnson, Jeff Pfitzer)

TVA Response: While early successional habitats are not common on public lands, they are very common elsewhere on private holdings in the area. Your comment has been reviewed and noted.

6.23. Section 4.2 states that impacts would be minor on the forest. No impact is minor with global climate change and ozone depletion. As much forest cover as possible needs to be preserved (Katuah Earth First--John Johnson)

TVA Response: TVA disagrees. The potential impacts of removing portions of the forest cover on 660 acres would not influence global climate change potential or ozone depletion potential. Not all of the 366 acres of forested land on tracts 3 and 4 would be impacted by a commercial recreation development. Assuming that forests in this area average 40 dry tons of wood per acre and that all this is removed, and that wood is 49 percent carbon, there would be a one-time release of about 7,200 tons of carbon. Much of this would be re-"sequestered" in other vegetation or not released to the atmosphere because it would be made into wood products. The U.S. annually releases in excess of 5 billion tons of carbon from fossil fuels and other sources.

6.24. Nickajack Reservoir and Guntersville Reservoir are hypereutrophic, meaning that they cannot assimilate all the crap we're dumping into the reservoirs (Land Ethics Alliance-Dennis Haldeman)

TVA Response: Neither Guntersville or Nickajack has the extremely high nutrient loading (See response to Comment 6.19), algal mats, or chlorophyll levels associated with advanced eutrophication.

6.25. Golf courses historically use about 7 times more chemicals per acre than farmers do (Land Ethics Alliance-Dennis Haldeman)

TVA Response: Golf courses apply comparable amounts of chemicals per acre to agriculture, and their total water quality impact may be less, as described in Section 4.7. For example, the Professional Lawncare Association of America recommends three applications of one pound of insoluble nitrogen per 1000 ft^2 per year for turf grasses such as fescue. This amounts to 43.5 pounds per acre per application or 130.5 lb. per acre/year. Agricultural usage of nitrogen fertilizer generally varies between 110 and 120 pounds per year. The form of nitrogen in agricultural applications is often ammonium nitrate which is extremely soluble and subject to runoff or percolation. The need to properly apply chemicals was the reason that the EA required that the golf course be maintained by a certified landscape manager. Also, the required buffer would help prevent impacts.

6.26. The consequences of riverside development here will be felt all along the river. Sewage will be carried to homes downstream. These individual loads have a cumulative impact that will eventually break the camel's back (Cielo Sand Myczack)

TVA Response: Given that there will be oversight by both TVA and the county, it is unlikely that significant amounts of untreated sewage will enter the river. Sewage would most likely be sent to the Jasper facility for treatment. The erosion and sedimentation associated with stormwater runoff during construction are of concern and were addressed in the assessment.

6.27. TVA could promote a truly sustainable organic farming venture here on this prime farmland (Jeff Pfitzer)

TVA Response: Information on the occurrence of prime farmland on the Little Cedar Mountain tracts is provided in Sections 3.3 and 4.2. Tract 3 may in fact be suitable for a demonstration project as described in this comment; however, no such demonstration projects have been proposed. Moreover, the tract has been designated for Public Recreation in the Nickajack Reservoir Land Management Plan.

6.28. The manner in which TVA has thus far managed the Little Cedar Mountain properties has produced a biologically diverse community of plants and animals. As a result, this area is utilized by a variety of hunters and trappers. The shallow waters provide the best unspoiled beds in Nickajack lake for bass, bluegill and shellcracker fishing. There are also nonconsumptive users. It is one of only two areas in which river otters have been seen. There is a population of 300 endangered gray bats in Nickajack. Development will negatively impact the rare river otters and gray bats. Construction of a marina and public knowledge of the cave would be devastating to gray bats. (Mike Bailey - Tennessee Wildlife Resources Agency [TWRA], Gary T. Myers - TWRA

TVA Response: Section 3.1 of the EA provides a detailed description of biological resources occurring on tracts 1, 3, 4 and 5. TVA recognizes that its past management of these properties has provided for a diversity of ecological communities and supported a variety of associated public uses. For this reason, all of the development alternatives under consideration call for reallocation of tract 1 for long-term wildlife management. Additionally, under any of the development alternatives, strategies for minimizing potential impacts to riparian habitats, wetlands, and other ecologically sensitive resources are included. No impacts to river otters or gray bats are anticipated from this proposal.

