

TENNESSEE VALLEY AUTHORITY

REGIONAL RESOURCE STEWARDSHIP COUNCIL MEETING

AND BOARD OF DIRECTORS

COMMUNITY RELATIONS COMMITTEE

LAND POLICY HEARING

PUBLIC COMMENT SESSION

AUGUST 16, 2006

LOCATION:

KNOXVILLE CONVENTION CENTER
701 HENLEY STREET
KNOXVILLE, TENNESSEE 37902

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P R O C E E D I N G S

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2 CHAIRMAN BRUCE SHUPP: Council, take
3 your seats, please. We had to rearrange the timing
4 to try to accommodate the numbers of people that have
5 signed up to speak, and TVA is going to explain how
6 that's going to work.

7 I just want to thank everybody for
8 coming. This is a wonderful turnout. We're very,
9 very pleased to see the response to the public
10 notice. I just want to say that we're going to go
11 through now to the end, which could be 6:00 without a
12 break, a formal break, because there will be speakers
13 coming every few minutes to make their presentations.

14 So you will see Council members and
15 the audience that need to get up for a break going up
16 and down during that period. Some people may have to
17 leave. So don't think that this program is stopping,
18 that the recording is stopping, but we will be moving
19 forward getting all of the comments.

20 I guess with that, I will turn it over
21 to Kate Jackson to get the public comment period
22 moving.

23 DR. KATE JACKSON: Okay. We
24 appreciate everybody being here for the public
25 comments. We are very interested in hearing your

1 comments. We know that there are several of you.

2 Gil Francis is going to moderate this.

3 I just want to mention a couple of
4 things. There are a number of ways that
5 stakeholders, not just those of you in the room, but
6 across the Valley, can make comments.

7 We have a court reporter who will
8 transcribe during this listening session. If you
9 prefer not to make a public, public statement, there
10 is a court reporter out the door and to the left who
11 is also available to take your statement.

12 And if you have got written comments,
13 you can place them in the box located at the
14 registration table. You can also mail or e-mail
15 comments to us. The record will stay open until
16 August 23rd. We have a 1-800 line that you can leave
17 a message on or you can send us a fax. All of those
18 comments are going to be given equal consideration.

19 The comments that we hear today are
20 very important. The comments that we hear -- if you
21 forgot what you wanted to say when you get up to the
22 microphone and want to add something, we want to hear
23 that. So please make comments. We are actively
24 seeking input.

25 And with that, I will hand it over to

1 Gil.

2 MR. GIL FRANCIS: Good afternoon.

3 Before we begin the listening session, we do have 52
4 members of the public registered to speak today. We
5 have asked everyone to limit their comments to three
6 minutes in order to ensure that we do hear from
7 everyone.

8 There is a timer on the podium that is
9 set for three minutes. It will indicate by a yellow
10 light when you have one minute left to speak. We ask
11 that you please end your comments when the light
12 turns red.

13 We also want to ensure, once again,
14 that we hear from everyone. Therefore, in the
15 interest of time, if you hear someone express the
16 same comment or sentiment that you had planned to
17 make, we ask that you simply say I pass when your
18 name is called and the next speaker will come up and
19 follow.

20 If you have any written materials, I
21 will be happy to take those and I will ensure that
22 those materials will be given to the Board committee.

23 So with that, we will get the name and
24 start the first speaker. Vincent MaraScuilo.

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1 VINCENT MARASCUILO
2 YELLOW CREEK HOMEOWNERS' ASSOCIATION

3 MR. VINCENT MARASCUILO: Close. My
4 name is Vincent MaraScuilo. I represent the Yellow
5 Creek Homeowner's Association. This is in reference
6 to the Pickwick Port Marina. I have ten packets that
7 I am going to leave in reference.

8 I want to thank the TVA Board for
9 putting the moratorium on use of lands for
10 development for commercial use. I'm going to use my
11 minutes up trying to find everything.

12 We have been fighting this now for
13 four years. Every time it comes up for renewal or
14 development, it's a totally changed process from the
15 previous. I have got documentation in here, letters
16 to the Corps, TVA, and also a letter from Urgan,
17 which is the biggest commercial user of Yellow Creek
18 Port, in opposition of it.

19 I'm not going to take much time
20 because, like I said, if they pass these packets out
21 and everybody gets a chance to look at them, they're
22 a public record from there on in. So I am going to
23 let somebody else take up some extra time.

24 Thank you.

25 END OF STATEMENT

1 CALEB BURGOYNE
2 TIMS FORD COUNCIL

3 MR. GIL FRANCIS: The next speaker is
4 Caleb Burgoyne.

5 MR. CALEB BURGOYNE: I am Caleb
6 Burgoyne with Tims Ford Council, and Monte Miller
7 said he didn't have enough time for ten minutes. So
8 I am going to add a couple more minutes here to it.

9 He's pretty well told you what our
10 organization is, but I guess our concern basically is
11 the 51 Zone H that's been added into the Tims Ford --
12 Tims Ford Reservoir. That's what I am speaking of,
13 Tims Ford Reservoir.

14 Our major concern is that a lot of
15 these have average buffer zones like a thousand feet.
16 That's fine where you've got protective wildlife
17 protection. Where you don't, the buffer zone is --
18 should be an area that you can't walk through and
19 destroy the vegetation. In that buffer zone you have
20 got a 20-foot path to walk to the water.

21 The problem is with these 51 zones,
22 the developers are coming in and developing the
23 property and then they are building -- selling lots
24 on either side of the buffer zone.

25 So you may have ten lots on this side

1 and ten lots on this side of the buffer zone with a
2 street up there with a drain and everything in it.
3 So the ten lots on each side, which makes 20 lots,
4 have no buffer zone. You can go right down 50 feet
5 to the water. There's no protection, as far as I
6 know.

7 It's being done by TVA to protect this
8 and keep this -- the lands on the other side of that
9 buffer zone from being protected. The buffer zone is
10 a hundred feet up from the shoreline, which we're
11 saying 895 up from the shoreline. So that's going to
12 be a problem.

13 You have got nine miles of shoreline
14 with 51 zones. If you come in with another ten lots,
15 maybe hundred lots on each side, you're coming in
16 with another nine or ten miles of shoreline that's
17 not protected.

18 We also have 129 apparently zones of
19 grandfathered developments that can be awarded, and
20 then of those 129 grandfathered developments,
21 initially we thought they wouldn't get a pier and a
22 dock. Evidently now the developers are coming in and
23 saying, oh, you have got a grandfather clause here
24 for your property. So now we can develop all of that
25 property. We can put in eight or ten lots along the

1 shoreline.

2 So if you put in another ten lots or
3 another hundred feet per lot, that's another thousand
4 feet on the shoreline. So here you have got not only
5 nine miles without buffer zones, you have got another
6 nine or ten miles with expanded lots on each side of
7 the buffer zone.

8 And then with the grandfather clause
9 coming in, you may have another 10 or 15 miles of
10 shoreline that's not buffered and not protected. So
11 you're talking about 30 miles of shoreline versus
12 what you thought you had as nine miles of protected
13 shoreline under the D1 proposal. So we're pretty
14 well concerned about that.

15 Basically, I guess, TVA and EPA
16 initially came in prior to the final land management
17 development plan and said we would go with Category
18 D, which they prefer no more development on Tims Ford
19 Reservoir. The EPA came along and said, well, we
20 will go along with that.

21 Of course, TVA changed their mind, I
22 think as a result of not going to D, because of
23 the state legislature -- the proposal to go to state
24 legislature come under this B1 zoned development to
25 develop 51 zones around the lake.

1 So what I am saying, I guess, is where
2 are we headed with this?

3 As far as pollution, as far as water
4 control, we're going to be in big trouble. For our
5 shoreline, there's other people that may not put
6 riprap on the shore. These lots adjacent to the
7 buffer zone, people are going to be going down to the
8 lake and the shoreline is not going to be protected.

9 So I guess if TVA had come in and
10 initially said -- stuck and held their ground and
11 said, we're not going to have any more development on
12 Tims Ford Lake, if EPA had done that also, we
13 wouldn't be where we are today, but that's where we
14 are.

15 So we hope TVA is going to work with
16 us and try to solve this problem and maybe do an
17 Environmental Impact Statement. All of this is
18 happening to hold back further developments.

19 And I want to ask the civil engineer a
20 question over here. We have these developments
21 coming in.

22 MR. GIL FRANCIS: Your time is up.

23 MR. CALEB BURGOYNE: Time is up. All
24 right. One word is the plats are not being reviewed
25 prior to the developments being put on the lake. You

1 can have encroachments on TVA land.

2 Thank you very much.

3 END OF STATEMENT

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1 WILLIAM MILLER
2 THE RAVEN SOCIETY

3 MR. GIL FRANCIS: William Miller.

4 MR. WILLIAM MILLER: Madam Chairman,
5 Members of the Regional Resource Stewardship
6 Committee, I will be very brief in what I am going to
7 say and save time.

8 My name is Moody Miller. I represent
9 The Raven Society, a political action committee in
10 Blount County. I appreciate the opportunity to
11 address this committee today.

12 The Raven Society's mission is to
13 support candidates and issues that protect the rural,
14 natural, and historical qualities of Blount County in
15 East Tennessee. We do this by researching the issue
16 and promoting those points that promote our quality
17 of life. We think we have a duty to inform the
18 public about situations that take away from our life
19 and our values.

20 TVA, Tennessee Valley Authority, has
21 done a marvelous job in working for us and in turning
22 on the lights in the Valley. TVA has also broken our
23 hearts by seizing our lands, some of which do not --
24 it did not need and was not used for the announced
25 purpose.

1 In so many cases land that had been
2 taken or has had a token paid for it earlier was sold
3 to developers who replaced natural wildlife areas and
4 natural recreational areas with houses and roads.

5 The chosen developers have been able
6 to reap enormous profits, profits that enable them to
7 dominate further development from other natural
8 areas. Yet, we still have pictures in our mind of
9 Ms. McCall being carried off her porch by the
10 representatives from the Marshal's office. Today
11 other people are on her family's land.

12 Has this whole scene enhanced our
13 quality of life?

14 The Raven Society implores you to be
15 good stewards of the land. Our Constitution tells us
16 that all government power comes from the people. Be
17 good stewards for all the people.

18 Thank you.

19 I have a brochure.

20 END OF STATEMENT

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1 LYLE SOSBEE
2 OWNER OF GREAT SOUTHERN MARINA

3 MR. GIL FRANCIS: Lyle Sosbee.

4 MR. LYLE SOSBEE: My name is Lyle
5 Sosbee, and I am the owner of Great Southern Marine.
6 My company has a land use proposal that has been
7 affected by this moratorium.

8 First, I'd like to thank the members
9 of the committee for taking time to listen to the
10 viewpoints of the people of the Tennessee Valley.
11 Your approach to the land use policy is to be
12 commended. The stewardship of TVA lands is a great
13 responsibility and should have careful consideration
14 that the public's interest is best served.

15 As mentioned before, Great Southern
16 Marina has a land use proposal for a campground and
17 marina currently under review by TVA. This site for
18 this campground and marina is located on parcel 79 on
19 the central part of the Guntersville Reservoir.

20 In the 1930s, when the lake was
21 impounded, this site was made a public use campground
22 and a boat launch. During the '70s TVA abandoned
23 this campground site due to it being unmanned, and
24 thus, uncontrolled while keeping the boat launch
25 open.

1 It is my hope to return this site to
2 what it was originally intended, and this proposal is
3 in the spirit of returning the campground and
4 improving the public's benefit for the reservoir.
5 Parcel 79 is currently designated for developed
6 recreation, which includes a campground -- a public
7 campground and a public marina.

8 In 2001 the local watershed team wrote
9 a long-range plan called, Guntersville Reservoir TVA
10 2001 Final Environmental Impact Statement and Land
11 Management Plan, updating the one that was written in
12 1983. In this plan there is a comment that states
13 that based on public and projected population growth,
14 TVA believes that there will be a need for additional
15 slips in Marshall County within the ten-year planning
16 horizon of this proposed plan.

17 TVA needs to be ready to accommodate
18 these proposals for additional marina capacity to
19 meet future needs. The land management plan proposes
20 to disperse commercial marina developments in less
21 congested areas on the lake close to the Jackson
22 County/Marshall County line.

23 According to this analysis, the need
24 for a marina in this exact location has been
25 identified as the need to disperse marina

1 developments to less congested areas of the lake
2 around the Jackson and Marshall County line and to
3 meet the population growth in the area that has
4 already begun.

5 As noted in the 2001 Land Management
6 Plan, the area surrounding parcel 79 is expected to
7 grow by over 16 percent and the demands for
8 water-based activities will increase as a result of
9 the continuing increases in population in the
10 surrounding areas.

11 Because of this growth the need -- a
12 need was identified in the Land Management Plan for
13 additional boat storage in the area around parcel 79.
14 This growth has begun and has up to 11 communities
15 that are being built in the immediate area, not
16 necessarily on the lake.

17 In connection with the growth, there
18 is currently a trend to build private, unmanned
19 marinas on off-site developments. The public marina
20 would limit need for such activity and keep more
21 areas of the reservoir open to the public. The
22 tremendous growth in this area is spurred by the need
23 for additional boat storage to meet the community's
24 needs.

25 In essence, the approval of the

1 campground and marina, at least in this area, will
2 approve the public's ability to use the resources
3 offered by TVA while supporting the Land Management
4 Plan that has been approved for the reservoir.

5 In addition to this population growth,
6 there is also plans for a Memphis/Atlanta corridor to
7 cross the river within three miles of this proposed
8 campground and marina. This may be many years down
9 the road, but this river -- or this will have a large
10 impact on the area. This will increase the
11 water-based activities on Lake Guntersville and
12 strengthen the need for a campground and marina in
13 the central part of the lake.

14 While it has proven wise for the Board
15 to want to review any existing proposals, I would
16 like to ask that when the time comes to review this
17 proposal the committee will defer to the
18 recommendations as noted in the 2001 Land Management
19 Plan, in addition to the benefits that will be
20 offered to the public with the manned campground and
21 marina that will be open to the public.

22 Thank you for your time.

23 END OF STATEMENT

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1 DOWD BRUTON
2 REGIONAL WILDLIFE BIOLOGIST
3 NATIONAL WILD TURKEY FEDERATION

4 MR. GIL FRANCIS: Dowd Bruton.

5 MR. DOWD BRUTON: My name is Dowd
6 Bruton. I'm a Regional Wildlife Biologist with the
7 National Turkey Federation.

8 For those of you who don't know, the
9 National Wild Turkey Federation is one of the
10 Nation's leading non-profit conservation
11 organizations. We have a membership of over a half
12 million. In just the seven-state TVA region we have
13 well over 100,000 members who are dedicated to the
14 conservation of the wild turkey and the preservation
15 of the hunting heritage.

16 As the organization has grown through
17 the years, we have become much more than just
18 turkeys. We are dedicated to the wise and proper
19 management of our natural resources, from the
20 preservation of greens spaces for public use, to
21 providing outdoor recreation and opportunities for
22 millions of Americans as they seek to find peace and
23 quiet from the rigors of city life.

24 Through the years we have invested
25 over \$825,000 to help fund the purchase of nearly

1 194,000 acres of public land for recreation. We
2 continue to seek out opportunities that will allow
3 future generations of Americans to enjoy the same
4 outdoor opportunities that we enjoy today. This is
5 the reason we are here today and offering our
6 comments on TVA land management issues.

7 In the early 1930s President Franklin
8 Roosevelt created TVA and envisioned TVA to be an
9 agency that would help revive the seven-state
10 Tennessee Valley area that was particularly hard hit
11 from the Great Depression.

