

***Appendix H – Responses to Comments Received on the Draft EIS***



## Appendix H - Response to Comments Received on the DEIS

### Introduction

This appendix contains TVA's responses to public comments received on the Pickwick Reservoir Land Management Plan Draft Environmental Impact Statement (DEIS). Comments were received from May 3, 2002 to June 17, 2002. In response to some comments, the text of the FEIS has been changed. Even when a comment did not require modifying the FEIS text, TVA has provided a response to the issue raised.

### Public Comments

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#### Prefer Alternative C

- I would recommend to the board of directors that TVA take the most conservative plan of action and adopt alternative plan "C". Plan C seems to be the best plan. **Comment by:** *Peck, John; Crawford, William; Brown, Leland; Harden, Brett; Palmer, Marvin; Thakkar, Pravin; Sachenbacher, Frank and Patti; Brown, Lee; Matthews, J. Mark*
- I like the Alternative C better than any of them, because there is less land that is going to be used for this 2.3% is a lot better than 13% [Alternative A]. **Comment by:** *Cannon, Brian*
- Pickwick is a valuable resource for all of us. TVA was wise many years ago to restrict both industrial and residential development on the lake. I would recommend management plan C because it allows for least amount of development and change for the river. Other impoundments around the country have suffered water quality problems as well as a host of other calamities because of overbuilding. We should take a very conservative approach to the management of the lake and surrounding land. Plan C is our best choice. **Comment by:** *Brown, Charlie*
- I still don't think those with boats that love to anchor out overnight are getting a fair shake. If alternative C is the best you can offer for good stewardship of our planet, then it is the only plan to consider. **Comment by:** *Kennedy, J.C.*

**Response: The comments have been noted.**

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#### In favor of Alternative B

- I am in favor of maintaining the existing plan, updated to reflect changes that have been made since 1981, and/or inaccuracies that were a part of the 1981 plan. I am also in favor of the City of Florence's pending request for Parcel 37 as Zone 6. Whatever plan is adopted will be the guiding document for TVA land use in the

Pickwick Reservoir for the foreseeable future. While balance between competing demands is important, it appears that Alternatives B and C are far more heavily weighted in favor of conservation, minimizing future opportunities for commercial activity. **Comment by:** *Loew, James with Florence-Lauderdale County Port Authority*

**Response:** Your comment has been noted. Alternative B is the result of updating the existing 1981 plan to reflect changes since the 1981 Plan. Additionally, under Alternative B, Parcel 37 would be allocated to Zone 6, Developed Recreation in order to accommodate the City of Florence's request. In the FEIS, Alternative B is the preferred alternative.

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## Alternatives

- Alternatives A, B, & C do not appear clearly different courses of action. I understand A better other the others. But, if B & C are more long range and more committed to resource conservation they are preferred. **Comment by:** *Henderson, H.A.*
- The relationship between the acreage numbers reflected in the DEIS Abstract and the acreage numbers reflected on Page 1 of the Summary is unclear. If 63,625 acres comprised the original Pickwick acquisition; if 42,708 acres of that total are under water at normal summer pool; and, if 12,849.42 acres of the total are already committed to a specific use through previous transfers, leases, and contracts, then how much acreage will actually be subject to "future allocation" under the Land Management Plan - 19,238 acres, 6,388.58 acres, or some other amount? How do the "specific uses" of the currently allocated acreage (the 12,849.42 figure) compare to the uses projected for that acreage in the 1981 plan? Perhaps a pair of pie charts reflect this and thereby give some insight into the likely outcome of the proposed new plan. **Comment by:** *Acoff, A. with Alabama Department of Transportation*

**Response:** In the DEIS, 19,238 acres were allocated using the updated land planning zone definitions. The 1981 Plan used 10 allocation categories, defined in Table 2-1 of the EIS. Land currently committed to a specific use was allocated to a zone designated for that use. Commitments include leases, licenses, easements, outstanding land rights, or existing designated natural areas. Approximately 2,861.5 acres (14.9 percent) of the TVA public land surrounding Pickwick Reservoir were considered committed due to existing TVA projects. Approximately 9,987.92 acres (52.1 percent) of the TVA public land surrounding Pickwick Reservoir are committed due to existing land use agreements. Each parcel of land was reviewed to determine its existing committed use, physical capability for supporting certain uses, other potential suitable uses of such land, and the needs of the public expressed during the scoping process. Based on this information, the planning team allocated the 19,238 acres to one of seven allocation zones described in Table 2-2 of the EIS. A comparison of how each parcel is allocated under each alternative is located in Appendix B.

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## Multiple Uses

- Multiple Designations and Multiple Uses are made for many of the most critical Parcels like 32 to 39. Decisions can be made to grant changes to specific uses listed in the present plans. However, before allocation is made, all the other listed uses should be considered again. TVA should be very careful and reluctant to grant specific uses that will interfere with other desired uses, especially if the changes or impacts are permanent. For example changing from passive recreation to industrial or other construction may destroy future use for visual protection and buffer zones. Whereas, use for passive recreation like bank fishing or dirt walking trails may continue without destroying future use for barge landings. Multiple uses is a highly desirable quality if planning and managing resources. **Comment by:** Henderson, H.A.

**Response: Under Alternative A, site-specific impacts of a given project would be considered before an actual project was approved, and the impacts of eliminating other uses would be considered. The multiple allocations in Alternative A provide inherent problems as to what TVA meant by an allocation, and TVA prefers the zone approach under Alternatives B and C to provide a faster response to the applicant, improving TVA stakeholder relations.**

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## Natural Resources

- Hope to keep Pickwick landuse as natural as it could be. **Comment by:** Pride, Bud
- Protect shoreline **Comment by:** McWilliams, Mike
- Enjoy the natural beauty of the landscape and enjoy seeing the wildlife of the area. I feel that there will be less of both if conservation of the area is not taken into consideration. **Comment by:** McInnis, Duncan

**Response: These comments have been noted.**

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## Cultural Resources

- We applaud TVA's commitment to protection, preservation, and management of fragile cultural resources (Page 57). In that regard, what actions are being taken to protect and preserve known archaeological sites from erosion caused by wave action from passing boats? Delaying preservation or mitigation activities until a site-specific activity is proposed at some future date (Page xi) could result in the irrevocable loss of significant cultural artifacts to include human remains. **Comment by:** Acoff, A with Alabama Department of Transportation

**Response: Indeed, TVA attempts to be proactive in the preservation of the shoreline, including archaeological resources, that is being affected by deep-hulled boat traffic and other recreational activities. These stabilization efforts occur along all of the TVA reservoir system, but more specifically on Pickwick Reservoir, TVA has stabilized approximately 6270**

**linear feet of shoreline for the protection of archaeological resources within the last three years.**

- Thank you for forwarding the Draft Environmental Impact Statement for the above referenced project. We understand that under any alternative, TVA will abide by the Programmatic Agreement (when finalized) regarding Land Plans in Alabama. TVA will utilize a phased process to conduct identification and evaluation treatment plans for avoidance, protection, and maintenance of historic properties which are National Register eligible. We look forward to receiving the Final Environmental Impact Statement as soon as it becomes available. **Comment by:** *Brown, Elizabeth with Alabama Historical Commission*
- At your request, our office has reviewed the above-referenced draft environmental impact statement in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). We concur with the document, that all proposed action alternatives must comply with Section 106 of the National Historic Preservation Act. In particular, any proposed undertakings that include ground-disturbing activities have the potential to impact archaeological resources. Undertakings implemented in accordance with the chosen management option should be submitted to this office for our review and comment. **Comment by:** *Harper, H. with Tennessee Historical Commission*

**Response: Comments noted.**

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**Prime Farmland**

- Prime Farmland Page ii indicates "Land Use and Prime Farmland Conversion. Although not identified by participants, this issue was identified by TVA staff." TVA staff is to be commended for recognizing this vital issue. However, there was considerable, and strategic, public recognition of Prime Farmland during consideration of Alternative A. For example, Parcels 53 and 32 and the backlying land were of specific concern at a hearing of the TVA Board in Florence at the time. Changes described on pages 85-88 and Appendix E seem appropriate for TVA owned reservoir land. Laws protecting farmland continue to change but the need does not decline. Also use of prime farmland by TVA is minor compared with potential mischief done to backlying lands by decisions for use of owned lands. For example Parcel 53 may contain less than 100 acres, but it provides access to, and facilitates conversion of, several hundred acres of prime farmland. Parcel 32 may contain less than 2,000 total acres. But if it is used for Natural Resources Conservation (including Prime Farmland Protection) as planned it may protect the largest block of Prime Farmland in the region from useless conversion to other uses. "Prime Farmland" is a specific resource that appropriately requires consideration. Other farmland is also of concern. While limited in acres "Unique Farmland" should be recognized if it is present. Each state also designated "Additional Farmland of Statewide Importance". All of these combined represent only a small part of all agricultural production and its related Farm-dependent businesses in the region. **Comment by:** *Henderson, H.A.*

**Response: Comment noted.**

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### Southeast Tissue Corporation Proposed Project

- We are concerned about water being discharged into Mulberry Creek by industry that will be built on the Gilbert Property at Barton. We don't need more air or water pollution in that area especially in the creek. **Comment by:** King, Percy
- Hope TVA would consider moving discharge as far upstream as possible, aware of heat problems, homeowners are there, want some consideration, run line straight out into the river instead of the mouth of Mulberry Creek. **Comment by:** Pride, Bud
- My opposition to any further development upstream from my location which requires any effluent into the river, particularly the Southeast Tissue Company at Mile 242 and Site 53. Because our family has been at this site since its original sale, we have watched the quality of the water deteriorate over these 45 years - 45 years -- and had mercury scares in which we could not fish. It is frightening sometimes to put my children in the water and to wonder what physical ailment we might develop from having been in there 45 years. **Comment by:** Minervini, Virginia

**Response:** Two environmental assessments have been previously prepared for the purchase and development of the 'Gilbert Farm property' near Barton. Site specific impacts for the Southeast Tissue project are being assessed in a separate environmental assessment and a draft is currently out for public review. Under Alternative B, the preferred alternative in the FEIS, the TVA public land fronting this property is proposed to be allocated to Zone 5, Industrial/Commercial Development to be consistent with the backlying property use. These comments will also be considered in the FEA for this project.

