TVA Floating Houses Policy Review Environmental Impact Statement

Scoping Report

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Contact:
Matthew S. Higdon
NEPA Specialist
NEPA Program and Valley Projects
Tennessee Valley Authority
400 W. Summit Hill Drive, WT 11D-K
Knoxville, Tennessee 37902
Phone: 865-632-8051
Email: mshigdon@tva.gov

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Introduction

Tennessee Valley Authority (TVA) is reviewing its management and oversight of floating houses and nonnavigable houseboats on all TVA-managed reservoirs including the Tennessee River and its tributaries and is developing a management strategy to address environmental, safety, and socioeconomic concerns associated with the proliferation of these structures.

For purposes of this review, a floating house is considered a structure determined by TVA to be designed and used primarily for human habitation at a fixed location rather than for navigation or transportation on the water.

TVA is using the environmental review process to identify issues, trends, and tradeoffs affecting TVA's policies; formulate, evaluate, and compare alternative management options; provide opportunities for public review and comment; and ensure that TVA's evaluation of alternative management and policy strategies reflects a full range of stakeholder input. At the conclusion of the environmental review, TVA will implement a selected alternative.

On April 30, 2014, TVA published a Notice of Intent in the Federal Register to conduct the environmental review in accordance with the National Environmental Policy Act (NEPA). The Notice of Intent (Notice) initiated a 90-day public scoping period, which concluded in late July 2014. As stated in the Notice, TVA would determine whether an Environmental Assessment (EA) or Environmental Impact Statement (EIS) would be completed based on the result of a scoping process.

After the scoping period concluded, TVA determined that completing an EIS was an appropriate level of NEPA review for addressing the potential environmental impacts of the various alternatives.

TVA's Objective

In recent years, several TVA reservoirs have experienced an accelerated growth of new and unpermitted floating houses designed and used primarily for human habitation at a fixed location rather than for recreational navigation and transportation. In some areas, plans have been developed for residential subdivisions on the water. This growth has generated additional sources of revenue for commercial marina operators; however, the proliferation of these structures also has resulted in unanticipated uses of the reservoir system and has raised concerns about impacts to public health and safety, the environment, and public recreation. In addition, these new structures, which have evolved through advancements in construction and manufacturing, did not exist when TVA established its applicable regulations in 1978.

The purpose of TVA's review is to ensure that its reservoirs are managed according to the provisions of Section 26a of the Tennessee Valley Authority Act of 1933 to regulate obstructions that affect navigation, flood control, or public lands across, along, or in the Tennessee River or any of its tributaries. Section 26a requires that TVA's approval be obtained prior to the construction, operation, or maintenance of any dam, appurtenant works, or other obstruction affecting navigation, flood control, or public lands or reservations. By way of example only, such obstructions may include boat docks, piers, boathouses, buoys, floats, and nonnavigable houseboats. In addition to TVA's jurisdiction under Section 26a, TVA must ensure compliance with the terms of valid covenants and conditions in approved permits under Section 26a, and in

deeds and land-use agreements documenting the granting of land rights or sale of TVA land that stipulate or restrict how TVA property and shoreline areas can be used.

Background

In 1978, TVA amended its Section 26a regulations to prohibit all new “nonnavigable houseboats,” except for those in existence before February 15, 1978. Under these regulations, only nonnavigable houseboats that existed before that date were authorized to remain on TVA reservoirs. Owners of these nonnavigable houseboats were issued permits by TVA. Any nonnavigable houseboats or floating houses built for habitation after 1978 would be considered an unpermitted obstruction.

In 2003, TVA clarified the rules for nonnavigable houseboats to better distinguish between navigable houseboats and nonnavigable houseboats, to more clearly specify where nonnavigable houseboats may be moored, and to include a provision governing sanitation for nonnavigable houseboats.

A nonnavigable houseboat under TVA regulations means any houseboat not in compliance with one or more of the following criteria:

1. Built on a boat hull or on two or more pontoons,
2. Equipped with a motor and rudder controls located at a point on the houseboat from which there is forward visibility over a 180-degree range,
3. Compliant with all applicable State and Federal requirements relating to vessels,
4. Registered as a vessel in the State of principal use,
5. State registration numbers clearly displayed on the vessel.

TVA estimates there are approximately 1,900 floating houses and permitted nonnavigable houseboats on 13 TVA reservoirs. These structures are most prevalent on Norris and Fontana Reservoirs, with approximately 900 on Norris Reservoir and approximately 500 on Fontana Reservoir. Most of the floating houses and nonnavigable houseboats appear to be built primarily for human habitation at fixed locations. Though many owners may consider their structures as in compliance with the regulations, the structures neither resemble nor have the performance characteristics of navigable boats.

Some of the factors TVA may consider in further clarifying the difference between a navigable vessel and a floating house include, but are not limited to, whether the structure:

- Is used on a regular basis for transportation or navigation,
- Has the performance characteristics of a vessel typically used for navigation or transportation on the water,
- Is usually kept at a fixed mooring point,
- Has a permanent or continuous connection to the shore for electrical, plumbing, water, or other utility service,
- Can be readily removed from the water,
- Is used for intermittent or extended human habitation or occupancy at a stationary location,
- Is safe to navigate,
- Has established utilities and is not self-contained,
- Can be trailered on public highways,

- Is constructed from traditional- or standard-grade marine materials,
- Has clearly defined propulsion, and appropriate power/size ratio,
- Is moored like a boat.

That a structure is capable of navigation or transportation on the water and occasionally moves from place to place, or that it qualifies under another Federal or State regulatory program as a vessel or boat, may not prevent TVA from determining that it is a floating house.

Environmental Review Process

NEPA requires Federal agencies to consider and study the potential environmental consequences of major actions. The NEPA review process is intended to help Federal agencies make decisions that are based on an understanding of the action's impacts and, if necessary, to take actions that protect, restore, and enhance the environment (40 CFR 1500.1(c)). NEPA also requires that Federal agencies provide opportunities for public involvement in the decision-making process. (For more information, go to www.NEPA.gov).

TVA intends to prepare an EIS to consider future management of floating houses rather than to prepare an EA. The EIS is the most intensive level of NEPA review. During the completion of the EIS, the public and other environmental and permitting agencies have opportunities to provide input on the development of the environmental review. After the public scoping period, TVA will develop and publish a draft environmental analysis that will be provided to the public for additional comment. During the public comment period on the draft EIS, TVA will conduct additional public meetings. Once the public and other agencies have reviewed the document, TVA will make revisions, if necessary, and publish a final EIS. TVA will make a final decision after the final EIS is published.

During the initial public scoping period in 2014, TVA estimated that the draft EIS would be published in early 2015, the final EIS would be published in the summer of 2015, and a final decision would also be made in summer 2015. See the general project schedule included in Appendix D. TVA now estimates that a final decision will be made in late 2015.

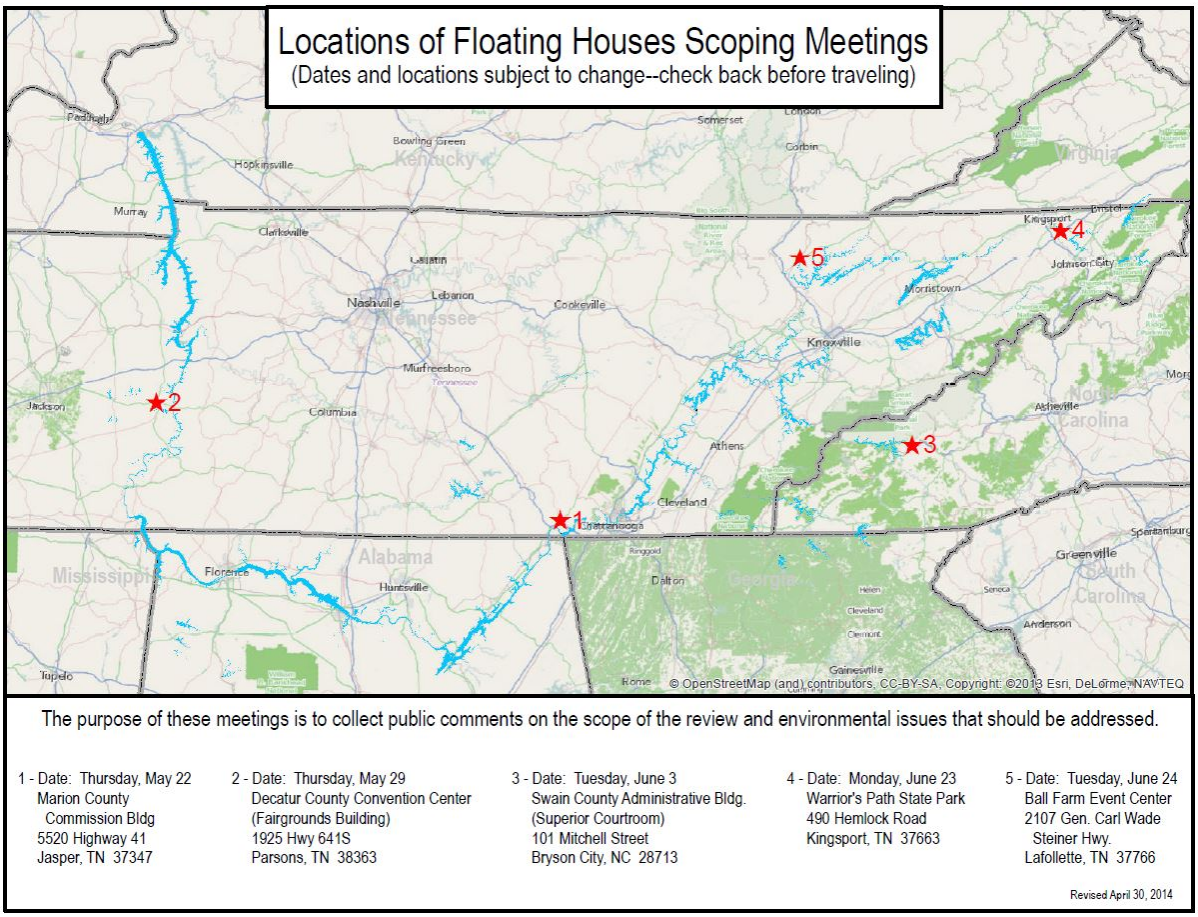
TVA has assigned a NEPA project team tasked with developing potential management alternatives and compiling the environmental analyses which includes members from TVA's Environment and Natural Resources and Real Property Services organizations. The NEPA Program and Valley Projects unit, within the Project Environmental Planning organization of TVA's Environment group, has the primary responsibility for both the management of the NEPA process and the assembly of the draft and final NEPA documents, in consultation with Natural Resources and Real Property Services. Staff from these TVA organizations are responsible for individual resource area discussions that are based on their expertise and experience. Other TVA groups, including Environmental Permitting and Compliance and River Operations, will contribute to the analysis. A qualified contractor is also assisting TVA with the environmental analysis and preparation of the draft and final NEPA documents.

Scoping Meetings

TVA's 90-day public scoping period was initiated on April 30, 2014, with the publication in the *Federal Register* of the Notice of Intent. During the scoping period, TVA conducted five public meetings in May and June 2014 at locations across the Tennessee River Valley to provide information, solicit input, discuss options, and identify related issues. The meetings were

advertised in local newspapers, by press releases, and on the project website. The meeting dates and general locations are presented in Figure 1.

Figure 1. Locations of Floating Houses Scoping Meetings



TVA used an open-house format for these meetings. At each meeting, TVA personnel gave at least one presentation to the public about the review, the NEPA process, TVA policies, and related issues. The presentation was posted to TVA's website and is included in Appendix D. Attendees were invited to visit information booths and to speak with TVA Specialists about their questions and concerns. Attendees were provided a variety of materials relating to the TVA review and were invited to submit comments formally. Comment forms and boxes were provided and at least one court reporter was on hand at each meeting to record attendees' verbal comments.

The number of meeting attendees, excluding TVA staff and representatives of other Federal or State agencies, is presented in Table 1.

Table 1. Public Scoping Meeting Attendance

Date (2014)	Location	Number of Attendees
May 22	Jasper, TN – Marion County Commission Building	1
May 29	Parsons, TN – Decatur County Convention Center	22
June 3	Bryson City, NC – Swain County Administration Building	72
June 23	Kingsport, TN – Warrior's Path State Park	35
June 24	LaFollette, TN – Ball Farm Event Center	77

Meetings with Interested Groups

Early in the public scoping period, TVA met with two local power companies and marina owners groups that had expressed an interest in TVA's management of floating houses and the environmental review. Because TVA coordinates routinely with these groups in managing its reservoirs, these groups had previously communicated an ongoing interest in the floating houses policy. The following meetings occurred prior to or in the initial weeks of the public scoping period:

- Norris Marina Owners Association (April 8 and May 13, 2014)
- Powell Valley Electrical Cooperative (May 7, 2014)
- Marina owners of the Upper Holston River (May 8, 2014)
- Lafollette Utilities Board (May 9, 2014)

TVA documented issues and recommendations from these meetings and has compiled them in Appendix A.

TVA's Floating Houses EIS Webpage

TVA is utilizing its existing corporate website as a platform for additional public outreach. The website – www.tva.gov/floatinghouses - is intended to serve as the basis for distributing information to the public. The website includes:

- An overview of TVA's concerns and relevant issues,
- Pertinent laws and regulations,
- Photographs of floating houses and related structures,
- A description of the NEPA process,
- Contact information for the TVA project leads,
- Web links to other State and Federal agencies involved in the review,
- Presentation materials that TVA provided at the public meetings.

Also included is a list of "frequently asked questions" that addresses in greater detail 13 questions that members of the public may frequently ask.

In addition to the ability to provide written comments, TVA provided the public two web-based means to submit comments as well. First, TVA established an email address to provide a project-specific mailbox to which the public could submit comments or questions. The email address (fh@tva.gov) is to be utilized throughout the project, not only during the scoping period. In addition, a web-based comment submittal form was also available to the public (as part of TVA's Comment Management website) for those wishing to submit comments. This form was only available to the public during the 90-day scoping period. Comments received via email and the website comment form are included in Appendix A.

Issues Discussed During Scoping Period

During the public scoping period, TVA identified and communicated to the public and other agencies a number of environmental, safety, and socioeconomic concerns. TVA solicited feedback from the public during the scoping period on these issues and asked that new issues or information about other concerns be brought to TVA's attention.

Based on TVA's preliminary analyses and from input garnered during the public scoping process, the following issues and resources have the potential to be significantly affected by the proposed action:

- Water quality (e.g., sewage and wastewater discharge, pumpout programs, use of marine sanitation devices),
- Safety, including unsafe mooring practices that create recreational boating hazards, lack of structural integrity, fire hazards, concerns relating to electrical systems,
- Visual impacts (e.g., size of houses and expanse of house communities),
- Solid waste handling and disposal, including the abandonment of derelict structures,
- Recreation (e.g., use of public waters for private habitable use),
- Socioeconomics (e.g., economic impacts and revenue to commercial marina operators),
- Navigation,
- Mooring and anchoring practices (e.g., securing structures outside approved marina harbor limit areas, and blocking access to public shorelines),
- Clarification of rules, enforcement of regulations, and minimum safety and environmental standards.

Summary of Scoping Feedback

Participants submitted a variety of comments and opinions regarding future management of floating houses and nonnavigable houseboats that ranged in scope from prohibit and remove all such structures to grandfather and approve existing ones. Concerns expressed involved water quality; electrical safety; access to public shoreline; growth and size of floating houses; the need for standards and the enforcement of those standards; and impacts to businesses and personal investments.

The public scoping comments and input received by TVA are included in Appendix A and the letters of response from State and Federal agencies are included in Appendix B. The following section provides a brief summary of the most prevalent issues and comments expressed during the 90-day scoping period:

- Safety related to electrical systems and proper anchoring and mooring,

- Water quality and the need for proper management of wastewater (black water and grey water),
- Need for clearer regulations and stronger policing and enforcement,
- Minimum standards (safety and environmental) should be established for floating houses and nonnavigable houseboats,
- Need for an inspection and certification system; TVA should charge floating house owners to support the required oversight and management to implement the system,
- Permit (grandfather) existing floating houses that meet minimum standards, and continue to allow existing nonnavigable houseboats to be maintained,
- Floating houses are important financially to marinas and the local and regional economies; floating house owners have made significant investments.

The volume of comments by general category is summarized below. For clarification on how stakeholder input was collected and summarized, one commenter may have identified several issues or concerns, or made more than one recommendation or suggestion. An attempt was made to count each issue or recommendation separately by a general descriptive category or theme.

- Management and Policy Alternatives and Recommendations – 78
- Standards, Rules, and Enforcement – 69
- Environmental Impacts and Water Quality – 61
- Economic and Financial Impacts – 59
- Anchoring and Mooring Practices – 22
- Safety – 20

As noted above, stakeholder comments were documented at the public meetings by court reporter transcripts and written comment cards. Online comments were submitted to TVA's Comment Management website, and the Floating Houses Review email message address. Written comments were also mailed, and issues and recommendations were documented from stakeholder telephone calls, and meetings with marina owners and associations, power distributors, local officials and stakeholders. The number of comments submitted to TVA during the scoping period are listed in Table 3.

Table 3. Public Comments Received During Scoping

Method of Submittal	Number of Comments Submitted
Comments submitted at TVA's website	19
Email messages	22 (a total of 38 messages from 28 individuals were submitted, only 22 of which pertained specifically to TVA's floating houses review)
By Mail	1
By Phone	9
Court Reporter – Jasper, TN	1
Court Reporter – Parsons, TN	2+
Court Reporter – Bryson City, NC	7
Court Reporter – Kingsport, TN	3
Court Reporter – LaFollette, TN	13

Notification to Other Agencies, Officials, and Tribes

TVA also sent letters to numerous Federal and State agencies, as well as elected officials, to notify them of the review and scoping period. See Table 4. TVA received agency letters of response from the U.S. Fish and Wildlife Service's Gloucester, Virginia and Asheville, North Carolina Field Offices; U.S. Army Corps of Engineers Wilmington District, Asheville, North Carolina Regulatory Division Office; Virginia Department of Game and Inland Fisheries, Richmond, Virginia; Virginia Department of Historic Resources, Richmond, Virginia; Virginia Department of Environmental Quality, Richmond, Virginia; and Kentucky State Historic Preservation Office, Frankfort, Kentucky. These agencies expressed interest in TVA's review process and requested that TVA keep them apprised of progress and opportunities to provide additional input. In its letter, the U.S. Fish and Wildlife Service Asheville Field Office provided more detailed input regarding TVA's review, expressing concern with the proliferation of floating structures and their effects on fish and wildlife species, and providing specific recommendations regarding the scope of the environmental analysis and the type of mitigation measures that should be considered.

