

*Final Environmental Impact Statement
and Land Management Plan*

**Guntersville
Reservoir**



*Appendix E
Responses to Public Comments*

Volume 2

August 2001



**FINAL
ENVIRONMENTAL IMPACT STATEMENT
GUNTERSVILLE RESERVOIR LAND MANAGEMENT
PLAN**

Volume 2

Appendix E -- Responses to Public Comments

**RESOURCE STEWARDSHIP
Guntersville Watershed Team**

TENNESSEE VALLEY AUTHORITY

August 2001

Introduction

This volume contains TVA's responses to public comments on the Guntersville Reservoir Land Management Plan Draft Environmental Impact Statement (DEIS). In response to some comments, the text of the Final Environmental Impact Statement (FEIS) has been changed. Even when a comment did not require modifying the FEIS text, TVA has provided a response to the issue raised.

Comments were received from May 4 to June 18, 2001 (see section 1.4 of the FEIS, Volume 1, for additional information about public involvement efforts). Participants could voice their opinions on the DEIS by writing a letter or e-mail, speaking at one or more of the three public meetings or completing a TVA comment form.

Due to the volume of comments and their frequent similarity, one response was often provided for many similar comments. To help commenters locate the response to their comments, the 552 comments TVA received have been organized into categories and a table of contents of these categories is provided. In addition, an index of commenters, located at the end of the document, will help individuals locate the response to their comment. The index shows the name of each commenter, followed by the assigned number(s) of the comment(s) made by that person.

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GENERAL

Concerning Requests for Land

1. Regarding the requests for land in general, is equally sensitive land being donated back to the public in exchange for their proposed long-term lease of TVA land? Are these leases purchased at fair market value? **Comments by:** Richard, Greg

Response: TVA only considers requests for use of TVA land that would optimize public benefits relative to recreation, economic development, and natural resource conservation. Therefore, current policies do not require applicants to donate undeveloped land to TVA to mitigate the public land they propose to develop. TVA charges fair market value for the use of TVA land with the exception of requests submitted by public agencies for public service projects.

Favor Public Recreation and Public Access Areas

2. In addition to business, individuals must be allowed to use TVA areas, especially since there is less and less public access. Almost all desirable tracts have been turned into private clubs. **Comment by:** Osmer, Marie
3. We need to keep as much of this land/waterways open to public recreation like duck hunting, fishing, water sports, etc. **Comment by:** Parsons, Steve

Response: Thousands of acres are available to individuals for recreational access, and approximately 80 percent (depending on the alternative) of TVA public land is available for public uses such as hunting, hiking and wildlife observation. Commercially developed parcels are also available to the general public for such uses as camping, boat storage, boat rental, picnicking, and swimming.

-
4. Increase the number of public access areas. **Comment by:** Robinson, Joseph A.

Response: There are currently 43 public access areas on Guntersville Reservoir. Alternatives B1 and B3 both provide for two additional public access areas near State Route 117 bridge. TVA has reduced vehicle access to some TVA public land in an attempt to reduce the public abuse of these areas.

Oppose Agricultural Practices

5. Stop all farming on TVA land. **Comment by:** Key, Dalford E. RMD

Response: TVA considers farming of suitable areas an acceptable use of public land. Agricultural licenses require the use of best management practices,

including vegetated shoreline buffers, rotational pastures, and use of alternative watering sources to ensure protection of water quality.

Oppose Timber Cutting

6. Zero timber cutting. **Comment by:** Unknown (comment turned in at Guntersville Public Meeting on May 31, 2001)

Response: *TVA considers forest management activities acceptable in situations where such activities would contribute to the maintenance and health of the forest and/or of the ecosystem (such as in cases of pine beetle infestation).*

Alternatives

7. The DEIS presents the No Action Alternative (A) and two action alternatives: B1 (*Balanced Development and Recreation*) and B2 (*Balanced Development and Conservation*). Although all three alternatives would provide zones of protected areas, B1 and B2 would each allocate about 2,974.6 acres to “more protective uses” and include some additional acreage (7.295 ac) not allocated in the 1983 plan. The “B” alternatives would differ (Table 2-3) in that B1 would grant 13 development requests made during the scoping process for public recreational, commercial recreational and industrial development, while B2 would not grant such development. Instead, B2 would allocate these 13 parcels to the *Natural Resource Conservation* zone (4) or the *Industrial/Commercial Development* zone (5) and would not accommodate the requested developmental uses.

Although TVA has indicated a preference in the DEIS for the “B” action alternatives, a specific alternative (B1 vs. B2) was not selected. Consistent with NEPA, we trust TVA will formally select a preferred alternative in the FEIS. EPA favors selection of a preferred alternative by the lead federal agency at the DEIS stage so that the public is able to react to that alternative at a time within the NEPA process when public comments are more likely to affect the TVA decision-making process. This is most relevant for those lead agencies that do not particularly solicit public comments on the FEIS.

Of the alternatives presented, EPA prefers Alternative B2 over B1 over A. We agree with TVA’s preference for the allocation action alternatives over the No Action Alternative, since it is reasonable to upgrade a management plan that has not been updated since 1983. Overall, we prefer B2 over B1 since B2 would allocate several of the 13 parcels of land requested for development to *Natural Resource Conservation* zone (4), while B1 would accommodate all 13 requests for land development. From a practical standpoint, it would seem that a few of the requests might also be granted under B2 if it can be demonstrated that the development would alleviate an existing reservoir need such as a congestion that has developed, rather than simply providing an economic opportunity. In essence, EPA believes that TVA’s Project goals (pg. 7) to “optimize public benefits” and “stimulate economic growth” should still be contained within the context of environmental protection.

Comment by: Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *In general, this characterization of the alternatives is correct. Because of the uncertainty surrounding the designation of the 13 parcels affected by requests for use, TVA was not in a position to identify a preferred alternative. We did not wish to appear as an advocate or opponent of any particular alternative. TVA believed that by highlighting 13 parcels for public comment and discussion, the agency could better weigh the benefits and disadvantages of the various proposals. A preferred alternative that meets both project goals and environmental protection needs has been identified in the FEIS.*

8. The Alabama Wildlife Federation supports plan B-1. TVA should retain its historical purpose of providing green space and recreational area and minimal industrial and commercial development. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

Response: *Comments noted. TVA appreciates your time and willingness to contribute to this process.*

9. I prefer draft alternative B2 as a less environmental impact plan. **Comment by:** Alfiero, Richard
10. We support plan B-2. **Comment by:** Boerner, Dorothy L. and Robert H.
11. I request/ask the TVA Board of Directors to accept/approve Alternative B2 Plan. **Comment by:** Key, Dalford

Response: *Comments noted. TVA appreciates your time and willingness to contribute to this process.*

12. At first blush, Table 1 – Comparison of Alternatives – Acres, it would appear TVA decided to make available additional residential access land. This, however, is not the case. All that TVA is updating in their current Plan “A” is to include residential access land that has been sold, some having houses, thereon and occupied, in revised Plan B1 and revised Plan B2. Such inclusions should have been dealt with when the current Plan “A” was prepared. I do not understand why comments and approvals are appropriate to accomplish what should have been done in 1983. **Comment by:** Hazelrigs, R. E.

Response: *Maps associated with TVA land plans completed in the 1980's did not include residential access land because it was considered committed to a use due to the deeded rights owned by adjacent land owners. Plans prepared since 1995 have included a land use zone for residential access land to help provide a more complete picture of reservoir land use.*

Favor Watershed Management

13. Must manage watershed so that topsoil does not enter the lake at all! Yeah, I know this is impossible, so I'd try for 90% instead of 100%. **Comment by:** Unknown (comment turned in at Guntersville Public Meeting on May 31, 2001)

Response: *The best way to prevent topsoil from reaching the lake is to maintain and reestablish buffers of vegetation adjacent to a watershed's streams and rivers. This vegetation, referred to as the riparian zone, filters out silt particles and other non-point source pollutants. Currently, TVA is striving to restore and maintain the riparian zones along TVA owned shorelines. However, much of the land bordering our reservoir is privately-owned, and therefore subject to each land owner's management practices.*

14. The leaching of nitrites, bacteria and other harmful minerals into the lake is not permissible. **Comment by:** Unknown (comment turned in at Guntersville Public Meeting on May 31, 2001)

Response: *These types of pollutants exist naturally throughout the watershed and only become a problem when poor land use practices cause them to be present in excessive concentrations. One of the most effective ways to protect and improve water quality is to retain shoreline vegetation. TVA now requires a vegetative buffer on agriculture license parcels and encourages individual landowners to limit vegetation removal below the 600 ft. contour to improve water quality .*

15. It is with much dismay that I write this after having completed reading TVA's draft Environmental Impact Statement and Land Management Plan (DEIS&LMP) for the Guntersville Reservoir. From the report, it is obvious that TVA plans to continue to promote further unsustainable growth on, and irresponsible use of, public lands while offering friendly sounding euphemisms and the notion of resource stewardship to cloud the true nature of its intentions.

Compared to the status quo (alternative A), the proposed "Management" Plan action alternatives, B1 and B2, offer no improvement in sustainable and balanced development, water quality or preservation of aquatic and terrestrial biomes.

Comment by: Duus, Adam and Myczack, Leaf (Office of the Riverkeeper)

Response: *TVA disagrees with this assessment. Alternatives B1, B2, and B3 include a new zone, Sensitive Resource Management (Zone 3). In the planning process, as described in Section 2.1 of this EIS, any uncommitted land with identified sensitive resources was allocated to Zone 3, and thus was not available for allocation to Zones 2, 5,6, or 7. Areas that qualified for designation as Natural Areas (see Table 2-1, Land Use Zone Definitions, Zone 3) were allocated to Zone 3 in Alternatives B1, B2 and B3 of this plan. Alternatives B1, B2 and B3 all offer reductions in developable acreage over the existing land plan. TVA shoreline management policies currently in place (see Section 1.3 of*

this EIS) and its watershed management program are both designed to address water quality issues.

16. The existing “thriving river system”, referred to on page 7, is actually a hybrid ecological entity suffering severe eutrophication and polluted with PCB’s, pesticides and heavy metals (as quoted on page 51), as well as home to numerous “threatened” and “endangered” species. There can be no doubt that these conditions have been exacerbated, if not caused, by aggressive timber harvesting, indiscriminate waste dumping and careless residential build-up under the 1983 Guntersville Reservoir management plan. Given the further allocation of public lands to industrial/commercial, commercial recreational and residential “development” under alternatives B1 and B2, it is absurd to think that re-zoning of land alone, from that of industrial/commercial activity to “Sensitive Resource Management”, will alleviate the problems or qualify as responsible stewardship, as is espoused in the report.

What it may serve to do is to help improve the image of TVA while continuing the downward spiral of environmental standards and maintaining the short-term focus of TVA planning policy. Furthermore, what guarantee is there that the little land zoned for “Sensitive Resource Management” will remain so in the long run? Judging by TVA’s past performances (Compartment 52 and Camp Barber) such land will be conveniently re-zoned when it suits the self-serving interests of the TVA Board.

What is required when coming up with a responsible Guntersville Reservoir Land Management Plan is a consideration of things human AND non-human with a LONG-TERM focus. Only then will all life-forms, human and otherwise, present and future, be able to live and function effectively. Viewing the reservoir, and all watersheds, solely as an object means for human manipulation may lead to immediate political and financial gratification but leaves the reservoir desolate, diseased and unable to further support any meaningful activity. Renaming unsustainable logging practices that lead to species homogenization, bio-diversity loss, pest infestation and topsoil erosion, as “forest management”, and hiding this under the guise of “Natural Resource Conservation”, is an example of TVA’s efforts to implement its short-term goals without concern for others’ (other species) welfare. Furthermore, this is an example of misleading the public in thinking TVA is responding to the public’s desire for much more natural/cultural resource protection.

The adoption of an honest, long-term, non-anthropocentric view of the reservoir requires an uncommon awareness of the River and a sense of more courage on behalf of TVA Board members, department heads, project leaders and all other employees. It requires an appreciation of the fact that the River doesn’t exist solely for our convenience and use but that we, as humans, are a small, but important cog in this greater living machine the lifeblood of its’ valley. When we depreciate this living machine, we harm ourselves and every other interdependent life form. Adoption of such a view is becoming of the leaders of our society and guardians of our collective assets, as TVA hopes to be.

In reviewing the Guntersville Reservoir Environmental Impact Statement and Land Management Plan, I request you to ask yourself the following:

- a) Who/what gains by this plan and for how long do they reap the benefits?
- b) Who/what suffers by this plan and for how long do they suffer.

I have faith that honest biological answers to these questions will lead to balance between responsible industrial/commercial expansion, residential development, natural resource “conservation” and “sensitive resource management”.

It is with the above considerations in mind that we challenge TVA to adopt a policy to promote genuine sustainable and earth friendly development of the Guntersville Reservoir and to alter the proposed alternatives to allow the reservoir to be managed more sustainably than at present. In conclusion, we support none of the Alternatives put forth by TVA. **Comment by:** Duus, Adam and Myczack, Leaf (Office of the Riverkeeper)

***Response:** TVA has made a special effort to preserve biodiversity and to protect the reservoir system in the planning process. TVA believes that all of its action alternatives promote sustainability. The action alternatives each place all land with sensitive resources in the new Zone 3, Sensitive Resource Management, with the clear intention of providing protection to those resources. If the need arises to re-allocate any parcel designated as Zone 3, the decision associated with such action would be subject to NEPA review and requirements under statutes such as the Clean Water Act, the Endangered Species Act, and the National Historic Preservation Act. These reviews would further minimize potential impacts to sensitive resources.*

17. I am very concerned with the quality of our water. My wife and I have been members of the RSVP Water Watch Team for about 1 1/2 years and collect data from three streams each month. I am appalled at the lack of concern for our water by a large percentage of users & the others around it. **Comment by:** Nicholas, Glen B. and Norma J.

***Response:** The Guntersville Watershed Team values its partnership with RSVP to support its water quality monitoring program. We welcome your ideas about how our partnership could be used to promote more awareness about the importance of clean water to many quality of life issues.*

Favor Limiting Industrial Development to Conners Island Industrial Park

18. All new industry should be located at the new 500-acre Conners Island Industrial Park and not on other parts of the Guntersville Lake Shoreline. **Comment by:** Boerner, Robert H. and Dorothy L.

***Response:** Because of barge and highway access, industries have developed on all portions of the reservoir, primarily on private land. The 500-acre Conners Island Industrial Park is such an example. Very little industrial development occurs on TVA public land. Proposed allocations to Zone 5, Industrial/Commercial Development primarily allow access to backlying property owners across TVA public land for barge or water access. Because most industrial*

development occurs on private land, TVA does not have the ability to consolidate all private industry on Guntersville Reservoir into one location.

Favor Pollution Control

19. We must not allow commercial or industrial pollution of the lake. If a governmental authority must be created, so better get started on this. **Comment by:** Unknown (comment turned in at Guntersville Public Meeting on May 31, 2001)

Response: *In general, TVA believes that commercial or industrial water pollution is adequately regulated by EPA, TDEC, ADEM and other agencies.*

Favor Developed Recreation

20. Agree with anything that would put more marinas, restaurants and waterfront parks along the river. **Comment by:** Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001)

Response: *The Plan includes 1,704 acres of TVA public for developed recreation use.*

Favor Zone 4 for Enhanced Recreation/Horseback Riding

21. As a statewide group at over 2,500 members, we would like to see as much land as possible in Zone 4. This would give opportunity to a broad area of recreation to the general public and give more appreciation to our public lands management.

Comment by: Currey, David (Alabama Horse Council)

22. As a group, 175 members strong, we would like to see as much as possible Zone 4, to be used as recreational horse activities. We think that this would be as low impact on the environment as any public use and also give a bigger populous the chance to use and see our great outdoors here in Alabama. **Comment by:** Currey, David (Sand Mountain Saddle Club)

Response: *Approximately 54 - 56% of plan land (depending on the alternative referenced) has been allocated to Zone 4, Natural Resources Conservation. Horseback riding would be an acceptable activity within a Zone 4 parcel. Consideration to providing horse trails will be given during unit planning (unit planning is described in Section 4.2.8 of the FEIS).*

Favor Keeping Land in Natural State

23. It is imperative that the system look more favorably to conserving the river/reservoirs, maintaining a natural environment and habitat, in view of original planning which reflected a very conscientious long-term application of resources. Misuse of land provided in good faith has been demonstrated, especially in the

Guntersville Basin, where resale of given land has been established by precedence. The flying geese/birds of nature are no longer welcome--in a designated "Bird Sanctuary" town as posted. A residential landing strip, visioned to be an international airport, serves as a blight on the northerly island--once depicted as a landmark on postal cards of years gone by. Let these practices end and require intensive planning and funding up-front before TVA [taxpayers] honor further requests. **Comment by:** Bell, L. G.

24. Guntersville Lake is one of the most beautiful, if not the most beautiful lake in the United States. We need to preserve the natural beauty for generations to come.

Comment by: Boerner, Dorothy L. and Robert H.

25. Guntersville's beauty is due to its natural resources, which are a habitat for various wildlife, such as the bald eagle, the osprey and the great blue heron. It is my heartfelt desire that as much shoreline as possible be conserved to maintain these natural habitats. I would like to see these areas remain natural and not developed.

Comment by: Brown, Rebecca

26. TVA should keep all of its land and keep it natural for all future generations to enjoy. If year by year, TVA gives away land, then some day there won't be any. TVA should take a more aggressive approach to keep, guard and protect its lands. Wants the TVA Board to accept/approve Alternative B if this plan will accomplish that. Cities are becoming a cancer to TVA. All of them want TVA land for something. If this cancer is not stopped, in 100 years there won't be any TVA lands left, and our children and grandchildren won't know what TVA lands mean. Let them enjoy these beautiful lands as we have. Please keep all your property; stop the city cancer; let the public enjoy your land as you, I and all guard and protect it; keep the land in its natural state. **Comments by:** Key, Dalford E. RMD

27. I would like to see all land that is currently zoned for conservation of natural resources left undisturbed. **Comment by:** Langley, Randy

28. Instead of making comments on each specific parcel mentioned, I would like to take a more general approach to the issue of how this land is managed. Most of it was acquired by the government through a long and painful process. Prehistoric people struggled over its possession long before the Creeks and Cherokees came on the scene. White settlers and their descendants possessed it for about a hundred years until TVA became its owner. Everyone who gave it up through the years did so with considerable reluctance and resistance. To me, this underscores its value and the heavy responsibility for TVA to act as its protector. In light of these facts, some requests seem downright frivolous. Who among us would feel justified in saying to a Cherokee or a hard-working farmer of the Great Depression, "We took your land to make a ball field". Even more serious proposals seem "light weight" when set against this backdrop of history. As long as this land remains in as natural a state as possible, it is open to all to walk upon, to see, and to enjoy. If, however, some special interest gains control of it, it is lost to the public good forever. As long as there is any land left under TVA management, there will be those entities who will come up with this reason or that as to why they should have a piece of it. A little

here and a little there over the years and it is gone. I would strongly encourage TVA to keep as much of this land as possible in its natural state. **Comment by:** Millican, Bill

29. My family has enjoyed the natural beauty of Guntersville for many years. My aunt, a doctor abroad, could not understand why my Mom would want to leave a city to live in a rural area until she visited Guntersville for the first time. She was impressed by the natural beauty of my hometown, especially the abundance of wildlife along our natural shoreline. She had never seen the great blue heron or an osprey in their natural environment, nor had my cousins. We, as citizens of Guntersville, should recognize these areas as a precious natural resource and preserve them in their natural state. Please do not develop these areas. Conserve them so that our future generations may enjoy the same natural beauty and wildlife we see today. Once these limited resources are gone, they are irreplaceable. **Comment by:** Rashid, Mike

30. Since we are not able to manufacture more land, I hope that TVA will be slow in turning lakeside property to the control of other groups. **Comment by:** Sahag, Louise, H.

31. All tracts in Zone 3 and 4 should remain that way. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

32. While I have only been a resident of Guntersville for a short time, I feel it is important to share my thoughts about this matter. I chose to move to this area because of its cleanliness and natural beauty. From conversations I have had with many residents and visitors, it appears that many who move here, continue to live here or have vacation homes here, also rank these qualities high on their list. Therefore, I urge you and the TVA Board of Directors to make decisions that will preserve the natural beauty of the area and keep pollution of the water and air to a minimum. I also understand that when TVA allows people to use land located on the lake, many of them go against your regulations and destroy the vegetation on the buffer area next to the lake. As you know, this causes several problems. Since it appears that TVA cannot trust some people to follow the rules, it may be best to rigorously limit the amount of land that can be used for industrial/commercial development, recreation or residential access. A better option may be to classify the bulk of the land in question as "Sensitive Resource Management:" or "Natural Resource Conservation: It appears that most of the parcels people are requesting be classified as recreational or industrial will not offer anything new to the people of the area. Is there a true need for these parcels to be used in this fashion? Are other recreational and industrial areas already meeting or exceeding capacity. Even if they are, isn't there some point where you just have to say "enough is enough"? Preservation of our environment should be a priority. Again, since I am a new resident, I may not be aware of all the facts. But, since there do not appear to be any studies showing an absolute need for these parcels to be used as additional recreational, industrial/commercial or residential, then I would suggest that most of the land in question be classified so that these uses are not allowed. **Comment by:** Haynes, Linda A.

Response: Under the selected alternative, approximately 81% of plan land would be placed in Zone 3 (Sensitive Resource Management) and Zone 4 (Natural Resource Conservation), which do not allow for development. As a regional development agency, however, TVA manages public reservoir land to meet a wide range of needs to improve the quality of life in the Tennessee Valley. This plan seeks to balance the competing demands that are placed on public land to optimize the public benefits they provide.

Favor Balancing Economic Growth and Wildlife Management

33. Be very careful about protecting “endangered” species, otherwise us humans will be the endangered species. **Comment by:** Unknown (Comment turned in at Guntersville Public Meeting on May 31, 2001)

34. I think we need to bring in as many jobs as possible as long as it doesn’t affect the wildlife management areas. **Comment by:** Unknown

Response: Under the Blended Alternative, approximately 19% of plan land would be placed in Zone 2 (Project Operations), Zone 5 (Industrial/Commercial Development), Zone 6 (Developed Recreation), and Zone 7 (Residential Access), which allow for development. As a regional development agency, however, TVA manages public reservoir land to meet a wide range of needs to improve the quality of life in the Tennessee Valley. This plan seeks to balance the competing demands that are placed on public land to optimize the public benefits they provide.

Expressed Interest in Partnering with TVA for Clean-up

35. Interested in clean-up and maintaining Cave Mountain Small Wild Area including cavern interior. **Comment by:** Taylor, James Joseph

Response: The Guntersville Watershed Team has targeted this area as the fall 2001 National Public Lands Day project site. We welcome your participation in our planned improvements to this area and look forward to working with you.

Favor Browns Creek Wildlife Preserve/Refuge

36. I would like to see the entire lake area south of Alabama Highway 69 causeway placed in a wildlife reserve as refuge in which hunting would not be allowed.
Comment by: Kirkpatrick, Wally

37. I would like to identify myself with the comments made to you by Wally Kirkpatrick. He has made a thoughtful analysis of the plans presented at your open house on May 31, 2001, and I request that you seriously consider his comments. As a

resident of Guntersville, I am interested in the future direction of land management and preservation of a balance between recreational, conservation and commercial interests. **Comment by:** Davis, Bill

Response: *Except for land located close to power generating facilities, TVA allows hunting on the public land it manages unless it is prohibited by applicable state wildlife laws or local ordinances. TVA public land south of Route 69 that is within the Guntersville city limits is not currently available for waterfowl hunting under the city ordinance. Public land located to the south of Route 69 that is outside of city limits is currently available for hunting.*

Dissatisfied with Amount of Residential Access

38. There is a dire need for residential access property in Guntersville. TVA should fulfill this need even if the Guntersville Gang opposes it and make available sufficient residential access property for those who wish to relocate to Lake Guntersville at a reasonable price for the land.

TVA's resistance to making available additional residential access land has created a monopoly on that small amount of property previously sold by TVA. The residential access property in Guntersville is the highest priced for land on any lake in the state of Alabama. In fact, the prices being quoted for residential access property in Guntersville is equal to or exceeds that of ocean front property on Ono Island and Gulf Shores, Alabama.

Dealers in real estate in Guntersville are quick to tell you that the reason for the exorbitant prices being quoted for residential access property is because of TVA's adamant decision not to make available any additional residential access property. I can readily understand why the dealers in real estate and the Guntersville Gang do not want TVA to make available additional residential access property – simply put, more commissions and obscene profits. I have not found a residential access lot in Guntersville for less than \$350,000. I was recently quoted \$429,000 for a residential access lot measuring 105 feet by 386 feet, including a boathouse. This is outrageous. A 4,500 square foot house with a boathouse can be found on Lake Logan Martin or Lake Martin, or, for that matter, any other lake in the State of Alabama for \$450,000. A residential access lot on Lake Guntersville (without a house) would cost near this amount.

We would like to relocate to Lake Guntersville to be near our grandchildren in Huntsville, but at the prices being charged for residential access property on Lake Guntersville and the cost of improvements, it is prohibitive.

Since TVA created this monster and monopoly, it would appear TVA would want to correct the wrong they have brought on by making available additional access property.

If a comment has any meaningful purpose, I strongly suggest that TVA make available 2,000 to 3,000 acres of residential access for first-time homebuyers on Lake Guntersville. The land should be subdivided in parcels not to exceed one acre. There should be deed restrictions on the sales requiring the buyers to construct improvements on the property within twelve to eighteen months. The deed should reserve the right and obligation on the part of TVA to repurchase the said property should the buyer fail to make improvements within the twelve to eighteen months time period at the same price the buyer paid for the property. There should be a severe penalty clause in the deed, should the original buyer convey and transfer title to a third party without making improvements thereon, of up to one-half the purchase price to be paid to TVA. This would stop or severely curtail developers and speculators from having a first-time home buyer purchase the property and then convey the property to a developer or speculator.

Our government has given thought to placing caps on gasoline prices because of the obscene prices being charged by the oil companies, as well as the break-up of Microsoft because of it being a monopoly. TVA has permitted and allowed the same thing to happen and exist over many years by refusing to sell additional residential access property.

It would be to the advantage and benefit of the majority, not minority, of people if TVA would provide a level playing field by doing something about supply and demand in Guntersville by providing additional residential access property.

Comment by: Hazelrigs, R. E.

Response: *TVA completed an EIS on possible alternatives for managing residential shoreline development throughout the Tennessee River Valley in November 1999. In response to overwhelming public support, the resulting Shoreline Management Policy (SMP), limited residential access on TVA public land to areas where (1) residential access rights exist (38 percent of the shoreline valley-wide), and (2) residential access rights are conveyed through TVA's Maintain and Gain Policy. This policy provides for consideration of proposals to "give up" existing residential access rights at one location in order to "get" them at another location where they do not currently exist.*

Favor Additional Land Being Turned Over to the State to Manage for a Long-Term Tenure

39. We thank TVA for allowing us the opportunity to comment on the proposed Land Use Plan for Guntersville Reservoir and to state our request for designated parcels (138, 177, 178, 179, 180, and 206) to be included in the State Wildlife Management Areas. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *Response to your request to include specific parcels in the State Wildlife Management Areas are addressed individually under each parcel number.*

Favor More Hunting Areas

40. The Southern portion of the lake and adjacent lands toward the current origin of Browns Creek and outside the city limits of Guntersville (Parcels 258 -262, 281, and 282r) and across the lake (Parcels 266, 268-271) should remain in their current use, i.e., farming and recreation including hunting. In fact, all lands outside the city limits of a principality within the impoundment should be open to hunting, particularly, Parcels 258, 262, 281, 282r, 266, 268-271) and Parcels 1, 2, 26, 27, 202 and 206. (I don't have map of the areas north of South Sauty). **Comment by:** Norckauer, Heber "Butch" R., Jr. (Mr. and Mrs.)

***Response:** All of the parcels mentioned are open to hunting with the exception of Parcel 1, the Guntersville Dam Reservation. A 400-acre section of Parcel 1 is open to bow hunting. Hunting is not allowed on public property where TVA power facilities are located; on State managed properties unless authorized by the state; nor on certain properties where security and safety become an issue, such as industrial sites, residential areas, and utility areas. Hunting on all other TVA property is allowed, provided the circumstances align with State regulations. Some cities have ordinances against hunting within the city limits. Detailed information about hunting areas on TVA property can be obtained at the Guntersville Watershed Team Office.*

Favor TVA Supporting City of Guntersville's Needs

41. Nearly everybody agrees that TVA has been good for Guntersville. The lake makes our city a mighty appealing place to live and work. TVA gave the city the property for most of our parks and ball fields, and has done many other things to help the town. But the coming of TVA wasn't without a downside for Guntersville. Cities have to grow or eventually they wither and die. The lake cut Guntersville off from most of the places it would normally have grown into. Today, 62 years after the lake came up, Guntersville is still struggling to grow like other cities, especially to the north and west. Before TVA, Guntersville was 20% bigger than Albertville. Today Albertville is 233% the size of Guntersville. Arab's populations has grown 1,120 percent since 1940. Guntersville's has grown 68%. TVA officials need to keep this in mind in the next few weeks while they finalize their plan for managing the land around the lake.

The City of Guntersville has asked TVA to reserve three parcels that are now used or little-used. They would provide room for new recreation facilities, mainly ball fields; enhance the Conners Island industrial park; and make it easier to attract businesses to that park by allowing an airport runway long enough for corporate planes. Each of those requests was made to help Guntersville grow and prosper in the years to come. There are 40,000 acres of TVA land on the 949-mile shoreline of the lake. Most people would like to see the great bulk of it remain in its natural state, or be only lightly used. The TVA land in or right next to Guntersville itself needs to be seen in somewhat different light. It makes up only a tiny fraction of the land TVA owns, but it's very important to our community's future. That's why the city's needs

should be given high priority in TVA's deliberations. There should be ample space for other uses – and for no uses at all – in the rest of TVA's vast holdings.

Comment by: Harvey, Sam (Editorial, The Advertiser-Gleam, published June 13, 2001)

Response: *In response to the city's request, TVA has evaluated alternatives that include these proposals. For more information about TVA's response to additional comments concerning each of these proposals, please see the response to comments 103–159 (Parcel 26a), 178–209 (Parcel 40) and 413–549 (Parcel 257)*

Opposed to Giving the City of Guntersville Additional Land

42. In my opinion, TVA should "not" give city officials of Guntersville "either use of and/or control of" any more public lands (belonging to "all the people" of the U. S.) That, per the TVA act of 1933, were "to be managed" by TVA. **Comment by:** Edmonds, Doris C.

Response: *The TVA Act of 1933 entrusted TVA to manage public land in a manner that would generate prosperity. . TVA has historically made land available to Local, State and Federal Governments when, in TVA's opinion, their proposals would optimize public benefits and improve the quality of life in the Tennessee Valley.*

Concerning Protection of Cultural Resources

43. Upon review of the draft EIS submitted by your office, the Alabama Historical Commission has determined the following. It is our opinion that the entire area should be evaluated in terms of cultural resources and sites need to be prioritized. However, we agree that B1 and B2 are preferable alternatives as it appears that these alternatives have specific designations for archaeological and historic resource protection. Finally, we request that serious consideration be given to providing better monitoring for sites. We appreciate your efforts on this project. **Comment by:** Brown, Elizabeth Ann (Deputy State Historic Preservation Officer, State of Alabama, Alabama Historical Commission)
44. The TVA Guntersville Land Management Plan, Draft Environmental Impact Statement has been reviewed with regard to National Historic Preservation act compliance by the participating federal agency or its designated representative. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (64 FR 27044, May 18, 1999). Our office finds that all three alternatives have the potential to affect historic properties within the Guntersville Reservoir. We prefer Alternatives B1 and B2, as they provide for some protection of historic properties. However, in accordance with Section 106 of the National Historic Preservation Act, all undertaking associated with the Guntersville Reservoir Land Management Plan are subject to Section 106 compliance. Therefore, all such undertakings must be submitted to this office for review. Upon receipt of consultation documentation for individual undertakings, we will complete our review of each undertaking as

expeditiously as possible. Until such time as this office has rendered a final comment on this project, your Section 106 obligation under federal law has not been met. **Comment by:** Harper, Herbert L. (Executive Director and Deputy State Historic Preservation Officer, Tennessee Historical Commission, Department of Environment and Conservation)

45. On behalf of the Tennessee Commission of Indian Affairs, I would like to offer the following comments regarding issues to be addressed by the environmental impact statements that will be prepared for land planning efforts on Gunterville and Pickwick Reservoirs. At this time, our main concern is for any Native American cultural resources, such as cemetery areas and archaeological sites that would be affected by any land management plans. The environmental review should address how known sites would be affected and how unknown sites would be identified. Any future Land Management Plans for Gunterville and Pickwick Reservoirs should give careful consideration to cultural resources. I appreciate having the opportunity to make these comments. **Comment by:** Heape, Toye (Executive Director, Tennessee Commission of Indian Affairs)

***Response:** Under the Programmatic Agreement (PA) recently executed between TVA and the Alabama State Historic Preservation Officer (SHPO) regarding the development of reservoir land management plans for TVA reservoirs in the state of Alabama, a cultural resources management plan will be developed for Historic Properties within one year following the approval of a Land Management Plan for a specific reservoir. Under the terms of a PA the Cultural Resources Management Plan will address the identification, evaluation, and treatment of Historic Properties affected by the land plan. Phased identification, evaluation, and treatment of Historic Properties would be conducted as appropriate. TVA is in the process of developing a PA for reservoirs in the state of Tennessee. For more information, see Section 4.2.2 of the FEIS.*

Aquatic Weed Program

46. I like to compliment TVA on its aquatic weed spraying program during the last couple of years. It appears you have the balance and placement about right!
Comment by: Norckauer, Heber "Butch" R., Jr. (Mr. and Mrs.)

