

**Tennessee Valley Authority  
Regional Resource Stewardship Council  
April 8-9, 2015  
Meeting Minutes**

The Tennessee Valley Authority (TVA) Regional Resource Stewardship Council (RRSC or Council) convened for the second meeting of its eighth term at 8:00 a.m. CST on Wednesday, April 8, 2015, at the Marriott Hotel, Muscle Shoals, 10 Hightower Place, Florence, Alabama 35630.

Council members attending:

Avis Kennedy, Chair	Lee Brown	Gregory Cable
Jean Kellems Elmore	Robert Englert	Phil Hazle
Brock Hill	Mark Iverson	Tom Littlepage
Gary Myers	W.C. Nelson III	Jack Simmons
Gerald Taylor		

Designated Federal Officer: Dr. Joseph Hoagland  
Alternative Designated Federal Officer: John Myers  
Facilitator: Lee Matthews

Appendix A identifies the TVA employees, members of the public, and others who attended.  
Appendix B is the agenda for the meeting.  
Appendix C is the Formal Council Advice provided by the Council.

Copies of the presentations given at the meeting can be found at <http://www.tva.gov/rrsc/>.

The majority of the meeting was devoted to presentations by TVA staff about the current status of floating houses on TVA reservoirs, alternatives, and answering questions asked by Council. Council members asked clarifying questions about and offered individual suggestions on certain aspects of the floating houses alternatives. Formal Council advice was also provided by the Council at this meeting.

## **1. Welcome and Introductions**

- a) Mr. Matthews welcomed the Council and reviewed meeting protocols and provided a safety moment.
- b) John Myers, Alternative Designated Federal Official (DFO), welcomed the Council and summarized the purpose of the meeting which was to reflect upon and provide advice to TVA about the floating houses issue.
- c) Avis Kennedy, Chair, welcomed the Council. Council members introduced themselves and the new members were welcomed.

## **2. Designated Federal Officer's Report and RRSC Meeting Protocols**

### **a) DFO Report**

John Myers, alternative DFO and on behalf of Dr. Joseph Hoagland, provided updates about Trout Hatchery funding. There have been public meetings and wide variety of discussions about possible options. TVA used to receive appropriated dollars for this funding. TVA has an increased focus on partnership and TVA is investigating partnership opportunities. TVA will provide any new updates to the RRSC at the next meeting. He also thanked the Council for its prior input and answered Council questions. He announced that floating houses impact the environment and the reservoirs in a multitude of ways, and these issues are not always easy to address.

#### **Council Comment:**

Gary Myers commented that it is important for the public to understand the economic development opportunities arising from the fish hatchery and positive benefits to the Tennessee Valley.

Tom Littlepage and Jack Simmons expressed the value of the work of this Council and suggested that this Council could benefit from hearing about the work of the Regional Energy Resource Council. There is a nexus between water and energy issues, and there is a balancing of competing interests.

### **b) RRSC Protocols** (Presentation can be found at [www.tva.gov/rrsc](http://www.tva.gov/rrsc))

Kendra Mansur, attorney from TVA's Office of General Counsel, highlighted the importance of this second meeting of the eighth term and she thanked the Council, on behalf of TVA, for its participation on past terms and for its participation in this current term. She reiterated that the Council complies with the Federal Advisory Committee Act and regulations. She remarked the recommendations of the Council are greatly appreciated by TVA. She discussed voting protocols and quorum issues, and complemented the Council on its balanced membership and achievements.

## **3. River Management and Dam Safety Update** (Presentation can be found at [www.tva.gov/rrsc](http://www.tva.gov/rrsc))

James Everett, Manager, River Forecast Center Operations Support, provided a river management update and information about Boone and Pickwick. He also presented at the last RRSC meeting during TVA's updates about the River Operations Study (ROS).

Mr. Everett explained that Boone Dam on the Holston River is a multi-purpose reservoir with a lot of recreational opportunities. In October 2014, TVA discovered a sink hole in a parking lot. Sinkholes near Boone Dam are not new; however, TVA inspectors discovered sediment and water seeping from the river bank. TVA accelerated its winter drawdown and lowered the level of Boone Lake to about 10 feet below normal winter pool. Upon further investigation of the situation, TVA determined that there was sediment seepage. For more information, please go to [www.tva.gov/boonedrawdown](http://www.tva.gov/boonedrawdown).