12 From the beginning TVA met the
13 challenges that the people throughout the region
14 faced. They helped develop fertilizers, taught the
15 farmers how to increase crop yields. They helped
16 replant the forests and control the forest fires and
17 setting the stage for a productive forest for future
18 generations.

19 Probably the most dramatic change to
20 the region came from the electricity generated by TVA
21 dams. This low-cost electricity opened the gate for
22 a better way of life to area residents.

23 Industrialization spread throughout the region and
24 jobs became available for the local communities.

25 Success very seldom comes without a

1 price. Many inhabitants of the region paid that
2 price. In the creation of TVA and its reservoir
3 system, the federal government invoked the right of
4 eminent domain to acquire nearly 1.3 million acres of
5 land, 16,909 families were displaced, totalling
6 nearly 50,000 citizens. Of course, these families
7 were paid the fair market value for their property by
8 the use of federal funds.

9 Today as we look around the region we
10 owe a debt of thanks to those citizens. Their
11 sacrifice has created a better world for us all to
12 live in.

13 Times have changed since the 1930s.
14 The landscape of the nation has changed.
15 Industrialization is widespread and our overall way
16 of life is better. We're now placing great value on
17 areas where we can enjoy the peace and quiet of the
18 great outdoors.

19 Of the estimated 293,000 acres of land
20 that TVA owns above water, TVA has an estimated
21 181,000 acres of land that is dedicated to
22 conservation and outdoor recreation. This land
23 provides open green spaces that thousands of
24 Americans utilize for outdoor recreation.

25 Enjoying the recreational

1 opportunities and scenic beauty of these areas that
2 these areas provide is priceless to us Americans that
3 seek to leave the pressures of urban life behind, if
4 only for the occasional weekend.

5 These areas also provide important
6 recreational opportunities for thousands of citizens
7 who have a historic bond with that land that once
8 belonged to their ancestors. On behalf of the
9 National Wild Turkey Federation and all of our
10 members of the TVA seven-state region, we
11 respectfully request that if and when TVA decides to
12 divest itself of this acreage, consideration be given
13 to the transfer of this property to the state and
14 federal agencies that will manage it with a strong
15 conservation ethic and maintain it for future
16 generations to enjoy.

17 Undeveloped areas across the nation
18 should be viewed as a national treasure and our
19 children's inheritance. It is unthinkable to allow
20 these lands to fall prey to developers who create
21 gated communities that only a few privileged can
22 enjoy.

23 Thank you for the opportunity to
24 address you.

25 END OF STATEMENT

1 MARK QUARLES

2 MR. GIL FRANCIS: Mark Quarles.

3 MR. MARK QUARLES: Hello. My name is
4 Mark Quarles. I live in Nashville. I have had the
5 pleasure of living and growing up in the Southeastern
6 United States all of my life and have had the
7 pleasure of enjoying the reservoirs managed by the
8 Corps and TVA.

9 Let me begin by reading to you some
10 language from the actual Environmental Impact
11 Statement and Land Use Management Plan for Selected
12 Development Alternatives for Tims Ford Reservoir.

13 First, the development could result in
14 locally significant impacts due to the loss of
15 habitat. If large scale conversion of federal
16 forested land occurs, potential secondary impacts to
17 unidentified threatened and endangered species may
18 result.

19 Developments that are well designed
20 and marketed nationally would attract residents from
21 other areas with substantial impacts to the local
22 economy.

23 Then lastly, the planned approach
24 would maintain lands not deemed suitable for
25 development as natural habitats and dispose of

1 remaining lands.

2 Do these conclusions sound like they
3 have come from an economic development agency or one
4 that has a mission of protecting our state's natural
5 resources?

6 Ironically, they came from a joint
7 effort with the Tennessee Department of Environmental
8 Conservation and TVA in their final EIS and Land
9 Management Plan completed in June 2000 for the Tims
10 Ford Reservoir. Those were all for the selected
11 alternatives.

12 My work for the Friends of Tims Ford
13 indicates that the proposed Land Use Management Plan,
14 which is apparently meant to become somewhat of a
15 similar model for other properties, will result in
16 significant environment degradation. Particularly
17 the Zone 7 and Zone 8 that many folks have talked
18 about today on the Tims Ford, it will result in
19 significant degradation. Through the Environmental
20 Conservation Partnership that's apparently designed
21 to improve water quality, there's no tangible
22 evidence whatsoever that that will occur.

23 And many times the problem is these
24 EIS's are written with the solution already in hand
25 or the selected alternative prior to the development

1 of that EIS.

2 Other examples evidenced for the Tims
3 Ford Reservoir, in particular, is that it will
4 increase overcrowding through the addition of up to
5 2,500 more boats and 7,500 more people for what is
6 already the most dangerous reservoir of the 23 TVA
7 reservoirs.

8 It will degrade the water quality
9 through the addition of people, boats, marinas,
10 docks, in the form of septic tanks, boat exhaust,
11 fertilizers, herbicides, pesticides, just to name a
12 few. It will decrease the sport fishing populations
13 and the visual aesthetics.

14 So on behalf of the Friends of Tims
15 Ford, we do urge you to consider the important
16 conservation aspects of developments and make sure
17 that the public trust is protected for future
18 developments.

19 Thanks a lot.

20 END OF STATEMENT

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1 JOE W. MCCALED
2 ENVIRONMENTAL ATTORNEY

3 MR. GIL FRANCIS: Joe McCaleb.

4 MR. JIMMY BARNETT: I am Joe McCaleb.

5 I'm an Environmental Attorney. I am from
6 Hendersonville, Tennessee. I am here on my own
7 behalf. I have a much longer statement that will
8 require a written document. So I intend to submit
9 that during the comment period.

10 Briefly, when TVA was creating its
11 Mission Statement, which you have already seen on the
12 screens, Congress stated and gave TVA unprecedented
13 powers of eminent domain to acquire lands for
14 specific purposes, dams, reservoirs, power
15 production, navigation projects, public recreation,
16 and industrial development for the economic and
17 social well-being of the people.

18 Congress also told TVA precisely how
19 it could dispose of land. It did that in Section 4
20 and Section 31 of the TVA Act. Now, here today --
21 and by the way, here today I have heard several
22 people refer to this as our lands, TVA, our lands. I
23 have heard panelists say TVA lands. I have heard
24 staff say our lands.

25 TVA does not own this land. That

1 needs to be made very clear. This is not TVA land.
2 This is land held in the name of the United States of
3 America. This is public land. It's not up to TVA to
4 sell or lease or swap just at their discretion.

5 I would like -- it would be a great
6 help for people, particularly the staff, to start
7 referring to TVA land as public land, not our land,
8 because it's not your land. It's our land. It's
9 everybody's land. It's public land.

10 Congress in those Sections 4 and 31
11 told TVA precisely how they could dispose of land.
12 Nowhere in the TVA Act, not the 1933 Congress and not
13 any Congress since 1933, has given TVA the authority
14 or the power to sell, transfer, lease or swap public
15 land for private residential development, nowhere.

16 Yet, it has been going on since at
17 least the '50s and no one has stopped it. You have
18 an opportunity to do that. You need to stop it. We
19 need to have public lands, not private residential
20 development.

21 For example, Tims Ford has been talked
22 about a lot today. You have got lots on Tims Ford, a
23 one-quarter acre lot on Tims Ford is selling right
24 now for \$300,000, that's not public. That's only for
25 the people who can afford to buy the lot for

1 \$300,000. That's just a one-quarter acre. That's
2 not public land anymore.

3 The Supremacy Clause of the
4 Constitution, and this has been upheld by the U.S.
5 Supreme Court many times, gave Congress the power to
6 dispose of and make the rules respecting property
7 belonging to the United States. Congress has that
8 authority. TVA does not have that authority.

9 If you want authority to go and sell
10 land to private developers, you have got to go to
11 Congress and ask for it, you don't have it, and it
12 needs to stop.

13 Thank you.

14 END OF STATEMENT

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1 BUBBA DOSS
2 ELK RIVER RESORT

3 MR. GIL FRANCIS: Bubba Doss.

4 MR. BUBBA DOSS: My name is Bubba
5 Doss. I own the Elk River Resort that's proposed on
6 tract 21 of the Wheeler Reservoir, which will be open
7 to the public. Thank you for allowing me to speak.

8 I don't know what everybody else has
9 learned here today, but what I've learned is one
10 answer is not going to solve everybody's problems.
11 Each problem is going to require some one-on-one
12 review. I feel like TVA has done a good job doing
13 that over the past.

14 They created the Wheeler Land Plan and
15 several different land plans. I think they just need
16 to follow through with those land plans and make
17 adjustments as necessary on a one-on-one basis and
18 that will help find balance between economic
19 development and conservation.

20 Thank you.

21 END OF STATEMENT

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1 BILL CLABOUGH

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3 MR. GIL FRANCIS: Bill Clabough.

4 MR. BILL CLABOUGH: Madam Chairman,
5 Members of the TVA Board of Directors, Members of the
6 Regional Resource Stewardship Council, TVA staff and
7 Council staff, my name is Bill Clabough. I am the
8 Executive Director of the Foothills Land Conservancy.

9 I am here today representing the board
10 and the staff of the Foothills Land Conservancy. We
11 applaud the moratorium that the TVA Board of
12 Directors imposed on the sale and exchange of large
13 tracts of land. The Foothills Land Conservancy
14 appreciates the opportunity to show our support for
15 land use management practices that includes natural
16 areas, recreation land, open space, and the resource
17 conservation areas.

18 The FLC is a regional leader in land
19 protection. Since 1985 we have protected over 15,000
20 acres in the Tennessee River watershed. These
21 projects include the Foothills Wildlife Management
22 area, 5,900 plus acres, UT Wildlife Management area,
23 2,400 plus acres.

24 The Foothills Land Conservancy has
25 donated over 10,000 acres to either The Tennessee

1 Wildlife Resource Agency or the Great Smoky Mountain
2 National Park. These acres were brought with
3 publicly donated funds.

4 Currently we're projecting another
5 conservation easement in this calendar year of
6 another 1,000 acres. We also are in the early stages
7 of discussions with The Friends of the Smokies to
8 formulate an offer for acquiring Cold Mountain in
9 Sevier County that would also be given to the
10 National Parks.

11 National Friends continue to gain
12 momentum for the conservation of the lands. A
13 subsidiary of Alcoa Aluminum Company originally
14 placed over 10,000 acres in conservation easements.
15 This property borders The Great Smoky Mountains
16 National Park, the Cherokee National Forest, the
17 Nantahala National Forest, all of which are in the
18 Little Tennessee River watershed.

19 President Theodore Roosevelt said, and
20 I quote, "Here is your country. Do not let anyone
21 take it or its glory from you. Do not let selfish
22 men for greedy interest skim your country of its
23 beauty, its riches or its romance. The world in the
24 future and your very children shall judge you
25 accordingly as you deal with this sacred trust."

1 The board and staff of The Foothills
2 Land Conservancy stand ready to assist you in the
3 development of a land use policy that protects TVA
4 land for future generations to enjoy.

5 Thank you very much.

6 END OF STATEMENT

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1 MACK PRITCHARD

2 MR. GIL FRANCIS: Mack Pritchard.

3 MR. MACK PRITCHARD: Thank you. It's
4 a pleasure to see the concern of everyone in the room
5 here today, and we're grateful to have this
6 stewardship council and the new faces on the board as
7 well.

8 I just wanted to say I started -- I am
9 from Nashville, Tennessee. I started as a naturalist
10 for the state parks about 50 years ago. So I am
11 speaking from my personal experiences.

12 I want to thank TVA for the wonderful
13 pioneer conservation leadership that you gave in 1933
14 and in 1937 when you helped us pass a state act
15 enabling a conservation department of the state parks
16 and then transferred some of the most beautiful parks
17 from the reservoir areas.

18 This has been an economic engine for
19 the state for tourism. This has provided wilderness
20 for people to enjoy, and they will never cease to see
21 the good these lands have contributed.

22 Your first director of TVA, Harcourt
23 Morgan, said in 1933 in the little green book, "We
24 can find people who know how to build dams but few
25 that know why, and unless we're careful TVA could

1 become just another utility."

2 So the challenge today is how to keep
3 a sustainable balance. And when you look at the
4 problems we have, I went to Pickwick as a boy and
5 collected fossils over there. The largest Trilobite
6 in the world was found there and that's all
7 condominiums now.

8 At Nathan Bedford Forest there's huge
9 Beech trees on 300 acres that were supposed to be
10 transferred to the state forest for timber sales.
11 However, the Boy Scouts found about that and Congress
12 prevailed on TVA to cancel the contracts. So that
13 was the good news on that.

14 In the meantime you have heard the
15 stories today from Tims Ford and the Tellico
16 Reservoirs, and now we're facing the prospect of the
17 park behind Norris Dam becoming a big development.
18 This would really change that aspect of that.

19 So I had the pleasure last year of
20 working with Marvin Runyon and gave him a copy of
21 Scenic Resources of Tennessee, which you probably --
22 it's a wonderful manual to lift up the beauty spots
23 of the state. About one-third of those we now have
24 and about one-third are gone and one-third are still
25 out there. I urge you and TVA to work with the Corps

1 of Engineers as well in developing a proactive plan
2 to safeguard some of the key places on these
3 reservoirs before they are gone.

4 I also urge and am concerned, I live
5 within 90 feet of the Cumberland River Dam, and my
6 property is washing away a foot or more a year. You
7 need to get a handle on redesigning our shoreline and
8 slow down the erosion and that sort of thing.

9 I hope that this Council here today is
10 the beginning of a new dawn, that was the name of a
11 film our educational division published back in 1937,
12 and I believe it is, if we all work together.

13 Thank you very much.

14 END OF STATEMENT

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1 TRIP POLLARD

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3 MR. GIL FRANCIS: Trip Pollard.

4 MR. TRIP POLLARD: Good afternoon. I

5 am Trip Pollard with Southern Environmental Law
6 Center where I am head of the land community project.
7 We work with six states in the southeast to protect
8 natural areas of open space and to promote vibrant,
9 healthy communities. I appreciate your careful
10 consideration of this critical issue of TVA's land
11 policy.

12 As has been pointed out, the southeast
13 is seeing rapid growth and development. More land is
14 being developed in this part of the country than any
15 other part of the United States.

16 With this tremendous loss of open
17 space you see increased pollution, an increased
18 number of threatened and endangered species, a loss
19 of archeological resources, and more importantly, a
20 rapid change in our quality of life.

21 With this rapid change, quite
22 understandably, and with the projected increased
23 population, again we saw very rapid images of that,
24 quite understandably developers are turning their eye
25 increasingly towards TVA lands increasing the

1 pressures on the resources you manage.

2 At the same time with the increasing
3 population there is a public need and desire for
4 recreation activities for tourism as well. We see
5 public survey after survey, some of which has been
6 cited earlier, from TVA and others on the tremendous
7 value of public places on outdoor and recreational
8 activities.

9 As noted this morning, TVA has
10 transferred a tremendous amount of land they once
11 owned. When you look at the number of acres being
12 developed just here in the southeast, the amount of
13 land that TVA owns is not actually that great, but
14 it's some of the choicest land and that's why there's
15 such pressure on it to be developed.

16 Because it's such important land and
17 because we're learning so much more about the cost of
18 growth of communities, as well as the economic
19 benefits of tourism and recreation, we urge you to
20 look very hard at any additional proposals for
21 transfer.

22 Developers should look to try to
23 reimburse lands for projects. I heard the mentioning
24 earlier about a county that has a substantial amount
25 of public ownership. There are situations like that

1 where we need to look at other tools. I would be
2 glad to discuss those tools. We work with other
3 communities and with the Chambers of Commerce
4 sometimes for sensible development. There's ways to
5 do this without selling our public lands.