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### Pickwick Power Project

- I am totally against this project unless we can be assured that our air quality will not be harmed. If approved with the understanding that air quality must be maintained at current levels. If these levels are exceeded due to their pollution, then plant must be shut down, period and end of discussion. I doubt any company would proceed with this provision. **Comment by:** McKinnie, Bill
- I'm afraid that it's not going to have any smell, according to those I've spoken with, but that it will be a silent killer. There will be no smell but will also be upwind from the Pickwick Recreation Area. **Comment by:** Minervini, Virginia
- Even though this is not proper for this discussion because it's in the Kentucky reservoir, we feel because of the increased barge traffic and the possible air-quality issues that the people in our region should be allowed to comment on that as well and be included in any discussions about that. **Comment by:** Tigrett, Barbara
- I feel it is not in the best interest of our area to have a coal burning power plant on the Tennessee River in Hardin County. We need to keep the environment as pristine as possible. There is too much development as it is. It is a shame to destroy a beautiful river and lake so a few developers can make a huge sum of money at the expense of the people who enjoy nature as it should be (undisturbed). Why do we need to be dealing with China. This could put our country at risk. **Comment by:** Walkup, Joe and Linda

- We also urge you to give great consideration to the effects a coal plant will have on our environment and Shiloh Park. **Comment by:** *Brandon, Guy and Bettie*
- We are very concerned about the environmental aspects of a coal plant site at mile 203. **Comment by:** *Walden, Wilbert and Gilda*
- A no to the coal fired power plant. **Comment by:** *Jibeault, Mr. and Mrs. William*

**Response: This project is not located on Pickwick Reservoir Properties nor is it within its watershed. Even though it is named Pickwick Power Project, it is located downstream of Pickwick Dam Reservation and is part of the Kentucky Reservoir and watershed. TVA is conducting an environmental review for this project, and these comments will be considered in that review.**

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### **Lake Levels/Reservoir Operations Study**

- Keep reservoir levels higher. **Comment by:** *McWilliams, Mike*
- Attached is a copy of a letter I sent to TVA re. the Reservoir Study. Since it impacts Pickwick directly I am forwarding a copy to you as well. I attended the Muscle Shoals public meeting as a representative of the Florence-Lauderdale County Port Authority. Current winter pool levels in Pickwick are a problem for commercial navigation, including the Port of Florence. I do not know the historical backgrounds re. the setting of winter/summer pool levels, but I cannot help but think with today's technology (computer modeling & simulation) and hydrological expertise that the system cannot be managed safely at increased winter pool levels... Winter Pool – Strongly recommend the desired range be increased from 408-410 to 411-413 on Pickwick Lake. This winter has been one of extremes in water elevation. Significant periods of low water in the 408-409 range over the past several years have adversely impacted business operations in the Port of Florence. During low water barges cannot be laid alongside several docks. This results in idle machinery and people, delays in product delivery, and so forth. Low water has been the result of increased barge damage. This increases the costs of doing business (including increased insurance costs) and delays other work. Increasing winter pool elevations improves safety and efficiency/productivity, lowers business costs, increases port waterfront available for business, and has the potential to reduce maintenance costs (including costly dredging throughout the system). Dam Discharge – Strongly recommend against periods of zero discharge. Periods of zero discharge drastically alter water elevations in the lake and make it dangerous to transit already tight navigational areas. This is particularly hazardous given some of the cargo contained in barges transiting the system. I am also concerned about the ROS process and validity of gathered data. As I understand it TVA will make decisions based (at least in part) on public comment. I do not believe that the public, in general, understands commercial navigation; this skews input. If the Muscle Shoals public meeting attendees were representative of all public meetings then again input will be biased in favor of the interest of the majority (i.e. environment) and will not provide balanced representational input. Collecting data on public meeting attendee primary interest area may help researchers determine any bias in the study, or at least point out areas where additional data must be gathered. Thank you for the opportunity to provide comment and participate in this process. If you plan on having focus groups to assist with the study and data analysis, result interpretation, etc. and need

members please keep me in mind (or if there's any other way I can be of assistance). **Comment by:** *Loew, James with Florence -Lauderdale County Port Authority*

**Response: TVA is conducting a reservoir operations study for all of TVA Reservoirs. Public scoping has been completed and an EIS is being prepared. These comments will be used to determine the issues to be addressed in the EIS.**

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### Right amount

- Thanks to TVA: Public responses choosing overwhelming approval of "Right Amount" to details of "Recreational Facilities", "Natural Resources", and Public Works" is an endorsement of TVA management of these resources. **Comment by:** *Henderson, H.A.*

**Response: Comment noted.**

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### Industrial/Commercial Development

- As a resident of northeast Mississippi, I am deeply concerned about revising the existing pickwick lake land management policy. I am opposed to reducing the industrial and commercial development percentages as option B or C proposes. The Tennessee river provides a tremendous opportunity for industrial and commercial growth to our community. Why take it away? How will people by boats or fishing gear to enjoy the river, if there are no jobs to support hobbies? I think it will be a mistake to limit industrial and commercial development. A mistake that we and our children will regret the rest of our lives. Please do not reduce industrial and commercial development on the Pickwick lake land management policy. **Comment by:** *Wright, Monroe*

**Response: Even with the potential loss of industrial development sites under certain alternatives, there are numerous industrial sites available in the counties surrounding Pickwick Reservoir. Industrial development organizations currently list at least 60 such sites in Colbert, Lauderdale, Tishomingo, and Hardin counties, with at least 16 of these on the water. TVA currently has only one request under review from an industrial prospect to locate in the area (SE Tissue); hence, it would not appear that demand for industrial sites will outstrip the supply anytime in the foreseeable future.**

- I don't really care for alot of industry to be close to the rivers and lakes. That is the reason why we have industrial parks for these plants to be built there instead of close to the water. There is always the threat of being some kind of chemical getting in the water and messing everything up. I got a fishing booklet from TWRA and it was showing alot of places in Tennessee that it says don't eat the fish because of

some sort of chemical in them that it makes them unfit to be eaten, this is sad.

**Comment by:** Cannon, Brian

- No industrial sites on Pickwick Lake **Comment by:** McWilliams, Mike
- [ Page 151-155] Also 58 [70%] of respondents indicating "need less" emphasis on "industrial/economic development" should give TVA caution in committing other critical resources to this use. **Comment by:** Henderson, H.A.
- TVA scoping hearings on the "RSA Proposal" and "Reservoir Operations Study" seemed to give similar results. This confirms that citizens applaud TVA commitment to Natural Resource Protection for use by all citizens and TVA might have already over committed to Industrial/Economic Development for use by a few. I share these documented feelings and urge you to resist the expected tremendous irrational pressures that can be generated by certain "leaders" for specific projects. **Comment by:** Henderson, H.A.
- I'd like to register my opposition to any further development upstream from my location which requires any effluent into the river, particularly the Southeast Tissue Company at Mile 242 and Site 53. **Comment by:** Minervini, Virginia

**Response: Comments noted.**

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### Residential Development

- I feel that TVA should make every effort to restrict the development of residential areas. The banks of the river are turning into more of a subdivision than an area to house wildlife. I realize it is more profitable to sell land to developers, but they have no appreciation of the land. **Comment by:** McInnis, Duncan
- After careful studying the DEIS, it is very clear to me that TVA is taking the right approach and trying to do all it can save and protect a most valuable resource. Ask Alabama Power Co. What mistakes they made years ago on all their lakes . If you don't know they sold off most all of the surrounding lake property and now all of their lakes are over built with residential and commercial developments. Their lakes are overcrowded with boat and marina traffic. **Comment by:** Brown, Leland

**Response: In 1998, TVA completed the Shoreline Management Initiative Final Impact Statement. Impacts to TVA shoreline as a result of residential development were assessed in that EIS and the maximum amount of residential shoreline for Pickwick Reservoir was determined. The proposed alternatives do not allocate any additional shoreline to residential development.**

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### Recreation

- Upgrade parks and recreation areas **Comment by:** McWilliams, Mike
- I like the idea of there being more boat ramps built. It seems you can never have enough of these. **Comment by:** Cannon, Brian
- I would like to see a place laid out just for wave runners and jet skis. There is nothing more annoying than trying to fish in a creek and a jet ski zoom by your boat. **Comment by:** Cannon, Brian

- I'd like to request that a boat density or whatever kind of study that TVA has done in other recreation areas be done at the Pickwick Dam Area, especially over the Fourth of July, to see if they think that the area has maxed out with regard to the number of boats. And perhaps they can have a maximum number of boats licensed for the area or find some way to control the number of boats. **Comment by:** *Minervini, Virginia*

**Response:** TVA is challenged to maintain quality recreation experiences for all users while acknowledging increasing use and development potential. TVA partners with the state agency who has regulatory authority to address boat density issues. It would not be feasible for any regulating agency to monitor the reservoir on a holiday weekend due to the number of officers required to monitor the situation. Setting a limit on the number of boats allowed on the water at a given time would be the responsibility of the regulatory agency. Given the number and wide range of geographical locations of marinas and boat launching ramps, recreation watercraft crowding does not appear to be a problem on Pickwick Reservoir. In general, TVA reservoirs are used heavily throughout the recreation season, with weekends and holidays typically being the most congested times of the year. In contrast, the majority of our reservoirs are less crowded during the week. However, the allocations of the Pickwick Land Plan will not contribute to an increase in boating, as no new water-oriented recreation facilities are proposed. The existing parks are owned and operated by several state, local and federal agencies. Upgrades and new facilities are driven by annual budget actions of each respective entity. Licensing of water vessels and waterway regulations are functions of the states.