***Response:** Thank you for this feedback. Working in partnership with the Gunterville Stakeholder Group has enabled the development of yearly implementation plans that effectively balance conflicting views on how aquatic plants should be managed.*

Timber Harvesting in Zone 4

47. The updated land management plan would allocate land to six of the seven designated land use zones defined in Table 2-1. These zones are *the Non TVA Shoreland* (Zone 1 - no lands allocated), *Project Operations* (Zone 2), *Sensitive Resource Management* (Zone 3), *Natural Resource Conservation* (Zone 4),

Industrial/Commercial (Zone 5), Recreation (Zone 6), and Residential Access (Zone 7).

For the allocation plan, we understand that TVA will be consistent with (tier from) the recent TVA Shoreline Management Initiative Final Programmatic EIS (SMI FPEIS). We believe this guidance is essential for consistent identification of ecologically sensitive areas (including TVA designations such as Small Wild Areas, TVA Natural Areas, champion tree sites, wetlands [which comprise 14.8% of the area], habitat protection areas, etc.) and the allocation of lands for residential development as well as the design of associated residential shoreline features such as docks, retaining walls and buffer zone vegetation. We therefore conceptually agree with this approach, although suggest that a degree of flexibility be retained through the use of adaptive management (i.e., adjust the approach based on reservoir implementation experience and any new information) and to err on the side of the environment over reservoir shoreland development.

One potential EPA concern regarding the land use zones are the definitions in Table 2-1. It is unclear as to why *timber harvest* is listed as one of *the appropriate activities* in the *Natural Resource Conservation* zone (4). While we agree that wildlife management is appropriate to foster species survival and that aspects of forest management are also necessary for maintenance of forest health, commercial timbering can often be detrimental to forest health and water quality. It therefore seems inappropriate and misleading that timber harvest was included as an acceptable activity within Zone 4, which presumably should be representative of lands for conservation and human use/appreciation.

EPA recommends that timber harvesting be limited in the proposed TVA land management plan. Any harvesting allowed by TVA in the Guntersville Reservoir area should strictly adhere to forestry Best Management Practices (BMPs), be regulated/overseen by TVA, and be included as an activity under Zone 5 *Industrial/Commercial Development* rather than Zone 4. Any ongoing contracts for legal harvesting operations would still be effective until their expiration date, but should be reconsidered under the above conditions if renewals are requested. We suggest that TVA timber harvesting controls include the avoidance of clearcutting or limiting of any clear cutting to small mosaic patches, exclusion of harvesting in sensitive ecological areas, retention of riparian trees and other buffer zone vegetation within 100 feet of the reservoir shoreline or reservoir feeder creek or any wetland, soil erosion controls that are implemented and maintained, periodic inspection of harvesting operations, etc. Also, the environmental effects of timber harvesting, which do not appear to be addressed on page 87 of the DEIS, should be discussed in the FEIS. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *Zone 4, Natural Resource Conservation, is defined as land to be managed for the “enhancement of natural resources for human use and appreciation”. TVA only conducts forest management activities for the maintenance and enhancement of forest health and for wildlife management purposes. In response to this and other comments, the phrase “timber harvesting” in the definition of Zone 4, Table 2-2,” has been modified to “Timber*

management to promote forest health” to clarify TVA’s position. Further information on the environmental effects of forest management and several commitments to address water quality, forest health, and aesthetic impacts of forest management have been included in the FEIS. TVA’s decisions regarding residential shoreline on Guntersville Reservoir will be consistent with its SMI FEIS.

Please note that detailed management activities will be presented in unit plans that are being prepared for selected Zone 3 and 4 land on Guntersville Reservoir. Each unit represents an reservoir reach or grouping of TVA land in a geographic area of several thousand acres. If forest management is judged to be an acceptable strategy for use in maintaining or enhancing present levels of ecological diversity and for addressing the needs of TVA’s public land stakeholders, BMPs would be applied as necessary to minimize the potential for soil erosion. In addition, appropriate width buffers, particularly in areas proximal to roads, the reservoir shoreline, and other thoroughfares, would be protected.

Satisfied with Draft Plan

48. This provides my general concurrence with subject, specifically the manner of presentation and forethought of total dissemination to "ALL" interested parties. A cursory review indicates a conservative and realistic LMP, befitting the overall taxpayer's interests, and complimentary to TVA Management. Subject well presented--good effort conspicuous. March on with no more freebies [handout] attitude for guidance. Please remember "all the people". Thanks. **Comment by:** Bell, L. G.
49. We want to thank you and your team for an excellent plan for the Guntersville Reservoir Land Management. **Comment by:** Boerner, Dorothy L. and Robert H.
50. It seems that TVA has done a good job with this plan and I comment you for your job. **Comment by:** Richard, Greg
51. I think TVA’s land use plan is generally good and assures that the best needs of all are met. **Comment by:** Smith, Claude Herbert
52. This is in response to your June 22, 2001, letter requesting review and comment on the DEIS for the Guntersville Reservoir Land Management Plan. At this time, we have no comments to add regarding environmental resources or possible environmental impacts for this area. Thank you for the opportunity to participate in your planning process. **Comment by:** Eli, Stephen W. (Chief, Planning Branch, Department of the Army, Nashville District, Corps of Engineers)

Response: Thank you for recognizing the effort that went into preparing the plan. TVA appreciates your time and willingness to contribute to the process.

Dissatisfied with Availability of Draft

53. Perhaps TVA spent too much money on new offices, but, whatever the reason, it's a shame the agency did not mail copies of your 170-page draft land use plan to those who had provided input on it to date. A TVA press release on May 15, 2001, stated that copies of your plan would be available for public inspection at local libraries. I was disappointed to learn yesterday that, by "oversight," TVA failed to provide a copy of the plan to the Arab Public Library so people might study it before the public information session from 4-8 p.m. tomorrow at the Guntersville Rec Center.

Comment by: Moore, David

***Response:** A copy of the DEIS and Plan was placed on the TVA website in May 2001. Most libraries now have Internet access. Interested stakeholders had access to this website on public terminals located at the Arab public library. Initially, printed copies of the document were placed only in the larger area libraries and public buildings located within the Guntersville Watershed. Most of the land in Arab is located within the Wheeler Watershed. A copy was later placed in the Arab Public Library in response to a request from the librarian. All comments received after the public meeting until the close of the comment period on June 18 have been addressed in the FEIS.*

Satisfied with Opportunity to Provide Input into the Planning Process

54. Thank you for allowing the public to voice opinions regarding this matter. **Comment by:** Brown, Rebecca

55. In my opinion, the TVA practice of soliciting input from the public is an excellent one and should be continued. Individuals who live adjacent to TVA land, or who use TVA land regularly for recreation, often have a first hand knowledge of particular parcels. If TVA solicits and receives this knowledge, the resulting land planning procedure should be more comprehensive. **Comment by:** Bucher, George C.

56. We appreciate your effort to get public opinion on this matter. Thanks for your consideration. **Comment by:** Gerardi, Dr. Paul

57. I attended the recent TVA meeting in Guntersville and visited your TVA office to find out more information about your organization and this process. Everyone I spoke with during these encounters was very helpful and professional. The evident quality of your employees gives me confidence that you and your board will make the right decisions for all concerned. **Comment by:** Haynes, Linda A.

58. Thank you for this opportunity to become better informed of TVA land management projects and the opportunity to have input to the process. **Comment by:** Johnson, Jerome E.

59. Thank you for hosting the open house in Guntersville on May 31, 2001, regarding the updated Guntersville Reservoir Land Management Plan. I thought the meeting was well organized; and the handouts, maps, etc., were very helpful. The opportunities to talk with the interested parties who are making requests to TVA for

use of the various parcels of land was very helpful. I believe TVA is doing a very good job managing the Guntersville Reservoir in a manner which reasonably balances the various and frequently conflicting and disparate interests of the lake users. Thank you for the opportunity to provide inputs into your planning process.

Comment by: Kirkpatrick, Wally

60. I would like to identify myself with the comments made to you by Wally Kirkpatrick. He has made a thoughtful analysis of the plans presented at your open house on May 31, 2001, and I request that you seriously consider his comments. As a resident of Guntersville, I am interested in the future direction of land management and preservation of a balance between recreational, conservation and commercial interests. **Comment by:** Davis, Bill

61. I attended the open house in Guntersville on May 31, 2001, regarding the updated Guntersville Reservoir Land Management Plan. The meeting was well organized and the handouts, maps, etc. has provide helpful information to provide comments.

Comment by: Nicholas, Glen B. and Norma J.

62. Thank you for letting the people comment on this issue. **Comment by:** Pruitt, Janet

***Response:** TVA gives serious consideration to all comments that are provided by those who reviewed the DEIS. Thank you for recognizing the effort that went into making these sessions productive for both the public and TVA.*

Concerned with Protecting Air Quality

63. The Clean Air Act Amendments of 1977 created the Prevention of Significant Deterioration (PSD) program which is designed to prevent any serious deterioration of air quality in areas in which the air is cleaner than the National Ambient Air Quality Standards (NAAQS) require. The 1977 law designated as Class I areas, for the purpose of the PSD program, all international parks, national wilderness areas and national memorial parks over 5,000 acres in size and all national parks in existence on August 7, 1977, which are over 6,000 acres in size.

The Alabama Department of Environmental Management and the US EPA have jurisdiction over Class I PSD areas in the State of Alabama. The Class I area of concern in relation to both the Pickwick and Guntersville Reservoir is the Sipsey Wilderness Area, located in Lawrence and Winston Counties. The Pickwick Reservoir falls just outside of the 100 kilometers of the Sipsey Wilderness Area, and the Guntersville Reservoir falls just outside of the 100 kilometer boundary, but well within 200 kilometers. In the Notices of Intent to prepare Environmental Impact Statements for both reservoirs, it was stated that the land management plan would set aside certain amounts of land for industrial purposes. Any industrial facility planning to locate within this class I buffer zone will need to consult with ADEM to obtain appropriate permits.

Another potential concern is dependent on the new pending 8-Hr ozone standard. If implemented in its present form, Madison County, which is adjacent to Jackson and Marshall Counties, would be in violation of the new NAAQS and therefore be

designated nonattainment for the new ozone standard. Designation to nonattainment may require facilities in the area to implement more stringent pollution control technology in order to comply with the new NAAQS. **Comment by:** Ronnie Watkins (Chief, Air Division, Alabama Department of Environmental Management).

Response: *Thank you for describing the proximity of TVA public land on Guntersville Reservoir to Class 1 PSD and Class 1 buffer areas. The need to ensure that any industrial and/or commercial development that might occur on parcels allocated to Zone 5 would be subject to air quality regulations and is discussed in Section 4.3, Air Quality, of the FEIS. TVA is aware that any new or expanding industrial or commercial facilities would be required to meet applicable federal and state requirements in effect at the time of their development or expansion. TVA recognizes that any development would be subject to the respective state air quality permitting programs.*

As the DEIS states, all of the action alternatives proposed in this DEIS would represent a significant reduction in land available for industrial commercial/development over Alternative A, the No Action Alternative. Under Alternative A (the 1984 Plan) 1,786 acres would be available for industrial/commercial development. Alternative B1 would allocate 403 acres to Zone 5, Industrial/Commercial Development; Alternative B2 would allocate 338.2 acres and Alternative B3, (developed to respond to comments on the DEIS) would allocate 326.9 acres. For each alternative, 194 acres are already committed to industrial/commercial use by the presence of operational facilities on the land. Therefore only 209, 144 and 132 new acres, respectively, would be allocated to Zone 5 under the alternatives being considered. TVA looks forward to working with ADEM to ensure all air quality standards are met.

Executive Summary and DEIS Comments

64. Page 1 (Ex Sum) - The basis for the ordering of the public concerns documented during the scoping meetings is unclear. We assume the concerns on page 1 are listed by order of importance to the public based on the number of comments received. For clarity, we suggest that the approximate number or percentage of scoping comments associated with each listed public concern be provided in the FEIS. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *The EIS has been changed to respond to this comment.*

65. Page 3 (Ex Sum) - EPA suggests that the acreage values listed for each land use zone by alternative in Table 1 also be expressed as percentages in the FEIS to facilitate comparisons. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *The EIS has been changed to respond to this comment.*

66. Page 5 (*Ex Sum*) - It was stated that “[e]xtensive aquatic weed growth, while providing benefits to wildlife and fisheries, interferes with recreational activities.” While we agree that certain aquatic weeds benefit fisheries and wildlife in the form of cover/flotsam, water quality and forage, it should be noted that floating mats of weeds such as the Eurasian watermilfoil found in Guntersville could have detrimental water quality effects if shading of submerged vegetation results in die-offs and decay. This would reduce dissolved oxygen in the water column – particularly in areas with poor flushing – which would be detrimental to most fish and aquatic wildlife. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *Comments noted. TVA appreciates you time and willingness to contribute to this process.*

67. Page 10 (*Text*) - Based on Table 2-1, land uses in Zone 2 (*Project Operations*) include *land used for TVA power projects operations*. As part of the documentation of project impacts for Alternative B1 (as appropriate) or as cumulative impacts in general, the FEIS should include a reasonable discussion on the description (MW capacity, peaking or baseload generation, fuel type, etc.) and impacts (air quality, water quality, etc.) of prospective TVA power plants and related facilities (e.g., transmission line network, etc.) that are foreseeable for the Guntersville Reservoir area. Page 1, for example, references a prospective TVA coal gasification plant proposed for the undeveloped 1,300-acre Murphy Hill site. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *None of the alternatives proposed in this EIS include consideration to allocating Parcel 206 (Murphy Hill) to Zone 2, TVA Project Operations. Murphy Hill is the former proposed site for a coal gasification plant that was never built. The text on page 1 has been edited to clarify this point. TVA is considering a coal gasification project on the Bellefonte Nuclear plant site. Decisions regarding this are the subject of a separate EIS. Additional information on potential air quality impacts of the proposed Bellefonte Conversion has been added to Section 4.3 of the FEIS.*

68. Page 51 (*Text*) - PCBs were found in the sediment samples of the forebay at Guntersville Dam. Although the sediment rating declined for the site, the benthos rating for the forebay did not decline significantly (33 vs. 35) between monitoring years 1996 and 1998 and retained the same “excellent” rating (Table 3-15). The FEIS may wish to offer some discussion on the ecological significance of PCBs. Also, would any of the industrial/commercial development proposed by the 13 requests for development (Alt. B1) contribute additional PCBs or other toxins such as dioxins that could further contaminate forebay sediments? **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response:: *The FEIS has been changed to include PCB information. Although specific industries that would be located in Zone 5 under any alternative are not*

known, it is not anticipated that new industries would contribute to PCB contamination. Also, current PCB regulations would prevent such contamination. Further environmental review would be conducted before a specific development proposal could go forward on TVA land, when the details of the proposed development are available.

69. Page 59 (Text) - The decline in fish ratings between the years of 1996 and 1998 could be an indication of a real decline in fish population for various reasons. While the explanations offered in the DEIS for this rating decline involving river flows and other sampling conditions are plausible, TVA should consider including an actual stock decline as a possibility in the FEIS. We agree with the DEIS that additional fisheries monitoring should be conducted in the near future to determine the relative abundance of the fish community in the Tennessee River mainstem for comparison to previous sampling years. This would help determine if the decline in the fish rating was due to sampling conditions or a smaller fish population, and if the rating would recover to 1996 levels. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *Fish population differences can be attributable to sampling error and normal cyclic differences. A two year time span is not long enough to determine a trend; the observed changes merely warrant further observation. In regard to the possible sampling variation, there are measures that are being taken to reduce this possibility in the future.*

The tributary scores for the Sequatchie River watershed actually improved between 1998 and 2000. Given that tributary water quality influences the reservoir, and that the reservoir fish assemblage influences the mouths of tributaries, TVA expects that the fish scores for the reservoir sampling should recover.

70. Page 91 (Text) - For noise impacts, the FEIS should include potential additional noise increases due to the requested expansion of the Guntersville Airport on TVA reservoir land proposed by Alternative B1. What level of noise increases are expected for residents living with the DNL 65+ dBA contours? What type of airport is the Guntersville Airport (general aviation, commercial carrier, military) and what type of expansion is proposed (runway extension, new runway, change in type of aircraft, etc.). Also, what water quality effects would such an expansion have on the Guntersville Reservoir due to possible Reservoir bed/wetland filling, airport runoff and air depositions? **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *Additional information on the airport expansion and airport noise has been added to the EIS (Section 4.3). No filling of the reservoir is expected from any future expansion of the Guntersville Airport.*

71. EPA DEIS Rating - Although EPA in principle agrees with the proposed land allocation plan, we nevertheless have some environmental concerns. It is unclear if Alternative B2 (EPA's DEIS preference) would be selected by TVA since no preferred alternative was identified in the DEIS and B1, if selected, would allow more industrial/commercial development. It is also unclear as to why timber harvesting (which we believe to typically relate more to commercial activities than to conservation, and that can have environmental consequences) is included in the Natural Resource Conservation Zone 4. Accordingly, EPA rates this DEIS as an "EC-2" (i.e., we have environmental concerns and request some additional information, particularly on the use and effects of timber harvesting in Zone 4).
Comment by: Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *In response to this comment, additional information has been added to the EIS. The definition of Zone 4 has been changed to "timber management to promote forest health" (see Table 2-2 of the EIS) to clarify this issue.*

72. Summary - Although EPA in principle agrees with the proposed land allocation plan, we nevertheless have some environmental concerns regarding the potential use and effects of timber harvesting on TVA reservoir lands and the potential for TVA's selection of Alternative B1 as their preferred alternative. At this DEIS stage, EPA environmentally prefers B2 since it proposes less reservoir development. Overall, we believe that TVA's economic stimulation and public benefits goal should be contained within the context of environmental protection. EPA appreciates the opportunity to review the DEIS. **Comment by:** Mueller, Heinz J. (Chief, Environmental Protection Agency, Office of Environmental Assessment, Environmental Accountability Division)

Response: *Comments noted.*

73. We are concerned that the continued use of herbicides to control encroaching exotic and nonnative aquatic plants may be detrimental to the long-term health of the fish, invertebrates, and benthic species present in the reservoir. The EIS (p. 51) addresses sampling efforts conducted in 1996 for pesticides, PCBs, and metals, producing good baseline data for future studies. Since the last sampling in 1996, the Tennessee Valley Authority (TVA) has developed and implemented an aquatic plant management plan using a combination of mechanical harvesters and herbicide treatments to control exotic/invasive aquatic plants. Due to the reservoir's relatively short hydraulic retention time of 12-13 days, areas downstream of Guntersville Reservoir could be impacted by the long-term use of herbicides. We believe additional testing for herbicides and their effects on the ecosystem is warranted.
Comment by: Hogue, Gregory L. (Acting Regional Environmental Office, United States Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance)

Response: *TVA has used herbicides to manage aquatic plants in the Tennessee River system since the 1960's. Herbicides approved by the U. S.*

Environmental Protection Agency (EPA) were used to manage about 1,200 acres of aquatic plants in developed, near shore areas of Guntersville Reservoir in 2000. The use of herbicides (diquat, 2,4-D, endothall, glyphosate, fluridone, chelated coppers) for managing aquatic plants in the TVA reservoir system was evaluated in an 1972 Environmental Impact Statement and a Supplemental Environmental Impact Statement (SEIS) completed in 1993.

The 1993 SEIS concluded that TVA aquatic plant management activities (including herbicide use) do “not create significant adverse effects on the natural or human environment”. Because herbicides are applied to only a small percentage of Guntersville Reservoir and because herbicide concentrations are decreased by a variety of factors including adsorption, photolysis, microbial degradation, plant metabolism, and dilution, it is highly unlikely the herbicides used for aquatic plant management on Guntersville Reservoir would occur at concentrations that would impact biota downstream of Guntersville Reservoir.

TVA monitors for PCB's, several pesticides, and metals in fish flesh as a part of its Valley-wide Vital Signs Monitoring Program. On most reservoirs, sampling is done on four year intervals and was last conducted at Guntersville Reservoir in 2000. Pesticides on the monitoring list for fish flesh are those included in EPA's recommended list, none of which are the organic herbicides used in aquatic plant management.. Copper concentrations in sediments are monitored at two localities in Guntersville as part of the Vital Signs Monitoring Program and several additional herbicide treatment sites are monitored to determine copper concentrations in sediments. Water treatment plants for the cities of Guntersville, Arab, and Scottsboro routinely monitor for herbicides used for aquatic plant management on Guntersville Reservoir.

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74. Although Bellefonte Nuclear Plant (Parcel 131) is currently not operational, the future of this plant should be addressed in the EIS. If the intention is to someday bring the facility on-line, this could have a dramatic effect on the ecology of the region.

Comment by: Hogue, Gregory L. (Acting Regional Environmental Office, United States Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance)

Response: *Decisions on the future of Bellefonte are being made in a separate EIS process. Additional information on the proposed Bellefonte Conversion is included in Sections 1.3 and 4.3 of the EIS.*

75. Parcel 40 under Alternatives B1 and B2 has been proposed for the Guntersville Airport runway expansion. The EIS failed to address the impacts associated with increased air traffic and noise associated with larger aircraft. We are concerned that these increases, depending on flight patterns, may affect nesting bald eagles, and such impacts need to be addressed before designating parcels for additional airport facilities. **Comment by:** Hogue, Gregory L. (Acting Regional Environmental Office, United States Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance)

Response: Additional information on the potential for noise resulting from the airport expansion has been added to the EIS.

76. Public-owned parcels that are currently undisturbed or in a natural condition and located adjacent to parcels zoned 3 or 4 should also receive a land allocation of Zone 3 or 4 to minimize potential impacts to terrestrial plant and animal species. This practice would prohibit development and reduce the sediment load in the reservoir. **Comment by:** Hogue, Gregory L. (Acting Regional Environmental Office, United States Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance)

76a. Parcels adjacent to the reservoir and designated as open TVA public land should be intensively managed to reduce the potential for bank erosion. In those areas that are prone to erosion, bank stabilization and erosion control should be managed with bioengineering techniques. **Comment by:** Hogue, Gregory L. (Acting Regional Environmental Office, United States Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance)

Response: Allocations to Zone 3 always include an adequate buffer to protect specific sensitive resources. TVA watershed teams target erosion-prone land for bank stabilization projects.

77. We are concerned that parcels designated for marina development are done so out of convenience rather than necessity. An analysis of current occupancy rates at existing marinas versus projected growth in the region should occur before additional marinas are approved. **Comment by:** Hogue, Gregory L. (Acting Regional Environmental Office, United States Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance)

Response: The majority of the 16 marinas on Guntersville Reservoir are located in Marshall County, AL. Based on public input and projected population growth (see Section 3.5, Socioeconomics, of the FEIS) TVA believes there will be a need for additional slips in Marshall County within the 10-year planning horizon for the proposed Plan. While there are currently excess slips at existing marinas, TVA needs to be ready to accommodate proposals for additional marina capacity to meet future need.

This plan proposes to disperse commercial marina development to less congested areas of the lake (close to Jackson County). TVA analysis has shown that average boating use on Guntersville Reservoir on a non-holiday weekend could safely double before recreational boating carrying capacity would be approached.

PARCEL 1

General

78. I also recommend that the shooting club in Parcel 1 be allowed to continue their use of the range and propose that the land in Parcels 260-262 and 281 be made available of the development of a public or private shooting range, primarily shotgun. With your cooperation I would be glad to further develop plans for such a range.

Comment by: Norckauer, Heber "Butch" R., Jr. (Mr. and Mrs.)

***Response:** TVA is not permitting any new shooting ranges on its property due to the potential for lead contamination. The Blue and Gray Club had to spend thousands of dollars cleaning up lead at the Parcel 1 site in order to continue use of the TVA property.*

79. Parcel 1 and 2 on the south side of the river, along with Parcels 1 and 3 on the north side of the river, in my mind, combine to create one of the most scenic and naturally beautiful areas. When boating down-river toward the dam, both sides of the river provide a natural frame for river/dam. Boating up-river from the dam, the same is true. Several years ago, a large pine beetle infestation near the dam required extensive timber cutting and the natural scenic beauty of the area was destroyed. I strongly believe that the above parcels (1, 2, and 3) should either be zoned to prohibit logging or a restriction added to these specific parcels to prohibit logging.

Comment by: McNeal, Glenn

***Response:** TVA believes that the flexibility to address forest health issues should be part of its overall management and does not wish to prohibit timber harvesting to promote forest health. However, TVA added restrictions on the size of harvests to this EIS, in part to address aesthetic issues.*

Favor Draft Zone Allocation

80. Agrees with draft zone allocation. Needs to stay for scenic beauty. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

***Response:** Comment noted. TVA appreciates your time and willingness to contribute to this process.*

PARCEL 2

Favor Draft Allocation, Zone 4 (Natural Resource Conservation)

81. Agrees with the draft allocation for camping, horseback riding, wildlife reserve, natural resources. **Comment by:** Gerardi, Dr. Paul

82. Agrees with the draft allocation for Georgia Mountain for horseback riding and camping. **Comment by:** Bonds, Jeff; Burnett, Calvin F. and Kippi; Cinader, Michael and Tammie; Currie, Beth; Elsea, Paul A.; Farley, Timothy D.; Formby, Elizabeth; Hilburn, Walter A.; Holland, Will D.; Holsonback, Joe; Zeigler, Kelly
83. Agrees with the draft zone allocation for horseback riding and camping. **Comment by:** Lang, Steve
84. Agrees with the draft zone allocation. Thank you from the horse people of North Alabama. **Comment by:** Pruitt, Janet
85. Agrees with the proposed zone allocation. Interested in horseback riding and camping on this parcel. We appreciate the opportunity to express our thoughts on this matter of Parcel 206 and 2. We, as trail riders, would like to see this land preserved as one of the few places left large enough to camp and trail ride without motorized vehicles interfering with our recreation. We are trying to promote this good, clean fun to the younger generation. This, in turn, promotes love and respect for animals and their habitat, natural resources and respect for the land from which we all live. If this draft is adopted, I would also like to organize a yearly trail ride or vacation spot for trail riders from near and far. This would promote business for the surrounding towns and parks and would show people from everywhere what a beautiful North Alabama we have. I run all types of heavy equipment and we are willing to trim our own trails and leave our natural resources as natural as possible. More and more people are becoming horse enthusiasts. I would appreciate your consideration of making available 206 and 2 parcels for family hobbies such as horseback riding and camping. The growing need for this sport or hobby has forced us to turn to lands outside the private landowners. We are interested in the younger generation's interest in horseback riding and camping as a way of getting back to nature. Our goals are to preserve natural habitat and have a place to ride and enjoy our hobby. We will help in any way we can to prepare Murphy Hill for this type of recreation. **Comment by:** Pruitt, Mark (Town and Country Trail Riders)
86. Agrees with the draft allocation. Needs to stay for scenic beauty. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)
87. Prefer parcel be allocated for horseback riding and camping. There are so many local people who have no trails to ride. This would afford them a place to enjoy the natural beauty and their animals. **Comment by:** Williamson, John
88. I would like to indicate that the Manchester Beach Area has been used by the people of Georgia Mountain for the past 40 years, that I know of. It's the only shallow area that is open enough for families to take their children swimming, camping and fishing. It's only a mile or so, most, to have access to the water, as in comparison to Guntersville is nine miles away. I know mountain people have camped with their children for many years and enjoyed the area. I would like to speak on behalf of these people and request that if any changes are made in compartment 52, that the interest of these people be given serious consideration. I personally hope nothing changes and things remain the same. I will be happy to assist you any way I can. **Comment by:** Brasfield, John

Response: *Comments noted. Horseback riding would be an acceptable activity within a Zone 4 parcel. Consideration to providing horse trails on Parcel 2 will be given during unit planning for this parcel (unit planning is described in Section 4.2.8). Care will also be given to protecting the scenic beauty of the site and continued availability of informal recreation opportunities.*

Oppose Draft Allocation - Favor Zone 3 (Sensitive Resource Management)

89. Favors select cutting to remove beetle-killed pines. Favors protection of Compartment 52. **Comment by:** Fleming, James W., Ph.D. (letter to the editor published in *The Arab Tribune* on May 16, 2001)

90. Does not agree with the draft allocation. I would like to have this zoned 3 instead of 4 simply to keep it from being logged or otherwise disturbed. If it is not zoned 3, I am glad to have it zoned 4. I am also glad TVA decided not to develop it. Thanks.
Comment by: Langley, Randy

Response: *Resource protection activities such as beetle-infested tree removal are permissible in both Zones 3 and 4 to promote the health of the forest. In response to comments on the DEIS, TVA modified the phrase "timber harvesting to the following words "timber management to promote forest health" in the definition of Zone 4, Table 2-2. Further information on the environmental effects of forest management have been added to the EIS and several commitments to address water quality, forest health, and aesthetic impacts of forest management have also been included.*

91. This is an area that needs maximum protection. I have found Pinkroot on this parcel. This plan is on the endangered list. **Comment by:** Light, Phyllis

Response: *A TVA botanist field checked this site to investigate the reported occurrence of pinkroot and found several populations. However, all plants found were *Spigelia marilandica* rather than the rare *Spigelia gentianoides*. No habitat for *Spigelia gentianoides* was seen. *Spigelia marilandica* is not a state- or Federally-listed species. All the plants seen were past blooming, but the flowers on the plants in this area are reported to have lighter color than is normal for *Spigelia marilandica*.*

92. Just in case you did not see this in *The Arab Tribune*, I have attached to this e-mail a personal column I wrote for our May 9 editorial page regarding a major problem I have with TVA's draft land use management plan for Guntersville Lake. The newspaper has an editorial in today's issue saying that TVA has an opportunity to help its credibility problem in Arab and Marshall County by doing the right thing in the final plan and protecting Parcel 2 between Walker Point and Guntersville Dam. As you know, this protection can be easily achieved by designating Parcel 2 for Zone 3 management instead of Zone 4, which allows timber harvesting. I have attached a copy of that editorial, too. I'm still holding out hope that you and TVA will do the right thing in the final version of the plan and protect Parcel 2 from logging. Can you tell

me any logical reason in the world why that cannot be done for what the draft plan itself describes as a significantly scenic stretch of shore? The answer is not pine beetles, because they have infested the opposite shore along the same stretch of river, yet those parcels are recommended for zone 3 management and protection. Pure and simple, there is no reason why TVA cannot do what people have asked and protect parcel 2. **Comments by:** Moore, David

Response: *Regardless of the zone definition, TVA will take the scenic quality of this site into account before undertaking any action. The high scenic values of steep undisturbed woodlands and attractive coves in Parcel 2 are similar to Parcels 4 and 23 on the opposite shore, which are also allocated to Zone 4. Parcels 3, 24, and 25 on the opposite shore are allocated to Zone 3 because the high sheer bluffs provide a more unique scenic character, and because sensitive plant and animal species are found there.*

Land in Zone 4 is managed to enhance the resources for human use and appreciation. The visual resources analysis conducted for this EIS (see Section 3.1), which helped to guide land allocation, considers the need for visual management (Zone 4) as well as visual protection (Zone 3) of TVA land. The steep wooded slopes in Parcel 2 have a low capacity to absorb change without visual consequences, and would be managed to help preserve scenic values. Informal recreation facilities such as trails and overlooks would increase opportunities for public use and enjoyment of this attractive area, with minimal visual change. Substantial logging activity would have a major scenic impact and is not planned for this parcel. However, resource protection activities such as beetle-infested tree removal are permissible in both Zones 3 and 4. A unit plan will be prepared for Parcel 2 to define intended uses and management practices in more detail. TVA encourages further public participation during development of the unit plan. See the response to comment 93 for additional information.

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93. I am writing to express my wishes for area 2/Compartment 52 currently owned by TVA. My husband and I have been residents of Georgia Mountain for only 1-1/2 years; however, we looked for an area such as this with its unspoiled beauty for a very long time. I believe this area needs to be protected for its sensitive resources; such as wildlife, plants, view, etc. We have encountered American Chestnut trees while walking down the bluff area. I believe most of these trees were destroyed by a blight years ago. This area has a large assortment of hardwoods as well. The view of this area alone should be enough to prevent timber harvesting. It seems to me TVA would want to prevent timber harvest as well due to runoff from the bluff into the lake if the trees are not kept in tact. This area is also known for its eagles nests. Surely this would be enough to further restrict this area. I beg of you to further protect this area. It is too valuable to the citizens of Marshall County. We must assure that this area will be left in its natural state for our children and grandchildren to enjoy. Once this area is open to timber harvest, it will be ruined forever. You cannot grow trees back overnight. It takes literally years and years for this caliber of tree growth. It will be too late to undo what is done. That is why I am asking now to reconsider this zoning before it is too late. **Comment by:** Siemens, Darlene

Response: TVA agrees that the scenic beauty of Parcel 2 is important. TVA only conducts timber harvesting for the maintenance and enhancement of forest health and for wildlife management purposes. Please note that detailed forest management activities will be presented in unit plans that are being prepared for selected Zone 3 and 4 land on Guntersville Reservoir. Each unit represents a reservoir reach or grouping of TVA land in a geographic area of several thousand acres. If forest management activities are judged to be an acceptable strategy for use in maintaining or enhancing present levels of ecological diversity and for addressing the needs of TVA's public land stakeholders, BMPs would be applied as necessary to minimize the potential for soil erosion. In addition, appropriate width buffers, particularly in areas proximal to roads, the reservoir shoreline, and other thoroughfares, would be protected. TVA encourages further public participation during development of the unit plan.

In response to this and other similar comments concerning timber harvesting, TVA has included in the FEIS several commitments to address water quality, forest health, and aesthetic impacts of forest management. In the definition of Zone 4, Table 2-2, the phrase "timber harvesting" has been modified to "timber management to promote forest health" to clarify TVA's position. Further information on the environmental effects of forest management have been added to the EIS. See the response to comment 92 for additional information on the visual analysis of this parcel.

PARCEL 3

94. Agrees with draft zone allocation. Needs to stay for scenic beauty. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

Response: Comment noted. TVA appreciates your time and willingness to contribute to this process.

PARCEL 11

95. Agrees with draft allocation. Good allocation. **Comment by:** Bucher, George C.

Response: Comment noted. TVA appreciates your time and willingness to contribute to this process.

PARCEL 12

General

96. The draft alternative B-1 map does not correspond with the proposed zone use in the Draft EIS and Land Management Plan. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: The map parcel designation, Zone 3, Sensitive Resource Management is correct and the EIS has been changed accordingly. Thank you for bringing this to our attention.