6 We cannot afford, quite simply, to
7 lose any more of our public lands, recreation lands
8 and conservation lands in this region. I urge you to
9 adopt a new land policy to replace the permanent
10 moratorium on the sale and transfer of recreational
11 land and natural resources and conservation land for
12 private development.

13 I also urge you to take more steps to
14 put the land you currently have in easements and to
15 transfer more of it to state and federal agencies
16 charged with recreation and wildlife protection.
17 Keep public lands public lands. This is the best we
18 can do for long-term economic development as well as
19 quality of life for the Valley.

20 Thank you.

21 END OF STATEMENT

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1 NELSON ROSS
2 EXECUTIVE DIRECTOR
3 TENNESSEE ISAAK WALTON LEAGUE

4 MR. GIL FRANCIS: Nelson Ross.

5 MR. NELSON ROSS: Thank you. I am
6 Nelson Ross, Executive Director of the Tennessee
7 Isaak Walton League. I appreciate the opportunity to
8 address the Board and TVA staff and those others
9 gathered here today on the management of TVA public
10 lands.

11 We trust TVA to manage TVA public
12 lands according to the TVA Act as it exists today.
13 If there are problems with the TVA Act, then measures
14 should be taken to have those deficiencies addressed
15 appropriately so TVA management can have proper
16 guidelines to manage according to the way the public
17 would have interest.

18 We see less conflict between
19 development and the management of public land as it
20 relates to natural resources if everyone is kept
21 fully involved during the entire process from the
22 beginning to the end.

23 Also, there is some if's involved. A
24 number of good points have been made here today. The
25 one thing that has been neglected is the fact that

1 TVA management of public lands, when they're
2 developed, are following a no net-loss policy. If
3 this policy is truly followed and if quality controls
4 are in place and properly managed so that there's
5 true equity and balance when this land is mitigated,
6 and this includes it being mitigated in the
7 geographical area where the development is taking
8 place and also in the same general ecosystem, we do
9 not agree that a parody can exist when development
10 takes place in one geographical region or ecosystem
11 and the mitigation takes place in another county or
12 at some distance, say, in West Tennessee if the
13 developments were taking place in East Tennessee.

14 Balance is the key. That's been
15 addressed often in the various comments made today.
16 I think we all agree that all any citizen wants is a
17 fair shake. That includes citizens that are seeking
18 public lands for development purposes, operating
19 inside existing guidelines that TVA has in place for
20 economic development.

21 It also ensures that the regimens that
22 needs to be followed to fully assess the value of
23 open space and natural resources, clean water, that
24 all of those be fully assessed. We have no problem
25 with competing with economic development when all of

1 those matters come to the table and they're
2 scientifically and economically evaluated on equal
3 terms.

4 Finally, the decisions made many times
5 in meetings like this or when we're arriving at ways
6 that we can best make decisions together, we think
7 about the status quo, we think about things that have
8 immediately happened in the past, we think about
9 things that are happening today, building roads,
10 building schools, those types of things. The most
11 important issue as it relates to our responsibilities
12 as people is for future generations.

13 It's a trite saying maybe that they
14 are not making any new land, but that is true and it
15 behooves all of us -- it behooves all of us to take
16 full advantage of the understanding of the true value
17 of land today, that it is different from that of
18 tomorrow.

19 We thank you for your time and
20 appreciate the opportunity to make these comments.

21 END OF STATEMENT

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1 take a look at these files and just review them and
2 get back with me, if you don't mind. I appreciate
3 it.

4 Where do I leave these?

5 MR. GIL FRANCIS: I will take those.

6 END OF STATEMENT

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1 AXEL RINGE
2 SIERRA CLUB

3 MR. GIL FRANCIS: Axel Ringe.

4 MR. AXEL RINGE: Good afternoon. My
5 name is Axel Ringe. It's a pleasure to be here
6 before you. I see some old and familiar faces in
7 times past.

8 I am representing the Tennessee
9 Chapter of the Sierra Club today, and we have a
10 resolution that we would like to read to you. We're
11 the Tennessee Chapter of the Sierra Club encompassing
12 some 6,500 members that represents a concern of
13 active constituents across the State of Tennessee
14 that is directly affected by land management policy
15 activities of the Tennessee Valley Authority.

16 And whereas, in November of 1933
17 Congress enacted TVA and mandated a new federal
18 agency to provide in the Tennessee River drainage
19 basin.

20 No. 1: Maximum amount of flood
21 control.

22 No. 2: The maximum development of the
23 Tennessee River for navigation purposes.

24 No. 3: The maximum generation of
25 electric power consistent with flood control and

1 navigation.

2 No. 4: The proper use of marginal
3 lands.

4 No. 5: The proper method of
5 reforestation of all lands in said drainage basin
6 suitable for reforestation.

7 No. 6: The economic and social
8 well-being of the people living in the Tennessee
9 River Basin.

10 Whereas, to accomplish the statutory
11 purposes, Congress gave TVA a public corporation,
12 unprecedented powers of eminent domain to acquire
13 lands for dams, reservoirs, power production,
14 navigation projects, public recreation and industrial
15 development for the economic and social well-being of
16 the people.

17 Whereas, Congress also restricted how
18 and for what purposes TVA could dispose of land after
19 being acquired in the name of the United States of
20 America.

21 Whereas, TVA has exercised that power
22 of eminent domain implicitly and explicitly
23 throughout the Valley from 1934 to the present
24 acquiring land for one or more of the six purposes
25 declared by Congress, particularly acquiring large

1 tracts of marginal lands adjacent to but not
2 inundated by its dams and reservoirs.

3 Whereas, today TVA manages
4 approximately 290,000 acres of public land, 52
5 percent of which is located along 11,000 miles of
6 shoreline, and operates a total of 54 dams and
7 reservoirs contributing by TVA's estimates of \$1.25
8 billion to the Valley's economy annually from
9 visitors and recreational enthusiasts using TVA
10 reservoirs and marginal lands.

11 Whereas, public land resources are
12 diminishing in Tennessee as a human population and
13 its demand for public land recreation continues to
14 grow.

15 And I see I am running out of time, so
16 I will finish this up and say, be it resolved by the
17 Sierra Club, Tennessee Chapter, that the Chapter does
18 formally and legally express its strong opposition to
19 the past, present, and future sale and/or use of
20 public lands held by TVA in the name of the United
21 States of America for any purpose other than those
22 stated purposes in the TVA Act of 1933 and any
23 subsequent amendments and specifically opposes the
24 sale and/or use of such public lands for permanent,
25 private, residential development, and for any private

1 residential development beyond the purpose of
2 recreation or for a summer residence as plainly
3 authorized in the Act.

4 Thank you.

5 END OF STATEMENT

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1 MIKE MILLER
2 MAYOR OF ROCKWOOD

3 MR. GIL FRANCIS: Mike Miller.

4 MR. MIKE MILLER: I am Mike Miller,
5 Mayor of the City of Rockwood. We have got a
6 development down there that we have been looking
7 into.

8 In 1951 President Truman deeded that
9 property over to us, and at the fault of mine, other
10 mayors and other councils, we have just let it sit
11 there and haven't developed it. We have made a
12 commitment to develop it now.

13 We think we've went through it the
14 proper way. We've met with a lot of different
15 developers and we picked out one. We had a public
16 meeting and let the public come and speak. There was
17 no opposition in our community. We agreed on a lease
18 agreement and the Council approved it and we were
19 ready to go forward, and then the moratorium was put
20 on.

21 We're asking that you look into ours
22 because we basically own the land. Y'all do have
23 restrictions on it, but we'd like for y'all to look
24 into it and consider us because it's important to our
25 community. It's probably the biggest thing that's

1 happened in our community in a long, long time.

2 We're figuring it will probably double our tax base,
3 property tax base.

4 So any consideration you would give us
5 we sure would appreciate it because it would mean a
6 whole lot to our community and a lot of people in our
7 community are looking forward to it.

8 So thank you and appreciate your time.

9 END OF STATEMENT

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1 LORI MAZE
2 MELTON HILL PROPERTY & OWNERS

3 MR. GIL FRANCIS: Lori Maze.

4 MS. LORI MAZE: Hi. I am coming to
5 you this afternoon as a mother and as a landowner on
6 the Melton Hill Reservoir.

7 Earlier today Mr. Ross was talking
8 about how great it was going to be for the school
9 system to have more development. Well, my seven- and
10 eight-year-old sons are going to go to school in a
11 trailer next year because the Loudon County
12 government and culture has not caught up with the
13 amount of development that the lake has already
14 brought into the community.

15 Also, I wanted to say that ten years
16 ago you could go down the lake and in 20 miles not
17 see another boat. Weekend before last, there was 17
18 boats and jet skis in a half-mile stretch of the
19 lake. It's a safety issue at this time, and that's
20 more important than economics.

21 I can't imagine what the lake's going
22 to look like ten years from now. The big
23 developments are bringing in big boats. They are
24 tearing up the shorelines, and they are causing a
25 concentration of boats in certain areas of the lake.

1 The next thing I wanted to mention was
2 the maintain and gain, and I don't understand this
3 policy. I know that last year on my lake there was
4 two people that went to the watershed team with
5 proposals. Here, according to the land management
6 plan, it says docks are not to be considered. They
7 are protected because of a state threatened plant on
8 one parcel. Another parcel says that it's a moorage
9 of boats and barges during inclement weather.

10 I want to know from you-all which one
11 of those two is not important anymore?

12 Which one of these two are you willing
13 to trade away?

14 And I wanted to say that it took
15 thousands of people and years going to those public
16 comment meetings to come up with a land management
17 plan, and now you're allowing a few people to change
18 the plan overnight. When you do that, maybe there's
19 a little blip on the web site that says that you can
20 send in comments, but there's not the big public
21 hoopla where the people are finding out about it and
22 knowing.

23 So, you know, I know whenever they go
24 through zoning on a planning thing, they put out
25 signs and do things like that. If you are going to

1 do maintain and gain, you need to make it more of a
2 public comment period.

3 And then Ms. Williams, you asked this
4 morning about encroachments, how the Corps dealt with
5 them and how you could do them. The rumor on the
6 lake is TVA won't do anything. You build what you
7 want. You do what you want. If you go out there and
8 you tear down four or five \$20,000 docks that aren't
9 supposed to be there, people will take notice of you.

10 Thank you.

11 END OF STATEMENT

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1 DANIEL CARTER
2 TENNESSEE WILDLIFE FEDERATION

3 MR. GIL FRANCIS: Daniel Carter.

4 MR. DANIEL CARTER: Good evening,
5 folks. I am not going to read all of the whereas's.
6 I am here representing the Tennessee Wildlife
7 Federation.

8 We just passed a resolution asking the
9 TVA to place a permanent moratorium on the sale,
10 trade or transfer of recreation natural resource or
11 any other conservation sensitive land that it
12 currently owns.

13 And I'd just like to say that I am
14 from Marion County, was intimately involved in the
15 Little Cedar Mountain project and very aware of how
16 that went down. There's a few comments that I'd like
17 to make in response to some of the comments that were
18 made earlier.

19 We have about 4,600 vacant residential
20 lots in Marion County. I think we have got about the
21 same in Loudon County, the last I heard. I think
22 Loudon County had about 86 lots selling at a
23 delinquent tax sale. We don't have a shortage of
24 residential lots in our county.

25 I want to also note that under our

1 resolution that any land that TVA has identified as
2 industrial land is not included in this resolution.

3 I was talking to my dad, he's 78 years
4 old. He's been involved in Little Cedar Mountain and
5 promoted it most of his life. I asked him, he was
6 the County Trustee back in the 1960s when they came
7 through and impounded and put the dam at Nickajack.

8 He said they basically met at the
9 courthouse and everything below the dam was going to
10 be for industrial development and everything above
11 the dam was for recreation development.

12 The intent was for it to ultimately be
13 a states park, but apparently Governor Winfield Dunn
14 at the time declared that there will be no more state
15 parks and it seems that that was never an option. So
16 that's why they wanted to get a recreational type
17 development.

18 So my suggestion is that if you want
19 to promote economic development, you promote the
20 infrastructure within the current industrial lands
21 that you already have. Like, for instance, New Hope,
22 you have a port authority and you have TVA land
23 there, but nobody has spent any dollars to improve
24 that port to bring in industrial development. So
25 those are just a few extra comments.

1 The TWF Board represents about 18,000
2 members. We have a very open process when we pass
3 these resolutions. So, again, we would like to ask
4 you to place a permanent moratorium on the sale or
5 transfer of your recreational designated lands for
6 private development.

7 Thank you.

8 END OF STATEMENT

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1 SAM MILLER
2 FRENCH BROAD DEVELOPMENT COMPANY

3 MR. GIL FRANCIS: Sam Miller.

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5 (NO SHOW)

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1 HARRY SHERROD
2 FRENCH BROAD DEVELOPMENT COMPANY

3 MR. GIL FRANCIS: Harry Sherrod.

4 MR. HARRY SHERROD: Thank you for the
5 job you do, one of the jobs you have at hand. My
6 name is Harry Sherrod. I am a local electrical
7 subcontractor with a few hundred employees and also a
8 local developer, Atlas Electric and Waters of French
9 Broad Development.

10 I went to the last Board meeting when
11 the moratorium was set, or that particular Board
12 meeting, and came up with an equation that said
13 excellence. What you're trying to do, I think, on
14 the property you have is develop excellence, and the
15 first word of excellence is E, which could stand for
16 excellence.

17 The second word, I thought if there's
18 some way using these E's, we could find a way to
19 compromise between those that say do not and those
20 that say yes, if the developments on your land could
21 possibly always be with whatever somebody wants to
22 develop is environmentally sound for an E there.

23 Energy conservative, which we're all
24 trying to do here in the states. In other words, the
25 developments would have to use very energy

1 conservative components, such as geothermal heat and
2 air conditioning for the homes or the plants that are
3 built.

4 And then, of course, what happens when
5 and if you do sell land, it's economic development in
6 order to create jobs for -- I didn't think I would
7 ever be a grandfather, but I have four now. So my
8 grandchildren would like to live here too like I have
9 been able to do and have jobs.

10 So if those three E's could be used
11 somehow possibly, however you want to do it, to bring
12 together the two opposing groups, I think we would
13 all be successful here.

14 I think the opposing groups that I
15 have heard today, they have presented very, very
16 well. They have a concern about the public land,
17 what it's used for.

18 The only other thing that comes to
19 mind is having lived on the TVA lakes for 60 years or
20 boated since I was about 13, I have noticed that a
21 lot of the land that you have is washing away. A lot
22 of shoreline is being lost, especially now that you
23 have more boating traffic.

24 I yacht or boat almost every few days,
25 and I've noticed on a lot of the property that you

1 have does not have riprap. Whereas, if it's
2 privately developed I believe that it's required.

3 So if there's not enough money to
4 protect your property, all I'm saying is that in the
5 next 100, 200, 300 years, it's not going to be there.
6 It's already washed away.

7 So I am a proponent for development on
8 certain properties that you have on the rivers or the
9 lakes. I think it's what's made this city, county,
10 counties, states be very successful and a great place
11 to live, work, and play.

12 Thank you very much.

13 END OF STATEMENT

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1 GEORGE KITCHENS
2 JOE WHEELER ELECTRIC MEMBERSHIP CORPORATION

3 MR. GIL FRANCIS: George Kitchens.

4 MR. GEORGE KITCHENS: Good afternoon.

5 My name is George Kitchens. I am the general manager
6 of Joe Wheeler Electric Membership Corporation, one
7 of TVA's distributors.

