

MINUTES
OF
REGIONAL RESOURCE STEWARDSHIP COUNCIL
MEETING

July 28, 2000
Knoxville, Tennessee

Present

1. Senator Roger Bedford, Jr.
2. Mr. Lee Baker
3. Mr. Jimmy Barnett
4. Mr. Austin Carroll
5. Mr. Phil Comer
6. Ms. Ann Coulter
7. Mr. Jim Creighton (Council Consultant)
8. Mr. Bill Forsyth
9. Mayor Thomas Griffith
10. Ms. Julie Hardin
11. Dr. Kathryn J. Jackson (DFO)
12. Mr. Al Mann
13. Mr. Bob Matheny
14. Ms. Miles Mennell
15. Mr. W. C. Nelson
16. Ms. Elaine Patterson
17. Mayor Eddie L. Smith, Jr. (Council Chair)
18. Dr. Stephen A. Smith
19. Mr. Jim Sutphin
20. Dr. Paul F. Teague

Absent

1. Mr. Herman Morris, Jr.
2. Mr. Bruce Shupp

Contents

1. Transcript
2. Overheads: TVA Briefing - Management of Public Land
3. Overheads: USACE Mobile District Briefing

Approved by



Chair

1
2
3
4
5
6
7
8
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REGIONAL RESOURCE STEWARDSHIP COUNCIL MEETING

JULY 28, 2000

LOCATION:

TENNESSEE VALLEY AUTHORITY
400 WEST SUMMIT HILL DRIVE
KNOXVILLE, TENNESSEE 37902

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- 3 MAYOR EDDIE L. SMITH, JR. (COUNCIL CHAIR)
- 4 SENATOR ROGER BEDFORD, JR.
- 5 MR. W. C. NELSON
- 6 MR. AL MANN
- 7 MAYOR THOMAS GRIFFITH
- 8 MR. BILL FORSYTH
- 9 MR. HERMAN MORRIS, JR.
- 10 MR. JIM SUTPHIN
- 11 MS. ELAINE PATTERSON
- 12 MR. LEE BAKER
- 13 MR. JIMMY BARNETT
- 14 MR. AUSTIN CARROLL
- 15 MR. BOB MATHENY
- 16 MR. PHIL COMER
- 17 MS. ANN COULTER
- 18 MS. JULIE HARDIN
- 19 MS. MILES MENNELL
- 20 MR. BRUCE SHUPP
- 21 DR. STEPHEN A. SMITH
- 22 DR. PAUL F. TEAGUE
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1 P R O C E E D I N G S

2 MAYOR EDDIE SMITH: Good morning
3 again. I think we will get started. Just before we
4 start this session, let us pause for a moment of
5 silent meditation. Amen.

6 We have with us this morning some
7 members of subcommittees who have not been with us
8 before, and we want to express our appreciation to
9 you for being here. And we would like for you to
10 introduce yourselves at this time, those members who
11 are on the subcommittees at the present time.

12 MR. JIM CREIGHTON: We have got a mic
13 coming towards you here.

14 MR. JACK MARCELLIS: Thank you. I am
15 Jack Marcellis, the administrator of public works
16 for the City of Chattanooga. I am glad to be here
17 and appreciate the invitation.

18 MS. JAN JONES: I'm Jan Jones,
19 Executive Director of the Tennessee River Valley
20 Association. I am delighted to be here as well.

21 MAYOR EDDIE SMITH: Thank you.

22 MR. TOM VORHOLT: I am Tom Vorholt,
23 vice president of sales and customer service with
24 Ingram Barge Company in Asheville. I am also glad
25 to be here.

1 MAYOR EDDIE SMITH: Thank you.

2 MR. DAVID MILLER: I'm David Miller
3 with Alabama Power Company. I'm an invited speaker,
4 I will talk to you at 11:00.

5 MR. JIM CREIGHTON: Did that get all
6 of the subcommittee people?

7 MAYOR EDDIE SMITH: Okay. One other
8 preliminary thing, Steve passed out some materials.
9 Do you want to say a word about it, Steve?

10 MR. STEPHEN SMITH: Yeah. Thank you,
11 Chairman. I passed out two pieces of information
12 just FYI to the committee members. One is a second
13 edition report that our organization has done for
14 the Tennessee Clean Air Task Force looking at TVA's
15 coal fired power plants, and while that's not a
16 central focus of the committee, a number of
17 committee members have expressed interest, and we
18 had a little discussion about that on our helicopter
19 flight yesterday.

20 And folks who are interested, this
21 information is available to you, and I would be
22 happy, during the breaks or anytime, to answer
23 questions. And then we also passed out a little
24 newsletter that we do, just FYI, for folks for your
25 viewing enjoyment.

1 MAYOR EDDIE SMITH: Okay. Thank you.
2 Today's session consists of two council meetings,
3 the one that we are in this morning and one at the
4 end of the day. And we have -- for the benefit of
5 our other guests, we'll just review the agenda for a
6 moment. I think Council members do have the agenda.
7 We will view the agenda just briefly.

8 This meeting is open to the public
9 and we will be here in this auditorium this morning.
10 The first preliminary session is comments or
11 briefing on the issues that arise in TVA public
12 lands management. The public is welcome to observe,
13 but there will not be a public comment during this
14 session.

15 Then at 9:45 this morning the Council
16 will adjourn to subcommittees. The subcommittees
17 will be meeting in various places in this -- I guess
18 I need to list those out here in the -- the public
19 may observe but not the -- no comments. Some
20 comments may be made in one of the sessions, I
21 think.

22 At the same time that's been -- in
23 this room there will be a briefing on the integrated
24 river management. This will be primarily for the
25 new members of that subcommittee who are not council

1 members and did not receive the prior council
2 briefing. The public is invited to observe this
3 meeting.

4 At 11:00 the entire integrated river
5 management subcommittee will receive a briefing from
6 the U.S. Army Corps of Engineers and the Alabama
7 Power or River Operation, the public is welcome to
8 observe.

9 At 2:00 p.m. the integrated water
10 management subcommittee will be here in this room to
11 give the public an opportunity to comment on the
12 issues being addressed by the subcommittees.

13 Then at 3:15 the full Council will
14 reassemble for the purpose of -- to be here in this
15 room where we will get reports from the various
16 committees. Okay. We plan to be through by 5:00,
17 if possible, or even before that time.

18 There will not be an August meeting
19 of the Council, although the subcommittees may
20 choose to meet prior to the meeting in September. I
21 guess we haven't decided or selected a date for the
22 September meeting yet. What date is that?

23 DR. KATE JACKSON: September 21st,
24 Thursday.

25 MAYOR EDDIE SMITH: Thursday,

1 September 21st, is the date for the September
2 meeting. We have been discussing agenda items for
3 that meeting, and I just want to mention to the
4 Council at this time a couple of things that we
5 think that we may want to do.

6 One of them is to get external
7 reports that have been made on TVA, and the other --
8 and that would include economic impact studies that
9 may be related to water and lake levels, and also,
10 possibly the General Office of Accounting report
11 that was done as well, there may be others, but
12 these are two that we would need as part of our
13 educational process to get from that outside, and if
14 that's no -- if there are any comments on that, I
15 would be interested in hearing those, but if there's
16 no problem with that, we will probably proceed along
17 those lines. There may be other kinds of reports
18 that we may do as well.

19 MR. STEPHEN SMITH: Yeah,
20 Mr. Chairman, I'm very interested and eager to hear
21 external reports. And my -- my suggestion would be
22 that I would also like to suggest that we get a
23 briefing on -- from TVA in more detail on some water
24 quality issues, I think as part of sort of
25 continuing that expansive education of the panel,

1 maybe go into more detail and maybe our subcommittee
2 could -- by that time have some recommendations and
3 some issues that we would like to bring forth to the
4 full Council.

5 MAYOR EDDIE SMITH: We will certainly
6 take that into consideration. Okay. Thank you very
7 much. If there are no other comments, I am going
8 to -- the two things we need to accomplish now is to
9 receive the briefing of the public land management
10 issues, and then just before we break, I would like
11 for Jim Creighton to talk about the items that
12 should be included on the reports that you will do
13 for your subcommittees this afternoon.

14 Now we have will have the briefing
15 given by Bridgette Ellis, project coordinator of
16 resource stewardship, and Bob Curtis, project leader
17 for shoreline management.

18 Are you here?

19 MS. BRIDGETTE ELLIS: Yes, we are.

20 MAYOR EDDIE SMITH: Thank you very
21 much.

22 MS. BRIDGETTE ELLIS: Good morning.
23 Bob Curtis and I are going to give you a brief
24 overview of how TVA manages public lands. In that I
25 will start out with a history of the lands, how TVA

1 came to own the lands in terms of how much we own
2 now, how much we have in terms of easements, those
3 types of things, and then I will also get into
4 the -- how do we actually plan for the management of
5 those lands, what is our planning process, what is
6 our intent for the use of those lands, and then Bob
7 will actually get into more details of how we
8 implement those plans.

9 Okay. All of our objectives, as it
10 relates to public lands management, deal with making
11 sure that those activities meet TVA strategic goals.
12 That includes supplying low cost reliable power,
13 supporting a thriving river system, and also
14 stimulating economic growth.

15 In addition to that, we want to make
16 sure that our activities meet TVA's integrated
17 regional resource management objectives, and you-all
18 have heard a lot about that over the last couple of
19 months, and that also includes your land use, your
20 navigation, flood control, recreation issues, all
21 those types of things. So we're trying to make sure
22 that what we do on public lands also meet those
23 types of objectives.

24 And thirdly, we want to make sure
25 that activities that we do on public lands foster

1 environmental use of sustainable development. We
2 want to make sure that as we promote economic growth
3 in the Tennessee Valley we're doing that in a
4 sensitive manner, making sure that the environment
5 is being maintained and not degraded.

6 This may be a little hard to see.
7 TVA has approximately three types of interest in
8 lands around these reservoirs. First is our actual
9 fee ownership that you see up here.

10 MR. PAUL TEAGUE: Excuse me. We
11 can't see that unless you turn the lights down or
12 something.

13 MS. BRIDGETTE ELLIS: Okay. You also
14 have a -- I think we have handouts also. As far as
15 what TVA owns in fee, there's approximately 798,000
16 acres that TVA owns. Of that, 470,000 is actually
17 inundated; that is, actually under the water. There
18 is 328,000 acres that TVA actively manages. Of
19 that, about 35,000 of that is actually for the power
20 properties, for where our power plants are, those
21 types of things. So there is approximately 328,000
22 there.

23 We also have what is called
24 easements. There's about 493,000 acres of
25 easements, and that is where TVA has a use over

1 land, like flowage, which allows us flexible
2 operations of the power system, and also our
3 transmission line right-of-ways, so we have
4 easements over that almost 500,000 acres.

5 Then through the history of TVA there
6 has been either transferred or sold over 493,000
7 acres for various things. If you look back in the
8 history of when TVA started transferring a lot of
9 these lands back to entities, it was mostly back to
10 public agencies, such as states.

11 If you look at most of your state
12 parks around the reservoirs, those were originally
13 TVA lands that were transferred back to the states
14 for those purposes, such as Pickwick State Park,
15 Norris Dam State Park, et cetera.

16 Also, during that time a lot of the
17 land was transferred for national wildlife refuges.
18 Two of your largest refuges, the Tennessee National
19 Wildlife Refuge and the Wheeler National Wildlife
20 Refuge, were originally TVA land transferred back
21 for those purposes of wildlife purposes.

22 So what we're going to focus on is
23 those lands, and what you see here is -- you're
24 going to have a hard time seeing this, is an example
25 of what that would look like around a TVA reservoir.

1 On Watts Bar reservoir you have all
2 of these different types of land ownership patterns,
3 everything from what TVA has retained, there's sold
4 properties, transferred properties, flowage, in
5 other words, where there's just flexibility
6 purposes, and on every reservoir it's different in
7 terms of what those land uses are and what those
8 ownership patterns are. It's different from
9 reservoir to reservoir, it's different from mile to
10 mile on every reservoir, in terms of what those land
11 ownership patterns are.

12 So how do we plan for the management
13 of those lands that TVA has retained, those 328,000
14 acres that TVA has?

15 Our objectives include -- we
16 developed these plans so that we have a systematic
17 approach, so that we understand from a long-term
18 perspective how those lands should be managed for
19 the long-term.

20 The most critical component of that
21 is our public involvement. We do a lot of public
22 involvement in terms of around every single
23 reservoir finding out what the stakeholders want,
24 what their values are, what they like around their
25 reservoirs, what they think those public lands

1 should be used for.

2 Then once you get into the public
3 opportunities and make sure that you understand what
4 their values are, that by providing these clear
5 statements of how we intend to manage the land and
6 by actually allocating them to a designation of some
7 type and facilitating that in a public arena, then
8 that helps us balance these competing uses of
9 resources, which, as you know, in -- everywhere, it
10 does not matter whether you're in the Tennessee
11 Valley, if you're in Florida or in the west,
12 competing uses for land is becoming more and more of
13 an issue.

14 So how do we actually go about doing
15 a stewardship plan?

16 Well, first and foremost, as I said
17 before, we identify those stakeholder values and
18 their objectives. We have watershed teams across
19 the valley that I think you have heard about before.
20 They have day-to-day interaction with the local
21 residents, with the local state, with the local
22 county executives, with the local city executives,
23 local conservation and recreation groups, and so
24 what we will do is we will not only meet one-on-one
25 with them but we will also have public meetings in

1 that area to find out what they value about a
2 particular reservoir.

3 So if we were doing a plan for Norris
4 reservoir, we would have public meetings. We would
5 also have one-on-one consultations to find out what
6 people value about those public lands, what types of
7 uses would they like to see of those lands, what do
8 they think the long-term use should be for the next
9 ten years, those type of things.

10 Once we have their values and their
11 objectives, then we will actually look at the
12 capability of the land and the suitability of the
13 land. And what I mean by that is, capability is,
14 what are the physical characteristics of that piece
15 of property, what can it actually be used for
16 physically, what's the slope, what's the access to
17 infrastructure, those kinds of things. So staff
18 will get those physical characteristics and they'll
19 try to understand what it's physically capable of
20 doing.

21 Once you have that, then you will
22 actually look at suitability, and suitability is
23 mixing what the stakeholders have told you with what
24 it is capable of doing. A good example of that
25 might be, you will have a tract of land that is

1 capable of supporting a barge access site. It's
2 capable of supporting a commercial marina. It also
3 has sensitive resources in the area. It may be a
4 very good area for bird watching and a trail and
5 those kinds of things.

6 So what the staff will then do is,
7 once they know those types of things, they know what
8 our stakeholders are telling us in terms of what
9 they'd like to see out there. So even though a
10 piece of land is capable of supporting a certain
11 type of activity, what we're trying to do is make
12 sure that it matches what the stakeholders do and
13 what the stakeholders desire. So that's where you
14 mix your capability and your suitability.

15 Once you have that, then the staff
16 can then define the allocations. We have three
17 broad categories. There's subcategories of those
18 that we actually put the land into, but the three
19 major ones is natural resource management. That is
20 not only active management for trails, for bird
21 watching, all of those things, but it's also
22 protection of sensitive resources, threatening
23 endangered species, wetlands, those types of
24 activities. So we make sure we understand where
25 those resources are and provide for the management

1 and protection of those.

2 Also, another one is the industrial
3 and commercial development. We will allocate lands
4 for economic development purposes, for barge access
5 sites, et cetera. And then recreation, that is
6 everything from commercial recreation where you may
7 have a campground, a marina, or it may be public
8 recreation where we have lake access, we have boat
9 ramps, we have walking trails, all of those
10 different types of recreational type of activities.
11 So you have those three major categories of
12 different types of allocations that we'll put most
13 lands into.

14 I have an example in the back during
15 the break, if you would like, of one of our plans
16 that's getting ready to come up for approval, and
17 that's the Tims Ford plan that we're just recently
18 getting ready to complete, and I also have a copy of
19 the Tellico lands plan map, so you can see how we do
20 those allocations at your leisure.

21 Once we have that and we understand
22 what those allocations should be, we take it back
23 out to the stakeholders and say, did we hear what
24 you said, is this the kinds of things you want to
25 see for this reservoir. Once you have that, then we

1 will put that plan in place and then that will guide
2 our activities for the future on those lands.

3 So once, for example, we have
4 allocated a piece of land to natural resource
5 management, then we will get into the details of,
6 how are we going to manage that on the land, what
7 are the activities we're actually going to perform.
8 What we will do is we'll actually go back out to the
9 public and say, okay, you said you wanted to use
10 this tract for natural resource management, now,
11 what do you really want, do you want more hiking
12 trails, do you want more wildlife habitat for
13 hunting, do you want -- all the different types of a
14 variety of things. So we actually go out to find
15 out from an implementation standpoint what they
16 want, and Bob's going to get into a lot more detail
17 of that in a few minutes.

18 So where are we with planning?

19 There's -- currently there's about 89
20 percent of all the lands, that's 328,000 acres of
21 land, that have been planned. On your -- in your
22 handout which is -- you can't see it in your
23 handout, but that which is in black in here, right
24 up here, up here, those have been completed. There
25 are -- a lot of those are up for updates. Some of

1 them are as much as 15 to 20 years old. So it's
2 time for a lot of those to be updated.

3 Currently this year we will have
4 completed within the next couple of months three;
5 and that is, Tellico, Tims Ford, and Bear Creek, and
6 then in the next year we will have three more, that
7 will be, Norris, Cherokee, and Guntersville.
8 Guntersville is an update. So once that is complete
9 we will have about 93 percent of the lands that
10 actually have a land use or allocation plan for it.

11 One thing that we recognize in this
12 process is that it is -- since it is -- it's very
13 detailed in terms of how we try to manage for those
14 lands. We need to come up with better ways and
15 improve the way we do this.

16 One thing that we need is to be able
17 to accelerate these plans so we're not working off
18 of 15 year plans, 20 year plans. Also, we need to
19 get the rest of the lands into an allocation plan.
20 So one of our focuses next year will be to make --
21 to figure out how we're actually going to improve
22 that process and accelerate how we're going to do
23 that.

24 Any questions?

25 MR. STEPHEN SMITH: On the question

1 of updating, and I will just get into a very
2 specific case that may help clarify the question, on
3 the Tellico reservoir the TRDA, Tellico Reservoir
4 Development Agency, had basically locked into their
5 understanding of what designated lands were going to
6 be based on 1980 definitions.

7 It's becoming more and more clear
8 down there that some of the land that they tagged
9 for industrial development is appearing to be more
10 and more unsuitable and conflicting very directly
11 with other interests in the area, just basically
12 based on how the area has developed. The industrial
13 recruitment has not been as successful as I think
14 some people had originally wished, and residential
15 and recreational and resource values, I think, have
16 dramatically gone up.

17 How is it that you can -- or how
18 would -- how do you reconcile that? I mean, it
19 seems that they indicate to us that there's just no
20 way that they are ever going to agree to anything
21 else except for developing a particular place, and I
22 am just using this as one example. I imagine that
23 conflict comes up in other places. I guess not
24 every reservoir has a development agency.

25 MS. BRIDGETTE ELLIS: No. Every --

1 that is a fairly unique situation where we have a
2 development agency that is actually managing the
3 majority of those lands.

4 The way that we're looking at that
5 is, we're just now finishing a new plan, and those
6 areas where we're looking at industrial development,
7 if those are allocated for those types of activities
8 still, what we will do is as a potential client
9 comes up and says, yes, I do want to use X amount of
10 land for industrial development, then we will take
11 that back out to the public again. And what we will
12 do is as the actual projects come in, we will make
13 sure that the public and the stakeholders around
14 that reservoir are in agreement that that's the way
15 that they want to move with those types of
16 properties.

17 MR. STEPHEN SMITH: Even if the
18 development agency -- let's say the development
19 agency and the industrial developer have one
20 perspective but you have a fairly strong sense from
21 the stake -- other larger stakeholder groups in the
22 region that that's not consistent with what they
23 want to see happen, I guess that's what I am getting
24 at, how do you reconcile those two?

25 MS. BRIDGETTE ELLIS: Well, again, we

1 do take that back out to the public. If you
2 remember, the -- there was a development that -- I
3 guess it was last fall that TRDA wanted to bring
4 into that area and they also wanted to use public
5 lands, they wanted to use about 700 or 800 acres of
6 public lands for a new development, and we took that
7 back out to the public in a public forum and the
8 public said, no, we don't believe that's a suitable
9 use of those public lands. So that's how we use
10 some --

11 MR. STEPHEN SMITH: So the
12 distinction would be that the land is actually owned
13 by -- I mean, is it technically owned by the TRDA,
14 there's no way to sort of pull that back because --

15 MS. BRIDGETTE ELLIS: Because of the
16 contract that we have in place with TRDA, yes.

17 MR. STEPHEN SMITH: Yeah, see, that's
18 a problem there.

19 MS. BRIDGETTE ELLIS: That's a very
20 unique situation where we have got another
21 development agency that's actually managing those.

22 Ruben, did you want to make a
23 comment?

24 MR. RUBEN HERNANDEZ: Yeah. Steve,
25 oftentimes we work with both --

1 DR. KATE JACKSON: Ruben, you need a
2 mic.

3 MR. RUBEN HERNANDEZ: If the land is
4 transferred to a development agency like that, then
5 we have to work with them. It's not something that
6 we would include in our plans for updating.

7 However, we have a case on Bear Creek
8 where the Bear Creek Development Agency originally
9 had planned for a bunch of residential development,
10 and now they realize that's just not going to
11 happen. So we're in the process of dealing with
12 that agency to transfer those lands back and put
13 them in a resource management category, but they
14 need to be involved and they need to be the
15 decision-makers as well.

16 MR. JIM CREIGHTON: Give the mic to
17 him.

18 MS. BRIDGETTE ELLIS: Okay. Well,
19 now Bob will talk about how we actually implement
20 these plans and what we do on the grounds there.

21 MR. BOB CURTIS: Thank you,
22 Bridgette. Well, I am going to have to put on my
23 glasses.

24 What I would like to do is discuss
25 implementation of our reservoir land management

1 plans in these four broad categories, and there are
2 subcomponents to each of these, and I will mention
3 some of those and we can discuss them if you have
4 questions.

5 Basically, I would like to discuss
6 implementation of lands management with regard to
7 our shoreline management. I would like to mention
8 particularly our new shoreline management policy
9 that went into effect November 1 of 1999. This will
10 be the first year of trying to implement that policy
11 and to evaluate how that's moving along. We're also
12 going to talk about natural resources management,
13 economic development, and recreation management.

14 The TVA shorelines are extremely
15 valuable to many, many people. First of all,
16 there's a lot of them. There's 11,000 miles of
17 shoreline, that's twice across the United States and
18 back right here in the Tennessee Valley. So it's an
19 extensive linear area to manage.

20 These areas are many times the last
21 way to prevent runoff and pollution into our
22 reservoirs. If we have suitable vegetation along
23 those shorelines, that vegetation filters out
24 pollutants from either residential development or
25 our cultural development and other types of land

1 disturbing activities.

2 They serve as extremely important
3 riparian habitat for many, many species of plants
4 and animals. Riparian areas are those areas that
5 are the interface between land and water, and you
6 can have riparian areas along reservoirs, along
7 streams and rivers, but in almost all cases, no
8 matter how and where they occur, they have a much
9 higher diversity of plant and animal life because of
10 that interface between land and water, and our
11 shorelines are riparian areas.

12 When we did some Gallup surveys back
13 in the '90s we found out that these shorelines are
14 used for recreation by two-thirds of the residents.
15 If a reservoir touched the county, two-thirds of the
16 residents in all of the counties touched by
17 reservoir shorelines were utilizing those areas for
18 some type of recreation.

19 And the last two items I want to talk
20 about are interrelated. Along our shorelines
21 probably the most pervasive use and the -- one of
22 the largest management efforts for TVA is the
23 management of the residential access component along
24 these shorelines. Lake living is popular. Water is
25 a draw. Property values are extremely high. These

1 are popular places to live and to work.

2 We have residential access around
3 many of these reservoirs, around most of these
4 reservoirs where we have residential developments
5 and folks can build docks, piers, boathouses, and
6 other types of water related recreational
7 structures. We have about 2,000 annual new requests
8 for those types of development activities around the
9 reservoirs.

10 Also, TVA manages these shorelines
11 for flood damage reduction and for power operations
12 and for navigation. When TVA built the system there
13 was built into the management of that system the
14 operational flexibility to move the water level up
15 and down on these shorelines to prevent floods or to
16 reduce flood damages, to operate the system for
17 hydropower generation, and to provide navigation
18 water.

19 So although you may look out at a
20 reservoir in the summertime and see that it's full,
21 that's not necessarily as high as it may ever get
22 because TVA reserves a flood control storage level
23 even above our summer pool elevation.

24 And the way these things interrelate
25 is one of our primary concerns and that is that we

1 are able to maintain those operational flexibilities
2 in moving that water up and down at various levels
3 for various purposes, and therefore, we don't -- we
4 have to make sure the folks aren't building their
5 houses too low, they're not putting their swimming
6 pool in the backyard below the flood operational
7 level.

8 First of all, that provides problems
9 to us to operate the reservoirs, and secondly, it
10 gets them wet, and neither of those things are what
11 we want. So a lot of the management along these
12 shorelines is preserving our operational flexibility
13 with the water levels.

14 There are several -- four major type
15 of ownership patterns around the shorelines. First
16 of all, we have TVA owned and jointly managed
17 shorelines, and don't get this confused with the
18 acres, I'm just talking about that linear area
19 around the lakes.

20 About 37 percent of our shorelines
21 are jointly managed; that is, we own the property,
22 we own the shoreline, but we also have management
23 agreements with state agencies like Tennessee
24 Wildlife Resource Agency or Alabama Game & Fish or
25 Kentucky Wildlife or it may be a state park, it may

1 be a city park or a county recreation development.
2 Twenty-five percent TVA owns and manages without
3 partnerships at this time.

4 Twenty-one percent, a fairly large
5 and significant part of this are flowage easements.
6 Flowage easements, again, are where we have the
7 right to operate the water level over a piece of
8 property but we do not own fee title to that
9 property.

10 Right outside of this building on
11 Fort Loudon, much -- most of Fort Loudon is flowage
12 easement property. We did not buy the majority of
13 that property in fee, we only have the right to
14 place water on it at various times of the year for
15 reservoir operation. And most of the owners around
16 Fort Loudon, in fact, own all the way to the old
17 river channel, so this is not uncommon.

18 Then we have the TVA owned
19 residential access shoreline. Now, those two
20 together, and I will explain that in just a minute,
21 equal 38 percent or about 4,000 miles of our
22 shoreline area.

23 Now, why did I point that out as
24 being significant?

25 Well, there's a major part of the TVA

1 reservoir shorelines, therefore, that are open for
2 residential access development. Over the years we
3 have projected that much of that will develop for
4 that purpose.

5 People that are -- that own the land,
6 where we only have flowage easements, of course, own
7 to the water or below, they are eligible to
8 construct docks, piers or boathouses. And on the
9 TVA owned residential access shoreline, TVA has
10 provided to those folks an easement or a right of
11 ingress and egress to cross the TVA property from
12 their house and their property across that boundary
13 of TVA land, that ring of TVA land, they can cross
14 that to construct a dock, a pier or a boathouse.