At Pickwick, TVA's analysis showed that a large earthquake could potentially damage the dam's south embankment. TVA installed multiple layers of seismic detection equipment and will install an alert system to notify downstream residents in the event of an earthquake. For more information, please go to [www.tva.gov/sites/pickwick.htm](http://www.tva.gov/sites/pickwick.htm).

**Council Comment:**

Brock Hill stated that the Tennessee Department of Environment and Conservation (TDEC) is working with TVA on the renovation of a marina and some cabins and providing some boat access at Pickwick. He expressed appreciation for the partnership and success of the work.

**4. TVA's Integrated Resource Plan** (Presentation can be found at [www.tva.gov/rrsc](http://www.tva.gov/rrsc))

Gary Brinkworth, the program manager for the Integrated Resource Plan (IRP), provided a snapshot of the draft IRP. The draft plan includes more renewables, such as wind and solar, and less coal and a focus on energy efficiency. TVA has reviewed between 1,500 to 2,000 different cases in our analysis to develop the draft report. We use key criteria to help us score all the plans such as cost (long-term and short-term), financial risk, environmental stewardship, valley economics and flexibility. Considerations in the development of the IRP include the cost and diversity of the power, the environmental footprint, and reliability. We have a "no action" alternative that demonstrates what will occur if TVA stays with the plan we have now based on our 2011 IRP. The plan comment period is open until the end of April. The final is anticipated to be completed in August 2015.

**5. Stewardship Update**

- **Introduction** (*Rebecca Tolene*)
- **NRP Update** (*Evan Crews*)
- **Stewardship Activities** (*Rebecca Hayden-Morgan*)

**a. Stewardship Update Introduction**

Rebecca Tolene, Vice President of Natural Resources and Realty and GIS Services, provided the overview about TVA's stewardship activities. She stated that the Council challenged TVA to communicate and inform the public about TVA's stewardship activities. TVA has conducted a wide variety of events and used different venues to increase communication with the public. The 2015 stewardship book presents a snapshot of what TVA is doing in this area. TVA is increasing attention to and use of social media outlets and is committed to bringing partners together.

Stewardship is an important part of our mission and we depend on the river for so many things. We are being very cost conscious and are representing our ratepayers well. We energize kids to care about the natural resources and we work with Local Power Companies and other partners to perform cleanups and other activities. We are very passionate about and place high value on the water and other natural resources. You will tour the Muscle Shoals reservation this afternoon. What you will see today is a changed property. We have cleaned out and cleaned up, and you will see families and kids having fun. Please feel invited to provide us feedback. If you see something, call me. If you think of partners we need to be adding to our mix, call me. We have

found a lot of power in our partnerships. The RRSC was instrumental in helping us put the Natural Resource Plan together.

**b. Natural Resource Plan Update** (Presentation can be found at [www.tva.gov/rrsc](http://www.tva.gov/rrsc))

Evan Crews, Senior Manager, Natural Resources Management, provided an update on the Natural Resource Plan (NRP). The NRP balances competing uses of resources, and TVA is looking at all aspects of the plan in an integrated way to provide optimum public benefit. TVA is three and a half years into the plan, and we are ready to move from Phase I to Phase II. One goal is to expand data management, such as through the ATLAS project. TVA would like to integrate our data for land management into one system. This tool will give us a lot of flexibility to plan for natural resource management. TVA is also modernizing a huge amount of data for archaeological and historical areas, and TVA has one of the longest stream health monitoring data resources for a system the size of the Tennessee River. TVA is looking at performing some water resource modeling with the Corps of Engineers. We are gaining a better understanding of the resource base and current conditions. Within the framework of the NRP, we have approximately 92,000 acres assessed. We have slowed down a little to focus more attention on “doing.” But we are still making assessments and setting up a maintenance cycle for infrastructure (roads, trails, docks, etc.). We also perform cultural resource surveys and are comprising a recreation inventory. We look for partnerships that support our programs and that fill gaps so that good projects can occur, which otherwise might not happen without help. We involve volunteers and local communities and bring many groups together. We partner with cities, counties, states, and federal agencies.