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### Water Quality/Supply

- Protect water supply/quality **Comment by:** *McWilliams, Mike*
- And above all, would they please preserve the water quality or improve the water quality, perhaps make some arrangement with surrounding counties to protect the land from development and from clear-cutting lands which are to be developed. **Comment by:** *Minervini, Virginia*

**Response:** TVA is currently involved in numerous projects to protect/improve water quality in Pickwick reservoir. Current projects include; stabilization of critically eroding shoreline, riparian buffer establishment and animal exclusion fencing on Bear and Cypress Creeks, voluntary establishment of Shoreline Management Zones and riparian buffers in residential areas, educational activities such as Kids-in-the-Creek and Clean Boating Campaigns to increase public awareness concerning water quality issues, and the Clean Marina Initiative to provide guidelines and incentives for valley marinas to help protect water quality.

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## Dumping

- Watch for dumping areas around the lake. **Comment by:** *McWilliams, Mike*

**Response:** The unauthorized deposit of waste material or dumping/littering is prohibited on TVA fee-owned land and on privately-owned land with TVA-retained rights. In the past, TVA has become aware of such areas through routine monitoring and maintenance of the shoreline and property and reports from citizens or other agencies. TVA Police investigates these areas to identify the responsible person(s) to require them to clean the area or seek reimbursement for TVA costs to clean the area. TVA also works with local coalitions, agencies, businesses, schools, conservation groups, etc., to conduct cleanups of the shoreline and informal recreation areas.

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## Insect Spraying

- Increase insect spraying around the lake. **Comment by:** *McWilliams, Mike*

**Response:** TVA fluctuates Pickwick Reservoir on a weekly basis beginning in late May and continuing through the last week in July. The one foot drop is supposed to last about 24 hours in order to strand mosquito eggs, larvae and pupae; the water is then raised to the original level. TVA also provides technical information on mosquito control and checks mosquitoes for disease organisms on Pickwick Reservoir.

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## Navigation

- RE. Table 3.11-2 in the DEIS: Methyin Crane & Barge Service does not operate in the port. Please delete. All other Florence Harbor businesses (except the Florence-Lauderdale County Port - public/public) are listed private owned/private use. But the port authority owns all the land so shouldn't all those businesses be reflected as public owned/private use? **Comment by:** *Loew, Jim with Florence-Lauderdale County Port Authority*

**Response:** Table 3.11-2 in the FEIS has been revised. Methyin Crane & Barge Service has been deleted and all businesses listed within the Florence Harbor (except the Florence-Lauderdale County Port) have been revised to read as public owned/private use.

- Since the Tennessee River is a navigable stream, we suggest coordination with the United States Coast Guard. We did not find that agency listed on Page 100 (Agencies Consulted) or Page 102 (Regional Stakeholders). **Comment by:** *Acoff, A. with Alabama Department of Transportation*

**Response:** The DEIS was sent to the United States Coast Guard for their review and comment.

- We want to object to the fact that these coves have been undesignated as safe harbors and that recreational boaters have now been allocated to safe harbor in an area along with barges. We think that's a tremendously unsafe situation and something that just hasn't been thought through. And we don't think the navigation industry endorses that as well. I've talked the Corps of Engineers and to several other folks in the navigation industry, and they're kind of surprised that TVA would put forth that policy as a safe situation. Obviously, if a recreational boater gets caught in the storm, he doesn't want to seek safety in an area where barges may be seeking shelter. It's just an unsafe situation. For that reason, we're hoping that TVA will reallocate these coves in the area that are not lined with docks. So we would hope TVA would certainly take another look at that. **Comment by:** *Tigrett, Barbara*

**Response:** TVA has deleted the phrase "and recreational vessels" from section 3.11. TVA did not intend to recommend that recreational vessels should necessarily seek safety in designated commercial safety harbors or safety landings. Recreational vessels have the flexibility to seek safety in any embayment or cove along the waterway. TVA does not believe that it would be feasible to mark all these areas.

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#### **Parcels 3, 4, and 5 - Montana Land Maintain and Gain Proposal**

- Do not swap. Many boaters want the 3,4, and 5 parcels left as is. There is too little underdeveloped water access land left in this part of the lake. I feel the land swap is lopsided. If the land has to be out of TVA hands, then it should at least be put up for a fair sale that would bring an appropriate exchange of land and or funds to TVA. **Comment by:** *Swafford, Marcia*
- Land swap with Montana Land Company. I am totally against this as we have enough development at this end of the lake and we do not need more. There are plenty of lots for sale and we do not need more. On a second notes on this, your land appraisal is way too low. I almost purchased 1/3 of an acre within a mile of the proposed swap and I would have paid \$200,000 for this. If this swap is approved the resale value will be in the millions. You keep asking for input from us and we give it, but you must not be listening. I have been to numerous meetings, and I have never heard anyone that is for this proposed swap. If TVA does this swap, the public is being sold out for too little and we are giving millions to Montana Land Company. If you were giving up say a hundred acres of lake front land and getting several thousand acres of lake front land in return, maybe it would make sense. Why not conduct a formal survey of the residents of this area as well as boaters and listen to what they say. I have never been able to get any indication of what the people really want. It seems that TVA has made up their mind and is just having meetings so they can say they asked for our input. I would like to see what people are really telling you. I look forward to hearing what public input officially is on the proposed land swap. As far as the proposed land swap with Montana Land Company. Why not mail a survey to all property owners within the local area asking do they favor the swap yes or no. This should be heavily weighed before going any further with this plan. **Comment by:** *McKinnie, Bill*
- I prefer these parcels should be used for natural resources. **Comment by:** *Wylie, Paul*

- I would like to request that any land exchange with the Montana Land Development Company incorporate details about percentage of trees that they must keep so that they don't rape the land of its natural beauty while we put up beautiful homes. While it is important to the development of the area, they have to protect the beauty, the water and the beauty. **Comment by:** *Minervini, Virginia*
- I've been involved in trying to encourage TVA to preserve the two coves, Lower Anderson Cove and Haw Branch, for conservation reasons and for recreational purposes and because so many boaters and recreational folks on the river and residents, as well, have enjoyed the coves for years as recreational, for fishing or whatever, also primarily as well, significantly as a safe harbor for recreational boaters in the events of a storm or malfunction. Boat that are going up river, sometimes they anchor in these coves. They're the same coves in the area that because of the massive amount of development, there's hardly anything left. So we're urging TVA to reject this new proposal by the developer to acquire these two coves of high-value shoreline. We think this is in the best interest of the public and best interest safety...Also we would love to have proposed the idea that these two coves be released to the public to create a conservation area, like perhaps a Pickwick conservancy, where public money wouldn't be - - we could do fund-raising to raise the money to protect this area and perhaps establish a permanent conservation area for these two last remaining coves in this highly developed area. **Comment by:** *Tigrett, Barbara*
- As residents and/or recreational friends of Pickwick, we urge TVA to permanently protect these last two remaining undeveloped coves in the area from any more harmful development. While we agree with the "Natural Resource Conservation" allocations for parcels 3,4,5 (draft EIS/ALT "B"), we're concerned about renewed TVA talks with developers, seeking to acquire this "high-value shoreline" thru a questionable TVA land swap. These vanishing natural shorelines and habitat should be preserved for future generations of wildlife, families, fishermen - and also as the only truly "safe harbors" in the area, for recreational boaters in distress. **Comment by:** *Delk, Debra; Tigrett, Charles and Barbara; Burrow, Dr. and Mrs. W.B.; Delk, William; Bearden, Walter; Gray, J.L.; Ison, A.A.; Burrow, Paula; Brandon, Guy and Bettie; Shelby, Carrie; Johnson, James; Wylie, Judith; Grone, Kay; Payne Jr, Melvin; Coleman, Martha; Walden, Wilbert and Gilda; Small, Doris; Jibeault, William; Caples, Emmett; Franks, Jimmy; Alexander, Huey; Everson, David; McLemore, Bill*
- I have been a boater at Pickwick for 25 years. You have sold out most of the coves by the dam and surely you will not take the remainder in such a crooked way. There is much opposition to your swap proposal and if you continue your swap proposal, I know that the opposition will be beyond your comprehension. **Comment by:** *Burrow, Dr. and Mrs. W.B.*
- I have been boating for over 20 years. I spend many nights in lower Anderson for safe harbor. In the past two years all the new development has made me have second thoughts. During the day condo/homeowners think they own the water and resent you staying overnight. I've had jet skies and boaters fly by while swimming causing high waves and give you the "high sign" if you reject. Any additional development will make matters worst. All boaters will soon have to go to Alabama to find a place to anchor out overnight. Lower Anderson and Haw Branch has already been over developed ignoring wildlife and boaters needs. Swapping that land would end both wildlife and boaters use. All we would have is more scalping of trees and natural areas. It's hard to believe TVA would even consider destroying more land. TVA appears to be more interest in Big Money than tax payers. As far the "Safe

Landing" area is ridiculous. I would not park there in good weather and I'm certainly not hooking up with barges. **Comment by:** *Ison, A.A*

- Protect our coves and the natural beauty of this precious land. Montana Land Company needs to go back to Montana and develop their own land. No more developments of coves. No land swap! No Deals!! **Comment by:** *Burrow, Paula*
- Please leave land as it is! No land swap on Parcel 3 and 4 and 5. As residents and long time boaters at Pickwick Landing State Park, paying rent to use facilities, we urge you not to take away the last of our anchorages. **Comment by:** *Brandon, Guy and Bettie*
- I don't think the "Natural Shoreline Property" should be swapped off by TVA. These natural habitats should be preserved. They are getting to be too few. **Comment by:** *Shelby, Carrie Nell*
- Also it is very important to preserve the harbors from any harmful development. These coves are the last two undeveloped coves used by small boaters. As boaters for over 30 years in the Pickwick area. **Comment by:** *Walden, Wilbert and Gilda*
- This is a Buff Crosby - "Maintain & Gain Program": where TVA gives away high value shoreline worth over 30 million - waterfront lots are selling from 400 to 500,000 each. Friends of Pickwick have been trying to save the last two safe harbors left on the northeast side of the lake. Mr. Clausel's land is not worth 100,000 it's a swamp. The people in this county and this area of boaters are really upset over this policy and that has been going on for the last 8 years. This land belong to "We the People." It is time for a change. **Comment by:** *Jibeault, Mr. and Mrs. William*
- As bass fishermen, don't recommend we use barges as safe harbors. As friends of Pickwick - keep the 2 undeveloped coves. Never make the TVA/MLC Swap. **Comment by:** *Caples, Emmett*