Table 4. Agencies and Tribes Receiving Notice of TVA's Scoping Period

Federal Agencies	
U.S. Forest Service	National Forests in North Carolina (Asheville, NC) Nantahala National Forest (Franklin and Murphy, NC District offices) Forest Service Region 8 (Atlanta, GA) Chattahoochee/Oconee National Forests (Gainesville, GA) National Forests in Alabama (Montgomery, AL) Forest Service, Land Between the Lakes (Golden Pond, KY) National Forests in Mississippi (Jackson, MS) Cherokee National Forest (Cleveland, TN)
U.S. Army Corps of Engineers	Wilmington District, Asheville, NC Nashville District, Nashville, TN Mobile District, Mobile, AL Regulatory Office, Decatur, AL Regulatory Office, Lenoir City, TN
U.S. Coast Guard	Marine Safety Detachment, Nashville, TN
U.S. Environmental Protection Agency	EPA Southeast Region 4, Atlanta, GA
U.S. Fish and Wildlife Service	Southeast Region, Atlanta, Georgia Asheville, North Carolina Frankfort, Kentucky Decatur, Alabama Daphne, Alabama

	Athens, Georgia Jackson, Mississippi Cookeville, Tennessee Gloucester, Virginia Abingdon, Virginia
State Agencies	
Alabama	Department of Conservation and Marine Resources, Montgomery Department of Conservation and Natural Resources, Montgomery Department of Economic and Community Affairs, Montgomery Department of Environmental Management, Montgomery Historical Commission, Montgomery North-Central Alabama Regional Council of Governments, Decatur Northwest Alabama Council of Local Governments, Muscle Shoals Top of Alabama Regional Council of Governments, Huntsville Decatur–Morgan County Port Authority, Decatur
Georgia	Department of Natural Resources, Atlanta and Gainesville offices
Kentucky	Energy and Environment Cabinet, Frankfort Department for Natural Resources, Frankfort Department for Environmental Protection, Frankfort Department of Fish and Wildlife, Frankfort State Clearinghouse, Frankfort Heritage Council and State Historic Preservation Officer, Frankfort
Mississippi	Department of Environmental Quality, Jackson Department of Wildlife, Fisheries, and Parks, Jackson NE Mississippi Planning and Development District, Booneville Tombigbee River Valley Water Management District, Tupelo
North Carolina	Department of Environment and Natural Resources – Raleigh and Swannanoa offices North Carolina Wildlife Resources Commission – Raleigh North Carolina Department of Cultural Resources – Raleigh
Tennessee	Department of Economic and Community Development, Nashville Department of Environment and Conservation, Nashville Historical Commission, Nashville Department of Transportation, Nashville East Tennessee Development District, Alcoa First Tennessee Development District, Johnson City Northwest Tennessee Development District, Martin South Central Tennessee Development District, Columbia Southeast Tennessee Development District, Chattanooga Southwest Tennessee Development District, Jackson Tennessee Wildlife Resources Agency, Nashville
Virginia	Department of Conservation and Recreation, Richmond

	Department of Environmental Quality, Richmond and Abingdon Department of Game and Inland Fisheries, Richmond Department of Historic Resources, Richmond
Federally Recognized Tribes	
Absentee-Shawnee Tribe of Oklahoma Alabama-Coushatta Tribe of Texas Alabama Quassarte Tribal Town Cherokee Nation The Chickasaw Nation Choctaw Nation of Oklahoma Eastern Band of Cherokee Indians Eastern Shawnee Tribe of Oklahoma Jena Band of Choctaw Indians Kialegee Tribal Town Mississippi Band of Choctaw Indians Muscogee (Creek) Nation of Oklahoma Poarch Band of Creek Indians Seminole Nation of Oklahoma Shawnee Tribe Thlopthlocco Tribal Town United Keetoowah Band of Cherokee Indians in Oklahoma	

Appendix A: Public Comments Submitted During Scoping Period

(April 30, 2014 through July 29, 2014)

***** Names of individual commenters have been redacted. *****

The opinions expressed herein are those of individual commenters and do not represent those of TVA. In addition, the claims made by commenters have not been verified by TVA.

Appendix A includes:

- Comments Submitted via TVA's NEPA Comment System Form
- Comments Submitted by Email
- Mailed Comments
- Telephone Log Notes
- Comments Given to Court Reporter at Public Meetings
- Comments Received Following TVA Presentations at Various Meetings

Public Comments Submitted via
TVA's NEPA Comment System Form (19)

NEPA Comment System - Comment 1

June 11, 2014 – I have a vacation home on Fontana Lake that overlooks the Alarka section of the lake which has several floating houses on it. I firmly believe that floating houses need to be more strongly regulated and the number of permitted vessels should be significantly reduced. The floating houses present serious safety issues and are often unsightly.

Anchoring is an eyesore and the cables to shore present a danger to boaters, particularly if the cables are submerged.

How is sewage being handled? There are over 400 houseboats on the lake (Fontana) and I have never seen a vessel removing sewage from any of them. The lake had dangerous algae blooms last summer which indicates the presence of high levels of contaminants.

The lake has unbelievably large amounts of floating garbage (far more than can be explained by the level of boat traffic)– everything from plastic beverage containers and assorted household garbage to Styrofoam from failed floatation devices. I spend several hours a year removing this garbage and properly disposing of it at my expense.

People traveling to and from their floating houses increase boat traffic on the lake, adding additional pollutants.

Some floating houses have been abandoned, creating obvious safety and pollution issues. Our community had to demolish one that burned and ended up abandoned on community property. Furthermore, there is currently another in a cove across the Little Tennessee from where I own a boat dock (separate from my home).

Residents of some floating houses are loud well into the evening and can be heard clearly at our home which detracts from the serenity of the lake.

NEPA Comment System - Comment 2

June 2, 2014 - TVA in 1978 issued a "B" permit number on Norris Lake and grandfathered all floating structures on the water for personal enjoyment to the owners of a 10 feet wide by 30 foot long fishing shack or smaller. Then in the late 80' s [Tennessee Wildlife Resources Agency] TWRA got involved. Started issuing TN numbers so TVA turned their head and let TWRA handle this problem. But it is the best thing that every happen to NORRIS.

NEPA Comment System - Comment 3

May 30, 2014 - We own a floating house in the Perryville Marina at Perryville Tennessee. The major issue we have is the marina ownership keeps raising the rent rate and yet provides no services. Our rent has more than doubled in the last ten years, yet again no services. We put our own water meter in, we provide all upkeep on the road and the shoreline. We have been informed that rates would continue to rise each year.

Our homes are serviced by electricity overhead. Our homes are secured to the bank and all have floated above the highest water rise. We are not irresponsible people who disregard the safety of others.

Marina owners and managers are allowed to establish a permanent residence on the property

they lease for commercial use on TVA land. It would seem that since the marina has no interest nor intent to provide any services for the floating houses at Perryville, a homeowners association should be allowed to be a leasing agency, as the blurring of public and private is always going to be an issue.

The Perryville Marina receives around fifty thousand dollars per year rent on the floating houses, yet no dollars are expended for any maintenance. The unfairness of this situation is monumental. It seems that if TVA is going to regulate marinas the regulation of rates and services should be a part of the regulation.

I realize that not everyone can afford, nor will have access to a floating house. Neither will everyone have access to a pontoon or a houseboat. Public land leased to commercial enterprises will always exclude some people. There is no way around that. But to price gouge just because you can is just wrong.

One thing I don't think I made as clear as I wanted in my last comments, or as clear as I wanted to, was this. Again, I am the owner of a floating house in the Perryville Marina. If we were renting a slip for a pontoon or a houseboat, there would be water lines run to the slip, along with electricity. Sewer pump out would be provided, all for the price of slip rental. They would have to keep prices in line with other Marinas in the area in order to keep tenants. The market keeps the price in line.

For the floating houses no services are provided. No water, no electricity, no sewer, no trash pickup, NOTHING. And there is no control over the rates charged because we can't move to the next marina up or down the river. Yes, we do own our houses but the houseboat owners and pontoons owners, and camper owners own their places as well. In your presentation at Parsons you kept saying we were joined at the hip with the marina, they are attached to our wallets in an unfair way.

NEPA Comment System - Comment 4

June 9, 2014 - We have a home on Fontana Lake and have continued to be concerned about the floating houses on the lake. We have a few concerns regarding the houses: 1) It appears that each year there are additional homes being added to the area and we were under the understanding that no new ones could be added. 2) Many of the older ones are abandoned and falling apart, causing significant debris in the water and also creating a hazard for people who might attempt to visit them. 3) None of these homes have running water, so they are using the lake for everything!

I am glad to see that the TVA is seriously taking action to ensure our lakes and park land stay safe and we do our best to protect the environment surrounding the Smokey Mtns.

NEPA Comment System - Comment 5

June 20, 2014 - Cove Ridge Marina can understand the need for TVA to consider further regulations of nonnavigable floating houses as it relates to these structures not interfering with navigable TVA waterway and as it relates to safety within harbor limits and better control of effluent, incrementalism, height restrictions, or required upgrades to come into compliance with certain standards. We also understand the need for regulating what are essentially boathouses built with outboard motors on them but with no official TVA permit in an attempt to avoid the moratorium on the permitting of nonnavigable floating houses on TVA lakes. But Cove Ridge Marina would have serious concerns about any attempt to remove properly permitted and properly placed floating houses that are in compliance with current TVA regulations from TVA waters and with any regulations that would prevent TVA permit holders from placing a properly

permitted floating house on TVA waters because great expense has gone into these structures. Those who have permits to build floating houses and those who have existing floating houses with permits have played by the rules and it would be a great financial burden and would send the wrong message to adopt a rule to phase these structures out all together over time.

NEPA Comment System - Comment 6

June 24, 2014 - We live in Springboro, OH (South of Dayton). In the summer of 2006 we were invited down to Norris Lake to stay with some friends at their parents condo, The Point @ Shanghai. We had never been to Norris Lake but immediately fell in love with it, as did our young children who were 5 and 3 @ the time. We were invited down again the next summer and confirmed it was indeed, love @ first sight. So when our friends invited us down again in the Summer of 2008, we wanted to scope out a place of our own whether it be land for building in the future or a condo to use now. The funny thing is, the weekend prior to our 3rd visit to Norris Lake, we had been invited to Indian Lake (in Ohio) to stay with some other friends who had built a condo in a development called 'Pirates Cove'. We loved the place and idea so we put down a deposit to have our own condo @ Indian Lake (Pirates Cove)…which is about 1 hour from our home. Fast forward to the 3rd visit to Norris Lake w/our friends whose parents own the condo @ The Point @ Shanghai and once we arrived, we realized how much we really loved Norris and wanted to do something there instead. We spent the day on the lake and ended up going to Flat Hollow Marina to spend time @ another friend's floating house (we had no idea what that was). We were blown away about this little piece of heaven that literally floated on the water – it was a house on the water with all the amenities of a home and more (washer/dryer, full bathrooms, full kitchen, bedrooms, living area TV's, stereo, double deck, hot tub, slide, etc.)…we wanted to do something like this that we could enjoy NOW and make lasting memories with family and friends. We did a lot of research and asked a lot of questions about these floating homes and all answers pointed back to this was the right thing to do. So later that Summer, in August, we came back and put a deposit down with the Flat Hollow Marina owners/operators to have our own 'little slice of heaven' built, our floating house which was started in October of 2008 and finished in April 2009. We use the home for vacations with family and friends and then rent it out for 7-8 weeks in the peak summer (late June to early August). We've made friends and family aware of this beautiful, clean, lake and some have since come down to Norris to rent houses, house boats and floating houses of their own to enjoy and make memories all while pumping money back into the local Norris Lake area and TN in general. We spend a lot of money on our floating house to maintain it and keep it looking like new, in addition to the fees, to keep it floating and make it safe for us, renters and the other people enjoying Norris Lake (mooring fees, property insurance, liability insurance, trash removal, septic/holding tank pump outs and repairs/maintenance). We've made some fabulous memories at our floating home and plan to make many more as this is our home away from home and something we've worked hard to achieve (having a vacation home). We implore that you 'grandfather' all of the existing floating house owners and their structures under the laws that existed when these houses were being built and deployed onto Norris Lake. In 2010, you stopped the building of these Floating Houses so you were very well aware that they were being built and put out on the lake. If they weren't allowed after 1978, then how could someone turn a blind eye to this for over 35 years and not stop it until 2010? Someone needs to be accountable for this and it certainly shouldn't be the people who worked so hard and followed the known rules/regulations to build their floating houses. If we would have needed a permit or needed to pay a fee or taxes to proceed with this process back in 2008, we would have done it – no questions asked. While we cannot make the meeting today, June 24th, we did want to share our story and express our concern regarding some of the rumors we are hearing about what could happen to these floating houses or, as we like to call them 'little slices of heaven'. Thank you in advance for your time and consideration.

NEPA Comment System - Comment 7
June 24, 2014 - In our opinion on the floating house boat issues are that all houseboats on the lake now, June 24, 2014, on this day be grandfathered in and then go forward not allowing anymore to be built unless the rules are followed and all boats meet the regulations example-mooring (which the docks should be responsible for all moorings properly done) and all house boat owners follow electric regulations if they have electric and sewage and so forth. For some of us that is our only enjoyment for relaxation and no place I would rather be in the summer is on these beautiful lakes.

NEPA Comment System - Comment 8
June 25, 2014 - I have had the opportunity to read the minutes from your meetings in regards to the review and proposals affecting the regulation of floating homes / moored houseboats on TVA waters. I agree that this is a very challenging task to regulate the building and maintaining of structures on TVA waters.

It appears that there are multiple agencies that are wanting a stake in this debate. How do you regulate and ultimately tax a structure that is built for habitation. Is this a State issue (State Waters), Local Issue (Personal Property tax) or a Federal issue (TVA Authorization)? Safety is a major concern as well, does the structure meet standard building codes? Do they meet the requirements for Clean Waters, but having holding tank for black water? Do they meet floatation requirements?

The Marina Owners or Lease holders have been tasked to maintain the harbors they lease from the TVA meet all of the requirements of the TVA. Floating Home and Houseboat Owners pay a 'lease' fee to the Marina for the Mooring of their structure, which they have approved the building or placement in their harbor. This fee, represents the cost of their lease payment to the TVA and Profit for their gain. Thus the owners of the structures or boats are already paying for the use of the harbor, to the TVA.

I agree that the TVA needs to police the actions of the Marina Owners, to provide safe and secure mooring, availability to pumping services, and the maintenance of the structures and holding tanks, to insure environmental integrity. To do so, a fee, to the TVA or via a pass through to the Marina Owner could be charged. Currently Owners are paying in excess of $4500.00 for the use of the facilities to the Marina Owners. There are charges for Water, Electric Service, and Pumping fees, all of which are helping the local economy. This does not include the food, fuel, and other items purchased in the area.

The TVA could charge a nominal fee for the inspection and certification of the structure. This should be a nominal fee as most if not all structures post 1978 have been approved by the Marina Owner / Utility for electrical safety and sewage discharge. Most of the new structures are safer, cleaners, and more aesthetically appealing than those prior to 1978.

The bottom line is that 'boat' owners provide a great deal of revenue for the state and local economies. Over regulating or over taxing them, will slow or stop any economic growth. They also respect and help preserve the resource by keeping it clean, and safe.

NEPA Comment System - Comment 9
July 10, 2014: I do think there should be codes to abide by to protect the lakes and the environment but you should not get rid of the floating houses and house boats that are doing their best to protect the environment. Even if you are building on land you are affecting the environment. I have watched a house being built on the shore. The trees have been cut down. There was a beaver on the shore but no more. I am sure there is a septic system which is

probably no better than the houseboat. I have taken precautions with what I use in dish and body soaps - safe for lakes and rivers. I have come to love this lake.

NEPA Comment System - Comment 10
July 16, 2014: I have been on and around the boat houses on South Holston Lake at Laurel Marina and they appear to be a great asset to the lake and community. They are tightly managed for safety and environmental health.

NEPA Comment System - Comment 11
July 18, 2014: I own a floating home on the Norris Lake Reservoir (the "Lake"). The Lake is beautiful and is one of the cleanest reservoirs in the United States. I would like to keep it that way. In that regard, I am in favor of regulations concerning overall water quality and electric safety. Such regulations can be further implemented, however, without restricting the use of existing floating homes on the Lake. To the extent TVA considers requiring removal of existing floating homes, that would be fundamentally unfair and unnecessarily draconian as TVA has, in effect, allowed the proliferation of floating homes on the Lake. Moreover, the existence and use of floating homes on the Lake provide a welcome and necessary positive economic impact on several counties surrounding the Lake, most of which counties are economically depressed as it is. Any effort by TVA to remove existing floating homes would cause deleterious economic impacts to all of these counties which are already plagued with high unemployment rates. Please consider these comments and let me know if there are additional ways I can comment, such as through any public comment period for TVA as a public agency.

NEPA Comment System - Comment 12
July 23, 2014 - I think houseboats, floating homes, marinas, etc. need to be inspected and if they do not meet the criteria they should have 90 days to fix the problem. if not fixed then they should be removed. All houseboats, floating homes, etc. that have been constructed and passed all requirements should be grandfathered in. Registering a floating home may also be an option to keep them on the water.

NEPA Comment System - Comment 13
July 23, 2014 - I think the floating home situation should be handle like this. Each home should go under inspection that is already out there much like the marinas go under cause they are really a floating home in there self. All electrical and waste should be handled just like the marinas do. you are already paying a fee too the marina for having it out there. If tva is wanting some money for them to be out there they should do it like a boat whatever fee for the size of the boat. I don't think they should be taking off the lakes if they meet all the requirements that you all make and give the people some time too fix them 90 days or so. I really enjoy the water and I think if you take them off the lake in the long run it will hurt the marinas and take a lot of money from tva and twra . Thanks

NEPA Comment System - Comment 14
July 25, 2014: I have been going to Lake Blue Ridge in Georgia every summer since I was born. In the past several years, I have noticed a dramatic increase in the number of houseboats on the lake. Not only do these houseboats detract from the natural beauty of the lake, but they also drastically decrease the amount of lake available to public use. The houseboats will choose a cove and string wires across both sides of it, thereby prohibiting anyone else from using the entire cove. Due to houseboats, my family and I can no longer access the coves which we used to use for swimming, picnicking, and waterskiing. In addition, the hard-to-see wires strung up throughout the lake can be very dangerous, both to boaters and to skiers and tubers. In order to maintain the lake's appearance, accessibility, and safety, I believe that it is important to place tougher restrictions - or at least more accountability - on houseboats in TVA lakes.

NEPA Comment System - Comment 15
July 25, 2014: I own a house on Blue Ridge Lake and am very bothered by the 20 or so floating houseboat/docks permanently tethered on the lake. My primary concern is sanitation. I see these houseboat/docks have power boats and jet skis tied up all weekend and must assume they flush toilets directly into the lake. My lake neighbor tells a story of a 12 year old Fannin County student she tutored who was so excited about the upcoming summer because he would be living full time on one of these floating houseboat/docks.

I am also charged high property taxes for the privilege of owning lakefront property. I have confirmed with the Fannin County, GA Tax Office that these houseboats pay NO taxes. Therefore they get the privilege of being lakefront without the burden of paying for it.

I ask the TVA to rid Blue Ridge and other lakes of these unsanitary houseboat/docks. In July of 2010 I identified 16 of these squatters on a map of Blue Ridge Lake which I sent to the Fannin County Tax Office. I would be happy to forward a copy of this map.

NEPA Comment System - Comment 16
July 25, 2014: Hi, so glad to see this study. I own a lake front home on beautiful Lake Blue Ridge. There are now 19 of these poorly constructed, rigged floating structures on our lake. There is less than 18% privately owned homes on the shoreline of this incredible lake. These structures are dangerous to boaters and swimmers, materials are ecologically questionable, and the sanitation issue is VERY concerning. Safety is a huge concern, since they do come apart, sink, and moorings become untied. There are several beautiful coves that my family loves to enjoy. Last year when we went out for the first spring ride, those coves now have floating, decrepit structures blocking the coves. 100's of feet of rope to secure the things, almost was gorroted before realizing what I was seeing. Whereas our lake was drinking water quality, it now has trash floating, and questionable water quality. I pay my taxes for my boat and home. I hate these ugly, dangerous, floating shacks. I went out 2 years ago on Lake Fontaine. Wow, what a beautiful lake too! It was covered in these floating, ramshackle structures. It made me really sad, where is all the human waste going? Yep, you guessed it. Please do anything and everything you can, TVA to remove and outlaw these dangerous contraptions. Certain lakes should be allowed houseboats, with high tech waste removal, but not small lakes like Blue Ridge, Chatuge, Hiawassee, Notely etc. Kayakers, canoe enthusiasts, fisher people should have a place to enjoy the diverse beauty of our lakes as well. Thank you so much TVA. By the way, in looking at your pictures, not one of the structures on Blue Ridge looks good, but ugly floating trailer debris. Very dangerous in my opinion.