8 The Tennessee Valley Authority has had
9 a strong history of supporting industrial development
10 in the Valley, and as we have heard often today the
11 legislation that created TVA in its preamble states
12 that TVA is to support agricultural and industrial
13 development in the Valley.

14 Since TVA's creation there's been
15 remarkable industrial development in our area. It's
16 provided employment and economic stability for our
17 region that, I think, the rest of the country
18 probably envies to some degree.

19 Joe Wheeler, like TVA, has an
20 enlightened self-interest in economic development.
21 Without economic development, there would be no
22 reason for TVA to generate power to sell to
23 distributors, and ultimately, the consuming public.

24 We're both members of various
25 industrial development organizations in our region

1 and work with state agencies to bring economic
2 prosperity to the regions that we serve. You only
3 have to look around the Valley to see the evidence of
4 TVA's and the local communities' efforts to attract
5 industries to the Valley. I hope to see that trend
6 continue.

7 The current land moratorium has
8 halted, to some degree, economic development projects
9 that require river access or might need to purchase
10 TVA riverfront property. Most of the time our local
11 communities only get one opportunity to make a
12 positive impression on companies that are considering
13 an expansion project in our areas.

14 As I said, should they require river
15 access or TVA land and the time frame is short, our
16 area will likely not be considered due to the
17 uncertainties created by the moratorium.

18 I can understand the need to develop
19 policies for land management for the region, but it's
20 clear to me that there are differences between
21 residential recreational uses and industrial
22 development.

23 There's room for all of these on the
24 river system, but the Board needs to keep in mind
25 that without job creation there will be no need for

1 residential development or recreational use of the
2 property because the people will live and work
3 somewhere else. We see this all the time.

4 So I'm asking that the Board move
5 quickly and remove the moratorium from TVA land and
6 open the Valley for business as it has been in the
7 past.

8 Thank you very much.

9 END OF STATEMENT

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1 DONALD SMITH
2 LAFOLLETTE UNITED METHODIST CHURCH

3 MR. GIL FRANCIS: Donald Smith.

4 MR. DONALD SMITH: Good afternoon. My
5 name is Don Smith, and I am the chairperson of the
6 Board of Trustees of the Lafollette United Methodist
7 Church located in Lafollette, Tennessee.

8 In 1948 the church, with the help of a
9 parishioner, acquired three tracts of land with
10 borders on Norris Lake. Those tracts had in their
11 deeds a restriction that it had to be used for church
12 purposes and could not be subdivided.

13 In 1954 the church gave the easterly
14 parcel of land to the Baptist Church Camp Association
15 and they gave the westerly portion to the Ministers'
16 and Orphanage Association, retaining the central
17 portion.

18 At some point in time the -- with
19 TWA's concurrence, the restriction on subdivision on
20 the eastern part of the property tract was removed,
21 and that is now the residential area of Norris Crest.
22 The same thing happened to the western portion. It's
23 now a residential area called Turkey Cove.

24 However, the restriction still stays
25 on our piece of property. We would like to sell it.

1 As it stands, the church is too small to do anything
2 with it, we want to get rid of it, but to do that we
3 have to have this restriction removed.

4 So that is my purpose today to
5 respectfully request that the Board give due
6 consideration to allowing us to remove that
7 restriction on the land so that it can be sold,
8 provide an asset to the church and an asset to
9 Campbell County because the property would be put
10 back on the tax rolls.

11 Thank you.

12 END OF STATEMENT

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1 WOLF NAEGELI
2 FOUNDATION FOR GLOBAL SUSTAINABILITY

3 MR. GIL FRANCIS: Wolf, I think the
4 last name is Naegeli.

5 MR. WOLF NAEGELI: Good afternoon. My
6 name is Wolf Naegeli. I am with the Foundation for
7 Global Sustainability.

8 We share the position that public land
9 should remain in public trust and the idea that
10 stewardship is really important and that TVA, if they
11 can't do it, needs to make sure that some other
12 governmental agency or some other organization that
13 can do it that will do it well.

14 We support the arguments that have
15 already been presented by -- for stewardship, for
16 example, by Russell Townsend of the Cherokees and by
17 the Isaak Walton League, Sierra Club, and several of
18 the other speakers today.

19 The U.S. Census predicts that the
20 population in the southeastern United States will
21 grow by six percent every five years until 2025.
22 With Billy Minser's map earlier this afternoon
23 illustrating with all the red dots cropping up we saw
24 how fast that will happen in the private land and the
25 development will take over. So those public lands

1 will be more and more in demand.

2 And the value of public lands in the
3 long-term to the economy of the region will grow even
4 more rapidly than the population will grow because
5 public lands will not grow, at least not very much.

6 It's enormously difficult today to
7 assemble large tracts of land, just the real estate
8 cost and legal cost of doing that makes it almost
9 impossible, and particularly makes it impossible to
10 assemble big tracks of land from existing small
11 landowner holdings.

12 So this land that TVA holds in trust
13 for the public is really going to be even more
14 valuable in the future and more important to our
15 regional economy than it is today or in the near
16 future.

17 We commend the TVA Board on setting
18 that moratorium and we urge you to make it permanent.
19 We also urge you to enforce easement restrictions and
20 lease conditions that have been established and are
21 not properly enforced currently.

22 Also, the transgressions that have
23 been committed by adjacent landowners, for example,
24 in putting up seawalls and cutting down land on the
25 riparian zone on TVA land because the trees obstruct

1 their views, that should be stopped and remediation
2 needs to be done.

3 Really every land sale reduces --
4 every sale of public land reduces the value in the
5 long-term of all the adjacent property in the greater
6 area because it's really the lakes and the public
7 recreation opportunities that attract the development
8 and attract new people who want to move into this
9 area and stimulate the economy.

10 Thank you.

11 END OF STATEMENT

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1 THERESA BULLWINKEL
2 HAYWOOD FAYETTE CITIZENS AGAINST HATCHIE RIVER
3 MEGASITE

4 MR. GIL FRANCIS: Theresa Bullwinkel.

5 MS. THERESA BULLWINKEL: My name is
6 Theresa Gail Bullwinkel, and I am here today as a
7 member of the Citizens against the Haywood Fayette
8 County megasite.

9 I first want to tell you that I
10 greatly appreciate the opportunity to address this
11 Council today. I, like many of the participants here
12 today, have a long history with TVA. My husband and
13 I own a residence overlooking Kentucky Lake on the
14 Tennessee River. I have previously owned residences
15 and a business on Tims Ford Lake where my son is
16 currently a landowner.

17 In addition, my in-laws were removed
18 from their generation-owned farms when Center Hill
19 Lake was formed in the '40s, but I am here today to
20 ask the Council to reconsider TVA's involvement in my
21 current community in Fayette County for the
22 certification of a megasite for an automotive
23 assembly manufacturer.

24 I am here today not only as an
25 interested citizen but also as a professional. I am

1 a chemist and I have been responsible for performing
2 EPA compliance monitoring for the Department of
3 Defense. I am also currently serving on the Board of
4 Directors for TCWN, the Tennessee Clean Water
5 Network.

6 I understand the biological and
7 chemical aspects of pollutants to our environment.
8 In a public meeting concerning the TVA megasite, we
9 were told by the consultants retained by TVA that TVA
10 is not responsible for the Environmental Impact
11 Statement at the megasite location. In fact, we were
12 told that automotive assembly plants do not pollute.

13 Because I lived in the Middle
14 Tennessee area in the 1980s and the 1990s I know what
15 occurs when automotive industries come to the
16 community. These industries function on just-in-time
17 delivery. Therefore, it is essential that satellite
18 industries are located within very close proximity to
19 the assembly plant.

20 The auto manufacturer that is reported
21 to be interested in our cotton farming community is
22 on record with EPA as one of the 50 facilities with
23 the largest amount of releases of toxic released
24 inventory chemicals.

25 In the Georgetown, Kentucky plant an

1 increase -- the toxic releases increased greater than
2 3,700 percent between 1998 and 2004 and scored high
3 in the pollutant releases as one of the worst and
4 dirtiest facilities in the United States.

5 The megasite is located within
6 four miles of the Hatchie River, adjacent to the
7 Hatchie River wetlands, and is directly located on
8 top of the sand aquifer, which supplies the
9 groundwater for my home, my community, West
10 Tennessee, Memphis, Northern Mississippi and
11 Arkansas.

12 I'm asking the Council as a member, as
13 a mother of four, as a scientist, as a concerned
14 citizen to reconsider the decision for the TVA
15 megasite and take responsibility for this decision,
16 get an environmental assessment on this megasite and
17 to understand that we do not need a major pollutant
18 in our community.

19 Thank you very much.

20 END OF STATEMENT

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1 RENEE HOYOS
2 EXECUTIVE DIRECTOR
3 TENNESSEE CLEAN WATER NETWORK

4 MR. GIL FRANCIS: Renee Hoyos.

5 MS. RENEE HOYOS: Good afternoon. My
6 name is Renee Hoyos. I'm the Executive Director of
7 the Tennessee Clean Water Network.

8 To the Board of Directors, Community
9 Relations Committee, many thanks for allowing us the
10 opportunity to comment on TVA's land policies and
11 programs. My comments will focus on the megasite
12 program.

13 TVA's megasite program as listed on
14 your web site states, "This TVA initiative certifies
15 large industrial properties or megasites for
16 potential manufacturing or assembly plants."

17 TCWN has been contacted by concerned
18 residents who are opposed to the Haywood County
19 megasite for a variety of reasons, but a particular
20 concern are the environmental impacts associated with
21 a large auto manufacturing plant.

22 When looking into the matter further,
23 TCWN noticed irregularities in the process to certify
24 these sites. First, according to your web site, the
25 Haywood site, now called the I-40 Advantage Auto Park

1 site, meets the McCallum Sweeney Consulting criteria
2 required for certification, including the
3 availability of land that is sufficient, contiguous
4 and development acres, infrastructure, utilities and
5 labor capacity, but what are the McCallum Sweeney
6 Consulting criteria?

7 We have asked to view documents
8 related to this site formally via a FOIA request
9 dated April 26th, 2006. I have had several
10 conversations with Denise Smith, who assured me on
11 July 10th that I would have all the documents by the
12 end of that week.

13 To date I have received no documents
14 from TVA and I am making an informal request to you
15 to release those documents that I requested. I have
16 a copy of our request for your review.

17 Second, TVA has a categorical
18 exclusion on the megasite program. We believe that
19 this is misleading and very possibly illegal. The
20 environmental impacts of auto assembly pollutants are
21 well documented. They are among the leading
22 polluters in EPA's toxic release inventory.

23 TVA is certifying sites as, quote,
24 ready for development without any consideration to
25 environmental, social or cultural impacts to the site

1 and its surroundings. This evaluation is required
2 since these sites are being certified using federal
3 funds.

4 We have heard the excuse that since
5 TVA uses McCallum Sweeney that no NEPA is required.
6 However, your site indicates that it is a TVA
7 sanctioned program. And with the effects these
8 assembly plants have on the environment, it is our
9 belief that you are required to perform a NEPA
10 analysis before you can certify these sites as ready
11 for development.

12 We ask that TVA either perform an
13 individual EIS on all sites under this program or
14 create a programmatic EIS for the megasite
15 certification program in general.

16 Again, thank you for allowing us this
17 turn to speak to you regarding this issue.

18 END OF STATEMENT

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1 GARY BULLWINKEL
2 CITIZENS AGAINST HATCHIE RIVER MEGASITE

3 MR. GIL FRANCIS: Gary Bullwinkel.

4 MR. GARY BULLWINKEL: Thank you for
5 the audience. I also am from West Tennessee and from
6 the rural community of Stanton. We live on Yum-Yum.

7 On the megasite certification problem
8 you have real problems. In a TVA response to us,
9 other than this contract and the identification of
10 certified megasites in TVA's economic development
11 efforts, TVA has no other role in the certification
12 process and makes no decisions.

13 In the Jackson Sun last year when they
14 certified the Alamo or Crockett County here is a
15 quote, "The TVA worked closely with Toyota, Nissan
16 and an undisclosed domestic auto manufacturer to
17 ensure Crockett County would meet their needs if
18 desired, Baxter said." This is a quote from Bill
19 Baxter.

20 So TVA says they don't have anything
21 to do with these sites. Bill Baxter says, we're
22 working on the back door with Nissan and Toyota to
23 make sure these things are done.

24 This was a thing to say why they don't
25 want to do a categorical exclusion. A categorical

1 exclusion basically says it's a bunch of plans and we
2 don't have to do anything because it hasn't happened
3 yet. Well, if you drop a bomb, I guess nothing
4 happens until it hits, but if an auto assembly plant
5 hits our area it will have the affects of -- a
6 nuclear bomb would be the next thing up from what
7 this plant will do.

8 It's 40 miles from Memphis. It's
9 40 miles from Jackson. It's in a rural farm area.
10 Everything that NEPA talks about, federal agencies
11 using their best efforts to introduce planning and
12 comments from other agencies before decisions are
13 made.

14 When the decision was made to certify
15 that site against scandalous happenings on a local
16 level and they put it on their TVA web site and sold
17 it to the world, then TVA is leading, facilitating
18 the location of one of the hugest industrial
19 facilities in the world and one of the largest
20 polluters in the world to our rural nation and rural
21 community. So we deserve an EIS, that's an
22 Environmental Impact Statement, so that people can
23 know what they are supposed to be doing.

24 From the FOIA there's been no
25 response. When they hit the FOIA, that's when

1 economic development environmental found out what
2 economic development is doing and saying, gee, we
3 can't be doing that.

4 What's going on in TVA?

5 What's going on?

6 Y'all have got internal problems. A
7 house divided cannot stand against itself. We had
8 Bill Adams, who is listed as the point of contact for
9 this megasite, stand up in a public forum and say
10 auto assembly plants don't pollute. He also says TVA
11 doesn't take land. Now, that's a salesman. You have
12 a salesman or you have a steward.

13 Is your economic development bureau
14 harming the stewardship of TVA to where these
15 activities, the money/money jobs part of TVA is
16 taking away from the stewardship role and the federal
17 agency's role of responsibility to the public?

18 We ask and we beseech you,
19 Ms. Jackson, to take our part. I don't care how many
20 lawyers you have. I don't care what the economic
21 development people have. We have engineers. We have
22 scientists. We have the best of ability in TVA. We
23 need that part from TVA. We don't need the
24 money/money jobs and things and shopping us to the
25 Japanese.

Thank you.

END OF STATEMENT

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1 RHONDA RICE
2 KNOX AREA CHAMBER

3 MR. GIL FRANCIS: Rhonda Rice.

4 MS. RHONDA RICE: Good afternoon. I
5 am Rhonda Rice. I am the Executive Vice President of
6 the Knoxville Area Chamber Partnership.

7 Economic development has many
8 definitions. It depends on where one wants to live,
9 work or play how it may be defined.

10 A community may define its economic
11 growth by a variety of factors that help to shape
12 what makes it prosperous and beneficial for the good
13 of all of its citizens.

14 The same can be said for economic
15 development projects or deals. No one deal is the
16 same as the next. What works for one community may
17 not work or be as successful for another community.
18 Job growth is important to us all.

19 In order to keep and promote a
20 region -- in order to help promote our regions'
21 economic vitality, we must continue to look at
22 opportunities to sustain economic growth. In doing
23 so all parties can and have proven that we can be
24 good stewards of the environment and the natural
25 resources that we are fortunate to have throughout

1 this Valley.

2 Regionally speaking, I suspect that
3 there are sites or properties that would be
4 appropriate if they were to be used for industrial
5 development or economic purposes. There are
6 properties that also should be maintained or
7 developed for recreational use that benefits the
8 public at large.