6.29. There is a large Indian burial ground on Tract 1 that is being desecrated (Ron Kennedy)

TVA Response: TVA was not aware of the desecration; however, TVA has now taken steps to stabilize the site.

6.30. On page 31 of the EA, eliminate short-term construction.... These are permanent (Delores Howard)

TVA Response: The EA has been changed in response to this comment.

6.31. The TVA lakeside lands should be left for permanent greenways. The Little Cedar Mountain tracts are part of a larger corridor that will help ensure the future of natural communities, wildlife, and public outdoor recreation within the Tennessee Valley, and they should not be developed. (Kenneth Wills - Alabama Environmental Council)

TVA Response: TVA partially agrees. TVA is trying to balance the needs for public outdoor recreation with other needs, while conserving natural communities and wildlife. Because Tracts 3 and 4 will be primarily dedicated to public recreation, they will continue to serve a greenway or corridor purpose. Also, development proposals will be evaluated for their relative impacts on natural communities, wildlife, and public outdoor recreation.

6.32. Consideration should be given to the comprehensive and cumulative impacts associated with the project. It is probable that any proposed development will increase stream crossings, affect instream, aquatic, and riprap habitat and therefore degrade significant habitat. (Reginald G. Reeves - Tennessee Division of Natural Heritage)

TVA Response: To the extent that these impacts are foreseeable, TVA has evaluated them. As noted in the EA, there are few perennial streams and therefore few stream crossings and instream habitat impacts are anticipated. Aquatic habitat impacts are in part protected by shoreline buffers and other shoreline protection measures. Use of riprap is not anticipated at this time. See section 4.9.

6.33. The document does not outline the anticipated long term effects of habitat loss for this region. (Reginald G. Reeves - Tennessee Division of Natural Heritage)

TVA Response: TVA recognizes that through development of these properties, some habitat impacts would occur. In TVA's opinion, however, these impacts would not be significant when viewed at the regional, or even subregional, level. However, reallocating Tract 1 for long term wildlife management as a component of each of the three development alternatives will help preserve wildlife values and resources in the area.

6.34. Commitments are not specific and do not address long-term protection of habitat and species (Reginald G. Reeves - Tennessee Division of Natural Heritage)

TVA Response: Proposed strategies for protecting wetlands, shoreline, and riparian habitats, as well as the sensitive ecological resources occurring on tract 5, are presented in Section 5.0, Commitments. These commitments protect species that are dependent on such resources.

6.35. The proposed action is inconsistent with the long-standing cooperative efforts of TVA with TDEC (Reginald G. Reeves - Tennessee Division of Natural Heritage)

TVA Response: TVA disagrees and will continue to coordinate and cooperate with TDEC as in the past. Toward this end, TVA will solicit input from TDEC, and other interested agencies, as it develops plans for managing shoreline management zones, and tract 5.

6.36. The plant species spreading rockcress, Arabis patens; and slender blazing star (Liatris cylindracea)are found within the proposed project site (Reginald G. Reeves - Tennessee Division of Natural Heritage)

TVA Response: TVA surveys did not locate these state-listed species on Tracts 1, 3 or 4.

6.37. Marion County's tax base is increasing daily due to private subdivisions. TVA does not have to sacrifice this for Marion County's tax base (William C. Killian)

TVA Response: TVA's primary objective for the Little Cedar Mountain tracts is to provide increased outdoor recreation opportunities. Private subdivisions would be included only to the extent necessary to encourage the development of recreation opportunities.

6.38. The principles of the Shoreline Management Initiative should be followed for shoreline buffer zones and restrictions on dredging, docks, as well as other structures. (Gary T. Myers - TWRA)

TVA Response: TVA agrees and will follow SMI principles.