NEPA Comment System - Comment 17
July 27, 2014: I purchased a boathouse with a 4H number on South Holston Lake last summer. To date, I have been pleasantly surprised by the conditions of the boathouses in our club as well as the harbor itself since we started enjoying our new place. This year, the water clarity has been unbelievable in our harbor. I would estimate that you can see at least 12 feet into the water below our boathouse. It is unbelievably clear which is testament to everyone in our harbor taking care of the lake and their discharge in an appropriate manner. Everyone in our club, including myself, has been extremely proactive in updating our electrical and sanitation systems on our boathouses. We have found that our harbor master is outstanding at maintaining the moorings and position of our boathouse as the lake levels increase and decrease.

Overall, we could not be happier with our experience on South Holston Lake and Laurel Yacht Club and therefore, I would hope that things do not change dramatically for our club. I believe that Laurel Yacht Club has set an example for others to follow.

I do feel that TWRA and TVA need to develop a better relationship to manage our resource better and in a more concerted effort. I also feel that the developments planned for Norris Lake as well as the use of any TN boat numbers for nonnavigable vessels needs to be eliminated or at least monitored more closely. Thanks for taking my comments and for the effort to improve our lake.

NEPA Comment System - Comment 18

July 28, 2014: My wife and I are owners of a floating home on Norris Lake and wish to provide input for the TVA review of floating homes.

Our home was built in 2007 and we purchased it in August of 2013. Based on the information gleaned from the TVA website, it appears that our floating house is not in compliance with current TVA rules.

As I familiarized myself with the review that is currently underway I can understand the concerns regarding water quality, navigation, electrical safety, waste management, etc. There are certainly structures that are in need of repair but, ironically, those most in need are generally the ones that are properly permitted under the current rules. Our home is extremely well maintained. It is solidly built, energy efficient and properly moored. We have proper marine sanitation and contract out for holding tank pump out. It is a beautiful house, and while technically out of compliance, it is a model of what the TVA should be striving for.

We understand the TVAs desire to ensure safety, clean water and navigation. We use and love the lake ourselves and want that to. I have been actively promoting boater safety, navigation and clean waters as a member of water oriented non-profit groups in my home state of Wisconsin. I have donated a lot of time over the years to personally do my part.

Our floating home allows us to not only enjoy the lake, but for us to allow others to enjoy the lake as well. The area around Norris Lake is not very developed. The floating homes fill a need by providing a place to stay after a day on the lake rather than driving to some remote location to spend the night. Floating homes support one of the TVA goals of providing access to the lake for recreation. We have introduced many new people to Norris Lake and surrounding area and will continue to do so in the future.

We are working people and taxpayers. We have invested a great deal of money in the house and currently have a mortgage with a local bank. Should the unthinkable decision to remove floating homes occur, we would suffer great and irreparable financial harm.

We just want to be able to continue using our floating home and to share it with others.

NEPA Comment System - Comment 19

July 28, 2014: I have had a vacation home on Lake Blue Ridge since 1987. We also purchased the property next to our home. The TVA has issued us a dock permit and we have a single slip dock on the lake with a boat. We love the lake. Our family has spent at least half of the weekends each summer for the past 27 years on the lake and we often come up in the Fall and Spring and sometimes even the Winter.

We have invested well over half a million dollars in our lake property and we pay taxes exceeding $3,500 a year. We also paid to permit our dock and we work hard to maintain our property within TVA and Corp of Engineer guidelines.

Something must be done to remove the growing number of illegally moored houseboats on the lake. Photos will be sent separately but they have grown in number and size. Almost every cove on the lake is now occupied by a houseboat. These structures are stationary, secured by wires strung from one size of the cove to the other, cutting off access to the coves. The TVA would refuse to allow us to do the same on our own land. They are not boats but are permanent docks on public property. Some of these structures have boats, jet skis, grills, rafts attached and they can be two or three times as large as properly permitted TVA structures. We saw one this past weekend with a large sign that said 'Welcome To Our Home!' This home is squatting on public land -- it is as if I built a house in Blue Ridge's downtown park.

The sheer unfairness of allowing these structures makes all of us wonder why we should adhere to any TVA regulation. Unlike law abiding lake residents, the owners of these structures have invested almost nothing -- they did not have to purchase land to have a 'dock'. Their docks are not permitted. They have attached their docks to public property and usurpt entire coves for their own benefit. And they pay zero in taxes. Indeed, our tax dollars support them as our tax dollars maintain this beautiful lake while they simply take that public resource for their own benefit.

The wires they string are hazards for skiers and water sport enthusiasts. They dump waste and sewage into the lake. These 'floating trailers' remain year round and are unoccupied most of the time.

Frankly, I do not understand the need for a review. The material indicates that nonnavigable floating structures are illegal. The TVA needs to enforce the law. If not, why shouldn't we all just put up whatever dock we want without involving the TVA? Respect for the law only comes if the law is enforced fairly against all parties.

Blue Ridge Lake is a natural gem that anyone should be allowed to use. But allowing permanent structures to be left on the public lake is unfair and should not be permitted. I suggest the TVA immediately give the owners of the houseboats notice that the structures must be removed. The rule should be that no nonnavigable boat or structure should be allowed on the lake except if it is permitted by the TVA and a permit should only issue to someone who owns land on the lake. Boaters who want to keep boats on the lake should also have the option of renting space at the Lake Blue Ridge Marina. The rule should be written in a way that does not allow clever houseboaters to skate around it. Unoccupied boats, floating docks attached to public land etc. should not be allowed to remain overnight on the lake. They should be removed from the lake each evening.

The TVA must get serious about this issue as it is losing the respect of lake residents. I have written the TVA previously and have been told there are no resources to enforce the law. That is wrong. The TVA seems to have resources to tell tax paying lake residents that they cannot cut trees on the contour line land or have too big a dock, yet the TVA pays no attention to these huge structures that are simply illegal.

I have spoken to dozens of lake residents over the years. Everyone feels the same way. These structures are a menace and should be removed!

Public Comments Submitted by Email (22)

TVA received 38 email messages from 28 individuals. Twenty-two of the messages applied to specifically to TVA's Floating Houses review:

Email Comment 1

I write insurance for over 45 marinas and communicate regularly with over 150 from North Carolina, throughout Tennessee, North Georgia and North Alabama. I'm concerned about how your decision will impact my marina customers and friends. Please consider the banks you may affect also.

Many marinas purchased or expanded in 10 computed amortization of the debt including non-nav rental income. Several of my BB&T Bank and Insurance customers (the largest in the TVA system) have over 100 non-nav floating houses in their harbor. If TVA forces removal of 500 non-nav houses from Norris Lake marinas will lose at least $120,000 revenue per year. That $120,000 revenue supports about loans worth $1,200,000 over a 10 year pay back. Marinas that struggle to pay loans cut expenses elsewhere. Unintended consequences, like poor maintenance will result. Poorly maintained marinas are a public hazard. Non-nav boat houses moored in a controlled, wake-free harbor are far less dangerous.

Every marina bankruptcy affects the lending "atmosphere." Bankruptcies since 2008 contributed to a national credit freeze that isn't over. Potential commercial borrowers have difficulty borrowing to build houses, resorts, marinas, hotels or restaurants today. One bankruptcy that results from decreased floating house revenue will affect EVERY marina for sale. Don't think this just affects those with non-nav boat houses.

I work for a bank. Banks don't have the patience to determine if a marina is a good risk after a well published bankruptcy. They run away screaming "unclean, unclean". It's likely the recreational boating industry will take a huge hit when you announce five "possible" decisions this Thursday. Three of them will likely involve removing floating houses from immediately to 7 years down the road. Loans will dry up as the pool of potential buyers decreases dramatically. Lack of supply and subsequent lack of demand may put us in a cycle toward economic crisis. Your announcement might tip the lending scales.

Before 2000 marina values were much higher than today. If you borrowed $100,000 to buy a house after 2000 your house is "underwater." Imagine borrowing $5,000,000 to buy a marina and another $5,000,000 to upgrade the docks and property on land only to find out your revenue stream is down a third. As bad as those sound, imagine borrowing $250,000 to buy a floating house three years ago only to find out it must leave the lake in a few months to a few years. I'd quit maintaining my floating house and abandon it to the marina. If I were a marina owner the floating house would mysteriously float out of the harbor before I had to pay to have it removed. The announcement of three really bad alternatives will devalue floating houses immediately.

I agree with TVA. Floating house owners have gotten a free ride on the public's water. The 4% fee TVA collects from the marina owner's $120,000 income is $4,800 per year. As a tax payer I find that ridiculous and any argument against an additional fee absurd. If you can afford a floating house that meets safety and cleanliness standards, you should be able to pay a reasonable fee on top of what you pay the marina.

Email Comment 2
June 3, 2014: TVA does not inspect or approve the houses NOR DOES TVA have the man power especially on Lake Fontana to REINSPECT these houses. Some of them are in terrible shape. They should be inspected at least once a year. As a matter of fact, I have been told there is only 1 TVA police on Lake Fontana part time.

Third, take a trip to Lake Fontana "yes, we are a TVA lake" and check out some of the coves where the failing apart houses are located. They are piled up on top of each other with all kinds of debris coming loose.

Fourth, there are not enough boat dock operators to handle the additional sewage. My property is located in the David Crisp Boat Dock area. Maybe you would like to contact [the North Carolina Department of Environment and Natural Resources] DENR in Asheville, North Carolina, and confirm the spill at this boat dock as well as the condition of the septage container. TVA is not involved in these containers and when you call to report problems with a Boat Dock Operator, TVA is NOT INTERESTED. TVA should become more involved with the people running these boat docks. Possibly a survey each year from property owners and people using the marina BEFORE reissuing a permit.

Fifth, it should be mandatory that all areas containing septage containers be NO WAKE.

Email Comment 3
June 12, 2014: I am interested in the boathouse policies and situation on Fontana Lake in Western North Carolina. Several of these houses are within view of our residence but whenever we've asked for assistance when problems occur, no one seems to respond. It seems that no one with law enforcement authority has a boat to enable them to investigate, including the TVA. Could you please advise me of when a meeting will be held for those of us concerned about Fontana Lake?

Email Comment 4
June 20, 2014: My husband and I are from Indiana. 7 years ago we visited Norris lake to rent a floating house at Flat Hollow Marina. We, along with the other 12 renters with us completely fell in love with Norris lake and the floating home vacation. We did a lot of questioning and research and made several 7 hour trips to the lake from Indiana before we decided to have Flat Hollow Marina build us a beautiful floating house to use as a rental/vacation home. We followed every rule that we were informed of during the building/banking/insurance/taxes process we had to go through. For the last 7 years, we have loved spending our free time on the beautiful, clean Norris lake. Many new visitors have visited and brought revenue to the lake Norris area, including TN in general.

Annually, it costs us a lot of money to maintain the floating house every year (mooring fees, septic tank pump out, insurance, maintenance and repair) and we still have a 15 year mortgage on it. We are pleading that you "grandfather" all of us current Floathouse owners in under the old laws. We understand you not allowing anymore homes to be built but to us, the rumor of TVA making Floathouse owners tear the homes down is ridiculous. Even though the TVA states the homes built since 1978 did not have permits we all know full well the TVA was aware of the homes being built over the last 35 years and chose to do nothing to stop it. We would have purchased any permit we needed to during our building process had the TVA intervened to tell us we needed one. Many lakes in the US have land cabins and house boats but floating homes are very unique to Norris and are the reason thousands of tourist visit the lake every year.

Being in Indiana, we will not be able to attend the meeting on June 24th but wanted to let our voice of reason be heard. Thank you for your time.

Email Comment 5

June 24, 2014: I'm currently a lake-front resident of Boone Lake in Piney Flats Tennessee and earlier today read an article on the WCYB website that the TVA was asking for input concerning Houseboat rules on its area lakes. This has been an ongoing subject in my own mind for quite some time. I have been spending time on Boone lake all of my life and have never thought that they (boat houses) did not deserve their rightful place on the lake as long as there are certain criteria that is met to insure acceptable safety and health concerns. However, I have noticed in the past 2 years that on Boone Lake there have been several Boat Houses (with the famous "4H" identification) re-built and attached to permanent footings on the lake bottom and to the shoreline. There is actually one Boat House that comes to mind that is located between Pickens Bridge and Jays Boat Dock in Boones Creek that is attached in this manner that has to be at least 2,000 square feet with (2) heat pumps and is occupied year-round. It was always my understanding that these "4H" structures required some type of motor and could be driven out into the lake as with an actual "houseboat". This may not be the case, but it's my understanding. I just feel that these structures are getting out of control concerning size and what their primary purpose is/was meant to be. When you start seeing floating structures (on a lake of this size) that are larger than some of the lake-front homes, it has one wondering where the line should and will be drawn. The lake itself starts to take on more of a "downtown street-appearance" than it does a natural aquatic wildlife environment.

In summary, I'm only one person who considers himself no better than any other lake neighbor, and believe that everyone should be able to enjoy the local waterways that the TVA has created. I do feel that more detailed guidelines should be in place to address certain issues and should be enforced like any other TVA requirement.

Email Comment 6

June 24, 2014: We have a house boat on Norris Lake and it is our favorite thing to do. I am writing this to give my comment on what I have been following in the news papers. I think that the house boats that are on the water now should be grandfathered in and then stop from 2014. There are so many people on the lake that if we have to get rid of our little part of paradise will not only be heart broken because that is there passion or there only retreat. But make sure they are up to code on electric sewage what ever. PLEASE DON'T TAKE OUR HAPPINESS AWAY!

Email Comment 7

June 30, 2014: I would like to offer a suggestion to contribute to the review: TVA could offer a selection a floating home plans that are acceptable to TVA with restrictions on electrical and sewage requirements. All electrical and sewage products could be purchased from a TVA approved dealer/installer. After construction is completed homes could be inspected by TVA and participate in random annual TVA inspections.

I feel that floating homes provide a great recreational need to people of East Tennessee and surrounding states. They also help to improve local economies in these counties that contain TVA waters as floating home/cottage owners spend their dollars at local docks/marinas, restaurants, gas stations and other business.

I hope that TVA and lake goers can find a mutually beneficial arrangement that will allow each to enjoy the lakes now and in the future.

Email Comment 8

June 30, 2014: What about standards of [house boats] HB or [boat houses] BH whatever the term, but a 'house/cottage/living quarters', must have a 4-F tag. To qualify must be issued a tag via purchase of one that has been issued before 1978. New dwellings must have a boat hull, to be considered a 'boat'. Not an engine that makes it navigable, but like the manufactured type of boat - must be issued a 'hull ID, from the boat manufacturing company'. The type that would be with a TVA boating tag, could be pulled out onto a trailer and hauled down the road as a 'boat' could.

Any mooring should not be of any hindrance to any others. The cables that extend across 'public' waterway seem very dangerous to other boaters, swimmers, etc.

What happens when the power lines that are under water get to the point of repair needs. Could a position be created that the lines need to be inspected every year by a TVA approved or employed electrician? This would be done before the water levels come back up in the spring. All home owners pay a fee for the inspection, which would pay for the position, ie a yearly TVA tax. Someone could be negligent in this and an innocent person could die for the irresponsibility. Looking at the power lines in the power point presentation was scary. Better than the look of over head lines, but safety is worth the price to all.

Under no condition should black water be discharged into the lakes! A pump system to have it removed. The Blountville Septic that we use requires us to include our 4-F tag number on the receipt. I am not sure if they send that into TVA, or if someone checks it will show on their paperwork that they have pumped our BH, if they have to send to TVA documentation of what ones they have pumped. I keep the receipts at the BH if we get inspected.

The issue needs to be made more public - ie billboards, newspaper, news, maybe even national news stories. It seems like some lake - marina's that have money to make have no respect for TVA regulations. They are mocking the laws of 26a, which seems as though that is also a Federal issue.

The houses that are not attached to a dock should not have cable mooring. only direct vertical mooring so no others are affected. Do those people pay a usage fee since on public water? What about the approval of the 'foot print' that is allowed. As a property owner we have to have approval of what is put on the water/shoreline. Shouldn't marinas require approval of their dock footage as well.

Email Comment 9

June 30, 2014: As an individual owner of a two 4-F tags and purchasing property with 2 more, so a total of four it is a great concern of these 'popping' up all over. I do not understand how construction of these can occur without obtaining the F tag being purchased by someone since they are no longer issued. As I stated, we own the property and are not located in a marina - although they have the advantage of 'no wake'. That is our biggest concern is the wakeboards created today vs the houseboat or boathouse (floating houses or floating garages), the wakes are slowly winning. Of course boat owners have no idea when going by how the wake left behind is so harmful on these historic places. Our BH and HB have an aerial photo taken when the lake was just created on Boone Lake, farm ground was right up to the waters edge. The original marina is now a home, and the dozen BH or HB that line the main channel of the Watauga River with each individual owning land, were once were protected by a 'no wake zone'. Without that protection they are now becoming a weekly maintenance effort. I do know that all of us take great pride in our 'summer cottages' to maintain them best we can against the

forces. So for us, we would LOVE to see buoys to keep boats out away from us at a safe distance. There are times you can see the whites of peoples eyes racing past.

As with all TVA things - boater licensing would be great to enforce, but there is not enough man power to do so. If there would be anyway to put officers or even part-time deputized people in at ramps and marinas to 'check' for licensing I think that would help greatly. I figure with people having HB or BH out in the water, you know they are going to have a boat or pwc out there as well. Not all comply with rules and regulations, but I wish there was a way to help implement more to do so, simply for the safety of all out on the water.

Email Comment 10

June 30, 2014: My wife and I own 4H-109 in Friendship Marina on South Holston and I believe all of the floating houses there allow Grey Water to freely flow into the lake. It was built like that many, many years ago, before our purchase in 2007. We do, however, have a holding tank for Black Water, which the Marina pumps out when called, for a $30 fee. Our shampoos, soap, and dish washing detergents are all bio-degradable, without phosphorus, and “safe” according to the manufacture.

So, my concern is what the regulations will require with Grey Water (shower, sink, and in some cases washing machines). I assume you are going to start having a requirement for a second holding tank for Grey Water, which the Marina will charge for pump-out. Regardless, extensive plumbing and expense will be required.

We are concerned that with the cost of the floating house, the pump-out expense, the marina lease, the proposed inspection cost, and then unknown cost of upgrades, we will not be able to continue to enjoy the lake as we have in the past, as we will not be able to afford the expanded cost.

I understand the concern with additional Floating Houses being built, and I believe that only “4x” numbers should retain the ability to be a “floating house”. Those who are building “boats” on foam and receiving a TN for them are circumventing the intent. Only the limited number of “4x” houses should be allowed, in my opinion.

My other concern is that Marina owners are currently allowing Floating Houses in the Marina, I am worried, with new regulations, the Marina owners will be able to tell us long time lessees that they will no longer allow Floating Houses. Please be sure to include in any new regulations that Floating House moored in a Mariana are not to be removed unless abandoned. If owners are going to be require to make very expensive upgrades, we would like some kind of assurance that we will not be asked to move and then be unable to find another location. Which would make the Floating House unobtainable, since there will be no locations to moor the Floating House.

My wife and I are thinking of selling now, even though we greatly enjoy our weekends at the lake, for fear of what is upcoming.

Email Comment 11

July 22, 2014: We have had a pontoon boat on South Holston Lake since 1989, and have had a boat house at Laurel Marina for the past 4 years. The number of hours of pleasure and quality family time we have enjoyed on this TVA lake cannot be measured. We are so appreciative of all that TVA has done to make recreation on it’s lakes a top priority, resulting in a huge economic boon to the area as well.