**Response: Under Alternatives B and C, these parcels would be allocated to Zone 4, Natural Resource Conservation. No sensitive resources have been identified on these parcels that would meet the criteria of Zone 3, Sensitive Resource Management. TVA would assess the potential impacts of the proposed action in a site specific Environmental Impact Statement for the project. At this time, a DEIS has not been completed. Should TVA continue to consider this project, there will be a 45-day public review period of the draft EIS. Comments addressing these issues were received during the scoping process for that project and would be considered in the DEIS.**

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#### Parcel 14

- Do not agree with allocation of Parcel 14 [for Zone 4, Natural Conservation Management]. [Instead prefer allocation for] develop recreation, camping, marina development. If bridge is raised have nature trail in area already. **Comment by:** *Farneman, Joan with the, Town of Waterloo*

**Response: Parcels 12, 13 and 17 located within the Second Creek embayment are suitable for developed recreation facilities and are allocated to Developed Recreation under Alternatives B and C. Parcel 12 was transferred to City of Waterloo (for recreation); Parcel 13 was sold under Section 4(k)(a) of the TVA**

Act for recreation and is currently owned by Jerry Hart and operated as Hart Marina; Parcel 17 is currently licensed to city of Waterloo for public recreation. Due to the secondary road crossing and inadequate water levels, Parcel 14 would not be suitable for marina development. Parcel 14 is suitable for trail and less intensive recreation use. These two uses are compatible with the proposed allocation, Zone 4, Natural Resource Conservation. Parcel 17 has a primitive campground facility that could be enhanced. The TVA planning team believes the resources currently allocated to developed recreation could be enhanced to meet the recreation needs/uses of this general area. For these reasons, Parcel 14 would remain allocated to Zone 4, Natural Resource Conservation under Alternative B.

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#### Parcel 32 (Includes Key Cave)

- Consider giving north bank of 7 mile management area as part of Key Cave management area. Start giving consideration to moving Key Cave and management area to a natural park, in case TVA is privatized or if funding should be a problem.  
**Comment by:** *Pride, Bud*

**Response:** The north bank of Seven Mile Island Wildlife Management Area (Parcel 32), along with Parcel 31, are currently under a 15-year license to the Alabama Department of Conservation and Natural Resources (ADCNR) for management as a Wildlife Management Area. Part of the proposed action is to allocate these parcels to Zone 4, Natural Resource Conservation and allocate Parcel 31 to Zone 3, Sensitive Resource Management. The U.S. Fish and Wildlife Service has requested this acreage (Parcel 31) to be considered for transfer as part of Key Cave National Wildlife Refuge. This transfer could occur once the Pickwick Reservoir Land Management plan has been approved. Additionally, TVA proposes to grant a 30-year term easement over Seven Mile Island Wildlife Management Area as well as Lauderdale Wildlife Management Area (Pickwick Reservoir), and other North Alabama WMAs on Wheeler and Guntersville Reservoirs. ADCNR would continue with its current operation and use of these areas consistent with existing management area plans. Activities envisioned in the existing WMA Management Plans (attached to the EA) are expected to continue. During the term of the easement, ADCNR and TVA would jointly conduct periodic evaluations and updates of the management plan, and take public comments on continuing management activities.

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#### Parcel 37

- I am in favor of the City of Florence's pending request for Parcel 37 as a Zone 6, developed recreation area. **Comment by:** *Loew, James with Florence-Lauderdale County Port Authority*

**Response: Comment noted. Under Alternative B, TVA's preferred alternative in the FEIS, Parcel 37 would be allocated to Zone 6, Developed Recreation.**

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#### Parcel 72

- Please note the parcel #72 I complained about in your previous meeting at the Adams Mark, initiating this process, now has had a sunken barge on the site since February 2002. **Comment by:** Crawford, William
- We are asking you to put a halt to a industrial/commercial operation in Area 72 as defined by the recent DEIS, Land Management Plan. We are asking that you reassign Area 72 to Zone 4, Natural Resource Conservation. As is, this industrial/commercial operation does not fit in with any of the surrounding zonings. This operation is dead in the middle of one of the most expensive residential areas of the Lake. The operation is a junkyard of equipment, scrap iron, concrete slabs, old docks, barges and various other debris. Also, there is a sunken barge there and has been for about five months. This creates a navigation hazard not to mention all the water pollution from oil and chemicals. This area, which is on the south point of what is locally called Tea Room Hollow, was once a great camping and fishing area enjoyed by many. It is also directly across the hollow from a camping area. Many campers, adjoining residential property owners, passerby's from both water and Rose Trail, see this ugly view. This area does not fit in with the surrounding property. It also lowers the value of our residential property. Therefore, we are asking you to re-zone Area 72 with the new Land Management plan. **Comment by:** Brown, Leland

**Response: Parcel 72 is currently under license for a minor commercial landing and is subject to best management practices for the protection of water quality. TVA is working with the licensee have the visual and other problems corrected on this parcel and in the reservoir fronting this parcel.**

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#### Parcels 139 and 140

- No [Do not agree with draft allocation for these parcels]. [Prefer allocation] for Recreation. For high pleasure boat use including water skiing. **Comment by:** no name provided.

**Response: In the DEIS, both parcels are considered committed as they are under existing land use agreements. Parcel 140 was allocated to Zone 5, Industrial/Commercial Development because it is currently under license to the Yellow Creek Port Authority for use as an industrial port. Parcel 139 was allocated for Zone 4, Natural Resource Management because it is currently under license to the State of Mississippi for wildlife management and public recreation.**

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### Parcel 141

- We feel this proposed new development is much to close too an already overdeveloped area (Aqua Yacht Marina) and would add more water safety and environmental problems to an already stressed area. It seems that the development of #141 would threaten parcel #143 which should be protected as a wildlife area. With the great amount of activity around Aqua Yacht Marina and the Yellow Creek Port, it would ease the stress on the area to have more land left for natural resource conservation. Is there data available as to how much water distance should be allowed between marinas in order to protect natural resources and maintain recreational safety standards? **Comment by:** Davis, Hull

**Response:** In 2000, TVA prepared an environmental assessment for this project and concluded that the proposed recreation easement would not significantly affect the environment. Specifically, the recreation issues were addressed in the EA as follows: The proposed marina site is over 0.75 miles from the main navigation channel. The area within an approximately one-half mile radius from the site is sparsely traveled compared to the main channel and routes from other nearby marinas. The main channel is congested during peak summer weekends and holidays. Many boaters are transiting the area to more dispersed parts of the main reservoir and on the Tenn-Tom Waterway.

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### Parcel 142 (Sandy Creek)

- There has been a tremendous influx of silt into Sandy Creek cove since the building of Highway 350. Proper silt barriers were not built and maintained and efforts by landowners in the area to get Folk Construction Company to clean up their mess were unsuccessful. We estimate a loss of 5 to 6 feet of water in front of our property. At minimum winter pool level we once had 6 feet of water. We now have less than 1 foot. Most of the cove is now dry in the winter. There was dredging done on the east side of the cove several years ago which resulted in an island in the center. Silt from the island continues to wash back into our side (west side). We have tried unsuccessfully to find a feasible, affordable solution to our problem. The water in the cove used to be very clear. Now it is a murky mess. Raising the minimum pool level by at least 2 feet in the winter would help us and others in dry winter coves considerably. Another area of concern in the Sandy Creek Subdivision is the hollow to the left of C.R. 378 as you turn onto 378 from Highway 25. This is the turn to the left just past Aqua Marina and just before the bridge over Sandy Creek. Some work on the property on the hill above the area was done without proper silt barriers and a great amount of silt has washed into the hollow. That along with many downed trees from beaver damage has made the area an eyesore. **Comment by:** Davis, Hull

**Response:** TVA can be more responsive in resolving water quality problems if the problem is reported when it occurring allowing TVA to work with state and/or federal agencies with the proper jurisdiction over such actions. TVA is currently conducting a reservoir operations study

(ROS) in which lake levels is an issue. Your comment will be forwarded to that team for review.

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#### Parcel 144

- We are very concerned that the marina has overbuilt for the area. New slips continue to be built, stretching the marina farther and farther out into the lake leaving almost no room to navigate safely on Sandy Creek into Yellow Creek or from the public loading ramp into the water. There must be some formula for determining how many boats can safely be used in a given area of water. With the tremendous number of boat slips combined with the large number of dry storage units at the marina, boats using public access ramps and homeowners in the area with boats concentrated in the area than is physically or environmentally safe. There are more boating accidents each year and the water quality has suffered greatly from oil and gas spills and the trash of careless boaters. It seems that it would be wise to control the size of a marina by limiting the number of boat slips and by refusing to allow a marina to extend so far out into the lake that it becomes a navigation hazard.

**Comment by:** Davis, Hull

**Response:** The marina on Parcel 144 has reached the limits of its designated harbor, which are within TVA's permitting guidelines. No new slips have been proposed. The landward limits of commercial marina harbor areas were determined by the extent of land rights held by the dock operator. The lakeward limits of harbors at commercial marinas are designated by TVA on the basis of the size and extent of facilities at the dock, navigation and flood control requirements, optimum use of lands and land rights owned by the United States, and on the basis of the environmental effects associated with the use of the harbor. Mooring buoys or slips and permanent anchoring are prohibited beyond the lakeward extent of harbor limits.