Favor Proposed Allocation, Zone 3 (Sensitive Resource Management)

97. Based upon my visit to the Guntersville office on June 6, 2001, I was made aware that the Parcel 12 allocation of “Residential Access” shown in the May 26, 2001, issue of *The Guntersville Advertiser Gleam* was in error, and that TVA has correctly allocated Parcel 12 as “Sensitive Resource Management”. Parcel 12 is adjacent to my farm, and I agree that “Sensitive Resource Management” is the appropriate allocation. **Comment by:** Bucher, George C.

Response: As you have stated, Parcel 12 is allocated to Zone 3, Sensitive Resource Management and will not be considered for development.

PARCEL 18

98. Request a description of the proposed land usage for this parcel. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: This parcel was allocated to Zone 2 due to the presence of an existing water/intake/pump station for the Town of Grant. No new development proposals have been submitted for this parcel.

PARCEL 20A

General

99. No 20a is not proposed in the plan but is designated on the parcel map. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: The map parcel number and zone designation have been corrected in the FEIS. Thank you for bringing this to our attention.

Opposes Proposed Zone Allocation, Zone 7

100. Does not agree with draft zone allocation. Prefers Zone 6, Developed Recreation. We purchased this property unrestricted. We planned to sell the property as a marina or personal watercraft sales facility. **Comment by:** Vandergriff, Shane (representing Walker, Herbert P., Sr.)

Response: TVA believes this parcel is not suitable for recreational use. The deeded access rights would seem to allow water access for commercial or recreational purposes. However, TVA believes that this would be a poor marina site because the water is too shallow. Therefore, due to your comment, TVA has proposed in Alternative B3 to reallocate this parcel to Zone 5, Industrial/Commercial, to recognize the potential for commercial development given its location adjacent to U.S. 431.

PARCEL 26

101. Agrees with the draft zone allocation. **Comment by:** Hawk, Billy G. (Mr. and Mrs.)

Response: Comment noted. TVA appreciates your time and willingness to contribute to this process.

PARCEL 26A

General

102. There is no 26a proposed in the plan, but it is designated on the parcel map.

Comment by: Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: The plan has been corrected to include Parcel 26a. Thank you for bringing this to our attention.

103. Conners Island is currently used recreationally, especially by outdoor enthusiasts. This is no longer being considered an industrial site? What kind of recreational facilities? **Comment by:** Richard, Greg

Response: Currently, only a portion of the backlying land (Parcels 35 and 36) has been made available to the city of Guntersville for industrial use under an industrial easement. Under the 1983 Plan, Parcel 26a was allocated for uses equivalent to Zone 4 (Natural Resource Conservation), Zone 5 (Industrial/Commercial Development, and Zone 6 (Developed Recreation). Parcels 35 and 36, which lie behind Parcel 26a have been allocated to Zone 5 in all alternatives, in recognition of the existing easement for use to support the development of Conners Island Industrial Park. As explained in Section 2.1 of this EIS, "in updating the 1983 Plan land currently committed to a specific use was allocated to the zone designated for that use." Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas."

This EIS considers alternatives that would retain the existing informal recreational uses of Parcel 26a (Alternative B2 and B3) and formal recreation uses proposed by the city of Guntersville (Alternative B1) as well as limited industrial/commercial development (under Alternative A). The city of Guntersville

had requested this parcel be allocated to support the city's overall vision for Conners Island Industrial Park, which includes formal walking trails, fishing piers, a marina, and an outdoor classroom as well as a hotel/convention center. TVA further discussed this proposal with the city of Guntersville after receiving public input on the DEIS. Because the city is not yet ready to develop this portion of Conners Island, the city and TVA mutually agreed that, at the present time, a Zone 4 classification would be appropriate. Therefore, the Blended Alternative B3 allocates Parcel 26a to Zone 4, Natural Resource Conservation. This alternative was developed in response to comments on the DEIS. However, since the city of Guntersville is the backlying property owner, TVA will consider a future request from the city based on the city's plans for the use of this property in accordance with any other factors that TVA may deem necessary at the time of the request. The city of Guntersville and TVA mutually agree that any allocation change be compatible with future plans and development of the Conners Island Park project.

Favor Draft Zone Allocation, Zone 6 (Developed Recreation)

104. Agrees with the draft zone allocation. **Comment by:** Bice, Jason; Currey, David; Groff, LaWanda "Boots"; Johnson, Jerome E.; White, David C.
105. Prefer active/passive recreation and light industrial for this parcel. The Guntersville proposal for Conners Island is logical and attuned to the environment. Timber and wildlife management are too limited in benefits to area residents. Both proposals (Conners Island and airport runway expansion) will impact growth and development of the area. Guntersville is addressing all issues in a well-thought-out process. **Comment by:** Culver, R. B.
106. Agrees with the draft allocation for recreation, not industry. **Comment by:** Edmondson, Randy
107. Favors the City of Guntersville proposal for this parcel. I have been a resident of Guntersville for 25 years and am the owner of a manufacturing company here employing 25 people. I strongly support the City plan for parcel 26a to enhance the mixed use of the Conners Island area. This plan will allow the public enjoyment of a beautiful area that will have the infrastructure of roads, power, water and sewer facilities that have been built for the industrial park located there. **Comment by:** Hayes, Ed
108. The City currently owns and is developing the 550-acre Conners Island Industrial Park. We would like to use the TVA land surrounding the park to achieve an overall vision of the area. The vision of the park is to balance industrial, business service, hospitality, developed recreation and natural areas to: 1) generate environmentally conscious economic growth, 2) provide employment for the citizens of the region and 3) create recreational opportunities for public enjoyment. **Comment by:** Hayes, Luanne

109. Agrees with the draft zone definition. Prefers Zone 5. Guntersville needs this.
Comment by: McCormick, Kenneth Sr.
110. Agrees with the draft zone allocation. We need to bring in as many jobs as possible. **Comment by:** Robinson, Joseph A.
111. Agrees with the draft zone allocation. Critical to Conners Island Development.
Comment by: Sellers, Wayne
112. Agrees with the draft zone allocation. All of these parcels (26a, 40, 257) will not only enhance City of Guntersville but will also create excitement and more tourism for the county. **Comment by:** Socha, Lisa (Marshall County Convention and Visitors Bureau)
113. Prefer active/passive recreation for this parcel. I would strongly recommend the lands in question be used as requested by the City of Guntersville. The Guntersville Water Board is investing over \$2 million dollars for water/sewer infrastructure that, in the near future, will help develop the whole Claysville area. The new runway is needed for promotion and growth of the Conner's Island Industrial Park. **Comment by:** Swann, Jack (Manager, Water Works and Sewer Board of the City of Guntersville)
114. Agrees with the draft zone allocation. To be developed with minimum impact to environment. Example: Guntersville State Park minus golf course. **Comment by:** Taylor, James Joseph
115. Agrees with draft allocation (recreation). Strongly agree to proposal. **Comment by:** Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001)
116. Agrees with the draft zone allocation. This could have a very positive impact on our local economy by creating jobs. **Comment by:** Vandergriff, Shane
117. Agrees with the draft zone definition. Very good idea. Guntersville needs more parks. **Comment by:** White, David C. (Mrs.)
118. Alabama Wildlife Federation (AWF) supports this request with reservations. This area is prime duck hunting habitat. Although not currently in the city limits, it is assumed that will happen eventually. The City has acted rather loosely with the State game laws without much support from the Game and Fish. AWF only supports this if duck hunting will be allowed as currently practiced. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

Response: *It should be clarified that Alternative B1 would allocate all of Parcel 26a to Zone 6, Developed Recreation and Alternatives B2 and B3 would allocate the entire parcel to Zone 4, Natural Resource Conservation. Zone 4 will accommodate informal recreational uses. None of the alternatives consider allocating Parcel 26a to Zone 5 (Industrial/Commercial Development). Parcels 35 and 36, which lie behind Parcel 26a were allocated to Zone 5 in recognition of an existing industrial easement to the city of Guntersville in support of the*

Conners Island Industrial Park. This parcel is located within the city limits and, therefore, local hunting ordinances apply.

TVA further discussed this proposal with the city of Guntersville after receiving public input on the DEIS. Because the city is not yet ready to develop this portion of Conners Island, the city and TVA mutually agreed that, at the present time, a Zone 4 classification would be appropriate. Therefore, the Blended Alternative B3 allocates Parcel 26a to Zone 4, Natural Resource Conservation. This alternative was developed in response to comments on the DEIS. However, since the city of Guntersville is the backlying property owner, TVA will consider a future request from the city based on the city's plans for the use of this property in accordance with any other factors that TVA may deem necessary at the time of the request. The city of Guntersville and TVA mutually agree that any allocation change be compatible with future plans and development of the Conners Island Park project.

Oppose Draft Zone Allocation, Zone 6 (Developed Recreation)

119. Does not agree with the draft allocation. Prefers Zone 4 for this parcel. No commercial or developed recreation. **Comment by:** Alfiero, Richard
120. Does not agree with the draft allocation. Natural beauty of area should be left in tact. **Comment by:** Arbir, F. (Mr. and Mrs.)
121. Does not agree with the draft allocation. Please leave as is. **Comment by:** Brown, Greg
122. Does not agree with the draft allocation. Prefer Zone 3, Sensitive Resource Management. I want this area preserved in its current natural state. **Comment by:** Brown, Rebecca
123. Here are my comments regarding the planned use of Parcel 26a by the City of Guntersville:
- 1) The Conner's Island Industrial Park has planned to install drainage lines from the site into a slough just south and slightly west of the industrial park. I have camped on the east side of this slough for years and can tell you that this slough hosts a variety of wildlife including great blue herons, turtles, and bream beds. There is very little circulation of fresh water current from the river into the slough and the impact of oily parking lot water and silt discharging from the industrial park drain lines will ruin the wildlife habitat.
 - 2) This same slough is usually full of milfoil (maybe hydrangea) and to the casual observer it is a weedy mess. However, I have been in the middle of it several times each year to snorkel and once you get below the layer floating on top the water becomes crystal clear (filtered by the milfoil) and there are "paths and clearings" that interconnect allowing good snorkeling. Many varieties of fish can be seen in the crystal clear water. Especially interesting are the bream beds. My point is that several times over the years this slough

has been treated as part of the herbicide spraying program and when the milfoil is gone the water turns into a murky mess and I'm sure that impacts the way fish and other wildlife breed there. If the City of Guntersville develops the area for recreational purposes, I would imagine that the milfoil would be considered unattractive and a problem for swimmers/boaters and would never be allowed to grow; this would have an even greater negative impact on the area.

- 3) Currently, a person can drive a rough dirt road and have access to several campsites along the banks of Parcel 26a. Our family has camped there at least once a year for the last 15 years. I believe that allowing the City of Guntersville to turn this into a recreation area and use it as a "hosting" or "hospitality" area for the planned industrial park will complete the destructive change to the parcel by converting it from a natural riverbank environment to a high traffic, crowded, pay-for-use area. Surely, some areas along the Guntersville reservoir should stay natural with minimal-impact public access uses available.

In summary, I don't think the proposed B1 and B2 alternatives needed to accommodate the City of Guntersville's plans for Parcel 26a are in keeping with TVA's desires for maintaining the watershed or preserving the environment. As stated in item 1) the proposed drainage line input to the slough (which will probably be allowed) will be damage enough to the parcel. Plans to develop the area for a recreation and "hosting" or "hospitality" should not be allowed because of the complete change to the parcel's character and ecosystem. TVA, please don't allow this area to be developed. **Comment by:** Cato, Michael

124.Does not agree with the draft allocation. TVA has given the City of Guntersville enough land already, which they have not used. **Comment by:** Clark, Holley

125.Does not agree with the draft allocation. The City of Guntersville has not built or participated in a productive manner on the land that TVA has generously given them. **Comment by:** Clark, Tiffany L.

126.Does not agree with the draft allocation. **Comment by:** Dixon, Bernice; Dixon, Maryann; Holderfield, Greg; Morrison (Martha Eugenia, Martha Sue and Robert N.); Smith, Lewis; Stephens, Cherie; Williams, Mary I. and Robert V.; Wisner, Clara and Sam C.; Wisner, Dan; Cater, Judy; Merritt, Sherry B.; Johnson, Julie; Bankston, Clint; Davis, Sarah; Wesson, Misty; England, Jerry and Ruby Joyce; Aldrick, Ann; Worthington, Tommy; Bankston, Voss; Whitehead, Kiley; Anderson, Sherry; Anderson, Marlene; Rippel, J. Thomas; Nailor, Dallas and Kathy; Miller, Sandra Kay; McCullars, Buddy; Merritt, Jamie; Koreyva, Michelle; Gaskins, Tammy and David; Free, Christopher A.; Foxx, Clint; Ewing, Danny and Dianne; Elkins, Sheree; Elkins, Amy; Banks, Catrina; Barnes, Melissa; Robles, Axel M.; Roslin, Bonnie; Sampson, Tammie, Amanda and Mark; Shead, Judy; Trussell, Jonathan and Melita; Whitmire, Linda

127.Does not agree with the draft allocation. **Comment by:** Doss, Jimmie

128. I totally and strongly disagree with the proposed Zone 6, Developed Recreation, as a result of "Proposed request from City of Guntersville to develop for recreation." I prefer that parcel remain/be continued as Natural Resource Conservation, Code 4. This strong opposition to providing "any more" Public Lands, for any reasons, to the City Officials of Guntersville is based on reasons outlined below. **Comment by:** Edmonds, Doris C.
129. Place this parcel into Zone 4. No recreation. **Comment by:** Dowdner, Becca; Ellis, Jennifer; Golden, Martha; Oliver, Freda; Wilson, Gary
130. Does not agree with draft allocation. Prefer this parcel be left as is. Too much development already!! Please leave it alone. **Comment by:** Gilbert, Betty
131. Does not agree with draft allocation. Prefer natural resource conservation for this parcel. This designation will allow the industrial park people informal access to the area near the lake. I believe that designating this parcel as natural resource conservation (instead of over developing it with recreational uses) will make the property much more appealing to businesses considering locating there. The environmental preservation of all this parcel will be a good selling point. **Comment by:** Haynes, Linda A.
132. Prefers Natural Resource Conservation allocation for this parcel. Guntersville government has destroyed enough of Conners Island already. **Comment by:** Hawk, Billy G. (Mr. and Mrs.)
133. Does not agree with the draft allocation. Let the city find another vision for the industrial park, not gobble up more natural shoreline. As stewards of the public lands, TVA has done a relatively good job of managing these lands in the public interest. However, I am concerned over the gradual loss of those lands which are currently in the Sensitive Resource Management and Natural Resource Conservation zones. Once we lose our natural wetlands and wildlife habitat they are gone forever. Gradual human encroachment is slowly destroying the pristine beauty of the Tennessee River valley. One only has to take a boat ride along the banks of Guntersville lake to see how the face of these public lands have changed over the past few decades. Once virgin shorelines are now bristling with homes, piers, parks, marinas, and campgrounds. It is for these reasons that I am vigorously opposed to proposals such as the one which would allow the city of Guntersville use of 456 undeveloped acres to expand the Conners Island Industrial Park. I realize that progress is inevitable and airport runway expansion is necessary for the economic growth of the area. But do we really need more parks, ball fields, nature trails and marinas? Does the demand for such facilities outweigh their availability? Before rezoning any TVA public lands, we should carefully weigh any benefits against the loss of natural, undeveloped habitat. **Comment by:** Hunt, Dale
134. Does not agree with the draft allocation. Prefer parcel be left natural. Please ask for approval of the neighborhood before you move or act on. **Comment by:** Dahlke, Keith
135. Does not agree with the draft allocation. Prefer parcel be kept as is. The City of Guntersville will not use the said land for the purpose they have proposed. The City

of Guntersville will take the land from the TVA (the people of this country) under the disguise of recreation, natural areas and hospitality. The City of Guntersville will use the land to sell at public auction to generate revenue for their own greed. Do not give this land to the City of Guntersville under any circumstance. The TVA did not need to give the 60-plus acres to the City of Guntersville for their industrial park. What right did TVA have to give the people's land to the City of Guntersville.

Comment by: Jackson, Fennell Lavon

136.Does not agree with draft allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford and Saylor, Kelly

137.Does not agree with the draft allocation. There is plenty of "developed" land in this area. We need homes for wildlife and game. The children need a place to go and enjoy nature at its best!. **Comment by:** Mathews, Bonnie

138.Does not agree with draft allocation. Prefer Zone 3. This is a large plot (456 acres). Too much to lose. **Comment by:** McNeal, Glen

139.Does not agree with the draft allocation. Prefer parcel be left as is. More development is not needed on Lake Guntersville. **Comment by:** Mize, Paul T.

140.We are strongly opposed to removing this parcel from natural resources conservation status and converting to commercial recreation. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

141.Does not agree with the draft allocation. Prefer Zone 3. Please preserve this area as it is a natural resource and habitat for wildlife such as the bald eagle and great blue heron. **Comment by:** Rashid, Mike

142.In the City of Guntersville request for Conner Island, I noticed on the industrial development map, they have two (2) active recreational areas. What does this include? Four (4) areas are natural areas. Five (5) areas are for hospitality. Who has decided what these areas include? Who would decide, if at a future date, these areas are not needed or used? Would the public be invited to make a decision on the future land? Would the area revert back to the original ownership, or would the area be sold for profit. Who would own control of the hospitality area? If the City of Guntersville owns the property and they decided some of the proposed areas are not needed, will they place the property up for sale to individuals? To my knowledge, no local input (public hearing) has been involved. I question the proposed plan for development of Conners Island. Most of the time, all plans for change or development in the city and industrial areas have been completed before the public is aware of the project being considered. Has TVA lived up to its character, covenants and deed restrictions on the property which it.....The City of Guntersville does not have a history of using the property from TVA in the manner of the original plans. They have sold industrial property to individuals for residential areas. The City has not lived up to its stewardship of the land around the lake. Leave Conners Island as it is, for the general public to use. Hold on to the plans and property for the years to come. **Comment by:** Sahag, Louise, H.

143. Does not agree with the draft allocation. TVA keep control of this land. Parcel 26a for sixty-two years has been the centerpiece of the lower Guntersville Reservoir landscape. Ideally, it should remain that way under TVA control. This land with the surrounding islands has always been considered by TVA as prime wildlife and fisheries habitat and it is the most popular fishing and hunting area on lower Guntersville Lake. Don't change it now because the need for this purpose is greater than ever. The City of Guntersville may eventually need some of this land, perhaps a docking facility to compliment the industrial area? In the past, the City of Guntersville has gotten control of TVA land and disposed of it for purposes other than that intended. Examples: The Signal Point Industrial Area given to the City for that purpose and later a large portion was sold for residential use at a huge profit. The City has also had pressure to release some of our City Park lands for commercial development, but backed off after citizen opposition. The Guntersville Dock, built by TVA for public use, was sold and now it is in private lands. TVA has been very generous to Guntersville. I hope we will use these areas for benefit to all citizens and preserve them for future generations. TVA needs to uphold its reputation as a highly respected government agency. These areas were taken by TVA for public use and should be maintained as such. Guntersville's Industrial Development Board's plan for Connors Island Park, including large areas of TVA land for "hospitality" and active recreation, should be restricted to assure that this use does not denigrate the ecology and offers reasonable public access without damaging the environment. **Comment by:** Smith, Claude Herbert
144. Does not agree with the draft allocation. Leave it alone. **Comment by:** Smith, James L. (Mr. and Mrs.)
145. Does not agree with the draft allocation. Prefer Zone 3. **Comment by:** St. John, Deborah; Wilkes, Esther, Wilkes, Steven
146. Does not agree with the draft allocation. Prefers Zone 3, Sensitive Resource Management. It's bad enough that the industrial park was built adjacent to a bald eagle nest, let's not do further damage by making the TVA land open for commercial recreation. **Comment by:** St. John, Lane
147. Does not agree with draft zone allocation. Would like it to be left as is. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)
148. Does not agree with draft allocation. Prefer this parcel be left as is. I can't believe the City of Guntersville would want to commercialize 26a. You can't separate 26a from the island and to change either would ruin both. **Comment by:** Unknown (initials CEG...comment turned into Guntersville Watershed Team office on June 15, 2001)
149. Does not agree with the draft allocation. Prefer parcel be left as is. When we bought our house in Bayshore six years ago, we asked about the land across the slew and all our neighbors to be told us it was TVA land and would never be built on. Please leave the foremost eastern portion of 26a a natural wildlife area. It is so close to us, it would ruin us to make it commercial. Also it would ruin our neighbors investments. **Comment by:** Unknown (initials P.B....comment turned into Guntersville Watershed Team office on June 15, 2001)

150. Does not agree with the draft allocation. Prefer parcel be left as is. My residence's land value may drop. **Comment by:** Unknown (comment turned into Guntersville Watershed Team office on June 15, 2001)
151. Does not agree with the draft allocation. Prefer parcel be left as is. My land property tax prices may rise. **Comment by:** Unknown (comment turned into Guntersville Watershed Team office on June 15, 2001)
152. Does not agree with the draft allocation. Prefer parcel be left as is. My residence is too close to this parcel. **Comment by:** Unknown (comment turned into Guntersville Watershed Team office on June 15, 2001)
153. Does not agree with the draft allocation. Prefer parcel be left as is. Should remain residential as was purchased. **Comment by:** Unknown (comment turned into Guntersville Watershed Team office on June 15, 2001)
154. Does not agree with the draft allocation. Prefer parcel stay the same. Living out of town, we were unable to attend the planning meetings concerning the possible sale and rezoning of TVA property 26a. We were shocked to learn that 26a touches Bay Shore Subdivision. The rezoning of 26a would ruin an entire residential neighborhood. There are families with children that do not need to be exposed to the commercial marine traffic the rezoning would create. **Comment by:** Unknown (comment turned into Guntersville Watershed Team office on June 15, 2001)
155. Does not agree with the draft allocation. Prefer parcel be allocated the same as it is now. Too much commercial development now around lake which pollutes lake. **Comment by:** West, Ed
156. Does not agree with the draft allocation. Living in Huntsville we were unable to attend the planning meeting concerning the possible sale and rezoning of TVA property 26a. We were shocked to learn that 26a touches Bay Shore Subdivision. The rezoning of 26a would ruin an ENTIRE RESIDENTIAL NEIGHBORHOOD. There are families with children that do not need to be exposed to the commercial marine traffic the rezoning would create. **Comment by:** West, Kari
157. Does not agree with the draft allocation. Leave it like it is. There is enough development going on 431 North. Guntersville Lake is a wonderful place and it would be best, in my opinion, to keep it that way. Why develop more recreation area when you are going to use up all the natural resources and then it will be too late. **Comment by:** West, Peggy
158. Does not agree with the draft allocation. Prefer parcel be left as is. Living in Birmingham, I go to Guntersville often to fish. Please do not rezone Parcel 26a. All bass fishermen love this area. **Comment by:** West, Robert W.

Response: *During the planning process the city of Guntersville requested 456 acres of TVA public land (Parcel 26a) for recreation, hospitality (hotel or motel development), and natural areas to enhance the overall setting of Connors Island Industrial Park. In response, Alternatives B1 proposes to allocate Parcel 26a to*

Zone 6, Developed Recreation. Alternatives B2 and B3 would allocate this parcel to Zone 4.

TVA further discussed this proposal with the city of Guntersville after receiving public input on the DEIS. Because the city is not yet ready to develop this portion of Conners Island, the city and TVA mutually agreed that, at the present time, a Zone 4 classification would be appropriate. Therefore, the Blended Alternative B3 allocates Parcel 26a to Zone 4, Natural Resource Conservation. This alternative was developed in response to comments on the DEIS. However, since the city of Guntersville is the backlying property owner, TVA will consider a future request from the city based on the city's plans for the use of this property in accordance with any other factors that TVA may deem necessary at the time of the request. The city of Guntersville and TVA mutually agree that any allocation change be compatible with future plans and development of the Conners Island Park project.

Oppose Industrial Development (Conners Island)

159. Strong objection to all of Conner's Island being turned over to use as an industrial site. Anyone who has visited Guntersville knows that its strength lies in its physical beauty, which means tourism should be the focus. And tourism means jobs. I feel if we lose sight of this and allow the Guntersville Reservoir shoreline to become cluttered with industrial sites, we've destroyed the real long-term potential of this area. Let Boaz have the shopping with their outlets, Albertville the industry with room for growth and leave Guntersville to tourism with our beautiful lake! **Comment by:** Wright, Chris

Response: Currently, only a portion of the backlying land (Parcels 35 and 36) has been made available to the city of Guntersville for industrial use under an industrial easement. The shoreland fronting the transferred land—Parcel 26a—was retained as a buffer. Under the 1983 Plan, Parcel 26a was allocated for uses equivalent to Zone 4 (Natural Resource Management), Zone 5 (Industrial/Commercial Development, and Zone 6 (Developed Recreation). Alternative B1 allocates the 456 acre parcel to Zone 6 which would allow for extensive recreation development. Alternatives B2 and B3 would allocate the entire parcel to Zone 4, Natural Resource Conservation, which would allow for only minimal improvements such as roads, trails, and observation areas.

TVA further discussed this proposal with the city of Guntersville after receiving public input on the DEIS. Because the city is not yet ready to develop this portion of Conners Island, the city and TVA mutually agreed that, at the present time, a Zone 4 classification would be appropriate. Therefore, the Blended Alternative B3 allocates Parcel 26a to Zone 4, Natural Resource Conservation. This alternative was developed in response to comments on the DEIS. However, since the city of Guntersville is the backlying property owner, TVA will consider a future request from the city based on the city's plans for the use of this property

in accordance with any other factors that TVA may deem necessary at the time of the request. The city of Guntersville and TVA mutually agree that any allocation change be compatible with future plans and development of the Conners Island Park project.

PARCEL 39

Favor Draft Allocation, Zone 3 (Sensitive Resource Management)

160. We support the proposed use and continued sensitive resource status. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

161. Agrees with the draft zone allocation. Small Wildlife Area very important. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

***Response:** This Plan includes five existing Small Wild Areas (SWAs), an expansion of Honeycomb Creek SWA, and three new SWAs. For information on these SWAs, see Section 3.2.5.*

Oppose Draft Allocation, Zone 3 (Sensitive Resource Management)

162. Does not agree with the draft allocation. Prefer Zone 6. Would like to see more growth in this area. **Comment by:** Brewster, Kim

163. Does not agree with the draft allocation. Prefer Zone 6. There needs to be more recreational growth in the county. **Comment by:** Fowler, Chris

164. Does not agree with the draft allocation. Prefer Zone 6. The City of Guntersville has limited larger land tracts that are suitable for the development of commercial/recreation areas. The tract of land on Buck Island is centrally located on the lake. This is ideal for a number of uses. The area could be developed keeping wetland integrity in mind. This could produce for Marshall County, and especially Guntersville, a stronger tourist area than anywhere. **Comment by:** Gillespie, Craig

165. Does not agree with the draft allocation. Prefer Zone 6. **Comment by:** Burns, Shaun; Greer, Derayne; Hand, James; 2 Unknown (comments turned in the Guntersville Watershed Team office on June 18, 2001)

166. Does not agree with the draft allocation. Prefer Zone 6. We need growth in this area to attract more people in this area. **Comment by:** Guffey, Josh

167. Does not agree with the draft allocation. Prefer Zone 6. Do not believe this is an environmentally sensitive area. **Comment by:** Hallman, Chet

168.Does not agree with the draft allocation. Prefer Zone 6. I want to see more growth.
Comment by: Holifield, Michael

169.Does not agree with the draft allocation. Prefer Zone 6. Need more growth in the area. **Comment by:** Hyde, Chris

170.Does not agree with the draft allocation. Prefer Zone 6. I feel that we should be able to use the property should anyone build any type of attraction site to help Guntersville. **Comment by:** Kearney, Carrie

171.Does not agree with the draft allocation. Prefer Zone 6. We would like to see more growth for public and commercial interest in this area. **Comment by:** Muse, Bart

172.Does not agree with the draft allocation. Prefer Zone 6. This parcel is currently zoned for commercial recreation and I would like to see it developed for a marina, resort and campgrounds. **Comment by:** Richter, Frank J., Jr.

173.Does not agree with the draft allocation. Prefer Zone 6. I feel there is no need to change the current zoning, which is commercial recreation. The development of this parcel for golf course, marinas, campgrounds will better serve the economic development for Guntersville. **Comment by:** Richter, Frank J., Jr.

174.Does not agree with the draft allocation. Prefer Zone 6. In my opinion, this area would do well for economic development. To attract people to the Guntersville area for recreational purposes, this would serve to increase revenue for local business.
Comment by: Riggs, Margie

175.Does not agree with the draft allocation. Prefer Zone 6. I do not believe this area is environmentally sensitive, therefore, it should be used in a manner as to attract people to this area. **Comment by:** Riggs, Marty

176.Does not agree with the draft allocation. Prefer Zone 6. To help this area grow.
Comment by: Taylor, Erica L.

***Response:** As explained in Section 2.2 of this EIS, all areas identified as having sensitive resources were automatically placed into Zone 3, Sensitive Resource Management, to reflect TVA's responsibility to protect these resources. The land uses permitted in Zone 6 are not compatible with protecting sensitive natural and cultural resources.*

PARCEL 40

General

177.The designation in the EIS Appendix B-1 does not correspond with the parcel map proposal. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *The map parcel designation, Zone 2, TVA Project Operations is correct for Alternative B1 and Appendix B-1 has been changed accordingly. Thank you for bringing this to our attention.*

Favor Draft Allocation, Zone 2 (TVA Project Operations)

178. Agrees with the draft zone allocation. **Comment by:** Bice, Jason; Groff; LaWanda “Boots”; Johnson, Jerome E.; Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001); White, David C.
179. Prefer additional runway for Guntersville for this parcel. Area development that is tourist sensitive will be aided by improved and safe aviation facilities. The runway is essential. Both proposals (Conners Island and airport runway expansion) will impact growth and development of the area. Guntersville is addressing all issues in a well-thought-out process. **Comment by:** Culver, R. B.
180. The City needs a runway capable of accommodating aircraft utilized by corporate executives to successfully attract new business, stimulate economic growth and provide sustainable employment for the population of the region. The current airport is less than one mile from Conners Island Industrial Park – a 500-acre park. The runway is currently 3,360 feet in length. Corporate aircraft require a minimum of 5,000 feet of runway. **Comment by:** Hayes, Luanne
181. Agrees with the draft zone allocation. I realize that progress is inevitable and airport runway expansion is necessary for the economic growth of the area. **Comment by:** Hunt, Dale
182. Agrees with the draft zone allocation. Prefers zone 5. This is vital for airport expansion. **Comment by:** McCormick, Kenneth Sr.
183. Agrees with the draft allocation. Allow City of Guntersville to use the required parcel to construct an additional runway at Guntersville Municipal Airport to attract new business. We recommend that the City of Guntersville be given permission to use a portion of Parcel 40 to construct a new 5,000 foot runway. The City of Guntersville has a great program in developing the Conners Island Industrial Park; and the 5,000 foot runway is needed to handle business class jet aircraft. The runway will greatly enhance the development of the Conners Island Industrial Park. The City of Guntersville has proven to be good stewards of TVA land. **Comment by:** Nicholas, Glen B. and Norma J.
184. Agrees with the draft zone allocation. Would greatly benefit our city if we could accommodate larger planes. Increase business. **Comment by:** Jackson, Wayne (Mr. and Mrs.)
185. Agrees with the draft zone allocation. Also helps in bringing in jobs. **Comment by:** Robinson, Joseph A.
186. Agrees with the draft zone allocation. Another important element of economic development. **Comment by:** Sellers, Wayne

187. Agrees with the draft zone allocation. All of these parcels (26a, 40, 257) will not only enhance City of Guntersville but will also create excitement and more tourism for the county. **Comment by:** Socha, Lisa (Marshall County Convention and Visitors Bureau)

188. Prefer public/community, recreation and navigation for this parcel. I would strongly recommend the lands in question be used as requested by the City of Guntersville. The Guntersville Water Board is investing over \$2 million dollars for water/sewer infrastructure that, in the near future, will help develop the whole Claysville area. The new runway is needed for promotion and growth of the Conner's Island Industrial Park. **Comment by:** Swann, Jack (Manager, Water Works and Sewer Board of the City of Guntersville)

189. Alabama Wildlife Federation supports this request. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

190. Agrees with the draft zone allocation. Need more incoming. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

191. Agrees with the draft zone allocation. We need a larger runway to accommodate new and larger businesses in the proposed industrial park. **Comment by:** Vandergriff, Shane

192. Agrees with the draft zone allocation. Good idea. **Comment by:** White, David C. (Mrs.)

193. I recommend that the City of Guntersville be given permission to use a portion of Parcel 40 to construct a new 5,000 foot runway. The City of Guntersville has a great program in developing the Conners Island Industrial Park; and the 5,000-foot runway is needed to handle business class jet aircraft. The runway will greatly enhance the development of the Conners Island Industrial Park. The City of Guntersville has proven to be good stewards of TVA land. **Comment by:** Kirkpatrick, Wally

194. I would like to identify myself with the comments made to you by Wally Kirkpatrick. He has made a thoughtful analysis of the plans presented at your open house on May 31, 2001, and I request that you seriously consider his comments. As a resident of Guntersville, I am interested in the future direction of land management and preservation of a balance between recreational, conservation and commercial interests. **Comment by:** Davis, Bill

195. Let the City use part of 40 to build new runway. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

Response: *Alternatives B1 and B3 would allocate this parcel to Zone 2, TVA Project Operations under which the airport runway expansion could be considered. It is anticipated that only a portion of the parcel would be used for new runway. The balance of land, which would remain undeveloped except for supporting infrastructure, would serve as a buffer.*

Oppose Draft Zone Allocation, Zone 2 (TVA Project Operations)

- 196.Does not agree with the draft allocation. The land should be swapped for private reservoir land. **Comment by:** Alfiero, Richard
- 197.I totally and strongly disagree with the proposed Zone 6, Recreation, as a result of "The City of Guntersville has requested use of this parcel for an airport runway expansion." I prefer that parcel remain/be continued as a Natural Resource as Natural Resource Conservation, Code 4. **Comment by:** Edmonds, Doris C.
- 198.Does not agree with the draft allocation. Prefer Zone 4. Why should Guntersville use TVA parcel with Albertville airport is 20 minutes away. **Comment by:** Edmondson, Randy
- 199.I think that TVA has given away enough land to the City. Place it into a Zone 4. **Comment by:** Ellis, Jennifer; Golden, Martha; Oliver, Freda; Dowdner, Becca; Wilson, Gary
- 200.Does not agree with draft allocation. Prefer natural resource conservation or sensitive resource management for this parcel. It appears that the airport needs to be expanded. Will it need additional land in the future? Seems like the limitations at this location indicate that an altogether new location should be found that will meet space requirements. **Comment by:** Haynes, Linda A.
- 201.Prefers natural resource conservation allocation for this parcel. Guntersville's proposed new airstrip requires too much tax payers money for so little use. Albertville has that capability now. **Comment by:** Hawk, Billy G. (Mr. and Mrs.)
- 202.Does not agree with the draft allocation. Prefer parcel be kept as is. The City of Guntersville will not use this land for an airport. The City of Guntersville will take this land and auction it at public auction for their own greed. Do not give this land to the City of Guntersville under any circumstance. **Comment by:** Jackson, Fennell Lavon
- 203.Does not agree with the draft allocation. Prefer this land be left in a natural state. Aircraft and wildlife do not mix! The next proposal will be to kill off the wildlife to avoid interference with aircraft landing. **Comment by:** Kaylor, Jesse
- 204.Does not agree with the draft allocation. Prefer this land be left in a natural state. The expansion of the Guntersville Airport will destroy one of the few remaining habitats for wildlife and vegetation on the TVA shoreline in Marshall County. The management of this land and waterfront by TVA is the only way to protect this small area, ensuring the preservation for future generations. **Comment by:** Kaylor, Sarah
- 205.Does not agree with the draft allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford
- 206.Does not agree with draft allocation. Prefer Zone 3. Poor trade-off. Lose too much – only a few benefit. **Comment by:** McNeal, Glen

207. The most urgent concern about giving this piece of property to the City of Guntersville is the proximity of the proposed runway to the Claysville Elementary School and the potential endangerment of the school children, on landing and take-off of the planes. Since most airports in the U.S. are located some distance from the cities they serve, I feel this should be the current scenario for the City of Guntersville and TVA. If this area is used for a landing strip, marsh lands, wetlands and environmental areas could be destroyed. Guntersville should go in with the City of Albertville and enlarge their airport, which would be less expensive to Guntersville. There would also be more room for expansion. Leave the Guntersville airport at Claysville as is for smaller planes. This would be a safety factor for all planes.
Comment by: Sahag, Louise H.