We understand that new developments on certain lakes are causing concern, and we totally support TVA's effort to get the situation at those lakes under control. But the circumstances on South Holston Lake are very different, and things are going smoothly and safely. We have a very pleasant, safe environment with no major issues of safety, sanitation, abuse of TN or 4H #'s, etc. Our marina has also taken steps to remain in compliance with all regulations: electrical upgrades, new toilet systems several years ago, etc.

It is sometimes the tendency of government (and private) agencies to pass a large blanket of laws to correct specific problems in only one area, but they end up affecting many "innocent" people. We strongly encourage TVA to deal with the issues of unregulated growth and expansion on an individual basis, and not to pass legislation that is "overkill" for most of it's lakes. The changes need to be limited to the few places where there is a problem, which can be dealt with without passing blanket legislation.

Laurel Marina has an excellent harbor master who has worked there for many years. He and his assistants are constantly monitoring the mooring cables and do everything needed to maintain secure attachments for our floating houses. So again, changes that might need to be made at other locations are not necessary for Laurel Marina.

We have a very small number of boat houses with TN #'s, but they have been here for years and are not an abuse of the system in any way. It would be a shame to make a few older people make major changes to their recreational "homes" in order to make them navigable. They should be grandfathered in some way since they are not part of the problem and are in compliance with all electrical and sanitation regulations.

On other lakes, we understand that building huge boat houses has become a problem. Please don't limit changes to the current footprint in an effort to solve this problem. It has worked very well at Laurel for the decision about expansions to be made on an individual basis in conjunction with TVA and the dock master.

In summary, all of us at Laurel want to be safe, to be in compliance, and to cooperate with TVA and with TWRA. But we implore you to take your time in studying these issues, and to make as few changes as you can to resolve issues that are not problems at Laurel.

I forgot to mention that at Laurel Marina we have a very active Yacht Club, whose board keeps the members (boat house owners) informed of problems, corrections that need to be made, current policies and other important information. Our president [redacted] works closely with [redacted], our marina owner and with TVA to keep us up to date and in compliance. So we do a very good job of regulating ourselves to ensure the safety that we all want.

Email Comment 12

July 25, 2014: We are lakefront property owners on Lake Blue Ridge. We bought our property in 2006. Since then, we have seen an alarming proliferation of stationary lake houses on Lake Blue Ridge. The structures range from floating wood houses to elaborate boat houses with attached docks. Theses structures are parked in a cove, and are anchored with ropes attached to trees on shore. As a result, the public is blocked from using the entire cove. Many of these structures and boat houses are anchored year round in the same location, and have been so anchored for several years. Lake Blue Ridge is a "no-discharge" lake, yet it appears that the water quality is being fouled by discharges from the boat houses.

As stakeholders on the lake, we obtained permits from the TVA for our dock which have detailed requirements we are required to follow. The illegal boat houses do not follow TVA rules,

nor do the “owners” pay taxes to Fannin County as we do. In addition to blocking public access to numerous coves and shoreline, these boat houses are an eyesore which spoil our enjoyment of the the lake. As stakeholders, we request that the TVA require everyone to adhere to its rules, including the owners of the boat houses. These structures plainly are illegal because 1) they are not permitted, 2) they are illegally anchored to the shoreline, 3) they do not have proper marine toilets, 4) they are not registered with the county, and 5) they prevent to public from enjoying the lake. We ask the TVA to remove all illegal structures form the lake.

Email Comment 13

July 27, 2014: I understand that you are soliciting comments from homeowners on Lake Blue Ridge in reference to the alarming growth in the number of floating “houses” on the lake. I put the word “houses” in quotes because most of the structures that are polluting our beautiful lake don’t rise to the level of an actual house, they’re more like shacks or hovels that happen to be on the lake.

These unsightly structures are positioned in strategic coves around the lake, blocking access that should be available to all users on the lake. The floating structures are permanently anchored to shore with ropes and/or wires tied to trees. Most of these dilapidated barges are built to be residences, with bathroom facilities and appurtenant items like grills, swim docks, play structures, fire pits, and other permanent additions. They are there all year round and never move. By blocking off access to Federal and State Park land, they restrict the rights of other lake users to enjoy the same areas. Who wants to swim in a cove when you’re essentially in someone’s yard surrounded by their trash? That’s not the outdoor experience that we’re looking for at Lake Blue Ridge or on any TVA lake. Every summer since I've been there it's gotten harder and harder to find a place to swim on the lake that's not already occupied by one of these nuisance floating shacks.

Beyond being unsightly, they’re also health hazards. I’ve seen rusty metal objects like nails and gutters dangling precariously. Further, has anybody inspected to see what happens with the human waste that’s generated from these floating outhouses? I know that the lake is supposed to be a non-discharge lake. In fact, I removed the toilet facility from my boat for that reason. I’m very concerned as to the amount of human waste that’s being discharged into the water from these structures.

As a homeowner on Lake Blue Ridge, I’m disgusted by all these freeloaders. I’m required to have a permit for my dock. I’m required to pay taxes on my property. Yet despite the requirements that I follow, these outlaws are allowed to mock the laws that apply to everyone else and simply exist on the lake with no regulation, enforcement or consequence. It’s time for the TVA to do something and get these floating trailer homes out of the water and off the lake.

Thank you for your time and effort. I'm sure I speak for many of the other residents on the lake when I say that we both need your help and thank you for it.

Email Comment 14

July 26, 2014: I attended the meeting at Norris. What I surmised from that meeting are 2 main concerns. Waste sanitation and electrical. After speaking to some in the waste collection area, I find that the marina owners that pump don't have to keep records of how much they pump or where it goes, which is not the same as private waste contractors. Some of these marina owners have the collected waste dumped on the hillside only to have it run downhill into the lake. How about making these marina owners have to track and record waste from boat removal to recycling center. Make sure all houseboat owners have a contract to pump and all waste accounted for.

With electrical... I think a required GFI breaker at the meter would shut down any electric that became dangerous. One investment per meter would solve this issue.

Email Comment 15
July 28, 2014: Regarding the appearance of Floating Boat Houses on North Georgia lakes, I am totally opposed to allowing them to remain. I am concerned about the sanitation problem and polluting the water. The lakes should not be a septic tank of household waste. They are unsightly and do not belong there. I own a home on Lake Chatuge in Hiawassee. Thank you for looking into this matter.

Email Comment 16
July 28, 2014: I am writing to express my extreme concerns about reversing your position on floating boat houses on TVA lakes and rivers. These are the following issues for my objections:

1. Pollution arising from sewage, trash, litter and other debris arising from habitation.
2. Navigation hazards
3. Shoreline erosion
4. Electrical hazards arising from illegal shoreline power connections
5. Enhanced liability to TVA allowing such activities to occur
6. Objectionable noise to surrounding properties and wildlife
7. Encouragement of illegal activities from uncontrolled habitation

This is entirely in opposition to TVA's mission of stewardship of lands and waterways. Please keep me informed as I am a property owner on Lake Chatuge and will have a direct and immediate impact on the outcome of this decision.

Email Comment 17
July 28, 2014: If the TVA is going to allow "houseboats" that are permanently moored on public lakes to remain and even be permitted, is it prepared to compensate lake residents for the "taking" of the value of our property? Allowing these houseboats will devalue our land. I have spent over a half million dollars for property on Blue Ridge Lake so that my family could have a place on the lake and also have had a dock permitted by the TVA so I could keep a boat on the lake. If someone else can essentially reproduce what I have paid huge amounts for by merely buying a "floating trailer" and then taking public water and land to moor it, and pay nothing in land acquisition costs and nothing in property taxes, then my own property has been devalued and taken by the TVA. I think the TVA should have to compensate all property owners on all public lakes if it allows these structures to remain -- the cost will be in the hundreds of millions of dollars for the TVA. I would bring such a suit if the TVA does anything to permit such structures.

Email Comment 18
July 29, 2014: Several years ago my family and I visited Norris Lake for a family vacation. On that visit we rented a floating house. After vacationing at Norris Lake and Reting various floating houses, in March of 2013 we purchased a floating house. Now we frequent the lake as a family and share our home with friends and family. We also rent our floating home about 35-40 nights a year. We love spending time at the lake and with our neighbors who have floating homes at our marina.

My wife and I have been boating since 1994. During that time we have spent time on lakes in the Upper Peninsula of Michigan, lakes in Ohio, Indiana, Kentucky and Tennessee, and the Ohio River. All of the lakes and rivers offered something different and had something special

that would differentiate it from the next. But Norris Lake has floating houses and none of the others do.

Norris is a beautiful lake with crystal clear water, wonderful coves and is large enough to always find that place to get away and relax. There are houseboats, cottage and condo rentals and marinas with restaurants. The same could be said of many of the lakes in Kentucky, like Lake Cumberland, Nolin River Lake, and Dale Hollow Lake (in KY and TN). But Norris Lake has floating houses and none of the others do.

I've been boating, fishing, and hunting since I was born. I respect nature and love the outdoors. Spending time on the lake is special and something that my family and I hope to do for many years. We chose Norris Lake for many of the reasons I mentioned before but one thing made our decision to choose Norris Lake over all the other lakes, the floating homes.

The TVA has a tough job. I've read all of the information on your website and I attended the public meeting in LaFollette on June 24. It appears as though the main issues are electrical safety, waste management, and the issues relating to mooring of these structures. I have suggestions about how some of these issues could be addressed.

Inspections: All floating structures should be required to go through an inspection process that would include electrical, waste disposal, and mooring. The fee would be established to cover the cost of the additional staffing the TVA would need to handle this process. Of course it would take some time to get through all structures and it could be required every three or so years and upon transfer of ownership.

Mooring: The marinas should be responsible for proper mooring and held accountable for maintinainig proper mooring of floating houses. The marinas collect a mooring fee for boats/structures in their marina and therefore should be responsible for the rules and regulations established by the TVA. Regulations should dictate how many structures and wehre they could be moored as well as how a structure could be moored.

Waste management: The marinas should be responsible for proper removal and disposal of waste for strctures moored in their marina. They should maintain a log book for all structures that records when holding tanks are pumped and how much is removed. Marinas should be held accountable if they are aware of a structure that is not being pumped and therefore most likely disposing of waste into the lake.

Grey water: How are other lakes dealing with grey water? Lake Cumberland does not have floating houses but it does have a very large number of houseboats that never leave their slips. How does Lake Cumberland deal with grey water? Isn't the water at Norris Lake very clean and safe? If the number of floating homes on Norris Lake are maintained at the current level and there is not a problem now, wouldn't the water clarity be maintained?

Electrical: The TVA should make all floating houses adhere to an electrical code that provides a level of safety for all. After a code is established all floating house owners should have to go through an electrical inspection (part of the inspection process addressed above).

Registration: In order to obtain the initial registrations, the structure would have to provide proof that it passed the inspection process that included electrical, waste disposal, and mooring. Once the inspection was passed, a registration would be issued and an annual renewal would be required. This process would provide the TVA a way to maintain a database of the owners of floating structures and condition of each.

At the end of the day, the marinas have to do more. They have been given the right to operate a marina on the lake and therefore charge fees for the services they provide. If they work more closely with the TVA and make sure no new structures are constructed, waste is being properly disposed, and mooring is being done per regulations, they will enable the TVA to do their job more effectively.

As a floating house owner, I am concerned about others not properly disposing of waste water and wonder if electrical connections are done in a safe manner. Proper mooring is a must so that damage does not occur to our house, the other houses around, the land owners and others using the lake. Inspections and registration by the TVA coupled with a fair fee to cover TVA's costs would be a way to accomplish these concerns and make sure lakes maintain the beauty and water quality we all expect and love while at the same time allowing floating houses to exist.

When we purchased our floating house we looked into what we thought was everything. We talked to several marina owners, we talked to members of the marina association, and we talked to several people who have been around Norris Lake their entire life and no one brought up anything about most floating houses not complying with section 26 of the TVA Act. We love our floating house and we love Norris Lake and hope that all of the issues can be resolved without destroying the future of the floating houses in Tennessee.

If the TVA places some of the responsibility into the hands of the marinas that are profiting on the mooring and waste removal, the TVA can concentrate on the inspection and registration of the existing floating houses.

Email Comment 19

July 29, 2014 What I love about summer is going to Lake Norris. When my Mom and Dad surprised me with our lake house (floating house) I was the happiest person to ever live. I can have time to spend with my family. It's the best lake ever. Norris Lake means everything to me and I don't want to lose it. It has clear water and amazing fish, a great view and lots of fun activities. So take it from a ten year old girl, leave the lake, the lake house, the marinas and everything on the lake at the lake.

Email Comment 20

July 29, 2014: Our houseboat, Miss Zenda (my father named her after me), has been in the family since 1967. He transferred ownership to me in 1998 after he could no longer take care of her. As a dumb teenager, I used to wish she would burn. Just goes to show how ignorant teenagers can be. As an adult, she has become a family member. I cannot think of life without her. My two daughters, three grandchildren and I all learned how to swim in Boone Lake. Four generations of my family have enjoyed Boone Lake thanks to the TVA and my Dad's initial purchase of the houseboat!

In 2008, she was docked on a neighbor's private property near Marker 14 on Boone Lake. The property owner mentioned selling the property for $250,000, which was too much for the small plot of land. We purchased lake property just to have a place to dock her a few short weeks later across from Marker 12. I towed her there just before the water went down in August, 2008.

Of course, I was surprised to hear about the TVA project since the law is that no one can build a nonnavigable anymore. I do agree with establishing guidelines for mooring, electrical, gray and black water waste, as well as limiting the number of floating houses on the reservoirs. However, please do not make the grandfathered nonnavigable houseboats be

destroyed! Our family would be devastated since we have had “Miss Zenda” in the family for nearly 50 years! Several years ago, a neighboring houseboat had electric Christmas lights strung on it. The lights fell and were getting dangerously close to the water. We asked the neighbor to fix the lights before someone was electrocuted and they did. If we had not had the vantage point to see them, someone could have been seriously hurt.

One item that needs to be addressed for the sake of all lake property and to reduce sediment in the water is to outlaw the boats with wake ballasts on Boone Lake. These boats are extremely detrimental to lake ecology and cause an inordinate amount of shoreline erosion. In addition, since the lake is mostly narrow, the size of a boat should be limited on such a narrow lake.

Email Comment 21

July 30, 2014 Please accept this comment as part of the scoping process on floating house review. According to information provided by the TVA, more than one quarter of all floating houses are on Fontana Lake. We own a home overlooking Fontana Lake and kayak on the lake and are concerned about the water quality, safety and aesthetic quality of Fontana Lake.

Our concerns about water quality focus on the discharge of black water (untreated sewerage) and grey water into the lake. We are unaware that there is any coordinated program to require the owners of floating houses to store their waste in approved tanks, discharge that waste only at approved receiving stations and track compliance through logs maintained by both owners of floating houses and receiving station operators to assure that dangerous unsanitary and illegal discharge is not occurring. Obviously, monitoring of an overall process is the only way to assure compliance by all parties.

Our concerns about safety focus on the danger of fire; floating houses have propane and charcoal grills onboard which pose a hazard to those onboard and those secured nearby. We had a fire on Fontana Lake a few years ago. The house burned to the waterline and then was a floating hazard and an eyesore for some time thereafter. Firefighters cannot service floating houses. And some, possibly the one referred to above, was used for an illegal purpose, i.e., manufacture of methamphetamine.

Our concerns about aesthetic quality focus on the unsightly appearance of floating houses, which frankly look like “trailer parks” on the lake. We had assumed that enforcement of the 1978 grandfather rule would lead eventually to the elimination of noncomplying floating houses. We hope that this scoping process will lead ultimately to enforcement of TVA’s rules and elimination of all illegal floating houses. If there is any decision to allow permitting after 1978 for existing or yet-to-be placed floating houses, we would strongly recommend limiting the number and placement to areas that do not touch wildlife management areas, national forests, national parks, or any other federal land. This would also apply to the “broad” definition of bays where there are licensed/permitted marinas. Any floating structures related to those areas should be limited to within a few hundred yards.

Email Comment 22

July 30, 2014: I am a very proud owner of my floating house located at Laurel Marina in Bristol, Tennessee. I have owned my home for three years and am so very proud that we have such a pleasant, safe environment to enjoy with family and friends both near and far. It is wonderful to know that my neighbors share this pride of ownership causing no issues with safety, sanitation, abuse if Tn#s or 4H#s proving out love and dedication of being residents/family of South Holston Lake!

I realize there have been some concerns on other lakes, I am so pleased that we are pro-active and have an excellent Harbor Master who has worked at Laurel Marina for several years. He and his assistants work daily monitoring our mourning cables and are very efficient in doing everything necessary to maintain secure attachments for our floating houses.

I understand that we do have a few floating homes with TN#s that have been here for a number of years. They are held to the standards ad maintained in the same manor of upkeep and regulations as our floating homes with the 4H#s. it would be a shame to make a few older individuals who have owned and maintained these homes make major changes or require them to leave the marina when they have been part of our marina family for years and maintained their homes to the same standards as we have.
I feel that changes that might need to be made at other Marinas are not necessary for Laurel Marina.

Once again, I am a very proud owner of my floating home with a 4H# at Laurel Marina! We will continue to maintain our floating homes to the utmost safe standards in order to make life on our lake a wonderful, safe place for our families and friends. Thank you for your time and for everything you do in order for our homes to remain a beautiful asset to Laurel Marina and South Holston Lake!

Mailed Comment (1)

Mail Comment 1

Received July 16, 2014: One day soon there will be a bad accident at Powell Valley (Powell Valley Resort). There are 2 floating huts that have electric boxes in them. They will not pass inspection. People in the water close get shocked. This has been going on for years. Houseboats have been dumping sewage in the lake. Test the water. Electric on the main dock is unsafe. Rental houseboats leak into the leak. Boats and houses are not attached to buoy lines correctly. Bldgs bump into each other. The gas line leaks in the water by the dock. People docked here have complained about these things for years . The owner always says they will be fixed. They never are, just gets worse, prices go up. Safety goes down. When an accident happens it will be too late to make [redacted] fix things. [Redacted] has been running it for over a year and it keeps getting worse. I live at Powell Valley. I know the [redacted] have been here for years. I know they have pull and special treatment. This is why they don't worry. When someone is hurt or killed because everyone looked ht eother way it will be too late. Before you throw this away have someone – not good friends with the owner check this out – without warning. Please. You'll see. Thank you. A Concerned Boater

Telephone Log Notes (9)

Telephone Comment 1
May 6, 2014 – A caller from TN State Bank inquired about what TVA would consider in the environmental review and whether moving several floating houses from Mountain Lakes Marina to Norris Dam marina would be an issue.

Telephone Comment 2
May 29, 2014 – Caller built a houseboat in 1976 (Norris) and had a boat registration but removed the motor and considers the structure a floating house. TWRA did not renew the vessel registration because it does not have a USCG hull number. It has been moved one time in 30 years. It was at Star Dust marina but is now at Hickory Star on Norris. It has a holding tank and the caller supports safety and waste standards. What does he need to do at this time?

Telephone Comment 3
May 29, 2014 – Caller bought a boat house with living space at Perryville Marina on Kentucky. TVA denied transfer of the existing permit because addition and modifications (porch and increased dimensions) were made without approval. He will do whatever is required for safety and environmental standards and wants to resolve his problem and needs direction from TVA before he takes legal action toward the seller. He commented he paid $85k and invested another $10k. He was informed that no decision on the permit transfer would be made until the floating houses review was completed.

Telephone Comment 4
June 16, 2014 – Caller owns a nonnavigable houseboat at Jay's Dock on Boone. He had several questions about the purpose of the public meetings and the review, and whether nonnavigable houseboats would be affected. He noted there seem to be several regulations but they have not been enforced.

Telephone Comment 5
June 16, 2014 – Caller owns a nonnavigable houseboat and a boathouse on Boone at their private property, and said they heard boathouses don't need a 4-F tag anymore. We discussed the purpose of the public meeting, updating rules and minimum standards.