**c. Stewardship Activities** (Presentation can be found at [www.tva.gov/rrsc](http://www.tva.gov/rrsc))

Rebecca Hayden-Morgan, Manager, Natural Resources Management, discussed a wide range of events and activities that TVA is conducting with partners. She also discussed TVA’s enhanced communication strategy and outreach and recreational projects.

**Council Comment:**

Tom Littlepage stated that it is very nice to see TVA’s incorporation of recommendations from Council. TVA should continue to engage in this type of work and publish the land use plans on-line. Vice President Tolene responded that TVA is going through its internal reviews for some of the land plans, but we see the value of public interaction. We will find a way to continue the dialogue.

Gary Myers asked if TVA has charts or information to demonstrate how much money is used toward improving or maintaining the natural resources throughout the Valley. Vice President Tolene stated that TVA can review and provide that information to the RRSC. TVA has increased spending in this area and we can show you where we think we are going.

Mark Iverson asked if TVA is beginning to see more synergy in forging partnerships, especially since most groups are constrained by limited resources and partnerships provide increasing value. He encouraged TVA to use partnerships as a focus on the TVA website. He commented that historically people see TVA as an entity with deep pockets and that is all. Use the web to help identify needs and talk about what TVA does. Vice President Tolene stated that we are seeing a lot of growth in partnerships. We are reaching out and bringing people and groups



together that may not have worked together before. We are also seeing more interest from the public. We are hosting events for the public and with our partners.

**5. Floating Houses Presentation** (Presentation can be found at [www.tva.gov/rrsc](http://www.tva.gov/rrsc))

Vice President Tolene introduced the topic and stated that this review is going to get more difficult as we guide the discussion and make a decision on what we are going to do. Holly Oswalt, Specialist from Process Performance, TVA's Natural Resources, presented TVA's concerns associated with floating houses. She was accompanied by James C. Adams, Matthew Higdon, and Woody Farrell. Ms. Oswalt explained that TVA is reviewing its management and oversight of floating houses and non-navigable houseboats to address existing issues and manage and regulate the structures. TVA is conducting an environmental review under the National Environmental Policy Act (NEPA), and five public scoping meetings have already occurred throughout the Tennessee Valley. Matthew Higdon, NEPA Compliance specialist, stated that TVA is preparing an environmental impact statement (EIS). TVA has published a scoping report. Many similar issues were ferretted out in the scoping report. Folks recognize that this is a concern and something needs to change, especially on Norris and Fontana. Over half of these floating houses are on Norris. TVA's decision will be consistent for reservoirs across the Tennessee Valley. James Adams, Manager, Recreation Agreements, Natural Resources, discussed the potential alternatives TVA is considering. Mr. Adams, Mr. Farrell, Mr. Higdon and David Harrell answered questions posed by the Council. More information can be found at <http://www.tva.gov/floatinghouses/index.htm>. The Council was extremely engaged in this presentation and followed up with many questions, comments and recommendations.

**Council Comments:**

Chair Kennedy asked the Council to consider the following questions when evaluating recommendations for TVA. Is the present situation good stewardship? If this is not good stewardship, then what does that look like? Is habitation or use as a residence a good use of public space purchased with tax payer funds, especially when the land was condemned? Considering the resources required for implementation, which alternative or option presents the best cost for the ratepayers in execution of the decision? These are similar questions we have had to address at the Corps of Engineers. Chair Kennedy then inquired about who controls the land? TVA responded that it depends on the reservoir. Sometimes TVA owns the land to the water and sometimes TVA owns underneath the water. In some places, TVA only has a flowage easement.

Will Nelson suggested that TVA consider a 14 day stay at one location restriction for structures in the water similar to the 14 day stay restriction on undispersed recreational campgrounds.