15 There's a little history about how
16 that occurred. Bridgette mentioned that TVA sold
17 property back in the '40s and the '50s. When it
18 sold a lot of the property around the reservoirs
19 during that time period, when it would sell a piece
20 of property, it would provide to the buyer of that
21 piece of property -- first of all, they only sold
22 down to a contour that would still permit us to
23 operate that water level, but below that contour
24 they would provide and in the deed they would say,
25 the right to construct a dock, pier, boathouse, or a

1 water use structure upon approval of plans by TVA.

2 All of that goes back to Section
3 26(A) of the TVA Act, and that section of the Act
4 specifically says that anybody building anything
5 around the reservoirs will first obtain a review and
6 approval by TVA of the plans of construction for
7 that structure, and that's primarily so that we can
8 make sure that the operational flexibility of the
9 reservoir system is maintained.

10 MS. ANN COULTER: I would like to ask
11 a question.

12 MR. BOB CURTIS: Yeah.

13 MS. ANN COULTER: How have you
14 defined what is and is not shoreline? What's the
15 difference between shoreline and shore land, as
16 you're using those terms?

17 MR. BOB CURTIS: Okay. I think that
18 sometimes we use them interchangeably, but shoreline
19 is basically an area I define -- we define the
20 shoreline as essentially from a winter elevation of
21 a reservoir, where that water is, from the winter
22 elevation up to and including the 500 year flood
23 plain or to the maximum elevation that we would have
24 the authority or the ability to place water on that
25 land at certain seasons for flood damage reduction

1 purposes.

2 So it's generally the 500 year flood
3 plain on down to the elevation to which the lake may
4 go in the winter, and that would vary depending upon
5 what the actual operations is of a particular
6 reservoir. But at sometime during the winter, of
7 course, that land is going to be exposed, and
8 sometimes during a severe flood season some of those
9 uplands might be inundated, so that's basically the
10 shoreline areas. Those are the areas that are --
11 that are included in jurisdiction under Section
12 26(A) of the TVA Act.

13 MR. PAUL TEAGUE: Question: Is there
14 a time module on when -- how long you people will
15 get back to these shareholders if they do a request?

16 MR. BOB CURTIS: Is there a time in
17 which we would respond to a request for a permit?

18 MR. PAUL TEAGUE: Yes.

19 MR. BOB CURTIS: Yes, sir, there is.

20 MR. PAUL TEAGUE: And?

21 MR. BOB CURTIS: And typically
22 that -- on average most of those requests are
23 handled in 30 days or less for a simple dock, pier,
24 or boathouse.

25 MR. PAUL TEAGUE: What year was this

1 new policy instituted?

2 MR. BOB CURTIS: November 1, 1999.

3 MR. PAUL TEAGUE: Good.

4 MR. AL MANN: I have a question here.

5 You're saying that only 17 percent of all the TVA
6 shoreline is residential properties behind it, is
7 that what you're saying? You own all the shoreline,
8 but only 17 percent of it --

9 MR. BOB CURTIS: No, we don't own all
10 of the shoreline. We don't own the 21 percent where
11 we have flowage easements.

12 MR. AL MANN: Okay. Take that away,
13 but you're saying that only 17 percent of the entire
14 shoreline has residential development behind it?

15 MR. BOB CURTIS: Today?

16 MR. AL MANN: Yeah.

17 MR. BOB CURTIS: That may be true
18 today. I don't have a figure off the top of my
19 head, but, yes, that may be true today, and 38
20 percent is what's possible. And I believe you're
21 right, 17 percent is what is today developed as
22 residential.

23 DR. KATE JACKSON: Well, wait, that's
24 going to be confusing because that's actually not
25 the same 17 percent, it just happens to be the same

1 number.

2 MR. BOB CURTIS: Oh, okay.

3 DR. KATE JACKSON: What these two
4 numbers say is together 38 percent of the shoreline
5 that we own or we have flowage easements over has
6 rights to be developed for residential purposes.

7 MR. AL MANN: Deeded rights?

8 MR. BOB CURTIS: Essentially deeded
9 rights where they own to the water.

10 DR. KATE JACKSON: Or ingress or
11 egress, it's not always deeded rights.

12 MR. AL MANN: But part of that is
13 deeded rights?

14 MR. BOB CURTIS: That's correct. In
15 their deed they have the right to construct or ask
16 for approval to construct.

17 MS. BRIDGETTE ELLIS: Yes, of those
18 11,000 miles there's 38 percent that can be
19 developed for residential access.

20 DR. KATE JACKSON: That is not
21 currently --

22 MS. BRIDGETTE ELLIS: But is not
23 currently developed.

24 MR. AL MANN: So what percent of that
25 right now is developed, do you have any idea?

1 MR. BOB CURTIS: Yes, I do. I
2 believe that's around 15 to 17 percent.

3 DR. KATE JACKSON: But it changes
4 dramatically from reservoir to reservoir.

5 MR. AL MANN: Okay.

6 MS. BRIDGETTE ELLIS: And that's
7 because of the make-up of those ownership patterns.

8 MR. AL MANN: But this is the entire
9 reservoir?

10 MR. BOB CURTIS: This is the entire
11 shoreline.

12 MR. AL MANN: Okay.

13 MR. BOB CURTIS: All right. We
14 talked briefly about the shoreline management
15 initiative. In 1994 TVA undertook an extremely
16 large study to look at the residential components of
17 shoreline use and shoreline management.

18 Many of our stakeholders and many of
19 our shoreline property owners and many of our lake
20 user associations, state agencies, were pressing us
21 to look at these issues. They said, we see more and
22 more of these shorelines being developed for
23 residential use, more and more of that shoreline,
24 therefore, is not as available for public use as it
25 once was, we're concerned about what the

1 environmental impacts might be.

2 TVA, what is your long-term strategy?

3 Where are you going with this? How much of these
4 shorelines will you develop or would you allow to be
5 developed for those uses? And what type of
6 structures would be built around these shorelines?

7 So in 1994 we initiated a shoreline
8 management initiative policy analysis. We did an
9 environmental impact statement. That was completed
10 in 1998 and it was -- became effective for
11 implementation, as I said, on November 1st, 1999.
12 So we have not been in a full year of implementation
13 on that yet.

14 And basically the two questions were,
15 in the long-term how much of the shoreline TVA is
16 going to be or could be developed for residential
17 use, and secondly, what types of structures would
18 you allow to go there. These are some of the
19 elements -- the key elements that came out of that
20 study that we're following today.

21 First of all, the new policy limits
22 the residential access to the 38 percent which now
23 currently is available; that is, those folks that
24 have a right of ingress and egress and those folks
25 on those shorelines that are flowage easement is

1 what we intend to be the residential access
2 components of all our shorelines. So it makes up
3 38 percent.

4 We didn't go back and buy back
5 rights, try to do that. We didn't say that we're
6 going to open additional areas for residential. We
7 stayed with that portion of the shoreline where
8 access rights currently exist.

9 It provided new standards for docks,
10 piers, boathouses, and vegetation management. The
11 standards originally were very hard to understand.
12 They varied a lot perhaps from reservoir to
13 reservoir. There was some lack of uniformity in the
14 way they were applied. We simplified this. We said
15 basically we provide an opportunity for you to build
16 a dock, pier, or boathouse, as long as that
17 structure stays within a 1,000 square foot range.
18 We're not going to try to design it for you. We're
19 not going to provide -- present a lot of design
20 limitations. Here's the square foot area that you
21 can build within.

22 Also, in vegetation management, one
23 of the key conservation components was the board, in
24 fact, at the time the plan was approved asked that
25 what we had produced as a 25-foot buffer zone be

1 expanded to a 50-foot maximum buffer zone where
2 vegetation management and clearing would be limited;
3 that is, if TVA actually owned 50 feet. If we owned
4 25, then the buffer zone would only be 25 feet wide,
5 but up to a maximum of 50 feet. We have some
6 vegetation management restrictions that attempts to
7 retain the native vegetative cover along that
8 shoreline to provide wildlife habitat, visual
9 amenities that is viewed from the reservoir and as a
10 buffer to pollutants entering the water.

11 We have built in a no net loss of
12 public shoreline option, which means that 38 percent
13 occurs geographically somewhere today. In other
14 words, somebody has a right of that ingress and
15 egress right here. What we provided was the option
16 for them to trade that for somewhere else. So that
17 38 percent might move around geographically, but it
18 would not go beyond 38 percent.

19 So if someone has a right of ingress
20 and egress and they would extinguish that right, in
21 other words, go to the courthouse and extinguish
22 that right on their deed, then we would consider
23 that right being available somewhere else, and there
24 is a process that we go through to make that
25 determination as to whether that's a desirable thing

1 to do in each situation.

2 It also integrates environmentally
3 progressive approaches, such as the use of
4 conservation easements to protect shoreline areas.
5 We have educational incentives that we provide to
6 the shoreline property owners and to the -- to our
7 customers around the reservoir, and we are working
8 through partnerships in creation of vegetation
9 buffers around those shoreline areas.

10 MR. STEPHEN SMITH: Can I ask a
11 question about the no net loss?

12 MR. BOB CURTIS: Sure.

13 MR. STEPHEN SMITH: What is the
14 policy on -- I mean, different reservoirs have
15 different percentages of development. So, I mean,
16 just to take this to the extreme, in theory you
17 could develop every inch of say Cherokee and Loudon
18 and exchange it for --

19 MR. BOB CURTIS: To project every
20 inch of Norris.

21 MR. STEPHEN SMITH: -- Norris? I
22 mean, I understand that conceptually that's a good
23 thing, but in that particular area that may actually
24 be very devastating.

25 MR. BOB CURTIS: Right. And we

1 considered that question. And the -- our intention
2 is to look within that reservoir, to look within
3 that reservoir and not expand the exchanges from one
4 reservoir to another reservoir, to stay within the
5 bounds of that reservoir area.

6 MR. STEPHEN SMITH: This is just
7 arbitrary numbers, it's not factually correct, but
8 if 60 percent of Cherokee is -- has the residential
9 available, then you would try to maintain that
10 percentage within the reservoir?

11 MR. BOB CURTIS: Right, yes. Now,
12 there could be circumstances where Cherokee to
13 Norris, if a developer owned land in both locations,
14 you know, we might look at that, but the primary
15 first look is to repay that within that reservoir
16 boundary, and it's stated in our guidelines for
17 that.

18 Okay. One -- our focus for FY 2001
19 is to continue to implement our shoreline management
20 policy, to learn as we go on this, to make this more
21 efficient. It is to look at several other areas of
22 shoreline management, not just in the residential
23 component, but over all of our shorelines to improve
24 shorelines and to enhance those shoreline
25 conditions.

1 We found that as we -- we have done a
2 reservoir shoreline assessment with regard to
3 vegetation, lack of or whether it's sufficient
4 vegetation as far as erosion around those
5 shorelines, and what we have found -- and we have
6 rated those as good, fair, and poor.

7 We found out that about 79 percent of
8 our shorelines rate as good, about 19 percent rate
9 as fair, and two percent rate as poor. So where two
10 percent doesn't sound like, oh, well, it's not a
11 very large percentage, it can be a fairly
12 significant number of miles. And where those
13 erosion situations are occurring, they can have very
14 devastating impacts.

15 For instance, we have some
16 archeological sites that are National Register
17 eligible sites right along the shoreline. I mean, a
18 lot of the TVA reservoir system is deeply rich in
19 archeology. Those are beginning to erode away or to
20 be damaged. So we're looking at archeological site
21 stabilization of many of those National Register
22 sites.

23 We're looking at treating --
24 beginning to treat that two percent that are
25 critically eroded or have vegetation or insufficient

1 vegetation to help hold that shoreline in place.

2 We're also continuing with our trash
3 and litter removal through cooperative reservoir
4 clean-up programs, and I know a lot of you may be
5 familiar or have even participated in them. Most
6 every reservoir has a shoreline or reservoir
7 clean-up program at least once a year.

8 MR. STEPHEN SMITH: Quick question.
9 At a previous meeting Ruben had put up a breakdown
10 of watershed ratings. How -- I mean, I take it that
11 shoreline maintenance is integrated into that rating
12 system.

13 Now, is there a direct correlation
14 between his numbers of poor, I mean, or is it just
15 one factor in the overall watershed?

16 MR. BOB CURTIS: It's one factor.
17 There are several factors that go into the overall
18 rating of a watershed. Of course, reservoir
19 shorelines would have no bearing on the rating of a
20 watershed that doesn't have a reservoir shoreline
21 component.

22 Where that watershed -- let's take
23 Norris, for instance, where that Clinch Powell
24 watershed has -- or sub watersheds have a strong
25 component in reservoir shorelines, yes, if that area

1 on Norris that's rated as poor for erosion, it would
2 have a definite influence on that sub watershed
3 rate. So there is a correlation.

4 MR. STEPHEN SMITH: There is a
5 correlation --

6 MR. BOB CURTIS: Yes, there is.

7 MR. STEPHEN SMITH: -- weighted
8 relationship?

9 MR. BOB CURTIS: Yes. And as we
10 improve shoreline conditions around these
11 reservoirs, that helps to influence the overall
12 watershed condition rating.

13 MR. AL MANN: I have a question.
14 Prior to the shoreline management policy, which you
15 implemented in what, November of last year?

16 MR. BOB CURTIS: Uh-huh.

17 MR. AL MANN: You had policies for
18 every -- like you have one for the Kentucky area and
19 you have one for Tennessee, is that correct?

20 MR. BOB CURTIS: Actually, we have
21 one set of guidelines that were valley wide, but
22 they were not as specific as our -- in many cases as
23 our shoreline management --

24 MR. AL MANN: You had a Kentucky land
25 management plan prior to that.

1 MR. BOB CURTIS: Yes, we did, right.

2 MR. AL MANN: And you had one for
3 Tennessee, did you not, or for some of the other
4 areas?

5 MR. BOB CURTIS: We had one for other
6 reservoirs, right.

7 DR. KATE JACKSON: Other reservoirs.

8 MR. AL MANN: Other reservoirs?

9 MR. BOB CURTIS: Uh-huh.

10 MR. AL MANN: Okay. Those were done
11 in 1985, is that correct?

12 MR. BOB CURTIS: I believe Kentucky
13 was done in '85.

14 MR. AL MANN: Kentucky was. It was
15 supposed to be reviewed in '95 and this wasn't done,
16 why wasn't this done and now we have something new
17 again?

18 MR. BOB CURTIS: Well, first of all,
19 let's clarify what a plan does and what our
20 shoreline management policy does.

21 MR. AL MANN: Okay.

22 MR. BOB CURTIS: The plan looked at
23 61,000 acres of land on Kentucky reservoirs and put
24 in place a strategy for the management of all of
25 those lands, 61,000.

1 MR. AL MANN: Within the Kentucky
2 reservoir?

3 MR. BOB CURTIS: Within the Kentucky
4 reservoir, that's a Kentucky reservoir plan. The
5 shoreline management initiative only looked at 38
6 percent of all reservoir shorelines and specifically
7 focused on residential use of those shorelines.

8 It made no -- it had nothing to do
9 with the overall use of about 61,000 acres of land.
10 What it did was address the residential use on the
11 shoreline in Kentucky that was open and available
12 for docks, piers, and boathouses. So it was a
13 component of how -- of the shoreline management for
14 the entire reservoir.

15 MR. AL MANN: But the original plans
16 that were done, will they be revisited like you said
17 you were going to ten years later, which you didn't?

18 MR. BOB CURTIS: Yes.

19 MR. AL MANN: It states, in ten years
20 we will review this.

21 MR. BOB CURTIS: Yes, I know it does.

22 MR. AL MANN: Why wasn't it done?

23 MR. BOB CURTIS: Primarily resources.

24 MR. AL MANN: Funding.

25 MR. BOB CURTIS: There were funding

1 issues, there was also issues --

2 MR. AL MANN: But you had funding to
3 do this?

4 MR. BOB CURTIS: There were issues
5 also on, what are the drivers that you look at in
6 order to prioritize where those plans need to be
7 done. It was our assessment that Kentucky had a
8 reservoir plan. We did not have a great number of
9 requests to change allocations. A lot of those
10 planned decisions we felt, and from our customer
11 feedback, were still appropriate. Now, I am not
12 saying that it could not stand to be updated, but a
13 lot of those uses were still appropriate.

14 On the other hand, we had many, many
15 reservoirs -- in fact, after -- Kentucky was the
16 third one, we had -- all of the rest of the
17 reservoirs had no plans essentially. So we have to
18 make a decision, do we go back and revise a
19 reservoir which has a plan that still seems to be
20 maybe 85 percent okay or do we move on to another
21 reservoir where we have very severe development
22 pressures or very important land use conflicts, so
23 we have to make that decision.

24 And we decided in that case that
25 rather than revising the Kentucky reservoir plan, it

1 was a higher priority to move to some other
2 reservoirs that were experiencing the same types of
3 problems that Kentucky was before we had a plan. We
4 understand the problem with revisions of these, but
5 as Bridgette mentioned, we have to get much faster
6 in our ability to update these things, much more
7 efficient in keeping them up-to-date.

8 And ideally, in many developing areas
9 of the valley, strongly heavily developing areas,
10 ten years is too long probably, particularly on
11 the -- perhaps on the northern end of Kentucky,
12 Marshall County, for instance, which has a lot of
13 growth development and growth pressures.

14 MR. AL MANN: But we use the number
15 38 percent on residential, that number -- like
16 Stephen said, that's the overall, but some areas are
17 a lot less or greater than that.

18 MR. BOB CURTIS: That's right.

19 MR. AL MANN: Don't you think some
20 reservoirs are?

21 MR. BOB CURTIS: Yes, they are. And
22 I can get you the breakdown by reservoir, if you
23 would like to see that.

24 MR. AL MANN: Are you trying to
25 curtail residential development?

1 MR. BOB CURTIS: No. We have made
2 the policy that 38 percent of the shoreline will be
3 available for residential development uses.

4 MR. AL MANN: But that could be 70
5 percent?

6 MR. PHIL COMER: It's 85 percent on
7 Douglas.

8 MR. AL MANN: Okay. So that number
9 is really going to vary according to --

10 MR. BOB CURTIS: It's going to vary
11 reservoir by reservoir, that's right.

12 MR. AL MANN: But overall it's --

13 MR. BOB CURTIS: Overall it's 38
14 percent. I can provide you the numbers specifically
15 on Kentucky, if you would like those.

16 MR. STEPHEN SMITH: Yeah, I would be
17 interested in those also. I don't know if the whole
18 group --

19 MR. BOB CURTIS: For all reservoirs
20 essentially?

21 MR. STEPHEN SMITH: Yeah, that's
22 right.

23 MR. BOB CURTIS: Breakdown by
24 reservoir.

25 MR. PAUL TEAGUE: Question: If you

1 set aside 38 percent, Douglas gets 95 percent, say
2 Norris gets 95 percent, if that is an empirical
3 figure, that means Pickwick gets zero.

4 MR. BOB CURTIS: Actually, Pickwick
5 doesn't have zero.

6 MR. PAUL TEAGUE: I know that, but I
7 am using that as an example.

8 MR. BOB CURTIS: The 38 percent
9 represents the shoreline areas on each reservoir
10 where rights of ingress and egress are in place or
11 where flowage easement is in place. It represents
12 the areas that the current property owners have the
13 right -- legal right to request a dock, a pier, or a
14 boathouse.

15 We had a great amount of discussion
16 over whether that should be increased or whether
17 that should be decreased. We had proposals from the
18 public. We had about 10,000 comments on our
19 shoreline management policy issue initiative.

20 We had proposals that TVA go back and
21 buy back those rights to allow no more residential
22 development than what is out there today, which
23 oddly enough happens to be about 17 percent, and
24 that we go back and buy back the rest of those
25 rights.

1 Would we be able to buy them? I
2 doubt it.

3 Are we going to use condemnation? I
4 doubt that.

5 So -- and what's it going to cost if
6 we tried to do that? We estimated about five
7 billion dollars to buy back access rights, that's
8 how much they were.

9 On the other hand, we had proposals
10 to go up to 60, 70 or 80 percent of our shoreline
11 for residential development. So in reaching a
12 balance on this, we decided, based on all of the
13 public comments that we had, that we were going to
14 stay with the 38 percent that currently have the
15 right to construct.

16 MR. PAUL TEAGUE: That's from one end
17 to the other, 38 percent?

18 MR. BOB CURTIS: One end to the
19 other, right.

20 MR. PAUL TEAGUE: But it does not
21 segregate -- if you're going to keep 38 percent of
22 Cherokee, 38 percent of Norris, 38 percent of
23 Kentucky, you're not segregating, and theoretically,
24 you could leave one out if that's an empirical
25 figure that you're going to stick with.

1 MR. BOB CURTIS: Every reservoir has
2 residential access. I may be wrong. Appalachia may
3 not. All four serve as property around there.
4 Every reservoir has some residential access, and I
5 can -- I will share with you that chart. Some have
6 more than others.

7 MR. PAUL TEAGUE: I have read your --
8 all of your printouts on shore management that you
9 have put out to us, I understand this, but I'm still
10 not clear. If the 38 percent is fixed, you develop
11 all of the East Tennessee, then West Tennessee won't
12 have any residential. I'm exaggerating my point to
13 make a point.

14 MR. BOB CURTIS: Oh, I understand
15 your question now. It's fixed on each reservoir.

16 MR. RUBEN HERNANDEZ: The 38 percent
17 is not empirical. The TVA decision that was made
18 was not to open any other shoreline for residential
19 access. The 38 percent is valley wide average of
20 what exists out there, what people own, that
21 21 percent that he showed, plus the 17 percent
22 that's already deeded has access. It was not a
23 figure that we arbitrarily arrived at. It is a
24 figure that exists out there based on ownership
25 patterns.

1 MR. AL MANN: But there are still
2 other shoreline out there that you own that people
3 own behind it --

4 MR. RUBEN HERNANDEZ: That's correct.

5 MR. AL MANN: -- that would not be a
6 deeded access but they would have to get a permit to
7 cross your property, in addition to put up a
8 facility?

9 MR. RUBEN HERNANDEZ: And the
10 decision that was made was that we would not open
11 any other shoreline.

12 MR. AL MANN: So that shoreline is
13 unavailable?

14 MR. RUBEN HERNANDEZ: That is
15 correct.

16 MR. PAUL TEAGUE: That is exactly
17 what I am getting at.

18 MAYOR EDDIE SMITH: Did you have a
19 question, Miles?

20 MS. MILES MENNELL: He just answered
21 it.

22 MR. BOB CURTIS: I would like to
23 discuss the management of natural resources.
24 Natural resources are an extremely large component
25 on TVA properties. Currently we have about 180,000

1 acres managed in this category of use. We have
2 preservation of archeological and historical sites,
3 natural resources of forestry and wildlife
4 management.

5 We maintain a natural regional
6 heritage program. Now, let me explain a little bit
7 about how that works. Of all the acreages managed
8 for natural resources currently, about 40,000 acres
9 are managed cooperatively with the U.S. Fish &
10 Wildlife Service under several wildlife refuges. So
11 we have a federal -- the federal partnership
12 cooperative.

13 On about 51,000 acres we manage
14 cooperatively with state agencies, Alabama Game &
15 Fish, Kentucky Department of Natural Resources,
16 Tennessee Wildlife Resources Agency are the primary
17 cooperators there. About 89,000 acres TVA is the
18 sole -- has the sole management responsibility.

19 We have moved in -- after we do a
20 reservoir land management plan, we move into unit
21 plans. Those unit plans are a very detailed look at
22 that land and how it should be managed based on
23 stakeholder input. We have public meetings and we
24 do environmental assessments and we incorporate
25 those public comments into the development of those

1 unit plans.

2 By the end of next year we will have
3 22,000 of the 89,000 acres under newly revised unit
4 planning. This goes beyond just forestry and
5 wildlife management. It's a truly integrated look.

6 What we have found looking at our
7 customers is that the primary uses are not just
8 hunting, but bank fishing is extremely important to
9 many people, wildlife viewing rather than hunting.
10 Hunting is still important, but camping and hiking,
11 and one of the new sports, mountain biking, is
12 extremely important. So the users that used to be
13 there 20 years ago are changing in the ways that
14 they utilize these properties and we're trying to
15 accommodate and change with them.

16 Under our regional heritage project,
17 that is the way we keep track of federally and state
18 listed threatened and endangered species. We work
19 lawfully with the Nature Conservancy, one of the
20 largest conservation organizations in the world. We
21 were the seventh regional heritage project to be
22 developed in cooperation with the Nature
23 Conservancy. Every state has a heritage project to
24 date.

25 In that project we have a database of

1 over 25,000 occurrences of critical species in the
2 Tennessee Valley region, not just on our lands or
3 around our reservoirs, but throughout the entire
4 power service area of TVA. So we can utilize that
5 data in management of our transmission systems, of
6 our electrical generating capacity, of our economic
7 development activities, as well as the managing of
8 our own lands.

9 This next year they're working
10 cooperatively with the U.S. Fish & Wildlife Service
11 for habitat management plans for the ten most
12 critical sites on TVA property. I can't tell you
13 exactly which ones those are, but I can find out for
14 you, if you would like to know.

15 In our historical and archeological
16 work, we're always monitoring sites. Some of you
17 know, some of you may not, archeological remains are
18 extremely valuable. If you find archeological
19 remnants, those things have a market value in the
20 thousands of dollars. We have had some locations
21 that have been looted, pilfered. So we're
22 monitoring sites to ensure their protection.

23 We're also adding new sites to our
24 database. Every inch of the valley around the
25 shorelines now has had a cursory inventory but not

1 all the time have there been a detailed inventory.
2 So we're always adding to that database. And as I
3 mentioned earlier, some of the sites that are right
4 on that reservoir margin where there may be some
5 shoreline erosion and some of those sites are being
6 damaged, we have 15 national register sites we're
7 moving to stabilize those sites and protect them.

8 MR. STEPHEN SMITH: I have a question
9 about the heritage program. You had talked about
10 the total number comprehensively across. The
11 riparian zone that is right on the interface between
12 the water and the land tends to be one of the most
13 critical for habitat and biologically diverse, and
14 as you said, it serves a number of different
15 functions, filtering, things like that, but relative
16 to endangered species and critical habitat for
17 species that have been displaced or lost, do you
18 have a sense of what percentage of the threatened
19 and endangered species are dependent on that
20 riparian zone that needs to be maintained so that
21 they are not wiped off the face of the earth?

22 MR. BOB CURTIS: Do I have a sense?

23 MR. STEPHEN SMITH: Yeah.

24 MR. BOB CURTIS: I'll give you an
25 estimate. As a wildlife biologist, I would give you

1 an estimate of probably 60 to 70 percent. Now,
2 whether that's actual numbers in our database, but I
3 bet it's close to that.

4 What I know about our database and
5 about these element occurrences is that most of the
6 critical species are either along streams, along
7 rivers, in the water of streams and rivers or on
8 riparian areas or in some cases in wetland
9 situations. The other most critical habitat are
10 caves, and we have a lot of caves in Tennessee and
11 Alabama, and we have many cave species that are
12 threatened.