Telephone Comment 6
June 17, 2014 – Caller owns a floating house he bought built by Flat Hollow Marina on Norris. It has 2 holding tanks, treats water with a UV system, and paid $115k for the structure. The marina provides pump out service now but it used to be handled by another provider. He doesn't want to lose his floating house and said people will sue the marinas who were supposed to get all necessary approvals and permits when they were built. The business and economic impact will be huge if the structures are prohibited. He has no problems with safety and environmental standards being required. The marinas are expanding further and he realizes there can be too many of the floating houses. He mentioned a concern with septic pump out tanks that are not double lined.

Telephone Comment 7
June 23, 2014 – Caller built a floating house in 2009 (no 4B permit number) and said he called TVA to check on a permit and was told it was okay if you put it in a marina. He said two TVA people came out and looked at his structure and said it was okay and didn't need anything from TVA. No written approval or permit was issued. He is concerned now about the current review and whether his house will be prohibited.

Telephone Comment 8
June 30, 2014 – Caller was considering purchase of a 1965 houseboat (Norris) that had a vessel registration decal but apparently it has no motor. He wanted to know what we predicted for the review outcome. Would it make any difference if he brought everything up to standard? He was referred to a TVA permitting specialist to see if it had a prior 4B number issued.

Telephone Comment 9
July 28, 2014 – Caller has a permitted 4B (Norris) houseboat and had questions about whether it can be rebuilt, could they sell theirs, buy another houseboat and move it to their lake lot. We discussed current rules, what can be considered for a permit, requirements for transfer of a permit etc. Caller was referred to a TVA specialist for permitting details and current information on record.

Public Comments Given to a Court Reporter at a Public Meeting

Jasper, TN: May 22, 2014

Jasper Commentor 1

One of my biggest issues is floating cabins are a big revenue source for our marina. They are rented daily and weekly. It is a great recreation source for local and out of town tourists. If these are removed it would devastate the marina from a financial basis and we would not have enough money to pay our mortgage. When the banks gave us the loan, they used that revenue to qualify us for the loan.

All electrical is up to date and our pump out system is up to date, and all our floating cabins have holding tanks. I would ask that TVA allow the existing floating cabins to remain. TVA has inspected my cabins over five times and never had a violation. It is a unique experience to rent a cabin and be on the water where we see grandfathers and grandsons fishing a loving a beautiful sunset. This is a life changing decision. Please don't destroy families.

Parsons, TN Meeting – May 29, 2014

The court reporter transcript contained the discussion and comments during a Question and Answer session following the presentation given by James Adams (TVA). Most of the discussion and comments by the persons who attended regarded their concerns with the Perryville Marina operation and the fees they are charged relative to the services or amenities they receive as houseboat/boathouse owners. Another issue discussed involved the Marina's upgrade of electrical service to meet NEC standards as required by TVA, and the required relocation of service poles and lines to the floating house structures at the expense of the structure owners. The electrical compliance concerns predated the floating houses review.

The following is a summary provided by the court reporter of the major comments that were made during the discussion:

- We are concerned about paying for the electric service upgrades and connection relocations.
- Letters from Lexington Electric say these are TVA's requirements.
- Could TVA re-think the deadline for meeting the new electrical code standards for the floating houses at Perryville Marina? Extend the deadline or recognize a moratorium until the FH review is completed and any rule changes are decided. Why pay for the upgrade and new connections if TVA may prohibit FH in the future.
- As owner of a floating house we want to own the land. We are paying the marina owner now for the improvements made and are also paying property tax to Decatur County. The marina rental charges keep going up. We deserve to own the property and want to form an HOA. We live at our floating houses and this is our homestead.
- These houses were fish camps that evolved to houseboats and floating houses.
- TVA may need to do a NEPA sub-section for Perryville Marina because it is unique.
- Could TVA provide financial incentives and help for the electrical upgrades like the incentives through the energy right program? Costs are in the $5-10k range per.
- I am retired and have had my boat house 20 plus years. Please keep in mind the cost impacts to those on fixed incomes.

- We have already upgraded our electrical connection for our boat house at Perryville Marina and want to properly meet the standards and requirements for electrical, waste management, etc. Some of the comments expressed earlier are not the consensus of most of the house boat owners. Is TVA going to require holding tanks? That's the talk on the river.
- We didn't know we were supposed to request a transfer of the existing TVA permit to our name. What do we need to do to get that done? The boat house is in compliance for size etc. with the previous permit.
- We are getting notices from Lexington Electric giving us deadlines to comply with their requirements for electrical service. Since TVA will make a decision on floating houses regulations in 2016, can we get a moratorium on the required electrical upgrades? I'm not spending thousands of dollars on electrical if in two years TVA may not allow these boat houses to stay, or they come in and say it doesn't matter.
- The floating houses at Perryville are self-sufficient and deserve to own a piece of their land.
- Am I responsible to upgrade all this electrical or is the marina? I'm glad the State is going to start inspecting. We are paying county property taxes on our boathouses. We have no-where to go and can't move our structure.
- My electrical is up to code and was inspected in 2000 by the State of TN. So why do I have to pay money now to move my meter up higher by the road?
- TVA financed a heat pump, windows and energy conservation improvements for my home in West TN. With all the expenses we are talking about (gray and black water, electrical) could that be a possibility to help deal with some fairly large expenses each boat house owner will have to deal with?
- All I'm asking is to keep in mind we are retired and on limited income. Keep it as low priced as you can. We need all the help we can get.

The following comments from two people were recorded by the Parsons court reporter after the Q&A session:

Parsons Commenter 1

I'm disappointed in the TVA not communicating better with the floating home owners that they were going to have this meeting tonight or that they were even doing this study. I found out about it through a ring of gossip from a campground, and they asked me if I was going to the meeting. I didn't know about it until four days before the meeting. And I don't think most of the people would be here tonight if I hadn't found out about the meeting that day and relayed it to the rest of the people. When I went to the marina, who we pay our lease to, and asked him did he know about the meeting. He said he did know about the meeting and he planned on being here. And I asked him how come he didn't notify us. He said it wasn't his meeting and that it was the TVA's responsibility. And tonight I've talked to several people here at the TVA, and they told me that they tried to get a list from the owners of the marina. And the marina for whatever reason couldn't provide them that list. And I also talked to them about that the TVA has my name and address. And they said they wasn't quite sure how to contact me. That's my big disappointment is the communications, there was none. My other statement I'd like to say is that floating houses have a long history. Some of them have been here since the late 40s, early 50s. There were some of them in the 60s. A lot of them do have permits. Mine has a permit. It's a vital part of the community here. It provides a lot of income, comes up here because of those. It's an important thing to continue to have.

Parsons Commenter 2
First, I would like to say that I don't speak for everyone in Perryville Marina. But I know I speak for a few homes that we agree a 100 percent with TVA's wants, from the environmental issues, all the way to the electrical to issues that weren't brought up. We want TVA's land, the land that we live on, to be the best it can be. Perryville Marina is in a little bit different of a situation by many of our homes have been there prior to the marina being there. And some of the residents are disgruntled from the rent going from $5 a month to $200 a month. Now we all understand that the cost of business goes up, but Perryville Marina owners don't do anything for us on the homeowner side.

We're responsible -- or least we take care of the banks, the road, the trees, the trash, anything and everything that goes on in Waller Lane and Barnett Cove, which is the road that runs behind the floating houses in the Perryville Marina, the homeowner take care. Perryville Marina has zero expenses connected to the floating houses. And we want to come in compliance and give ideas for new regulations and work with TVA 100 percent. But most of us have already spent thousands and thousands of dollars to Perryville Marina's benefit. We just keep having to foot the bill. Every new thing that comes up, y'all have to do it. Y'all have to do it. So we're at a stand point that TVA has a lease with Perryville Marina requiring them to keep up the utilities and to keep the grounds a certain way. And we would just ask that that business lease either be completed like -- or held up like any other lease would be. We love our floating homes. I know it's bad to TVA to say we live there, but a lot of people live there. That's their only home. Voter registration card to that address. Everything to that address. Mail to that address. And it's really disheartening for someone to be able to continue to raise the rent when we own the homes and then not do anything in return, and then expect us to keep the grounds up that they would be responsible for under their lease with TVA. We all love the water. We all want the best waters. We all want the best lands. But there comes a time when unreasonable is unreasonable. And if our goal -- if everyone's goal is cleaner waters, better lands for TVA, then I think a majority of the homeowners at Perryville Marina would like to look at different options to go about insuring everyone's wants get met. Because right now we just have a marina that's getting rich and not doing anything for the floating homeowners.

Bryson City, NC: June 3, 2014

Bryson City Commenter 1:
This isn’t a control of TVA at this point, but right now we're paying $100 a year to get a contract with the marina to pump our septics. That's all we get for that is that contract. Then we take the contract, and I go pay taxes and get a little sticker number. Where I am at Castaways we have to pay -- I believe $2.00 a gallon to be pumped and then there's a $20- or $25.00 service fee to bring the boat out there to pump the tank. I just feel that’s lot of money that where a lot of people would not be using that service. They may pay $100 to get their permit to show, okay, we're good, but overall they're not going to pay that extra fee to get the tanks pumped. And in the long run that's going to affect the water and the environment. That's been our concern. And didn't know if TVA could maybe put some caps or limits on this to make sure things are within control that everybody would want to follow the rules.

We are under Graham County Health Department regulations, and I understand we're one of the few lakes that have that, but still don't want people to abuse it or not follow through with it thoroughly to make sure things are good and clean.

Bryson City Commenter 2:
I own a nonnavigable houseboat on Fontana Reservoir…. I understand the necessity that there is an ongoing problem of these houses being added to our reservoirs. Foremost, most important, if anything is to be done, it must be enforced. And if TVA or the State of North Carolina or the State of Tennessee is not willing to man up to enforce the problem, then we're wasting our time. We can sit here and write rules and regulations all day long, but if somebody don't enforce it to make things happen, then it ain't going to be any good. It's no better than the paper it's wrote on.
I'm all about the nonnavigable houseboats that have been permitted since 1978. I think it's great and those should be allowed to continue. And maybe at some point it might be looked into to add additional, if necessary. But the boats that come in here that are getting -- are being built as houses and getting a license as a boat, like an NC number, those boats, well, they're not navigable. And that's what the definition of a boat is, it must be navigable. It must have the floatation on the front, must be chopped on the bow, you must have 180-degree vision from a central steering point at the front, you must have a motor in the back. That are requirements that say that you can have a boat licensed in North Carolina – or TN.

Section 26A, the regulations that TVA has written in the past, needs to be upgraded. I personally have done some modifications to mine and built a new one at one time. And I think that should be allowed to continue. The ones that -- previous to '78, nonnavigable houseboats, those should be allowed to update their equipment, their facilities, to be -- it should be able for them to maintain it as long as it's being built and rebuilt by TVA's specifications, and I think that'll be the way that that needs to be handled on that end. There needs to be a size limit put on those restrictions, come to some agreement as to what that may be, whether it may be 1,000 square feet, whether it may be 1,500 square feet, I don't know. But -- and then maybe in some cases that might even apply. I'm not sure.

But there is a problem on Fontana with the houses that are being built and put in Panther Creek especially, and they're just being licensed as a boat. And the State of North Carolina has no idea where that license is going. You could license a shoe in the state of North Carolina if you wanted to.

I appreciate this opportunity to voice my opinion, and I'm going to also be preparing a professional letter, which I will email to Matthew and get it to him and get it to the committee. And I'm interested in attending all the meetings that are there. I hope that I am on the mailing list to where I will find out about all of them so my input can be valued.

Bryson City Commenters 3 and 4:
We own a houseboat vessel with motor and we move it up and down the lake. My concern is TVA putting us under a blanket policy with other lakes. Fontana is pretty well managed as far as sewer and everything. There are so many different specifications or differences in the lakes. We are surrounded by Forest Service that has nothing to do with homeowners coming in, observing the houseboats. Why would this be a blanket policy rather than lake by lake to give guidelines for that particular lake? Fontana has been under a sewer guideline and it appears other lakes haven't. We pay for that yearly and just assumed that was a TVA requirement for everybody. We agree any houseboats like the photos we saw should be removed, but we don't see that. If guidelines were established to help houseboat owners know what the guidelines were so modifications or improvements could be made, that would be very helpful without having to remove. If they come in and say this looks terrible, add flotation, paint it, bring it up to code or the other option is to leave, remove it.

A lot of people have been there for lifetimes. It's been passed down through families that enjoy that. It would be terrible to take that away as well as the impact. We have ten grandkids, so we come most weekends in the summer and I fish in the winter and am there a lot during the week in the winter. It is a very big economic impact/boost on the surrounding counties and towns. We spend a lot of money here because we don't live around here, stopping a local restaurants, grocery stores, service stations, etc. There is nothing else around here to replace that impact. Just hope they will be fair with us and we'll be fair to them.

Bryson City Commenter 5:
I tailed to TVA at the, you know, headquarters, or whatever, and he suggested, Well, we're looking at the environmental. Fontana has toilets on all the houseboats. We have to go through the County tax department to get that sticker every year to pump out. There's no floating houses on Fontana with power run to them They're all out on the lake and -- which the only power would be to the dock itself. But as far as the franchise houseboats and -- there's no power run to them, which is what he was talking about a while ago. A lot of the houses -- which I told James -- 75 or 80 percent, if not more, of the houses on Fontana are North Carolina Wildlife Number houses. In other words, North Carolina gives them a Wildlife number, just like a boat, just like my boat. Those houseboats have North Carolina Wildlife numbers, but they're not navigable I talked to TVA. Oh, we don't get involved with North Carolina. Well, my God, that's 80 percent of your problem.

A couple of years ago they were building those things like a factory, slap a Wildlife number on them, no motor, no nothing. So the people that are grandfathered in with the TVA numbers, well, they would -- there would only be a fraction along Fontana or any other lake, probably, without the Wildlife numbers. That probably goes for Tennessee too. They're probably doing the same thing.

Bryson City Commenter 6:
My houseboat is with David Crisp. And my concerns are we're not being took care of the way we're supposed to be. We're not being pulled in and out when the lake's going up and down. Our houseboats are 1 left up on shore constantly. The Styrofoam is being ripped out from underneath them and we're constantly having to go back in to put the Styrofoam back under. I want to know what our agreements are. We have no signed contracts from them. They just do whatever they want and they get away with it.

Mouse Branch, he had a houseboat up in there where they had took oil, paint, lumber, concrete and threw it all off the houseboat into the creek, so it's all seeping into the water whenever the lake goes down. And I know they did it because they're the ones who have all the parts off of this houseboat that they tore apart. And I don't know where to go or who to talk to, and that's why I wanted someone to, you know, let me know, check into it, something. I don't know what else there is.

Bryson City Commenter 7:
And I guess the comment we'll just make right now is just about the economics of people putting in these huge stick-built houseboats. The marinas knew when they were putting these people in there that these were not TVA approved, so they should have warned people, You're building these at your own risk, we're going to put you in here at our own risk. If TVA comes around and says you've got to take that out, you're out the money. Those people should have been warned or whatever, but it is not -- it should not be allowed to be their argument that the economics of this would be devastating because they were making money before they got all these houseboats in there. Now they're just making megamoney.

So it's not right the way they're putting all these because these are mansion houses on these things. They're not houseboats. They are three- and four-bedroom houses. They're huge. So the economics of it does not need to factor in as far as TVA not upholding the regulations that were originally placed, because they've been there and the marina owners knew those rules were there and they should have warned people, Hey, if you build this big of a houseboat against TVA regulations, you're liable to get it tore down or be told to take it down, so build at your own risk. It's like skydiving at your own risk. It's the same thing.

Kingsport, TN (Warrior's Path State Park): June 23, 2014

Kingsport Commenter 1
Cove Ridge Marina can understand the need for TVA to consider further regulations of nonnavigable floating houses as it relates to these structures not interfering with navigable TVA waterway and as it relates to safety within harbor limits and better control of effluent, incrementalism, height restrictions, or required upgrades to come into compliance with certain standards. We also understand the need for regulating what are essentially boathouses built with outboard motors on them but with no official TVA permit in an attempt to avoid the moratorium on the permitting of nonnavigable floating houses on TVA lakes. But Cove Ridge Marina would have serious concerns about any attempt to remove properly permitted and properly placed floating houses that are in compliance with current TVA regulations from TVA waters and with any regulations that would prevent TVA permit holders from placing a properly permitted floating house on TVA waters because great expense has gone into these structures. Those who have permits to build floating houses and those who have existing floating houses with permits have played by the rules and it would be a great financial burden and would send the wrong message to adopt a rule to phase these structures out all together over time.

Kingsport Commenter 2
I have 2 4-F numbers and I'm concerned about the investment I've made with these other unregulated homes being built. Lack of enforcement is lowering my investment. Will some kind of consideration be paid to those of us who have invested in a 4-F number? Will TVA contribute to making up the loss of the investment due to the lack of enforcement?

Kingsport Commenter 3
I'm at South Holston Lake and we have a lot of very large boat houses / nonnavigable houseboats. I'm concerned they are taking up too much room. They are much larger than the original footprint of what they replaced. I'm concerned at the ecological aspect of that. I saw a washer and dryer delivered to one boathouse and wonder what type laundry detergent they are using and is it going in the water. I use water sparingly and use biodegradable detergents. The houseboat we rebuilt was stick built in the 60's and was a shack built on Styrofoam . We were told we could not build it bigger than our footprint --- maybe 10 percent larger --- and we could not have an upstairs that was livable but could only be for storage. Now there are two-story with decks and balconies that are beautiful but what happened? They're building these huge 3,000 square foot homes, 2,500 square foot homes. TVA needs to enforce their policies. If they had more enforcement a lot of these problems discussed tonight wouldn't be allowed. So either let the rules be clear to everybody or enforce them. The toilets --- they came around and inspected several years ago to make sure they had the right kind of marine toilet. They haven't done that since. Everybody at Laurel is in compliance. But if you find those that aren't, it's a problem with TVA's enforcement. I'm happy that we're doing the electrical, the new electrical wiring, but feel it is an overreach and unnecessary. You can't expect people to have a place at the lake and not go swimming in front of their houseboat. The lake is for swimming and fishing and recreation, and that seems a little ridiculous.

LaFollette, TN: June 24, 2014

LaFollette Commenter 1
TVA has turned a blind eye 15 years and knew the floating houses were being built. Grey water is not an issue and is less a pollutant than oil and gas from all the boat engines. Issue permits to replace old permitted nonnavigable houseboats with new floating houses that have the same cumulative square footage as the old. Factory houseboats are detrimental --- hundreds of steel hulls are sunken. By keeping floating houses in marina harbors, there is less boat congestion. Floating houses are safer than factory houseboats for electrical. No one has been electrocuted by a floating house. Marinas were in place before shoreline residential property owners who complain. Put a value on 4B numbers. Allow exchange for tearing down old house boats and permit a like amount of new floating house square footage. If TVA pursues floating houses, there will be multiple lawsuits from people who sunk their retirement savings and investments.

LaFollette Commenter 2
A TVA representative gave me verbal permission at Indian River Dock to build floating houses and said anything built in the harbor was okay. Six houses have been given TN numbers. There is no discharge. This is too little too late to require disassembly.

LaFollette Commenter 3
I own a floating house at Flat Hollow. I called TVA 9 years ago to ask about registration and was told they weren't going to concern themselves with that and would leave it up to the counties. They should be regulated. There isn't much difference between floating houses and houseboats regarding greywater and other impacts. Don't make me tear mine down. We'll end up in court. Consider the economic impact on counties. If you get rid of floating houses, get rid of houseboats that never move. Most floating house owners spend $6-10k every year before they open the door.

LaFollette Commentor 4
It is great TVA is doing something about the issues that have been brought up--- electrical, safety, mooring, the environment. But TVA does not have the ability to enforce anything. They can make rules but the only thing they can enforce is to the marinas. Responsibility to enforce has to come from marinas.