208. Does not agree with draft allocation. Prefers Zone 4. **Comment by:** Saylor, Kelly

209. Does not agree with draft allocation. Continue current allocation. Draft allocation would increase air and noise pollution, waste a natural resource and open area to corporations that may put the “mighty dollar” above environmental concerns.
Comment by: Taylor, James Joseph

Response: *TVA has considered two alternatives—A and B2—that would allocate this parcel to Zone 4, Natural Resources Conservation (or the equivalent designation under the 1983 Plan). Under Alternatives B1 and B3, it is anticipated that only a portion of the parcel would be used for the runway. The balance of land, which would remain undeveloped except for supporting infrastructure, would serve as a buffer. Alternative B3 was developed in response to comments on the DEIS.*

The Guntersville airport is a general aviation facility and the expansion is requested to allow its use by corporate jets. Given the size of the airport and the only occasional use by corporate jets, TVA anticipates that the Guntersville Airport expansion would not result in exceedances of the Day-Night Average Sound Level standard off of airport property. Additional discussion of potential noise impacts from the proposed airport expansion has been added to section 4.3 of the FEIS. No wetlands are expected to be affected by the proposed expansion.

To clarify the action proposed in Alternatives B1 and B3, TVA is not proposing to give fee ownership of this parcel to the city of Guntersville. The land would be available under a land use agreement to any individual or group that submits a development proposal for a use compatible with Zone 2, which is approved by TVA. No portion of the runway currently being discussed by the city is located in the reservoir. To clarify concerns about proximity to Claysville School, the runway location proposed under Alternatives B1 and B3 is not adjacent to the school.

PARCEL 42

210.Favor draft zone allocation. **Comment by:** Edmondson, Randy

***Response:** Comment noted. TVA appreciates your time and willingness to contribute to this process.*

PARCEL 51

211.Agrees with the draft allocation. I would like to see debris removed to improve navigation. **Comment by:** Bostwick, John

***Response:** TVA addresses debris removal through river cleanups organized by the TVA Watershed Teams in cooperation with local stakeholders. Contact your local TVA Watershed Team for more information.*

PARCEL 70

212.Agrees with the draft zone allocation for recreation, not industry. **Comment by:** Edmondson, Randy

***Response:** None of the alternatives being considered in this EIS allocate Parcel 70 to Zone 5, Industrial/Commercial.*

PARCEL 71

213.Agrees with the draft zone allocation for recreation, not industry. **Comment by:** Edmondson, Randy

***Response:** Parcel 71 is proposed for Zone 4, Natural Resource Conservation which would support informal recreation use in all of the action alternatives. None of the alternatives being considered in this EIS allocate Parcel 71 to Zone 5, Industrial/Commercial.*

PARCEL 81

214.Does not agree with the draft allocation. Very shallow water, good wetland habitat. Residential use will require dredging and spraying. **Comment by:** Alfiero, Richard

***Response:** As explained in Section 2.2 of this EIS, "in updating the 1983 Plan, land currently committed to a specific use was allocated to the zone designated for that use." Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas." The EIS goes on to explain that "the majority of public land which TVA retained below the 600-foot contour is*

encumbered by outstanding residential access rights that give back-lying property owners the right to request a private water-use facilities subject to TVA's approval under Section 26 of the TVA Act." Parcel 81 is allocated to residential access because of such outstanding rights.

This designation is not without protection to sensitive resources. Under the 1999 Shoreline Management Policy (TVA, 1999a), sensitive natural and cultural resource values of residential reservoir shorelines will be conserved and retained by the shoreline categorization system described in Section 1.3 of this FEIS, and by other provisions of the SMP.

PARCEL 101

215. Disagrees with the proposed draft zone allocation. Prefers Zone 7. I would like to be able to manage vegetation on Parcel 101. I would like to have a view of the Tennessee River from my home, which adjoins TVA property (Parcel 101). I don't wish to erect any permanent structures (docks or boathouses, etc.). I would like to clean out undergrowth, bushes, dead and fallen trees and non-sensitive vegetation or life. Land owners on each side of Parcel 101 have this right. (They paid for it and I would be willing to buy a lease, but I'm told this is not an option either.) Seems I'm in a no-win situation, because I bought the property at the wrong time (after it was already classified). I just want a view, not destroy any sensitive resources.

Comment by: Wilson, Thomas E.

Response: *TVA completed an Environmental Impact Statement on possible alternatives for managing residential shoreline development throughout the Tennessee River Valley in November 1999. In response to overwhelming public support, the resulting Shoreline Management Policy (SMP), limited residential access on TVA public land to areas where (1) residential access rights exist (38 percent of the shoreline valley-wide), and (2) residential access rights are conveyed through TVA's Maintain and Gain Policy. This policy provides for consideration of proposals to "give up" existing residential access rights at one location in order to "get" them at another location where they do not currently exist. Our records show that there are no deeded residential access rights associated with Parcel 101. Therefore, vegetation management and construction of private water-use facilities would only be permissible if residential access rights were obtained through TVA's Maintain and Gain policy.*

PARCEL 111

Opposed to Draft Allocation, Zone 4

216. Disagrees with the proposed draft zone allocation. Prefers Zone 7. Parcel 111 (currently Zone 4) should be categorized as Zone 7. Due to little or no management by TVA and adjoining landowners (because of TVA rules), this area has become a poor watershed and is a mosquito infested low area. By changing this area to Zone 7, landowners would be more willing to improve an area that would improve the value of property, improve vector infestation, stabilize shoreline, etc. This area is

surrounded by other residential property. We would also like to see additional aquatic plant control. None has been done to this area. **Comment by:** Bice, Jason

217. Disagrees with the proposed draft zone allocation. Prefers Zone 7 or subdivisions. Behind our home is TVA natural resource zoned land. The trees are 60-80 foot tall pines. Some are dead or dying and we fear the possibility of falling and harming our house. The aquatic plants in the shallow area of the river are unsightly, smelly, and breed mosquitoes. Hunters are behind our house at dawn shooting above our heads! We need to have this area zoned residential so we can get it cleaned up and safe for our family and neighbors. We cannot enjoy our yard for the mosquitoes all summer and the hunters all winter. Not to mention the rotting milfoil in the fall. Please consider rezoning Goosepond Acres. Thanks! **Comment by:** Bice, Lara

218. Does not agree with the draft allocation. Prefer Zone 7, subdivision. **Comment by:** McCrary, Kathy R.

Response: *TVA completed an Environmental Impact Statement on possible alternatives for managing residential shoreline development throughout the Tennessee River Valley in November 1999. In response to overwhelming public support, the resulting Shoreline Management Policy (SMP), limited residential access on TVA public land to areas where (1) residential access rights exist (38 percent of the shoreline valley-wide), and (2) residential access rights are conveyed through TVA's Maintain and Gain Policy. This policy provides for consideration of proposals to "give up" existing residential access rights at one location in order to "get" them at another location where they do not currently exist. Our records show that there are no deeded residential access rights associated with Parcel 111.*

Except for land located close to power generating facilities, TVA allows hunting on the public land it manages unless it is prohibited by applicable state wildlife laws or local ordinances.

TVA has a policy/permit for the removal of dead or dying trees that truly endanger a home. Please feel free to contact the TVA Guntersville Watershed Team office in Guntersville, Alabama, to discuss this matter further.

TVA fluctuates water levels on the main reservoirs on a weekly basis during the mosquito breeding season in order to disrupt mosquito life cycles rather than using insecticide application; this type of control effort targets mosquito pupa, larva, and egg stages. Mosquitoes along TVA reservoirs are monitored to check for disease transmission. All samples collected and analyzed to date around Guntersville Reservoir have been negative for mosquito-borne disease.

A watershed's health is directly dependent upon the amount of vegetative cover present along the shorelines of its streams and rivers. An area without vegetation allows rainfall run-off to carry sediment, and excessive nutrients directly to our waterways. Higher bacterial concentrations may also occur if poor land use and septic maintenance practices are not in place.

Aquatic plants on Guntersville Reservoir are currently being managed according to a plan that was developed by the Guntersville Reservoir Stakeholder Group, which includes various lake user interests - fishermen, boaters, homeowners, industry, tourism councils, local governments, environmental groups, TVA and other agencies. The plan attempts to achieve the related goals of meeting the recreational needs of as many reservoir users as possible while protecting the reservoir's ecological health and natural beauty. The area around Parcel 111 doesn't meet the criteria for Aquatic Plant Management as defined in the current Aquatic Plant Management Plan. Copies of the plan are available at the Guntersville Watershed Team Office.

PARCEL 127A

Concerns About Zone 6 and Nearby City Water Intake

219. Concerning the proposed changes in the current Land Management Plan, I would like to address "Parcel 127a" which is located in Scottsboro, Alabama. Proposed Alternative B1 would allow additional recreational development at this site. Although the draft maps fail to identify our facility, the Scottsboro Water, Sewer and Gas Board does operate a raw water pumping station directly across the slough from Parcel 127. The pumping station provides water for our filtration plant, which is the drinking water source for the City of Scottsboro and for much of Jackson County. Allowing use of this area for recreational purposes increases the risk to contamination of our water source. Sewage discharges from boats, chemicals from boat cleaning activities, decaying waste products and odors from fish cleaning, discharges from bilge pumps, run-off of gasoline, oil, and antifreeze from parking areas, and spillage from fuel pumping and fuel storage facilities are a few of the concerns to us as water providers. We are presently preparing, in accordance with ADEM regulations, a source water assessment plan. These regulations require us to identify potential contaminant sources that would affect our raw water supply. Additionally, we must obtain the name, address, and telephone number of the owner or generator of the potential contaminant source, as well as, develop a contingency plan for dealing with potential contamination, even to the extent of temporarily closing the plant. Please think about the clean drinking water needs of our community when consideration is given to changing this parcel to recreational purposes. **Comment by:** Light, Roy E., Manager, Scottsboro Water Works, Sewer and Gas Board

220. Expressed concerns about city water intake located nearby. **Comment by:** Richard, Greg

Response: *In this EIS, TVA has considered alternatives that would allocate Parcel 127a to Zone 4, Natural Resource Conservation (Alternatives B2 and B3) and to Zone 6, Developed Recreation (Alternative B2). Alternative B3 was developed in response to comments on this DEIS, including concerns expressed about the proximity of the city of Scottsboro's water intake to Parcel 127a. Further site assessment by TVA staff indicates that geographic limitations would likely make this parcel unsuitable for development.*

TVA's land management planning process allows for a 10-year planning horizon. Development of the new Wood Yard Marina across from the water intake is on hold pending the city's relocation of the intake. Regardless of the outcome of the planning process, we don't anticipate any development in the area until the city relocates the intake. Additionally, Parcel 127a is the back-lying property adjoining Parcel 127. Parcel 127 is a committed parcel, currently allocated to Zone 6 (i.e. Woodyard Marina). Given the interior location of 127a, no additional impacts to the water quality of that area are anticipated should it also be allocated to Zone 6 for commercial recreation.

Favor Draft Zone Allocation, Zone 6 (Developed Recreation)

221. Agrees with the draft zone allocation. **Comment by:** Alfiero, Richard; Bice, Jason; Robinson, Joseph A.; Saylor, Kelly; Sellers, Wayne; Taylor, James Joseph; White, David C.
222. Agrees with the draft zone allocation. Public access is most important. **Comment by:** Osmer, Marie
223. Alabama Wildlife Federation supports this request. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)
224. Agrees with the draft zone allocation. Needed. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)
225. Agrees with the draft zone allocation. Would provide for more public use of land. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)
226. Strongly agree with draft allocation. **Comment by:** Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001)
227. Agrees with the draft zone allocation. Good idea. **Comment by:** White, David C. (Mrs.)

Response: *Comments noted. TVA appreciates your time and willingness to contribute to this process.*

Oppose Draft Zone Allocation, Zone 6 (Developed Recreation)

228. Disagrees with the draft zone allocation. This property adjoins our lease on Parcel 127 (Woodyard Marina). We do not believe this property should be granted to another party when such a lease might interfere with our proposed use of the primary block of property. Also, we inquired about this property when negotiating the original lease and were told that TVA would not consider leasing it. **Comment by:** Cooper, John R.

229. Does not agree with the draft allocation. The City of Scottsboro should be able to develop other lands. **Comment by:** Edmondson, Randy

230. Does not agree with draft allocation. Prefer natural resource conservation or sensitive resource management for this parcel. Is this additional recreational area needed? Are the costs to the environment greater than the benefits of satisfying boaters? **Comment by:** Haynes, Linda A.

231. Does not agree with the draft allocation. **Comment by:** Hunt, Dale

232. Disagrees with the draft zone allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford

233. Does not agree with the draft allocation. Prefer Zone 3. **Comment by:** McNeal, Glen

Response: *In this EIS, TVA has considered alternatives that would allocate Parcel 127a to Zone 4, Natural Resource Conservation (Alternatives B2 and B3) and to Zone 6, Developed Recreation (Alternative B1) and to Barge Terminal and Navigation Safety Harbor (Alternative A). Alternative B3 was developed in response to comments on this DEIS, including concerns expressed about the proximity of the city of Scottsboro's water intake to Parcel 127a. Further site assessment by TVA staff indicates that geographic limitations would likely make this parcel unsuitable for development. No sensitive resources are present that would qualify this parcel for allocation to Zone 3.*

Allocating this parcel to Zone 6 does not automatically commit its use to any one developer. It would, however, restrict its use to developed recreation. If this parcel were to be allocated to Zone 6 (as in Alternative B1), TVA would then consider requests for its use from all interested parties. Compatibility with adjacent land use would be a major consideration when choosing a partner for development of this parcel. If Alternatives B2 or B3 were selected, this would not be a concern.

PARCEL 136

234. Does not agree with draft zone allocation. Prefers Zone 7, Residential Access. We would like the opportunity to sell residential lots from this property. **Comment by:** Vandergriff, Shane (representing Walker, Herbert P., Sr.)

Response: *This parcel was already committed to the state of Alabama as the Mud Creek Wildlife Management Area. As stated in Section 2.2 of this EIS, land currently committed to a specific use will be allocated to that use unless there is an overriding need to make a change. In addition, TVA completed an Environmental Impact Statement on possible alternatives for managing residential shoreline development throughout the Tennessee River Valley in November 1999. In response to overwhelming public support, the resulting Shoreline Management Policy (SMP), limited residential access on TVA public land to areas where (1) residential access rights exist (38 percent of the*

shoreline valley-wide), and (2) residential access rights are conveyed through TVA's Maintain and Gain Policy. This policy provides for consideration of proposals to "give up" existing residential access rights at one location in order to "get" them at another location where they do not currently exist.. Parcel 136 does not have existing rights for ingress and egress.

PARCEL 136A

Oppose Proposed Zone Allocation

235. Prefer parcel be allocated for public boat ramp. Boat ramp is at end of Jackson County Road 46 - Coffey Ferry Ramp. Needs upgrading and more parking area. Recently I used the Coffey Ferry boat ramp to go fishing with a friend. We had good luck and a great time, but I was distressed at the condition of the ramp area. It was grown up and looked terrible. There was very little parking. The area needed a good reworking and enlargement. There is sufficient TVA property there for a good public parking area. It surely would make it easier to get in and out of the water. Why have a facility if it is so difficult to use and if it looks like a dump? Please consider this request. Folks using this ramp would be thankful. Thanks. **Comment by:** Tyler, Richard L., Jr.

236. Prefer parcel be allocated for public boat ramp on this parcel at the end of Jackson County Road 46, known as Coffee Ferry Landing. This old ferry landing is a really good boat launching spot because it goes right in the Tennessee River where the water is 27-feet deep. TVA owns enough land to make a parking lot as big as necessary to accommodate hundreds of vehicles. There is a known problem with security at this spot. We need this boat ramp in the worst kind of way, because from the B. B. Comer Bridge to the Tennessee line, there are only three public boat ramps and there is not a parking place to park every weekend. Georgia and Tennessee people keep them full all the time. Any size boat that could be towed on the highway could be launched right in the Tennessee River at this ramp. Please consider this a priority. **Comment by:** McIntire, J. B.

Response: *This area is under consideration for long term easement to the Alabama Department of Conservation and Natural Resources (ADCNR) as a Wildlife Management Area. If requested by ADCNR, a boat ramp could be considered with 26a approval from TVA. There are six existing public boat ramps located on the Guntersville Reservoir from the B. B. Comer Bridge to the Tennessee State line. They are located as follows: B.B. Comer Bridge, Mud Creek, Crow Creek on Highway 72, Stevenson Municipal Park on Crow Creek, Long Island Creek and Bridgeport. In addition, we are in the process of negotiating for a new ramp at the Captain John Snodgrass Bridge on Highway 117 at the old Bridgeport Ferry Landing.*

PARCEL 138

237. We strongly oppose the residential status designations and request that this parcel be rezoned as natural resources conservation and re-established as an integral component of the Crow Creek Waterfowl Refuge under long-term tenure.

Comment by: Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *As explained in Section 2.2, The Planning Process, "in updating the 1983 Plan land, currently committed to a specific use was allocated to the zone designated for that use... Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas." This paragraph goes on to explain that "the majority of public land which TVA retained below the 600-foot contour is encumbered by outstanding residential access rights that give back-lying property owners the right to construct private water-use facilities subject to TVA's approval under Section 26 of the TVA Act." Parcel 138 is allocated to residential access because of such outstanding rights.*

PARCEL 145

Favor Draft Zone Allocation, Zone 6 (Developed Recreation)

238. Expressed serious concerns about a port terminal here. They already have one upstream. An inlet included in this parcel is used by many outdoor enthusiasts. The inlet also acts as a filter to protect the questionable run-off from their product spoil.

Comment by: Richard, Greg

239. Agrees with the draft zone allocation. **Comment by:** Alfiero, Richard; Bice, Jason; Hunt, Dale; Saylor, Kelly; Sellers, Wayne; Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001); White, David C. (Mrs.); McNeal, Glenn

240. Agrees with the draft zone allocation. Needed. **Comment by:** Johnson, Jerome E.; White, David C.;

241. We strongly support the State of Alabama's request for a public launching facility in this area. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

242. Agrees with the draft zone allocation. We need public access. **Comment by:** Robinson, Joseph A.

243. Agrees with the draft zone allocation. Maintain riparian zone around access. **Comment by:** Taylor, James Joseph

244. Alabama Wildlife Federation supports this request. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

245. Agrees with the draft zone allocation. Would be a great corporate, state, TVA venture. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

246. Agrees with the draft zone allocation. More jobs. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

Response: *Mead Containerboard currently has an industrial easement across this parcel, but is proposing to partner with the State of Alabama to develop it for public recreation. TVA is considering Alternatives that would allocate this parcel to Zone 5, Industrial Commercial (Alternative B2) and Zone 6, Developed Recreation (Alternatives B1 and B3). If this parcel is allocated to Zone 6, TVA plans to work with the State of Alabama and Mead Containerboard to develop a public recreation area at this site. It would no longer support use as a port terminal. Under TVA's SMP (see Section 1.3 of this EIS), shoreline buffers would be established to help maintain a riparian zone around the public access site. Under Alternative B2, this parcel would be allocated to Zone 5 for continued use under the existing industrial easement.*

Oppose Draft Zone Allocation (Zone 6 - Developed Recreation)

247. Does not agree with draft zone allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford

248. Prefer natural resource conservation for this parcel. Will this congest the area? Will this add to pollution problems? **Comment by:** Haynes, Linda A.

Response: *TVA is considering alternatives that would allocate this parcel to Zone 5, Industrial Commercial (Alternative B2) and Zone 6, Developed Recreation (Alternatives B1 and B3). No sensitive resources are present that would qualify this parcel for allocation to Zone 3.*

The parcel was not considered for Zone 4 because Mead Containerboard currently has an industrial easement across this parcel. As explained in Section 2.2 of this EIS, "in updating the 1983 Plan, land currently committed to a specific use was allocated to the zone designated for that use." Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas." Since Mead Containerboard is proposing to develop the parcel for public recreation, Alternatives B1 and B3 allocate the parcel to Zone 6 rather than Zone 5.

Stakeholders have voiced their support the proposed allocation of Parcel 145 to Zone 6 as a public boat ramp because the nearest main-stem Tennessee River launching area is located far upstream at Bridgeport, Alabama. While it is expected that the usage of this area (once developed for recreation) will increase due to current use as an informal launch ramp, some site "pressure" already exists. Any implemented site design can and should address ways to minimize or eliminate any harmful affects of non-point source pollutants affecting the water quality. Furthermore, since the current informal use is contributing to the

increased siltation and sedimentation of the river, it is possible that the formal development of the area could actually decrease the detrimental affects of the current informal launch ramp.

PARCEL 148

249.Does not agree with the draft zone allocation. **Comment by:** Edmondson, Randy

Response: *The backlying property to Parcel 148 is owned by Mead Containerboard which has a barge terminal on Parcel 146. The proposed allocation of this parcel in Alternatives B1, B2 and B3 to Zone 5, Industrial/Commercial Development is intended to accommodate future expansion needs of Mead Containerboard. The DEIS Parcel Information Matrix incorrectly stated that this parcel had historically been used as a barge terminal and was therefore committed to industrial use. This will be corrected in the FEIS.*

PARCEL 150

250.Does not agree with the draft zone allocation. **Comment by:** Edmondson, Randy

Response: *This parcel is under permanent industrial easement to the Stevenson Industrial Development Board. As explained in Section 2.2 of this EIS, "in updating the 1983 Plan, land currently committed to a specific use was allocated to the zone designated for that use." Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas."*

PARCEL 154A

Favor Draft Zone Allocation, Zone 6 (Developed Recreation)

251.Agrees with the draft zone allocation. **Comment by:** Alfiero, Richard; Bice, Jason; Hunt, Dale; Robinson, Joseph A.; Saylor, Kelly; Sellers, Wayne; Unknown (comment turned in at Guntersville public meeting on May 31, 2001); McNeal, Glenn

252.Agrees with the draft zone allocation for recreation, not industry. **Comment by:** Edmondson, Randy

253.Agrees with the draft zone allocation. Good idea. **Comment by:** Johnson, Jerome E.; White, David C.

254.Agrees with the draft zone allocation. Request preserving natural environment as much as possible including planting only native plants. **Comment by:** Taylor, James Joseph

255. Alabama Wildlife Federation supports this request. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

256. Agrees with the draft zone allocation. Bridgeport historic restoration.. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

257. Agrees with the draft zone allocation. Very good idea. **Comment by:** White, David C. (Mrs.)

Response: *Alternatives B1 and B3 propose allocating Parcel 154a to Zone 6. Alternative B2 would allocate it to Zone 4, which includes informal recreational use. None of the proposed alternatives for this land plan allocate Parcel 154a for industrial use.*

PARCEL 154A

Oppose Draft Zone Allocation, Zone 6 (Developed Recreation)

258. Does not agree with the draft allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford

259. Prefer natural resource conservation for this parcel. Will this congest the area? Will this add to pollution problems? **Comment by:** Haynes, Linda A.

Response: *It is expected that the usage of this area (once developed for recreation) will increase, however, it is currently being used as an informal launch ramp. Therefore, much of the "pressure" already exists. The stakeholders have voiced their support for allocation to Zone 6, Developed Recreation, because the nearest main-stem Tennessee River launching area is located far upstream at Bridgeport, Alabama.*

In regards to the increased non-point source pollutants affecting the water quality, any implemented site design can and should address ways to minimize or eliminate any harmful affects. Furthermore, the current informal use is contributing to the increased siltation and sedimentation of the river. Thus, it is possible that the formal development of the area could actually decrease the detrimental affects of the current informal launch ramp.

PARCEL 159

Favor Draft Zone Allocation, Zone 6 (Developed Recreation)

260. Agrees with the draft zone allocation. **Comment by:** Alfiero, Richard; Bice, Jason; Johnson, Jerome E.; Saylor, Kelly; Sellers, Wayne; White, David C.; McNeal, Glenn

261. Agrees with the draft zone allocation for recreation, not industry. **Comment by:** Edmondson, Randy

262. Agrees with the draft zone allocation. This sounds doable if the trail is not too close to the water. Also, the trail should be built with the idea of allowing people to visit nature along the trail – instead of destroying nature just to give people access to the area. **Comment by:** Haynes, Linda A.

263. Agrees with the draft zone allocation. Request preserving natural environment as much as possible including planting only native plants. **Comment by:** Taylor, James Joseph

264. Alabama Wildlife Federation supports this request. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

265. Strongly agree with draft allocation. **Comment by:** Unknown (Comment turned in at **Scottsboro Public Meeting on May 29, 2001**)

266. Agrees with the draft zone allocation. Railroad waterfront greenway. Greenways are always good! . **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

267. Agrees with the draft allocation. Very good idea. **Comment by:** White, David C. (Mrs.)

Response: *Comments noted. TVA appreciates your time and willingness to contribute to this process.*

Oppose Draft Zone Allocation, Zone 6 (Developed Recreation)

268. Does not agree with the draft zone allocation. **Comment by:** Hunt, Dale

269. Does not agree with the draft zone allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford

270. Does not agree with the draft zone allocation. Save wildlife management. **Comment by:** Robinson, Joseph A.

Response: *The city of Bridgeport proposed using the shoreline portion of this parcel for installation of a greenway/recreational trail. The type of recreational planning and use proposed by Bridgeport would allow for the management of wildlife and other natural resources. TVA has considered alternatives that would allocate the Parcel 159 to Zone 6 (Alternatives B1 and B3) and to Zone 4 or its equivalent (Alternatives A and B2). Under Alternative A, this parcel was allocated for three possible uses: multiple use forest management; wildlife management; and industrial access.*

PARCEL 161

271. We are opposed to further industrial development in this parcel due to potential water quality deterioration and wildlife habitat degradation. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *As explained in Section 2.1 of this EIS, "in updating the 1983 Plan, land currently committed to a specific use was allocated to the zone designated for that use." Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas." This parcel, which fronts the existing United Gypsum plant, is already committed to industrial use. All industries located on Guntersville reservoir are subject to local, state and Federal regulation and laws regarding protection of water quality and wildlife habitat.*

PARCEL 161A

Favor Draft Zone Allocation, Zone 5 (Industrial/Commercial)

272. Agrees with the draft zone allocation. **Comment by:** Bice, Jason; White, David C. (Mr. and Mrs.)

273. Alabama Wildlife Federation supports this request with comment. Hold this in its existing category until there is a specific need and then approve only the acreage that is required. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

274. Agrees with the draft zone allocation. More jobs. **Comment by:** Unknown (comment turned in at Guntersville Public Meeting on May 31, 2001)

Response: *Requests for use of this or any other TVA public land on Guntersville reservoir may be for a portion or for the entire parcel. If the request meets TVA criteria for use, TVA will approve use of only that portion which is directly needed to support the proposed use. All proposals will be reviewed under NEPA for potential impacts to the environment.*

Parcel 161a – Oppose Draft Zone Allocation, Zone 5 (Industrial/Commercial)

275. Does not agree with the draft zone allocation. Prefers this parcel be allocated for Zone 4, Natural Resource Conservation. There are existing industrial facilities in the area not being used. Use these areas first before requesting new areas. **Comment by:** Alfiero, Richard

276. Does not agree with the draft zone allocation. Should be able to come up with other means. **Comment by:** Edmondson, Randy

277. Does not agree with the draft zone allocation. Prefers natural resource conservation for this parcel. Is this needed? Do they need TVA land for this or can they expand elsewhere? **Comment by:** Haynes, Linda A.

278. Does not agree with the draft zone allocation. Prefers Zone 3 or 4. **Comment by:** Hunt, Dale; Key, Dalford; Saylor, Kelly

279. Does not agree with the draft allocation. Prefer Zone 3. **Comment by:** McNeal, Glen

280. We are opposed to further industrial development in this parcel due to potential water quality deterioration and wildlife habitat degradation. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

281. Does not agree with the draft zone allocation. Save wildlife management. **Comment by:** Robinson, Joseph A.

282. Does not agree with the draft zone allocation. Continue current allocation. Could significantly increase potential environmental hazards to Parcels 162 and 163. **Comment by:** Taylor, James Joseph

Response: *The North Alabama Industrial Development Authority (NAIDA) expressed an interest in using this parcel for industrial purposes. NAIDA does not currently own the backlying land. TVA has considered alternatives that would allocate the land to Zone 5, Industrial/Commercial (Alternatives B1 and B3) and to Zone 4, Natural Resource Conservation (Alternative B2). A “yard” large enough to buffer identified sensitive resources on the adjacent Parcels 162 and 163 was included in the demarcation of those parcels to prevent adverse impacts from any development on Parcel 161a. All industries located on Guntersville reservoir are subject to local, state and Federal regulation and laws regarding protection of water quality and TVA would require use of good stewardship practices.*

PARCEL 167

General

283. Alabama Wildlife Federation defers to the Tennessee Conservation League. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

Response: *Comment noted. TVA appreciates your time and willingness to contribute to this process.*

Favor Draft Zone Allocation, Zone 5 (Industrial/Commercial)

284. Agrees with the draft zone allocation. **Comment by:** Bice, Jason; Robinson, Joseph A.; Taylor, James Joseph; White, David C. (Mr. and Mrs.)

Response: *Comment noted. TVA appreciates your time and willingness to contribute to this process.*

Oppose Draft Zone Allocation, Zone 5 (Industrial/Commercial)

285. Does not agree with the draft zone allocation. **Comment by:** Edmondson, Randy; Hunt, Dale

286. Does not agree with the draft zone allocation. This land should be swapped for private reservoir land. **Comment by:** Alfiero, Richard

Response: *No land has been requested in exchange for long-term lease of TVA land on Parcel 167. In response to requests for use of TVA public land, fair market value is assessed, with the exception of requests from public agencies for public service projects.*

287. Does not agree with the draft zone allocation. Prefers natural resource conservation for this parcel. Is this needed? Do they need TVA land for this or can they expand elsewhere? **Comment by:** Haynes, Linda A.

288. Does not agree with the draft zone allocation. Prefer zone 3 or 4. **Comment by:** Key, Dalford

289. Does not agree with the draft allocation. Prefer Zone 3. **Comment by:** McNeal, Glen

290. Does not agree with the draft zone allocation. Remain agricultural. Near Zone 4 land. **Comment by:** Saylor, Kelly

Response: *TVA manages reservoir land to meet a wide range of regional and local development needs to improve life in the Tennessee Valley. Since this parcel has been severed from the reservoir by Interstate 24 and is adjacent to a growing commercial area, it provides an opportunity to meet regional and local development needs without impacting reservoir shoreland. Due to the presence of wetlands, any development on this parcel would be subject to review by the USACE under Section 404 of the Clean Water Act. The wetland on this parcel was created by the construction of the interstate—it is not part of adjacent wetland systems.*

PARCEL 172

General

291. Alabama Wildlife Federation defers to the Tennessee Conservation League.

Comment by: Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

Response: *Comment noted. TVA appreciates your time and willingness to contribute to this process.*

Favor Draft Zone Allocation, Zone 5 (Industrial/Commercial)

292. Agrees with the draft zone allocation. **Comment by:** Bice, Jason; Hunt, Dale; Johnson, Jerome E.; Robinson, Joseph A.; Saylor, Kelly; Sellers, Wayne; Taylor, James Joseph; White, David C. (Mr. and Mrs.); McNeal, Glenn

293. Agrees with the draft zone allocation. Appears that TVA has researched this need and approved it. **Comment by:** Haynes, Linda A.