Tom Littlepage asked if there is any consistency in the ways that other entities deal with this issue. TVA responded that on the West Coast, floating houses are allowed, and even promoted as revenue generators. There is legislation affecting the Army Corps of Engineers which allows floating houses to remain in one instance. Chair Kennedy added that the legislation was specific to the Cumberland River and its tributaries. There is also a specific prohibition restricting people from living on Corps land or water. Vice President Tolene stated that TVA's focus has been to



talk about structures and not whether people are living in these. We need to think about this issue further as TVA considers what good stewardship looks like.

Lee Brown asked whether under today's rules a person could put a structure into the reservoir and tie it up. TVA responded that in 1978, TVA defined what navigability was. Certain uses were not considered and now TVA is facing the decision about whether to update its regulations.

Greg Cable stated that in Fontana, things appear to be handled differently. He said that Graham County taxes these structures. He stated that if Graham County receives an incident report of a sewage spill, we go investigate it. He stated that he did not know what the tax laws are other places, but a lot of this revolves around the ability of the states to allow the local jurisdictions to monitor and enforce laws. Floating homes are a fairly good tax base in North Carolina.

Gary Myers asked if these houses are taxed in Tennessee. TVA responded that we are aware of one county in Tennessee that has a tax on floating houses, but we are not sure how the county is levying the tax or how well it works. Generally TVA is not aware of local authorities taxing, fining or regulating floating home owners in Tennessee.

Jack Simmons commented that TVA needs to look at entire reservoir program and think of those who are impacted by the floating houses and who have not attended the public meetings. Mr. Simmons recommended that TVA look at all programs related to reservoir properties and use the shoreline management teams. He stated that if he was a property owner on the lake or reservoir, he would want the same consistency in this process provided to him as what is provided to others. TVA should treat people the same on all the reservoirs.

Tom Littlepage commented that when thinking about a fair way to address this situation, the potential impacts will be Valley wide. He stated that there are two visible issues: Safety (water quality, power operations) and good stewardship. He commended TVA for taking a Valley-wide review of this situation and for being willing to be in a leadership position. Part of the challenge is thinking about what good stewardship is and what level of congestion is acceptable on the reservoirs. There is the potential to have more of these floating houses across the Valley. We need to be fair across the Valley. TVA's Bucky Edmondson, Senior Manager of Public Outreach and Recreation and Land Use and Permitting, responded that this issue needs to be addressed. An entity has to play a major role. To continue to be good stewards, TVA is going to do something.

TVA then adjourned for lunch and for the tour of the Muscle Shoals Reservation and Wilson Dam. TVA's Heather Montgomery provided an update during lunch about the work on and revitalization of the reservation.

## **6. Day 2 Welcome and Discussion of Advice Questions**

Dr. Hoagland, Mr. Myers and Mr. Matthews welcomed the Council to the second day of the second meeting of the eighth term. TVA stated that it looked forward to hearing from the Council. Council commented that it appreciated the wealth of valuable information provided yesterday and that it really enjoyed the tour of the reservation and Wilson Dam. The Council participated in discussions to formulate its advice and asked further clarifying questions about floating houses.



Mr. Matthews reviewed the advice questions with the Council, and the Council asked many questions.

Council comments:

Tom Littlepage stated that if Council members have not seen the houses out on the water, it is an eye opening experience. There are sanitation issues and floating subdivisions. He noted that there is potential risk of liability and people could be injured if people do not have a safe space in inclement weather and are living on the water. Fingers could get pointed at various agencies. What is the obligation for "safe places" in the event of a tornado? What is the legal liability for TVA?

Chair Kennedy commented that if there are increasing numbers of floating houses, then these floating houses potentially impact the river system in a myriad of ways. TVA may have to regulate how high and low lake levels are and change how TVA operates the dams because of the floating houses.

Jack Simmons asked which agencies have jurisdiction over floating houses to regulate them, inspect them and enforce building codes. TVA responded that the Corps of Engineers, Coast Guard, TVA, states and others all have some type of standards for boats and the houses should have to have identification numbers. The issue is whether it is a boat or a house. Marinas are inspected, but the houses are not. Jack Simmons inquired further about the definition of a floating house as opposed to a floating dock. TVA responded that generally with docks, TVA is dealing with individual homeowners, but with floating houses, TVA is mostly interacting with the marinas. There are some key factors TVA reviews to determine whether it is a house or a boat. TVA looks for permanent utility connections, whether is it safe to navigate it, and whether it can be taken out of the water? Mr. Simmons followed up with a question about whether a property owner can make a dock into a floating house with a temporary gang plank and build it outside of the dock permitting process. He wanted to know what happens if they are not in a marina? How can we have enforcement in those situations? TVA responded that one option is to change the regulations and not allow any new ones.