LaFollette Commenter 5
Floating houses have been allowed to proliferate without any measures taken by TVA to oversee the development of marinas and floating houses. Many people have spent millions, whether or not they were permitted. As a result, if enforcement actions are taken and regulations change, then arguably was a taking in violation of the constitution. I understand the need to regulate. Begin enforcing regulations. Grandfather the existing and prohibit manufacture. This time police it. Don't allow it to happen again. Water concerns can be addressed through appropriate regulations. Regulate grey water. Prohibit black water. Need inspections. Now I understand the concern with the ultimate fate and disposal long term. This is unfair for ratepayers to pay for cost of reclamation. Exact a fee from floating house owners --- yearly to establish a trust fund to use if needed for reclamation.

LaFollette Commenter 6
Do a one-time grandfather clause. Suggest a $500 assessment to license the floating house, and post like a 4B number. Then charge $200 per year from then on. Inspect electric and sewage.

LaFollette Commenter 7
Have general floating house and maintenance inspections every couple of years. Have mooring cables and additional anchoring in middle of mooring cables. To limit movement of floating houses would be good. Everyone I've talked to is more than happy to pay a reasonable registration fee. These moneys could help support the employees needed to implement this. A number system makes it easy to see what's inspected and what is compliant.

LaFollette Commenter 8
I put my life savings and planning on retirement in my 4B houseboat and I don't want to lose it. It is in good shape and has been maintained 15 years. It is 39 years old and still looks good. The guy next to me owes $100k on his and would be a major hardship if lost. I agree the safety issues, hazardous issues need to be addressed.

LaFollette Commenter 9
Mussels on Norris were brought from Michigan. TVA, TWRA, TDEC need an initiative to take care of the problem. Infested by wakeboard boats.

LaFollette Commenter 10
On grey water require mandatory natural soaps. Need grease interceptors. For electrical need ground fault protection. Set up a program with volunteers and provide a barge with large trash cans that can move around and receive trash collections. If you find a piece of foam there is no place to take it and marinas frown on you if you bring it in. As for logs, I hear they can't be removed due to environmental rules or due to the turtles. Need to get some of the larger logs out of the river.

LaFollette Commenter 11
In 2006, we purchased two floating homes with the idea of starting our own vacation rental business. We had to use a commercial harbor to do that or own property that has dockage rights. Because we were in business, we wanted to follow the rules. Trying to get them licensed, TVA said, that's not our job, go to TWRA. We went to TWRA. They said, No, TVA is the controlling authority for the lake. So after running around in circles for about a month and a half, my wife and I just said, we'll just go to the courthouse and register it as a boat, which we did. We put TN numbers on the hulls. It's not a boat; it's a house. And I think that somebody needs to step up to the plate and say I've got the responsibility to take care of the floating house and the issues on the lake, and these are the rules that we're going to go by, and they're not going to be deviated from, just like the laws on the highway when you're driving a car. So not only do we have to have a set of rules to go by, but they have to be enforced. I don't see that happening now. The reason I don't see that happening now is I'm aware of at least three houses that are being built after the TVA said no more, and they are bigger or have a bigger footprint than the original 4B permitted back before 1978. These things are giants. Somebody has to be the authority to go and enforce the rules, make sure everybody is in compliance, and that everybody is going to be happy.

LaFollette Commenter 12
I agree 100 percent, the electrical is an issue that needs to be taken care of. My comment is that this should have been happening, what they're doing now should have happened a longtime ago. Back in 2006, when we bought our floating houses, we tried to find all the information we could on what the rules were, what we needed to do. Nobody could help us. We called the TVA; we called the TWRA. And, finally, somebody said, well, just put a TN number on it. So that's what we did. And we have two of them, because we were renting them out. Then we found out later that those didn't really mean anything. We needed 4B numbers, which weren't being given out anymore. So therefore, we could lose our houses if they wanted to take

them away from us. And when they do what they're doing, they have to enforce it. Anyone here is going to go around all of these rules if it's not enforced and kept up with. There should have been rules a long time ago, when these floating houses were being built, and there were no rules or regulations. They should have started enforcing them or making rules or stopping all of it, if they didn't want it. Now it's a little late to tell us, you've spent $200,000 on two houses; now we're going to make you tear them down. I don't think that's really right.

LaFollette Commenter 13

I suggest that the TWRA -- any out-of-state personal watercraft need to have some kind of a sticker. They need to pay TWRA in order to put their boat on Norris Lake. I don't see anything wrong with that. If you come from Ohio and you bring a boat from Ohio down here to Norris Lake, before you can put that boat in the water, you've got to have paid TWRA some fee, and they'll issue you a sticker. TWRA can make some money off of them, jet skis, boats, ski boats, whatever. Because there's probably more people from out of state that come on this lake than the locals. It's just a big vacation spot for a lot of different states around here, and I just feel like the TWRA is losing a lot of money by not getting some kind of fee off of them. The gray water issue, from what little bit I know about it, the lake is big enough, it moves enough that that shouldn't be an issue. If they think it's some kind of issue, they need to get out there and test the water. It's really no different if you have got a septic tank at home. That water goes into the ground at home and eventually, gets into the water system somewhere. I don't think they should take these boats off the lake, because it would be catastrophic to the economy in Campbell County and the surrounding counties. Why are they coming down on me, wanting to start making me pay some kind of extra fee? How did they allow all these other boats that sit out there, and I've been paying every year? I could have not paid, but I did. I have seen a lot of houseboats out there with stickers on the side of them out of date two or three years. But I paid mine. I felt like I'm supposed to pay it. I don't want to be penalized. I have been paying my part and doing what they asked. Don't come up on me now and say you want to make me take the boat off the lake. I just bought this new houseboat four years ago. They should already have had this worked out 35 years ago. Don't allow these boats to be built and say no they don't meet code, the standards, this and that. It's a little late now to be saying that. I can't believe that they didn't make these boats start paying earlier. If you have a floating house with a hull number, does it fall under the floating house regulations, or does it go back to the hull number -- is it exempt from these new floating house regulations? I had heard that for these electrical codes, TVA couldn't afford to send inspectors out to inspect every houseboat on Norris Lake to see if it meets the standard. Well, if that is such an issue, then let the houseboat owner pay for that inspection, a qualified inspector, so that would take the load off of TVA. Let the houseboat owner pay his own inspection

Summary of Comments Received Following
TVA Presentations at Various Meetings

<u>Norris Marina Owners Association - April 8, 2014 - Whitman Hollow Marina</u>

Summary:

- The old 4B houseboats are the problem and are not maintained properly. They don't meet current standards like the new floating houses we have built. The newer floating houses are better quality. TVA doesn't understand about these facilities. If you used one you would enjoy them like our customers.
- Put a value on the 4B numbers because many are unsanitary, derelict and have no value. Get rid of the 4Bs and swap out for new floating houses that meet new standards.
- The slide of the proposed floating residential subdivision is a concept/not real, and that operation went bankrupt.
- Norris is a mooring lake and there is little or very low percentage of residential use.
- The issues you are concerned with are common to commercial house boats as well. The floating houses have been a replacement for/ progression from factory houseboats. There are many factory houseboats still out there that will not meet current standards.
- The recent drownings on Cherokee etc… were caused by metal factory house boats with faulty electrical components ---- not floating houses. The marina facilities were not the cause.
- There are more problems with private boat docks not being maintained and becoming derelict than floating houses and 4B's.
- It is not our fault we're out of our harbor limits. My facilities have not been moved since I bought the marina (2000) and I was never told there was a compliance problem until later. We did not have the advantage of current technology and GPS accuracy. How do you know the harbor limits when trying to read an old small hand-drawn map. Are harbor limits established for all marinas? My marina is in the smallest harbor limit footprint to date based on previous aerial photos.
- The growth on Norris of shoreline residential homes has brought an attitude from property owners that the marinas are encroaching on their view and their water when the marinas were there first. Development pressure brings more use conflicts regarding shoreline and water.
- You are talking about management alternatives --- alternatives to what?
- Use the KISS principle. This issue has gotten out ahead of TVA, and a workable approach would be to grandfather the existing structures and set new requirements and standards for the ones that remain.
- I recommend that TVA comes out quickly to say the existing facilities/floating houses will be grandfathered. You won't be able to take the heat if you try to prohibit and remove them.
- If you are approved to rebuild a 4B on Norris, why can't a size increase be permitted?
- Hopefully TVA can find an approach that is fair across the system. Next meeting is May 11.

TVA has not enforced the rules you have now regarding sub-standard 4B's, and you have allowed more floating houses and nonnavigable structures to be built without approval.

May 7, 2014 Powell Valley Electric Cooperative

Summary:

- Does TVA allow independent anchoring or require docking at slips with utility connections?
- Suggestion was made to allow permanent anchors underwater --- drilled in rock.
- Trees can be pulled down by wind when used for mooring which has happened in the past at Cedar Grove.
- What will TVA do in the interim until rules are modified?
- Something has to be done to address the issues and TVA is on the right track.
- Put more responsibility for regulation on the marinas --- they are making money from the customers and floating house owners. Some type of bond requirements or security assurance should be considered.

May 8, 2014 - TVA Gray, TN Office - Marina Owners: Upper Holston reservoirs

Summary:

- GFI protection only at the main service line causes a service disruption at all other connections and you still won't know where the problem occurred.
- Would floating houses rented by a marina be within scope, and is revocation of permits and removal of structures in the scope of review? Office, restaurant and other similar structures are not in scope.
- Why does TVA make campers on TVA land move out of their site for two weeks but houseboats and floating houses never move. They should be treated like campers.
- Thanks for meeting with us in this setting. When I started at Laurel Marina my only business was 17 nonnavigable houseboats. Marina owners and their families have planned and made huge financial investments based on current rules and guidelines. If the rules and guidelines change we could be devastated.
- The demand to buy TVA nonnavigable houseboat (NNHB) numbers and to relocate is high and people want to sell their numbers.
- There is an inconsistent policy regarding size allowed for expansion of NNHB. Why did you change guidelines? This has a big impact on potential customers who want to invest a lot of money in rebuilding a NNHB instead of buying an expensive large commercial factory houseboat.
- What is the problem with these structures other than safety?
- TVA should require an extra fee (ex. $400/yr.) for the privilege of having a NNHB or floating house. Use the revenue for management and inspection.
- The NEPA process will drive TVA to an extreme decision for environmental protection and prohibiting.
- TVA is liable for allowing these unpermitted unregulated structures to happen.
- There is federal legislation being considered that may allow houseboats and floating cabins (Cumberland River) if they meet criteria for a recreational vessel.
- Would TVA allow floating houses if they are put in a slip and moored on a walkway?
- If you have an approved harbor limit, why not allow living on a houseboat or floating house?
- The impact of TVA policy changes can have a large effect on the value of marinas and the ability to get loans. If a marina goes bankrupt, it impacts the value of many surrounding marinas.
- Consider the option of grandfathering the unpermitted structures, and address the most important safety issues and regulations.
- Limit mooring to commercial marina harbor limits and require a permit to move to a new marina. Establish safety guidelines.

- Most of the Upper Holston Reservoir NNHB's are moored close to the shoreline or they are on a walkway or pier. Recommend this be required for mooring the floating houses and NNHB's.
- Laurel Marina requires individual electric meters if the HB is not on a walkway/pier with electrical connections.
- How will TVA treat factory houseboats if they never move and are used for habitation?
- Work with the State Fire Marshall offices on electrical safety.
- The situation is out of hand and TVA needs safety guidelines.
- Keep the NNHB and floating houses (if permitted) in marina harbor limits.
- It is unfair to marina owners to allow floating houses at private shoreline property and lots.
- TVA is not comfortable with the NN structures and has to consider what is fair to the owner, and to the public/taxpayer. Why not charge 5% of the cost of a land use agreement and put that revenue toward management. Is the public subsidizing private use and views for HB and floating house owners that are not paying for the benefits?
- Marina owners know who the houseboat and floating house owners are, and can help manage the issues.
- TVA needs a way to enforce rules.
- A No Residential Use policy would hurt some marina operators. You can't really monitor and manage that issue anyway.
- Marinas can't get enough revenue from NNHB's.
- Let marinas continue to have NNHB's and floating houses, and make sure they have permits, and meet standards. Develop safety standards.
- Allow rebuilding of dilapidated NNHB's with numbers if there is space in the marina harbor.
- Grandfather the floating houses but allow no more.
- Don't allow private shoreline property owners to moor NNHB and floating houses at their lot and then rent them out.
- I disagree with TVA's policy that allows private docks. This takes away marina business.
- Why allow people to live on houseboats, but not in campgrounds on TVA public land? Campgrounds lose business when you make the campers leave. A lot of them will not come back.
- A private campground on South Holston has built boat slips that are supposed to be used only by campers with boats and not the general boating public. This has cost some marinas business. The campground can rent the slips for less money.

May 9, 2014 – LaFollette Utilities Board

Summary:

- Some marinas may be sub-metering and reselling electricity at a higher rate in violation of the TVA Act.
- LUB is trying to reduce the number of service poles by grouping multiple connections together.
- LUB has no problem with water supply being sub-metered.
- Has TVA looked at voltage limits on electric lines going in the water? The drop in voltage can be a problem for longer service lines.
- Consider storage of gasoline storage, containers, LP tanks, and natural gas supply (if provided) as part of the safety issues review.

May 13, 2014 – Norris Marina Owners Association at Sequoyah Marina

Summary:

Electrical Safety

- Use field tile to protect wiring from rubbing and abrasion
- Check customer boats wiring to ensure proper ground. Do visual inspection --- contract out if necessary.
- Inspect cords and ensure the right type (marine grade) is used.
- Use leak testers
- Enforcement help; marina owners be able to board boats and have the right to inspect; Have a way to report customers who do not comply with safety requirements.
- Meet current electrical codes.
- Ground Fault Protection – require customers or marina, or both.
- Require certificate of insurance from subcontractors doing work on marina property.
- What is the extent of setting up [ground fault interrupter] GFI? Sequoyah Marina looked at re-working their GFI protection and the cost to do 3 service supply lines was $15-20k. If you have GFI only at the main supply source, everything can trip but you still don't know where the problem is.

Waste Management

- Require pump out contracts
- Document with marina pump out receipts as a requirement
- Need vessel and [nonnavigable house boat] NNHB/floating house inspections of holding tanks, Y-valves. Issue a sticker or decal to document and then have TWRA, TVA or local government inspect and enforce.
- There are more problems with outside customers not marina renters.
- Use signage to show rules, and distribute handouts to educate boaters.

Mooring Practices

- For TVA land below 1040, permission or permits required for how you moor such as tying to trees in and out of harbor limits. Address through 26a permit process.
- Protect trees and respect others property. Anchor within harbor limits. Sometimes trees are the only alternative for tying up
- Consider dead man anchors and use buoys to mark anchor lines and cables.
- Bury and adjust anchors or cables.
- TVA needs to expedite 26a reviews and process requests quicker for anchoring modifications.

Harbor Limits

- Grandfather current physical harbor limits and reconcile with the permit. Most current marina owners have not moved their facilities but GPS capability has permitted greater accuracy than a hand drawn line on a map. No Norris marinas meet the standards for Clean Marina designation because of being out of harbor limits.
- Maintain floating houses within harbor limits.
- Adjust harbor limits if needed for floating houses (additional permitting)
- Establish list of rules followed by TVA and dock owners for floating houses within harbor limits.
- Don't interfere with waterways.

Water Quality

- Floatation (Styrofoam), grey water, trash/litter, and water supply to customers are issues to consider.
- Zebra Mussels are a future concern.

- Small water supply systems must follow state requirements
- UV systems certified for individual boats and floating houses
- [Tennessee Department of Environment and Conservation] TDEC doesn't like water lines under the water.
- Gray water is not an issue and is not practical to treat.
- Address litter and trash. Keep the water clean of cans and bottles etc…
- Signs to encourage protection of water quality

Other

- TVA should recognize the positive economic benefit/impact that the marinas have. Without them, the only other thing we have is Meth. (Meth doesn't present much opportunity for sale of electricity).
- Flat Hollow pumped 66,000 gallons of black water last year. Shanghai pumped 17,000 gallons of black water 14 years ago when TVA worked with them to do a pilot pump-out program.
- Can people stay in a floating house year-round?
- Some people do stay year-round on houseboats.
- There is some residential use.
- Most all the issues TVA is concerned with also apply to houseboats and vessels with toilets.
- President of GC Cincy (print and web graphics) of Cincinnati presented a framed poster of current aerials for all Norris marinas to the Sequoyah and Flat Hollow marina owners for their association work and support. He also offered TVA use of his current aerial photos that could be used to get a structure count. He further commented that based on discussion with floating house owners he knows, they would have no problem with paying an annual registration/inspection fee that could be used to manage and monitor.

Appendix B: Federal and State Agency Letters of Response

COMMONWEALTH of VIRGINIA

Department of Historic Resources

Molly Joseph Ward
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

May 19, 2014

James C. Adams
Manager, Recreation Agreements
Tennessee Valley Authority
Post Office Box 1010
Muscle Shoals, Alabama 35662-1010

Re: Floating Houses
DHR File No. 2014- 0573

Dear Mr. Adams:

Thank you for our letter of May 12, 2014 notifying the Virginia Department of Historic Resources that the Tennessee Valley Authority (TVA) is initiating an environmental review under the National Environmental Policy Act of floating houses and non-navigable houseboats on all TVA reservoirs. We are pleased to see that five public meetings have been scheduled to facilitate public input.

The principal concern of our agency is that any potential effects on archaeological sites and historic structures be minimized to the greatest extent possible. We encourage careful consideration of archaeological site monitoring and protection in particular, given the potential impacts from associated road, parking lot, and dock construction as well as the potential increase in erosion of shoreline sites and opportunity for looting.

If you have any questions concerning our comments, or if we may provide any further assistance, please do not hesitate to contact me at (804) 482-6088; fax (804) 367-2391; e-mail ethel.eaton@dhr.virginia.gov .

Sincerely,

Ethel R Eaton

Ethel R. Eaton, Ph.D., Senior Policy Analyst
Review and Compliance Division

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6408
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way
2nd Floor
Newport News, VA 23608
Tel: (757) 886-2818
Fax: (757) 886-2808

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

Molly J. Ward
Secretary of Natural Resources

COMMONWEALTH of VIRGINIA

Department of Game and Inland Fisheries

Robert W. Duncan
Executive Director

May 23, 2014

James C. Adams – Manager Recreation Agreements
Tennessee Valley Authority

via email: jcadams2@tva.gov

Re: Floating Houses Project Review Request

Dear Mr. Adams:

We appreciate your interest in submitting your project(s) for review by VDGIF to ensure the protection of sensitive wildlife resources during project development. Unfortunately, due to staffing limitations, we are unable to review pre-applications or scoping documents submitted to our Department. Please note that lack of a response from VDGIF does not constitute a "no comment" response, nor does it imply support of the project or associated activities. It simply means that VDGIF is unable to review your pre-application submittal.

To review your project site for the location of wildlife resources under our jurisdiction, including threatened and endangered wildlife, we recommend accessing the Virginia Fish and Wildlife Information System (VAFWIS) at http://vafwis.org/fwis/.

If you have further questions or need additional information about VDGIF's Environmental Programs, please visit: http://www.dgif.virginia.gov/environmental-programs/.

Please feel free to attach a copy of this correspondence to any applications or documents you may submit for your project to state or federal permitting agencies.