6.39. Developers should be encouraged to protect as much habitat as possible when undertaking residential planning (Gary T. Myers - TWRA)

TVA Response: TVA agrees. The commitments in Section 5 will apply to the activities of the selected developer. Further, protection of these habitats will be a criterion in judging competing proposals, as described in TVA's goals for the project in Section 1.0.

6.40. We would prefer that Tracts 3 and 4 not be developed. However, this would be mitigated somewhat by the dedication of Tract 1 to wildlife management. There is promise in the wildlife development potential of Tract 1. (Gary T. Myers - TWRA)

TVA Response: This comment has been reviewed and noted.

6.41. Shellmound Recreation Area should remain and be controlled by TVA. (Herb Gravitt)

TVA Response: This comment has been reviewed and noted.

6.42. I requested to be put on mailing list for TVA hearings. Why wasn't I informed about this one? (Jo Walters)

TVA Response: Because of the diversity of projects undertaken by TVA and the large geographic area in which they may occur (parts of 7 states), TVA compiles a mailing list for each project. Widespread local public notice, using a diversity of media, is made for public meetings.

6.43. We could support a limited state park-type development, but this is not being considered. (James Brooks - Tenneessee Ornithological Society)

TVA Response: Comment noted. Efforts by TVA to secure state park-type development on the Little Cedar Mountain properties through other public agencies have been unsuccessful. Information received from the private sector indicate that a state park-type development on the Little Cedar Mountain property is not financially feasible. However, a state park-type development could be pursued by the state under Alternative 3.

6.44. This appears to be part of a large-scale TVA plan to make money by privatizing public lands. (James Brooks - Tennessee Ornithological Society)

TVA Response: TVA does not have a plan to privatize public lands. This proposal seeks to accomplish the original purpose for which the Little Cedar Mountain tracts were acquired (increased public recreation) through consideration of innovative partnerships.

6.45. Because the development involves 1500 acres, half the land TVA owns on Nickajack Reservoir, regionally significant agricultural lands, wildlife habitat, recreation, and endangered and threatened species impacts, it is not an insignificant action and an EIS is required. (James Brooks - Tennessee Ornithological Society)

TVA Response: TVA disagrees. Development is proposed for 660 acres, and not all will be developed. The potential significance of the action is reduced by the limited scope of the proposal, its consistency with existing land use plans, mitigation measures to protect wildlife habitat and the lack of impacts on endangered and threatened species. There are other publicly-owned tracts on Nickajack Reservoir, including Prentice Cooper State Forest, Marion County Park, Maple View Recreation Area, and Raccoon Mountain Pumped Storage Project. Excluding Tracts 3 and 4, lands held by Federal, State, or local agencies on Nickajack (public lands) amount to 40 percent of the shoreline.

6.46. We fail to see how the gray bat roost could be adequately protected, especially with a commercial marina in the same cove. (James Brooks - Tennessee Ornithological Society)

TVA Response: TVA would develop a resource management/protection plan for these lands. There has been no final decision on whether there will be a marina, or where it will be located. The U.S. Fish and Wildlife Service has concurred that TVA's proposed actions are not likely to adversely affect the gray bat. See Section 4.5.

6.47. There has been a lack of time for public involvement, and the project is being rushed through. TVA is not taking the time to adequately assess potential impacts. (James Brooks - Tenneessee Ornithological Society)

TVA Response: Initial public notice of the project was in November, 1995. The draft EA was released in April 1996. The public review period on the draft EA was one month, which is a typical review period used by federal agencies for Environmental Assessments.

6.48. Selection of an alternative allowing residential development conflicts with section 1506.1 of NEPA regulations. (James Brooks - Tenneessee Ornithological Society)

TVA Response: Section 1506.1 describes conditions under which there are limitations on actions during the NEPA process. The only other agency decision making process taking place related to residential shoreline development is the Shoreline Management Initiative (SMI) Programmatic EIS process. SMI addresses whether a policy is needed to protect shoreline and aquatic resources while accomodating reasonable access to the water by adjacent residents. SMI also is intended to determine whether to open additional lands for residential development, and if so, to establish a procedure for doing so. Because SMI is a programmatic EIS, Section 1506.1 does not preclude proceeding with the Little Cedar Mountain proposal if it is determined to not be a major Federal action significantly affecting the quality of the human environment.