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#### Parcel 152

- Myself and my family own approximately 35 acres of the back portion of Winn Springs Embayment with approximately 1,000 feet of frontage at the rear of said Embayment on the north side and approximately 600-700 feet on the south side and running westward to Winn Springs Road on the south side of Winn Springs Creek most of the land (all on the north shore) being in Pine Cove Subdivision of record in the Registers Office of Hardin County, Tennessee. Your proposed land use designation on our north shore shows a road. This is in error and we ask that this road be removed from the final map for the following reasons: 1. Prior to my family's purchase of the land now designated as Pine Cove Subdivision, which was purchased from TVA approximately in 1958, there was no road on the north shore of Winn Springs. 2. When we recorded the subdivision (Pine Cove) we showed a private road on the north shore, and we bulldozed a dirt path for a road on this shorefront which has long since grown over with trees and plants. It was never used or maintained by any governmental authority. Thus no public road has ever existed

on the north shore at the back end of Winn Springs Embayment. All of these lots on the north shore are still owned by the Hodges Family. Please remove the proposed designated road from your final map. Incidentally, the road as shown has no beginning or end. There are no plans to become a reality. When we develop the north side, the private road will be located off the waterfront. Please forward me a corrected map. **Comment by:** Hodges, Warner

**Response: Information on the map was clarified with the commentor regarding the existence of a road on the draft Pickwick land plan maps. A road is not shown on the map.**

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### **Parcel 155**

- We also urge TVA to seriously reconsider a written recommendation (page 61/draft EIS) that recreational boaters in our area should now seek "safe harbor" in a storm or malfunction by anchoring or tying off in the same area with commercial tows, (along the open south bluff and mooring cells near parcel 155 at miles 209-210.8L). In view of recent tragedies on area waterways, involving small craft and large barges, TVA should advise area boaters to seek shelter in the only sensible "safe harbors" in state park/north bluff area, lower Anderson Cove & Haw Branch (former official safe harbor). Furthermore, if these last 2 coves are given up by TVA to developers, docks that would inevitably line these narrow coves would interfere with the open water most boats need to safely anchor (& swing) during severe weather. FYI: language from TVA current draft EIS/Land Use Management/Pickwick: "3.11 Navigation: Navigation safety landings and harbors, have been established at various locations along the reservoir to provide safe locations for commercial tows and recreational vessels to tie off and wait during periods of severe weather, fog, or equipment malfunction." Table 3.11-1 shows barges and small boats sharing same 'safe landing' area along south bluff, by mooring cells. Smart boaters know to keep a safe and respectful distance from big barges, at all times. To advise otherwise, especially in a storm, becomes a serious public safety issue. We urge TVA to reconsider this potentially dangerous policy. **Comment by:** Delk, Debra; Tigrett, Charles and Barbara; Burrow, Dr. and Mrs. W.B.; Delk, William; Bearden, Walter; Gray, J.L.; Ison, A.A.; Burrow, Paula; Brandon, Guy and Bettie; Shelby, Carrie; Johnson, James; Wylie, Judith; Grone, Kay; Payne Jr, Melvin; Coleman, Martha; Walden, Wilbert and Gilda; Small, Doris; Jibeault, William; Caples, Emmett; Franks, Jimmy
- Small boats would be in danger from barges in Parcel 155. **Comment by:** Wylie, Paul
- Is TVA willing to accept the liability and adverse publicity when a barge runs down a recreational boater anchored in the TVA "safe harbor" area? This area is used as the main navigational channel when barges are passing each other. How can tying off to a vertical rock wall on the open lake be a safe harbor? Has anyone at TVA actually been out on the lake in the area in question, on a summer weekend with barges and recreational boaters all over this area? **Comment by:** Delk, Debra; Delk, William

**Response: TVA has deleted the phrase "and recreational vessels" from section 3.11. TVA did not intend to recommend that recreational vessels**

**should necessarily seek safety in designated commercial safety harbors or safety landings. Recreational vessels have the flexibility to seek safety in any embayment or cove along the waterway. TVA does not believe that it would be feasible to mark areas that recreational vessels can use.**

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### **Parcel 156 (White Sulphur Springs Cabin sites)**

- Sale at 1952 market value with covenants that are presented in proposed plan.  
**Comment by:** no name provided.
- It appears that TVA wants to keep gaining more land so they can control, so why would you sell this land? If you decide to keep leasing, TVA will still have control over this. If the leases are continued, they should be at market levels and adjusted yearly. I sure hope TVA is not leasing well below market value. If the land is sold, it should be at market prices, not give away prices. I must assume this land would be worth several million dollars given its location. If sold there should be covenants in the sale limiting the lots to one home, preventing subdividing the lots and other considerations that would maintain the land. **Comment by:** *McKinnie, Bill*
- With regard to the leasing of the land at the sites which have been leased forever at the bend of the river at Site No. 156, I wish that the TVA would proceed to sell those sites to the owners and the people that have been leasing them for years, that they would go ahead and conclude a price and offer them. And if the people leasing the land don't take advantage of the prices, they would make them available to others as a residential site. **Comment by:** *Minervini, Virginia*

**Response: Under Alternative B, the Preferred Alternative for the FEIS, Parcel 156 would be allocated to Zone 7, Residential Access. With this allocation, TVA would have the option to continue the leases, cancel the leases, or sell the lots within Parcel 156. TVA currently is considering all three options.**

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### **Environmental Protection Agency Comments**

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#### **EPA Comment Number 1:**

The U. S. Environmental Protection Agency (EPA) has reviewed the referenced Tennessee Valley Authority (TVA) Draft Environmental Impact Statement (DEIS) in accordance with EPA's responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The proposed project is to update the current 1981 TVA land management plan for TVA-managed lands associated with Pickwick Reservoir, a 52.7-mile long TVA reservoir with 490.6 miles of shoreline in Alabama, Mississippi and Tennessee.

The land management plan is being updated since some lands (1,200 ac) have been transferred to other agencies since 1981, other lands (2,000 ac) are now submerged, while other lands were not considered in the original plan (1,330 acres, primarily the narrow shoreline "marginal strip" retained by TVA between the reservoir and private

property sold by TVA). The 1981 plan also included multiple use categories and requests for development were determined on a more subjective case-by-case basis. In contrast, alternatives for the updated plan offer a more systematic approach that allocates land into more distinct resource categories (land use zones). Overall, the presented alternatives for the updated plan would manage 19,238 acres of land (pg. i) of which 6,304 acres (pg. 16) are uncommitted with the balance already being committed to an existing TVA project or agricultural use. Existing land use commitments would be retained for all alternatives of the updated plans being considered.

### Land Use Zones

The alternatives for the updated plan allocate TVA-managed lands into seven land use zones. Of which TVA is responsible for land in Zones 2-7:

Zone 1 -*Non-TVA Shoreland* -Non-TVA lands above summer pool elevation such as flowage easements or privately-owned shorelands.

Zone 2 -*Project Operations* -TVA lands used for project operations and public works.

Zone 3 -*Sensitive Resource Management* -TVA lands managed for the protection and enhancement of sensitive resources such as cultural resources, TVA-designated Natural Areas, ecological study areas, river corridor with sensitive species, wetlands as defined by TVA, significant scenic areas, lands leased for protection purposes and lands fronting areas protected by other agencies.

Zone 4 -*Natural Resource Conservation* -TVA lands managed for natural resource enhancement or human use appreciation. Categories include forest management areas, recreational areas for hunting and birdwatching, riparian shoreline areas, river corridors not included in Zone 3, small islands (10 acres or less), and lands fronting wildlife and forest management lands owned by other agencies.

Zone 5 - *Industrial/Commercial Development* -TVA lands managed for economic development such as lands for business parks, industrial access, barge terminals, towing areas, and minor commercial landings.

Zone 6 -*Developed Recreation* -TVA lands managed for active recreational areas requiring capital improvements/maintenance such as campgrounds, marinas, parks, greenways, water access areas and lands fronting such areas managed by other agencies.

Zone 7 -*Residential Access* ~ TV A lands requested for waterfront residential access such as docks, piers, corridors retaining walls, easements and other activities such as fill/excavation.

### **Response: Comment Noted.**

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#### **EPA Comment Number 2:**

In regard to activities associated with Zone 4, we note that timber harvesting is currently not included in the *forest management* component of Zone 4 since page 75 states that: "At this time, no timber harvests are proposed on TVA public land surrounding Pickwick Reservoir. On the other hand, we note: that timbering is also not precluded since page 75 further states that: "However, when the need arises, timber harvesting may be considered to address stakeholder requests, issues of safety. etc. from impacts of insect infestation and storm and incorporates the appropriate level of environmental review." In general, we agree that such timber harvesting in response to weather or

insect infestations would constitute forest management. If commercial harvesting is requested and should it be granted by TVA in Zone 4 or elsewhere we request that the FEIS address the timber harvesting -particularly any potential clearcutting and thinning activities -relative to EPA mandates such as minimizing water quality degradation.

**Response: Once lands are allocated to Zone 4, TVA may choose to produce a natural resources management plan and forest management could be a part of the natural resource management activities allowed. The site specific impacts including water quality protection, would be evaluated in the natural resource "unit" plan. The impacts of timber harvesting are discussed in section 4.2.**

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**EPA Comment Number 3:**

Also, although Zone 7 addresses TVA-owned or managed lands for residential access to the reservoir, it is unclear if any of the Zones 2-7 are specifically established for potential new residential development on TVA-owned or managed shore-lands along the Pickwick Reservoir. The FEIS should clarify.