Sincerely,

Mrs. Gladys D. Cason

Gladys D. Cason
Environmental Services Section

4010 WEST BROAD STREET, P.O. BOX 11104, RICHMOND, VA 23230-1104
(804) 367-1000 (V/TDD) ***Equal Opportunity Employment, Programs and Facilities*** **FAX (804) 367-9147**

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 1105, Richmond, Virginia 23218
Fax: 804-698-4019 - TDD (804) 698-4021
www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

May 23, 2014

Received June 2, 2014 - jg

cc: James C. Adams, MPB 1H-M
Robert Farrell, WT 11A-K
Matthew Higdon, WT 11D-K

Mr. James C. Adams
Manager, Recreation Agreements
Tennessee Valley Authority
PO Box 1010
Muscle Shoals, AL 35662-1010

RE: National Environmental Policy Act Scoping: Floating House and Non-Navigable House Boasts on Tennessee Valley Authority Reservoirs

Dear Mr. Adams:

This correspondence is in response to the May 12, 2014, letter (received May 20, 2014) submitted by the Tennessee Valley Authority (TVA) requesting scoping comments pursuant to the National Environmental Policy Act (NEPA). TVA states that it is initiating an environmental review of floating houses and non-navigable houseboats at marinas and other shoreline locations on the Tennessee River system, which includes portions of southwest Virginia.

Description of Project

According to the scoping letter (attached), TVA regulations prohibit non-navigable houseboats, except those in existence prior to February 15, 1978. However, since 1978, there has been an increase in the number of floating houses that are designed to be used primarily for human habitation. The purpose of the review is to determine how TVA addresses current issues associated with the floating structures and whether minimum safety and environmental standards, rules and management practices need to be clarified or updated. Additional information on resources in Virginia that are managed by TVA is attached.

Coordination of Environmental Reviews

The role of DEQ in relation to the project under consideration is that DEQ Office of Environmental Impact Review (OEIR) will coordinate Virginia's review of federal documents prepared pursuant to NEPA and comment to the appropriate agency on behalf of the Commonwealth.

Scoping and Environmental Review

While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the preparation of a NEPA document, if one is developed, for the proposed project. These entities may be asked to participate in the coordinated review of the NEPA document submitted to this office. Therefore, we are sharing your letter with selected state and local Virginia agencies:

- Department of Environmental Quality
  - Southwest Regional Office
  - Air Division
  - Division of Land Protection and Revitalization
  - Division of Water, Office of Stormwater Management
- Department of Game and Inland Fisheries
- Virginia Department of Agriculture and Consumer Services
- Department of Conservation and Recreation
  - Division of Natural Heritage
  - Division of Planning and Recreation Resources
- Marine Resources Commission
- Department of Historic Resources
- Department of Health
- Department of Transportation
- Lee County
- Wise County
- Dickenson County
- Scott County
- Buchanan County
- Russell County
- Tazewell County
- Smyth County
- Washington County
- City of Bristol
- Town of Abingdon
- Mount Rogers Planning District Commission
- Cumberland Plateau Planning District Commission
- LENOWISCO Planning District Commission

DATABASE ASSISTANCE

Below is a list of databases that may assist you in the preparation of a NEPA document:

- DEQ Online Database: Virginia Environmental Geographic Information Systems

  Information on Permitted Solid Waste Management Facilities, Impaired Waters, Petroleum Releases, Registered Petroleum Facilities, Permitted Discharge (Virginia Pollution Discharge Elimination System Permits) Facilities, Resource Conservation and Recovery Act (RCRA) Sites, Water Monitoring Stations, National Wetlands Inventory:

  - www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx

- DEQ Permit Expert

  Helps determine if a DEQ permit is necessary:

  - www.deq.virginia.gov/permitexpert/

- DHR Data Sharing System

  Survey records in the DHR inventory:

  - www.dhr.virginia.gov/archives/data_sharing_sys.htm

- DCR Natural Heritage Search

  Produces lists of resources that occur in specific counties, watersheds or physiographic regions:

  - www.dcr.virginia.gov/natural_heritage/dbsearchtool.shtml

- DGIF Fish and Wildlife Information Service

  Information about Virginia's Wildlife resources:

  - http://vafwis.org/fwis/

- Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Database: Superfund Information Systems

  Information on hazardous waste sites, potentially hazardous waste sites and remedial activities across the nation, including sites that are on the National Priorities List (NPL) or being considered for the NPL:

  - www.epa.gov/superfund/sites/cursites/index.htm

- EPA RCRAInfo Search

Information on hazardous waste facilities:

- www.epa.gov/enviro/facts/rcrainfo/search.html

- EPA Envirofacts Database

  EPA Environmental Information, including EPA-Regulated Facilities and Toxics Release Inventory Reports:

  - www.epa.gov/enviro/index.html

- EPA NEPAssist Database

  Facilitates the environmental review process and project planning:

  - http://nepassisttool.epa.gov/nepassist/entry.aspx

In order to ensure an effective coordinated review of documents, we typically require 18 copies. The submission may include 3 hard copies and 15 compact discs (CDs) or 3 hard copies and an electronic copy available for download at a website, file transfer protocol (ftp) site or the Virginia Information Technology Agency (VITA) Share file transfer system (*https://vitashare.virginia.gov/*). We recommend that project details unfamiliar to people outside the TVA be adequately described.

If you have questions about the environmental review process, please feel free to call me at (804) 698-4325 or Julia Wellman of this Office at (804) 698-4326.

I hope this information is helpful to you.

Sincerely,

Shawn K. Power for

Ellie L. Irons, Program Manager
Environmental Impact Review

Enclosures

cc: Dane Poe, Lee County
Shannon Scott, Wise County
C. David Moore, Dickenson County
Kathie Noe, Scott County
Robert Horn, Buchanan County
Jim Gillespie, Russell County
James Spencer, Tazewell County
Michael Carter, Smyth County
Jason Berry, Washington County
Tabitha Crowder, City of Bristol
Gregory W. Kelly, Town of Abingdon
Michael Armbrister, Mount Rogers Planning District Commission

James Baldwin, Cumberland Plateau Planning District Commission
Glen Skinner, LENOWISCO Planning District Commission

ec: James Adams, TVA
Amy Ewing, DGIF
Keith Tignor, VDACS
Robbie Rhur, DCR
Barry Matthews, VDH
Steve Coe, DEQ DLPR
Kotur Narasimhan, DEQ DAPC
Teresa Frazier, DEQ SWRO
Larry Gavan, DEQ Water
Holly Sepety/Shantelle Nicholson, DEQ Water
Roger Kirchen, DHR
Tony Watkinson, VMRC
Jim Cromwell/Chip Ray, VDOT

STEVEN L. BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL

BOB STEWART
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE
300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

CRAIG A. POTTS
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

May 29, 2014

James C. Adams
Manager, Recreation Agreements
TVA
P.O. Box 1010
Muscle Shoals, Alabama 35662-1010

RE: Proposed TVA Floating Houses Projects

Dear Mr. Adams,

Thank you for submitting the above-mentioned project for our review in accordance with Section 106 of the National Historic Preservation Act of 1966 (16 U. S. C. Sec. 470f) and implementing regulations at 36 C. F. R. Part 800. We currently do not have enough information to determine this project's potential to impact sites listed or eligible for listing on the National Register of Historic Places in the state of Kentucky. Based on your submission it is unclear if these proposed projects will occur within the state of Kentucky.

Please refer to the following website http://www.heritage.ky.gov/siteprotect/ where you will find three separate documents to assist you in submitting additional information to our office for review. Those documents include a memo outlining the standardized Section 106 submission process, a Section 106 Cover sheet that must be included with all submissions to our office, and instructions for the proper completion of the required cover sheet and associated information.

Should you have any questions, feel free to contact Yvonne Sherrick of my staff at 502- 564-7005 ext 113.

Sincerely,

Craig A. Potts
Executive Director and
State Historic Preservation Officer

CP:41729-2

rec'd 6/6/14 JB

Appendix B

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE, 4TH FLOOR
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-3410
FAX (502) 564-0111
www.dep.ky.gov

Leonard K. Peters
Secretary

R. Bruce Scott
Commissioner

Peter T. Goodmann
Director

June 10, 2014

Mr. Matthew Higdon, NEPA Project Manager
Tennessee Valley Authority
400 West Summit Hill Drive, WT 11D
Knoxville TN 37902

RE: Initiation of Environmental Review
Floating Houses on TVA Reservoirs
Marshall & Calloway Counties, Kentucky

Dear Mr. Higdon:

The Division of Water has received your request for comments on the environmental review for a regulation change. We have reviewed the documentation presented and have noted the following:

- For any possible lake impacts, an Individual Water Quality Certification (WQC) may be necessary. If the lake impacts, on a cumulative basis, exceed the General Certification conditions, an Individual WQC will be required.
- If additional discharge points are required as part of this proposed project, a Kentucky Pollutant Discharge Elimination System (KPDES) Permit may also be needed.
- If there are additional water or sewer lines and/ or upgrades proposed, it is recommended local water/wastewater utilities be contacted during the planning process. Construction approval may be required by 401 KAR 5:005. For regulated additions and/or upgrades, appropriate plans and specifications required for construction permit applications must be submitted to the Division of Water for review and approval before construction may begin.

The proposed project has the potential to impact waters of the Commonwealth. Please contact the Water Quality, KPDES, and Water Infrastructure Branches of the Division of Water for further information and direction.

If we can provide any further assistance, please do not hesitate to call, (502)564-3410, or lori.dials@ky.gov.

Sincerely,

Lori A Dials

Lori Dials
Wastewater Municipal Planning Section
Water Infrastructure Branch

rec'd 7/14/14

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
151 PATTON AVENUE
ROOM 208
ASHEVILLE, NORTH CAROLINA 28801-5006

REPLY TO
ATTENTION OF:

July 11, 2014

Regulatory Division

Action ID No.: SAW-2014-01004

Mr. James Adams
Tennessee Valley Authority
P.O. Box 1010
Muscle Shoals, Alabama 35662-1010

Dear Mr. Adams:

Reference is made to your letter of May 12, 2014, requesting an evaluation of environmental considerations to jurisdictional waters of the United States (WoUS) that could involve Department of Army (DA) permitting for floating houses and non-navigable houseboats on Tennessee Valley Authority (TVA) reservoirs. The Wilmington District administers DA regulatory authority and permitting programs within WoUS in North Carolina. Therefore, our comments will pertain to our regulatory jurisdiction at TVA reservoirs in North Carolina.

We have reviewed the documents obtained from TVA and conducted discussions with you about this subject. Based upon this information the Corps has determined the construction, installation, and/or mooring of these structures and associated supporting structures may require DA authorization pursuant to our regulatory authority under Section 404 of the Clean Water Act (CWA) and/or Section 10 of the Rivers and Harbors Act (RHA). DA authority under Section 10 of the RHA encompasses activities in, over, or under a navigable waterway that affect or has the potential to affect course, condition or capacity of navigation. Under Section 404 of the CWA, DA authority regulates discharge of dredge or fills material into WoUS.

TVA reservoirs in North Carolina are Chatuge, Hiwassee, Apalachia, and Fontana. Fontana is in an impoundment of the Little Tennessee River, which is WoUS and navigable under Section 10 of the RHA. Chatuge, Hiwassee, and Apalachia are impoundments of the Hiwassee River, which is WoUS.

Please note, the information submitted by TVA did not provide detailed data or other information necessary to verify if DA authorization will be involved for floating houses and non-navigable houseboats. DA authorization is typically required for construction, installation, and/or mooring of these structures and associated supporting structures placed in WoUS. A final determination will be made based upon by the location, type, and extent of DA jurisdictional area impacted by the activities, by the project design, and construction limits.

Should you have any further questions related to this matter, please contact me at 828-271-7980, extension 232.

Sincerely,

David Brown, P.G.
Regulatory Specialist

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street
Asheville, North Carolina 28801

July 29, 2014

Mr. James C. Adams
Manager, Recreation Agreements
Tennessee Valley Authority
P.O. Box 1010
Muscle Shoals, Alabama 35662-1010

Dear Mr. Adams:

We have reviewed the information in your May 12, 2014 letter, as well as the April 30, 2014, Notice of Intent to conduct an environmental review of the growth in the Tennessee River Watershed of floating houses and nonnavigable houseboats designed and used primarily for human habitation and the potential management actions TVA may take in response to the proliferation of these structures. The review will help TVA determine if new management policies, minimum standards, and rule updates are needed. Currently, TVA regulations prohibit nonnavigable houseboats except for those in existence before February 15, 1978. Section 26a of the TVA Act gives TVA jurisdiction to regulate obstructions that affect navigation, flood control, or public lands across, along, or in the Tennessee River or any of its tributaries.

The U.S. Fish and Wildlife Service (USFWS) is very interested in ensuring that the TVA reservoir and riverine shorelines are managed in a way that protects fish and wildlife resources. To make certain that these important resources are protected, we think this environmental review is very timely and significant. We have observed the proliferation of houseboats and structures of concern at TVA reservoirs. We encourage TVA shoreline management staff to address non-permitted uses, to determine if houseboats are authorized operations, and to make them consistent with TVA regulations. We recommend potential solutions include development of a schedule for correction of unpermitted encroachments, and development of appropriate mitigative measures.

Consider Impacts. The proliferation of houseboats on TVA reservoirs is concerning to us, because it may affect fish and wildlife resources. We are concerned about the extent and magnitude of the houseboats, and the lack of site-specific and cumulative consideration of the potential impacts. The environmental document should define the geographic extent of the issue to include the reservoirs and intervening riverine reaches. We recommend you consider how houseboats affect shallow-water aquatic habitats, wetlands, riparian and shoreline habitats, and fragmentation of shorelines, both individually and collectively.

Develop Appropriate Mitigation Measures. In order to minimize the effects of the project on fish and wildlife resources, in riparian and adjacent shallow-water areas, we recommend the following measures:

- TVA should develop a permitting program to consider existing and future proposed houseboats. Such a program should track ownership, maintenance, and compliance, as well as impacts to fish and wildlife resources. The costs of such a program should be supported by individual user fees assessed to those individuals seeking the privilege of houseboat use on these public reservoirs.

- Develop and enforce minimum standards for water quality and waste management, electrical safety, structural stability, size, flotation types, mooring, and anchoring practices. These are all basic elements of how permitted structures should be maintained. Existing or proposed structures not meeting standards should not be allowed.

- Designate sensitive areas. Some reservoirs, or sensitive areas at each reservoir, may not be appropriate for houseboat use/mooring. Because of extreme pool elevation changes, bathymetry, and environmentally-sensitive resources, houseboats should be prohibited from some areas. In general, areas of stream confluences to reservoirs should not be obstructed with houseboats. Stream confluences are important areas for fish and aquatic life, and houseboats should not be allowed with 100 feet or more.

- Native Vegetation. Native shoreline vegetation should be left unaltered as much as possible. Riparian buffers should be maintained or re-established with plantings of the native species, wherever possible.

- Stringent erosion-control measures. Stringent erosion-control measures should be installed where soil is disturbed and should be maintained at housbeboat sites. Any excavated material should be stabilized so sediment will not erode to surface waters.

- Spill Prevention and Containment. We are concerned about the potential for spills, drips, and other contamination at houseboats. Although drips and small spills may seem insignificant and difficult to avoid, the cumulative impact can be quite damaging. We recommend that each houseboat include adequate steps to reduce the possibility of spilling fuel or oil or wastes into the water. Under the Oil Pollution Act and the Clean Water Act, it is illegal to discharge any amount of fuel, oil, or other petroleum product into the waters of the United States. Any oil or fuel spill that leaves a sheen on the water must be reported. Even a small spill can quickly result in a large sheen when combined with wind and wave action.

Catalog Existing Houseboats. We recommend TVA catalog the existing houseboats (attach a sequentially numbered tag to each), georeferenced location, photographs, apparent ownership, and characterization of anchorage systems, waste and water and power systems. The catalog should include those grandfathered with permissions, the dates and details of the permissions, the condition of each permitted and non-permitted houseboat. We recommend TVA then develop a plan, with a schedule, for ensuring unpermitted structures are removed, and that its prior permits, if any, are consistent with the allowable uses for each shallow water/ cove /shoreline area. Are there any existing instances of private occupancy within the TVA Boundary? If so, how long have they been occupied? Is their occupancy consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the reservoirs? Does the

structure (and associated mooring, guys, and infrastructure) affect navigation? What are the TVA's plans for removing houseboats from environmentally sensitive areas, and/or plans to mitigate the impacts of such uses of these important shoreline areas? Regardless of the history of use of these areas, TVA should provide a specific explanation for allowing continued non-permitted use within environmentally-sensitive areas, and a schedule for correction. What level of enforcement should we expect from TVA?

Endangered Species. We are concerned about how the permitting, or lack of permitting, may affect endangered and threatened species, rare species, and their habitats. We recommend you consider listed species, and designated critical habitats explicitly when developing a permitting program for houseboats, and when determining shoreline areas that could be used for houseboat mooring. §7 of the Endangered Species Act directs all federal agencies to use their authorities to assist in the conservation of listed species and to ensure that their actions do not undermine the purposes of the Endangered Species Act. Specifically, §7(a)(1) of the Endangered Species Act charges federal agencies to work with the U.S. Fish and Wildlife Service to carry out programs for the conservation of endangered and threatened species, and §7(a)(2) requires every federal agency, in consultation with and with the assistance of the U.S. Fish and Wildlife Service, to ensure that its actions are not likely to jeopardize listed species or adversely modify critical habitat for such species. §7(a)(2) of the Endangered Species Act and implementing regulations define a federal agency's responsibility for determining the action area and the potential effects of an action on listed species. Federal actions are defined as "all activities or programs of any kind authorized, funded or carried out, in whole or in part, by Federal agencies," including "actions directly or indirectly causing modification to the land, water, or air." The action area is defined as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action." When assessing the potential effects of a federal agency's action, "the direct and indirect effects of an action on listed species or critical habitat, together with the effects of other activities that are interrelated[1] or interdependent[2] with that action" must be considered (50 CFR 402.02). These may include utility corridors used to provide water or power to houseboats.

Invasive Exotic Species. We are concerned about the introduction and spread of invasive exotic species in association with the houseboats. Without active management, including the revegetation of disturbed areas with native species, houseboats and associated project corridors will likely be sources of (and corridors for) the movement of invasive exotic species. Exotic species are a major contributor to species depletion and extinction, second only to habitat loss. Exotics are a factor contributing to the endangered or threatened status of more than 40 percent of the animals and plants on the *Federal List of Endangered and Threatened Wildlife and Plants*.[3] It is estimated that at least 4,000 exotic plant species and 2,300 exotic animal species are now established in the United States, costing more than $130 billion a year to control.[4] Additionally, the U.S. Government has many programs and laws in place to combat invasive

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[1]Interrelated actions are those that are part of a larger action and depend on the larger action for their justification.
[2]Interdependent actions are those that have no significant utility apart from the action that is under consideration.

[3]D.S. Wilcove, D. Rothstein, J. Dubow, A. Phillips, and E. Losos. 1998. Quantifying threats to imperiled species in the United States. BioScience 48:607-615.
[4]D. Pimentel, L. Lach, R. Zuniga, and D. Morrison. 2000. Environmental and economic costs of nonindigenous species in the United States. BioScience 50:53-65.

species (see *www.invasivespecies.gov*). Specifically, Section 2(a)(3) of Executive Order 13112 - Invasive Species (February 3, 1999) directs federal agencies to "not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in the United States or elsewhere." Many exotic plants[5] are also aggressive invaders of nearby natural areas, where they are capable of displacing already-established native species. Therefore, we strongly recommend that only species native to the natural communities within the project area be used in association with all aspects of TVA shoreline management.

Conclusion. We are pleased that TVA has initiated this review. Based on our observations, the proliferation of floating structures, and review of the information provided, we agree the proposed Environmental Review is necessary, and a resolute policy, minimum standards, and rule updates are needed. We look forward to working with you to ensure that our concerns are considered and that our recommendations are implemented and that impacts to fish and wildlife resources are minimized. If you have specific questions concerning these comments, please contact me at 828/258-3939, Ext. 227. In any future correspondence concerning this project, please reference our Log Number 4-2-14-217.