Will Nelson stated that there will be controversy and TVA will face some adversity if TVA attempts to further regulate or remove the floating houses; however, TVA needs to do what is good for the whole Valley and not what is good for a few people. Mr. Nelson said that is what good stewardship looks like and that is what TVA states its mission is in the 2015 stewardship book. Mr. Nelson stated that if the lakes are there for the benefit and use for everyone, TVA needs to get all the floating houses off the lakes. He knows that on Blue Ridge, for example, that TVA purchased or condemned land many years ago for the benefit of the reservoir system. Many good folks had to give up their land to benefit the people of the Valley. And now, those with floating homes are using the reservoirs for their own benefit and not for the good of the Valley. He would like to hear further from the Council about their experiences with floating houses.

Lee Brown commented that it appears to be the intent of those who own floating houses to avoid the regulations. It is a big problem. He said that one way to tackle this issue is through strict regulation. TVA knows a lot about regulations. TVA needs to put the regulations in place so that

the floating houses will go away. Mr. Brown stated that if TVA allows these on the reservoirs, the floating houses will be a huge burden later when people get tired of them. TVA or others will have to come out and remove them. The main issue is that it appears that people have tried to avoid the regulations. TVA should be concerned with the impact on the Valley and not the impact on the few who own these when TVA is considering what path to take.

Greg Cable asked if there been any consideration and thought to the cost for litigation for any of these alternatives and costs to enforce them long term? Members commented that years ago on Fontana, these structures were on Fontana and then the owners had to pull them in to harbor rights. Everyone for the most part complied. How did that happen? The Forest Service helps with enforcement on Fontana and there was more awareness about the issues. TVA responded that on Fontana, local officials have been very willing to work with TVA and the Forest Service. And TVA appreciates the good relationship on Fontana with local officials. However, TVA is considering the issue for the benefit of all reservoirs.

Council members stated that they agreed with Mr. Nelson's comments. Council commented that this situation has legacy issues and the Council would like TVA to be good stewards of the Valley for future generations.

Jean Elmore stated that she was in agreement with the legacy issue and Mr. Nelson's comments. She asked if TVA knew the percentage overall of people that use the lakes in compliance with TVA regulations as compared to the small number of people who are in violation of TVA's regulations or have found ways to avoid TVA's regulations? She commented that the people who are well aware that they are in violation should not be surprised by TVA addressing the issue and telling them that the structures need to be removed. They know they are wrong. She wanted to know if we are listening to the few who are louder than others or the larger majority who want to protect the river for future generations. She stated that she knows there are a lot of variables, but it is going to cost TVA and the Valley one way or another. It is not going to go away unless we do something, and she stated that she thinks we have to do something.

Mark Iverson commented that there is an issue with the people having the permits, but who also have these old, dilapidated houses on the water. He inquired how TVA addresses this issue. TVA responded that there are currently 1,800 floating houses Valley-wide and 900 are on Norris. 400 or so will not be able to meet the current criteria.

Phil Hazle said he supported the removal of the floating houses. He viewed the floating houses on Norris and the reservoirs do not need them.

Brock Hill said he supported tighter regulations and if floating houses cannot be removed, then there should be penalties and fees assessed for floating homes. He is in support of cleaner water and enforcement of sanitation and safety issues. Pumping stations should be required.

Mark Iverson stated the floating houses are not impressive and should not be the legacy.

Jack Simmons acknowledged that TVA is in a difficult place. He stated that the Council should respect Member Nelson's points and acknowledge that land was taken or purchased from the



people by TVA to create our dams and reservoirs. Look at the legacy aspect. Diversity is important. People need to go to places properly designated for access.

Robert Englert commented that the reservoirs are supposed to be available to all, and not just those who own floating houses. Think about the legacy.