13 MR. STEPHEN SMITH: Well, I guess the
14 point I was trying to understand was in the decision
15 to protect and maintain and limit the destruction of
16 this riparian zone that is the interface between
17 water and land, basically it's not just for people
18 to be driving around in boats and be able to see
19 trees, there's actually the maintenance of very
20 critical habitat for species.

21 MR. BOB CURTIS: That's correct.

22 MR. STEPHEN SMITH: And if this is
23 continuously eroded away, these species will be
24 lost.

25 MR. BOB CURTIS: Or severely

1 impacted, yes, that's correct.

2 Yes, sir?

3 MR. AUSTIN CARROLL: Could you define
4 critical species?

5 MR. BOB CURTIS: A critical species
6 is a legal definition, or actually not critical, but
7 we term them as critical. The Endangered Species
8 Act has several categories of listings for species,
9 threatened and endangered, and those species are
10 certain criteria that you would petition to the U.S.
11 Fish & Wildlife Service to have a particular species
12 listed.

13 The bald eagle used to be endangered.
14 It's been down listed because it's had some
15 recovery. The spotted owl, as you may remember from
16 some of the western issues on forest harvesting, was
17 not listed at all, and now it's, I believe, listed
18 as endangered. So there's a federal criteria for
19 those listings.

20 States also maintain lists of their
21 species. They accept the U.S. Fish & Wildlife
22 Service listing of threatened and endangered
23 species, but they also list some of their own
24 species, and quite frequently they will call them
25 species of special concern. Those species are those

1 that they are not sure of the status, they are not
2 sure how much habitat actually remains, they may not
3 have good population numbers but they are concerned
4 that they have seen a decline in those species or
5 what they believe to be the habitat for those
6 species in recent times. So -- then there's another
7 listing that's generally in need of management.

8 All of those taken together, I am
9 generally saying, is important to critical species
10 or habitats. So it's the state listed or the
11 federal listed.

12 MR. AUSTIN CARROLL: And how many did
13 you say --

14 MR. BOB CURTIS: We maintain
15 occurrence lists of 25,000 different occurrence
16 locations in the Tennessee Valley region, that
17 includes our power service area, which is a little
18 bit larger than the valley itself, because we also
19 utilize this database in citing and constructing and
20 managing our power system.

21 MR. AUSTIN CARROLL: How many
22 critical species are in these areas?

23 MR. BOB CURTIS: I couldn't give you
24 a breakdown without looking back at the data. I can
25 provide that to you, if you would like.

1 MR. AUSTIN CARROLL: If you could get
2 that, yeah.

3 MR. BOB CURTIS: Would you like that?

4 MR. AUSTIN CARROLL: Yes.

5 MR. BOB CURTIS: Okay. I can do it.
6 In industrial economic development, we have ongoing
7 activities that help us to attract the right
8 industry or commercial development, identify the
9 right location, and in many cases what this allows
10 us to do is help to mitigate if there are going to
11 be any adverse environmental impacts.

12 This year we have a focus of our --
13 actually the next fiscal year of developing a
14 sustainable growth project model, and that would be
15 to look at economic factors such as labor force,
16 power supply factors, such as, what is our power
17 delivery system and is there excess power or do we
18 need more power in a particular area, and
19 environmental issues in a particular area.

20 If we overlay those components, what
21 we find is where would the development provide the
22 most economic value. Is that development -- or
23 where is it that we have sufficient power or perhaps
24 in some locations excess power that would be
25 available for this type of project and where would

1 the environmental problems or consequences or
2 mitigation needs be minimized.

3 So it gives us an opportunity to look
4 at all of those things collectively and using what
5 we call a sustainable economic growth model to cite
6 those or to try to attract those new economic
7 development opportunities in the best possible
8 locations.

9 We also entertain a huge number of
10 public infrastructure requests across TVA property.
11 Daily we have requests from AT&T or BellSouth or for
12 gas pipelines or new highways or highway widenings,
13 and we generally, in most cases, do a very good job
14 of accommodating all of those public infrastructure
15 projects across our land and across the reservoir
16 systems.

17 We have approximately 13,000 acres
18 currently dedicated to industrial sites and
19 industrial development and economic development
20 activities. 4,000 of those acres are currently
21 developed or occupied. 9,000 of those sites are
22 currently available. And in most cases, these are
23 waterfront sites, mainly on the mainstream reservoir
24 system. None of them, of course, are on the
25 tributary system because we have no barge

1 transportation in those tributary areas.

2 MR. AL MANN: I have a question. On
3 your industrial sites, do you advertise that you
4 have this land and ground available for development?

5 MR. BOB CURTIS: I believe we do.

6 MR. AL MANN: What area do you
7 advertise in?

8 MR. BOB CURTIS: Somebody will have
9 to help me on that.

10 DR. KATE JACKSON: And I'm not the
11 economic development expert, but we work with the
12 Regional Industrial Development Association, the
13 RIDA, in the region to work cooperatively with them
14 on economic development opportunities.

15 MR. AL MANN: Do you go out of the
16 region?

17 DR. KATE JACKSON: Yes, they do.

18 MR. AL MANN: They do, okay.

19 MR. BOB CURTIS: Recreation is a --
20 is the last item I would like to talk about, but
21 it's probably one of the most important. It's also
22 one of the most pervasive. It's often one that's
23 the hardest to define and what is recreation and
24 what isn't. Well, is hunting a part of wildlife
25 management or is hunting part of recreation, you

1 know, so you get into these kinds of discussions
2 about what really is recreation.

3 What we know is that there's 110
4 million visits annually to the TVA lakes and lands,
5 a huge number. We know that we have 250 commercial
6 marinas on the system. We know that two-thirds of
7 our resident population uses TVA lands for
8 recreation. We know that bank fishing, boat
9 fishing, hiking, camping, and hunting are some of
10 the major activities.

11 We know that there's some new demands
12 on us out there, for instance, the need for
13 additional greenways and trails, the need for more
14 reservoir access. When many of these reservoir
15 access points were developed years ago, they were
16 fairly narrow. Boats were smaller. We didn't have
17 massive fishing tournaments as we have today. We
18 didn't need the parking then as we need today. So
19 much of these components -- our infrastructure
20 components for recreation are dated and need to be
21 revised.

22 Also, we know that our dam
23 reservations are sort of the crown jewels of
24 recreation. Many of our counties don't have a lot
25 of public parks. In many cases the dam reservations

1 are the local part. They are maintained with
2 recreation facilities. They have launching ramps.
3 They have handicap access. They, in some cases,
4 have camp facilities. Norris reservation is managed
5 as a wildlife viewing area, for instance, as well as
6 a tail water trout fishery. So they are extremely
7 important components.

8 Our focus, as we have heard from our
9 customers though, is to focus on the greenways, the
10 trails, improvement of the reservoir access, and dam
11 reservations. Now, greenways are something that we
12 were in several years ago, but it has come alive
13 again in the new wave. What the greenways do is
14 link pieces of public land.

15 For instance, we have a Chatuge -- a
16 new Chatuge Dam greenway project that has been
17 completed. It links the Chatuge Dam reservation
18 with Clay County Park. There was no way to get to
19 the two. So you have two nodes of fairly
20 significant public property with no way to move
21 between the two, and that greenway follows along the
22 reservoir margin, protects that riparian habitat and
23 allows people to use that for hiking or biking or,
24 you know, just walking to get from one large area of
25 public land to another.

1 There's another one just recently in
2 Oak Ridge. We have a Worthington Cemetery tract on
3 Mt. Hill Reservoir. The City of Oak Ridge is now
4 engaged in a new greenway project along their rowing
5 course there, and they have asked would we cooperate
6 in linking their greenway that comes along their
7 rowing course up to the Worthington cemetery. That
8 is a new partnership that we are working through
9 with them.

10 The Tellico Reservoir Land Management
11 Plan, which we have a copy of up here, has a
12 greenway proposal for the entire western border of
13 the reservoir that was linked to Wears Bend tract
14 down to the Jackson Bend tract.

15 So this is a new concern for many of
16 our people. They want these formerly, perhaps
17 isolated blocks, of public land to have some type of
18 linkage or interconnecting network, and that's what
19 the greenways and trails do for us.

20 As I said, on the reservoir access
21 where you once had maybe a ten-foot access ramp, you
22 may need a 24-foot access ramp and a 50-car parking
23 lot, instead of ten cars, so you can accommodate
24 fishing tournaments and increases in use.

25 We have about 5,000 acres in

1 commercial recreation, such as marinas and fee
2 campgrounds. We have about 15,000 acres in our dam
3 reservations and about 18,000 in other types of
4 public recreation.

5 One of the things that we have needed
6 to do over the last several years is to hold steady
7 on the operation and maintenance costs, and we have
8 used partnership approaches to do that, where over
9 the last couple of years we have about 26 areas that
10 county governments, city governments, state
11 governments or the private sectors are now managing
12 public recreation areas in cooperation with us.

13 Where they went to the private
14 sector, of course, they are a business venture for
15 those people. In the public sector, many of those
16 services at those areas may be still free, although,
17 there may be some fees associated with them, but
18 what that's allowed us to do is maintain our O&M
19 costs at a fairly stable level.

20 MR. AL MANN: Of the 110 million that
21 visit this area, do you have any idea how much money
22 that generates?

23 MR. BOB CURTIS: Well, I guess if I
24 was an economist I could come up with something,
25 but, no, I don't.

1 MR. AL MANN: You-all do not do any
2 study on that?

3 MR. BOB CURTIS: We do, but I don't
4 have the number. We do. Would you like me to find
5 out?

6 MR. AL MANN: No. I just said okay.

7 MR. BOB CURTIS: Okay. So to
8 finalize and wrap it up, these are the primary ways
9 that TVA manages land. Industrial development, we
10 have about 13,000 acres. Of course, our power
11 generation sites occupy 35.

12 We have 41,000 acres that are still
13 in the planning process. They don't have a plan
14 like Kentucky does or like Guntersville does or like
15 Watts Bar does, they are in the planning process.
16 We have recreation of 59,000 acres and natural
17 resources for 180,000.

18 And if there's any additional
19 questions, I will be happy to answer it as best I
20 can.

21 MR. AUSTIN CARROLL: I probably
22 missed it somewhere along the line, but the
23 tributaries that feed into the system, how far up
24 those tributaries do you have any kind of -- or does
25 TVA have any kind of rights of control?

1 For example, you know, if you lived
2 on some property that had just a little stream or
3 branch or something that ran through it that
4 eventually ended up in a reservoir, does -- and you
5 wanted to build a little dam on it or something,
6 does that person have to check in with TVA?

7 MR. BOB CURTIS: Yes, sir. Let me
8 answer that in two parts. First of all, on the
9 tributary reservoirs TVA has acquired some type of
10 rights to the maximum elevation to which that water
11 level would ever be placed, usually at least the 500
12 year flood plain, some areas a little bit above
13 that.

14 In many of those areas we did not buy
15 fee title to the property, we only bought a flowage
16 easement to flood that property when we were doing
17 flood damage reduction operations with the
18 reservoir.

19 In other words, in the spring if the
20 water level got very high, it may flood back up into
21 that creek. So if you look at the reservoir land
22 records you would find that TVA does, in fact, own a
23 flowage easement up there.

24 So it's based on what our operational
25 profile for that reservoir was at -- what is the

1 maximum level that we would need to operate that
2 level for flood damage reduction for flood control
3 operations.

4 MR. PHIL COMER: I don't think that's
5 really what he's asking. As an example, when you go
6 to the head waters of Douglas, just to pick that
7 arbitrarily, for some reason it comes to my mind,
8 what he's really asking is how far up the French
9 Broad River or the Nolichucky could a private person
10 build a cabin or something like that, that's what
11 he's really asking.

12 MR. AUSTIN CARROLL: Yeah, I mean,
13 above, you know, the --

14 MR. PHIL COMER: Above the 10-07 or
15 10-02.

16 MR. AUSTIN CARROLL: The flood line
17 or anything like that, do you have any rights or
18 obligations?

19 MR. BOB CURTIS: Yes. That's why I
20 was answering it in two parts, because we have
21 flowage easement or fee ownership rights to the --
22 up to the level that we could operate that
23 reservoir.

24 Now, above that, Section 26(A) under
25 the Act, that jurisdiction is on all water courses

1 throughout the Tennessee Valley watershed to their
2 headwaters. So anything constructed within the
3 Tennessee Valley region that would create an
4 obstruction, a possible obstruction for navigation,
5 flood control or public lands, it's jurisdictional
6 under Section 28(A) of the TVA Act, and TVA reviews
7 permits for those actions.

8 So if you were to build a dam at the
9 headwaters of a creek, that would be a
10 jurisdictional action under Section 26(A) of the TVA
11 Act. It has nothing to do with our ownership
12 patterns, it is a regulatory authority provided to
13 TVA as a part of the Act.

14 MR. JIMMY BARNETT: Question: What
15 do you define as headwaters then?

16 You know, carrying that to a
17 ridiculous extreme, I could be living on a farm up
18 here 50 miles from the reservoir and there's a
19 little ditch that runs down in front of my house
20 which runs into a bigger ditch, which, you know,
21 gets on down to the reservoir, could you go to the
22 ditch behind my house?

23 MR. BOB CURTIS: Probably not, not if
24 it's an intermittent stream, not if it's a fourth
25 level tributary, not if it's -- if it's not

1 significant, if it has -- if what you were planning
2 on that stream had no bearing on TVA operations,
3 then in most cases, no.

4 MR. JIMMY BARNETT: So there are some
5 constraints on that?

6 MR. BOB CURTIS: Yes, there are. I
7 am just telling you that the access to the
8 headwaters is throughout the Tennessee Valley
9 region, but we try to -- we interpret that with some
10 commonsense.

11 MS. ANN COULTER: What triggers your
12 review?

13 MR. BOB CURTIS: Pardon?

14 MS. ANN COULTER: In a case such as
15 that, what triggers your review?

16 MR. BOB CURTIS: The applicant
17 applying or notifying TVA that they would wish to
18 construct, as he said, a dam on a tributary of the
19 Tennessee River. In some cases we are notified by
20 other agencies. In some cases we would be -- might
21 be notified by neighbors.

22 But the purview of the review is
23 generally that the applicant would come to us and
24 say, we would like to do such and so, what do we
25 have to do with you-all, TVA, and then we would help

1 them define whether it was only us involved, or in
2 the case of Tennessee, whether it's the Tennessee
3 Department of Environmental Conservation as well.
4 And in many cases on tributaries or any water
5 courses, the Army Corps of Engineers is also
6 involved.

7 And we do have a joint permitting
8 process with the Army Corps of Engineers to
9 facilitate and make sure they don't have to go
10 through two separate permitting programs, one with
11 TVA and one with the Corps, that's done jointly.

12 Other questions?

13 MAYOR EDDIE SMITH: Okay. Thank you
14 very much. We have asked Jim to facilitate the
15 session for this afternoon and for the subcommittee
16 reports. So at this time I'll ask Jim to give us a
17 briefing on what should be included in the report.

18 Jim?

19 MR. JIM CREIGHTON: Let me talk just
20 a minute about how subcommittees are -- councils
21 develop and how subcommittees develop and so on,
22 because it relates to what I am going to ask you to
23 report this afternoon.

24 Having lived through this 20 or 30
25 times, my experience is the first phase is one you

1 have essentially concluded, which is you're
2 primarily getting educated by the sponsoring agency.

3 There usually then is a transition
4 where an advisory group increasingly wants to hear
5 from outside sources of information, hear other
6 points of view, hear from people with different
7 perspectives and values, and so on, and begins to
8 organize itself to really get down to work, and so
9 on, and we're sort of into that phase now.

10 There are then becomes -- there then
11 is a third phase, which is where the main meetings
12 of the advisory council are really being driven by
13 the working group subcommittees who are now bringing
14 topics to the council for discussion, for
15 deliberation, and for possible recommendations, and
16 so on.

17 And in that process and in developing
18 that transition one of the issues is always, how do
19 agendas get set, and I know this has been a topic
20 that's been discussed in the last couple of weeks.
21 By the end -- by the third phase really agendas are
22 being largely driven by the advisory group itself,
23 but there is a peculiarity of the advisory -- the
24 Federal Advisory Committee Act that the person who
25 actually calls the meeting and actually announces

1 the agenda, and so on, is the designated federal
2 officer, in this case, Kate Jackson.

3 Now, the way we have tried to deal
4 with the legal reality and the reality of the
5 advisory committee wanting to be its own creature
6 and not owned by TVA is, first of all, Eddie, as the
7 Chair, represents the Council in all the discussions
8 on agendas.

9 There are provisions in the
10 guidelines that we adopted back at the first meeting
11 that another possibility is that when setting
12 agendas Eddie consults with all of the subcommittee
13 chairs to get their input on what needs to be on the
14 agenda. We built in a third provision that, if you
15 choose, you can also designate folks that you would
16 like to be in on the agenda discussions.

17 Now, how it's evolved so far is that
18 I have been generating a draft agenda based on
19 what's been heard, and then that's passed to Eddie
20 and Kate, and they have been negotiating out and
21 informally -- increasingly this last month there
22 were a lot of discussions with subcommittee chairs
23 about what their needs are and so forth and so on,
24 but we -- this process will undoubtedly grow and be
25 defined, and so on, as we move along.

1 The reason I am bringing this up in
2 relationship to this afternoon's reports is that in
3 addition to the obvious stuff we would like you to
4 report, like what issues you're working on and where
5 you are and what your action plan is for those
6 issues, we would like to know some things that will
7 start driving the agenda.

8 For example, we would like to know
9 what you need from the full Council. You could, for
10 example, want the full Council to undergo a briefing
11 because you think that everybody kind of needs to be
12 brought along on something. You might be at a point
13 where you want a little reaction or feedback or
14 guidance from the Council, even though it's not a
15 final decision, you'd kind of like to get a sense of
16 direction from the Council, or at some point you'll
17 be at the point that you're bringing recommendations
18 to the Council and you want the Council to
19 deliberate that.

20 So one thing we would like to know
21 this afternoon is, do you have a sense of what you
22 need from the full Council and when you need it,
23 because that's going to start driving the agenda.
24 We also would like to know what other kinds of
25 support or expertise or whatever you need.

1 Some of you may say, we would like a
2 briefing with such and such kind of folks. Others
3 of you may say, we need to be able to have wildlife
4 biologists meet with the subcommittee itself or
5 whatever. We need to be knowing what kinds of
6 expertise you need, and it helps if we all hear that
7 at the same time.

8 Then, finally, we would like to know
9 opportunities that you're scheduling for your
10 subcommittee for the public to participate so that
11 we catch that and be sure that that's publicized and
12 available and out to the public, and so on, so that
13 over time the -- I anticipate that the subcommittees
14 will be the prime drivers of the agenda, so I am
15 raising this so you begin as you report this
16 afternoon to start presenting that kind of
17 information to the Council as a whole.

18 MR. PHIL COMER: Jim, may I ask a
19 question?

20 On the point of public input either
21 to the subcommittee or to the whole Council, how was
22 that publicized for today?

23 MR. JIM CREIGHTON: I would have to
24 ask. I know there are several points of public
25 contact, but I don't know how it was advertised.

1 DR. KATE JACKSON: Put it on the web
2 and noticed -- a press release notice to the papers.

3 MR. PHIL COMER: A press release was
4 issued?

5 DR. KATE JACKSON: Uh-huh.

6 MR. PHIL COMER: To what paper?
7 There was never anything in the Sentinel.

8 DR. KATE JACKSON: I don't have the
9 list. I can talk to you about that later, Phil.

10 MR. PHIL COMER: Okay.

11 MR. JIM CREIGHTON: And that's part
12 of why we would like to have those kinds of things
13 brought to the whole Council, and we can begin to
14 figure out what are the best possible mechanisms,
15 you know, maybe there is some regular process we can
16 set in motion so that there's monthly notice to the
17 public of how they participate, and so on.

18 MR. PHIL COMER: I think that needs
19 to be clarified, because, to my knowledge, in the
20 greater Knoxville area there was never anything in
21 the newspaper whatsoever about this meeting, and
22 there were many, many constituents, you know, within
23 a 50-mile or 60-mile radius of Knoxville that were
24 very frustrated by this.

25 MR. JIM CREIGHTON: That's part of

1 the call though that we made last month when we
2 decided that this would be a subcommittee oriented
3 meeting rather than a --

4 MR. PHIL COMER: But the call was
5 obviously changed when the agenda appeared, Jim, you
6 know.

7 MR. JIM CREIGHTON: Well, we were
8 able --

9 MR. PHIL COMER: It was that there
10 would be no public input, yet, when the agenda
11 arrived there were numerous places, but the general
12 public, at least in the Knoxville News Sentinel, was
13 never notified.

14 DR. KATE JACKSON: Right. And one of
15 the issues with that is, you know, the further ahead
16 we can make decisions about how that would work, the
17 easier that is for the media to do their thing. In
18 addition, you lose an opportunity if you make --
19 don't make decisions long enough in advance to be
20 able to publish things in the Federal Register,
21 recognizing a lot of people don't read that, but
22 that is another vehicle through which the media has
23 access to that data, but it's something we can work
24 on.

25 MR. JIM CREIGHTON: But that's

1 precisely why I would like the subcommittees to
2 surface what they're doing so we can create that.
3 We're trying to get the right balance of that, and
4 the sooner we get notice that you're interested in
5 and willing to -- for example, the integrated water
6 committee chose to create this opportunity for the
7 public to participate, and if we can get that
8 sooner, we'll be able to publicize it sooner and
9 better. That's all I have.

10 MAYOR EDDIE SMITH: Okay. Do we have
11 any other questions about schedules?

12 DR. KATE JACKSON: I have one other
13 thing. Many of you responded to the survey of how
14 things we're going and some feedback on what we
15 could do to be more effective. We got 13 out of 20
16 of those. I think what we'd like to do is wait a
17 little longer and see if the rest of you could send
18 those in and then we will report back on the
19 findings through that process.

20 MR. STEPHEN SMITH: I have a
21 question. We are about to break to go to
22 subcommittees. There is a component of the
23 discussion on the agenda that I think some of us
24 have just briefly chatted about on the water quality
25 that we may actually want to attend as part of the

1 integrated river management discussion, I think
2 Alabama Power and the Corps or whatever is going to
3 be -- and I am just wondering, I guess it's
4 currently slated for 11:00, and I would just ask
5 that if for some reason that timetable changes could
6 our subcommittee be notified because I think we
7 might want to take a break and come down and
8 actually attend that discussion.

9 SENATOR ROGER BEDFORD: Steve, we
10 will do that, that's not a problem.

11 MAYOR EDDIE SMITH: Okay. Any other
12 comments? If not, then you have the agenda before
13 you for the day, and the subcommittees will follow
14 the schedule, and then we will be back here at 3:15
15 with the Council meeting. And with that, the
16 meeting is adjourned until 3:15.

17 (A recess was taken for subcommittee
18 meetings, after which the Council meeting continued
19 as follows:)

20 SENATOR ROGER BEDFORD: For those of
21 you I haven't had the privilege of meeting yet, my
22 name is Roger Bedford, I am from Russellville,
23 Alabama, and I want to thank you for coming.

24 This is a very important subcommittee
25 and your information is sought by us. And I know

1 that you have taken time away from your family and
2 business to be with us and I appreciate that.

3 Just so you will understand the
4 methodology of the decision-making process, our task
5 is to gather information. No final decision is
6 being made today. We're on the journey to making a
7 decision, and this is an important part of that
8 journey just to hear firsthand from you, the
9 stakeholders, about your thoughts and concerns about
10 this.

11 I understand -- and the format would
12 be that -- have we got a microphone -- to please
13 come to the microphone, identify yourself, where
14 you're from. If you represent a particular group or
15 anything like that, please let the subcommittee
16 members know. Oh, and if you care to use the
17 podium, that mic is available as well.

18 We would ask you, because of the
19 number of people who are interested in speaking, to
20 try to limit it to four or five minutes and allow
21 any -- the format we use with the committee members
22 is, if they want to ask you a question, we will ask
23 you, please, to stop and let them inquire of your
24 thoughts. Of course, the question time won't count
25 against your presentation time. And if you finish

1 in three minutes or if you go six, nobody is going
2 to get a demerit. What you have got to say is
3 important to us and we want to hear it.

4 Are there any opening comments from
5 any of the subcommittee members? If not, we will go
6 right into the public presentation. And if I
7 mispronounce your name, please correct me when you
8 come to the microphone so we will have it adequate
9 for the record. Your remarks will be taken down by
10 the official reporter for this and become an
11 official part of the record. If you have any
12 handouts that you would to give us to supplement or
13 to go with your remarks, we will see that those are
14 copied and given to all of the members and
15 incorporated as part of the record.

16 With that, we have Mr. David Kiger
17 with the Tennessee Marine Association. Thank you
18 for being with us today.

19 MR. DAVID KIGER: Good afternoon to
20 all of you. My name is David Kiger. I represent
21 the Tennessee Marine Association. I am from here in
22 Knoxville. We have the Tennessee Marina Association
23 downtown. I think most of you-all probably
24 recognize me by now, I have been here a couple of
25 times. And I don't want to beat a dead horse, I

1 just want to reiterate our association asks that you
2 realize the economic impact of keeping the lake
3 levels up for a longer period of time.

4 We also want to make sure that
5 everyone understands that our association is at the
6 full disposal for any information for you-all. The
7 handout that I handed out has all of our names and
8 phone numbers. Please, by all means, use those. We
9 will be more than happy to work with you any way we
10 can. That's all I need to say. If anybody has any
11 questions, I will be happy to answer them.

12 SENATOR ROGER BEDFORD: Any
13 questions? I know you have answered some
14 previously. Thank you for this additional
15 information, too, and it will be made a part of the
16 record.

17 I have a Mr. Nelson Ross, please.

18 MR. NELSON ROSS: Thank you. I am
19 Nelson Ross, the Executive Director of the Tennessee
20 Izaak Walton League. We have established a seven
21 county water quality initiative and have opened the
22 Team Water Center over at David Kiger's and his
23 partner's marina downtown on the waterfront, at
24 least the top floor there.

25 In the process of our work, the

1 demographics show that we should have from 1,000 to
2 1,500 members within a year. For more than 20 years
3 we have not opened memberships to the Izaak Walton
4 League for a number of reasons.

5 One, not being able to manage that
6 large of a group, but now that we have opened an
7 office and we will have a full staff, a number of
8 things will -- I think will come to the forefront,
9 and that's initially a larger number of citizens
10 involved actively that's driven by an office that's
11 focusing on water resources in this region and will
12 create somewhat more demand for interaction with the
13 river teams and TVA personnel in this region.

14 We have had a very good relationship
15 with TVA in years past and anticipate that that
16 would remain the same. You have very good people
17 out there in the field doing water quality and water
18 resource work.

19 However, we think in the -- in the
20 area of your budgeting and the area where -- when
21 this Council becomes more active in being able to be
22 out and listen to people in a broader area, I think
23 you may find that your resource people that have to
24 serve people like us in the field we think are
25 underbudgeted and understaffed to do a job,

1 especially to meet a growing need for the kinds of
2 services that are evident in this kind of work when
3 you have more stakeholders there making calls and
4 need assistance.