Response: *Comment noted. TVA appreciates your time and willingness to contribute to this process.*

Oppose Draft Zone Allocation (Zone 5 – Industrial/Commercial)

294. Does not agree with the draft zone allocation. Prefers Zone 4. Current industrial area not being fully utilized. **Comment by:** Alfiero, Richard

295. Does not agree with the draft zone allocation. Prefers Zone 3 or 4. **Comment by:** Key, Dalford

Response: *This parcel has been requested by TVA's Economic Development staff for possible future expansion on the Nickajack Port Authority. TVA has considered alternatives that would allocate Parcel 172 to Zone 5, Industrial/Commercial Development (Alternatives A, B1 and B3) and to Zone 4, Natural Resource Conservation (Alternative B2).*

PARCEL 177

296. We endorse the proposed status of sensitive resource management on this parcel and request that it be included in long-term tenure status with the State of Alabama as part of the Crow Creek Waterfowl Refuge. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *This parcel is currently included in the proposed consolidated agreement for Wildlife Management Areas (WMAs) between TVA and the state of Alabama.*

PARCEL 178

297. We endorse the proposed status of sensitive resource management on this parcel and request that it be included in long-term tenure status with the State of Alabama as part of the Raccoon Creek Wildlife Management Area. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *This parcel is not currently included in the Wildlife Management Areas (WMAs) and TVA has no plans at this time to add public land to WMAs on Guntersville Reservoir as part of the TVA/Alabama WMA consolidation effort.*

PARCEL 179

Oppose Proposed Zone Allocation, Zone 7 (Residential Access)

298. Request that this parcel be designated as Zone 4 and included in long-term tenure as part of the Raccoon Creek Wildlife Management Area. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *As explained in Section 2.2, The Planning Process, "in updating the 1983 Plan, land currently committed to a specific use was allocated to the zone designated for that use...Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas." This paragraph goes on to explain that "the majority of public land which TVA retained below the 600-foot contour is encumbered by outstanding residential access rights that give back-lying property owners the right to construct private water-use facilities subject to TVA's approval under Section 26 of the TVA Act." Parcel 179 is allocated to residential access because of such outstanding rights.*

299. Does not agree with draft zone allocation. Prefers Zone 6, Developed Recreation. Calvary Bible Church now owns part of this property. They plan to create a church camp in the near future. **Comment by:** Vandergriff, Shane (representing Walker, Herbert P., Sr.)

Response: *Allocating Parcel 179 to Zone 7 (Residential Access) would not preclude the development of a church camp by the Calvary Bible Church. Under Zone 7, TVA could consider allowing the Church to construct a non-profit camp and associated water-use facilities solely for its own use.*

PARCEL 180

300. Request that this parcel be included as Parcel 179 in Zone 4 and part of Raccoon Creek Wildlife Management Area. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *As explained in Section 2.2, The Planning Process, "in updating the 1983 Plan, land currently committed to a specific use was allocated to the zone designated for that use... Commitments include leases, licenses, easements, outstanding land rights or existing designated natural areas." A large portion of Parcel 180 is a designated natural area (Raccoon Gulf Small Wild Area) and is committed for that purpose. Natural areas are included in the definition of Zone 3.*

This parcel is not currently included in the Wildlife Management Areas (WMAs) and TVA has no plans at this time to add public land to WMAs on Guntersville Reservoir as part of the TVA/Alabama WMA consolidation effort.

PARCEL 181

301. Appendix B-1 in the planning document does not correspond to the map parcel designation (residential access as opposed to sensitive resource management). **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *This has been corrected and in Appendix B-1 has been changed accordingly. Thank you for bringing this to our attention.*

PARCEL 195

302. Appendix B-1 in the planning document does not correspond to the map parcel designation (residential access as opposed to natural resource conservation). **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *The map parcel designation, Zone 4, Natural Resource Conservation is correct and Appendix B-1 has been changed accordingly.. Thank you for bringing this to our attention.*

PARCEL 200A

General

303. Is it best to put all cabins and recreational facilities in the charge of one person? Nothing against Mr. Cooper, but it may be best for him to have a little competition. He currently charges to launch at the boat dock near his store. If the economy turns bad or Mr. Cooper incurs financial problems, will there be stipulations regarding the upkeep of the cabins and facilities? Who inherits? **Comment by:** Richard, Greg

***Response:** Allocation of this parcel to Zone 6, Developed Recreation, does not automatically permit its use to any one person—TVA would consider reasonable proposals submitted by anyone for use of this parcel. The development plan included in any proposal received would be reviewed prior to approval. TVA would require additional public input into proposals submitted for its consideration. In any case, TVA would retain ownership of the property. The terms of any land use would include requirements for upkeep of the property.*

304. Is this needed? Will it just add to congestion and pollution? **Comment by:** Haynes, Linda A.

***Response:** Parcel 200a is already heavily used for informal recreation, resulting in degradation of the site from trash, erosion, and noise. Allowing this parcel to be developed into a camp and picnic ground with controlled access and adequate facilities would reduce the stress from current site abuses. Any land use agreement for use of Parcel 200a would include language about use of best management practices in developing the site, protection and enhancement of shoreline vegetation, and compliance with all state and local laws and regulations in regard to protection water quality and solid waste management. Alternative B3, developed in response to comments on this DEIS, reduces the amount of land allocated to Zone 6 to increase the buffer between any commercial recreation development and adjacent residential areas.*

Favor Proposed Zone Allocation, Zone 6 (Developed Recreation)

305. Agrees with the draft zone allocation. **Comment by:** Bice, Jason; Johnson, Jerome E.; Robinson, Joseph A.; Sellers, Wayne; Unknown (2 comments turned in at Guntersville public meeting on May 31, 2001); White, David C.;

306. The South Sauty Resort and Marina is just to the north of Murphy Hill. We agree with adding 49 acres to that commercial resort (200a). **Comment by:** Boerner, Dorothy L. and Robert H.

307. Agrees with the draft allocation. This has always been for this type of use. **Comment by:** Currey, David

308. Favors the draft zone allocation. Jackson County and TVA have done a poor job taking care of and improving this location. The roads are almost impassable, the

Vaught Cemetery a disaster. John Rex Cooper will do a good job. **Comment by:** McCormick, Kenneth Sr.

309. Agrees with the draft zone allocation. Request preserving natural environment as much as possible and maintain riparian zone. **Comment by:** Taylor, James Joseph

310. Alabama Wildlife Federation supports this as long as it is a paid easement. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

311. Agrees with the draft zone allocation. Okay to add 49 acres to commercial recreation. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

312. Strongly agree with draft allocation. Need dock access on river side. **Comment by:** Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001)

313. Agrees with the draft zone allocation. Good idea. **Comment by:** White, David C. (Mrs.)

***Response:** Comments noted. TVA appreciates your time and willingness to contribute to this process.*

Oppose Proposed Zone Allocation, Zone 6 (Developed Recreation) or Favor Zone 7 (Residential Access)

314. Does not agree with the proposed zone allocation. Prefer Zone 4. This land should be swapped for private reservoir land. **Comment by:** Alfiero, Richard

315. Does not agree with the draft allocation. Prefers Zone 4. I live in this area and totally disagree with this expansion!!! **Comment by:** Drinkard, Marjorie

316. Does not agree with proposed zone allocation. This parcel is a public use parcel and I oppose the transfer to private interest. The TVA must protect the rapidly decreasing public use property. I would support the development of a day-use recreation area for picnicking, swimming, hiking, etc., provided it is open to the public and not governed by private interest. **Comment by:** Hess, Fred O.

317. Does not agree with proposed zone allocation. **Comment by:** Hunt, Dale; Saylor, Kelly

318. Does not agree with proposed zone allocation. Prefer parcel be kept as is. **Comment by:** Jackson, Fennell Lavon

319. I am writing to express my concerns in reference to the proposed development of a campground on the TVA property located at Davis Point in Jackson County. I own 3 lots in the adjacent subdivision, which is a highly restricted subdivision, and I am opposed to this proposed development. I have several reasons for opposition to this development. First, I believe that having a campground and a restricted subdivision in such close proximity is not good due to the fact that it would adversely effect the

property values of the subdivision. Second, I have serious concerns about the TVA police force being able to adequately police a campground in such a remote location. Third, I do not see the need for any further shoreline campground in the area. There is already a campground across the mouth of South Sauty Creek on the Marshall County side. There are several state run campgrounds nearby at Lake Guntersville State Park and privately run campgrounds at Mountain Lakes Resort. There are also public campgrounds at Goosepond Colony, which are just across the river. In conclusion, I cannot see where the development of this tract of land benefits TVA, the adjacent property owners, or the public. I can only see it benefiting a few greedy individuals who will be taking land that is now available for free public use and profit by charging for its use. **Comment by:** Jordan, John

320.Does not agree with proposed zone allocation. Prefer Zone 3 or 4. **Comment by:** Key, Dalford

321.I am opposed to the person developing the 49 acres into campground in Langston, Alabama. I have seen deer, eagles, etc. on that land and I don't think it needs to be developed. I feel it needs to be left as timber management and wildlife. **Comment by:** Killingsworth, Mike

322.Does not agree with the draft allocation. Prefer Zone 3. **Comment by:** McNeal, Glen

323.We are opposed to commercial recreation being developed in this parcel.
Comment by: Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

324.I am writing to you to express my concern over a proposed land usage near Davis Point/South Sauty area. I own the waterfront home located on lot 12 of Davis Point 1st addition. I am also a part owner of three lots located on the same road across the street. It is my understanding that a proposal has been made to lease TVA land between the residential area of Davis Point 1st addition and the causeway for the purpose of developing a for-profit campground. It is my further understanding that the interested parties are the same owners of the existing campground across the bridge at South Sauty. Davis Point 1st addition was developed under strict building codes which required minimum square footage in order to protect the value of the properties. The area has become a thriving residential community with many full-time residents. All of the current property owners have significant amounts of money invested in the area. My concern, and the concern of other area property owners to whom I have spoken, is that that a campground adjacent to a neighborhood such as Davis Point will cause irreparable damage to the property values of the existing residences. In addition, I fail to see the need for more campgrounds. The South Sauty campground across the bridge usually appears to be half-vacant. I shudder to think of the clear cutting and wildlife that would be destroyed in the area for a failed business attempt. I would ask that TVA dismiss the proposal for land lease for this venture. The property owned by TVA would be much more valuable zoned as a residential land use adjacent to one of the nicest neighborhoods in the area than it would be as a campground. I welcome any questions or comments about my concerns. **Comment by:** Wilson, John M.

325. Does not agree with the draft allocation. Prefer residential development for this parcel. **Comment by:** Meeks, Britt J.

Response: *In this DEIS, TVA is considering several alternative uses of this parcel. Under Alternative A, Parcel 200a was allocated to categories equivalent to Zone 4, Natural Resource Conservation, and Zone 6, Developed Recreation. Under Alternative B1, the entire parcel would be allocated to Zone 6, Developed Recreation. Under Alternative B2, Parcel 200a would be allocated to Zone 4, Natural Resource Conservation. Under Alternative B3, developed in response to comments on this DEIS, TVA has reduced the size of Parcel 200a from 48.8 acres to 34.5 acres to provide adequate buffers to screen the commercial development from adjoining subdivisions. The remainder of the parcel (14.3 acres), renamed Parcels 200b and 200c, is allocated to Zone 4, Natural Resource Conservation.*

Allocation to Zone 6 is being considered because this area was used for public recreation in the 1970's and early 1980's and there has been a recent proposal for commercial development on the parcel. Parcel 200a is already heavily used for informal recreation, resulting in degradation of the site from trash, erosion, and noise. TVA does not currently have the resources to adequately maintain and regulate this site. Allowing this parcel to be developed into a camp and picnic ground with controlled access and adequate facilities would reduce the stress from current site abuses. Any land use agreement of Parcel 200a would include language about use of best management practices in developing the site, protection and enhancement of shoreline vegetation, and compliance with all state and local laws and regulations in regard to protecting water quality and solid waste management. Clear cutting would not be permitted.

It is anticipated that development of this site would have minimal impact on wildlife due to the availability of other undeveloped shoreline in the general area. TVA will consider the feasibility of any proposal before entering into an agreement for the use of the parcel.

TVA completed an EIS on possible alternatives for managing residential shoreline development throughout the Tennessee River Valley in November 1999. Under the resulting Shoreline Management Policy (SMP), TVA limited residential access on TVA public land to areas with existing rights, as may be stated in the deeds of adjacent property owners. Residential access rights include rights of ingress to and egress from the water and the right to request TVA permission to construct docks or other water use facilities. Because no such rights exist on Parcel 200a, it was not allocated to Zone 7 under any of the proposed alternatives.

PARCEL 206

Favor Proposed Zone Allocation, Zone 4 (Natural Resource Conservation)

326. We support Zone 4 status for this parcel and request inclusion in a long-term tenure status as a wildlife management area by Alabama's Wildlife and Fisheries.

Comment by: Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

327. I am glad to see Murphy Hill tract placed on the recreation list. **Comment by:** Richard, Greg
328. We wholeheartedly approve of zoning Murphy Hill (area 206) for Natural Resource Conservation (Zone 4). This will preserve the natural beauty of this 1,500 acres of land and still allow hiking, camping on undeveloped sites, hunting and wildlife observation. We request that Murphy be kept Zone 4 only and not allow any development or commercial resorts. There is no need for a power generation site at Murphy Hill as this will be done at the Bellefonte site. **Comment by:** Boerner, Dorothy L. and Robert H.
329. Agrees with the draft allocation for camping, horseback riding, wildlife reserve, natural resources. **Comment by:** Gerardi, Dr. Paul
330. Agrees with the draft allocation for Murphy Hill for horseback riding and camping. **Comment by:** Bonds, Jeff; Burnett, Calvin F. and Kippi; Cinader, Michael and Tammie; Currie, Beth; Elsea, Paul A.; Farley, Timothy D.; Formby, Elizabeth; Hilburn, Walter A.; Holland, Will D.; Holsonback, Joe; Zeigler, Kelly
331. Agrees with the draft zone allocation for camping and horseback riding. We do not use TVA lands for hunting, fishing, boating, swimming, residential. But we would like to preserve Murphy Hill for horseback riding and camping. Thank you. **Comment by:** Lang, Steve
332. Agrees with the draft zone allocation if this includes horseback riding and camping. No 4-wheelers, please. **Comment by:** Pruitt, Janet
333. Agrees with the proposed zone allocation. Interested in horseback riding and camping on this parcel. We appreciate the opportunity to express our thoughts on this matter of Parcel 206 and 2. We, as trail riders, would like to see this land preserved as one of the few places left large enough to camp and trail ride without motorized vehicles interfering with our recreation. We are trying to promote this good, clean fun to the younger generation. This, in turn, promotes love and respect for animals and their habitat, natural resources and respect for the land from which we all live. If this draft is adopted, I would also like to organize a yearly trail ride or vacation spot for trail riders from near and far. This would promote business for the surrounding towns and parks and would show people from everywhere what a beautiful North Alabama we have. If there is anything I can do to help prepare this area (206) for trail riding and camping, I will be glad to help. I run all types of heavy equipment and we are willing to trim our own trails and leave our natural resources as natural as possible. More and more people are becoming horse enthusiasts. I would appreciate your consideration of making available 206 and 2 Parcels for family hobbies such as horseback riding and camping. The growing need for this sport or hobby has forced us to turn to lands outside the private landowners. We are interested in the younger generation's interest in horseback riding and camping as a way of getting back to nature. Our goals are to preserve natural habitat and have a place to ride and enjoy our hobby. We will help in any way we can to prepare

Murphy Hill for this type of recreation. **Comment by:** Pruitt, Mark (Town and Country Trail Riders)

334. Agrees with the draft allocation. Prefers Zone 4. Needs to stay undeveloped. **Comment by:** Unknown (Comment turned in at Guntersville Public Meeting on May 31, 2001)

335. Prefers parcel be allocated for horseback riding and camping. There are so many local people who have no trails to ride. This would afford them a place to enjoy the natural beauty and their animals. **Comment by:** Williamson, John

Response: TVA does not plan to include this parcel in the state Wildlife Management Area (WMAs) at this time, but will manage it for compatible uses. Horseback riding on established roads and trails would be an acceptable activity within a Zone 4 parcel. The Guntersville Watershed team is drafting a unit plan for both the 1,500 acre Murphy Hill unit and the 2,400 acre Lower Guntersville unit which includes TVA land on Georgia, Lewis and Bishop Mountains. Like this land management plan, unit plans will be based on stakeholder desires and site capabilities. Implementation activities will include trail development and management, informal camping, bank fishing, and wildlife management. Consideration will be given to providing horse trails on Parcel 206 during unit planning for this parcel (unit planning is described in Section 4.2.8). Draft unit plans for the above mentioned areas will be available for public comment upon completion of the Guntersville Land Management Plan.

TVA has no plans at this time to add additional public land to WMAs on Guntersville Reservoir during the TVA/Alabama WMA consolidation effort.

PARCEL 207

336. Parcel map designation does not correspond with Appendix B-1 of the plan (natural resource conservation as opposed to commercial recreation). **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: The map parcel designation, Zone 6, Developed Recreation is correct and Appendix B-1 has been changed accordingly. Thank you for bringing this to our attention.

PARCEL 207A

Favor Proposed Zone Allocation, Zone 6 (Developed Recreation)

337. Agrees with draft allocation. **Comment by:** Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001); Battles, Rhonda; Bice, Jason; Bradford, Henry E.; Bradford, Loyd and Sue; Casey, Hoyt R. and Lacinda; Choat, James and Louise; Clemons; Ewell; Cline-Clemons, Ann; Coffey, Jackie and Latisha; Davis, Gary and Patti; Davis, Rita and Ronnie; Davis, Jeff and Michelle;

Davis, Nell; Davis, Mary and Tyrone; Eaton, Jimmie; Evers, Diann and Anthony; Fordham, Brenda B. and Richard C.; Hiatt, Carol and Jimmy; Higdon, Geneva and Larry; Holcomb, Dot; Holcomb, Earl C.; Holcomb, James; Howard, Bobby F and Margie.; Isbell, Bonnie and John T.; Kynerd, Barbara; Kynerd, George C.; Latham, Jerry and Pat; Loyd, Cecil and Lynda; Martin, Tim; McAnnally, Howard and Margaret; Mitchell, Betty; Mitchell, Carol B. and Sammy D.; Mitchell, Edward; Musick, Radall and Shirley; Nelson, Andy and Betty; Parvin, Evelyn W.; Richerzhagen, Henry R.; Richerzhagen, Judy A.; Robinson, Joseph A.; Sellers, Wayne; Shell, Betty J. and Clifford P.; Shirley, Roy; Smith, Eskell; Smith, James R. and Judy; Smith, Thelma; Spann, James and Lanell; Vann, Eleanor W.; Vann, Samuel; Walker, W. C. and Carlene; White, David C.; Willis, Renee; Wood, Betty J. and Harry S.; Currey, David; Hays, Barbara and Dillon; Adderhold, Harry and Margie; Eaton, Sue; McNeal, Glenn

338. There already are commercial recreation sites adjacent to Murphy Hill (i.e., Mountain Lake Resort and Little Mountain Marina Resort. We approve of adding ten (10) more acres to the latter, Parcel 207a. **Comment by:** Boerner, Dorothy L. and Robert H.
339. Agrees with the draft allocation. I agree for management of this area. Would be nice to clear area. It would look better from lake. **Comment by:** Bowen, M. Jeanine
340. Agrees with the proposed zone allocation. Great idea! **Comment by:** Drinkard, Marjorie
341. Agrees with the draft allocation. We travel from Kentucky at least three times a year to enjoy Little Mountain Park because of the great beauty of the Tennessee River. **Comment by:** Nipper, Robert (Mrs.)
342. Agrees with the draft allocation. I think this would help people to come into the area and bring in more revenue and make it attractive to the public and clean the area up. **Comment by:** Rohr, Tom
343. Agrees with the draft allocation. I think opening this land up to recreation enjoyment will bring more people into the area and bring in more money and make it a much more beautiful place to enjoy with the family and friends. **Comment by:** Rohr, Trudy
344. Agrees with the draft zone allocation. Request preserving natural environment as much as possible and maintain riparian zone. **Comment by:** Taylor, James Joseph
345. Alabama Wildlife Federation supports this as long as it is a paid easement. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)
346. Agree with draft zone allocation. Okay to add 10 acres for commercial recreation. **Comment by:** Unknown (Comment turned in at Guntersville Public Meeting on May 31, 2001)

347. Agrees with the draft zone allocation. Good idea. **Comment by:** White, David C. (Mrs.)

348. Agrees with the draft allocation. I think the beauty of the Tennessee River should be seen and not hid. Please open it up so the people of Little Mountain Resort would take care to add beauty to the great River. **Comment by:** Wicker, Kelly

349. My family and I wish to thank you and your co-workers for your assistance at the TVA Public Information Session that was held at the Guntersville Recreation Center on May 31, 2001. We appreciate the copy of the tax map and subject Plan, which included the request by Little Mountain Marina Camping Resort for the use of Parcel 207a for the expansion of their existing commercial recreation operation. The tax map showed in greater detail the layout of the TVA Parcel (207a) that Little Mountain Marina is requesting for their business expansion, as well as other bordering parcels. We cannot in good conscience object to Little Mountain Marina having Parcel 207a if that is the decision of the TVA, but we are delighted that there is a "buffer" parcel of TVA land between the acreage requested by Little Mountain and the acreage that front private properties. The 10.4 acres in Parcel 207a should satisfy Little Mountain's needs, although they have expressed a desire to purchase all of the properties from their location all the way to the old Monsanto Plant site. The bottom line is that we have no intention of ever selling our properties; in fact, our families are planning to build homes on these properties in the near future. We therefore request that that TVA frontage between TVA Monuments 121a and 124 remain allocated as it is now, and in the foreseeable future. **Comment by:** Howell-DeShield, Annette (Mrs.)

Response: *In this EIS, TVA is considering alternatives that would allocate Parcel 207a to Zone 6, Developed Recreation (Alternatives B1 and B3) and Zone 4, Natural Resource Conservation (Alternative B2). TVA public land fronting TVA monuments 121a through 124 is included in Parcel 208 and is allocated to Zone 4, Natural Resource Conservation, in all alternatives considered in this EIS.*

Oppose Proposed Zone Allocation, Zone 6 (Developed Recreation)

350. Vehemently objects to TVA allocating the land fronting his property for commercial use. **Comment by:** Howell, Bridrijo D.

351. We are property owners in the Guntersville area which is fronted by a portion of the 25,000 acres of the TVA land referenced in subject notice. We respectfully request that subject easement be actioned as stated, with no additions to the existing easement land base or changes in the land use as proposed. Not only would certain changes, such as zoning commercial, disturb the existing deer and other wildlife population, it would cause a decrease in the value of fronted private property. We have a concentrated interest in the outcome of subject action, so please notify us of any pending actions and/or the final decisions as pertains to the land between TVA monument 121-A and 122. **Comment by:** Howell-DeShield, Annette (Mrs.)

Response: *The TVA land in Parcel 207a is between TVA monuments 124 and 125. The TVA land fronting property owned by B.D. Howell and A. Howell-DeShield is part of Parcel 208 which is allocated to Zone 4, Natural Resource Conservation in all alternatives considered in this EIS.*

352. Is this needed? Will it just add to congestion and pollution? **Comment by:** Haynes, Linda A.

353. Does not agree with the proposed zone allocation. Prefer Zone 4. There is enough commercial recreation in the area already. **Comment by:** Alfiero, Richard

354. Does not agree with the proposed zone allocation. Prefer Zone 4. I think there is better use, like for wildlife. **Comment by:** Edmondson, Randy

355. Does not agree with the draft allocation. We have public launch areas. How many people can afford a slip? **Comment by:** Hunt, Dale

356. Does not agree with proposed zone allocation. Prefer parcel be kept as is. **Comment by:** Jackson, Fennell Lavon

357. Does not agree with proposed zone allocation. Prefer Zone 3 or 4. **Comment by:** Key, Dalford

358. Opposed to further commercial development in this parcel. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

359. Does not agree with proposed zone allocation. Big enough now. **Comment by:** Saylor, Kelly

360. Does not agree with proposed zone allocation. **Comment by:** Meeks, Britt J.; Unknown (2 comments turned in at Guntersville public meeting on May 31, 2001)

Response: *In this EIS, TVA is considering alternatives that would allocate Parcel 207a to Zone 6, Developed Recreation (Alternative B1) and Zone 4, Natural Resource Conservation (Alternatives B2 and B3). Preferred Alternative B3 was developed in response to comments on this DEIS.*

PARCEL 238

361. Prefers Natural Resource Conservation for this parcel. TVA and Guntersville power lines prevent other allocations: **Comment by:** Hawk, Billy G. (Mr. and Mrs.)

Response: *Parcel 238 has been allocated to Zone 4, Natural Resource Conservation (or its equivalent in the 1983 Plan) in all alternatives considered in this EIS.*

PARCEL 248

Favor Proposed Zone Allocation, Zone 6 (Developed Recreation)

362. Agrees with the draft allocation. Commercial recreation is desired over dirty industrial. **Comment by:** Alfiero, Richard
363. Agrees with the draft allocation. Need more marinas in order to have more facilities open to the boating public. Large craft service facility is also needed in the Guntersville area. **Comment by:** Arbir, F. (Mr. and Mrs.)
364. Agrees with the draft zone allocation. **Comment by:** Arnold, Jim and Annette; Beam, Ray; Bice, Jason; Brown, James D.; Clark, Casey; Hawk, Mark; Hunt, Dale; Johnson, Jerome E.; Kirkland, Leonard; McCoy, Steve F.; Meeks, Britt J.; Miller, Ken; Richmond, John; Saylor, Kelly; Sellers, Wayne; Snoddy, David; Souther, Dorothy O.; Willoughby, David; Robinson, Joseph A. Unknown (2 comments turned in at Guntersville public meeting on May 31, 2001); White, David C.; Smith, William O. (Mr. and Mrs.)
365. We agree with converting the present Cisco Steel of Alabama site to a full-service commercial recreation facility. **Comment by:** Boerner, Dorothy L. and Robert H.
366. Agrees with the draft zone allocation. Perfect place for me to keep a boat and it will improve the way this area looks. **Comment by:** Brown, George B., Jr.
367. Agrees with the draft zone allocation. Good location. Might be interested in boat slip. **Comment by:** Burke, Mary O.
368. Agrees with the draft zone allocation. Make Lake Guntersville beautiful. **Comment by:** Doty, S. K.
369. Agrees with the draft zone allocation. This town needs it. **Comment by:** Fulmer, Carl
370. Agrees with the draft zone allocation. Guntersville needs to be more recreational oriented. **Comment by:** Garner, Gary W.
371. Agrees with the draft zone allocation. The location is ideal for a commercial marina. The landside area is large enough to support the marina. The land is currently being under utilized. The proponents of the marina have a long and successful business management background. Lake Guntersville can support another well-run marina. **Comments by:** Gartrell, John
372. Agrees with the draft zone allocation. Improve lifestyles for families in Guntersville. Clean up that area of lake, looks bad for city. **Comment by:** Hamlett, Linda E.
373. Agrees with the draft zone allocation. Good for Guntersville. **Comment by:** Hammock, David W.; King, David; King, Mike; Millard, Shirley C.; Young, Burl

374. Agrees with the draft zone allocation. Good for waterfront and recreation.
Comment by: Haynie, Ed
375. Agrees with the draft zone allocation. Make Guntersville more beautiful. **Comment by:** Kuczerpa, Dr. and Mrs. William
376. Agrees with the draft zone allocation. Needed in Guntersville. **Comment by:** McClendon, Jimmy
377. Agrees with the draft zone allocation. Better for recreation. **Comment by:** McDaniels, Harold and Snow, Dewayne
378. Agrees with the draft zone allocation. Keep Guntersville beautiful! **Comment by:** McGuire, K. E. (Mrs.)
379. Agrees with the draft zone allocation. Provided they include, open-to-the public free parking and boat launch facility. **Comment by:** McNeal, Glenn
380. Agrees with the draft zone allocation. The old cranes and other equipment are an eyesore! The lake always needs more marina space. **Comment by:** Meucci, Karen E.
381. Agrees with the draft zone allocation. We need more marina space. **Comment by:** Meucci, Thomas C.
382. Agrees with the draft allocation. Best for Guntersville. **Comment by:** Millard, Daniel C.
383. Agrees with the draft zone allocation. Perfect town for another marina. Good job opportunities. **Comment by:** Millard, Liz
384. Agrees with the draft zone allocation. Great for Guntersville. **Comment by:** Moody, Jill
385. Agrees with the draft zone allocation. Add additional recreation facilities.
Comment by: Moore, Charles R.
386. Agrees with the draft zone allocation. Good location. **Comment by:** Moore, Kenneth; Smith, Rod
387. Agrees with the draft allocation. It leads us to have more customers. **Comment by:** Mountain, Debbie
388. Agrees with the draft allocation. In the future, I think this is good for Guntersville.
Comment by: Poss, Harvey P.
389. Agrees with the draft allocation. Enhance family opportunity. **Comment by:** Ray, James R.

390. Agrees with the draft zone allocation. I visit this area. It would be nice to have additional facilities. **Comment by:** Rushing, RoEllen S.
391. Agrees with the draft zone allocation. Need more/better boating facilities in this area. **Comment by:** Searway, Albert M. (Mr. And Mrs.)
392. Agrees with the draft zone allocation. Great location - the need is here! I visit my family here a lot and am considering putting a boat in Guntersville. **Comment by:** Smith, Wesley
393. Agrees with the draft allocation. Asset to community. **Comment by:** Sorter, Michael A.
394. Agrees with the draft zone allocation. I feel the future would warrant another marina for this area. Great location! **Comment by:** Strange, Carmen
395. Agrees with the draft zone allocation. I think it would be great. Mark and Dan are good people. **Comment by:** Tharp, Roscoe (Mr. and Mrs.)
396. Agrees with draft zone allocation. Good Guntersville tax. **Comment by:** Thomas, Randy
397. Alabama Wildlife Federation supports this request. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)
398. Strongly agree with draft zone allocation. **Comment by:** Unknown (Comment turned in at Scottsboro Public Meeting on May 29, 2001)
399. Agrees with the draft zone allocation, commercial recreation. This would be an asset to the Guntersville area and is very much needed. This area has features that would give a commercial marina protection from winds that are not available to other marinas. Water depth at this location will not require dredging, which is another plus. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)
400. Agrees with the draft zone allocation. Would be able to use area for docking. **Comment by:** Warner, Hope
401. Agrees with the draft zone allocation. To help beautify Guntersville. **Comment by:** Wasden, Jane
402. Agrees with the draft allocation. It would be an asset to the City. **Comment by:** Weaver, Tim
403. Agrees with the draft allocation. Currently an eyesore. **Comment by:** Whitaker, Carey W.
404. Agrees with the draft zone allocation. May be needed by Cisco. **Comment by:** White, David C. (Mrs.)

405. Agrees with the draft zone allocation. This would definitely be an asset for Guntersville. **Comment by:** Vandergriff, Shane

406. Agrees with the draft zone allocation. Much needed. **Comment by:** Barkley, A. G.; Chandler, Glen; Choron, Tim; Hill, Eric; Pierce, Daniel; Stone, Daniel; Thomas, Mike;

407. Agrees with the draft zone allocation under condition that marina be accessible to general public. **Comment by:** Taylor, James Joseph

***Response:** All commercial marinas on TVA public land are open to the general public, although some may charge fees. TVA appreciates your time and willingness to contribute to this process.*

Oppose Proposed Zone Allocation, Zone 6 (Developed Recreation)

408. Does not agree with the draft allocation. Prefer natural resource conservation for this parcel. Plant native plants along the levy to block the current view of the industrial complex behind it. If you do allow recreation, please be sure that any recreational use does not add pollution and that it blends in with the natural features of the area. **Comment by:** Haynes, Linda A.

409. Does not agree with proposed zone allocation. Prefer parcel be kept as is. **Comment by:** Jackson, Fennell Lavon

410. Does not agree with the draft allocation. Prefer zone 3 or 4. **Comment by:** Key, Dalford

411. No. Shouldn't be allowed to change use. **Comment by:** Richard, Greg

412. Does not agree with the draft allocation. **Comment by:** Unknown (Submitted at Guntersville Public Meeting on May 31, 2001)

***Response:** This EIS considers alternatives that would allocate this parcel to Zone 6 (Alternatives B1 and B3), Zone 5 (Alternatives A and B2). Any land use agreement for Parcel 248 would include clear language about use of best management practices in developing the site, protection and enhancement of shoreline vegetation, and compliance with all state and local laws and regulations in regard to protection of water quality and solid waste management.*

PARCEL 257

A - General

413. I was speaking with my neighbor at Point of Pines, Michael Kirkpatrick, and he informed me that the Advertiser Gleam misprinted some of the proposed usage designations in the paper. Obviously one of those errors had to do with tract #257. I think by my previous emails it is abundantly clear that I am not for any more commercialization of this part of the lake and I won't bore you with any further

redundancy. However, I just wanted to clear that up and also to make you aware that there were numerous transcription errors in the paper in regards to proposed land usages around the lake. Thank you again and this time especially for your patience! **Comment by:** St. John, Deborah (May 26, 2001)

Response: *The Advertiser Gleam's errors were based on errors in the DEIS Appendix B-1. These errors have been corrected in the FEIS. Thank you for bringing this to our attention.*

414.Parcel zone map conflicts with Appendix B-1 of the plan. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

Response: *The map parcel zone designation, Zone 6, Developed Recreation, is correct. Thank you for bringing this to our attention.*

415.Is there some kind of Cherokee cultural resource there? What kind of recreational facility? **Comment by:** Richard, Greg

Response: *TVA's further research on the United Cherokee Intertribal (UCI) proposal revealed that the Creek Path Mission site is actually on the island fronting Parcel 254. Creek Path Mission was an outreach mission of the Brainerd Mission, the main mission established by the American Board of Commissioners for Foreign Missions (ABCFM) which was located where EastGate Mall is in Chattanooga. Rev. Daniel Butrick helped to build Creek Path Mission in 1820. Butrick later accompanied Cherokees on the Trail of Tears in 1838. The mission closed in 1837 and white families took up residency. The Wyeth Family lived there, with Dr. John A. Wyeth (listed in Who Was Who in Alabama), a prominent 19th century doctor, was born there. The Russell family purchased the property, and Jim Russell and family were the last inhabitants of the structure. The mission building was torn down in 1921. The exact location of the mission site is not known, but documentation mentions that all that remained of the site was a large magnolia tree surrounded by tall weeds on a small island in the Guntersville reservoir.*

The UCI proposal includes a tribal complex, museum/gift shop, public camping areas, Cherokee Village, outdoor activities center, etc.