6.49. The proposed development would adversely impact low-income populations who would be disproportionately impacted by the high-priced resort and residential development. (James Brooks - Tennessee Ornithological Society)

TVA Response: The commenter does not support this statement or otherwise explain it. TVA is not aware of the proportion of current users which would qualify as low-income; however, abundant public lands would remain in the area and the proposed recreational development would be open to all members of the public. See comment 6.45.

6.50. Alternative sites on private land should be considered. (James Brooks - Tenneessee Ornithological Society)

TVA Response: TVA's proposed action involves fostering recreational development on the Little Cedar Mountain tracts. Alternative sites on private land in the nearby area would neither meet this need nor be as attractive for recreational development because they do not have water access.

6.51. There is no discussion of the impacts of not using Tract 1 for industrial development. Why is it not suitable? (James Brooks - Tenneessee Ornithological Society)

TVA Response: Tract 1 was judged to be suitable for industrial development in the Nickajack Reservoir Land Management Plan. Reallocating Tract 1 for wildlife management does mean that the potential benefits of using the tract for industrial development would be foregone. However, no industrial proposal exists or has been made for this tract. As discussed in the EA, the environmental impacts of changing the industrial designation to wildlife management would be positive.

6.52. Do the man-days of use in section 3.2 refer to only Tracts 3 and 4, or the whole complex? Is the hunter use of Tract 1 presently at capacity? (James Brooks - Tenneessee Ornithological Society)

TVA Response: Man-day estimates for hunting, as presented in Section 3.1, Table 1, refer only to use involving Tract 3. This information has not been collected for Tracts 1, 4, and 5. For this reason, it would be difficult to assess whether or not hunter use of Tract 1 is at, or below, "capacity." However, TVA's observations from 30 years of managing the site suggest that hunting use on Tract 1 is high.

6.53. Tract 5 resources, public use, and location should be described. (James Brooks - Tenneessee Ornithological Society)

TVA Response: The EA has been changed in response to this comment. For more detailed information on Tract 5, please refer to TVA's Nickajack Reservoir Land Use Plan.

6.54. There is no analysis of indirect and cumulative impacts such as utility connections, outfalls in the Sequatchie River, and development of adjacent private lands. (James Brooks - Tenneessee Ornithological Society)

TVA Response: Water and sewer utility connections are expected to originate from Jasper (see Section 4.7). There is currently a water line serving the area. Where appropriate and reasonably foreseeable, indirect and cumulative impacts are addressed in the EA.

6.55. The preservation of 498 acres would not offset the privatization of 660 acres. Tract 1 has an entirely different waterfront (James Brooks - Tenneessee Ornithological Society)

TVA Response: Reallocation of Tract 1 (498 acres) for wildlife management is not intended to "offset" the impacts of potential commercial development on Tracts 3 and 4. The stated intent of this reallocation is to provide long-term opportunities for wildlife management, and for wildlife related public use, on TVA lands proximal to Tracts 3 and 4. TVA believes that by making these lands available for wildlife management purposes, anticipated adverse impacts to wildlife habitat and wildlife oriented public recreation would be offset to some degree.

6.56. We have only a limited amount of natural scenic shoreline and lands that are managed by TVA. Keep it natural and undeveloped. (Delores M. Howard)

TVA Response: This comment has been reviewed and noted. About 17 percent of TVA's shoreline in the seven-state Tennessee Valley region is currently developed for residential, recreation, or industrial use. TVA owns 62 percent of the shoreline Valley-wide. TVA continues to balance the needs for public outdoor outdoor recreation with other needs.

