

**Appendix E**

**Public Notice Comments**

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**TENNESSEE HISTORICAL COMMISSION**  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

October 2, 2008

2941 LEBANON ROAD  
NASHVILLE, TN 37243-0442  
(615) 532-1550

Mr. J. Ruben Hernandez  
COE-Nashville District  
3701 Bell Road  
Nashville, Tennessee, 37214

RE: COE-N, PN# 08-51/WATERFRONT IMPVTS., KNOXVILLE, KNOX COUNTY

Mr. Hernandez

In response to your request, received on Thursday, September 25, 2008, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process.

To complete our review of this undertaking, this office will need to receive from you a detailed and clearly marked USGS topographic 7.5 minute series map indicating the exact location of each specific project activity and a clear project narrative. You may obtain such a map by contacting the Office of Map Sales at (615) 532-1516.

Upon receipt of the additional information, we will complete our review of this undertaking as expeditiously as possible. Until this office has rendered a final comment on this project, your Section 106 obligation under federal law has not been met. Please inform us if this project is not funded or canceled by the federal agency. Questions and comments may be directed to Joe Garrison (615) 532-1550-103.

Your cooperation is appreciated.

Sincerely,

E. Patrick McIntyre, Jr.  
Executive Director and  
State Historic Preservation Officer

EPM/jyg

03 OCT 2008



→ JRV  
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10/2

**TENNESSEE HISTORICAL COMMISSION**  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

September 30, 2008

2941 LEBANON ROAD  
NASHVILLE, TN 37243-0442  
(615) 532-1550

Mr. J. Ruben Hernandez  
United States Army Corps of Engineers  
Nashville District  
Regulatory Branch  
3701 Bell Road  
Nashville, Tennessee 37214

RE: COE-N, PN8-51/WATERFRONT/TRM 647.4-649.1L, KNOXVILLE,  
KNOX COUNTY

Dear Mr. Hernandez:

The above-referenced undertaking has been reviewed with regard to National Historic Preservation Act compliance by the participating federal agency or its designated representative. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

Our office concurs with your agency that in order to complete our review of this undertaking, we office will need to receive from you a detailed archaeological survey report on the area of potential effect.

Upon receipt of the survey report, we will complete our review of this undertaking as expeditiously as possible. Until such time as this office has rendered a final comment on this project, your Section 106 obligation under federal law has not been met. Please inform this office if this project is canceled or not permitted by the federal agency. Questions and comments may be directed to Jennifer M. Barnett (615) 741-1588, ext. 105.

Your cooperation is appreciated.

Sincerely,

E. Patrick McIntyre, Jr.  
Executive Director and  
State Historic Preservation Officer

EPM/jmb

02 OCT 2008



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

446 Neal Street  
Cookeville, TN 38501

October 24, 2008

Lt. Colonel Bernard R. Lindstrom  
District Engineer  
U.S. Army Corps of Engineers  
3701 Bell Road  
Nashville, Tennessee 37214

Attention: Mr. J. Ruben Hernandez, Regulatory Branch

Subject: Public Notice No. 08-51. City of Knoxville, Proposed Waterfront Public Improvements between Tennessee River Mile 647.4 and 649.1, Left Bank, Knox County, Tennessee.

Dear Colonel Lindstrom:

Fish and Wildlife Service personnel have reviewed the subject public notice. The proposed work would involve a series of public improvement projects that are recommended in Phase I of the applicant's (City of Knoxville) South Waterfront Action Plan. The project includes construction of floating walkways, docks, overlooks, and a kayak ramp. The applicant also proposes to enhance approximately 0.95 acre of existing degraded wetland. The following constitute the comments of the U.S. Department of the Interior, provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the action that may affect listed species or critical habitat in a manner not previously considered, (2) the action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the action.

27 OCT 2008

We do not anticipate significant adverse impacts to fish and wildlife or their habitats as a result of this project. Therefore, the Service has no objection to the issuance of a permit for the proposed work described in the subject public notice.

Thank you for this opportunity to review the subject notice. Please contact Robbie Sykes of my staff at 931/528-6481 (ext. 209) if you have questions about these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee A. Barclay". The signature is fluid and cursive, with the first name "Lee" being more prominent.