5 So having said that, I just wanted to
6 congratulate TVA on forming this Council but also to
7 be aware that as the Council has more interaction
8 with larger numbers of people that come to the
9 forefront, there will be a need to increase budget
10 and increase staff in order to maintain good
11 relationships with citizens whom you serve.

12 Thank you so much.

13 SENATOR ROGER BEDFORD: Thank you,
14 Mr. Ross. Are there any questions of this
15 gentleman? Mr. Ross, Mr. Carroll.

16 MR. AUSTIN CARROLL: Are we talking
17 about increasing staff for the Council or are we
18 talking about increasing staff for TVA?

19 MR. NELSON ROSS: No, I think the
20 Council staff is adequate. Where the foot hits the
21 road, so to speak, the people that work every day
22 out in the resource on the lakes doing work with
23 citizens, I think there is where there's stress. We
24 feel like that for some years now the cuts that have
25 been made in those areas have been somewhat

1 significant.

2 There are growing numbers of people
3 coming to the waters in these areas. There's a
4 growing demand for interaction with TVA personnel
5 and these -- from a management sense, Mr. Carroll,
6 these two business objectives are going in opposite
7 directions, and that's what we would beg TVA and
8 through this Council to provide a better working
9 condition for TVA personnel as they serve
10 stewardship and stakeholder needs.

11 Thank you, sir.

12 SENATOR ROGER BEDFORD: Thank you
13 very much. Mr. Ross, Mr. Smith has a question for
14 you.

15 MR. STEPHEN SMITH: Hey, Nelson.

16 MR. NELSON ROSS: Yes, sir,
17 Mr. Smith.

18 MR. STEPHEN SMITH: How you doing?

19 MR. NELSON ROSS: Very well.

20 MR. STEPHEN SMITH: Good. As a
21 member of the water quality subcommittee, I think
22 that we would be really interested in getting more
23 detail from you and I -- about your ideas and ideas
24 that you're experiencing in the work that you're
25 doing, because I know you're doing a lot of good

1 work on the issue.

2 And I guess what I would like to do
3 is engage with you in a discussion about some
4 specific examples of some things and where you -- so
5 that we can then use those in our deliberation about
6 making recommendations.

7 MR. NELSON ROSS: Well, Mr. Smith, if
8 I could take that as an invitation to maybe make a
9 brief presentation at the earliest possible occasion
10 when this Council meets, I would like to make a 20,
11 30 minute presentation with graphics and those kind
12 of things that would accompany it and set the stage
13 where we could have some active dialogue. If the
14 Council thinks 15 minutes and 15 minutes of
15 discussion would be more in line, we would be very
16 happy to do that.

17 MR. STEPHEN SMITH: Well, let's talk
18 about that, because it may be more appropriate to
19 start at the subcommittee level and then sort of
20 work that information up, but that would be good.

21 MR. NELSON ROSS: That would be very
22 good. I was speaking to -- you people made the
23 invitation, so you tell me where to show up.

24 MR. STEPHEN SMITH: Well, thanks,
25 Nelson.

1 SENATOR ROGER BEDFORD: Thank you,
2 Mr. Ross. And let me say this to the presenters,
3 that there are other meetings going on. So if
4 people come and go, please don't take that as they
5 are not interested in what people have to say. And
6 for those who are making comments, if you have to go
7 after you have concluded your remarks, we understand
8 that and that is not a problem.

9 Mr. Glen Bibbins, please.

10 MR. GLEN BIBBINS: Thank you for this
11 opportunity. It's Friday afternoon, and I have a
12 hunch you may be pleased to know that all my
13 comments are written right here.

14 I am Glen Bibbins. I represent
15 landowners and users of Douglas Lake. Our
16 representatives have already spoken before this
17 Council in Chattanooga and in Huntsville, and our
18 position on lake levels is already a matter of
19 record.

20 Our organization supports and
21 endorses the lake level proposal that Regional
22 Council member, Mr. Comer, presented to this Council
23 on May 25th in Huntsville, Alabama.

24 Thank you for your attention.

25 SENATOR ROGER BEDFORD: Thank you

1 very much, Mr. Bibbins. Are there any questions of
2 the gentleman?

3 Wayne Basak. Mr. Basak?

4 MR. WAYNE BASAK: I'll defer my time
5 to Jim, who will speak later.

6 SENATOR ROGER BEDFORD: All right.
7 Mr. Basak yields his time. So we will yield our
8 questions for you, Mr. Basak.

9 Gerald Snyder. Mr. Snyder?

10 MR. GERALD SNYDER: Good afternoon.
11 I am a property owner of one of the TVA lakes here
12 in Tennessee at Norris. I also was previously
13 involved with the development of several properties
14 around different lakes, Watts Bar, Tellico, and
15 Norris.

16 SENATOR ROGER BEDFORD: Is that
17 residential development?

18 MR. GERALD SNYDER: Residential
19 developments. And I would like to see the lake
20 levels maintained for a higher period. I understand
21 that there is an October 1st date that's been there,
22 and I'm just here for support of that.

23 SENATOR ROGER BEDFORD: Thank you
24 very much, Mr. Snyder. Are there any questions of
25 this gentleman? Thank you.

1 Martha Peterson, please.

2 Ms. Peterson, you have the floor.

3 MS. MARTHA PETERSON: I'm Martha
4 Peterson. I am here representing Congressman
5 Charles Taylor of North Carolina. Congressman
6 Taylor's district is made up of the 15 western most
7 counties in that area. Within that area we have
8 three of the power lakes that TVA draws off of.
9 Within Congressman Taylor's district, it's a very
10 rural area. It has traditionally been very
11 dependent upon agricultural and forestry activities
12 for the economy.

13 And as all of you-all know, that is
14 an area that is in great transition right now. We
15 are -- have been really impacted by NAFTA, by
16 agricultural activities, and more and more of the
17 district is becoming dependent on tourism. Tourism
18 is the fastest growing industry in his area.

19 Therefore, you know, it's becoming
20 more and more important that we try to work with TVA
21 to keep those lake levels up. We -- he feels that
22 TVA has been a very good neighbor. We are working
23 on projects with TVA in Swain County and other
24 areas, and we're very grateful to TVA for the work
25 that they have done.

1 There is a lot more work that needs
2 to be done. The jobs in that area very dependent on
3 this. Now, we don't have any current statistics on
4 what area -- what it would mean to the area
5 economically, but we're going to be working on that
6 in the next few months and hope the next time that
7 we come before the Council we can give you some
8 updated figures.

9 The Congressman realizes that more
10 and more it's becoming a balancing act, how do you
11 balance these resources, how do you protect those,
12 how do you protect industry, how do you keep from
13 impacting industry, and yet, serve the people of the
14 district.

15 We're here today on his behalf to ask
16 you that we are ready to work on those issues with
17 TVA, with the Regional Council, you're doing some
18 great work, and places like this is where it needs
19 to start, talking about the issues not only from his
20 district but for the whole Tennessee Valley.

21 We hope that in the coming months
22 that maybe we can talk about leaving those lake
23 levels up even a longer period, not only on Fontana
24 and the other lakes in his area, but for some of the
25 other users and lakes.

1 So anything that we can do -- he is a
2 co-sponsor of the bill that Congressman Nathan Deal
3 has introduced in Georgia, and that bill would say
4 that recreation on power lakes would get equal
5 consideration in the management plans that are being
6 introduced by power lakes.

7 So we hope -- we thank you-all, and I
8 thank you for your time to be able to address you on
9 behalf of the Congressman.

10 Any questions before I sit down?

11 SENATOR ROGER BEDFORD: Any questions
12 of Ms. Peterson? If not, Ms. Peterson, thank you,
13 and please thank the Congressman for his interest
14 and involvement.

15 MS. MARTHA PETERSON: It is very much
16 of an interest and thanks to the Council for their
17 work.

18 SENATOR ROGER BEDFORD: Thank you.
19 All right. The next gentleman is Bob Messick.

20 MR. BOB MESSICK: I'll defer to Jim.

21 SENATOR ROGER BEDFORD: Bob yields
22 his time to the gentleman, Jim, who is building up
23 quite a stack of chips over there.

24 We have a County Commissioner from
25 Swain County, David Montieth, did I pronounce that

1 right, Commissioner?

2 MR. DAVID MONTIETH: Right. Yes,
3 sir.

4 SENATOR ROGER BEDFORD: Thank you.
5 Gentleman, you have the floor.

6 MR. DAVID MONTIETH: My name is David
7 Montieth, and I'm Vice Chairman of Swain County
8 Board of Commissioners, also Chairman of the Fontana
9 Lake User Association. I have addressed this
10 Council, I think, once and submitted on a couple of
11 other occasions some studies that we have done. I
12 would like to just resubmit these studies. I will
13 leave you-all a copy of these studies of what we
14 have done and what we're interested in.

15 As Martha has said, Fontana Lake is
16 really our -- probably one of our biggest concerns
17 because we live right on it, and it's already
18 started drawing down this year. We have lost about
19 eight foot in the last two, two and a half weeks,
20 and it's just about completely took one launching
21 ramp in our county away from us already. There's
22 about eight foot of water at the base of it now,
23 and, you know, we'll lose this in a couple more
24 weeks.

25 And we understand that this is the

1 big drawdown year that they use Fontana for, and,
2 you know, we really support this. We know that the
3 studies that you guys do helps all of us, but what I
4 would like to do, as I say, is just resubmit the
5 studies that we have done. They are accurate. Our
6 organization has done these in the last year and a
7 half.

8 One other thing that I would like to
9 also do is a little something different. In our --
10 through our organization of our lake user
11 association we have had a great working relationship
12 with TVA in the last year and a half. So the
13 Fontana Lake User Association would like to thank
14 some very important TVA staff for making it possible
15 for some of our projects that already have been --
16 some of them achieved, some of them we're working
17 towards.

18 We have taken in the last two months
19 over 600 tons of debris, garbage, refrigerators, hot
20 water heaters, trees, you name it, it's been in
21 Fontana Lake, and we have taken this out of the lake
22 through our county. We have put in -- the package
23 that I am going to leave with you-all, it has, I
24 think, over 640 manhours roughly of what it's took
25 to do this.

1 And some people with TVA, our
2 association would like to thank these staff workers
3 that have come down, and some of them is Mr. Woody
4 Farrell; and Mr. Jack Miller; Mr. Gary Williams,
5 which has been excellent working with us; Steve
6 Akers; and Avery Nichols, known as Nick. These
7 people have literally put the hands to the plow and
8 come in and done this, and we want to thank TVA for
9 what you-all are doing for us.

10 But as I say, the lake level is very
11 crucial and it is -- as it drops as it is, it's
12 really devastating to Swain County. So any way that
13 we can help you work, help you through studies in
14 our area, our organization, we ask you to call on
15 us, because we're there to help. We're all wanting
16 the same purpose; that is, to achieve a better lake
17 system.

18 We understand TVA has to create
19 power, you know, we want to be part of this process.
20 We don't receive power in Swain County from TVA, but
21 that's all right. What we do want to be able to
22 receive is the recreation part of it. It really
23 promotes and helps our tourists.

24 Thank now for letting me come.

25 SENATOR ROGER BEDFORD: Commissioner,

1 first off, I want to commend you for that clean-up
2 job. It sounds like a wonderful partnership there.

3 You said it had dropped eight feet in
4 two weeks, is this normal this time of year?

5 MR. DAVID MONTIETH: No. Normally
6 this time of year the dropping is not supposed to
7 start until July 30th, where normally it does start
8 about the 15th of July, but this is the big drawdown
9 that they have every five years that they go check
10 the dams and so forth, so it's more and we
11 understand that, you know, we have --

12 SENATOR ROGER BEDFORD: That's a
13 regular schedule?

14 MR. DAVID MONTIETH: Yes, sir. And
15 this is good for everybody, we feel like. It gives
16 us a chance to get in and clean up more debris
17 because the lake gets down, and this is one of the
18 things we want to do.

19 If you don't mind me to say, just a
20 forethought, you know, we do support a
21 September 30th drawdown on Fontana Lake. Also, we
22 want -- our organization, we want to improve water
23 quality. We do do a monthly clean-up. This all
24 helps fishing on Fontana Lake, as well as
25 recreation.

1 We also support this new Lemons
2 Branch boat access that TVA is working with, and
3 Congressman Taylor trying to help us all with forest
4 service to get this in in the county, something we
5 need for a wintertime launch. We don't have that
6 because we lose everything in a normal drawdown.

7 Anybody else?

8 SENATOR ROGER BEDFORD: Are there any
9 further questions?

10 MR. STEPHEN SMITH: I have a question
11 that I am just wondering, and this is something
12 we're going to be looking at in our subcommittee and
13 I'm just curious if you-all have taken a look at it.

14 If the water quality is held up at
15 Fontana longer, have you-all looked at impacts of
16 water quality below Fontana with the decrease in
17 water flow and other things like that?

18 MR. DAVID MONTIETH: Well, our
19 organization itself has not done this study, but as
20 Martha says, the study that we are working with
21 Congressman Taylor on right now to get started, we
22 hope this year will address just what you're talking
23 about.

24 The erosion that goes down, and as I
25 say, as it leaves Fontana it comes all the way into

1 Tennessee. So this study that we're doing -- that
2 he's going to do is going to help us with that, to
3 give us some good information about just how bad it
4 would be.

5 MR. STEPHEN SMITH: Because my
6 understanding is, and we were over the area
7 yesterday, there's actually some really good fishing
8 areas below Fontana and the upper stretches of the
9 little T there, and I'm just wondering if there's
10 some flow issues associated with holding the water
11 back, whether that's going to impact those fisheries
12 down below. I mean, that's something we're going to
13 try to grapple with in our subcommittee.

14 MR. DAVID MONTIETH: You're asking me
15 something that I have not even looked at.

16 MR. STEPHEN SMITH: Okay.

17 MS. MARTHA PETERSON: We're trying to
18 make contact to various agencies and see if that's
19 ever been looked at and try to get that data because
20 that is a concern.

21 MR. STEPHEN SMITH: Because you don't
22 want to, you know, sort of --

23 MS. MARTHA PETERSON: I know what you
24 mean, we just don't have that information available.

25 SENATOR ROGER BEDFORD: Any further

1 questions? Thank you very much, Commissioner.

2 Is it Lauri Schuster?

3 MRS. LAURI SCHUSTER: Yes.

4 SENATOR ROGER BEDFORD: Mrs.

5 Schuster, you have the floor.

6 MRS. LAURI SCHUSTER: I'm just here
7 to support the delayed letdown of the lake, and I'll
8 yield my time to Jim, our president.

9 SENATOR ROGER BEDFORD: Thank you
10 very much and thank you for being with us today.
11 Lars, since you're sitting next to her, I assume
12 you-all are buddies over there.

13 MR. LARS SCHUSTER: All I can say is
14 ditto.

15 SENATOR ROGER BEDFORD: Thank you
16 very much for being here. Mr. Lawrence Ogden.

17 MR. LAWRENCE OGDEN: Thank you.

18 SENATOR ROGER BEDFORD: Mr. Ogden,
19 O-G-D-E-N.

20 MR. LAWRENCE OGDEN: Good afternoon,
21 ladies and gentlemen. Lawrence Ogden is the name
22 and we -- I represent a community of residences
23 called Cove Lake -- Cove Point on Norris Lake. I am
24 a little nervous here.

25 But one of the concerns that we have

1 that I'm not sure our other gentleman is going to
2 cover is the fact that the environmental issues have
3 got stricter with residential properties and they
4 are not allowed to cut more foliage down towards the
5 lake and a few things like that, and I think those
6 are all good, I'm not complaining about that, but I
7 am concerned that if we are concerned about these
8 environmental issues, why don't we keep that lake
9 level up to the vegetation where it doesn't erode
10 the mud banks or at least go up to the riffraff that
11 we were encouraged to put around the lake and
12 several of us put quite a few thousand dollars in
13 that protection, and we haven't reached it in a
14 couple of years.

15 If we're really concerned about the
16 erosion, it seems to me we would be a lot better off
17 to keep the lake pool up for a longer duration, as
18 long as the boat traffic is heavy and washing the
19 banks down. We'd get a lot less erosion if we kept
20 the lake level up to the vegetation level and kept
21 the duration up longer so that the boat traffic
22 won't wash, and that's some of our major concerns
23 from the community. So if you don't have any
24 questions --

25 SENATOR ROGER BEDFORD: Thank you,

1 Mr. Ogden. Are there any questions of this
2 gentleman? Thank you very much for coming and being
3 with us today.

4 We have James Jardine. I believe
5 this is the Jim they have been yielding to.
6 Mr. Jardine, you have the floor.

7 MR. JIM JARDINE: Thank you. I am
8 James Jardine. I live and represent Norris Shores
9 Subdivision. Guess what, that's on Norris Lake.
10 We're about 417 pieces of property there. It is
11 residential, of course. And we have been before
12 this committee at Chattanooga, and also Huntsville,
13 to express our interest and desire for the 60-day
14 delay we talk about.

15 For the moment though we would like
16 to encourage you to think positively about
17 Mr. Comer's proposal to delay things this year ten
18 days. It may be a little difficult to do because we
19 have already lost, I think, two feet in our lake
20 from the high this year. So I don't know if that's
21 an intentional drawdown, but surely, the lake is
22 down from the high point already, and we didn't get
23 to August 1 yet.

24 That's our position, and I think it's
25 well defined, I don't want to beat you over the head

1 with it and don't want to restate the things that
2 have already been stated before, but that's our
3 objective. If you have any questions, I would be
4 delighted to deal with them.

5 SENATOR ROGER BEDFORD: Any questions
6 of this gentleman? If not, thank you very much,
7 Mr. Jardine, for being with us once again.

8 Captain Jack West. Mr. West?

9 MR. JACK WEST: Well, my name is Jack
10 West, and I'm from upper East Tennessee. I'm an
11 outdoor writer and a fishing guide, and that's where
12 the captain comes in, it's just a nickname.

13 I'm here on behalf of the Over
14 Mountain Chapter of Trout, Unlimited, but more than
15 that, I am here on behalf of a man that loves his
16 river. I have lived on the South Holston tail water
17 for over a decade. I have fished it for three
18 decades. I have seen her at her best and at her
19 worst, and last year was her worst.

20 Due to the great deal of public
21 outcry, the TWRA funded a tail water research study
22 headed by Phil Batole (phonetic) from Tennessee Tech
23 covering the tail waters all the way across the
24 state, and they determined that the South Holston
25 tail water was the only tail water in the entire

1 state where prolific spawning occurred. It's a
2 crown jewel. It's very possibly the finest trout
3 stream in the Southeast and at one time in the top
4 100, way at the top.

5 One of the reasons, to give you just
6 a brief history, of a decline was in the upper East
7 Tennessee culture you'd go in and you'd hook the
8 trout off the spawning beds, and the slot limit was
9 seven and two guys would come in their trucks with
10 coolers or cars with their coolers and walk out
11 there with 14 huge trout a day.

12 In the '70s and early '80s trout of
13 this size -- this picture, I'll just hand around,
14 and please give it back to me because it's my only
15 one -- were common.

16 SENATOR ROGER BEDFORD: Captain, are
17 they rainbow trout?

18 MR. JACK WEST: Rainbows and browns.

19 SENATOR ROGER BEDFORD: And browns?

20 MR. JACK WEST: Yeah. Rainbows do
21 not reproduce in the South Holston but just a little
22 bit but the browns do. Five years ago -- now, I
23 have fished that tail water for the last 20 years,
24 probably at least half of them 100 days a year, and
25 I really feel the pulse of this river. I call it my

1 river, and she's hurting.

2 So the TWRA funded a study that
3 really was the driving force behind the regulations
4 that were passed last October in Kingsport,
5 Tennessee. You can no longer take any trout out of
6 the South Holston tail water year-round between 16
7 and 22 inches, that's the most prolific size
8 spawning trout. You can only take one over 22.
9 Three of the major spawning areas are closed to all
10 fishing November, December, January. So they really
11 took -- TWRA really took the bull by the horns, and
12 much of it was resolved in Phil Batole's study.

13 There are four links, we think, in
14 this chain or in this circle that need to be
15 completed. We have our slot limit. We have the
16 spawning areas protected, and darned, if the
17 wildlife enforcement hasn't stepped forward and
18 patrolled our river. We called them rabbit sheriffs
19 for years because all they did was chase the deer
20 and rabbit hunters. We never saw them on the river.
21 By golly, last year they responded and they gave
22 citations.

23 And people were coming to watch these
24 big trout spawn like a tourist attraction instead of
25 getting in there and killing them. I live right

1 beside a spawning area, and it just -- it was
2 wonderful.

3 Because of this slot limit and the
4 rainbows don't reproduce, the stock trout in two
5 seasons will fall into that 16-inch to 22-inch size,
6 and in a couple of years we're going to have a tail
7 water full of trophy trout, 16 to 22 inches, that we
8 haven't had since the '80s.

9 Trout are more susceptible to warm
10 temperatures. We have been -- I know we have had
11 weather problems, and we are not asking for much, we
12 don't need much to keep that water temperature
13 through the whole tail water at 68 degrees. This is
14 not just from a layman, we check temperatures and
15 everything.

16 In fact, your own temperature
17 monitors were placed in the south -- TVA temperature
18 monitors were placed in the South Holston the month
19 of May. On May 13th the temperature just under
20 halfway down at Webb bridge was at 76 degrees. Your
21 own -- Gary Williams, your own TVA biologist, last
22 Saturday told me trout at 74 degrees in four hours
23 begin dying, and Phil Batole concurred with that.

24 On these little sheets I gave you are
25 the four responses from four highly respected

1 biologists that I contacted this week, and it seems
2 like that 70 degree mark is kind of the no enter
3 thing for trout.

4 SENATOR ROGER BEDFORD: Mr. West, is
5 it -- I have read through this while I was sitting
6 here and you were testifying, and it's very
7 interesting to me, is it your position then that TVA
8 should have in your area a factor of keeping enough
9 water flowing and releasing enough through the dam
10 to keep it under 70 degrees?

11 MR. JACK WEST: Yes, sir. And we
12 have studied this. When you pulse twice a day --
13 you say an hour on the machine, but I think that's
14 probably just recorded. Many times you only pulse
15 20 minutes. It takes 20 minutes to go behind the
16 Wear Dam, while all that warm water builds up in
17 that Wear in that 24-hour period and it's just
18 shoved on down the river, and then what's in there
19 just kind of trickles out.

20 Halfway down the river where I live
21 there's no difference, there's no raising of the
22 water, raising -- lowering of the temperature,
23 nothing, there's no impact. And all we feel is if
24 you -- it takes three days at 80 degrees for that
25 water temperature to get into that high 60's, low

1 70's. If you just give us three hours, and try it,
2 three hours of generating, even if you pulse two
3 days in a row, if you just give us three, maybe four
4 hours every third day, it will fill that lower
5 section -- that whole river up.

6 The water temperature on May 13th
7 just in that three-mile section below the dam, which
8 should be the coldest, hit 70 degrees by your own
9 monitors, I mean, that's terrible. And I don't
10 believe it's the fault of TVA. I think it was as
11 big a shock to you guys as it was to us. In fact, I
12 know it was.

13 So all we're -- and we don't feel
14 that four hours -- we don't know, but we don't feel
15 that four hours every third day, along with minimal
16 pulsing, is going to affect the South Holston
17 reservoir at all, minimally.

18 And then there's also the fact that I
19 know -- that last weekend I was here and Wayne -- I
20 said to Wayne Poppe, I said, when you see the
21 reports in Norris that South Holston reservoir is
22 down four or five feet in May, you get worried, and
23 he said, yes, we do. And I said, well, I want to
24 tell you, right now you're selling hydroelectric
25 power and it's over four feet down, where is the

1 concern. So I know you're flexible. You can do it,
2 you know, and we're not asking for anything but that
3 three or four extra hours every third day.

4 And another interesting thing, when
5 you jump in the lake and you go down ten feet the
6 water gets really cold. The water temperature two
7 feet from the shore in water this deep isn't over
8 one hundred degree warmer than six feet down in a
9 hole in the South Holston tail water because that
10 warm -- those warm shallow sections just wash that
11 cold water out. There are no comfort zones for
12 those trout to go to.

13 So if you'd just consider giving us
14 three or four hours for sure at least every third
15 day, we believe that's all that tail water needs.

16 SENATOR ROGER BEDFORD: Any questions
17 of Mr. West?

18 MR. STEPHEN SMITH: I have one.
19 The -- this tail water study, is that something that
20 you can provide to some of us?

21 MR. JACK WEST: Oh, boy, yeah, sure
22 can. It's a wonderful study. I will get -- do you
23 have a card with you?

24 MR. STEPHEN SMITH: Yes.

25 MR. JACK WEST: I'll get Mr. Batole

1 to send one to you.

2 MR. STEPHEN SMITH: That will be very
3 valuable.

4 SENATOR ROGER BEDFORD: Are there any
5 other questions of Mr. West, Mr. Smith?

6 MR. JACK WEST: These are wonderful
7 trout.

8 MR. STEPHEN SMITH: No. I just
9 wanted to make sure that we could get a copy of the
10 study so we can use it in our assessment.

11 SENATOR ROGER BEDFORD: Just for the
12 record now, what's the biggest rainbow and biggest
13 other trout you have caught up there, that you have
14 personally seen?

15 MR. JACK WEST: This 20 pound and
16 eight rainbow in the last ten years.

17 MR. AUSTIN CARROLL: How old is a
18 trout like that?

19 MR. JACK WEST: Frank Fess (phonetic)
20 and Phil Batole tell me -- said this fish is
21 probably around 11 or 12 years old.

22 MR. AUSTIN CARROLL: Have you talked
23 to TVA about the problem there with the too warm
24 water and have they responded?

25 MR. JACK WEST: Wayne said, he said,

1 give me a scenario and let me build a model, but you
2 have got the results of your (inaudible) --

3 MAYOR EDDIE SMITH: Could you speak
4 into the microphone so the court reporter can hear
5 you?

6 SENATOR ROGER BEDFORD: Mr. West,
7 could you please speak into the microphone?

8 MR. JACK WEST: Oh, I'm sorry. Mr.
9 Poppe said last Saturday, says, give us a scenario
10 and let us build a model, but you have got the
11 results of the temperature monitors.

12 On July 4th, to back up my point, you
13 hadn't generated, you had pulsed twice a day before
14 that. At 1:00 on July 4th, a little over halfway
15 down, the temperature in front of Rock Hole Church
16 was 72 degrees. And I got on the phone on July 4th
17 and I called Ed Scott and Charlie Saylor, and I
18 can't remember the other gentleman, but anyway,
19 advised them, because they said, let us know if
20 those temperatures started soaring.

21 So that was Mr. Poppe's position is
22 we'll build, I think he said, a model, give us a
23 scenario and we'll build a model. I was also told
24 by a biologist in TVA that we needed to be at this
25 meeting, that you were the forum to place this

1 before.

2 SENATOR ROGER BEDFORD: Thank you
3 very much. Thank you for working with TVA to
4 monitor and alert them.

5 MR. JACK WEST: Well, you know, at
6 one time we were really afraid to approach TVA
7 because you really had kind of a reputation for --
8 you know, we thought we couldn't work with you, but
9 I'll tell you what, I have really found that working
10 with the biologists and Ed and Charlie, they really,
11 truly seem concerned. You have given me ample time,
12 and I appreciate that.