Greg Cable indicated that the issues on Fontana appear to be different than on Norris reservoir. While he does believe in good stewardship, Fontana is handling the situation well and taking care of any problems.

Jack Simmons commented that as a FACA committee, he believes the role of Council is not to pick an alternative, but rather to have a robust dialogue of the issues and present recommendations to TVA, which would allow TVA to implement the best alternative as determined by TVA. He stated that Council does not have all the data and thus a recommendation is more appropriate.

Members discussed whether to vote that they do not support the “no action” or “allow existing and new” options, but the Council decided to recommend that TVA strongly consider not selecting the “no action” or “allow existing and new” alternatives. The Council was very firm in its discussion that it wanted to see these floating houses removed from the reservoirs within a period of time and it would like TVA to provide additional information to it about the status of the EIS, as available. Members also discussed a sunset period for the structures, which is less than 30 years. Members also wanted to present options to TVA that are outside the box and inquired whether marinas or TVA could take over these structures as potential options to prevent dilapidated structures on the reservoirs. Or could TVA consider paying the owners for the facilities to have them removed? Members stated that they would like a definition to determine whether a floating house is a house or a boat. Members recognized that the cost of having these floating houses on our reservoirs and the removal thereof will likely be borne by the ratepayers in the Valley.

Members discussed a few of the alternatives that are most compatible with the viewpoints of Council. According to the Council, Alternative C is the most direct way to address the issue -- remove existing floating houses and not allow any new ones. The Council suggested that Alternative C will demonstrate to the public that TVA is serious about this issue, but Alternative C may be hard to achieve. Legal and enforcement actions might be expensive. Alternative C sends the most consistent message of all the alternatives, but it might also have the highest risk of causing complete failure of the initiative. Alternative B may be the most practical option, even though Alternative C is what the Council thinks is best for the Valley. The Council is concerned that if Alternative B is selected, it would be difficult to address the grandfathering of some floating houses, and further, Alternative B allows some floating houses to remain. The Council stated that the concepts around B2 seem to be the most palatable on the whole. B2 might be the right place to start, but it is not the ultimate answer based on what the Council would like TVA to do. The ultimate goal suggested by the Council is for all the floating houses to be removed from the water (without waiting thirty years) and no new ones allowed. The Council strongly recommended that the regulations be consistent, fair and detailed enough to make enforcement possible.

#### **8. Public Comment Period**

No members of the public provided comments.

#### **9. Council Formal Advice Questions**

The Council deliberated and finalized its advice. The Council formally moved to adopt the Formal Advice Questions attached herein as Exhibit C. The Council approved the Formal Advice Questions at 12:00 p.m. CST.

#### **10. Closing Comments**

Dr. Hoagland and John Myers thanked the Council for its efforts and advice. They said that the meeting was very productive and generated great ideas. TVA will finalize the minutes for the meeting and submit it for Chair approval. TVA will provide the Council with information about the progression of the NEPA review. The next meeting of the Council is tentatively scheduled for the fall of 2015, and the date and location will be determined in the near future. The meeting concluded with a safety moment by Dr. Hoagland. The meeting adjourned at 12:15 p.m. CST.

Minutes Approved: *Avis Kennedy* Date: *6 July 2015*  
Avis Kennedy, RRSC Chair



**Appendix A**  
**Non-Council Meeting Attendees**

**TVA**

Dr. Joseph Hoagland, DFO	John Myers, Alternative DFO
Rebecca Tolene, Vice President Natural Resources and Realty and GIS Services	Lee Matthews
James Adams	Gary Brinkworth
Derrick Chatman	Evan Crews
Bucky Edmonson	James Everett
Woody Farrell	Dave Harrell
Rebecca Hayden-Morgan	Matthew Higdon
Beth Keel	Kendra Mansur
Heather Montgomery	Holly Oswalt
Larry Softly	Jessica Stone
Rusty Smith	Liz Upchurch

**Members of the Public**

None	
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**Others**

Sylvia Whitehouse – TVA Office of the Inspector General
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**Appendix B**  
**Meeting Agenda**  
**8<sup>th</sup> Term Regional Resource Stewardship Council (RRSC)**  
**April 8 and 9, 2015**  
**Marriott Hotel, Muscle Shoals, Alabama**