B - Favor the UCI Proposal, Alternative B1 Allocation to Zone 6 (Developed Recreation)

416.We the undersigned support Bill #SB364 and Bill #HB672 introduced to the Alabama State Legislature this year 2001, recognizing United Cherokee Intertribal as a State Recognized Tribe. We the undersigned also support United Cherokee Intertribal's Land Use Proposal for sustaining biodiversity in the Guntersville Watershed to TVA submitted in November 2000. **Comment by:** Petition containing 3233 signatures submitted to TVA on June 8, 2001.

417. Endorses United Cherokee Intertribal's Land Proposal with TVA. This Indian Tribe will protect this historical and cultural site. They will also protect the natural lands to allow the scenic beauty to remain pristine. **Comment by:** Ard, Sylvia; Foxx, Sherree; Hollis, Vicki; Reynolds, Julie; Taylor, Cathy; Wilbanks, Courtney; The Intertribal Crow Clan Traders (9 people in group)
418. Agrees with the draft allocation. I support UCI proposal. The history at this area will be preserved for all times with the completion of this project. **Comment by:** Dixon, Bernice; Morrison (Martha Sue, Martha Eugenia and Robert N.); Smith, Lewis and Stephens, Cherie
419. Agrees with the draft allocation. I support the UCI proposal. **Comment by:** Dixon, Maryann; Wisner, Sam C.
420. I would like to express my endorsement of United Cherokee Intertribal's Land Proposal with TVA for Parcel Number 257. United Cherokee Intertribal will protect this historical and cultural site. They will also protect the natural lands to allow the scenic beauty to remain pristine. **Comment by:** Hopkins, Sharon; Welch, Vicki
421. Expresses endorsement of The United Cherokee Intertribal land proposal with TVA. These people have historical and cultural ties to this site as it was known as Browns Ferry and Sequoyah himself worked on the Cherokee language there. They will also protect the natural lands to allow the scenic beauty to remain pristine. This can be seen by the work they have already put into the area in the last two years. **Comment by:** Stalvey, David and Thibault, Yvonne
422. Agrees with the draft allocation. This is historic land that should be in UCI's hands. **Comment by:** Clark, Holley; Clark, Tiffany L.
423. The matter of the land request by the United Cherokee Intertribal group has come to my attention. As the Vice President of the National Indian Business Association, I am authorized to pledge the support of NIBA to their request. NIBA is a national organization, which represents over 25,000 American Indian owned businesses throughout the United States. We look at the request of United Cherokee Intertribal as a means for the group to obtain a land base from which to centralize their association and from which will come business and economic ventures and opportunities, which they would be, otherwise not be able to obtain. As you know, American Indians have always been the last to be considered for opportunities such as you now have the ability to grant them. The treatment of American Indians has been disgraceful and a shame on the national psyche and NIBA sees this as an opportunity for the group to lift themselves to an even playing field. I bring up a little of the past to show that the future presents unlimited opportunities with a hand from the TVA. Thank you for the consideration that will be given to the land request of the United Cherokee Intertribal and the support from the National Indian Business Association. **Comment by:** Akins, Andrew X. (Vice President, National Indian Business Association)
424. Agrees with the draft allocation. This is historic land that should be in UCI's hands. The city should plan their needs for ball fields away from homes. Alabama's second

largest industry is tourism. There is no place I know of that would attract visitors to this area like the proposed plan that UCI has planned. There would be almost something for everyone to enjoy here. I have a particular interest in wanting to learn some of the crafts they will teach. **Comment by:** Aldrick, Ann

425. Agrees with the draft allocation. This is historic land that should be in UCI's hands. A museum would be better used for public. **Comment by:** Bankston, Clint

426. Agrees with the draft allocation. This is historic land that should be in UCI's hands. City has enough land donated already, which is standing unused. **Comment by:** Bankston, Voss

427. Please accept my endorsement of the United Cherokee Intertribal's Land Proposal with TVA for Parcel Number 257. The objective of this proposal is to preserve and maintain its natural beauty as TVA has done successfully for many years. Help continue the effort. Thank you in advance **Comment by:** Berryhill, Dan

428. I, Ramona A. Butcher, do hereby vote that the Indians have access to, or option to use/purchase #257 (real estate in Guntersville, Alabama). **Comment by:** Butcher, Annie

429. Agrees with the draft allocation. Property should be maintained for the public's use and not later sold privately to individuals, as has been a policy of the past. Plans the UCI submitted would be educational and recreational to the general public. **Comment by:** Cater, Judy.

430. Agrees with the draft allocation. This is historic land that should be in UCI's hands. The City of Guntersville has enough land and the Indians deserve it. **Comment by:** Davis, Sarah

431. Agrees with the draft allocation. Prefers use by UCI. Land should be used for public and not be sold off to individuals for private use. **Comment by:** Doss, Jimmie

432. Agrees with the draft zone allocation. Would like to see the National Guard keep using the field it currently uses. If part is zoned for recreation, I like what the UCI is proposing. **Comment by:** Edmondson, Randy

433. Agrees with the draft allocation. This is historic land that should be in UCI's hands. The city has plans to develop north of town and do not need more ball fields. Although I am not Indian, I would like to see the history of Alabama's Native American Indians preserved. This site would not serve the surrounding neighborhood's privacy if ball fields were placed here with all the noise and cars and lights after dark. If I lived close by, I would much rather see a clean area with quiet and natural surroundings. **Comment by:** England, Jerry

434. Agrees with the draft allocation. This is historic land that should be in UCI's hands. The city has all the ball fields they need. My husband and I love to camp and canoe. There is hardly any place without power boats all over the water these days. This upper part of Browns Creek is a perfect place with shallow water to canoe.

Moreover, this is a beautiful place for wetland waterfowl to breed and have refuge. Please don't allow this land to be turned into ball fields. The City already has plenty of fields. **Comment by:** England, Ruby Joyce

435.I wholeheartedly express my endorsement of the United Cherokee International's land proposal with TVA for Parcel Number 257. United Cherokee International will preserve this very important historical and cultural site, and will strive to keep it as natural as possible for future generations. **Comment by:** Finley, Virginia

436.I would like to express my endorsement of United Cherokee Intertribal's Land Proposal with TVA for Parcel Number 257. United Cherokee Intertribal will protect this historical and cultural site. They will also protect the natural lands to allow the scenic beauty to remain pristine. As far as things go for lot 257, just who has gone through the trouble of taking care of the place? When I first saw it, it was infested with fire ants and was a playground for drunken youths trying out their new 4-wheel drives. Who has put work, time and money into this? I will tell you who: The UCI. They deserve it. They, on their own, have put many dollars into reclaiming this small parcel of land that does not even belong to them. The government has taken and taken. I think its time to give back to the Cherokee, the ones that really respect the land. Respectfully yours. **Comment by:** Green, Dan'l

437.Agrees with the draft allocation. This is historic land that should be in UCI's hands. My ancestors were here on this land before anyone else. I want the land to be preserved for my children and grandchildren. The Cherokee Indians did not deface the earth or waste things from the lands. The Indians have been abused since the white man started moving here. I'm proud to say that I have Indian ancestors. **Comment by:** Johnson, Julie

438.Endorses United Cherokee Intertribal's Land Proposal with TVA. This Indian Tribe will protect this historical and cultural site. They will also protect the natural lands to allow the scenic beauty to remain pristine. I have known Leon and Gina Williamson for years and consider them "Family" now. They are, and always have been, concerned for the protection of land, heritage, and all cultures of mankind. As a citizen of the U.S., I know of no one else other than The United Cherokee Intertribal group who would protect and preserve this property for the good of all as they would. Please look with good favor on their proposal with you. **Comment by:** Lee, Douglas R.

439.Supports United Cherokee Intertribal land proposal to the TVA. Their goal is to protect the natural beauty of the property while providing Native American history, education and culture to the people of this area. **Comment by:** LeMaster, Ramona

440.Agrees with the draft allocation. This is historic land that should be in UCI's hands. There is plenty of "developed" land in this area. We need homes for wildlife and game. The children need a place to go and enjoy nature at its best!. **Comment by:** Mathews, Bonnie

441.Agrees with the draft allocation. This land was once occupied by my ancestors and I wish to walk upon it and care for it. That is the only way I know to honor their memories and to show my respect. Can we not allow some of God's green earth to

remain green and natural for my grand child (and yours). **Comment by:** Merritt, Sherry B.

442.I am in support of the United Cherokee Intertribal in their efforts to obtain permanent use/stewardship of TVA Land Parcel 257. I have been reading about their bid for this land in the Huntsville Times, my local paper, and also the Guntersville Area paper the Advertiser Gleam, which I have a mail subscription to. I have also seen discussions on this subject on local Huntsville Television. I have attended several Indian Pow Wows/gatherings since moving to North Alabama, to include 3 held by UCI. The last two were held on the above-mentioned property. I have found them to be very informative. I learned of the Cherokee removal when I resided in North Georgia for 8 years. I believe there is historical significance in maintaining land that was once part of the culture. I, as well as many others, have learned more of their culture by attending the UCI gatherings. I have also fished on Lake Guntersville since moving to the Huntsville area. I have fished off shore in the area near the National Guard Armory on every outing and have been amazed over the last couple of years the improvement made to the land in discussion. I have read in the paper that the City of Guntersville has interest in the land. I have also read where they currently have land near this property. I can tell you that if the land they have is the land that I think it is, they have done no maintenance to it. Having seen the work that UCI has done to this land, and also some of the plans I have read, and some of the programs that they have currently in place for children, I would hedge my bets that the longer term good for all people would be in granting this land to the care of UCI. I would strongly endorse land stewardship to be granted to UCI. **Comment by:** Mino, Dennis

443.Supports the selection of the United Cherokee Intertribal's land proposal. This group would respect and honor this piece of mother earth in their ancestor's names. It is a very important project to them as a whole. Thank you for listening. **Comment by:** Mitchell, Diana

444.I would be much pleased to see the United Cherokee with the stewardship of the spot of land that is described in Parcel 257. **Comment by:** Moon, James C.

445.I would like to express my endorsement of United Cherokee Intertribal's land proposal with TVA for Parcel Number 257. UCI will protect this historical and cultural site. We will also protect the natural lands to allow the scenic beauty to remain pristine, and teach OUR young to enjoy and protect it as well. **Comment by:** Patterson, Rita

446.Agrees with the draft zone allocation. I would like to see the American Indian heritage preserved. **Comment by:** Pruitt, Janet

447.Agrees with the draft allocation. Please help to preserve our heritage. **Comment by:** Pruitt, Mark (Town and Country Trail Riders)

448.I would like to express my endorsement of United Cherokee Intertribal's Land Proposal with TVA for Parcel Number 257. United Cherokee Intertribal will protect this historical and cultural site. They will also protect the natural lands to allow the scenic beauty to remain pristine. I am descended from both Cherokee and Russells,

who owned and occupied this property for at least 100 years. The Cherokee were removed in the 1830s. The Russells were removed by TVA in the 1930s. I have maps and cemetery records showing the location of Historic Creekpath School, Russell Cemetery (inundated in 1938), and an Indian Cemetery (inundated in 1938) near Parcel 257. I would consider it an atrocity for use of this property other than for United Cherokee Intertribal purposes. **Comment by:** Russell, Larry R.

449. Please consider United Cherokee Intertribal, Inc. as care keepers of TVA parcel #257. They have the wherewithall and the desire to protect and improve this land area. **Comment by:** Sharpe, Reva W.

450. I would like to express my endorsement of United Cherokee Intertribal Land Proposal with TVA for Parcel Number 257. United Cherokee Intertribal will protect and respect this historical and cultural part of Mother Earth. They will also protect the natural lands, plant and animals of this land. This will allow the scenic beauty to remain pristine and honored. You must know that the people of the United Cherokee Intertribal will not only respect this land, but protect the wildlife within it also. It is a special land that has felt the people be born and return to the earth, a land that is a blessing to the Cherokee people, unlike to others. Respect the Earth. **Comment by:** Spotted Eagle

451. In favor of United Cherokee Intertribal proposal. **Comment by:** Unknown (Comment turned in at South Pittsburg Public Meeting on May 24, 2001)

452. Agrees with the draft allocation. This is historic land that should be in UCI's hands. UCI will do more for the public than just a ball field. My friends and I enjoy nature. UCI's proposed plans will allow people of all ages to see so many things past and present. **Comment by:** Wesson, Misty

453. Agrees with the draft allocation. With growing interest of our Native American heritage, the proposal by UCI, Inc., is a much-needed asset to this part of the country. It is not only for Native Americans, but for all Americans to learn about their heritage. They also propose all these areas to be open to the public. This would be a great benefit to the town of Guntersville and the State of Alabama. A ball field next door to UCI would not be in the best of interest of the public and also would not fit in with the natural setting and preservation of our natural flora and fauna and natural setting of this lakefront setting. So, on the proposal of the ballpark, I say no, please relocate somewhere else. Leave this area quiet and natural setting. **Comment by:** White, David C.

454. Agrees with the draft allocation. UCI request would facilitate on this site. Would include education and great interest, historic as well as recreation. I am opposed to Guntersville request for public ball field adjacent to UCI's request. Being Cherokee descent, this 106.6 acres are much needed for UCI. Our children and the public needs to be educated as to how our ancestors lived. Giving Guntersville 36-40 acres for ball field would not be accepted. Reason for this is UCI needs all this land to build the villages it plans to build. I'm sure Guntersville can find more land for a ball field. This would not fit well with UCI's plans. We need this 106.6 acres so we can hold meetings and any other function which are need to have. Please consider UCI for this 106.6 acres. Thank you. **Comment by:** White, David C. (Mrs.)

455. Agrees with the draft allocation. Ballparks don't help us learn about our history. We don't need more ballparks; we need to know more about our past. In learning about our past, we have hope of saving our future. **Comment by:** Williams, Mary I.

456. Agrees with the draft allocation. I feel that the proposals by UCI would have a greater impact on the use and preservation of this land and would provide a decent place for people to visit and observe at least a portion of their heritage, which is slowly being resurrected. **Comment by:** Williams, Robert V.

457. I would like to express my endorsement of United Cherokee Intertribal Land Proposal with TVA for Parcel Number 257. United Cherokee Intertribal has already proven their willingness to work in partnership with TVA on numerous occasions. The United Cherokee Intertribal Proposal will provide a much-needed public area, which includes cultural, historical and educational opportunities for all people. This proposal will share the ongoing efforts by TVA and the unusual blending of American Indian influence in a state, rich in American Indian history, working together for the same goals. What makes this proposal unique is the historic value of Parcel Number 257. These once Indian populated grounds can be maintained by descendants of the original caretakers of this land. United Cherokee will not only protect, but provide re-enactments of 700 years of life indigenous to this historical and cultural site in the Tennessee Valley. It would be an answer to many prayers for United Cherokee to be allowed the privilege of being stewards of this land.
Comments by: Williamson, Gina

458. First, please allow me to say how much I have appreciated each member of the Guntersville Watershed Team's input over the past year with regards to their individual field of expertise... you are all true professionals at your job. The responsibility to the public to preserve and protect our natural resources for the future is overwhelming in the face of the pressures of constant development. If we are to protect the scenic beauty of our natural lands, protect cultural and historic sites, protect our natural wetlands, protect endangered animals and plants species, provide for forest (wildlife management) and provide educational areas for the future generations of our children... then, the proposed land use of Parcel 257 by United Cherokee Intertribal seems to address all of these issues and I wholeheartedly support their proposal. **Comment by:** Williamson, John

459. Agrees with the draft zone allocation. I support the UCI in their effort to preserve and improve this historical place. **Comment by:** Wisner, Clara

460. Agrees with the draft zone allocation. Keep Indian history alive in culture, traditions, religion and way of life. UCI shows mother earth respect. The wetlands will be guarded by UCI members. **Comment by:** Wisner, Dan

461. Agrees with the draft allocation. This is historic land that should be in UCI's hands. Ball fields do not fit into the natural shoreline public needs. My family loves to camp out and this parcel would give so many people a quiet place to camp and be with nature. I believe the plans UCI have presented would also allow for a fun place to go to learn about my grandparents way of life on the farm. **Comment by:** Worthington, Tommy

462. Endorses United Cherokee Intertribal land proposal with TVA. I feel that they will protect the natural lands and allow it to remain in a pristine state, as well as keep its historical value. **Comment by:** Young, Patricia
463. Agrees with the draft zone allocation. **Comment by:** Holderfield, Greg; Johnson, Jerome E.; Whitehead, Kiley
464. Agrees with the draft zone allocation. **Comment by:** Cordes, Sarah
465. Favors draft zone allocation for recreation, walking trails, conservation of environment-habitat and wildlife use. Education of our youth is of most importance. Exposure to nature builds good lives. To increase young minds and educate youth to conserve our resources is our biggest concern for the future of the U.S. Wetland Management and preserving natural habitat for our winged and fur bearing friends are uppermost on my mind. For a future, rich in nature and resources, is a goal worth attaining in our lifetime. **Comment by:** Dunn, James
466. Agrees with the draft zone allocation. Readiness is the best way to be prepared. Heritage should be honored. **Comment by:** Osmer, Marie
467. Agrees with the draft zone allocation. Needed. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)
468. Agrees with the draft zone allocation. The recreation areas are frequently used and overcrowded. These new areas would be used and keep the other recreational areas from being so congested. **Comment by:** Vandergriff, Shane

Response: *TVA's further research on the UCI proposal revealed that the Creek Path Mission site is actually on the island fronting Parcel 254. Creek Path Mission was an outreach mission of the Brainerd Mission, the main mission established by the American Board of Commissioners for Foreign Missions (ABCFM) which was located where EastGate Mall is in Chattanooga. Rev. Daniel Butrick helped to build Creek Path Mission in 1820. Butrick later accompanied Cherokees on the Trail of Tears in 1838. The mission closed in 1837 and white families took up residency. The Wyeth Family lived there, with Dr. John A. Wyeth (listed in Who Was Who in Alabama), a prominent 19th century doctor, was born there. The Russell family purchased the property, and Jim Russell and family were the last inhabitants of the structure. The mission building was torn down in 1921. The exact location of the mission site is not known, but documentation mentions that all that remained of the site was a large magnolia tree surrounded by tall weeds on a small island in the Guntersville Reservoir.*

TVA has carefully considered the views stated above. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a

combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS.

The proposal submitted to TVA by UCI for development of this site—which included cabins, RV campgrounds, a tribal center, a museum, and a wild mustang pasture would require extensive clearing of trees and site alteration. TVA disagrees that this proposal would maintain a pristine, quiet, natural shoreline or protect the parcel's scenic beauty. TVA believes that allocation to Zone 4 would provide the best protection for natural resources and the scenic beauty of the site, while leaving it open to the widest public use. Under Alternative B3, the Creek Path Mission site (Parcel 282v) would be allocated to Zone 3 to protect its significance as an historic site. Parcel 254 would be allocated to Zone 4 in all alternatives.

TVA appreciates efforts by UCI and the National Guard to maintain this area and is willing to consider future partnerships with these organizations to promote human use and appreciation of these undeveloped areas and natural shorelines.

C - Oppose the UCI Proposal, Alternative B1 Allocation to Zone 6 (Developed Recreation)

469. I wish to comment on the proposed development of 106.6 acres north of the armory for Cherokee tribal HQ complex to include welcome center, public campground, museum, gift shop, & tribal headquarters complex. I reside at 3423 Creek Path Road and am very close to this land. I wish to strongly object to this proposal for the following reasons:

- Creek Path Road is a very narrow and cramped street. Additional traffic is impractical and dangerous.
- The land around this proposed development has been utilized for quiet, residential neighborhoods. Many people, including myself, reside in this area for the quiet atmosphere with little auto traffic. I want to keep our neighborhood quiet.
- There are many other areas that are closer to main roads that would be more suitable for this kind of development and activity.
- This area is a very safe place to raise your children. I do not want a public campground nearby.
- This area is an important area for wildlife and waterfowl.
- I feel this proposal will have a negative impact on the property values on the surrounding residential area.

Thank you for your consideration of my concerns and objections. **Comment by:**
Daymond, Phillip M.

470. I strongly oppose the ceding of this parcel to The United Cherokee Intertribal, Inc. (UCI). First, the UCI is not recognized by the Alabama State Legislature as a bona fide Native American tribe. More specifically, however, during the past two years

when the National Guard Armory has been the site of regional pow-wows hosted by this group, the noise pollution generated by their activities has been extreme and heard as far away as Alabama Highway 79 (the Birmingham Highway). The sound level at such pow-wows being a fair representation of tribal ritual ceremonies in general, residents of the immediate area and beyond could only expect such noise pollution to become an ongoing fact of life and their property value to decline dramatically. Additionally, if UCI's request is given favorable consideration, and if the two pow-wow weekends are a barometer, automobile traffic on Creek Path Road between AL79 and the proposed Tribal Headquarters Complex will increase exponentially, much of it traveling well in excess of the legal speed limit for residential use. Finally, if parcel number 257 does in fact become Native American land, the City of Guntersville is potentially but one step removed from becoming the home of casino gambling. **Comment by:** Groff, (Rev.) John W., Jr.

471. My wife and I are landowners of lakefront property at Point of Pines in Sherwood Forest (Parcel 263), as well as, own farmland, which adjoins TVA property (Parcel 262) in Diamond, AL. We and our family actively use the lake and TVA property as boaters and sportsmen, enjoying both hunting and fishing. We object to the proposed use of TVA land by the Indian group (I believe Parcel 257). Such a proposal is likely a violation of one of the many Indian treaties and should be extensively so investigated before being further considered. Additionally, no racially defined ethnic group should be granted development use of TVA property. Such assignment of property can only add to racial strife and segregation, and is wrong. No matter of the good intent, this could set a very bad precedent and has potential for misuse. As to the same lands continued use by the National Guard, this is most appropriate. It will save taxpayers money and holds such land in reserve for use should there be a change in military posture necessitating an increase in that activity. The City of Guntersville should be allowed reasonable development of land, which is within their existing city limits for recreation purposes. However, this should not be allowed to infringe on the needs of the National Guard and should be limited to their existing city limits. **Comment by:** Norckauer, Heber "Butch" R., Jr. (Mr. and Mrs.)

472. Does not agree with the draft zone allocation. To the United Cherokee Intertribal, objections based on the following: 1) The UCI has not been recognized as an official tribe in the State of Alabama (per article in *The Advertiser Glean*, June 2 issue). It also states other Cherokee Tribes either have or are seeking official status with the State. Why is all of this happening now? What is the ulterior motive? It is my understanding that once land is granted, their final use of it is under their control. Money is the name of the game. Could this area be ripe for Casino Country? 2) Creek Path Road, Suck Egg and Red Hill are already overburdened with traffic that it is ill-equipped to handle because of the explosion of residential expansion (subdivisions), the armory and the Paths School; and already talk of possibly another school (which needs to be addressed/separately please). I know because I live on Creek Path and daily witness the increased (too fast) traffic. 3) Why not leave this mere 106+ acres (it's been the only land connection along with Highway 79 South for the peninsula of Guntersville) as it is, so the wildlife (what little is left) might have some refuge from all us humans. Does all the little land that is left have to be used by people in the name of recreation? 4) Since the armory is already located on Creek Path, certainly enough land should be additionally allocated to

allow it to continue to function. Perhaps the City of Guntersville could make a joint effort with TVA and the State to make it into a wildlife refuge with limited picnic areas and nature trails. I think we already have enough walking trails (concrete) and ball fields to accommodate our city-population wise. **Comment by:** Groff, LaWanda “Boots”

472a. Does not agree with draft allocation for UCI. Would take away from our beautiful city and:

- Increase traffic
- Disturb wild life
- Disturb Bald Eagle and Osprey breeding
- Disturb all wildlife
- Disturb all water fowls.

Comment by: Wayne Jackson

Response: TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS.

Alternative B1 proposes to allocate Parcel 257 to Zone 6 in response to a proposal submitted by UCI. TVA’s further research on the UCI proposal has revealed that the Creek Path Mission site is actually on the island fronting Parcel 254. See the response to comment 415 for more information about the Creek Path Mission. Under Alternative B3, the area allocated to Zone 2 (new Parcel 257, the National Guard site) would still be available for UCI or other groups to use on a case-by-case basis.

To clarify the action proposed in Alternative B1, TVA is not proposing to give fee ownership of this parcel to UCI, therefore, it could not be used for gambling. The land would be available under a land use agreement to any individual or group that submits a proposal for its use which is approved by TVA.

D - Favor use by the City of Guntersville

473. Public recreation facilities improve the quality of life within a region for growing businesses that are contemplating expansion. Good for local citizenry, future recreational expansion for the youth. **Comment by:** Hayes, Luanne

474. I agree with Mr. Fryer's concerns. I am President of the Guntersville Historical Society, a member of the City of Guntersville Planning Commission and have done extensive Historical research concerning the Guntersville Cherokee Indians (especially pertaining to John and Edward Gunter, the Old Mission and Creek Path Mission). All of these activities have caused me to have a keen interest in the land uses, development, and preservation in and around Guntersville. I do question the

rendering of tract #257 to a group of people claiming Cherokee tribal status without proper certifications and sanctions. I feel the City of Guntersville would more properly develop and utilize the tract for the open use of ALL the Citizens of the area. **Comment by:** Jones, Warren G., Jr.

475. Agrees with the draft allocation. Public recreation enhances Guntersville's image. Diverse population presents need for soccer fields. Present availability for additional soccer fields are limited. **Comment by:** Lee Percy

476. Does not agree with the draft allocation for the Cherokee Complex. Agrees to the public ballparks and National Guard Armory. **Comment by:** Robinson, Joseph A.

477. Agrees with the draft zone allocation. All of these parcels (26a, 40, 257) will not only enhance City of Guntersville but will also create excitement and more tourism for the county. **Comment by:** Socha, Lisa (Marshall County Convention and Visitors Bureau)

478. Prefer public recreation for this parcel. I would strongly recommend the lands in question be used as requested by the City of Guntersville. As a long-time coach and supporter of our youth athletic programs in Guntersville, the tract on Parcel 257 is needed for more and improved athletic fields for the youth of Guntersville. **Comment by:** Swann, Jack (Manager, Water Works and Sewer Board of the City of Guntersville)

479. Under the direction of former director, Bill Moore, the City of Guntersville has developed TVA property into useful and much used parks. Although Mr. Moore is no longer here, I believe this property would benefit public use better if the City were allowed use of this property. **Comment by:** Tucker, Sandra

Response: TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS.

Alternative B1 proposes to allocate Parcel 257 to Zone 6 in response to proposals submitted by both the city of Guntersville and UCI. TVA's further research on the UCI proposal has revealed that the Creek Path Mission site is actually on the island fronting Parcel 254. See the response to comment 415 for more information about the Creek Path Mission.

Any intensive development of Parcel 257, such as that proposed by the city of Guntersville, would have some impacts to the nearby neighborhood from noise and traffic and from site clearing necessary for construction of proposed athletic fields. It was the opinion of the Guntersville Watershed Team that this site would better serve the public for informal recreation, leaving it in its natural state. Thus, Alternative B3, which was developed in response to comments on this DEIS, allocates this parcel to Zone 4, except for the portion already used by the

National Guard which has been split out as a separate parcel (new Parcel 257) and allocated to Zone 2 for their continued use. Under Alternative B1, further environmental review of any specific development proposal, with public input, would occur before any action could be taken on this or other parcels on Guntersville reservoir.

To clarify the action proposed in Alternative B1, TVA is not proposing to transfer the land in fee (e.g. sell it) to UCI. Therefore, it could not be used for gambling. UCI's tribal status has been recognized by the state of Alabama but not, at this time, by the Federal government.

E - Oppose use by the City of Guntersville

480. The City of Guntersville requested part of this land for ball fields, etc. This request is very questionable. Guntersville has a population of about 8000 people. If growth is to be, it will need to go in the direction of Claysville, Warrenton, or down Highway 79. Also, the new school, which is being proposed, could be a great distance from this area. This requested piece of property at this location is not convenient to the above-mentioned location. Let the National Guard keep this property. **Comment by:** Sahag, Louise H.

Response: *TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS.*

Alternative B1 proposes to allocate Parcel 257 to Zone 6 in response to proposals submitted by both the city of Guntersville and UCI. TVA's further research on the UCI request has revealed that the Creek Path Mission site is actually on the island fronting Parcel 254.

TVA acknowledges that any intensive development of Parcel 257, such as that proposed by the city of Guntersville, would have some impacts to the nearby neighborhood from noise and traffic and from site clearing necessary for construction of proposed athletic fields. The Guntersville Watershed Team has determined that this site would better serve the public for informal recreation, leaving it in its natural state. Thus, Alternative B3, which was developed in response to comments on this DEIS, allocates this parcel to Zone 4, except for the portion already used by the National Guard which has been split out as a separate parcel (Parcel 257) and allocated to Zone 2 for their continued use. Under Alternative B1, further environmental review of a specific development proposal, with public input, would occur before any action could be taken on this or other parcels on Guntersville reservoir.

F - Favors use by National Guard

481. Does not agree with the draft allocation. Prefer Zone 2 for this parcel. Support National Guard proposal for 20-acre tract. **Comment by:** Douglas, Charles; Henry, Donnie J.; Martin, Robert L.; Martin, Talmadge

482. I am the company commander of the B Company 279th Signal Battalion (The unit in Guntersville). I have been made aware that the city of Guntersville desires to rezone the property around the National Guard Armory in Guntersville. This rezoning would tremendously reduce the amount of local training that we do on the property. Just about every drill weekend we use the property for training that we would not be able to perform anywhere else. We set up our communication equipment, test out our military occupation skills, train new soldiers, and test our equipment. Our equipment is of a nature that we need space to set up to test the communication architecture. If we are not able to use the TVA land around the armory we will lose some of our ability to train and maintain our proficiency. We are truly grateful that we have been able to use the TVA land around the armory. The lease agreement that has been in place has been great. We would like to maintain that agreement and continue to use the land for training. If you have any questions please call. I appreciate your time and your consideration of the Alabama Army National Guard. **Comment by:** Aberle, Adam

483. When we moved to Guntersville and purchased our home in the Hualapai Hills subdivision, across from the National Guard armory on Creek Path Road, a significant factor in our decision was the knowledge that TVA had granted a 99-year lease on 20 acres of land adjacent to and behind the armory. The beautiful view, the natural setting, and the peacefulness this provided were important factors in our decision.

So it is not surprising that we, and virtually all the other residents of Hualapai Hills, are dismayed that TVA proposes to rezone this tract of land from Zone 2 (TVA Operations) to Zone 6 (Developed Recreation) and to cancel their lease with the National Guard. The end result would be the destruction of the natural state of this land and a decline in the quality of our lives.

But beyond this purely personal issue, there is a more important one. Call it "fairness." We did not live in Guntersville when the armory was built, but we are quite sure the availability of the land immediately adjacent to the armory for their maneuvers was important in the National Guard's decision to build where they did. In fact, we have been told by senior members of the 279th Signal Battalion that they will likely have to close the existing armory and relocate if the land is rezoned and their lease is canceled.

Our home directly overlooks the armory. We have watched these "weekend warriors" many times since we moved in. They have been great neighbors. But more, we have been impressed with the seriousness with which they approach their training. We have come to believe that these folks are real patriots, dedicated to fulfilling their mission in an exemplary fashion should they ever be called upon. To seriously consider renegeing on the lease agreement would be beyond "unfair", it would be unconscionable, and yes, even unpatriotic.

Finally, there's the issue of safety. The parcel of land leased by the National Guard can be approached from three directions. From either direction on Creek Path Road, there is a dangerous curve. These two curves have resulted in numerous accidents and at least one fatality. And the third direction is a steep hill directly through Hualapai Hills subdivision. Those of us on Hualapai Lane are painfully aware of the dangerous speeds reached by folks descending that hill.

This land by the armory is already available for light recreation. Fishermen are regulars and the gravel roadway has become a walking and jogging trail. The people of Hualapai Hills are not opposed to it's periodic use for things like building floats and even Indian powwows.

But we are strongly opposed to cancellation of the National Guard's lease and permanent conversion of this land into a recreational facility. In fact, we would urge the City to not only drop their plans to build baseball fields on this property, but to join us and our other neighbors along Creek Path, in Hickory Hills and elsewhere in strongly supporting the efforts of Company B 279th Signal Battalion of the Alabama Army National Guard to retain and even reinforce their right to continue to use this land for their maneuvers. **Comment by:** Bryant, Barry and Carmen

484.I humbly request that Parcel #257 located behind the National Guard Armory in Guntersville Alabama be zoned at 2 in order for that Alabama Army National Guard unit to maintain their training areas. Any consideration of this request would be greatly appreciated. **Comment by:** Hart, Jimmy G.

485.Please allow the land next to the Guntersville, Alabama National Guard Armory, Parcel #257, to remain zoned at 2 in order for our unit to maintain it for a training area. We use this land often to set up our signal equipment for training, and there would not be any other places close by that we could use for training, if we were denied use of the property. Of course, we take care of the land also by cleaning up after use, just like we would on an army post. Thank you! **Comment by:** Hunt, Thomas W.

486.Please keep the property located next to the Armory at Zone 2. The National Guard uses this for training. Training sites are hard to find and fuel cost associated with travel can count up quickly. Use of this property Saves taxpayer monies and allows us to perform more training instead of traveling. Thanks for your consideration. **Comment by:** Isom, Bentley

487.Does not agree with the draft zone allocation. Prefers Zone 2 for use by National Guard only. Oppose UCI Proposal. Allow National Guard to continue use. Would take away from our beautiful city and (a) increase traffic, (b) disturb wildlife, (c) disturb bald eagle and osprey breeding; (d) disturb all waterfowl. Guntersville is a beautiful city. We have only been here 8 years. The one attraction was bald eagles, osprey, and wildlife – even squirrels. Please do not interfere with a good thing. Thank you for your time and consideration. **Comment by:** Johnson, Wayne (Mr. and Mrs.)