Lee A. Barclay, Ph.D.  
Field Supervisor

xc: Robert Todd, TWRA, Nashville, TN  
Dan Eagar, TDEC, Nashville, TN  
Stephanie Fulton, EPA, Atlanta, GA

→ JRL  
10/27

October 17, 2008

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, TN 37214

RE: 26A / 404 Permit Application Number 200800886, Public Notice No. 08-51

Dear Mr. Hernandez,

As a property owner in the Knoxville Community, I am writing this letter in support of the Joint 26A / 404 Permit Application for the South Waterfront Public Improvements as submitted by the City of Knoxville, TN.

Receipt of this permit is a major factor in a 20-year plan to revitalize Knoxville's South Waterfront. Permitted facilities will be highly visible landmarks, and will encourage new investment by developers and businesses by:

- **Uniting** - South Knoxville with Downtown both physically and visually with a sense of pride that compliments Knoxville's unique history and personality.
- **Connectivity** – Pedestrians and those arriving by boat, automobile, or bus will find it easier to enjoy the river from the south bank, providing easily accessible places to walk, dock, part and disembark.
- **New Park Development** – The South Waterfront Vision Plan includes a series of public green spaces riverwalk spanning roughly three miles of the Tennessee River through downtown.
- **Boating Accommodations** – New public boat ramps and private docking areas. Extra riverfront park space means increased space to accommodate city functions.
- **New Private Development Opportunities** – The City of Knoxville announced a \$58.6 million dollar residential project by Southshores Properties, Inc. that would create new construction and a strong tax base for our community. We need to keep the momentum and move this plan forward for the future of Knoxville and our community.

Similar in concept to the 21st Century Waterfront Plan in Chattanooga, the Knoxville South Waterfront will be enjoyed annually by thousands of Tennesseans and tourists as a visually stunning and newly accessible waterfront, improving public river access and providing a better quality of life for people in Knoxville and the state of Tennessee.


Since 2004, the City of Knoxville has made the South Waterfront a major public initiative, and has spent considerable time and resources design and adopt a South Waterfront Vision and Action Plan, a form based code, and a tax increment financing district. After 4 years of diligent planning, the South Waterfront is finally moving into implementation.

21 OCT 2008

TVA and COE permitted water use facilities will act as a very important initial catalyst needed to build revitalization momentum.

Please permit the requested Knoxville South Waterfront Public Improvements. The permit would be a significant force in strengthening Knoxville's downtown as a major regional center in our great state. Thank you for your support of Knoxville's South Waterfront Vision.

Sincerely,



W. Michael Conley  
Property Owner

Cc: City South Waterfront Department  
City County Building – Rm. 503  
400 Main Street  
Knoxville, TN 37902

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## Hernandez, Jose R LRN

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**From:** RConley904@aol.com  
**Sent:** Saturday, October 18, 2008 4:49 PM  
**To:** Hernandez, Jose R LRN  
**Subject:** (no subject)

**Attachments:** South Knoxville Permit.doc



South Knoxville  
Permit.doc (29...

Please find my letter regarding the South Knoxville Riverfront Development Project.

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BUY Indiana Jones and the Kingdom of the Crystal Skull on DVD today!  
<[http://pr.atwola.com/promoclk/100000075x1209326865x1200539441/aol?](http://pr.atwola.com/promoclk/100000075x1209326865x1200539441/aol?redir=http://www.indianajones.com/site/index.html)  
[redir=http://www.indianajones.com/site/index.html](http://www.indianajones.com/site/index.html)>

October 18, 2008

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, Tennessee  
37214-2660

Re: Knoxville South Waterfront Development Public Improvements  
Knoxville, Tennessee  
Application No. 200800886  
Public Notice 08-51

Dear Sir:

I have given my approval for the City of Knoxville to investigate the possible use of my river frontage for development. However, I would like to make it clear that the City of Knoxville's application for a water front development on my properties located in the "middle section development" as 939 Langford Ave., 1015 Phillips Ave. and 1101 Phillips Ave. is for the purpose of a possible use of my property. Any grant of the permit shall not be an exclusive use of the property for the purpose requested. To be more specific, I wish to make it clear this application is not a binding limitation should I (or another possible buyer) wish to develop these properties in other ways or means which could include construction of buildings and/or structures on the proposed property.

The City of Knoxville has not purchased my property nor has it made offers to purchase the property. There is no guarantee that the city will have any rights or ownership of these properties and to limit the use and/or development of the property could very well damage the value of my investment.