**Response: No new residential development of TVA public land is proposed. Parcel 156 has existing residential development and water-use facilities (White Sulphur Springs Cabin sites), and TVA is proposing to clarify these rights. In addition, because the planning process clarified residential access rights, the extent of residential shoreline on Pickwick Reservoir is slightly less than earlier thought.**

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**EPA Comment Number 4:**

Public Concerns

Issues that were raised by the public during public meetings were listed in the DEIS (pg. iii) as: terrestrial ecology, sensitive plant and animal species, water quality, aquatic ecology, wetlands, recreation, and visual resources. In addition, the TVA staff identified significant natural areas, floodplains, land use and prime farmland conversion, navigation and socioeconomics and environmental justice as important issues. It should be noted (pg. 74) that "TVA received several comments during scoping that expressed concern for the preservation of natural resources (e.g., natural areas, wildlife habitat, wetlands) and the ways in which these resources may be compromised by increased development (e.g. loss of sensitive habitat, clear cutting of land along the shoreline)." Therefore, it appears that the public has an interest in the preservation of the natural areas of the Pickwick Reservoir shorelands.

**Response: Comment noted.**

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**EPA Comment Number 5:**

TVA Preferred Alternative

Three alternatives were considered in the DEIS. These were the continuance of the current 1981 plan (Alternative A: No Action) and two updated plan options (Alternative

B: a "balanced" (pg. v) alternative, and Alternative C: a "conservation" (pg. v) alternative). Although TVA did not identify a preferred alternative in the DEIS, page 27 indicates that "TVA prefers the action alternatives (B and C) over the No Action Alternative:" EPA agrees with the TVA preference for B and C over A.

**Response: Comment noted.**

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**EPA Comment Number 6:**

Alternative B vs. C

In general, B and C would allocate more lands to environmentally protective zones - Zone 3 (Sensitive Resources) and Zone 4 (Natural Resources) -compared to current practices under A with C being more protective than B. Specifically based on Table 1, B and C would allocate 7.0% and 7.8%, respectively of the TVA managed-lands into Zone 3 (compared to 6.3-6.9% for A), and 62.8% and 63.6%, respectively, into Zone 4 (compared to 25.2-48.1% for A). Allocations into Zone 5 (Industrial/Commercial) would be more restrictive than for A (2.3- 13.0%), .with B allocating more (2.8%) than C (2.3%). Allocations into Zone 7 (Recreation) would essentially be unchanged from A (5.5%), with B allocating slightly more (5.6%) than C (5.5%). Those lands previously unplanned in the 1981 plan (1.3%) would be allocated to Zone 4 for both B and C. Those lands previously committed under A, would remain committed to their land use.

**Response: Comment noted. This is an accurate summary of the alternatives.**

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**EPA Comment Number 7:**

Land Parcels 37, 53 & 156

Specific to these differences between B and C, TVA is soliciting public comments regarding the development (B) Versus conservation (C) of some 145 acres in Parcels 37, 53 and 156. Three proposals have been made to TVA for commercial; or industrial development of these parcels and are considered in the DEIS, while additional unfinalized proposals appear to be pending. Alternative B would consider these three requests by allocating lands into Zones 5, 6 and 7 while C would not consider the requests by allocating all of these lands into Zone 4. Environmental characterizations (Chapter 3) of these parcels and descriptions of the specific proposal for their development are as follows:

\* Parcel 37 (City of Florence Proposal) -This 35,97 -acre tract was allocated for industrial development under the 1981 plan (barge terminal). The City of Florence in Alabama has requested that it be used for "...public recreation facilities including overlooks, and future commercial recreation." Ecologically, Parcel 37 has been altered by earthmoving activities but small areas of forested wetlands exist, herons have been observed nearby, and neotropical birds use the site as a travel corridor during migrations (presumably, enough of such areas still exists since recreational development is being proposed). Alternative B would allocate this parcel into Zone 6, while C would allocate it into Zone 4.

\* Parcel 53 (Southeast Tissue Proposal) -This 88.59-acre tract was allocated as Upland Wildlife and General Forest Management under the 1981 plan. The parcel includes a gas line easement and fronts an industrial site. Southeast Tissue has requested access to allow construction of an industrial discharge for their proposed tissue plant. Ecologically, Parcel 53 is entirely forested including a large stand of hardwoods that "provides excellent habitat for wildlife" and small areas of forested wetlands. It also provides a visual buffer from adjacent industrial development. Alternative B would allocate this parcel into Zone 5, while C would allocate it into Zone 4.

\* Parcel 156 (Cabin Lessees' Proposal) -This 21-acre tract is located just upstream of the Pickwick Landing State Park. It includes nine cabins leased from TVA which are intermingled along the Parcel 155 shoreline. These 1.5- to 5.5-acre plots contain homesite and utility corridor clearings. The cabin lessees have requested to purchase the cabins. Ecologically, Parcel 156 contains exotic plants and no wetlands, but contains good habitat for wildlife." It is utilized by neotropical birds during migrations and bald eagles and ospreys use nearby mature forests for foraging lookouts. Alternative B would allocate this parcel into Zone 7, while C would allocate it into Zone 4.

**Response: Comment Noted. There are no other development requests for Pickwick Reservoir at this time.**

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#### **EPA Comment Number 8:**

##### Modified C Alternative

Alternatives B and C offer more environmental benefits than A, and C offers more than B based on their percentages of land to be allocated in Zones 3 and 4. As suggested in the DEIS, C is the environmentally preferred alternative that provides the greatest environmental protection. However, C would also not consider any of the three requests for development of Parcels 37, 53 and 156, since all 145 acres of these parcels would be allocated into Zone 4. Although controlling shoreline development IS a referenced public concern and has water quality benefits strongly supported by EPA and is consistent with the Clean Water Act, there is also a practical component to consider for certain types of development. As such, TVA might consider modifying C in the FEIS to allow some reasonable exceptions for development of natural areas. This could either be in the form of a more flexible C or through development of new alternatives such as a "Modified C" or a "B/C Hybrid" (all C options hereafter called "Modified C"). Such a modification would allow case-by case determinations of requests for development outside of designated development zones (5, 6 & 7), similar to current procedures used for A. However, different from A, tradeoffs compensating for granted additional development would be required by allowing proportionately less development in Zones 5, 6 and 7. In general, a Modified C alternative would consider requests outside development zones from a perspective that is less developmental than B but slightly more development than C. If a Modified C is implemented, TVA should also generate guidelines for making decisions for such exceptions for consistency in decision-making and to perhaps minimize the potential for unrealistic requests contrary to these guidelines. Once decisions have been made for Parcels 37, 53 and 156 and an updated

land management plan has been adopted by TVA, prospective developers should also be encouraged to only request development within zones designated for development by the adopted plan (Zones 5, 6 & 7), such that exceptions under a Modified C approach are infrequently requested or granted. However, a mechanism to consider such requests would be in place.

**Response: TVA's allocations to zones 5, 6, and 7 largely recognize existing uses, and only minor development expansions beyond these existing uses are proposed on three parcels. As a result, there are few opportunities for further tradeoffs, and a "modified C" would not be feasible. However, TVA does recognize the need for public works and utility corridors, as referenced in section 1.5. Site specific reviews for Zones 5, 6, and 7 consider natural resources impacts and in practice, less than 100 percent of the parcel would be actually developed. The intent of allocation into zones 3 and 4 is to minimize or eliminate development requests for these parcels during the life of the plan. In the event TVA considers a re-allocation of Zone 4 lands, TVA would consider appropriate measures to minimize impacts including the acquisition of replacement lands elsewhere.**

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**EPA Comment Number 9:**

In response to TVA's request for comments on Parcels 37, 53 and 156, we offer the following specific comments. For Parcel 37, development of the requested, recreational facilities seems reasonable given the fact that the parcel is classified as a barge terminal industrial site under the current 1981 plan, parts of the site have been disturbed, and that recreational facilities are less disruptive than most commercial or industrial developments. Such construction for recreational benefit would be consistent with a Modified C approach. Similarly, in the case of Parcel 156 where cabins already exist as leased homesites, acquisition of these cabins by the lessees with water access would not need to produce significant additional water quality degradation and would be consistent with a Modified C approach. Allowance of additional construction of additional cabins on this site, however should not be considered consistent with a Modified C approach. Parcel 53 proposing water access for a point source industrial discharge should also not be considered consistent with a Modified C approach since the facility is only proposed (as opposed to existing) and the waste discharge -even if permitted - would be received by reservoir lentic waters (as opposed to riverine lotic waters). In essence, development requests for these and other potential requests under a Modified C approach might be based on whether proposals are compatible with reservoir resources, exhibit an existing as opposed to proposed need, result in limited water quality and wetland effects, and will be monitored for performance standards if implemented. In any case, such construction would also need to be consistent with state and federal statutes and a TVA or TVA-consulted watershed management plan for Pickwick Reservoir".

**Response: As indicated in the response to comment number 9, TVA believes the public work/utility corridor approach (see section 1.5) provides the flexibility sought by EPA in its modified C approach. With regard to parcel 156, TVA would prefer to recognize its residential character with a Zone 7 allocation under Alternative B. General water**

**quality impacts of a Zone 5 allocation are discussed in section 4.5. Site specific water quality impacts of Southeast Tissue's proposal will be addressed in more detail in TVA's Southeast Tissue environmental review. Construction would be consistent with state and federal regulations and would support TVA watershed management goals.**

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**EPA Comment Number 10:**  
Previously Committed Lands

As indicated above, those lands previously committed under A, would remain committed to that land use. While this "grandfathered" approach seems reasonable it is clear that these land uses would still need to comply with state and federal statutes relative to wetland losses, water quality standards, endangered species, required permitting, and any other applicable laws and regulations.