488.Keep National Guard area as zone 2. **Comment by:** Key, Dalford

489. Does not agree with the draft zone allocation. Prefers Zone 2. Our National Guard would benefit greatly. They need this property. **Comment by:** McCormick, Kenneth Sr.
490. Please keep the property around the Guntersville National Guard armory at Zone 2. The Alabama Army National Guard uses this property for military training and losing the use of the property would greatly hamper unit readiness. Thanks for your consideration. **Comment by:** Parker, Larry D.
491. I would like to express my concerns over the rezoning of TVA Parcel #257. I as the CSM of the 279th Signal Battalion am responsible for all individual training of our troops. The Guntersville National Guard Armory is located next to TVA Parcel 257 and is an ideal location and needed area for the signal company to train their troops. I am thankful that we have been able to use this land in our training over the years and hope we will be allowed to continue training in this area. The national Guard now makes up over fifty percent (50%) of our nation's fighting force, and must not only protect our great state of Alabama but now must train for missions around the world. Money and time are of the most importance in the training of today's guardsman. The movement of equipment and troops cost the government greatly. If we are allowed to continue the use of Parcel #257 we enhance the training of our soldiers. I hope that you will share my concerns and can be supportive of this request. **Comment by:** Quinn, Russell L.
492. The Alabama National Guard, Co. B 279th Signal Battalion, should be allowed to use this land, and more, if needed, and TVA should honor the lease agreement with them until 2077. This land is a necessary place for their training, rather than traveling over 60 miles to Fort McClellan, for such activity. Traveling away from Guntersville means added expense, travel time, wear and tear on the equipment and less training time. No better than we are liked by other nations, we need to do all we can to help and protect our dedicated National Guard units. This unit is an asset to our area, other parts of the United States and other countries. TVA should do all they can to help this group for their protective services to its citizens. **Comment by:** Sahag, Louise H.
493. Does not agree with draft zone allocation. Prefers Zone 2. Support natural shoreline. Support National Guard training. **Comment by:** Saylor, Kelly
494. I am a former member of the 279th Signal Battalion and I would like to express my desire at keeping the Armory land zoned at 2. By changing this you would be taking away valuable training time by having to go to Redstone Arsenal or Fort McClellan, AL. This in a time when money is tight would cost the US Government more for fuel and training time. Co B 279th Sig Bn in Guntersville has always took care of that property and took pride in their facility there. LET ME AGAIN SAY LEAVE IT AT ZONE 2!!!!!! WE NEED OUR NATIONAL GUARD. **Comment by:** Tucker, Charlie W.
495. Does not agree with draft allocation. Prefers Zone 2 for National Guard. **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

496. I would like to express to you the need I feel that Parcel # 257 at the Alabama Army National Guard in Guntersville, Alabama be zoned at 2 in order for this unit to maintain our training areas. As a unit we use this land often to maintain our level of expertise in the use of our signal equipment and in training our new recruits. Now this means a lot to the families of the members of this unit, I know it does mine, because if we did not have the use of this land we would be forced to perform these training missions at locations that would require us to be away over a two to three day/night period. Being able to use this track of land means that we get to spend more time with our families, spend a LOT LESS of the state and federal tax payers money, and still get the training we need to do our job in times of need such as winter storms, tornadoes and other natural disasters that we have used our equipment and training to provide communication, transportation and power to the local and surrounding communities. Thank you for your time and consideration.

Comment by: Word, Kenneth

497. Let the Guard continue using what they are currently using. Place the rest into a Zone 4. **Comment by:** Ellis, Jennifer; Wilson, Gary; Dowdner, Becca; Oliver, Freda; Golden, Martha

498. As concerned residents of Hualapai Hills in Guntersville, we are fearful of the proposed outcome of the TVA Property on Willow Beach Road where the National Guard Armory now resides. We chose this area because of residential restrictions protecting and adding to our property values. The proposed uses, which are being sited, are unacceptable to us from the following prospectus.

Indian Camp

- 1- Livestock is not permitted in the city limits.
- 2- This is a residential area. It is not zoned for camping areas and a museum.
- 3- The roads are narrow, winding, two lane roads which are already dangerous for travel because of multiple blind entrances and exits.
- 4- The noise factor is tremendous beside the lake. Local residents can hear the slightest noise.
- 5- This type of facility would cause property values to drop. We would not have purchased our property with prior knowledge of this plan.

Ball Parks

- 1- The noise factor. We are not willing to hear loud speakers and shouting crowds until late hours of the evening.
- 2- The roads are narrow, winding, two lane, and will not support the traffic. (The traffic problem at Cherokee Middle School is a good example of that).
- 3- The local environment of geese, ducks, etc., would be disturbed or even harmed.
- 4- This type of facility would cause property values to drop. We would not have purchased our property with prior knowledge of this plan.

Our Recommendations

Our recommendation is to leave the property just as it is with the National Guard Armory. They are good neighbors. They have never been a problem in our community and have always been thoughtful to the residents. The only other alternative is to zone the property residential, which should meet existing restricted property values. These are the only two choices available, we feel, that will benefit

the greater number and keep local residents content. **Comment by:** Bailey, Randy and Sharon

Response: TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS. More specifically, the overwhelming support for continued use of a portion of Parcel 257 by the National Guard resulted in the splitting of Parcel 257 into two pieces, with the new Parcel 257 (14.5 acres) allocated to Zone 2 for continued use by the Nation Guard and Parcel 257a (92 acres) allocated to Zone 4 in Alternative B3.

Alternative B1 proposes to allocate Parcel 257 to Zone 6 in response to a proposal submitted by UCI and the city of Guntersville. TVA's further research on the UCI proposal has revealed that the Creek Path Mission site is actually on the island fronting Parcel 254. See the response to comments in section A for more information about the Creek Path Mission. Under Alternative B3, the portion allocated to Zone 2 (the National Guard site) would still be available for UCI or other groups to use on a case-by-case basis.

G - Favors use by National Guard and UCI

499. Twenty acres for National Guard, Zone 2. Rest of area for the UCI proposal.

Comment by: Arbir, F. (Mr. and Mrs)

500. Does not agree with the draft allocation. Prefer Zone 2 (20 acres for National Guard Use). The 20 acres of Parcel 257 the National Guard has requested is very essential to them. If they had to go to Ft. McClellan for training, it would cost us taxpayers a great deal. Prefer Zone 6 (86.6) acres should go to the Indian tribe. Guntersville population has been near 7,000 for the past 30 years. I see no reason to give them any more land. TVA has given the City more than enough. We don't need anymore walking trails, ball fields or industrial parks. **Comment by:** Hawk, Billy G. (Mr. and Mrs.)

501. 20 acres to National Guard. 106 acres of United Cherokee Intertribal. **Comment by:** Light, Phyllis

502. Agrees with the draft zone allocation for this parcel for use by the National Guard and UCI. Request long-term lease for this 20 acres for National Guard be honored. Re-designate this as a new parcel. More ball fields at the expense of National defense preparedness is wrong. Support UCI proposal provided the 20 acres for the National Guard are removed from the parcel and identified as a new parcel and designated to National Guard use. **Comment by:** McNeal, Glenn

503. Agrees with the draft zone allocation for this parcel. Prefers use by United Cherokee Intertribal and Alabama National Guard. **Comment by:** Taylor, James Joseph

Response: See response to comments in sections B and F.

H - Favors use by National Guard and the City of Guntersville

504. Does not agree with the draft zone allocation. City of Guntersville needs this area for recreation. Not a good place for campground. Needs to be out of town further. Armory needs to continue to use for training. **Comment by:** Sellers, Wayne

505. Agrees with the draft zone allocation. Let National Guard use 20 acres and City of Guntersville use as Future Park. If this was zoned for the Indians, could this be used for gambling? **Comment by:** Unknown (comment turned in at Guntersville public meeting on May 31, 2001)

Response: See response to comments in sections A and B.

I - Favors use by the City, UCI, and National Guard

506. Alabama Wildlife Federation supports this request provided that this organization is recognized as a state and federal tribe. Furthermore, if this is accomplished, there should be some assurance that there will be sufficient money forthcoming to fund the project. AWF recommends that these three requests (UCI, City of Guntersville and National Guard Armory) be accomplished with the same parcel of land. **Comment by:** Thornton, Robert (1st Vice President, Alabama Wildlife Federation)

Response: UCI has recently been recognized as a tribe by the state of Alabama, but is not recognized at this time by the federal government. A combination of uses could be considered under Alternative A.

J - Oppose Development, Favors Zone of 3 or 4

507. Does not agree with the draft allocation. Prefer Zone 3. **Comment by:** St. John, Deborah, Wilkes, Esther; Wilkes, Steven

508. Does not agree with the draft allocation. Prefer Zone 3, Sensitive Resource Management for this parcel. The proposed classification of Parcel 257 would have been an excellent idea before the adjacent area was developed for housing.

Comment by: Billingsley, Margaret and Tom

509. I am writing to express the concern of my extended family over the zoning of tract 257 on Guntersville Lake. We were unable to attend the town meeting held last night (Thurs. 5/31) at the recreation center. These are the opinions of over twelve voting adults and their families, who all own land on, and have a personal interest in, this area of Guntersville Lake. PLEASE consider tract 257 ZONE 3 - sensitive resource management, NOT ZONE 6 - recreation and residential. Our lake has an

abundance of recreational areas. On Brown's Creek alone there are a number of public and private campgrounds, 3+ public boat launches, and miles of park and picnic access maintained by the city. What is shrinking is the amount of lakefront, which is being preserved for the flora and fauna, which makes Guntersville so rare. This local "Native American" group has really been pushing to gain recognition and make a name for themselves in recent years. Many of us wonder what their end goal is. We have as much Cherokee blood in our veins as most of the members of the Inter-Tribal, however we have chosen not to get involved with their organization due to questions about their long range agenda. The interest of most Native Americans has traditionally been preservation of natural resources. This group is seeking personal, monetary gain by building yet another campground on a part of the lake, which is already heavily used. I am aware of the location of the Creek Path Village site. I am also aware that Osprey nest on the power line towers at this location. We have avoided going too near as we boat on the lake, the osprey have been seen fishing off OUR shoreline in recent years--what a joy!!! Further development of this part of the lake will end the nesting of these shy birds. We have eagles flying over our land regularly and the younger members of the family have stopped 4-wheeling near the lakefront because it frightens them away. As private citizens, we attempt to do our part. Please help us. Our lake is already accessible, and crowded. Please do not zone this tract recreation and residential access. Zone instead, #3 SENSITIVE RESOURCE MANAGEMENT. Thank You. **Comment by:** Doak, Glenn (Mr. and Mrs.); Doak, Rachel, Doak, Rhonda (and family); Goff, Lauren; Goff, William (Mr., Mrs. and Family); Linker, Mark (Mr., Mrs., and Family); Stahl, Gustav (Mr., Mrs., and Family); Waid, J. C. (Mr., Mrs., and Family)

510. The Residents of Hualapai Hills, Creek Path Road and Florence Park Street are strongly opposed to the abrogation of the lease of 20-acres by TVA to the Alabama Army National Guard. They are also strongly opposed to the rezoning of any portion of Parcel 257 to a Zone 6 classification. In canvassing residents, not a single individual supported the proposed rezoning. The wishes of these residents are detailed on the attached petitions:

- 1) Retain the current Zone 2 classification on the land currently leased by the Alabama National Guard.
- 2) Rezone the balance of Parcel 257 to Zone 3 classification

The essential concerns of residents of the area are:

- 1) Loss of the quality of the environment around our homes
- 2) Safety concerns surrounding traffic going to and from this parcel
- 3) Unfair treatment of the 279th Signal Battalion

The wishes of the residents are clearly presented on the accompanying petitions we urge TVA to understand our position and accept our urging.

Petition to TVA – When the undersigned residents of the Hualapai Hills subdivision and Creek Path Road built or purchased our homes, it was with the clear understanding that the National Guard held a 99-year lease on the land behind the Armory and that all the land behind and extending south from the Armory had been

zoned for TVA Project Operations. The quiet and natural beauty seemingly assured by this lease and zoning was important in our decision to locate in this area.

We therefore join together in urging the following:

- 1) That the 20 acres of land currently leased by the Alabama Army National Guard retain its Zone 2 classification
- 2) That the balance of the land known as "Parcel 257" be reclassified to Zone 3 to maintain its natural state and to protect its sensitive ecological nature.

Comment by: Petition turned into Guntersville Watershed Team office on June 18, 2001 (82 signatures)

511.I want to offer the following comments and ask that they be taken into account in determining the status of Tract #257 in the revision of the subject Land Management Plan. As a native of our area for my entire life of 68 years and a successful professional career, I am keenly aware of the breadth and depth of past efforts to protect and expand the bald eagle population and similar efforts to provide a native environment for the osprey and other waterfowl throughout our beautiful Guntersville Lakes area. My request is that you strongly resist any zoning of Tract #257 which might disturb the natural environment necessary for these and other species to flourish in the revision of your Land Management Plan for the next 10 years. Tract #257 should be classified as Zone 3, Sensitive Resource Management Area, as opposed to a Zone 6, Recreation and Residential Access, or other classifications, which might disturb the balance necessary for these species to continue to flourish. Such zoning provides the best return on investment from substantial past efforts while providing a favorable and undisturbed natural habitat suitable for waterfowl as well as many other birds and animals that need to be protected from the rapid private and commercial developments expected to continue in the foreseeable future. Also, please do let me know if and when I can be of any assistance in your efforts toward our mutual goals and objectives. Many thanks. **Comment by:** Bowling, Mel

512.Does not agree with the proposed zone allocation. Prefer Zone 3, Sensitive Resource Management. I want this area preserved in its natural state. **Comment by:** Brown, Rebecca

513.Prefer Zone 3 for this parcel. Revert all lands to Indians. **Comment by:** Currey, David

514.Opposes change in zoning of subject tract. This land is currently in a natural state and is heavily used by migrating waterfowl and nesting bald eagles. I have also observed Ospreys in this area. I often visit this area with my grandson. He is two years old and enjoys seeing the many ducks and occasional eagle. I see no useful purpose in making a change in zoning unless you chose to convert the land to Zone 3 - Sensitive Resource Management. Please do not allow this tract to become yet another victim of commercialization. **Comment by:** Chiverton, Frederick

515.Does not agree with the draft allocation. Prefers Zone 3 for this parcel. While I appreciate and respect our Cherokee Indians, I do not feel it is in the best interest of

the existing residential areas for UCI to have their headquarters complex here. Their desire to build these facilities would greatly reduce our everyday life and our resale value. Too many unknowns are not listed in their plans. At the same time, I do not wish for the City of Guntersville to expand their ball fields there. Too often the games are late at night and cause an increase in traffic for the already too narrow road. Sound from both of these groups travel to the neighborhoods across from the armory as though we were attending whatever function is being held there. Please do not grant either request. If one is granted, allow the National Guard to continue as it is today on this site. Thank you. **Comment by:** Gunter, Barbara and Neil

516.Does not agree with the draft zone allocation. Prefers Zone 2 for part of this parcel. I support the National Guard use. Prefers Zone 3 for the rest of tract 257. This area is a haven, for wildlife and should be maintained as a natural area. **Comment by:** Haden, Elizabeth L.

517.Does not agree with the draft zone allocation. Prefers Zone 2 for part of this parcel. I support the National Guard use. Prefers Zone 3 for the rest of tract 257. Area should be kept "as is". **Comment by:** Haden, Robert W.

518.I very much object to the subject tract #257 being classified as Zone 6 for Recreation and Residential Access and recommend that it be established as a Zone 3 Sensitive Resource Management area. This tract, as well as other areas along the shoreline, is used by rare birds such as bald eagles and ospreys for feeding, breeding and raising their young. There is a bald eagle nest near this track and an active osprey nest with young is also nearby. These rare birds, as well as others, use this area along the shoreline for isolation from human activity. Creating an active recreation area on tract #257 will interfere and probably prohibit these rare birds, as well as other migratory birds, from using the area. If this tract is classified as Zone 6 for Recreation and Residential Access, it will be an impact to the years of hard work by Government Agencies and people to establish a population of these beautiful and rare birds in North Alabama. Many people travel to the Guntersville area to view our national bird the Bald Eagle. Destroying their habitat along tract #257 is not in the best interest of the birds, Guntersville, or Alabama. My wife and I highly recommend that Tract #256 be classified as Zone 3 Sensitive Resource Management.
Comment by: Hankins, Betty and James

519.Does not agree with the draft allocation. Prefer natural resource conservation or sensitive resource management for this parcel. The Cherokee complex appears to be a good idea, but does not necessarily need to be on TVA land. 257 is a large parcel and should be designated as natural resource conservation as are the two parcels next to it, 258 and 259. This will help offset the recreational and residential use of the two parcels, 256 and 257, on the other side. Also, the public ball fields should be located somewhere else. **Comment by:** Haynes, Linda

520.Prefer Zone 3 for this parcel. This parcel of land should remain in its natural state. During walks along this property, my wife and I have seen the following wildlife present: wild turkey, fox, quail, hawks, bats and various other common wildlife such as opossums, rabbits and raccoons. This area is too valuable as a natural habitat to commercialize for any reason. **Comment by:** Hunt, Anthony R.

521. Does not agree with the draft allocation. Prefer Zone 3 or 4 for this parcel. This is a natural area acting as a buffer zone. As stewards of the public lands, TVA has done a relatively good job of managing these lands in the public interest. However, I am concerned over the gradual loss of those lands, which are currently in the Sensitive Resource Management and Natural Resource Conservation zones. Once we lose our natural wetlands and wildlife habitat they are gone forever. Gradual human encroachment is slowly destroying the pristine beauty of the Tennessee River valley. One only has to take a boat ride along the banks of Gunter's Lake to see how the face of these public lands have changed over the past few decades. Once virgin shorelines are now bristling with homes, piers, parks, marinas, and campgrounds. It is for these reasons that I am vigorously opposed to proposals such as the one, which would allow the city of Gunter's use of 456 undeveloped acres to expand the Conner's Island Industrial Park. I realize that progress is inevitable and airport runway expansion is necessary for the economic growth of the area. But do we really need more parks, ball fields, nature trails and marinas? Does the demand for such facilities outweigh their availability? Before rezoning any TVA public lands, we should carefully weigh any benefits against the loss of natural, undeveloped habitat. **Comment by:** Hunt, Dale

522. Does not agree with the draft allocation. Prefer Zone 2, leave to National Guard and prefer Zone 3, leave as is! **Comment by:** Kennamer, Lowell G.

523. Does not agree with the draft allocation. Prefers zone 3 or 4. **Comment by:** Key, Dalford

524. Our family will be out of town during the scheduled times of the public meetings for commenting on TVA's Land Management Plan. I am grateful for the opportunity to make a comment by email:-) I am most concerned with tract #257! I want to urge TVA to NOT, repeat NOT, put this land into zone 6-recreational/residential access! It needs to be in zone 3 Sensitive Resource Management and left in its natural state. I've seen this specific area of the lake since 1985 grow into a unique protective wildlife area for all kinds of migratory birds. There is an active bald eagle's nest nearby this tract. And there have been a mated pair of ospreys who have repeatedly returned to their nest and have successfully hatched and raised offspring annually. I will always remember the look of excitement and wonder on my young son's face when he saw for the first time one of the parent ospreys swoop down from above, catch a large fish and grasp it in its talons holding the fish straight into the wind as it flew back to the nest to feed the young! I have read that these are rare to be sighted birds, that they avoid populated areas, and that most ospreys usually successfully raise only one infant but this pair had two thriving babies this past year--thanks to a quiet undisturbed area and plentiful fish! In addition, this area is a feeding, nesting, and resting area for huge flocks of migratory birds. My parents instilled a love of bird watching in me as a young child. I am now 45 years old. I have spent time on this part of the lake for the past 16 years. I have seen numerous flocks and species through out all the seasons, and especially during migration periods. I fear that if Tract #257 is turned into recreational or residential access that this unique situation will have an unfortunate end for not only the common and plentiful herons, geese, ducks, martins, sea gulls and other species, but more so for the rare and endangered ones, such as the bald eagles, ospreys, and others as well. Please put

tract #257 into zone 3 Sensitive Resource Management and leave it in its natural state. Thank you for considering my opinion. **Comment by:** Kirkpatrick, Hope

525. Strongly objects to tract #257 being classified as Zone 6-Recreation and Residential Access. I recommend that tract #257 be proposed and approved as a Zone 3 - Sensitive Resource Management tract. This tract is used by bald eagles and ospreys for breeding, feeding, and nesting. There is a bald eagle nest within a mile of this tract. There is an active osprey nest with young within one half mile of this tract. These rare birds of prey use tract #257 and the other tracts that line the shoreline to the back of Brown's Creek as buffer space between themselves and human activity. Creating an active recreation area on tract #257 will interfere with these birds and other migratory birds that frequent the Lake Guntersville area. Many people and Government agencies have worked very hard to establish a population of these beautiful and rare birds in north Alabama. To change tract # 257 to recreation would be a major set back to the years of work that have been done to establish these species in the area. Many thousands of people have traveled to Guntersville to see our national bird the bald eagle. To destroy their sensitive habitat is not in the best interest of the people of Guntersville, the State of Alabama, or the nation. In addition to the sensitive wildlife habitat issues, zoning tract #257 to active recreation will decrease the quality of life of the local residents by increasing traffic on the lake, increasing trash in the lake, and destroying the scenic beauty of the shoreline. Please classify tract # 257 as Zone 3- Sensitive Resource Management. **Comment by:** Kirkpatrick, Michael

526. I recommend that Parcel 257 retain its current zoning, or even more preferably, be re-designated Sensitive Resource Management, Zone 3. This area contains habitat for the bald eagle, herring, and many other waterfowl species. Reclassification of this parcel to Zone 6 would effectively destroy the critical habitat. While preserving the heritage of Native Americans may have merit, the real interest of the Native American group requesting use of Parcel 257 appears to focus primarily on commercial recreational activities. The preservation of Native American heritage was only a very small part of their ill-defined plan. There was no evidence of any needs assessment for commercial recreational facilities, etc.; strategic or operational business plan; management plan or team; or a liable financial plan. Their message came across to me in our conversations as we have a "dream" for using the land. Give us the land; and we will use the land as the basis to apply for \$6-10 million in grant money to develop and implement a good plan to achieve our dream. Based on the conversations, they have never addressed management, staffing, operating costs, or revenues. The project appears to have all the makings of a "white elephant eyesore" for the community and for TVA. The museum element of their dream had no real linkage to or synergism with the commercial recreational activities. I recommend if any of this parcel goes to the Native Americans that it be limited to the minimum essential property to build a museum. Please protect this critical waterfowl habitat. **Comment by:** Kirkpatrick, Wally

527. I would like to identify myself with the comments made to you by Wally Kirkpatrick. He has made a thoughtful analysis of the plans presented at your open house on May 31, 2001, and I request that you seriously consider his comments. As a resident of Guntersville, I am interested in the future direction of land management

and preservation of a balance between recreational, conservation and commercial interests. **Comment by:** Davis, Bill

528. I am a resident of Hualapai Hills subdivision. I am emailing in reference to tract #257 land usage changes. I purchased property in Hualapai, spending extra for the lot, because of the beautiful, natural view of the lake and mountains from the hillside. I thought that it was breathtaking. I watch the waterfowl through a telescope from my screen porch and delight in hearing the geese in their nightly arguments. I often walk in the access area near the Armory for exercise and to absorb the peaceful surroundings. Sounds from the area radiate directly up the hillside. We residents of this area have been tolerant of activities held in the access area in recent years because we knew that it was of a temporary and short-lived nature. I would not like to have those activities to be of a permanent nature. I cannot imagine that beautiful view and soothing sounds of nature ruined by manmade structures and noises and possibly one day by a casino. Please consider classifying this area as a sensitive resource management area so that its unique beauty can be maintained. Thank you for asking for our input in this decision that affects our daily lives as well as our investment made in our homes. I anxiously await your decision in this matter.

Comment by: Money, Janet

529. My wife and I recommend that Parcel 257 retain its current zoning, or even more preferably, be re-designated Sensitive Resource Management, Zone 3. This area contains habitat for the bald eagle, osprey, herring, and many other waterfowl species. Reclassification of this parcel to Zone 6 would effectively destroy the critical habitat. This recommendation includes allowing the Alabama Army National Guard Unit to use the 20 acres as now leased to them for 99 years for military maneuvers. They have provided a lot of good services to the community & have not affected the natural habitat. They have maintained and improved the overall condition of the property and their training activities bring people into Marshall County and thus provides a positive impact to the community. We also strongly recommend that the land not be commercialized by the United Cherokee Intertribal, Inc. (UCI). This would (1) totally destroy the natural habitat and would damage (all of us that live very close) our quality of life due to increased lake traffic, (2) increase trash and garbage into our lake which should not be allowed, (3) disturb sensitive wildlife habitat-including the bald eagle (endangered species) and osprey breeding and feeding areas and (4) disturb habitat for owls, herrings and many other waterfowl. There is also a concern that under Cherokee, management that a Casino will follow which would bring corruption by the mobs. Their project appears to have all the makings of a "white elephant eyesore" for the community and for TVA. The museum element of their dream had no real linkage to or synergism with the commercial recreational activities, but we have no objections to allocating a small part of the land to build a museum. Please protect this critical waterfowl habitat. The City of Guntersville does not appear to have a valid, positive plan to make good use of their proposed 20 acres. Allow the City of Guntersville to use a portion with defined plans that would not disturb natural habitat for most of land. **Comment by:** Nicholas, Glen B. and Norma J.

530. Does not agree with the draft allocation. Prefer Zone 3. Please preserve this area as a natural resource as it is a habitat for the osprey. **Comment by:** Rashid, Mike

531. Does not agree with the draft allocation. Prefer Zone 3, Sensitive Resource Management. I have no problem with the National Guard continuing to use the land as it has been doing. **Comment by:** St. John, Lane

532. Please help our wildlife. Tract 257 should be Zone 3 - Sensitive Resource Management. **Comment by:** Tevepaugh, Carol

Response: TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS.

No sensitive resources are present that would qualify this parcel for allocation to Zone 3. However, allocation to Zone 4, Natural Resource Conservation would offer many of the same protections and would prevent development of the parcel. The Guntersville Watershed Team has determined that this site would better serve the public for informal recreation, leaving it in its natural state. Thus, Alternative B3 allocates this parcel to Zone 4, except for the portion already used by the National Guard which has been split out as a separate parcel (Parcel 257) and allocated to Zone 2 for their continued use.

To clarify the action proposed in Alternative B1, TVA is not proposing to give fee ownership of this parcel to UCI. Therefore, it could not be used for gambling.

533. Does not agree with proposed allocation. Leave as currently designated. Allow National Guard current use. **Comment by:** Alfiero, Richard

534. I would like to have this parcel left as it is now or given to the Indians. **Comment by:** Langley, Randy

535. Leave Parcel 257 as is – no development. I have several concerns: 1) Commercial development by Indian tribe; 2) Traffic – road is dangerous, curves; 3) Constant number of people using area – campers, tourists, etc. Who will control noise pollution, etc.? and 4) Fear of future development – Indian tribes have legal authority to establish casinos without government approval. Property needs to remain in its natural state. We are “chopping up” too many natural areas for groups as is. **Comment by:** Lee, Andy

536. Does not agree with proposed zone allocation. Prefer parcel be kept as is. The City of Guntersville will take this land and auction it at public auction for their own greed. Do not give this land to the City of Guntersville under any circumstance. The United Cherokee Intertribal, Inc., will use this land in the hope of using it for a gambling complex. Do not give this land to the United Cherokee Intertribal, Inc., under any circumstance. **Comment by:** Jackson, Fennell Lavon

537. We support the Zone 4 status for this parcel. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

538. I have no objection to the United Cherokee Intertribal, Inc., wanting land from TVA for a tribal complex. However, I would be interested to know where the money will come from to develop this area. If State and Federal grants are the source, this is also taxpayer's money. Would the public have any input into the development of this area? My concern is, if this group is given the land, how many years will it take to complete their plans? Also, after this land is deeded to the UCI, Inc., neither the City of Guntersville nor TVA could prevent a casino from being built to finance this project. The article in *The Advertiser-Glean* is not clear as to the tribal status or their financial ability to justify giving the land to them at this time. It is my opinion that TVA should keep the land as is, at this time. **Comment by:** Sahag, Louise, H.

539. In response to your agency's request for written comments regarding the proposed new land use plan, I would like to take this opportunity to support your goal of making less property available for industrial sites, commercial recreation, timber growth and farming. The designation of more land that will remain in its natural state for the protection of sensitive resources is a worthy mission. This particular applies to the area with which I am most familiar, Tract #257. We witness on a daily basis a number of different species of water fowl, including the eagles, osprey, wood ducks, mallards, a great white fronted goose, king fishers, king birds, and often species which we have yet learned to identify. Some like the Canada geese, the coots, and the cormorants are not especially desirable, but they have the right to coexist, even if man doesn't always find them pleasurable. This is one of the few areas on the lake that is not overrun with human activities. The proposed Native American for-profit (commercial) campground is inconsistent with the stated purpose of the new plan, i.e., the protection of sensitive resources. I hope that the agency will reject this proposal in its entirety. When open spaces like Tract 257 are lost, they are lost forever in most cases, so it is a serious decision that the agency has to make in all cases. Please say NO to changing this tract to Zone 6 at this time. There is no need to add additional campground area, and especially in this area given the resources that would be sacrificed. **Comment by:** Slayden, Harryette

540. I am strongly opposed to changing tract #257 from its current designation to Zone 6-recreation and residential access. This area of the lake is generally quiet with less boat traffic and other human interference's. It is also less commercial and because of that fact there is now an established Osprey nest in close proximity to the parcel of land in question. The ospreys have used this particular area for at least the last 5 years. Also there is an active Bald Eagle's nest in the area and they are frequently seen using this part of the lake for hunting. Bald Eagle's choose undisturbed places for their nests and I believe that the noise that would be associated with a camp ground or ball fields for that matter would probably drive the eagle's away from this part of the lake. How sad that would be in that for the last few years their numbers are just now starting to rebound. Please reconsider any changes in tract#257's usage and maintain it as it is. **Comment by:** St. John, Deborah (May 25, 2001)

541. I just read the Sat. paper and I wanted to clarify my desires in regards to Tract #257. I agree with TVA's reclassification from recreation, timber management, etc.

to the proposed Natural Resource Conservation area. This area encompasses an extremely sensitive wildlife habitat and I would hate to see that damaged all for the sake of a few tourist dollars from a chintzy gift shop or the lights, noise and disruption of the peace that this area affords some of our endangered/threatened wildlife species. **Comment by:** St. John, Deborah (May 26, 2001)

542. Does not agree with the draft allocation. Leave as is. **Comment by:** Yarbrow, Pat (Mr. and Mrs.)

543. Please allow me to register my concern for the use of the land designated as tract #257 in the proposed land management plan. My personal preference is to retain this land in its natural state. If TVA should decide to change to zone 6 for recreation and residential access, I would fully endorse the use of the land being developed by the City of Guntersville for recreation use. I do not believe the Indian group seeking use of the land has been recognized by any governing body as a legitimate group. Additionally it is noted that in an article in *The Advertiser-Gleaner*, the spokesperson is quoted as saying they would develop and maintain the property through donations. I can see this as becoming an eyesore and detrimental to the property values in the neighborhood. Thank you for your consideration. **Comment by:** Fryer, Reuben

Response: See response to sections C, E, and F.

544. As discussed between you and Mrs. Doris C. Edmonds, my comments on the proposed allocation code for Parcel Number 257 is as follows: I think that the code for that land should be Code 4, Natural Resource Conservation. I totally disagree with allocation of Parcel Number 257 (106.6 acres) as Code 6, Recreation, either for the City of Guntersville or for the Cherokee Indian Tribe to have "use and/control of" the TVA-controlled lands that was previously part of my home place – located between my currently owned 32.5 acres of land in T8S, R3E, S20 and the Guntersville Reservoir. I also think that the National Guard should be allowed to keep the estimated 20 acres of TVA-controlled land that they have been using for many years and that TVA should code that land with a code that would facilitate the continuing, uninterrupted operations of the National Guard. **Comment by:** Edmonds, Doris C. (on behalf of Chrisman, Betty Idell)

Response: TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B1 proposes to allocate Parcel 257 to Zone 6 in response to a proposal submitted by UCI and the city of Guntersville. TVA's further research on the UCI proposal has revealed that the Creek Path Mission site is actually on the island fronting Parcel 254.

See the response to comments in section A for more information about the Creek Path Mission. Under Alternative B3, the portion allocated to Zone 2 (the National Guard site) would still be available for UCI or other groups to use on a

case-by-case basis. See the response to section E for more information on TVA's response to the city of Guntersville's request.

545. Since much of our land that we were required by the Federal Government to sell to TVA (47.5 acres that we owned prior to the TVA Act of 1933) has now been declared by TVA as partially excess to the "purposes of the TVA Act of 1933", it appears that all of those acres were never actually essential "for purposes of the TVA Act of 1933" and should never have been taken in the 1930s by TVA -- from our family's home place. We would then not have had to move in order to have enough acres to farm in support of our family. I think that if "anyone" or "any group" is ever given the "use and control of" any of our previous land between my remaining 32.5 acres (of that previous 80 acres) and the Guntersville Lake, then TVA should approve "use of and control of" that 47.5 acres back to my family members for current and/or future use. My family lived on that 80 acres when you purchased the 47.5 acres from us and paid us about \$2,000. I still own the other 32.5 acres of the 80-acre home place. We didn't want to sell our lands and we didn't want to move from that location; however, since TVA left us with only 32.5 acres to farm, we had to move. That move totally disrupted our lives -- as we wanted to live them.

I am aware that TVA in recent years allowed the selling of about the same amount of Public Land by the YMCA (for \$1,000,000) that TVA had sold to them as Public Lands for a boys camp -- with covenants in the deed that required use of that land for "summer residence, recreation, and NEVER TO BE SUBDIVIDED!" In spite of those covenants between the U. S. Government and all of The People of the U. S. who are the actual owners of all Government land, someone in TVA ignored those legal covenants and allowed the sale of that land by the YMCA to a private developer for the building of a residential subdivision for possibly millions of private profit to him from development of land taken from other private land owners in the 1930s by TVA (through either purchase or through condemnation and taking through the Courts)!!!! If you allow someone else to "have use of and take control of" that part of our home place "for any reason," and place recreational facilities and/or other uses between our current land and our previous land and the Lake, it will be the second time in my lifetime that TVA has not treated our family in a fair manner. Please do not give either the City of Guntersville or the Cherokee Indian Tribe "use of and/or control of" our home place land to allow city activities and/or commercial activities between my present land and the Lake!!