Sincerely,

- original signed –

Mark A. Cantrell
Fish & Wildlife Biologist

cc:
Field Supervisor, Tennessee Field Office
Field Supervisor, Georgia Field Office
Field Supervisor, Alabama Field Office

[5]Lists of invasive exotic plants can be found at *http://www.tneppc.org/* and *http://www.invasive.org/eastern/srs/* (exotic wildlife links) on the Internet.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
6669 Short Lane
Gloucester, Virginia 23061

FEB 04 2013

Greetings:

Due to increases in workload and refinement of our priorities in Virginia, this office will no longer provide individual responses to requests for environmental reviews. However, we want to ensure that U.S. Fish and Wildlife Service trust resources continue to be conserved. When that is not possible, we want to ensure that impacts to these important natural resources are minimized and appropriate permits are applied for and received. We have developed a website, *http://www.fws.gov/northeast/virginiafield/endspecies/Project_Reviews_Introduction.html*, that provides the steps and information necessary to allow landowners, applicants, consultants, agency personnel, and any other individual or entity requiring review/approval of their project to complete a review and come to the appropriate conclusion.

The website will be frequently updated to provide new species/trust resource information and methods to review projects, so refer to the website for each project review to ensure that current information is utilized.

If you have any questions about project reviews or need assistance, please contact Troy Andersen of this office at (804) 693-6694, extension 166, or troy_andersen@fws.gov. For problems with the website, please contact Mike Drummond of this office at mike_drummond@fws.gov.

Sincerely,

Cynthia A Schulz

Cindy Schulz
Supervisor
Virginia Field Office

Appendix C: Federal Register Notice of Intent

Dated: April 23, 2014.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2014–09848 Filed 4–29–14; 8:45 am]

BILLING CODE 4710–05–P

TENNESSEE VALLEY AUTHORITY

Meeting of the Regional Energy Resource Council

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Notice of Meeting.

SUMMARY: The TVA Regional Energy Resource Council (RERC) will hold a meeting on Tuesday, May 13, 2014, regarding regional energy related issues in the Tennessee Valley.

The RERC was established to advise TVA on its energy resource activities and the priorities among competing objectives and values. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2.

The meeting agenda includes the following:

1. Welcome and Introductions.
2. Recap of January 2014 meeting.
3. Presentations and discussion regarding TVA's Integrated Resource Planning process and accomplishments to date.
4. Public Comments.
5. Council discussion regarding progress and development of the Integrated Resource Plan.

The RERC will hear views of citizens by providing a public comment session. The public comment session will be held at 10:45 a.m. CDT, on May 13. Persons wishing to speak are requested to register at the door by 9:45 a.m. on Tuesday, May 13, and will be called on during the public comment period. Handout materials should be limited to one printed page. Written comments are also invited and may be mailed to the Regional Energy Resource Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT–11 B, Knoxville, Tennessee 37902.

DATES: The meeting will be held on Tuesday, May 13, from 9:00 a.m. to 3:00 p.m. CDT.

ADDRESSES: The meeting will be held at the Nashville Airport Marriott, 600 Marriott Drive, Nashville, TN 37214 and will be open to the public. Anyone needing special access or accommodations should let the contact below know at least a week in advance.

FOR FURTHER INFORMATION CONTACT: Beth Keel, 400 West Summit Hill Drive, WT–11 B, Knoxville, Tennessee 37902, (865) 632–6113.

Dated: April 21, 2014.

Joseph J. Hoagland,

Vice President, Stakeholder Relations, Tennessee Valley Authority.

[FR Doc. 2014–09654 Filed 4–29–14; 8:45 am]

BILLING CODE 8120–08–P

TENNESSEE VALLEY AUTHORITY

Review of Floating Houses

AGENCY: Tennessee Valley Authority.

ACTION: Notice of intent.

SUMMARY: The Tennessee Valley Authority (TVA) is conducting a review of) the recent growth in the Tennessee River Watershed of floating houses and nonnavigable houseboats designed and used primarily for human habitation and potential management actions TVA may take in response to the proliferation of these structures. As part of the study, TVA intends to prepare an environmental assessment (EA) or environmental impact statement (EIS) to assess the impacts associated with TVA's management and oversight of these structures on its reservoirs. TVA will use the environmental review process to learn the values and concerns of stakeholders; identify issues, trends, events and tradeoffs affecting TVA's policies; formulate, evaluate and compare alternative management options; provide opportunities for public review and comment; and ensure that TVA's evaluation of alternative management and policy strategies reflects a full range of stakeholder input. Public comment is invited concerning the scope of the review and environmental issues that should be addressed. This notice is provided in accordance with the Council on Environmental Quality's regulations (40 CFR parts 1500 to 1508) and TVA's procedures for implementing the National Environmental Policy Act (NEPA).

DATES: Comments must be received on or before July 29, 2014. To facilitate the scoping process, TVA will hold public scoping meetings in May and June 2014; see *http://www.tva.gov/river/floatinghouses.htm* for the dates and locations of scoping meetings. TVA will provide additional opportunities for public involvement upon publication of the draft EA or EIS.

ADDRESSES: Written comments should be sent to Matthew Higdon, NEPA Specialist, Tennessee Valley Authority, 400 West Summit Hill Drive (WT 11D), Knoxville, Tennessee 37902. Comments may also be entered online at the project Web site at *http://www.tva.gov/river/floatinghouses.htm* or emailed to *fh@tva.gov.*

FOR FURTHER INFORMATION CONTACT: For general information on the NEPA process, contact Matthew Higdon at the address above, by email at *mshigdon@tva.gov,* or by phone at (865) 632–8051. For general information on the floating houses review, contact Robert Farrell by email at *rgfarrell@tva.gov* or by phone at (865) 632–3024.

SUPPLEMENTARY INFORMATION: TVA is a corporate agency and instrumentality of the United States, established by an act of Congress in 1933, to foster the social and economic welfare of the people of the Tennessee Valley region and to promote the proper use and conservation of the region's natural resources. One component of this mission is the operation of the TVA reservoir system to achieve a balance of benefits including energy production, navigation, flood control, recreation, and water supply. TVA operates nine mainstream Tennessee River dams and reservoirs and forty tributary dams and reservoirs in seven states.

TVA has jurisdiction under Section 26a of the TVA Act, 16 U.S.C. 831y–1, to regulate obstructions that affect navigation, flood control, or public lands across, along, or in the Tennessee River or any of its tributaries. In particular, Section 26a of the TVA Act requires that TVA's approval be obtained prior to the construction, operation, or maintenance of any dam, appurtenant works, or other obstruction affecting navigation, flood control, or public lands or reservations. Such obstructions may include boat docks, piers, boathouses, buoys, floats, boat launching ramps, fills, water intakes, devices for discharging effluents, bridges, aerial cables, culverts, pipelines, fish attractors, shoreline stabilization projects, channel excavations, and nonnavigable houseboats (18 CFR 1304.1). In addition to TVA's Section 26a jurisdiction, and the permit conditions issued pursuant to such jurisdiction, TVA has conditions and covenants in approved land use agreements with commercial marina operators and land and shoreline policies that stipulate or restrict how TVA property and shoreline areas can be used.

In recent years, several TVA reservoirs have experienced an accelerated growth of unpermitted, new floating houses designed and used primarily for human habitation at a fixed location rather than for recreational navigation and

transportation. This growth has generated additional sources of revenue for commercial marina operators. However, the proliferation of these structures also has resulted in unanticipated uses of the reservoir system and has raised concerns about impacts to public health and safety, the environment, and public recreation.

Status of Floating Houses

In 1977, TVA amended its Section 26a regulations at 18 CFR part 1304 to prohibit all new nonnavigable houseboats except for those in existence before February 15, 1978. TVA developed the following criteria in its regulations to distinguish between navigable vessels and prohibited, nonnavigable houseboats:

1. Built on a boat hull or on two or more pontoons;
2. Equipped with a motor and rudder controls located at a point on the houseboat from which there is forward visibility over a 180-degree range;
3. Compliant with all applicable State and Federal requirements relating to vessels;
4. Registered as a vessel in the State of principal use; and
5. State registration numbers clearly displayed on the vessel.

In more recent years, however, several TVA reservoirs have experienced an accelerated growth in unpermitted new floating houses, which—like the nonnavigable houseboats addressed in 1977—are designed and used primarily for human habitation at a fixed location instead of recreational navigation and transportation. TVA estimates that approximately 1,900 fixed-location structures are floating on 13 TVA reservoirs. These structures are most prevalent on Norris and Fontana Reservoirs, with approximately 900 on Norris Reservoir and approximately 500 on Fontana Reservoir. While many owners may consider their structures to comply with the five criteria previously listed, the structures neither resemble nor have the performance characteristics of navigable boats. Rather, they appear to be designed and used primarily for human habitation and in bulk would function as and resemble floating subdivisions.

Proposed Issues To Be Addressed

TVA anticipates that the major issues it will examine in the EA or EIS will include water quality; sewage and waste water discharge; solid waste; electrical systems safety; structural integrity and safety; size of structures and visual impacts; use of public waters for private, habitable use; anchorage and mooring practices; mooring structures outside approved marina harbor limits; violation of conditions in permits approved by TVA under Section 26a of the TVA Act and conditions and covenants in land use agreements and deeds; abandonment of derelict structures; socioeconomic impacts; and the suitability and effectiveness of current TVA standards, regulations, and policies. This list of issues is preliminary and is intended to facilitate public comment on the scope of the EA or EIS. TVA invites suggestions concerning the list of issues it should address.

Scoping Process

Scoping is integral to the NEPA process because it provides a forum to ensure that (1) issues are identified early and properly studied; (2) issues of little significance do not consume substantial time and effort; (3) the draft EA or EIS is thorough and balanced; and (4) delays caused by an inadequate NEPA review are avoided. With the help of the public, TVA will identify a future management strategy that can best encourage safe practices and minimize negative environmental and socioeconomic impacts. Management alternatives will be considered that may result in proposed rules or revisions to the current regulations to clarify definitions, set minimum standards for safety and environmental protection, and if appropriate, incorporate enforcement mechanisms for noncompliance.

TVA invites members of the public as well as Federal, state, and local agencies and Native American tribes to comment on the scope of the EA or EIS. Comments on the scope should be submitted no later than the date given under the **DATES** section of this notice. Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection.

Public meetings are scheduled to provide information about the review of floating houses, listen to stakeholders, discuss options, and determine the scope of potential issues. TVA will analyze issues raised during the scoping period and determine whether an EIS or EA is appropriate. A draft of the EA or EIS will be provided for public review and comment. TVA will notify the public of the availability of the draft EA or EIS, will solicit comments, and hold public meetings to address the review. TVA expects to release the draft EA or EIS in early 2015. The final EA or EIS along with the documentation of TVA's decision will also be issued in 2015.

Authority: 40 CFR 1501.7.

Brenda E. Brickhouse,

Vice President, Environment.

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BILLING CODE 8120–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice With Respect to List of Countries Denying Fair Market Opportunities for Government-Funded Airport Construction Projects

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: Pursuant to section 533 of the Airport and Airway Improvement Act of 1982, as amended (49 U.S.C. 50104), the United States Trade Representative (USTR) has determined not to list any countries as denying fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects.

DATES: *Effective Date:* April 30, 2014.

FOR FURTHER INFORMATION CONTACT: Scott Pietan, International Procurement Negotiator, Office of the United States Trade Representative, (202) 395–9646, or Arthur Tsao, Assistant General Counsel, Office of the United States Trade Representative, (202) 395–6987.

SUPPLEMENTARY INFORMATION: Section 533 of the Airport and Airway Improvement Act of 1982, as amended by section 115 of the Airport and Airway Safety and Capacity Expansion Act of 1987, Public Law 100–223 (codified at 49 U.S.C. 50104) ("the Act"), requires the USTR to decide whether any foreign country has denied fair market opportunities to U.S. products, suppliers, or bidders in connection with airport construction projects of $500,000 or more that are funded in whole or in part by the government of such country. The list of such countries must be published in the **Federal Register**. The Office of the U.S. Trade Representative has not received any complaints or other information that indicates that U.S. products, suppliers, or bidders are being denied fair market opportunities in such airport construction projects. As a consequence, for purposes of the Act, the USTR has decided not to list any countries as denying fair market opportunities for U.S. products, suppliers, or bidders in

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Appendix D: Presentation Given At Public Meetings

Floating Houses

Floating Houses

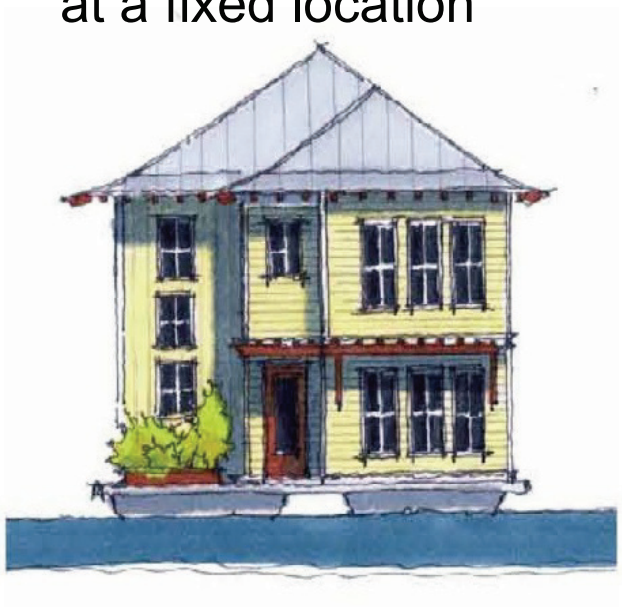
What is this all about?

- TVA is initiating a review of floating houses and nonnavigable houseboats
- Our goal is to determine how we 1) address existing issues and 2) manage and regulate these structures going forward
- The full process will take about 18 to 24 months --- during that time TVA will conduct a review of environmental impacts
- We plan to involve other regulatory agencies (USACE, TDEC, TWRA, others)
- Input is desired from all – marina owners, floating house owners, local residents, public entities, general public

Floating Houses

TVA Concerns

- Residential-type proposals on water
- Structures presented as houseboats but designed and used primarily for habitation at a fixed location



- Need to clarify or update regulations with changing times
- Owner/public/investor expectations

Floating Houses

Examples: Nonnavigables - Manufactured Houseboats - Floating Houses

Floating Houses

Residential-Type Use / Harbor Limits

Floating Houses

Disposal and Removal from Reservoir

January 2011 – Moored in Marina

April 2013 – Report from Stakeholder

July 2013 – TVA Cleans up – Approximate Cost $7,000

Floating Houses

Electrical Supply

Floating Houses

Anchoring

Floating Houses

Sewage Disposal (Black and Gray Water)

Floating Houses

What happens next?

- With public input, develop a full range of alternatives
- Your input is encouraged to help develop good alternatives
- After environmental review, TVA selects and then implements an alternative

Floating Houses

How can you be involved?

- Visit TVA website: www.tva.gov
- Attend public meetings
- Provide written comments via website, public meetings, or by mail
- Invite TVA to participate in your meeting
- Invite TVA to visit your site or facility for discussion
- Your ideas and comments are important to TVA

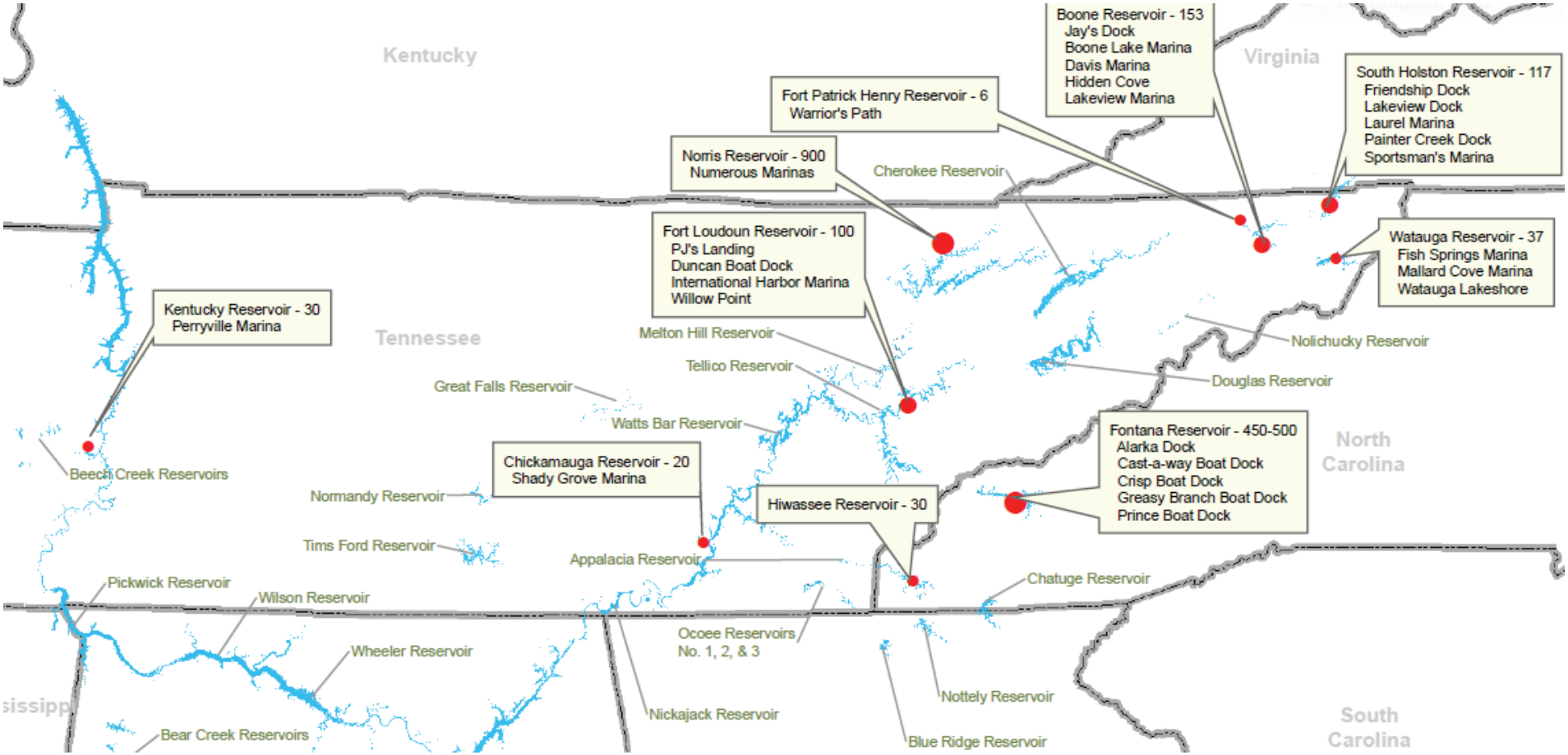
Questions?

Floating Houses

Designed and Used for Navigation or Habitation?

Floating Houses

Example Locations of Floating Houses



Meeting Poster:

Note, during the public scoping meetings, TVA's preliminary schedule for completing the environmental was presented:

FLOATING HOUSES REVIEW
MAJOR MILESTONES

Environmental analysis will be conducted in compliance with the National Environmental Policy Act.

Public Scoping Period (90 Days)	April 30 – July 29, 2014
Public Scoping Meetings	May 22 – June 24, 2014
Determine Scope of Analysis, Review Input & Develop Management Alternatives	July – December 2014
Release Draft Environmental Analysis for Public Review & Comment; Hold Public Meetings	Winter 2015
Issue Final Environmental Analysis	Summer 2015
Issue Decision	Summer 2015
** Depending on TVA's decision, revision of TVA regulations through a formal rulemaking process.*	*Fall 2015 – Summer 2016*

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