**Response: TVA agrees.**

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**EPA Comment Number 11:**  
Reservoir Health

The general health of Pickwick Reservoir appears reasonable based on the results of TVA's water quality, benthic and fishery sampling in its Vital Signs Monitoring program (Table 3.5-1: pg. 49). However, we note that chlorophyll levels have increased since 1991 causing TVA to score this water quality indicator as only *fair* or *poor* more often than *good*. This suggests that nutrient-laden runoff from reservoir and/or upstream development is entering the reservoir and influencing water quality. Although TVA ratings for dissolved oxygen, fish and benthos were generally rated as *good*, some years were also only rated as *fair*. The DEIS may therefore have somewhat overstated the health of the reservoir by characterizing the fish as a "diverse and healthy community" and the benthos as rich in benthic fauna with a mussel sanctuary"(pg. viii). It is also unclear what perturbation or synergism is affecting these resources in parts of the reservoir to cause a *fair* or *poor* rating (e.g., pollution, water quality, disease, overfishing, year class, etc.). The FEIS may wish to discuss in greater detail. Ultimately, the TVA decision-making process regarding selection of an updated land management plan and proposals for development should consider these Vital Signs Monitoring results and the potential effects of additional development.

As suggested above, the rise in chlorophyll (Chlorophyll *a*) in the reservoir is a concern to EPA since it is a good indicator of trophic level and reservoir health. The FEIS should discuss if the State of Tennessee has a Chlorophyll *a* standard for this lake and, if not, what the prospects might be for setting one.

**Response: Rising chlorophyll is being seen in all TVA mainstream reservoirs indicating the source of nutrient loading is not from TVA managed lands covered by this plan. Currently the State of Tennessee does not have a chlorophyll standard. The State of Alabama with assistance from TVA has recently established a chlorophyll standard. If**

Tennessee wishes to establish similar criteria, TVA would be willing to work with them.

Results of fisheries data indicated a fair to good community index which justifies stating that there exists a diverse and healthy fisheries community. Sampling is restricted in the mussel sanctuary in the upper reaches of the reservoir due to the presence of federally listed sensitive mussel species; therefore, although benthic rating is fair, overall benthic community is very healthy and diverse. Overall reservoir benthic diversity cannot be accurately depicted by TVA's reservoir health rating due to the lack of sampling in the mussel sanctuary.

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**EPA Comment Number 12:**  
Reservoir Management Goal

It is unclear if a "management goal" for the Pickwick Reservoir has been established for the lake. Such a goal should be the foundation of the land management plan. One such goal, for example, would be to at least maintain the present level of water quality, habitat diversity, species, etc. Some lakes have good fisheries information that help set goals. The several land use zones presented in the DEIS might shape the management goal, as well as selection of Alternative A, B, or C since they vary in the level of development allowed.

**Response: TVA has revised section 1.5 of the FEIS to reflect reservoir-specific goals for the Pickwick Reservoir.**

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**EPA Comment Number 13:**  
Reservoir Shoreline Development

The TVA Shoreline Management Initiative (SMI) based on a 1999 TVA EIS and ROD has been applied to Pickwick Reservoir in terms of residential shoreline construction and water access. SMI categorized the shoreline into three categories: *Shoreline Protection* (areas where sensitive resources exist), *Residential Mitigation* (areas where sensitive resources may exist or can be mitigated) and *Managed Residential* (areas where sensitive resources do not exist). For the Pickwick Reservoir, 20% (95.8 mi) of its 490.6-mile shoreline was considered residential shoreline. Page 7 indicates that for that shoreline, 2% (1.9 mi) is in Shoreline Protection, 81% (77.6 mi) is in Residential Mitigation, and 17% (16.3 mi) is in Managed Residential. EPA concurs with TVA's proposed separation of land use categories involving industrial/commercial development (Zones 5 & 6) from sensitive and natural resource areas (Zone 3 & 4) in the updated land management plan.

**Response: Comments noted.**

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**EPA Comment Number 14:**  
Watershed Protection Plan

Before any additional development is allowed on TVA-managed lands or back-lying areas near Pickwick Reservoir, EPA strongly recommends that a watershed protection plan be developed by TVA for TVA-owned and managed lands. While SMI offers good overall guidance for shorelines, implementation of a watershed protection plan specific to Pickwick Reservoir is critical. The FEIS should indicate if such a plan has been developed is perhaps already required by SMI, and how it will be funded, implemented, monitored and enforced. We recommend that a summary of any developed or draft plan be included in the FEIS. Any alternative selected by TVA in the FEIS (A, B, C; Modified C, other) must be consistent with this plan.

**Response: TVA has not prepared a watershed plan for Pickwick Reservoir, nor is one required by SMI. However, TVA monitors watershed water quality and the Pickwick Watershed Team undertakes activities to improve water quality. Since the allocation process takes into account water quality of the reservoir, it is not necessary to develop a watershed protection plan. In fact, as described in Section 1.5 of the FEIS, protection of water quality is a goal during the development of the plan. Further, TVA participates in any watershed planning activities in the various states.**

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**EPA Comment Number 15:**

It is clear that TVA can only directly control those activities on TVA-owned or managed lands. However, for backlying watershed areas, we further recommend that TVA also be an important stakeholder in the community regarding overall watershed issues. In general, the water quality in a reservoir is much more impacted by the conditions in the larger watershed than just the immediate shoreline area. For example, at Lake Lanier in Georgia, the U.S. Army Corps of Engineers (COE) seem to have made a considerable effort to be engaged in a wide variety of issues in the lake's watershed that effect lake water quality. They have hosted seminars on BMPs for forestry, erosion control and storm water management. They also report violations to state and local officials. They comment on wastewater discharges in the lake's watershed and at least keep abreast of land management plans by local governments in the watershed. We suggest that the FEIS explore such opportunities outside of the immediate shoreline for TVA to have a role that ultimately protects or improves the water quality in the lake. A discussion of community outreach (present and proposed) would also be pertinent. In essence, while the scope of the EIS focuses on the TVA-owned and managed lands, EPA recommends that the EIS also consider the bigger watershed picture and overall cumulative impacts. Ideally, the watershed protection plan would address issues of the larger-watershed as opposed to only TVA-owned and managed shorelands.

**Response: The purpose of TVA's land planning process is to evaluate TVA-owned and -managed lands. TVA recognizes that the water quality in a reservoir is much more impacted by the conditions in the larger watershed than just the immediate shoreline area. The affected environment section does provide general information on the regional setting of the watershed.**

**TVA conducts the following activities in watershed management: conduct educational activities such as Kids-in-the-Creek and Clean Boating Campaigns to increase public awareness concerning water quality issues, provide partial funding of a watershed coordinator for the Bear Creek Watershed, provide cost share and in-kind services for matching-funds grants for BMP implementation and water quality analysis for Bear and Cypress Creeks, work with Colbert County, Alabama NRCS to provide education and cost share funds to increase use of no-till farming practices in Pond Creek watershed to minimize sedimentation, assist Alabama Department of Environmental Management and local industry leaders to address point-source pollution loading on Pond Creek, and partner with Tishomingo County, Mississippi NRCS to increase riparian buffer and animal exclusion for streams in northeast Mississippi. Current projects include; stabilization of critically eroding shoreline, voluntary establishment of Shoreline Management Zones and riparian buffers in residential areas, and the Clean Marina Initiative to provide guidelines and incentives for valley marinas to help protect water quality. TVA also works with local coalitions, agencies, businesses, schools, conservation groups, etc., to conduct cleanups of the shoreline and informal recreation areas.**

**TVA recognizes that the quality of water of the Tennessee River system contributes to continued prosperity and quality of life in the Valley. Therefore, as part of its corporate winning performance program, a Watershed Water Quality performance measure has been established and it measures the overall water quality of the Tennessee River watershed. Overall water quality condition is measured by stream and reservoir health, shoreline condition, and state assessments of water quality for 611 smaller watershed units of the Tennessee River system. This measure indicates the effectiveness of TVA to maintain or bring about long-term positive changes in water quality conditions in the Valley.**

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**EPA Comment Number 16:**

**Cumulative Impacts**

Regardless if B or a more protective C or Modified C alternative is selected, outside (non-TVA) development in back-lying or TVA-managed lands could nevertheless impact the reservoir. For example, TVA should coordinate with the Federal Highway Administration (FHWA) on the Memphis-Atlanta Corridor (Pg. 8) as appropriate if it crosses the lake. Such projects should be consistent with the land management plan and the selected updated land management plan. The prospects/effects of development outside of TVA managed land should also be considered in the selection process of a B versus C level of development for the updated land management plan.

**Response: A summary of regional conditions was provided in Section 3.1 and subsequent affected environment chapter. TVA has coordinated with the Federal Highway Administration (FHWA) on the Memphis-Atlanta Corridor. TVA provided comments on the DEIS for the project. TVA staff**

has considered the prospects/effects of development in its selection of the preferred alternative in the FEIS.

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**EPA Comment Number 17:**  
Additional Comments

Acreage Figures (pg. i and DEIS) -For the updated land management plan, 19,238 acres would be allocated into seven land use categories (zones) which includes previously committed and agricultural lands as well as 6,304 acres of lands that remain uncommitted. Although this summarizes the general approach, some apparent inconsistencies regarding specific acreage figures exist within the document. While these apparent inconsistencies are not significant to the overall updated plan, they should be corrected or clarified in the FEIS. A tabular summary would also be helpful.

**Response: The FEIS has been revised to correct these inconsistencies.**

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**EPA Comment Number 18:**

Table 2-5 (pg. 24), indicates that 19,238 acres of TVA land would be allocated under the updated plans or B and C. The DEIS abstract indicates that 12,849.42 acres are already committed (via land transfers, leases and contracts) to given land uses, and page 16 indicates that these existing land uses would be retained under the new plan. Page 16 also states that 6,304 acres remain uncommitted. As such, the Statement on page i indicating that 19,238 acres are "available for allocation to future uses" seems inappropriate since well over half of these acres are already committed. Furthermore, if 19,238 acres are allocated, and 6,304 are uncommitted, then 12,934, acres (19,238 minus 6,304) would seem to be committed instead of the 12,849 acres reported in the abstract. Also, page 15 and Table 2-5 state that 2,861 acres are committed for TVA project lands, while page 16 states that "approximately 9,987.92 acres (52.1 percent) of the TVA public land surrounding Pickwick Reservoir are committed due to existing land uses." We assume that the 9,988-acre figure includes both TVA project lands (2,861 ac) and other lands (conceivably agricultural lands although page 16 indicates that agricultural lands were not considered committed because they are interim use) since the 19,238 total acres minus the 6,304 uncommitted acres (pg. 16) would equal 2,934 committed acres, which is much less than the 12,849 committed acres reported in the abstract.