9 There should be a balance. We must
10 strike a balance of economic opportunities that
11 allows this region to be cognizant of our resources
12 while at the same time recognizing the needs not only
13 of a few but for the greater good and sustainability
14 of others for today and for future generations as
15 well.

16 Thank you all.

17 END OF STATEMENT

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1 STEVE HAMMOND
2 FRIENDS OF TIMS FORD

3 MR. GIL FRANCIS: Steve Hammond.

4 MR. STEVE HAMMOND: Thank you. I am
5 here as Chairman of the Friends of Tim Fords group.
6 I don't want to repeat a lot of things that have
7 already been said about boating safety, poor water
8 quality going back now a decade, but I would like to
9 make one request related in those areas; and that is,
10 that the Environmental Impact Statement that was done
11 as part of the Land Management Plan back in the year
12 2000, that that be revisited, because what's going on
13 on that lake cannot have ever been envisioned by that
14 group when you made that study.

15 On the other side of this, a lot of
16 what you're looking at today is, what should our
17 policy be?

18 I would like to take just a minute and
19 say when you develop that policy and you come out
20 with it, how do you implement it?

21 That's why our group exists. A couple
22 of hundred homeowners have tried to participate in
23 the permitting process, and we have found out that
24 the Land Management Plan that was developed for Tims
25 Ford, I think one of the first ones that was

1 developed throughout the system because the abolition
2 aperture provided specific rules and guidelines that
3 would be followed, which are not.

4 I have spoken to some of you, I have
5 spoken to a lot of the staff at TVA, and I get
6 answers that just amaze me. For example, on one of
7 these Zone 8s that you referred to related to
8 conservation development, you know, I asked the
9 question, how was this permit -- what was the basis
10 for it being issued? The guidelines or the rules
11 that you have published say this.

12 In that one case, instead of giving
13 five boat slips, you gave 28. What was the basis for
14 it? A blank face. No response.

15 When I asked for the rationale for it,
16 what other authority, what other guidelines exist,
17 none are provided.

18 It was mentioned earlier that there
19 also is a parcel property in the City of Winchester
20 that 2004 both TVA and the TDEC provided an easement
21 to the City of Winchester to construct a marina and
22 some other recreational properties. That particular
23 parcel in the land management plan is not authorized
24 for that use.

25 When I asked the question, again to a

1 TVA representative, why was that done, the answer
2 was, it was a mistake. Can you fix it? No.

3 So I think one of the big issues that
4 you have got to address is when you develop a policy,
5 how do you ensure that it's administered reasonably
6 and fairly throughout the system?

7 Because this particular marina is in
8 the process of -- the bid being awarded, I would like
9 to first ask that you immediately go and rescind
10 those easements because clearly the Land Management
11 Plan does not authorize that.

12 Thank you.

13 END OF STATEMENT

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1 MIKE MCGUIRE
2 WINCHESTER, TENNESSEE

3 MR. GIL FRANCIS: Mike McGuire.

4 MR. MIKE MCGUIRE: You have heard
5 about Tims Ford and Zone 8s from a number of
6 speakers. I want to take us back there for a minute
7 and explain to you how TVA policies are giving
8 windfall profits to developers of those Zone 8 areas.

9 First of all, you need to understand
10 exactly what Zone 8s are. You have got the water.
11 You have got a narrow strip of TVA land. Beyond that
12 you have private land that is trying to be put into a
13 subdivision.

14 The developer agrees to maintain a
15 hundred foot buffer area to protect the water and TVA
16 agrees to put in or to permit a boat dock. This is
17 where the windfall profit comes in.

18 One of the most exclusive subdivisions
19 is one called Franklin Hills, which is off the
20 reservoir. You can go to Franklin Hills and buy a
21 prime half-acre residential building lot for \$25,000.
22 If you go to one of the Zone 8s, which is Cypress
23 Point, and you try to buy a half-acre lot, they are
24 selling those for upwards of \$130,000. The only
25 difference between Franklin Hills and Cypress Point

1 is the access to the boat dock which TVA has given
2 for virtually nothing.

3 The problem with all of that is the
4 pressure it's putting on our lake. Our water quality
5 is already bad, as you have been told. We are
6 probably the worst in your system as far as boating
7 safety is concerned, and yet, you're allowing these
8 51 Zone 8 areas to potentially develop additional
9 subdivisions, and there is no control over the size
10 of the subdivision because it's on private land.

11 If I had -- if I could make one
12 request of you, when you're finished with these
13 deliberations and you come up with the new policy,
14 would you please put the public interest ahead of the
15 private interest?

16 Thank you.

17 END OF STATEMENT

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1 WILLIAM L. BRADBERRY, JR.
2 LAND EXCHANGE CONTRACT

3 MR. GIL FRANCIS: Bill Bradberry.

4 MR. BILL BRADBERRY: I am Bill
5 Bradberry and I am here presenting my wife Alma Jean,
6 our parents Alvin and Jean Smith, and our family.

7 Our first request is that each of you
8 read our communications to Mr. Sansom and
9 Ms. Williams that were sent after the moratorium was
10 placed in effect. This will help you to understand
11 better our purpose for land exchange.

12 We realize your need to understand the
13 current land exchange procedures, as we have also
14 attempted to do so for more than 30 years while
15 negotiating under TVA's changing policies.

16 You will discover that our request is
17 not about developments or money, but it is a family
18 wishing to honor a request of our parents and
19 grandparents to aide them in completing their
20 original goals and dreams.

21 Each of you should understand the
22 importance of this issue to us, as you would most
23 likely not be where you are today had you not
24 achieved many of your goals and dreams.

25 Our land exchange request was near

1 completion, based on previous land exchanges now
2 completed, before the moratorium went into place. We
3 now, again, find ourselves in a David-and-Goliath
4 position. Please keep in mind that upon your
5 research we feel you will find that our request was
6 in place long before any other exchanges now
7 completed ever started.

8 We're not stating we are against any
9 other exchanges, as we realize that TVA to us has a
10 very simple core policy in land exchanges in that the
11 public get back more than equal land to what is given
12 up, while we may not agree with the complicated,
13 lengthy, and costly procedures we have been through
14 to get to the point we were before the moratorium.

15 As stated in our first communications
16 to the Board after the moratorium was issued, we
17 hoped for a timely response to our request so that we
18 might be able to personally tell one generation of
19 our family, who was seriously ill at the time, that
20 his request to us had been honored. However, he has
21 now passed. While no one in this meeting may know
22 where this issue is headed, we know he does, and that
23 is only -- this is only an earthly issue.

24 As stated to Ms. Williams in our last
25 communication, notes written by him over 30 years ago

1 were found in his personal belongings concerning this
2 issue, which none of us knew existed, and has only
3 served to strengthen our resolve to bring this issue
4 to a close per his wishes.

5 We understand that each of you are
6 only acting on a part-time basis, and as us, have
7 families and your own personal professions, ambitions
8 and goals to contend with. However, we only hope in
9 this decision, and any other decisions and policies
10 you establish in the future, you use the resources
11 available to you so that you are fair to all in
12 establishing common sense, simple and minimum cost
13 policies and procedures for the individuals charged
14 with carrying out these policies to follow.

15 Per our request we hope that this new
16 Board and new management style allows our land
17 exchange contract to go to completion based on
18 previous completed contracts that we were operating
19 under or in the fairest manner to our family.

20 While the estimated 50 acres involved
21 in this exchange may not be major to TVA, it is the
22 issue of purpose and fairness that remain very
23 important to us.

24 Thank you for your time and the time
25 you spend in the future.

Thank you.

END OF STATEMENT

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1 RICHARD ALBRIGHT
2 HUNTING SAFETY ON TVA LAND

3 MR. GIL FRANCIS: Richard Albright.

4 MR. RICHARD ALBRIGHT: I guess I am
5 the first homeowner that's up here instead of
6 representing somebody. I live out in Green Back. We
7 live on a couple hundred acre family farm. We share
8 a border with TVA of a couple three miles.

9 So a couple of my concerns or our
10 concerns and others is hunting. No one is against
11 hunting, but we're for hunting safely. And as much,
12 a couple of the ideas that we have got is setbacks.
13 If it's bow season, then you have got to be X 100
14 feet from the TVA border. If you have got ten miles
15 of square border, you have to be a 100 feet and
16 shooting inwards. If it's high-powered season you
17 have got to be a mile in or some such like that.

18 As it is, I think you can't shoot
19 within 200 yards of a dwelling. Does anybody here
20 want me shooting 600 feet from your home with a
21 high-powered rifle?

22 Trust me, I am a good shot, but, you
23 know, accidents happen, and it's a long border that
24 we have got. I think that safety in general would
25 apply across the board.

1 Camping facilities, there's a lot of
2 casual campers out our way with no facilities. So I
3 have a question. If I had a pool at home, would
4 anybody want to jump into my pool after my kid
5 defecates in it? Probably not.

6 With these rudimentary camping
7 facilities -- without these camping facilities,
8 there's people out here that stay one week, three
9 weeks at a whack and that's what they're forced to
10 do, you know, they use the woods, they use the lake,
11 and it kind of makes us second-thoughtish about
12 jumping out in that same water, much akin to the
13 pool.

14 Our feeling is if you're going to
15 allow this simple camping, which is fine, you need to
16 have parking areas and you need to have sanitation
17 areas, you know, there needs to be some
18 infrastructure for it. If you're not going to do
19 that, then you really need to try to limit that kind
20 of camping down to the areas where you do have those
21 kind of facilities.

22 TVA is not -- we live near the belly
23 of the beast, as I would like to say. It's not the
24 best neighbor to have. Y'all have a lot of territory
25 to take care of with few people to take care of it

1 and policing it. Out our way we -- and I am here in
2 Green Back, so I am local, poachers, dead bodies,
3 counterfeiting, drugs, trash galore.

4 Example, TVA has come out and they
5 have installed "No Motorized Vehicles" signs. Guys
6 come out and rip them down. When you go back out
7 there again, there's four-wheelers and trucks and
8 whatever. TVA puts the signs up again and they rip
9 them down again.

10 The police come out and the TVA guys
11 says, well, you know, I can't enforce it if there's
12 no sign there. Well, they have taken it down. So if
13 TVA would just lay the law down and enforce it, just
14 black and white. If you're back here, you're busted,
15 people will start to get the clue that TVA means
16 business, presuming that you do, in fact, mean
17 business.

18 Thank you.

19 END OF STATEMENT

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1 MR. GIL FRANCIS: We're going to take
2 a five-minute recess for a restroom break and we will
3 resume in five minutes.

4 (Brief recess.)

5 CHAIRMAN BRUCE SHUPP: Take your
6 seats, please. I'd just like to say, Gil, before we
7 get started that so far we have had 30 presenters,
8 and the discipline you are all showing in your
9 statements is absolutely remarkable, and I commend
10 you all. That's why we're going so fast, you're
11 really doing a fine job.

12 Thank you.

13 MR. GIL FRANCIS: And we are past the
14 halfway mark. We have got about 20 more speakers.

15 CHAIRMAN BRUCE SHUPP: Right.

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1 BARTT R. MCCORMICK
2 MALLARD FOX CREEK

3 MR. GIL FRANCIS: The next speaker is
4 Bartt McCormick.

5 MR. BARTT MCCORMICK: Good afternoon.
6 I would like to thank you for this opportunity to
7 speak to this panel.

8 My name is Bartt McCormick. I am a
9 farmer from Giles County, Tennessee, and I am a
10 resident of Limestone County, Alabama, familiar with
11 the Tennessee Valley. Fortunately, they have
12 employed several of my family members and kept us up
13 for awhile. So we thank you very kindly for that.

14 I farm in the county and we formed a
15 group about 18 months ago that's interested in
16 putting an ethanol plant in the Tennessee Valley.
17 The initial site that we had, there were some legal
18 ramifications from the seller that prevented them
19 from being able to follow through, and we are looking
20 at putting this plant in the Decatur area.

21 It is an industrial community. The
22 Ethanol plant in the southeast will have to have some
23 serious logistical capabilities because we are in a
24 grain deficit area. Of course, you do have the
25 river, the road, and the rail there.

1 We're not looking to disturb any
2 pristine, natural places. We're looking to put
3 something into an industrial park area on some lands
4 that you would have control of.

5 What we're looking at, and we have
6 been through our seed capital round, we are looking
7 to put in a 50 million gallon per year plant that
8 will be using 18 million bushels of corn and
9 producing distiller grains for livestock feed in that
10 part of the world.

11 Again, like I said, the sites and the
12 industrial park areas of Decatur are very conducive
13 to this project. And from an economic development
14 standpoint, I would like to point out that an ethanol
15 plant is probably definitive of rural economic
16 development. It will be a project that is owned by
17 locals investors from the Middle Tennessee and
18 Northern Alabama area.

19 It will be employing local people, and
20 it will be using the local produced natural
21 resources, the corn and grain in that area, to
22 manufacture the ethanol. Then finally the products
23 that are made will be sold in that area and used in
24 that area. So it will be vertically integrated or a
25 complete circle.

1 So we are working closely with the
2 Decatur and Morgan County Economic Development Board,
3 Mr. Jerry Manells (phonetic) and Craig Lionhause
4 (phonetic) with the economic development of TVA and
5 we would appreciate your consideration of an
6 industrial site for us to place this plant.

7 Thank you for your time.

8 END OF STATEMENT

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1 TOM SHERROD
2 TVA USE OF ITS LAND HOLDINGS

3 MR. GIL FRANCIS: Tom Sherrod.

4 MR. TOM SHERROD: My name is Tom

5 Sherrod. I have been a life-long resident in East
6 Tennessee. I have worked in the plants in Oak Ridge
7 for about 27 years, and I currently live on the Watts
8 Bar Reservoir and have had that property since 1985.
9 I am here representing nobody except myself. As my
10 wife tells me, I am in charge of managing nothing, as
11 I am retired.

12 Everyone in this room is an
13 opportunist. An opportunist is one who seeks
14 enhancement by some type, usually monetarily related,
15 by taking advantage of specific circumstances and
16 opportunities. This is a normal human condition and
17 is not in itself particularly wrong.

18 Two weeks ago this Sunday I was on a
19 lake in Central Virginia, Smith Mountain Lake, a
20 beautiful lake, as is our Tennessee lakes. This
21 lake, in the opinion of many that live up there, is
22 overdeveloped.

23 I was at a house where somebody had a
24 26-foot boat that was pounding against the dock due
25 to all the wave action. I looked left and right up

1 and down the river of the lake there and counted 29
2 watercraft in motion underway. I was told in the
3 last couple of years they have had six deaths, not
4 accidents, but deaths. I saw one high-rise there
5 that had approximately 40 boat slips in front of it
6 to dock the various boats.

7 And during this time, this was Sunday,
8 this was not a nominally, this was a normal time,
9 there was one fishermen that I saw on the lake and
10 they said no -- I mean, they said, yes, it's normal
11 not to see fishermen. The reason is they can't get
12 on the lake during peak hours, probably from 10:00 to
13 about 5:00 or 5:30. They have to come in the
14 mornings or the evenings.

15 The point I wish to make is
16 undeveloped land is a very, very valuable asset
17 adjacent to an ecosystem, our TVA lakes. This
18 undeveloped land eliminates that land from being a
19 contributing factor to continued lake pollution.

20 I personally expect TVA to manage its
21 properties in a manner that limits lake pollution.
22 Managing does not mean selling any portion to me or
23 any other opportunist, that when all is said and
24 done, has little regard to the fallout of that sale.

25 An opportunist, whether me or anyone

1 else in this room or elsewhere, we may approach the
2 appropriate TVA entity and ask for a permit to build
3 and will comply to all current codes. We know from
4 history current codes change. What's adequate today
5 will not be adequate years down the road.