Should the caveat not to limit the use not be agreeable to the Corp or to TVA. I will oppose the permit at this time.

Sincerely,  
Ronald L. Conley



October 15, 2008

→ JRB  
10/20  
ALVIN J. NANCE, Executive Director/CEO

901 Broadway, N.E. • Knoxville, TN 37917-6699  
865.403.1100 • Fax 865.403.1117  
800.848.0298 (Tennessee Relay Center)  
www.kcdc.org

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, Tennessee 37214.2660

RE: 26A/404 Permit Application Number 200800886, Public Notice No. 08-51

Dear Mr. Hernandez:

As an active stakeholder in the Knoxville Community, Knoxville's Community Development Corporation (KCDC) is writing this letter in support of the Joint 26A/404 Permit Application for the South Waterfront Public Improvements as submitted by the City of Knoxville, Tennessee. KCDC is the City of Knoxville's exclusive Redevelopment and Urban Renewal Authority. Knoxville's South Waterfront has been designated as a redevelopment area. KCDC assists the City of Knoxville in administering redevelopment powers in this area, including, but not limited to, acquiring real property to remove, prevent or reduce blight, blighting factors or the causes of blight. In addition, KCDC acquires real property where the condition of the title, the diverse ownership of the real property to be assembled, the street or lot layouts or other conditions prevent proper development and where the acquisition of the area is necessary to carry out a redevelopment plan. Other services provided by KCDC are:

- Redevelopment Planning
- Market/Site Analysis
- Right-of-Way Acquisition
- Relocation Planning/Services
- Building Demolition and Site Clearance
- Environmental Remediation
- Tax Increment Financing

South Waterfront goals mandated by the City of Knoxville to be implemented by KCDC include:

- Uniting South Knoxville with Downtown Knoxville
- Connecting with South Knoxville and Knoxville's Downtown via land and water
- New Park Development on the South Waterfront
- Increased Boating Accommodations
- New Private Development Opportunities
- South Waterfront Vision Implementation

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Knoxville's Community Development Corporation

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2.0 OCT 2008

J. Ruben Hernandez  
October 15, 2008  
Page 2

Receipt of this permit is critical to the 20-year plan to revitalize Knoxville's South Waterfront. Permitted facilities will be highly visible landmarks and will encourage new investment opportunities. The Knoxville South Waterfront is envisioned to attract locals and tourists by the thousands to enjoy a visually stunning and accessible waterfront, improving public river access and providing a better quality of life for all.

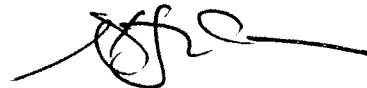
The City of Knoxville has devoted considerable time and money to make the South Waterfront vision a practical reality with the adoption of an action plan, form-based code and tax increment financing applied to the entire district.

Therefore, the TVA and COE permitted water use facilities are a very important catalyst needed for the revitalization effort.

Please allow the permitting of the requested Knoxville South Waterfront Public Improvements. The impact of this permit is significant in moving this project forward.

Thank you for your support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alvin J. Nance', with a long horizontal stroke extending to the right.

Alvin J. Nance

Executive Director/CEO

AJN:jl  
cc: City South Waterfront Department

→ J1218  
or  
10/14

511 High Avenue  
Knoxville, TN 37920

October 9, 2008

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, TN 37214

RE: 26A / 404 Permit Application Number 200800886, Public Notice No. 08-51

Dear Mr. Hernandez,

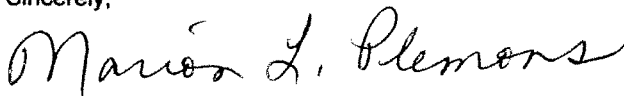
I live and own my home in the South Knoxville area. I am also a librarian at South-Doyle Middle School. I have lived on High Avenue almost eight years and I love this community. However, it has many areas that are eyesores and I highly suspect many illegal activities happen here. For example, a man who was doing some handy work for me was propositioned by a prostitute when turning off Davenport Road onto my street across the street from Spanish Terrace Apartments. I have also had many transients and apparent homeless people coming to my door panhandling. I live alone and sometimes it is a bit frightening. I believe if the waterfront comes to this area, it will clean up this neighborhood and be an even greater source of pride for the law-abiding taxpayers who live here. An added bonus would be the increase in my property value.