**Response: It is correct that these are not available. TVA has clarified these points in the Final EIS. In the DEIS, 19,238 acres were allocated using the updated land planning zone definitions. The 1981 Plan used 10 allocation categories, defined in Table 2-1 of the EIS. Land currently committed to a specific use was allocated to a zone designated for that use. Commitments include leases, licenses, easements, outstanding land rights, or existing designated natural areas. Approximately 2,861.5 acres (14.9 percent) of the TVA public land surrounding Pickwick Reservoir are committed due to existing TVA projects. Approximately 9,987.92 acres (52.1 percent) of the TVA public land surrounding Pickwick Reservoir are committed due to existing land use agreements. Each parcel of land was**

reviewed to determine its existing committed use, physical capability for supporting certain uses, other potential suitable uses of such land, and the needs of the public expressed during the scoping process. During this process, the current use was reaffirmed. Based on this information, the planning team allocated the 19,238 acres to one of seven allocation zones described in Table 2-2 of the EIS.

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**EPA Comment Number 19:**

Parcel 37, 53, & 156 Acreage (pg. v) -Page v references the sum of these three parcels as 245 acres, which is inconsistent with the EPA-calculated total of 145.56 acres from Table 2-4 and the stated total of 145 on page 74. We assume therefore that 145 acres is correct. The FEIS should discuss this.

**Response: 145 acres is the correct figure and the FEIS has been revised accordingly.**

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**EPA Comment Number 20:**

Air Quality (pg. ix) -The summary discussion on air quality should be updated in the FEIS. It is stated that "these new Standards [ozone and particulate matter], including an 8-hour standard for ozone that would supersede the old 1-hour standard, have been challenged in the courts and it may be a year or more before these matters are ultimately resolved." However, it should be noted instead that, on February 27, 2001, the Supreme Court upheld the health basis for revising the ozone and the particulate matter standards, but remanded some issues regarding the level of the standards back to the Washington D.C. Circuit Court of Appeals. On March 26, 2002, the Circuit Court upheld both the 8-hour ozone standard and the fine particulate matter standard, thereby resolving all outstanding legal issues. The EPA is moving forward to develop implementation guidance for both of these standards, and expects to promulgate designations for the 8-hour ozone standard by 2004.

**Response: Comment noted. The FEIS has been revised accordingly.**

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**EPA Comment Number 21:**

Wetlands (pg 17)- Wetlands are referenced as a resource protected under Zone 3. However, it is unclear what is meant by wetlands "as defined by TVA" (pg. 17). Does/How does this differ from wetland definitions in guidance from the U.S. Army Corps of Engineers (COE 1987 manual) or the U.S. Fish and Wildlife Service (Cowardin)? In addition to jurisdictional wetlands, we suggest that the TVA definition for the purposes of the updated land management plan also include transitional and isolated wetlands that may not satisfy all three COE criteria (vegetation, soils and hydrology) for jurisdictional wetlands and are no longer considered jurisdictional by the COE, since such wetlands still have functional value and should be considered sensitive areas.

**Response: TVA uses the definition of wetlands in the Executive Order 11990, as indicated in Section 3.7 of the DEIS.**

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**EPA Comment Number 22:**

Zones 3 & 4 (pg. 21 vs, App B) -Page 21 indicates that C would allocate Parcels 37, 53 and 156 into Zones 3 or 4 while Appendix B lists only Zone 4 for these three parcels for C. The FEIS should clarify. EPA has assumed Zone 4 in this letter.

**Response: The FEIS has been revised to read: “Under Alternative C, a conservation alternative, TVA would not consider these requests and would allocate these parcels to Zone 4 (Natural Resource Conservation)”.**

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**EPA Comment Number 23:**

Maps of Parcels (pg 21) Although Appendix B provides good information on all the parcels associated with Pickwick Reservoir a location map of the Parcels 37, 53 and 156 and other parcels discussed in DEIS would have been a helpful reference.

**Response: Maps were provided in a packet at the back of the DEIS.**

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**EPA Comment Number 24:**

**EPA Conclusions and Recommendations.**

We offer these conclusions and recommendations on the following DEIS issues:

Watershed Protection Plan- Before any additional development is allowed near Pickwick Reservoir, EPA strongly recommends that a watershed protection plan be developed by TVA for TVA-owned and managed lands to supplement SMI guidance. The FEIS should indicate if such a plan has been developed, is perhaps already required by SMI. and how it will be funded, implemented, monitored and enforced. A summary of any developed or draft plan should be included in the FEIS. Any alternative selected by TVA in the FEIS (A, B, C, Modified C, other) must be consistent with this plan.

**Response: See response to comment number 14.**

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**EPA Comment Number 25:**

In addition to managing TV A shorelands, we further recommend that TVA also be an important stakeholder in the community regarding larger watershed issues and consider the bigger watershed picture and the overall cumulative impacts on the lake. Ideally, the watershed protection plan would address issues of the larger watershed as opposed to only TVA-owned and managed shorelands.

**Response: TVA is an influential member of the larger community as indicated in our response to comment number 15.**

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**EPA Comment Number 26:**

\*Management Goal- If not already established, EPA strongly recommends that TVA select a management goal for Pickwick Reservoir that should be the foundation of the land management plan. The seven land use zones presented in the DEIS might shape

the management goal as well as selection of Alternatives A, B or C since they vary in the level of development allowed.

**Response: See response to comment number 12.**

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**EPA Comment Number 27:**

Alternatives-TVA should identify a preferred alternative in the FEIS for its updated land management plan. This decision should fully consider that the public has indicated an interest in the preservation of natural areas of reservoir shorelands; the management goal of the: reservoir; that 20% of the existing shoreline (including sensitive areas) is already developed; that reservoir chlorophyll levels have been increasing; that the reservoir shorelands contain wetland, riparian zones, federally protected endangered species and numerous (750+) archeological sites; the cumulative effects from projects in back-lying areas and on TVA-managed areas; and that C would be the most environmentally protective alternative. From a practical perspective, TV A should also consider a Modified C alternative that would allow consideration of development requests from a perspective that is less developmental than B but slightly more developmental than C. These requests would be considered on a case-by-case basis for reasonable development on TVA parcels outside of designated development Zones 5, 6 and 7. Such exceptions should require tradeoffs that will compensate for the additional development by allowing proportionately less development in Zones 5, 6 and 7. If a Modified C is implemented, TVA should also generate guidelines for making decisions for such exceptions for consistency in decision-making and to perhaps minimize the potential for unrealistic requests contrary to these guidelines. These guidelines might include that proposals are compatible with reservoir resources, exhibit an existing as opposed to proposed need, result in limited water quality and wetland effects and will be monitored for performance standards if implemented. In any case, all development must be consistent with state and federal statutes and a TVA or TVA-concurred watershed protection plan for Pickwick Reservoir. Prospective developers should also be encouraged to only request development within zones designated for development by the adopted plan (Zones 5, 6 & 7), such that exceptions under a Modified C approach are infrequently requested or granted. However, a mechanism to consider such requests would be in place.

**Response: TVA has provided a preferred alternative in the FEIS. For discussion of modified C, see our response to comment number 8.**

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**EPA Comment Number 28:**

Parcels 37, 53 and 156 -Employing the concept of a Modified C alternative, the request for recreational development of Parcel 37 would be reasonable and consistent with a Modified C approach since the parcel is an industrial (barge terminal) site under the current 1981 plan, parts of the site have been disturbed and because recreational development is less disruptive than most industrial/commercial development. In the case of Parcel 156 where cabins already exist as leased homesites, acquisition of these cabins by the lessees with water access would not need to produce significant additional water quality degradation. The request would be consistent with a Modified C approach and could be granted if no additional cabins were constructed. However, the request for Parcel 53 proposing water access for a point source industrial discharge should not be

considered consistent with a Modified C approach since the facility is only proposed (as opposed to existing) and the waste discharge would be received by impounded waters (as opposed to riverine waters). Any construction consistent with a Modified C approach would still need to comply with all state and federal statutes and a TVA or TVA-concurred watershed protection plan for Pickwick Reservoir.

**Response: See our response to comment number 9.**

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**EPA Comment Number 29:**

EPA DEIS Rating -Since a preferred alternative was not identified in the DEIS, EPA has rated all three alternatives presented. Based on the above comments and concerns, we rate C as 'LO" (Lack of objections) and B and A as "EC-1" (Environmental Concerns, with some additional information requested), with B being favored over A. We also rate a Modified C as LO. Overall, we rate the DEIS an EC-1 since B was rated EC-1 and it remains unclear which alternative TVA will select in the FEIS. We request that our DEIS comments be addressed in the FEIS.

**Response: Comments noted. TVA has addressed EPA's comments in the FEIS.**

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**EPA Comment Number 30:**

Summary

EPA recommends that TVA select an updated land management plan for Pickwick Reservoir based on the management goals for the reservoir taking into consideration existing reservoir water quality, shoreline development, natural resources, public comments, and the potential impacts of further development of reservoir shorelands and back-lying areas. EPA strongly supports water quality protection but acknowledges the need for some development from a practical perspective. EPA also recommends that TVA develop a specific watershed protection plan for Pickwick Reservoir for TVA-owned and managed lands. In addition to managing TVA shorelands, we further recommend that TVA also be an important stakeholder in the community regarding larger watershed issues in order to better address the bigger watershed and the overall cumulative impacts issues of the lake.

**Response: For reasons stated in the response to comment 14 and because TVA public land are such a small part of the total watershed the development of a watershed plan would not be useful. However, the land plan does emphasize watershed protection, and TVA plays an important role in watershed management for surrounding private lands.**