**Meeting Objectives:**

1. Gain an update on TVA's Natural Resource Plan progress
2. Share update on progress on Stewardship Activities
3. Gain advice related to possible management activities for Floating Houses

**Day 1 – April 8**

<b>8:00 - 8:10</b>	<b>Welcome and Safety Moment</b> <i>(John Myers, Alternate Designated Federal Officer (DFO))</i>
<b>8:10 - 8:20</b>	<b>Introductions and Agenda Review</b> <i>(RRSC Chair – Avis Kennedy, Facilitator – Lee Matthews)</i>
<b>8:20 – 8:35</b>	<b>FACA Briefing</b> <i>(Kendra Mansur, Office of the General Council)</i>
<b>8:35 - 8:50</b>	<b>DFO Briefing</b> <i>(Myers, Alternate DFO)</i>
<b>8:50 – 9:10</b>	<b>River Management and Dam Safety Update:</b> <i>(James Everett)</i>
<b>9:10 - 9:20</b>	<b>TVA's Integrated Resource Plan</b> <i>(Gary Brinkworth)</i>
<b>9:20 – 9:25</b>	<b>Introduce Advisory Session Topic and Discussion Questions</b> <i>(Lee Matthews)</i> <ol style="list-style-type: none"> <li>1. What standards (<i>safety, environmental or other</i>) for floating houses should be highest priority if a future management strategy is developed?</li> <li>2. In your opinion, which management alternative(s) could most effectively address the issues at hand?</li> <li>3. Should TVA charge a fee to help fund management activities? If so, how much?</li> <li>4. How can we achieve a high level of cooperation and compliance with TVA floating house regulations?</li> </ol>
<b>9:25 – 9:35</b>	<b>Break</b>
<b>9:35 -10:35</b>	<b>Stewardship Update</b> <ul style="list-style-type: none"> <li>• <b>Introduction</b> <i>(Rebecca Tolene)</i></li> <li>• <b>NRP Update</b> <i>(Tina Guinn)</i></li> <li>• <b>Stewardship Activities</b> <i>(Rebecca Hayden-Morgan)</i></li> </ul>



<b>10:35 - 10:45</b>	<b>Break</b>
<b>10:45 - 12:00</b>	<b>Floating Houses</b> ( <i>Rebecca Tolene, Holly Oswalt, James Adams, Woody Farrell, Matthew Higdon</i> )
<b>12:00 - 1:00</b>	<b>Lunch</b> ( <i>Marriott</i> ) Overview of Field Trip Sites and Projects ( <i>Heather Montgomery</i> )
<b>1:15 - 4:30</b>	<b>Field Trip</b> ( <i>Tour of Muscle Shoals Reservation Facilities and Upgrades; Tour of Wilson Dam</i> )
<b>4:30 - 4:45</b>	<b>Wrap-up &amp; Adjourn</b> ( <i>Myers / Matthews</i> )
<b>5:30 - 7:00</b>	<b>Dinner</b> ( <i>Marriott - outside on the deck overlooking the river, weather permitting</i> )

**Day 2 – April 9**

<b>7:30-8:00</b>	<b>Breakfast</b> ( <i>Marriott</i> )
<b>8:00 - 8:15</b>	<b>Welcome and Recap</b> ( <i>Matthews / Myers</i> )
<b>8:15 - 9:00</b>	<b>Discussion and Initial Advice from the Council</b> ( <i>Matthews</i> )
	<b><u>Advice Questions:</u></b> <ol style="list-style-type: none"> <li>1. What standards (<i>safety, environmental or other</i>) for floating houses should be highest priority if a future management strategy is developed?</li> <li>2. In your opinion, which management alternative(s) could most effectively address the issues at hand?</li> <li>3. Should TVA charge a fee to help fund management activities? If so, how much?</li> <li>4. How can we achieve a high level of cooperation and compliance with TVA floating house regulations?</li> </ol>
<b>9:00 - 10:00</b>	<b>Public Comment Session</b>
<b>10:00 - 10:15</b>	<b>Break</b>
<b>10:15 - 11:30</b>	<b>Council Discussion and Advice (continued)</b>
<b>11:30 – 11:45</b>	<b>Wrap up and Adjourn,</b> <i>Kennedy / Hoagland</i>
<b>11:45 - 12:15</b>	<b>Lunch</b> ( <i>Marriott Restaurant</i> )