13 MR. PHIL COMER: They haven't cut
14 your electricity off yet.

15 SENATOR ROGER BEDFORD: Thank you,
16 Mr. West. I'd like to thank the other members for
17 coming, we appreciate it very much. And with that,
18 I think we might conclude our subcommittee five or
19 ten minutes early, Mr. Chairman, and turn it over to
20 you.

21 MAYOR EDDIE SMITH: Wow, that's more
22 than five or ten minutes.

23 SENATOR ROGER BEDFORD: Well, it's
24 Friday afternoon and six hours to Russellville.

25 MAYOR EDDIE SMITH: Does the Council

1 want to keep moving right along or take a quick
2 break?

3 MS. JULIE HARDIN: Yes, keep moving.

4 MAYOR EDDIE SMITH: Let's keep moving
5 so we can get out of here. We'd like to thank all
6 of you who came before the Council, and we're
7 hearing you and we're listening to you and we're
8 looking for ways to try to work with it, but it's a
9 complicated situation and the answers are not
10 simple, but we assure you that we are hearing what
11 you have to say.

12 Thank you very much.

13 MAYOR EDDIE SMITH: Okay. Are the
14 Council members in place? We will pause here
15 anyway.

16 (Brief recess.)

17 MAYOR EDDIE SMITH: Could I have your
18 attention, please? Thank you.

19 We had -- we still have a little time
20 left in the public hearing period and we had two
21 people to come in, so I think we should hear them as
22 long as they get in here before 3:00.

23 SENATOR ROGER BEDFORD: Mr. Chairman,
24 we have one gentleman who has driven a long way to
25 get here. I told him we would be honored to hear

1 his comments, that he had not turned in a card and
2 hadn't gotten here yet when we concluded. So we
3 told him if it was important enough for him to come,
4 we wanted to hear him. And with your indulgence, we
5 have one gentleman who would like to speak briefly,
6 Mr. Paul Boorman.

7 MR. PAUL BOORMAN: I meant to get
8 here at 2:00, but I can't read very well, which
9 isn't a great testimonial to anything.

10 I am a newly elected officer of
11 Cherokee Lake Users' Association, and I have
12 worked -- began to work closely with Phil Comer. I
13 won't even take a minute. I just want to let the
14 regional group know that I strongly support, and my
15 organization, the Cherokee Lake Users' group,
16 strongly supports the initiative that -- and
17 recommendation that Phil gave at the Huntsville,
18 Alabama meeting, I believe it was.

19 So with that, I will conclude. I
20 apologize on not being here between 2:00 and 3:00.
21 Thank you.

22 SENATOR ROGER BEDFORD: Thank you
23 very much. Are there any questions of Mr. Boorman?
24 If not, thank you very much, sir, for being here.
25 We appreciate that. And Mr. Chairman, we yield back

1 to you.

2 MAYOR EDDIE SMITH: Okay. Thank you
3 very much. I hope you-all are back in place at this
4 time and we will move right along. I think the one
5 other item that we had to cover before we can get
6 out and head out for a long weekend is to hear from
7 the subcommittees, and we would ask Jim to
8 facilitate this session. So at this time, Jim, it's
9 in your hands, if you will proceed with the reports.

10 MR. JIM CREIGHTON: Thank you.
11 Actually, there is one other item we need to attach
12 at the end, which is to talk about the location for
13 the September meeting, whether you have input on
14 that, and also, talk about firming up the October
15 meeting, so that -- be thinking of that.

16 One other business item, Phil raised
17 this morning the issue of notification of the public
18 about presentations and the ability to appear, and
19 so on. One thing we can do, and TVA will be happy
20 to do this, is to -- which I have done on other
21 public involvement processes, is to get e-mail
22 addresses and create a group list, and the same
23 press release that goes out to the newspapers can
24 then be broadcast instantly to anybody with an
25 e-mail who is on the list. To make this work what

1 we need from Council members is people you know of
2 that you want to be sure to get on the list. If you
3 will get that list to us, we will get it on.

4 The advantage -- it takes awhile to
5 compile the list, but once the list is compiled, the
6 big advantage is five seconds after they push the
7 button, why, you can have as many people -- you
8 know, you can have 1,000 people and they have all
9 been notified simultaneously, and so on. The
10 problem with the newspapers is you can put out the
11 press release and not guarantee whether it ever
12 appears, and at least with the e-mail you can
13 guarantee they got it.

14 Those folks who don't have access to
15 e-mail, if you can help us work out somebody -- a
16 friend they do have access to or something or
17 another, but it would be a quick and efficient way
18 of getting information out and to ensure kind of
19 direct communication instead of going through the
20 media. So from you what I need is names and e-mail
21 addresses and we will compile a group list. Okay.

22 As I mentioned this morning, what we
23 need in the reports are a quick synopsis of what you
24 talked about today, any conclusions that you drew,
25 where you're going next, but specifically anything

1 you can tell us about when you want time with the
2 full Council to discuss issues and what kind, is it
3 a briefing for the Council, is it a -- bringing a
4 recommendation to the Council, that kind of thing,
5 any resources or expertise you need with your
6 committee to be able to reach its decision, and any
7 public participation opportunities that your
8 committee is scheduling so that we can be sure that
9 they get properly publicized.

10 So shall we -- I don't know that we
11 have an alphabetical order. Arbitrarily, Ann, could
12 you start us out on public lands?

13 MS. ANN COULTER: All right.

14 MR. JIM CREIGHTON: I think Ann has
15 become our quarterly chairperson for the public
16 lands subcommittee.

17 MS. ANN COULTER: As usual, we have a
18 little bit different approach. At the end of the
19 calendar year I can either resign or they can kick
20 me out or we will -- or I will continue, so anyway,
21 that's where we're headed.

22 We spent the bulk of our time talking
23 about how we involve the public and stakeholders and
24 the deliberation of the subcommittee, and we settled
25 on somewhat of a two-level approach, one level

1 being -- would be to ask for four individuals who
2 are broadly representative of four interest areas,
3 economic development, natural resources, and
4 conservation, residential interests, and recreation
5 interests, and those we are calling our continuing
6 members. In other words, they would be asked to
7 join us on an ongoing basis as we go through the
8 process of making our recommendations.

9 And then a secondary level of
10 involvement would be to -- as we move through
11 various topics or subjects or issues that fall
12 within the area of our subcommittee that we also
13 bring in people on an ad hoc basis who have a
14 particular level of expertise or a particular
15 perspective that we need to hear.

16 Ruben and Bridgette are going to be
17 working on getting some names of people to us who we
18 may want to contact for both the ongoing members of
19 the subcommittee, as well as the ad hoc members or
20 what we're referring to as invited resources as we
21 go through.

22 And on these four -- these four areas
23 of economic development or these four interests,
24 economic development, natural resources,
25 residential, and recreation, we're thinking of those

1 additional members to our subcommittee being very
2 broadly representative.

3 In other words, we would seek to
4 approach organizations, such as the American
5 Recreation Coalition who may have a multi-stay or
6 who has a national constituency with regard to
7 recreation. We're thinking that broadly in terms of
8 those ongoing members.

9 It is our intention to work by a
10 consensus in coming up with our recommendations.
11 What we need from the full Council is some kind of
12 overall milestone and timetable for our work in
13 context of the other subcommittees. We struggled
14 with how fast do we have to come up with these
15 recommendations, what's a reasonable timetable, and
16 we really need some guidance from the rest of the
17 Council with regard to how they see the work of the
18 overall subcommittees proceeding, because we would
19 like to have -- ideally, and we think this is an
20 ambitious goal on our part, we would like to have
21 our recommendations ready for the full Council for
22 our subcommittee by the middle of February, but we
23 have no idea how that fits with the full Council's
24 notion of how we all are proceeding with our work
25 and what timetable. So we would like to kind of

1 shoot for that goal and then work backwards from
2 that in terms of how quickly we try to get our work
3 done.

4 One of the things we did talk about
5 is settling on the members -- these ongoing members
6 and a list of potential invited resources by the end
7 of August, which we will do through conference
8 calls, and to have our first, more or less,
9 organizing meeting of our subcommittee with the
10 continuing members at the next full Council session
11 in September, and then the next time we got together
12 we would begin actually dealing with the issue
13 areas.

14 Did any of the other subcommittee
15 members have anything to add to that?

16 MS. JULIE HARDIN: You did a fine
17 job.

18 MS. ANN COULTER: Thank you.

19 MR. JIM CREIGHTON: Is there any
20 meeting of the subcommittee between here and the
21 September meeting?

22 MS. ANN COULTER: We're going to
23 receive the information back from Ruben and
24 Bridgette with regard to recommendations for who to
25 involve at both the ongoing level and the ad hoc

1 level, and if we have any input to them, we're to
2 get that to them. We're to have a conference call
3 on October -- August 23rd, tentatively we have got
4 that scheduled.

5 Roger, I think you were the only one
6 not in the room when we were looking at that date.

7 MS. JULIE HARDIN: It's a Wednesday
8 afternoon.

9 MS. ANN COULTER: And then that would
10 give us time to invite those folks and get them with
11 us during the September meeting.

12 MR. JIM CREIGHTON: And as far as the
13 milestones, because that is very relevant to the
14 agenda setting process, you don't -- you're asking
15 for guidance but your own ambition is to be done by
16 mid February, so that gives some feedback to the
17 Council of what you're thinking is?

18 MS. ANN COULTER: Correct.

19 MR. STEPHEN SMITH: One question that
20 I know has come up in our context, and I guess
21 everybody before us and it would be valuable to
22 weigh in on this, we're looking for how to
23 potentially involve our subcommittee around the
24 meeting in September.

25 And it would be interesting to know

1 whether you guys are planning to have -- it sounds
2 like you're planning to have a full subcommittee
3 meeting in or around the 21st, and I guess we're
4 trying to understand that in the way we interact
5 with our subcommittee members.

6 So have you-all given any thought to
7 whether it would be like the day before, the day of,
8 or anything like that?

9 MS. ANN COULTER: No. We'd want to
10 have it -- or we thought it would be most convenient
11 if we had it in the context -- somewhere within the
12 context of the next time we all get together.

13 MR. STEPHEN SMITH: Yeah, that's kind
14 of what we're trying to figure out.

15 MAYOR EDDIE SMITH: I think that the
16 intent in the scheduling is that we would try to
17 schedule time for the subcommittees on the -- on
18 each regular Council meeting day, that's our intent,
19 and we will try our best to do that.

20 MR. JIM CREIGHTON: But the
21 implication, Stephen, of what you're talking about
22 is if you decide each -- each committee wants to
23 have, in effect, its own little mini-public meeting,
24 that may have time impacts and we may need to be
25 thinking of a second day or something like that.

1 MR. STEPHEN SMITH: Well, that, and
2 the other thing is, if the full Council, say, takes
3 half of the day on the 21st, or whenever it is in
4 September, I think that, Jimmy, we were kind of
5 thinking that we may need a whole day to meet with
6 our subcommittee if we're going to -- and so does
7 that mean we meet the day before? Then is there any
8 educational activities for the Council just in that
9 proximity? So, I mean, we can talk about that after
10 everybody reports, but that's just one of the things
11 we're grappling with.

12 MR. PHIL COMER: One of the things
13 that fits into that, Stephen, is that the helicopter
14 tour that most of us took yesterday showed the lake
15 levels at normal summer pool. It certainly does not
16 demonstrate what the lakes look like on the 20th of
17 September.

18 And tentatively, it is my
19 understanding that a second tour to show what the
20 lake levels look like on the 20th would be scheduled
21 as a second look so you'll know what the lakes look
22 like the other ten months out of the year when it's
23 not at summer pool. So that has to be factored into
24 the subcommittee meetings on the day before.

25 MR. JIM CREIGHTON: Well, let me take

1 a cue from what Steve said and let's rediscuss all
2 of this after we have heard from each of the
3 subcommittees and have a sense of what they're
4 planning.

5 Paul, did you have a comment before
6 we moved on?

7 MR. PAUL TEAGUE: We elected to come
8 back to the full Council after we have completed our
9 investigation, if you will. Ours is so integrated,
10 if we came back with shoreline management, that
11 would include other things, that we thought it only
12 appropriate that we present the full schedule when
13 we do present back.

14 And, yes, we are planning on having
15 our meeting just the day before or the night before
16 or the morning of or something to bring you people
17 up to grade and may even get into some of the gravy
18 of our discussions.

19 MR. JIM CREIGHTON: Okay. So two
20 implications in scheduling, we need to accommodate
21 quite a bit of committee time either before or after
22 or somehow, and the second thing is, I gather you're
23 saying you're not going to bring piece --
24 recommendations piece-by-piece, you want to bring
25 your entire package all at once somewhere early next

1 year.

2 MR. PAUL TEAGUE: That's our
3 intentions is to bring it all at once, because our
4 system is to integrated, when you talk about one it
5 really integrates with all the other, and I think it
6 would be inappropriate to discuss one and then come
7 back next month and say, hey, something else
8 interfered with this and we have changed our mind.
9 So I think it would be more confusing if we did it
10 segmental.

11 And I think that's our feelings, that
12 it would be more appropriate to present the whole
13 package at one time, doing it early enough, and the
14 reason we selected six months from now is that that
15 would basically give us another year.

16 If all the subcommittees could be
17 through about that time, I think -- I don't think
18 any of us wants to have meetings more than once a
19 month and maybe every other month, because I think
20 there's going to be a lot of discussion before the
21 total committee and it would give us adequate time
22 to thrash it out here in the full committee.

23 MR. JIM CREIGHTON: Okay. So, in
24 effect, you're proposing this as a model for others
25 to use as well, get it on the table early so that we

1 have plenty of discussion time?

2 MR. PAUL TEAGUE: Recommendation.

3 MR. JIM CREIGHTON: Okay. Anybody
4 else in that committee need to add anything? Okay.

5 MR. PHIL COMER: Is that the water
6 committee's report or is this still the public
7 lands?

8 MS. JULIE HARDIN: This is still
9 public lands.

10 MR. JIM CREIGHTON: Okay. Just
11 arbitrarily, again, because of the order I'm seeing
12 them there, water quality.

13 MR. JIMMY BARNETT: Why can't I just
14 sit here?

15 MR. JIM CREIGHTON: As long as you're
16 near a mic.

17 MR. JIMMY BARNETT: I don't know why
18 I was standing up. The water quality subcommittee
19 has talked by telephone and we also met this morning
20 and over lunch, and one of the comments that we're
21 looking at is making all of our members at the
22 subcommittee level come to a consensus like we have
23 talked about here in the Council.

24 We're in the process of getting our
25 potential subcommittee members. We're looking at a

1 very broad based group. We're looking at some folks
2 from state and federal agencies, some various
3 organizations, like the Tennessee Clean Water
4 Network and Alabama Rivers Alliance. We're looking
5 at some citizens who have some particular expertise,
6 those particular members would bring to us this
7 expertise that we don't have, some industry
8 representatives. And we thought getting a broad
9 based, not necessarily geographic, but as geographic
10 as we could within the context of the expertise that
11 we had, would lend great credibility to anything
12 that we would come up with.

13 So we have asked Kate, if she would,
14 to send some invitations to some of these people.
15 And some of the organizations, like ADOWN
16 (phonetic), for an example, in Alabama, I'm sure
17 they will go to ADOWN (phonetic) and ask for someone
18 that we may suggest a name or two and they will
19 send, I'm sure, whomever they would like to see
20 represent that particular organization.

21 We are -- have a preliminary list of
22 topics that we will not define nor complete until we
23 meet with the subcommittee. We felt like if we can
24 get the invitations out and replies back that we're
25 going to have a meeting somewhere probably in North

1 Alabama, if we can work it out, since I am the
2 chairman -- no, actually, I have got a reason for
3 doing that I won't go into, but on the 30th and 31st
4 of August, and that way we can meet with our
5 subcommittee, we can define the topics, we can take
6 advantage of their expertise.

7 Then we will assign some chores to
8 do, if you will, for each one of us, and probably
9 have some telephone conversations back and forth.
10 But we too, as Steve said, would like to see what
11 the structure of the next meeting in September would
12 be like so that we can probably have a subcommittee
13 meeting during that time frame, so we're interested
14 in that.

15 Our first meeting, like I said, would
16 be the 30th and 31st of August, the second meeting
17 perhaps in September with the -- in conjunction with
18 the whole Council, not at that Council meeting, but
19 in conjunction with the time frame.

20 The third meeting we're tentatively
21 looking at sometime is in November with telephone
22 calls and whatever in between. We feel like we can
23 do a lot of it out of the council -- out of the
24 meeting hall, if you will, and let each one do their
25 particular thing, and we'll send it to John here at

1 TVA and let him resend it to everyone and we can
2 make comments back that way and you get a lot done
3 that way and we feel that is an inexpensive but
4 still -- inexpensive, by the way, not just in money
5 but in time of everybody who is very busy, that way
6 we can come up with the questions we need to address
7 in a full subcommittee meeting.

8 Of course, there's telephone, e-mail,
9 whatever, but the next meeting after that would
10 probably be in January, and that's a very tentative
11 schedule, but this is our particular track.

12 I don't think -- Ann, we can --
13 where's Ann -- that we can do anything by February,
14 any positive results. We may be able to do some. I
15 think the six-month timeframe that Paul was talking
16 about is probably -- not having talked to the
17 subcommittee about this, probably a reasonable time
18 frame.

19 Does anyone else -- Elaine, Stephen,
20 do you have anything else to add?

21 MR. STEPHEN SMITH: I think that we
22 were going to at the August meeting see if we could
23 sketch out a presentation format for the full
24 Council, an initial briefing, sort of in the spirit
25 of what we had agreed to before about having

1 different sets of information that are highly
2 relevant presented to the full Council, I think we
3 were -- we were going to go through a great deal of
4 material in August and see if we couldn't help
5 design a framework for a September briefing on water
6 quality for the full Council.

7 MR. JIMMY BARNETT: Now, that was one
8 thing that we were going to ask that, Mr. Chairman,
9 you might want to consider putting on the agenda, if
10 we can come up with an appropriate topic that we
11 feel the entire Council would benefit by hearing.

12 MR. JIM CREIGHTON: And this would be
13 a briefing that you folks would organize and prepare
14 and present to the group?

15 MR. STEPHEN SMITH: I guess we would
16 work in conjunction with our TVA representative. I
17 mean, some of the material would probably be
18 presented by the TVA folks, but I think it would be
19 a combination.

20 MAYOR EDDIE SMITH: Is there any
21 particular rush to do it in September or October? I
22 mean, is there any particular reason why we need to
23 do it that quickly?

24 MR. STEPHEN SMITH: Well, I think the
25 thinking was, as I remember, we had discussed before

1 that we wanted to go through each of the topics, and
2 I strongly believe that we ought to go through each
3 of the sort of broad topics that are facing the
4 integrated approach before we circle around and
5 start rehitting topics that have already been
6 discussed.

7 So I think we were thinking that we
8 would like to go ahead and get it up and do the more
9 general briefings for the full Council so they have
10 the benefit of understanding that component of the
11 integration, and then it sounds like that there will
12 be a time shortly following that that some of the
13 subcommittees may want to bring -- circle around and
14 revisit some things from a different angle.

15 And it's just my suggestion that we
16 go ahead and stay on course with what we had agreed
17 to do, which is go over the more broad brush general
18 things before we circle back around and start
19 revisiting things we have already heard something
20 about.

21 MR. JIM CREIGHTON: Okay. Well,
22 let's -- we'll put it on the plate and kind of hear
23 from every committee, and then we will have to do
24 some sorting out afterwards.

25 Anyway, your druthers is we kind of

1 put a place card for some time in the September
2 meeting for a briefing?

3 MR. STEPHEN SMITH: Right.

4 MR. JIM CREIGHTON: And I heard a
5 little bit of you're not sure you'd be ready for it
6 but at least we'll put a place holder in?

7 MR. JIMMY BARNETT: Correct.

8 MR. JIM CREIGHTON: Anything else for
9 that committee?

10 Okay. Navigation?

11 MS. ELAINE PATTERSON: Our
12 infrastructure and navigation committee met
13 yesterday, so I couldn't follow up on all the issues
14 you asked for this morning, but I will give you -- I
15 think we're pretty much on track.

16 First of all, we reviewed our
17 representation on the committee and felt that we had
18 balance both geographically and from the interest
19 side, so we're comfortable with our subcommittee.
20 We decided to adopt a consensus model in which all
21 the subcommittee members would be equal and they
22 would all have equal weight in developing a
23 consensus on what comes out of the subcommittee to
24 the full Council.

25 We received an overview -- TVA staff

1 provided us an overview of the navigation and
2 infrastructure issues. We decided as a subcommittee
3 that we would focus our efforts on -- our
4 subcommittee efforts on maintaining the navigation
5 and infrastructure components of the system in
6 support of the integrated river system.

7 Our next steps, we are going to meet
8 next via conference call. We're going to determine
9 at that time what additional briefings and resources
10 that we need, and we'll be prepared at the next
11 meeting to come back with you with those needs and
12 with an update.

13 MR. JIM CREIGHTON: Okay.

14 MS. ELAINE PATTERSON: I guess I
15 should add that we just felt that compared to some
16 of the other issues that we're struggling with here,
17 we felt that our -- this is a pretty focused
18 activity and that we will be able to move forward.

19 MR. JIM CREIGHTON: Integrated river
20 management, does -- oh, let me -- anybody on that
21 committee want to add anything there? Okay.

22 Just for me to review, you're meeting
23 in -- you're meeting by phone in August, and in
24 September you'll be prepared to report, but you're
25 not asking for any specific briefing or anything on

1 the agenda?

2 MS. ELAINE PATTERSON: Correct.

3 MR. JIM CREIGHTON: Roger?

4 SENATOR ROGER BEDFORD: Thank you
5 very much, Jim. We spent a good deal of our time
6 trying to decide structurally how we wanted to begin
7 the process of dealing with the big issue of
8 integrated river management subcommittee, and we
9 were very fortunate to have three distinguished
10 gentlemen joining us on that committee. Most of you
11 have met Jack and Tom, and they provide a great deal
12 of expertise to our areas. So we felt like with the
13 addition of these three gentlemen that the committee
14 itself had adequate balance and representation and
15 structure of the various concerns dealing with this
16 issue.

17 We could not reach a consensus on
18 membership participation, so we voted, and we made
19 the decision that just members of the Council will
20 have votes on the subcommittee itself, but the other
21 three gentlemen who have been kind enough to lend
22 their expertise will be full partners with us in the
23 discussions and movements of the committee itself in
24 helping us build a consensus.

25 We decided that we would seek

1 additional speakers to advise us and counsel us on
2 the different issues and the subject matter, but we
3 have not made a decision yet on what we need from
4 the full Council or from TVA yet for the type of
5 speakers.

6 We did make a decision that might be
7 something for the other subcommittees to think
8 about, and that was that while we understand that
9 all members of the Council can move in and out of
10 different subcommittee hearings seeking advice and
11 counsel, that we thought that since we were about to
12 begin the journey of gathering the information we
13 needed to build the consensus to present back to the
14 Council itself, who has the ultimate decision-making
15 authority, as we all know, that we were going to
16 formalize the membership on the committee itself of
17 members from the committee.

18 So I guess this is what we call in
19 the Baptist church an alter call, if any of you feel
20 strongly that you, as a member of this Council, want
21 to get on the subcommittee, we need to know it today
22 because we're going to try to establish the working
23 order and working relationship of it and move
24 forward.

25 The other thing was this, that we

1 felt like structurally in our meeting that it would
2 always be good to have a time for public input. So
3 we need to decide as a committee how we're going to
4 work that around the other subcommittees' needs and
5 the Council as a whole, because we didn't feel like
6 the public should ever feel like they couldn't have
7 a voice on the integrated river subcommittee.

8 We also thought that rather than
9 dealing with it issue-by-issue that we might --
10 since the issues were all integrated, that we might
11 deal with blocks of the river beginning at either
12 the beginning or the end of the river and walk
13 through it in logical blocks of -- that being
14 geographical segments of the river to look at all
15 the options of that, with the understanding that we
16 would come back and put everything on the table as
17 we begin to build the consensus for our educational
18 purposes.

19 We did not do a timeline for when our
20 report should be done yet, but we did agree to try
21 to have a subcommittee meeting either in August or
22 September before the regular committee and we're
23 trying to schedule the time for that.

24 We have, Mr. Chairman, decided that
25 Nashville would be where we would like to do the

1 subcommittee, if that's all right with TVA to do it
2 there, and we have got a strong task ahead of us,
3 but we're ready to undertake it.

4 One of the things that we brought up
5 that wasn't originally in our charter that we dealt
6 with and I thought was a very valid point was, Phil
7 had brought up about the methodology of how TVA does
8 its study and the accounting practices that they
9 used, and Austin had mentioned about this as well.

10 So one of the things that we may go
11 into that wasn't originally in our design charter
12 but I think is logically connected to it is the way
13 TVA goes about its own studies to justify its own
14 courses of action and conduct. And if any of the
15 other members, Miles or Austin, has anything else
16 they would like to add.

17 MR. JIM CREIGHTON: A couple of
18 things just to make sure I understand. The
19 Nashville location is for the subcommittee?

20 SENATOR ROGER BEDFORD: Right.

21 MR. JIM CREIGHTON: Or is that a
22 recommendation --

23 SENATOR ROGER BEDFORD: Subcommittee.

24 MR. JIM CREIGHTON: So if you were
25 doing it in -- is this August framework you're

1 talking about?

2 SENATOR ROGER BEDFORD: It was our
3 goal to have a subcommittee meeting before the next
4 regularly scheduled committee meeting in -- I
5 believe it's September.

6 MR. PHIL COMER: We're shooting for
7 August, a date in August in Nashville separate from
8 the other one.

9 MR. JIM CREIGHTON: This is a
10 standalone meeting separate from the day before or
11 whatever else we might do in September?

12 SENATOR ROGER BEDFORD: Right.

13 MR. JIM CREIGHTON: Then the other
14 thing I gather you're saying your committee decided
15 to -- that the non-Council members are not voting
16 members because the other groups, I gather, have
17 decided to go on a consensus basis?

18 SENATOR ROGER BEDFORD: That's
19 correct.

20 MR. AUSTIN CARROLL: What we were
21 talking about is in conjunction with those rules on
22 the way TVA puts together its plans and whatever, we
23 were talking about kicking around the possibility of
24 maybe recommending another lake improvement plan,
25 but what we -- we understood that operates under the

1 federal -- what is it, the NEPA process or
2 something, and we wanted to understand more about
3 that process before -- you know, in that
4 consideration, I guess, so that would be our next
5 first step.

6 SENATOR ROGER BEDFORD: Okay.

7 MR. JIM CREIGHTON: That's a topic
8 that you need to cover in the subcommittee meeting?

9 DR. KATE JACKSON: Is that in
10 addition to economic evaluation methodologies?

11 MR. AUSTIN CARROLL: No.

12 DR. KATE JACKSON: No. So the focus
13 is the NEPA process?

14 MR. AUSTIN CARROLL: Well, we want to
15 see what the NEPA process is, and we need a little
16 bit more education on that and thinking about, you
17 know, another lake improvement plan.