Thank you for anything that you can do to keep my current land from being separated from the Guntersville Lake (that was created partially as a result of the mandatory/involuntary sale of our land to TVA in the 1930s)!! Thank you also for anything that you can do to prevent TVA from giving anyone or any group "use of and control of" any part of that 47.5 acres that was a part of our home place BEFORE the Federal Government required us to sell it to TVA (at TVA's chosen price per acre). **Comment by:** Edmonds, Doris C. (on behalf of Chrisman, Betty Idell)

546. I am writing in response to an article I saw in the Guntersville Newspaper dated 6 June 2001. The article indicates that 107 acres on Creek Path Rd adjoining the

Guntersville Armory is being sought by the United Cherokee Tribe and The City of Guntersville for development. I strongly oppose this move to develop more of the shoreline within the city of Guntersville. I recently saw three deer on this track of land and it is the home to several species of wildlife and birds. The move to develop this track for ball fields and Indian education is unwarranted. The National Guard has a lease on 20 acres and their use of the land is of very low impact. I see no reason for more development along the shoreline. I do see a need to preserve the wild areas within the city along the shoreline that belong to the public agencies.

Comment by: Ditto, Joel

547. Being a relative newcomer to Guntersville, my main reason for purchasing property here was the lovely, unspoiled look of this community surrounded by water and large tracts of undeveloped land. "Multimillion dollar" campgrounds are not what we need. Generally, such campgrounds are very detrimental to the areas in which they have found a foothold. I strongly oppose a zoning change to this tract of land to allow such building to go forward. On the other hand, a nice full-service hotel and a couple of good restaurants, as well as a food store such as Public or Krogers, to be built on less sensitive ground would be a great enhancement to our lovely little town. Again, work to keep #257 unspoiled. **Comment by:** Dyer, Gisela B.

548. I totally and strongly disagree with the proposed Zone 6, Recreation, as a result of "Two parties (United Cherokee Intertribal and the City of Guntersville) have expressed an interest in using this property for recreation." I think that this land should remain/be Natural Resource Conservation, Code 4. The owner of the 47.5 acres of land purchased by TVA in the 1930s (at TVA's established price -- with no choice to the private property owner) is still living (she is in her late 80s). At this time, her property is not bothered with current usage of the TVA-controlled property. If the proposed usage were approved for either reason, the owner believes that such use would devalue her property. She was a little girl when those acres were taken from her family -- making them move in order to have enough farm land to support their family members. To give "use of and/or control of" ANY PART of these 47.5 acres to any other user would be a "second terrible injustice" by TVA to that family member in her lifetime. Since some of that parcel of land is now declared excess to the needs of TVA for use as, quote: "for purposes of the TVA Act of 1933" as authorized by that Act, it appears that TVA took more of their lands than they were authorized by that Act to take "for purposes of that Act!" Since all of that land purchased from that family was not required, if TVA had only taken the lands necessary, the family member's lives would not have been totally disrupted -- causing them to move to another location and leave their home place! Please do not repeat the previous injustice to this family "where more land was taken in the 1930s than was necessary" "for purposes of the TVA Act of 1933" by "now" using those "lands unnecessarily taken" to cut the remainder of her lands (32.5 acres of the original 80 acre tract) off from the Guntersville Lake (that was created partially by use of their privately owned property purchased by TVA for a TVA-set price, with no choice of negotiations given to that owner). Please do not use those excessively taken lands to now cause the value of her existing property to be drastically reduced. This strong opposition to providing "any more" Public Lands, for any reasons, to the City Officials of Guntersville is based on reasons outlined below: **Comment by:** Edmonds, Doris C.

Response: TVA carefully considered these views. In the FEIS, TVA is considering alternatives that would allocate Parcel 257 to Zone 6, Developed Recreation (Alternative B1); Zone 4, Natural Resource Conservation (Alternative B2); Zones 2 and 4 by splitting the parcel into two pieces, Parcel 257 to Zone 2, TVA Project Operations and Parcel 257a to Zone 4 (Alternative B3); and to a combination of these uses (Alternative A). Alternative B3 was developed in response to comments on this DEIS. Alternative B1 proposes to allocate Parcel 257 to Zone 6 in response to a proposal submitted by UCI. TVA's further research on the UCI proposal has revealed that the Creek Path Mission site is actually on the island fronting Parcel 254. See the response to comments in section A for more information about the Creek Path Mission. Under Alternative B3, the portion allocated to Zone 2 (the National Guard site- new Parcel 257) would still be available for UCI or other groups to use on a case-by-case basis. In Alternative B3, the Creek Path Mission site (Parcel 282v) would be allocated to Zone 3 to protect its significance as an historic site.

Any intensive development of Parcel 257 such as that proposed by the city of Guntersville and UCI would have some impacts on the nearby neighborhood from noise and traffic and from site clearing necessary for construction of proposed facilities. The Guntersville Watershed Team has determined that this site would better serve the public for informal recreation, leaving it in its natural state. Thus, Alternative B3, which was developed in response to comments on this DEIS, allocates this parcel to Zone 4, except for the portion already used by the National Guard which is allocated to Zone 2 for their continued use. Further environmental review of a specific development proposal, with public input, would occur before any action could be taken on this or other parcel on Guntersville reservoir. TVA would be glad to work with the city of Guntersville to find an alternate location for the needed ball fields, on either public or private land near the city.

549. In my opinion, as long as the City Officials of Guntersville are continuing to abuse the Citizens of Marshall County as they have done, primarily since 1986, TVA should NEITHER give City Officials of Guntersville "use of" NOR "control of" any more Public Lands and waters adjacent to the Guntersville Lake and the Tennessee River. Such actions would be a terrible injustice to the people of Marshall County whose rights have been abused over many years by City Officials of Guntersville!

In fact, because of purported annexation of thousands of TVA controlled lands and waters, I believe that City Officials in the "Wet City of Guntersville in Dry Marshall County" are using U. S. Government Public Lands and Waters as though they were Wet (because the City is purportedly Wet) and are creating a life-threatening environment where people from many adjoining states are being endangered daily and some people are being killed on the Lake/River by drunk boat drivers. The annexation of such TVA lands and waters by City Officials of Guntersville is believed to be in direct violation of Alabama Code Sections 11-42-20 and 11-42-21 that requires, quote: "Whenever ALL of the owners of property located and contained within an area contiguous to the corporate limits of any incorporated municipality located in the state of Alabama ... shall sign and file a written petition with the city clerk of such municipality requesting that such property or territory be annexed to

the said municipality, and the governing body of such municipality adopts an ordinance assenting to the annexation of said property to such municipality, the corporate limits of said municipality shall be extended and rearranged so as to embrace and include such property and such property or territory shall become a part of the corporate area of such municipality upon the date of publication of said ordinance."

As an example, even though the annexation ordinance for the 1640 acres of TVA controlled Public Lands and Waters to purportedly provide contiguity between the legal City Limits of Guntersville and the Conners Island land owned by the City of Guntersville was signed by only one individual with the Guntersville Industrial Board, the City Officials appear to be considering those Federal Lands and Waters to be Wet to allow the use of alcoholic beverages by boaters on the Guntersville Reservoir -- daily endangering the lives of Citizens of Marshall County and of other states who routinely use the Federal waters. The TVA Act of 1933 did not create TVA "to purchase and/or to condemn in the Courts and take" privately-owned Marshall County properties to promote the (believed illegal) sales of alcoholic beverages on legally dry Marshall County territory as a Profit-Making Venture for the City, to provide annual alcohol revenues for use by City Officials on Marshall County territory voted legally dry by 11,481 voters of the County, or to provide large annual bonuses to only City School System personnel through alcoholic beverage revenues. When the City of Huntsville wanted to annex Federal lands on Redstone Arsenal, Alabama, the Commanding General simply said "No!" I believe that TVA should have said "No" and should require Guntersville to de-annex all Federal lands and waters that have been illegally annexed in violation of Alabama State laws. Even without the complication of illegal alcohol sales and their use on legally dry Marshall County territory that includes the Federal lands and waters of Marshall County, the confusion created in mixing City, State, and Federal authority actions is definitely NOT IN THE BEST INTERESTS OF THE PEOPLE OF MARSHALL COUNTY, and should not be allowed by TVA. Giving the City Officials of Guntersville use and/or control of more of these TVA controlled Public Lands would, in my opinion, result in more abuses of the people by the elected and/or appointed public officials of the City of Guntersville. In 1986, City Officials of Guntersville started abusing their authorities and the guaranteed rights of the Citizens of Marshall County by illegally annexing private lots or tracts of legally-dry Marshall County territory, by voting (as Mayor and/or City Councilmen and Councilwomen) to illegally "spot zone" those lots, and by illegally approving the issuance of alcoholic beverage licenses by the Alabama Alcoholic Beverage Control Board to allow the illegal sales of alcoholic beverages all over Marshall County, AL up to 15 miles from the protective services of the City Police Department. These actions to promote intemperance in the use of alcoholic beverages were taken as a Profit Making Venture for the City, to bring in the maximum possible alcohol revenues for use by City Officials, and to initially allocate 33% of total alcohol revenues to the City Board of Education for providing large annual bonuses to personnel working for the City Board of Education, including many Family Members of City Governing Body (Mayor and City Council members) who have (since 1986) voted annually to re-establish a "set percentage" of the total alcohol revenues (legal and/or illegal) to be funneled through the City School System to their Family Members. The "set percentage" of total alcohol revenues was initially set by them at 33% of the total income from alcohol but, after the annual alcohol revenue was bringing in almost \$1,000,000, the City Governing Body members

reduced the annual allocation to 25%. Those Family Members got this Private, Substantial, Financial Gain every year since 1986, whether the sales were considered legal or whether the sales were known to be performed illegally "outside" the official City Limits of the Wet City of Guntersville (on legally dry Marshall County territory voted dry by 11,481 County-wide registered voters). That Wet/Dry Referendum of Marshall County that was held 24 November 1981 as scheduled by the Marshall County Probate Judge was the last Wet/Dry Referendum held of Marshall County voters. Since no other County-wide Wet/Dry Referendum has been held under that law that covered the 24 November 1981 vote, we believe that all of Marshall County is still legally dry. The State law that allowed that 1981 Wet/Dry Referendum of Marshall County (under Alabama Code 28-2-1(a)) legally provided at that time that, quote: "If a majority of the electors voting in said election vote "No," said county shall be a dry county under the terms of Chapter 4 until it shall by a subsequent election, held under this section, vote wet." Based on that provision of the State law, we believe that every inch of Marshall County is legally dry. We believe that the municipal option elections law issued in 1984 by the majority of Alabama Legislators (Alabama Code 28-2A-1 through 28-2A-4) is an ex post facto Law specifically prohibited of states by Article One, Section 10, Clause 1 of our U. S. Constitution which states, quote: "No State shall ... pass any ..., ex post facto law" We believe that it is an ex post facto Law because it has been used illegally by the City of Guntersville to retroactively void and nullify the legal vote of the 11,481 registered voters in Marshall County, AL (who on 24 November 1981 voted every inch of Marshall County dry) and to usurp that legal vote of all those people who legally voted under State law on that day to maintain and to live in a safe, Godly living environment applying that "dry status" to the entire county of Marshall, AL. No ex post facto Law can legally void the results of a "provided legally by State law" election, scheduled legally "as required by that law" (Section 28-2-1a and 28-2-1b of the Code of Alabama) by the Probate Judge of Marshall County, under a Democratic vote of The People of the County. We believe that issuance of illegal annexation ordinances by the City of Guntersville "under color of law" as though they were following State laws (when they were not) to cause illegal sales of alcoholic beverages "for profit" for the City and for a few City Officials (including some Family Members of some of the City officials) voting to allow the illegal sales of alcohol all over dry Marshall County territory makes those City officials liable to the County-wide Citizens whose guaranteed constitutional rights have been abused -- as outlined in 42 USCS 1983. In 1986, 16 plaintiffs in Warrenton filed the first lawsuit (CV 86-337) against the City officials of Guntersville for illegally annexing dry county territory that they voted dry in 1981 in a "legally held by the Probate Judge" Marshall County Wet/Dry Referendum; for illegally spot zoning that territory for the illegal sales of alcoholic beverages on that dry County territory; and for illegally approving issuance by the ABC Board of many alcoholic beverage sales licenses in our legally voted dry County territory -- as far as 15 miles down road rights-of-way from the protective services of the City. That lot 15 miles away was at Five Points down a curvy road (State Highway 227) past the Guntersville State Park. Those illegal annexations that probably brought in millions of dollars over the years (from 1986 through the early 1990s) went "in every direction" many miles past the legal City Limits of Guntersville violating all Alabama laws on annexation and a multitude of State laws on control of alcoholic beverages in legally dry Alabama counties, including criminal laws that prohibited "bootlegging" and "illegal sales of alcoholic beverages" in legally dry Alabama counties. We believe that the bootlegging and

illegal sales "allowed and approved by" the majority of that organized City governing body of Guntersville all those years also violated Amendment 21 to the U. S. Constitution that repealed the Eighteenth Amendment on Prohibition but that also stated in Section 2 of that Amendment, quote: "The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited." All of the illegal approvals by the City officials for such illegal sales were given in spite of advice by their lawyer that such actions were illegal, were the most ridiculous thing that he had ever heard of, but that he could represent them either way - so I believe that they intentionally, willingly, knowingly, and maliciously violated Alabama State laws including criminal laws, Federal laws, the U. S. Constitution, the Alabama Constitution of 1901, and many guaranteed rights of Alabama Citizens under the U. S. Constitution and the Alabama Constitution of 1901. Those statements by their lawyer were made in a City Council meeting after the Marshall County Plaintiffs from Warrenton and from Sand Mountain won the first two lawsuits (CV 86-337 and CV 87-082). Judge James Avery, who was called into Marshall County from Chambers County to handle those two lawsuits against the City, ruled all such Long Lasso Annexation Ordinances approved by the City Officials from 1986 "null and void in the beginning" which means that they were "never worth the paper they were written on" and that the City Officials had no right to approve either illegal Long Lasso Annexations, spot zoning of lots for sales of alcoholic beverages on dry County territory, or to approve issuance of alcoholic beverages by the Alabama ABC Board. Judge Avery also ruled that the City officials/Guntersville would pay all expenses of those two sets of Plaintiffs - to include lawyers' fees. They did pay the lawyers and the thousands of dollars paid to those lawyers by the County Citizens of Warrenton and Sand Mountain were returned to the Plaintiffs and to other County Citizens. Judge Avery's ruling proved to me, without a reasonable doubt, that the City officials of Guntersville had "no authority" to approve "any" sales of alcoholic beverages on "any" Marshall County territory voted dry by those 11,481 County-wide voters in 1981 and that such sales were equal to "bootlegging" of those alcoholic beverages by those City officials for all of those years for profit to the City, for illegal revenues for use by the City Officials, and for illegal revenues (pre-set percentages, 33% initially or 25%, after the income reached about \$950,000 per year) to be paid to the City School System for large bonuses (up to \$1,000 annually some years since 1986) of Private, Substantial, Financial Gain for some Family Members of some City Officials who voted for such sales and/or who voted to pass either 33% or 25% of the total alcohol revenues collected to the City School Board for bonuses for City School Board personnel (including their Family Members). We believe that such actions and other related actions violated the Alabama Ethics Laws.

The illegal Long Lasso Annexations by Guntersville to the West (into the legally dry Warrenton Community) went many miles from the official City Limits of Guntersville down State Highway 69 Right-of-Way to the Intersection of Highway 69 and the Warrenton/Georgia Mountain Roads. The ones to the South (into the legally dry Sand Mountain Community) went many miles from the legal City Limits of Guntersville down State Highway 431 to the Intersection of Highway 431 and the Brasher Chapel Road. The ones to the North (into the legally dry Claysville Community) went many miles from the legal City Limits of Guntersville down State Highway 431, past Claysville, to the "Y" Intersection of Highway 431 (going toward Huntsville) and State Highway 79 North toward Scottsboro. The ones to the

Southwest (into the legally dry Browns Valley area) went down State Highway 79 South toward Birmingham to the Big Spring Minnow Farm area. The ones to the Northeast (toward the Guntersville State Park) went down State Highway 227 to a point 15 miles from the City protective services to annex a lot past the Guntersville State Park. Most of these illegal Long Lasso Annexations were annexed by the City of Guntersville for the "sole purpose" of selling alcoholic beverages on legally dry Marshall County territory.

Soon after the Warrenton Community filed its lawsuit (CV 86-337), several County Citizens on Sand Mountain served as Plaintiffs and filed a second lawsuit (CV 87-337) for the same reasons to represent the hundreds of County Citizens in that area who strongly opposed (and still oppose) the voiding by City Officials of their legal Wet/Dry Referendum vote, and the providing by City Officials for illegal sales of alcoholic beverages through official actions by those City officials. The two lawsuits were consolidated into one and ruled on by Judge Avery as one action. (NOTE: The Supreme Court of Alabama had declared such Long Lasso Annexation illegal!)

After those two consolidated civil lawsuits were won, representing several hundred people in Marshall County from several communities that adjoined Guntersville, I personally went to the District Attorney's Office of Marshall County and asked that I be allowed to sign a warrant for the arrest and prosecution in criminal court of the City Officials who had purposely, illegally caused bootlegging all over Marshall County all of those years for profit! After a long delay, I was finally told by the Investigator that he could not file charges against those City Officials. I asked him "Why?" He told me that he could not file charges against them because one individual was the Mayor of the City of Guntersville and the other individuals were City Council members of the City of Guntersville. I told him that decision had to be the "poorest excuse for Government" that I had heard in my lifetime - when an Investigator of the District Attorney's Office of a County decided whether or not to file criminal charges, against individuals for violations of State criminal laws, based on the positions held by those individuals!! I told him that if I had bootlegged all over Marshall County he would have "locked me up and thrown away the key!"

Even before the Alabama Supreme Court ruled to validate their previous ruling by upholding the ruling by Judge Avery under referenced lawsuits (that Long Lasso Annexation was illegal), the City of Guntersville re-annexed the same "first" piece of property going West down the same piece of Highway 69 Right-of-Way (to the Intersection of the Warrenton/Georgia Mountain Road and Highway 69 West that had been ruled illegal Long Lasso Annexation by Judge Avery's ruling in CV 86-337 and CV 87-082). Judge Avery reportedly died of a brain tumor. Basically, the only difference between the two annexations was a "later dated" document by the City Officials and a "red handwritten entry" by someone (in their Index of Ordinances) that the property ruled illegal Long Lasso Annexation in the lawsuits above had been "Re-annexed by Water." They soon re-annexed all other properties, plus more, back down to the very same Intersection at the Warrenton/Georgia Mountain Roads and Highway 69. That time they used 10-foot and 20-foot corridors, respectively, of private properties rather than using the 60-foot+ Highway 69 road-right-of-way that had already been ruled illegal by the Alabama Supreme Court. We consider these tiny corridors and the imaginary, fluid corridors of running water across the Guntersville Lake and across the rapidly running waters of the Tennessee River to

be "just another method" of illegal Long Lasso Annexation already ruled illegal by the Alabama Supreme Court! As well as routinely abusing Marshall-County-wide voters (legally registered or qualified to register in Marshall County, AL) by illegally voiding and nullifying the legal votes of 11,481 "No" votes in the legally held County-wide Wet/Dry Referendum of 1981 every time that an alcoholic beverage sales action is taken against County that was voted dry by those County-wide voters, and by voting to approve the illegal sales of alcoholic beverages all over dry Marshall County territory, as proven by Judge Avery's ruling in the above lawsuits, the City Officials also abuse other private property owners, including those whose lands were taken along the Guntersville Reservoir shoreline by TVA in excess of those authorized and taken "for purposes of the TVA Act of 1933," as well as other Marshall County Citizens not owning property, and including every individual of Marshall County, of Alabama, and of the U. S. who (as a Citizen of the U. S.) currently owns a part of all the TVA-controlled Federal Public Lands and Public Waters of the Guntersville Reservoir believed to be illegally annexed by City Officials of Guntersville.

The fact that thousands of acres in the 7 states to be managed by TVA are now being made available for many other uses shows that they were excess to "the purposes of" the "TVA Act of 1933" that created TVA for those purposes. I believe that it also shows that TVA purchased (for their price) or condemned in the Courts and "took" many more acres than were actually necessary, quote: "for purposes of the TVA Act of 1933" as provided in that Act. I believe that any modification to the prohibitions in that Act, because of Congressional pressure placed on TVA by any Congressman, to allow sale to a friend of the Congressman's secretary "for the Walker Point subdivision" -- even though prohibited in that deed and the TVA Act -- was a terrible injustice to all of The People of the U. S. The action taken by TVA to lift those covenants on "that" deed, apparently without Presidential approval (as required by that TVA Act of 1933) and without approval of the overall Congress to allow the prohibited sale "for subdivision purposes" of almost 50 acres of the "over 100" acres of the YMCA lands to one private individual (by the YMCA for \$1,000,000) was a blatant violation of the understood contract between the President, the Congress, TVA and the private property owners (whose lands were purchased or condemned and taken in the Courts "for purposes of the TVA Act of 1933)." Those lands had been sold to the YMCA for use as a boy's camp and the deed for that purpose stated that lands were to be used for recreation, as a summer residence, and that the lands were "NEVER" to be subdivided. I believe that any change to that Act to allow forbidden actions would equal an ex post facto law that, I believe, violates the rights of The People under guaranteed rights of the U. S. Constitution and under the Alabama Constitution of 1901 (Article 1, Section 35) which states that "The sole purpose of Government is protection of the people in enjoyment of their life, liberty, or property" and that anything other than that is "usurpation and oppression!"

For TVA to allow the sale of almost half of the "over 100 acres" of YMCA land by the YMCA for \$1,000,000 (that was justified to TVA and purchased from TVA for a Boys' Camp) and for them to allow the sale by Guntersville of many lakeside/riverside lots on the 400 acres, at Signal Point, of TVA-controlled Public Lands (justified to TVA and purchased from TVA for about \$100,000 to be used as a Guntersville Industrial Park -- to bring permanent jobs into the area) (as intended by the TVA Act of 1933)

is totally unbelievable!! Rather than use the lands as intended, for Public use, as provided by legal restrictions in the TVA Act of 1933, the YMCA and the City Officials of Guntersville used those hundreds of acres of Public Lands (purchased by TVA at TVA prices from private landowners, having no choice, in the 1930s or condemned and taken in the Courts) as a Profit-Making "Real Estate" Venture by selling for many, many residences for the elite. This has caused another terrible abuse of The People because the willing purchase of those lands at such exorbitant prices by affluent people has caused the price of land in the area to go up past the possibility of ownership by "most" Marshall County people. Also, almost every time The Advertiser-Gleam is published, it prints about 6 to 12 Foreclosures on property. I believe that the misuse of these hundreds of acres by the YMCA and City of Guntersville for things "other than" those for which the land was justified to TVA and procured from TVA has caused the raising of local property taxes past the ability of local people to pay. I believe that the "most expensive lot" of the planned Guntersville Industrial Park land at Signal Point that ended up being sold by City Officials of Guntersville (as a residential lot for single family residence) sold for \$140,000 - about equal to or greater than the total amount that the City paid TVA for the estimated 400 acres that they told TVA they needed to purchase to provide an Industrial Park and critically needed "permanent employment" for local citizens!! Only the City benefited by the sale of that Industrial Park land by TVA, for an Industrial Park that the City of Guntersville never established. The average Citizen received no benefit and the lands were not used to provide permanent jobs as promised by Guntersville Officials. The sale of that land for subdivision also is believed to violate the covenants and intent of the TVA Act of 1933, the contract between the Federal level officials and the private property owners from whom the lands were initially and involuntarily obtained in the 1930s, and the requirement in the TVA Act of 1933 that The President of the U. S. would approve any such disposal of the Public Lands. The sale of those Public Lands as a Real Estate Profit Making Venture by the City Officials of Guntersville and by the YMCA has been the primary cause of the raising of the Fair Market Value of all land in the area, and the resultant increase in assessment levels by the Tax Assessor's office, has raised the price of all land in this area to such a high level that such lands are "far above" the financial resources of the average Citizen of Marshall County!! When sworn in, all elected officials (elected by The People to represent them) swore to uphold the Constitution of the United States. If all elected officials had upheld the U. S. Constitution as they promised, the guaranteed rights and "equal protection of the laws, due process, freedom of speech, etc." for the people under the U. S. Constitution and the Alabama Constitution of 1901 would never have been abused. In the opinion of many people of Marshall County, the people have not been given guaranteed rights and equal protection of the laws and have (for many, many years) been badly abused by the majority of City Officials of Guntersville! I believe that they have also passed many ordinances/laws that have, under color of law, violated 42 USCS 1983 and, if challenged in a Federal court of law, they would be liable to the people. Some of the private property owners are still living whose lands were taken, whose acreage for houses and buildings was submerged by the lake, and who had to move to another location. If the City of Guntersville is allowed to "take control of" the TVA controlled lands between their retained "home place" acres and the Lake, this will be more abuse by TVA of the same individuals, using the same lands, in their one lifetime!! This would be a terrible injustice and would cause even more distrust, resentment, and opposition of Government actions by a multitude of people

-- even though, at this time, the feelings of many people toward the Government (run by the majority of politicians who apparently are controlled by special interests), in this case the City Officials of Guntersville" is at the "lowest level" in the history of the U. S. -----A third lawsuit was filed against the City of Guntersville when they initially annexed the first lot in Claysville purportedly using a "miles long" 40-foot wide corridor of running water (as the crow flies across the rapidly running waters of the Tennessee River, with no land visible, and with no beginning and ending land descriptions) for the sole purpose of selling alcoholic beverages on that "voted legally dry" in 1981 Marshall County territory - during the last County-wide Wet/Dry Referendum discussed above). A 40-foot wide corridor of water is even 20 feet more narrow than the miles long road-rights-of-way that have been ruled illegal as a means of annexation by cities by the Alabama Supreme Court!! We believe that all of the 10-foot and 20-foot corridors along State road-rights-of-way (those road-rights-of-way used previously to effect all of the illegal Long Lasso Annexation ordinances ruled by Judge James Avery as "null and void in the beginning") as well as the 40-foot fluid, imaginary corridors of running water of the Guntersville Lake and of the Tennessee River (by the City of Guntersville) to reach legally dry County territory is just another method of Long Lasso Annexation ruled illegal.

Another Lawsuit filed by Signal Point residents against the City of Guntersville is presently in the Courts and soon is to have a ruling of the Judge forthcoming. The City Officials of Guntersville have discriminated against those people living in the North Subdivision of Signal Point in the matter of considering the providing of city water lines to that subdivision. Even though they have provided city water to many people over the years who were not annexed into the City, they would not provide city water to Signal Point. They finally agreed to provide the water if the residents would annex or agree to annex their lots into the City. Over 50 residents annexed their lands into the City to get water. The City took no action for about 5 or 6 years to provide needed water. When they provided the water, they installed water meters on all lots along the Signal Point road (on some lots, e.g., ours, they installed two water meters); however, they charged an additional \$1,000 over and above the standard \$350 always charged to others for tying on to city water lines. The \$1,000 was required to be provided to give to the City Council and the \$350 was required to be provided to give to the Guntersville Water and Sewer Board. Charging those residents \$1,000 more than anyone else had ever been charged to get water is blatant discrimination against those people in North Signal Point Subdivision. Most of the people paid the \$1,000 and that \$1,000 should be returned to those people. Some of the people refused to annex their land into the City (giving City Officials control of that land) and the City Officials have refused water to those individuals and are still withholding that water. Those individuals paid their \$1,350 fees for tying on to the water but would not annex their land. The City Water and Sewer Board received those payments, kept and used that money for almost a year, and then sent two checks to those individuals (one for \$1,000 and one for \$350) and still refuses to provide city water - even though there have been numerous people who have been provided city water without annexing their land into the City. When we received those City Water and Sewer Board checks, I called and asked for interest on our money. They refused to pay any interest on our \$1,350 that they had held for almost a year and still refused to let us tie on to their public water supply even though they have installed two water meters on that lot without any permission from us! This withholding of approval to provide water to residents of the County who

have had meters installed in their yards by the City of Guntersville (without any permission from land owners) was not only threatened by those City Officials but is still being withheld. That withholding of action by those public officials appears to me to meet one of the definitions of extortion in Black's Law Dictionary to get control of the people's property before services will be performed to provide safe water for "just this North Signal Point Subdivision" location of people needing or wanting City water.

The City of Guntersville many years ago issued an ordinance or resolution that limits the Freedom of Speech of Citizens (that is guaranteed by our U. S. Constitution) to 2 minutes at City Council meetings -- when those Citizens want to discuss their opposition to any proposed actions being taken by the City Officials that will have adverse impact on the Citizens. They DO NOT enforce that 2-minute policy when people are speaking in support of the things that they are wanting to do. That is blatant discrimination by Government against Citizens - prohibited by the U. S. Constitution.

There have been many time when actions being taken or planned by the City Officials of Guntersville were being opposed by citizens of Marshall County. Those Citizens have given the City Officials written appeals of those actions (in accordance with City policies) asking that they be allowed to appear before the Board of Adjustment to appeal decisions by that City Governing body that were believed to violate the rights of those Citizens. The City Officials and their Board of Adjustments have neither allowed those County Citizens to do nor have they ever responded to our correspondence.

The City of Guntersville charges everyone living in their 3-Mile Police Jurisdiction a Guntersville 3-Mile PJ Privilege Tax of one and one-half cents on the dollar for every dollar's worth of electricity used and provided by Rural Electric Cooperatives. We have had to pay (as long as I can remember) that one and one-half cents on every dollar of merchandise purchased from businesses in the 3-Mile PJ around the City of Guntersville. City Officials of Guntersville are governing all of us; however, however, they will not allow people in the 3-Mile PJ to vote in their City elections to support or to oppose proposed candidates!! Cities operate under a Home Rule policy while County Commissions have no authority to provide the "equal protection of the laws" guaranteed by our U. S. Constitution - in order to protect us from bad city officials. WE HAVE NO REPRESENTATION IN THAT CITY GOVERNMENT!! They pay absolutely no attention to petitions signed by people in the adjoining communities even though the petition may have about 200 signatures on it opposing their intended actions (even though they are in violation of all State laws) and some of their City Council members were elected with votes of less people than that in their city of 7000+ residents. That is clearly Government and Taxation WITHOUT REPRESENTATION - like the totally unfair taxation by England that caused the Boston Tea Party.

Recently, Marshall County Citizens attended a meeting at the Alabama ABC Board that was called by one of the ABC Board Agents serving Marshall County. He stated that felonies were being committed in Marshall County routinely (I think that he said they were being committed under Section 28-4-115 of the Code of Alabama) related to illegal transportation of alcoholic beverages down dry Marshall County roads by businessmen and businesswomen for sale of those alcoholic beverages on territory

voted legally dry on 24 November 1981 by County-wide voters in the last Wet/Dry County Referendum) on lots that had been purportedly annexed by the City of Guntersville for the sole purpose of selling alcoholic beverages on that voted dry territory. That law apparently provides only for the transportation of a small quantity of such alcoholic beverages down dry County territory for the personal use of an individual. The Agent stated that most Public Officials in Marshall County knew that those felonies were occurring, that he could not control the alcohol as outlined in the laws and the ABC Board rules, and that he wanted to be gotten out of the mess. He also stated that he thought that the top was going to blow off of Marshall County some day and that he didn't want to be "part of the fallout." I have not seen that agent in the County in recent times. On inquiry, I have been told that he has been reassigned to control alcoholic beverages in "another" county of Alabama. Should the felonies not have been stopped and those committing them be prosecuted rather than just reassigning one agent to another County? The Agent stated that all the City Officials knew that this was occurring, that the City Police knew that this was occurring, that personnel of the DA's Office knew that this was occurring – but that no one would do anything or let him do anything about it! We have drunk-driving crashes often around here where people are seriously injured, permanently disabled, and/or killed. Are the lives of those people really less important to the public officials than the money from the alcohol revenues that they get to handle temporarily??

Please don't support more abuses of the people of Marshall County by the City of Guntersville officials by giving them "use of and/or control of" more of the Public Lands and Public Waters on the Guntersville Reservoir! **Comment by:** Edmonds, Doris C.

***Response:** TVA generally allows alcohol sales and use on its property if these uses are allowed by local ordinance. Under the TVA Act, TVA is charged with broad responsibilities relating to, among other things, navigation, flood control, reforestation, marginal land, social welfare, natural resources, agriculture, and industrial development of the Tennessee River valley and surrounding territory. TVA believes its actions in the Guntersville Reservoir area are consistent with its statutory mandates.*

PARCEL 258

550.Parcel map proposal does not correspond with proposed zones in Appendix B-1. We support Zone 4 designation as proposed on parcel map. **Comment by:** Pugh, M. N. (Director, State of Alabama Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries)

***Response:** The map parcel designation, Zone 4, Natural Resource Conservation is correct and Appendix B-1 has been changed accordingly. Thank you for bringing this to our attention.*

551.I am in disagreement with changing tract #258 to residential access **Comment by:** St. John, Deborah

Response: *An error in Appendix B-1 of the DEIS made it appear that Parcel 258 was allocated to Zone 7, Residential for both Alternatives B1 and B2. The correct allocation was shown on the DEIS Plan map and Parcel Information Matrix on the back of Map Panel 1. Appendix B-1 has been corrected. Thank you for bringing this to our attention.*

PARCELS 259, 268, AND 281

552. I am in agreement with TVA's proposed reclassifications of these following tracts: #259, #268 and #281. All of these tracts are extremely sensitive areas in the terms of wildlife management. **Comment by:** St. John, Deborah

Response: *Parcels 259, 268, and 281 are allocated to Zone 4, Natural Resources Conservation (or its equivalent allocation in the 1983 Plan) in all alternatives being considered in this DEIS. No sensitive resources are present that would qualify this parcel for allocation to Zone 3. However, allocation to Zone 4, Natural Resource Conservation will offer many of the same protections and will prevent significant development of the parcel.*

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