**Appendix C**  
**Formal Council Advice**  
**Regional Resource Stewardship Council**  
**Advice Statement, April 9, 2015**  
**Approved unanimously by RRSC**

**1. What standards (*safety, environmental or other*) for floating houses should be highest priority if a future management strategy is developed?**

- Do current conditions reflect “good stewardship” and if not what does this look like?
- Importance of protecting the legacy of the resource for all Tennessee Valley (Valley) residents.
- Think about the long term impact if these are continued to be allowed - what legacy does this leave for the future?
- Standards that should be prioritized are safety, regulatory enforcement for sanitation and electrical safety.
- Look into fee structures/punitive consequences for non-compliance.
- Current TVA Section 26a regulations may not be adequate to fix the problem. Regulations need to answer whether it's a house or a boat to be consistent and fair across the Valley.

**2. In your opinion, which management alternative(s) could most effectively address the issues at hand?**

- The Council's recommendation is to see these floating houses gone in less time than 30 years with no new ones established.
- The Council recognizes that usage on Fontana has been more proactively managed than other reservoirs.
- Consider offering a declining TVA buy-out period to retire floating houses/permits and remove them voluntarily.
- The No Action Alternative and Alternative A are not recommended options.
- Consider the costs associated with options (buy-out; removal; on-going management).
- Alternative B1 - think carefully about grandfathering existing. Will this just push the problem to the future?
- Alternative B2 (B2) offers an eventual sunset, but TVA should not be concerned about existing mortgages, costs, financial impacts to property owners. Perhaps consider a shorter sunset period such as 10 years.
- (Re: B2) It will be very difficult to achieve, but shows that TVA is serious in management of this issue. Devise a plan to improve.
- Keep Marinas involved.
- Make it clear and enforceable who has responsibility to remove the floating houses.
- B2 is the most realistic approach to achieve stewardship goals.
- Alternative C should be considered and would be the most direct way to address. There are risks associated including possible legal action against



TVA which could be expensive. Alternative C involves a higher risk of causing complete failure of the initiative than the other alternatives.

- For all Alternatives, revise the definition of a boat.
- For floating houses not in compliance/creating hazard, set dates for removal. (i.e. 30 days)
- Be strong in whatever is decided. Tell why it must be done and charge enough to make non-compliance unattractive.
- Prove TVA's commitment to stewardship with the decisions made.
- The Council looks forward to further review based on upcoming information including the Environmental Impact Statement (EIS).

### **3. Should TVA charge a fee to help fund management activities? If so, how much?**

- Require a bond from the owners of the floating houses to protect TVA from incurring costs in the event the floating houses are abandoned/dilapidated, etc.
- Fundamentally decide if it's a floating house or a boat.
- Consider buying out floating house owners, and then rent during the sunset period to recover costs for TVA for ultimate disposition.
- During the time floating houses are on the water:
  - Marina owners should assess a fee such as condo owner type fee to maintain the "building" for regular inspection/ maintenance and for the Marina to fix problems up to and including removal.
  - Another option is to charge an amount based on fair market value for the size of the structure and its location.
  - Funds collected should be substantial enough to cover the costs of the program. Rate payers should not subsidize the costs through electric rates.

### **4. How can we achieve a high level of cooperation and compliance with TVA floating house regulations?**

- Work with State boating enforcement agencies.
- Work with local Governments (i.e. Fontana Reservoir) for solutions.
- Actions should be fair, reasonable, make sense and be designed to support a consistent vision of stewardship across the Valley. TVA could consider variation in implementation based on local norms and land rights.
- Be proactive in helping people understand why the overall goal is necessary to be good stewards of the Valley.
- Have precise parameters that are communicated (including internal communication plan with wide range of concepts and consistent message from top to bottom in the organization) for understanding and with the stewardship message.