6 Our lakes are vulnerable and cannot
7 defend themselves. The pressure on each of our lakes
8 is becoming enormous. A management approach must be
9 taken. It is not acceptable to just let things
10 happen.

11 Look no further than industrial
12 facilities that have had spills that have reached the
13 lake or deep-well burials that housed hazardous
14 chemicals that have ultimately reached the lake. The
15 point to be made is regardless of the intentions,
16 there is a very positive correlation between
17 pollution and the use of our lakes.

18 Okay. I see I am being chased. In
19 closing I want to state that I am not against
20 development, but development needs to be extremely
21 slow and extremely well thought out.

22 I am skipping a bunch of things here,
23 but lastly at the heart of my message, regardless of
24 what any stakeholder may desire, we cannot be in a
25 future position of where we're faced with an

1 irreversible problem or situation or in a situation
2 that will require years to correct. Through good
3 planning, we can prevent that.

4 Thank you.

5 Also, I would like to comment on Billy
6 Minser. If any one person has concisely said
7 everything, I think Billy's approach is -- I
8 recommend each Board member take time to review his
9 over and over. It's excellent.

10 END OF STATEMENT

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1 WILLIAM L. CAMPBELL
2 FRIENDS OF CANEY FORK

3 MR. GIL FRANCIS: William Campbell.

4 MR. WILLIAM CAMPBELL: I have taken
5 the liberty to put my presentation, along with other
6 records and the documents that support what I am
7 getting ready to present to this Board, in this
8 notebook and give it to staff members so that those
9 of you can read it. I hope that following my
10 presentation one or more of you will take time and
11 look through what we have to say.

12 My name is Bill Campbell. I am here
13 to speak on behalf of Friends of the Caney Fork.
14 Thank you for the opportunity to present our case.

15 The Friends of the Caney Fork are
16 citizens, and we earlier heard the comment local
17 folks, these are indeed local folks who live in and
18 around the Great Falls Reservoir in Middle Tennessee.
19 It's located on the scenic site of the Upper Caney
20 Fork River Watershed.

21 We're here today, and several of my
22 friends along the Great Falls Reservoir are here with
23 me, to present to this Board our concerns about the
24 first permitted direct discharges of direct -- of
25 treated wastewater into the Great Falls Reservoir.

1 Presently the State of Tennessee, the
2 NPDS permit program, allows discharges located that
3 are several miles upstream in the tributaries of the
4 Upper Caney Fork River watershed. This means that
5 that wastewater has a chance to go several miles and
6 be purified by mother nature before it enters the
7 reservoir.

8 Sections of the Upper Caney Fork River
9 have been designated as Tier II streams. Former U.S.
10 Senator Howard Baker has published a pictorial book
11 on the Upper Caney Fork watershed. This is indeed a
12 unique and fragile environment place in Tennessee.

13 We believe -- the friends of the Caney
14 Fork believe that there is an environmentally
15 acceptable solution from direct discharges of treated
16 wastewater into this reservoir.

17 Currently there are alternatives being
18 used across the State of Tennessee, including the
19 City of Murfreesboro, Fairfield Glade, Rock Island
20 State Park and others that are using land application
21 to take care of treated wastewater.

22 We work -- our group worked with the
23 Economic Development Administration in Atlanta,
24 Georgia, and we found -- listen, we found federal
25 funding, significant federal funding for land

1 application systems that was rejected by the City of
2 Spencer.

3 The friends group is not trying to
4 stop the City of Spencer from addressing their
5 community health needs or their economic growth
6 plans. We want to work as a partner to provide input
7 there so that we can solve their issues, and yet, not
8 end up having a negative impact on one of the
9 important reservoirs in Tennessee.

10 While we don't have time to discuss
11 this afternoon all of the concerns that we have, we
12 do want an appeal and hope that we might be able to
13 meet with members of the Board or staff members to
14 more carefully go over all of the research and
15 documentation that has come out of several years of
16 our work.

17 I have run out of time already. I
18 have got all of these important points to make, and
19 we trust that at least at a point in time you will
20 give us an audience and have a chance to share it.
21 This needs to stop.

22 We don't want another Tims Ford. We
23 don't want this water being dumped into a reservoir
24 that basically sits still and oftentimes backs up.
25 So please hear our appeal and give us an opportunity

1 to talk to you further.

2 Thank you.

3 END OF STATEMENT

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1 DR. FRANK WOOD
2 BLUE RIDGE LAKE OWNERS

3 MR. GIL FRANCIS: Frank Wood.

4 MR. FRANK WOOD: Hello, ladies and
5 gentlemen. I can see by the way y'all look you have
6 had a long day. So I'm going to do like one of my
7 old professors told me, says the three S's of public
8 speaking is you're supposed to stand up, speak up and
9 shut up. So I will be fast and get to the point.

10 My name is Frank Wood. I am a family
11 practitioner in McCaysville, Georgia. I have been a
12 landowner on Blue Ridge Lake for 22 years, 12 years
13 at my present location between two pieces of property
14 that TVA owns.

15 I don't know if you-all can notice it,
16 but all you need to see is the red part. This is a
17 TVA map of Blue Ridge land, and the only part that
18 TVA owns is this red spot right near the dam.
19 There's a seven-acre park. I live in between it.
20 You have land on either side equaling about
21 130 acres.

22 About three years ago an idea was
23 circulated to sell the seven-acre park and 130 acres
24 that TVA owns on the east and west side of the Blue
25 Ridge Dam to developers. The idea to sell the

1 property was put on hold when TVA engineers decided
2 that the land was needed for repair of the dam, which
3 was a good deal because I don't think that needs to
4 be sold. This land doesn't need to be sold to
5 developers.

6 I don't think that -- there's several
7 reasons behind that. Green spaces around the dam
8 promote wildlife and scenic beauty that everyone
9 enjoys. The roadside park, which is only
10 seven acres, is owned by TVA and licensed to Fannin
11 County, Georgia as use as a park. It gives many
12 families an excellent spot for picnics and
13 relaxation.

14 At the roadside park property, there
15 is a freshwater stream, which is one of the few
16 places nearby which wildlife can drink. Also,
17 130 acres really is not a large amount of land for
18 development if you still are having security for your
19 dam.

20 If TVA does decide to sell it, I'd
21 like to make a few suggestions. Sell the property at
22 open auction. This allows top dollar to be paid to
23 TVA and this keeps down the chance for, quote,
24 sweetheart deals between unethical transactions
25 between the county and state officials and

1 developers.

2 For example, when this land was going
3 up for sale they said that the development plans
4 allowed the land to only be bought by people who were
5 considered to be qualified developers.

6 Well, who is a qualified developer and
7 who determines that?

8 Give the adjacent property owners the
9 chance to buy a 100-foot buffer or so, which will be
10 retained in trees as a green zone between developers
11 and current owners, that's if you don't allow them to
12 go ahead and buy it straight out.

13 Also, I think it's -- if you are -- if
14 you're unwilling to sell a buffer zone to adjacent
15 property owners, then at least set aside a 100-foot
16 green zone or buffer zone that the developer cannot
17 tear down the trees or use any kind of grading to cut
18 down a tree greater than ten inches or do any grading
19 within 100 feet. That just allows old neighbors to
20 still be good neighbors.

21 In summary, TVA has been a good
22 neighbor. I have lived there for, like I say, 22
23 years. I hate to see the beautiful, unspoiled land
24 around the Blue Ridge Lake taken away from the public
25 and placed in the hands of developers.

1 If TVA sells all of their adjacent
2 land and the dam needs to be repaired later on, as
3 has happened now, where are you going to get the
4 dirt?

5 For example, you will have to truck it
6 in at a high price. It is an earthen dam and will
7 need to be repaired with time.

8 As a long time neighbor of TVA, I
9 implore TVA not to sell the property on Blue Ridge
10 Lake but to keep it for all people to enjoy.

11 Thank you very much.

12 END OF STATEMENT

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1 FRANK HENSLEY
2 ADVOCATES OF OAK RIDGE RESERVATION

3 MR. GIL FRANCIS: Frank Hensley.

4 MR. FRANK HENSLEY: Committee Members,
5 my name is Frank Hensley, and I am representing
6 Advocates for Oak Ridge Reservation. We're an
7 organization of citizens dedicated to preserving and
8 protecting the Oak Ridge Reservation.

9 The Oak Ridge Reservation has
10 decreased in size until there are now only about
11 20,000 acres of relatively undisturbed land out of
12 the original 59,000 acres. We are working to see
13 that this land is used for public uses, like
14 conservation, low-impact recreation, and education,
15 especially since it was acquired by eminent domain.

16 My life started at the beginning of
17 the Great Depression. TVA was formed during that
18 depression by men who had a vision for the future.
19 This vision was to transform the Tennessee Valley
20 from the most poverty stricken and environmentally
21 abused area in the country to a prosperous place
22 where people would want to live and recreate. That
23 vision has been fulfilled and now the Tennessee
24 Valley is one of the most desirable places to live in
25 the United States.

1 With our population increasing at a
2 very rapid rate and no more public land available,
3 TVA needs to take the long-term approach and maintain
4 public land for the public.

5 Many years ago the Department of --
6 many years ago TVA gave the Department of Energy five
7 miles of prime shoreline and wetlands along the
8 Clinch River on Watts Bar Lake in Oak Ridge. The
9 Department of Energy sold this land to a developer
10 for \$54 an acre five years ago.

11 In Oak Ridge TVA owns a 1,200-acre
12 tract of land called a breeder site. This land is
13 now primarily old hardwood forest with four miles of
14 riparian area along the Clinch River. Approximately
15 300 acres of this land was the site of the Clinch
16 River breeder reactor and part of this was disturbed
17 for construction.

18 Advocates for the Oak Ridge
19 Reservation have recommended to TVA that
20 approximately 70 percent of this land be left in
21 public hands and the balance be used for industrial
22 and residential development. We think this is a
23 reasonable approach.

24 However, powerful special interest
25 groups and their representatives are asking TVA to

1 transfer approximately 87 percent of this land to the
2 City of Oak Ridge for residential and commercial
3 development.

4 On Watts Bar TVA has approximately
5 16,000 acres of public land, including the breeder
6 site. When one subtracts the islands and the
7 wetlands, this area gets much -- this acreage gets
8 much smaller. This is not much land for an area the
9 size of Watts Bar Lake.

10 TVA needs to reaffirm its commitment
11 to do what's in the best interest for the public; and
12 that is, to place a permanent moratorium on the sale
13 of any public land. Leave the public land in public
14 hands.

15 Thank you.

16 END OF STATEMENT

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1 JAMES E. HAMPTON
2 WATTS BAR LAND USE MANAGEMENT PLAN

3 MR. GIL FRANCIS: James Hampton.

4 MR. JAMES HAMPTON: Most of mine has
5 been covered, but I do have a few things here. So
6 maybe I will be short.

7 My name is Jim Hampton. I live down
8 on the -- next to the Watts Bar area, and I even
9 border the Watts Bar land there. I even rent some of
10 the ag land there. I hunt, fish, camp, boat, ride
11 horses, whatever there are to do over there. There's
12 a lot of people from the surrounding counties that
13 use this property.

14 And, you know, that land, it belongs
15 to the American people, a citizen of the U.S., that's
16 who it belongs to, and I think that we need to keep
17 that.

18 You know, I have got a farm, I could
19 start selling it off, you know, I could start selling
20 it off and I could make a little money. I might even
21 retire. The way I've got it figured, it's going to
22 be awhile because I am going to leave this farm to my
23 kids, if I possibly can.

24 My point is Rhea County -- I can't
25 tell you about all of TVA, but if at all possible we

1 need to keep this land. This is our land. This
2 Billy Minser, I really think he is on the right
3 track.

4 You know, if we're going -- if we're
5 going to sell a little off, a little off, and a
6 little off, you know, when will it be that we will
7 start selling the islands? You know, these islands,
8 you know, that would be good money right there, but
9 that belongs to the American people.

10 And I want to say that I appreciate
11 the panelist and everybody taking their time here
12 today, but the ones from the Corps and the Cherokee
13 National Forest, they're out here -- from the
14 Governor's office, they are out here looking for land
15 like we have got down there.

16 They are out here borrowing -- I have
17 even had different -- maybe the Conservation League
18 or whatever, you know, solicit money from me to help
19 buy a place. So here we are, we have got one group
20 trying to buy up land and then we're wanting to sell
21 this, and it's the same land.

22 A lot of people -- in my area Bowater
23 is selling out a lot of property. So that's just
24 compounding it. People don't have anywhere to go. I
25 have talked to a lot of them. A lot of them can't

1 afford a \$400 or a \$1,000 hunting lease or whatever.
2 They can't afford \$25 to \$30 a night camping, you
3 know, and it's just a place -- I call it -- for
4 people that doesn't have a back yard, I call it their
5 backyard.

6 And I'll hurry right here and tell you
7 that I don't think Rhea County needs it. They have
8 got plenty of land. There's more lake lots.
9 There's -- I mean, we're not -- they made it sound
10 like we're poor, but I think Rhea County is doing
11 pretty good.

12 We have got low taxes, what's wrong
13 with that?

14 I think we're doing pretty good. I
15 don't think we need to sell off the American people's
16 land, not right now anyway.

17 Thank you.

18 END OF STATEMENT

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1 CASI HELMS
2 LAND DEED RESTRICTIONS

3 MR. GIL FRANCIS: Casi Helms.

4 MS. CASI HELMS: Hi, I'm Casi Helms.

5 I am here to talk to you about a specific piece of
6 property that's in Lakesite, Tennessee that's being
7 affected by the moratorium and the alienation clause
8 and some deed restrictions.

9 There is a 49-acre tract that's
10 privately owned in Lakesite. It's the Lakesite
11 Marina project and property. It is currently under
12 the commercial recreation deed restriction and the
13 alienation clause, and, of course, the moratorium.

14 So here's the situation. Currently on
15 that piece of property there's a marina that was
16 built in the '60s. There are 11 small monthly rental
17 cottages that were built in the '60s and seven
18 apartment buildings that are on monthly rentals.

19 And I keep saying they were built in
20 the '60s because they haven't been updated or
21 maintained since then. So it's created a problem not
22 only just for those -- that piece of property but for
23 the entire community and for the City of Lakesite.

24 The Mayor of Lakesite, Bob Bowling, is
25 actually here today and has submitted his concerns

1 about this property as well. So it's a city, a
2 community, a lake problem, a shoreline problem,
3 because there are electrical hazards. The docks are
4 in disrepair.

5 There are some problems whether docks
6 are permitted or not that are there, ramps that have,
7 you know, fallen away. The houses haven't been
8 maintained, and the sanitation system hasn't been
9 checked on in a long time either. It's just a
10 problem.

11 And I am working with the current
12 owner. So I don't want you to misunderstand where I
13 am coming from. I am working with the current owner.
14 He is in a position that he cannot financially
15 refurbish the area like it needs to be. So he wants
16 to sell the property. We have a buyer for the
17 property. Here's a small problem. It has the deed
18 restrictions and the alienation clause on it.

19 So if those were lifted, this is what
20 the new buyers would do working with the City, and we
21 have met with the City several times on what they
22 want to do and we have met with TDOT, we would like
23 to bring the sewer system through Lakesite, which
24 would allow the rest of the City to have access to
25 the sewer system.

1 We want to work with Linda Harris to
2 have the current docks removed and a whole new dock
3 system put in as a clean marina with her new clean
4 marina program.

5 We want to work on the shoreline where
6 there's erosion right there right now. We need to
7 get that fixed. It's a problem. The docks that are
8 there along the water right now need to be replaced
9 with new ones and be permitted, you know, with Ray
10 Sharon's help.