18 DR. KATE JACKSON: Okay.

19 SENATOR ROGER BEDFORD: Jim, one of
20 the things, I meant to cover it a minute ago, we
21 touched on it briefly, we had thought roughly in
22 terms of having a meeting structure each time with
23 the subcommittee where part of it is an educational
24 thing for the subcommittee members themselves and
25 part of it is time for the subcommittee itself to

1 interact among our members on consensus building,
2 and then the other would be the public comment
3 period, to which I've already spoke.

4 MR. JIM CREIGHTON: Okay. But if I
5 understand, the NEPA process is something you would
6 be doing in your August meeting?

7 SENATOR ROGER BEDFORD: I believe
8 that was the consensus, wasn't it?

9 MR. AUSTIN CARROLL: We asked to be
10 sent some information on that prior to the meeting
11 and then discuss it at the meeting.

12 SENATOR ROGER BEDFORD: I don't think
13 that we have decided that that's the only thing
14 we're going to look at, but we have decided that's
15 one thing we're going to look at.

16 MR. JIM CREIGHTON: Then the other
17 thing that's on the agenda that the Chairman has
18 already said you would like to see in the September
19 meeting are the recreation, economics, consultants,
20 and also the GAO consultants who prepared that GAO
21 report.

22 MR. PHIL COMER: But that has nothing
23 to do with the subcommittee at all. This is for the
24 full Council.

25 MR. JIM CREIGHTON: A briefing for

1 the full Council?

2 MR. PHIL COMER: Yes, separate from
3 the subcommittee.

4 MR. JIM CREIGHTON: It influences --
5 what I am trying to figure out is how to make sure
6 this all meshes though. I wanted everybody to know
7 that that's kind of up on the table.

8 Jimmy?

9 MR. JIMMY BARNETT: Jim, I have a
10 question of Roger, if you will, on the subcommittee.
11 I understood you to say that as a subcommittee, as
12 far as voting members, you were to going close it
13 out and only if somebody wanted to volunteer for it,
14 one of our thoughts is that, you know, if it's
15 permissible, and I think it would be, I mean, I
16 perceive that it would be, I don't think you-all are
17 telling us that we can't come and observe.

18 SENATOR ROGER BEDFORD: No, we want
19 you, that's the whole thing. I want to be able to
20 go to any subcommittee, you want to go to any
21 subcommittee, we all understand that. What we were
22 talking about is, we're starting to begin the
23 educational process for ourselves on the journey to
24 try to find a consensus, and we felt like since this
25 was such a complicated and integrated issue, that in

1 all fairness to that consensus building, if you want
2 to take the journey you need to come in in the first
3 quarter and go to the end and not come in the fourth
4 quarter of the game when you might not have had an
5 opportunity to see the information from the first
6 three-quarters as far as if we actually came down to
7 voting and things like that. It's our hope that we
8 will do it through a consensus.

9 MR. JIMMY BARNETT: Okay. Because we
10 had talked about maybe since it's -- since our topic
11 is so interrelated with the whole integrated thing
12 that we might want to maybe all at one time or at
13 staggered times and different ones of us perhaps or
14 maybe even perhaps one of us would volunteer to be a
15 liaison just to see what you-all are doing so we
16 don't get way off base with what you-all are doing.

17 SENATOR ROGER BEDFORD: I think
18 that's a great idea, and that's fine. We're not
19 trying to exclude anyone from coming in and
20 participating, because we all need to be as up to
21 speed as we can on all the topics.

22 MR. BILL FORSYTH: I would like to
23 clarify, Jim, we decided that we would work toward a
24 consensus, and we think we can, but if we can't if
25 and if we have to vote, then it will just be the

1 Council members that vote.

2 MR. JIM CREIGHTON: Comments from any
3 other Council members or any of the subcommittee
4 members?

5 MS. JULIE HARDIN: We have it here on
6 paper that Stephen Smith is the liaison to your
7 integrated river management committee, is that a
8 mistake?

9 MR. STEPHEN SMITH: We had talked
10 about that. I mean, I think we want to talk about
11 that within our subcommittee. That was within the
12 earlier model.

13 SENATOR ROGER BEDFORD: I think we
14 will definitely have to work together.

15 MR. JIMMY BARNETT: If anybody is
16 totally available to come to our committee, you're
17 totally welcome.

18 MR. JIM CREIGHTON: I understand
19 Roger's just saying, we would love it if you're
20 going to participate at some point if you'd come get
21 educated now, don't step into the middle of the
22 process.

23 SENATOR ROGER BEDFORD: I wasn't
24 being that hard on them.

25 MR. JIM CREIGHTON: Was that too

1 blunt?

2 SENATOR ROGER BEDFORD: I said I was
3 not being that hard on them.

4 MR. JIM CREIGHTON: Okay. That's my
5 version of what you said. Okay. Anything else from
6 the integrated water management?

7 Okay. Austin, on the legislative
8 group, I was not quite clear whether that was a
9 working group or a subcommittee, but anything you
10 need to report on that?

11 MR. AUSTIN CARROLL: Well, I guess
12 what we're talking about is primarily national
13 legislation affecting TVA or, you know, some facet
14 of what TVA does.

15 And, of course, Congress is about to
16 recess for the month of August. They will come back
17 and do a few housekeeping things and do some more
18 rhetoric prior to the election, but I think they are
19 going to be tied up with considering what's
20 happening in November, so we -- I don't see anything
21 much more going on this session. If something does
22 pop up, then we will reconvene and certainly keep
23 the Council apprised of it, but that looks like the
24 picture right now.

25 MR. JIM CREIGHTON: So you're sort of

1 quiet until Congress gets reconvened with a new
2 membership and all of that?

3 MR. STEPHEN SMITH: I want to say
4 something, and, Austin, you and I haven't had a
5 chance to talk about this, but -- and I see we still
6 have a representative from Charles Taylor's office,
7 but I know there was a provision that was -- or a
8 bill that's being drafted or may actually be
9 formally introduced now where Congressman Taylor and
10 some co-sponsors have sort of singled TVA out on air
11 quality and adopted some provisions of a particular
12 bill, while we haven't talked about this in the
13 legislative, I know that our organization has made
14 some statements and are concerned about that.

15 I want to be very clear on that, we
16 are clearly working for TVA to clean up some of the
17 air problems associated with the mountains and
18 issues, but that we felt that Congressman Taylor's
19 approach was sort of unilaterally and too focused
20 just on TVA and that we were encouraging him to take
21 a broader based approach to the utility industry
22 generally.

23 And I don't know whether we want to
24 think about discussing that in the context of the
25 legislative working group, but it was sort of a

1 resource issue, because I think there was even some
2 lake level stuff tied into that, which kind of was
3 an interesting combination, so -- but like you say,
4 I don't think it's going anywhere in this session,
5 but it may be something that we want to visit
6 because it sort of singled TVA out, which is --
7 was -- you know, we didn't agree with.

8 MR. JIM CREIGHTON: Can the two of
9 you just talk and alert the whole Council if we need
10 to be alerted?

11 MR. AUSTIN CARROLL: Sure, that's
12 swell.

13 MS. MARTHA PETERSON: I would say
14 that our staff would be happy to meet with you-all.

15 MR. STEPHEN SMITH: That would be
16 good because we would be eager to do that.

17 MR. JIM CREIGHTON: Okay. The person
18 back here on the side, would you be sure that the
19 court reporter knows who you are before you leave so
20 that we can get that in because it's -- that's the
21 reason for all the microphones, we're all wired here
22 so it can go into the court reporter.

23 Okay. I think we have heard from all
24 of the committees. Having heard all of that, and
25 the input sounds like August many of you are working

1 but there's no general meeting. We do have a
2 Council meeting on the 21st of September, and it
3 sounds like there's a lot on the plate and that
4 we're going to need to do some massaging to try to
5 figure it out, because it sounds like many of you
6 would like to have fairly extended subcommittee
7 meetings either before or during or part of the plan
8 anyway, and so on. The other stuff that we have on
9 the agenda, Phil is recommending the helicopter trip
10 so you can see the -- his brown ring.

11 MR. STEPHEN SMITH: Can I ask a
12 question to Phil? I'm just curious, on the
13 helicopter trip, my understanding is that the ring
14 actually gets progressively worse. So is September
15 the best time to do that or would it be better to do
16 it in October?

17 MR. PHIL COMER: September is the
18 best time to do it for two reasons. The rain does
19 not get progressively worse, Stephen. October
20 happens to be the least rainy month of the year.
21 The rains don't really start until December,
22 January, February, March, so that's neither here nor
23 there.

24 MR. STEPHEN SMITH: No, no, what I
25 meant was the ring, I didn't say rain, ring. My

1 understanding is that the drawdown goes down
2 further, so would it be better for us to see it when
3 the drawdown is lower?

4 MR. PHIL COMER: No. You're missing
5 a very important point. Those of us who are
6 concerned about wanting a delayed drawdown are not
7 asking that the lakes stay up year-round. We
8 understand flood control is a real, real factor.

9 There's no point in you seeing it in
10 December when it's at its lowest level, that will
11 probably always be. We want you to see it in the
12 month of September at a point in time when we
13 contend that it shouldn't be down the way you will
14 see it.

15 Do you understand?

16 We want you to see it at a time of
17 the year, which is still fall, by the way, which is
18 still summer. Fall doesn't begin until around the
19 23rd of September. So, you know, when we read
20 articles about August 2nd fall drawdown occurring,
21 no, that's late summer. So we want you to see it,
22 you know, when it is in an intermediate downtime,
23 and you will be shocked at its level when we contend
24 it should still be up and usable.

25 MR. STEPHEN SMITH: I understand

1 that.

2 MR. JIM CREIGHTON: So the best time
3 is August and September, so that's the time --

4 MR. STEPHEN SMITH: That clarifies
5 it.

6 SENATOR ROGER BEDFORD: Could you get
7 Captain West to throw in a fishing trip?

8 MS. JULIE HARDIN: Captain Jack,
9 yeah.

10 MR. STEPHEN SMITH: Hey, I'm always
11 eager to go back up in the helicopters, I mean, if
12 that's what we're talking about.

13 DR. KATE JACKSON: Okay. One other
14 thing that you may want to think about for the
15 September timeframe is there have been suggestions,
16 and Miles may want to speak to this, about the weeds
17 and the weed cover.

18 It's difficult to see weeds if you
19 meet in Knoxville. If you meet in Chattanooga in
20 September, I recognize the issues that Mr. Comer
21 has, you would be able to see weeds and you would be
22 able to see Chick Lock. You can see Chick Lock at
23 anytime, but you may want to discuss among
24 yourselves, do you want to wait until next summer to
25 see weeds.

1 MS. MILES MENNELL: May I speak to
2 that?

3 MR. JIM CREIGHTON: Please.

4 MS. MILES MENNELL: I do think that
5 the weed problem is so dramatic that, in fact, I
6 would urge and vote for the entire Council to see
7 the weeds in their full glory as early on as
8 possible so we can begin to address that with the
9 full understanding of the enormity of the problem.
10 So I would vote we would see the weeds.

11 SENATOR ROGER BEDFORD: Just to
12 follow up on what Miles said about the weeds, we
13 talked about this in the subcommittee, but those of
14 you who -- from my own personal observation, I was
15 really shocked when I came up yesterday and came up
16 through Scottsboro, up that way, when I passed a
17 portion of the lake up there that my son and I had
18 fished in a charity bass tournament five years
19 before, and you would have had to have gotten
20 through about 100 yards of waterlilies just to have
21 gotten to the spot where we had been fishing, and it
22 was a couple more hundred yards to the shore to
23 where effectively a four or 500 yard strip out from
24 the shore is unusable -- totally unusable because of
25 the weeds there, the aquatic growth.

1 So I am not interfering with looking
2 at the lakes, but I do think -- it really shocked me
3 when I saw that, and I think it would be very
4 informative for the members to see the weed problems
5 that exist while, as Miles said, they are in their
6 full glory.

7 MR. PHIL COMER: I do not in any way
8 disagree with the weed problem. I have seen the
9 weed problem, you know, up and down the lake, et
10 cetera, but let's don't -- let's don't get diverted
11 from what I thought was already an agreed upon
12 second helicopter voyage to see the lake levels in
13 September.

14 And in the original questionnaires
15 that were sent out on several occasions, I still
16 recall that lake levels kept coming in No. 1. I
17 don't remember that weeds ever really made that
18 first cut, Jim. Am I mistaken?

19 MR. STEPHEN SMITH: Can I respond? I
20 am interested in thinking that, is there a way that
21 we could do both in the sense that can we go and see
22 weeds and then pick up some of the Georgia lakes
23 in -- I mean, there are lakes that are drawn down in
24 that proximity that you could potentially see the
25 same sort of -- I think you would get the same

1 issues that Mr. Comer --

2 MR. PHIL COMER: I do not agree with
3 that. Fontana, yes, but the six East Tennessee
4 tributary lakes I think need to be seen, I really
5 do.

6 SENATOR ROGER BEDFORD: How much gas
7 do they put in those helicopters?

8 MR. PHIL COMER: Enough for two and a
9 half hours, that's 250 miles.

10 MR. JIM CREIGHTON: Hang on for a
11 second. I need kind of a factual thing. If we're
12 going to see weeds, that's an if, what -- when does
13 it have to occur and where does it have to occur?

14 DR. KATE JACKSON: When do the weeds
15 die out? I'm asking Janet back there, unless
16 someone who lives there wants to respond.

17 MS. JANET HERRIN: Probably
18 September, maybe October at the very latest. I
19 think by the time we'd get to November we would have
20 some -- we would run the risk of having some
21 problems of seeing the extent of the weed situation.

22 DR. KATE JACKSON: One other
23 alternative is to do something in between now and
24 then in small groups on several different days
25 whenever people are available, I mean, we can try to

1 accommodate that.

2 MR. JIM CREIGHTON: Let me also,
3 because I am not clear, where would we go to see the
4 weeds? Is Chattanooga the obvious?

5 DR. KATE JACKSON: Chickamauga,
6 Nickajack, Gunterville are the three best
7 opportunities. Gunterville, Nickajack,
8 Chickamauga, what did I say?

9 MR. BILL FORSYTH: Could we meet in
10 mid October in Chattanooga and look at the weeds?

11 MAYOR EDDIE SMITH: Early October, if
12 necessary.

13 MR. BILL FORSYTH: Yeah, early
14 October, if necessary.

15 MR. JIM CREIGHTON: So a proposal to
16 be able to do both somehow and that would imply --

17 MR. PHIL COMER: But at two separate
18 meetings, not at the same meeting.

19 MR. JIM CREIGHTON: Yeah. That would
20 imply there would have to be a meeting early enough
21 in October that we would still have weeds.

22 DR. KATE JACKSON: We're getting some
23 feedback that that's a little late for weeds. Do
24 you want to elaborate?

25 MR. JIM CREIGHTON: What we have on

1 the table, first of all, for our September meeting
2 that's already scheduled, the two names I have been
3 handed in terms that have been nominated are Fontana
4 Village in North Carolina and Brasstown, Georgia.
5 As I understand it, Fontana is about an hour's drive
6 from an airport?

7 MR. PHIL COMER: From the Knoxville
8 airport.

9 MR. JIM CREIGHTON: And Brasstown
10 is --

11 DR. KATE JACKSON: Brasstown Valley.

12 MR. JIM CREIGHTON: And it's about
13 how far from an airport?

14 MR. W. C. NELSON: Hour and a half,
15 two hours from Chattanooga, hour and 45 minutes.

16 MR. JIM CREIGHTON: So the -- the
17 other nomination would be to do September in
18 Chattanooga or to do --

19 MR. PHIL COMER: No, he said October.

20 MR. JIM CREIGHTON: I understand,
21 Phil. An option still is you could decide not to
22 see the ring and do it in Chattanooga or you could
23 have -- do it in one of these others in September
24 and still do something in October for the weeds,
25 except John is saying the weeds won't be at their

1 max then.

2 MR. STEPHEN SMITH: And I guess,
3 Phil, very briefly, I guess you could explain to me
4 why the tributary lakes in Northern Alabama and
5 Georgia would not give us the same sense of --

6 MR. PHIL COMER: There are no
7 tributary lakes in Northern Alabama.

8 MR. STEPHEN SMITH: I meant western
9 North Carolina and Georgia.

10 MR. PHIL COMER: There are three
11 tributary lakes, I believe, if Mr. Nelson would
12 identify, in North Georgia. Frankly speaking, they
13 are very, very small compared to Norris, Cherokee,
14 and Douglas. Fontana speaks for itself, it must be
15 seen, it is the most dramatic of them all.

16 And I think it's only fair to see at
17 least one of the East Tennessee -- since six of the
18 13 are in East Tennessee, I think it's only fair to
19 see at least either Norris or Cherokee or Douglas,
20 it matters not to me, you don't have to see all
21 three, and Fontana, and hopefully one in North
22 Georgia.

23 W. C., would you say Nottely or which
24 one of the three?

25 MR. W. C. NELSON: Either of the

1 three. If you're at 6,000 feet, you can see all
2 three from the air, they are that close.

3 MR. PHIL COMER: Order of magnitude
4 size-wise, they are just very different size lakes.

5 MR. BILL FORSYTH: Phil, I'm not
6 arguing with you, but the rings will be much wider
7 on those lakes than they will the Tennessee lakes
8 because they are shallower.

9 MR. PHIL COMER: That is correct,
10 that's even another more important reason.

11 MR. STEPHEN SMITH: You're saying
12 that the rings would be more broader on which lakes?

13 MR. PHIL COMER: The Tennessee lakes,
14 but they are not as big.

15 MR. BILL FORSYTH: But you will see a
16 big, wide ring.

17 MR. STEPHEN SMITH: That's what I'm
18 saying, because I am just wondering because it seems
19 like to me there's the possibility to basically do
20 both weeds and see lakes by having a meeting in
21 Chattanooga, because I think that the helicopter
22 distance from Chattanooga over to the North Georgia
23 things would be a fairly strikeable distance.

24 MS. JULIE HARDIN: In September?

25 MR. STEPHEN SMITH: In September.

1 That way we would basically get to see some
2 additional things that we haven't already seen, and
3 I think we would get the impact. I mean, I would
4 imagine that you would -- what I am hearing from
5 Phil and W. C. is that their lakes are dramatically
6 impacted at this point too, and we would see the
7 thrust of what's being said, but then we would
8 actually in the context of one session be able to do
9 a couple of very important things.

10 SENATOR ROGER BEDFORD: Mr. Chairman,
11 I wasn't trying to divert seeing the lakes. I want
12 to see them. I haven't seen those lakes. I want to
13 see them firsthand, but I'll tell you, folks, I
14 can't imagine what these weeds look like from up in
15 a helicopter, I would like to see that, but it was
16 shocking to me to look out across about a quarter of
17 a lake that you couldn't put a boat in, it looked
18 like you could just about walk on it the weeds were
19 so thick, and that is quite a visual impact when you
20 see that. So I was not trying to divert going from
21 there, it just raised my --

22 MR. PHIL COMER: I don't think you
23 could see the weeds properly from a helicopter. I
24 have seen them at Hales Bar where you have had to
25 absolutely cut a channel to get in and out of Hales

1 Bar Marina, but I don't think you could really
2 appreciate them and you need to go in a boat, a
3 Pontoon boat to see the weeds really.

4 MR. JIM CREIGHTON: I need you to get
5 back to one at a time because we're losing the
6 record when people are talking over each other.

7 Let me ask this: Since the rings
8 won't go away by October and the weeds might, is
9 there any value in reversing it?

10 MR. PHIL COMER: See, I tried to
11 explain that a minute ago.

12 MR. JIM CREIGHTON: I understood your
13 logic, but the rings would still be there, they
14 would be bigger.

15 MR. PHIL COMER: Well, they'd be even
16 bigger in December and January, that's --

17 MR. JIM CREIGHTON: I understood
18 that. The argument is -- September is what the
19 fight's about, so September is when people should
20 see it, and I was just raising another alternative.

21 MR. PHIL COMER: When do the weeds
22 come back next spring? We have got 20 months.

23 MS. MILES MENNELL: But I think the
24 point, again, is the same one, Phil, that you had
25 made, that the earlier we see some of these things

1 and see the enormity of the problem firsthand,
2 whether it's rings or weeds, then the sooner we can
3 address that.

4 So at this point we're talking about
5 logistics and not putting one above the other, but
6 if the weeds are gone, then we need to go see them
7 while they are still here because the rings will be
8 here, and I realize that may not be ideal, but
9 probably it's a fair compromise.

10 MR. BILL FORSYTH: Perhaps all of us
11 don't need to see the weeds, and I will volunteer as
12 a side trip to go see them at the appropriate time.

13 MS. JULIE HARDIN: Are you talking
14 about rings or weeds?

15 MR. BILL FORSYTH: Weeds.

16 MR. PHIL COMER: I feel the same way
17 about the weeds, I am familiar with the problem and
18 it is an enormous problem. I don't need to see them
19 again.

20 MR. JIM CREIGHTON: Let me hear from
21 some of the Council members on --

22 MS. ELAINE PATTERSON: I think if we
23 could commit to a side trip on the weeds, that might
24 be a solution, as Kate mentioned, in small groups,
25 set a few different dates and you can sign up for

1 whichever would be most convenient.

2 MR. W. C. NELSON: I think that's a
3 good idea.

4 MR. JIM CREIGHTON: Others?

5 MR. AL MANN: Good idea.

6 MS. JULIE HARDIN: I have just one
7 question. Was it decided that we do another
8 helicopter trip to see the rings?

9 MR. JIM CREIGHTON: The last few
10 voices I am hearing, I believe, that's what they're
11 proposing.

12 MS. MILES MENNELL: I think it was
13 suggested, I don't think it was ever okayed, it was
14 suggested, is my understanding.

15 MR. PHIL COMER: I thought it was a
16 consensus myself.

17 MS. JULIE HARDIN: Of whom?

18 MR. STEPHEN SMITH: Yeah, who is the
19 consensus of?

20 MS. JULIE HARDIN: Because I never
21 heard about it before.

22 DR. KATE JACKSON: It was a consensus
23 that we would do another helicopter trip but there
24 was no consensus on date.

25 MS. JULIE HARDIN: Oh, a consensus of

1 this group, this body?

2 DR. KATE JACKSON: That we -- that we
3 would provide another opportunity for a helicopter
4 trip when the lake levels were down, we made no
5 discussion of the date that that would happen.

6 MS. JULIE HARDIN: You would provide?

7 MR. JIM CREIGHTON: The last -- what
8 I am hearing from the last three or four people, I
9 gather, is that the September meeting would be
10 someplace where you can see the rings and that the
11 weeds thing would be a separate side trip and that
12 those who hadn't seen the weeds would participate
13 in.

14 MR. PAUL TEAGUE: I go back to
15 physical responsibility. I understand where Phil is
16 coming from and I would like to see it because it is
17 so dramatic supposedly, but we can make one trip do
18 both jobs, and I think adequately, that we can get
19 the impression, and then we have got enough ability
20 to extrapolate that to the depth of 80 feet out of
21 Fontana, along with the width of the Georgia lakes.
22 I would recommend we, you know, fly one time and get
23 it over with, even though I do like to fly, but I
24 don't think it's physically responsible.

25 MR. JIM CREIGHTON: So you're in

1 favor of a Chattanooga one with a helicopter trip
2 that looks at the Georgia lakes?

3 MR. PAUL TEAGUE: It looks at both at
4 one time and not make two trips. We can look at
5 weeds and we can look at the lakes at the same time.

6 MR. JIM CREIGHTON: Is that
7 physically possible, the same trip does both?

8 MR. STEPHEN SMITH: I think it is. I
9 am interested in seeing other lakes besides the ones
10 we just saw. I mean, I appreciate they have special
11 significance to people on the Council, but I think
12 that there is value in seeing some of the other
13 locations also because I think they are --

14 MR. JIM CREIGHTON: What I am hearing
15 is kind of three or four people in one place and
16 three or four in another. I'm not quite sure how we
17 resolve this. We can either take a straw vote or --

18 MR. PHIL COMER: The agreement -- the
19 earlier agreement, Jim, was not to see other lakes,
20 like Guntersville or Wheeler, you know, we took a
21 boat ride on Wheeler, I believe, so we have seen
22 that. It was to see the same group or similar of
23 the 13 tributary lakes in their early drawdown.

24 MS. JULIE HARDIN: Phil, who made
25 this agreement? I ask again. I'm just sorry I was

1 left out of it, if it was made out of this body,
2 because I don't remember it.

3 MR. JIM CREIGHTON: I'm worried that
4 we not get back into the argument. I need some help
5 resolving a location.

6 MS. JULIE HARDIN: For
7 September 21st?

8 MR. JIM CREIGHTON: For
9 September 21st. The only options I see to get there
10 in a hurry, since I am hearing three or four
11 different positions, is either we take a straw vote
12 of you folks or you let us work it out somehow and
13 take all of this into account, I'm open either way.

14 MR. JIMMY BARNETT: One question of
15 Kate, is there a way to take a different -- do you
16 have another plane rather than a helicopter that we
17 could make a low pass with and get us all in the
18 same plane?

19 MS. JULIE HARDIN: Can you buy a jet?

20 MR. AUSTIN CARROLL: I don't like low
21 passes.

22 DR. KATE JACKSON: A plane doesn't go
23 low enough and you can't see out of it well enough.
24 It does not hover so that the tour guide can talk
25 and explain things. It's very difficult to see out

1 of. We can get bumped on it if any of the
2 executives want to use the plane. So I can reserve
3 a helicopter. I have a more difficult time
4 reserving the only plane that we have. We have one
5 plane.

6 MR. JIMMY BARNETT: We could always
7 let Craven pilot it.

8 MR. AL MANN: Can we drive to see the
9 weeds?

10 MR. JIM CREIGHTON: As I understand,
11 the weeds are Chattanooga surroundings.

12 DR. KATE JACKSON: Yes, we can. I
13 mean, we can get you on a van and a Pontoon boat
14 from Chattanooga, but you need to see them in
15 September. So, I mean, you know, some people could
16 be helicoptering, some people could go see Chick
17 Lock, some people could see the levy system in
18 Chattanooga, I mean, there are a lot of
19 opportunities in and around the Chattanooga area. I
20 don't think those same opportunities are as sort of
21 lexis-nexisee if you do it in October because the
22 weeds will be gone, they won't look as horrendous.

23 MR. AL MANN: But you can't see the
24 lake Phil is talking about.

25 DR. KATE JACKSON: You can't see the

1 lake Phil is talking about. Although, you know, you
2 could have an opportunity to see the lake in either
3 October or November and just think to yourself, it's
4 still summer and wouldn't it be nice if the lake
5 levels were still up, I know that's not perfect but
6 they will look roughly the same.

7 MR. THOMAS GRIFFITH: Why don't we do
8 Chattanooga in September and over there in Georgia,
9 I'm not sure, what was the name?

10 MR. W. C. NELSON: Brasstown Valley.

11 MR. THOMAS GRIFFITH: Brasstown
12 Valley over in Georgia in October and have an
13 opportunity to maybe look at the lakes, Phil, would
14 that be -- I don't really know what they will be
15 like, but I guess they'll be getting drier and
16 drier, is that right?