6.57. Is there a need for public recreation lands to become financially self-sufficient? Tax dollars should be available to keep the lands public, open to all, and maintained in a manner that best serves the quality of life interests of the many. The best uses for this area are what the most people want—outdoor activities, natural settings, natural diversity. (Delores M. Howard)

TVA Response: There is increasing pressure from the U.S. Congress for cost recovery, and for users to bear more of the expense for operating and maintaining public recreation areas. Your comment has been reviewed and noted.

6.58. Adverse effects are so numerous that I wonder why this kind of development is even being considered. (Delores M. Howard)

TVA Response: TVA disagrees. According to the environmental analysis, potential environmental impacts are not significant and the few remaining adverse effects can be minimized. As addressed in the EA, there are important socioeconomic benefits associated with the proposal.

6.59 **Every penny spent on planning mitigation should be borne by the developer**. (Delores M. Howard)

TVA Response: Your comment has been reviewed and noted.

6.60 **Convention centers and golf courses can be built anywhere, and are best away from riparian areas.** Delores M. Howard)

TVA Response: Recreation development in proximity to riparian areas can be mutually beneficial when approached with proper planning and a sensitivity to existing ecosystems.

6.61. **You cannot sell it, lease it, or give it away, and still have it**. (Delores M. Howard)

TVA Response: Your comment has been reviewed and noted.

6.62. **The mitigation is not adequate; the tracts are not comparable. One is prime waterfront, the other is landfill, rock spoil, and power line.** (Delores Howard, James Brooks - Tennessee Ornithological Society)

TVA Response: TVA recognizes that the ecological characteristics of Tracts 1 and 4 are different. However, opportunities for enhancing wildlife habitat are available on Tract 1, and reallocating the tract from industrial to wildlife management would allow this to be done.

6.63. **The problem of appropriate sewage disposal from a development of this size is not a small matter. Jasper may be unable to accept additional flow at its present facility without plant modifications. The suggestion that a more localized sewage treatment works could be constructed in conjunction with the development is also problematic. The Tennessee Division of Water Pollution Control would be unlikely to permit such a treatment facility unless a legally viable and continuing entity is created to be responsible for the operation of the facility and the quality of the discharge** (Gregory M. Denton - Tennessee Division of Water Pollution Control).

TVA Response: The Jasper sewage treatment facility is being used at about 50% of design capacity, and could handle increased load.

6.64 **A commitment should be added in Section 6 to stipulate that proposed development plans will be submitted to the Corps of Engineers for determination of permit requirements and that appropriate permits be obtained prior to the initiation of any development plans** (Lt. Col. John L. Whisler, Jr.—Nashville District, Army Corps of Engineers).

TVA Response: The EA has been changed appropriately.

6.65 **Plant species such as the large-flowered skullcap (Scutellaria montana), Price's potato bean (Apios priceana), American hart's tongue fern (Phyllitis scolopendrium) and Eggert's sunflower (Helianthus eggertii) were originally identified by the Service as possibly occurring in the project area. The EA should reference the demonstrated absence of suitable habitat, appropriate site surveys, or other basis for TVA's conclusion The Service concurs with your determination that the project "may affect" the gray bat (Myotis grisescens), Indiana bat (Myotis sodalis), and bald eagle (Heliaeetus leucocephalus). The Service recommends that TVA**

initiate formal consultation concerning the potential impacts as a result of the proposed project (Lee A. Barclay—U.S. Department of the Interior, Fish and Wildlife Service).
TVA Response: The EA has been changed to respond to this comment

LISTING OF AGENCIES CONSULTED

U.S. Department of the Interior, Fish and Wildlife Service, Cookeville Field Office, Lee A. Barclay

U.S. Department of the Army, Nashville District, Corps of Engineers, John L. Whisler, Jr. and Thomas W. Waters

Tennessee Department of Environment and Conservation
Tennessee Historical Commission, Herbert L. Harper
Division of Natural Heritage, Reginald G. Reeves
Division of Water Pollution Control, Gregory M. Denton

Tennessee Wildlife Resources Agency, Gary T. Myers and Mike Bailey

Tennessee Technological University, Thomas H. Roberts