11 The situation with the community -- I
12 mean, the commercial recreation, right now the
13 facility isn't being used properly for commercial
14 recreation, and the new buyers want to do that as
15 well. We want to put a few home sites, a few
16 townhomes, the commercial recreation with campsites
17 and chalet rentals and some cabins, new ones, the new
18 marina, and also develop a commercial strip that's
19 already zoned commercial, but there's nothing in that
20 whole area of this town. And Lakesite is a very
21 small community and 49 acres in Lakesite is a large
22 portion.

23 So with the alienation clause on this
24 piece of property and the moratorium, we are being
25 affected every day. So we're not asking for future

1 development. This is now. Every day it's affected.
2 The crime rates, the safety, it's a problem. The
3 environmental, it's a problem. So we simply ask
4 that, you know, in good business practice realize
5 that some things are timely issues that are current
6 conditions that need to be addressed.

7 So we would just simply ask that, you
8 know, you would consider lifting the moratorium on
9 the privately owned land that is being affected right
10 now because together we can work with TVA and the
11 City and the community to completely revitalize that
12 whole area, but we need your time and attention to
13 look at our proposal.

14 Thanks.

15 END OF STATEMENT

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1 TIMOTHY STRUNK
2 LOUDON COUNTY COMMUNITY SIXTH DISTRICT

3 MR. GIL FRANCIS: Timothy Strunk.

4 MR. TIMOTHY STRUNK: I just wanted to
5 thank you-all for letting me say my little peace. I
6 am just a private citizen from Loudon County. I also
7 wanted to thank Mrs. Katherine Jackson and Mr. W. C.
8 Nelson for their prompt and professional response to
9 my concerns.

10 I live on Fort Loudon Lake in the
11 Eastern Knox County, and it's next the YWCA Camp
12 Tri-Point, which was recently sold to private
13 developers. My family has been there since the '50s,
14 and except for a 15-year stint where I was away in
15 the Air Force, I am now lucky enough to be able to
16 come back and live in this area.

17 This land was sold to private
18 developers from the YWCA. It has restrictions on the
19 deed which are for recreational use only. To my
20 understanding, these developers want to put a marina
21 and possibly -- and/or what I understand they call
22 low-impact condominiums.

23 The community where I live is -- it's
24 rural. There's sparse homes in the area and farms.
25 We do not want this development. It's unsolicited

1 development. We're doing everything we can to try to
2 stop this.

3 And I was just shown the deed, which
4 was dated 1 August, and it does not have in there the
5 restriction that TVA put on this land when it was
6 originally sold to the YWCA. So my concerns are that
7 this land maintain its recreational use as it was
8 stated in the original deed when it was sold from TVA
9 to the YWCA.

10 It's a nice, quiet community. We
11 don't need any more motorboats than we have. We
12 don't need the fumes and exhaust of the gas and the
13 spills of the gasoline in the water or the noise.

14 There's a one-lane road that leads
15 into this property. I don't know how these
16 developers are going to do what they want to do, but
17 it concerns us all down there and we're very
18 interested in stopping this and would like for you to
19 maintain the recreational limitation in the deed.

20 We also have some other concerned
21 citizens here today, as well our newly elected Sixth
22 District Commissioner, Mr. Wayne Gardin, and I
23 appreciate your time and effort.

24 Thank you.

25 END OF STATEMENT

1 WILLIAM ZACHARY
2 PRIVATE CITIZEN CONSERVATIONIST

3 MR. GIL FRANCIS: William Zachary.

4 MR. WILLIAM ZACHARY: Hello there.

5 Thanks for the opportunity to be here today. I am
6 Hank Zachary. I'm an emergency room physician here
7 in East Tennessee. I also do some relief work for
8 Indian Health Services out in Arizona, which is where
9 I just got back from, a small reservation at the
10 bottom of the Grand Canyon. Before that I worked
11 here for about two months straight. Then before that
12 I took a three-week vacation in Idaho where I was
13 whitewater kayaking.

14 The reason I bring that up to you is
15 for a matter of scale. The great state of Idaho has
16 12 national forests, the smallest of which is 1.2
17 million acres. That's about the same size as the
18 Great Smoky Mountains National Park and the Cherokee
19 National Forest combined.

20 So just to illustrate the point, our
21 resources -- natural resources here in the east are
22 extremely limited in comparison to the western United
23 States. So it's imperative to conserve what we have
24 got.

25 To TVA, I would just say that you're

1 stewards of our public lands, and these lands are
2 absolutely as important to us as our national forests
3 or our national parks. So keep it the way it is,
4 green space.

5 Thank you.

6 END OF STATEMENT

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1 WAYNE GARDIN
2 LOUDON CITY COMMISSIONER
3 SIXTH DISTRICT

4 MR. GIL FRANCIS: Wayne Gardin.

5 MR. WAYNE GARDIN: Madam Chairman and
6 Members of the TVA Board, thanks for this opportunity
7 to address you.

8 I would like to back up what Tim
9 talked about on the TVA property that was sold to the
10 YWCA. TVA bought this property for \$10,850 in 1943.
11 In 1969 they sold it for \$15,250 to the YWCA. In
12 August of this year the YWCA sold that for
13 \$1,560,000.

14 The community where this property is
15 located, the road will not support any kind of a
16 commercial development. In Tax Book 94, Page 146 of
17 the Loudon County Register of Deeds, the book has
18 recorded the covenants and the restrictions on this
19 property. It says, and I will read very briefly part
20 of it, "This can only have a clubhouse, a cottage,
21 lights or recreational facilities."

22 To me this does not meet any kind of a
23 commercial facility. The homes of this community
24 were built in 1950. The road to this property is
25 like a 10-foot wide strip of land that's only an

1 easement from the Bills Chapel Highway and County
2 Road.

3 The electricity to this community was
4 put in in 1950 and a lady says if she plugs the
5 toaster in that she has to unplug the TV or her
6 lights will go out. So they have a tremendous
7 problem. To develop the infrastructure and the taxes
8 that this property would bring in would cost far more
9 to develop than we would ever see in two lifetimes to
10 recoup the money that it's going to cost.

11 Also, Bills Chapel Road goes through a
12 one-lane tunnel underpass on the railroad. So it
13 will not -- and we are already getting developments
14 of all kind.

15 And to the lady from Melton Hill
16 earlier today, I am the County Commissioner for the
17 Sixth District, and we have got a tremendous problem
18 already. We're faced with building a new high
19 school, two middle schools, and revamping another
20 school for an expenditure of \$110 million. The
21 county is 40,000 people. We have never owed more
22 than \$40 million. To add this on to the people, we
23 have a tremendous problem.

24 We're getting developments on every
25 corner, and if this economic development is progress,

1 we're going to have to figure out, as a new county
2 commission, ways to slow it down because we cannot
3 afford this kind of stuff.

4 We need your help. I believe these
5 restrictions that's referenced in the new deed, that
6 the people who bought this property on August 1st,
7 these restrictions are referenced and we need your
8 help to get this -- to impose these restrictions that
9 have been recorded on this property.

10 And I would like to thank you very
11 much.

12 END OF STATEMENT
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1 JUDITH NELSON
2 PUBLIC HEALTH ISSUE ON TVA CAMPSITES

3 MR. GIL FRANCIS: Judith Nelson.

4 MS. JUDITH NELSON: Hello. My name is
5 Judith Nelson, and I live in Harriman, Roane County.
6 I need to -- before I begin, I need to also tell you
7 I represent all of my neighbors in the area. I must
8 bring to your attention today a very serious
9 situation that is a public health issue and it does
10 require your immediate attention.

11 Directly across from my home is a
12 small area of waterfront land owned by TVA. It's
13 probably no more than 50 feet wide. It's much too
14 small to be developed for anything. TVA allows
15 people to camp on these small sites for a period of
16 14 days straight. TVA does not provide any restroom
17 facilities, Porta-Johns, trash cans, and they do not
18 maintain this area.

19 Consequently, forgive me for having to
20 say this but it needs to be said, people who camp
21 here have left us five-gallon buckets of human
22 excrement. When they don't leave them for us to
23 clean up, they dump it into Watts Bar Lake, but most
24 times, yes, they do dump it in the lake.

25 We have many people that come there,

1 the campers, who discharge their camper toilets right
2 into the water. And, of course, these people --
3 anyone who would do anything like that, they leave 14
4 days' worth of trash. The site is littered with
5 human feces, toilet paper. They are also coming on
6 my property to use that as a bathroom. Often there
7 are 15 or more people that come to these very small
8 sites to camp.

9 I am asking that TVA resolve this
10 situation once and for all. I am very tired of
11 calling TVA police. They are wonderful, by the way.
12 I am asking you to consider leasing these small
13 pieces of waterfront land to whoever lives behind
14 them. I have a road separating me from this small
15 piece of land, but I can hear and see everything that
16 goes on down below.

17 And, in fact, a neighbor and I even
18 discovered a meth lab down there recently. If you
19 would be willing to lease these properties to us, in
20 return we agree to maintain these properties to your
21 specifications, but we also ask that you allow us to
22 put a "No Trespassing" sign and perhaps a chain
23 across where they are driving down there until they
24 get the idea that this is not a public campground.

25 I do want to reinforce that this is a

1 residential area. We have no idea who is camping
2 down below us. We have had people live there for
3 months at a time in tents. We don't know if they are
4 criminals, drug addicts, we all have children and
5 grandchildren. We don't use these sites ourselves
6 because of the fear of the E-coli bacteria that is
7 all over there. So I am hoping that you will
8 consider this lease idea.

9 And I also hope that you will not even
10 consider putting up signs that say no overnight
11 camping because that doesn't resolve the issue. For
12 one, they won't obey the sign and it turns every one
13 of us into policemen. We have to call every day to
14 report.

15 Campers, trucks, cars that go down to
16 these small sites are absolutely destroying the
17 waterfront land there. So I am asking you to
18 consider that, too. Most of all consider that as a
19 resident our quality of life is extremely diminished
20 by these small campsites.

21 Thank you very much.

22 END OF STATEMENT

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1 ROB WOODSON

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3 MR. GIL FRANCIS: Rob Woodson.

4 (NO SHOW)

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1 DAVID WERGOWSKE
2 GREAT FALLS RESERVOIR

3 MR. GIL FRANCIS: David Wergowske.

4 MR. DAVID WORGOWSKE: Thank you for
5 the opportunity to make these comments. My name is
6 Dave Wergowski. I am here representing myself as a
7 property owner on TVA's Great Falls Reservoir.

8 I want to oppose the -- oppose the
9 proposal to allow the town of Spencer to discharge
10 its sewage treatment plant affluent directly to Great
11 Falls Reservoir and I ask TVA two things.

12 One, to withhold any permissions that
13 may be required from TVA to make this discharge.

14 And two, to request that EPA intervene
15 in the permitting process for this discharge with the
16 objective being a thorough environmental analysis.

17 I, and a number of others, have looked
18 at this process that the Town of Spencer and
19 Tennessee Department of Environment and Conservation
20 have conducted and have found problems, some severe
21 problems in the analysis that was -- that has
22 determined that this discharge is the best
23 alternative available.

24 I have submitted four pages of
25 specific objections about this discharge to the

1 record for a public hearing that was held on the
2 subject by TDEC on July 25th. I have received no
3 response yet from the -- of course, it's only two
4 weeks, but still, no response. I will mail a copy of
5 those comments or those objections to TVA, along with
6 a written statement for the record of this meeting.

7 Briefly, I oppose the discharge
8 because, one, the narrow fingers of Great Falls
9 Reservoir are not suited for this kind of discharge.

10 Two, the state agency that conducted
11 the analysis seems to have thought that this water
12 body was a free-flowing stream rather than an
13 impounded reservoir.

14 Three, Spencer seeks to discharge an
15 affluent that is many times dirtier than the affluent
16 they are currently discharging.

17 And four, feasible alternatives, such
18 as land application of the treatment plant affluent
19 by irrigating it over a golf course perhaps or a
20 stand of pine trees, those were not given equal
21 consideration in the analysis.

22 In my travels in Tennessee and in the
23 area around between Chattanooga and Nashville and
24 Knoxville to find a place to come to retire, I did
25 visit the area near Old Stone Fort State Park, that's

1 above Normandy Reservoir on the Duck River. One
2 thing I noticed there several times is there's these
3 signs up saying, don't go swimming in this water,
4 it's not safe. Those signs have been there a long
5 time and it's from some sort of pollution.

6 Okay. If those signs go up on the
7 water body where I am planning to live, who's going
8 to make sure -- who's going to do anything about it
9 and how long is it going to take?

10 So I am asking, with whatever powers
11 you have, let's close the door before the horse
12 leaves the barn this time.

13 Thanks again for listening to me.

14 END OF STATEMENT

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CAROL SMITH
ISSUES WITH BRIGADOON

MR. GIL FRANCIS: Carol Smith.

(NO SHOW)

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1 PAUL SMITH
2 DOCKING ISSUES

3 MR. GIL FRANCIS: Paul Smith.

4 (NO SHOW)

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1 WILLIAM LENOIR
2 WTSH ASSOCIATION OF TELCLICO RESERVOIR

3 MR. GIL FRANCIS: William Lenoir.

4 MR. WILLIAM LENOIR: I am William

5 Lenoir, currently President of the Watershed
6 Association of the Tellico Reservoir. I am speaking
7 on behalf of the Board of Directors of that
8 organization. We thank you for holding this public
9 hearing and for giving us the opportunity and the
10 public the opportunity to speak.

11 We urge you to develop a policy that
12 will prohibit the sale to private developers of those
13 public lands that are under your stewardship and that
14 are allocated for public use, open space, recreation,
15 and natural resource conservation.

16 Uses for tracts of land along the
17 Tellico Reservoir were specifically listed as
18 industrial, commercial, residential, recreational,
19 sensitive resource conservation, and cultural public
20 use, open space, in your Tellico Reservoir Land
21 Management Plan published in June 2000.

22 This plan has been largely followed
23 with one major exception, the sale to a developer of
24 a tract designated for commercial recreation. Some
25 of us have a little difficulty understanding how a

1 gated residential community can be construed as
2 commercial recreation.

3 With that aside, let me read a
4 statement from the regional overview section of the
5 2000 plan.

6 Public land will have to supply a
7 larger portion of major based recreation
8 opportunities as settings and opportunities on
9 private land decline. Without better cooperation
10 between public and private sectors, key natural and
11 cultural settings on public land may be negatively
12 affected by increasing density of development. And I
13 think we can all say that we know very well that that
14 statement is even more true today as private
15 developers vie for land.

16 The 2000 plan also cited a 1997 survey
17 in which a high proportion of respondents preferred
18 keeping industrial, residential, and commercial
19 recreational development steady while increasing
20 development of resource management areas and formal
21 management of habitats, study areas, erosion control,
22 water quality, boat ramps, and preservation of
23 natural areas, cultural artifacts, endangered
24 species, public lands, historic sites, and wetlands.

25 We are of the strong opinion that for

1 you to sell lands acquired through eminent domain to
2 private developers, and particularly land that you
3 yourself have designated for public use, open space,
4 recreation, and natural resource conservation would
5 be not only opposed by the public but contradictory
6 to the 2000 Land Management Plan and unethical as
7 well.

8 We thank you, and we urge you to hear
9 carefully what the public has to say about their
10 land.

11 END OF STATEMENT

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1 GEORGE LANE
2 TROUT, UNLIMITED

3 MR. GEORGE LANE: I'm George Lane. I
4 am the State Chairman for Trout, Unlimited, and I
5 appreciate the opportunity to come before you
6 tonight, or afternoon. It's almost night now.