17 MR. PHIL COMER: Yeah.

18 MR. THOMAS GRIFFITH: The water
19 receding further and further.

20 MR. BILL FORSYTH: We'll have to book
21 early enough in October before the leaves start
22 turning or we won't have rooms.

23 MR. W. C. NELSON: In the middle of
24 the week, you're pretty safe.

25 MR. PHIL COMER: But it needs to be

1 decided on and booked very, very soon or you can't
2 get a room, it's the leaf season because of the
3 popularity of the foliage.

4 DR. KATE JACKSON: Okay. If you take
5 September and you're in Chattanooga and you do a
6 flyover of North Georgia, do you really want to go
7 back to North Georgia in October?

8 MR. PHIL COMER: No.

9 DR. KATE JACKSON: My suggestion
10 would be that you come back here in October and go
11 back to the tributary lakes, although, again, that's
12 three helicopter trips. You guys need to wrestle
13 with that.

14 MR. JIM CREIGHTON: I think just on
15 behalf of time, let me do kind of a straw vote thing
16 where we, first of all, decide in September is it
17 Chattanooga or is it a lake trip, and then if you
18 decide it's a lake trip, then we have got to talk
19 about which location, and so on, but can I just a
20 see a quick show of hands of those who favor meeting
21 in September in Chattanooga?

22 MR. AUSTIN CARROLL: For a lake trip?

23 MR. JIM CREIGHTON: Chattanooga
24 you're going -- you can get Georgia lakes, you can
25 get weeds, you can get a levy system, you can't get

1 Phil's lake. Could you put them up again? I'm
2 sorry. I didn't -- let me try it again. This is
3 for September, the two choices are going to be
4 Chattanooga or the Eastern Tennessee lakes, is
5 that --

6 MR. PHIL COMER: No.

7 MR. JIM CREIGHTON: Well, the -- I'm
8 just trying to get the location.

9 MR. PHIL COMER: September I thought
10 you were talking between Fontana Village or
11 Brasstown Valley Resort.

12 MR. JIM CREIGHTON: No. We're
13 talking right now between Chattanooga or Tennessee
14 lakes, and then if you select Tennessee lakes then
15 we need to talk about which location in the
16 Tennessee lakes.

17 MR. PAUL TEAGUE: Excuse me. I don't
18 believe that's what Kate said. Kate said in
19 Chattanooga you can go see the weeds and then in
20 October that we could go to the East Tennessee, was
21 that what you said, Kate?

22 DR. KATE JACKSON: The issue though
23 is in September do you want to be in Chattanooga or
24 do you want to be in Knoxville or somewhere where
25 you can see the tributary lakes up here. So the

1 question is, in September, where do you want to be?

2 SENATOR ROGER BEDFORD: But the point
3 is if you go to Chattanooga in September and look at
4 all of these other things, we're still going to go
5 up and see these lakes, right?

6 MR. JIM CREIGHTON: That can be done
7 another time. It gets so mushed together if we do
8 two or three decisions, so I'm just trying to
9 isolate -- if we break the lock jam on September,
10 then we can figure out the October thing.

11 MR. PAUL TEAGUE: Someone made the
12 statement that it would be better to see the weeds
13 by paddle boat or what-have-you than it would be by
14 air, I don't know. If it would, let's go paddle
15 boat and see the weeds.

16 DR. KATE JACKSON: That's the way we
17 do it.

18 MR. JIM CREIGHTON: Either way, that
19 would occur in Chattanooga.

20 MR. PAUL TEAGUE: That would be my
21 recommendation and see if we can get a consensus on
22 that, then do October with Phil.

23 MR. JIM CREIGHTON: Those who would
24 prefer in September to go to Chattanooga, would you
25 raise your hand? Okay. That's clearly a majority.

1 So then the question in October
2 becomes, where should the October meeting be located
3 in order to get an appropriate view of the lakes?
4 And Kate, you were kind of saying Knoxville, and I
5 am hearing the other actually to be further an
6 hour's drive or three hours a drive away.

7 MR. PAUL TEAGUE: Tennessee plays
8 Alabama that weekend, too.

9 MR. PHIL COMER: Which one, October?

10 MR. PAUL TEAGUE: In October let's
11 stay with Knoxville, I recommend.

12 DR. KATE JACKSON: I am about to
13 screw October up. I can't meet on the 25th of
14 October, which messes everybody up. The October
15 date we need to change, and I apologize.

16 MR. PHIL COMER: Away from the 25th?

17 MR. THOMAS GRIFFITH: What day is the
18 25th on?

19 DR. KATE JACKSON: Wednesday.

20 SENATOR ROGER BEDFORD: Can you do it
21 the next week?

22 DR. KATE JACKSON: The next week
23 would be in November, sure, I can make the October
24 meeting in November.

25 SENATOR ROGER BEDFORD: Well, you TVA

1 people are creative.

2 MR. PHIL COMER: Could you make it on
3 like the 1st and 2nd?

4 DR. KATE JACKSON: Of October?

5 MR. PHIL COMER: No, November.

6 MR. JIM CREIGHTON: Would everybody
7 glance at their --

8 DR. KATE JACKSON: The 1st I can do
9 it.

10 MR. PHIL COMER: Well, we really need
11 two days.

12 DR. KATE JACKSON: But you only need
13 me here in this room for the Council meetings, so
14 you guys can do your thing even if I am unavailable.

15 MR. PHIL COMER: How about the --

16 MR. JIM CREIGHTON: 31st and 1st?
17 Either the 31st and 1st or the 1st and 2nd?

18 MR. PHIL COMER: How about the 18th
19 or 19th of October?

20 DR. KATE JACKSON: The 18th is fine.

21 MR. THOMAS GRIFFITH: What day is
22 that on?

23 MR. PHIL COMER: Wednesday.

24 SENATOR ROGER BEDFORD: That's fine.

25 MS. MILES MENNELL: That's the

1 Governor's conference in Tennessee in Chattanooga on
2 the 16th and 17th.

3 MR. PHIL COMER: Is the 19th
4 possible?

5 DR. KATE JACKSON: The 19th is not
6 possible for me but the 18th is.

7 MR. PHIL COMER: I say the 18th.

8 MR. JIM CREIGHTON: I am hearing two
9 or three --

10 DR. KATE JACKSON: Wait. No, people,
11 the 18th is not all right for me.

12 MS. MILES MENNELL: The Governor's
13 conference is on Monday and Tuesday, the 16th and
14 17th.

15 DR. KATE JACKSON: That whole week is
16 bad for me. Sorry. So I think we're back to
17 November 31st and the 1st.

18 MR. JIM CREIGHTON: October 31st.

19 DR. KATE JACKSON: October to
20 November.

21 MR. PHIL COMER: Back to which dates,
22 Kate?

23 MR. JIM CREIGHTON: October 31st and
24 November 1st.

25 SENATOR ROGER BEDFORD: That's

1 Halloween.

2 DR. KATE JACKSON: You-all come
3 dressed up, oh, you-all already are.

4 SENATOR ROGER BEDFORD: I got you.

5 MR. JIM CREIGHTON: Is that generally
6 acceptable?

7 SENATOR ROGER BEDFORD: What is the
8 1st and 2nd, just out of curiosity, since I don't
9 have my calendar in front of me? What are the 1st
10 and 2nd, what days of the week?

11 MR. JIM CREIGHTON: Wednesday and
12 Thursday.

13 SENATOR ROGER BEDFORD: Why don't we
14 do that instead of Halloween?

15 MR. THOMAS GRIFFITH: What day is
16 October the 31st on?

17 MR. AL MANN: Tuesday.

18 MR. JIM CREIGHTON: Kate, were the
19 1st and 2nd an alternative or was it just the 1st
20 you're available?

21 DR. KATE JACKSON: If the total
22 meeting is the 1st, I am okay. If you need me as
23 the DFO on the 2nd, I'm not okay.

24 MR. PHIL COMER: How about
25 November 1st for the meeting then?

1 MR. JIM CREIGHTON: The Council
2 meeting has to be the 1st, and the only question is
3 whether other activities are scheduled before or
4 after.

5 DR. KATE JACKSON: And you may want
6 to -- because we had such an agony of trying to get
7 all the subcommittee meetings in, you-all may want
8 to have your subcommittee chairs coordinate and you
9 might want to have some of the subcommittee meetings
10 the day before and some of the subcommittee meetings
11 the day after.

12 MR. JIM CREIGHTON: Shall we simply
13 work that off line and have the --

14 MR. PHIL COMER: Can we assume at the
15 moment that November 1st will be the official
16 meeting?

17 MR. JIM CREIGHTON: I think everybody
18 finds that acceptable. So the only question is when
19 we do the subcommittee meetings, and I think I'm
20 hearing maybe we need to talk with subcommittee
21 chairs and work through the details on that and have
22 some sense of how much time you need, and so forth
23 and so on, and then we'll schedule the tour -- once
24 we have the subcommittee thing figured out, then we
25 will schedule the tour.

1 MR. AL MANN: So this is a two-day
2 thing?

3 MR. JIM CREIGHTON: It will probably
4 be two days. What we don't know is whether it's the
5 31st or the 2nd.

6 MR. AL MANN: On Thursday,
7 September the 21st, is that a two-day affair also?

8 MR. JIM CREIGHTON: I've heard a lot
9 of subcommittees say they want to have meetings in
10 association, but the Council meeting is on the 21st.

11 MR. THOMAS GRIFFITH: The Council
12 will meet on September the 21st on Thursday in
13 Chattanooga?

14 MR. JIM CREIGHTON: Right, in
15 Chattanooga.

16 MR. PHIL COMER: Tell me which dates
17 again.

18 MR. JIM CREIGHTON: September the
19 21st will be a Council meeting in Chattanooga.
20 There will be subcommittee meetings scheduled around
21 that and we will work out a schedule on that.

22 MR. STEPHEN SMITH: Can I also just
23 suggest in conjunction with the Chattanooga meeting
24 that possibly one of the activities be the load
25 forecast center, because I think it would be a nice

1 complement to what we saw yesterday and help
2 understand some of the --

3 MR. PHIL COMER: What happened to the
4 weeds and the lake view, is this another trip,
5 subcommittee --

6 MR. STEPHEN SMITH: Phil, it's right
7 there on location. It's not a subcommittee trip.
8 It would be basically something while one group was
9 doing one thing, another group could tour the load
10 forecast, it's similar to what we did today.

11 MR. JIM CREIGHTON: We will put that
12 on the plate, too. We're going to have to
13 consider -- it's going to be like running the whole
14 system, we will have to consider all of the demands
15 and figure out the time available.

16 MR. AL MANN: Mr. Chairman, does that
17 mean that we will not have a meeting then until the
18 first of the year because -- or are you going to
19 have another meeting in November and December?

20 MR. JIM CREIGHTON: We haven't made
21 any decision about November or December.

22 MR. PAUL TEAGUE: If TVA has got
23 enough Christmas presents, we will meet in December.

24 MR. PHIL COMER: We do have a date in
25 November already, the 28th and 29th.

1 MR. JIM CREIGHTON: It's been
2 discussed. I don't know that we have finalized it.

3 MR. PHIL COMER: It appears on the
4 website and it's in the printed stuff we have.

5 MR. JIM CREIGHTON: I have it on my
6 calendar, too. I don't know whether -- it's kind of
7 up to the Council whether you want to hold that
8 date. Do you want to make a decision on that now to
9 firm that up or do you want to --

10 MR. PHIL COMER: Some of us who, you
11 know, are not retired do have long-term commitments
12 that we need to make and that was the beauty of
13 having these dates projected months in advance.

14 MR. JIM CREIGHTON: Do you want to
15 count on there being a November 29th meeting?

16 MR. PAUL TEAGUE: No.

17 SENATOR ROGER BEDFORD: Why don't we
18 decide that in September?

19 MAYOR EDDIE SMITH: I thought that
20 had already been decided, so is there a reason to
21 change it, I guess that's the question.

22 MR. JIM CREIGHTON: For now will you
23 hold that date? My experience is people are always
24 happy to be given back a day, it hurts more if
25 you're asked for a day and you have not counted on

1 it. So will you hold November 29th with the
2 possibility that the group may decide that you have
3 that day back?

4 MR. STEPHEN SMITH: Is it the 27th
5 and the --

6 MS. JULIE HARDIN: 28th and 29th.

7 MR. JIM CREIGHTON: The 29th is when
8 the Council meeting is scheduled. The other
9 activities we will have to work out.

10 Okay. To review, September 21st,
11 Chattanooga.

12 MR. PHIL COMER: Now, is this the
13 lake trip or is this the weed trip?

14 DR. KATE JACKSON: The weeds will be
15 growing on the lakes, that's the problem.

16 MR. JIM CREIGHTON: October -- excuse
17 me, November 1 will be to see the rings and so on
18 and --

19 MR. PHIL COMER: Call it the mud
20 flats.

21 MR. JIM CREIGHTON: The mud flats,
22 okay. What I am not clear on, Kate, you were
23 talking about Knoxville and others have proposed
24 further away. What's your pleasure?

25 MS. JULIE HARDIN: Knoxville.

1 MAYOR EDDIE SMITH: I agree with
2 Knoxville. I would like to go to Georgia, but we
3 have got do a lot of driving after we get a flight,
4 so I would think --

5 MR. JIM CREIGHTON: November 1,
6 Knoxville. November 29th hang onto as an option but
7 not 100 percent guaranteed.

8 Okay. Are there any other business
9 items we need to take care of before we all scramble
10 to the airport?

11 MR. AL MANN: Are we meeting in
12 December?

13 MAYOR EDDIE SMITH: I hope not. We
14 don't have it on the schedule.

15 MR. JIM CREIGHTON: We don't have
16 anything on the schedule.

17 MR. JIMMY BARNETT: You-all can.

18 MR. JIM CREIGHTON: Also, the
19 November 29th is getting about as close to December
20 as you can get. Okay.

21 Chairman Eddie, I think that's about
22 it.

23 MAYOR EDDIE SMITH: I think we have
24 done well today, and we appreciate you being here.
25 Does anyone else have anything else you would like

1 to bring up at this time? If not, then we will see
2 you in Chattanooga on the 21st.

3 Thank you very much.

4 END OF PROCEEDINGS

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REPORTER'S CERTIFICATE

STATE OF TENNESSEE)
 : SS.
COUNTY OF KNOX)

I, Kimberly J. Nixon, RPR, the officer before whom the foregoing cause was taken, do hereby certify that the persons whose testimony appear in the foregoing transcript were duly sworn, and that the testimony of said persons was taken by me in machine shorthand, and thereafter reduced to typewriting by me;

That the exhibits annexed to this transcript are the true, accurate and only exhibits introduced, and that the transcript was prepared under my supervision, and attached to this certificate is a true, accurate and complete transcript, as provided by law;

That we are neither counsel for, related to, nor employed by any of the parties to this action; and we further certify that we are not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action; and that the foregoing transcript is complete and accurate in all particulars, as provided by law.

In witness whereof, I have hereunto set my hand this _____ day of _____, 2000.

KIMBERLY J. NIXON, RPR
NOTARY PUBLIC IN AND FOR THE
STATE OF TENNESSEE AT LARGE.
MY COMMISSION EXPIRES APRIL 9,
2000.

River Operations

Morgan Goranflo

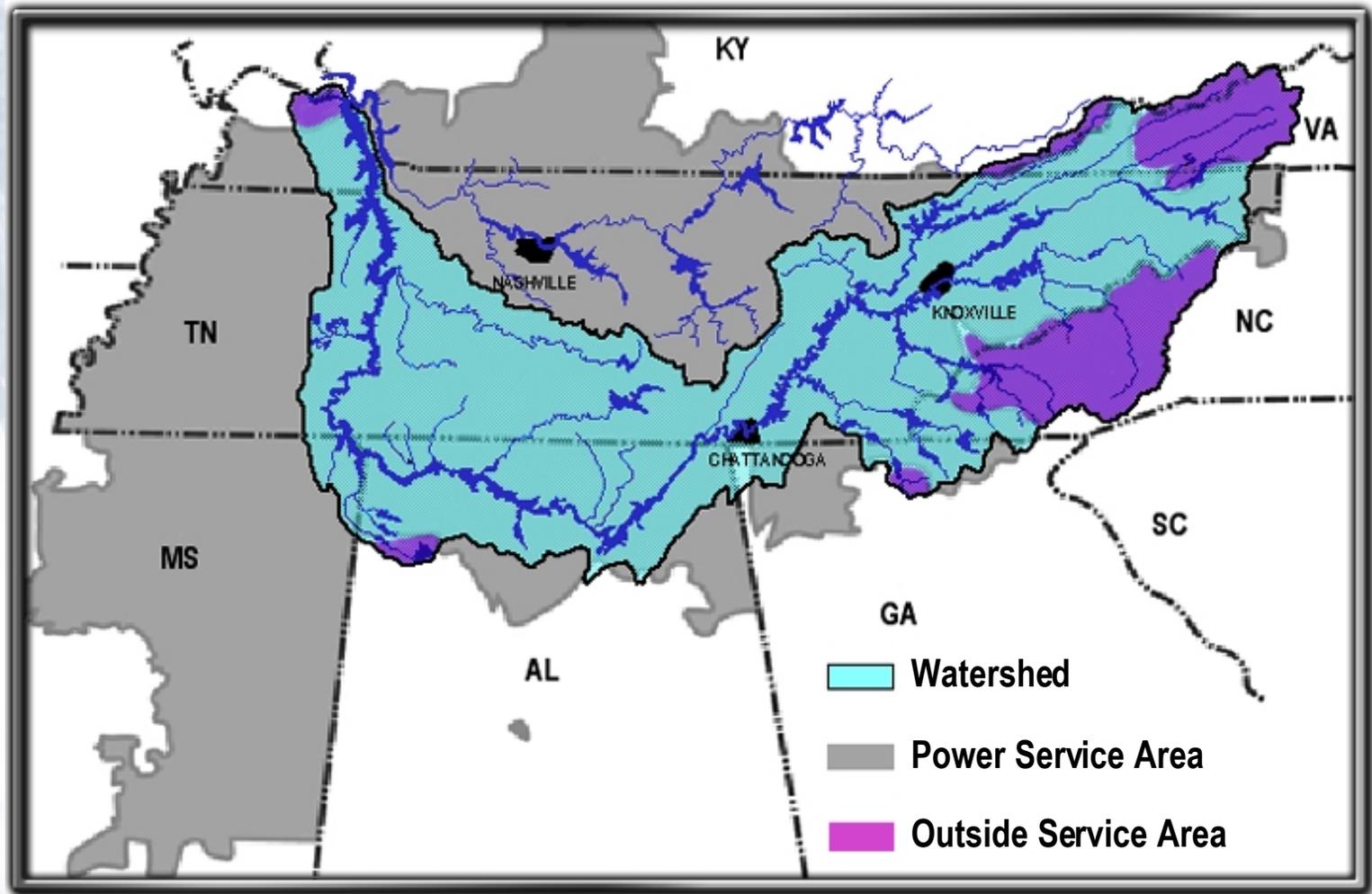
Senior Consultant, River Scheduling

Presentation to

Regional Resource Stewardship Council

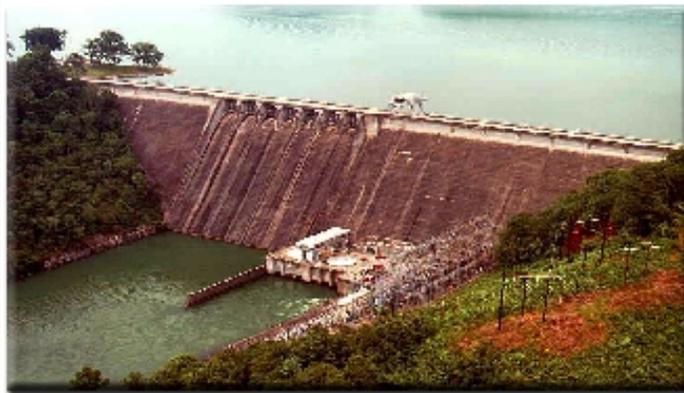


TVA Region

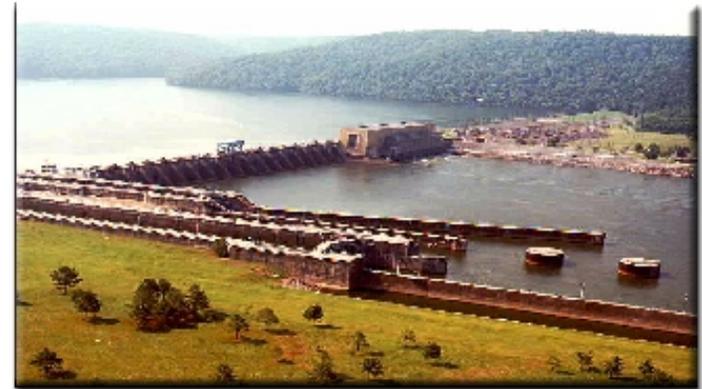


Project Types

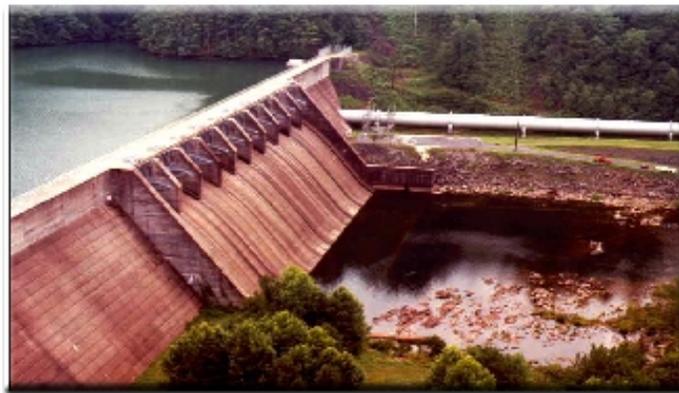
TVA is responsible for operation and maintenance of 49 dams



Tributary – Multi-purpose with hydropower
Hiwassee



Main River
Guntersville



Tributary – Run-of-River
Apalachia

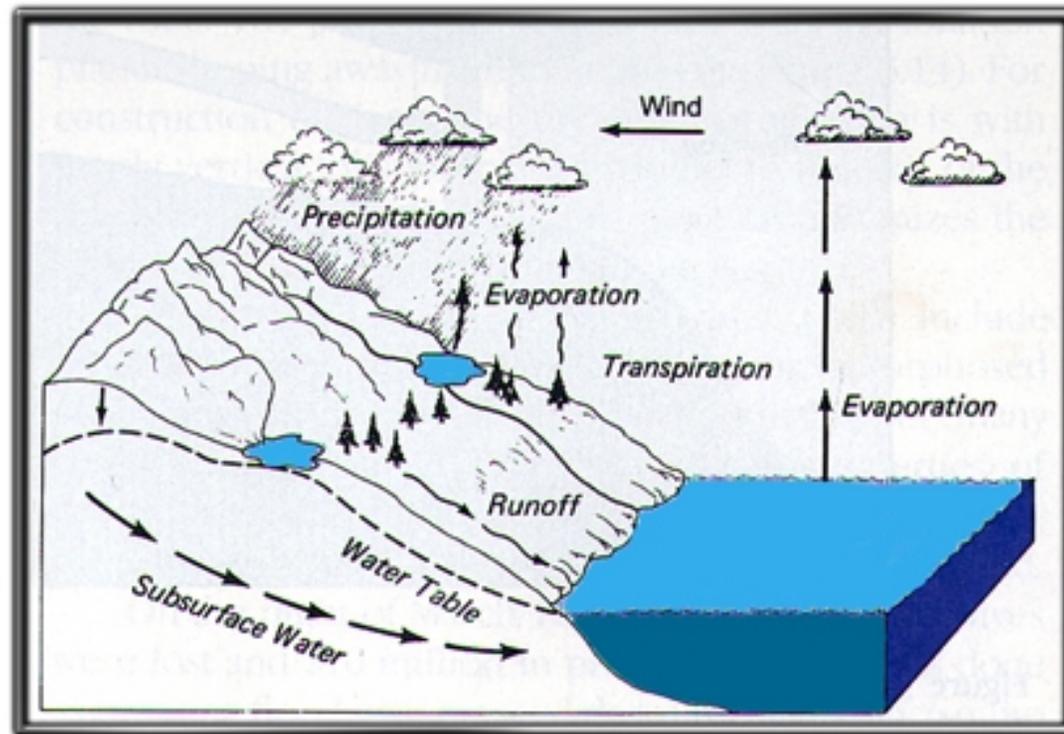


Tributary – Multi-purpose
Little Bear Creek



Hydrology of the TVA Region

- Average annual rainfall in the Valley is about 51 inches
- Average annual runoff in the Valley is about 22 inches
- Approximately 60% of the average annual runoff occurs from January through April



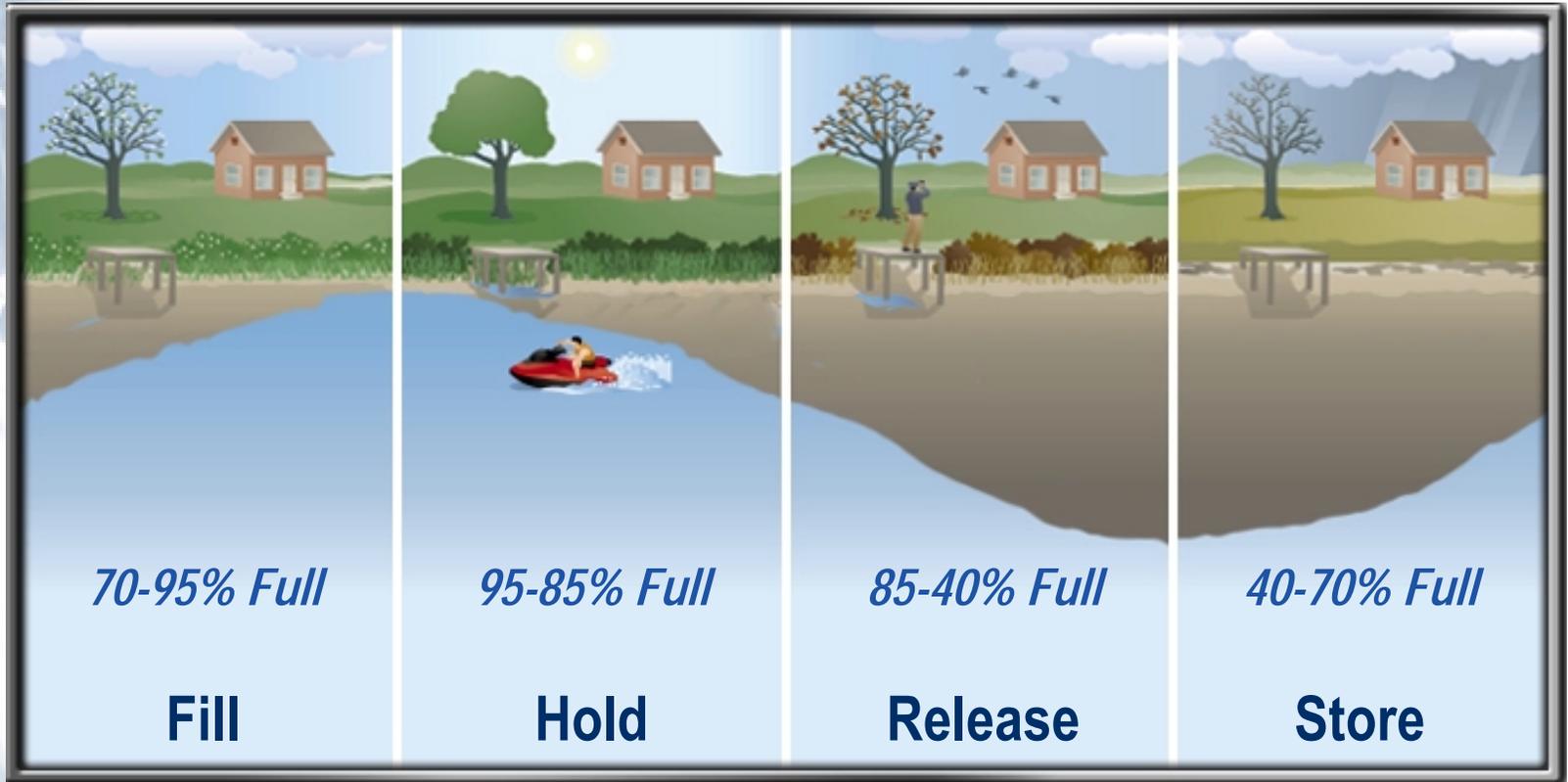
Operating Objectives

April and May

June and July

*August through
December*

*January through
March*





Objectives of TVA's Integrated Operation of the River System

- **Navigation**
- **Flood Damage Reduction**
- **Hydro Power**
- **Water Quality**
- **Recreation**
- **Water Supply**