Therefore, as an active stakeholder in the Knoxville Community, I am writing this letter in support of the Joint 26A / 404 Permit Application for the South Waterfront Public Improvements as submitted by the City of Knoxville, TN. Receipt of this permit is a major factor in a 20-year plan to revitalize Knoxville's South Waterfront. Permitted facilities will be highly visible landmarks, and will encourage new investment by developers and businesses. Similar in concept to the 21st Century Waterfront Plan in Chattanooga, the Knoxville South Waterfront will be enjoyed annually by thousands of Tennesseans and tourists as a visually stunning and newly accessible waterfront, improving public river access and providing a better quality of life for people in Knoxville and the state of Tennessee.

Since 2004, the City of Knoxville has made the South Waterfront a major public initiative, and has spent considerable time and resources design and adopt a South Waterfront Vision and Action Plan, a form based code, and a tax increment financing district. After 4 years of diligent planning, the South Waterfront is finally moving into implementation. TVA and COE permitted water use facilities will act as a very important initial catalyst needed to build revitalization momentum.

Please permit the requested Knoxville South Waterfront Public Improvements. The permit would be a significant force in strengthening Knoxville's downtown as a major regional center in our great state. Thank you for your support of Knoxville's South Waterfront Vision.

Sincerely,

  
Marion L. Plemons

14 OCT 2008

→ JRH  
h  
10/14

Richard Belz Jr.  
506 Alandale Dr.  
Knoxville Tn, 37920

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, TN 37214

October 8, 2008

RE: 26A / 404 Permit Application Number 200800886, Public Notice No. 08-51

Dear Mr. Hernandez,

As an active stakeholder in the Knoxville Community, I am writing this letter in support of the Joint 26A / 404 Permit Application for the South Waterfront Public Improvements as submitted by the City of Knoxville, TN.

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Please permit the requested Knoxville South Waterfront Public Improvements. The permit would be a significant force in strengthening Knoxville's downtown as a major regional center in our great state. Thank you for your support of Knoxville's South Waterfront Vision.

Sincerely,

*Richard Belz Jr.*

20 OCT 2008

→ JRM  
✓  
10/14

October 9, 2008

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, TN 37214

RE: 26A / 404 Permit Application Number 200800886, Public Notice No. 08-51

Dear Mr. Hernandez,

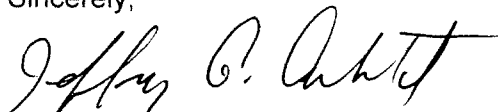
As an owner of a condominium being build at the proposed Riverwalk site of the south waterfront in downtown Knoxville, I am writing this letter in support of the Joint 26A / 404 Permit Application for the South Waterfront Public Improvements as submitted by the City of Knoxville, TN.

Receipt of this permit is a major factor in a 20-year plan to revitalize Knoxville's South Waterfront. Permitted facilities will be highly visible landmarks, and will encourage new investment by developers and businesses. Similar in concept to the 21st Century Waterfront Plan in Chattanooga, the Knoxville South Waterfront will be enjoyed annually by thousands of Tennesseans and tourists as a visually stunning and newly accessible waterfront, improving public river access and providing a better quality of life for people in Knoxville and the state of Tennessee.

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Please permit the requested Knoxville South Waterfront Public Improvements. The permit would be a significant force in strengthening Knoxville's downtown as a major regional center in our great state. Thank you for your support of Knoxville's South Waterfront Vision.

Sincerely,



Jeffrey G. Arbital, P. E.  
Knox County, Tennessee

14 OCT 2008

→ JRM  
or  
10/14

October 9, 2008

J. Ruben Hernandez  
U.S. Corp of Engineers  
Nashville District, Regulatory Branch  
3701 Bell Road  
Nashville, TN 37214

RE: 26A / 404 Permit Application Number 200800886, Public Notice No. 08-51

Dear Mr. Hernandez,

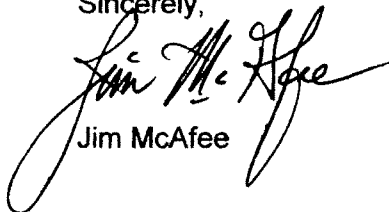
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Please permit the requested Knoxville South Waterfront Public Improvements. The permit would be a significant force in strengthening Knoxville's downtown as a major regional center in our great state. Thank you for your support of Knoxville's South Waterfront Vision.

Sincerely,



Jim McAfee

14 OCT 2008