7 Trout, Unlimited has been in a number
8 of cooperative projects with TVA, particularly in
9 cold water aeration projects below Norris Dam. You
10 have done a great job in improving those trout
11 fisheries. For that, I can almost forgive TVA for
12 damming up the best trout stream in the east,
13 Tellico, and making Tellico Lake out of it.

14 That leads to the concern that I have
15 at this point; and that is, as we swap land and as we
16 develop land on TVA that has been set aside for
17 conservation, that we're losing access of the
18 fishermen, that we're losing the quality of
19 recreation that we have had in the past, whether it
20 be duck hunting, fishing.

21 You know, you can't duck hunt anymore
22 when you put the big houses up if you're on the lake.
23 You can't really fish up there. There's good fishing
24 under the docks sometimes, but dock owners don't want
25 you to come there. So as we develop the lakeshore,

1 we're destroying the most valuable asset of people
2 that want to come to East Tennessee and live.

3 I grew up in Blount County. My
4 grandfather farmed where Toccoa Landing is now. If
5 it was 60 years ago I would probably be hauling hay
6 or cutting tobacco on land that has been flooded by
7 Tellico.

8 I knew the people and I know they
9 would like to have stayed there. I appreciate the
10 sacrifices they made. They made them for economic
11 development. And when we look at economic
12 development, we're looking at long-term jobs. The
13 plants that are going in there at Vonore are
14 long-term.

15 The houses we build employ a bunch of
16 people for about six months, and then the local
17 communities have to provide services, schools,
18 whatever for the \$500,000, the million dollar houses
19 that come in. These people don't want to pay taxes
20 to support the local school and road systems. They
21 paid them where they lived when they were working,
22 and they come here as retirees and they are
23 interested in our low-tax structure, which we all
24 like.

25 Remember, when we're talking about

1 economic development, we want long-term jobs. We
2 want industrial jobs that pay well and that will
3 support the community. They don't have to be lake
4 front.

5 I ask that when we're doing swaps that
6 we be very conscious of the fact that when we put a
7 gated community or we put in a lot of houses on the
8 community on the lakeshore that we're keeping the
9 people who have been here and paid for it all of our
10 lives from access to those points.

11 The good places I can take my
12 grandkids rabbit hunting now are having million
13 dollar houses built on them, and it's getting harder
14 to find places that you can take for recreation.

15 So I appreciate what TVA has done. I
16 appreciate the efforts that you have put forth on
17 cold water conservation, but I urge you, be very
18 conscious of the loss of access to the people who
19 have been here all along.

20 And every time that we do a lot more
21 residential development -- this land was taken a half
22 mile back. Tellico is very different than what Fort
23 Loudon was when the landowner kept up most of it to
24 the waterline, but when we get into some of those,
25 and that's the areas that we're seeing the swaps on,

1 it was sold to the people for economic development,
2 not for residential development.

3 I ask that you be very careful to
4 ensure that we keep access to the waterfront for all
5 the people that live here, and that's people who have
6 got the \$97,000 and the \$150,000 house 10 miles,
7 20 miles from the reservoir, as well as the person
8 who can come down here with retirement money and
9 build a million dollar house and doesn't want to let
10 us come in there anymore.

11 So I'm speaking on behalf of myself
12 and on behalf of Trout, Unlimited, to urge that you
13 take into consideration public access and public
14 usage of the great resource that we have.

15 Thank you.

16 END OF STATEMENT

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1 KRYSTEE ERVIN
2 TVA DEED REGISTRATION

3 MR. GIL FRANCIS: Krystee Ervin.

4 MS. KRYSTEE ERVIN: Good afternoon.

5 My name is Krystee Ervin and I am here on behalf of
6 the Bills Chapel Community in Loudon County. Tim
7 spoke to you earlier about our situation with the
8 property that was sold to the YWCA by TVA for a token
9 sum for a group camp and has now been sold to private
10 development for a condominium boathouse complex.

11 This is one of the last good stands of
12 undeveloped property left on Fort Loudon. As you
13 know, that is TVA's most developed reservoir. TWRA
14 has acknowledged that this particular habitat is
15 exceptional for deer, turkey, fox, osprey and bald
16 eagle habitat. We have our first bald eagle
17 inhabitant there who has moved there this summer.

18 The original deed restrictions were
19 intended to make this a group camp. I have had
20 discussions with TVA, and it's my belief and the
21 community's belief that recreation as a group camp
22 does not qualify for recreation as a marina. We
23 believe this was intended for public recreation.
24 Condominiums, marinas, and boat clubs are not public
25 recreation. That's recreation for the rich. That's

1 not recreation for the community.

2 As the gentleman before me just
3 stated, that keeps the community out. These folks
4 don't pay a million dollars for a home so that they
5 can let Mr. Briley, who has been a 100-year farmer
6 next door, water his cattle there.

7 So we're asking that when this comes
8 before TVA, and we're sure that it will, that you-all
9 please enforce the deed restrictions that currently
10 exist. In your 1997 Fort Loudon Reservoir Recreation
11 Study, TVA itself designated it as a public
12 recreation area, not a commercial recreation area.
13 It is stated as such in the report and it is stated
14 as such on the map. We ask that you abide by those
15 restrictions and stick with that.

16 Some of the very same families who
17 lost this land back in the '30s still live there.
18 You can imagine the horror of the Bailey family who
19 were paid \$33 for their piece of property that
20 adjoined their farm to find out that their \$33 piece
21 of land that they received has now been sold for a
22 million and a half dollars.

23 We ask that you take into personal
24 consideration that it's one thing to have your land
25 taken once by TVA, but it's another ordeal to have to

1 go through this twice in one lifetime for some of
2 these families.

3 Thank you.

4 END OF STATEMENT

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1 ROBERT BUITTNANE
2 PRESIDENT OF KEEP ROANE BEAUTIFUL

3 MR. GIL FRANCIS: Robert Guittnane.

4 MR. ROBERT GUITTNANE: Hi. My name is
5 Bob Guittnane. I speak to you today from actually
6 three different perspectives. For over three years,
7 I have been the President of Keep Roane Beautiful in
8 Roane County on Watts Bar Lake.

9 For three years I have been a real
10 estate agent selling lake property specializing in
11 lake properties on Watts Bar Lake. For four years I
12 have been a lakeside resident living in the Caney
13 Creek area on Watts Bar Lake.

14 We have a continuing increasing
15 problem with campers in casual use areas, as has been
16 mentioned by several other speakers. By the way, to
17 keep everybody awake and away from the restroom,
18 there will be sex in my talk today.

19 These problems include extreme
20 littering, vandalism of trees, creation of hand-dug
21 latrines along the shoreline and the abandonment of
22 dozens and dozens of five-gallon buckets, as has been
23 mentioned, that have been used as latrines, many
24 filled with rain water and feces. Others have been
25 tipped over by wildlife dumping E-coli bacteria in

1 close proximity to county water quality checkpoints.

2 I see the truck come in every week and
3 pull water samples at the same time I am seeing these
4 campers. Also, this is in close proximity to a
5 public beach and a major water recreation area, the
6 Caney Creek RV Park that was just built.

7 While homeowners in the area are
8 required by state law and TVA regulations to install
9 state approved sewage disposal systems honoring exact
10 setback requirements from TVA land, these casual
11 campers are allowed to defecate on the shoreline,
12 destroy vegetation, and leave literally tons of trash
13 and toxic waste along the shoreline.

14 In a six-month period my wife and I
15 had county refuse dump tickets totalling 4,400 pounds
16 from trash collected in five of these casual camping
17 areas, 4,400 pounds that we personally picked up.

18 More recently folks using these spots
19 have set up meth labs. They have engaged in open
20 sex, and that's as far as it goes if you're waiting
21 to go to the bathroom, openly burned trash, including
22 plastics. Used oil filters is a great way these
23 people start fires, household furniture. They have
24 threatened residents with firearms and stolen
25 property from our homes, especially and more recently

1 gas containers.

2 It is my position that with TVA
3 approval, and Roane County's blessing, Caney Creek
4 Marina has recently invested millions of dollars for
5 development of a first-class recreational vehicle
6 park. These newly attracted visitors, which is what
7 we are all saying we should be doing, these recently
8 attracted visitors are being greeted by the sights
9 and smells that I have described above and is
10 definitely not the greeting we want them to receive
11 when they visit our county and our lake.

12 It is my position that TVA, through
13 lack of authoritative supervision, has created areas
14 that have become attractive nuisances and are
15 continually negatively affecting both the quality of
16 life and the property values of property owners who
17 invested in these valuable properties.

18 Also, through lack of supervision they
19 are creating properties that are not friendly to the
20 public. They are friendly to the worst of the
21 public. We're asking that these areas be closed to
22 overnight use and that each area be visited, and this
23 is an important second step.

24 As Judy said earlier, it's not enough
25 to close these areas because they will go and use

1 them and they will tear the signs down, that these
2 areas be regularly visited on a regular basis by TVA
3 authorities to send a message that these areas are
4 valuable public resources and that they will be
5 protected for the enjoyment of generations to come
6 and to ensure the area property owners that they too
7 are being protected.

8 Rats tend to congregate in areas where
9 the lights are not on, and we need TVA to turn the
10 lights back on.

11 Thank you very much.

12 END OF STATEMENT

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1 JOYCE W. LEO
2 LIONS GATE DEVELOPMENT, LLC

3 MR. GIL FRANCIS: Joyce Leo. This is
4 the final speaker.

5 MS. JOYCE LEO: Thank you. I feel
6 like Etta James, at last. My name is Joyce Leo,
7 Joyce Williams Leo. I was born here in the Tennessee
8 Valley, and I have lived in New York for 42 years.

9 I come to you as an individual and as
10 the granddaughter of two farmers in Loudon County,
11 both of whose farms were inundated but not totally
12 covered up by the flooding of TVA for the creation of
13 Fort Loudon Lake.

14 My parents have lived on the remnants
15 of that property since. Recently I came back from
16 New York with my husband and we -- I now come to you
17 as an individual who is also the President of a
18 development firm called Lions Gate Development, LLC,
19 whose sole purpose is to develop the remnants of both
20 of by grandfathers' properties.

21 I give TVA great kudos, the
22 predecessors of those of you who are sitting here,
23 for altering the lifestyle of East Tennessee. As you
24 know and many speakers have commented, we have come
25 from a relatively poor area into one that is

1 attracting some of the most money people here.

2 And what is attracting them?

3 The TVA creation of the beautiful
4 recreational lakes and, of course, the Great Smoky
5 Mountains that has the highest biodiversity in the
6 universe.

7 I ask you to consider your
8 stewardship. It is my understanding, and I think
9 it's been underscored today, that TVA is very good at
10 many things, but it is really not a park system and
11 it really doesn't do well in the land management
12 department.

13 For instance, the excess land
14 unwittingly and unknowingly created by the flooding
15 is really not going to generate energy. It's not
16 going to control the flood. It's not going to add to
17 the navigation. It really isn't doing the
18 commercial, and the recreational, I will hold that
19 for just a moment.

20 In my opinion, the excess land that is
21 no longer needed needs to go into the economic
22 development of the area. That translates into
23 shoreline development.

24 Some folks are worried about the
25 archeologic remnants that may be lost forever. Let

1 me remind you that is was the Cherokee Indians who
2 left those archeologic remnants, and they left them
3 mostly along the rivers and the streams, which now
4 lay covered. The Little Tennessee where the
5 Cherokees had their sacred city Choata, of course,
6 now is totally covered. So the greatest number of
7 archeology objects are going to be under the water.

8 The same could be said for the Fort
9 Loudon, which was the Tennessee River. Years ago my
10 dad and I would pick up arrowheads along the shores
11 of Fort Loudon. We had to do that only when the
12 water was down because that's where the arrowheads
13 were. They were there along the old river sides of
14 the smaller streams of the Tennessee River and the
15 Little Tennessee.

16 For the last ten years I have taken my
17 mom back to New York with me to take her into her
18 winter quarters because she couldn't live alone here.
19 I took her back in 2001 and we got back to New York
20 and no sooner got settled than 9/11 hit.

21 We really didn't say anything for
22 about two or three days, and then one day my mother
23 said, I had a dream, I had a dream that the Fort
24 Loudon Dam was bombed by the terrorists, and then she
25 said, but the good part of the dream is that I got my

1 bottoms back.

2 In other words, people losing their
3 land went through a trauma, but the people have given
4 up their lands for the greater good. And if there is
5 excess land now that TVA is in charge of, I would
6 like to remind you that TVA is not really the best
7 land management.

8 We have heard from several people who
9 say that the public is really littering up the place.
10 I can assure you that as I was growing up in the '40s
11 and '50s my grandfather, who lived then on the water
12 shore with his dairy farm, definitely had to run
13 people off who were constantly littering. It was a
14 lifelong job.

15 The same thing I can say for the
16 Tellico River or the Tellico Lake, Myzer Cave where
17 my dad used to explore, which is now under water, of
18 course, but there is an 80 to a 100 foot rocky ledge
19 from which young dare devils jump and many times they
20 don't survive. It is a liability issue as well as a
21 general nuisance and dangerous situation.

22 I have property also in the Baker
23 Holler area, and that's where TVA owns along the
24 shoreline and we own behind it. I cannot walk on
25 that property during hunting season. I'd invite all

1 of you to come with me, but I don't think you would
2 take the invitation because the minute the deer
3 season opens it is not safe to be there.

4 I totally object to the creation of
5 this kind of danger. This kind of situation has to
6 stop. We are in this situation right between Rarity
7 Point and Fort Loudon Dam.

8 Someone mentioned a leasing agreement,
9 I would urge you to consider that very carefully, if
10 indeed not outright sales.

11 And in conclusion, I think that TVA
12 needs to be very flexible. You need to be very
13 creative. You need to be very proactive. You need
14 to be gifted with foresight and courage. I urge you
15 to let your excess land go.

16 Thank you.

17 END OF STATEMENT

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1 MR. GIL FRANCIS: That completes our
2 list of speakers today.

3 CHAIRMAN BRUCE SHUPP: Gil, thank you
4 very much for your assistance. Good job. I want to
5 thank all of you for your patience for hanging in
6 there and for your coming today and for your
7 comments. We sure appreciate it very much.

8 Before we adjourn, Kate and Susan,
9 would you like to make any comments?

10 MS. SUSAN WILLIAMS: No. Just thanks
11 to all of you, the Council, for being here and
12 providing this forum for the Board and the committee
13 today, and thanks to all of you in the audience who
14 came.

15 It's certainly been enlightening for
16 me, and I hope that we can proceed judiciously to
17 talk about all of this and hopefully come back with
18 some recommendations in the near future. So it's
19 been interesting, is all I can say.

20 Thank you very much.

21 CHAIRMAN BRUCE SHUPP: Kate, anything?

22 DR. KATE JACKSON: Nope.

23 CHAIRMAN BRUCE SHUPP: We appreciate
24 the opportunity to meet with you and for your
25 committee and we wish you all the best in the future.

1 You have a tough chore.

2 Any administrative items before we
3 adjourn?

4 FACILITATOR DAVE WAHUS: Just a
5 reminder that dinner is still scheduled for 6:00 at
6 the Chesapeake for those of you that said you would
7 be joining us. I don't know where the Chesapeake is.
8 So when we adjourn, Rick, I am sure, can give us some
9 information as to exactly where that is, but it's
10 only two blocks from the hotel, so taxis are not
11 required.

12 CHAIRMAN BRUCE SHUPP: Anything else?
13 Meeting adjourned. Thank you. See
14 you tomorrow.

15 END OF PUBLIC COMMENT SESSION

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