Navigation

TVA provides infrastructure (locks) and maintains 11-foot channel for 800 miles of river

Benefits include:

- Economic growth for the region
- \$75 million in reduced rail rates
- \$450 million in shipper savings
- 52 million tons moved on the river annually
- Access to the Inland Waterway System (Ohio, Mississippi, and beyond)
- Secondary channel marking for recreational boating





Flood Damage Reduction Efforts

*TVA efforts have included the following
flood damage reduction measures:*

- To keep water away
from people:

Structural Approach

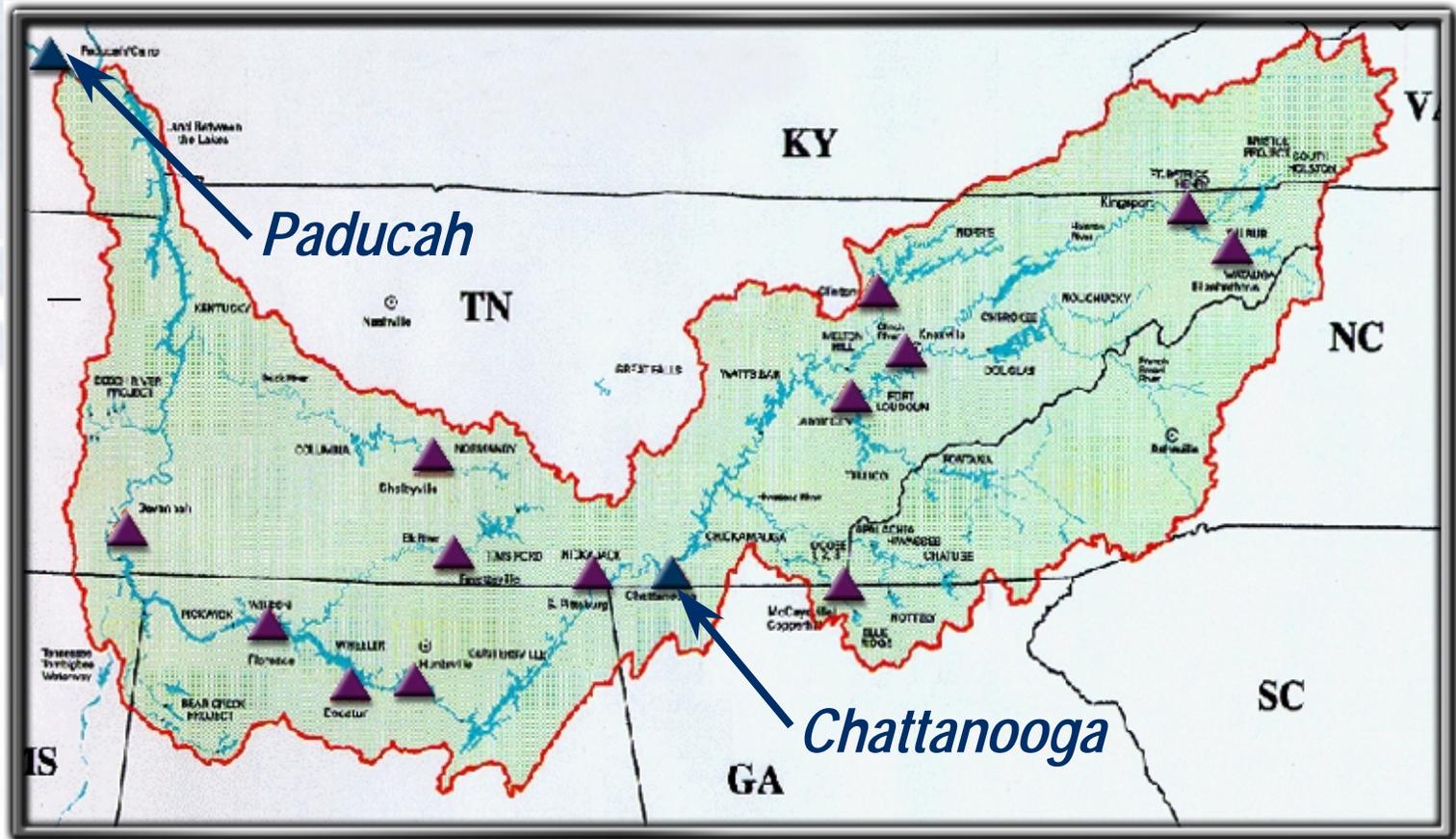
- To keep people away
from water:

Floodplain Management



Flood Damage Centers

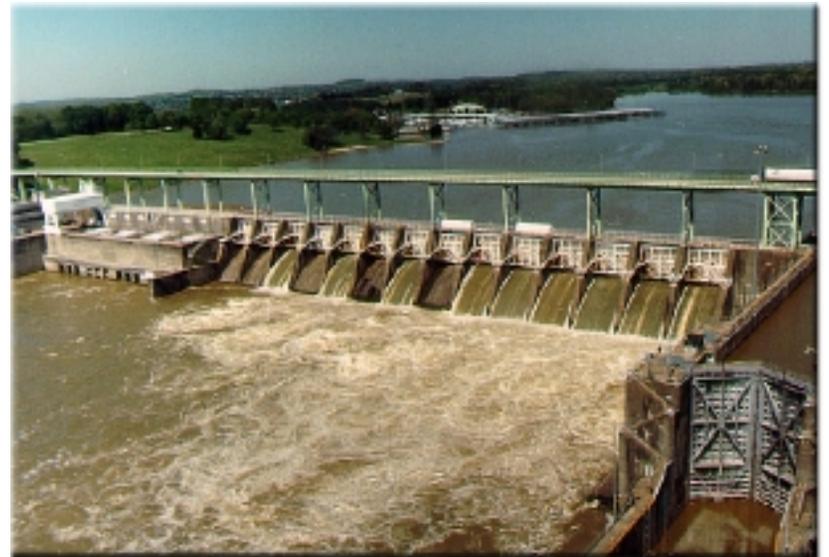
Flood storage is allocated for 15 primary damage centers, including Chattanooga, Tennessee, and Paducah, Kentucky.



Flood Damage Reduction

What TVA does to reduce flood damage:

- **Maintain flood storage allocation**
- **Store water during flood to reduce crest**
- **Issue flood forecasts for regulated streams**
- **Release water at non-flood rate after crest**



Flood Damage Reduction Benefits

- Annual flood damages averted are \$173 million
- All downstream riparian areas receive some flood-reduction benefits
- Downstream floodplain zoning is based on historic operation of TVA projects
- Changes in operation policy of TVA reservoirs have the potential to change downstream flood risk

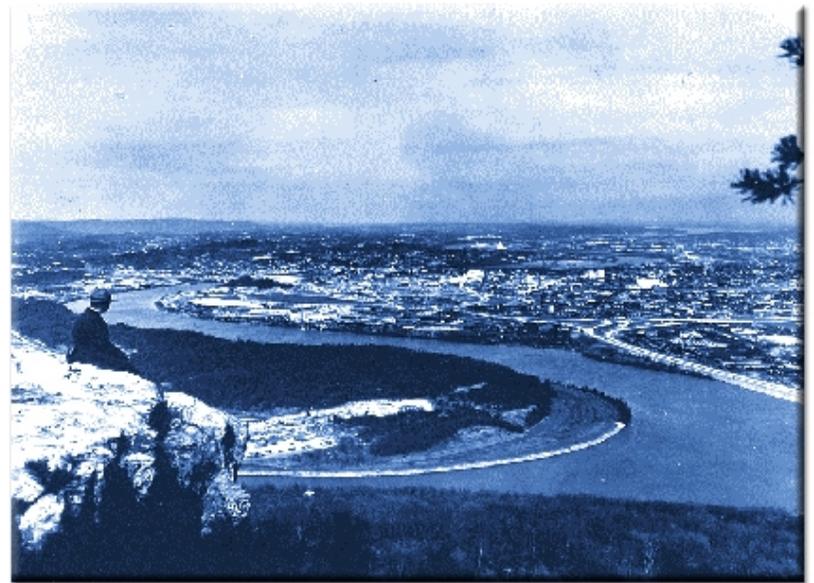


Flood Damage Reduction



*Chattanooga during
1867 flood*

Same area today



Hydro Power

What TVA provides:

- 29 hydro plants and 113 units
- 3600 megawatts of capacity
- Approximately 13% of TVA's total generating capacity
- Raccoon Mtn. Pumped Storage adds about 1600 megawatts



Hydro Power

Benefits include:

- Hydro is least expensive form of generation
- Hydro is one of the cleanest forms of generation
- Hydro is TVA's most flexible form of generation
- TVA's hydro generation revenue is about \$300-450 million annually



Power Demands and Value

Winter

- Winter peaks can be several days in length
- Availability of hydro usually not a problem due to high inflows
- The all-time winter peak was 26,670 megawatts

Spring and Fall

- Spring and fall are generally low power demand periods
- Peak loads average 20,000 megawatts
- TVA takes advantage of this by performing maintenance during this time

Summer

- Summer peaks typically last all summer for several hours per day
- Summer peaks are around 28,000 megawatts
- Hydro generation must be rationed



Water Quality

TVA provides minimum flows, aeration, monitoring, maintains reservoir levels, and supports Watershed Teams

Benefits include:

- **Minimum flows improve fish habitat and help assimilate waste**
- **Aeration improves dissolved oxygen in tailwaters**
- **Long-term environmental health monitoring to improve operations**
- **Stabilized reservoir levels improve spawning success**



Recreation

TVA provides summer pool levels and releases for whitewater rafting

Benefits include:

- Quality of life
- Boost to local economies
- Boating
- Swimming
- Fishing
- Whitewater rafting



Water Supply

*TVA reservoirs supply clean and reliable water
and minimum depth for intakes*

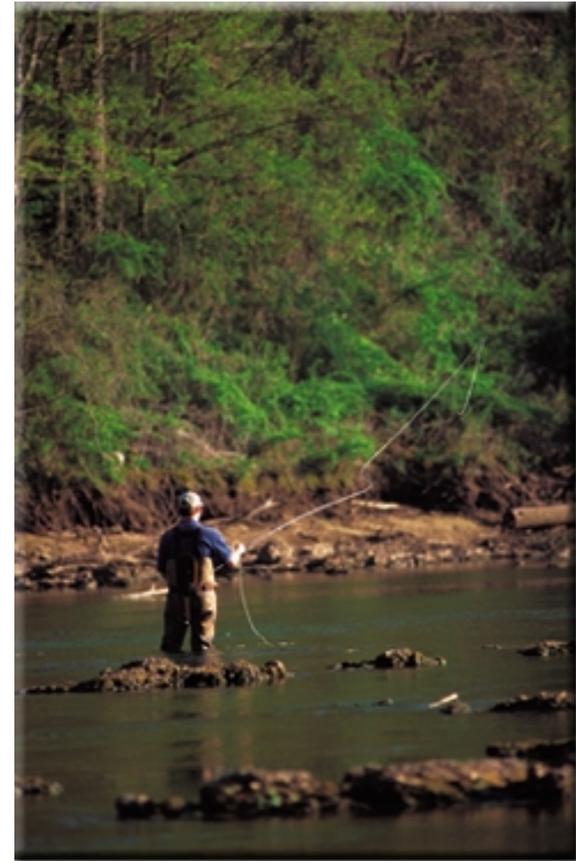
Benefits include:

- Industry supplied with process water and cooling water
- Municipalities supplied with water for household use and waste assimilation



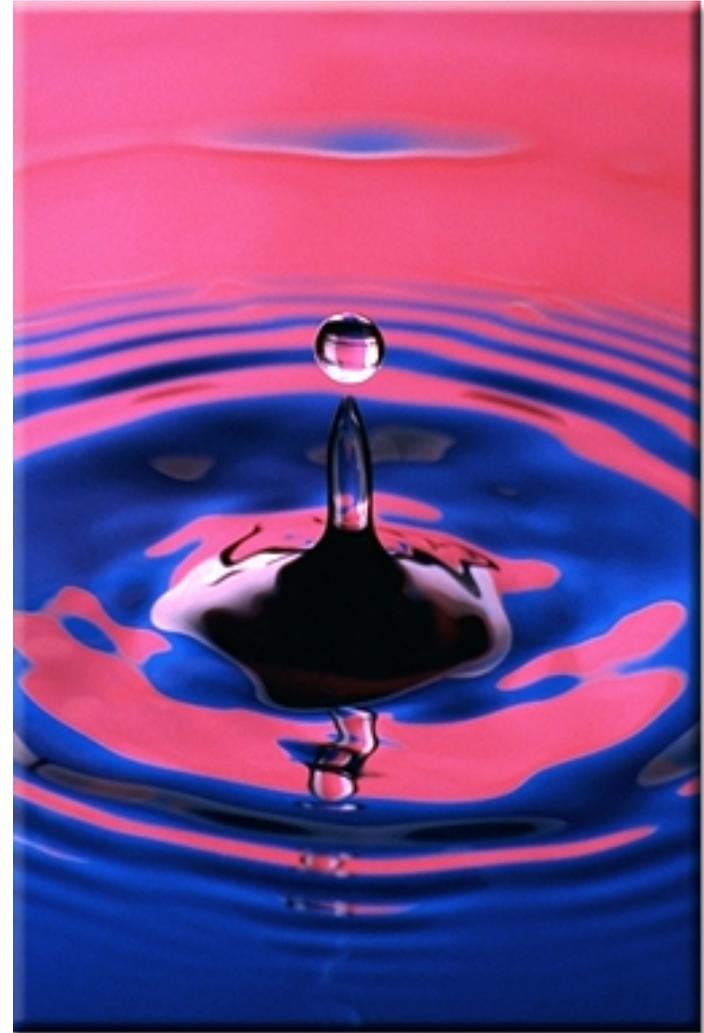
Today, TVA must balance a wide range of demands on the reservoir system while maximizing the benefits derived from its integrated operation

- **Navigation**
- **Flood Damage Reduction**
- **Hydro Power**
- **Water Quality**
- **Recreation**
- **Water Supply**





- **Integrated**
- **Balanced**
- **Efficient**



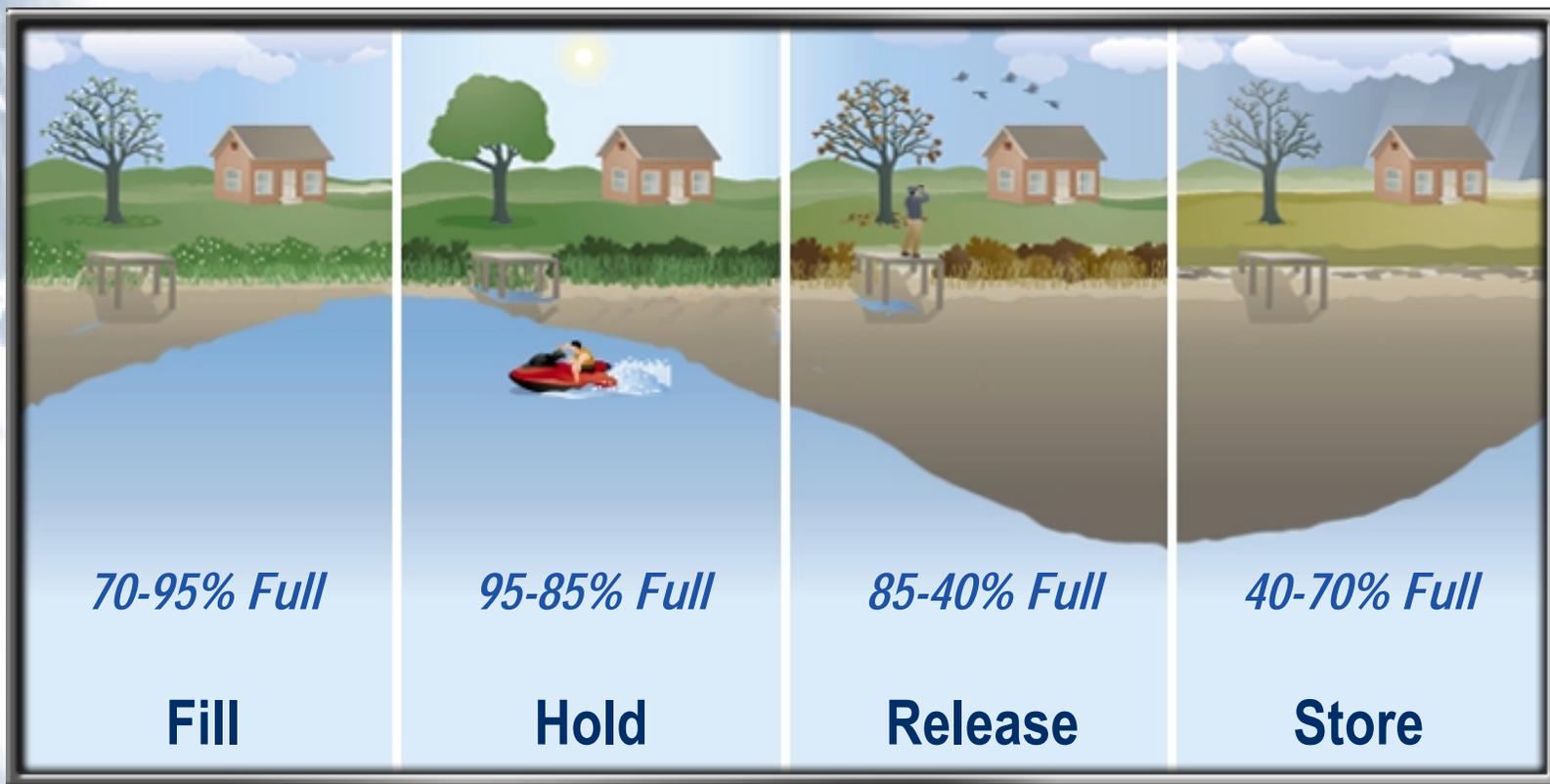
Operating Objectives

April and May

June and July

*August through
December*

*January through
March*



April and May

Conditions

- Runoff begins to decrease as vegetation grows
- Flood threat is still relatively high, but lessens as season progresses

River Operation Focus

- Aggressively fill reservoirs to prepare for summer recreation and hydropower needs
- Maintain minimum flows for navigation, river health, and water supply
- Maintain steady or rising reservoir levels and/or flow to aid fish spawning



June and July

Conditions

- Runoff is low
- System-wide flood threat is low
- Reservoir and river use is at its highest for the year
- High power demand, limited interchange capacity, high purchase cost

River Operation Focus

- Have reservoirs full on June 1
- Maintain reservoir levels for recreation until August 1
- Maintain minimum flows for navigation, river health, and water supply
- Monitor dissolved oxygen levels and supplement where needed
- Maximize the value of the water used for hydro power



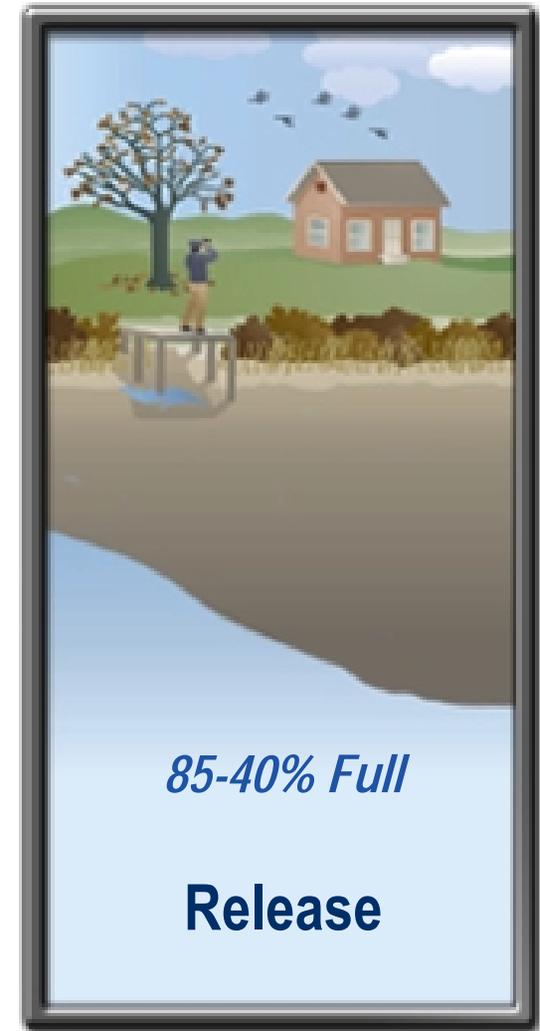
August through December

Conditions

- **Runoff is very low, increasing only in December**
- **High power demand, limited interchange capacity, high purchase cost through September**

River Operation Focus

- **Prepare reservoir system for winter floods**
- **Lower reservoir levels to minimize power supply cost and spill through the system**
- **Provide minimum flows for navigation, river health, and water supply**
- **Monitor dissolved oxygen levels and supplement where needed**



January through March

Conditions

- **Runoff is highest**
- **Flood threat is highest**
- **Most years water is available to meet hydro power needs**

River Operation Focus

- **Maintain flood storage availability**
- **Operate system to minimize flood damages**
- **Provide minimum flows for navigation, river health, and water supply**
- **Schedule water availability for hydro power to reduce system power costs**



An aerial photograph of a dam construction site. The image shows a long concrete dam structure extending across a wide river valley. In the foreground, there are construction materials and equipment. In the background, a bridge with an arch spans the river. The text 'TVA' is prominently displayed in white on a dark blue rectangular background in the center of the image. Faint text at the top of the image reads 'TVA POWER CORPORATION' and 'DAM CONSTRUCTION'.

TVA

Mobile District



CIVIL WORKS

Presentation by Ed Burkett, USACE



Apalachicola-Chattahoochee-Flint Basin

Project	Owner	Drainage Area	Reservoir Size	Total Storage	Conservation Storage	Total Overload Capacity
Chattahoochee River Basin						
✓ Buford/Lanier	COE	1,840	36,542	1,957,000	1,087,600	100
Morgan Falls	GPC	1,340	580	2,250	1,980	17
✓ West Point	COE	2,440	23,900	604,500	306,100	82
Langdale	GPC	3,600	152	N/A	N/A	1
Riverview	GPC	3,600	75	N/A	N/A	1
Bartlett's Ferry	GPC	4,260	5,850	182,500	62,000	192
Goat Rock	GPC	4,500	1,050	11,000	4,050	28
Oliver	GPC	4,830	2,150	32,000	8,500	80
North Highlands	GPC	4,830	131	1,500	430	36
City Mills	CM	4,830	110	684	N/A	1
Eagle/Phoenix	ConstHys	4,840	N/A	260	N/A	4
✓ WF George	COE	7,660	45,180	934,400	244,400	160
✓ Geo. Andrews	COE	8,210	1,540	18,180	8,200	0
Flint River Basin						
Blackhawk	CrispCo	3,800	8,700	144,900	N/A	13
Flint Riv. Ward	GPC	5,210	1,400	114	N/A	5
Apalachicola River Basin						
✓ Jim Woodruff	COE	17,990	37,900	367,320	69,882	36

Source: ACF Draft EIS

✓ (Federal)



Alabama-Coosa-Tallapoosa Basin

<u>Project</u>	<u>Owner</u>	<u>Drainage Area</u>	<u>Reservoir Size</u>	<u>Total Storage</u>	<u>Conservation Storage</u>	<u>Total Overload Capacity</u>
Coosa River Basin						
✓ Carters	COE	376	3,220	383,565	141,402	575
✓ Allatoona	COE	1,100	11,860	670,050	284,582	80
Wales	APC	5,273	30,200	306,815	199,838	98
Neely Henry	APC	6,600	11,200	120,639	86,882	98
Logan Martin	APC	7,743	15,253	273,300	133,502	143
Lay	APC	9,087	12,000	282,308	51,991	184
Mitchell	APC	9,827	5,850	170,422	47,201	158
Jordan/ Bouldin	APC	10,165	6,807	235,780	19,062	116
Tallapoosa River Basin						
Harris	APC	1,463	10,681	425,503	141,401	126
Martin	APC	3,000	40,000	1,623,000	638,912	150
Yates	APC	3,250	2,000	53,770	5,002	33
Thurlow	APC	3,300	574	18,481	N/A	54
Alabama River Basin						
✓ RF Henry	COE	16,300	12,610	234,200	12,110	68
✓ M. Ferry	COE	20,700	18,800	331,800	46,704	75
✓ Claiborne	COE	21,473	8,930	96,389	N/A	0

Source: ACT Draft EIS

✓ (Federal)

PURPOSES AND ISSUES

- **HYDROPOWER**

 - WEEKLY PLAN BY CORPS

 - SEPA/CUSTOMERS SCHEDULE HOURS

 - DE-REGULATION REQUIRES FLEXIBILITY

- **NAVIGATION**

 - ACT & ACF REQUIRE FLOW SUPPORT

 - WATER STORAGE OFTEN INADEQUATE FOR FULL NAVIGATION

- **FLOOD CONTROL**

 - STEALTH PURPOSE

- **WATER SUPPLY**

 - CORPS SELLS STORAGE SPACE

 - RAPIDLY INCREASING DEMAND IN NORTH GEORGIA

PURPOSES AND ISSUES (continued)

• WATER QUALITY

MINIMUM CONTINUOUS RELEASES

STRUCTURAL MODIFICATIONS TO POWERHOUSES

SPILLWAY OPENINGS

• FISH AND WILDLIFE

FISH SPAWN LAKE STABILIZATION

ENDANGERED SPECIES

• RECREATION

GROWING YEAR-ROUND DEMAND

CAPITAL INVESTMENT IN SURROUNDING PROPERTY

